

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Bellevue Land Group, LLC	Representative Name	
Address	1800 Larimer Street, Suite 1800	Address	
City, State, Zip	Denver, CO 80202	City, State, Zip	
Telephone	(303) 260-4321	Telephone	
Email	rschwartz@westfield-co.com	Email	
<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>	
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):	A portion of the property located at 6502 East Union Avenue (formerly 4900 South Monaco Street as reflected in the Assessor's record)		
Assessor's Parcel Numbers:	0708400203000		
Area in Acres or Square Feet:	4.689 acres		
Current Zone District(s):	B-4 with waivers and conditions, UO-1, UO-2		
PROPOSAL			
Proposed Zone District:	S-MX-12		
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>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that 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 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</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application: None	
<input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
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 (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)
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 Josie Q. Smith</i>	01/01/12	(A)	NO
Bellevue Land Group, LLC By Randy M. Schwartz Manager	6502 East Union Avenue Denver, CO 80237 (303) 260-4321 rschwartz@westfield-co.com	100%	<i>Randy M. Schwartz</i>	4/16/15	(C)	No

Last updated: February 4, 2015 Return completed form to rezoning@denvergov.org

Denver Property Assessment and Taxation System (3.2.2)

6502 E UNION AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
BELLEVUE LAND GROUP LLC 1800 LARIMER ST 1800 DENVER, CO 80202-1411	0708400197000 PIN 163859910	A PARCEL OF LAND BEING A PORTION OF THE SE/4 OF S8 T5S R67W DAF *	COMMERCIAL - MICS IMPROVEMENTS	111D

Summary

Style:	OTHER	Reception No:	Year Built:	0000	
Recording Date:		Building Sqr. Foot:	0	Document Type:	
Bedrooms:		Sale Price:		Baths Full/Half:	0/0
Mill Levy:	96.804	Basement/Finish:	0/0	Zoning Used for Valuation:	CMX
Lot Size:	363,236				

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

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$4,358,800	\$1,264,050	\$0
Improvements	\$78,300	\$22,710	
Total	\$4,437,100	\$1,286,760	
Prior Year			
Land	\$4,358,800	\$1,264,050	\$0
Improvements	\$78,300	\$22,710	
Total	\$4,437,100	\$1,286,760	

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STATEMENT OF AUTHORITY
OF
BELLEVIEW LAND GROUP LLC

STATE OF COLORADO)
) ss.
City and County of Denver)

The undersigned, being of lawful age and being first duly sworn, for the purpose of making this Statement of Authority and complying with the provisions of §38-30-172, C.R.S., does hereby state and affirm as follows:

1. The name of the entity is Belleview Land Group LLC.
2. Belleview Land Group LLC is a limited liability company formed under the laws of the State of Colorado.
3. The mailing address for Belleview Land Group LLC is 1800 Larimer Street, Suite 1800, Denver, Colorado 80202.
4. The names and positions of the persons authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of Belleview Land Group LLC are Randy M. Schwartz, Richard G. McClintock, Ray H. D'Ardenne, and/or Richard Wham (any of which acting along is authorized to bind the group), each as a Manager of Westfield Company XIV LLC, a Colorado limited liability company, as Manager of Belleview Land Group LLC.
5. The authority of the foregoing person(s) to bind the entity is not limited.

EXECUTED as of this 21ST day of August, 2012.

BELLEVIEW LAND GROUP LLC,
a Colorado limited liability company

By: Westfield Company XIV LLC,
a Colorado limited liability company,
its Manager

By: 
Name: Randy M. Schwartz
Title: Manager

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

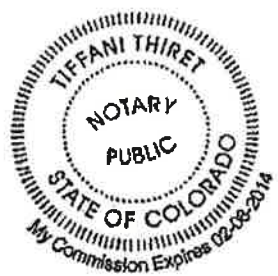
The foregoing instrument was acknowledged before me this 21st day of August, 2012, by Randy M. Schwartz as Manager of Westfield Company XIV LLC, a Colorado limited liability company, as Manager of Belleview Land Group LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 2-8-2014



Notary Public



OTTENJOHNSON

ROBINSON NEFF + RAGONETTI, PC

March 25, 2015

BRIAN J. CONNOLLY
303 575 7589
BCONNOLLY@OTTENJOHNSON.COM

Planning Services
Community Planning and Development
City and County of Denver
201 West Colfax Avenue, Dept. 205
Denver, Colorado 80202

Re: 4900 South Monaco Street—Rezoning Narrative

To Whom It May Concern:

Our Firm represents Westfield Company, Inc. and its affiliate, Belleview Land Group, LLC (“Westfield”), owner of that certain real property located at 4900 South Monaco Street (the “Property”) in the City and County of Denver (the “City”). Westfield seeks an Official Map Amendment (the “Rezoning”) with respect to the Property, which is currently zoned in the B-4 zone district with waivers and conditions (the “B-4 District”) under Former Chapter 59 of the Denver Revised Municipal Code. The waivers and conditions applicable to the Property are set forth in City Council Ordinance No. 949, Series of 2005. Westfield wishes to rezone the Property to the Suburban Mixed-Use 12-story district (the “S-MX-12 District”) provided under the current Denver Zoning Code (the “D.Z.C.”). This narrative is being provided as a supplement to the rezoning application submitted by Westfield in order to demonstrate the conformance of the Rezoning with the review criteria for rezoning actions set forth in D.Z.C. §§ 12.4.10.7 and 12.4.10.8.

General Review Criteria

The general review criteria are set forth in D.Z.C. § 12.4.10.7. The Rezoning meets the general review criteria as set forth below.

Consistency With Adopted Plans. The Rezoning is consistent with the City’s adopted plans. Adopted plans which relate to the Property include Comprehensive Plan 2000 (“Comp Plan 2000”) and Blueprint Denver (“Blueprint”).

The Rezoning is consistent with Comp Plan 2000 as follows:

- As the Property is located in an existing developed neighborhood with infrastructure already in place, the Rezoning promotes infill development within the City at a site where services and infrastructure are presently in place; will permit development of a mixed-use community; will create density at a transit

node; and will minimize land disturbance through construction practices. (Sustainability Strategy 2-F, Legacies Strategy 3-A) The Property is located within the Denver Tech Center, a major employment center, and the Rezoning therefore promotes the creation of a sustainable community where jobs and other services are accessible by multiple forms of transportation. (Sustainability Strategy 4-A) Furthermore, because the S-MX-12 District will allow the development of a mix of uses on the Property which will discourage automobile travel between properties, the Rezoning promotes energy efficiency in patterns of development. (Sustainability Strategy 4-B)

- Because the Property is located in close proximity to the Belleview light rail station, the Rezoning encourages mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces environmental impact, encourages vibrant urban centers and neighborhoods. (Land Use Strategy 4-A, Mobility Strategy 5-D, Legacies Strategy 3-B, Housing Strategy 2-F, Housing Strategy 6-A) The Rezoning will support a variety of mobility choices, including light rail, buses, walking and bicycling. (Land Use Strategy 4-B)

The Rezoning is consistent with Blueprint as follows:

- The Property is located in a Mixed Use area as designated on the Blueprint plan map. Mixed Use areas are intended for higher-intensity development in areas with both housing and a sizable employment base. (Blueprint p. 41) The Rezoning to the S-MX-12 District, which is a mixed-use district, is consistent with the Blueprint designation for the Property.
- Mixed Use areas are intended to be proximate to light rail stops, and to have densities of 1 to 1.5 FAR or higher, and 20 to 50 dwelling units per acre or higher. (Blueprint p. 64) The Rezoning will accomplish the foregoing goals.

Uniformity of District Regulations. The Rezoning does not propose any deviations or modifications from the standards of the S-MX-12 District, and is therefore consistent with the uniformity requirement.

Public Health, Safety, and General Welfare. The Rezoning will not have any adverse impact on public health or safety, and because the Rezoning will encourage mixed-use development in an area proximate to a light rail stop with existing infrastructure, the general welfare will be improved.

Additional Review Criteria for Non-Legislative Rezonings

The additional review criteria for non-legislative rezonings are set forth in D.Z.C. § 12.4.10.8. The Rezoning meets these additional criteria as set forth below.

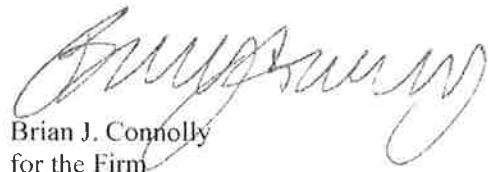
Changed Circumstances. The Property and its surrounding environs has changed and is changing to such a degree and it is in the public interest to recognize the changed character of the area. The construction of the RTD light rail line along the I-25 corridor, and the opening of the Belleview light rail station, along with extensive mixed-use development in the area lying to the east of the Property and surrounding the Belleview light rail station are the most significant changes to occur in the immediate vicinity of the Property, and both

dictate toward rezoning the Property to permit mixed-use office, retail, and residential development. Additionally, the City's adoption of the D.Z.C. is a changed circumstance which affords Westfield the opportunity to move away from the antiquated waivers and conditions, including floor area limits, imposed by the existing zoning designation for the Property. Finally, the changing nature of commercial office development—which is becoming increasingly oriented toward mixed-use development which incorporates office and residential uses—will prevent the Property from being developed with standalone office or other commercial development.

Consistency With Neighborhood Context and Zone District Purpose and Intent. The suburban mixed-use zone districts are intended to provide safe, active, pedestrian-scaled, diverse areas and to enhance the convenience and ease of walking, shopping and public gathering in the City's neighborhoods, and such districts are appropriate along corridors, for larger sites, and at major intersections. The Rezoning will meet and accomplish all of the foregoing purposes for the S-MX-12 District. The Rezoning will permit the development of a mixed-use project which will encourage walking and the use of alternative transportation options including but not limited to light rail, and the Rezoning will allow the integration of multiple uses into a single site to enhance walking, shopping and gathering in the area near Belleview station. The Property is located immediately adjacent to East Belleview Avenue, which is a major arterial and is very close to the major intersection of Belleview Avenue and I-25.

The foregoing establishes the Rezoning's compliance with the requirements of D.Z.C. §§ 12.4.10.7 and 12.4.10.8. On behalf of Westfield, we appreciate your consideration of Westfield's application and we respectfully request the City's approval of the Rezoning request.

Sincerely,



Brian J. Connolly
for the Firm

BJC/abm

cc: Randy Schwartz, Westfield Company, Inc. (via email, rschwartz@westfield-co.com)
Sean Maley, CRL Associates (via email, smaley@crlassociates.com)

1330034 1

EXHIBIT A
LAND DESCRIPTION

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

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8 HAVING A BEARING OF NORTH 90°00'00" EAST.

COMMENCING AT THE SOUTHEAST CORNER OF ZONE LOT 13, AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NUMBER 2012116552 IN THE RECORDS OF THE CLERK AND RECORDER IN THE CITY AND COUNTY OF DENVER;

THENCE, ALONG THE EASTERLY BOUNDARY OF SAID ZONE LOT 13, THE FOLLOWING TWO (2) COURSES;

1. NORTH 00°02'57" WEST, A DISTANCE OF 173.25 FEET;
2. NORTH 00°16'06" WEST, A DISTANCE OF 127.90 FEET TO THE POINT OF BEGINNING;

THENCE, CONTINUING NORTH 00°16'06" WEST ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 3.29 FEET TO THE SOUTHEAST CORNER OF ZONE LOT 20 AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NUMBER 2012116552 IN THE RECORDS OF THE CLERK AND RECORDER IN THE CITY AND COUNTY OF DENVER;

THENCE, ALONG THE EASTERLY BOUNDARY OF SAID ZONE LOT 20, NORTH 00°03'14" WEST, A DISTANCE OF 168.27 FEET;

THENCE NORTH 00°47'49" EAST, A DISTANCE OF 558.90 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF EAST UNION AVENUE, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1,235.10 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 06°51'05" WEST;

THENCE, ALONG SAID SOUTHERLY RIGHT-OF-WAY, THE FOLLOWING THREE (3) COURSES;

1. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°53'34", AN ARC LENGTH OF 105.47 FEET;
2. NORTH 78°15'18" EAST, A DISTANCE OF 55.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 90.00 FEET;
3. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 101°09'23", AN ARC LENGTH OF 158.90 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SOUTH NIAGARA STREET;

THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY, THE FOLLOWING TWO (2) COURSES;

1. SOUTH 00°35'19" EAST, A DISTANCE OF 558.32 FEET;
2. SOUTH 00°22'18" EAST, A DISTANCE OF 113.28 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 280.88 FEET TO THE POINT OF BEGINNING.

EXHIBIT A (CONT.)

CONTAINING AN AREA OF 4.689 ACRES, (204,234 SQUARE FEET), MORE OR LESS.

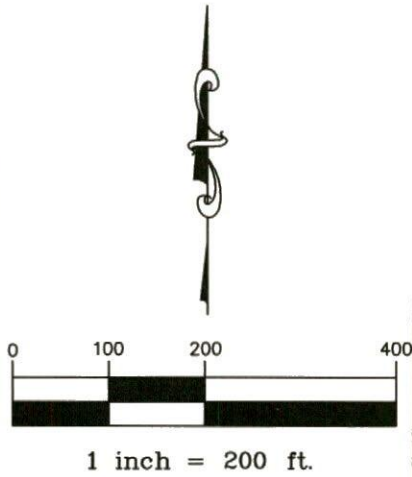


JAMES E. LYNCH, PLS
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898

EXHIBIT A

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED SURVEY. IT IS INTENDED ONLY
TO DEPICT THE ATTACHED DESCRIPTION.

SE 1/4 SEC. 8,
T.5S., R.67W., 6TH P.M.



SOUTH MONACO STREET
(120' R.O.W.)

EAST UNION AVE.
(120' R.O.W.)

SOUTH NIAGARA STREET
(R.O.W. WIDTH VARIES)

N78°15'18"E
55.61'
Δ=4°53'34"
R=1235.10'
L=105.47'

Δ=101°09'23"
R=90.00'
L=158.90'

N06°51'05"W(R)
ZONE LOT 31
SPECIAL WARRANTY DEED
REC. NO. 2012102197

ZONE LOT 34
CONTAINS
204,234 (SQ.FT.)
4.689 ACRES
MORE OR LESS

ZONE LOT 20
SPECIAL WARRANTY DEED
REC. NO. 2012116552

N00°03'14"W
168.27'

N00°16'06"W
3.29'

ZONE LOT 13
SPECIAL WARRANTY DEED
REC. NO. 2012116552

N00°16'06"W
127.90'

N00°02'57"W
173.25'

POINT OF BEGINNING

ZONE LOT 31
SPECIAL WARRANTY DEED
REC. NO. 2012102197

POINT OF COMMENCEMENT

N00°47'49"E 558.90'

S00°35'19"E 558.32'

S00°22'18"E
113.28'

BASIS OF BEARINGS
SOUTH LINE, SE 1/4, SEC 8
N 90°00'00" E

EAST BELLEVIEW AVENUE
(R.O.W. WIDTH VARIES)

S 1/4 COR. SEC. 8
T.5S., R.67W., 6TH P.M.

SE COR. SEC. 8
T.5S., R.67W., 6TH P.M.

PATH: V:\23414-06\DWG
DWG NAME: PARCEL A
DWG: TP CHK: DSB
DATE: 5-27-2015
SCALE: 1" = 200'



300 East Mineral Ave,
Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com

PARCEL EXHIBIT

SE 1/4, SEC. 8, T5S, R67W, 6TH P.M.
CITY AND COUNTY OF DENVER, COLORADO

JOB NUMBER 23415-06

PAGE 3 OF 3