



DOTI| Right-of-Way Services
Engineering and Regulatory Office
201 W. Colfax Avenue, Dept. 507
Denver, CO 80202
P: 720-865-3003
DOTI.ER@denvergov.org

Vacation Submittal Checklist

Any submittal not meeting all minimum checklist criteria herein shall be rejected as incomplete.

Street and Alley Vacation submittal documents will include the following:

- Application (Page 3-4 of this document) - Must be signed by owner, or a vested party
- A Legal Description and Exhibits of the proposed vacation, prepared by a Professional Land Surveyor, licensed in the State of Colorado:
 - PDF format (**must be PLS signed and stamped**) and
 - Word format (Does not need to be PLS signed and stamped)
- Site Plan - accurately engineered drawings to include:
 - Numerical and Bar Scale (Scale not to exceed 1:40)
 - North arrow
 - Legend
 - Vicinity map, if necessary
 - Plan set date and revision number (if applicable)
 - Call out the location of area to be vacated and hatch the area
 - Call out the location of any existent easements, and if a new easement will be held/conveyed (if applicable)
 - Property lines
 - Right-of-Way width
 - Edge of Pavement and/or Curb and Gutter
 - Sidewalks
 - Trees and landscaping in the ROW
 - Nearby driveways and alleys
 - Street names
 - Aerial imagery is allowed, but does not replace the required Engineered drawings**

FEES:

Must be paid immediately after project is logged in and a project number is provided by your Coordinator along with the project invoice.

Initial Processing Fee = \$1,000.00 (Non-Refundable)

Legal Description Review Fee = \$300.00 (Non-Refundable)

Ordinance Fee = \$300.00 (Non-Refundable)

I hereby attest that all above information has been incorporated into our plan submittal.

Owner/Vested Party/Applicant Signature

Date

DocuSigned by:
Heidi Brendemil
9177A705202348F...

1/11/2024 | 9:34:13 AM MST





DENVER
THE MILE HIGH CITY

APPLICATION STREET and ALLEY VACATION

Please complete this application to apply for a Vacation Request. Vacations can only be applied for, when the area in question is within the Public Right-of-Way within the City and County of Denver. Please reference [Street and Alley Vacation Entrance Requirements](#) for more detail on the vacation process. Please enter information and fully answer any of the following sections. Submit the complete application electronically to: DOTI.ER@denvergov.org.

DATE: 4/28/2021

PROJECT NAME: Colfax & Corona

IS THIS PROJECT ASSOCIATED WITH A SITE DEVELOPMENT REVIEW? Yes No

If you checked 'Yes' above, provide Project Master, Site Plan and/or Concept Development Project Numbers:

2020-PM-0000114 , _____ , _____

ADDRESS (approx.) OF VACATION: 1040 E. Colfax Avenue

APPLICANT:

Name: Heidi Brendemihl

Company (if applicable): Consolidated Investment Group Title: _____

Address: 18 Inverness Place East, Englewood CO 80112

Telephone number: 214-773-2937 Email address: hbrendemihl@ciginvest.com

PROPERTY OWNER (where the vacation is located): Check if the same as Applicant

Company: Route 40 RE LLC

Owner Contact: Heidi Brendemihl

Address: 18 Inverness Place East, Englewood CO 80112

Telephone Number: 18 Inverness Place East, Englewood Email address: hbrendemihl@ciginvest.com

EXPLANATION of REQUEST

Explanation of why the Requestor wants the right-of-way (ROW) vacated:

As part of the redevelopment of 1040 E. Colfax Avenue, the existing alley will be relocated and brought up to current CCD standards. In order to do this, private property will be dedicated to facilitate the installation of the new alley. Existing ROW where the current alley exists, will no longer be needed for the alley, and therefore is requested to be vacated and provided back to Route 40 RE, LLC for redevelopment.





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THE MILE HIGH CITY

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APPLICATION
Street and Alley Vacation

Explanation of the current use of the ROW to be vacated:

Current ROW contains existing alley that will be shifted south. This shift is made possible by ROW dedications.

EXISTING UTILITIES:

There are no existing utilities located in the vacated ROW.

No existing utilities are located in the vacated ROW.

No existing utilities are located in the vacated ROW.

I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION AND THAT THE FOREGOING INFORMATION ON THIS APPLICATION IS TRUE AND COMPLETE.

DocuSigned by:
Heidi Brendemuhl
(Owner/Vested Party Signature)

1/11/2024 | 9:34:13 AM MST
DATE



ROUTE 40 - COLFAX & CORONA

PART OF THE NORTHWEST QUARTER OF SECTION 2
TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
LOCATION: SE CORNER OF E COLFAX AVE & CORONA ST

LEGEND

- ZONE LOT LINE
- ▨ ALLEY TO BE VACATED

E. COLFAX AVE.
(ROW VARIES)

CORONA ST.
(60' ROW)

DOWNING ST.
(60' ROW)

BLOCK 104
BREWER'S ADDITION
TO THE CITY OF
DENVER

BLOCK 37
PARK AVENUE
ADDITION TO
DENVER

LOT 1 LOT 2 LOT 3 LOT 4 LOT 5 OUTLOT B LOT 17 LOT 16 LOT 15 LOT 14

ALLEY VACATION

EXCEPTED PORTION
PER REC. NO.
2014048615

PARCEL 3
1457 N. DOWNING ST

LOT 6

LOT 35

LOT 7

LOT 34

LOT 8

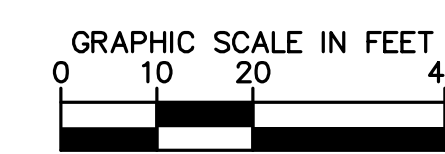
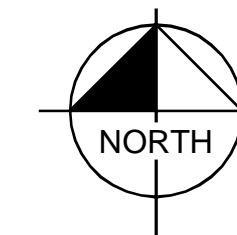
LOT 33

LOT 9

LOT 32

NORTH 1/2 LOT 10

LOT 31



Kimley»Horn
ALLEY VACATION PLAN
SUBMITTED: 04/26/2020

EXHIBIT "A"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
SHEET 1 OF 2

LAND DESCRIPTION:

A PORTION OF THAT PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465 RECORDED AT RECEPTION NO. 2014070527, BEING A PORTION OF LOTS 13 THROUGH 17, BLOCK 37, PARK AVENUE ADDITION TO DENVER, AND OUTLOT B, BLOCK 104, BREWER'S ADDITION TO THE CITY OF DENVER LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE 18' RANGE LINE OF CORONA STREET TO BEAR SOUTH 00°45'01" EAST, A DISTANCE OF 600.17 FEET BETWEEN A FOUND 2" ALUMINUM CAP STAMPED "PLS 38162" IN CONCRETE WALK AT THE INTERSECTION OF COLFAX AVENUE AND CORONA STREET, AND A FOUND NO. 6 REBAR WITH ILLEGIBLE 2" ALUMINUM CAP IN RANGE BOX AT THE INTERSECTION OF 14TH AVENUE AND CORONA STREET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID RANGE POINT AT THE INTERSECTION OF COLFAX AVENUE AND CORONA STREET; THENCE SOUTH 75°18'14" EAST A DISTANCE OF 311.56 FEET TO THE NORTHEASTERLY CORNER OF LOT 13, BLOCK 37, PARK AVENUE ADDITION TO DENVER; THENCE ALONG THE EASTERLY LINE OF SAID LOT 13, SOUTH 00°41'41" EAST, A DISTANCE OF 85.10 FEET TO THE NORTHEASTERLY CORNER OF THAT PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465 RECORDED AT RECEPTION NO. 2014070527; THENCE SOUTH 89°30'23" WEST, A DISTANCE OF 2.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465 AND THE POINT OF BEGINNING;

THENCE ALONG A LINE PARALLEL WITH, AND 2.00 FEET WESTERLY THEREFROM, SAID EASTERLY LINE OF LOT 13, AND THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, SOUTH 00°41'41" EAST, A DISTANCE OF 20.00 FEET; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, SOUTH 89°30'23" WEST, A DISTANCE OF 71.96 FEET; THENCE NORTH 65°45'31" WEST, A DISTANCE OF 1.20 FEET; THENCE SOUTH 89°30'23" WEST A DISTANCE OF 57.98 FEET TO A POINT ON THE WESTERLY LINE OF OUTLOT B, BLOCK 104, BREWER'S ADDITION TO THE CITY OF DENVER, AND A POINT ON THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465; THENCE ALONG SAID WESTERLY LINE OF SAID OUTLOT B, AND SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, NORTH 00°43'18" WEST, A DISTANCE OF 19.49 FEET; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN RESOLUTION NO. CR14-0465, NORTH 89°30'23" EAST, A DISTANCE OF 131.03 TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2,591 SQ. FT. OR 0.06 ACRES, MORE OR LESS

I, JOSHUA BREEDLOVE, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



JOSHUA BREEDLOVE
COLORADO P.L.S. #38174
BRANCH MANAGER, FLATIRONS, INC.

JOB NUMBER: 20-74,610
DRAWN BY: P. KLUPAR
DATE: JULY 6, 2021



Flatirons, Inc.
Land Surveying Services

4501 LOGAN ST.
DENVER, CO 80216
PH: (303) 936-6997
FAX: (303) 923-3180

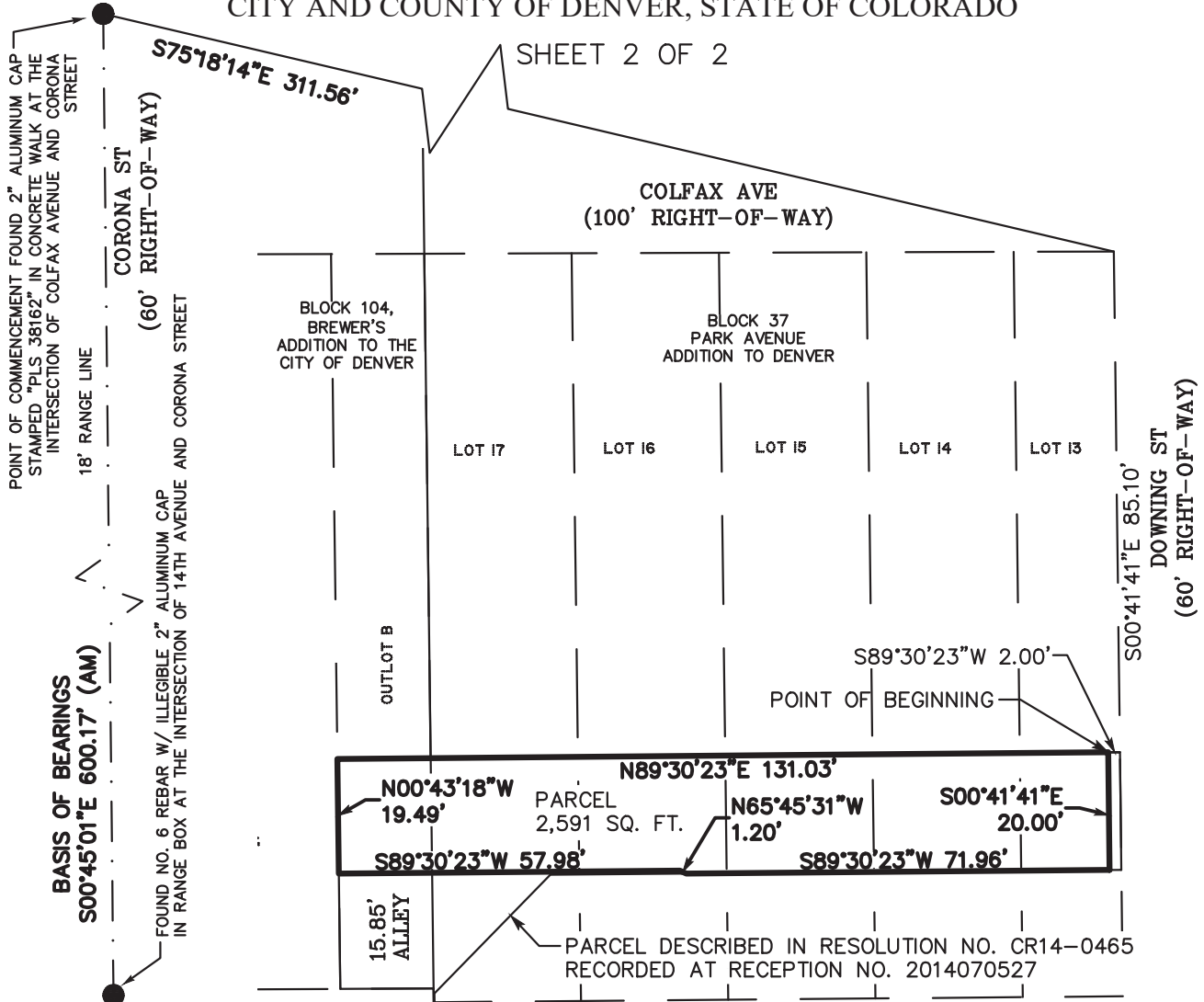
THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

www.FlatironsInc.com

EXHIBIT "A"

LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH,
RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

SHEET 2 OF 2



BASIS OF BEARINGS
S00°45'01"E 600.17' (AM)

S75°18'14"E 311.56'

N00°43'18"W
19.49'

N89°30'23"E 131.03'

S00°41'41"E
20.00'

S89°30'23"W 57.98'

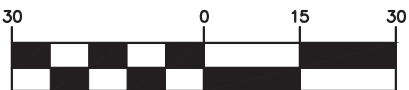
N65°45'31"W
1.20'

S89°30'23"W 71.96'

S89°30'23"W 2.00'

S00°41'41"E 85.10'

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.



JOB NUMBER: 20-74,610
DRAWN BY: P. KLUPAR
DATE: JULY 6, 2021

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1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114 **Project Type:** ROW Vacation
Review ID: 2021-VACA-0000004 **Review Phase:**
Location: **Review End Date:** 06/23/2021

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

Reviewers Name: DavidJ Edwards
Reviewers Email: Davidj.edwards@denvergov.org

Status Date: 06/24/2021
Status: Approved
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
 Reviewing Agency/Company: Asset Management DOF
 Reviewers Name: Davidj.edwards@denvergov.org
 Reviewers Phone: 7209130889
 Reviewers Email: Davidj.edwards@denvergov.org
 Approval Status: Approved

Comments:

Reviewing Agency: Building Department Review Review Status: Approved

Reviewers Name: Keith Peetz
Reviewers Email: Keith.Peetz@denvergov.org

Status Date: 06/03/2021
Status: Approved
Comments:

Reviewing Agency: CenturyLink Referral Review Status: Approved

Status Date: 11/20/2023
Status: Approved
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
 Reviewing Agency/Company: Lumen/CenturyLink
 Reviewers Name: Rebekah Anthony
 Reviewers Phone: 307-717-0420
 Reviewers Email: rebekah.anthony@Lumen.com
 Approval Status: Approved

Comments:

Status Date: 06/24/2021
Status: Denied
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
 Reviewing Agency/Company: Lumen
 Reviewers Name: Heather Key
 Reviewers Phone: 971-313-3128
 Reviewers Email: heather.key@lumen.com

Comment Report

1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114 **Project Type:** ROW Vacation
Review ID: 2021-VACA-0000004 **Review Phase:**
Location: **Review End Date:** 06/23/2021

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

Approval Status: Denied

Comments:

Please contact Heather Key regarding this request. The project number associated to this request is P837252.

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

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

Reviewing Agency: City Forester Review Review Status: Approved

Reviewers Name: Nick Evers
Reviewers Email: Nick.Evers@denvergov.org

Status Date: 06/23/2021
Status: Approved
Comments: Approved. No PRW tree conflict.

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

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

Reviewing Agency: DS Project Coordinator Review Review Status: Approved w/Conditions

Reviewers Name: Tiffany Holcomb
Reviewers Email: Tiffany.Holcomb@denvergov.org

Status Date: 06/24/2021
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: Development Services / Project Coordination
Reviewers Name: Tiffany Holcomb
Reviewers Phone: 720-865-3018
Reviewers Email: Tiffany.Holcomb@denvergov.org
Approval Status: Approved with conditions

Comments:

Approved. Vacation is needed to complete proposed SDP at same location. Alley vacation is dependent on several other actions (right-of-way dedication, relinquishments, and resulting zone lot amendment. These other actions will be completed in parallel processes and will need to be approved in specific orders as determined by ERA. If the SDP does not proceed, the vacation is not needed.

Comment Report

1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114 **Project Type:** ROW Vacation
Review ID: 2021-VACA-0000004 **Review Phase:**
Location: **Review End Date:** 06/23/2021

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

Reviewing Agency: DES Transportation Review Review Status: Approved

Reviewers Name: Matt Farmen
Reviewers Email: matt.farmen@denvergov.org

Status Date: 11/16/2023
Status: Approved
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: DOTI DES Transportation
Reviewers Name: Matt Farmen
Reviewers Phone: 7203348205
Reviewers Email: matt.farmen@denvergov.org
Approval Status: Approved

Comments:

Status Date: 06/02/2021
Status: Denied
Comments: Denied until other processes are complete

Reviewing Agency: DES Wastewater Review Review Status: Approved w/Conditions

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

Status Date: 09/27/2023
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: DES Wastewater
Reviewers Name: Daniel Harris
Reviewers Phone: 7209130816
Reviewers Email: danny.harris@denvergov.org
Approval Status: Approved with conditions

Comments:

The land for the new alley L-out has been dedicated to the City and Wastewater access to the existing public sanitary main in the adjacent parcel is preserved.

Attachment: Recorded SWD (21--098) (1).pdf

Attachment: Recorded SWD (21-095).pdf

Status Date: 06/23/2021
Status: Denied
Comments: The existing alley conveys overland runoff to Downing. The proposed alley L-out through 2020PM0000114 should be designed and dedicated to the city to ensure this drainage path is preserved.

REDLINES uploaded to E-review webpage

Reviewing Agency: Office of Disability Rights Review Review Status: Approved

Comment Report

1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114 **Project Type:** ROW Vacation
Review ID: 2021-VACA-0000004 **Review Phase:**
Location: **Review End Date:** 06/23/2021

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

Reviewers Name: Juan Pasillas
Reviewers Email: Juan.Pasillas@denvergov.org
Status Date: 06/23/2021
Status: Approved
Comments: *Approved.
*Any future modification to any public use areas and accessible routes shall comply with all accessibility requirements of this review (2010 Americans with Disabilities Act "ADA").

Reviewing Agency: Denver Water Referral **Review Status:** Approved

Status Date: 06/24/2021
Status: Approved
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: Denver Water
Reviewers Name: Gina Begly
Reviewers Phone: 303-628-6219
Reviewers Email: gina.begly@denverwater.org
Approval Status: Approved

Comments:

Reviewing Agency: Denver Fire Department Review **Review Status:** Approved

Reviewers Name: Richard Tenorio
Reviewers Email: richard.tenorio@denvergov.org
Status Date: 06/23/2021
Status: Approved
Comments: Denver Fire Dept. Approved - RT

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

Reviewers Name: Becca Dierschow
Reviewers Email: Becca.Dierschow@denvergov.org
Status Date: 06/24/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

2021-VACA-0000004

Comment Report

1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114

Project Type: ROW Vacation

Review ID: 2021-VACA-0000004

Review Phase:

Location:

Review End Date: 06/23/2021

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

Reviewing Agency: Dev and Planning Services Review

Review Status: Approved - No Response

Status Date: 06/24/2021

Status: Approved - No Response

Comments:

Reviewing Agency: Parks and Recreation Review

Review Status: Approved

Reviewers Name: Greg Neitzke

Reviewers Email: greg.neitzke@denvergov.org

Status Date: 06/07/2021

Status: Approved

Comments:

Reviewing Agency: Construction Engineering Review

Review Status: Approved

Reviewers Name: Joe Saejiw

Reviewers Email: joe.saejiw@denvergov.org

Status Date: 06/17/2021

Status: Approved

Comments:

Reviewing Agency: Policy and Planning Review

Review Status: Approved - No Response

Reviewers Name: Emily Gloeckner

Reviewers Email: Emily.Gloeckner@denvergov.org

Status Date: 06/24/2021

Status: Approved - No Response

Comments:

Reviewing Agency: Street Maintenance Review

Review Status: Approved - No Response

Reviewers Name: Brian Roecker

Reviewers Email: Brian.Roecker@denvergov.org

Status Date: 06/24/2021

Status: Approved - No Response

Comments:

Reviewing Agency: Survey Review

Review Status: Approved

Reviewers Name: Alan Lemke

Reviewers Email: Alan.Lemke@denvergov.org

Comment Report

1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114 **Project Type:** ROW Vacation
Review ID: 2021-VACA-0000004 **Review Phase:**
Location: **Review End Date:** 06/23/2021

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

Status Date: 07/07/2021
Status: Approved
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: DOTI/ROWS/Survey
Reviewers Name: Alan Lemke
Reviewers Phone: 720-865-3127
Reviewers Email: alan.lemke@denvergov.org
Approval Status: Approved

Comments:

Status Date: 06/22/2021
Status: Denied
Comments: See survey redlines

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

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

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

Reviewing Agency: CPM Wastewater Review Review Status: Approved - No Response

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

Reviewing Agency: RTD Referral Review Status: Approved

Status Date: 06/24/2021
Status: Approved
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: RTD
Reviewers Name: Clayton Scott Woodruff
Reviewers Phone: 3032992943
Reviewers Email: clayton.woodruff@rtd-denver.com
Approval Status: Approved

Comments:

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

Reviewers Name: Mike Lutz
Reviewers Email: Mike.Lutz@denvergov.org

Comment Report

1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114 **Project Type:** ROW Vacation
Review ID: 2021-VACA-0000004 **Review Phase:**
Location: **Review End Date:** 06/23/2021

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

Status Date: 06/24/2021
Status: Approved - No Response
Comments:

Reviewing Agency: Xcel Referral **Review Status:** Approved

Status Date: 09/28/2023
Status: Approved
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy
Reviewers Name: Donna Lee George
Reviewers Phone: 3035713306
Reviewers Email: donna.l.george@xcelenergy.com
Approval Status: Approved

Comments:

Status Date: 06/29/2021
Status: Denied
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: Public Service Company of Colorado / Xcel Energy
Reviewers Name: Donna George
Reviewers Phone: 3035713306
Reviewers Email: donna.l.george@xcelenergy.com
Approval Status: Denied

Comments:

.
PSCo/Xcel Energy has existing electric distribution facilities within the right-of-way proposed to be vacated, therefore, must deny this vacation until all facilities are deactivated and removed/relocated.

Status Date: 06/24/2021
Status: Approved w/Conditions
Comments: PWPRS Project Number: 2021-VACA-0000004 - 1040 E Colfax
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy
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 underground electric distribution facilities located within 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

Comment Report

1040 E Colfax Ave Vacation

11/20/2023

Master ID: 2020-PROJMSTR-0000114 **Project Type:** ROW Vacation
Review ID: 2021-VACA-0000004 **Review Phase:**
Location: **Review End Date:** 06/23/2021

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

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.

Reviewing Agency: Case Manager Review/Finalize **Review Status:** Confirmation of Payment

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

Status Date: 06/08/2021
Status: Confirmation of Payment
Comments:

**Right-of-Way (ROW) Vacation Application
Review of Public Comments Received after Public Notification**

Project Number: 2021-VACA-0000004

Location of Proposed Vacation Area: 1040 East Colfax Avenue

Number of Respondents: 3

DOTI ROWS Engineering and Regulatory has reviewed comments received from the public notification period and the findings are as follows. Copies of comments received are attached for reference.

1. Respondent: Schuster, Stewart

Summarized Comment(s): Concerned the proposed ROW Vacation would cut off access to Downing Street and impact trash/recycling collection.

ER Findings: The applicant dedicated new alley ROW to the city directly south of the ROW vacation area to reconfigure the alley, so access to Downing Street will not be cut-off. The proposed design meets the minimum criteria for the City and County of Denver Transportation Standards & Details. Additionally, the review of this application was coordinated with DOTI Solid Waste and they did not object to the proposed vacation as impactful to their operations. The applicant responded directly to Stewart Schuster to address questions and concerns. Therefore, ER considers the comments satisfactorily resolved by the applicant.

2. Respondent: Moens, Ken

Summarized Comment(s): Concerned the proposed ROW Vacation would cut off access to Downing Street.

ER Findings: The applicant dedicated new alley ROW to the city directly south of the ROW vacation area to reconfigure the alley, so access to Downing Street will not be cut-off. The proposed design meets the minimum criteria for the City and County of Denver Transportation Standards & Details. The applicant responded directly to Ken Moens to address questions and concerns. Therefore, ER considers the comments satisfactorily resolved by the applicant..

3. Respondent: Deagan, Anthony

Summarized Comment(s): Concerned the proposed ROW Vacation would reduce alley access.

ER Findings: The applicant dedicated new alley ROW to the city directly south of the ROW vacation area to reconfigure the alley, so alley access will not be reduced. The proposed design meets the minimum criteria for the City and County of Denver Transportation Standards & Details. The applicant responded directly to Anthony Deagan to address questions and concerns. Therefore, ER considers the comments satisfactorily resolved by the applicant.

From: [Stewart Schuster](#)
To: [White, Brianne - DOTI CA2379 Business Operations Administrator](#)
Subject: [EXTERNAL] Re: Stewart Schuster - Project number: 2021-VACA-0000004
Date: Tuesday, February 20, 2024 12:11:19 PM
Attachments: [image001.png](#)

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They have reached out. I do not have any additional questions.

Thank you
Stewart

On Tue, Feb 20, 2024 at 10:23 AM White, Brianne - DOTI CA2379 Business Operations Administrator <Brianne.White@denvergov.org> wrote:

Hello Stewart,

We are reaching out to confirm you have been contacted from the applicant regarding the above-mentioned project. They stated they have reached out directly multiple times to discuss your concerns. Are there any questions we can answer prior to this project moving on to Council for their review?

Regards,

Brianne White | Business Operations Administrator

City & County of Denver

Department of Transportation & Infrastructure | Engineering and Regulatory | Right-of-Way Services

Phone: (720) 865-3036

brianne.white@denvergov.org

[Pronouns](#) | She/Her/Hers

Please take a [quick 2 question survey](#) regarding our virtual service.

From: DOTI Engineering Regulatory
Sent: Friday, February 2, 2024 12:59 PM
To: Stewart Schuster <stewschuster@gmail.com>
Subject: RE: Stewart Schuster - Project number: 2021-VACA-0000004

Hello Stewart,

We are reaching out to confirm you have been contacted from the applicant regarding the above-mentioned project. They stated they have reached out directly multiple times to discuss your concerns. Are there any questions we can answer prior to this project moving on to Council for their review?

Regards,

Brianne White | Business Operations Administrator

City & County of Denver

Department of Transportation & Infrastructure | Engineering and Regulatory | Right-of-Way Services

Phone: (720) 865-3036

brianne.white@denvergov.org

[Pronouns](#) | She/Her/Hers

Please take a [quick 2 question survey](#) regarding our virtual service.

From: Stewart Schuster <stewschuster@gmail.com>
Sent: Friday, December 22, 2023 12:50 PM
To: DOTI Engineering Regulatory <DOTI.ER@denvergov.org>
Subject: Stewart Schuster - Project number: 2021-VACA-0000004

Hello,

I am a resident of Corona St. on the block that will be affected by the application to vacate the public right-of-way in project number 2021-VACA-0000004. This application wants to remove public access to our alley from Downing St. Since this access has been removed for the demolition of the building on the corner of Downing and Colfax the residents of this block have been significantly impacted by the removal of public access. Without access to the alley from Downing we need to access from Corona St. or 14th St. Both of these options cause more traffic to busy and difficult intersections during busy traffic times. I have personally had my vehicle hit at the intersection of Downing and Colfax due to the other motorist's fault. Without access to our alley from Downing St. the risk of additional traffic accidents and issues to traffic flow will increase in an already problematic intersection.

In addition to the public inconvenience and burden of losing access to our alley from Downing St. the municipal services have been impacted as well. Recycling and garbage removal has had to back into the alley from 14th st. This inconveniences municipal services and can disrupt the already busy traffic on 14th st in this area. In the last few months a truck backed into a powerline pole that required the pole to need to be replaced because the truck had to back into the alley as a result of access being blocked from the Downing St access. By taking this public access away, there will only continue to be problems and inconveniences to municipal services that need access to this alley.

Whatever entity that purchased that property at the corner of Colfax and Downing was well aware of the access to the alley on that property. While they want to take the access away from the public, per their request, they should not be allowed to cause problems and burdens on the public and the city services simply because they want to take public property away from the public. Please reject their application to vacate the public right-of-way. By vacating the public right-of-way there will be negative impacts to the city and community that the requester of this application will not hold any responsibility for the problems they have caused.

I hope you take the public concerns seriously and allow the public to have access to this alley returned and reject their application.

Thank you for your time and your commitment to the people of Denver.

Very respectfully,

Stewart Schuster

From: [DOTI Engineering Regulatory](#)
To: [moens.mintmortgage.com](#)
Cc: [Sobieski, Dennis](#); [DeGroot, Sarah](#)
Subject: RE: 2021-VACA-0000004 Comments from Public Notification
Date: Wednesday, January 24, 2024 10:34:00 AM
Attachments: [image001.png](#)

Thank you for the update Ken!

Regards,

Brianne White | Business Operations Administrator
City & County of Denver
Department of Transportation & Infrastructure | Engineering and Regulatory | Right-of-Way Services
Phone: (720) 865-3036
brianne.white@denvergov.org
[Pronouns](#) | She/Her/Hers

Please take a [quick 2 question survey](#) regarding our virtual service.

From: moens mintmortgage.com <moens@mintmortgage.com>
Sent: Wednesday, January 24, 2024 10:09 AM
To: DOTI Engineering Regulatory <DOTI.ER@denvergov.org>
Cc: Sobieski, Dennis <dennis.sobieski@kimley-horn.com>; DeGroot, Sarah <Sarah.DeGroot@kimley-horn.com>
Subject: [EXTERNAL] 2021-VACA-0000004 Comments from Public Notification

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Hi Brianne,

Thank you for allowing me to reach out with questions regarding this VACA. Dennis Sobieski with Kimley-Horn was very helpful with the detail required to respond to my questions and concerns. Please consider my request for information closed and satisfied.

Thank You!

Ken Moens
303-832-5656

From: moens.mintmortgage.com
To: [DOTI Engineering Regulatory](#)
Subject: [EXTERNAL] 2021-VACA-0000004-1040 E Colfax
Date: Wednesday, January 3, 2024 4:16:16 PM
Attachments: [Alley VACA.pdf](#)
[Alley Vacation 2014-2015.pdf](#)
[Pole - Downing.jpg](#)

Hi Brianne,

Regarding my previous e-mail message and phone call before Christmas, please view the attached as reference regarding the "proposed" Vacation extending from lots 13 to 17 at 1040 E Colfax. I am the owner of 1457 N Downing Street.

Questions are as follows:

1. Does the "proposed" Vacation come with the same restrictions as the recorded Vacation (attached) in 2014-2015? The Vacation of the alley in 2014-2015 directly north of 1457 N Downing Street stipulates that the area of that Vacation would only allow a utility easement for the City, and not be for public traffic or construction.
2. The "proposed" Vacation appears to be directly North of the old alley that was Vacated in 2014-2015. Is that correct?
3. Given that the alley vacated in 2014-2015 is not for public traffic access, is there a plan to utilize the "proposed" Vacation to connect Downing Street to the alley located in the middle of the block that travels north and south? If so, how wide is the access road and where/how will it connect to the existing north/south alley?
4. What is the plan for the land (old alley) that was vacated in 2014-2015?
5. Note the attached photo of the new pole installed about 4 feet from my north property line, within the area of the old alley that was vacated in 2014-2015. Please explain the purpose of the pole.
6. Please provide the footprint of the building to be located North and West of 1457 N Downing Street. In particular, what is the distance from the North property line of 1457 N Downing Street to the building, and the distance from the garage doors on the West side of 1457 N Downing St to the proposed building? Currently, it is difficult to access the garage with the location of the temporary fence.
7. Please provide dimensions and a view of the area NW of 1457 N Downing Street

(surrounding my garage). Where is vehicle access to the building, and will there be vehicle access to the building or access to a parking garage near my property?

I am available at any time to discuss my questions on the phone, or to meet at the property for a visual review.

Ken Moens

303-832-5656

From: [Tony Deagan](#)
To: [Sobieski, Dennis](#)
Cc: [David Schall](#); [DOTI Engineering Regulatory](#)
Subject: Re: [EXTERNAL] Re: Anthony Deagan 2021-VACA-0000004 approval
Date: Tuesday, February 20, 2024 12:39:24 PM

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Love the design - so much better than the lack-luster, all stucco, Big Box, apartment developments around town.
We definitely welcome it to the neighborhood!
Tony

On Feb 20, 2024, at 7:21 AM, "Sobieski, Dennis" <dennis.sobieski@kimley-horn.com> wrote:

Thanks David! Tony – please let me know if this answers your questions so we can push this process forward.

Dennis Sobieski, P.E., LEED AP

Kimley-Horn | 6200 South Syracuse Way, Suite 300, Greenwood Village, CO 80111
Direct: 303-228-2335 | Mobile: 303-726-0122

From: [Anthony Deagan](#)
To: [DOTI Engineering Regulatory](#)
Subject: Anthony Deagan 2021-VACA-0000004
Date: Thursday, January 4, 2024 8:29:49 AM

I'm not sure if you received my email by 12/26
Please respond thanks!

I've lived in my house for over 30 years, which is on corona of Colfax. Colfax doesn't provide access to the Ali and then there are three one way surrounding us 14th downing and corona. If you're driving eastbound in the city it's easy to access our alley off 14th or off. Corona from Colfax if you're coming westbound on 13th you need to take downing to access the alley. Without this connection to Downing, you have to get back on Colfax and come on corona, which is a bit tedious and puts more traffic back on corona.

Do you propose changes to Colfax to move the buses middle lanes, have you researched this properly to see how this is going to affect corona and doubting downing? Because in some of their drawings it appears they're getting rid of the left turn lane going westbound onto corona and on downing are they going to the left turn lane onto Colfax?

Years ago the developer and architect presented the design ideas to the neighborhood. With Covid and other reasons they decided to delay the construction on this project. I've left messages for the developer who never bothered to call me back or I gotta say I think the design of this building is incredible but now I worry if they're making changes are they also making changes other changes to the design are they cheapifying this building ? I think it's time for a neighborhood design review meeting. And it is my hope that the architect and developer/owner get a copy of this email that was presented to us. We would have the main Ali would come from corona into their parking garage and continue up between corona and Downing ending at 14th, but we would also have an access route to Downey with this proposal. Would we still have pedestrian actor, vehicle access or is the plan to get rid of that access altogether because we are not in favor of that at all. The other thing this would do is all the people park in the garage Would have access in and out on corona and downing and occasionally drive up to get to 14th if we lose the downing access point that means they're all driving. They're all entering on corona or through the alley. Currently that section is closed once they did the demo and it's been annoying With just the L Ali configuration the trash trucks can't get through so they back down our alley and I scraped my truck on the fence because they didn't make the Ali wide enough.

Also, when are we starting construction? How long do we have to wait with this empty lot currently it's a parking lot for the construction going on on cross the street on Downing. If this letter isn't sufficient enough to provide a resistance to losing that axis point, the downing, if needed, I will contact (neighbors) together support.