

LETTER OF INTENT

City of Littleton – Community Development

Attn: Ernie Rose - Senior Planner
2255 W. Berry Avenue
Littleton, Colorado 80120

RE: Letter of Intent

Request for Rezoning & PDO | 6905 South Broadway

Dear Littleton Community Development Staff Members,

On behalf of the property owner, Steve Scannell, Transmark Company, we respectfully request your approval to rezone the portion of the Broadridge Shopping Center at 6905 South Broadway from the currently recorded B-1 (Neighborhood Business) use group, to a B-2 (Community Business) use group.

The intent of this request is for the conversion of the existing space at Unit 15, (Southeast) corner of the shopping center, for the tenant improvement to accommodate a new "YouFit" business location. YouFit is a nationally recognized Health & Fitness club with (2) locations in the Denver Metro Area, and many location in other states. The two new Colorado locations recently established exist at East 6th Ave in Aurora, and East 120th Ave in Thornton.

The scope of work for this project is predominately the interior tenant improvement of the old Safeway, and later JoAnn Fabrics, space to be repurposed for a Health and Fitness Club to be operated by the YouFit organization. There will be minimum exterior work of the main façade to incorporate new signage and construct a new vestibule entry to comply with IECC commercial requirements. Any proposed exterior improvements will strictly comply with Littleton's Zoning Regulations, in particular ordinances regarding signage.

We are including a PDO application along with the rezoning (official zoning map amendment) application for the express purpose to limit some of the less desirable uses, in particular Automobile dealerships, new or used, within the B-2 zone district. The intent of our rezoning request is to permit the Health & Fitness Club (YouFit) use which is currently excluded from the allowable uses within the B-1 zone district.

We respectfully ask of you to grant the approval for the requested rezoning. If any additional documentation is required or preferred, please do not hesitate to contact us.

Your time and thoughtful consideration in this matter is genuinely appreciated.

Sincerely,



Robin P Adams
Architect | Partner

On behalf of the property owner, Steve Scannell, Transmark Company

ATTACHMENTS:

- Completed Rezoning Application
- Completed PDO Application
- Drawing A0.0 – Project Data
- Drawing A1.0 – Site Plan (Existing Conditions)
- Drawing A2.0 – Main Level Floor Plan (Illustrative Only)
- Letter of Description
- Letter of Exceptions to Rezoning & PDO applications
- Zoning Comparison Chart
- Title Report
- 6/3 Memo re: Pre-submittal meeting

(End of Letter)

APPLICATIONS

City of Littleton

Staff Use Only

FEE \$

CASE NUMBER:

CASE PLANNER:

Planned Development Overlay OFFICIAL APPLICATION FORM

- Applicant's submitting applications for the initial review shall submit directly to the Planning and Zoning Division in Community Development.

Project Name: Broadridge Plaza Shopping Center | YouFit Tenant Improvement

Pre-application Meeting Date: 6/3/2014 @ 10:00 AM

Property Address or General Location 6905 South Broadway

Parcel Number (if existing at this time) (see title commitment attached)

Size of Parcel in Acres 5.32 acres

Applicant Information:

Name (print): Steve Scannell - Transmark Co.

Contact (if different): Robin Adams on behalf of Steve Scannell

Mailing Address: 2406 W. 32nd Ave - Suite A

City, State, Zip: Denver CO 80211 Phone 303.455.7741

Cell: 303.994.7832 Fax: n/a E-mail: radams@arcwestarchitects.com

Signature:



STEVE SCANNELL

Title V.P. Transmark Company
Manager of Broadridge Plaza
LLC an Arizona limited
liability company

Date: 8/11/14

Is the applicant (above) the owner of the property? Yes ☒ No (Check one)

If no, please provide a typed sheet listing the property owners names with addresses and phone numbers. ATTACH a signed and notarized statement from the owner stating that there is no objection to the application and that the applicant is authorized to act on behalf of the owner with respect to the above application type as stated in the City code

Is there a mortgage on the property? Yes ☒ No (Check one)

If yes, the applicant shall mail notice to the mortgage holder (s), if any, which summarizes the proposed zoning matter and includes the name, phone number of the City employee in charge of reviewing the matter. Said notice shall be sent by registered mail, return receipt requested. A copy of the notice and the original returned receipt shall be attached to the application.

Revised
October 2012

Data and Information Sheet

Proposed Zoning Comparison Chart

Site Information: (complete where applicable)

Zoning Requirements	Existing Zoning Dist.	Proposed PDO
Use (s)	B-1	B-2
Min. Unobstructed Open Space	25%	20%
Parking Ratios	1:250 SF	1:250 SF
Min. Bldg Setbacks	none	none
Max. Bldg Height	none	none
Max. F.A.R (Commercial Uses)	1:1	2:1
Max. Density (Residential Uses)	n/a	n/a

	Adjacent Land Use	Adjacent Zoning
North:	multi-unit <u>residential</u>	<u>R-5 & PD-R</u>
South:	single family <u>residential</u>	<u>R-2 & B-P</u>
East:	business / <u>shopping</u>	<u>B-2</u>
West:	apartments <u>residential</u>	<u>R-4</u>

Proposed Development Details: Please provide on a separate sheet data showing the effects of development for both the existing zone district and the proposed zone district. Such data shall include projected population, school age population, traffic generation, additional park land required and availability of city services. Unless the application is accompanied by a PD Plan or PDO Plan, such data shall be based on the maximum potential development permitted under the applicable existing and proposed zone districts.

Note: This application may be subject to additional processing fees required by referral agencies such as Colorado Geological Survey and Denver Water. Please contact these agencies for information concerning their fees.

A complete application form must accompany the required materials on the attached check list. Submitting an incomplete application may cause a delay in processing. If you have any questions, please call the Community Development Department at 303-795-3748.

Owner Information:

Name (print): Broadridge Plaza, LLC Address: 4729 E. Sunrise Drive, #464, Tucson, AZ 85718
 Phone: 520.612.9262 Fax: none
 E-mail: adam@transmarkcompany.com

Engineering Consultant:

Name (print): none Address: _____
 Phone: _____ Fax: _____
 E-mail: _____

Architect:

Robin Adams
 Name (print): ArcWest Architects Address: 2406 W 32nd Ave, Ste A, Denver, CO 80211
 Phone: 303.455.7741 Fax: none
 E-mail: radams@arcwestarchitects.com

City of Littleton

Staff Use Only

FEE \$

CASE NUMBER:

CASE PLANNER:

Rezoning (Official Zoning Map Amendment) OFFICIAL APPLICATION FORM

- Applicant's submitting applications for the initial review shall submit directly to the Planning and Zoning Division in Community Development.

Project Name: Broadridge Plaza Shopping Center | YouFit Tenant Improvement

Pre-application Meeting Date: 6/3/2014 @ 10:00 AM

Property Address or General Location 6905 South Broadway

Parcel Number (if existing at this time) (see title commitment attached)

Size of Parcel in Acres 5.32 acres

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Name (print): Steve Scannell - Transmark Co.

Contact (if different): Robin Adams on behalf of Steve Scannell

Mailing Address: 2406 W. 32nd Ave - Suite A

City, State, Zip: Denver, CO, 80211 Phone 303.455.7741

Cell: 303.994.7832 Fax: n/a E-mail: radams@arcwestarchitects.com

Signature:



Date: 8/11/14 STEVE SCANNELL

Title V.P. Transmark Company
Manager of Broadridge Plaza
LLC an Arizona limited
liability company

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Revised
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Min. Bldg Setbacks	none	none
Max. Bldg Height	none	none
Max. F.A.R (Commercial Uses)	1:1	2:1
Max. Density (Residential Uses)	n/a	n/a

	Adjacent Land Use	Adjacent Zoning
North:	multi-unit residential	R-5 & PD-R
South:	single family residential	R-2 & B-P
East:	business / shopping	B-2
West:	apartments residential	R-4

Proposed Development Details: Please provide on a separate sheet data showing the effects of development for both the existing zone district and the proposed zone district. Such data shall include projected population, school age population, traffic generation, additional park land required and availability of city services. Unless the application is accompanied by a PD Plan or PDO Plan, such data shall be based on the maximum potential development permitted under the applicable existing and proposed zone districts.

Note: This application may be subject to additional processing fees required by referral agencies such as Colorado Geological Survey and Denver Water. Please contact these agencies for information concerning their fees.

A complete application form must accompany the required materials on the attached check list. Submitting an incomplete application may cause a delay in processing. If you have any questions, please call the Community Development Department at 303-795-3748.

Owner Information:

Name (print): Broadridge Plaza, LLC Address: 4729 E. Sunrise Drive, #464, Tucson, AZ 85718
 Phone: 520.612.9262 Fax: none
 E-mail: adam@transmarkcompany.com

Engineering Consultant:

Name (print): none Address: _____
 Phone: _____ Fax: _____
 E-mail: _____

Architect:

Robin Adams
 Name (print): ArcWest Architects Address: 2406 W 32nd Ave, Ste A, Denver, CO 80211
 Phone: 303.455.7741 Fax: none
 E-mail: radams@arcwestarchitects.com

DECLARATION OF PUBLIC POLICY

City of Littleton – Community Development

Attn: Ernie Rose - Senior Planner
2255 W. Berry Avenue
Littleton, Colorado 80120

RE: Description Letter

Request for Rezoning & PDO | 6905 South Broadway

Dear Littleton Community Development Staff Members,

On behalf of the property owner, Steve Scannell, Transmark Company, we respectfully request your approval to rezone the portion of the Broadridge Shopping Center at 6905 South Broadway from the currently recorded B-1 (Neighborhood Business) use group, to a B-2 (Community Business) use group.

The purpose of this letter is to address how our application conforms to the "Declaration of Public Policy for Rezoning" which reads:

"The council has determined that the official zoning map should not be amended unless the amendment is consistent with the goals and policies of the comprehensive plan, and promotes the general welfare of the community. If a proposed amendment to the official zoning map is not consistent with the comprehensive plan, then the request may only be approved if the applicant demonstrates that the requested rezone is justified because of changed or changing conditions in the particular area, or in the city in general; or the rezone is necessary to correct a manifest error in the existing zone classification."

Specifically for two reasons, we believe this request for rezoning is consistent with the goals and policies of the plan, and promotes the welfare of the community:

1. The allowed uses within the B-1 and B-2 zone districts are very similar with a minor distinction between the two where B-1 is a "neighborhood business" district and B-2 is a "community business" district." The notable difference between the two districts is that B-2 will permit "Recreation & Entertainment" uses, and "Motor Vehicle Related sales & service operations. With the inclusion of our PDO application, we are excluding the later use, "Motor Vehicle Related sales & service operations. The intent is to permit the recreation use of the Health Club at this location.
2. It is our opinion that a (YouFit) Health & Fitness Club, which falls under the "Recreation & Entertainment" uses, will certainly be a benefit to the community and support the general welfare of the neighboring residential community. Colorado has the reputation as a state with an active and fitness oriented population. The proposed Health Club further supports this ideal and provides a valuable amenity to the local community for those who pursue this lifestyle.

Additionally the scope of work for the proposed is predominately the interior tenant improvement of the old Safeway, and later JoAnn Fabrics, space to be repurposed as a new Health and Fitness Club to be operated by the YouFit organization. The anticipated level of traffic and activity is expected to be comparable to the earlier uses. The proposed zone use should not create negative environmental conditions that would be considered detrimental to the neighboring residential single family homes and apartments.

The quality of life for surrounding properties can only be positively impacted with the availability of a Health & Fitness Club amenity. The inclusion of uses such as a Health and Fitness Club in this zone will vitalize the shopping center, surrounding area and Littleton as a whole.

To reassert, a P.D.O. application is included along with the rezoning (official zoning map amendment) application for the express purpose to limit some of the less desirable uses, in particular the Automobile dealerships, new or used, and auto service oriented businesses within the B-2 zone district. The intent of our rezoning request is to allow the Health & Fitness Club (YouFit) use which is currently excluded from the permit-able uses within the B-1 zone district.

If additional details or information is required to support our request, please do not hesitate to contact us.

Your time and thoughtful consideration in this matter is genuinely appreciated.

Sincerely,



Robin P Adams
Architect | Partner

On behalf of the property owner, Steve Scannell, Transmark Company

(End of Letter)

LAND USE TABLE

LAND USE CATEGORIES ZONE DISTRICTS.

B-1 **B-2** **PDO**

1.00 RAISING OF CROPS

- 1.10Plant and tree nurseries
- 1.20Raising of crops (for sale, resale or consumption by occupants of premises)
- 1.30Raising of crops (limited to the use and consumption by occupants of the premises)

2.00 SERVICES AND ENTERPRISES RELATED TO ANIMALS

- 2.10Veterinarian/animal hospital
- 2.11Treatment and boarding of large animals (such as horses, cattle and other farm animals) and small
- 2.12Treatment and boarding of small animals within enclosed structure P P
- 2.13Treatment of small animals and boarding only for treatment purposes P P P
- 2.14Outpatient treatment of small animals P P P
- 2.20Raising of livestock (other than horses) or fish (not including furbearing animals raised for pelts, hog
- 2.30Raising of horses
- 2.40Commercial stables, riding academies, horse training and breeding
- 2.50Kennels and pet animal boarding and raising
- 2.60Animal boarding and care facility C C C
- 2.70Beekeeping A A A
- 2.80 Chickens
- 2.90 Pigeon keeping

3.00 RESIDENTIAL

- 3.10Single-family detached
- 3.20Two-/three-family residence
- 3.30Multi-family residence (4 or more units)
- 3.31Townhouse
- 3.32Apartments
- 3.33Independent living facility
- 3.40Mobile homes
- 3.50 Homes emphasizing special services, treatment or supervision
- 3.51Group homes for handicapped
- 3.52Group homes for elderly
- 3.53Nursing home/congregate housing
- 3.54Foster care homes
- 3.55Group homes for children
- 3.56Assisted living facility
- 3.57Skilled nursing facility
- 3.60Miscellaneous
- 3.61Rooming/boarding houses
- 3.62Rooming/boarding, accessory to residential occupancy of a dwelling
- 3.63Tourist homes and other temporary residences renting by the day or week P P P
- 3.64Hotels and motels P P P
- 3.65Sorority/fraternity houses
- 3.66Dwelling units located in the same structure as a nonresidential use and which meet the R R R

4.00 GARAGE SALES

5.00 OFFICE, CLERICAL, AND SERVICES NOT RELATED TO GOODS OR MERCHANDISE

- 5.10Medical, dental, or other health related offices P
- 5.11Individual offices P P P
- 5.12Buildings of not more than 10,000 square feet P P P

LAND USE CATEGORIES ZONE DISTRICTS.

	<u>B-1</u>	<u>B-2</u>	<u>PDO</u>
5.13Buildings in excess of 10,000 square feet	P	P	P
5.14Pharmacies	P	P	P
5.20Administrative and executive; business and professional; and general offices	P	P	P
5.30Financial services, such as banks, savings and loans and brokerages	P	P	P
5.40Studios for professional work	P	P	P
5.50Ambulance facilities		P	P
5.60Industrial temporary labor halls			
6.00 RESTAURANTS/FOOD SERVICE			
6.10Service within enclosed area under roof without drive-through facility	P	P	P
6.20Service within enclosed area under roof with drive-through facility		P	P
6.30Takeout and delivery	P	P	P
6.40Automotive curbside service		P	P
6.50Cafeteria, providing service to on site employees			
7.00 SALES, RENTAL AND SERVICE OF GOODS, MERCHANDISE, AND EQUIPMENT NOT INCLUDING MOTOR VEHICLES AND BUSINESS TYPE SERVICES			
7.10Direct sales, service and rentals to general public			
7.11General merchandise	P	P	P
7.12Pawnshops		P	P
7.20Wholesale sales and distribution to retailers/businesses	A	A	A
7.30Cleaning/laundry operations, within enclosed structure, serving general public	P	P	P
7.40Open air/flea markets			
8.00 PARKING STRUCTURES/STORAGE			
8.10Automobile parking garages/lots	O	O	O
8.20Outdoor storage/miniwarehousing			
8.30Off site commercial employee/customer parking on residential zoned property			
9.00 RESEARCH AND DEVELOPMENT			
9.10Laboratory: medical, dental and optical	A	P	P
9.20General research and development			
10.00 MOTOR VEHICLE RELATED SALES AND SERVICE OPERATIONS			
10.10Sales of automobiles by licensed dealers		P	
10.11Sales of new automobiles		P	
10.12Sales, leasing, rental or pawning of used motor vehicles		C	
10.20Sales of gasoline		P	
10.30Sales of automotive parts, not including wrecking yard operations	P	P	P
10.40Automotive services, not including junk or wrecking yard operations			
10.41Services related to the installation of accessories including car stereos, window tinting, etc., and not	P	P	P
10.42Services related to cleaning (e.g., car washes), mechanical (e.g., engine, steering, drive train, tires,		P	P
11.00 RECREATION, AMUSEMENTS, ENTERTAINMENT			
11.10Activity conducted within fully enclosed structure			
11.11Bowling alleys, ice skating and rollerskating		P	P
11.12Movie theater/theaters		P	P
11.13Teen club		C	C
11.14Adult entertainment			
11.15Indoor amusements, not included in 11.11		C	C
11.16Health/recreation clubs		P	P
11.17Tattoo parlors and body arts studios			

LAND USE CATEGORIES ZONE DISTRICTS.

	<u>B-1</u>	<u>B-2</u>	<u>PDO</u>
11.20Activity conducted primarily outside enclosed structure		C	C
11.30Library, reading room (private)	P	P	P
11.40Off track betting			
12.00 LIQUOR LICENSED PREMISES			
12.10Bars and taverns	P	P	P
12.20Nightclubs			
13.00 MANUFACTURING, INCLUDING PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, AND ASSEMBLY OF GOODS, MERCHANDISE AND EQUIPMENT			
13.10Commercial cleaning/laundry operations			
13.20Assembly of prefabricated parts			
13.30Assembly or fabrication for sale on premises only			
13.40Fabrication by stamping, cutting or otherwise shaping processed materials into useful products			
13.50Refining or initial processing of basic raw materials			
13.51Other than products related to mining or quarrying operations, petroleum and chemicals, alcohol			
13.52Including all other processes			
13.53Brewery, distillery, and winery			
13.54Brewery, distillery and winery with tasting/retail sales room which meets the requirements of	PS	PS	P
14.00 INSTITUTIONS			
14.10Education			
14.11College/university, private			
14.12Childcare center	C	C	C
14.13Elementary/secondary, private	C	C	C
14.14Trade and vocational, private	C	C	C
14.15Home childcare			
14.16Studios for teaching fine arts and martial arts	P	P	P
14.20Religion			
14.21Churches	P	P	P
14.22Church facilities	C	C	C
14.30Government facilities			
14.31City owned/operated	P	P	P
14.32Other than city owned/operated	C	C	C
15.00 INSTITUTIONAL RESIDENCE, CARE OR CONFINEMENT FACILITIES			
15.10Medical and dental outpatient facilities and hospitals	P	P	P
15.20Correctional facility, other than county jail		C	C
15.30Monastery/convent			
15.40Detoxification center	P	P	P
16.00 SOCIAL/FRATERNAL CLUBS AND LODGES, UNION HALLS, AND SIMILAR USES	P	P	P
17.00 MISCELLANEOUS USES			
17.10Uses by temporary permit			
17.11Noncommercial concrete batch plant	T	T	T
17.12Temporary building, office or yard for construction	T	T	T
17.13Temporary building used as sales office	T	T	T
17.14Temporary structure	T	T	T
17.15Circuses/carnivals			
17.20Home occupations per section 10-4-5 of this title			
17.30Campground and travel trailer parking			

LAND USE CATEGORIES ZONE DISTRICTS.

	<u>B-1</u>	<u>B-2</u>	<u>PDO</u>
17.40Utility installations per subsection 10-8-2(A) of this title	C	C	C
17.50Commercial mobile radio service (CMRS) facilities			
17.51Alternative tower structure within 2,000 foot separation requirement (subsection 10-4-11(B)4 of			
	P		
17.52Ancillary utility structure	P	P	P
17.53Antenna support structure	C	C	C
17.54Building or roof mounted CMRS facilities	P	P	P
17.55CMRS collocation site	P	P	P
17.60Air supported membrane structures	C	C	C
17.70Memorial services			
17.71Cemeteries			
17.72Mortuaries			
17.73Crematorium			
17.80Solid waste landfills			
17.90Ambulance service	C	C	C
18.00 USES, FOR WHICH THE ZONING OFFICIAL IS NOT ABLE TO MAKE A FINAL DETERMINATION, MAY BE PERMITTED UPON A FINDING BY THE DIRECTOR OF COMMUNITY DEVELOPMENT THAT THE USE IS SIMILAR IN CHARACTER AND IMPACT TO THOSE USES SPECIFICALLY PERMITTED WITHIN A DISTRICT, WHEN CONSIDERATION IS GIVEN TO THE GOALS AND POLICIES EXPRESSED IN THE COMPREHENSIVE PLAN, OR AS MAY BE AMENDED; AND TO TRAFFIC AND PARKING NEEDS ASSOCIATED WITH THE PROPOSED USE.			

PRESUBMITTAL NOTES

Project Memo

Project: YouFit Littleton
Location: 6905 South Broadway

Project No: 1416.01
Date: 3 June 2014

Memo to: **Ernie Rose**
CC: Steve Scannell
- Property Owner /
Representative

From: Robin Adams

This document summarizes our discussion points from this morning's meeting (6/3) at 10:00 AM for the above mentioned project.

Pre-submittal Meeting re: Broadridge Shopping Center Rezoning

1. Steve Scannell, Ernie Rose and Robin Adams discussed considerations and process to request a rezoning for the area of the Broadridge Shopping Center currently classified as B-1. The proposed You Fit Health & Fitness Club for the unit 15 is not a permitted use under the B-1 designation. The request will be to rezone to a B-2 use group with limitations.
2. The key steps to initiate the process are as follows:
 - Complete Rezoning Application Form
 - Complete the Planned Development Overlay (PDO) Application
 - Facilitate a Neighborhood Meeting to inform the immediate community, and seek support for the proposed project.
3. Specific points discussed regarding the process for clarity were:
 - Compare the uses under the B-1 and the B-2 zoning designation.
 - Items that may not be applicable or not required, (i.e. Traffic Study) still need to be acknowledged in the application. As appropriate provide a letter to state the conditions supporting the waiver.
4. Timeline of the process indicated:
 - First (Conceptual) Review of the rezoning application may take from 3 to 6 weeks once planner has assigns case number and makes referral.
 - Upon completion of the Conceptual Review, the case is submitted with corrections as required for final technical review and recommendation to Planning Board.

ArcWest considers these statements to be matter of facts unless notified in writing within 3 working days.

(End of Memo)

NOTICE TO MORTGAGE HOLDER



Denver
Boulder
Chicago
New York Vicinity
Norfolk

National Trust Bank*

July 15, 2014

Ernie Rose
Senior Planner
Community Development
2255 W. Berry Ave.
Littleton, CO 80120

Mr. Ernie Rose,

Please be advised that the Bank has been informed of the proposed zoning change on the project known as Broadridge Plaza, located at 6901, 6905 and 6985 S. Broadway, Littleton, CO 80122. The Bank understands that the zoning will change from a split zoning of b-1 and b-2, to a b-2 zoning for the entire property. We approve the zoning change.

Feel free to contact me with any questions and or comments you may have regarding this letter.

Regards,

A handwritten signature in black ink, appearing to read "Sam Stookey", with a long horizontal flourish extending to the right.

Sam Stookey
Vice President-Commercial Lending
6501 E. Belleview Ave. #400
Englewood, CO 8011
303-486-1460 Direct Line.