

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	2201 Arapahoe LLC	Representative Name	Brian Dunn
Address	2201 Arapahoe St.	Address	2201 Arapahoe St.
City, State, Zip	Denver, CO 80205	City, State, Zip	Denver, CO 80205
Telephone	303.867.4836	Telephone	303.867.4836
Email	brian@greatdivide.com	Email	brian@greatdivide.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 deed of trust, 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):	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		
PROPOSAL			
Proposed Zone District:	D-AS-12+		



## REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<input checked="" type="checkbox"/> <b>Consistency with Adopted Plans:</b> 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.
	<input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> 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.
	<input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare:</b> The proposed official map amendment furthers the public health, safety, and general welfare of the City.

<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> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <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. <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: 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. <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.
	<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.

## 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



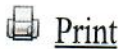
**PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION**

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.

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 or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
2201 Arapahoe LLC, Attn: Brian Dunn	2201 Arapahoe St. Denver, CO 80205 303.867.4836 brian@greatdivide.com	100%		03/15/20	A	Yes

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](#)

[Link to property tax information for this property.](#)

[Link to property sales information for all Denver neighborhoods](#)

[Link to map/historic district listing for this Property.](#)

[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

Parcel: 0234223012000

Name and Address Information

Legal Description

2201 ARAPAHOE LLC

2201 ARAPAHOE ST  
DENVER, CO 80205-2512

L 17 TO 22 INC BLK 82 E DENVER

Property Address: 2201 ARAPAHOE ST

Tax District DENV

### Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	1889300	547900		
Improvements	1000	290		
Total	1890300	548190	0	548190
Prior Year				
Land	1228100	356150		
Improvements	125500	36400		
Total	1353600	392550	0	392550

Style: Other

Reception No.: 0000025806

Year Built: 1941

Recording Date: 02/23/01

Building Sqr. Foot: 18,251

Document Type: Special Warranty

Bedrooms:

Sale Price: 538000

Baths Full/Half: 0/0

Mill Levy: 72.116

Basement/Finished: 0/0

Lot Size: 18,893

[Click here for current zoning](#)

Zoning Used for Valuation: PUD

Note: Valuation zoning

*maybe different from City's  
new zoning code.*

 Print

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,

A handwritten signature in blue ink, appearing to read 'Brian Dunn', with a long horizontal flourish extending to the right.

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 March 15, 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:

  
\_\_\_\_\_  
BRIAN DUNN



**Brian Dunn**

Great Divide Brewing Co.  
2201 Arapahoe Street  
Denver, Colorado 80205

brian@greatdivide.com  
Phone 303.867.4836

**[www.greatdivide.com](http://www.greatdivide.com)**

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

Attn: Brandon Shaver

July 1, 2020

RE: Application for Rezoning of 2201 Arapahoe Street, application number 20201-00013

Ladies and Gentlemen,

I represent Great Divide Brewing Company ("**Great Divide**", the "**Applicant**"), to rezone the approximately 18,900 square foot property generally located at the northeast corner of 22<sup>nd</sup> Street and Arapahoe Street, which is currently zoned (PUD-570).

This letter is intended to supplement the Application and provide the Denver Community Planning and Development ("**CPD**") with additional information to aid CPD in reviewing and approving the requested Rezoning, including information explaining why we believe the Application meets or exceeds the City's criteria for approval of the Rezoning.

The Application is for the following to be approved by CPD:

- Rezoning the Property from PUD-570 zone district to DAS-12+ zone district.

Great Divide requests CPD's approval of the Rezoning in order to return the property to the surrounding zone district because the manufacture of malt beverage is now an allowed use in the DAS-12+ zone district. Prior to a zone map amendment changing the zoning for the neighborhood from B8-A to DAS-12+, the manufacture of malt beverage was not an allowed use under the prior zoning of B-8A, which prompted the original PUD.

The Project is consistent with the Denver Comprehensive Plan 2000 and 2040, Blueprint Denver, Downtown Area Plan, and Northeast Downtown Neighborhood Plan. Additionally, if the Rezoning were approved, it would remove the Property from a PUD zoning designation and put the Property into the zoning district prevailing in the Neighborhood (as defined below). Currently, a majority of the properties surrounding the Property are zoned DAS-12+.

**NEIGHBORHOOD OUTREACH**

The Property is located within Ballpark Neighborhood (the "**Neighborhood**") and we have discussed the Rezoning with The Ballpark Collective, the primary neighborhood organization for the neighborhood. Additionally, we have reached out to inform each of the other registered neighborhood organizations (individually "**RNO**", or collectively "**RNOs**") that are within two hundred feet (200') of the Property.

We have also reached out to each of the property owners within two hundred feet (200') of the Property to discuss the Rezoning and answer any questions or concerns they may have.



## ANALYSIS

An application for a rezoning 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. The Rezoning complies with those criteria, as explained in detail below.

1. 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 the adoption of the City's plan.

The Rezoning is consistent with the City's adopted plans, as follows:

#### *a. Comprehensive Plan 2040 and Blueprint Denver (2019)*

The City's Comprehensive Plan 2040 (Comp Plan 2040) was adopted to "agree on the City's long-term purposes, to think through Denver's special inheritance and its effect on those purposes, and then to suggest strategies that will buy that inheritance as much long-term insurance as possible to sustain it for the future." In that vein, the Comp Plan 2040 sets forth numerous strategies to help guide future development within the City. The Rezoning for the Property aligns closely with many of the strategies and recommendations in the Comp Plan 2040, including, but not limited to:

- Environmental Strategy 2-F by "Promoting infill development within Denver at sites where services and infrastructure are already in place, designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods, creating more density at transit nodes and adopting construction practices in new developments that minimize disturbance of the land."
  - The Rezoning supports continued street activation which Great Divide currently provides.
- Land Use Strategy 3-B to "Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses."
  - The Rezoning would remove the Property from a PUD zoning designation and put the Property into the zoning district prevailing in the Neighborhood. This would encourage quality development consistent with the character of the surrounding Neighborhood and the goals of the already-established zoning.
  - The Rezoning would allow the continuation of an existing business and popular amenity that is part of the core of the character of the Neighborhood.
- Land Use Strategy 3-D to "Identify and enhance existing focal points in neighborhoods, and encourage the development of such focal points where none exist."
  - The Rezoning will enhance an existing focal point in the Neighborhood. Great Divide has been in the Ballpark Neighborhood since 1994. The brewery is part of the Neighborhood and the Neighborhood is part of the Great Divide culture.
- Mobility Strategy 8-A to "Ensure safe and convenient access and accommodation of bicycle riders, pedestrians and transit riders."

- The Rezoning would provide continued activation of the street and will provide convenient access and accommodation to bicycle riders, pedestrians and transit riders.

While the Rezoning would likely accomplish many more strategies and recommendations in the Comp Plan 2040, the above list demonstrates the extent to which the Rezoning is consistent with the adopted Comp Plan 2040.

The City's 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 proposed rezoning aligns closely with these six elements in several ways, including, but not limited to:

- The proposed rezoning meets Goal 8, Strategy B – “Encourage mixed-use communities where residents can live, work and play in their own neighborhoods”.
  - Great Divide has an employee base of around 60 employees and many of these employees prefer to walk to work or ride to work. The brewery provides plenty of bike parking for employees in order to encourage commuting by bike and provides RTD Eco Passes for all employees to encourage the use of public transport.
- The proposed rezoning meets Goal 8, Strategy A – “Build a network of well connected, vibrant, mixed-use centers and corridors”.
  - Great Divide has been a center of community activity since the brewery opened in 1994. Residents and visitors are drawn to the Tap Room for fresh beer, social interaction and brewery tours. The visitor traffic that the brewery draws is positive for the neighborhood in both a social and economic standpoint.
- Economically Diverse and Vibrant: The Rezoning will allow for the continued manufacturing of malt beverages with an active tasting room and will add to the economic diversity of the City and the Neighborhood and increase economic opportunity. The Rezoning will sustain and grow the City's neighborhood businesses as a result of the guests that the brewery pulls in.
- Strong and Authentic Neighborhoods: The Rezoning will enhance the Neighborhood by (1) expanding an existing cornerstone of the Neighborhood so that Great Divide can serve more residents and draw other Denverites to the Neighborhood, and (2) if the business grows, will add more jobs to the Neighborhood in a manner that is in keeping with the character and design of the general Neighborhood.

The above list demonstrates the extent to which the Rezoning is consistent with general tenets of the Comp Plan 2040.

#### b. *Blueprint Denver (2019)*

The City's Blueprint Denver “presents a strategy to improve our city by shaping the places where we live, travel, work, shop and play.” It is “the primary step to implement and achieve” the vision outlined in the Comp Plan 2040. Blueprint Denver outlines several key concepts that are “central to Blueprint Denver's successful implementation.”

- The Rezoning meets 5.6 Downtown criteria “Development in this context should contain a high mix of uses, with good street activation”.
  - With the Tap Room on the ground floor, and sidewalk patio, the brewery currently provides great street activation and we would like to continue this.
- 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”.

- The Tap Room is visible to many people walking from the parking lots to Coors Field and the brewery receives many guests who are on their way to and from baseball games. As a result, the brewery has strong engagement of the street from pedestrian traffic.

The Rezoning will provide the continuation of a balanced mix of uses with the surrounding neighborhood, plentiful pedestrian access, and robust economic activity.

Blueprint Denver has been adopted to supplement the Comp Plan 2040 and provides further structure around the six elements that comprise the vision for Denver set forth in the Comp Plan 2040 and sets forth the recommendations and strategies for achieving the six elements of the City's vision. The Rezone aligns closely with many of the strategies and recommendations in Blueprint Denver, including, but not limited to:

- Land Use & Build Form: General 01 – Promote and anticipate planned growth in major centers and corridors and key residential areas connected by high- and medium-capacity transit corridors. Strategies for implementing this recommendation include encouraging higher density, mixed-use development in transit-rich areas.
- Land Use & Build Form: General 02 – Incentivize or require the most efficient development of land, especially in areas with high transit connectivity. Strategies for implementing this recommendation include allowing increased density in exchange for desired outcomes, such as affordable housing, especially in transit-rich areas.
- Land Use & Build Form: General 09 – Promote coordinated development on large infill sites to ensure new development integrates with its surroundings.
- Land Use & Build Form: Housing 06 – Incentivize the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities. Strategies for implementing this recommendation include incentivizing affordable housing through zoning, such as height bonuses, especially in community corridors adjacent to transit, and additional parking reductions for projects that provide income-restricted affordable units.
- Land Use & Build Form: Economics 05 – Promote creative industries and maker spaces as vital components of Denver's innovative economy. A strategy for implementing this recommendation includes identifying opportunities to expand the allowance for hand crafted manufacturing where it's compatible with other uses allowed in the district.
- Land Use & Build Form: Economics 07 – Ensure Denver and its neighborhoods have a vibrant and authentic retail and hospitality marketplace meeting the full range of experiences and goods demanded by residents and visitors. Strategies for implementing this recommendation include (a) supporting locally-owned businesses to expand and evolve to meet the changing needs of residents and visitors, (b) attract the world's innovative retail brands to provide shopping experiences and options for both residents and visitors, and (c) promote Denver's image as the premier destination for active lifestyles, ranging from retail shopping to neighborhood activities and events.
- Land Use & Build Form: Design Quality 02 – Ensure residential neighborhoods retain their unique character as infill development occurs. This includes the use of design overlays as targeted tools in developing or redeveloping areas that have a specific design vision.
- Land Use & Build Form: Design Quality 03 – Create exceptional design outcomes in key centers and corridors. Mixed-use buildings should engage the street level and support pedestrian activity. The bulk and scale should be respectful of the surrounding character, especially in transitions to residential areas.
- Land Use & Build Form: Design Quality 04 – Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors. The Rezoning will allow the business to continue to operate consistent with its current use and operation in the Neighborhood as a craft beer brewery, allowing it to serve more residents, employees, and visitors to the Neighborhood. The Rezoning



will adhere to the zoning requirements of DAS-12+, which is the prevailing zoning designation for the surrounding Neighborhood.

- Neighborhood Context Designation
  - Neighborhood context map and description provides a guide to establishing appropriate zone districts. The Rezoning application to DAS-12+ is consistent with Blueprint Denver's future neighborhood context designation. The Downtown Context is described generally as, "having a high mix of uses with good street activation. Rezoning to DAS-12+ will be compatible with the existing neighborhood character. Rezoning to DAS-12+ will help offer residents a mix of uses with good street activation and connectivity.
- Future Places Map
  - The purpose of the Rezoning is to have the subject property be zoned the same as the majority of the properties in the surrounding zone district, which has the following characteristics:
    - A high mix of uses throughout, including many large-scale multi-unit residential uses. Commercial uses are prevalent. Buildings are generally the tallest of the residential places in this context. There is high lot coverage and shallow setbacks.
    - A continuous and well-connected pedestrian network and high levels of bicycle network connectivity. There is a high availability of diverse transit options. Vehicular access and parking is on-street or within large parking garages.
    - Good access to parks and other open spaces. Plazas are common. Green infrastructure is often integrated into the streetscape or provided on-site. Regularly spaced street trees in planters or structural cells. Trees and other plantings should be included on-site where space allows.
  - There is no plan to redevelop the property and the intended use will not change with a Rezoning approval. The current plan for the property is to continue to operate Great Divide Brewing Company.
- Growth Areas
  - Blueprint Denver identifies the subject area to be High to Medium/High growth, with an expected 5% job growth and 15% residential growth.

c. *Downtown Area Plan 2007*

- The Rezoning meets D.3 Downtown's New Neighborhood Arapahoe Square Goal "Redevelop Arapahoe Square as a cutting-edge, densely populated, mixed-use area and center of innovative businesses"
  - Breweries and Tap Rooms are innovative business which draw guests from the neighborhood and from outside of the neighborhood. Great Divide has a strong presence in the neighborhood and as a result, attracts many people to the neighborhood. These guests often times visit neighboring businesses, such as retail and restaurants. Great Divide does not have a restaurant, so guests when guests choose to leave, they often head to a neighboring restaurant.
- The Rezoning meets the Key Recommendations "Encourage appropriate redevelopment of surface lots and other underutilized properties".
  - The Rezoning would allow for redevelopment of the property at a future date, and some may consider the use by a brewery an underutilized property.

As demonstrated above, The Rezoning meets and exceed the goals and objectives of the Downtown Area Plan and approval of the Rezoning will help fulfill the Downtown Area Plan's vision for the Property.

d. *Northeast Downtown Neighborhood Plan*

- The 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”.
  - The Property is a former dairy processing facility that dates back to the 1920’s. The structure of the building, the layout of the building and the utilities of the building made it an ideal property for adaptive reuse for brewing.
- The 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”.
  - The Property is a very good fit for a mixed-use neighborhood and Great Divide has been an active property owner in the Neighborhood since opening in 1994.

As outlined above, the Rezoning is consistent with the City’s adopted plans, specifically the Comp Plan 2040 Blueprint Denver, Downtown Area Plan, and Northeast Downtown Neighborhood Plan, and therefore satisfies the first criteria for official zone map amendments.

2. 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.

The Rezoning seeks to rezone the Property to DAS-12+. This would take the Property out of a PUD and put the Property into the zoning district prevailing in the Neighborhood. Currently the majority of the properties surrounding the Property are DAS-12+. Therefore, the Rezoning would result 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.

3. The proposed official map amendment furthers the public health, safety and general welfare of the City.

The City has adopted multiple plans in the interest of public health, safety, and the general welfare, including the Comp Plan 2040 and Blueprint Denver. As described in detail above, the Rezoning furthers the goals, policies, and strategies in these City plans, and thus furthers the health, safety, and general welfare of the City.

II. **Criteria for Non-Legislative Rezonings.** In order for City Council to approve an official map amendment that the City Attorney has determined is not a legislative rezoning, the application must also meet both of the following criteria:

A. *Justifying Circumstances:* one of the following justifying circumstances must exist:

1. The existing zoning of the land was the result of an error;
2. The existing zoning of the land was based on a mistake of fact;
3. 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;
4. 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. Change 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 the Code.

Justifying Circumstances are found in Section 12.4.10.8.(A.4). The subject property qualifies under subsection A) 4(c), that the City adopted the Denver Zoning Code and the property retained former Chapter 59 zoning.

B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements:  
the purpose of the amendment is consistent with the description of the applicable neighborhood context, and the stated purpose and intent of the proposed zone district.

- The requested DAS-12+ zoning is consistent with the adjacent neighborhood context, zone district purpose and intent as the subject property is surrounded entirely by DAS-12+ properties. Blueprint Denver specifically notes this neighborhood area is of Downtown Arapahoe Square context as having a high mix of uses with good street activation. Rezoning to DAS-12+ will be compatible with the existing neighborhood character. The Rezoning will allow for this context to be realized.
- According to the Denver Zoning Code Section 8.8.1, the general purpose of the Downtown Arapahoe Square district is intended to:
  - Continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
  - Give prominence to the pedestrian realm as a defining element of neighborhood character.
  - Promote development of a vibrant sense of place in Arapahoe Square.
  - Further establish a sense of human scale design in Arapahoe Square.
  - Encourage innovative and unique design solutions that help define a special character for Arapahoe Square.
  - Promote harmonious relationships within Arapahoe Square and with surrounding neighborhoods through the arrangement of building heights and scaling devices.
  - Promote environmental, social and economic sustainability.
  - Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other.
  - Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections
- While there is no current plan to develop the property, the Rezoning will be consistent in meeting the Denver Zoning Code goals for Downtown Arapahoe Square district and will provide pedestrian connectivity through the neighborhood.
- The specific intent of the DAS-12+ zone district applies to areas served primarily by major arterial streets where a building scale of 3-12 stories is desired. The Rezoning meets the DAS-12+ intent of the Denver Zoning Code because of the proximity and direct access to a Downtown Arapahoe Square arterial.

Because the Rezoning will (1) bring the Property into conformity with the remainder of the immediately surrounding Neighborhood, and (2) is consistent with the Downtown Area Plan and Northeast Downtown Neighborhood Plan, these criteria are also met. Therefore, the Rezoning satisfies both criteria for approval of a non-legislative rezoning.

## **CONCLUSION**

I hope the foregoing information proves helpful in the City's review of the proposed Rezoning. As



discussed in detail above, the Rezoning satisfies all three (3) criteria in the Code for approval of a zone map amendment and satisfies the two (2) criteria for a non-legislative rezoning. Great Divide has worked hand-in-hand with the City, neighbors, and various other interested parties to ensure that the Rezoning reflects the best use of the Property and allows for development of projects that will enhance and harmonize with the Neighborhood. Therefore, we respectfully request that the City approve the proposed Rezoning.

Sincerely,

Brian Dunn  
Great Divide Brewing Co.



Rezone Application for 2201 Arapahoe Street, Denver CO 80205

Contact log

Party	Type of party	Date of email from Brian Dunn	Response	Date of response
Ballpark Collective	RNO	March 3, 2020		
Center City Denver Residents Organization	RNO	March 3, 2020	Support letter received	March 3, 2020
		March 5, 2020	Request for more information Brian provided more information	March 5, 2020
Curtis Park Neighbors	RNO	March 3, 2020		
		March 4, 2020	Request for additional information Brian provided more information Jeff Baker said he'd present to the board	March 4, 2020 March 4, 2020
Inter-Neighborhood Cooperation (INC)	RNO	March 3, 2020	No response	
Northeast Denver Friends and Neighbors (NEDFANS)	RNO	March 3, 2020	No response	
Opportunity Corridor Coalition of United Residents	RNO	March 3, 2020	No response	
Rio Norte	RNO	March 3, 2020	No response	
The Points Historical Redevelopment Corp	RNO	March 3, 2020	No response	
UCAN	RNO	March 3, 2020	No response	
			No response	
Party	Type of party	Date of contact with Brian Dunn	Reason	Date of response
Office of Councilwoman CdeBaca	City Council	February 26, 2020	Brian emailed a meeting request Scheduling emails	Various
		March 9, 2020	Had a meeting with Ms. Lisa Calderon and short discussion with Councilwoman CdeBaca	
		March 11, 2020	Brian asked Lisa if there are any questions Lisa responded that there are no questions	March 12, 2020



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,

A handwritten signature in black ink, appearing to read "Matthew J. Van Sistine", is written over a horizontal line.

Matthew J. Van Sistine  
President  
Ballpark Collective/Ballpark Neighborhood Association

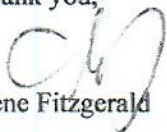
Gene Fitzgerald  
2200 Lawrence Street  
Denver, CO 80205

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,

  
Mike Kelly



**DENVER  
RESCUE  
MISSION**

P.O. Box 5206  
Denver, Colorado 80217  
Phone: 303.297.1815  
Fax: 303.294.9503  
DenverRescueMission.org

BRAD MEULI  
PRESIDENT/CEO

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



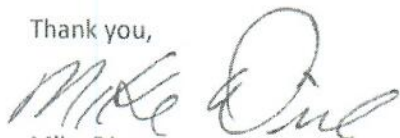
Mike Dire  
Dire's Lock & Key  
2201 Broadway  
Denver, CO 80205

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,

  
Mike Dire

## Brian Dunn

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**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](tel:303-297-1100) | [303-550-8293](tel: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,

A handwritten signature in black ink, appearing to read 'Chase Campbell', written in a cursive style.

Chase Campbell

Jay Soneff

Soneff's Master Garage, Inc.

2140 Arapahoe Street

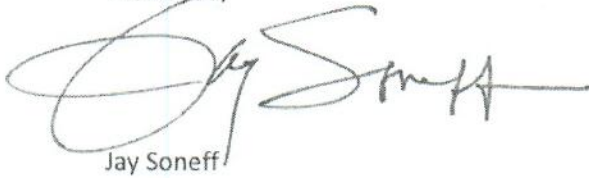
Denver, CO 80205

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,

 property owner 2140 ARAPAHOE ST  
Denver, CO 80205

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.