



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	5050 South Syracuse LLC	Representative Name	Michael Komppa
Address	4725 South Monaco Street, #215	Address	600 South Cherry Street, Suite 625
City, State, Zip	Denver, CO 80237	City, State, Zip	Glendale, CO 80246
Telephone	303-761-5213	Telephone	303-796-2000
Email	jwoodward@practicallawyer.com	Email	mike.komppa@corumrealestate.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>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	5050 South Syracuse Street; Denver, CO 80237		
Assessor's Parcel Numbers:	163037561		
Area in Acres or Square Feet:	1.262 Acres or 55,000		
Current Zone District(s):	B-8 Waivers, UO-1, UO-2		
PROPOSAL			
Proposed Zone District:	SMX-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

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.
 - 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.
 - 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

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:



REZONING GUIDE

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
5050 South Syracuse LLC, a Colorado limited liability company	5050 South Syracuse St. Denver, CO 80237	100%	<i>Jarvis</i>	<i>11/3/05</i>	B	Yes
					B	
					B	
					B	
					B	

Last updated: February 4, 2015

Return completed form to rezoning@denvergov.org

311 | FOR INFORMATION & CITY SERVICES

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

5050 SOUTH SYRACUSE, LLC
4725 South Monaco Street, #215
Denver, Colorado 80237
303-761-5213

November 3, 2015

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

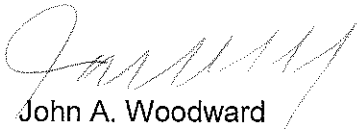
Re: 5050 South Syracuse Street, Denver, Colorado 80237
APN 163037561

To Whom It May Concern:

5050 South Syracuse, LLC, a Colorado limited liability company, is the owner of the above-referenced property. Please accept this letter as authorization for Corum Real Estate Group and Michael Komppa, Eric Komppa or Phil Buckley to serve as our representative in all matters pertaining to our application to rezone the property.

Sincerely,

5050 SOUTH SYRACUSE, LLC
A Colorado limited liability company



John A. Woodward
Agent

JAW:jp



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Government

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Denver Property Assessment and Taxation System (3.2.3)

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5050 S SYRACUSE ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
5050 SOUTH SYRACUSE LLC 4725 S MONACO ST 215 DENVER , CO 80237-3445	0709300131000 PIN 163037561	T5 R67 S9 SW/4 BEG CENTER LINESYRACUSE ST & S LINE SW/4 TH N205.72FT CV/L 371FT NE 60FT TOTPOB TH NE 226.51FT N 78.26FT NW 155.57FT SW 250FT SE 140FT	COMMERCIAL - RESTAURANT	125B

Summary | Assessment | Assessment Protest | Taxes | Comparables | Neighborhood Sales | Chain of Title

Property Summary

Property Map

Assessment

Actual Value Year: 2015

Actual Value: \$1,594,000

[More](#)

Property

Year Built: 1981

Square Footage: 10628

[More](#)

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price	PIN
No comparables available for this property.				

[More](#)

136.50-3

SPECIAL WARRANTY DEED

[Statutory Form - C.R.S. § 38-30-115]

SYSTEM RETIREMENT TRUST FUND, a trust fund organized under the laws of the State of Colorado, f/k/a Denver Public School Employees' Pension and Benefit Association ("Grantor"), whose street address is 1301 Pennsylvania Street, Suite 700, Denver, Colorado 80203, for Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, hereby sells and conveys to 5050 SOUTH SYRACUSE LLC, a Colorado limited liability company, whose street address is 2525 15th Street, Unit 1C, Denver, Colorado 80211, the real property in the City and County of Denver and State of Colorado that is legally described on Exhibit A attached hereto, with all its appurtenances and warrants the title against all persons claiming under Grantor, subject to the matters set forth on Exhibit B attached hereto.

Signed as of November 30, 2001.

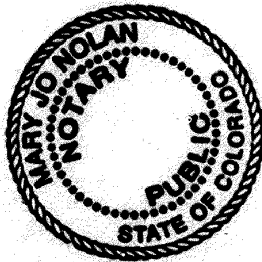
SYSTEM RETIREMENT TRUST FUND, a trust fund organized under the laws of the State of Colorado, f/k/a Denver Public School Employees' Pension and Benefit Association

By: E. Albert Thomas
E. Albert Thomas
Chief Investment Officer

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

The foregoing instrument was acknowledged before me this 30th day of November, 2001 by E. Albert Thomas as Chief Investment Officer for System Retirement Trust Fund, a trust fund organized under the laws of the State of Colorado, f/k/a Denver Public School Employees' Pension and Benefit Association.

Witness my hand and official seal.



Mary Jo Nolan
Notary Public
Commission Expires 10/30/03

Exhibit A

LEGAL DESCRIPTION

A tract of land in the SW 1/4 of A Subdivision of Section 9, Township 5 South, Range 67 West of the 6th P.M., more particularly described as follows:

Commencing at the point of intersection of the centerline of South Syracuse Street and the South line of said SW 1/4;
thence North along said centerline of South Syracuse Street 205.72 feet to a point of curvature;
thence along a curve to the left having a radius of 1273.24 feet and a central angle of 16° 41' 42" an arc distance of 371.00 feet;
thence radially to the right 60.00 feet to the True Point of Beginning;
thence continuing along the last mentioned course an additional distance of 226.51 feet;
thence on an angle to the left of 73° 50' 35" a distance of 78.26 feet;
thence on an angle to the left of 19° 26' 31" a distance of 155.58 feet;
thence on an angle to the left of 90° a distance of 230.00 feet;
thence on an angle to the left of 90° a distance of 140.00 feet to a point of curvature;
thence along a curve to the right having a radius of 1333.24 feet and a central angle of 3° 17' 06" an arc distance of 76.44 feet to the True Point of Beginning,
City and County of Denver,
State of Colorado.

Known and numbered as 5050 South Syracuse Street, Denver, Colorado.

Exhibit B

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2001 and subsequent years, a lien not yet due and payable.
2. Reservations made by the Union Pacific Railway Company in deed recorded April 3, 1896, in Book 1122 at Page 78, providing substantially as follows: Reserving unto the company and its assigns all coal that may be found underneath the surface of land herein described and the exclusive right to prospect and mine for same, also such right of way and other grounds as may appear necessary for proper working of any coal mines that may be developed upon said premises, and for transportation of coal from same; and any and all assignments thereof or interests therein.

By instrument recorded August 31, 1968, in Book 1616 at Page 519, December 17, 1964, in Book 1566 at Page 402, and June 6, 1969, in Book 1816 at Page 4, the Union Pacific Railway Company relinquished its rights to enter upon or damage the surface of the land.

3. Covenants, conditions and restrictions, which do not include a forfeiture or reverter clause, set forth in the instrument recorded July 13, 1976, in Book 1282 at Page 381. Provisions regarding race, color, creed and national origin, if any, are deleted.
4. An easement for underground communications and incidental purposes granted to The Mountain States Telephone and Telegraph Company by the instrument recorded June 11, 1975, in Book 1068 at Page 183.
5. Easements and right of way and the terms, conditions, burdens and obligations contained in conveyance of easements recorded February 28, 1979, in Book 1858 at Page 690.
6. An easement for utility lines and incidental purposes granted to Public Service Company of Colorado by the instrument recorded June 4, 1980, in Book 2166 at Page 635.
7. Terms, conditions and provisions contained in Memorandum of Lease dated October 6, 1987, with Famous Restaurants, Inc., a Delaware corporation, as tenant, recorded March 30, 1988, at Reception No. 00250964. Assignment to Garcia's Restaurants Inc., recorded November 14, 1989, at Reception No. 89-104766.
8. Those matters affecting title as shown on the survey dated October 25, 2001, by Kurt O. Linn Surveyor, Inc., Job No. 0109-16.

5050 South Syracuse – Review Criteria Narrative

Describe 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.

Several areas of the Denver Tech Center have been rezoned from Former Chapter 59 B-8 zoning to S-MX-12. The closest rezoned area to our site is at the intersection of South Syracuse Street and East Bellevue Avenue where it is currently zoned S-MX-12 UO-1, UO-2. To keep consistent with the few zone lots that have been rezoned in the Denver Tech Center to current standards, we are proposing to rezone our site to S-MX-12.

Provide an attachment describing the justifying circumstance

The current zoning of the property is outdated and a part of former Chapter 59 of the old Denver Zoning Code. The B-8 zoning with waivers needs to be updated to similar current zoning which is determined to be Suburban Mixed Use 12 (S-MX-12) for this site. This zoning will help maintain the current feel and design of the Suburban Office Park while bringing the zoning up to current City of Denver standards.

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.

The Suburban Neighborhood Context allows for office parks where multi-unit residential and commercial uses are primarily located along arterial and collector streets. Building heights in the Suburban Neighborhood context are characterized by low scale buildings except for some mid- and high-rise multi-unit residential and commercial structures, particularly along arterial streets. The Mixed Use District is appropriate at major intersections and arterial streets where the building form balances the importance of street presence and provides adequate screened parking while activating the street level experience.

The project site is located off of South Syracuse Street, a major arterial street so that the proposed zoning of S-MX-12 applies as it is served primarily by a major Arterial Street (South Syracuse Street) where a building scale of 1 to 12 stories is desired.