

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

Project Number: 2022-VACA-0000002

Location of Proposed Vacation Area: 2600 Larimer Street

Number of Respondents: 2 (23 in signed petition, attached)

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: Feltman, Eileen

Summarized Comment(s): The objection to this proposed ROW Vacation states there would be impacts to an area that currently provides a safe and quieter place in which to walk, ride, and play.

ER Findings: The proposed design meets the minimum criteria for the City and County of Denver Transportation Standards & Details. Therefore, the comments received do not provide sufficient technical justification to deny submitting the proposed application to Council approval process.

2. Respondent: Topp, Christopher

Summarized Comment(s): The objection to this proposed ROW Vacation states there would be impacts to utilizing the requested area as a trash/service accessibility, accessibility into garages, concerns of zoning, lack of parking for the public, and lack of street lighting coverage

ER Findings: 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. Therefore, the comments received do not provide sufficient technical justification to deny submitting the proposed application to Council approval process.

3. Respondent: Various members of community, 23 Petitioners

Summarized Comment(s): The objections to this proposed ROW vacation did not provide further explanation.

ER Findings: Comments received do not provide sufficient technical justification to deny submitting the proposed application to Council approval process.

From: [e f](#)
To: [DOTI Engineering Regulatory](#); [DOTI Engineering Regulatory](#)
Cc: [District 9](#)
Subject: [EXTERNAL] Opposition to #2022-VACA-0000002
Date: Thursday, April 21, 2022 4:58:03 PM
Attachments: [image0.jpeg](#)
[image1.jpeg](#)

Greetings

I am writing today to express my Opposition to the requested alley vacation project number 2022-VACA-0000002
Portion of right of way in the alley bounded by Larimer Street and 26th Street and 27th Street located at 2600 Larimer Street.

As well, I've included copies of an Opposition Petition signed by some neighbors who live very near the proposed Edens/VOA project and the location of this requested alley vacation.

I request at this time, that the approval for this application not be moved forward at this time.

There is significant Opposition to this overall project, and the potential alley vacation that is part of this overall re-zoning request should not be approved at this time.

While I understand technical issues of this potential alley vacation may have been satisfied, It is our position that our alleys in Denver, especially those our close downtown neighborhoods, do more than just provide a place to collect garbage, recycle, deliveries, and provide access to utilities.

Alleys are an important part of the urban public realm. A much needed third space. A space that needs to be open and accessible to all... at all times of the day or night.... Not a privatized space with limited public access... such as "only open during business hours.
With very few exceptions, our alleys between Lawrence and Larimer Streets run uninterrupted between Park Avenue and Downing Street (regardless of the size of the larger or commercial development that might back up to it.

Our Lawrence/Larimer Street alley provides a safe and quieter place in which to walk, and ride, play.

Just because this developer will be controlling/owning all the property on both sides of the alley, they should not be allowed to privatize it, limit the access, and close it off to the neighbors at their will.

This will set a dangerous precedent that we do not want to see.

Alleys can be activated in other ways. In Denver, we have many examples where alleys are closed to most vehicle traffic, but have been beautified, enhanced, and activated, while staying open an accessible to all pedestrians at all times: 24/7 365 days a year.

A similar treatment would be the most appropriate solution for this alley. DOTI can make this happen.. if there is a will, there is a way.

Attached is a signed Opposition petition from the few neighbors i had a chance to chat with.



As well, It has come to my attention that there might be a partial alley vacation request or at least a significant encroachment requested for a portion of the alley on the 2500 block between Lawrence and Larimer Street.

However, I've seen no sign posting about this.

Myself and others strongly oppose this partial vacation or encroachment.

There are several townhomes on the northern end of the 2500 block of Lawrence Street that face the alley and are accessed by the alley. These neighbors expressed their strong objection and yet have not been consulted on this matter and their opposition opinions seem to have been ignored.

Kind Regards
eileen feltman

PETITION

The undersigned, residents of the
Curtis Park neighborhood, are opposed
to granting the requested Alley VACATION
& PRIVATIZATION OF the 2600 block
alley between Lawrence/Larimer Streets
PROJECT NAME: RINO VOA
PROJECT #: 2022-VACA-0000002

	<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
1.	Timothy Lopez	2550 Arapahoe St	3-26-22
2.	Ruby Soto	2542 Arapahoe	3-26-22
3.	Margaret Montoya	2554 Arapahoe	3-26-22
4.	Kathy Montoya	2554 Arapahoe St	3-26-22
5.	Phil Montoya	2554 Arapahoe St	3-26-22
6.	Sharon Sanchez	2556 Arapahoe St	3-26-22
7.	Susie Wolcott	1120 26th St	3-26-22
8.	Mickelly Dierkes	1087 26th	3-26-22
9.	Ben Dumas	1027 26th	3-26-22
10.	Joe C. Kelly	1026 Arapahoe	3/26/22
12.	Hubert Rubio	2610 Arapahoe St	3/26/22
13.	Ken Ken	2640 Arapahoe St	3/26/22
14.	Rachel Binkley	3349 Lawrence St	3/27/22
15.	Dani Segura	289 Broadway Lawrence	3/27/22
16.	Patricia Bruning	331 Lawrence	4-10-22
17.	Julia Montoya	3101 Lawrence	04-10-2022
18.	Tom Gregory	3125 Lawrence	04-10-2022
19.	Lucy Wolfe	3135 LAWRENCE	4/10/22
20.	Silvia	LAWRENCE St	4/10/22

PETITION

The undersigned, residents of the
Curtis Park neighborhood, are opposed
to granting the requested Alley VACATION
& PRIVATIZATION OF the 2600 block
alley between Lawrence/Larimer Streets
PROJECT NAME: RiNO VOA
PROJECT #: 2022-VACA-0000002

	<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
21.	Dianay Shea	3215 LAWRENCE ST	4/10/22
22.	MARK MARIANO	3215 LAWRENCE ST	4/10/22
23.	Anna Korb	1023 26 th ST.	4/11/22

From: [Price, Devin - DOTI Business Operations Administrator](#)
To: [ef](#)
Subject: 2022-VACA-0000002 2600 Larimer Street Vacation - DOTI ER Response - Feltman
Date: Friday, June 3, 2022 12:04:00 PM
Attachments: [image001.png](#)
[VACA Comment - Feltman, Eileen - signed.pdf](#)

Good afternoon,

Please see the attached letter in regard to 2022-VACA-0000002 2600 Larimer Street Vacation.

Please let me know if you have any questions.

Thank you,



Devin Price | Business Operations Administrator
Department of Transportation & Infrastructure |
City and County of Denver

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

phone: (720) 865-3036

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



June 3, 2022

Eileen Feltman
2534 Arapahoe Street
Denver, CO 80205

RE: Application for Vacation of the Public Right-of-Way (ROW)
Project Number: 2022-VACA-0000002
Project Location: 2600 Larimer Street
Date of Request: December 17, 2021

Dear Eileen,

We appreciate your participation in the Public Notification period of the aforementioned project and providing your comments of the proposed vacation area. The City and County of Denver Department of Transportation & Infrastructure (DOTI) is in receipt of your comments to the referenced application for a proposed vacation of the public right-of-way. DOTI Right-of-Way Services (ROWS) Engineering & Regulatory (ER) has reviewed your comments as outlined in your letter dated April 21, 2022. We understand your concerns regarding the impacts this would have to utilizing the requested area as a safe and quieter place in which to walk, ride, and play. However, the proposed vacation design meets the minimum criteria for the City and County of Denver Transportation Standards & Details. DOTI ROWS ER has determined that these concerns do not provide sufficient technical justification to deny submitting the proposed application to City Council for their consideration.

DOTI appreciates you sharing your concerns, and you may contact us at DOTI.ER@denvergov.org should you have additional questions.

Sincerely,

Devin Price

Devin Price | Business Operations Administrator
(720) 865-3036
Devin.price@denvergov.org
Department of Transportation & Infrastructure
City & County of Denver

cc: Project File: 2022-VACA-0000002

City and County of Denver Department of Transportation & Infrastructure
Right of Way Services
201 West Colfax Avenue, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

From: [Christopher Topp](#)
To: [DOTI Engineering Regulatory](#)
Subject: [EXTERNAL] Opposition to Project NUMBER: 2022-VACA-0000002
Date: Wednesday, April 20, 2022 2:18:49 PM
Attachments: [ZoningLetter.pdf](#)
[SignatureTinyWhite.png](#)
Importance: High

Hello. I'm writing in opposition to the proposed elimination of the alley as part of the subject project number. I've attached the same comments I've provided in opposition to the associated zoning change as many of the concepts are the same. This is an overzealous project trying to shoehorn way to big of idea into a space that functionally cant support it with the existing surrounding infrastructure. I've lived here 8 years and know how significant of a support artery the whole of this alley plays as it stretches north through a neighborhood that becomes increasingly residential. I mean the electrical infrastructure alone— what is the plan there?? Is there one? because the developer so far seems clueless about the plan to address it on the 25th-26th section of the alley. None of these secondary and tertiary streets in this small part of the neighborhood can support a 5 and 7 story residential structure with alley support... But they want to kill that also? Residential trash service has to tetris around the block to compensate? Where do they plan on directing supply delivery vehicles to park and unload in support of this building?? If the burden is on them to show reason and cause, what have they specifically provided in terms of a comprehensive traffic flow solution around and through these streets?? Can you provide me with a copy of that plan? Have they or any of you spent any time in this neighborhood to observe how it operates and flows. The completely unrestrained peddle hoppers almost bring this immediate area to its knees by themselves. This project as a whole is an unrealistic pipe dream that steamrolls the original Blueprint Denver intent for sustainable growth and urban evolution and it's the direct responsibility of DOTI's management team to see this effort for what it is — a project that enriches an individual developer at the cost of neighborhood livability — and to have the courage to say “absolutely not.”

Thank you and kind regards,
Christopher

[christopher topp](#)

chief everything officer
303.718.6631
(text is best)

<http://arcadiancreative.co/portfolio.pdf>

12



be well + thrive

christopher topp

chief everything officer

303.718.6631

(text is best)

<http://arcadiancreative.co/portfolio.pdf>

be well + thrive

In Respectful Opposition to Zoning Change Application #2001i-00175

Good afternoon. My name is Christopher. I've been an inhabitant of 80205 since migrating from Boulder in 2005 for grad school. I've called RiNo, specifically Lawrence between 25th and 26th home since 2015. I mention grad school because that experience lends a unique perspective that warrants consideration as part of this rezoning debate. My MPA (Public Administration) focused on environmental management, policy and law and included coursework under Peter Park exploring the principles of Smart Growth and the Charter for New Urbanism. Peter Park, as you may remember was instrumental in the modernization of Denver's Zoning Code in the early 2000's — a modernization that borrowed greatly from the Charter's concepts. This perspective and philosophy forms the basis for my OPPOSITION TO THIS CHANGE OF ZONING.

My opposition is not just philosophical; but also a matter of practical application that change allows an overzealous developer to try to shoehorn a development into a space that it simply does not fit or belong, for which I'll provide a specific example. Further, in reviewing the developers publicly facing plans for the site through the project's website, there are multiple deceptive elements that the developer included in what seems an obvious effort to sugar coat the significant impact of this project. I'll highlight some of those deceptions as well pose several important questions that must be clarified before this change can even be seriously considered.

Let me be clear. I am not against development. I am a creature of the urban environment and city dweller to the core. I wholly believe that high density urban areas are the best way to preserve open spaces as well as efficiently distribute and consume resources. Grow up and not out, 100%.

WITH THAT BEING SAID, for an urban area to evolve and grow effectively and as sustainably as possible, a long term vision and plan to guide that evolution must be in place and **that plan must take precedent over individual development considerations AT ALL COSTS**. A well document example of unchecked development is the City of Houston, where free enterprise development and an absence of comprehensive zoning leads to overdevelopment and inappropriate development on flood plains — hello Hurricane Harvey.

Denver is fortunate not to have the same threats by the force of nature as the Gulf Coast, and luckily the city has smartly outlined its vision to evolve through documents like Blueprint Denver (as a philosophical intention) and through regulatory mechanisms such as—you guessed it—zoning ordinances. Working against intention and regulation is the drive for profit and in situations such as this, the developer's profit. However, there is no incentive for the developer to align with the overall social vision for a city, aside from making feel good claims and presenting as a socially conscious steward—which is the case in this situation. *Circling back however, the plan and vision must always take precedent and it is the obligation of those elected officials and public servants to protect our collective intention that was voiced during and codified within existing zoning.*

Let's quickly ground ourselves here and clearly define what is being debated. This is a CHANGE of ZONING to allow the maximum building height on the blocks in question to MORE THAN DOUBLE the currently allowed 3 stories that characterize the Larimer/Lawrence corridor north of 24th and Broadway. No one is saying "no development" or arguing against the need for additional housing capacity. In opposition, we are collectively highlighting reasons why this change works against our collective interest — it was originally zoned for three stories for a reason — and should stay zoned as such

One reason the land is zoned for three stories surrounds the capacity and characteristics of existing and adjacent road capacities. All of the development in excess of three stories below 24th are supported by wider roads in both directions and managed by stop lights. They are adequate to serve the demands of the high-rises that are prevalent closer to the CBD. That does not exist north of 24th. Neither Lawrence or Larimer have the ability to serve more than a bi directional lane of traffic plus parking while 25th, 26th and 27th are streets with a small enough capacity that they do not even have lane lines.

I'm not sure if you've ever spent time in the area during peak use, but all of the intersections are chaotic at best with multimodal traffic. Larimer and 25th on a Friday night during baseball season? It's barely functional chaos at best. Traffic lights are not appropriate at any of these intersections given their size. In addition, the developer highlights 26th and

27th as primary pedestrian and bicycle corridors, however those are their projected uses within BluePrint Denver and remain underdeveloped.

This is one of the deceptive elements introduced by the developer through use of maps on their website. It over-represents the role of 26th and 27th street as feeding Larimer as a public transit corridor between Union and 38th and Blake. By what mode of transportation? Many segments of Larimer are currently closed to auto traffic and utilized by restaurants and bars and the trend of use of this street has evolved and continues to evolve into a more heavily pedestrian utilized stretch. How is infusing more cars onto this street with no indicated enhancement of public transportation options as well as adding an increased demand to already over congested street parking going to help Larimer function as this artery? The Peddle Hoppers are not an adequate form of efficient public transport. The development is beyond a ¼ mile from a light rail station, commonly considered as the maximum distance point at which people significantly change their transportation characteristics from auto to public transport.

Here's another much more practical and significant example of the developer's clear lack of consideration regarding the specific impacts of his plan. The developer wants to construct a 5 story multiuser residential structure on the quarter lot currently occupied by the MAC gas building, which is particularly troubling. He has stated that he wants to include levels of underground parking for this structure, accessed from the L/L alley between 25th and 26th.

This alley currently serves as access to 24 two car garages for residences facing Lawrence as well as trash pickup and retailer deliveries to the Work and Class business conglomerate. *For commercial use the alley needs to be 16-20 feet wide by code, however because of utility poles it is 13'3" wide at its narrowest and just barely 16 at it's widest.* It is absolutely insufficient to carry the capacity of these underground parking structures. The alley also exhibits very very poor drainage and has a tendency to become heavily ice damed and a challenge to navigate in the winter. This problem will only be exacerbated by the 5 story structure that will block even more direct winter light from the alley, remove the existing runoff area on the west side of the alley and add to the water volume drained into the space from the new buildings. This alley also homes utility lines and transformers running it's length which will be in direct conflict with the footprint of the new 5 story structure. The structure and necessary right of way overlap considerably.

The developer has been quoted as saying he is not inclined to rework the alley or fix the drainage issues as part of the project. He has given no indication of the plan to remediate this issue or how the garage access will be impacted if utility lines are buried or the alley is widened — a point of compliance that will demand significant attention. There are no place for those 24 garages worth of cars to go given the 2 hour street parking restrictions. As currently stands, the design intention is a bill of goods that exists outside the realm of reality and is being sold to residents anyway. Widening the alley and providing utility right of way narrows the potential footprint of the structure significantly, and the developers seem unaware of this—seemingly intent on constructing a residential pool area within this needed right of way that (just pointing this out in the interest of absurdity), receive almost zero (under 3 hours) of direct sunlight per day... Awesome idea.

These are just two of the myriad of considerations and objections regarding this change of zoning that others are also highlighting, so I'll close by asking a couple of related questions...

- *Will their new underground parking be genuine pubic parking or only for residents/shopping customers or provided for fee based use? This is important because only the first option prevents the addition of significant additional demand to street parking that has no excess capacity within a several block radius what so ever. What is the plan to mitigate this potential problem?*
- *The open space provisions (**deceptive sugar coating again**) outlined by the developer include courtyard type public gathering spaces surrounded by structure... True open space is accessible by the entire community (parks etc). Are these semi private open space additions really going to be authentically accessible by all neighborhood residents, or just those who "look like" they belong in said space. Will this include public restrooms or will those all be exclusive for use by "customers only?"*

- The developer has provided no accurate development renderings or drawings that are publicly accessible showing either the true massing impacts **(those on the website are all from Curtis and Arapahoe — several blocks away— deception by the detail of the caption)** nor any renderings showing how the 7 stories will look. Why has the developer not accurately illustrated and conveyed the true massing of these structures from the streets most impacted — Larimer and Lawrence These are massive buildings that they are asking for carte blanche approval to still design and construction. Once this zoning change is put into place it cant be taken back and nothing precludes them from turning the 5 stories into 7 on the quarter block. Again seven stories more than **DOUBLES** the existing building heights on this corridor...
- There are also safety considerations as many of the streets in this micro area are poorly lit at night by a lack of street light coverage. The developer has not included any plans to address safety concerns. Is the developer planning on any public infrastructure upgrade to the surrounding blocks? Clearly the alley isn't of concern, what about lighting on those pedestrian and bicycle corridors? Additional public trash cans (cause RiNo is a spotless neighborhood)?

If the developer believes that he has met his burden in demonstrating the need for this change through the dubious claims on the project's site, it is my genuine hope that the above considerations and those posed by my thoughtful neighbors cast considerable doubt that he has done so. I also hope and implore city officials charged with considering and determining the outcome of this petition to have the curiosity to ask much harder and poignant questions and **remain mindful that it is their obligation to shepherd the city's collective intent to evolve and grow smartly and with the utmost deference to that intent over those demands of a clearly overzealous individual developer.**

Kind regards,

Christopher Topp
Resident of RiNo and Denver Urbanite
Master of Public Administration (2009)

From: [Price, Devin - DOTI Business Operations Administrator](#)
To: christopher.topp@gmail.com
Subject: 2022-VACA-0000002 2600 Larimer Street Vacation - DOTI ER Response
Date: Friday, June 3, 2022 12:04:00 PM
Attachments: [image001.png](#)
[VACA Comment - Topp, Christopher - signed.pdf](#)

Good afternoon,

Please see the attached letter in regard to 2022-VACA-0000002 2600 Larimer Street Vacation.

Please let me know if you have any questions.

Thank you,



Devin Price | Business Operations Administrator
Department of Transportation & Infrastructure |
City and County of Denver
[Pronouns](#) | She/Her/Hers
phone: (720) 865-3036

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



June 3, 2022

Christopher Topp
Denver, CO

RE: Application for Vacation of the Public Right-of-Way (ROW)

Project Number: 2022-VACA-0000002

Project Location: 2600 Larimer Street

Date of Request: December 17, 2021

Dear Christopher,

We appreciate your participation in the Public Notification period of the aforementioned project and providing your comments of the proposed vacation area. The City and County of Denver Department of Transportation & Infrastructure (DOTI) is in receipt of your comments to the referenced application for a proposed vacation of the public right-of-way. DOTI Right-of-Way Services (ROWS) Engineering & Regulatory (ER) has reviewed your comments as outlined in your letter dated April 20, 2022. We understand your concerns regarding the impacts this would have to utilizing the requested area as a trash/service accessibility, accessibility into garages, concerns of zoning, lack of parking for the public, and lack of street lighting coverage. However, the proposed vacation design meets the minimum criteria for the City and County of Denver Transportation Standards & Details. DOTI ROWS ER has determined that these concerns do not provide sufficient technical justification to deny submitting the proposed application to City Council for their consideration.

DOTI appreciates you sharing your concerns, and you may contact us at DOTI.ER@denvergov.org should you have additional questions.

Sincerely,

Devin Price

Devin Price | Business Operations Administrator
(720) 865-3036
Devin.price@denvergov.org
Department of Transportation & Infrastructure
City & County of Denver

cc: Project File: 2022-VACA-0000002

City and County of Denver Department of Transportation & Infrastructure
Right of Way Services
201 West Colfax Avenue, Dept 507 | Denver, CO 80202
www.denvergov.org/doti
Phone: 720-865-3003

PETITION

The undersigned, residents of the
Curtis Park neighborhood, are opposed
to granting the requested Alley VACATION
& PRIVATIZATION OF the 2600 block
alley between Lawrence/Larimer Streets
PROJECT NAME: RINO VOA
PROJECT #: 2022-VACA-0000002

	<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
1.	Timothy Lopez	2550 Arapahoe St	3-26-22
2.	Ruby Soto	2542 Arapahoe	3-26-22
3.	Margaret Montoya	2554 Arapahoe	3-26-22
4.	Kathy Montoya	2554 Arapahoe St	3-26-22
5.	Phil Montoya	2554 Arapahoe St	3-26-22
6.	Sharon Serna	2556 Arapahoe St	3-26-22
7.	Susie Wolcott	1120 26th St	3-26-22
8.	Mickelly Duenas	1087 26th	3-26-22
9.	Ben Duenas	1027 26th	3-26-22
10.	Joe C. Rubio	2610 Arapahoe	3/26/22
12.	Huber Rubio	2610 Arapahoe St	3/26/22
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18.	Tom Gregory	3125 Lawrence	04-10-2022
19.	Lucy Wolfe	3135 LAWRENCE	4/10/22
20.	Silvia	LAWRENCE St	4/10/22

PETITION

The undersigned, residents of the Curtis Park neighborhood, are opposed to granting the requested Alley VACATION & PRIVATIZATION OF the 2600 block alley between Lawrence/Larimer Streets

PROJECT NAME: RiNO VOA

PROJECT #: 2022-VACA-0000002

	<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
21.	Dianay Shea	3215 LAWRENCE ST	4/10/22
22.	MARK MARIANO	3215 LAWRENCE ST	4/10/22
23.	Anna Korb	1023 26 th ST.	4/11/22



June 3, 2022

Property Owner or Current Resident

RE: Application for Vacation of the Public Right-of-Way (ROW)

Project Number: 2022-VACA-00000002

Project Location: 2600 Larimer Street

Date of Request: December 17, 2021

Dear Resident,

We appreciate your participation in the Public Notification period of the aforementioned project and providing your comments of the proposed vacation area. The City and County of Denver Department of Transportation & Infrastructure (DOTI) is in receipt of your comments to the referenced application for a proposed vacation of the public right-of-way. DOTI Right-of-Way Services (ROWS) Engineering & Regulatory (ER) has reviewed your objections and signatures as outlined in the Petition that circulated your community on or around March 26, 2022 through April 10, 2022. However, there were no concerns listed with your signature and DOTI Right-of-Way Services (ROWS) Engineering & Regulatory (ER) has determined that this does not provide sufficient technical justification to deny submitting the proposed application to City Council for their consideration.

DOTI appreciates you sharing your concerns, and you may contact us at DOTI.ER@denvergov.org should you have additional questions.

Sincerely,

Devin Price

Devin Price | Business Operations Administrator
(720) 865-3036
Devin.price@denvergov.org
Department of Transportation & Infrastructure
City & County of Denver

cc: Project File: 2022-VACA-00000002

City and County of Denver Department of Transportation & Infrastructure
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