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**TO:** Denver City Council  
**FROM:** Kyle Dalton, AICP, Principal City Planner  
**DATE:** December 10, 2015  
**RE:** Official Zoning Map Amendment Application #2015I-00077  
510 E. 51<sup>st</sup> Ave., 480 E. 51<sup>st</sup> Ave., 4855 Pearl St., 4871 Pearl St., and 4877 Pearl St.  
Rezoning from I-A UO-2 and I-MX-3 UO-2 to C-MX-5

## Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I-00077 for a rezoning from I-A UO-2 and I-MX-3 UO-2 to C-MX-5.

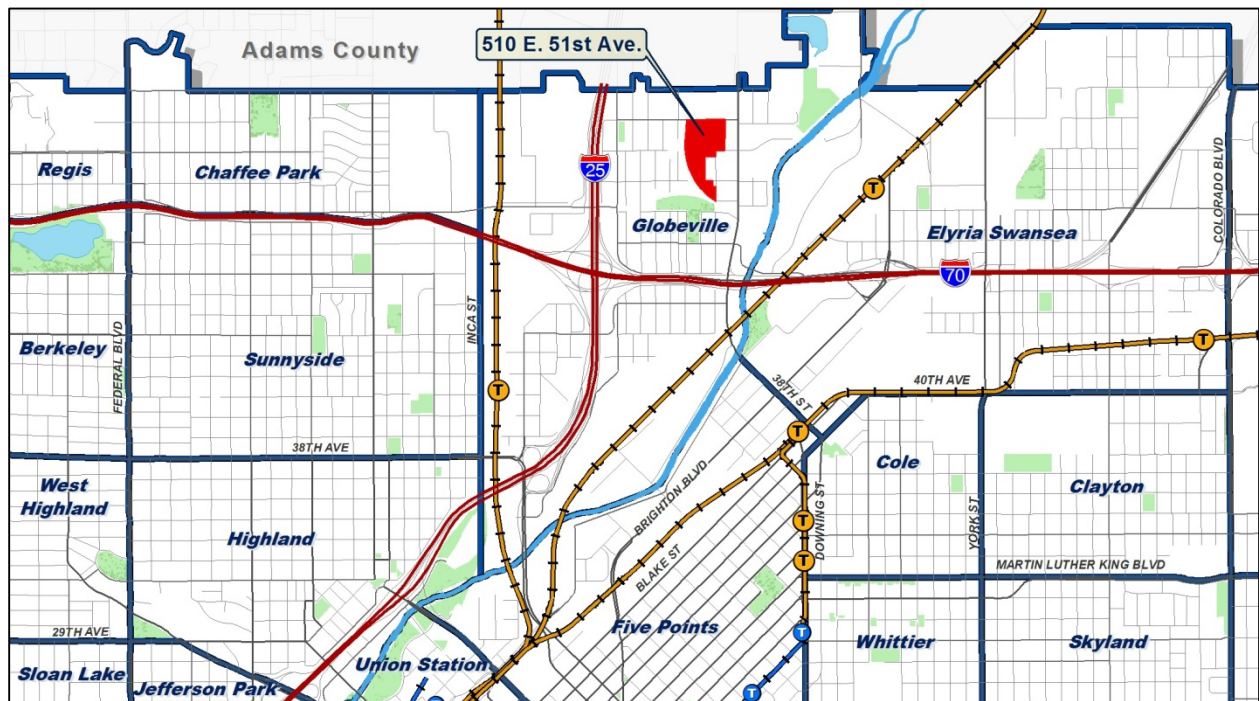
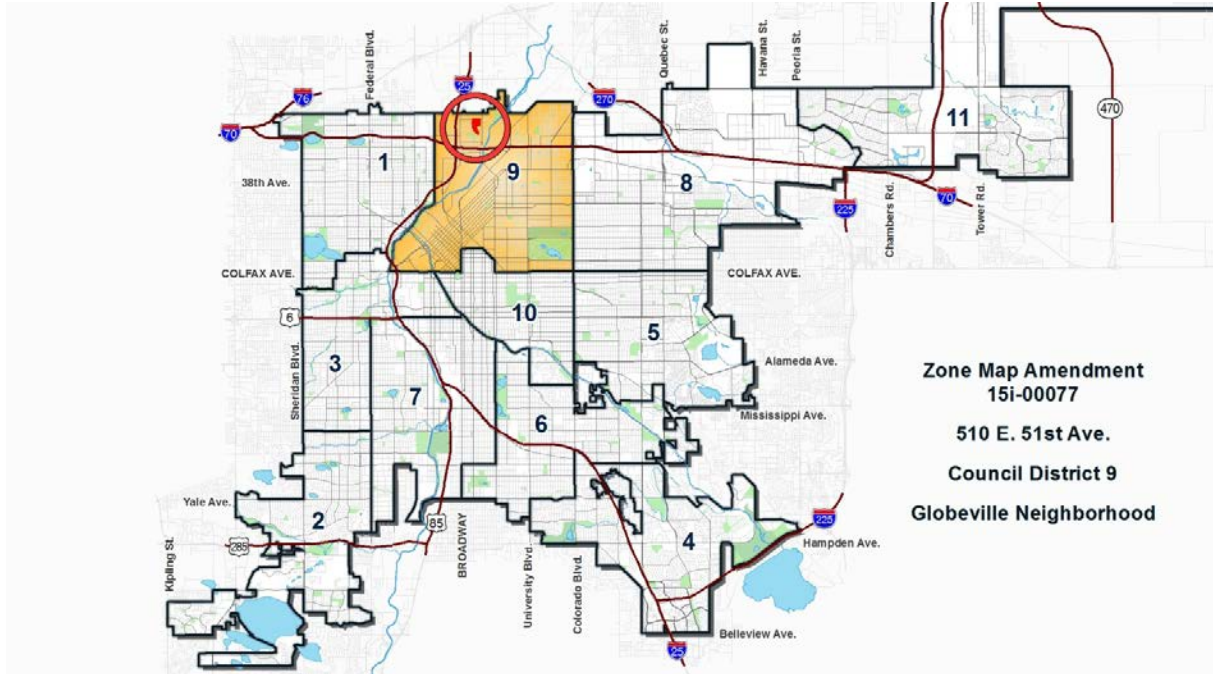
## Request for Rezoning

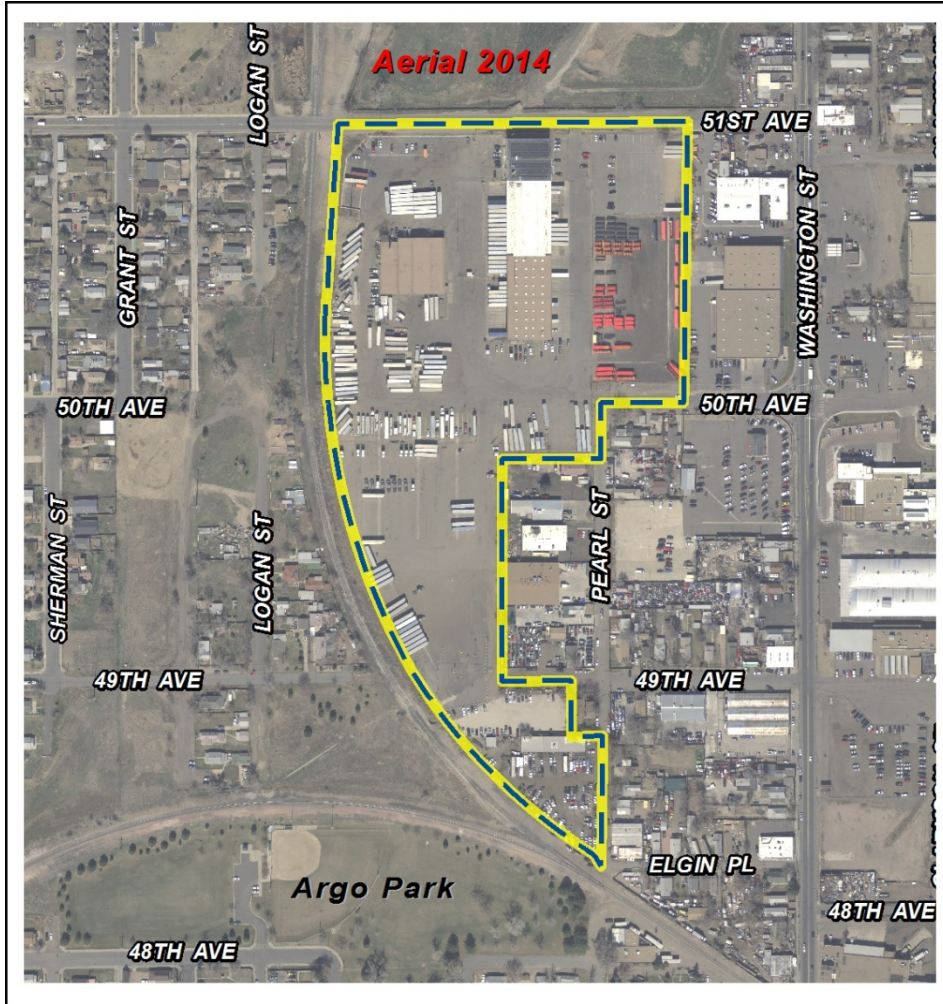
Application: #2014I-00077  
Address: 510 E. 51<sup>st</sup> Ave., 480 E. 51<sup>st</sup> Ave., 4855 Pearl St., 4871 Pearl St., and 4877 Pearl St.  
Neighborhood/Council District: Globeville / Council District 9  
RNOs: Denver Neighborhood Association, Inc.; Globeville Civic Association #1; Globeville Civic Association #2; Elyria Swansea/Globeville Business Association; United Community Action Network, Inc.; Globeville K.A.R.E.S.; Denver Urban Resident Association; Inter-Neighborhood Cooperation  
Area of Property: 19.9 acres  
Current Zoning: I-A UO-2 and I-MX-3 UO-2  
Proposed Zoning: C-MX-5  
Property Owner(s): JRL 51<sup>st</sup> Street LLC, JRL 51<sup>st</sup> Avenue LLC, and 4877 Pearl LLC  
Owner Representative: Bruce O'Donnell, STARBOARD Realty

## Summary of Rezoning Request

- The site is located in the Globeville neighborhood along the east side of the BNSF railway, immediately south of the former Asarco site, which is currently being redeveloped as the Crossroads Commerce Park.
- The site currently includes various office and industrial uses including trucking, vehicle service and repair, and tire scrapping.
- The application requests to rezone to the C-MX-5 zone district, in the Urban Center Neighborhood Context, allowing Mixed Uses, with a maximum building height of 5 stories. The C-MX-5 building form standards require a high degree of street level activation through street level active use and transparency requirements that are among the highest in the city. Build-to requirements are strong. The mix of permitted primary uses includes most residential and

commercial uses, as well as limited industrial and agricultural uses. Further details of the requested zone district can be found in Article 7 of the Denver Zoning Code (DZC).





## Existing Context

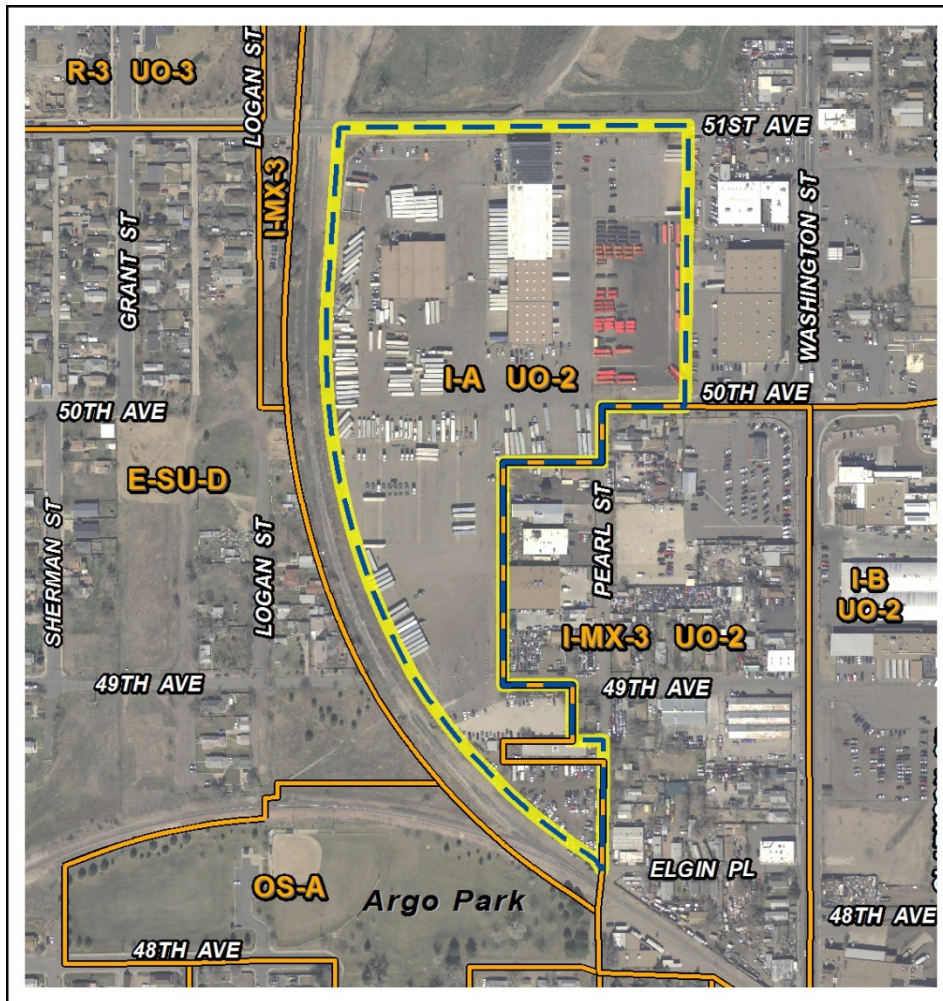
The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	I-A UO-2 and I-MX-3 UO-2	Industrial	Commercial and industrial buildings 1 to 3 stories in height with very low building coverage; extensive surface pavement	Broken rectilinear grid of streets disrupted by railroad and parcel consolidation. Block sizes and shapes are irregular, though some traditional rectangular blocks remain. Vehicle parking sometimes is to the side or rear of buildings, particularly houses, but is often in front and consumes large portions of some sites in the area.
North	I-A UO-2	Industrial	Vacant; commerce park under construction	
South	E-SU-D and OS-A	Railway; across the railway are single unit residential and City Park lands. Note: though platted, Pearl Street does not physically cross the railroad to the park.	No building form/scale in the park; single family residences beyond are typically one story, low scale, with vehicular access to the rear	
East	I-A UO-2 and I-MX-3 UO-2	Industrial, single unit residential, commercial	Generally 1 to ½ stories, setbacks highly variable from zero to deep; very low to moderate building coverage	
West	I-MX-3 and E-SU-D	Railway; across the railway are single unit residential and vacant lands	Low scale, 1-story residences with moderate setbacks and vehicle access typically to the rear	

## 1. Existing Zoning

The properties at 480 E. 51<sup>st</sup> Ave., 510 E. 51<sup>st</sup> Ave., 4855 Pearl St. and 4871 Pearl St. are currently zoned I-A UO-2. A small, single parcel of the overall rezoning area, 4877 Pearl St., is currently zoned I-MX-3 UO-2. The I-A “Light Industrial” zone district allows a broad range of industrial uses other than the most intensive and hazardous uses. No new residential uses may be established. Building forms are limited by maximum floor area ratio of 2.0 and lack street level activation or build-to requirements. The I-MX zone district allows some industrial uses, and a broad range of commercial and residential uses.

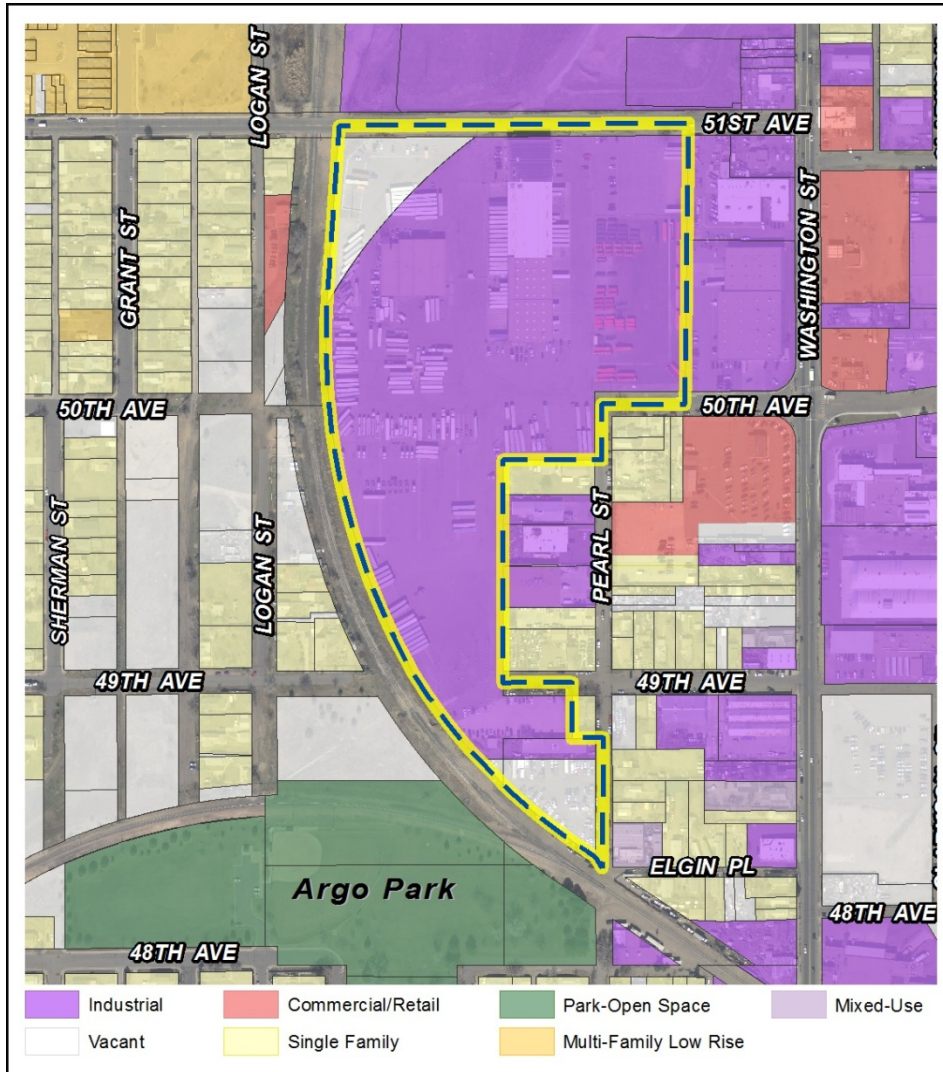
Manufacturing, wholesale, and vehicle/equipment sales, rentals, service & repair uses may be located in industrial building forms like those described above in the I-A zone district. Buildings containing other uses must meet a moderate level of build-to and street level activation standards in the General building form, up to a maximum height of 3 stories. Further details are found in DZC Article 9.



The UO-2 zone district is a Use Overlay which carried forward entitlement from the Former Chapter 59 to allow outdoor general advertising devices, or billboards, subject to limitations. Further details of the

UO-2 zone district are found in DZC Article 9. The applicant does not intend to retain this allowance and is rezoning to a "straight" C-MX-5 zone district without the UO-2 overlay district.

## 2. Existing Land Use Map



**3. Existing Building Form and Scale (Google Maps images)**



Subject site, looking south from 51<sup>st</sup> Avenue



Subject site, looking west-northwest from 50<sup>th</sup> Avenue at Pearl Street



Subject site, looking west, 4800 block of Pearl Street



East side of 4800 block of Pearl Street



Looking southwest at Argo Park across the BNSF railway, from Pearl Street and Elgin Place



Looking northeast at former Asarco site from 51<sup>st</sup> Avenue and BNSF railway (subject site is to the right)



#### 4. General Development Plan

The site is not currently subject to a general development plan (GDP). Before or concurrent with an official map amendment application, CPD must determine whether a GDP is mandatory, according to DZC Section 12.4.12. Preparation is mandatory when “(1) the specific circumstances warrant a coordinated master framework plan to guide future development; and (2) land use, development, and infrastructure issues related to future development cannot be adequately resolved through other regulatory processes.” In determining whether circumstances warrant a GDP, all relevant factors must be considered, including the following four factors set forth in the code. The factors are listed below with staff’s analysis of this site in *italics*.

##### 1. Adopted Plan Recommendation

“A citywide land use, or small area plan, adopted by City Council as a supplement to the Comprehensive Plan, recommends preparation of a GDP for all or portions of the plan area.”

*No adopted plan recommends a GDP for all or portions of this site.*

##### 2. Large-Scale Development

“The GDP area either: (a) is more than 10 acres, (b) is anticipated to be developed in phases; or (c) is owned by more than one person or entity.”

*The area to be rezoned is more than 10 acres. There is no current development plan so it is not known whether it will be developed in phases. The area is owned by three entities, two of which are controlled by one person.*

##### 3. Infrastructure Network or System Improvements

“Future development in the GDP area anticipates any of the following infrastructure improvements:

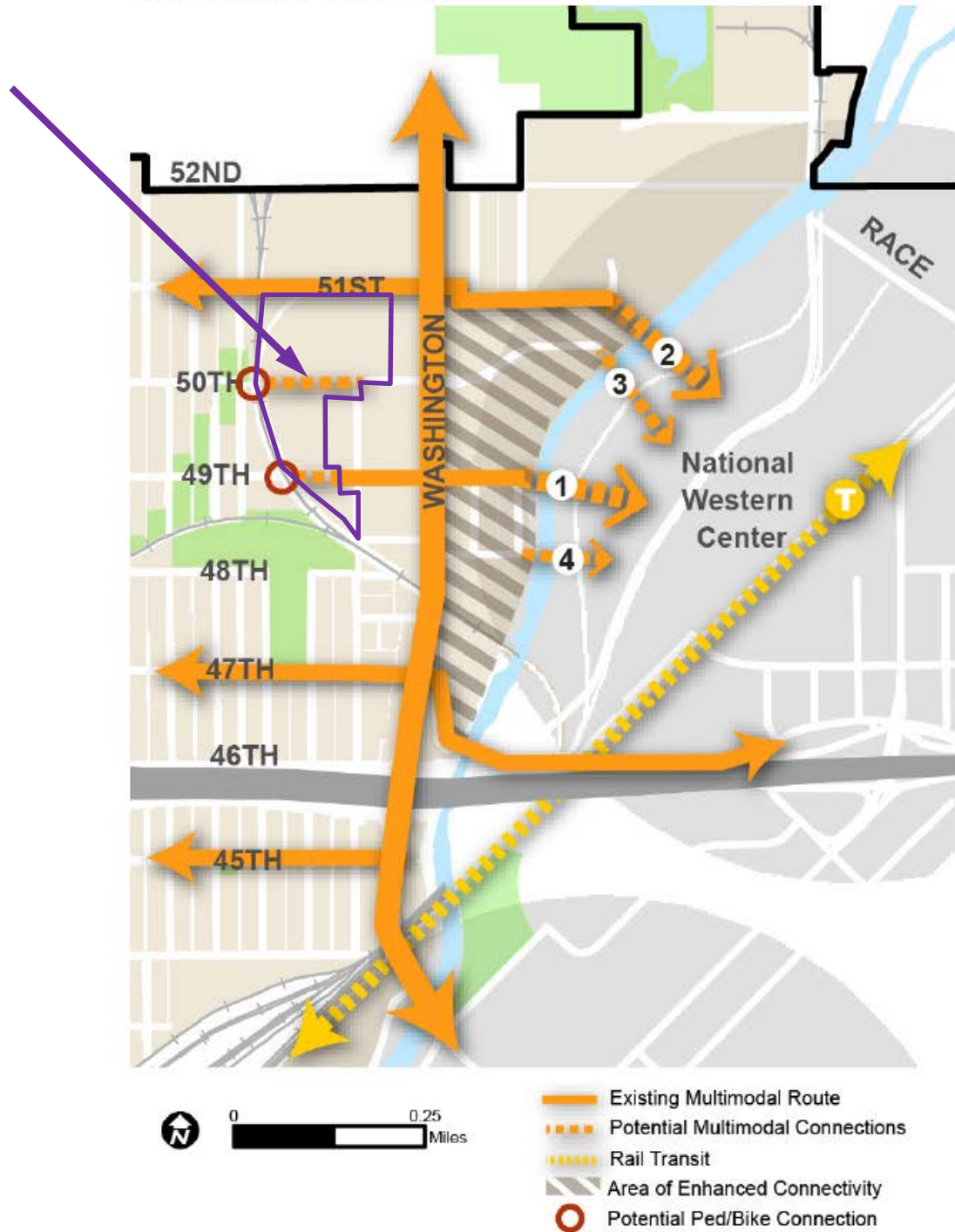
- a. Establishing, extending, expanding, or otherwise changing the arterial or collector street grid; or
- b. Establishing, extending, expanding, or otherwise changing an existing regional stormwater system; or
- c. Establishing, extending, expanding, or otherwise changing publicly accessible park and open space.”

*None of these infrastructure improvements are anticipated. The Globeville Neighborhood Plan does anticipate two east-west local streets across the site at the alignments of 49<sup>th</sup> and 50<sup>th</sup> Avenues. But according to the plan, vehicular access should not cross the tracks to the west, so the potential connections will serve a local (not arterial or collector) function for access to this site. Pedestrian and bike (not vehicular) crossings of the railroad are anticipated in the plan, though they would be subject to negotiation with the railroad and regulatory authorities if implemented. See the Globeville Neighborhood Plan map on the following page, with the area to be rezoned highlighted in purple.*

*Regardless, the property owner has already agreed to provide such local connections if requested at the time of any future site development plan for the property. Regional stormwater systems and parks are not anticipated at this site. The existing Argo Park is immediately south, Platte Farm Open Space is one block to the west, and reinvestment and redevelopment of Northside Park and the South Platte River trail are about three blocks east, so additional parkland and open space is not recommended by the neighborhood plan or otherwise anticipated on this site.*

Globeville Neighborhood Plan excerpt, page 57

## CONNECTIVITY OPTIONS OVER THE SOUTH PLATTE RIVER AND TO THE NATIONAL WESTERN CENTER



#### 4. **Development Adjacent to Major River or Trail Corridors**

“Development within 100 feet from the Cherry Creek corridor or the South Platte River corridor, where publicly-accessible open space, pedestrian connections, or bike connections to such corridors is anticipated.”

*The site is not near major river or trail corridors. But 49<sup>th</sup> & 50<sup>th</sup> Avenues could eventually provide pedestrian and bike connections to the South Platte River open space corridor several blocks east of this site.*

Although this is a large site, the recent neighborhood plan already provides sufficient direction regarding all matters that would be considered in a general development plan. Considering all relevant factors, the specific circumstances here do not warrant an additional coordinated master framework plan and all remaining issues can be addressed with existing regulatory processes such as a development agreement and site development plan. Therefore, CPD determined that a GDP is not mandatory for this site.

#### Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

##### **Environmental Health:**

Notes. The property has been used for industrial purposes for several years; additionally, the property is within the boundary of the ASARCO Inc. (Globe Plant) CERCLA site. DEH suggests that environmental conditions be documented to ensure they are compatible with future proposed uses. . If warranted the property could be remediated under Colorado’s voluntary cleanup program.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete. Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

**Parks and Recreation:** Approved.

**Public Works – City Surveyor:** Approved. Comments: Parcel 1 and Parcel 2 Exhibits both label Washington St. as Tower Rd.

No other agencies responded to the request for comments.

## Public Review Process

- Informational notice of receipt of the rezoning application was sent to at-large and affected City Council members and to affected registered neighborhood organizations (RNOs) on July 31, 2015.
- Written notification of the October 7, 2015, Denver Planning Board public hearing was sent to all affected RNOs and City Councilmembers on September 22, 2015.
- The property was posted with signs for a period of 15 days announcing the October 7, 2015, Denver Planning Board public hearing.
- On October 7, 2015, the Planning Board postponed the public hearing to October 21, 2015, at the request of staff and with the consent of the applicant. Courtesy notice of the postponed public hearing was provided 15 days in advance by revised sign postings and email to all affected RNOs and City Councilmembers.
- On October 20, 2015, written notification of the November 4, 2015, Neighborhoods & Planning Committee meeting was sent to all affected RNOs and City Councilmembers.
- On November 4, 2015, the Neighborhoods & Planning Committee moved the bill out of committee without objection.
- On November 23, 2015, written notification of the December 14, 2015, City Council public hearing was sent to all affected RNOs and City Councilmembers. The property was also posted with signs for a period of 21 days announcing the public hearing.
- **Registered Neighborhood Organizations (RNOs)**
  - The Globeville Civic Association #1, an RNO, submitted two letters of support, which were included in the application. They note that the rezoning application directly implements the Globeville Neighborhood Plan and that the rezoning application was supported unanimously.
- **Other Public Comment**
  - As of the date of this staff report, no further written comments had been received regarding this application.

## Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

### **DZC Section 12.4.10.7**

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

### **DZC Section 12.4.10.8**

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

## 1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Globeville Neighborhood Plan (2014)

### Denver Comprehensive Plan 2000

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

- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.*
- Mobility Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail and services.*

The proposed map amendment will enable mixed-use development at an infill location where services and infrastructure are already in place. The C-MX-5 zone district broadens the variety of compatible uses allowed by introducing residential uses and prohibiting incompatible industrial uses. The rezoning is consistent with these plan recommendations.

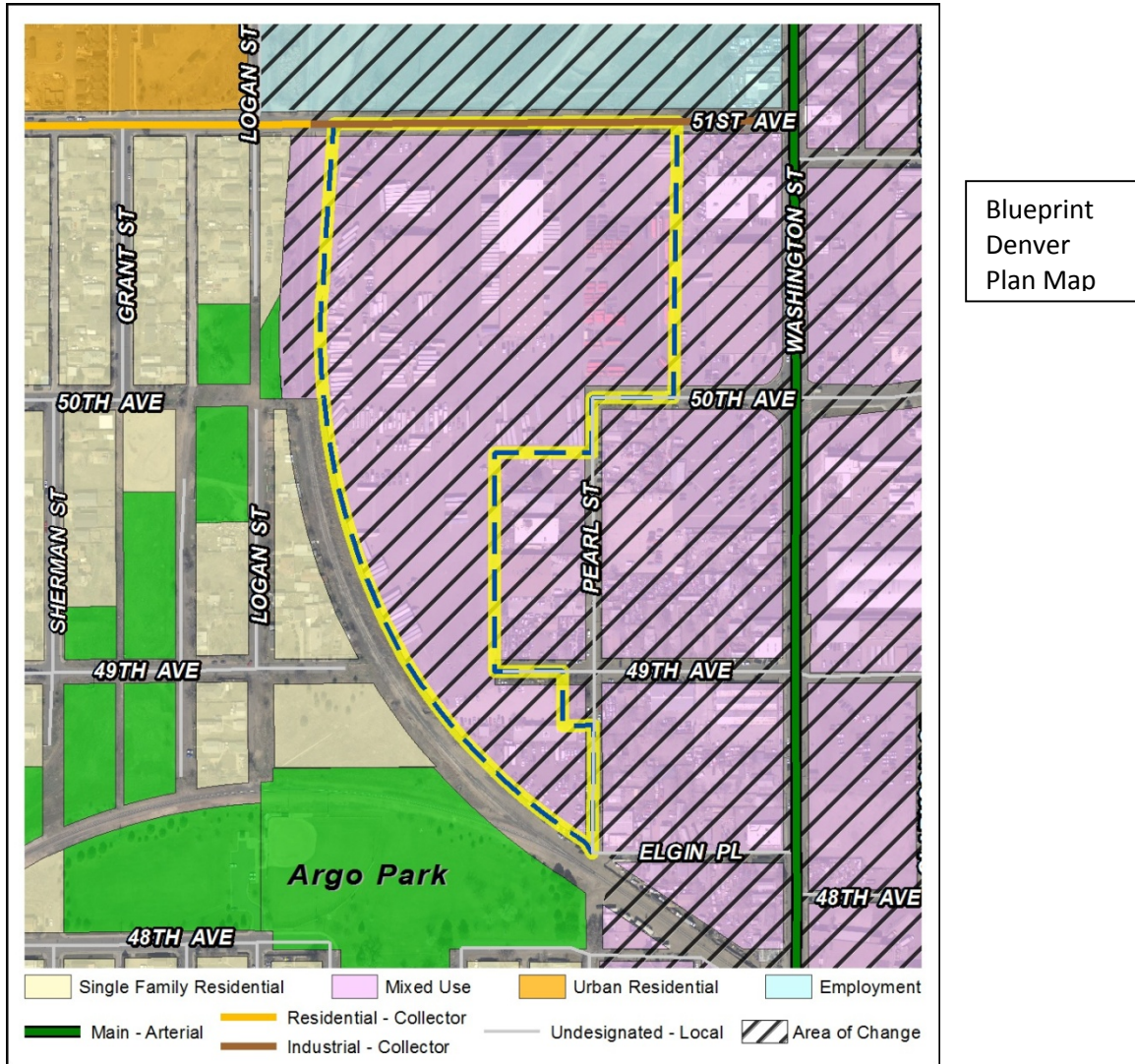
### Blueprint Denver

According to the Plan Map adopted in Blueprint Denver, this site has a concept land use of Mixed Use and is located in an Area of Change. The 2014 Globeville Neighborhood Plan, described in more detail below, updated the Blueprint Denver Plan Map to reflect the neighborhood plan's guidance for concept land uses and areas of change.

### Future Land Use

As recommended by the Globeville Neighborhood Plan, the Blueprint Denver land use concept for this site is Mixed Use, shown in pink in the map on the next page.

Blueprint Denver's description of Mixed Use areas is generally similar to the description of Mixed Use areas in the Globeville Neighborhood Plan, detailed below. According to Blueprint Denver, these areas "have a sizable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block. But within the neighborhood, residential and non-residential uses are within walking distance of one another" (p. 41).



**Area of Change / Area of Stability**

As recommended by the Globeville Neighborhood Plan, Blueprint Denver identifies this site as an Area of Change, shown in diagonal hatching in the map above. In general, “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Further, “the base strategy for encouraging development [in Areas of Change] is to allow sufficient development intensity and appropriate mixes of uses so that planned land uses will be economically feasible” (p. 128). Rezoning to the C-MX-5 zone district will enable growth through better building forms, increased development intensity consistent with desired urban form, and a more compatible mix of uses. Therefore, the rezoning application is consistent with the Blueprint Denver Area of Change recommendations.

**Street Classifications**

Blueprint Denver’s Future Street Classification Map was also updated by the Globeville Neighborhood Plan. Pearl Street, 50<sup>th</sup> Avenue, and 49<sup>th</sup> Avenue are undesignated local streets, and

51<sup>st</sup> Avenue is classified as an Industrial Collector street. Blueprint Denver says that local streets are “influenced less by traffic volumes and tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets.” According to Blueprint Denver, “Industrial streets serve industrial areas. These streets are designed to accommodate a high volume of large vehicles such as trucks, trailers and other delivery vehicles. Bicycles and pedestrians are infrequent but still need to be accommodated.”

The industrial street classification may lend support to keeping industrial zoning along 51<sup>st</sup> Street. However, as detailed in the Globeville Neighborhood Plan analysis below, it is clear that the totality of plan direction for this site is to change from industrial to mixed use. As a practical matter, 51<sup>st</sup> Avenue is the dividing line between the industrial area to the north and the mixed use area of change to the south, so it is likely that 51<sup>st</sup> Avenue must share characteristics of both industrial streets and mixed use streets.

### **Small Area Plan: 2014 Globeville Neighborhood Plan**

The Globeville Neighborhood Plan was adopted by City Council in December 2014 and applies to the subject property.

According to the plan, under the vision of a “Strong Globeville,” Recommendation 1 is “A land use plan that balances the needs of residents, commerce, and industry.” The plan identifies this site as being in a “mixed use” area, and recommends the following:

#### **“B5. REVITALIZE THROUGH MIXED-USE DEVELOPMENT.**

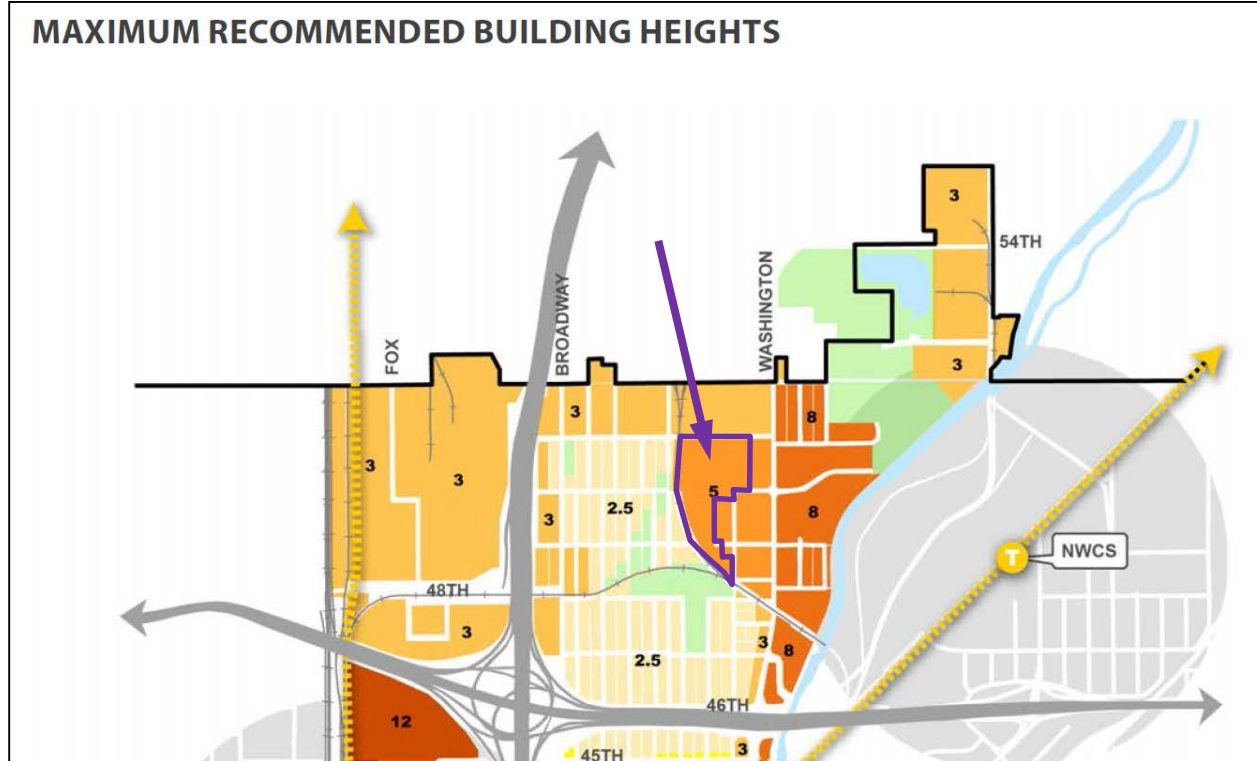
In areas recommended for Mixed Use Concept Land Use, including portions of Washington Street, 45th Avenue, and the Riverfront:

- Site building forms at the street with parking and access in the rear or off the alley, where possible.
- Promote the use of design elements that link the building directly to the street environment, such as ground story activation, transparent window openings, and doorways at the street.
- Allow a mix of uses within the area and within individual buildings.”

The plan further describes mixed use areas as follows:

**“Mixed Use:** These areas have both a sizable employment base as well as a variety of mid to high-density housing options. Intensity is higher in mixed-use areas than in predominantly residential areas. Land uses may be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is important within these areas, with residential and non-residential uses always within short walking distance of one another.”

The plan sets forth a maximum building heights map. The subject site is recommended for a maximum building height of 5 stories.



In combining all of the above recommendations, the zone district that best implements the adopted plan is the C-MX-5 zone district. The C-MX-5 zone district building form standards include minimum required design elements to require buildings to relate to the street and pedestrian environment. These standards require better design than that required by the current I-A and I-MX-3 zone districts. The permitted uses in the C-MX-5 zone district include a broad range of both employment and housing options. The maximum allowed building height in the zone district is 5 stories. Therefore, rezoning to C-MX-5 is consistent with the above plan recommendations.

Other plan goals that support this rezoning application include:

- B13: "Improve Access to Jobs"
- B14: "Improve Access to Housing"
- B15: "Improve Neighborhood Services"
- E5: "Assist the Transition to Mixed-Use"

The rezoning application is consistent with the Globeville Neighborhood Plan.

## 2. Uniformity of District Regulations and Restrictions

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



### **3. Public Health, Safety and General Welfare**

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the city's adopted land use plans as described earlier in this report.

### **4. Justifying Circumstance**

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." Many adopted plan recommendations state that mixed use reinvestment in the area is desired, and the recently adopted neighborhood plan also recognized that this site is located in an Area of Change. Changes in the surrounding environs include the ongoing redevelopment of the former Asarco site to the north. Additional redevelopment is planned for the National Western Center to the east and the Washington Street corridor. These factors make this justifying circumstance appropriate for the proposed rezoning.

### **5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements**

The requested C-MX-5 zone district is within the Urban Center Neighborhood Context. The neighborhood context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers (DZC, Division 7.1). Buildings have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building. The neighborhood context is characterized by moderate to high building heights.

While this site is not currently located in an urban center neighborhood context, the neighborhood plan direction in this area recommends transition away from the industrial context and toward an urban center neighborhood context. The plan recommends that buildings strongly relate to the street with design elements, that the street grid be improved, and that taller buildings be allowed in this area. The plan also calls for the Washington Street corridor to attract reinvestment on the order of an urban center neighborhood context, including building heights of up to 8 stories, so the area is planned to evolve to an urban center neighborhood. The proposed rezoning to C-MX-5 would be consistent with the description of the desired neighborhood context.

The General Purpose of the Mixed Use Zone Districts is "to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods" (DZC Section 7.2.2.1.B). They are "focused on creating mixed, diverse neighborhoods" (DZC Section 7.2.2.1.D) and are "intended to promote safe, active, and pedestrian-scaled, diverse areas" (DZC Section 7.2.2.1.A). According to the zone district intent stated in the Denver Zoning Code, the C-MX-5 district "applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired" (DZC Section 7.2.2.2.B). This site is directly served by a collector street (51<sup>st</sup> Avenue) and is one block west of an arterial street (Washington Street). The desired building scale as articulated by the adopted plan is up to 5 stories in height. Therefore, rezoning the site to the C-MX-5 zone district would be consistent with the zone district intent statement.

Rezoning Application #2015I-00077

510 E. 51<sup>st</sup> Ave., 480 E. 51<sup>st</sup> Ave., 4855 Pearl St., 4871 Pearl St., and 4877 Pearl St.

12/10/15

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## Planning Board Recommendation

Following a public hearing on October 21, 2015, at which the applicant and no other speakers testified, the Denver Planning Board unanimously recommended approval of this application.

## Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 510 E. 51<sup>st</sup> Ave., 480 E. 51<sup>st</sup> Ave., 4855 Pearl St., 4871 Pearl St., and 4877 Pearl St. to a C-MX-5 zone district meets the requisite review criteria. Accordingly, staff recommends that the Neighborhoods & Planning Committee move the application forward for consideration by the Denver City Council.

## Attachments

1. Application, including RNO comment letters



## 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><b>*If More Than One Property Owner:</b>            All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
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. 12.4.10.7</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. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that 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)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
JRL 51st Street, LLC	510 E. 51st Ave. # 205 Denver, CO 80216	94.4%		07/01/15	(A)	YES
4877 Pearl St. LLC	4801, 4871 & 4877 Pearl Street Denver, CO 80216	5.6%		07/01/15	(A)	YES

## **List of Exhibits**

- Exhibit A:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.13 (A, B & C))
  
- Exhibit B:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14 (A&B))
  
- Exhibit C:** Property Legal Descriptions and Map Exhibits
  
- Exhibit D:** Letters of Authorization for STARBOARD Realty Group, LLC to act as Representative
  
- Exhibit E:** Proof of Ownership, Assessors Record
  
- Exhibit F:** Letters of support from RNO: Globeville Civic Association #1 and from individual neighboring property owners
  
- Exhibit G:** Evidence of Authorization and Consent of Property Owners

**EXHIBIT A**  
**Description of Consistency with Adopted City Plans**

**REVIEW CRITERIA** - The proposed map amendment is consistent with the following three adopted plans:

1. Denver Comprehensive Plan 2000
2. Blueprint Denver
3. Globeville Neighborhood Plan

**Statement of Consistency with Adopted City Plans:**

1. The proposed map amendment is consistent with many objectives of **Denver Comprehensive Plan 2000** including:

***Congruency of land use and zoning:*** "...a built environment with greater overall urban design integrity, stronger connections among urban centers, and a richer and more diverse mix of uses within geographically proximate areas."

***Compact development:*** "...improved neighborhood cohesion, reduced urban sprawl and residents more directly connected to services and amenities within their immediate living environment."

The proposed map amendment will also contribute to preserving and enhance the individuality, diversity and livability of Denver's neighborhoods

In addition, the following policies from **Denver Comprehensive Plan 2000** are supportive of the rezone:

- a. Economic Activity Strategy 3B, "Support retention and expansion of businesses in industries historically important to Denver, including small business, health care, manufacturing, and federal and state government."
- b. Environmental Sustainability 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."
- c. Land Use Goal 3 "Preserve and enhance the individuality, diversity and livability of Denver's neighborhoods and expand the vitality of Denver's business centers."

2. The proposed map amendment is consistent with many objectives of **Blueprint Denver** including:

Plan Strategy: Direct Growth to Areas of Change – the Property is in a **Blueprint Denver** identified Area of Change and also meets the following **Blueprint Denver** Areas of Change criteria, goals and objectives:

Certain features of the Property characterize an Area of Change, such as:

- The Property is largely underutilized land near downtown and along the South Platte River
- The Property is in an area undergoing positive change that is expected to continue
- The Property is adjacent to areas with special opportunities such as where major public or private
- investments are planned, including the National Western Complex and the Trammell Crow redevelopment of the ASARCO site.

The Property also provides opportunities for the following **Blueprint Denver** Strategies including:

- Infill and redevelop vacant and underused properties
- Compatibility between new and existing development
- Balanced mix of uses
- Economic activity—business retention, expansion and creation
- Housing, including affordable housing

**Blueprint Denver** also is relevant to the Property and positively informs the rezoning request at follows:

**“Map Amendments:** In some cases it may be necessary to change the zoning to establish the appropriate framework for achieving the vision for Areas of Change. For instance, some areas near downtown are zoned for industrial use but are slated for mixed-use development. In this case, the underlying zoning would need to be changed to a mixed-use zone district.”

- The Property exactly meets this statement.

**“Mixed-Use Zoning:** Mixed-use zoning provides a mixture of uses to enable residents to shop and work in the same area. Mixed-use zoning allows or encourages residential use with commercial use, such as moderate sized offices or retail. The uses can be either mixed in the same building or in separate buildings near each other.”

- New C-MX-5 zoning for the Property will allow this **Blueprint Denver** goal to be implemented.



**“North Industrial Area:** The North Industrial Area includes much of the industrial portion of the Elyria Swansea neighborhood and a portion of the Globeville neighborhood. These industrial areas surround stable residential areas that need some reinvestment and are affected by some of the industrial uses. Buffering the residential areas from the industrial areas is needed. This area includes some large employers, as well as considerable land used for truck parking and junkyards. Much of the industrial area should be improved to serve industry better and attract new businesses that provide jobs for nearby residents. Other portions of the area should be converted to mixed use, especially near the proposed transit stations and to buffer the residential areas. Finally, some of the industrial area should be considered for commercial development that would provide needed shopping for residents.”

- New C-MX-5 zoning for the Property will allow this **Blueprint Denver** goal to be implemented.

3. The proposed map amendment is consistent with many objectives of the **Globeville Neighborhood Plan** including:

The **Globeville Neighborhood Plan** identifies the Property for Mixed use with building height limits of five stories.

- The proposed C-MX-5 rezoning will exactly meet these Plan objectives and goals.

The Plan calls for a Strong Globeville: **“A Strong Globeville.** Participants in the planning process came to define “Strong” as a combination of inter-related qualities. It means having a neighborhood where the land uses are laid out in a rational way that meets the needs of residents, businesses, and industry.”

- The proposed C-MX-5 rezoning will meet the needs of residents, businesses and industry by allowing mixed use redevelopment that can place residential development and needed services proximate to employment areas and also allow a sensible transition to established single family residential areas in Globeville.

#### **“An Integrated Strategy for Improving Residential and Industrial Compatibility.**

Currently, Globeville’s residential core is adjacent to industrial uses, while most goods, services, and cultural destinations are located outside of the neighborhood and often far away. This *Plan’s* land use strategies (see Strong Chapter) strive to buffer the residential core of the neighborhood from industrial impacts, while also introducing mixed-use development at key locations within Globeville. The urban design recommendations presented in the Unique

Chapter are intended to compliment this land use strategy and further enhance industrial and residential compatibility.”

- The proposed C-MX-5 rezoning will exactly meet these Plan objectives and goals.

**“Mixed Use:** These areas have both a sizable employment base as well as a variety of mid to high-density housing options. Intensity is higher in mixed-use areas than in predominantly residential areas. Land uses may be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is important within these areas, with residential and non-residential uses always within short walking distance of one another. “

- The proposed C-MX-5 rezoning will exactly meet these Plan objectives and goals.

The **Globeville Neighborhood Plan’s** Recommendation 1 is: “A Land Use Plan that Balances the Needs of Residents, Commerce and Industry”. The proposed rezoning of the Property to C-MX-5 is consistent with and helps implement this Plan Recommendation as follows:

## **B2. MAINTAIN STABILITY IN INDUSTRIAL AREAS.**

In areas identified as Industrial Concept Land Use: Allow general flexibility in siting and building form for new industrial uses while improving the attractiveness of the site design overall and along the street edge in particular.

## **B3. IMPROVE COMPATIBILITY BETWEEN INDUSTRIAL AND RESIDENTIAL USES.**

Improve compatibility where these uses coexist in close proximity by using the following strategies:

Reduce industrial use intensity when adjacent to residential. Ensure that industrial uses that most heavily impact residential areas, such as salvage yards, recycling centers, and automobile towing, observe separation and screening requirements as established by zoning.

Use Industrial Mixed Use Concept Land Use as a buffer. Where industrial uses are immediately adjacent to residential uses, improve the transition through the use of Industrial Mixed Use Concept Land Use.

Use urban design solutions to more effectively buffer industrial and residential uses (see recommendations A8 and A9 in the Unique Chapter).

## **B4. TRANSITION KEY PROPERTIES FROM INDUSTRIAL TO EMPLOYMENT.**

Identify key large, underutilized industrial properties with access off of major through streets to transition to Employment Concept Land Use

Allow new uses in employment areas to be generally flexible in siting and building form, however new development should help create a more attractive street edge, especially along Washington Street and 51st Avenue.

Ensure that the uses that are allowed in employment areas are non-polluting and do not produce noxious odors, excessive noise, truck traffic, or light pollution.

Work to attract labor-intensive industries that produce a large number of good-paying jobs relative to the size of the facility.

#### **B5. REVITALIZE THROUGH MIXED-USE DEVELOPMENT.**

In areas recommended for Mixed Use Concept Land Use, including portions of Washington Street, 45th Avenue, and the Riverfront:

Site building forms at the street with parking and access in the rear or off the alley, where possible.

Promote the use of design elements that link the building directly to the street environment, such as ground story activation, transparent window openings, and doorways at the street.

Allow a mix of uses within the area and within individual buildings.

Make use of streetscape elements that reinforce urban character and promote high levels of walking and bicycles use, such as wide sidewalks, bicycle racks, public trash cans, and tree wells.

#### **B6. ESTABLISH MAXIMUM RECOMMENDED BUILDING HEIGHTS.**

Establish maximum building heights consistent with the Maximum Recommended Building Heights map to accomplish the following objectives:

Preserve the low-rise building heights characteristic of the single family character in Globeville's Residential Neighborhood Core Character Area.

Accommodate mid-rise redevelopment generally east of Washington Street and along the riverfront.

Accommodate mid-to-high rise redevelopment in the 41st and Fox Station Area consistent with the recommendations of the *41st and Fox Station Area Plan*.

The **Globeville Neighborhood Plan's** Recommendation 4 is: "Improve Access to Jobs, Housing, Neighborhood Services and Education". The proposed rezoning of the Property to C-MX-5 is consistent with and helps implement this Plan Recommendation as follows:

**D20. Use Mixed-Use Development to Improve Access to Goods and Services.** Promote mixed-use development to support a variety of commercial and retail businesses and services throughout the community and around new rail stations.

**B13A. Expand Job Growth within Globeville.** Support the expansion of employment opportunities within the neighborhood using a variety of complimentary strategies:

Work to reinforce and revitalize existing businesses.

Support the redevelopment of the ASARCO site for manufacturing, distribution, and Class A industrial tenants. Promote the site with the intention of attracting job-rich uses.

**B14A. Provide a Broad Range of Housing Types and Price Levels.** Incorporating this *Plan's* proposed concept land use recommendations will allow for a more diverse range of housing types within the neighborhood, including:

- Accessory Dwelling Units within the single family areas
- Multifamily and attached residential building types in Mixed Use, TOD, and Urban Residential Concept Land Use areas.
- Live/work and a variety of other residential types in Industrial Mixed Use areas.

**B15A. Use Redevelopment Areas to Attract Desired Retail and Services.** Broaden the market for retail and services by increasing the population of the neighborhood through mixed-use and transit-oriented development and providing space for new retail.

## EXHIBIT B

### **Description of Justifying Circumstances and Neighborhood Context**

#### **Justifying Circumstances - One of the following circumstances exists:**

1. The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.
  
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.

#### **Statement of Justifying Circumstances:**

The nearly 20 acre Globeville Property to be rezoned to C-MX-5 is located in a part of Denver undergoing tremendous and positive transformation. Directly across the street to the north Trammell Crow is redeveloping the former ASARCO site into a vibrant industrial, distribution and warehouse center that will home to hundreds of employees new to the Globeville neighborhood. To the south of the site the National Western complex is beginning its revitalization with its newly approved plan and financing strategy.

These two large projects are representative of change in the area proximate to the Property. Only through rezoning to C-MX-5 will the property be entitled to further implement the Globeville Neighborhood Plan, thereby allowing a mix of residential, commercial and retail services uses to provide much needed neighborhood housing, amenities and services to this changing area.

As such, the rezoning to mixed use is justified as it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.

The positive change occurring in the area surrounding the Property still lacks the ability to attract redevelopment and investment. Rezoning to C-MX-5 Zone District will foster redevelopment consistent with the stated purpose and intent of the C-MX-5 Zone District.

Once rezoned to C-MX-5, the Property's zoning will be consistent with the stated purpose and intent of the C-MX-5 Zone District. For Example, C-MX-5 will enable:

#### **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.

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.

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.

Exhibit C

**Property Legal Descriptions and Map Exhibits**

**PARCEL 1**  
**480 East 51<sup>st</sup> Avenue**

**DESCRIPTION**

A parcel of land in the Southeast One-Quarter of Section 15, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

**Basis of Bearings:** Bearings are based upon the East line of the Southeast One-Quarter of Section 15, said to bear North 00°08'33" West a distance of 2663.19 feet from between the monuments listed below:

Southeast Corner of Section 15 - monumented by a 3.25-inch aluminum cap, 0.1 foot below grade, stamped "LAND CORNER, #164 1, 15 14, 68W 1994, HMARK, EYING LTD 6TH PM" (Note: partially unreadable due to concrete on monument).

East One-Quarter Corner of Section 15 - monumented by a 3-inch brass cap, 0.1 foot down in a range box, no lid, stamped "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980".

**COMMENCING (P.O.C.)** at the Southeast Corner of Section 15;

Thence North 00°08'33" West along the East line of the Southeast One-Quarter of Section 15, a distance of 1,320.80 feet to the City and County of Denver range line for East 50th Avenue;

Thence South 89°55'27" West along said range line, a distance of 516.00 feet to the intersection with the City and County of Denver range line for Pearl Street, said intersection being monumented by a #4 rebar 0.3 foot below asphalt grade;

Thence continue westerly along said range line for East 50th Avenue and East 50th Avenue (vacated), a distance of 648.26 feet to the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track and to the point of curve of a non-tangent curve to the right, of which the radius point lies North 84°56'03" East, a radial distance of 1,849.18 feet;

Thence northerly along the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track along the arc, through a central angle of 06°44'07", a distance of 217.38 feet to the **POINT OF BEGINNING (P.O.B.)**, said point also being the beginning of a curve to the right, of which the radius point lies South 88°19'50" East, a radial distance of 1,849.18 feet;

Thence continuing northerly along the arc of the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track, through a central angle of 02°01'25", a distance of 65.31 feet;

Thence North 03°44'31" East along said eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track, a distance of 358.76 feet to the south right-of-way line of East 51st Avenue;

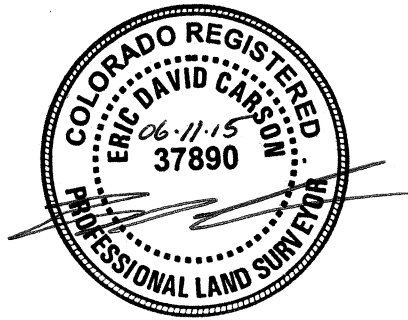
Thence North 89°38'57" East along said south right-of-way line of East 51st Avenue, a distance of 327.65 feet to the eastern right-of-way line of Colorado and Southern Railway Company's Spur Track No.45;

Thence South 64°53'18" West along said eastern right-of-way line of Colorado and Southern Railway Company's Spur Track No.45, a distance of 76.14 feet to the point of curve of a non-tangent curve to the left, of which the radius point lies South 30°08'57" East, a radial distance of 599.65 feet;

Thence southwesterly along the arc of the eastern right-of-way line of Colorado and Southern Railway Company's Spur Track No.45, through a central angle of 47°45'35", a distance of 499.85 feet to the **POINT OF BEGINNING (P.O.B.)**.

The above described parcel description contains 43,838 square feet or 1.006 acres, more or less.

I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of  
CWC Consulting Group Inc.  
210 Front Street  
Castle Rock, Colorado 80104  
Phone: (303) 980-9104



EAST ONE-QUARTER CORNER SECTION 15

3" BRASS CAP, 0.1' DOWN IN RANGE BOX W/NO LID, STAMPED "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980"

N89°38'57"E  
327.65'

SOUTH RIGHT-OF-WAY LINE  
OF EAST 51ST AVENUE

**E. 51ST AVENUE**  
(60' R.O.W.)

JRL 51ST STREET, LLC  
CCD SCHEDULE NO.  
0215400050000

S64°53'18"W 76.14'

EASTERN RIGHT-OF-WAY LINE OF  
COLORADO AND SOUTHERN RAILWAY  
COMPANY'S SPUR TRACK NO.45

JRL 51ST STREET, LLC  
CCD SCHEDULE NO.  
0215400053000

S30°08'57"E 599.65'  
(RADIAL TIE)

N03°44'31"E 358.76'

L=499.85' R=599.65'  
Δ=47°45'35"

L=65.31'  
R=1849.19'  
Δ=2°01'25"

*SOUTHEAST ONE-QUARTER  
OF SECTION 15,  
TOWNSHIP 3 SOUTH,  
RANGE 68 WEST*

S88°19'50"E 1849.18' (RADIAL TIE)

P.O.B.

L=217.38'  
R=1849.18'  
Δ=6°44'07"  
(TIE)

N84°56'03"E 1849.18' (RADIAL TIE)

EASTERN RIGHT-OF-WAY LINE OF  
COLORADO AND SOUTHERN RAILWAY  
COMPANY'S MAIN SPUR TRACK

**E. 50TH AVENUE (PUBLIC R.O.W.)**

S89°55'27"W 648.26' (TIE)

CCD RANGE LINE FOR  
E. 50TH AVENUE  
(VACATED)

S89°55'27"W 516.00' (TIE)

CCD RANGE LINE FOR  
E. 50TH AVENUE  
#4 REBAR 0.3' BELOW  
ASPHALT GRADE

**PEARL STREET (40' R.O.W.)**

N00°08'33"W 1320.80' (TIE)

**E. 49TH AVENUE**  
(60' R.O.W.)



EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 15

**TOWER ROAD**  
BASIS OF BEARINGS  
N00°08'33"W 2663.19'

P.O.C.  
SOUTHEAST CORNER SECTION 15  
3.25" ALUMINUM CAP, 0.1' BELOW GRADE, STAMPED "LAND  
CORNER, #164 1, 15 14, 68W 1994, HMARK, EYING LTD 6TH PM"



**CWC CONSULTING GROUP**

CIVIL ENGINEERING • LAND SURVEYING • CONSTRUCTION SERVICES  
210 FRONT STREET, CASTLE ROCK, CO. 80104  
TEL 303-395-2700 FAX 303-395-2701

**Exhibit - PARCEL 1**  
**480 EAST 51st AVENUE,**  
**DENVER, COLORADO**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED SURVEY. IT IS INTENDED ONLY TO  
DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: SLG3

CHECKED: EDC

DATE: 06/10/2015

JOB NO. CWC#120-00020

PAGE: 3 OF 3

SCALE: 1"=200'

PREPARED FOR:

**JRL 51st STREET, LLC**

480 E 51st Avenue

End North: 712743.4231' East: 146259.3011'

Segment #1 : Curve

Length: 65.31' Radius: 1849.19'  
Delta: 2°01'25" Tangent: 32.66'  
Chord: 65.30' Course: N02°40'52"E  
Course In: S88°19'50"E Course Out: N86°18'25"W  
RP North: 712689.5503' East: 148107.7062'  
End North: 712808.6592' East: 146262.3562'

Segment #2 : Line

Course: N03°44'31"E Length: 358.76'  
North: 713166.6543' East: 146285.7699'

Segment #3 : Line

Course: N89°38'57"E Length: 327.65'  
North: 713168.6606' East: 146613.4137'

Segment #4 : Line

Course: S64°53'18"W Length: 76.14'  
North: 713136.3480' East: 146544.4703'

Segment #5 : Curve

Length: 499.85' Radius: 599.65'  
Delta: 47°45'35" Tangent: 265.48'  
Chord: 485.50' Course: S35°58'15"W  
Course In: S30°08'57"E Course Out: N77°54'32"W  
RP North: 712617.8182' East: 146845.6463'  
End North: 712743.4250' East: 146259.2991'

Perimeter: 1327.71' Area: 43838.37 Sq. Ft.  
Error Closure: 0.0028 Course: N47°10'05"W  
Error North: 0.00190 East: -0.00205

Precision 1: 474182.14

**PARCEL 2**  
**510 East 51<sup>st</sup> Avenue**

**DESCRIPTION**

A parcel of land in the Southeast One-Quarter of Section 15, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

**Basis of Bearings:** Bearings are based upon the East line of the Southeast One-Quarter of Section 15, said to bear North 00°08'33" West a distance of 2663.19 feet from between the monuments listed below:

Southeast Corner of Section 15 - monumented by a 3.25-inch aluminum cap, 0.1 foot below grade, stamped "LAND CORNER, #164 1, 15 14, 68W 1994, HMARK, EYING LTD 6TH PM" (Note: partially unreadable due to concrete on monument).

East One-Quarter Corner of Section 15 - monumented by a 3-inch brass cap, 0.1 foot down in a range box, no lid, stamped "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980".

**COMMENCING (P.O.C.)** at the Southeast Corner of Section 15;

Thence North 00°08'33" West along the East line of the Southeast One-Quarter of Section 15, a distance of 1,320.80 feet to the City and County of Denver range line for East 50th Avenue;

Thence South 89°55'27" West along said range line, a distance of 516.00 feet to the intersection with the City and County of Denver range line for Pearl Street, said intersection being monumented by a #4 rebar 0.3 foot below asphalt grade;

Thence continue westerly along said range line for East 50th Avenue, a distance of 20.00 feet to the west right-of-way line of Pearl Street;

Thence North 00°08'33" West along said west right-of-way line of Pearl Street, a distance of 37.58 feet to the north right-of-way line of East 50th Avenue and to the **POINT OF BEGINNING (P.O.B.)**;

Thence South 00°08'33" East along said west right-of-way of Pearl Street, a distance of 160.68 feet to the north line of a parcel of land recorded at Reception No. 2009104173;

Thence South 89°55'27" West along said north line, a distance of 218.00 feet to the west line of Plot 11-W.H. Clark's Second Subdivision;

Thence South 00°08'33" East along said west line of Plot 11 and continuing along the west lines of Plot 12, Plot 13 and Plot 13 extended, a distance of 560.00 feet to the south right-of-way line of East 49th Avenue;

Thence North 89°55'27" East along said south right-of-way line of East 49th Avenue, a distance of 164.00 feet to the west line of a parcel of land recorded at Reception No. 9800045655;

Thence South 00°08'33" East along said west line, a distance of 100.00 feet to the north line of a parcel of land recorded at Reception No. 2008139423;

Thence South 89°55'27" West along said north line, a distance of 164.00 feet to the west line of Plot 14-W.H. Clark's Second Subdivision;

Thence South 89°55'27" West along the north line of a parcel of land recorded at Reception No. 2012063254, a distance of 101.73 feet to the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track and to the point of curve of a non-tangent curve to the right, of which the radius point lies North 50°06'45" East, a radial distance of 1,382.39 feet;

Thence northwesterly along the arc of the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track, through a central angle of  $4^{\circ}25'52''$ , a distance of 106.91 feet to a point of compound curve to the right having a radius of 1,712.95 feet and a central angle of  $05^{\circ}42'00''$ ;

Thence northwesterly along the arc of the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track, a distance of 170.41 feet to a point of compound curve to the right having a radius of 979.27 feet and a central angle of  $14^{\circ}18'00''$ ;

Thence northwesterly along the arc of the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track, a distance of 244.41 feet to the point of curve of a non-tangent curve to the right, of which the radius point lies North  $74^{\circ}32'35''$  East, a radial distance of 1,849.18 feet;

Thence northerly along the arc of the eastern right-of-way line of Colorado and Southern Railway Company's Main Spur Track, through a central angle of  $17^{\circ}07'35''$ , a distance of 552.74 feet to the eastern right-of-way line of Colorado and Southern Railway Company's Spur Track No.45, and to the point of curve of a non-tangent curve to the right, of which the radius point lies South  $77^{\circ}54'32''$  East, a radial distance of 599.65 feet;

Thence northeasterly along the arc of the eastern right-of-way line of Colorado and Southern Railway Company's Spur Track No.45, through a central angle of  $47^{\circ}45'35''$ , a distance of 499.85 feet;

Thence North  $64^{\circ}53'18''$  East along said eastern right-of-way line of Colorado and Southern Railway Company's Spur Track No.45, a distance of 76.14 feet to the south right-of-way line of East 51st Avenue;

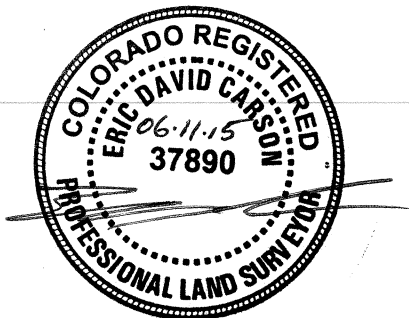
Thence North  $89^{\circ}38'57''$  East along said south right-of-way line of East 51st Avenue, a distance of 505.75 feet to the west line of a parcel of land recorded in Book 1729 at Page 581;

Thence South  $00^{\circ}12'01''$  East along said west line, a distance of 606.05 feet to the north right-of-way line of East 50th Avenue;

Thence South  $89^{\circ}44'27''$  West along said north right-of-way line of East 50th Avenue, a distance of 227.37 feet to the **POINT OF BEGINNING (P.O.B.)**.

The above described parcel description contains 777,500 square feet or 17.849 acres, more or less.

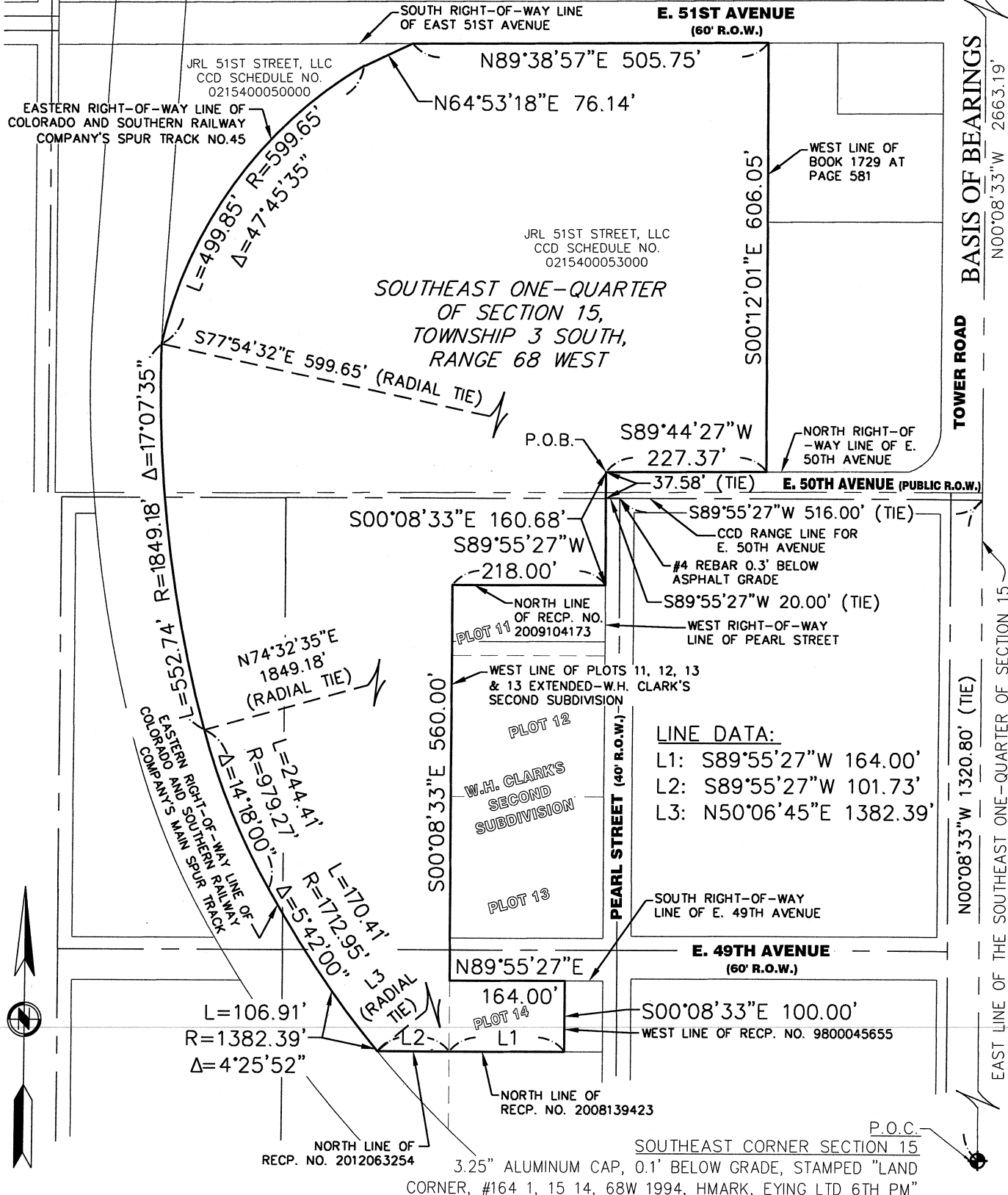
I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of  
CWC Consulting Group Inc.  
210 Front Street  
Castle Rock, Colorado 80104  
Phone: (303) 980-9104

EAST ONE-QUARTER CORNER SECTION 15  
 3" BRASS CAP, 0.1' DOWN IN RANGE BOX W/NO LID, STAMPED  
 "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980"



**LINE DATA:**  
 L1: S89°55'27\"W 164.00'  
 L2: S89°55'27\"W 101.73'  
 L3: N50°06'45\"E 1382.39'

**Exhibit - PARCEL 2**  
**510 EAST 51st AVENUE,**  
**DENVER, COLORADO**

DRAFTED: SLG3	CHECKED: EDC
DATE: 06/10/2015	JOB NO. CWC#120-00020
PAGE: 3 OF 3	SCALE: 1"=200'
PREPARED FOR:	

**JRL 51st STREET, LLC**

**CWC CONSULTING GROUP**  
 CIVIL ENGINEERING • LAND SURVEYING • CONSTRUCTION SERVICES  
 210 FRONT STREET, CASTLE ROCK, CO. 80104  
 TEL 303-395-2700 FAX 303-395-2701

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

510 E. 51st Avenue

North: 712564.6794' East: 146893.9054'

Segment #1 : Line

Course: S00°08'33"E Length: 160.68'  
North: 712403.9999' East: 146894.3050'

Segment #2 : Line

Course: S89°55'27"W Length: 218.00'  
North: 712403.7114' East: 146676.3052'

Segment #3 : Line

Course: S00°08'33"E Length: 560.00'  
North: 711843.7131' East: 146677.6980'

Segment #4 : Line

Course: N89°55'27"E Length: 164.00'  
North: 711843.9302' East: 146841.6978'

Segment #5 : Line

Course: S00°08'33"E Length: 100.00'  
North: 711743.9305' East: 146841.9466'

Segment #6 : Line

Course: S89°55'27"W Length: 164.00'  
North: 711743.7134' East: 146677.9467'

Segment #7 : Line

Course: S89°55'27"W Length: 101.73'  
North: 711743.5788' East: 146576.2168'

Segment #8 : Curve

Length: 106.91' Radius: 1382.39'  
Delta: 4°25'52" Tangent: 53.48'  
Chord: 106.89' Course: N37°40'19"W

Course In: N50°06'45"E Course Out: S54°32'37"W  
RP North: 712630.0810' East: 147636.9317'  
End North: 711828.1799' East: 146510.8958'

Segment #9 : Curve

Length: 170.41' Radius: 1712.95'  
Delta: 5°42'00" Tangent: 85.28'  
Chord: 170.34' Course: N32°36'23"W  
Course In: N54°32'37"E Course Out: S60°14'37"W  
RP North: 712821.8332' East: 147906.1917'  
End North: 711971.6733' East: 146419.1053'

Segment #10 : Curve

Length: 244.41' Radius: 979.27'  
Delta: 14°18'00" Tangent: 122.84'  
Chord: 243.77' Course: N22°36'23"W  
Course In: N60°14'37"E Course Out: S74°32'37"W  
RP North: 712457.6981' East: 147269.2522'  
End North: 712196.7179' East: 146325.3989'

Segment #11 : Curve

Length: 552.74' Radius: 1849.18'  
Delta: 17°07'35" Tangent: 278.45'  
Chord: 550.69' Course: N06°53'38"W  
Course In: N74°32'35"E Course Out: N88°19'50"W  
RP North: 712689.5506' East: 148107.6959'  
End North: 712743.4231' East: 146259.3008'

Segment #12 : Curve

Length: 499.85' Radius: 599.65'  
Delta: 47°45'35" Tangent: 265.48'  
Chord: 485.50' Course: N35°58'15"E  
Course In: S77°54'32"E Course Out: N30°08'57"W  
RP North: 712617.8163' East: 146845.6480'  
End North: 713136.3461' East: 146544.4720'

Segment #13 : Line

Course: N64°53'18"E Length: 76.14'  
North: 713168.6586' East: 146613.4155'

Segment #14 : Line

Course: N89°38'57"E Length: 505.75'  
North: 713171.7554' East: 147119.1560'

Segment #15 : Line

Course: S00°12'01"E Length: 606.05'  
North: 712565.7091' East: 147121.2744'

Segment #16 : Line

Course: S89°44'27"W Length: 227.37'  
North: 712564.6807' East: 146893.9068'

Perimeter: 4458.06' Area: 777499.97 Sq. Ft.  
Error Closure: 0.0018 Course: N47°28'11"E  
Error North: 0.00124 East: 0.00135

Precision 1: 2476688.89



**PARCEL 3**  
**4801 Pearl Street**

**DESCRIPTION**

A parcel of land in the Southeast One-Quarter of Section 15, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

**Basis of Bearings:** Bearings are based upon the East line of the Southeast One-Quarter of Section 15, said to bear North 00°08'33" West a distance of 2,663.19 Feet between the monuments listed below:

Southeast Corner of Section 15 - monumented by a 3.25-inch aluminum cap, 0.1 Foot below grade, stamped "LAND CORNER, #164 1, 15 14, 68W 1994, HMARK, EYING LTD 6TH PM" (Note: partially unreadable due to concrete on monument).

East One-Quarter Corner of Section 15 - monumented by a 3-inch brass cap, 0.1 Foot down in a range box, no lid, stamped "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980".

**Commencing (P.O.C.)** at the Southeast Corner of Section 15; Thence North 00°08'33" West along the East line of the Southeast One-Quarter of Section 15, a distance of 1,320.80 Feet to the City and County of Denver Range Line for East 50th Avenue; Thence South 89°55'27" West along said Range Line, a distance of 516.00 Feet to the intersection with the City and County of Denver Range Line for Pearl Street, said intersection being monumented by a #4 rebar 0.3 Foot below asphalt grade; Thence continue westerly along said Range Line for East 50th Avenue, a distance of 20.00 Feet to the West Right-of-Way Line of Pearl Street; Thence North 00°08'33" West along said West Right-of-Way Line of Pearl Street, a distance of 37.58 Feet to the North Right-of-Way line of East 50th Avenue; Thence South 00°08'33" East along said West Right-of-Way of Pearl Street, a distance of 160.68 Feet to the North Line of a parcel of land recorded at Reception No. 2009104173; Thence South 89°55'27" West along said North Line, a distance of 218.00 Feet to the West Line of Plot 11-W.H. Clark's Second Subdivision; Thence South 00°08'33" East along said West Line of Plot 11 and continuing along the West Lines of Plot 12, Plot 13 and Plot 14, a distance of 660.00 Feet to the North Line of a parcel of land recorded at Reception No. 2008139423; Thence continuing South 00°08'33" East along the said West Line of Plot 14 - W.H. Clark's Second Subdivision, a distance of 50.00 Feet to a line parallel with and 50.00 Feet southerly from said North Line and to the **POINT OF BEGINNING (P.O.B.)**;

Thence North 89°55'27" East along said parallel line, a distance of 218.00 Feet to the West Right-of-Way Line of Pearl Street;

Thence South 00°08'33" East along said West Right-of-Way Line of Pearl Street, a distance of 232.15 Feet to the Eastern Right-of-Way line of Colorado and Southern Railway Company's Main Spur Track;

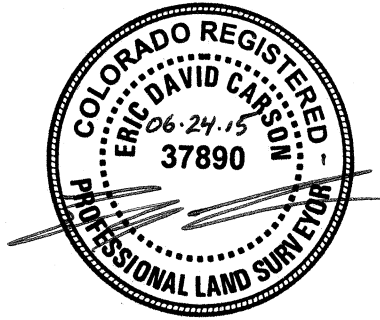
Thence North 55°53'23" West along said Eastern Right-of-Way Line of Colorado and Southern Railway Company's Main Spur Track, a distance of 42.20 Feet to the point of curve to the right having a radius of 1,382.39 Feet;

Thence northwesterly along the arc of said Eastern Right-of-Way line of Colorado and Southern Railway Company's Main Spur Track, through a central angle of 09°47'57", a distance of 236.42 Feet to the West Line of Plot 15-W.H. Clark's Second Subdivision;

Thence North 00°08'33" West along said West Line of Plot 15 and continuing along said West Line of Plot 14, a distance of 59.56 Feet to the **POINT OF BEGINNING (P.O.B.)**.

The above described parcel description contains 33,017 Square Feet or 0.758 Acre, more or less.

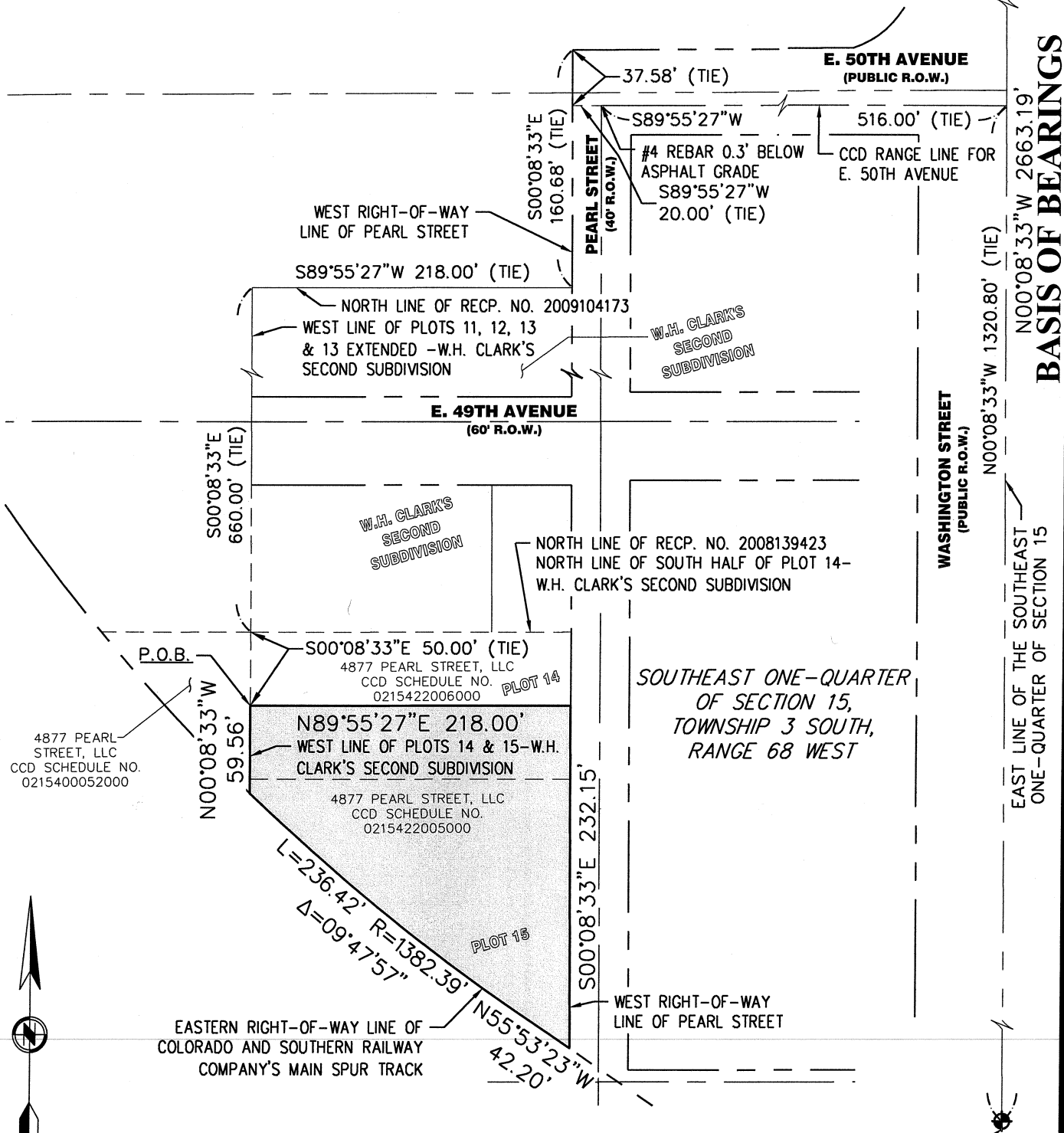
I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of  
CWC Consulting Group Inc.  
210 Front Street  
Castle Rock, Colorado 80104  
Phone: (303) 395-2700  
Direct: (303) 980-9104  
Email: [ericc@cwc-consulting.com](mailto:ericc@cwc-consulting.com)

EAST ONE-QUARTER CORNER SECTION 15  
 3" BRASS CAP, 0.1' DOWN IN RANGE BOX W/NO LID, STAMPED  
 "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980"



BASIS OF BEARINGS

EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 15

SOUTHEAST CORNER SECTION 15 (P.O.C.)  
 3.25" ALUMINUM CAP, 0.1' BELOW GRADE,  
 STAMPED "LAND CORNER, #164 1, 15 14,  
 68W 1994, HMARK, EYING LTD 6TH PM"



**CWC CONSULTING GROUP**  
 CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

210 FRONT STREET  
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 TELEPHONE: 303-395-2700  
 FAX: 303-395-2701

**Exhibit**  
**4801 PEARL STREET**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: S.L.G.3	CHECKED: E.D.C.
DATE: JUNE 24, 2015	JOB NO. CWC#120-00024
PAGE: 3 OF 3	SCALE: 1"=100'
PREPARED FOR: <b>MJB AUTO</b>	

4801 Pearl Street  
North: 711693.7088' East: 145678.0709'

Segment #1 : Line

Course: N89°55'27"E Length: 218.00'  
North: 711693.9974' East: 145896.0707'

Segment #2 : Line

Course: S00°08'33"E Length: 232.15'  
North: 711461.8481' East: 145896.6481'

Segment #3 : Line

Course: N55°53'23"W Length: 42.20'  
North: 711485.5133' East: 145861.7082'

Segment #4 : Curve

Length: 236.42' Radius: 1382.39'  
Delta: 9°47'57" Tangent: 118.50'  
Chord: 236.14' Course: N50°59'25"W  
Course In: N34°06'37"E Course Out: S43°54'34"W  
RP North: 712630.0766' East: 146636.9352'  
End North: 711634.1520' East: 145678.2193'

Segment #5 : Line

Course: N00°08'33"W Length: 59.56'  
North: 711693.7118' East: 145678.0712'

Perimeter: 788.33' Area: 33017.14 Sq. Ft.  
Error Closure: 0.0030 Course: N05°35'10"E  
Error North: 0.00295 East: 0.00029

Precision 1: 262776.67

**PARCEL 2**  
**4871 Pearl Street**

**DESCRIPTION**

A parcel of land in the Southeast One-Quarter of Section 15, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

**Basis of Bearings:** Bearings are based upon the East line of the Southeast One-Quarter of Section 15, said to bear North 00°08'33" West a distance of 2,663.19 Feet between the monuments listed below:

Southeast Corner of Section 15 - monumented by a 3.25-inch aluminum cap, 0.1 Foot below grade, stamped "LAND CORNER, #164 1, 15 14, 68W 1994, HMARK, EYING LTD 6TH PM" (Note: partially unreadable due to concrete on monument).

East One-Quarter Corner of Section 15 - monumented by a 3-inch brass cap, 0.1 Foot down in a range box, no lid, stamped "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980".

**Commencing (P.O.C.)** at the Southeast Corner of Section 15; Thence North 00°08'33" West along the East line of the Southeast One-Quarter of Section 15, a distance of 1,320.80 Feet to the City and County of Denver Range Line for East 50th Avenue; Thence South 89°55'27" West along said Range Line, a distance of 516.00 Feet to the intersection with the City and County of Denver Range Line for Pearl Street, said intersection being monumented by a #4 rebar 0.3 Foot below asphalt grade; Thence continue westerly along said Range Line for East 50th Avenue, a distance of 20.00 Feet to the West Right-of-Way Line of Pearl Street; Thence North 00°08'33" West along said West Right-of-Way Line of Pearl Street, a distance of 37.58 Feet to the North Right-of-Way line of East 50th Avenue; Thence South 00°08'33" East along said West Right-of-Way of Pearl Street, a distance of 160.68 Feet to the North Line of a parcel of land recorded at Reception No. 2009104173; Thence South 89°55'27" West along said North Line, a distance of 218.00 Feet to the West Line of Plot 11-W.H. Clark's Second Subdivision; Thence South 00°08'33" East along said West Line of Plot 11 and continuing along the West Lines of Plot 12, Plot 13 and Plot 14, a distance of 660.00 Feet to the North Line of a parcel of land recorded at Reception No. 2008139423 and to the **POINT OF BEGINNING (P.O.B.)**;

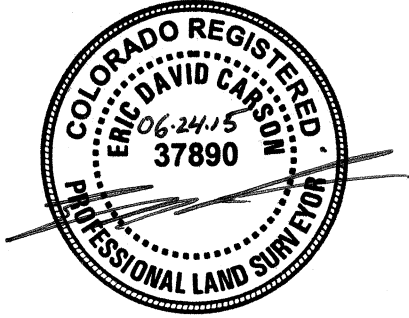
Thence continuing South 00°08'33" East along said West Line of Plot 14 and continuing along the West Line of Plot 15, a distance of 109.56 Feet to the Eastern Right-of-Way Line of Colorado and Southern Railway Company's Main Spur Track, also being the point of curve of a non-tangent curve to the right, of which the radius point lies North 43°54'43" East, a radial distance of 1,382.39 Feet;

Thence northwesterly along the arc of the eastern Right-of-Way line of Colorado and Southern Railway Company's Main Spur Track, through a central angle of 06°12'11", a distance of 149.66 Feet to the extended North line of the South Half of Plot 14-W.H. Clark's Second Subdivision;

Thence North 89°55'27" East along said extended North Line, a distance of 101.73 Feet to the said West Line of Plot 14 – W.H. Clark's Second Subdivision and the **POINT OF BEGINNING (P.O.B.)**.

The above described parcel description contains 5,774 Square Feet or 0.133 Acre, more or less.

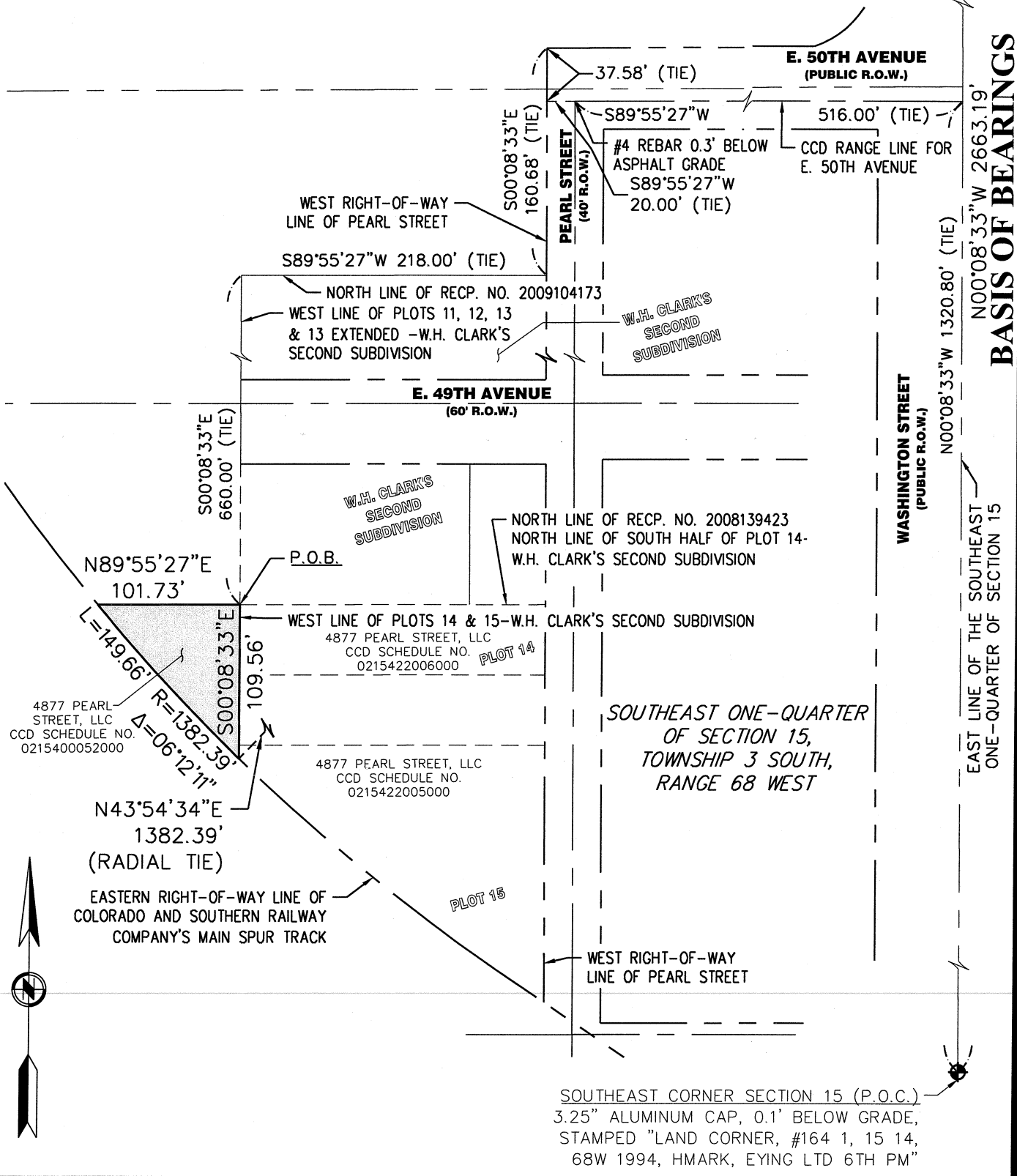
I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of  
CWC Consulting Group Inc.  
210 Front Street  
Castle Rock, Colorado 80104  
Phone: (303) 395-2700  
Direct: (303) 980-9104  
Email: [ericc@cwc-consulting.com](mailto:ericc@cwc-consulting.com)

EAST ONE-QUARTER CORNER SECTION 15  
 3" BRASS CAP, 0.1' DOWN IN RANGE BOX W/NO LID, STAMPED  
 "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980"



BASIS OF BEARINGS

N00°08'33"W 2663.19'  
 N00°08'33"W 1320.80' (TIE)  
 EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 15



SOUTHEAST CORNER SECTION 15 (P.O.C.)  
 3.25" ALUMINUM CAP, 0.1' BELOW GRADE,  
 STAMPED "LAND CORNER, #164 1, 15 14,  
 68W 1994, HMARK, EYING LTD 6TH PM"

**CWC CONSULTING GROUP**  
 CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

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 CASTLE ROCK, COLORADO 80104  
 TELEPHONE: 303-395-2700  
 FAX 303-395-2701

**Exhibit**  
**4871 PEARL STREET**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A  
 MONUMENTED SURVEY. IT IS INTENDED ONLY TO  
 DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: S.L.G.3	CHECKED: E.D.C.
DATE: JUNE 24, 2015	JOB NO. CWC#120-00024
PAGE: 3 OF 3	SCALE: 1"=100'
PREPARED FOR: <b>MJB AUTO</b>	

4871 Pearl Street  
North: 711743.7087' East: 145677.9465'

Segment #1 : Line

Course: S00°08'33"E Length: 109.56'  
North: 711634.1490' East: 145678.2190'

Segment #2 : Curve

Length: 149.66' Radius: 1382.39'  
Delta: 6°12'11" Tangent: 74.90'  
Chord: 149.59' Course: N42°59'21"W  
Course In: N43°54'34"E Course Out: S50°06'45"W  
RP North: 712630.0737' East: 146636.9349'  
End North: 711743.5715' East: 145576.2201'

Segment #3 : Line

Course: N89°55'27"E Length: 101.73'  
North: 711743.7061' East: 145677.9500'

Perimeter: 360.95' Area: 5774.43 Sq. Ft.  
Error Closure: 0.0043 Course: S53°38'51"E  
Error North: -0.00255 East: 0.00346

Precision 1: 83941.86



**PARCEL 1**  
**4877 Pearl Street**

**DESCRIPTION**

A parcel of land in the Southeast One-Quarter of Section 15, Township 3 South, Range 68 West, of the Sixth Principal Meridian, in the City and County of Denver, State of Colorado, said parcel being more particularly described as follows:

**Basis of Bearings:** Bearings are based upon the East line of the Southeast One-Quarter of Section 15, said to bear North 00°08'33" West a distance of 2,663.19 Feet between the monuments listed below:

Southeast Corner of Section 15 - monumented by a 3.25-inch aluminum cap, 0.1 Foot below grade, stamped "LAND CORNER, #164 1, 15 14, 68W 1994, HMARK, EYING LTD 6TH PM" (Note: partially unreadable due to concrete on monument).

East One-Quarter Corner of Section 15 - monumented by a 3-inch brass cap, 0.1 Foot down in a range box, no lid, stamped "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980".

**Commencing (P.O.C.)** at the Southeast Corner of Section 15; Thence North 00°08'33" West along the East line of the Southeast One-Quarter of Section 15, a distance of 1,320.80 Feet to the City and County of Denver Range Line for East 50th Avenue; Thence South 89°55'27" West along said Range Line, a distance of 516.00 Feet to the intersection with the City and County of Denver Range Line for Pearl Street, said intersection being monumented by a #4 rebar 0.3 Foot below asphalt grade; Thence continue westerly along said Range Line for East 50th Avenue, a distance of 20.00 Feet to the West Right-of-Way Line of Pearl Street; Thence North 00°08'33" West along said West Right-of-Way Line of Pearl Street, a distance of 37.58 Feet to the North Right-of-Way line of East 50th Avenue; Thence South 00°08'33" East along said West Right-of-Way of Pearl Street, a distance of 160.68 Feet to the North Line of a parcel of land recorded at Reception No. 2009104173; Thence South 89°55'27" West along said North Line, a distance of 218.00 Feet to the West Line of Plot 11 - W.H. Clark's Second Subdivision; Thence South 00°08'33" East along said West Line of Plot 11 and continuing along the West Lines of Plot 12, Plot 13 and Plot 14, a distance of 660.00 Feet to the North Line of a parcel of land recorded at Reception No. 2008139423 and to the **POINT OF BEGINNING (P.O.B.)**;

Thence North 89°55'27" East along said North Line of the South Half of Plot 14 - W.H. Clark's Second Subdivision, a distance of 218.00 Feet to the West Right-of-Way Line of Pearl Street;

Thence South 00°08'33" East along said West Right-of-Way Line of Pearl Street, a distance of 50.00 Feet to a line parallel with and 50 feet southerly from said North Line;

Thence South 89°55'27" West along said parallel line, a distance of 218.00 Feet to said West Line of Plots 14 and 15 - W.H. Clark's Second Subdivision;

Thence North 00°08'33" West along said West Line of Plots 14 and 15 - W.H. Clark's Second Subdivision, a distance of 50.00 Feet to the **POINT OF BEGINNING (P.O.B.)**.

The above described parcel description contains 10,900 Square Feet or 0.250 Acre, more or less.

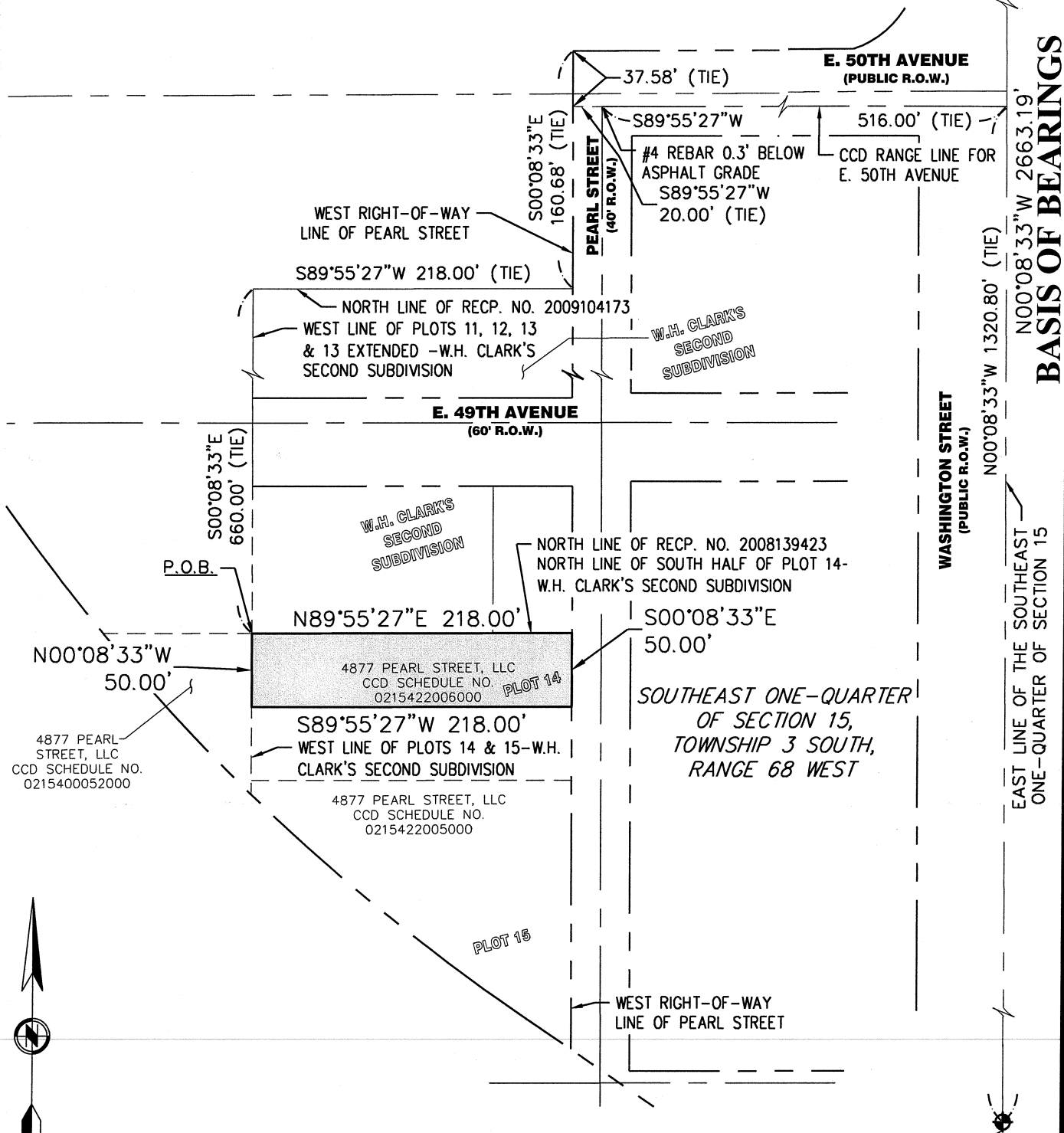
I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of  
CWC Consulting Group Inc.  
210 Front Street  
Castle Rock, Colorado 80104  
Phone: (303) 395-2700  
Direct: (303) 980-9104  
Email: ericc@cwc-consulting.com

EAST ONE-QUARTER CORNER SECTION 15  
 3" BRASS CAP, 0.1' DOWN IN RANGE BOX W/NO LID, STAMPED  
 "D.M.W.W., SEC.15 SEC.14, 1/4 COR. T.3S. R.69W., LS7104 1980"



BASIS OF BEARINGS

4877 PEARL STREET, LLC  
 CCD SCHEDULE NO.  
 0215400052000

4877 PEARL STREET, LLC  
 CCD SCHEDULE NO.  
 0215422006000

4877 PEARL STREET, LLC  
 CCD SCHEDULE NO.  
 0215422005000

SOUTHEAST ONE-QUARTER  
 OF SECTION 15,  
 TOWNSHIP 3 SOUTH,  
 RANGE 68 WEST



SOUTHEAST CORNER SECTION 15 (P.O.C.)  
 3.25" ALUMINUM CAP, 0.1' BELOW GRADE,  
 STAMPED "LAND CORNER, #164 1, 15 14,  
 68W 1994, HMARK, EYING LTD 6TH PM"

**CWC CONSULTING GROUP**  
 CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

210 FRONT STREET  
 CASTLE ROCK, COLORADO 80104  
 TELEPHONE: 303-395-2700  
 FAX 303-395-2701

**Exhibit**  
**4877 PEARL STREET**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A  
 MONUMENTED SURVEY. IT IS INTENDED ONLY TO  
 DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: S.L.G.3	CHECKED: E.D.C.
DATE: JUNE 24, 2015	JOB NO. CWC#120-00024
PAGE: 3 OF 3	SCALE: 1"=100'
PREPARED FOR: <b>MJB AUTO</b>	

4877 Pearl Street  
North: 711743.7087' East: 145677.9465'

Segment #1 : Line

Course: N89°55'27"E Length: 218.00'  
North: 711743.9972' East: 145895.9463'

Segment #2 : Line

Course: S00°08'33"E Length: 50.00'  
North: 711693.9974' East: 145896.0707'

Segment #3 : Line

Course: S89°55'27"W Length: 218.00'  
North: 711693.7088' East: 145678.0709'

Segment #4 : Line

Course: N00°08'33"W Length: 50.00'  
North: 711743.7087' East: 145677.9465'

Perimeter: 536.00' Area: 10899.99 Sq. Ft.  
Error Closure: 0.0000 Course: N00°00'00"E  
Error North: 0.00000 East: 0.00000

Precision 1: 536000000.00

**EXHIBIT D**  
**Letters of Authorization**

## **JRL 51<sup>st</sup> STREET, LLC**

510 e. 51<sup>ST</sup> Ave, Suite 205, Denver, CO 80216

Phone: 303.810.1822

June 18, 2015

Mr. Bruce O'Donnell  
STARBOARD Realty Group, LLC  
[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)  
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent JRL 51<sup>st</sup>, LLC for the purpose of submitting and processing the rezoning application for the 18.855 acre property owned by JRL 51<sup>st</sup>, LLC and located at 510 E. 51<sup>st</sup> Avenue in Denver.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Henry', written over a large, stylized, light-colored scribble or watermark.

Joe Henry  
Manager & Authorized Representative

## **4877 PEARL ST, LLC**

4877 Pearl St, Denver, CO 80216

Phone: 303.308.1205

June 19, 2015

Mr. Bruce O'Donnell  
STARBOARD Realty Group, LLC  
[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)  
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent 4877 Pearl St, LLC for the purpose of submitting and processing the rezoning application for the 1.11 acre property owned by 4877 Pearl St, LLC and located at 4801, 4877 and 4871 Pearl St in Denver.

Sincerely,

A handwritten signature in blue ink, appearing to read 'WJB', followed by a long horizontal line extending to the right.

William J. Bingham  
Principal

**EXHIBIT E**  
**Proof of Ownership**



## Denver Property Assessment and Taxation System (3.2.3)

**510 E 51ST AVE**

Owner	Schedule Number	Legal Description	Property Type	Tax District
JRL 51ST STREET LLC 510 E 51ST AVE 205 DENVER , CO 80216-2000	0215400053000 <b>PIN</b> 163820169	T3 R68 S15 SE/4 DIF RCP #0056748 RCD 12-26-84 EXCEPT DAF *	INDUSTRIAL, SHIPPING TERMINAL	DENV

**Summary**

<b>Style:</b>	OTHER	<b>Reception No:</b>	<b>Year Built:</b>	1956
<b>Recording Date:</b>		<b>Building Sqr. Foot:</b> 70654	<b>Document Type:</b>	
<b>Bedrooms:</b>		<b>Sale Price:</b>	<b>Baths Full/Half:</b>	0/0
<b>Mill Levy:</b>	83.054	<b>Basement/Finish:</b> 0/0	<b>Zoning Used for Valuation:</b>	IA
<b>Lot Size:</b>	777,500			

Note: Valuation zoning may be different from City's new zoning code.

**Assessment**

	Actual	Assessed	Exempt
Current Year			
Land	\$1,688,500	\$489,670	\$0
Improvements	\$1,857,400	\$538,650	
<b>Total</b>	<b>\$3,545,900</b>	<b>\$1,028,320</b>	
Prior Year			
Land	\$1,266,400	\$367,260	\$0
Improvements	\$1,967,800	\$570,660	
<b>Total</b>	<b>\$3,234,200</b>	<b>\$937,920</b>	

Denver Property Assessment and Taxation System (3.2.3)

# 4801 PEARL ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
4877 PEARL STREET LLC 4877 PEARL ST DENVER , CO 80216-6330	0215422005000 <b>PIN</b> 160648973	W H CLARKS 2ND SUB B15 & S 50 FT OF B14 N OF C&S RR ROW	VACANT LAND	DENV

## Summary

<b>Style:</b>	OTHER	<b>Reception No:</b>	2011017314	<b>Year Built:</b>	0000
<b>Recording Date:</b>	2/15/2011	<b>Building Sqr. Foot:</b>	0	<b>Document Type:</b>	QC
<b>Bedrooms:</b>		<b>Sale Price:</b>	000000000	<b>Baths Full/Half:</b>	0/0
<b>Mill Levy:</b>	83.054	<b>Basement/Finish:</b>	0/0	<b>Zoning Used for Valuation:</b>	IA
<b>Lot Size:</b>	31,843				

Note: Valuation zoning may be different from City's new zoning code.

## Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$66,900	\$19,400	\$0
Improvements	\$0	\$0	
<b>Total</b>	<b>\$66,900</b>	<b>\$19,400</b>	
Prior Year			
Land	\$66,900	\$19,400	\$0
Improvements	\$0	\$0	
<b>Total</b>	<b>\$66,900</b>	<b>\$19,400</b>	

## Denver Property Assessment and Taxation System (3.2.3)

**4871 PEARL ST**

Owner	Schedule Number	Legal Description	Property Type	Tax District
4877 PEARL STREET LLC 4877 PEARL ST DENVER , CO 80216-6330	0215400052000 <b>PIN</b> 163820151	A PARCEL OF LAND IN THE SE/4 SEC 15 T3S R68W DAF *		DENV

**Summary**

<b>Style:</b>	OTHER	<b>Reception No:</b>	2012063254	<b>Year Built:</b>	0000
<b>Recording Date:</b>	5/15/2012	<b>Building Sqr. Foot:</b>	0	<b>Document Type:</b>	SW
<b>Bedrooms:</b>		<b>Sale Price:</b>	000028500	<b>Baths Full/Half:</b>	0/0
<b>Mill Levy:</b>	83.054	<b>Basement/Finish:</b>	0/0	<b>Zoning Used for Valuation:</b>	IA
<b>Lot Size:</b>	1,867				

Note: Valuation zoning may be different from City's new zoning code.

**Assessment**

	Actual	Assessed	Exempt
Current Year			
Land	\$6,500	\$1,890	\$0
Improvements	\$0	\$0	
Total	\$6,500	\$1,890	
Prior Year			
Land	\$6,500	\$1,890	\$0
Improvements	\$0	\$0	
Total	\$6,500	\$1,890	

## Denver Property Assessment and Taxation System (3.2.3)

**4877 PEARL ST**

Owner	Schedule Number	Legal Description	Property Type	Tax District
4877 PEARL STREET LLC 4877 PEARL ST DENVER , CO 80216-6330	0215422006000 <b>PIN</b> 160648981	W H CLARKS 2ND SUB B14 N 50FT OF S/2 OF B14	INDUSTRIAL, AUTO SERVICE GARAG	DENV

**Summary**

<b>Style:</b>	OTHER	<b>Reception No:</b>	2008139423	<b>Year Built:</b>	1981
<b>Recording Date:</b>	10/10/2008	<b>Building Sqr. Foot:</b>	5316	<b>Document Type:</b>	WD
<b>Bedrooms:</b>		<b>Sale Price:</b>	000000000	<b>Baths Full/Half:</b>	0/0
<b>Mill Levy:</b>	83.054	<b>Basement/Finish:</b>	0/0	<b>Zoning Used for Valuation:</b>	IMX
<b>Lot Size:</b>	10,900				

Note: Valuation zoning may be different from City's new zoning code.

**Assessment**

	Actual	Assessed	Exempt
Current Year			
Land	\$38,200	\$11,080	\$0
Improvements	\$314,400	\$91,180	
Total	\$352,600	\$102,260	
Prior Year			
Land	\$38,200	\$11,080	\$0
Improvements	\$272,900	\$79,140	
Total	\$311,100	\$90,220	

**EXHIBIT F**  
**Letters of Support**

# Globeville Civic Association Number 1

June 9, 2015

Mr. David Gaspers  
Senior City Planner  
Community Planning and Development  
City and County of Denver  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

RE: 510 E. 51<sup>st</sup> Avenue Map Amendment Application

Dear Mr. Gaspers,

Globeville Civic Association #1 (“GCA”), a duly Registered Neighborhood Organization with the City of Denver is pleased to write this letter of support for the aforementioned rezoning application (the “JRL Rezoning”). This rezoning is for the 18 acre JRL 51<sup>st</sup> LLC property located at 510 E. 51<sup>st</sup> Ave. at approximately 51<sup>st</sup> and Pearl Streets in Globeville.

GCA exists for the purpose of representing Globeville to ensure good land use decisions in and around Globeville and the National Western Stock Show Complex. As such, GCA and its members were instrumental in the creation and approval of the recently adopted Globeville Neighborhood Plan (the “Plan”), and we endorse the land use principles in the Plan.

The JRL Rezoning proposes to rezone the JRL property from I-A to C-MX-5. GCA is in support of this rezoning for the following reasons:

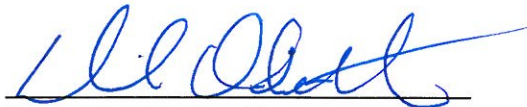
1. Blueprint Denver has identified this site as an Area of Change for the purpose of encouraging dense infill mixed use redevelopment.
2. I-A zoning is inconsistent with the future vision for Globeville as articulated in the Plan.
3. The proposed new C-MX-5 zone district in the application exactly meets the intent and objectives of the Plan which, at this specific location calls for mixed use land use and 5 story buildings.
4. Globeville lacks many basic amenities and services that can be enabled by future development allowed under C-MX-5 and prohibited in I-A. Examples include basic retail and food services and multifamily residential development.

5. This rezoning is the first implementation step informed by the Plan and will be a catalyst for positive change in Globeville. This is important because the Trammell Crow redevelopment of the former ASARCO site, directly across the street from the JRL property, is expected to bring over 1,000 new employees to Globeville every day. These people will also need improved basic services in the area such as housing, retail and food service opportunities.
6. The Applicant, JRL 51<sup>st</sup>, and their representative Starboard Realty have had positive meetings with neighbors to keep us informed and to be certain that JRL's rezoning goals are consistent with the Plan and with GCA's vision for Globeville.

At a GCA Board Meeting on June 9, 2015 the GCA Officers unanimously resolved to support the JRL Rezoning. In addition to providing this letter of support for the rezoning to C-MX-5, GCA representatives will testify at public hearings before Planning Board and City Council in support of the rezoning.

Sincerely,

Globeville Civic Association Number 1



Dave Oletski, President

Cc: Joe Henry, JRL 51<sup>st</sup> LLC  
Bruce O'Donnell, Starboard Realty Group, LLC  
Albus Brooks, Judy Montero, and Debbie Ortega, Denver City Council

# Globeville Civic Association Number 1

June 22, 2015

Mr. David Gaspers  
Senior City Planner  
Community Planning and Development  
City and County of Denver  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

RE: 4877 Pearl St. Avenue Map Amendment Application

Dear Mr. Gaspers,

Globeville Civic Association #1 (“GCA”), a duly Registered Neighborhood Organization with the City of Denver is pleased to write this letter of support for the aforementioned rezoning application (the “4877 Rezoning”). This rezoning is for the total of 1.11 acres ( 3 parcels) owned by 4877 Pearl St LLC property located at 4801, 4871 and 4877 Pearl St. just south of 49th and Pearl Streets in Globeville.

GCA exists for the purpose of representing Globeville to ensure good land use decisions in and around Globeville and the National Western Stock Show Complex. As such, GCA and its members were instrumental in the creation and approval of the recently adopted Globeville Neighborhood Plan (the “Plan”), and we endorse the land use principles in the Plan.

The 4877 Pearl St Rezoning proposes to rezone the 4877 properties from I-MX-3/I-A to C-MX-5. GCA is in support of this rezoning for the following reasons:

1. Blueprint Denver has identified this site as an Area of Change for the purpose of encouraging dense infill mixed use redevelopment.
2. I-A zoning is inconsistent with the future vision for Globeville as articulated in the Plan.
3. The proposed new C-MX-5 zone district in the application exactly meets the intent and objectives of the Plan which, at this specific location calls for mixed use land use and 5 story buildings.
4. Globeville lacks many basic amenities and services that can be enabled by future development allowed under C-MX-5 and prohibited in I-A. Examples include basic retail and food services and multifamily residential development.



5. This rezoning is the first implementation step informed by the Plan and will be a catalyst for positive change in Globeville. This is important because the Trammell Crow redevelopment of the former ASARCO site, directly across the street from the JRL property, is expected to bring over 1,000 new employees to Globeville every day. These people will also need improved basic services in the area such as housing, retail and food service opportunities.
  
6. The Applicant, 4877 Pearl St LLC, and their representative Starboard Realty have had positive meetings with neighbors to keep us informed and to be certain that JRL's rezoning goals are consistent with the Plan and with GCA's vision for Globeville.

At a GCA Board Meeting on June 9, 2015 the GCA Officers unanimously resolved to support the JRL Rezoning. In addition to providing this letter of support for the rezoning to C-MX-5, GCA representatives will testify at public hearings before Planning Board and City Council in support of the rezoning.

Sincerely,

Globeville Civic Association Number 1



Dave Oletski, President

Cc: Bill Bingham 4877 Pearl St LLC  
Bruce O'Donnell, Starboard Realty Group, LLC  
Albus Brooks, Judy Montero, and Debbie Ortega, Denver City Council

**EXHIBIT G**

**Evidence of Authorization and Consent of Property Owners**

**CONSENT MINUTES  
OF  
4877 PEARL ST, LLC**

The undersigned, being all the Members of 4877 Pearl St, LLC, a Colorado limited liability company (the "Company") hereby unanimously approve the following:

RESOLVED that the Company is authorized to enter into the process of rezoning the 1.11 acre property owned by 4877 Pearl St, LLC located at 4801, 4877, and 4871 Pearl St in Denver.

RESOLVED that this will confirm that William J. Bingham, as the sole Manager of the Company, has all right, title and authority to enter into any documents to consummate the rezoning process and any other documents associated with the process.

These Consent Minutes are deemed to be effective as of June 1, 2015

A handwritten signature in black ink, appearing to be 'WJB', is written above a horizontal line.

By: William J. Bingham, Sole Member

Dated: July 24 2015


**CONSENT MINUTES  
OF  
JRL 51<sup>st</sup> Avenue, LLC**

The undersigned, being all the Members of JRL 51<sup>st</sup> Avenue, LLC, a Colorado limited liability company (the "Company") hereby unanimously approve the following:

RESOLVED that the Company is authorized to enter into the process of rezoning the 1.006 (43,837 SF) acre property owned by JRL 51<sup>st</sup> Avenue located at 480 E 51<sup>st</sup> Avenue in Denver CO 80216.


RESOLVED that this will confirm that JRL 51<sup>st</sup> Street LLC is the Managing Member and Joseph W. Henry, a Managing Member of JRL 51<sup>st</sup> Street LLC Company, has all right, title and authority to enter into any documents to consummate the rezoning process and any other documents associated with the process.

These Consent Minutes are deemed to be effective as of June 1, 2015



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By: Joseph W. Henry, Manager of JRL 51<sup>st</sup> Street LLC the Manager of JRL 51<sup>st</sup> Avenue LLC

Dated: 

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**CONSENT MINUTES  
OF  
JRL 51<sup>st</sup> Street, LLC**

The undersigned, being all the Members of JRL 51<sup>st</sup> Street, LLC, a Colorado limited liability company (the "Company") hereby unanimously approve the following:

RESOLVED that the Company is authorized to enter into the process of rezoning the 17.849 (777,540 SF) acre property owned by JRL 51<sup>st</sup> Street located at 510 E 51<sup>st</sup> Avenue in Denver CO 80216.

RESOLVED that this will confirm that Joseph W. Henry, a Managing Member of the Company, has all right, title and authority to enter into any documents to consummate the rezoning process and any other documents associated with the process.

These Consent Minutes are deemed to be effective as of June 1, 2015



By: Joseph W. Henry, Manager

Dated: 9/1/2015