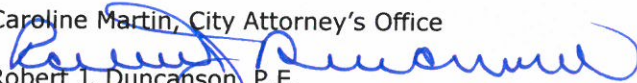


**REQUEST FOR REVOCATION OF MAJOR ENCUMBRANCE PERMIT**

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

**FROM:**   
Robert J. Duncanson, P.E.  
Director, PW Right of Way Services

**ROW NO.:** 2014-0878-01

**DATE:** April 3, 2015

**SUBJECT:** Request for revocation of Ordinance #373, Series of 1989 as amended by Ordinance #609, Series of 2011 which granted a revocable permit to TCNC, LLC, their successors and assigns, to encroach into the right of way with glass and metal patio enclosure over a current outdoor patio, a side garden, awnings, enclosed dining area, entryway and parking valet shed at 17<sup>th</sup> Avenue and Humboldt Street.

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

This office has investigated the request from Tom Kahn, dated April 3, 2015, on behalf of TCNC, LLC for revocation of the above-subject permit. The reason for the revocation is to replace Ordinance #373, Series of 1989 as amended by Ordinance #609, Series of 2011 with RR15-0171.

This matter has been checked by this office and has been coordinated with DES Construction Engineering to ensure the encumbrance in question has been removed.

As a result of the investigations, it has been determined that there is no objection to revocation of the revocable permit.

Therefore, you are requested to initiate Council action for the revocation of a revocable permit granted by Ordinance #373, Series of 1989 as amended by Ordinance #609, Series of 2011

RJD: acp

cc: City Councilperson & Aides  
City Council Staff, Gretchen Williams  
Department of Law, Karen Aviles,  
Department of Law, Brent Eisen  
Department of Law, Shaun Sullivan  
Public Works, Alba Castro  
Public Works, Nancy Kuhn  
Public Works Survey, Jeff Jones,  
Project File

Owner:  
Tamara M. Cunningham  
TCNC, LLC  
10795 E. Powers Dr.  
Englewood, CO 80111

Agent:  
Tom Kahn  
Kahn Construction Corporation  
7342 South Alton Way, Suite 7-A  
Centennial, Colorado 80112

## ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team  
at [MailHighOrdinance@DenverGov.org](mailto:MailHighOrdinance@DenverGov.org) by 3:00pm on Monday.

Date of Request: April 3, 2015

Please mark one:  Bill Request or  Resolution Request

Is this request:  A new contract\*  A contract amendment\* or  Neither

\*If this request is a contract or an amendment, is it:

A revenue agreement or  An expenditure agreement

**Contract Control Number:**

**Contract Terms/Dates:**

**Costs (if this is a contract amendment please include the original cost, additional cost and new total. *Failure to provide this information may delay processing*):**

1. **Bill Description for the City Council Agenda:** (please give a one sentence description of the ordinance request. Describe if the request is a contract, amendment, lease, grant, change to code, rezoning, etc. and any other information that Council needs to approve the request)

Request for revocation of Ordinance #373, Series of 1989 as amended by Ordinance #609, Series of 2011 which granted a revocable permit to TCNC, LLC, their successors and assigns, to encroach into the right of way with glass and metal patio enclosure over a current outdoor patio, a side garden, awnings, enclosed dining area, entryway and parking valet shed at 17<sup>th</sup> Avenue and Humboldt Street.

2. **Requesting Agency:** Public Works Engineering Regulatory & Analytics

3. **Contact Person:** (Subject Matter Expert on the request)

- **Name:** Adam Perkins
- **Phone:** 720.865.3036
- **Email:** adam.perkins@denvergov.org

4. **Contact Person:** (Please list the person who will read this item at Mayor Council and attend first and second reading to answer questions)

- **Name:** Angela Casias
- **Phone:** 720.913.8529
- **Email:** [angela.casias@denvergov.org](mailto:angela.casias@denvergov.org)

5. **Background on the request:**

RR15-0171 is set for first reading the week of 4/6/15 and will replace the previous revocable permit as granted by Ordinance #373, Series of 1989 as amended by Ordinance #609, Series of 2011.

6. **Please complete the following fields:**

- A. **Location:** 1700 Humboldt St
- B. **Affected Council District:** D8 Brooks
- C. **Benefits:** N/A

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

SIRE Tracking Number: \_\_\_\_\_

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



## EXECUTIVE SUMMARY

**DENVER**  
THE MILE HIGH CITY

**Project Title: 2014-0878-01 Concept Restaurants**

**Description of Proposed Project: Request for revocation of Ordinance #373, Series of 1989 as amended by Ordinance #609, Series of 2011 which granted a revocable permit to TCNC, LLC, their successors and assigns, to encroach into the right of way with glass and metal patio enclosure over a current outdoor patio, a side garden, awnings, enclosed dining area, entryway and parking valet shed at 17th Avenue and Humboldt Street.**

**Explanation of why the public right-of-way must be utilized to accomplish the proposed project: N/A - Revocation**

**Has a Temp MEP been issued, and if so, what work is underway: No**

**What is the known duration of an MEP: N/A**

**Will land be dedicated to the City if the vacation goes through: N/A**

**Will an easement be placed over a vacated area, and if so explain: N/a**

**Will an easement relinquishment be submitted at a later date: N/A**

**Additional information: RR15-0171 is set for first reading the week of 4/6/15 and will replace the previous revocable permit as granted by Ordinance #373, Series of 1989 as amended by Ordinance #609, Series of 2011.**