# Zone Map Amendment (Rezoning) - Application

## PROPERTY OWNER INFORMATION

<table>
<thead>
<tr>
<th>Property Owner Name</th>
<th>2201 Arapahoe LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>2201 Arapahoe St.</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Denver, CO 80205</td>
</tr>
<tr>
<td>Telephone</td>
<td>303.867.4836</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:brian@greatdivide.com">brian@greatdivide.com</a></td>
</tr>
</tbody>
</table>

*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.*

## PROPERTY OWNER(S) REPRESENTATIVE

<table>
<thead>
<tr>
<th>Representative Name</th>
<th>Brian Dunn</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>2201 Arapahoe St.</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Denver, CO 80205</td>
</tr>
<tr>
<td>Telephone</td>
<td>303.867.4836</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:brian@greatdivide.com">brian@greatdivide.com</a></td>
</tr>
</tbody>
</table>

***Property owner shall provide a written letter authorizing the representative to act on his/her behalf.*

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

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.

## SUBJECT PROPERTY INFORMATION

- **Location (address and/or boundary description):** 2201 Arapahoe St.
- **Assessor's Parcel Numbers:** 02342-23-012-000
- **Area in Acres or Square Feet:** 0.43 acres +/-, (18,893 SF)
- **Current Zone District(s):** PUD 570
- **Proposed Zone District:** D-AS-12+

Last updated: May 24, 2018

Return completed form to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720-865-2914 • rezoning@denvergov.org

April 2, 2020 fee waived per DZC 12.3.3.4
### REVIEW CRITERIA

**General Review Criteria:** The proposal must comply with all of the general review criteria. **DZC Sec. 12.4.10.7**
- 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.

- 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.

- Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.

**Additional Review Criteria for Non-Legislative Rezonings:** The proposal must comply with both of the additional review criteria. **DZC Sec. 12.4.10.8**

Justifying Circumstances - One of the following circumstances exists:
- The existing zoning of the land was the result of an error.
- The existing zoning of the land was based on a mistake of fact.
- 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.

- 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:
  a. Changed or changing conditions in a particular area, or in the city generally; or,
  b. A City adopted plan; or
  c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

- 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.

- 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.

### REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria, as identified above

### ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

- RNO and City Council member contact log
- RNO and neighbor support letters
## 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.

<table>
<thead>
<tr>
<th>Property Owner Name(s) (please type or print legibly)</th>
<th>Property Address</th>
<th>Property Owner Interest % of the Area of the Zone Lots to Be Rezoned</th>
<th>Please sign below as an indication of your consent to the above certification statement</th>
<th>Date</th>
<th>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</th>
<th>Has the owner authorized a representative in writing? (YES/NO)</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXAMPLE John Alan Smith and Josie Q. Smith</td>
<td>123 Sesame Street Denver, CO 80202 (303) 555-5555 <a href="mailto:sample@sample.gov">sample@sample.gov</a></td>
<td>100%</td>
<td>John Alan Smith Josie Q. Smith</td>
<td>01/01/12</td>
<td>(A)</td>
<td>YES</td>
</tr>
<tr>
<td>2201 Arapahoe LLC, Attn: Brian Dunn</td>
<td>2201 Arapahoe St. Denver, CO 80205 303.867.4836 <a href="mailto:brian@greatdivide.com">brian@greatdivide.com</a></td>
<td>100%</td>
<td></td>
<td>03/15/20</td>
<td>A</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Last updated: May 24, 2018

Return completed form to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720-865-2974 • rezoning@denvergov.org

April 2, 2020 fee waived per D20 12.3.3.4
Legal Description for 2201 Arapahoe St., Denver CO 80205:

L 17 to 22 INC BLK 82 E DENVER
Real Property Records
Date last updated: Friday, February 28, 2020

Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

Link to real property information for this property
Link to comparable sales information for this property
Link to chain of title information for this property
Link to property sales information for this neighborhood

Back to Property List

The property description shown is data from the Assessor's active, in-progress 2017 file. The "current year" values are from the 2017 tax year for real property tax due in 2018. These values are based on the property's physical status as of January 1, 2017.

PROPERTY INFORMATION

Property Type: INDUSTRIAL - WAREHOUSE
Name and Address Information
2201 ARAPAHOE LLC
2201 ARAPAHOE ST
DENVER, CO 80205-2512
Property Address: 2201 ARAPAHOE ST

Assessment Information

<table>
<thead>
<tr>
<th></th>
<th>Actual</th>
<th>Assessed</th>
<th>Exempt</th>
<th>Taxable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Year Land</td>
<td>1889300</td>
<td>547900</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Improvements</td>
<td>1000</td>
<td>290</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1890300</td>
<td>548190</td>
<td>0</td>
<td>548190</td>
</tr>
<tr>
<td>Prior Year Land</td>
<td>1228100</td>
<td>356150</td>
<td>0</td>
<td>356150</td>
</tr>
<tr>
<td>Improvements</td>
<td>125500</td>
<td>36400</td>
<td>0</td>
<td>36400</td>
</tr>
<tr>
<td>Total</td>
<td>1353600</td>
<td>392550</td>
<td>0</td>
<td>392550</td>
</tr>
</tbody>
</table>

Style: Other
Year Built: 1941
Building Sqr. Foot: 18,251
Bedrooms: 0/0
Baths Full/Half: 0/0
Basement/Finished: 0/0
Lot Size: 18,893

Reception No.: 0000025806
Recording Date: 02/23/01
Document Type: Special Warranty
Sale Price: 538000
Mill Levy: 72.116

Click here for current zoning

Zoning Used for Valuation: PUD

Note: Valuation zoning

https://www.denvergov.org/apps/realpropertyapplication/realproperty.asp

April 2, 2020 fee waived per DZC 12.3.3.4
maybe different from City's new zoning code.
Attachment to the rezone Application for 2201 Arapahoe Street, Denver CO 80205

Justifying Circumstances

In late 1993 when Great Divide Brewing (Great Divide) identified 2201 Arapahoe Street as a potential brewery site, the property was zoned B8-A. The language in the code allowed for a brewpub, but it did not allow "the manufacture of malt beverage" which was the proposed business model for Great Divide. Community Planning & Development suggested a PUD. At the request of a neighbor, the PUD had a limitation of 7,000 SF maximum of manufacture of malt beverage, and the PUD was approved.

As the brewery grew, the 7,000 SF maximum became a limitation to the growing business. In 2004 and 2005, Great Divide submitted for another PUD, this time without a square foot limitation on production. Community Planning & Development suggested another PUD because the language in the zoning code still did not allow for the manufacture of malt beverage in the B8-A zone district. The PUD was approved, and the manufacture of malt beverage was allowed on the entire 18,800 SF of the property.

In the years after 2005, the zoning has changed in Arapahoe Square, and the new zone district for the neighborhood, D-AS-12+ now allows for the manufacture of malt beverage. The current PUD has become outdated and unnecessary. D-AS-12+ allows for the manufacture of malt beverage, so we would like to have the property rezoned to the surrounding zone district for Arapahoe Square.
Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
   a. Comprehensive Plan 2040
      i. The proposed rezoning meets Goal 8, Strategy B — "Encourage mixed-use communities where residents can live, work and play in their own neighborhoods" (page 54).
      ii. The proposed rezoning meets Goal 8, Strategy A — "Build a network of well connected, vibrant, mixed-use centers and corridors (page 34)".
   b. Blueprint Denver
      i. The proposed rezoning meets 5.6 Downtown criteria “Development in this context should contain a high mix of uses, with good street activation”.
      ii. The proposed rezoning meets the criteria for Arapahoe St: Downtown – Arterial: “Surrounded by the most intense land uses including hotels, street level retail and office, residential and mixed-use towers. Pedestrian oriented with maximum building coverage of the site. Narrow setbacks and strong engagement of the street”.
   c. Downtown Area Plan 2007
      i. The proposed rezoning meets D.3 Downtown’s New Neighborhood Arapahoe Square Goal
      ii. “Redevelop Arapahoe Square as a cutting-edge, densely populated, mixed-use area and center of innovative businesses”
      iii. The proposed rezoning meets the Key Recommendations “Encourage appropriate redevelopment of surface lots and other underutilized properties”.
   d. Northeast Downtown Neighborhood Plan 2011
      i. The proposed rezoning meets the description of Arapahoe Square “Arapahoe Square is an urban area along the edge of Downtown that is currently characterized by its lack of development. Over one third of the land in Arapahoe Square consists of vacant lots or surface parking lots. Because of this underutilization of land, Arapahoe Square is considered to be a major redevelopment opportunity. There are many small businesses in Arapahoe Square, as well as examples of adaptive reuse of older structures”.
      ii. The proposed rezoning meets the description of N.4 Land use “Arapahoe Square is a mixed-use neighborhood with a distinctly urban character. It is comprised of commercial and mixed-use buildings, multi-family residential, and some light industrial buildings. This is reflected in the future land use map by the “mixed use” land use category”.

April 2, 2020 fee waived per DZC 12.3.3.4
2201 Arapahoe LLC
2201 Arapahoe St.
Denver, CO 80205

March 13, 2020

Brian Dunn, as acting Manager of 2201 Arapahoe LLC is authorized to act on behalf of 2201 Arapahoe LLC.

Thank you,

Brian Dunn
Manager, 2201 Arapahoe LLC
ACTION BY WRITTEN CONSENT
OF THE MANAGER
OF
2201 ARAPAHOE LLC

The undersigned, constituting the sole Manager (the “Manager”) of 2201 ARAPAHOE LLC, a Colorado limited liability company (the “Company”), pursuant to Section 7-80-401 of the Colorado Limited Liability Company Act and the Company’s Operating Agreement, hereby adopts the following resolutions by written consent, without a formal meeting and without prior notice, effective as of April 2, 2020:

REZONING APPLICATION FOR 2201 ARAPAHOE STREET, DENVER CO 80205

WHEREAS, the Manager believes that it is in the best interests of the Company and its members to enter into that certain Rezoning Application, in substantially the form attached hereto as Exhibit A (the “Rezoning Application”) with the City and County of Denver, a Colorado municipal corporation (the “City”), whereas the City will rezone the property from PUD 570 to D-AS-12+;

NOW, THEREFORE, BE IT RESOLVED, that the Rezoning Application be, and it hereby is, approved in all respects and the Manager be, and he hereby is, authorized and directed to execute and deliver the Rezoning Application and any and all documents and resolutions contemplated thereby in such form and with such changes and modifications or amendments thereto as the Manager may approve; and

RESOLVED FURTHER, that the Manager be, and he hereby is, authorized and directed, in the name and on behalf of the Company, to take all such action and to execute all such documents as he may deem necessary or appropriate for the consummation of the transactions contemplated by the Rezoning Application and the resolutions approved or adopted hereby, and if requested or required, to affix the corporate seal to any documents executed on behalf of the Company and may attest the same, and the execution of any of them or any such other instrument, document, certificate, and paper or the doing of any such act or thing shall be conclusive evidence of his or her determination in that respect and his approval thereof.

GENERAL AUTHORIZING RESOLUTIONS

RESOLVED, that the Manager be and he hereby is, authorized, empowered and directed, now or at any time hereafter, to certify to, verify, acknowledge, deliver, accept, file and record any and all such documents and instruments and to do and perform all such other acts and things, sign all such other documents and take all such other acts as may be necessary or as counsel for the Company may advise or require, which in the opinion of the Company or its counsel may be considered convenient and proper to carry out the purpose and intent of these resolutions to satisfy
the requirements of the various parties in connection with the transactions contemplated hereby, and any and all acts heretofore taken by the Manager in connection with the transactions contemplated hereby are hereby expressly ratified and confirmed as the acts and deeds of the Company; and

Resolved Further, that the execution of any documents authorized by these resolutions or any document executed pursuant hereto and the accomplishment of any action or actions so authorized, is or shall become, upon delivery, the enforceable and binding act of the Company, and that the seal of the Company shall not be necessary to cause any such document to be an enforceable and binding act of the Company.

This Action shall be filed with the minutes of the proceedings of the Managers of the Company.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
This Action shall be filed with the minutes of the proceedings of the Manager of the Company.

IN WITNESS WHEREOF, the undersigned have executed this Action by Written Consent as of the date first written above.

MANAGER:

[Signature]
BRIAN DUNN
EXHIBIT A

REZONING APPLICATION FOR 2201 ARAPAHOE ST, DENVER CO 80205
Reszone Application for 1201 Arapahoe Street, Denver CO 80205

Contact log

<table>
<thead>
<tr>
<th>Party</th>
<th>Type of party</th>
<th>Date of email from</th>
<th>Response</th>
<th>Date of response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ballpark Collective</td>
<td>RNO</td>
<td>Brian Dunn</td>
<td>Support letter received</td>
<td>March 3, 2020</td>
</tr>
<tr>
<td>Center City Denver Residents Organization</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>Request for more information</td>
<td>March 5, 2020</td>
</tr>
<tr>
<td></td>
<td></td>
<td>March 5, 2020</td>
<td>Brian provided more information</td>
<td></td>
</tr>
<tr>
<td>Curtis Park Neighbors</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>Request for additional information</td>
<td>March 4, 2020</td>
</tr>
<tr>
<td></td>
<td></td>
<td>March 4, 2020</td>
<td>Jeff Baker said he'd present to the board</td>
<td></td>
</tr>
<tr>
<td>Inter-Neighborhood Cooperation (INC)</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>No response</td>
<td></td>
</tr>
<tr>
<td>Northeast Denver Friends and Neighbors (NEDFANS)</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>No response</td>
<td></td>
</tr>
<tr>
<td>Opportunity Corridor Coalition of United Residents</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>No response</td>
<td></td>
</tr>
<tr>
<td>Rio Norte</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>No response</td>
<td></td>
</tr>
<tr>
<td>The Points Historical Redevelopment Corp</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>No response</td>
<td></td>
</tr>
<tr>
<td>UCAN</td>
<td>RNO</td>
<td>March 3, 2020</td>
<td>No response</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Party</th>
<th>Type of party</th>
<th>Date of contact with</th>
<th>Reason</th>
<th>Date of response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Councilwoman CdeBaca</td>
<td>City Council</td>
<td>Brian Dunn</td>
<td>February 26, 2020</td>
<td>Various</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Brian emailed a meeting request</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Scheduling emails</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>March 9, 2020</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>March 11, 2020</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Had a meeting with Ms. Lisa Calderon and short discussion with Councilwoman CdeBaca</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Brian asked Lisa if there are any questions</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lisa responded that there are no questions</td>
<td>March 12, 2020</td>
</tr>
</tbody>
</table>
March 3, 2020

Dear City of Denver, Community Planning & Development,

This letter is to confirm that the Ballpark Collective/Ballpark Registered Neighborhood Organization is informed and supportive of the efforts of Brian Dunn to rezone the property from PUD 570 to D-AS-12+. In meeting with Mr. Dunn, we feel his organization is in line with our goals to continue to protect and improve the safety, health, welfare, and quality of life in the neighborhood.

Please let me know if you have any questions.

Sincerely,

Matthew J. Van Sistine
President
Ballpark Collective/Ballpark Neighborhood Association
Gene Fitzgerald
2200 Lawrence Street
Denver, CO 80205

March 4, 2020

Dear City of Denver, Community Planning & Development,

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe, and I am in support of the effort to rezone the property from PUD 570 to D-AS-12+.

Thank you,

Gene Fitzgerald
Mike Kelly  
Cocks – Clark Graphics  
2200 Arapahoe Street  
Denver, CO 80205

March 4, 2020

Dear City of Denver, Community Planning & Development,

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe, and I am in support of the effort to rezone the property from PUD 570 to D-AS-12+.

Thank you,

[Signature]

Mike Kelly
Brad Meuli  
Denver Rescue Mission  
1130 Park Avenue West  
Denver, CO 80205

March 5, 2020

Dear City of Denver, Community Planning & Development,

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe, and I am in support of the effort to rezone the property from PUD 570 to D-AS-12+.

Thank you,

Brad Meuli

"The poor shall never cease...Thou shalt open thine hand wide unto thy brother, to thy poor, and to thy needy." Deut. 15:11
Mike Dire
Dire's Lock & Key
2201 Broadway
Denver, CO 80205

March 4, 2020

Dear City of Denver, Community Planning & Development,

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe, and I am in support of the effort to rezone the property from PUD 570 to D-AS-12+.

Thank you,

[Signature]
Mike Dire
Brian Dunn

From: Richard Sanders <richard@merchantsco.com>
Sent: Wednesday, March 04, 2020 2:10 PM
To: Brian Dunn
Subject: [EXTERNAL] City & County of Denver, Community Planning & Development

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe St., and I am in support of the effort to rezone from PUD570 to D-AS-12+.

Richard Sanders
Principal

2261 N. Broadway | Denver, CO 80205
303-297-1100 303-550-8293
Chase Campbell  
Mile High Spirits  
2201 Lawrence Street  
Denver, CO 80205  

March 4, 2020  

Dear City of Denver, Community Planning & Development,  

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe, and I am in support of the effort to rezone the property from PUD 570 to D-AS-12+.  

Thank you,  

Chase Campbell
March 4, 2020

Dear City of Denver, Community Planning & Development,

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe, and I am in support of the effort to rezone the property from PUD 570 to D-AS-12+.

Thank you,

Jay Soneff

[Signature]

Jay Soneff
R Merrill Inc
2197 Arapahoe Street
Denver, CO 80205

March 4, 2020

TO: City of Denver, Community Planning & Development,

This letter is to confirm that I have met with Brian Dunn in regards to the potential rezoning of 2201 Arapahoe, and I am in support of the effort to rezone the property from PUD 570 to D-AS-12+.

Thank you,

Jeffrey Hopper, manager

R. Merrill, Inc.