

## 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	3939 Williams Building Corp	Representative Name	Bruce O'Donnell / STARBOARD Realty
Address	1717 E. 39th Avenue	Address	770 Sherman Street, Suite 108
City, State, Zip	Denver, CO	City, State, Zip	Denver, CO 80206
Telephone	303-292-5161	Telephone	720-441-3310
Email	byron@portapowerinc.com	Email	bodonnell@starboardrealtygroup.com
<p><b>*If More Than One Property Owner:</b>            All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	Located on North High Street & East 39th Avenue 3965, 3955 & 3995 North High Street		
Assessor's Parcel Numbers:	0223403023000 & 0223403034000		
Area in Acres or Square Feet:	12,500 square feet		
Current Zone District(s):	I-B, UO-2		
PROPOSAL			
Proposed Zone District:	I-MX-3		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</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.</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENT	
<p>Please ensure the following required attachments are submitted with this application:</p> <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</p>	
ADDITIONAL ATTACHMENTS	
<p>Please identify any additional attachments provided with this application:</p> <p><input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)</p>	
<p>Please list any additional attachments:</p> <p>SEE ATTACHED EXHIBITS A - F</p>	

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/01/12	(A)	NO
3939 Williams Building Corporation	3955, 3965 & 3995 N. High St. Denver, CO 80205 303-292-5161 byron@portapowerinc.com	100%	<i>By us</i>		A	
					A	
					A	
					A	
					A	

Last updated: February 4, 2015

 Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

## **List of Exhibits**

- Exhibit A:** Property Legal Descriptions
- Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.13 (A, B & C))
- Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14 (A&B))
- Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
- Exhibit E:** Verification of Signature Authority by Property Owner
- Exhibit F:** Proof of Ownership, Assessors Record

**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PARCEL OF LAND BEING LOTS 30 THROUGH 40, BLOCK 4, PROVIDENT PARK, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**EXHIBIT D**

**Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative**

**3939 Williams Building Corporation**  
**1717 E. 39<sup>th</sup> Avenue**  
**Denver, CO 80205**

March 15, 2017

Mr. Bruce O'Donnell  
STARBOARD Realty Group, LLC  
770 Sherman Street, Suite 108  
Denver, CO 80203  
[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)  
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent 3939 Williams Building Corporation, the property owner, for the purpose of submitting and processing the rezoning application for the property located at 3955, 3965 and 3995 N. High Street in Denver, CO.

Sincerely,



Byron Weiss  
President & Authorized Representative

BOARD RESOLUTION  
OF  
3939 WILLIAMS BUILDING CORPORATION

We, the undersigned, being all the Directors and Shareholders of 3939 Williams Building Corporation, organized and existing under the laws of Colorado, and having its principal place of business at 1717 E 39th Ave, Denver, Colorado 80205 (the "Corporation"), hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Directors and Shareholders of the Corporation duly held and convened on March 14, 2017, at which a quorum of the Board of Directors was present and voting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and effect:

Therefore, it is resolved:

Byron Weiss is hereby identified as authorized signer for 3939 Williams Building Corporation.

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DIRECTORS

*Byron Weiss*  
Byron Weiss  
President

03/14/17  
Date

SHAREHOLDERS

*Brett Weiss*  
Brett Weiss  
Vice President

03/14/17  
Date

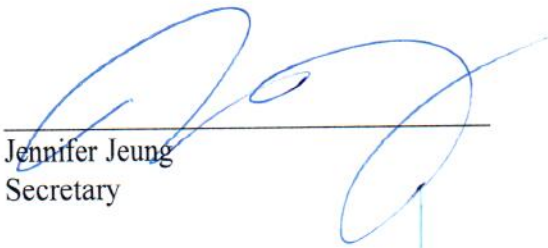
Circle this L.S. as there is no corporate seal.

CERTIFICATE OF SECRETARY

The Secretary of the Corporation hereby certifies that he/she is the duly elected and qualified Secretary of 3939 Williams Building Corporation and certifies that the above is a true and correct



record of the resolution that was duly adopted by the Directors and Shareholders of the Corporation on March 14, 2017.

A handwritten signature in blue ink, consisting of several large, overlapping loops and curves, positioned above a horizontal line.

Jennifer Jeung  
Secretary

A vertical blue line extending downwards from the signature area, ending near the bottom of the page.

**EXHIBIT E**

**Proof of Ownership, Assessors Record**

# 3955 HIGH ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
3939 WILLIAMS BUILDING 1717 E 39TH AVE DENVER , CO 80205-3401	0223403034000	PROVIDENT PARK B4 L30 THRU L36	INDUSTRIAL - WAREHOUSE	DENV

## Property Description

<b>Style:</b>	OTHER	<b>Building Sqr. Foot:</b>	14063
<b>Bedrooms:</b>		<b>Baths Full/Half:</b>	0/0
<b>Mill Levy:</b>	81.547	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	21,875	<b>Zoned As:</b>	IB
<b>Effective Year Built:</b>	1974	<b>Document Type:</b>	

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

# 3995 HIGH ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
3939 WILLIAMS BUILDING CORP 1717 E 39TH AVE DENVER , CO 80205-3401	0223403023000	L 37 TO 40 BLK 4 PROVIDENT PARK	INDUSTRIAL - MEAT PACKING	DENV

## Property Description

<b>Style:</b>	OTHER	<b>Building Sqr. Foot:</b>	4050
<b>Bedrooms:</b>		<b>Baths Full/Half:</b>	0/0
<b>Mill Levy:</b>	81.547	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	12,500	<b>Zoned As:</b>	IB
<b>Effective Year Built:</b>	1973	<b>Document Type:</b>	QC

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