



**DENVER**  
THE MILE HIGH CITY

**Community Planning and Development**  
Planning Services  
Plan Implementation

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**TO: Mary Beth Susman, President**  
**Denver City Council**  
**FROM: Deirdre Oss, AICP, Senior City Planner**  
**DATE: February 4, 2013**  
**RE: Official Zoning Map Amendment Application #20111-00060**  
**1239 Bruce Randolph Avenue**  
**Rezoning from U-SU-A1 to U-MX-3**

**Staff Report and Recommendation**

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #20111-00060 for a rezoning from U-SU-A1 to U-MX-3.

**I. Request for Rezoning**

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Application: **#20111-0060**  
Address: 1239 Bruce Randolph Avenue  
Neighborhood/Council District: Cole Neighborhood / Council District 8  
RNOs: United Community Action Network Inc.; Cole Neighborhood Association; Northeast Community Congress for Education; Points Historical Redevelopment Corp; Inter-Neighborhood Cooperation; Five Points Business District  
  
Area of Property: 2,911 square feet or .06 acres  
Current Zoning: U-SU-A1  
Proposed Zoning: U-MX-3  
Property Owner(s): Angelica Garcia and Aaron Gallardo  
Owner Representative: Francisco Garcia

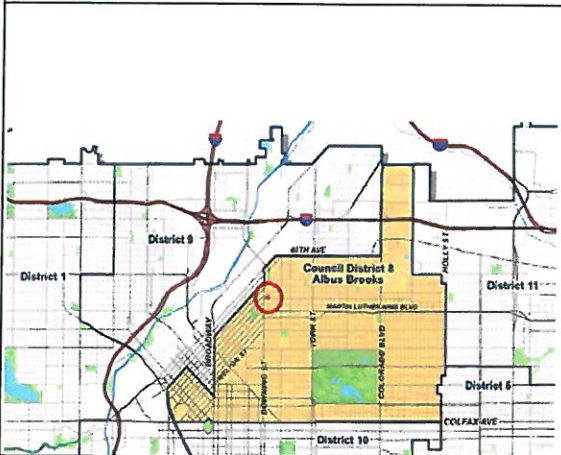
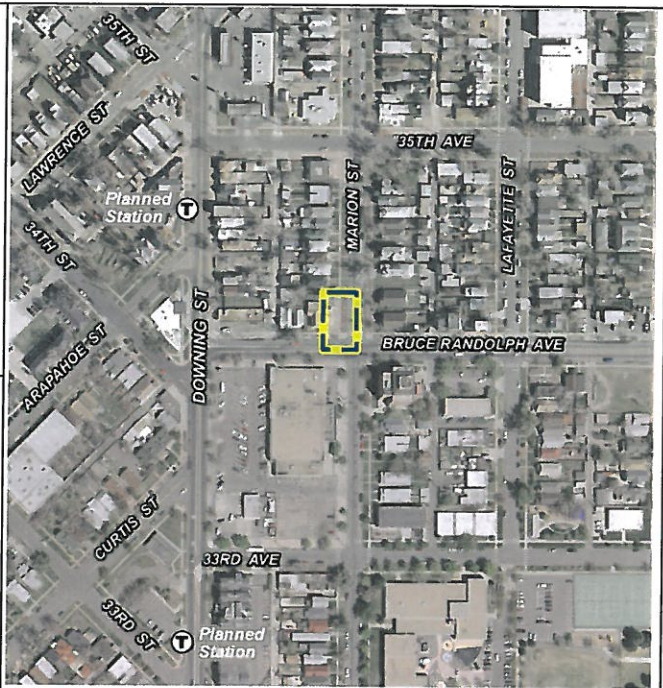
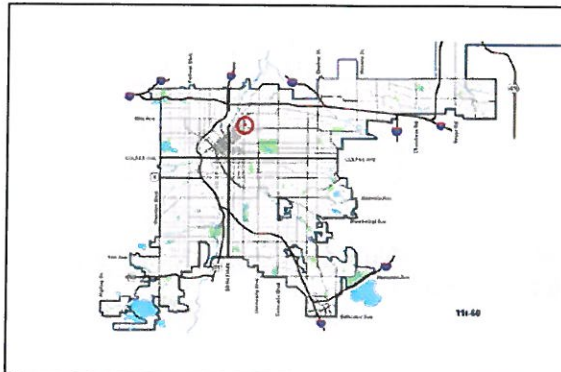
**II. Summary of Rezoning Request**

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The applicant is requesting a map amendment to allow for uses not currently allowed in the U-MX-3 district ((U)rban context-(M)ixed Use -3 (three story height limit)). The subject parcel, is zoned U-SU-A1 (U)rban context – (S)ingle (U)nit – A1, a residential district that allows urban houses and detached accessory dwelling units with a minimum lot area of 3,000 SF. Further details of the zone districts can be found in Article 5 of the Denver Zoning Code (DZC).

The existing residential structure is unoccupied and has been the subject of vandalism and misuse over the past several years. The applicant is interested in pursuing a service retail establishment by introducing a hair salon to this west end of Bruce Randolph Avenue. The U-SU-A1 district allows residential (single and two-unit (accessory)) and some community uses, while the requested U-MX-3 district allows a host of additional uses including retail-service, food preparation, and eating and drinking establishments.

U-MX-3 is designed as a neighborhood-scale mixed use district intended to promote a safe, active pedestrian environment with a clearly defined public street edge. Urban mixed use districts are intended to contribute positively to the character of the existing neighborhood through new construction or reutilization of structures, and in this case, to provide a neighborhood mixed use zone district to support a range of residential and nonresidential uses, scaled appropriately for a lower height neighborhood between one and three stories.



**III. Existing Context**

*The Cole neighborhood, which became part of the city in 1874, stretches from 32nd Avenue to 40th Avenue and from York Street to Downing Street. More than half of the residential blocks were developed prior to 1900. Several historic buildings remain, like the cleanly designed red brick and sandstone Wyatt School on 3620 Franklin Street, built in 1887 and named after its former principal George W. Wyatt.- Cole Neighborhood website.*

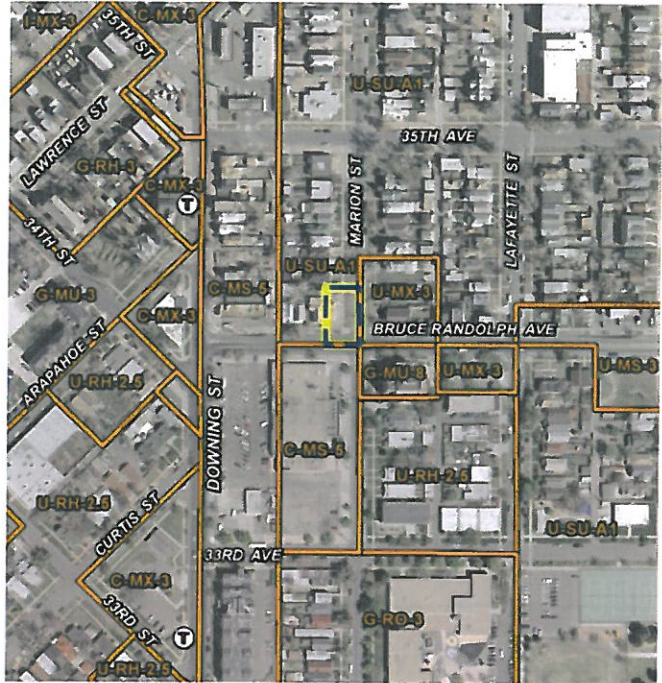
Early century Victorians mixed with mid century bungalows line these tree-lined blocks in Central Denver. Over time, Bruce Randolph Avenue has become a diverse mixed use street within the neighborhood, with the subject parcel and its half block remaining as one of the only residential-zoned parcels in this vicinity near Downing, a neighborhood transit corridor.

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  |
|--------------|---|---|---|--|
| <b>Site</b>  | U-SU-A1                                       | Residential—understood to be vacant for ten years before purchase in 2011                             | One story residential bungalow built 1896   | <ul style="list-style-type: none"> <li>• Generally regular grid of streets with intersecting street/avenue diagonals</li> <li>• Block sizes and shapes are consistent and rectangular.</li> <li>• Vehicle parking to the side or rear of buildings (alley access).</li> <li>• Bruce Randolph Avenue serves as mixed-use commercial street for five blocks connecting to Downing, a major north-south connection and transit route</li> </ul> |
| <b>North</b> | U-SU-A1                                       | Business/residential  | One story residential bungalow built 1901   |  |
| <b>South</b> | C-MS-5/ caddy corner G-MU-8 and U-MX-3        | Big box retail and residential  | Large format retail grocery store lies west of eight story residential building, south of BRA is Mitchell Elementary caddy corner from Marion and 33rd  |  |
| <b>East</b>  | U-MX-3 from BRA to half block north on Marion | Mixed use retail, architect/office, residential   | Generally one-2.5 story residential structures including bungalows and Victorian era architecture   |  |
| <b>West</b>  | ½ block of U-SU-A1 then C-MS-5 on Downing     | Adjacent residential then west-carniceria grocery/mixed uses at Downing and BRA/34 <sup>th</sup> Ave. | One story residential then one story nonresidential strip commercial structures, large parking field in setback along Downing, built-to sidewalk on BRA/ but also build to at sidewalk for structure along Downing-west side. |  |

#### IV. Existing Zoning

The current U-SU-A1 zone district neighborhood was rezoned in 2010 from R-2, addressing the flexibility desired for accessory units with a largely unchanged single unit structure complexion. U-SU-A1 allows for 2.5 stories with 30' height in the front 65% and 17 feet high in the rear 35%. 320 SF can be used for parking in the front primary street setback. Front setbacks are standard with 20' (no alley) but side setbacks are smaller at 3 feet. Residential (including accessory dwelling units) and some community uses are allowed in the U-SU-A1.



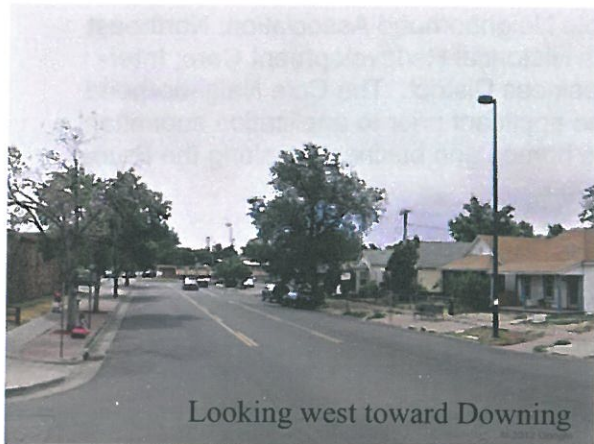
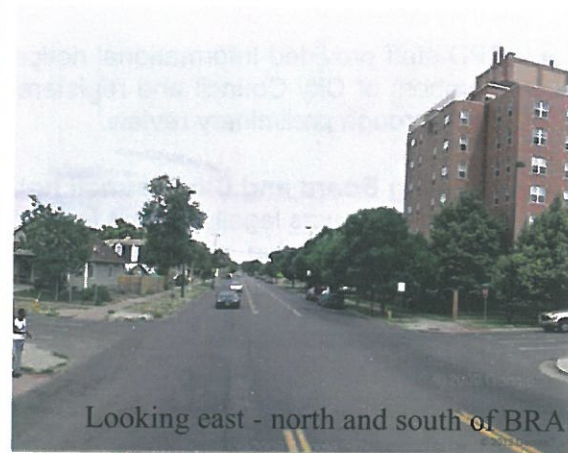
#### 1. Existing Land Use Map



Single-Family    
  Multi-Family Low Rise    
  Multi-Family High Rise    
  Retail  
 Commercial    
  Industrial    
  Mixed-Use    
  Public    
  Parking    
  Vacant

Existing land use on the property is residential single family. The adjacent U-MX-3 district to the east includes residential structures that serve retail/business and office uses. To the south is strip commercial retail and west are additional residential structures and commercial west of the alley.

## 2. Existing Building Form and Scale



## V. 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:

**Asset Management:** Approve – No comments.

**Denver Fire Department:** Approve Rezoning Only – will require additional information at site plan review.

**Development Services – Wastewater:** No comment.

**Public Works – City Surveyor:** Legal description is approved.

**Parks and Recreation - Approve - No Comments.**

## VI. Public Review Process

- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on September 25, 2012 through preliminary review.
- **Planning Board and City Council notification process**  
The property was legally posted for a period of 15 days announcing the Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members. Ten-day required notice was sent to all registered RNOs regarding the LUTI Committee meeting, and RNO along with sign notice was posted on the site 21 days prior to the City Council Hearing.
- **Registered Neighborhood Organizations**  
United Community Action Network Inc.; Cole Neighborhood Association; Northeast Community Congress for Education; Points Historical Redevelopment Corp; Inter-Neighborhood Cooperation; Five Points Business District. The Cole Neighborhood Association offered a letter of support to the applicant prior to application submittal expressing the need for revitalization of the homes and businesses along the Bruce Randolph corridor and support for this change.

## VII. Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

### DZC Section 12.4.10.13

- A. Consistency with Adopted Plans
- B. Uniformity of District Regulations and Restrictions
- C. Public Health, Safety and General Welfare

### DZC Section 12.4.10.14

- A. Justifying Circumstances
- B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements.

### A. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Denver TOD Strategic Plan (2006)
- Blueprint Denver (2002)
- Northeast Downtown Plan (2011)
- 38<sup>th</sup> and Blake Station Area Plan (2010)

#### 1. 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.*

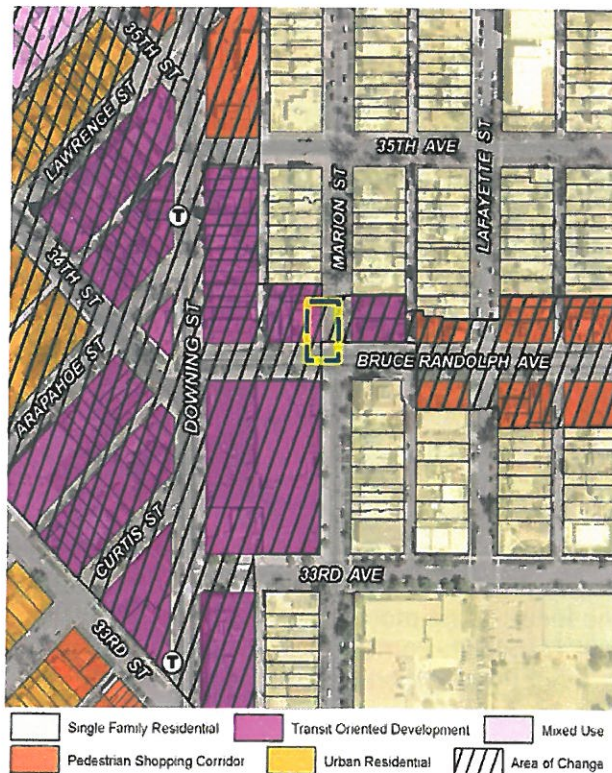
The proposed map amendment will enable mixed-use development at an infill location where services and infrastructure are already in place. The U-MX zone district has already been applied to adjacent locations along the Bruce Randolph corridor to broaden the variety of uses and acknowledge the corridor as a main commercial spine in the neighborhood. The rezoning is consistent with these plan recommendations.

## 2. Blueprint Denver and the TOD Strategic Plan

The 2002 Plan Map adopted in Blueprint Denver identifies this site within an area designated for Transit Oriented Development - Area of Change.

The TOD designation acknowledges the site's location proximate to the Downing-Welton light rail corridor and within blocks of the future 38<sup>th</sup> and Blake Station area. TODs are distinctly different because these land uses have a direct correlation to the function of a mass transit system. TODs offer an alternative to traditional development patterns with a balanced mix of uses, multimodal connections, reduced emphasis on parking and a mixture of employment opportunities (p. 44). Denver's TOD Strategic Plan identifies different typologies for each station in the transit system, setting the stage for appropriately scaled

development depending on surrounding development patterns. The two stations to the west of the site within a few blocks are part of the Welton Corridor "Main Street" Stations are located along the future Central Corridor extension. The U-MX zone districts will allow a mix of uses but does not guarantee that street-fronting uses will be commercial, an important distinction on this transitioning corridor.



### **Area of Change / Area of Stability**

The site is designated within Blueprint Denver as an Area of Change. 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). Adjacent to the Downing-Welton corridor, future changes can be fostered by additional regulatory strategies like rezoning to allow mixed uses and more flexible adaptation of existing structures.

The rezoning application is consistent with the Blueprint Denver Area of Change recommendations. Access to jobs, housing, and services can improve in the mixed use zone districts, and this site has access to multiple bus transit lines and a future fixed rail corridor.

### **Street Classifications**

Blueprint Denver classifies Bruce Randolph as a Mixed Use Collector. According to Blueprint Denver, “collectors are designed to provide a greater balance between mobility and land access within residential, commercial and industrial areas.” The Mixed Use “emphasizes a variety of travel choices and are often located the highest intensity retail and mixed land uses” and is “designed to promote walking, bicycling, and transit within an attractive landscaped corridor.” Similarly, a Mixed Use Street is “located in high-intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity” and is “attractive for pedestrians and bicyclists because of landscaped medians and tree lawns.” The lower-scale U-MX-3 zone district is proposed along this corridor that transitions back to an urban higher density single unit neighborhood.

In summary, the proposed map amendment to U-MX-3 will enable expanded use and redevelopment along this changing corridor.

### ***3. Small Area Plans***

This site has been on the periphery of or subject of numerous plans since the 1970s including the Cole Neighborhood Plan, the Bruce Randolph Avenue Plan (1986), the Cole Planning Report (1998), the Northeast Downtown Plan (2011), and the 38<sup>th</sup> and Blake Station Area Plan (2010). All of these plans identify or loosely acknowledge the Bruce Randolph corridor as central to the commercial activity in the Cole neighborhood, further reinforced by Blueprint Denver.

However, the latter two are most recent, with the Northeast Downtown Area Plan suggesting that the Downing corridor between 35<sup>th</sup> and Walnut to the north should be focused on mixed use transit oriented development. Bruce Randolph Avenue is considered 34<sup>th</sup> Avenue, a block south of the recommended commercial nodes on Downing. The Plan shows the subject site block within a residential designation, but given the block’s current land use pattern of mixed commercial uses from Downing to Marion both north and south, it is logical that mixed use is expected along the corridor over time. The 38<sup>th</sup> and Blake Plan recommendations effectively do not extend past ¼ mile from the station area, leaving this block just south of that boundary. However, the plan does suggest that 35<sup>th</sup> to Walnut north of this area along Downing should be the focus of the most intense mixed use activity. Lack of attention on the function of the Bruce Randolph corridor from Colorado to Downing as part of these later plans should not discount the importance of this corridor through the



community and how changes in zoning can enhance the general commercial expectations of Bruce Randolph Avenue.

***B. Uniformity of District Regulations and Restrictions***

The proposed rezoning to U-MX-3 will result in the uniform application of zone district building form, use and design regulations.

***C. 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.

***D. Justifying Circumstance***

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.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." As discussed above, many adopted plan recommendations state that redevelopment of the area is desired.

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

The requested U-MX-3 zone district is within the Urban Neighborhood Context. The neighborhood context generally consists of single and two-unit residential development accompanied by embedded mixed-use commercial nodes and corridors at the edges. (DZC, Division 5.1). The proposed rezoning to U-MX-3 is consistent with the neighborhood context description.

According to the zone district intent stated in the Denver Zoning Code, the U-MX-3 district "applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired" (DZC Section 5.2.3.2.C). The intersections adjacent to this site are served by local and collector streets. The street classifications and desired building heights in this area are consistent with the zone district purpose and intent statements.

**VIII. Planning Board and Staff Recommendations**

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Given that the Bruce Randolph corridor has been identified in multiple plans over time as a primary neighborhood serving commercial spine for the Cole neighborhood, in anticipation of continued changes to land use with the extension of the Central corridor transit line, and in keeping with adjacent zoning along Bruce Randolph for similar properties, CPD staff finds that the application for rezoning the property located at 1239 Bruce Randolph Avenue to the U-MX-3 zone district meets the requisite review criteria. Accordingly, staff recommends approval. The Denver Planning Board recommended unanimous approval at a public meeting on December 5, 2012, and City Council LUTI Committee passed this application out of committee on December 18, 2012.

**Attachments:**

1. Application
2. Public and RNO comment letters, as applicable



# Zone Map Amendment (Rezoning) - Application

1/26/12

| PROPERTY OWNER INFORMATION*   |                             |
|---|-----------------------------|
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION  |                             |
| Property Owner Name   | Angelica M. Garcia and Aaro |
| Address   | 3127 Vine Street            |
| City, State, Zip  | Denver, CO 80205            |
| Telephone   | 720-333-6444                |
| Email   | javier4907@ hotmail.com     |
| *If More Than One Property Owner:<br>All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3. |                             |

| PROPERTY OWNER(S) REPRESENTATIVE**   |                         |
|--|-------------------------|
| <input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION                            |                         |
| Representative Name  | Francisco J Garcia      |
| Address  | 3127 Vine St            |
| City, State, Zip   | Denver, CO 80205        |
| Telephone  | 720-333-6444            |
| Email  | javier4907@ hotmail.com |
| **Property owner shall provide a written letter authorizing the representative to act on his/her behalf. |                         |

Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.

| SUBJECT PROPERTY INFORMATION   |                                |
|--|--------------------------------|
| Location (address and/or boundary description):  | 1239 E. Bruce Randolph Ave.    |
| Assessor's Parcel Numbers:   | 022630703 600                  |
| Legal Description:<br>(Can be submitted as an attachment. If metes & bounds, a map is required.) | Attached                       |
| Area in Acres or Square Feet:  | 2,911 SF                       |
| Current Zone District(s):  | U-SU- A1                       |
| PROPOSAL   |                                |
| Proposed Zone District:  | U-MX- 3 ( closest to location) |



REVIEW CRITERIA

|  |  |
|--|--|
| <p>General Review Criteria: The proposal must comply with all of the general review criteria<br/>DZC Sec. 12.4.10.13</p>                                     | <p><input checked="" 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 checked="" 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 checked="" 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<br/>DZC Sec. 12.4.10.14</p> | <p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p> |

ATTACHMENTS

Please check any attachments provided with this application:

- Authorization for Representative
- Proof of Ownership Document(s)
- Legal Description
- Review Criteria

Please list any additional attachments:



**DENVER**  
THE MILE HIGH CITY

**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)<br>(please type or print legibly) | Property Address<br>City, State, Zip<br>Phone<br>Email                       | Property Owner Interest % of the Area of the Zone Lots to Be Rezoned | Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held) | Date                 | Indicate the type of ownership documentation provided:<br>(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><br>John Alan Smith and<br>Josie Q. Smith  | 123 Sesame Street<br>Denver, CO 80202<br>(303) 555-5555<br>sample@sample.gov | 100%   | <i>John Alan Smith</i><br><i>Josie Q. Smith</i>   | 01/01/12             | (A)   | NO  |
| Angelica M Garcia  | 3127 Vine St.<br>Denver, Co 80205<br>7203336444<br>javier4907@hotmail.com    | 100%   | Amg, Ag<br><i>Angelica M Garcia</i><br><i>Alexon Gallardo</i>   | <del>OCT-23-12</del> | c   | yes   |
|  |  |  |   |                      |   |   |
|  |  |  |   |                      |   |   |
|  |  |  |   |                      |   |   |
|  |  |  |   |                      |   |   |
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[www.denvergov.org/rezoning](http://www.denvergov.org/rezoning)



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Denver, CO 80202

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To Whom It May Concern.

#### Nature and Effect of the Proposed Zone Map Amendment

The Amendment from the current U-SU-A1 to the proposed U-MX-3 will allow the current property on 1229 E Bruce Randolph to be used as a commercial building, or a residential building in this case a commercial building would be of great benefit to the neighborhood. For more than 12 years, this house on the corner of Bruce Randolph and Marion has been vandalized and used by homeless people for shelter. The following quote shows the frustration for the neighborhood, while for my family, the fear that it is not safe to live in a house that has been neglected for so many years. According to Mr. Danek member of the Cole Neighborhood Association;

“It is likely no secret to you that the house has historically been a problem—a gathering place for drunks, squatters, and drug addicts. In fact, there still is a persistent problem with drunks and drug addicts hanging out on the front porch and making the bus stop less approachable for responsible residents. It has been my personal crusade since first moving to this neighborhood in 2005 to clean up that corner and bus stop, and knowing that a responsible person will be opening a viable business there renews my conviction to continue” ( Danek 2012). Quote taken from an email sent by Paul Danek, one of the many members of the Cole community who support the idea of having a decent business which will eventually push unwanted people from that corner.

Like Mr Danek, many of the people who live in this block express it is time that someone moves into this house and improves the condition of the property. Doing so will benefit the houses around it, but also the community.

The change- in zoning for our lot would allow me Angelica M Garcia, and Aaron Gallardo to operate a business as a hair salon. We believe that since the property is in an area of stability, and in an area of study, changing the zoning will be a smooth transition under the plan 2000 which states that Denver City Council created the zoning flexibility to encourage and allow developers and home owners to be able to open businesses in areas which were originally design as residential. In Blue Print Denver, it is mentioned how over the years automobiles as a main source of transportation have being affecting not only the roads, air quality, businesses, but it has also put pressure on neighborhoods. An attractive environment will encourage people to use public transportation, walk or used their bikes to come use or services. Our vision for Bruce Randolph is that, one day, the corridor will become an area where one can come eat, have coffee, shop and be safe.

We believe that due to the small size of the beauty salon, it will not affect the neighborhood negatively. Having a Dollar Tree store across the street from our house on 1239 E Bruce Randolph allows me to believe that rezoning would affect the community positively.

Having two more possible light rail stops down the street not only will promote people in our community, but it will also allow current businesses on Bruce Randolph to be successful which then will improve the quality of living for the people in the Wittier and Cole community.

Currently Denver is offering loans to people specifically minorities, who have been wanting to become entrepreneurs. The Neighborhood Business Revitalization Loan (NBR) mission is to stimulate and revitalize older neighborhoods, promote opportunities, improve the quality of services, and, last but very important, to increase jobs for people who live in the community. The (NBR) states that, in order to obtain the help offered by the program, the project must be within Denver's targeted commercial district; in this case, we are between Downing and York. However, in order to start our project, we must change our zone type.

Having lived in this community for more than a decade encourages me to believe that it can take a small group of people to truly make a difference in a community. At the end of the day, I believe that we all want to live in a community which we take pride, feel like we are part of and most importantly, feel safe.

Sincerely,

Angelica Maria Garcia & Aaron Gallardo owners of the house on 1239 E Bruce Randolph Ave  
Denver.

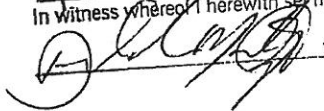
To whom it may concern:

I, Angelica M. Garcia, authorize Francisco Javier Garcia to represent me at any hearing regarding the zoning process for the property of 1239 E. Bruce Randolph St. Denver, Co 80205.

X   
Angelica M. Garcia, 04-12-2012.

STATE OF COLORADO } ss  
COUNTY OF Denver

"This instrument was acknowledged before me this 12 day of April, 2012, by Angelica M. Garcia.  
In witness whereof I herewith set my hand and official seal.

 NOTARY PUBLIC"



August 29, 2012

To Whom It May Concern:

I am writing this on behalf of the Cole Neighborhood Association in support of the zoning change request on Bruce Randolph and Marion Street. This has been a blighted property for the past 12 years that I have lived in Cole, and we fully support the responsible development of a small business in the Main Street style of the rest of Bruce Randolph Avenue.

The vote at our February 23, 2012 meeting was unanimous in support of the zoning change. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Loralie Cole". The signature is written in dark ink and is positioned above the typed name.

Loralie Cole, President  
Cole Neighborhood Association



## Attached Legal Description

Commencing at the South East corner of Lot 16, Block 1, Fords's Addition to the City of Denver Thence North across Lots 16, 17 and 18 and a part of Lot 19, 90 feet to South line of Private Alley in said Lot 19;  
Thence West along South line of said Private Alley 34 feet;  
Thence South across said Lots 16 to 19, a distance of 90 feet to a point on the South line of Lot 16;  
Thence East 34 feet along said South line of Lot 16 to a Point of Beginning,  
City and County of Denver,  
State of Colorado.



Date: August 23, 2011

RE: Buyer/Borrower: Aaron Gallardo and Angelica M. Garcia
Seller(s): NMA FNF 4, LLC, a Colorado Limited Liability Company
Property Address: 1239 Bruce Randolph Avenue, Denver, CO 80205-3910
Assessor Parcel Number: 2263-07-036

Commitment Number: 598-H0316200-025-TN

We would like to thank you for choosing Heritage Title Company, Inc. for your title insurance needs.

For all of your closing needs, including Tax Certificate, Settlement Statement/HUD or Insured Closing Letters, your Escrow Officer is:

Tami Navas:
Phone: (303) 989-5575
Fax: (303) 628-1667
Email: tnavas@heritagetco.com
Location of Closing: 390 Union Blvd., Suite 520 Lakewood, CO 80228

WIRING INSTRUCTIONS

Wells Fargo Bank: 550 California Street, 10th Floor San Francisco, CA 94104
Account Name: Heritage Title Company, Inc.
Account Number: 8861647025
ABA Number: 121000248
Reference: 598-H0316200-025-TN
1239 Bruce Randolph Avenue, Denver, CO 80205-3910

Visit our website www.heritagetco.com for a demonstration of our Online Transaction Management Service, TitleVault. This amazing program allows you to manage your transactions 24/7! Contact your Business Development Representative for a login and password.



Once again, thank you for your business. We look forward to servicing your transaction

Sincerely,
Heritage Title Company, Inc.