

APPLICATION

FOR ENCROACHMENTS & ENCUMBRANCES IN THE PUBLIC RIGHT-OF-WAY

An Encroachment Permit is required prior to placing privately-owned improvements (“Encroachment” or “Encumbrance”) in the public Right-of-Way (ROW). Only Encroachment Permit Applications in accordance with [Rules and Regulations](#) and [Permit Entrance Requirements](#) for Encroachments in the Public Right-of-Way will be considered by the Department of Transportation & Infrastructure (DOTI). **It is the City’s sole discretion whether to grant an Encroachment Permit based on any facts the City feels are relevant. Approval is not guaranteed.**

To apply, complete this application and submit together with required application materials in accordance with the [Permit Entrance Requirements](#) to DOTI.ER@denvergov.org. Please type or print clearly. If necessary, attach additional sheets to fully answer any of the following sections. Incomplete applications packages will not be accepted. Questions on this application or the process can be sent to DOTI.ER@denvergov.org.

☐ **Check if this application is for Tier Determination only.** *If checked, the project will not be submitted for full review until confirmation, and remaining submittal requirements, are received by owner.*

ADJACENT PROPERTY OWNER:

The adjacent property owner or Authorized Special District will be the Encroachment Owner and Permittee and is the responsible party for the Encroachment in accordance with the Rules and Regulations, including all fees and annual billing.

Company Name:	MM21 LLC		
Contact Name:	Matt Magrann		
Property Address:	2641 Walnut Street, Denver, CO 80205		
Billing Address:	1617 Wazee Street, Denver, CO 80202		
Phone:	720-412-1886	Email:	mmagrann@projex-inc.com

PRIMARY CONTACT: ☐ Check if the same as Adjacent Property Owner

Company Name:	Venture Architecture		
Contact Name:	Taylor Hawley		
Address:	535 E Mexico Ave, Denver, CO 80210		
Phone:	720-412-1886	Email:	taylor.hawley@venturearchitecture.com

ENCROACHMENT INFORMATION:

Project Name:	Projex Showroom - Exterior Entry Stair & Ramp
Adjacent Property Address:	2641 Walnut Street, Denver, CO 80205
Coordinates (Lat/Long):	39.759892, -104.985476
Encroachment Area, in SF:	454 SF

Is this project associated with a LAND DEVELOPMENT REVIEW?

Yes ☐ No ☒ If 'Yes', provide Project Master, Site Plan and/or Concept Development Project Numbers:

Is the proposed encroachment located in Future Right-of-Way?

Finalizing permit and/or processing resolution for the Encroachment will not occur until the ROW dedication is finalized.

Yes ☐ No ☒ If 'Yes', provide ROW Dedication Project Number:

Location Description: (e.g. Located on the South side of 23rd Ave, twenty (20) feet from face of curb, and ten (10) feet west of pavement on Private Drive.)

A PARCEL OF LAND LOCATED IN THE PUBLIC RIGHT-OF-WAY OF WALNUT STREET ADJACENT TO LOTS 27 AND 28, BLOCK 2, CASE & EBERT'S ADDITION TO THE CITY OF DENVER, LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE DENVER RANGE POINT AT THE INTERSECTION OF WALNUT STREET AND 27TH STREET, AS MONUMENTED BY A FOUND 2" ALUMINUM CAP STAMPED "PLS 34977" IN RANGE BOX, WHENCE THE DENVER RANGE POINT AT THE INTERSECTION WALNUT STREET AND 26TH STREET, AS MONUMENTED BY A FOUND 2-1/2" ALUMINUM CAP STAMPED "RP PLS 37066", BEARS S 44°38'50" W, A DISTANCE OF 480.45 FEET.

Description of Encroachment:

Describe the proposed encroachment, including the type and quantity of objects.

The proposed encroachment includes a cast-in-place concrete elevated walkway, a cast-in-place concrete ADA compliant ramp and cast-in-place concrete entry stair.

Reason for Private Improvements in the Public ROW:

Private improvements should be located on private property. Only in cases where there are physical constraints that preclude the placement of private improvements on private property that an encroachment may be considered within the right-of-way. Make your case as to why this is a good use of the public right-of-way.

The south face of the existing 1927 masonry building along Walnut street is directly on the property line. There is currently no access to the existing loading dock and existing front door of the building which are at an elevation over two feet above the adjacent sidewalk elevation. In order to provide a safe and code compliant entrance to the retail building, we are proposing a concrete stair, ramp and walkway built into the existing ROW.

ATTESTATION:

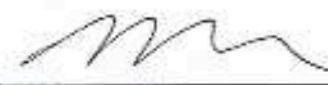
By submitting this permit application and signing below, I understand and agree to the following:

1. That I am the property owner adjacent to the Encroachment Area, or the authorized representative of a Special District, that is responsible for the placement, maintenance, repair, replacement, removal, site restoration, ownership, or is otherwise responsible for the Encroachment in accordance with the Rules & Regulations for Encroachments and Encumbrances in the Public Right-of-Way.
2. That it is the City's sole discretion to classify the Tier of an Encroachment and whether to grant an Encroachment Permit based on any facts the City feels are relevant. The issuance of an Encroachment Permit confers no rights to the Right-of-Way, the Encroachment Permit is revocable and DOTI can order the removal of the Encroachment and restoration of the Encroachment Area for any reason the City feels relevant.
3. Permittee agrees to defend, indemnify, reimburse and hold harmless the City, its appointed and elected officials, agents and employees for, from and against all liabilities, claims, judgments, suits or demands for damages to persons or property arising out of, resulting from, or relating to an Encroachment Permit and the Encroachment ("Claims"). This indemnity shall be interpreted in the broadest possible manner to indemnify City for any acts or omissions of Permittee or its subcontractors either passive or active, irrespective of fault, including City's negligence whether active or passive.
4. Permittee's duty to defend and indemnify City shall arise at the time written notice of the Claim is first provided to City regardless of whether claimant has filed suit on the Claim. Permittee's duty to defend and indemnify City shall arise even if City is the only party sued by claimant and/or claimant alleges that City's negligence or willful misconduct was the sole cause of claimant's damages.
5. Permittee will defend any and all Claims which may be brought or threatened against City and will pay on behalf of City any expenses incurred by reason of such Claims including, but not limited to, court costs and attorney fees incurred in defending and investigating such Claims or seeking to enforce this indemnity obligation. Such payments on behalf of City shall be in addition to any other legal remedies available to City and shall not be considered City's exclusive remedy.
6. Insurance coverage requirements specified in an Encroachment Permit shall in no way lessen or limit the liability of Permittee under the terms of this indemnification obligation. Permittee shall obtain, at its own expense, any additional insurance that it deems necessary for the City's protection.
7. This defense and indemnification obligation shall survive the expiration or termination of any issued Encroachment Permit.
8. Permittee is fully responsible for all costs to install, maintain, repair, replace, remove, and restore the Encroachment Area, including annual City Encroachment Permit Fees. A lien will be placed on the Permittee's property for failure to remove a revoked or abandoned Encroachment or cost incurred by CCD to remove the Encroachment and restore the Encroachment Area on behalf of the Permittee.
9. Indemnity and Insurance for Tier I and Tier II Encroachments: Pursuant to and not superseding any General Terms and Conditions, as a condition for placement of a Tier I or Tier II Encroachment, the Owner of such Tier I or Tier II Encroachment shall hold CCD harmless from all loss or damage to persons or property on account of injury arising from the construction, repair, or maintenance of the Tier I or Tier II Encroachment. Obtain and Maintain a Commercial General Liability Insurance policy with limits of \$1,000,000 for each occurrence, \$1,000,000 for each personal and advertising injury claim, \$2,000,000 products and completed operations aggregate, and \$2,000,000 policy aggregate. The City and County of Denver, its Elected and Appointed Officials, Employees and Volunteers shall be included as Additional Insured.
10. Indemnity and Insurance for Tier III Encroachments: Pursuant to and not superseding any General Terms and Conditions, as a condition for placement of a Tier III Encroachment, the Owner of such Tier III Encroachment shall hold CCD harmless from all loss or damage to persons or property on account of injury arising from the construction, repair, or maintenance of the Tier III Encroachment. Obtain and Maintain a Commercial General Liability Insurance policy with limits of \$1,000,000 for each occurrence, \$1,000,000 for each personal and advertising injury claim, \$2,000,000 products and completed operations aggregate, and \$5,000,000 policy aggregate. A combination of primary and excess coverage may be used to meet the aggregate limit. The City and County of Denver, its Elected and Appointed Officials, Employees and Volunteers shall be included as Additional Insured.

ADJACENT PROPERTY
OWNER SIGNATURE:

PRINT NAME:

COMPANY:


MATTHEW NAGATANI
MM2 LLC

DATE:

TITLE:

FEBRUARY 21, 2024
PRESIDENT - OWNER

PERMIT SUBMITTAL CHECKLIST

FOR ENCROACHMENTS & ENCUMBRANCES IN THE PUBLIC RIGHT-OF-WAY
Any Submittal not meeting all minimum checklist criteria herein will be rejected as incomplete.

Encroachments shall be in accordance with:

- ☐ [Denver Revised Municipal Code \(DRMC\) Chapter 49, Streets, Sidewalks and Other Public Ways](#)
- ☐ [Rules and Regulations Governing Encroachments & Encumbrances in the Public Right-of-Way](#)
- ☐ [Transportation Standards and Details for the Engineering Division](#)

Application

- ☐ Signed by adjacent property owner as owner of Encroachment or authorized Special District representative

Evidence of Adjacent Property Ownership & Parcel Land Description

Required for all Encroachment Permit Applications

- ☐ Current Title Work/Warranty Deed confirming ownership and parcel land description for adjacent property
- ☐ Parcel Land Description in Word format

Land Description sealed and signed by a Professional Land Surveyor licensed in Colorado

Required for Tier II Underground Encroachments and all Tier III Encroachments (can be submitted after 1st review)

- ☐ Encroachment Area Land Description and Exhibit(s) in PDF format stamped and signed by PLS
- ☐ Encroachment Area Land Description in Word format

Site Plans sealed and signed by a Professional Engineer licensed in Colorado

GENERAL

- ☐ Vicinity map
- ☐ North arrows and numerical and bar scales (Scale not to exceed 1" = 40')
- ☐ Legend
- ☐ PE stamp area
- ☐ Plan set date and revision number (if applicable)

PLAN VIEW

Show, label and dimension existing and proposed final site conditions, including but not limited to the following (aerial imagery is allowed; however, it does not replace requirement for accurately scaled engineering drawings):

- ☐ Property lines, right-of-way width
- ☐ Edge of pavement, curb and gutter, sidewalks, nearby driveways and alleys
- ☐ Street lights, pedestrian lights, signal poles, utility poles
- ☐ Surface utility features (e.g. cabinets, handholes, manholes, inlets, vaults, valves, fire hydrants)
- ☐ Regulatory Floodplain boundaries (FEMA)
- ☐ Underground and overhead utilities (e.g. water, sewer, power, communications, gas, irrigation)
- ☐ Trees and landscaping in the ROW
- ☐ Street names and adjacent property address(es)
- ☐ Regional Transportation District (RTD) bus stop with any amenities
- ☐ Location and size of Encroachment – Show and dimension limits of both above and below ground elements
- ☐ Construction Materials
- ☐ Projection from building
- ☐ Distance from Encroachment to the nearest flowline

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

Phone: 720-913-3003



- ☐ Distance from Encroachment to any other Streetscape feature/obstruction in the vicinity
- ☐ Distance from property line to back of curb
- ☐ Electrical service alignment, electrical connection location, and voltage/amps
- ☐ No proposed Encroachments located in the intersection clear zone per Transportation Std. Dwg. 7.9

ELEVATION OR CROSS-SECTION VIEWS

- ☐ Location and size of Encroachment – Show and dimension limits of both above and below ground elements
- ☐ Existing and final grade
- ☐ Existing utilities and their size and depth
- ☐ Vertical height/clearance of the Encroachment from finish grade

DETAIL SHEET(S)

- ☐ Manufacturer's and/or construction detail(s)
- ☐ Referenced City detail(s) by drawing number on the appropriate plan and elevation view(s)
- ☐ Office of the Forester's (OCF) tree protection detail and notes
- ☐ Special, non-standard, or modified City details

STRUCTURAL PLANS ☐ Not Applicable

- ☐ Structural plans
- ☐ Manufacturers certification

ADDITIONAL REQUIRED MATERIAL(S) ☐ Not Applicable

- ☐ Approval from applicable reviewing authorities (e.g. design review district, floodplain, Arts & Venues)
- ☐ For properties sharing the Encroachment, appropriate legal documentation for review by the City

COMMENT RESOLUTION SHEET(S) IF APPLICABLE ☐ Not Applicable for 1st Submittal

- ☐ Reviewer's and Agency Name
- ☐ Review comments (reviewer comments must be verbatim)
- ☐ Formal written response to each comment

Fees:

Fees must be paid immediately after ER provides a project number and invoice for your application.

Fees (Non-Refundable):	Tier I Encroachment:	Tier II Encroachment:	Tier III Encroachment:
Initial Processing	No Fee	\$1,500.00	\$1,500.00
Land Description Review	N/A	\$500.00	\$500.00
Resolution Review	N/A	N/A	\$300.00
Annual Permit	No Fee	\$200.00	\$200.00

Attestation:

I hereby attest that the above information is incorporated into the Encroachment Application and plan submittal:

SIGNATURE: _____ DATE: _____
PRINT NAME: _____ EMAIL: _____
COMPANY: _____ PHONE: _____

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
Phone: 720-913-3003

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Form Date 1/2/2024

After recording return to:
2635 Walnut Street
Denver, CO 80205

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (this "Agreement") dated this 14th day of December 2023, by and between Callinectes LLC, a Colorado limited liability company, with an address of 2635 Walnut Street, Denver, CO 80205 ("Building A Owner") and MM21 LLC, a Colorado limited liability company, with an address of 1617 Wazee St Unit 200, Denver, CO 80202 ("Building B Owner") (Building A Owner and Building B Owner are each an "Owner" and collectively the "Owners").

WHEREAS, Building A Owner is the fee simple owner of the real property located on 2635 Walnut Street, Denver, Colorado which is legally described on Exhibit A attached hereto ("Building A");

WHEREAS, Building B Owner is the fee simple owner of the real property located on 2641 Walnut Street, Denver, Colorado which is legally described on Exhibit B attached hereto ("Building B");

WHEREAS, Building B Owner intends to construct within the public right of way in the location depicted on Exhibit C attached hereto, a pedestrian ramp, meeting the requirements of the American with Disabilities Act ("ADA") ("Ramp") to provide accessible ingress and egress;

WHEREAS, Building A Owner and Building B Owner desire to enter into this Agreement regarding the joint use of the Ramp for purposes of accessing Building A and Building B by each property's respective owners and the tenants, agents, licensees, contractors and invitees of such owner (collectively, the "Designated Users").

NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby received the Parties agree as follows:

1. Easement Grant. Building B Owner hereby grants a to Building A Owner and its successors and assigns, a perpetual easement non-exclusive easement for Building A Owner and Building A's Designated Users to use the Ramp for pedestrian access to Building A. Building A Owner shall not, and shall not permit Building A's Designated Users to, damage or obstruct the Ramp or otherwise block its use by those individuals who require ADA compliant ingress and egress. The easement rights granted herein are subject to those existing easements and restrictions of record.

2. Maintenance and Repair. Building B Owner shall at its sole cost and expense, promptly remove snow from, repair, and maintain the Ramp in a condition required by the ADA and by the City of Denver for ADA ramps in the City and County of Denver. Notwithstanding the foregoing, Building A Owner shall be responsible, at its sole cost and expense, for repairing any damage to the Ramp caused by Building A Owner or any of Building A's Designated Users. If either Owner fails to comply with this provision, and such failure continues for a period of five (5) days following written notice thereof, the other Owner shall have all rights and remedies available to it at law or inequity including, without limitation, the right to perform such work on behalf of the non-compliance Owner and receive reimbursement for the documented out-of-pocket costs of such work reasonably incurred.

3. Insurance and Indemnification. Each Owner shall at all times maintain, or cause to be maintained, at its own expense, in full force and effect, commercial general liability insurance with a combined single limit of liability of not less than One Million Dollars (\$1,000,000.00) for bodily injury to or personal injury or death of any person and for property damage arising out of any one occurrence. Each Owner hereby agrees to indemnify and to hold the other Owner harmless from and against any and all actions, causes of action, liability, damage, cost or expense, including, without limitation, reasonable attorneys' fees, which may be incurred by or asserted against the other Owner and arising out of the use of the Ramp by the indemnifying party and its Designated Users, except to the extent such action, cause of action, liability, damage, cost or expense was caused by the negligence or willful misconduct of the Owner to be indemnified or its Designated Users. **EACH OWNER WAIVES ANY RIGHTS IT MAY HAVE AGAINST ANOTHER OWNER (INCLUDING, BUT NOT LIMITED TO, A DIRECT ACTION FOR DAMAGES) ON ACCOUNT OF ANY LOSS OR DAMAGE OCCASIONED TO SUCH OWNER ARISING FROM ANY RISK COVERED BY THE INSURANCE REQUIRED TO BE CARRIED BY SUCH OWNER. WITHOUT IN ANY WAY LIMITING THE FOREGOING WAIVERS AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE OWNERS EACH, ON BEHALF OF THEIR RESPECTIVE INSURANCE COMPANIES, WAIVE ANY RIGHT OF SUBROGATION THAT AN OWNER OR ITS INSURERS MAY HAVE AGAINST ANY OTHER OWNER OR ITS RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, TENANTS OR INVITEES AND ALL RIGHTS OF ITS INSURANCE COMPANIES BASED UPON AN ASSIGNMENT FROM ITS INSURED. IT IS EXPRESSLY AGREED THIS WAIVER OF SUBROGATION APPLIES WITH RESPECT TO ANY LOSS DUE TO THE NEGLIGENCE OF THE OTHER OWNER. EACH OWNER AGREES IMMEDIATELY TO GIVE TO EACH SUCH INSURANCE COMPANY WRITTEN NOTIFICATION OF THE TERMS OF THE MUTUAL WAIVERS CONTAINED IN THIS SECTION AND TO HAVE SAID INSURANCE POLICIES PROPERLY ENDORSED, IF NECESSARY, TO PREVENT THE INVALIDATION OF SAID INSURANCE COVERAGE BY REASON OF SAID WAIVERS. THE FOREGOING WAIVER SHALL BE EFFECTIVE WHETHER OR NOT THE PARTIES MAINTAIN THE REQUIRED INSURANCE.**

4. Extent of Liability. Except only with respect to the indemnification obligations set forth above which shall not be subject to the provision, the Owners expressly acknowledge and agree that the obligations and liability of each Owner shall be limited solely to such Owner's interest in its respective Building, as such interest is constituted from time to time. The Owners further acknowledge and agree that any claim against an Owner will be confined to and satisfied only out of, and only to the extent of, such Owner's interest in its Building, as such interest is constituted from time to time. Nothing contained in this paragraph shall limit or affect any right that any party might otherwise have to recover against the other Owner's insurer or to specifically enforce the rights and agreements set forth in this Agreement.

5. Governing Law; Recording. The validity and effect of this Agreement shall be determined in accordance with the laws of the State of Colorado. This Agreement will be recorded in the Office of the Clerk and Recorder of the City and County of Denver, Colorado.

6. Binding Effect. The terms, covenants, agreements, restrictions and conditions in this Agreement shall be construed as covenants running with the land. Each and every one of the benefits, burdens, terms, covenants, agreements and conditions contained in this Agreement shall (a) inure to the benefit of and be binding upon each Owner and each Owner's respective heirs, successors, and assigns, and (b) be construed as covenants running with title to the Building A and Building B. This Agreement

may be modified, amended, or terminated only by the joint action of all Owners of the Buildings at the time of such modification, amendment, or termination.

7. Entire Agreement. This Agreement constitutes the entire understanding between Building A Owner and Building B Owner regarding the use of the Ramp and supersedes any prior agreements or understandings, whether written or verbal, relating to the same.

[signature pages follow]

IN WITNESS WHEREOF, Building A Owner and Building B Owner have executed this Easement Agreement as of the date first above written.

MM21 LLC,
a Colorado limited liability company

By: [Signature]
Name: Matt Magrann
Title: Owner

STATE OF COLORADO)
COUNTY OF [] Denver) ss.

The foregoing instrument was acknowledged before me this 15 day of December, 2023, by Matt Magrann, the Owner of MM21 LLC, a Colorado limited liability company, for and on behalf of said limited liability company.

Witness my hand and official seal.

My commission expires: Feb. 28, 2027
SARA S. YANCY
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 2019400668
COMMISSION EXPIRES FEB 28, 2027
Sara Yancy
Notary Public

Callinectes LLC,
a Colorado limited liability company

By: [Signature]
Name: Jeffrey Reberry
Title: Member

STATE OF COLORADO)
COUNTY OF [] Arapahoe) ss.

The foregoing instrument was acknowledged before me this 18th day of December, 2023, by [] as [] of [Owner A], a []
Jeffrey Reberry a member
Witness my hand and official seal.

My commission expires: 03/29/2025

[Signature]
Notary Public

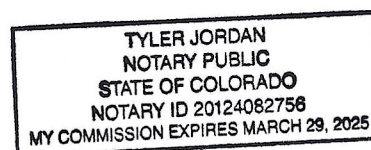
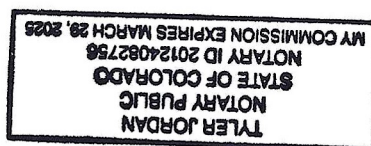


EXHIBIT A

Legal Description of Building A

Lots 25 and 26, Block 2, Case & Ebert's Addition to the City of Denver, City and County of Denver, State of Colorado.

EXHIBIT B

Legal Description of Building B

Lots 27 and 28, Block 2, Case & Ebert's Addition to the City of Denver, City and County of Denver, State of Colorado.

EXHIBIT C
Depiction of Ramp

31058967_v4

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Reviewing Agency: DS Transportation Review

Review Status: Approved

Reviewers Name: Marco Cabanillas

Reviewers Email: Marco.Cabanillas@denvergov.org

Status Date: 07/12/2024

Status: Approved

Comments: FYI - A building permit is required for this work in addition to the encroachment permit

Status Date: 07/11/2024

Status: Denied

Comments: Denied on behalf of this critical reviewer. This is still under review. Please contact the reviewer to resolve.

Status Date: 04/24/2024

Status: Approved

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp

Reviewing Agency/Company: City & County of Denver/DOTI DES Transportation

Reviewers Name: Mindy Christensen

Reviewers Phone: 7208653216

Reviewers Email: mindy.christensen@denvergov.org

Approval Status: Approved

Comments:

Design of ramp/steps should be coordinated with ER. Once the layout has been approved, and the building permit plan set has been updated to be consistent with the building permit plans, let me know so I can review the building permit plan set.

Status Date: 04/18/2024

Status: Denied

Comments: *

Reviewing Agency: DS Project Coordinator Review

Review Status: Approved - No Response

Reviewers Name: James Larsen

Reviewers Email: James.Larsen@denvergov.org

Status Date: 06/25/2024

Status: Approved - No Response

Comments:

Status Date: 04/01/2024

Status: Approved - No Response

Comments:

Reviewing Agency: Survey Review

Review Status: Approved

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Reviewers Name: Thomas Savich
Reviewers Email: Thomas.Savich@denvergov.org
Status Date: 08/28/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: DOTI/ROWS/SURVEY
Reviewers Name: Thomas Savich
Reviewers Phone: 8188098753
Reviewers Email: thomas.savich@denvergov.org
Approval Status: Approved

Comments:

Attachment: a_2024Encroach39-SitePlan-001.pdf

Attachment: b_2024Encroach39-VestingDeed-001.pdf

Attachment: c_2024Encroach39-TitleCommitment-001.pdf

Attachment: d_2024Encroach39-VestingDeedDesc-001.docx

Attachment: e_2024Encroach39-Desc and Illus-002.pdf

Attachment: f_2024Encroach39-Desc-002.docx

Status Date: 07/09/2024
Status: Denied
Comments: Survey comments are in the 2nd Sub REDLINES folder (REDLINES- Survey- Savich_2.pdf)
Status Date: 04/19/2024
Status: Denied
Comments: Survey Comments & Redlines are in the REDLINES folder (REDLINES- Survey- Savich.pdf)

Reviewing Agency: DES Wastewater Review Review Status: Approved

Reviewers Name: Jim Turner
Reviewers Email: Jim.Turner@denvergov.org

Status Date: 06/25/2024
Status: Approved
Comments:

Status Date: 04/01/2024
Status: Approved
Comments:

Reviewing Agency: City Council Referral Review Status: Approved - No Response

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Status Date: 07/11/2024
Status: Approved - No Response
Comments:

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

Reviewing Agency: ERA Transportation Review **Review Status:** Approved

Reviewers Name: Paul Weller
Reviewers Email: Paul.Weller@denvergov.org

Status Date: 09/03/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - 2ND_Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: DOTI ROWS ER Transportation
Reviewers Name: Paul Weller
Reviewers Phone: 720-913-0514
Reviewers Email: Paul.Weller@Denvergov.org
Approval Status: Approved

Comments:
The attached plan, dated 8/25/24, has been revised to address our comments

Attachment: 2641 Walnut St - Encroachment Exhibit - 2024-08-25.pdf

Status Date: 07/08/2024
Status: Denied
Comments: Encroachment Exhibit

1. Show and label gas meter
2. Encroachment limits must include wall footings, adjust dimensions limits.
3. Add dimensions from ROW line to face of wall and from face of wall to flowline.
4. Adjust 12.5 ft/8.5 ft dimension string at the south end of the parcel to align with encroachment limits.

Status Date: 04/19/2024
Status: Denied
Comments:
1. Show and label ROW on all plans (See Transportation Standards and Details standard drawing 1.1 Legend)
2. Transition to existing grade may not exceed 7.8%
3. Dimension sidewalk width adjacent to ramp (Sta 0+25, 8 ft minimum required).
4. Show and dimension legal description for encroachment on site plan to demonstrate that all work, including footings, is contained within the permitted area.

REDLINES uploaded to E-review webpage

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

5. Demonstrate the entry canopy is compliant with the requirements of the Denver Revised Municipal Code section 49-344 Balconies and Projections.

Reviewing Agency: ERA Wastewater Review

Review Status: Approved

Reviewers Name: Mike Sasarak

Reviewers Email: Mike.Sasarak@denvergov.org

Status Date: 07/10/2024

Status: Approved

Comments:

Status Date: 04/18/2024

Status: Approved

Comments:

Reviewing Agency: CenturyLink Referral

Review Status: Approved - No Response

Status Date: 07/11/2024

Status: Approved - No Response

Comments:

Status Date: 05/02/2024

Status: Approved

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp

Reviewing Agency/Company: Lumen/CenturyLink

Reviewers Name: Phil Hackler

Reviewers Phone: 4322888418

Reviewers Email: Phil.Hackler@Lumen.com

Approval Status: Approved

Comments:

All documents were submitted to the Engineer. I received a no objection to the encroachment.

Attachment: P861371_Letter Of No Objection.pdf

Status Date: 04/20/2024

Status: Approved - No Response

Comments:

Reviewing Agency: Xcel Referral

Review Status: Approved w/Conditions

Status Date: 07/11/2024

Status: Approved w/Conditions

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - 2ND_Tier III 2641 Walnut St Walkway and Ramp

Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy

Reviewers Name: Donna George

Reviewers Phone: 3035713306

Reviewers Email: Donna.L.George@xcelenergy.com

Approval Status: Approved with conditions

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Comments:

PSCo/Xcel Energy has existing underground electric distribution facilities for streetlighting within this area. Note that proper clearances must be maintained including ground cover over buried facilities that should not be modified from original depths. In other words, if the original cover is changed (less or more), PSCo facilities must be raised or lowered to accommodate that change. Contact Colorado 811 before excavating. Use caution and hand dig when excavating within 18-inches of each side of the marked facilities. Please be aware that all risk and responsibility for this request are unilaterally that of the Applicant/Requestor.

Status Date: 04/22/2024

Status: Approved w/Conditions

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy
Reviewers Name: Donna George
Reviewers Phone: 3035713306
Reviewers Email: Donna.L.George@xcelenergy.com
Approval Status: Approved with conditions

Comments:

PSCo/Xcel Energy has existing underground electric distribution facilities for streetlighting within this area. Note that proper clearances must be maintained including ground cover over buried facilities that should not be modified from original depths. In other words, if the original cover is changed (less or more), PSCo facilities must be raised or lowered to accommodate that change. Contact Colorado 811 before excavating. Use caution and hand dig when excavating within 18-inches of each side of the marked facilities. Please be aware that all risk and responsibility for this request are unilaterally that of the Applicant/Requestor.

Status Date: 04/20/2024

Status: Approved - No Response

Comments:

Reviewing Agency: RTD Referral

Review Status: Approved

Status Date: 07/11/2024

Status: Approved

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: RTD
Reviewers Name: clayton s woodruff
Reviewers Phone: 303-299-2943
Reviewers Email: Clayton.woodruff@rtd-denver.com
Approval Status: Approved

Comments:

This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property.

Status Date: 04/22/2024

Status: Approved

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: RTD

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Reviewers Name: clayton s woodruff
Reviewers Phone: 303-299-2943
Reviewers Email: Clayton.woodruff@rtd-denver.com
Approval Status: Approved

Comments:
The RTD engineering review has no exceptions to this project at this time.
This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property.

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

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

Status Date: 07/11/2024
Status: Approved - No Response
Comments:

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

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

Status Date: 07/11/2024
Status: Approved - No Response
Comments:

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Street Maintenance Referral Review Status: Approved - No Response

Status Date: 07/11/2024
Status: Approved - No Response
Comments:

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

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

Status Date: 07/11/2024
Status: Approved - No Response
Comments:

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Status Date: 04/20/2024
Status: Approved - No Response

Reviewing Agency: Building Department Review **Review Status:** Approved

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

Status Date: 07/29/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - 2ND_Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: Community Planning & Development
Reviewers Name: Keith Peetz
Reviewers Phone: 7208652702
Reviewers Email: keith.peetz@denvergov.org
Approval Status: Approved

Comments:
Approval is based upon the information contained in the previously uploaded drawing file: 2219 24.06.19 EXTERIOR STAIR and RAMP - TIER 3 ENCROACHMENT COMBINED.pdf

Status Date: 07/09/2024
Status: Denied
Comments: On sheet A1.61 increase the length of the ramp's intermediate landing to a minimum of 60-inches in the direction of travel as is required by 2021 International Building Code Section 1012.6.4.
Submit signed and sealed modified drawings for the reconfigured ramp and stairway to CPD - Building Dept. for review and permit.

Status Date: 04/09/2024
Status: Approved
Comments: These drawings modify the scope of work previously conditionally approved via 2023-Log-0008401 and 2023-CommCon-0001980. Submit these drawings to CPD/DS-Building for approval and permit.

Reviewing Agency: Division of Real Estate Referral **Review Status:** Approved

Reviewers Name: Kathryn Spritzer
Reviewers Email: Kathryn.spritzer@denvergov.org

Status Date: 06/26/2024
Status: Approved
Comments: Approved, no comment.

Status Date: 04/12/2024
Status: Approved
Comments:

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

Reviewers Name: Brian Dimock
Reviewers Email: Brian.Dimock@denvergov.org

Status Date: 07/02/2024
Status: Approved

2024-ENCROACHMENT-0000039

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Comments:

Status Date: 04/02/2024

Status: Approved

Comments:

Reviewing Agency: Denver Water Referral

Review Status: Approved

Status Date: 07/11/2024

Status: Approved

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 0000000000
Reviewers Email: kela.naso@denverwater.org
Approval Status: Approved

Comments:

Status Date: 04/22/2024

Status: Approved

Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 0000000000
Reviewers Email: kela.naso@denverwater.org
Approval Status: Approved

Comments:

Status Date: 04/20/2024

Status: Approved - No Response

Comments:

Reviewing Agency: Parks and Recreation Review

Review Status: Approved

Reviewers Name: Jennifer Cervera

Reviewers Email: Jennifer.Cervera@denvergov.org

Status Date: 07/08/2024

Status: Approved

Comments:

Status Date: 04/16/2024

Status: Approved

Comments:

Reviewing Agency: Policy and Planning Referral

Review Status: Approved - No Response

Status Date: 07/11/2024

Status: Approved - No Response

Comments:

2024-ENCROACHMENT-0000039

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Office of Disability Rights Referral **Review Status:** Approved

Status Date: 07/11/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - 2ND_Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: DODR
Reviewers Name: Spencer Pocock
Reviewers Phone: 720-913-8411
Reviewers Email: Spencer.Pocock@denvergov.org
Approval Status: Approved

Comments:
Final construction, including any later modifications to the public sidewalk (which is considered a public Accessible Route), as well as any other areas open to the general public, must comply with all applicable 2010 ADA requirements.

Status Date: 04/22/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: DODR
Reviewers Name: Spencer Pocock
Reviewers Phone: 720-913-8411
Reviewers Email: Spencer.Pocock@denvergov.org
Approval Status: Approved

Comments:
Final construction, including any later modifications to the public sidewalk (which is considered a public Accessible Route), as well as any other areas open to the general public, must comply with all applicable 2010 ADA requirements.

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Construction Engineering Review **Review Status:** Approved

Reviewers Name: Porames Saejiw
Reviewers Email: Joe.Saejiw@denvergov.org

Status Date: 07/02/2024
Status: Approved
Comments: 1. Prior to the solicitation of bids or proposals from general contractors, the developer of this project is strongly encouraged to schedule an office meeting with the Right-of-Way Services Construction Inspections team (303) 446-3469 to discuss the project's impact to city traffic, streets, roads, alleys and sidewalks, and the associated ROW permit fees that will need to be paid by the selected general contractor.

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Status Date: 04/16/2024
Status: Approved
Comments: 1. Prior to the solicitation of bids or proposals from general contractors, the developer of this project is strongly encouraged to schedule an office meeting with the Right-of-Way Services Construction Inspections team (303) 446-3469 to discuss the project's impact to city traffic, streets, roads, alleys and sidewalks, and the associated ROW permit fees that will need to be paid by the selected general contractor.

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

Status Date: 07/11/2024
Status: Approved - No Response
Comments:

Status Date: 04/20/2024
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: 07/10/2024
Status: Approved
Comments: Approved - applicant is highly encouraged to include amenity zone planter with vegetation to break up significant stretch of hardscape.

Status Date: 04/17/2024
Status: Approved w/Conditions
Comments: 2024-ENCROACHMENT-0000039 - 2641 Walnut Ramp & Stairs
OCF Comments 4-17-24
1. Address OCF comments on attached redlined plans (redlines show appropriate ROW streetscape design). If redlined plans were not received, email Eric.Huetig@denvergov.org to request a set of redlines (reference project number).
A. NOTE: OCF typically expects at least one ROW tree to be planted. However, due to location of water lines & streetlight, planting one street tree is not feasible.
i. Installing new walk & ramp/stairs without permeable surface is highly concerning. OCF will be willing to approve encroachment provided applicant implements a landscaped planting area in lieu of planting a street tree (plz provide pervious surface in ROW).
ii. See attached redlines (uploaded via ERA site) for recommended landscape area in brown with landscape shrubs indicated in green/yellow. Landscape area shown works with DOTI requirements for walk width while still accommodating necessary ramp & steps.
1. Planting area surfaced with shredded wood mulch; omit weed barrier fabric. If squeegee is preferred, consult with DOTI to verify if approved in this scenario.

Reviewing Agency: Landmark Review **Review Status:** Approved

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Reviewers Name: Krystal Marquez
Reviewers Email: krystal.marquez@denvergov.org
Status Date: 07/11/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - 2ND_Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: City & County of Denver
Reviewers Name: Krystal Marquez
Reviewers Phone: 9513123549
Reviewers Email: krystal.marquez@denvergov.org
Approval Status: Approved

Comments:

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

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

Status Date: 07/11/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: CDOT
Reviewers Name: Eric B Vossenkemper
Reviewers Phone: 3037579921
Reviewers Email: eric.vossenkemper@state.co.us
Approval Status: Approved

Comments:

Does not affect CDOT on-system ROW. Proposed effort is approved as the location does not affect CDOT ROW.

Status Date: 04/22/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: cdot
Reviewers Name: Eric B Vossenkemper
Reviewers Phone: 3037579921
Reviewers Email: eric.vossenkemper@state.co.us
Approval Status: Approved

Comments:

Does not affect CDOT on-system ROW. Proposed effort is approved as the location does not affect CDOT ROW.

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

Reviewing Agency: Environmental Health Referral **Review Status:** Approved

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID: 2024-PROJMSTR-0000134 **Project Type:** Tier III Encroachment Resolution
Review ID: 2024-ENCROACHMENT-0000039 **Review Phase:**
Location: 2641 Walnut Street **Review End Date:** 07/10/2024

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

Reviewers Name: Andy Whitty
Reviewers Email: Andy.whitty@denvergov.org

Status Date: 07/09/2024
Status: Approved
Comments:

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

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

Reviewers Name: Shari Bills
Reviewers Email: Shari.Bills@denvergov.org

Status Date: 07/11/2024
Status: Approved - No Response
Comments:

Status Date: 04/20/2024
Status: Approved - No Response
Comments:

Reviewing Agency: ROW - Supplemental Review **Review Status:** Approved

Reviewers Name: Krystal Marquez
Reviewers Email: krystal.marquez@denvergov.org

Status Date: 04/22/2024
Status: Approved
Comments: PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp
Reviewing Agency/Company: City & County of Denver
Reviewers Name: Krystal Marquez
Reviewers Phone: 9513123549
Reviewers Email: krystal.marquez@denvergov.org
Approval Status: Approved

Comments:

Reviewing Agency: ROW - Supplemental Review **Review Status:** Approved

Comment Report

Tier III 2641 Walnut St Walkway and Ramp

09/03/2024

Master ID:	2024-PROJMSTR-0000134	Project Type:	Tier III Encroachment Resolution
Review ID:	2024-ENCROACHMENT-0000039	Review Phase:	
Location:	2641 Walnut Street	Review End Date:	07/10/2024

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

Reviewers Name:	John Olson
Reviewers Email:	m.john.olson@state.co.us
Status Date:	04/22/2024
Status:	Approved
Comments:	PWPRS Project Number: 2024-ENCROACHMENT-0000039 - Tier III 2641 Walnut St Walkway and Ramp Reviewing Agency/Company: CDOT Region 1 Right of Way Reviewers Name: John Olson Reviewers Phone: 303-757-9911 Reviewers Email: m.john.olson@state.co.us Approval Status: Approved Comments: Not on CDOT System