

## REQUEST FOR VACATION ORDINANCE

**TO:** Caroline Martin, City Attorney's Office

**FROM:** Matt Bryner  
Director, Right of Way Services

**ROW #:** 2019-VACA-0000005

**DATE:** February 3, 2020

**SUBJECT:** Request for an Ordinance to vacate a five (5') foot portion of 36<sup>th</sup> Street adjacent to 3595 Wynkoop Street, without reservations.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Wilson & Company, dated April 15<sup>th</sup>, 2019, on behalf of RiNo Vertical Development, LLC c/o Ryan Tobin for requesting the above requested vacation.

This matter has been inspected and has been coordinated with Asset Management; Colorado Department of Transportation [if State Highway]; Comcast; Commission for People with Disabilities; Community Planning & Development – Building Inspections, Planning and Zoning; City Councilperson; Fire Department; Metro Wastewater Reclamation District; Office of Emergency Management; Parks & Recreation; Public Works – DES - Construction Engineering, DES Engineering – Transportation & Wastewater, Survey, Public Works – Policy and Planning; Public Works – Street Maintenance; CenturyLink; Regional Transportation District; Denver Water Department; Xcel Energy, all of whom have indicated their agreement.

As a result of these investigations, hereby approved and the described area is hereby vacated and declared vacated; PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:

As a result of these investigations, it has been determined that there is no objection to vacating the said area(s).

Therefore, you are requested to initiate Council action to vacate the following area:

**INSERT PARCEL DESCRIPTION ROW 2019-VACA-0000005-001 HERE**

MB: je

cc: City Councilperson & Aides  
City Council Staff – Zach Rothmier  
Department of Law – Bradley Beck  
Department of Law – Deanne Durfee  
Department of Law – Maureen McGuire  
Department of Law – Martin Plate  
DOTI, Manager's Office – Alba Castro  
DOTI, Legislative Services – Jason Gallardo  
DOTI, Solid Waste – Mike Lutz  
DOTI, Survey – Paul Rogalla  
DOTI, Street Maintenance – Brian Roecker

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services / Engineering & Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-865-3003

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to Jason Gallardo at [Jason.Gallardo@denvergov.org](mailto:Jason.Gallardo@denvergov.org) by **12:00pm on Monday**. Contact him with questions.

**Date of Request: February 3, 2020**

Please mark one:  **Bill Request** or  **Resolution Request**

**1. Type of Request:**

- Contract/Grant Agreement**     **Intergovernmental Agreement (IGA)**     **Rezoning/Text Amendment**
- Dedication/Vacation**             **Appropriation/Supplemental**             **DRMC Change**
- Other:**

**2. Title:** (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Request for an Ordinance to vacate a five (5') foot portion of 36<sup>th</sup> Street adjacent to 3595 Wynkoop Street on behalf of RiNo Vertical Development, LLC c/o Ryan Tobin.

**3. Requesting Agency:** Department of Transportation and Infrastructure, Engineering and Regulatory

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Jessica Eusebio	Name: Jason Gallardo
Email: <a href="mailto:Jessica.Eusebio@denvergov.org">Jessica.Eusebio@denvergov.org</a>	Email: <a href="mailto:Jason.Gallardo@denvergov.org">Jason.Gallardo@denvergov.org</a>

**5. General description or background of proposed request. Attach executive summary if more space needed:**

Request for an Ordinance to vacate five (5') foot portion of 36<sup>th</sup> Street adjacent to 3595 Wynkoop Street.

**6. City Attorney assigned to this request (if applicable):** Martin Plate

**7. City Council District:** District 7, Jolon Clark

**8. \*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract?  Yes  No    Is this an Amendment?  Yes  No    If yes, how many? \_\_\_\_\_

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before?  Yes  No

Source of funds:

Is this contract subject to:  W/MBE  DBE  SBE  XO101  ACDBE  N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

---

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_



## VACATION EXECUTIVE SUMMARY

**Project Title:** 2019-VACA-0000005 Vert Mixed Use at 3595 Wynkoop St

**Requestor's name:** RiNo Vertical Development, LLC c/o Ryan Tobin

**Description of Proposed Project:** Request for an Ordinance to vacate a five (5') foot portion of 36<sup>th</sup> Street adjacent to 3595 Wynkoop Street.

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project:** The area in which the vacation is being requested will be redeveloped and is intended to create a mixed-use building. There are no known utilities running through it and is used as access into the current building. The existing building will be demolished and a need for access will no longer be needed. The area requested will be used to align with the construction of the new building.

**Width of area in feet:** 5'

**Number of buildings abut said area:** 1

**The 20-day period for protests has expired, the vacating notice was posted on:** December 16, 2019

**Adjoining Neighbor and Registered Neighborhood Organization notification was sent on:** December 16, 2019

**Protests sustained by the manager of Public Works:** Have not been filed

**Will land be dedicated to the City if the vacation goes through:** No

**Will an easement be placed over a vacated area, and if so explain:** No

**Will an easement relinquishment be submitted at a later date:** Not that we are aware of.

**Background:** The purpose of this vacation is for the developer to use the area to align with the proposed building and the needs of that building.

**Public Notification:** No Protests were received.

City and County of Denver Department of Transportation & Infrastructure  
Right-of-Way Services / Engineering & Regulatory  
201 W Colfax Ave, Dept 507 | Denver, CO 80202  
[www.denvergov.org/dotj](http://www.denvergov.org/dotj)  
Phone: 720-865-3003

**Location Map:**

