

## 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	100 Saint Paul, LLC	Representative Name	Randall Phelps
Address	270 Saint Paul Street, Ste 300	Address	990 South Broadway, Ste 200
City, State, Zip	Denver, CO 80206	City, State, Zip	Denver, CO 80209
Telephone	303 371 9000	Telephone	303 228 2336 (303 228 2300 Main)
Email	PaulP@paulscorp.com	Email	randall.phelps@kimley-horn.com
<p><b>*If More Than One Property Owner:</b>            All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	100 Saint Paul Street and 149 Steele Street, see legal description in attachments		
Assessor's Parcel Numbers:	163900995 (100 St Paul) and 163901002 (149 Steele St)		
Area in Acres or Square Feet:	78,692 Square Feet		
Current Zone District(s):	PUD 630		
PROPOSAL			
Proposed Zone District:	C-CCN-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. 12.4.10.13</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. 12.4.10.14</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning 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>
	<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	
<p>Please ensure the following required attachments are submitted with this application:</p>	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria (Included within document)</p>	
ADDITIONAL ATTACHMENTS	
<p>Please identify any additional attachments provided with this application:</p>	
<p><input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)</p>	
<p>Please list any additional attachments:</p>	
<p> </p>	



# REZONING GUIDE

Rezoning Application Page 3 of 3

## 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)
100 Saint Paul, LLC	270 St Paul St Suite 300 Denver, CO 80206	78%		1-19-15	(A)	YES
FIRST BANK OF CHERRY CREEK	PO BOX 150097 LAKEWOOD, CO 80215-0097	22%		12.11.14	(A)	YES

Last updated: June 20, 2014

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

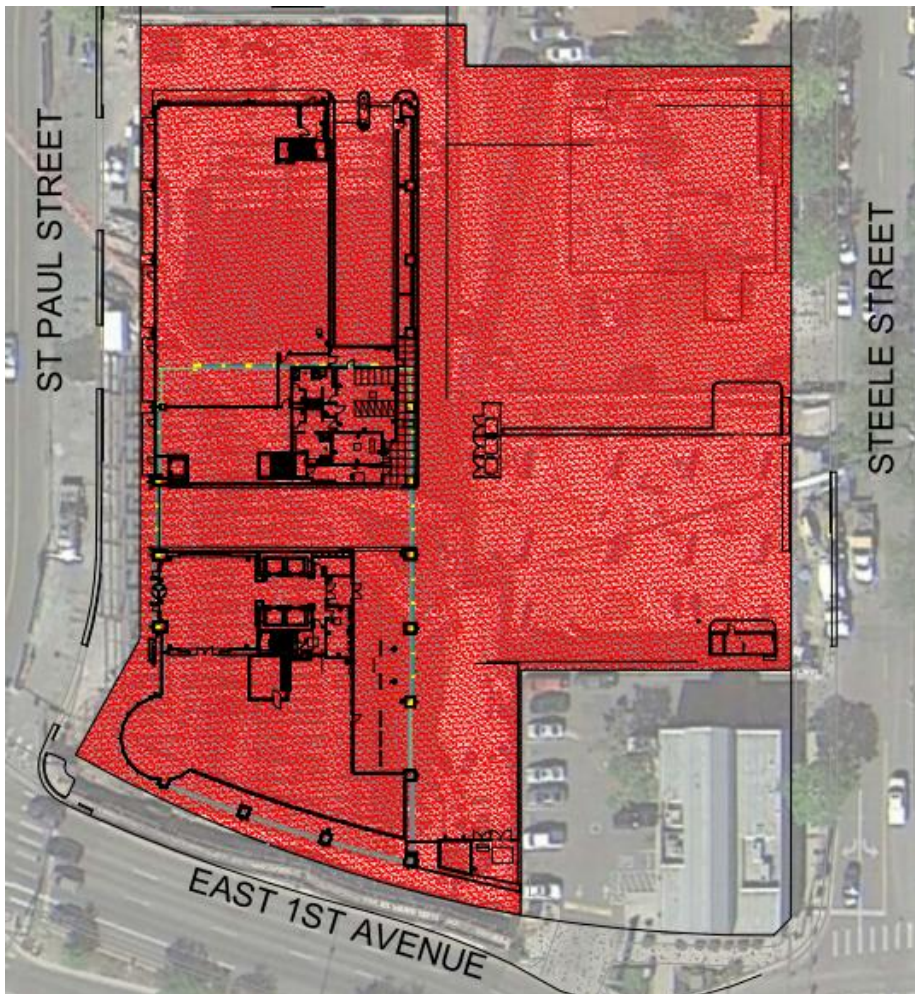
**311** FOR INFORMATION & CITY SERVICES

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720.865.2974 • [rezoning.denvergov.org](http://rezoning.denvergov.org)

# Zone Map Amendment To replace PUD 630



JANUARY, 2015

Prepared By:

**Kimley»Horn**

990 South Broadway, Suite 200

Denver, Colorado 80209

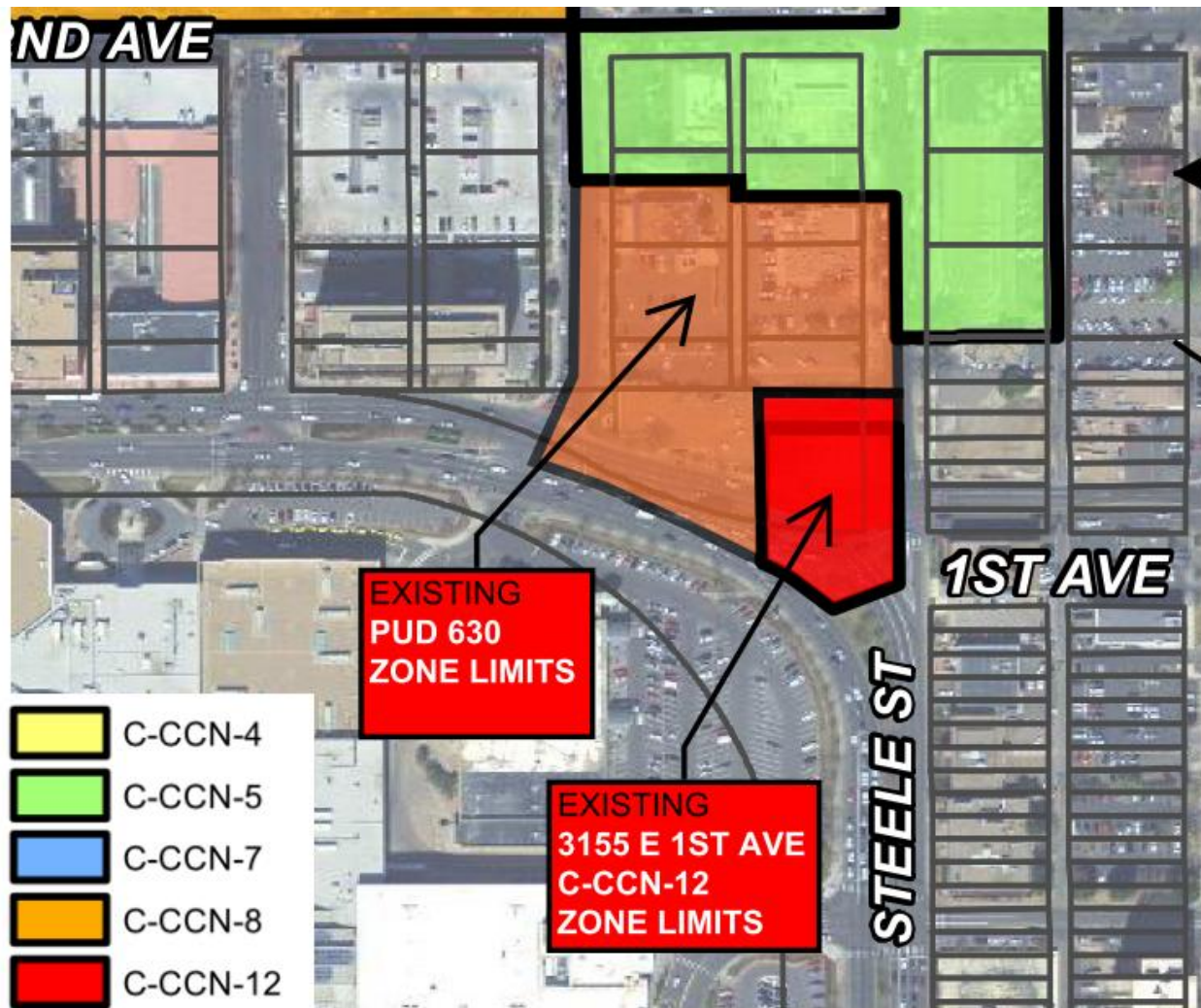
303.228.2300

## Contents

REZONING SUMMARY .....	3
GENERAL REVIEW CRITERIA .....	4
Consistency with Adopted Plans .....	4
Uniformity of District Regulations and Restrictions.....	6
Public Health, Safety and General Welfare.....	6
ADDITIONAL REVIEW CRITERIA .....	7
Justifying Circumstances.....	7
ATTACHMENTS .....	8
<i>Rezoning Application</i>	
<i>Legal Description</i>	
<i>Proof of Ownership Document(s)</i>	
<i>Written Authorization to Represent Property Owner(s)</i>	

## REZONING SUMMARY

The request for rezoning of the property is made with careful consideration of the neighborhood in which the property resides, Cherry Creek North. The PUD 630 zoning was established for the office building that is under construction, 100 Saint Paul, and the property along Steele Street for a future second building. Since that zoning change, 12-story projects on nearby sites have pursued individual zone changes and have subsequently commenced construction. On October 25<sup>th</sup> of this year, City Council approved the Cherry Creek District Zoning, establishing C-CCN zoning over the properties to the north, south and east of PUD 630. **This application is prepared on behalf of the property owners who wish to “opt-in” to the recently adopted C-CCN zoning to become zoned as C-CCN-12.**



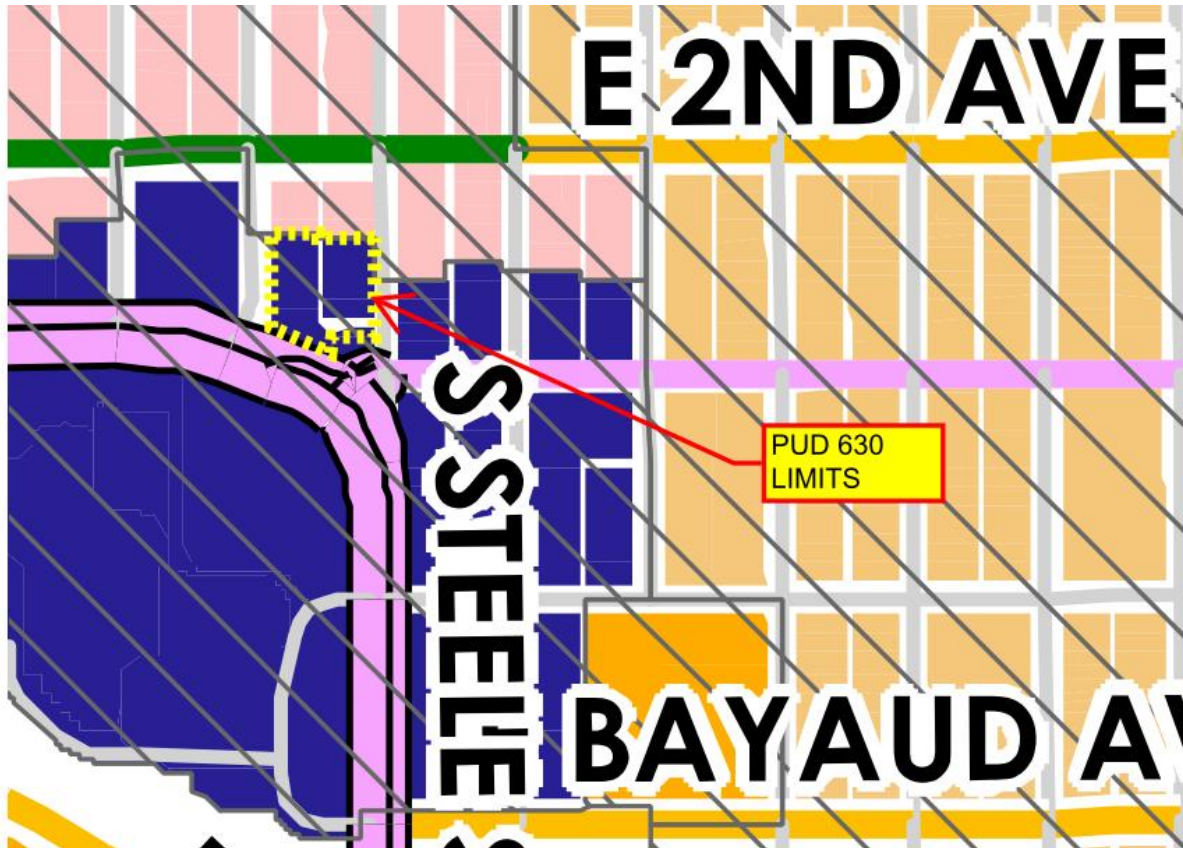
A completed Rezoning Application can be found in the Appendix.

## GENERAL REVIEW CRITERIA

### CONSISTENCY WITH ADOPTED PLANS

The proposed official map amendment is consistent with the City's adopted plans as follows:

#### Blueprint Denver (2002)



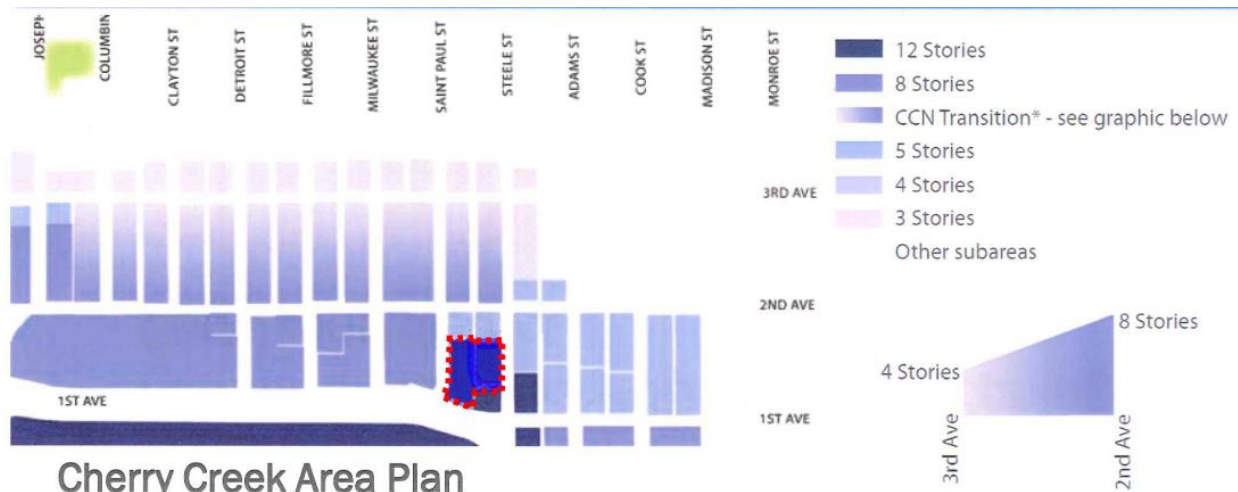
SOURCE: BLUEPRINT DENVER (2002)



The area is designated as an Area of Change and a Regional Center with higher density residential and commercial uses.

## Cherry Creek Area Plan (2012)

The area is designated as a Regional Center with a maximum recommended building height of 12 stories.



### Cherry Creek Area Plan

- Maximum Building Height Recommendation – 12 stories



## UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS

The proposed official map amendment would result in regulations and restrictions that are consistent with surrounding C-CCN and C-MX designations. See map below.



## PUBLIC HEALTH, SAFETY AND GENERAL WELFARE

The proposed official map amendment would further the public health, safety, and general welfare of the City because it would allow the redevelopment of buildings that have reached their service life and no longer meet the needs of ownership and the community.

## ADDITIONAL REVIEW CRITERIA

### JUSTIFYING CIRCUMSTANCES

The land and its surroundings have changed and are changing to such a degree that rezoning is in the public interest to encourage redevelopment of the area. Construction of the 8-story office building at 100 Saint Paul Street and the 12-story Steele Creek residences began in 2013 and the construction of the 12-story Coda Cherry Creek residences started in mid-2014. Immediately to the south of the 155 Steele Street parcel, the Wells Fargo bank property at 3155 East 1<sup>st</sup> Avenue is zoned for 12-story development as well.



The proposed official map amendment is consistent with the immediate and regional neighborhood context for building heights and uses. Additionally, the proposed Zone District, C-CCN-12, is consistent with the referenced plans and studies.

## ATTACHMENTS

- Rezoning Application*
- Legal Description (in PDF and Microsoft Word document format)*
- Proof of Ownership Document(s)*
- Written Authorization to Represent Property Owner(s)*

**LAND DESCRIPTION**  
**PAGE 1 OF 2**

A PARCEL OF LAND BEING PLOT A ½, PLOT 1, THE SOUTH 66 2/3 FEET OF PLOT 2, THE SOUTH ½ OF PLOT 5, PLOT 6, AND PLOT B ½, BLOCK 72, HARMAN'S SUBDIVISION, A PORTION OF BLOCK C, COLODEN MOOR AND A PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 244, SERIES OF 2011 RECORDED MAY 6, 2011 AT RECEPTION NO. 2011050220, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID BLOCK 72; THENCE SOUTH 00°01'33" WEST ALONG THE EAST LINE OF SAID BLOCK 72 AND THE WEST RIGHT-OF-WAY LINE OF STEELE STREET A DISTANCE OF 149.85 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING THE NORTHEAST CORNER OF THE SOUTH ½ OF SAID PLOT 5; THENCE CONTINUING SOUTH 00°01'33" WEST ALONG THE EAST LINE OF SAID BLOCK 72 AND THE WEST RIGHT-OF-WAY LINE OF SAID STEELE STREET A DISTANCE OF 245.68 FEET; THENCE NORTH 89°58'27" WEST A DISTANCE OF 110.00 FEET; THENCE SOUTH 00°01'33" WEST A DISTANCE OF 99.83 FEET TO A POINT OF NON-TANGENT CURVE ON THE SOUTH LINE OF BLOCK C OF SAID COLODEN MOOR, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF EAST FIRST AVENUE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, ALONG THE SOUTH LINE OF SAID BLOCK C AND THE NORTH RIGHT-OF-WAY LINE OF SAID EAST FIRST AVENUE, HAVING A CENTRAL ANGLE OF 18°27'17", A RADIUS OF 600.00 FEET AND AN ARC LENGTH OF 193.26 FEET, WHOSE CHORD BEARS NORTH 70°10'58" WEST A DISTANCE OF 192.42 FEET TO THE POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ST. PAUL STREET; THENCE NORTH 29°01'53" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ST PAUL STREET A DISTANCE OF 53.90 FEET; THENCE NORTH 00°01'53" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ST. PAUL STREET AND ALONG THE WEST LINE OF SAID BLOCK 72 AND SAID WEST LINE EXTENDED SOUTHERLY, A DISTANCE OF 249.92 FEET TO THE NORTHWEST CORNER OF THE SOUTH 66 2/3 FEET OF SAID PLOT 2; THENCE SOUTH 89°57'44" EAST ALONG THE NORTH LINE OF THE SOUTH 66 2/3 FEET OF SAID PLOT 2 A DISTANCE OF 124.84 FEET TO THE NORTHEAST CORNER OF THE SOUTH 66 2/3 FEET OF SAID PLOT 2 AND THE WEST LINE OF THE EXISTING 15 FOOT ALLEY; THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE WEST, SOUTH AND EAST LINES OF SAID EXISTING ALLEY:

1. THENCE SOUTH 00°01'53" WEST A DISTANCE OF 23.71 FEET;
2. THENCE SOUTH 09°58'07" EAST A DISTANCE OF 29.47 FEET;
3. THENCE SOUTH 00°01'53" WEST A DISTANCE OF 90.36 FEET;
4. THENCE SOUTH 89°58'07" EAST A DISTANCE OF 9.88 FEET TO A POINT ON THE EAST LINE OF SAID EXISTING ALLEY, SAID POINT BEING ON THE WEST LINE OF SAID PLOT 6;
5. THENCE NORTH 00°01'53" EAST ALONG THE EAST LINE OF SAID EXISTING ALLEY AND ALONG THE WEST LINE OF SAID PLOTS 6 AND 5 A DISTANCE OF 126.46 FEET TO THE NORTHWEST CORNER OF THE SOUTH ½ OF SAID PLOT 5;

THENCE SOUTH 89°57'48" EAST ALONG THE NORTH LINE OF THE SOUTH ½ OF SAID PLOT 5 A DISTANCE OF 125.06 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 78,691 SQUARE FEET OR 1.8065 ACRES.

ROBERT D. SNODGRASS, PLS 36580  
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR

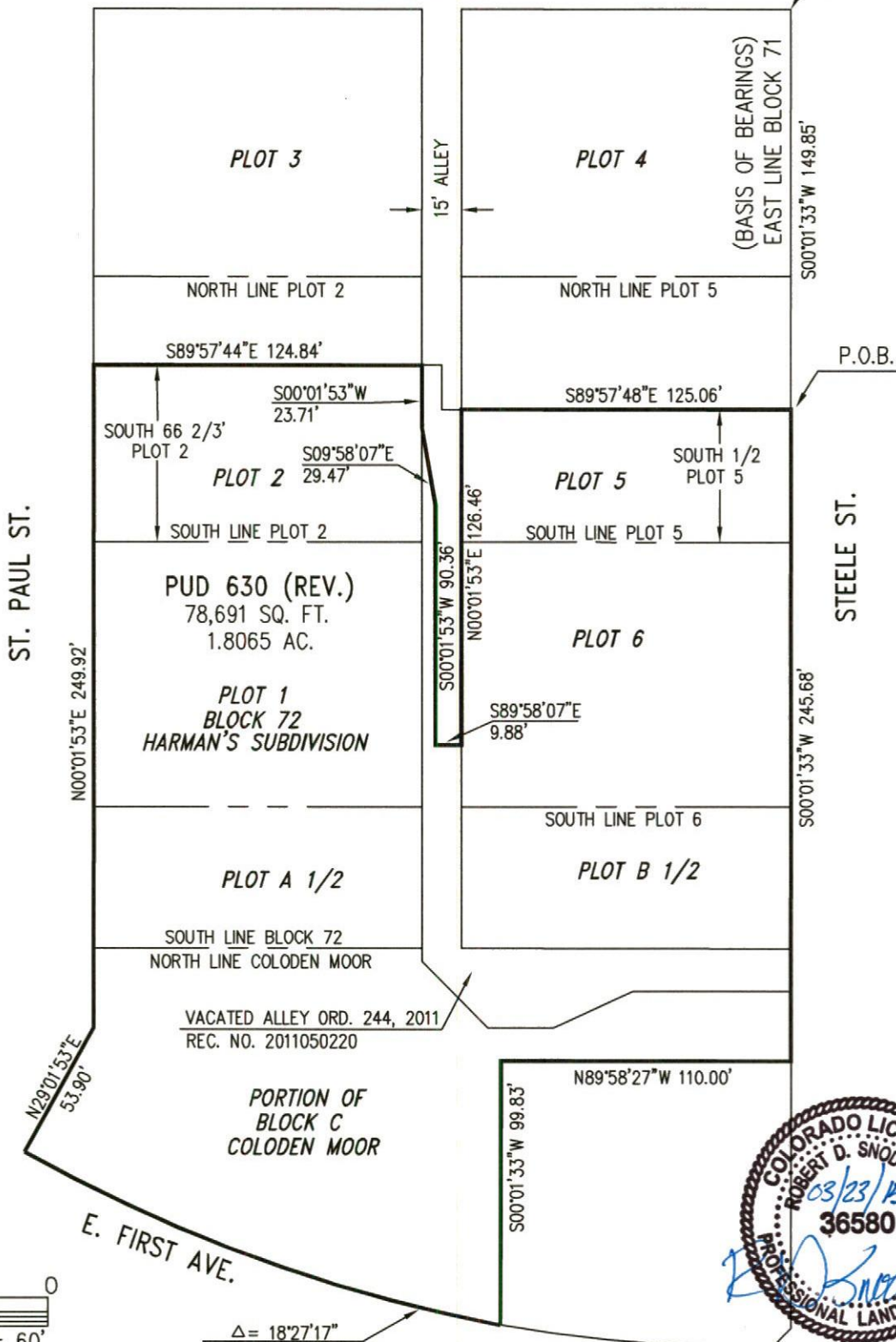
MARCH 23, 2015  
FILE: PUD 630 REV



LAND DESCRIPTION  
PAGE 2 OF 2

E. SECOND AVE.

P.O.C.  
NE COR.  
BLOCK 72



60 30 0  
SCALE: 1" = 60'  
PUD 630 REV.DWG  
3-23-15

$\Delta = 18^{\circ}27'17''$   
R = 600.00'  
L = 193.26'  
CHD = N70°10'58"W  
192.42'



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

Denver Property Assessment and Taxation System (3.2.2)

## 100 SAINT PAUL ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
100 SAINT PAUL LLC 270 SAINT PAUL ST 300 DENVER , CO 80206-5133	0512232031000 <b>PIN</b> 163900995	HARMSN SUB B 72 PT PLOT A1/2, PLOT 1, S 66 2/3FT PLOT 2,PLOTB1/2 PT PLOT 6 & ADJ ALLEY DAF*	VACANT LAND	166A

### Assessment

Actual Value Year: 2014 Actual Value: \$7,067,200

### Property

Year Built: 0 Square Footage: 0

### Comparables

Schedule Number / Parcel Id Address Sale Month/Year Sales Price PIN

No comparables available for this property.

# 100 SAINT PAUL, LLC

270 ST. PAUL STREET SUITE 300  
DENVER, COLORADO 80206  
303.371.9000 FAX: 303.371.1465

January 13, 2015

City and County of Denver  
201 West Colfax Avenue  
Denver, CO 80202

Re: **Zone Map Amendment - PUD 630**

Dear City and County of Denver:

100 Saint Paul, LLC hereby authorizes Randall Phelps, of Kimley-Horn, to represent 100 Saint Paul, LLC for a Zone Map Amendment of the property referenced in PUD 630.

Sincerely,



Brian Pauls  
Authorized Signatory, 100 Saint Paul, LLC

C: Randall Phelps, Kimley-Horn  
File

**100 SAINT PAUL, LLC**

270 ST. PAUL STREET SUITE 300  
DENVER, COLORADO 80206  
303.371.9000 FAX: 303.371.1465

**Manager's Certificate  
of  
100 Saint Paul, LLC**

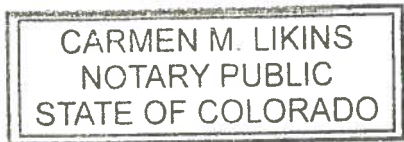
I, Brian Pauls, hereby certify that Pauls Real Estate Investments, LLC, a Colorado limited liability company is the Manager of 100 Saint Paul, LLC and that I am an Authorized Signatory of Manager, as indicated in the 100 St. Paul, LLC Amended and Restated Operating Agreement, dated January 3, 2013 section 5.2. Further, I have the authority to bind the company by executing all documents relating to real estate, development, permitting, platting, among other document types.


  
\_\_\_\_\_  
Brian Pauls, Authorized Signatory

STATE OF COLORADO            )  
  )  
CITY & COUNTY OF DENVER    )

This Manager's Certificate was acknowledged before me this 13<sup>th</sup> day of January, 2015, by Brian Pauls, Authorized Signatory of the Manager, Pauls Real Estate Investments, LLC, as indicated above.

WITNESS MY HAND AND OFFICIAL SEAL.



  
\_\_\_\_\_  
Notary Public for the State of Colorado  
My commission expires: 3-5-15



## Denver Property Assessment and Taxation System (3.2.2)

**149 STEELE ST**

Owner	Schedule Number	Legal Description	Property Type	Tax District
FIRST BANK OF CHERRY CREEK PO BOX 150097 LAKEWOOD , CO 80215-0097	0512232032000 <b>PIN</b> 163901002	HARMSN SUB B 72 PT S/2 PLOT 5,PLOT 6 & PT ALLEY DAF *	COMMERCIAL - FINANCIAL BUILDIN	166A

**Assessment**

**Actual Value Year:** 2014 **Actual Value:** \$1,333,300

**Property**

**Year Built:** 1985 **Square Footage:** 6064

**Comparables**

**Schedule Number / Parcel Id   Address   Sale Month/Year   Sales Price   PIN**

No comparables available for this property.



FIRSTBANK

149 STEELE STREET DENVER, COLORADO 80206 303-333-1000

---

January 13, 2015

City and County of Denver  
201 West Colfax Avenue  
Denver, CO 80202

RE: Zone Map Amendment – PUD 630

Dear City and County of Denver:

FirstBank of Cherry Creek hereby authorizes Randal Phelps with Kimley-Horn to represent us on our behalf for a zone map amendment of the property.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Cicchinelli". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dave Cicchinelli  
Vice President

SECRETARY'S CERTIFICATE

I, Ida M. Rehder, hereby certify that I am the Assistant Secretary of FirstBank, a Colorado Corporation, and further certify that David C. Cicchinelli, as a duly elected and qualified Vice President of the corporation, is authorized to process any and all documents regarding real estate transactions on behalf of this corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of FirstBank this 8th day of January, 2015.

*Ida M. Rehder*

Assistant Secretary



STATE OF COLORADO )  
 )  
County of Jefferson )

This Secretary's Certificate was acknowledged before me this 8th day of January, 2015 by Ida M. Rehder, Assistant Secretary of FirstBank, a Colorado corporation, as stated above.

WITNESS MY HAND AND OFFICIAL SEAL.

*Linda J. Morud*

12345 West Colfax Avenue  
Lakewood, Colorado 80215

