

Steve Ferris
c/o Real Estate Garage
700 W. Colfax Ave, Suite #1
Denver, CO 80204
steve@realestategarage.net
February 7, 2018

Public Works Plan Review Services
201 W. Colfax Ave, Dept. 507
Denver, CO 80202
Sent via email to Denver.row@denvergov.org

RE: Alley Vacation Request, World Trade Center, southerly dead-end portion of NE-SW Alley parallel to and between Blake & Walnut Streets

Dear Sir/Madam:

I represent the owners and developers of the World Trade Center project, which in turn owns most of the southwestern half of the block bounded by 38th, 40th, Blake, and Walnut Streets. The ownership entities consist of Carbat, LLC, and 3853 Walnut, LLC, DBA as Formativ, with both headed by Sean Campbell.

This requested vacation is intended to facilitate development of the World Trade Center project (2016-PM-0000745). The area currently consisting of a 100' long by 16' wide dead-end alley is intended to serve as a loading dock for the World Trade Center project. No other owner on the block will be affected by the proposed vacation, as this portion of the alley is dead-end portion of an alley T-intersection. The alley portion to be vacated is surrounded by Formativ's holdings and the remaining "T" portion of the NE-SW alley.

This request to vacate the alley is being sought with a long-term plan to manage access and use of this vacated portion of the alley under license agreements with utility providers, as well as existing and future abutting owners. The idea is to enable use as a private loading dock serving the entire hotel, office, and retail project, and accommodate all utilities and hard surface easement requirements. There are no plans to explore options to use the alley other than as a loading dock.

The alley is a dead end because the remaining southwesterly portion was vacated in 1964, most likely because it could not physically connect to the 38th St. underpass. A 50'X16" sanitary easement in place in lieu of that 1964 vacation exists just to the southwest and as an extension of the dead-end alley ROW land. It is expected to be relinquished as the sanitary line currently serving the adjacent, existing buildings through the alley will be completed relocated out of the former alley. As noted below, a replacement line will serve the new project but will connect directly to existing Blake or Walnut lines.

The area of the alley leading northeast from the T-intersection (and the dead-end, vacated portion) will remain and be widened from 16' to 20', inclusive of a 2'-wide land dedication by Formativ. (After the vacation the alley will "L" to the northeast to 40th St. and north to Blake St.)

Besides the current limited use of the dead-end alley for deliveries, the following is a list of the current utilities in the alley, with notations regarding intent to relocate or remain:

- Sanitary sewer facilities to be relocated and rights to services are anticipated to be relinquished as part of this vacation. Sewer service to the block and project will be provided from Blake and/or Walnut; and,

- Electrical and fiber, to be undergrounded or relocated, via license/easement agreement. We have been working with Kate Middleton of Xcel, and Kip West with Comcast, and Mo Click of Centurylink on this.

Attached please find a site plan and legal description. Initial fees in the amount of \$1300 will be submitted in person on February 7th or 8th.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Steve Ferris", is written over a light gray rectangular background.

Steve Ferris

Cc: Sean Campbell, Formativ
Doug Smith, Formativ
Jesse Dzierzanowski, OZ Architects
Megan Vogt, S.A. Miro

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Asset Management Review Review Status: Approved - No Response

Reviewers Name: Robert Koehler
Reviewers Email: robert.koehler@denvergov.org

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: Building Department Review Review Status: Approved

Reviewers Name: Eric Browning
Reviewers Email: Eric.Browning@denvergov.org

Status Date: 03/21/2018
Status: Approved
Comments:

Reviewing Agency: CenturyLink Referral Review Status: Approved

Status Date: 03/16/2020
Status: Approved
Comments:

Comments
From: Davis, Robert
Sent: Wednesday, February 26, 2020 10:32 AM
To: West, Vanessa L. - DOTI CA2307 Administrator I
Cc: Doug Smith ; Price, Devin - DOTI CA2379 Operations Coordinator
Subject: [EXTERNAL] Re: WTC Alley Vacation

Yes, I approve of the Vacate Request
Sent from my iPhone

On Feb 26, 2020, at 6:51 AM, West, Vanessa L. - DOTI CA2307 Administrator I wrote:
Just to clarify,

Robert, you are stating that you approve the vacation request for project number 2018-VACA-0000002 Title, World Trade Center 3860-3900 Blake, where they are vacating a portion of the alley bounded by Blake St, Walnut St, 38th St and 40th St. With no reservations.

Can you please state if you approve the above request?

If you approve from this statement above, then I can change the CenturyLink Denial to Approved.

Please clarify if you want reservations or no reservations.

Thank you

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Status Date: 03/21/2018
Status: Denied
Comments: PWPRS Project Number: 2018-VACA-0000002 World Trade Center 3860-3900 Blake
Reviewing Agency/Company: CenturyLink
Reviewers Name: Karen Caime / Dustin Pulciani
Reviewers Phone: 602-630-1428 / 720-520-3133
Reviewers Email: Karen.Caime@CenturyLink.com / Dustin.Pulciani@centurylink.com
Approval Status: Denied
Comments:
Please refer to comments submitted via attached file "RESPONSE LETTER P798109-signed"
REDLINES are uploaded to the E-Review webpage.

Reviewing Agency: CDOT Referral Review Status: Approved - No Response

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: City Councilperson and Aides Referral Review Status: Approved - No Response

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: City Forester Review Review Status: Approved

Reviewers Name: Eric Huetig
Reviewers Email: Eric.Huetig@denvergov.org

Status Date: 03/22/2018
Status: Approved
Comments:

Comment Report

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Comcast Referral Review Status: Approved - No Response

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: DS Project Coordinator Review Review Status: Approved

Reviewers Name: Jeffrey Brasel
Reviewers Email: Jeff.Brasel@denvergov.org

Status Date: 03/02/2018
Status: Approved
Comments:

Reviewing Agency: DES Transportation Review Review Status: Approved

Reviewers Name: Luke Korpi
Reviewers Email: Luke.Korpi@denvergov.org

Status Date: 03/22/2018
Status: Approved
Comments:

Reviewing Agency: DES Wastewater Review Review Status: Approved

Reviewers Name: Danny Harris
Reviewers Email: Danny.Harris@denvergov.org

Status Date: 02/10/2020
Status: Approved
Comments: Construction, acceptance, and as-builts for the sewer and abandonment are completed

Reviewers Name: Danny Harris
Reviewers Email: Danny.Harris@denvergov.org

Status Date: 03/22/2018
Status: Denied
Comments: The public sanitary sewer relocation needs to be constructed (or abandoned) and new terminal manhole needs to be accepted before the alley can be vacated.

Comment Report

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Office of Disability Rights Review Review Status: Approved - No Response

Reviewers Name: Juan Pasillas
Reviewers Email: Juan.Pasillas@denvergov.org

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Water Referral Review Status: Approved - No Response

Reviewers Name:
Reviewers Email:

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Fire Department Review Review Status: Approved - No Response

Reviewers Name: Roman Rede
Reviewers Email: Roman.Red@denvergov.org

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Comment Report

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Landmark Review Review Status: Approved - No Response

Reviewers Name:

Reviewers Email:

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: Metro Wastewater Referral Review Status: Approved - No Response

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: Office of Emergency Management Referral Review Status: Approved - No Response

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: Dev and Planning Services Review Review Status: Approved - No Response

Reviewers Name:

Reviewers Email:

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Comment Report

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Parks and Recreation Review Review Status: Approved - No Response

Reviewers Name:

Reviewers Email:

Status Date: 03/23/2018

Status: Approved - No Response

Reviewing Agency: ERA Transportation Review Review Status: Approved

Reviewers Name: Brent McMurtrie

Reviewers Email: Brent.McMurtrie@denvergov.org

Status Date: 03/21/2018

Status: Approved

Comments:

Reviewing Agency: ERA Wastewater Review Review Status: Approved

Reviewers Name: Steven Forvilly

Reviewers Email: Steven.Forvilly@denvergov.org

Status Date: 02/10/2020

Status: Approved

Comments:

Reviewers Name: Steven Forvilly

Reviewers Email: Steven.Forvilly@denvergov.org

Status Date: 03/20/2018

Status: Denied

Comments: An easement must be reserved for the operation and maintenance of wastewater facilities. An alternative is to wait for the sanitary sewer relocation to be complete, including final acceptance, before proceeding with the alley vacation.

Comment Report

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Construction Engineering Review

Review Status: Approved

Reviewers Name: Karl Brekke
Reviewers Email: Karl.Brekke@denvergov.org

Status Date: 03/02/2018

Status: Approved

Comments: The City and County of Denver has completed its Public Works Construction Engineering review of the submitted World Trade Center 3860-3900 Blake Vacation and has generated no comments.

Reviewing Agency: Policy and Planning Review

Review Status: Approved - No Response

Reviewers Name:
Reviewers Email:

Status Date: 03/23/2018

Status: Approved - No Response

Comments:

Reviewing Agency: Street Maintenance Review

Review Status: Approved - No Response

Reviewers Name: Brian Roecker
Reviewers Email:

Status Date: 03/23/2018

Status: Approved - No Response

Comments:

Comment Report

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Survey Review Review Status: Approved - No Response

Reviewers Name: Robert Castaneda
Reviewers Email: Robert.Castaneda@denvergov.org

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: TES Sign and Stripe Review Review Status: Approved - No Response

Reviewers Name: Brittany Price
Reviewers Email: Brittany.Price@denvergov.org

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: RTD Referral Review Status: Approved - No Response

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Reviewing Agency: Solid Waste Review Review Status: Approved - No Response

Reviewers Name:
Reviewers Email:

Status Date: 03/23/2018
Status: Approved - No Response
Comments:

Comment Report

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Xcel Referral

Review Status: Approved w/Conditions

Status Date: 03/14/2018
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2018-VACA-0000002 World Trade Center 3860-3900 Blake
Reviewing Agency/Company: Public Service Company of Colorado
Reviewers Name: Donna George
Reviewers Phone: 303-571-3306
Reviewers Email: donna.l.george@xcelenergy.com
Approval Status: Approved with conditions

Comments:

Please be aware Public Service Company of Colorado owns and operates existing overhead electric distribution facilities located within the portion of the alley proposed to be vacated; therefore, we are able to give conditional approval, PROVIDED, HOWEVER, said vacation shall be subject to the following reservations:
A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including storm drainage and sanitary sewer facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire easement area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the easement area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the easement area. Any such obstruction may be removed by the City or the utility provider at the property owner's expense. The property owner shall not re-grade or alter the ground cover in the easement area without permission from the City and County of Denver. The property owner shall be liable for all damages to such utilities, including their repair and replacement, at the property owner's sole expense. The City and County of Denver, its successors, assigns, licensees, permittees and other authorized users shall not be liable for any damage to property owner's property due to use of this reserved easement.
The property owner/developer/contractor must continue working with Katie Middleton on the design details of undergrounding or relocating the electric facilities.

Reviewing Agency: Case Manager Review/Finalize

Review Status: Under Review

Reviewers Name: Vanessa West
Reviewers Email: Vanessa.West@denvergov.org

Status Date:
Status:
Comments:

World Trade Center Vacation 3860 & 3900 Blake

02/14/2020

Master ID: 2016-PROJMSTR-0000745 **Project Type:** ROW Vacation
Review ID: 2018-VACA-0000002 **Review Phase:**
Location: **Review End Date:** 03/22/2018

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: CPM Wastewater Review Status: Approved- no response

Reviewers Name: Eric Osmundsen
Reviewers Email: Eric.osmundsen@denvergov.org

Status Date: 2/14/2020
Status: Approved- no response
Comments:

Reviewing Agency: Site Engineering Transportation Review Status: Approved

Reviewers Name: Eric Osmundsen
Reviewers Email: Eric.osmundsen@denvergov.org

Status Date: 2/14/2020
Status: Approved
Comments: