

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Madre Investment Co. LLC	Representative Name	Robert E. Warren
Address	650 So. Cherry St. Suite 1005	Address	650 So. Cherry St. Suite 1005
City, State, Zip	Glendale, Co 80246	City, State, Zip	Glendale, CO 80246
Telephone	303-565-1688	Telephone	303-565-1688
Email	bwarren@madrellc.com	Email	twarren@fri-d.com
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<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 (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	Bellevue Station Filing # 3, Lot 1, Bk 1 4706 So. Newport St. 4752 So. Newport St. 4792 So. Newport St. 6804 E. Layton Ave.		
Assessor's Parcel Numbers:	0708409002000		
Area in Acres or Square Feet:	3.66 Acres		
Current Zone District(s):	TMU-30 w/ waivers UO-1		
PROPOSAL			
Proposed Zone District:	CMX-20		

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 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. 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 DZC Sec. 12.4.10.8</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"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p><input checked="" type="checkbox"/> That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</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. 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. 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:	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input checked="" type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
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	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Madre Investment Co. LLC	4702 Newport St. Denver, CO 80237 (303)-565-1688 twarren@frl-d.com	100%	<i>Robert E. Warren</i>	7.10.19	(A)	Yes

Front Range Land & Development Company

650 South Cherry St.
Suite 1005
Glendale, CO
80246
303.565.1688



Tuesday, September 24, 2019

City and County of Denver
Community Planning and Development
Attn: Scott Robinson
201 W. Colfax Ave., Dept. 205
Denver, CO 80202

Re: Cover Letter to Belleview Station's re-zoning application

Mr. Robinson: We represent Madre Investment Co. LLC with respect to its enclosed application to rezone Belleview Station Filing 3, Lot 1, Block 1 with the addresses 4706 So. Newport St., 4752 So. Newport St., 4792 So. Newport St., and 6804 E Layton Ave. (the "Property"), commonly known as Belleview Station Block G, in the City and County of Denver, Colorado (the "City"), from T-MU-30 with waivers to Urban Center Neighborhood Context Mixed Use-20 ("C-MX-20")(the "Rezoning").

This letter is provided as part of the application for the Rezoning of Belleview Station Block G and to provide the City with additional information that may aid City staff and City Council in reviewing and approving the application.

BACKGROUND

The whole Property is comprised of approximately 161,354 square feet (or ~ 3.3 acres) which consists of vacant land directly adjacent to the Belleview Station LRT platform.

The Property is currently zoned ***TMU-30 with waivers and conditions with a UO-1 overlay***. During the City's rezoning efforts in 2010, the Belleview Station property was not rezoned with much of the rest of the city as the City's practice was to leave zone districts with waivers and conditions in place. The UO-1 overlay was placed on the site at the time of rezoning apparently to preserve a First Amendment right. The property is subject to private covenant that prohibit the uses allowed in the UO-1 district. The applicant is neutral as to whether the UO-1 overlay remains (is necessary) or is removed as a part of the rezoning. The applicant does not find it necessary.

The Property is currently subject to the ***Belleview Station Transit Oriented Development General Development Plan*** approved in 2006. The GDP is anticipated to continue to apply to the subject property with minor amendments. The GDP requires 10% of the zone lot square footage available in the district to be made available as open space. The open space requirement may be aggregated and concentrated into more usable parks and plazas for greater benefit. This is entirely consistent with the new code ***§ 10.8.1.3 Open Space in Large***

Developments, even though this site is less than 5 acres and is not subject to the Large Development Review. The subject property will contain a “transit plaza” contemplated generally by the GDP as one of the aggregated open space areas. The GDP also requires a **Comprehensive Sign Plan** (CSP) that was completed and approved in 2015 as well as the **Belleview Station Urban Design Standards and Guidelines** in 2007. The Standards and Guidelines amplify the setback requirements of the TMU-30 zoning by introducing build-to requirements. It is anticipated that the CSP and the S & G’s would stay in place for the subject property. The approved Belleview Station Comprehensive Sign Plan is consistent with the requirements of new code section § 10.10.3.3 **Signs Subject to a Comprehensive Sign Plan**.

SELECTING THE APPROPRIATE ZONE DISTRICT

When a new zone district is proposed for a site, the neighborhood contexts map, the future places map, and the growth strategy maps and respective descriptions should be used to guide the selection of the appropriate zone district.

The subject site’s *neighborhood context* is defined as **Urban Center** in Blueprint Denver. Urban Centers are described as:

“Centers are mixed-use places of different scales. They are typically oriented around a shared space or set of spaces. People often go to centers to engage in social activities and entertainment, such as shopping, dining and cultural events. Some centers are well-connected to the local neighborhood and supported by neighborhood residents; other centers are larger, attracting people from a wide geographic area, and may require residents to take a bus, train or a car to visit them.”

Because the subject site is the core site directly adjacent to the LRT station, embedded in the Denver Technological Center (Denver’s second largest sub-market) and anchoring the Belleview Station Master Plan (Projected to become the most dense area within the DTC neighborhood), it should be zoned consistent with the Blueprint, a larger center that that attracts from a broad area of the Front Range and is easily accessible by bus, train or car.

In the Denver Zoning Code the first character represents the neighborhood context. For Urban Center the corresponding letter is “C.”

The site’s *future place* category is **Regional Center**. The Regional Center description is:

“Contains a high mix of uses— providing a dynamic environment of living, dining, entertainment and shopping, while incorporating a diverse set of employment options. Wide customer draw with a 24/7 live, work and play environment attractive to locals and visitors. Larger scale mixed-use buildings are common. Structures should respond in form and mass to the streets and public spaces around them. High degree of urbanism with continuous building frontages to define the public realm. Heights are generally the tallest in the context and transition gradually within the center to the surrounding residential areas” Blueprint

“The Urban Center Neighborhood Context consists of multi-unit residential ...and commercial centers. Multi-unit residential uses are typically in multi-story mixed use building forms. Commercial buildings are typically Shopfront and General forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets.” DZC 7.1.1

“Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback” DZC 7.1.2

“The Mixed-Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge.

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

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

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

Mixed use buildings have a shallow front setback range. The build-to requirements are high.” DZC 7.7.7.1

THE STREET NETWORK

The street network and its typology help identify appropriate building form and scale and therefore the most appropriate designation in the Denver Zoning Code. The streets surrounding the subject site were constructed as a part of the 1980’s auto centric buildout of the Denver Technological Center and the more multi-modal Belleview Station infrastructure buildout of the late 2000’s. The Blueprint remains largely silent, or perhaps unfinished, on street typology in the area and future multimodal connections. However, the existing multimodal connections and networks currently exist adjacent to the site.

Union Ave. to the North of the subject site is a commercial arterial street with stripped bicycle lanes as a part of Denver’s bicycle network (this striping for bicycles is newly added to the system as of last year’s re-paving and restriping efforts on this street. It is not yet recognized as a bicycle priority street within the Blueprint). Union Ave is also planned as a significant future bus staging location with direct pedestrian access to the subject site via RTD elevator. The street provides direct arterial ingress and egress to the smaller streets bounding the site allowing underutilized high capacity auto travel to be focused here. A traffic signal will be installed at the intersection of Union Ave. and Newport St. in the near future which will enhance safety by deploying crosswalks and slowing traffic.

Newport St. to the West of the site is Belleview Station's Main Street. The Belleview Station GDP calls out the typology of "Mixed Use Main Street" and "Type 4" which is transition typology intended to transition from Main Street to DTC commercial collector typologies. The Belleview Station Standards and Guidelines amplify the street characteristics and the responsibility of the built form adjacent. In short, the guidelines call for a 5'-0" tree and planter zone and a 5'-0" public sidewalk zone with a minimum 3'-0" (max. 10'-0") ground floor setback "building activity zone" in order to accomplish a generous minimum 8'-0" public sidewalk without encroachments for exit door swings. The S & G's refer to the street and street front uses as "Pedestrian Oriented." The speed limit is 25 MPH, the curb line is used for on street parking and loading to a point, but will not be utilized within proximity to dedicated turn lanes. The roadway is considered a shared street for autos and bicycles. Curb cuts are not anticipated on this block face.

Layton Ave. to the South of the subject site is defined in the GDP as a Mixed Use Commercial St. This definition was applied prior to the construction of the infrastructure which ultimately was redefined to be an extension of the Mixed Use Main Street typology to terminate at the LRT platform. The diagram in the S & G's will need to be updated to the new configuration and classification. The guidelines for this typology call for a 5'-0" tree and planter zone and a 5'-0" public sidewalk zone with a minimum 3'-0" (max. 10'-0") ground floor setback "building activity zone" in order to accomplish a minimum generous 8'-0" public sidewalk without encroachments for exit door swings. The subject site is essentially two blocks in length and will be bisected by a private road extension of Olive St. approaching from the south. The speed limit is 25 MPH, the curb line is used for on street parking and loading, and the roadway is considered a shared street for autos and bicycles. Curb cuts are not anticipated on this block face other than the natural extension of Olive St. The applicant desires to designate Layton Ave. from the Newport St. intersection to the LRT station as a **Shared Festival Street**. The subject site will contain a "transit plaza" subject to the GDP and the plaza will be designed to integrate the street for special events like farmers markets and local bazars. This request is entirely consistent with the Main Street typology in the new code and consistent with section 4.4 of the Blueprint for Additional Streets. Further study may be required.

Quebec St. to the East dead ends at the subject site. Quebec St is an undefined street typology in both the Denver Blueprint document and the Belleview Station Standards and Guidelines / GDP. It functions as a Commercial Collector Street. The speed limit is 25 MPH, the curb line is used for RTD bus staging and loading, and the roadway is wide enough to be considered a shared street for autos and bicycles. The planned access to the subject site is a private street extension of Quebec St. onto the site and dead ending in a parking garage (currently dead ends at intersection with Layton Ave). The characteristics of this private street extension will be consistent with the Mixed Use classification in the new code, although unclassified.

Because the subject site is identified as a **Center** in the Blueprint, and it is the core site directly adjacent to the LRT station and bike network, embedded in the Denver Technological Center (Denver's second largest sub-market) and anchoring the Belleview Station Master Plan (Projected to become the most dense area within the DTC neighborhood), it should be zoned to support larger scale mixed use buildings with setback and build-to criteria that encourage massing to shape urban pedestrian oriented streets and public spaces. The surrounding streets are arranged as orthogonally as possible while addressing the circulation patterns of the surround neighborhood. The surrounding street classifications are commercial, main street and mixed-use typologies. Each of these typologies support a dense mixed-use building form that shape exceptional pedestrian oriented streetscapes and exceptional urban enclosure. The additional height from TMU-30 to C-MX-20 is minimal, but still would allow for the tallest

structures to exist nearest the transit station, with a gradual step down to the TMU-30 sites adjacent. The Mixed Use designation is more appropriate than the Main street designation as its broader definition is more appropriate to the neighborhood scale. Further, maximum height of the Main Street zoning is 100' less which would compromise the ability of the site to achieve the city goals of focusing growth through density at transit sites.

In the Denver Zoning Code the second character represents the dominant building form. The dominant Mixed Use building form and character carries the corresponding “MX,” designation.

The third character designation in selecting the appropriate zoning category from the Denver Zoning Code translates to minimum zone lot size or maximum building height. To select the proper designation, the city’s Growth Strategy category should be contemplated.

The city’s Growth Strategy category for the site is **Regional Center Future Growth Area**.

The site is one projected to be in the highest category of growth supporting its share of 50% of the city’s job growth and 30% of it’s housing growth. There is a high level of access to opportunity and very low level of possible displacement due to greenfield status. There is a diverse array of housing options in the area. Lastly the site is contained in a surrounding area of innovation with a low, but rapidly growing ratio of jobs per acre. Height should allow for parking to occur in garages behind the buildings, and in places, structured above the ground floor retail but below the primary use. Additional applicable criteria states, “there may be times when building heights taller than specified are appropriate, such as a site immediately adjacent to a transit station.” Surrounding context of existing and planned building heights are also important. The sites adjacent to this site range from older existing DTC 5 story residential product to the northwest across the very wide commercial street, Union. The DTC site is underbuilt for its “High Residential” classification in the Blueprint. Other immediately adjacent sites are 210’ to 218’ foot tall structures built to maximum TMU-30 heights...the tallest and most dense classification in the Chapter 59 previous code. Another nearby site has recently been rezoned to C-MX-20.

Considering each of these factors, the most appropriate height / area classification for the third character in the Denver Zoning Code is “20.”

Therefore, in consideration of the City’s criteria for selecting the appropriate zoning category, we believe the classification of **C-MX-20** is the most appropriate for the subject site.

The following table provides a side-by-side comparison of the existing T-MU-30 with Waivers zoning classification against the proposed rezoning C-MX-20 classification. The new C-MX-20 zone district is the most similar district to the TMU-30, especially when considered alongside the waivers and conditions and the further amplification of the restrictions in the GDP, the CSP, and the Standards and Guidelines.

TMU-30		(w waivers)	GDP	CMX 20	
<u>Regulation</u>	<u>Requirement</u>	<u>Old Code Section</u>	<u>Requirement (waivers)</u>	<u>Requirement</u>	<u>New Code Section</u>
Permitted Use	Mixed Use	§ 59-303	Mixed Use	Mixed Use	§ 7.4.4
Front yard Setback	0’-0”	§ 59-312	0’-10’	0’-10’	§ 7.3.13
Rear yard Setback	0’-0”	§ 59-312	0’-10’	0’-10’	§ 7.3.13

Side yard setback	0'-0"	§ 59-312	0'-10'	0'-10'	§ 7.3.13
Open Space	10% of net Zone lot area	§ 59-312	10% of Zone lot area Aggregated	No Requirement	§ 10.8.1
Maximum Ht.	220'	§ 59-303	220'	250'	§ 7.3.13
Maximum Density	5:1 FAR on net zone lot	§ 59-303	5:1 FAR on net zone lot aggregated	No limit	§ 7.4.4
Parking	75% reduction	§ 59-316	50% reduction	Shared	§ 10.4.5.4
Signage	CSP	§ 59-315	§ 59-537	CSP	§ 10.10.3.3
Design	GDP – S&G's	§ 59-314	Stdnds&Gdln's	General Standards	§ 10.1

As shown above, the Rezoning will result in changes to height; from 220' to 250' or 2 stories. The maximum density may appear to be increasing, however when one considers the maximum FAR of 5:1 aggregated over the entire zone lot area of the Belleview Station development controlled by GDP, combined with the under densification of the already constructed blocks, the remaining density for the subject property under TMU-30 is for all practical purposes, unlimited. The Open Space requirement in the chart appears to be reduced, however the GDP's 10% aggregated requirement will still be in effect, so nothing lost. The added two stories will be a benefit to the overall massing of the site plan, in that it can enhance the skyline perspective with the tallest building located at the most intense place: the LRT platform. The subject property will also benefit from the new shared parking provisions in the C-MX-20 code. The lower parking ratios and the ability to drive them down through sharing are critical to achieving the goals of Transit Oriented Development and enhancing the public use of transit.

The subject property with the C-MX-20 zone district will be the Mixed Use core of the Belleview Station Urban Center. It will support a major office component, a high-rise residential project, shopfronts at the street level, and an activated public plaza all reliant on a shared on-site parking facility.

NEIGHBORHOOD OUTREACH

FRLD has met with and informed all of the property owners adjacent to the property of the desire to rezone. The adjacent property owners (6900 Layton LLC, and Madre Investment Co. LLC) and all favor and consent to the rezoning.

ANALYSIS

An application for a rezoning to C-MX-20 must satisfy the criteria for approval applicable to all zone map amendments and the criteria applicable to non-legislative rezonings. Code, §§ 12.4.10.7 and 12.4.10.8. What follows is an analysis of how the application for the Rezoning satisfies each of these criteria.

I.Criteria for Zone Map Amendments

The City Council may approve an official zone map amendment if the proposed rezoning complies with specified criteria. Code, § 12.4.10.7.

- A. The proposed rezoning is consistent with adopted plans
- B. The proposed rezoning will result in regulations and restrictions that are largely uniform for each kind of building throughout the district.
- C. The proposed rezoning furthers the Public Health, Safety and General Welfare.

The proposed rezoning also satisfies the additional review criteria for non-legislative rezoning.

- D. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.
- E. That the City has adopted the New Blueprint and Comprehensive Plan 2040

The Rezoning is consistent with the City's adopted plans and goals, as set forth below.

- A. Comprehensive Plan 2040 and Blueprint Denver

I. Comprehensive Plan 2040

The City's Comprehensive Plan 2040 (the "Comp Plan 2040"), is the vision for Denver and its people for the next twenty years. The vision is composed of six elements that set long-term, integrated goals to guide the future of the City and provide guidance for City leaders, institutions and community members to shape the City.

The Rezoning aligns closely with several of these elements, including, but not limited to:

- **Equitable, Affordable and Inclusive:** To create an equitable, inclusive community with a high quality of life for all residents, regardless of income level, race, ethnicity, gender, ability or age.
 - The subject site is a greenfield opportunity adjacent to transit.
 - **Goal 1:** Ensure all Denver residents have safe convenient and affordable access to basic services and a variety of amenities.
 - The site meets the goal in its immediate access to the LRT platform giving future users direct access to both public bus and light rail transportation options. These systems access the majority of the Front Range amenities for a nominal cost.
 - The site will contain active ground floor uses as defined in the zoning and the Standards and Guidelines that will consist mostly of retail offerings positioned to satisfy the needs of the area.
 - The site, as defined by the approved GDP, will provide aggregated open space in the form of a transit plaza. The plaza will be a place for gathering, celebration and public art.
 - The site will go beyond typical ROW lighting standards and employ supplemental pedestrian lighting making the journey to public transport feel safe.
 - The zoning and the Standards and Guidelines employ strict build-to zones whereby the building occupants are close to and have a view of the street. When users have a view of the street, the perception of safety is enhanced.
 - The site is included in the Belleview Station Metropolitan Districts which supplement the feeling of safety with courtesy patrols.

- **Goal 2:** Build housing as a continuum to serve residents across a range of incomes ages and needs.
 - The subject site seeks C-MX-20 zoning which is a mixed use zone district. To the extent the site is developed with residential components, those components will likely range from small studios to three bedroom units and appeal to all ages.
- **Goal 3:** Develop housing that is affordable to residents of all income levels.
 - The subject site seeks C-MX-20 zoning which is a mixed use zone district. To the extent the site is developed with residential components, the rents / sales prices for these units are likely to be market rate, however the market in the area is significantly lower than market rates closer to the CBD. These naturally lower rates applied to a broad array of unit sizes are able attract and serve a much larger segment of income, age and need than the more expensive and uniform downtown market. The immediate access to affordable transit eliminates the necessity of high cost automobile ownership and alongside the divestiture of parking from rent or purchase, compounds affordability.
- **Strong and Authentic Neighborhoods:** To complete neighborhoods that are complete, unique and reflective of our city's diverse history.
 - As a greenfield site, the subject site is a key component in the completion of the Belleview Station neighborhood area. The owners and master developer of the property are sixth and seventh generation Coloradoan's and Denverites. They have been responsible over the years for incorporating the DTC as a Denver neighborhood and corporate tax base for the city and now are focused on leaving a vibrant legacy urban center for the area.
 - **Goal 1:** Create a city of complete neighborhoods.
 - The subject site is at the center of activity for the surrounding neighborhood. It will be the connection from the public transit station to the neighborhood.
 - **Goal 2:** Enhance Denver's neighborhoods through high quality urban design.
 - The Zoning and Standards and Guidelines assure that its design will be of high quality, use enduring and local materials, and fit contextually within the planned neighborhood and mix of use. The subject site is subject to private covenant design review of which urban design is a significant component.
 - **Goal 4:** Ensure every neighborhood is economically strong and dynamic.
 - The subject site, through private covenant, is a member of a private Master Owner Association that, among other things, provides for a retail council that meets and fosters cooperation between the local businesses and also sets forth leasing guidelines for the propagation of additional local tenancy. The committee is a very diverse mix of local business owners and managers committed to placemaking and working together to create success. The other uses in the neighborhood support them through dues, fees and sponsorships.
 - **Goal 5:** Create and preserve parks and open spaces that reflect the Identity of Denver's neighborhoods.

- The subject site, as illustrated in the GDP, will contain aggregated open space in the form of a transit plaza. The plaza will be the hub of activity for the neighborhood with spaces for neighborhood gathering, play, and public art as well as quiet contemplation.
 - **Goal 7:** Leverage the arts and support creative placemaking to strengthen community.
 - The transit plaza upon the subject site will be the focus of the Public Art efforts at the Belleview Station neighborhood. The metropolitan districts and other private organizations are focused upon public art of regional significance to help identify the neighborhood and contribute to an already strong sense of place.
 - **Goal 9:** Ensure all neighborhoods are safe.
 - The site will go beyond typical ROW lighting standards and employ supplemental pedestrian lighting making the journey to public transport feel safe.
 - The zoning and the Standards and Guidelines employ strict build-to zones whereby the building occupants are close to and have a view of the street. When users have a view of the street, the perception of safety is enhanced.
 - The site is included in the Belleview Station Metropolitan Districts which supplement the feeling of safety with private courtesy patrols.
- **Connected, Safe and Accessible Places:** To be connected by safe, high quality, multimodal transit options.
 - As the site is adjacent to the Belleview Station LRT platform, many connections are already available. The subject site is part of a DRCOG multi-modal transit study to conclude in 2020.
 - **Goal 1:** Deliver a multimodal network that encourages more trips by walking, rolling, biking and transit.
 - The site is incorporated into the Belleview Station Metropolitan Districts, the Belleview Station Master Owners Association, and the Belleview Station Public Improvement Company. Each of these entities is empowered to fund TMA strategies. The site is also incorporated into Denver South TMA and SPIMED districts.
 - The subject site will be likely be LEED certified requiring the provision of showers, bike storage.
 - **Goal 3:** Maximize the public right of way to create great places.
 - The subject property will include ground floor retail, setbacks and build to requirements as set forth in the zoning and the GDP. There are street design standards within the Standards and Guidelines that set forth street typology that include street trees and planters. The trees will all be served with electrical service to facilitate holiday lighting and street markets without noisy generators. The Belleview Station Metropolitan Districts are responsible for the construction and the maintenance of the ROW upgrades throughout the Belleview Station neighborhood, and this site and its adjacent ROW will be no different.
 - **Goal 6:** Build and maintain safe bicycle and pedestrian networks.
 - The subject site is adjacent to the Denver bicycle network that runs along Union Ave. The site will take advantage of the proximity to bike

lanes and provide access as well as storage facilities to encourage the safe use of this mode of transportation. The speed limit in front of the subject property will be 25 MPH reducing the likelihood of fatal crashes in the immediate vicinity.

- **Goal 8:** Strengthen multimodal connections in mixed use centers and focus growth near transit.
 - The subject site is adjacent to the LRT platform. The rezoning and subsequent development of the site will provide a key pedestrian and multimodal link for the neighborhood. It will be dense, in an area where density is not opposed.
- **Goal 9:** Advance innovative curb lane management and parking policies.
 - The subject property is included in the Belleview Station Public Improvement Company that operates a complex shared parking program that leases space from off peak users and makes it available to on peak users. The PIC also operates a valet parking system that is free of charge to the user. The PIC will continue to work closely with the City to help prioritize loading, taxi and rideshare demand in response to the ultimate ground floor use on the site.
- **Economically Diverse and Vibrant:** To be a diverse, well-rounded economy and a world class city know for innovation, creativity, natural beauty and culture.
 - Home to two Fortune 500 companies new to the Denver zip code, the surrounding neighborhood workforce is already global and diversified and the subject site aims to capitalize and amplify on the existing successes.
 - **Goal 1:** Ensure economic mobility and Improve access to opportunity.
 - The ground floor retail will continue to pursue and attract local small entrepreneurs that already reflect the diversity of the city. These entrepreneurs will cater to the needs of the neighborhood workforce, which is growing, international and diverse, and vibrant.
 - **Goal 2:** Grow a strong diversified economy.
 - The subject site will house, in part, a dense efficient office structure that intends to continue to attract some of Colorado's largest and most successful companies, usually from outside the Denver city limits. To date the development has attracted two fortune 500 companies into the city along with their tax dollars and their wide and very diverse employment base. The subject site intends to continue the process.
 - **Goal 3:** Sustain and Grow Denver's local neighborhood businesses.
 - The ground floor retail will continue to pursue and attract local small entrepreneurs that already reflect the diversity of the city. These entrepreneurs will cater to the needs of the neighborhood workforce, which is growing, international diverse, and vibrant.
 - **Goal 5:** Strengthen Denver as a global city that will be competitive in the economy of today and tomorrow.
 - Belleview Station and by extension, the subject site, has negotiated arrangements with legacy carriers Comcast and Century Link to deliver the fastest fiber optic service available and to limit the number of people and businesses served by each service distribution node guarantying the fastest and most far reaching connections to anywhere around the world.

- The subject site is one of the few sites adjacent to multiple LRT lines and transfers. The R line runs from the site to the airport via a single transfer making it a convenient location for international business.
 - **Goal 10:** Create a vibrant food economy and leverage Denver's food business to accelerate economic opportunity.
 - The ground floor retail master plan will accommodate roughly 30% of the floor area as restaurant accounting for an additional 10-12 restaurants in the neighborhood. The neighborhood has already attracted Indian, Spanish, Mexican, Italian, Japanese, French and American fare, each of which is a local operator. The subject site will leverage the existing success of the neighborhood dining scene and add at least three additional and diverse restaurants.
- **Environmentally Resilient:** To be a thriving, sustainable city connected to nature and resilient to climate change.
 - As a greenfield development, Belleview Station has a track record of LEED certification for every development. The subject site will be no different. Adjacent to the LRT platform, the opportunity to concentrate unopposed density and use in LEED certified structures is rare and should not go unrealized.
 - **Goal 1:** Mitigate climate impact by significantly reducing greenhouse gas emissions.
 - The subject site development will be LEED certified. The roof will comply with the Green Roof initiative and the latest advancements in technology will be deployed to make the building certifiable.
 - **Goal 2:** Prepare for and adapt to climate change.
 - The subject site development will abide by the streetscape masterplan and typologies within the Belleview Station GDP and Standards and Guidelines and include many new street trees and a significant "forest" of planting in the public Plaza. These trees will be maintained, trimmed, fertilized and cared for by the Metropolitan District and soon deploy significant shade and cooling effects to the surrounding neighborhood. The private developments will deploy landscaped decks as private amenities with significant foliage.
 - **Goal 3:** Conserve Water and use it more efficiently.
 - The streetscape typologies call for small amounts of planting beds along the street in front of the subject site. These beds are watered with underground systems that prevent overspray and evaporation.
 - **Goal 4:** Integrate stormwater into the built environment by using green infrastructure to improve water quality and reduce run off.
 - The subject site drains into the Belleview Station regional detention facility that will, upon further upgrade, become an open space water amenity for the entire development including the subject site. State of the art water quality treatment strategies are already in place.
 - **Goal 8:** Clean our soils, conserve land, and grow responsibly.
 - The subject site is not contaminated, is surrounded by existing infrastructure, is adjacent to transit, and is ready for dense development.
 - **Goal 9:** Protect and improve air quality.

- The subject site development is directly adjacent to transit. The site is included in districts and entities available to implement TDM strategies. The site will be a part of an overall shared parking program designed to limit the use of single occupancy vehicles.
- **Healthy and Active:** To be a City of safe, accessible and healthy communities.
 - Belleview Station has been designed as a pedestrian oriented place where walking and shopping and dining are the name of the game. The subject site is a component part of the place and a hub of activity for the neighborhood. Even dogs get in on the game when they take their humans out to the Belleview Station dog park.
 - **Goal 1:** Create and enhance environments that support physical activity and healthy living.
 - The subject site development will foster walking by deploying streetscapes consistent with the GDP and the Standards and Guidelines. The ground floor will be activated with retail and restaurants to make the journey interesting. Biking will be embraced through on site bike storage and maintenance facilities, showers, and convenient access. The open space transit plaza will deploy public art with some component for children's active play.
 - **Goal 2:** Provide high quality parks, recreation facilities and programs that serve all Denver residents.
 - The open space transit plaza on the subject site will be open to public and deploy public art with some component for children's active play.
- **Denver and the Region:** To be the dynamic epicenter of the region into the future through leadership in smart growth, inclusivity, diversity and openness.
 - The subject site has the opportunity to be THE model of success for other smart compact mixed use opportunities in the city and beyond. It is the epicenter of the neighborhood with transit, a progressive parking agenda, public open space for gathering and art; it is the piece of the puzzle that makes clear the vision.
 - **Goal 1:** Be a regional leader in smart growth.
 - The subject site development is a state-of-the-art example of how to grow smart into an Urban Center typology. Uses will be compact and dense, adjacent to transit, energy efficient, cooperative and bound together in neighborhood organizations that enhances the value to all and incentivize the divestment of the automobile.
 - **Goal 2:** Embrace Denver's role as a center of regional growth.
 - The subject site development is located in an Urban Center typology. The neighborhood has successfully attracted some of Denver's largest and best companies and the subject site aims to continue the trend. It is a place where Denver can grow without opposition and within a sustainable model for the future.
 - **Goal 3:** Lead the advancement and promotion of regional cooperation.
 - The subject site development is located in the SPIMED district that spans over multiple cities and counties. The site is very near to two other neighboring regional governments, not to mention adjacent to

CDOT and RTD rights of way. Whatever is ultimately constructed on this site will require significant municipal collaboration and agreement.

- **Goal 4:** Capitalize on Denver's role as a transportation hub and enhance connections the region and beyond.
 - The subject site development is at the core of the Urban Center of the DTC, Denver's largest submarket. The Belleview LRT station is one of only a few with direct links to both Union Station and DIA. The triangle shaped by these three key areas of the city defines an area of significant potential growth and infill investment. Incentivizing the success of the southern angle can only amplify the city's potential.

•

i. **Blueprint Denver**

Similar to Comp Plan 2040, Blueprint Denver ("New Blueprint"), implements and amplifies the six elements that comprise the vision for Denver set forth in Comp Plan 2040 and sets forth the recommendations and strategies for achieving the six elements of the City's vision.

Specific City Goals for Rezoning (applicable)

- Chapter 3, Land Use and Built Form. **General**

Many of the city's recommendations will be satisfied by the rezoning of the subject parcel.

 - **Rec 1,** Promote and anticipate planned growth in major centers connected by rail service.
 - Rezoning will encourage higher density mixed use development at a transit rich area.
 - **Rec 2:** Incentivize or require efficient development of land, especially in transit rich areas.
 - Rezoning will incentivize development at a transit station. The applicant would take no exception to requiring a minimum building height.
 - The subject site has already eliminated mini storage and car wash from use options through private covenant.
 - Applicant is not seeking additional density over and above the existing entitlement.
 - **Rec 3:** Ensure the Denver Zoning Code continue to respond to the needs of the city while remaining modern and flexible.
 - Rezoning the property would move the subject site from the old Chapter 59 code; a city priority.
- Chapter 3, Land Use and Built Form. **Housing**
 - **Rec 7:** Expand family friendly housing throughout city.
 - Development of the subject property anticipates a residential component. Three- and four-bedroom units have proven successful for older generations looking to relocate in the immediate area.
 - The amenities in the transit plaza are anticipated to include public art for play and discovery popular with children.
 - **Rec 8:** Capture 80% of new housing growth in regional centers.
 - Rezoning would promote high density residential within a regional center and near major job center.

- Rezoning would promote high density residential within a regional center on vacant ground.
 - Rezoning would promote high density residential proximate to transit.
- Chapter 3, Land Use and Built Form. **Economics**
 - **Rec 1:** Capture 90% of job growth in regional centers...60% out of downtown.
 - Development of the subject property anticipates a large office component that will draw employers with a wide variety of jobs.
 - Rezoning the site will facilitate the office development.
 - **Rec 2:** Improve equitable access to employment areas through the city to ensure residents can connect to employment opportunities.
 - The subject property is required by private covenant to provide ground floor retail. The primary requirement of the retail is that it be primarily of local character. Most of the retail in the area is owned by women and or people of color.
 - Rezoning the property would allow for the continuation of local retail success with diverse participation.
 - **Rec 4:** Promote creative industries, maker spaces, artists and small businesses as vital components of Denver's innovation economy.
 - The subject property is required by private covenant to provide ground floor retail. The primary requirement of the retail is that it be primarily of local character and small. Most of the retail in the area is owned by women and or people of color some of which are makers.
 - Rezoning the property would allow for the continuation of local retail success and small space occupancy.
 - **Rec 6:** Ensure Denver and it's neighbors have a vibrant and authentic retail and hospitality marketplace meeting the full range of experience and goods demanded by residents and visitors.
 - The subject property is required by private covenant to provide ground floor retail. The primary requirement of the retail is that it be primarily of local character and small. Restaurant choices are chef-driven first and foremost.
 - Rezoning the property would allow for the continuation of local dining success.
- Chapter 3, Land Use and Built Form. **Design quality and preservation.**
 - **Rec 3:** Create exceptional design outcomes in key centers and corridors.
 - Area specific design Standards and Guidelines are already approved and tested part and parcel to the GDP. The subject property would be subject to Standard and Guideline review.
 - Area specific Design Criteria is required by private covenant that employs an Architectural Control Committee. Committee is responsible for qualitative approvals at SD, DD and CD phases of the project. The committee is comprised of four licensed architects and one licensed landscape architect. The subject property would be subject to ACC review and approval. The committee has reviewed and approved all other Bellevue Station completed projects which have proven award winning design status.
 - The subject property has been limited by private covenant to include ground floor retail addressing the street. Small lobbies for primary uses are the only exception to this private requirement.

- Transparency requirements for all street facing windows are already included in the existing Standards and Guidelines.
 - **Rec 7:** Improve requirements for landscaping with a focus on climate appropriate vegetation for private property.
 - The Design Criteria for the district demands high level design favoring climate appropriate plant material and irrigation techniques. The ACC is responsible for reviewing and approving the landscape plans.
 - The subject site is also included in the Belleview Station Master Owners association that, among other things, may take over maintenance responsibilities for landscape in areas between the ROW line and the face of building. Successful landscape beyond initial planting is assured in perpetuity.
- Chapter 3, Land Use and Built Form. **Mobility**
 - **Rec 1:** Encourage mode shift – more trips by walking and rolling, biking and transit – through efficient land use and infrastructure improvements.
 - Subject property will promote mixed use in an identified regional center.
 - Subject property will provide for bike lockers and showers to incentivize employees to bike to work.
 - Subject property will create inviting and walkable streetscapes to encourage pedestrian exploration and commute from the station area.
 - Subject property will provide ground floor retail amenities and daily needs to reduce the distance people will travel to satisfy them.
 - **Rec 2:** Align the impacts of private development with transportation infrastructure and promote development that creates walkable, transit friendly communities.
 - Subject property will provide for bike lockers and showers to incentivize employees to bike to work.
 - Subject property is subject to terms and conditions of the Belleview Station Public Improvement Company that is empowered to run a complex shared parking program alongside a travel demand management program. The TDM will fund efforts to accelerate mode shift, reduce parking ratios, and enhance convenience.
 - The new zoning code contains more modern parking ratios and more progressive shared parking allowances. The subject property will be able to address this goal in a far better way with the rezoning.
 - **Rec 3:** On all streets, prioritize people walking and rolling over other modes of transportation.
 - Subject property is included in a current DRCOG mobility study to identify further pedestrian enhancements, like crosswalks, for the site and in the area.
 - Subject property is included in the Belleview Station Metropolitan District that designs, constructs, and maintains the streetscape improvements. ROW improvements for the subject site will include highly textural pavers, street trees, planting zones, pedestrian lighting, benches, music, and public art.
 - **Rec 4:** Implement the vision for street types and layered multimodal network to create complete streets.
 - Existing street typology is compatible with current street type goals.

- Subject property is included in a current DRCOG mobility study to identify further pedestrian enhancements, like crosswalks, for the site **and in the area and accomplish vision zero.**
 - **Rec 10:** Provide equitable opportunities to improve streetscaping and placemaking along streets.
 - Subject site is part of the Belleview Station Metropolitan District that will design, construct and maintain the streetscape improvements. The ad valorem property tax is progressive in that commercial uses are taxed at a far greater rate than residential providing well designed and well maintained streetscapes in an equitable way.
- Chapter 3, Land Use and Built Form. **Quality of life.**
 - **Rec 1:** Expand tool and regulations to ensure high quality parks and outdoor public spaces to keep pace with Denver’s growth.
 - Subject site will contain aggregated public open space in the form of a “transit plaza.” The plaza will be designed to attract a regional audience with a high level of design and public art.
 - **Rec 2:** Protect and expand Denver’s tree canopy on both public and private property.
 - The Design Standards and Guidelines for the site require regularly spaced street tree planting. Structural soils will be used as well as sub surface irrigation. The transit plaza will also be designed with a significant tree presence.
 - Subject site is part of Belleview Station Metropolitan District that maintains the trees in the ROW. Pruning, watering, fertilizer, and spraying for disease are all part of regular maintenance.
 - **Rec 5:** Ensure attractive streets and outdoor spaces in all centers and corridors, giving priority to pedestrian spaces and amenities.
 - Streetscape design will use pervious paver system.
 - Subject site requests further study on street designation of “shared festival street.” Applicant desires to close Layton or a portion of it for regular markets and bazaars to help activate the public plaza and street front retail space.
 - **Rec 8:** Develop tools to improve access to healthy foods to support community health outcomes.
 - Subject site requests further study on street designation of “shared festival street.” Applicant desires to close Layton or a portion of it for regular farmers markets or non-permanent fresh food retail.
 - **Rec 10:** Work with public and private partners to improve access to shops, restaurants, entertainment, civic uses, services and a variety of daily needs for all of Denver’s residents.
 - The subject property is required by private covenant to provide ground floor retail. The primary requirement of the retail is that it be primarily of local character and small. The retail will consist of restaurants, fitness, and services for the daily needs of residents and tenants.

For the foregoing reasons, the Rezoning is consistent with the overall intent of and furthers the goals of New Blueprint and the Comprehensive Plan 2040, as well as the other City Plans, and therefore satisfies the criterion for approval.

A. The proposed rezoning is consistent with adopted plans

- a. The foregoing is a detailed analysis of the rezoning and its consistency with the adopted plans.
- B. The proposed rezoning will result in regulations and restrictions that are largely uniform for each kind of building throughout the district.*
- a. The foregoing is a detailed analysis of the rezoning and its consistency with the regulations throughout the district.
- C. The proposed rezoning furthers the Public Health, Safety and General Welfare.*
- a. The City has adopted multiple plans in the interest of public health, safety, and the general welfare, including the Comp Plan and New Blueprint. The Rezoning furthers the goals, policies, and strategies in these City plans, and thus furthers the health, safety, and general welfare of the City.

The proposed rezoning also satisfies the additional review criteria for non-legislative rezoning.

- D. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.
- E. That the City has adopted the New Blueprint and Comprehensive Plan 2040

The **C-MX-20** zone district is most appropriate for the Property because the site is THE core site in a Regional High Growth Urban Center adjacent to multiple transit options. The site is one projected to be in the highest category of growth supporting its share of 50% of the city's job growth and 30% of its housing growth. There is a high level of access to opportunity and very low level of possible displacement due to greenfield status. With no opposition to the proposed rezoning, this site is an extraordinary opportunity for the city to realize the potential of it's goals and possibilities under the new code. Further, an adjacent site was rezoned C-MX-20 a few short months ago and among the new zoning code possibilities, C-MX-20 is the most similar and compatible zoning to the old Chapter 59, TMU-30.

Therefore, the Rezoning satisfies the criteria for approval of a non-legislative rezoning.

CONCLUSION

We hope the foregoing information proves helpful in the City's review of the proposed Rezoning. As discussed in detail above, the Rezoning satisfies all of the criteria in the Code for approval of a zone map amendment and a non-legislative rezoning. Therefore, we respectfully request that the City approve the proposed Rezoning.

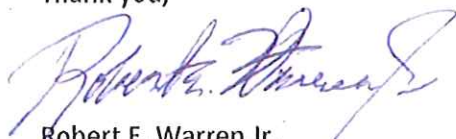
MADRE INVESTMENT CO, LLC
650 SO CHERRY ST.
SUITE 1005
GLENDALE, CO 808246

Department of Planning and Zoning
City of Denver
201 W. Colfax Ave., Dept 205
Denver, CO 80202

To whom it may concern,

I, Robert E. Warren Jr., on behalf of Madre Investment Co, LLC authorize Robert E Warren III, (Trey) of Front Range Land and Development to be the point of contact for the Re-zoning process for the Belleview Station Property.

Thank you,

A handwritten signature in blue ink, appearing to read "Robert E. Warren Jr.", written over a faint, illegible printed name.

Robert E. Warren Jr.
Madre Investment Co, LLC
650 So. Cherry St.
Suite 1005
Glendale, CO 80246

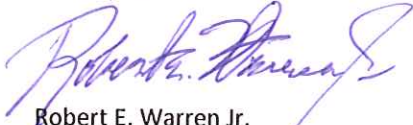
Madre Investment Co. LLC
650 So. Cherry St.
Suite 1005
Glendale, CO 80246

Tuesday, July 10, 2019

Denver Community Planning and Development
201 W Colfax Ave., Dept 205
Denver, CO 80202

To whom it may concern,
As the Manager of Madre Investment Co. LLC, I, Robert E Warren Jr. am authorized, per article V, Section 5.3(i) of the Operating Agreement, to execute any and all documents pertaining to the Re-zoning Petition provided hereto.

Thank you,



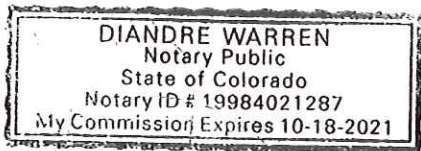
Robert E. Warren Jr.
Madre Investment Co. LLC
650 So. Cherry St.
Suite 1005
Glendale, CO 80246

STATE OF COLORADO
COUNTY OF ARAPAHOE

On this 10th day of July, 2019, before me, the undersigned, a Notary Public in and for the State of Colorado, duly commissioned and sworn personally appeared Robert E Warren Jr. known to me as said individual and represented to me that he is the Manager of Madre Investment Co. LLC, who executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said party, for the purposes therein mentioned, and on the oath stated that he was the authorized to executed said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgement is the person whose true signature appears on this document.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.



Diandre Warren
Signature

Diandre Warren
Print Name

NOTARY PUBLIC in and for the State of Colorado
My commission expires 10-18-21

PROPERTY TAX STATEMENT

IMPORTANT: SEE REVERSE SIDE

Denver
 80217-0420
 3-9300 WWW.DENVERGOV.ORG/TREASURY
 STATEMENT IS FOR PROPERTY TAX ON THE PROPERTY SHOWN BELOW TO BE COLLECTED ON BEHALF OF THE DENVER PUBLIC SCHOOLS AND THE
 AND COUNTY OF DENVER.

ADDRESS 4702 S NEWPORT ST	PARCEL ID 07084-09-002-000	
LEGAL DESCRIPTION or PERSONAL PROPERTY LOCATION BELLEVUE STATION #3 B 1 L 1 EXC PTN DAF BEG E/4 COR SEC 8 T6S R 67W TH SLY 1177.67FT TO POB TH,SELY 27.96FT SLY 13.06FT SWLY 14.84FT S 6.77FT *	CODE 2019004	TYPE SEQUENCE NUMBER DC 88,753
	MORT CODE	LOAN NUMBER
07084-09-002-000 MADRE INVESTMENT CO 650 S CHERRY ST STE 1005 GLENDALE CO 80246-1812	NOTE 2018 REAL ESTATE TAX DUE IN 2019. FIGURES GOOD UNTIL: 02/28/2019	

TAXING ENTITY	MILL LEVY (\$ PER THOUSAND OF ASSESSED VALUE)	TAX AMOUNT
SCHOOL GENERAL FUND	38.676000	
SCHOOL BOND FUND	9.568000	
CAPITAL MAINTENANCE	2.525000	
SOCIAL SERVICES *	3.374000	
CITY BOND FUND *	8.433000	
POLICE PENSION *	1.411000	
FIRE PENSION *	1.183000	
URBAN DRAINAGE/FLOOD CONTROL *	0.820000	
AFFORDABLE HOUSING *	0.444000	
DEVELOPMENTALLY DISABLED	1.009000	
GENERAL FUND, DENVER *	9.922000	
BELLEVUE METRO DISTRICT NO.2	50.558000	
TOTAL LEVY	127.924000	
* NOTE: INCLUDES TEMPORARY MILL LEVY RATE REDUCTION.		
Make Check Payable to: Manager of Finance	DUE APRIL 30 TOTAL TAX \$	

**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND, BEING A PORTION OF LOT 1, BLOCK 1, BELLEVIEW STATION FILING NO. 3 RECORDED APRIL 29, 2013 IN THE RECORDS OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AT RECEPTION NO. 2013060268, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION EIGHT (8), TOWNSHIP FIVE (5) SOUTH, RANGE SIXTY-SEVEN (67) WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: FOR THE PURPOSE OF THIS DESCRIPTION, THE BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION EIGHT (8), TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS SHOWN ON SAID RECORDED PLAT OF BELLEVIEW STATION FILING NO. 3, WHICH BEARS NORTH 89°34'48" EAST A DISTANCE OF 2639.53 FEET. MONUMENTED AS SHOWN ON SAID PLAT.

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE NORTH 08°46'04" WEST A DISTANCE OF 1,315.88 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAYTON AVENUE AND THE **POINT OF BEGINNING**;

THENCE COINCIDENT WITH THE EXTERIOR BOUNDARY OF SAID LOT 1 THE FOLLOWING NINE (9) COURSES:

1. THENCE SOUTH 61°48'37" WEST, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 431.66 FEET TO A 312.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
2. THENCE WESTERLY, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY LINE AND TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 22°06'26" AN ARC DISTANCE OF 120.38 FEET;
3. THENCE NORTH 86°10'47" WEST, COINCIDENT WITH SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 21.77 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH NEWPORT STREET;
4. THENCE NORTH 07°11'54" WEST, COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.52 FEET;
5. THENCE NORTH 03°13'28" WEST, COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 236.88 FEET TO A 85.50 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS EASTERLY;
6. THENCE NORTHERLY, COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY LINE AND TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 34°19'11" AN ARC DISTANCE OF 51.21 FEET;
7. THENCE NORTH 13°57'11" EAST, COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 12.55 FEET TO A 90.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER

BEARS SOUTH 51°14'57" EAST, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE;

8. THENCE NORTHEASTERLY, COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE AND NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 37°34'19" AN ARC DISTANCE OF 59.02 FEET TO A 2,804.79 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHERLY;
9. THENCE EASTERLY, COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE AND TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 06°54'17" AN ARC DISTANCE OF 338.01 FEET TO THE NORTHWEST CORNER OF THAT PARTICULAR PARCEL OF LAND DESCRIBED AS THE "ELEVATOR PARCEL" IN SPECIAL WARRANTY DEED RECORDED JULY 17, 2013 IN SAID RECORDS AT RECEPTION NO. 2013103744;

THENCE COINCIDENT WITH THE EXTERIOR BOUNDARY OF SAID "ELEVATOR PARCEL" THE FOLLOWING FOUR (4) COURSES:

1. THENCE SOUTH 05°47'54" EAST A DISTANCE OF 41.84 FEET;
2. THENCE NORTH 84°12'04" EAST A DISTANCE OF 39.35 FEET;
3. THENCE NORTH 05°48'40" WEST A DISTANCE OF 6.77 FEET;
4. THENCE NORTH 65°32'33" EAST A DISTANCE OF 14.84 FEET TO THE EAST LINE OF SAID LOT 1, BLOCK 1;

THENCE SOUTH 24°26'52" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 204.64 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1 AND THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION YIELDS A CALCULATED AREA OF 159,529 SQUARE FEET (3.66229 ACRES), MORE OR LESS AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT.

THE LINEAL DISTANCE UNIT IN THE PREPARATION OF THIS LAND DESCRIPTION IS THE UNITED STATES SURVEY FOOT. THE NATIONAL INSTITUTE OF STANDARDS, UNDER THE UNITED STATES DEPARTMENT OF COMMERCE, DEFINES THE UNITED STATES SURVEY FOOT AS 1200/3937 METERS.

JEFFREY A. MILLER, PLS 38467
FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC.
1601 BLAKE STREET, SUITE 200
DENVER, CO 80202
PH. (303)572-0200



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BY AUTHORITY

ORDINANCE NO. **340**
SERIES OF 2003

COUNCIL BILL NO. **278**
COMMITTEE OF REFERENCE:

A BILL **Transit-Oriented Planning**

For an ordinance relating to zoning, changing the zoning classification for a specifically described area, generally described as 5091 South Quebec Street and approximately 7300 Union Avenue, reciting certain waivers proposed by the owner for the zoning classification and providing for a recordation of this ordinance.

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

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

1. That the land area hereinafter described is presently classified as B-A-1, B-A-3, B-4 with waivers, B-4 with waivers and conditions, and O-1;

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

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

(A) Waive the requirements related to front setbacks for structures set forth in Section 59-430.10(3) of the Denver Revised Municipal Code and instead shall comply with the following:

The minimum front setbacks for structures shall be zero feet, except that the minimum setback shall be between zero and ten feet for: (1) structures containing more than fifty percent (50%) gross floor area in residential use and no ground floor commercial, (2) structures located on the following perimeter streets: Union Avenue, Belleview Avenue, Niagara Street and the Loop Road, depicted on Map 1 herein, and (3) structures located on zone lots which directly abut, with no intervening public or private right-of-way or street, a zone lot with zoning other than T-MU-30, with or without waivers. The minimum front setbacks for structures requiring a setback of between zero and ten feet shall be determined at the schematic design phase of development plan review pursuant to Section 59-430.11 of the Denver Revised Municipal Code. The department of zoning administration shall transmit the application showing the proposed minimum front setback to the planning office for review. The planning office shall make a

1 recommendation to the Zoning Administrator as to the appropriate minimum front setback based
2 upon the following criteria:

3 (a) spatially enhances the public or private street in order to facilitate
4 pedestrian activity and create a clear urban character;

5 (b) enhances pedestrian-oriented activities at ground level of structures
6 that face Belleview Avenue, Niagara Street, Union Avenue, and the Loop Road;

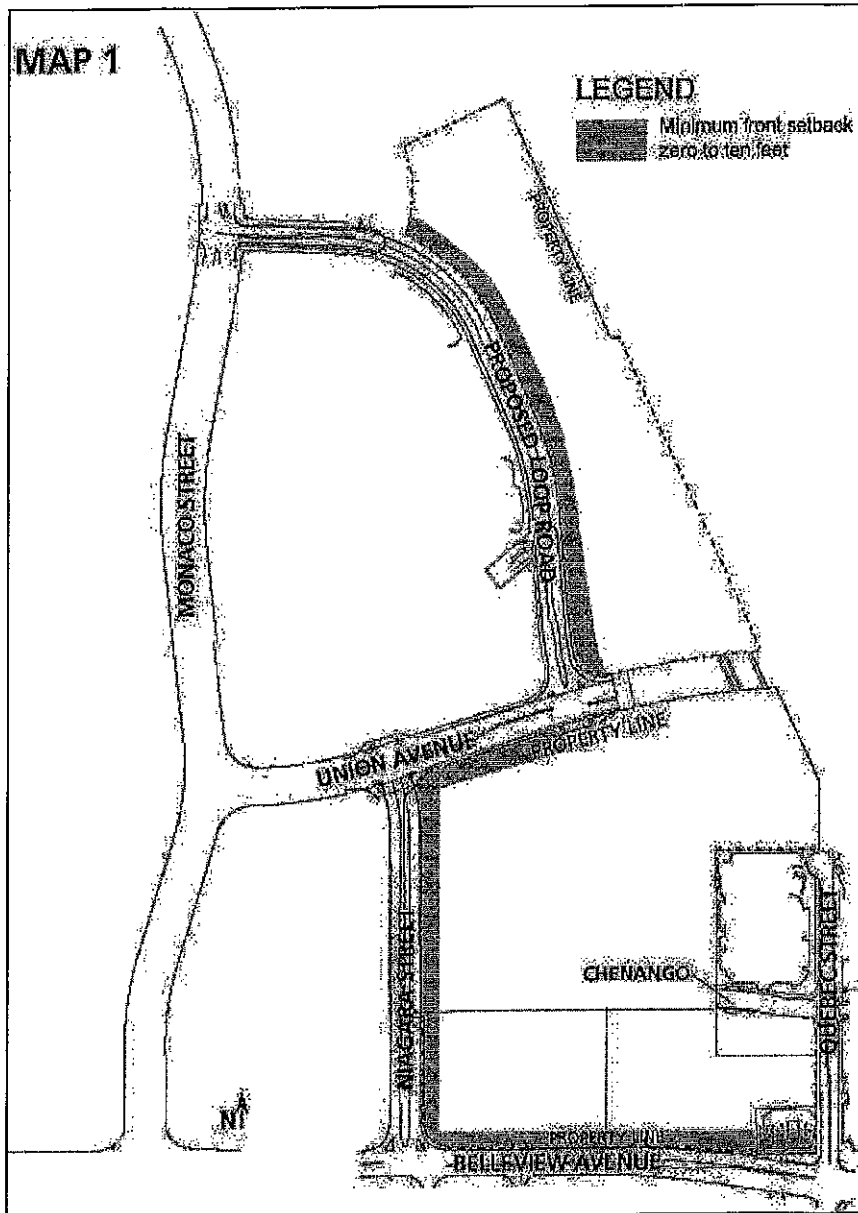
7 (c) encourages easy pedestrian access to structures and uses along
8 Belleview Avenue, Niagara Street, Union Avenue, and the Loop Road;

9 (d) enhances the relationship between the ground floor use, orientation,
10 and scale of the structure with the adjacent street and sidewalk; and

11 (e) enhances the relationship between the ground floor use, orientation,
12 and scale of the structure with the adjacent uses and structures when not separated by a public
13 or private street or right-of-way.

14 The Planning Office shall forward its recommendation to the Zoning Administrator within
15 thirty (30) days of receipt of the application. The Zoning administrator shall determine the
16 appropriate minimum front setback based upon the above criteria after reviewing the Planning
17 Office recommendation.

18



1

2

3 (B) Waive the requirements related to side setbacks for structures set forth in
 4 Section 59-430.10(3) of the Denver Revised Municipal Code and instead the minimum side
 5 setbacks for structures shall be zero (0) feet.

6 (C) Waive the requirements related to rear setbacks for structures set forth in
 7 Section 59-430.10(3) of the Denver Revised Municipal Code and instead the minimum rear
 8 setbacks for structures shall be zero (0) feet, except that the minimum rear setback for
 9 residential structures or structures containing more than fifty percent (50%) gross floor area in
 10 residential uses shall be zero (0) to twenty (20) feet as measured from the rear zone lot line for

1 use by right or use by special review structures with no rear alley and zero (0) to twenty (20)
2 feet as measured from the alley centerline for use by right or use by special review structures
3 with a rear alley.

4 (D) We, the undersigned owners of the property under application for the
5 rezoning referenced above, do hereby waive the requirements related to permitted signs set
6 forth in Sections 59-430.13(1) and (3) of the Denver Revised Municipal Code and instead shall
7 comply with the following:

8 (i) General sign concepts shall be required as part of any required
9 General Development Plan. Such general sign concepts shall:

10 (a) create organized and inter-related systems of signs, sign
11 structures, lighting and graphics;

12 (b) provide high quality sign and graphic design and durable
13 materials appropriate to an urban setting;

14 (c) create signs and graphic elements that are appropriate to
15 and expressive of the use they identify;

16 (d) create signs and graphic elements that are related to and/or
17 respect the architecture of the building which they serve; and

18 (e) encourage a variety of signs and graphic elements which are
19 compatible with, and enhance the character of the surrounding area.

20 (ii) A comprehensive sign plan in accordance with Sections 59-537(c)
21 (1), (3), (4), (5), and (6) of the Denver Revised Municipal Code shall be prepared. Until a
22 comprehensive sign plan is approved, the provisions of Section 59-430.13 shall apply. Once a
23 comprehensive sign plan is approved, only the provisions of Section 59-430.13, other than
24 those specifically addressed in the comprehensive sign plan, shall apply.

25 (iii) All way-finding signage shall be exempt from the calculation of
26 allowed signage.

27 All other provisions of Section 59-430.13 of the Denver Revised Municipal Code shall
28 remain in full force and effect.

29 **Section 2.** That the zoning classification of the land area in the City and County of Denver
30 described as follows or included within the following boundaries shall be and hereby is changed
31 from B-A-1, B-A-3, B-4 with waivers, B-4 with waivers and conditions, and O-1 to T-MU-30 with
32 certain waivers which waivers are set forth in Subsection 3 of Section 1 hereof:

33

1
2
3 **LEGAL DESCRIPTION -- BELQUINCE PROPERTY**
4

5 A PARCEL OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH,
6 RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF
7 COLORADO, DESCRIBED AS FOLLOWS:
8

9 COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST ONE-QUARTER; THENCE N.00°11'40"E.,
10 ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, 180.00 FEET TO THE INTERSECTION OF SAID
11 EAST LINE WITH THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF THAT PARCEL OF LAND
12 DESCRIBED IN BOOK 3357 AT PAGE 704; THENCE N.89°56'41"W., ALONG SAID EASTERLY EXTENSION OF
13 SAID NORTHERLY LINE, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID
14 SECTION 8, 40.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND BEING ON THE WESTERLY
15 RIGHT-OF-WAY LINE OF SOUTH QUEBEC STREET AND THE **POINT OF BEGINNING**; THENCE N.00°11'40"E.,
16 ALONG SAID WESTERLY RIGHT-OF-WAY LINE, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST ONE-
17 QUARTER, 261.28 FEET TO A POINT OF CURVE, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF
18 THAT PARCEL DESCRIBED IN RECEPTION NO. 008911; THENCE ALONG SAID SOUTHERLY LINE THE
19 FOLLOWING THREE (3) COURSES:
20

- 21 1) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, AND A
22 CENTRAL ANGLE OF 88°38'13", 38.68 FEET TO A POINT OF REVERSE CURVE;
23
- 24 2) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 781.00 FEET AND A
25 CENTRAL ANGLE OF 10°43'37", 146.22 FEET TO A POINT OF REVERSE CURVE;
26
- 27 3) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 719.00 FEET, A CHORD
28 BEARING OF N.83°45'38"W., AND A CENTRAL ANGLE OF 12°05'24", 151.72 FEET TO A POINT
29 500.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTHERLY FROM THE SOUTH LINE OF SAID
30 SOUTHEAST ONE-QUARTER, SAID POINT BEING THE SOUTHWEST CORNER OF THAT PARCEL
31 LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED JANUARY 26, 1989 UNDER
32 RECEPTION NO. 008911 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER;
33

34 THENCE N.89°56'41"W., PARALLEL WITH SAID SOUTH LINE, 1,002.49 FEET TO THE EASTERLY BOUNDARY
35 LINE OF THE **165 SUBDIVISION, FILING NO. 1** AS RECORDED MAY 23, 1984 IN PLAT BOOK 29 AT PAGES 86
36 THROUGH 88 UNDER RECEPTION NO. 066188 IN THE RECORDS OF DENVER COUNTY;
37

38 THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING SEVEN (7) COURSES:

- 39 1) S.00°11'42"W., 13.85 FEET;
40
- 41 2) S.13°30'32"E., 0.15 FEET;
42
- 43 3) S.00°11'19"W., 5.00 FEET;
44
- 45 4) S.89°56'41"E., 60.00 FEET;
46
- 47 5) S.00°11'19"W., 332.82 FEET TO A POINT OF CURVE;
48
- 49 6) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 80.00 FEET AND A
50 CENTRAL ANGLE OF 90°08'00", 125.85 FEET;
51
- 52 7) S.00°03'19"W., 5.50 FEET;
53

54 THENCE DEPARTING SAID EASTERLY BOUNDARY LINE, CONTINUING S.00°03'19"W., 3.50 FEET TO THE
55 NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 88 AS DEFINED IN THAT SPECIAL WARRANTY
56 DEED RECORDED IN BOOK 3074 AT PAGE 549 UNDER RECEPTION NO. 049115 IN THE RECORDS OF DENVER
57 COUNTY; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

- 1) S.89°56'41"E., PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 8, 480.46 FEET TO A POINT OF NON-TANGENT CURVE;
- 2) ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2912.79 FEET, WITH A CHORD BEARING OF S.86°44'00"E., AND A CENTRAL ANGLE OF 08°50'29", 449.47 FEET;
- 3) S.81°07'09"E., 25.08 FEET TO A POINT 30.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTHERLY FROM THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER;
- 4) S.89°56'41"E., PARALLEL WITH SAID SOUTH LINE., 38.57 FEET TO THE SOUTHWEST CORNER OF AFORE SAID PARCEL DESCRIBED IN BOOK 3357 AT PAGE 704 BEING 230.00 FEET, AS MEASURED AT RIGHT ANGLES, WESTERLY FROM THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER;

THENCE N.00°11'40"E., ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, PARALLEL WITH SAID EAST LINE, 150.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL, BEING 180.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTHERLY FROM THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER; THENCE S.89°56'41"E., PARALLEL WITH SAID SOUTH LINE, 190.00 FEET THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 12.2103 ACRES MORE OR LESS.

AND

LEGAL DESCRIPTION – MADRE PROPERTY

PARCEL '1' (SOUTH OF UNION STREET)

A PARCEL OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST ONE-QUARTER; THENCE N 00°11'40" E, ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, 350.00 FEET TO THE INTERSECTION OF SAID EAST LINE WITH THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED DECEMBER 16, 1983, IN BOOK 2981 AT PAGE 596, AND UNDER RECEPTION NO. R-88-0291268 RECORDED JULY 25, 1988 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER; THENCE ALONG THE SOUTHERLY AND WESTERLY DEED LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:

- 1) N 89°56'41" W, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER, 360.00 FEET;
- 2) N 00°11'40" E, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, 150.00 FEET TO A POINT 500.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTHERLY FROM THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER, AND THE **POINT OF BEGINNING**;

THENCE N 89°56'41" W, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER, 1002.50 FEET TO THE EASTERLY BOUNDARY LINE OF THE **165 SUBDIVISION FILING NO. 1** AS RECORDED MAY 23, 1984 IN PLAT BOOK 29 AT PAGES 86 THROUGH 88 UNDER RECEPTION NO. 066188 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER; THENCE ALONG SAID EASTERLY BOUNDARY LINE THE FOLLOWING THREE (3) COURSES:

- 1) N 00°11'42" E, 655.19 FEET;
- 2) N 01°47'06" E, 40.00 FEET;

- 1
2 3) N 50°52'12" E, 45.74 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE AS
3 RECORDED APRIL 29, 1992 UNDER RECEPTION NO. R-92-0044224 AND R-92-0044223, AND
4 DECEMBER 13, 1988 UNDER RECEPTION NO. R-88-0341288;

5
6 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES:

- 7
8 1) N 73°32'53" E, 10.79 FEET TO A NON-TANGENT POINT OF CURVATURE;
9
10 2) NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF
11 90.00 FEET, A CENTRAL ANGLE OF 56°08'25", AND A LONG CHORD BEARING OF N 45°28'41"
12 E, 88.18 FEET TO A POINT OF TANGENCY;
13
14 3) N 73°32'53" E, 328.17 FEET TO A POINT OF CURVATURE;
15
16 4) EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 90.00
17 FEET AND A CENTRAL ANGLE OF 38°58'46", 61.23 FEET;
18
19 5) N 73°32'53" E, 172.62 FEET TO A NON-TANGENT POINT OF CURVATURE;
20
21 6) NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF
22 90.00 FEET, A CENTRAL ANGLE OF 37°34'19", AND A LONG CHORD BEARING OF N 58°00'43"
23 E, 59.02 FEET TO A POINT OF COMPOUND CURVATURE;
24
25 7) EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2804.79
26 FEET AND A CENTRAL ANGLE OF 10°22'48", 508.13 FEET TO THE WESTERLY RIGHT-OF-WAY
27 LINE OF INTERSTATE HIGHWAY 25 AS RECORDED OCTOBER 23, 1950 IN BOOK 695 AT PAGE
28 218 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER;

29
30 THENCE S 23°59'45" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 327.95 FEET TO THE WESTERLY
31 RIGHT-OF-WAY LINE OF SOUTH QUEBEC STREET, SAID WESTERLY RIGHT-OF-WAY LINE BEING PARALLEL
32 WITH AND 30.00 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER; THENCE S 00°11'40"
33 W, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 218.25 FEET TO THE NORTHERLY LINE OF THAT PARCEL
34 OF LAND DESCRIBED IN DEED RECORDED DECEMBER 16, 1988, IN BOOK 2981 AT PAGE 596, AND UNDER
35 RECEPTION NO. R-88-0291268 RECORDED JULY 25, 1988 IN THE RECORDS OF THE CITY AND COUNTY OF
36 DENVER; THENCE ALONG THE NORTHERLY AND WESTERLY DEED LINES OF SAID PARCEL THE
37 FOLLOWING TWO (2) COURSES:

- 38
39 1) N 89°56'41" W, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER,
40 330.00 FEET;
41
42 2) S 00°11'40" W, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, 510.00
43 FEET TO THE **POINT OF BEGINNING**.

44
45 THE ABOVE DESCRIBED PARCEL '1' CONTAINS 23.9130 ACRES, MORE OR LESS.

46
47 ALONG WITH PARCEL '2' (NORTH OF UNION STREET)

48
49 A PARCEL OF LAND SITUATED IN THE NORTHEAST ONE-QUARTER AND THE SOUTHEAST ONE-QUARTER
50 OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND
51 COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

52
53 COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST ONE-QUARTER; THENCE N 00°11'40" E,
54 ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, 350.00 FEET TO THE INTERSECTION OF SAID
55 EAST LINE WITH THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF THAT PARCEL OF LAND
56 DESCRIBED IN DEED RECORDED DECEMBER 16, 1983, IN BOOK 2981 AT PAGE 596, AND UNDER RECEPTION
57 NO. R-88-0291268 RECORDED JULY 25, 1988 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER;

1
2 THENCE ALONG THE SOUTHERLY AND WESTERLY DEED LINES OF SAID PARCEL THE FOLLOWING TWO (2)
3 COURSES:

- 4
5 1) N 89°56'41" W, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER,
6 360.00 FEET;
7
8 2) N 00°11'40" E, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, 150.00
9 FEET TO A POINT 500.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTHERLY FROM THE
10 SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER; THENCE N 89°56'41" W, PARALLEL WITH
11 THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER, 1002.50 FEET TO THE EASTERLY
12 BOUNDARY LINE OF THE 165 SUBDIVISION FILING NO. 1 AS RECORDED MAY 23, 1984 IN
13 PLAT BOOK 29 AT PAGES 86 THROUGH 88 UNDER RECEPTION NO. 066188 IN THE RECORDS
14 OF THE CITY AND COUNTY OF DENVER;

15
16 THENCE ALONG SAID EASTERLY BOUNDARY LINE THE FOLLOWING FOUR (4) COURSES:

- 17
18 1) N 00°11'42" E, 655.19 FEET;
19
20 2) N 01°47'06" E, 40.00 FEET;
21
22 3) N 50°52'12" E, 610.00 FEET;
23
24 4) N 04°45'22" W, 120.92 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1, SAID 165
25 SUBDIVISION FILING NO. 1;

26
27 THENCE ALONG THE WESTERLY AND NORTHERLY LINES OF THAT PARCEL OF LAND DESCRIBED IN DEED
28 RECORDED NOVEMBER 30, 1973 IN BOOK 802 AT PAGE 412 IN THE RECORDS OF THE CITY AND COUNTY OF
29 DENVER THE FOLLOWING TWO (2) COURSES:

- 30
31 1) N 04°45'22" W, 308.01 FEET TO THE CENTERLINE OF AN 80' PUBLIC SERVICE COMPANY
32 EASEMENT AS RECORDED SEPTEMBER 28, 1950 IN BOOK 692 AT PAGE 344 IN THE RECORDS
33 OF ARAPAHOE COUNTY;
34
35 2) N 50°42'05" E, ALONG THE CENTERLINE OF SAID 80' EASEMENT, 91.05 FEET TO THE
36 SOUTHWESTERLY CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED DECEMBER
37 13, 1988 UNDER RECEPTION NO. R-88-0341293 IN THE RECORDS OF THE CITY AND COUNTY
38 OF DENVER, AND THE POINT OF BEGINNING;

39
40 THENCE ALONG THE WESTERLY LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:

- 41
42 1) N 04°45'21" W, 23.97 FEET TO A POINT OF CURVATURE;
43
44 2) NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1048.44
45 FEET AND A CENTRAL ANGLE OF 19°14'50", 352.20 FEET TO A POINT OF TANGENCY;
46 THENCE N 24°00'12" W, ALONG THE WESTERLY LINE OF SAID PARCEL OF LAND DESCRIBED
47 IN DEED RECORDED NOVEMBER 30, 1973 IN BOOK 802 AT PAGE 412 IN THE RECORDS OF
48 THE CITY AND COUNTY OF DENVER, 290.00 FEET TO THE SOUTHWESTERLY CORNER OF
49 THAT PARCEL DESCRIBED IN DEED RECORDED DECEMBER 13, 1988 UNDER RECEPTION NO.
50 R-88- 0341291 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, AND A POINT OF
51 CURVATURE;

52
53 THENCE ALONG THE WESTERLY AND NORTHERLY LINES OF SAID PARCEL THE FOLLOWING THREE (3)
54 COURSES:

- 55
56 1) NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF
57 570.00 FEET AND A CENTRAL ANGLE OF 42°27'04", 422.32 FEET TO A NON-TANGENT POINT

1 OF CURVATURE;

- 2
- 3 2) NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 445.00
- 4 FEET, A CENTRAL ANGLE OF 36°50'56", AND A LONG CHORD BEARING OF N 00°35'34" E,
- 5 286.19 FEET;
- 6
- 7 3) N 66°01'08" E, 357.56 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE
- 8 HIGHWAY 25 AS RECORDED OCTOBER 23, 1950 IN BOOK 695 AT PAGE 216 AND PAGE 218 IN
- 9 THE RECORDS OF THE CITY AND COUNTY OF DENVER;

10

11 THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- 12
- 13 1) S 23°58'52" E, 830.64 FEET TO THE NORTH LINE OF SAID SOUTHEAST ONE-QUARTER;
- 14
- 15 2) N 89°59'12" E ALONG THE NORTH LINE OF SAID SOUTHEAST ONE-QUARTER,
- 16 21.89 FEET;
- 17
- 18 3) S 23°59'45" E, 1103.57 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF UNION AVENUE AS
- 19 RECORDED DECEMBER 13, 1988 UNDER RECEPTION NO. R-88-0341288, AND A NON-TANGENT
- 20 POINT OF CURVATURE;

21

22 THENCE WESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID

23 CURVE TO THE LEFT, HAVING A RADIUS OF 2924.79 FEET, A CENTRAL ANGLE OF 09°41'07", AND A LONG

24 CHORD BEARING OF S 81°25'38" W, 494.41 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL

25 DESCRIBED AS PARCEL "G" IN DEED RECORDED DECEMBER 13, 1988 UNDER RECEPTION NO. R-88-0341292

26 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, AND A POINT OF REVERSE CURVATURE;

27 THENCE ALONG THE EASTERLY LINES OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

- 28
- 29 1) NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF
- 30 90.00 FEET AND A CENTRAL ANGLE OF 92°53'57", 145.93 FEET TO A POINT OF COMPOUND
- 31 CURVATURE;
- 32
- 33 2) NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 970.32
- 34 FEET AND A CENTRAL ANGLE OF 05°45'37", 97.55 FEET TO A POINT OF TANGENCY;
- 35
- 36 3) N 04°45'21" W, 328.47 FEET TO THE POINT OF BEGINNING.

37

38 THE ABOVE DESCRIBED PARCEL '2' CONTAINS 17.3792 ACRES, MORE OR LESS.

39

40 ALONG WITH PARCEL '3' (AT NORTHWEST CORNER OF BELLEVIEW & QUEBEC)

41

42 THAT PART OF THE SOUTHEAST 1/4 SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 67 WEST,

43 DESCRIBED AS FOLLOWS:

44

45 BEGINNING AT A POINT OF INTERSECTION OF THE WEST LINE OF SOUTH QUEBEC STREET AND THE

46 NORTH LINE OF BELLEVIEW AVENUE WHICH POINT IS 30.0 FEET WEST AND 30.0 FEET NORTH OF THE

47 SOUTHEAST CORNER OF SAID SECTION 8; THENCE NORTH ALONG THE WEST LINE OF SOUTH QUEBEC

48 STREET A DISTANCE OF 150.0 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF BELLEVIEW

49 AVENUE A DISTANCE OF 200.0 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SOUTH QUEBEC

50 STREET A DISTANCE OF 150.0 FEET TO A POINT ON THE NORTH LINE OF BELLEVIEW AVENUE; THENCE

51 EAST ALONG THE NORTH LINE OF BELLEVIEW AVENUE A DISTANCE OF 200.0 FEET TO THE POINT OF

52 BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO,

53

54 EXCEPT THAT PORTION CONVEYED BY DEED RECORDED AUGUST 27, 1991 AT RECEPTION NO. 81491.

55

56 THE ABOVE DESCRIBED PARCEL '3' CONTAINS 0.6543 ACRES, MORE OR LESS.

57

1 THE TOTAL AREA FOR THE ABOVE THREE (3) PARCELS IS 41.9465 ACRES MORE OR LESS.

2
3 THE BASIS OF BEARINGS FOR THE ABOVE PARCEL DESCRIPTION BEING THE SOUTH LINE OF THE
4 SOUTHEAST ONE-QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 67 WEST BEARS
5 N 89°56'41" W (ASSUMED).

6
7 AND

8
9 PARCEL DESCRIPTION FOR LOOP ROAD PARCEL

10
11 A parcel of land being part of Lots 1 and 3, Block 1 and Lot 1, Block 3 of
12 The 165 Subdivision Filing No. 1, recorded in Plat Book 29 at Page 86, and a
13 portion of the East Half of Section 8, Township 5 South, Range 67 West of
14 the 6th Principal Meridian, City and County of Denver, State of Colorado,
15 more particularly described as follows:

16
17 Commencing at the Southeast corner of said Section 8; thence westerly along
18 the South line of the Southeast 1/4 of said Section 8 a distance of 2639.45
19 feet to the South 1/4 corner of said Section 8; thence northerly on a
20 deflection angle to the right of 90°35'37" along the West line of the East
21 1/2 of said Section 8, a distance of 2650.45 feet to the Center 1/4 corner
22 of said Section 8; thence Easterly on a deflection angle to the right of
23 89°20'12" along the East-West centerline of said Section 8, a distance of
24 681.55 feet to a point on the Easterly right of way line of South Monaco
25 Street, as platted by The 165 Subdivision Filing No. 1; thence the following
26 two (2) courses along said right-of-way line:

27 1) on a deflection angle to the left of 79°26'35" a distance of 148.22 feet
28 to a point of tangent curvature;

29 2) along a curve to the left having a radius of 1492.39 feet, a central
30 angle of 04°42'54" an arc distance of 122.81 feet to the POINT OF
31 BEGINNING, said point being a point of reverse curvature;

32 thence northeasterly along a curve to the right having a radius of 30.00
33 feet, a central angle of 86°59'16" an arc distance of 45.55 feet to a point
34 of tangency; thence easterly along said tangent 298.45 feet to a point of
35 tangent curvature; thence southeasterly along a curve to the right having a
36 radius of 470.00 feet, a central angle of 63°10'53" an arc distance of
37 518.28 feet to a point of tangency being 100.00 feet westerly, when measured
38 at right angles from the easterly boundary line of The 165 Subdivision
39 Filing No. 1; thence southerly along said tangent and parallel with said
40 easterly boundary line of Lot 1, Block 3, 290.00 feet to a point of tangent
41 curvature; thence southerly along a curve to the right having a radius of
42 948.44 feet, a central angle of 19°14'50" an arc distance of 318.61 feet to
43 a point of tangency; thence southerly along said tangent a distance of
44 352.43 feet to a point of tangent curvature; thence southeasterly along a
45 curve to the left having a radius of 1070.32 feet, a central angle of
46 06°59'11" an arc distance of 130.51 feet to a point of reverse curvature;
47 thence southwesterly along a curve to the right having a radius of 90.00
48 feet, a central angle of 46°23'18" an arc distance of 72.87 feet to a point
49 of non-tangency; thence on a deflection angle to the left from the tangent
50 of the aforementioned curve of 141°05'53" a distance of 162.89 feet to a
51 point on a curve from whence the center of said curve make a deflection
52 angle to the left of 46°59'10" a distance of 90.00 feet;

53
54 thence northwesterly along said curve to the right having a radius of 90.00
55 feet, a central angle of 52° 55' 19" an arc distance of 83.13 feet to a
56 point of compound curvature; thence northwesterly along a curve to the right
57 having a radius of 970.32 feet, a central angle of 05°45'37" an arc distance
58 of 97.55 feet to a point of tangency; thence northwesterly along said
59 tangent a distance of 352.43 feet to a point of tangent curvature; thence
60 northwesterly along a curve to the left having a radius of 1048.44 feet, a
61 central angle of 19°14'50" an arc distance of 352.20 feet to a point of

1 tangency; thence northwesterly along said tangent 290.00 feet to a point of
2 tangent curvature; thence northwesterly along a curve to the left having a
3 radius of 570.00 feet, a central angle of 63°10'53" an arc distance of
4 628.55 feet to a point of tangency; thence westerly along said tangent a
5 distance 298.45 feet to a point of curvature; thence northwesterly along a
6 curve to the right having a radius of 30.00 feet, a central angle of
7 86°59'16" an arc distance of 45.55 feet to a point on the easterly right-of-
8 way line of South Monaco Street, said point being on curve from whence the
9 tangent makes a deflection angle to the left of 180°; thence southerly along
10 said right-of-way line on a curve to the right having a radius of 1492.39
11 feet, a central angle of 6°01'28" an arc distance of 156.92 feet to the
12 POINT OF BEGINNING.

13
14 LESS AND EXCEPT THE FOLLOWING PORTION THEREOF:

15
16 A parcel of land being part of Lot 3, Block 1 of The 165 Subdivision
17 Filing No. 1, recorded in Plat Book 29 at Page 86, and a portion of the East
18 Half of Section 8, Township 5 South, Range 67 West of the 6th Principal
19 Meridian, City and County of Denver, State of Colorado, more particularly
20 described as follows:

21
22 Commencing at the Southeast corner of said Section 8; thence westerly along
23 the South line of the Southeast 1/4 of said Section 8 a distance of 2639.45
24 feet to the South 1/4 corner of said Section 8; thence northerly on a
25 deflection angle to the right of 90°35'37" along the West line of the East
26 1/2 of said Section 8, a distance of 2650.45 feet to the Center 1/4 corner
27 of said Section 8; thence Easterly on a deflection angle to the right of
28 89°20'12" along the East-West centerline of said Section 8, a distance of
29 681.55 feet to a point on the Easterly right of way line of South Monaco
30 Street, as platted by The 165 Subdivision Filing No. 1; thence the following
31 two (2) courses along said right-of-way line;

32 1) on a deflection angle to the left of 79°26'35" a distance of
33 148.22 feet to a point of curvature;

34 2) along a curve to the left having a radius of 1492.39 feet, a
35 central angle of

36 04°42'54" an arc distance of 122.81 feet to the Point of Beginning, said
37 point being a point of reverse curvature; thence northeasterly along a curve
38 to the right having a radius of 30.00 feet, a central angle of 86°59'16" an
39 arc distance of 45.55 feet to a point of tangency;

40 thence easterly along said tangent 298.45 feet to a point of curvature;
41 thence southeasterly along a curve to the right having a radius of 470.00
42 feet, a central angle of 10°40'41" an arc distance of 87.59 feet; thence
43 northeasterly on a deflection angle to the left of 90°00'00" from the
44 tangent of the aforesaid curve a distance of 100.00 feet to a point on a
45 curve; thence northwesterly along a curve to the left whose tangent makes an
46 angle to the left of 90°00'00" from the last described course and having a
47 radius of 570.00 feet, a central angle of 10°40'41" an arc distance of
48 106.23 feet to a point of tangency; thence westerly along said tangent a
49 distance 298.45 feet to a point of curvature; thence northwesterly along a
50 curve to the right having a radius of 30.00 feet, a central angle of
51 86°59'16" an arc distance of 45.55 feet to a point on the easterly right-of-
52 way line of South Monaco Street, said point being on curve from whence the
53 tangent makes a deflection angle to the left of 180°00'00"; thence southerly
54 along said right-of-way line on a curve to the right having a radius of
55 1492.39 feet, a central angle of 6° 01' 28" an arc distance of 156.92 feet
56 to the POINT OF BEGINNING.

57
58 Containing 3.79 acres, more or less.

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

4 **Section 3.** That the foregoing change in zoning classification is based upon the representation
5 by the owner that it will waive those certain rights available to it, and, in lieu thereof, agrees to
6 certain limitations which limitations are set forth in Subsection 3 of Section 1 hereof, and no
7 permit shall be issued except in strict compliance with the aforesaid waivers. Said waivers shall
8 be binding upon all successors and assigns of said owner, who along with said owner shall be
9 deemed to have waived all objections as to the constitutionality of the aforesaid waivers:

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

12 PASSED BY THE COUNCIL May 12, 2003 2003

13 Cathy Branch - PRESIDENT

14 APPROVED Walter S. White - MAYOR MAY 13 2003

15 ATTEST: Sherry J. Jackson - CLERK AND RECORDER,
16 EX-OFFICIO CLERK OF THE
17 CITY AND COUNTY OF DENVER

18
19 NOTICE PUBLISHED IN THE DAILY JOURNAL April 18, 2003 May 16, 2003

20 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY 4/8/03

21 REVIEWED BY: Walter S. White - CITY ATTORNEY 4/8 2003

22 SPONSORED BY COUNCIL MEMBER(S) _____

