



DENVER
THE MILE HIGH CITY

201 W Colfax Ave, Dept 205
Denver, CO 80202
p: 720-865-2972
f: 720-865-3056
www.denvergov.org/planning

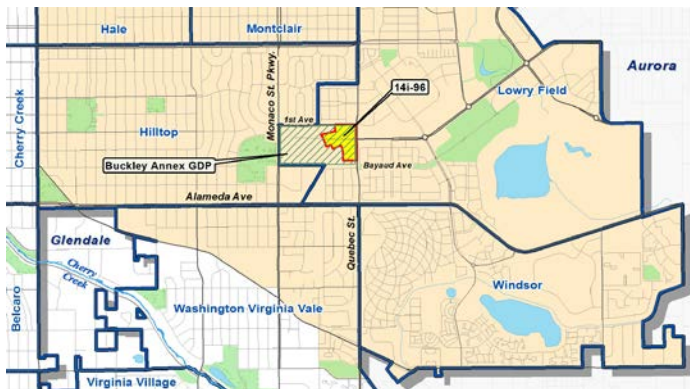
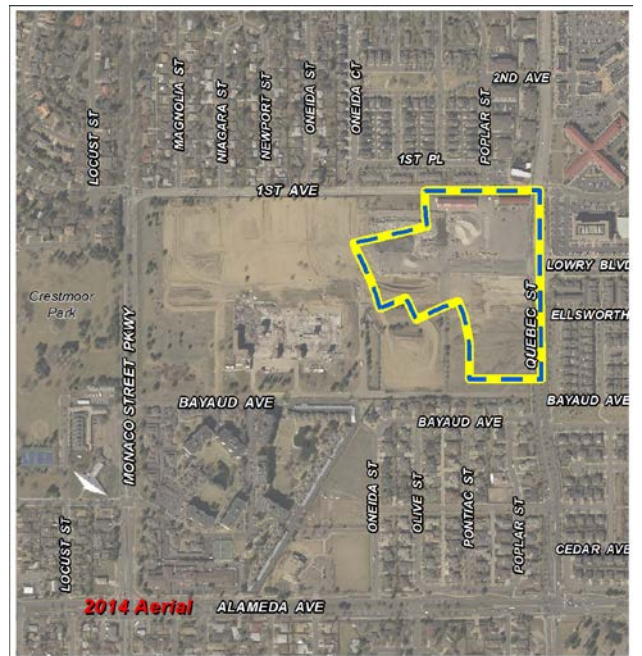
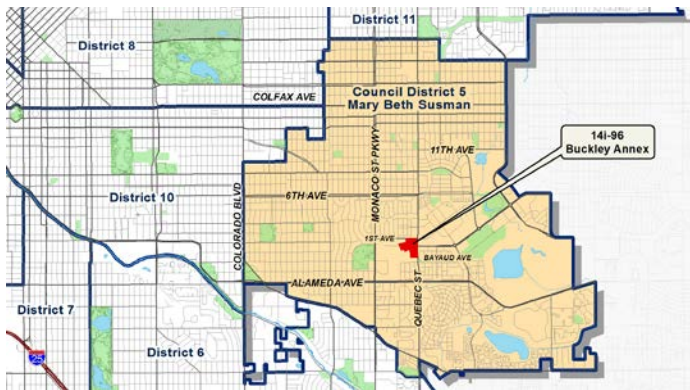
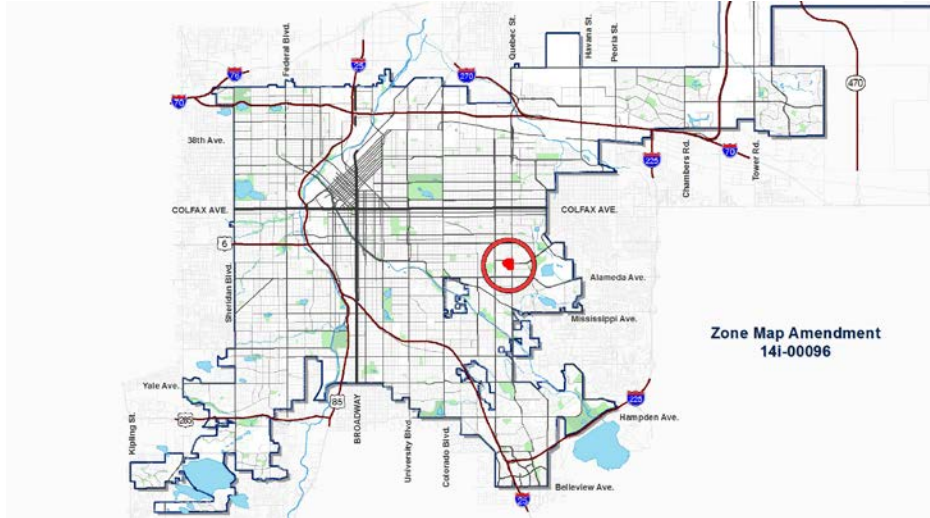
TO: Denver City Council
FROM: Theresa Lucero, Senior City Planner
DATE: June 25, 2015
RE: Official Zoning Map Amendment Application #2015I-00096
Approximately 99 Quebec Street
Rezoning from O-1 to C-MX-5 with Waivers

CPD Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I-00096 for a rezoning from O-1 to C-MX-5 with Waivers.

Request for Rezoning

Application:	#2014I-000096
Location:	Approximately 99 Quebec Street
Neighborhood/Council District:	Lowry Field / City Council District #5
RNOs:	Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation; Lowry Community Master Association; Lowry United Neighbors; Mayfair Park Neighborhood Association; Mayfair Residence Condominium Association
Area of Property:	Approximately 18 acres, 786,127 SF
Current Zoning:	O-1: (A Denver Zoning Code zone district with a limited use list that include civic and public uses, limited group living, limited commercial and some industrial uses. No maximum height, except when within 175' of a protected zone district where the height is limited to 75'. The only form standards are for setbacks.)
Proposed Zoning:	C-MX-5 with Waivers: Urban <u>C</u> enter Neighborhood context – <u>M</u> ixed Use – <u>5</u> story maximum height with waivers to reduce the overall maximum height from 5 stories and 70 feet to 5 stories and 65 feet, and also to reduce the number of stories and maximum height allowed in specific areas of First Avenue and Quebec Street from 5 stories and 70 feet, to 3 stories and 45 feet.
Property Owner(s):	Lowry Redevelopment Authority (LRA) - a quasi-governmental, nonprofit entity created by the cities of Denver and Aurora in 1994 to redevelop the former Lowry Air Force Base
Owner Representative:	Kaplan, Kirsch & Rockwell, LLC



Summary of Rezoning Request

- The subject property (18 acres) is part of the larger 70-acre Buckley Annex property, which was the last remaining parcel of land to be transferred by the Department of Defense to the Lowry Redevelopment Authority (LRA) at the former Lowry Air Force Base (1,866 acres). The subject property is vacant except for two, 2-story existing structures near the intersection of 1st Avenue and Quebec Street. One of the existing structures is an office building and the other is a maintenance building.
- The property owner is requesting a rezoning to entitle the land for future redevelopment of the site consistent with adopted City plans including the Buckley Annex General Development Plan approved in 2013. The LRA will be the master developer of the site, as it has been for the rest of Buckley Annex and Lowry, and will sell land to residential and commercial developers for vertical construction.
- The proposed rezoning for the subject site is for the C-MX-5 zone district with Waivers, or Urban Center Neighborhood Context – Mixed Use – 5 story maximum height with waivers of overall building heights from 70 feet to 65 feet, and in specific areas of First Avenue and Quebec Street, where directly across the street from existing surrounding neighborhoods, to waive the 70 feet height to 3 stories and 45 feet. For portions of the subject property where the waivers impose height limits of 3 stories and 45 feet, the waiver also states that the height limit spans for a distance of 30 feet from the right-of-way of 1st Avenue and Quebec Street into the subject property. The waiver standards are proposed to apply throughout the subject property and mirror the maximum 3 and 5 story heights recommended by the approved Buckley Annex General Development Plan.

Waivers to a New Code Zone District – Implications:

Waivers are enabled by Section 12.4.10.6 of the Denver Zoning Code and allow for an applicant to waive certain rights or obligations under the proposed zone district. This applicant requested such waivers:

- The variations in building height requested in the subject waivers are not achievable under a single standard zone district of the Denver Zoning Code. Currently to achieve two separate heights on one property, the property would need to be rezoned to two separate zone districts. For other similar properties in the city an overlay district which restricts edge building heights have been applied. The Denver Zoning Code has no current overlay district that would implement the specific height transitions proposed for Buckley Annex. An alternate way to achieve the edge step down in height is the proposed waivers (page 4 of the application appendix).

Summary Background

The following is a summary of the Buckley Annex history.

- 1970s - 2005 - The subject property was home to the Defense Finance and Accounting Services and the Air Reserve Personnel Center (DFAS/ARPC), with some 3,000 employees
- 1993 – Lowry Reuse Plan created and adopted by the City with the underlying assumptions that the DFAS/ARPC land uses would remain on the Buckley Annex property
- 2000 – Denver’s Comprehensive Plan 2000 adopted and Lowry Reuse Plan re-adopted as a Plan supplement by the city with the (DFAS/ARPC) land uses shown to continue on Buckley Annex

- 2002 – Blueprint Denver adopted by the city
- 2005 - Department of Defense-Air Force announced closure of DFAS/ARPC land uses on Buckley Annex (the subject site)
- 2008 – Buckley Annex Redevelopment Plan completed by LRA as required by the Department of Defense (not adopted by the city)
 - LRA created Buckley Annex Redevelopment Plan following an iterative and public planning process involving city staff and residents.
 - As described in the Redevelopment Plan “The Department of Defense recognizes a local redevelopment authority as the entity responsible for creating a redevelopment plan for closed facilities before property is transferred for development. The Office of Economic Adjustment (OEA) designated the LRA to manage the public process for the Redevelopment Plan and ultimately deliver a plan that balances the needs of the community, the Air Force and future developers.”
 - The Redevelopment Plan for Buckley Annex was submitted to the Secretary of Defense and the Secretary of Housing and Urban Development.
 - The Redevelopment Plan provided a framework for land use and transportation including residential areas, mixed use areas, building height limitations, a new, connected street grid, and parks and open spaces.
- 2011 – Buckley Annex property completely vacated by the Air Force
- 2012 - Air Force completed transfer of the Buckley Annex property to the LRA
- 2013 – Buckley Annex General Development Plan adopted by the City pursuant to DZC Section 12.4.12 and recorded (Reception Number 2013077511). (Planning Board had recommended approval with one condition to the Development Review Committee (DRC) consisting of staffs from Community Planning and Development, Parks and Recreation, and Public Works). The condition recommended by Planning Board consisted of removing a 35 feet setback on Quebec Street. The DRC accepted the condition and approved a minor amendment to the approved GDP (reception #2014118498).

Existing Context

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Subject Site	O-1	2 existing non-residential structures with surface parking	Two 2-story non-residential structures	Modified grid pattern of streets and rectangular blocks; Streets north of 1 st Avenue connected south of 1st Avenue by Buckley Annex superblock, but not connected south of Buckley Annex. Vehicle parking to the side or rear of buildings (alley access), and structured.
North	R-2-A with waivers/G-RH-3 with waivers/OS-B	Library & Rowhouses	1st Avenue – 2-story library and rowhomes, consistent rear rowhouse setback from 1 st Avenue	
South	U-SU-B with waivers	Vacant with SF residential south of Bayaud Avenue	No Structures within Buckley Annex with 2-story residential structures adjacent to the south	
East	B-3 with waivers, R-2-A with waivers	Office, senior apartments, rowhouses & SF residential	2-4-stories	
West	G-RH-3 with waivers & U-SU-A with waivers	Vacant	No Structures	

Existing Land Use



1- Mayfair Park Neighborhood, Single unit attached, 1-1.5 story north of subject property



2 Schlessman Library, 2-story, on 1st Avenue north of subject property



3 Subject Property



4 Vacant property south of subject property



5 4-story office building, east across Quebec Street at 1st Avenue



6 2-story SF & townhome residential structures, SE of subject property



7 Vacant property west of subject property



Summary of City Review

The map amendment was referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Asset Management: Approve – No Comments

Development Services – Project Coordination: No Comments.

Development Services – Wastewater: Approved, There is no objection to the rezone; however applicant should be under notice that Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity as outlined in the LRA master plans. A sanitary study and drainage study may be required. These studies may results in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient. Approval of this rezone on behalf of Wastewater does not state, or imply, public storm/sanitary infrastructure can, or cannot, support the proposed zoning.

Public Works – City Surveyor: Approved – No Comments

Development Services – Transportation: No Comments

Denver Parks and Recreation: Approved, no comments.

Public Notice Process

Several notices are sent to registered neighborhood organizations throughout the rezoning process. The following summarizes the specific dates public notice have been sent:

- March 16, 2015, CPD staff provided informational notice of the completed rezoning application to affected members of City Council and registered neighborhood organizations within 200 feet of the subject property according to Section 12.3.4.5.A.1 of the Denver Zoning Code.
- April 21, 2015, for the Planning Board Public Hearing: The property was legally posted with a sign for a period of 15 days announcing the May 6, 2015 Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations within 200 feet of the subject property and City Council members. At the Planning Board public hearing on May 6, 2015, the NAP Committee meeting on May 20, 2015, and the final City Council Public Hearing date of June 29, 2015, was announced.
- NAP, following Planning Board review, the rezoning application will be referred to the Neighborhoods and Planning Committee of the City Council for review. NAP is a public meeting with electronic notification sent to affected members of City Council and affected registered neighborhood organizations.
- Notice for City Council Public Hearing: Following NAP committee review, the rezoning application is referred to the full City Council for final action after a public hearing on second reading. For the public hearing notification of the hearing is sent to affected members of City Council and affected registered neighborhood organizations and notification signs are posted on the property 21 days prior to the hearing. On June 5,

2015, the electronic public notice was sent and the public notice sign was posted on the subject property.

Public Comments

As of the date of this staff report, June 25, 2015, 331 individual responses had been received, 215 oppose the rezoning and 116 support the rezoning.

Planning Board Recommendation

At the May 6, 2015 Planning Board public hearing Planning Board unanimously recommended approval of the rezoning proposal.

Neighborhoods and Planning Committee Action

At the May 20, 2015, meeting of the City Council Neighborhoods and Planning Committee members voted to refer the rezoning application to the full City Council for final action after a public hearing.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are as follows:

a) DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

b) DZC Section 12.4.10.8

1. Justifying Circumstances (also referenced in Section 12.4.10.1)
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

a) DZC Section 12.4.10.7

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Lowry Reuse Plan (1993, re-adopted 2000)
- Blueprint Denver (2002)
- Buckley Annex General Development Plan (2013)

Denver Comprehensive Plan 2000

This rezoning is consistent with many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability chapter, Objective 2 Stewardship of Resources, Strategy 2-F: *“Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place” (p. 39).*
- Environmental Sustainability chapter, Objective 2 Stewardship of Resources, Strategy 2-F: *“Conserve land by designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods” (p.39).*
- Environmental Sustainability chapter, 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” (p. 41).

- Land Use chapter, Objective 1 Citywide Land Use and Transportation Plan, Strategy 1-A: *“Develop a Citywide Land Use and Transportation Plan that anticipates growth and development patterns through 2020. Consider future needs for housing, commerce and industry, parks recreation and open space, transportation, community facilities, and other identified land-use needs” (p.57).*
- Land Use chapter, Objective 1 Citywide Land Use and Transportation Plan, Strategy 1-H: *“Encourage development of housing that meets the increasingly diverse needs of Denver’s present and future residents in the Citywide Land Use and Transportation Plan” (p. 58).*
- Land Use chapter, Objective 3 Residential Neighborhoods and Business Centers, Strategy 3-B: *“Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses” (p. 60).*
- Land Use chapter, Objective 4 Land Use and Transportation, 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” (p. 60).*
- Mobility chapter, Objective 1 Diverse Mobility Options, Strategy 1-A: *“Advocate transportation investments that increase mobility of people and their connections to employment, education, shopping, cultural opportunities and other activities” (p.75).*
- Mobility chapter, Objective 3 Accommodating New Development, Strategy 3C: *“Provide safe and convenient pedestrian and bicycle facilities within urban centers and new development areas” (p. 77).*
- Mobility chapter, Objective 4 Accommodating New Development, Strategy 4-E: *“Continue to promote mixed-use development, which enables people to live near work, retail and services” (p. 78).*
- Denver’s Legacies chapter, Objective 3 Compact Urban Development, Strategy 3-A: *“Identify areas in which increased density and new uses are desirable and can be accommodated” (p. 90).*
- Denver’s Legacies chapter, Objective 4 Strong Connections, Strategy 4-A: *“Preserve, enhance and extend the pattern and character of the primary street system, including the prevailing grid, interconnected parkways, detached sidewalks and tree lawns” (p. 99).*
- Neighborhoods chapter, Objective 1 A City of Neighborhoods, Strategy 1-E: *“Modify land-use regulations to ensure flexibility to accommodate changing demographics and lifestyles. Allow, and in some places encourage, a diverse mix of housing types and affordable units, essential services, recreation, business and employment, home-based businesses, schools, transportation and open space networks” (p. 150).*

The proposed rezoning is consistent with Comprehensive Plan 2000 Environmental Sustainability and Neighborhoods objectives and strategies because the mixed use zone district allows infill development to occur where services and infrastructure is already in place to serve the new development, and the mixture of land uses will conserve land and preserve air quality by allowing new residents to live near shopping, jobs, recreation and schools where driving can be replaced by walking or bicycling. In addition, the new mixed use zoning will enable the construction of a variety of housing types and prices, new business and employment opportunities, and new open space and recreation networks.

The proposed rezoning is consistent with Comprehensive Plan 2000 Land Use objectives and strategies because the mixed use zoning will broaden the variety of compatible land uses, will accommodate the City's growth with a full range of needed land uses such as housing, parks, transportation, and community facilities that are in character with surrounding existing neighborhoods. The proposed zoning will enable new infill development to meet the needs of Denver's present and future residents with the opportunity to provide new housing and neighborhood serving amenities.

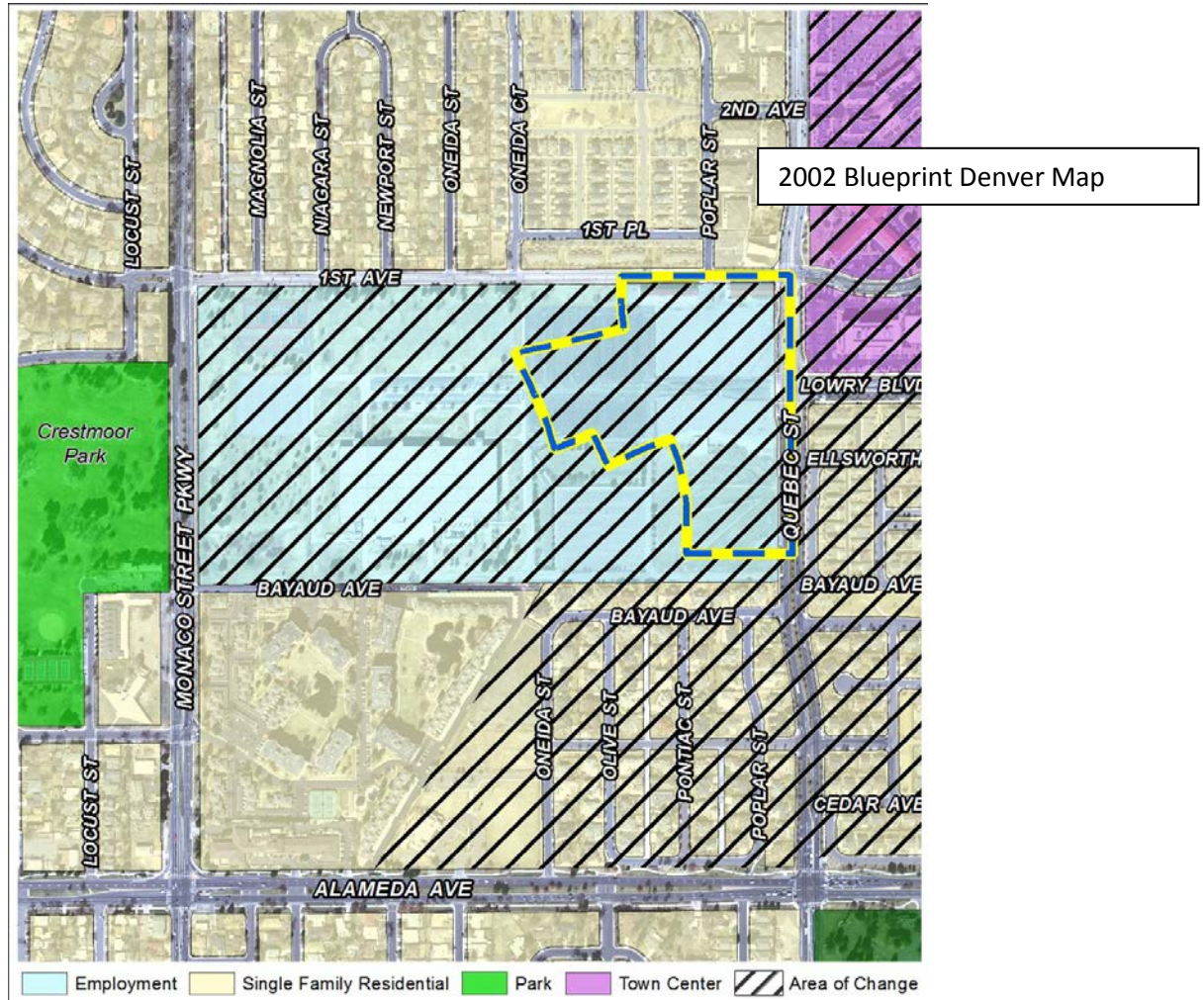
The proposed rezoning is consistent with Comprehensive Plan 2000 Legacies and Mobility objectives and strategies because the mixed use zoning will increase the opportunity for a variety of land uses on vacant property where new growth can be accommodated and, where the traditional Denver street pattern can be extended. In addition the proposed system of new automobile, pedestrian and bicycle facilities increase the opportunity for new mobility choices and connections.

The proposed waivers are consistent with Comprehensive Plan recommendations because the waivers help new development be consistent with existing surrounding neighborhoods.

Blueprint Denver – 2002

The proposed rezoning is consistent with Blueprint Denver.

According to the 2002 Blueprint Denver Plan Map this site is designated an Area of Change and has a future concept land use of Employment. As to the Employment land use concept, the Plan was adopted prior to the 2011 closure of the Air Force land uses and therefore gives limited guidance, although the mixture of land uses will allow some employment opportunity.



Blueprint Denver Area of Change

On the Blueprint Denver Map, the subject site is designated as an Area of Change. In general, Areas of Change are where change is occurring, or is desirable. A key strategy of Blueprint Denver is to direct growth to Areas of Change (p.19), and by directing growth to these areas, striving to preserve the community's established neighborhoods (p.20). Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the city as a whole (p. 127). Further, Blueprint Denver suggests a regulatory strategy for Areas of Change: "The base strategy for encouraging development is to allow sufficient development intensity and appropriate mixes of uses so that planned land uses will be economically feasible (p. 128)."

The Blueprint Denver Plan text identifies specific goals for Lowry as an Area of Change (p. 22). Specifically, the Plan describes that large vacant development sites as a whole offer "... the potential to create new neighborhoods that embody the best characteristics of Denver's traditional residential areas." Blueprint Denver also proposes strategies for this type of Area of Change, including (p. 22):

- Coordinated Master Planning
- Urban character
- Pedestrian and transit supportive design and development standards

- Mixed land uses - retail and employment near residential neighborhoods
- Diversity of housing type, size and cost
- Multi-modal streets
- Street grid / connectivity
- Transit Service and access
- Reduce land used for parking with shared parking and structured parking
- Extensions of Denver's urban legacies
- Adequate parks and open space

The proposed rezoning is consistent with the Blueprint's Area of Change planning goals and strategies because the proposed C-MX-5 zone district enables the redevelopment of vacant property in Buckley Annex. The proposed redevelopment plan reinforces urban development patterns with a mixture of land uses, diversity of housing types and costs, multi-modal streets, connectivity of the street grid, and adequate new parks and open space. In addition, the mixture of land uses will increase economic activity, they establish the potential to create a new neighborhood that includes characteristics of Denver's traditional neighborhoods and the proposed waivers will address the edges between the existing neighborhoods and the redeveloping neighborhood with a compatible transition.

Blueprint Denver Future Land Use - Employment

According to Blueprint Denver, the subject site has a future land use concept of Employment. The Employment land use concept describes areas containing mainly commercial or industrial uses with attention to design, screening and buffering when employment districts are near residential areas (p. 39). In 2002 when Blueprint Denver was adopted, Buckley Annex was an office employment center. With the 2011 closure of operations of the Air Reserve Personnel Center and Denver Center of the Defense Finance and Accounting Services by the federal government, the opportunity to redevelop the 70-acre vacant redevelopment area was created.

The proposed C-MX-5 rezoning provides the potential for new employment opportunities as the new zoning allows a broad mix of land uses including civic, commercial and service land uses. The accompanying design guidelines developed by the Lowry Redevelopment Authority provides special attention to design, specifically by providing a building height transitions to adjacent established low intensity Areas of Stability from the subject property. The proposed waivers provide this height transition and provide for a compatible infill plan that responds to adjacent neighborhoods.

Blueprint Denver Future Street Classifications

The Blueprint Denver future street classification for 1st Avenue is Residential Collector, and for Quebec Street the classification is Residential Arterial. Residential Collector streets provide a balance between mobility and land access for residential development, and Residential Arterial streets emphasize mobility over access. The proposed rezoning is consistent with these street classifications.

The Lowry Reuse Plan – 1993, 2000

The Lowry Reuse Plan adopted in 1993 did not anticipate a change from the Air Force land uses on the Buckley Annex site including the subject property. It specifically stated in its "Planning Assumptions" that "The Defense Finance Accounting Service and Air Reserve Personnel Center (DFAS/ARPC) and the 21st Space Command Squadron will continue to operate in cantonment facilities at Lowry after closure" (p. 3-1). However, in 2005, the Air Force

announced that it would close these facilities. Since the Lowry Reuse Plan did not anticipate any land uses other than Air Force ones on the subject property, it offers little guidance on future land use for the subject property, and the Plan does not address the changed circumstances now present on the site.

Buckley Annex General Development Plan - 2013

Denver Zoning Code Section 12.4.12.15 states that City Council may approve an official map amendment application for property located within an approved GDP area, taking into consideration the GDP. In May 2013, the City approved a General Development Plan for the entire 70-acre Buckley Annex site. The GDP followed an iterative and public process. It was approved by the Development Review Committee in May, 2013, based upon a recommendation by the Planning Board on April 3, 2013. As an adopted City plan, after a public process, it provides guidance, pursuant to DZC Section 12.4.10.15, in determining the appropriate zone district for the plan area.

The subject property for this rezoning application is within the *Community Park Mixed-Use Center* subarea of the GDP. This subarea description states:

“Intent: The Community Park Mixed-Use Center serves as a community-wide gathering place that is defined by a significant community park and plaza; new opportunities for park-side retail; and multi-family and single-family residences that look onto the park and plaza. The area for additional library parking shall also be provided in the northeast corner of this subarea to support the existing Schlessman Library at the intersection of 1st Avenue and Quebec Street and to create synergy between the library users and the new mixed-use center. Along the frontage of Lowry West Neighborhood, single family attached housing is anticipated before stepping up to higher density residential and mixed-use developments.

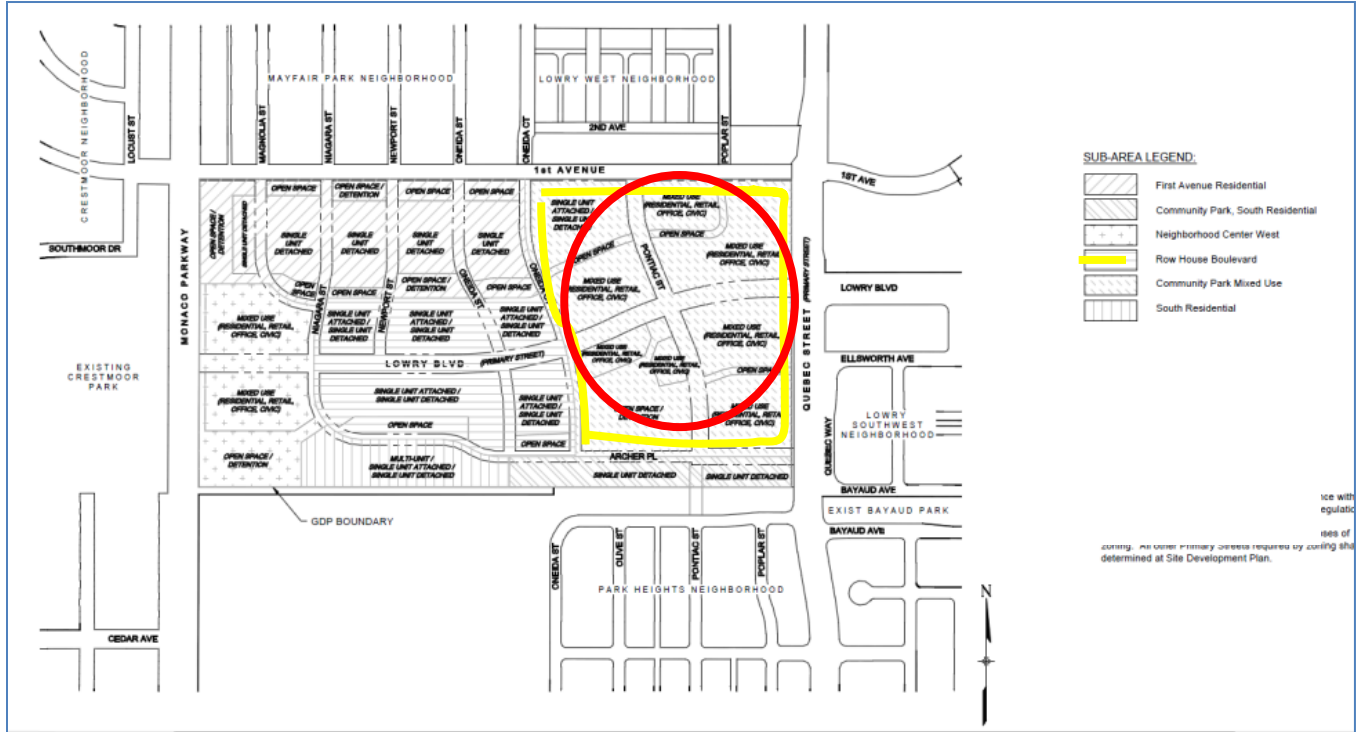
Land Use: Mixed use (residential, retail, office, civic). This area includes a community park that should serve as a gathering place for the Lowry Community.

Height: Maximum 5 stories with maximum height of 3 stories and 2.5 stories along 1st Avenue and a maximum height of 3 stories along Quebec Street between Archer place and Lowry Boulevard.

Urban Design:

- Build-to lines and pedestrian entrances along Lowry Boulevard and Pontiac Street
- Ground-floor active uses
- Parking located to the side and/or the rear of buildings or structures
- Buildings and uses will also be oriented to the active park

On the following map the yellow highlight identifies the location of the Community Park Mixed-Use Center subarea and the subject property is located with a red circle.



The proposed rezoning with waivers is consistent with this GDP subarea intent language. The C-MX-5 district allows residential, civic and commercial land uses with building form standards that promote active pedestrian-scaled areas with on-street pedestrian entrances, transparency requirements and upper story setbacks from protected zone districts. These land uses and building form standards implement the GDP land use and urban design recommendations. The waivers limit building heights to 3 stories and 45 feet within 30 feet of both East 1st Avenue and Quebec Street where new development will be across the street from existing neighborhoods making the proposed rezoning with waivers consistent with the GDP.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-5 with waivers will result in the uniform application of the C-MX-5 zone district with the exception of the areas of the proposed waivers where the waiver limits height within 30 feet of the street edges of the zone district where additional height and setback standards to enable a transition between new development and existing neighborhoods.

3. Public Health, Safety and General Welfare

The proposed rezoning furthers the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plans including the Buckley Annex General Development Plan.

b) DZC Section 12.4.10.8

1. Justifying Circumstance

Denver Zoning Code Section 12.4.10.14.A.4 states a rezoning may be justified when 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 change or changing condition in this case is the closure of the Air Force facilities at Buckley Annex in 2011, and the subsequent sale of the property by the Department of Defense-Air Force to the Lowry Redevelopment Authority ("LRA") in 2012. Recommendations in Comprehensive Plan 2000, Blueprint Denver, and the Buckley Annex General Development Plan provide policy support for encouraging redevelopment of the area to meet citywide planning goals for Areas of Change.

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

Neighborhood Context: The requested C-MX-5 zone district with waivers is within the Urban Center Neighborhood Context. This neighborhood context is generally characterized by multi-unit residential and mixed-use commercial strips and commercial centers (DZC, Division 7.1). In this context multi-unit residential uses are located along residential collectors, mixed use arterial and local streets. The context normally consists of a regular pattern of blocks shaped by a grid street pattern, detached sidewalks, and the presences of alleys. Buildings typically have consistent orientation and setbacks. There is a high level of pedestrian and bicycle use with an access to the multi-modal transportation system.

Zone District General Purpose: Mixed use zone districts within this neighborhood context promote safe, active pedestrian-scaled, diverse areas. The zone districts are intended to enhance the convenience, ease and enjoyment of walking, shopping and public gathering within the new neighborhood and to ensure the new development contributes positively to established neighborhoods, and improves the transition between commercial development and adjacent residential neighborhoods.

Zone District Specific Intent: Specifically, the C-MX-5 zone district applies to areas served primarily by collector and arterial streets where a building scale of 1-5 stories is desired. The waivers create a transition in height from 5 stories to 3 stories in proximity to both East 1st Avenue and Quebec Street.

The proposed rezoning is consistent with the above intent language. The base C-MX-5 zone district provides a land use and building form that promotes a level of density similar to the density of existing Lowry development. The proposed waivers allow for transitional height standards, which accommodates a new neighborhood within an Area of Change, and allows an acceptable transition in height to existing neighborhoods.

Additionally, the requested zoning implements the neighborhood context vision for streets, blocks, alleys and sidewalks as set forth in the Buckley Annex GDP. And finally, the subject property is served by an existing collector and arterial streets.

Application #2014I-00096
Approx. 99 Quebec Street
June 25, 2015
Page 17

CPD Recommendation

Based on the analysis set forth above, CPD staff finds that the application meets the requisite review criteria. Accordingly, staff recommends *approval*.

Attachments

1. Application
2. Comment Letters (300+)

Zone Map Amendment (Rezoning) - Application

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

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</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:	
<input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input type="checkbox"/> Review Criteria	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
Please list any additional attachments:	

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
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	Approximately 99 Quebec Street Denver, CO 80230 303-343-0276 Monty.Force@lowryredevelopment.org	100%	<i>Monty Force</i>	2/24/15	(B)	YES

Boulevard One
C-MX-5 w/ Waivers Zoning Application Appendices

Applicant: Lowry Redevelopment Authority



(Location: Refer to the location graphic below)

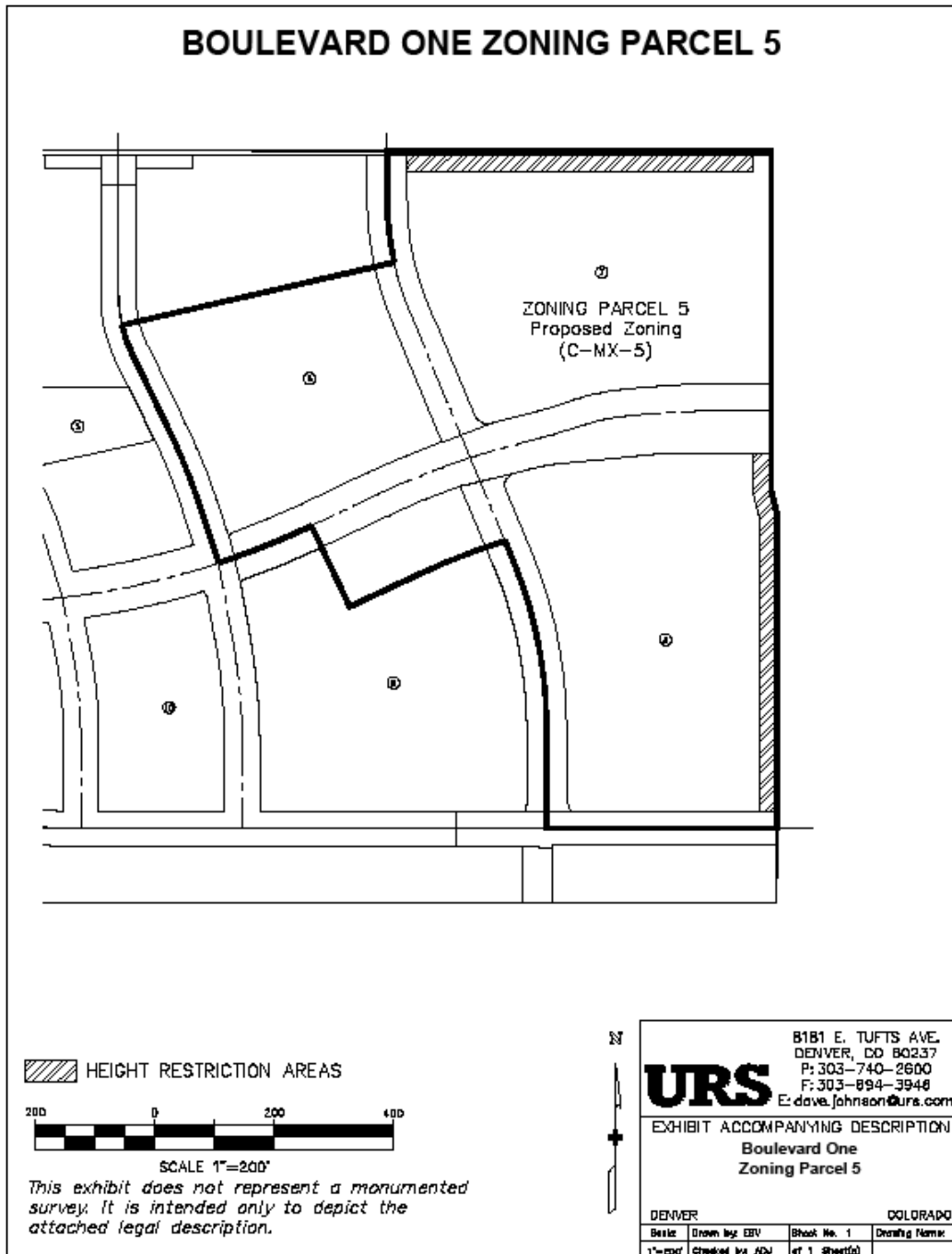
Approximately 99 Quebec Street

Application No. _____

Current Zoning: O-1

Proposed Zoning: C-MX-5 with waivers

Site Size: 18.047± acres or 786,127± square feet



Property Owner
Lowry Economic Redevelopment Authority
7290 East First Avenue
Denver, Colorado 80230

Authorized Representative:
John Putnam
Kaplan Kirsch & Rockwell, LLP
1675 Broadway, Suite 2300
Denver, Colorado 80202
jputnam@kaplankirsch.com
(303)825-7000

Included as part of this submittal are the following documents:

- Exhibit A:** Proposed Waivers
- Exhibit B:** How Rezoning Meets General Review Criteria
- Exhibit C:** How Rezoning Meets Additional Review Criteria for Non-Legislative Rezonings
- Exhibit D:** Legal Descriptions and Graphic Exhibits
- Exhibit E:** Letter of Authorization
- Exhibit F:** Community Outreach
- Exhibit G:** Responses to Public Comments
- Exhibit H:** Legal Descriptions of Areas Covered by Waivers
- Exhibit I:** Assessor's Parcel Numbers

Note: Proof of Ownership (Recorded Deed Submitted Separately)

Exhibit A

Proposed Waivers

Section 12.4.10.6(A) of the Denver Zoning Code (“Zoning Code”) allows the City Council to adopt waivers as part of the ordinance amending the official map if the application for an official map amendment is based upon a written representation by the applicant that the applicant wishes to waive certain rights or obligations under the proposed district classification, and such waivers are approved in writing by the applicant. In accordance with Section 12.4.10.6(A), this proposed map amendment proposes the waivers provided below.

1. Proposed Height Waiver Within Areas Along Quebec Street and East First Avenue

Pursuant to Section 12.4.10.6(A) of the Denver Zoning Code, we the undersigned owners of the property under application for rezoning referenced above, do hereby waive the right to build, use or erect any general building form structure with a maximum permitted building height of seventy (70) feet as set forth in Section 7.3.3.4(C) of the Denver Zoning Code and instead shall comply with the following:

- (a) The maximum height of any portion of a general building form structure located within the area that is legally described in Section 4 below (the “First Avenue Waiver Area”) shall be forty-five (45) feet. Building height shall be defined and measured in accordance with Section 13.1.3 of the Denver Zoning Code.
- (b) The maximum height of any portion of a general building form structure located within the area that is legally described in Section 5 below (the “Quebec Street Waiver Area”) shall be forty-five (45) feet. Building height shall be defined and measured in accordance with Section 13.1.3 of the Denver Zoning Code.
- (c) The overall maximum height of any general building form structure located outside of the First Avenue Waiver Area and the Quebec Street Waiver Area shall be sixty-five (65) feet.

2. Proposed Waiver of Allowed Number of Stories of General Building Form Structure Within Areas Along Quebec Street and East First Avenue

Pursuant to Section 12.4.10.6(A) of the Denver Zoning Code, we the undersigned owners of the property under application for rezoning referenced above, do hereby waive the right to build, use or erect any general building form structure with a maximum number of stories of five (5) as set forth in Section 7.3.3.4(C) of the Denver Zoning Code and instead shall comply with the following:

- (a) The maximum number of stories of any portion of a general building form structure located within the First Avenue Waiver Area or the Quebec Street Waiver Area shall be three (3) stories.
- (b) The maximum number of stories of any general building form structure located outside of the First Avenue Waiver Area and the Quebec Street Waiver Area shall be as provided in Section 7.3.3.4(C) of the Denver Zoning Code.

3. Other Provisions of the C-MX-5 Zone District

All other provisions of the C-MX-5 Zone District of the Revised Municipal Code of the City and County of Denver, including but not limited to the Design Standards in Section 7.3 of the Code, shall apply within the boundaries of the subject property contained in this application.

4. First Avenue Waiver Area

The First Avenue Waiver Area shall be defined by its legal description, as follows:

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 150.00 feet;
thence South 00°02'35" West, parallel with and 150.00 feet west of the easterly line of said Southeast Quarter of Section 8, a distance of 36.00 feet to the **POINT OF BEGINNING**;

thence South 00°02'35" West, parallel with and 150.00 feet west of said easterly line of the Southeast Quarter of Section 8, a distance of 30.00 feet;
thence North 89°59'52" West, parallel with and 66.00 feet south of said northerly line of the Southeast Quarter of Section 8, a distance of 580.00 feet;
thence North 00°00'08" East a distance of 30.00 feet;
thence South 89°59'52" East, parallel with and 36.00 feet south of said northerly line of the Southeast Quarter of Section 8, a distance of 580.02 feet to the **POINT OF BEGINNING**;

Containing 17,400 square feet or 0.399 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.

5. Quebec Street Waiver Area

The Quebec Street Waiver Area shall be defined by its legal description, as follows:

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, also being the westerly line of Quebec St., a distance of 536.62 feet to the POINT OF BEGINNING;

thence along said westerly line of Quebec St. the following three (3) courses:

1. South 00°02'35" West a distance of 61.66 feet;
2. South 14°00'02" East a distance of 41.21 feet;
3. South 00°02'35" West a distance of 498.39 feet;

thence North 90°00'00" West a distance of 30.00 feet;

thence parallel with and 30.00 feet west of said westerly line of Quebec St. the following three (3) courses:

1. North 00°02'35" East a distance of 494.72 feet;
2. North 14°00'02" West a distance of 41.21 feet;

3. North 00°02'35" East a distance of 65.36 feet;

thence South 89°57'25" East a distance of 30.00 feet to the POINT OF BEGINNING;

Containing 18,038 square feet or 0.414 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.

Agreed to by:

Date



2/24/15

Montgomery C. Force, Executive Director
Lowry Economic Development Authority

Exhibit B

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 C-MX-5 with waivers zoning for Parcel 5 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 C-MX-5 with waivers zoning for Parcel 5, combined with zoning already approved for other parts of Boulevard One (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 both the C-MX-5 with waivers zoning and 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 C-MX-5 with waivers zoning for Parcel 5, 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 sustainable activity along Quebec Street, with excellent transit access and walkable/bikeable access to the rest of Lowry and other surrounding neighborhoods.*

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 5, 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 5.*
- *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.*

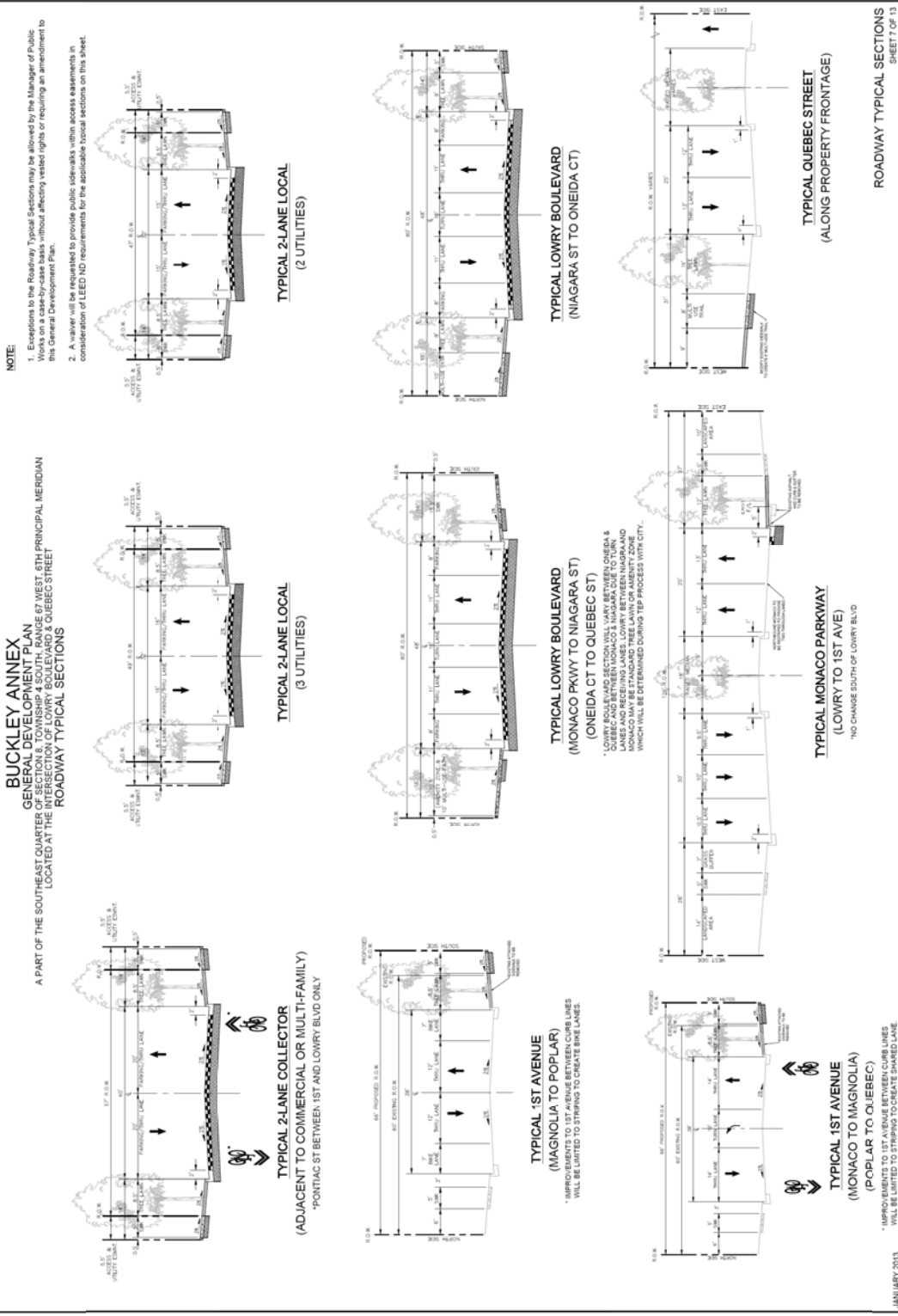


Figure 1: Roadway Typical Sections from Buckley Annex GDP Page 7

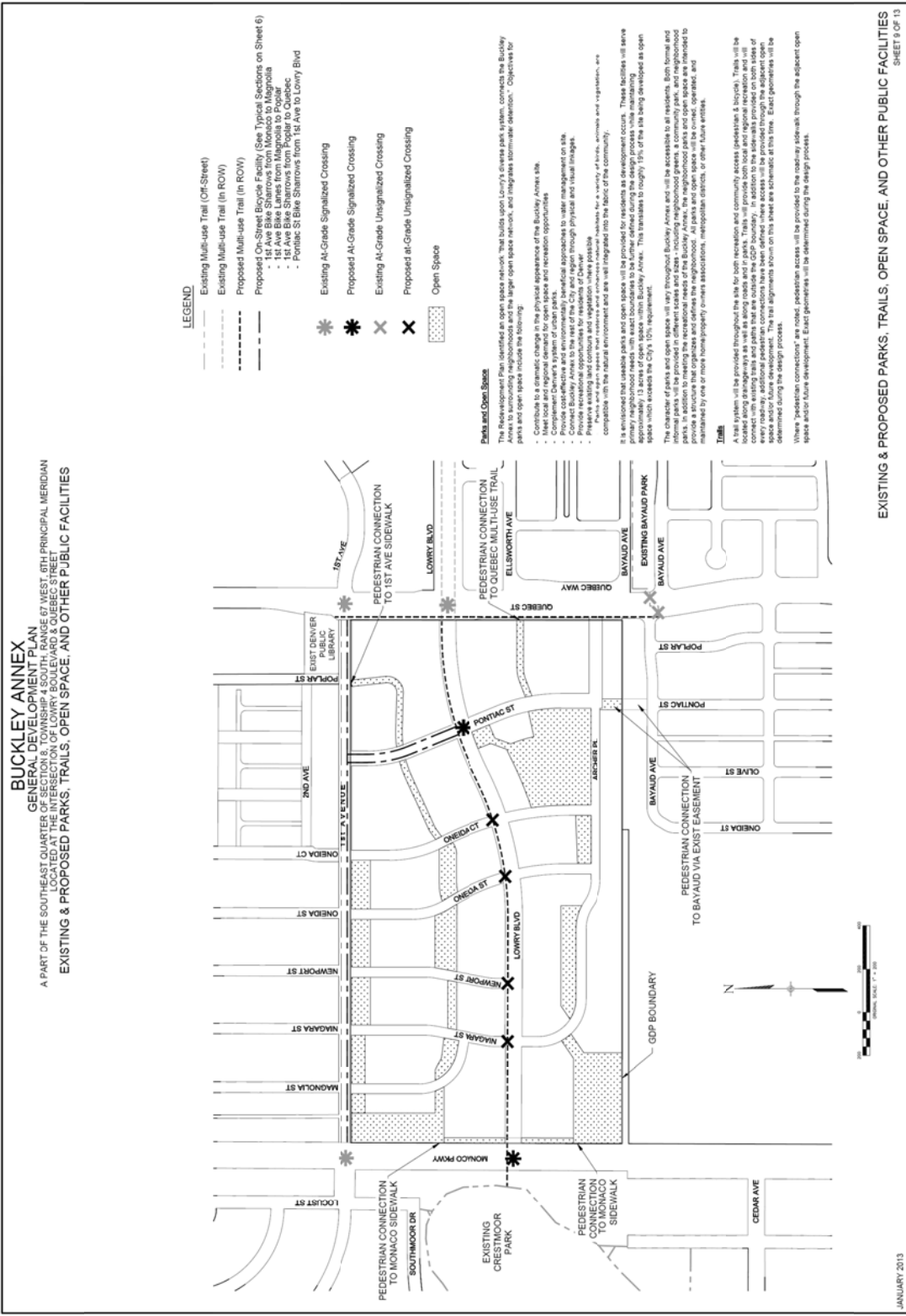


Figure 2: Trails, Bike Lanes and Similar Facilities from Buckley Annex GDP Page 9

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 mixed use nature, 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 5, 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 C-MX-5 with waivers zoning for Parcel 5 is another step in facilitating development of Boulevard One. Figure 3 illustrates Boulevard One infill project with proposed zoning and uses. The C-MX-5 with waivers rezoning of Parcel 5 is critical for enabling the mixed-use vision of Boulevard One.*

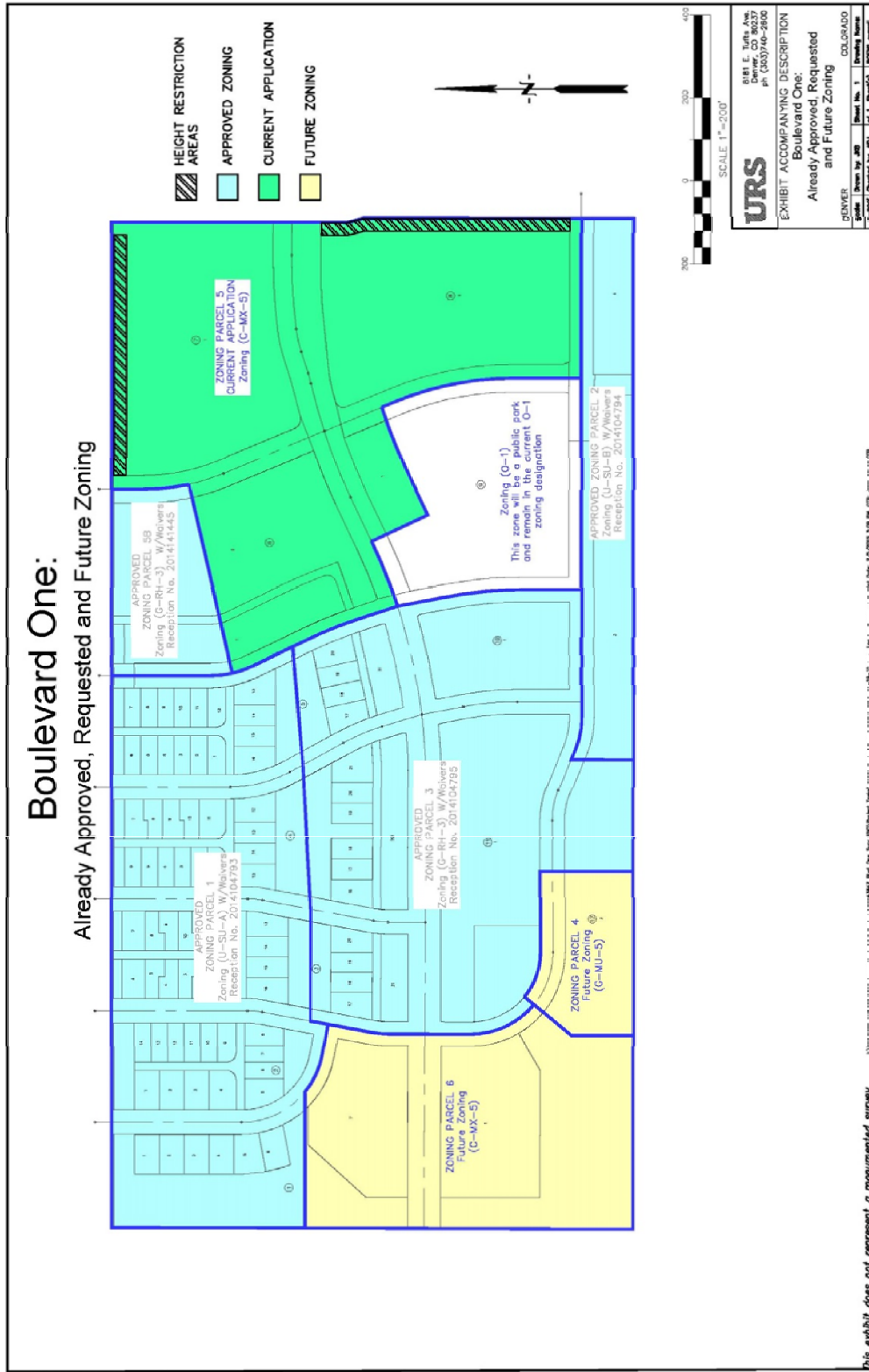


Figure 3: Boulevard One Existing Proposed and Future Zoning

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 C-MX-5 with waivers for Parcel 5 will offer opportunities for increased density and more amenities due to its mixed use nature. The extensive design requirements associated with C-MX-5 zoning (including build to requirements, street activation, and parking at the rear of buildings) will encourage quality development for Parcel 5. The proposed waiver that reduces the allowed heights and numbers of stories along Quebec Street and 1st Avenue 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 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 C-MX-5 rezoning with waivers would keep higher densities along Quebec Street and closer to higher intensity adjacent uses. The proposed waivers in this Application ensure a compatible transition to areas north and south of Parcel 5.*



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
Berkshires	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 C-MX-5 with waivers will facilitate mixed-uses by providing a variety of uses and transit access within a short walk of residents in and outside of Parcel 5.*

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 5 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 5, will support RTD rider patronage.*
- *The C-MX-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 5.*
- *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 C-MX-5 with waivers zoning for Parcel 5 will achieve the pedestrian priorities objective because the grouping and disposition of mixed uses and C-MX-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 5, includes multi-modal streets that anticipate active, safe and convenient use by pedestrians, bicyclists and motor vehicles alike. The C-MX-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 C-MX-5 zone district contemplates a mix of residential, 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 C-MX-5 with waivers zoning for Parcel 5, 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 5, 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 5 – that are appropriate for increased density and new uses. The C-MX-5 with waivers zoning for Parcel 5 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 C-MX-5 with waivers zoning to Parcel 5 will promote the development of a high-quality mixed-use community to provide a range of housing configurations (including apartments, rowhouses and urban houses), retail opportunities, and offices within walking distance of public transportation routes.*

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 C-MX-5 with waivers for Parcel 5, 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.*
- *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 5 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 5. 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 8, 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, including along Quebec Street on the eastern edge of Parcel 5. Development under the C-MX-5 with waivers zoning along Quebec Street will enhance the pedestrian experience and shopping environment and fill the current gap in development and street-level activity on the west side of Quebec Street between First Avenue and East Bayaud Avenue.*
- **Areas with special opportunities such as where major public or private investments are planned**
 - *Development of the Boulevard One site, especially Parcel 5, will present a rare opportunity for a variety of forms of private investment, including infrastructure development and build-out of the proposed mixed residential, employment and retail uses. 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 C-MX-5 with waivers zoning for Parcel 5 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 C-MX-5 with waivers zoning for Parcel 5 will facilitate development that will be consistent with these design concepts.

- *The building form criteria for the C-MX-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 Urban Center Neighborhood Context applicable to the C-MX-5 Zoning District, Parcel 5 of Boulevard One will encompass a variety of building types and uses, including townhouses of up to three stories, and mixed multi-unit residential, retail, office and civic uses in buildings up to five stories. The proposed waivers in this Application would limit height to three stories in transition zones.*
- *Buildings are planned to 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.*
- *When acting on the Buckley Annex General Development Plan, the Planning Board recommended that the DRC amend the plan to move setbacks along Quebec Street closer to the street to enhance the urban character and street activation along Quebec.*
- *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 C-MX-5 zone with waivers. Exhibit D.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, including in Parcel 5, with smaller scale buildings and less intense uses at the western end of the development, and larger-scaled buildings (both height and bulk) and more intense commercial uses along Quebec Street in Parcel 5 consistent with similar uses on the east side of Quebec Street and along the Quebec Street corridor.*
 - *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 5 would provide the apartment and other 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**
 - *Parking for mixed commercial uses in Boulevard One including Parcel 5 will be housed in structured parking facilities.*
 - *25 parking spaces will be set aside on the site for use by the Schlessman Library.*
- **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. C-MX-5 rezoning with waivers on Parcel 5 would be a central part of promoting the 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 proposed C-MX-5 with waivers zone 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 General 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 (which are the subject of the waivers in this Application), 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 C-MX-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 C-MX-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 and outside of Parcel 5. In addition, the Boulevard One site is served by five RTD routes and six bus stops located adjacent to the site.

Second, the proposed C-MX-5 with waivers zone district meets the principle of providing for a variety of living and employment alternatives for a broad mix of economic levels. The mixed use zone districts “are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and shopfront building forms that clearly define and activate the public street edge C-MX-5 zoning.” The zone district allows for a wide variety of uses, including, among other items, single and multi-unit dwellings, office and retail.

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 C-MX-5 zoning for Parcel 5 allows for all of those uses types, and combined with the previous rezonings that already have been approved for the Boulevard One property, facilitate 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 C-MX-5 with waivers zoning for Parcel 5, combined with previous rezonings already approved for the Boulevard One property, allows for a range of housing product types, ranging from single family to multi-family. The design requirements associated with C-MX-5 zoning (including build to requirements, street activation, and parking at the rear of buildings) will require high quality residential development. The reduced building heights along Quebec Street and First Avenue provided in the requested waivers will ensure that the housing types, architecture and building forms relate to their surrounding residential context.

c. The proposed rezoning of Parcel 5 is consistent with the Planning Concepts, because the mixed-use nature of C-MX-5 contemplates a diverse mixed use plan, integrates with neighboring areas and systems, and promotes integrated and diverse uses that promote walkability. In addition, the mixed use nature of Boulevard One, which is enhanced by the proposed rezoning of Parcel 5, will insure that neighborhood and area needs and amenities are met on site to the greatest extent possible.

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 proposed height waivers limit the height of structures along Quebec Street and First Avenue to 3 stories to ensure a transition to the two-story scale of some adjacent neighborhoods. These heights in the waiver areas (and the rest of the proposed zone) are lower than the height limits provided in the Code for Protected Zone Districts.

The C-MX-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 and Lowry Boulevard building frontage. 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 5 property that is subject to the proposed rezoning is located within the Community Park Mixed-Use Center Subarea. That subarea is described below. The consistency of the proposed rezoning with each description is provided in *italics*.

Community Park Mixed-Use

“Intent: The Community Park Mixed-Use Center serves as a community-wide gathering place that is defined by a significant community park and plaza; new opportunities for park-side retail; and multi-family and single-family residences that look onto the park and plaza. The area for additional library parking shall also be provided in the northeast corner of this subarea to support the existing Schlessman Library at the intersection of 1st Avenue and Quebec Street and to create synergy between library users and the new mixed-use center. Along the frontage of Lowry West Neighborhood, single-family attached housing is anticipated before stepping up to higher density residential and mixed-use developments.

Land Use: Mixed use (residential, retail, office, civic). This subarea includes a community park that should serve as a gathering place for the Lowry Community.” GDP at page 3.

The C-MX-5 zoning classification is consistent with this concept because it provides for a mix of land uses, including residential, retail, office and civic.

“Heights: Maximum 5 stories with maximum height of 3 stories and 2.5 stories along 1st Avenue and a maximum height of 3 stories along Quebec Street between Archer Place and Lowry Boulevard.” GDP at page 3.

The proposed C-MX-5 with waivers zoning for Parcel 5 is consistent with these height concepts. The C-MX-5 zoning classification allows for three building forms – drive through services, drive through restaurant and general. Drive through services and drive through restaurant building forms are limited to 3 stories; general building forms are limited to 5 stories. In addition, the proposed rezoning includes waivers that would limit the maximum height of structures along Quebec Street and along the portion of First Avenue between Quebec Street and Pontiac Street to 3 stories. Note that the 2.5 story limitation in the GDP along First Avenue applies only between Oneida Court and Pontiac Street, which is not within the area covered by this Application.

Urban Design:

- Build to lines and pedestrian entrances along Lowry Boulevard and Pontiac Street. GDP at page 3.

The proposed C-MX-5 with waivers zoning provides build to lines for each of the three allowed building forms. Zoning Code, Sections 7.3.3.4(A), 7.3.3.4(B) and 7.3.3.4(C). Those building forms also require pedestrian entrances at the primary street. Id.

- Ground-floor active uses. GDP at page 3.

The proposed C-MX-5 with waivers zoning contains requirements for transparency along the primary streets and side streets at the ground floor in order to ensure ground floor activation. For example, in the general building form, the minimum ground floor transparency along primary streets is 40% for nonresidential buildings and 30% for residential buildings. Zoning Code, Section 7.3.3.4(C).

- Parking located to the side and/or the rear of buildings or structures.

The proposed C-MX-5 with waivers zoning is consistent with this concept because it does not allow surface parking between the building and the primary street or side street. Zoning Code, Sections 7.3.3.4(A), 7.3.3.4(B) and 7.3.3.4(C). As a result, parking must locate to the rear of buildings or structures.

- Buildings and uses will be oriented to the active park. GDP at page 3.

The Boulevard One project will include a restaurant or civic uses adjacent to the park, and office, retail and apartments face the park on its north and east sides. A plaza also is contemplated northeast of the park. The C-MX-5 with waivers zoning will facilitate all of these uses.

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 C-MX-5 with waivers is a unique zone district; therefore, it is uniform within itself and will be uniform with any other property zoned C-MX-5 with identical waivers.

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 C-MX-5 with waivers will promote development of a 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 5 near higher intensity uses along Quebec.

The height is also compatible with surrounding neighborhoods. Surrounding properties will have buildings as high as or higher than allowed in the C-MX-5 with waivers zone. For example, the adjacent Copic building at 7501 East Lowry Boulevard has 4 stories (65 feet), while the Berkshires Apartment buildings are 7 stories. The GDP – implemented through the proposed waivers in this Application (Exhibit A) – calls for reduced building heights (3 stories) along East First Avenue and Quebec Street south of Lowry Boulevard to provide compatible height transitions from existing residential uses. The building heights in both the area to be covered by waivers (45 feet) and in the rest of the zone (65 feet) are lower than the heights allowed (75 feet) pursuant to the Protected Zone District for the R-2-A and other residential zone districts with waivers adjoining the area. Former Chapter 59, Sec. 59-96.

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 5 covered in this Application, would provide 800 total residential units, as well as 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 C-MX-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 C

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 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 Lowry Redevelopment Authority. 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 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 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, 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. **Urban Neighborhood Context**

The C-MX-5 Zone District is included in the Urban Center Neighborhood context. Section 7.1 of the Zoning Code describes the Urban Center Neighborhood context as follows.

GENERAL CHARACTER

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

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 C-MX-5 with waivers rezoning for Parcel 5 will allow for multi-unit residential uses located along residential collector, mixed use arterial and local streets, and will allow for commercial uses along main and mixed use arterial streets.

STREET, BLOCK AND ACCESS PATTERNS

The Urban Center 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. Zoning Code, Section 7.1.2.

The Lowry 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

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

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

BUILDING HEIGHT

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

The C-MX-5 with waivers zoning will allow for buildings of between 3 and 5 stories. Through proposed waivers, structures along Quebec Street and First Avenue will be limited to 3 stories to allow for transitions to less dense urban neighborhoods located east and north of the property.

MOBILITY

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

The proposed C-MX-5 with waivers 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.

b. Stated purpose and intent of mixed use zones

The general purposes of the Mixed Use zones are set forth at Section 7.2.2.1 of the Zoning Code. As stated in italics, the proposed rezoning to C-MX-5 with waivers is consistent with these stated purposes.

7.2.2.1 General Purpose

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

The proposed C-MX-5 with waivers zoning, combined with the other zone districts in Boulevard One, will allow for and promote safe, active, and pedestrian scaled, diverse areas, because it will allow for varied building forms that clearly define and activate the public street edge.

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

The intended mixed use nature of Boulevard One and the C-MX-5 with waivers zone district will provide opportunities for people to walk and shop, as well as access public transit. The public space at Boulevard One will provide opportunities for public gathering.

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

The proposed waivers that reduce the number of stories and heights of buildings along Quebec Street and First Avenue are intended to allow for transition between commercial development and adjacent residential neighborhoods.

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

Boulevard One, including Parcel 5, is intended as a mixed use, diverse neighborhood, consistent with this stated purpose.

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

The GDP and approved construction documents provide these levels of pedestrian improvements.

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

C-MX-5 zones require substantial build-to requirements for all building forms.

Section 7.2.2.2(B) Specific Intent.

Mixed Use – 5 (C-MX-5) applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired.

The proposed C-MX-5 with waivers zoning for Parcel 5 is consistent with this specific intent as Boulevard One is intended as an area served by collector or arterial streets where a building scale of 1 to 5 stories is desired.

Exhibit D.1

Parcel Legal Descriptions and Graphic Exhibits

Parcel 5
Proposed Zoning (C-MX-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 E. 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 and the **POINT OF BEGINING**;
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 526.89 feet to the centerline of proposed E. Archer Pl.;

thence North 90°00'00" West, along said centerline of proposed E. Archer Pl., a distance of 385.12 feet to the centerline of proposed S. Pontiac St.

thence along said centerline of proposed S. Pontiac St. the following three (3) courses:

- 1.) North 00°00'00" East a distance of 163.73 feet to a point of curve;
- 2.) along the arc of a curve to the left having a radius of 750.00 feet, a central angle of 22°35'07", an arc length of 295.64 feet and whose chord bears North 11°17'34" West a distance of 293.73 feet;
- 3.) North 22°35'07" West a distance of 32.70 feet to a point of non-tangent curve;

thence along the arc of a curve to the left having a radius of 1200.00 feet, a central angle of 7°49'41", an arc length of 163.95 feet and whose chord bears South 68°33'33" West a distance of 163.82 feet;

thence South 64°38'42" West a distance of 118.84 feet;
thence North 25°21'18" West a distance of 150.00 feet to the centerline of proposed E. Lowry Blvd. and a point of non-tangent curve;

thence along said centerline of proposed E. Lowry Blvd. and along the arc of a curve to the right having a radius of 1350.00 feet, a central angle of 7°06'39", an arc length of 167.54 feet and whose chord bears South 68°12'02" West a distance of 167.44 feet to the centerline of proposed Oneida Ct.;

thence along said centerline of proposed Oneida Ct. the following four (4) courses:

- 1.) North 18°14'39" West a distance of 102.50 feet to a point of curve;
- 2.) along the arc of a curve to the left having a radius of 1000.00 feet, a central angle of 7°40'29", an arc length of 133.95 feet and whose chord bears North 22°04'53" West a distance of 133.85 feet;
- 3.) North 25°55'07" West a distance of 142.69 feet to a point of curve;
- 4.) along the arc of a curve to the right having a radius of 230.00 feet, a central angle of 12°57'38", an arc length of 52.03 feet and whose chord bears North 19°26'19" West a distance of 51.92 feet;

thence North 77°02'30" East a distance of 467.96 feet to said centerline of proposed Pontiac St. and a point of non-tangent curve;

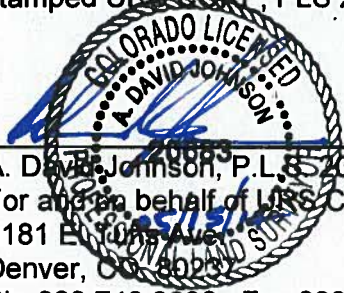
thence along said centerline of proposed Pontiac St. the following two (2) courses:

- 1.) along the arc of a curve to the right having a radius of 500.00 feet, a central angle of 12°31'19", an arc length of 109.28 feet and whose chord bears North 06°15'32" West a distance of 109.06 feet;
- 2.) North 00°00'08" East a distance of 78.61 feet to the southerly line of E. 1st Ave.;

thence South 89°59'52" East, along said southerly line of E. 1st Ave., a distance of 643.52 feet to the **POINT OF BEGINNING**.

Containing 786,127 square feet or 18.047 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. Jones Ave.
Denver, CO 80231
Ph. 303.740.2600 Fax 303.694.2770

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

BASIS OF BEARINGS

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"

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

Southerly Line
E. 1st Ave. S89°59'52"E 643.52'

Proposed
Boulevard One
Filing No. 1

Westerly Line
Lowry Filing No. 3
Reception Number
9800190950

POINT OF BEGINNING

Westerly Line
Lowry Filing No. 1
Reception Number
9700089555

Oneida Ct.

Pontiac St.

E. Lowry Blvd.

S. Quebec St.

Centerline
of proposed
Oneida Ct.

786,127 sq. ft. ±
18,047 acrost ±

R=230.00'
A=12°57'38"
L=52.03'
CHB=N19°26'19"W
CHD=51.92'
N25°55'07"W
142.69'
R=1000.00'
A=7°40'29"
L=133.95'
CHB=N22°04'53"W
CHD=133.85'

N181°4'39"W
102.50'
N25°21'18"W
150.00'

N22°35'07"W
32.70'

Westerly Line
S. Quebec St.
S00°02'35"W
186.54'
S14°00'02"E
41.21'

Centerline
of proposed
S. Oneida Ct.

R=1350.00'
A=7°06'39"
L=167.54'
CHB=S68°12'02"W
CHD=167.44'
R=1200.00'
A=7°49'41"
L=163.95'
CHB=S68°33'33"W
CHD=163.82'

S64°38'42"W
118.84'

R=750.00'
A=22°35'07"
L=295.64'
CHB=N11°17'34"W
CHD=293.73'
N00°00'00"E
163.73'

E. Lowry Blvd.
S. Oneida Ct.

E. Lowry Blvd.

S. Pontiac St.

E. Archer Pl.

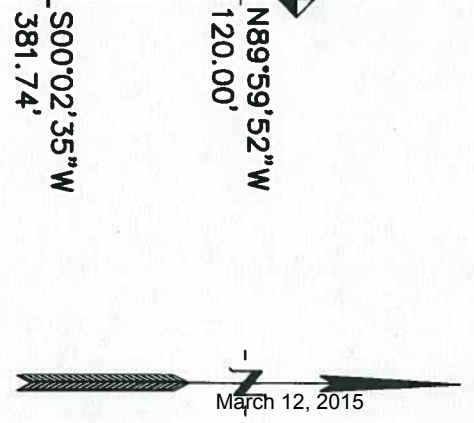
N90°00'00"W 385.12'

S00°02'35"W 526.89'



SCALE 1"=200'

This exhibit does not represent a monumented survey.



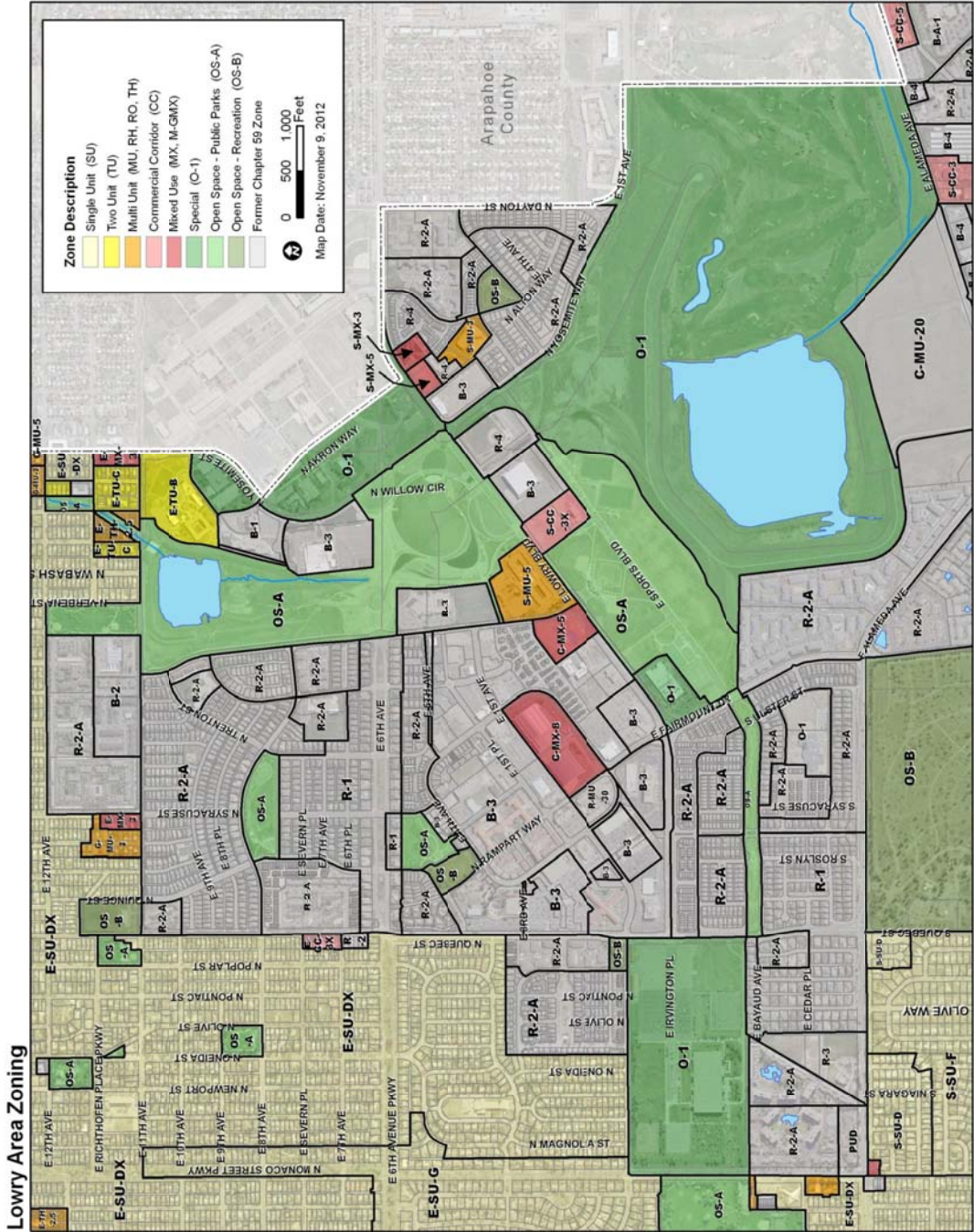
URS
8181 E. Turfs Ave.
Denver, CO 80237
ph (303)740-2600

EXHIBIT ACCOMPANYING DESCRIPTION
ZONING PARCEL 5
Proposed Zoning
(C-MX-5)

DENVER
Scale: 1"=200'
Drawn by: EBV
Checked by: ADJ
Sheet No. 1
of 1 Sheet(s)
Drawing Name:
ZONING PARCEL 5

COLORADO
2014-09-09

Exhibit D.2 Surrounding Zoning



Disclaimer: The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is", without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use. This is not a legal document.

Exhibit E

Letter of Authorization



January 29, 2015

John Putnam
Kaplan Kirsch & Rockwell LLP
1675 Broadway #2300
Denver, CO 80202

RE: Boulevard One Zoning Submittals

Dear John,

Kaplan Kirsch & Rockwell LLP is hereby authorized to act on behalf of the Lowry Redevelopment Authority for the purpose of rezoning approximately 18 acres of Boulevard One from O-1 to C-MX-5 with waivers. The site is located between Monaco Parkway on the west and Quebec Street to the east just south of 1st Avenue.

Respectfully,

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

Montgomery C. Force
Executive Director

Exhibit F

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. Because the proposed C-MX-5 with waivers zone area is the mixed-use heart of Boulevard One, it was considered and discussed at most of these meetings.

The Lowry Redevelopment Authority hosted a project update meeting for four Registered Neighborhood Organizations adjacent to the mixed-use parcel on February 11. Discussion topics included infrastructure and construction phasing as well as zoning. Adjacent RNOs include the Lowry Community Master Association, Mayfair Park Neighborhood Association, Lowry United Neighborhoods and Crestmoor Park (Filing 2) Homes Association. In addition, all property owners within 200 feet of the mixed-use parcel have been invited to meet personally or talk with LRA staff about the project and proposed zoning in mid-February. The LRA is also meeting personally and in small groups with adjacent employers and employees, homeowner groups and other interested stakeholders.

A neighborhood newsletter with information about the mixed-use zoning application will be delivered to approximately 6,000 area households in early March.

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	LRA	15	Discussed application from Homeless

	# 1	evening		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	Eisenhower Chapel evening		Reviewed plan again with action taken to recommend submittal to AF and HUD

	Advisory Committees			
1/29/08	LRA Board of Directors	Eisenhower Chapel evening		Reviewed aspects of plan with action taken to submit the plan to AF and HUD
6/5/12	Lowry Community Advisory Committee	Eisenhower 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	Eisenhower 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	Eisenhower 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	Eisenhower 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	Eisenhower Chapel 5-6:30 pm	30	Transportation Update, Demolition, Project Schedule Update
8/28/12	LRA Board of Directors	LRA 8:30-9:30 am	20	Sustainability Program
9/4/12	Lowry Community	LRA	25	Transportation Update, Demolition

	Advisory Committee	5:30-7 pm		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	Eisenhower 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	Eisenhower Chapel 6-7:30 pm	100	Open House format with questions/discussion at stations around the room, a public comment period, discussion 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	LRA	0	Educational discussion on CCD

	Directors	8-10:00 am		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
7/23/13	LRA Board of Directors	8-10:00 am	9	Resolution passed to submit a zoning application for the proposed 5 districts 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 pm	7	Building heights; density; transportation
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
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-Council Committee	Denver City and County Building 10 a.m.		Briefing regarding U-SU-A, U-SU-B and G-RH-3 (north) applications.
7/21/14	Denver City Council	Denver City and County Building		First reading for U-SU-A, U-SU-B and G-RH-3 (north) applications. Council published public hearing.

		5:30 p.m.		
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 Master Association, Lowry United Neighborhoods, Mayfair Park Neighborhood Association, Crestmoor Park (2 nd Filing) Homes Association	8:45 a.m. LRA office		Construction update Zoning update C-MX-5 zoning application

Exhibit G

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 C-MX-5 with waivers.

**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.
Land Uses	The GDP should be more tied to the Buckley Annex Redevelopment Plan The land uses depicted in the GDP are too broad The GDP land use map doesn't show distances	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. More information about land uses in each neighborhood subarea were added to Sheet 3 of the GDP Setback language was added to Sheet 3 of the GDP
	The community park should be moved to west side of the development Provide more detail on mixed use parcel in NE corner of site; prevent large format retail There should be less retail on the west side of the site Commercial uses should be on Lowry Boulevard Offer more retail choices	The community park was located on the east side of the development because it serves a storm water detention function. 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. The retail location and amount for the west side was reduced. Commercial uses were planned for Lowry Boulevard. 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	<p>The project should be bound by the Lowry Community Design Guidelines</p> <p>The design guidelines should incorporate work completed by a volunteer citizen's committee.</p> <p>Add lively colors to existing bland color palette</p> <p>Address solar access and other sustainability requirements for buildings</p> <p>Zoning contexts and classifications should be determined as part of the GDP</p> <p>Residential zoning should not allow accessory dwelling units</p>	<p>This was noted on Sheet 5 of the GDP. The Boulevard One Design Guidelines are based on the Lowry Community Design Guidelines.</p> <p>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.</p> <p>The Boulevard One Design Guidelines allow for a wide range of colors in support of architectural character, durability and sense of permanence.</p> <p>Sustainability principles were incorporated into Sheet 3 of the GDP with more detail in the Boulevard One Design Guidelines.</p>
Zoning	<p>Zoning classifications were determined based on the final approved GDP land use plan.</p> <p>Accessory dwelling units were removed as a permitted use from U-SU-A and U-SU-B zoning applications.</p>	<p>Zoning classifications were determined based on the final approved GDP land use plan.</p> <p>Accessory dwelling units were removed as a permitted use from U-SU-A and U-SU-B zoning applications.</p>
Density	<p>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.</p> <p>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).</p> <p>The Boulevard One plan is approximately 11.4 dwelling units per acre.</p> <p>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.</p>	<p>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.</p> <p>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).</p> <p>The Boulevard One plan is approximately 11.4 dwelling units per acre.</p> <p>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.</p>
	<p>There should be less residential density</p>	<p>The total number of residential units in the plan was reduced from 1,200 to 800.</p>

**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 buses, 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.

Exhibit H

Legal Descriptions of Area Covered by Waivers

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 150.00 feet;
thence South 00°02'35" West, parallel with and 150.00 feet west of the easterly line of said Southeast Quarter of Section 8, a distance of 36.00 feet to the **POINT OF BEGINNING**;

thence South 00°02'35" West, parallel with and 150.00 feet west of said easterly line of the Southeast Quarter of Section 8, a distance of 30.00 feet;
thence North 89°59'52" West, parallel with and 66.00 feet south of said northerly line of the Southeast Quarter of Section 8, a distance of 580.00 feet;
thence North 00°00'08" East a distance of 30.00 feet;
thence South 89°59'52" East, parallel with and 36.00 feet south of said northerly line of the Southeast Quarter of Section 8, a distance of 580.02 feet to the **POINT OF BEGINNING**;

Containing 17,400 square feet or 0.399 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. Tenth Ave.
Denver, CO 80231
Ph. 303.740.2600 Fax 303.694.2770

I:\PROJECTS_INF\22241028_Lowry_Master\6.0
Projects\22243847_Bldv_One_Surv_IDIQ\Project Tasks\01002 Setbacks\Block 7 Rev 1 01-19-15.docx

Point of Commencement
 East 1/4 corner of Section 8
 Found 3-1/4" aluminum cap in range box
 Stamped: BRW INC PLS 20683

Point of Beginning

Basis of Bearings

North line of the Southeast 1/4 of Section 8

N89°59'22"W 150.00'

Tract AF
 (Proposed 1st Ave.)

N89°59'52"W

1st. Ave.

S00°02'35"W
 36.00'

S89°59'52"E 580.02'

17,400 Sq.Ft.± or
 0.399 Acres ±

6' 30'

S00°02'35"W
 30.00'

N89°59'52"W 580.00'

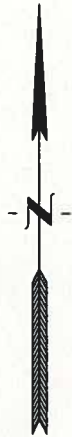
Proposed Boulevard One
 Filing No. 1

Quebec St.

East line of the Southeast 1/4 of Section 8
 N00°02'35"E

See Sheet 2
 Matchline

7



SCALE 1"=50'



URS

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

EXHIBIT ACCOMPANYING DESCRIPTION

**Part of Block 7,
 Blvd. One, Filing No. 1**

DENVER

COLORADO

Drawn by: JKB Checked by: ADJ Sheet No. 13 of 3 Sheet(s)

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

Center of Section 8
 Found 3-1/4" aluminum cap Witness Corner
 Stamped: URS CORP PLS 20683

Basis of Bearings

North line of the Southeast 1/4 of Section 8

N89°59'52"W

1st. Ave.

Tract AF
 (Proposed 1st Ave.)

30'

S89°59'52"E 580.02'

17,400 Sq.Ft.± or
 0.399 Acres ±

6' 30'

N00°00'08"E
 30.00'

N89°59'52"W 580.00'

Proposed Boulevard One
 Filing No. 1

Tract AE (Proposed Pontiac St.)

Matchline
 See Sheet 1

7



SCALE 1"=50'



URS

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

EXHIBIT ACCOMPANYING DESCRIPTION

**Part of Block 7,
 Blvd. One, Filing No. 1**

DENVER

COLORADO

Drawn by: JKB Checked by: ADJ Sheet No. 3 of 3 Sheet(s)

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

EXHIBIT - H

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, also being the westerly line of Quebec St., a distance of 536.62 feet to the **POINT OF BEGINNING**;

thence along said westerly line of Quebec St. the following three (3) courses:

1. South 00°02'35" West a distance of 61.66 feet;
2. South 14°00'02" East a distance of 41.21 feet;
3. South 00°02'35" West a distance of 498.39 feet;

thence North 90°00'00" West a distance of 30.00 feet;

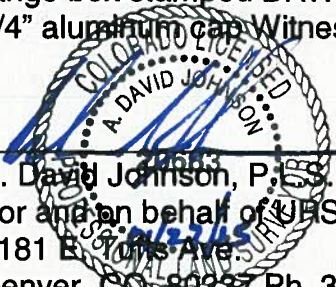
thence parallel with and 30.00 feet west of said westerly line of Quebec St. the following three (3) courses:

1. North 00°02'35" East a distance of 494.72 feet;
2. North 14°00'02" West a distance of 41.21 feet;
3. North 00°02'35" East a distance of 65.36 feet;

thence South 89°57'25" East a distance of 30.00 feet to the **POINT OF BEGINNING**;

Containing 18,038 square feet or 0.414 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 with Witness Corner stamped URS CORP, PLS 20683.


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

I:\PROJECTS_INF\22241028_Lowry_Master\6.0
Projects\22243847_Bldv_One_Surv_IDIQ\Project Tasks\01002 Setbacks\Block 8 Rev 1 01-27-15.docx

EXHIBIT-H

Basis of Bearings

North line of the Southeast 1/4 of Section 8

N89°59'52"W

Center of Section 8

Found 3-1/4" aluminum cap Witness Corner

Stamped: URS CORP PLS 20683

Point of Commencement

East 1/4 corner of Section 8

Found 3-1/4" aluminum cap in range box

Stamped: BRW INC PLS 20683

Tract AD
(Proposed Lowry Blvd.)

S89°57'25"E
30.00'

Point of Beginning

120'

N00°02'35"E
65.36'

S00°02'35"W
61.66'

8

N14°00'02"W
41.21'

S14°00'02"E
41.21'

18,038 Sq.Ft.± or
0.414 Acres ±

Proposed Boulevard One
Filing No. 1

N00°02'35"E 494.72'

S00°02'35"W 498.39'

Quebec St.

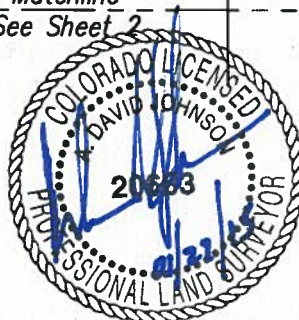
East line of the Southeast 1/4 of Section 8

N00°02'35"E

Matchline
See Sheet 2



SCALE 1"=50'



URS

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

EXHIBIT ACCOMPANYING DESCRIPTION

Part of Block 8,
Blvd. One, Filing No. 1

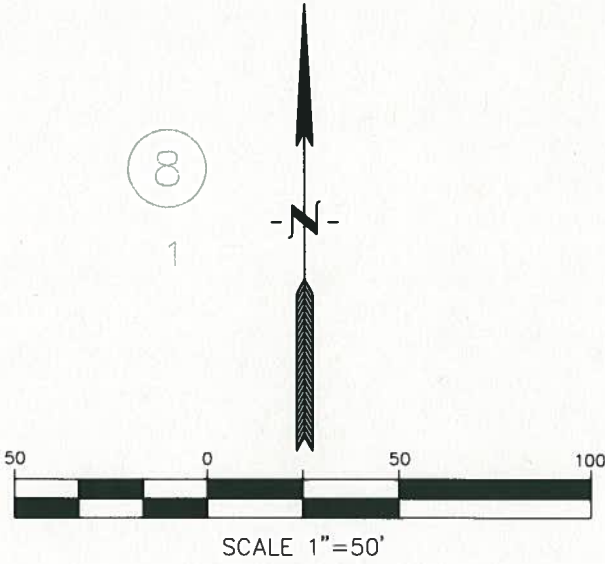
DENVER March 12, 2015 COLORADO

Drawn by: JKB Checked by: ADJ Sheet No. 2 of 3 Sheet(s)

This exhibit does not represent a monumented survey.
It is intended only to depict the attached description. Page 68 of 83

EXHIBIT-H

See Sheet 1
Matchline



N00°02'35"E 494.72'

S00°02'35"W 498.39'

18,038 Sq.Ft.± or
0.414 Acres ±

Proposed Boulevard One
Filing No. 1

Quebec St.

30'

East line of the Southeast 1/4 of Section 8
N00°02'35"E

Tract AB
(Proposed Archer Pl.)

N90°00'00"W
30.00'



URS

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

EXHIBIT ACCOMPANYING DESCRIPTION

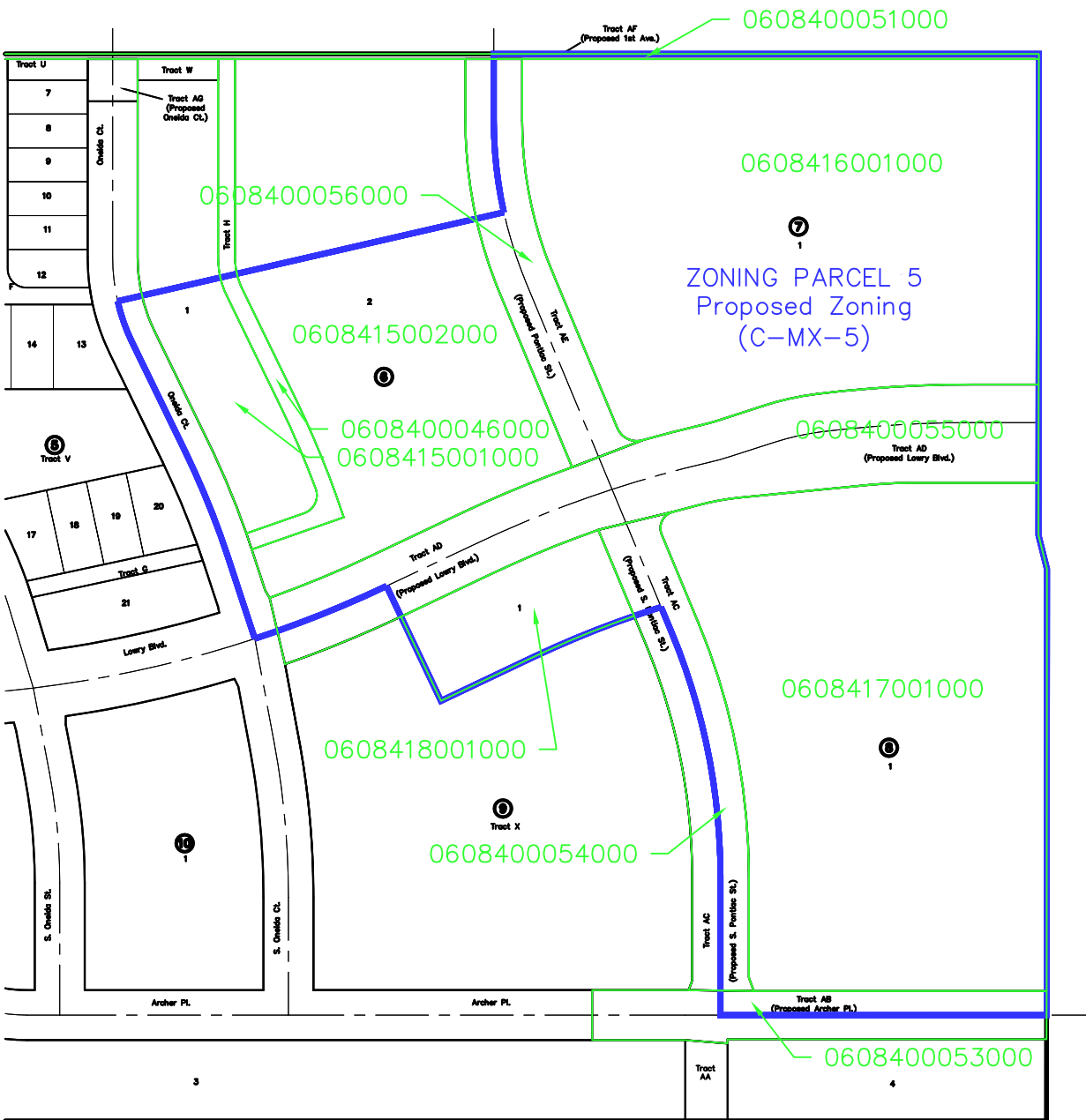
Part of Block 8,
Blvd. One, Filing No. 1

DENVER March 12, 2015 COLORADO

Drawn by: JKB Checked by: ADJ Sheet No. 3 of 3 Sheet(s)

This exhibit does not represent a monumented survey.
It is intended only to depict the attached description. Page 69 of 83

BOULEVARD ONE ZONING PARCEL 5 ASSESSOR PARCEL NUMBERS



SCALE 1"=200'

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

20141-00096



8181 E. TUFTS AVE.
DENVER, CO 80237
P: 303-740-2600
F: 303-694-3946
E: dave.johnson@urs.com

URS

EXHIBIT ACCOMPANYING DESCRIPTION
**Boulevard One
Zoning Parcel 5**

DENVER COLORADO

Scale: 1"=200'	Drawn by: JKB	Sheet No: 2015	Drawing Name:
Checked by: ADJ	of 1	Sheet(s)	

~~After recordation please send a copy of the recorded Deed to:
AFRPA/RESTB
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".

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*

2014I-00096

Page 1 of 9

Page 72 of 83

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

March 12, 2015

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

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.

~~After recordation please send a copy of the recorded Deed to:
AFRPA/RETB
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

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

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.

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

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

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

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:

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

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:
AFRPA/RETB
2361 Hughes Avenue, Ste 121
Lackland AFB, TX 78236-9821~~

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

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

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



I:\PROJECTS_INF\22241028_Lowry_Master\6.0 Projects\001-Survey\Survey\Buckley Annex\Descriptions\Lowry Buckley Annex Desc.docx

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