

Encroachment into Public Right-of-Way Submittal Checklist

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

Encroachment submittal documents will include the following:

- ☒ Application (Page 2&3 of this document) - Must be signed by owner, or a vested party
- ☒ A Legal Description and Exhibits are required (Tier II underground and all Tier III). The Legal Description and Exhibit of the encroachment, must be prepared by a Professional Land Surveyor (PLS), 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 the encroachment proposed and hatch area
 - ☒ 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 = \$1,500.00 (Non-Refundable)

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

Tier III Resolution Fee = \$300.00 (Non-Refundable)

Tier II Permit Fee = \$200.00 (Non-Refundable)

Tier II and Tier III Annual Fee = \$200.00 (Non-Refundable)

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



Owner/Vested Party/Applicant Signature

5-26-2021

Date



201 W Colfax Ave, Dept. 507
Denver, CO 80202
720-865-3003
www.denvergov.org

APPLICATION ENCROACHMENT INTO PUBLIC RIGHT-OF-WAY

Please complete this application to apply for a Tier II or Tier III Encroachment Permit. Please reference [Rules and Regulations for Encroachments in the Public Right of Way](#) for more details on the right of way encroachment process. Please type or print. If necessary attach additional sheets to fully answer any of the following sections. The legal description must be submitted with the application. Submit the complete application electronically to: Denver.PWERA@denvergov.org.

DATE: 05/26/2021

ASSOCIATED PROJECT NAME: Loretto Heights Master Development

DEVELOPMENT SERVICES LOG NUMBER: (if applicable) 2019-PROJMSTR-0000117

PROPOSED LOCATION OF ENCROACHMENT:

Address: 3001 S Federal Blvd

Location Description: *(Example: Located on the South side of 23rd Avenue, twenty (20) feet from face of curb, and ten (10) feet west of pavement on Private Drive. The footprint of the sign is four (4) square feet.)*

Located on the northwest corner of Federal and Dartmouth. See attached Exhibits.

ENCROACHMENT TIER: (Select Requesting Official Determination if you believe Encroachment to be a Tier I)

☐ Tier II ☒ Tier III ☐ Requesting Official Determination

APPLICANT:

Name: Mark J. Witkiewicz

Company (if applicable): AMC Loretto VI LLC Title: Principal

Address: 9100 E. Mississippi Ave Suite. 500

Telephone number: 303-984-9800 Email address: MarkW@westsideinv.com

OWNER OF ENCROACHMENT (Who the permit is issued to): ☐ Check if the same as Applicant

Company: Loretto Heights Metropolitan District No. 1

Owner Contact: Megan Becher

Address: 450 E. 17th Ave.

Telephone Number: (303)-592- 4380 Email address: mbecher@specialdistrictlaw.com

ANNUAL FEE BILLING INFORMATION: ☒ Check if the same as Owner

Company: _____

Billing Contact: _____

Billing Address: _____

Telephone Number: _____ Email address: _____

DESCRIPTION OF PROPOSED ENCROACHMENT:

In the space below, describe the proposed encroachment including the type, dimensions, and quantity of objects. If the space below is not sufficient to describe the encroachment, please attach the description as a separate document. Additionally, provide a site plan in 11" X 17" PDF with the location and dimensions of the encroachment, property lines, structures, curb/flowline, sidewalk, poles, bus stops, etc. Please reference the Rules and Regulations for Encroachments in the Public Right of Way for additional application requirements.

The two encroachments described here are for the proposed 70.89 acre Loretto Heights Master Development project located at 3001 S Federal Blvd. Please see attached Exhibits for additional information to below.

Encroachment 1 - We propose 71 linear feet of 18" PVC pipe to pass under proposed public Road C to convey operational detention pond overflow water. See attached plan and profile

Encroachment 2 - We propose 103 linear feet of 30" by 19" horizontal elliptical reinforced concrete pipe to pass under public Road A for irrigation conveyance purposes.

EXPLANATION:

Please explain why the public right-of-way is needed for this private improvement:

Please see attached exhibit Overall Encroachment Exhibit. Historically, an agriculture irrigation ditch enters the site from under Irving at the northwest portion of the Site and conveys irrigation water to the existing operational detention pond near the high point of the Site. In the event the existing operational detention pond overflows, an existing ditch and pipe conveys excess water to the southeast corner of the site (northeast corner of Federal and Dartmouth) where it enters the existing public storm sewer.


The Proposed development contains a network of proposed public roads throughout the development. There are two public roads being proposed over the aforementioned ditches. In order for irrigation water to continue to make it to the operational detention pond, it has to cross under proposed public Road A. In order for pond overflow water to continue to discharge as historically occurs, per city requirements, the proposed reroute has cross under proposed public Road C.

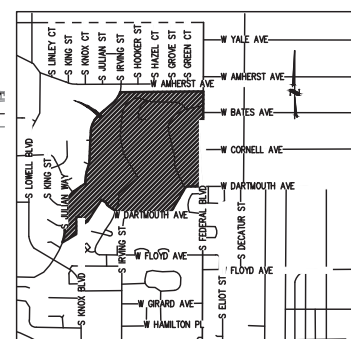
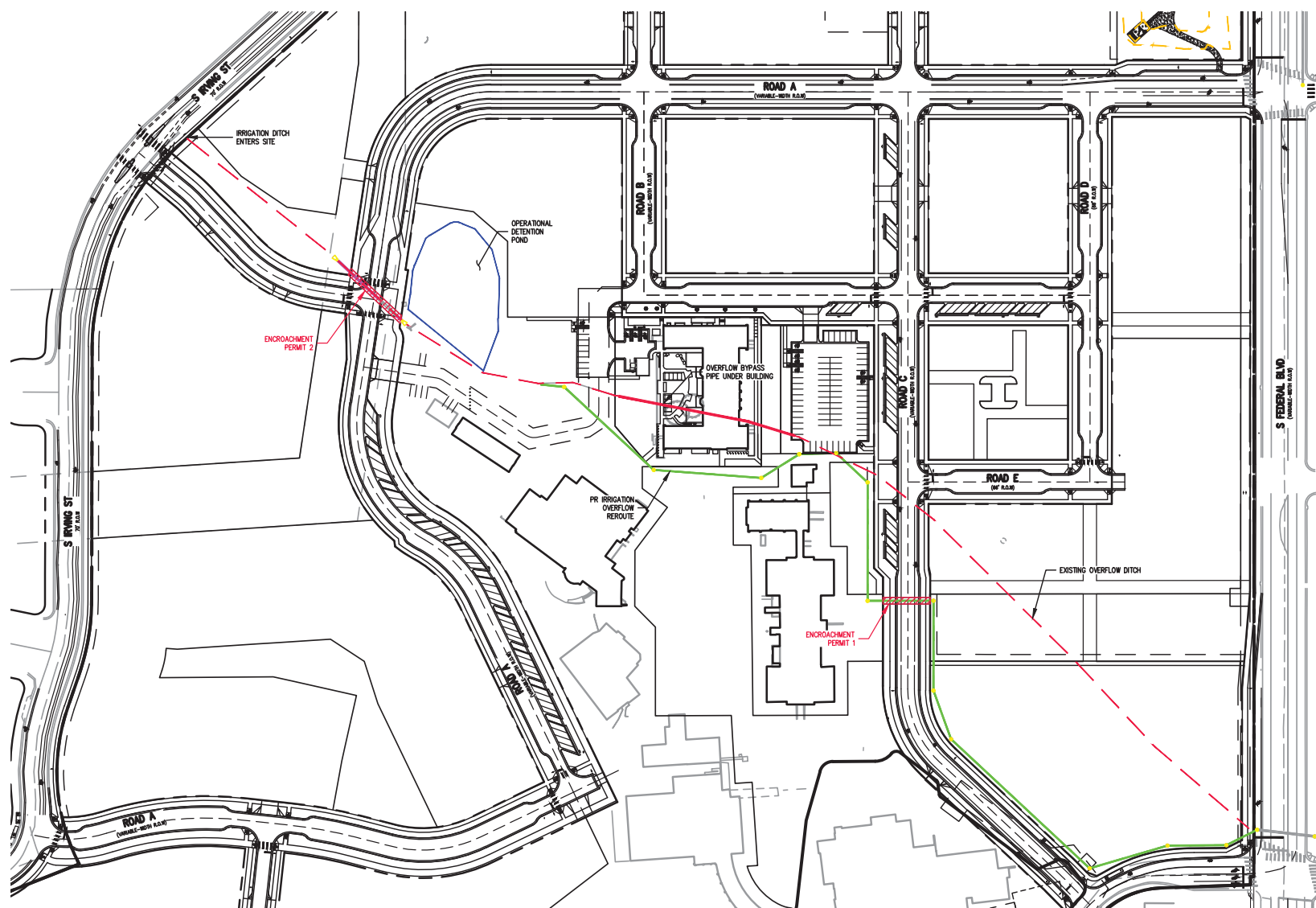
INDEMNITY AND INSURANCE:

By submitting this permit application, the permit holder agrees as a condition for the permit requested to either:

- (a) Post with the Executive Director of Public Works, a bond in a penal sum not to exceed \$50,000 with sureties approved by the Executive Director; or
- (b) Obtain and keep current a policy of public liability insurance in the name of the permittee, with the CCD as a named insured, with the minimum limits of coverage of \$50,000/\$100,000 for bodily injury and \$5,000 for property damage, covering the location of the Encroachment on the public property for which the permit is issued.

I understand and agree: ☒





VICINITY MAP

SCALE: 1" = 2000'



SCALE: 1" = 150'

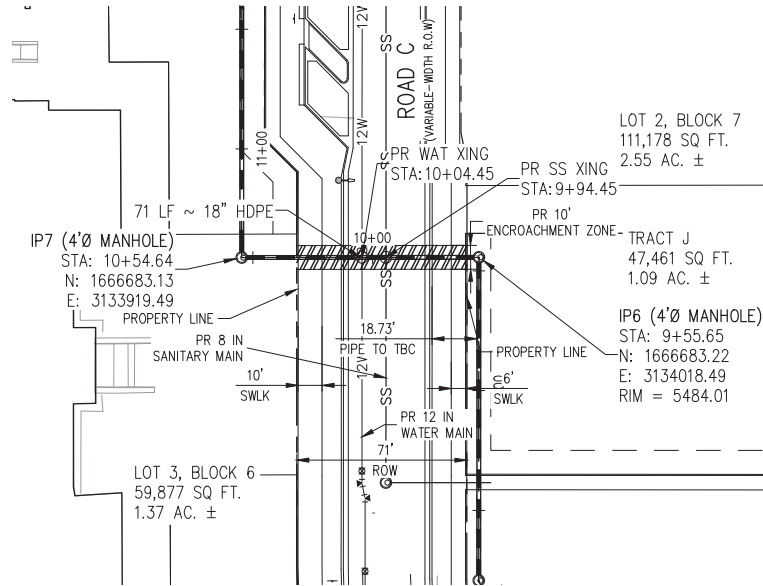
PROJECT #: 180702



1120 Lincoln Street, Suite 1000
Denver, Colorado 80203
P: 303.623.6300 F: 303.623.6311
HarrisKocherSmith.com

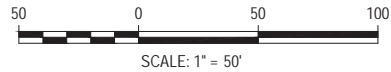
OVERALL ENCROACHMENT EXHIBIT

SCALE: 1"=150'



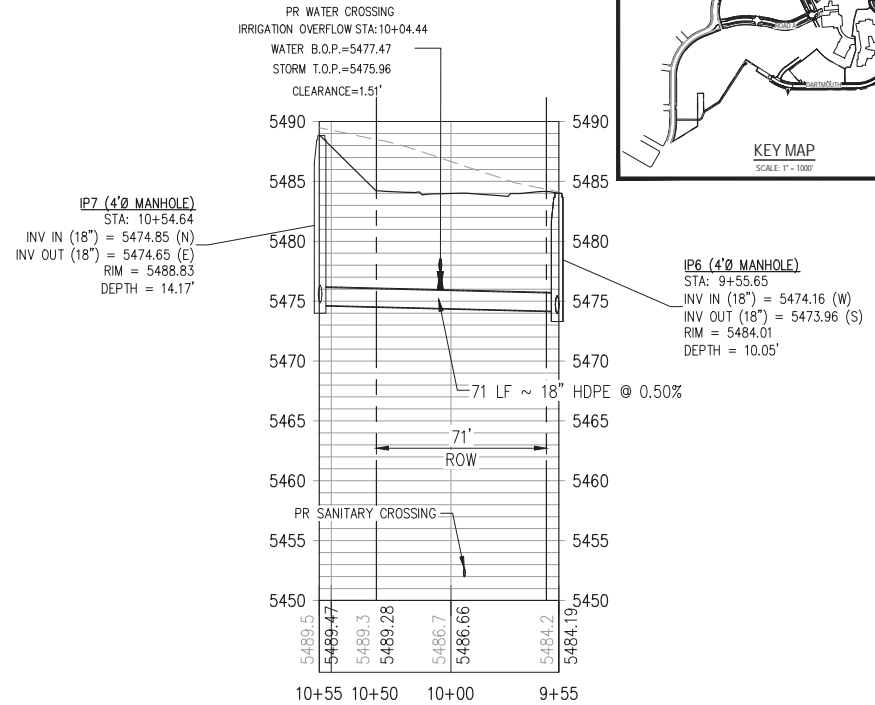
OPERATIONAL DETENTION POND OVERFLOW REROUTE PLAN - ENCROACHMENT 1

SCALE: 1" = 50'

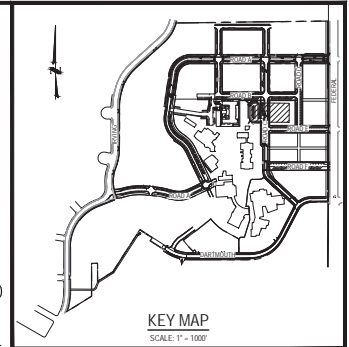


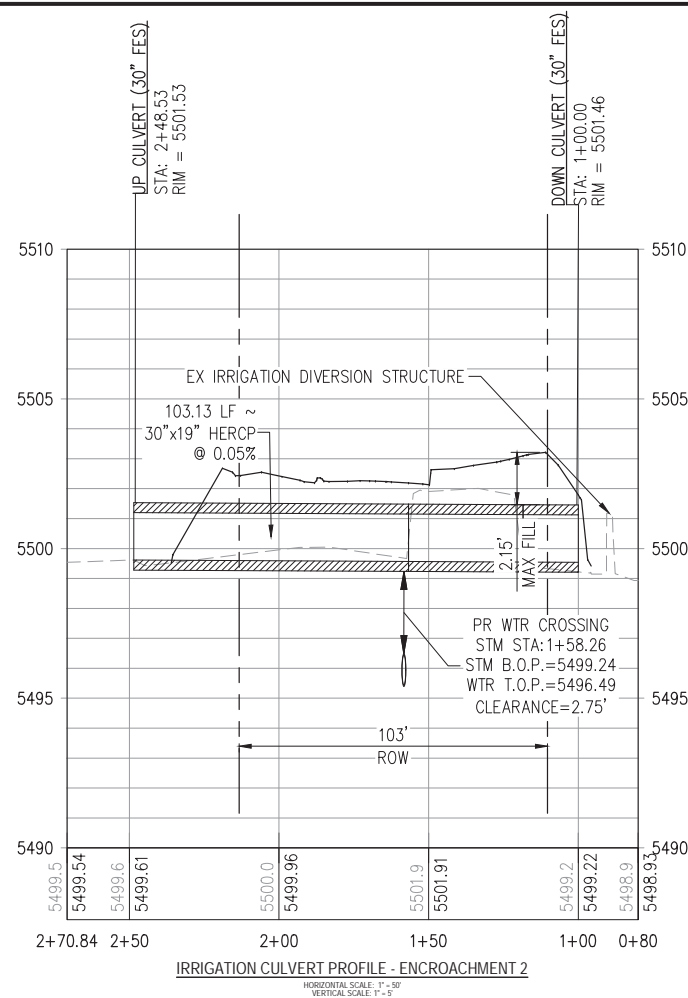
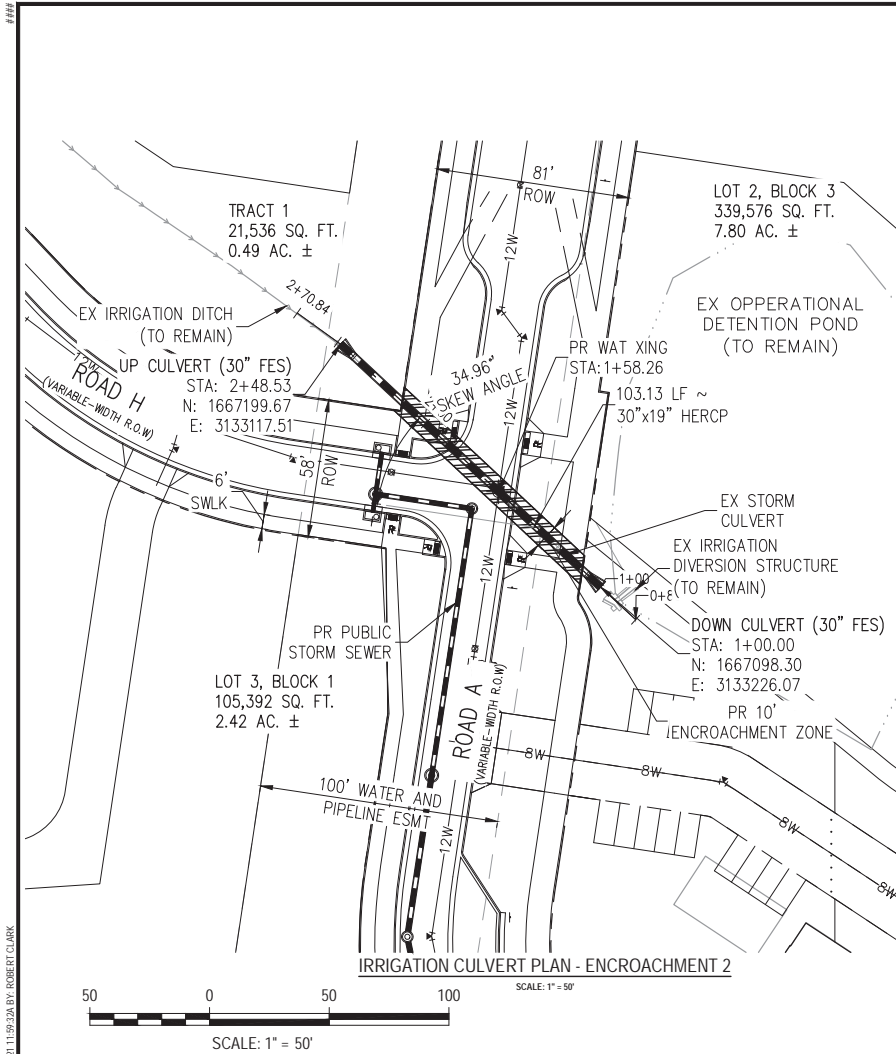
1120 Lincoln Street, Suite 1000
 Denver, Colorado 80203
 P: 303.623.6300 F: 303.623.6311
 HarrisKocherSmith.com

OPERATIONAL DETENTION POND OVERFLOW REROUTE PLAN - ENCROACHMENT 1



OPERATIONAL DETENTION POND OVERFLOW REROUTE PROFILE - ENCROACHMENT 1

HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 10'



1120 Lincoln Street, Suite 1000
 Denver, Colorado 80203
 P: 303.623.6300 F: 303.623.6311
 HarrisKocherSmith.com

IRRIGATION CULVERT PLAN - ENCROACHMENT 2



PROJECT #: 180702

Tier III Loretto Heights Master Development

08/09/2021

Master ID: 2019-PROJMSTR-0000117 **Project Type:** Tier III Encroachment Resolution
Review ID: 2021-ENCROACHMENT-0000063 **Review Phase:**
Location: 3001 S Federal Blvd. **Review End Date:** 06/25/2021

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 - No Response

Reviewers Name: Kevin Spencer
Reviewers Email: Kevin.Spencer@denvergov.org

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

Reviewing Agency: DS Project Coordinator Review Review Status: Approved - No Response

Reviewers Name: Sarah Kaplan
Reviewers Email: Sarah.Kaplan@denvergov.org

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

Reviewing Agency: Survey Review Review Status: Approved

Reviewers Name: Jon Spirk
Reviewers Email: Jon.Spirk@denvergov.org

Status Date: 08/03/2021
Status: Approved
Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development
Reviewing Agency/Company: DOTI/Survey
Reviewers Name: Jon Spirk
Reviewers Phone: 720-865-2666
Reviewers Email: jon.spirk@denvergov.org
Approval Status: Approved

Comments:
This is being approved with the idea that it will run concurrent with the Loretto Heights Filing No. 1 Subdivision plat. This does fit the subdivision. Approved documents can be found in the Legal Descriptions- APPROVED folder and are also uploaded here.

Attachment: ENCR_EXHBT.docx

Attachment: ENCR_EXHBT_20210802.pdf

Status Date: 06/24/2021
Status: Denied
Comments: The encroachment can't be approved until the subdivision has been recorded.
Label the bearing and distance of the Basis of Bearing Statement on the exhibit.
Update the street names with what was platted in the recorded Subdivision.

2021-ENCROACHMENT-0000063

Comment Report

Tier III Loretto Heights Master Development

08/09/2021

Master ID: 2019-PROJMSTR-0000117 **Project Type:** Tier III Encroachment Resolution
Review ID: 2021-ENCROACHMENT-0000063 **Review Phase:**
Location: 3001 S Federal Blvd. **Review End Date:** 06/25/2021

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

Provide a copy of the encroachment descriptions in word doc format.

REDLINES uploaded to E-review webpage

Reviewing Agency: DES Wastewater Review

Review Status: Approved w/Conditions

Reviewers Name: Zhixu Yuan

Reviewers Email: Zhixu.Yuan@denvergov.org

Status Date: 06/25/2021

Status: Approved w/Conditions

Comments: It may be okay with diagonal crossing of the future ROW, but full review comments or other concerns with the design, if any, will be relayed to the project through DOTI review of the Encroachment permit.

Reviewing Agency: City Council Referral

Review Status: Approved - No Response

Status Date: 06/26/2021

Status: Approved - No Response

Comments:

Reviewing Agency: CenturyLink Referral

Review Status: Approved

Status Date: 06/28/2021

Status: Approved

Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development

Reviewing Agency/Company: CenturyLink

Reviewers Name: Robert Rodgers

Reviewers Phone: 6023157656

Reviewers Email: Robert.rodgers@centurylink.com

Approval Status: Approved

Comments:

This encroachment approval is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the encroachment areas as described, the Applicant will bear the cost of relocation or repair of said facilities

Status Date: 06/26/2021

Status: Approved - No Response

Comments:

Reviewing Agency: Xcel Referral

Review Status: Approved w/Conditions

Status Date: 06/28/2021

Status: Approved w/Conditions

Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development

Reviewing Agency/Company: Public Service Company of Colorado / Xcel Energy

Reviewers Name: Donna George

Reviewers Phone: 13035713306

Reviewers Email: donna.l.george@xcelenergy.com

Approval Status: Approved with conditions

Comments:

PSCo/Xcel Energy is planning natural gas distribution main along Road A and underground electric along Road C. Please contact

Comment Report

Tier III Loretto Heights Master Development

08/09/2021

Master ID: 2019-PROJMSTR-0000117 **Project Type:** Tier III Encroachment Resolution
Review ID: 2021-ENCROACHMENT-0000063 **Review Phase:**
Location: 3001 S Federal Blvd. **Review End Date:** 06/25/2021

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

the Utility Notification Center of Colorado 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: 06/26/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/28/2021
Status: Approved
Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development
Reviewing Agency/Company: RTD
Reviewers Name: Clayton Scott Woodruff
Reviewers Phone: 3032992943
Reviewers Email: clayton.woodruff@rtd-denver.com
Approval Status: Approved

Comments:
The RTD has no comment on this project

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/28/2021
Status: Approved
Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development
Reviewing Agency/Company: Comcast Cable
Reviewers Name: Aaron Graham
Reviewers Phone: 720 625 2058
Reviewers Email: Aaron_Graham2@cable.comcast.com
Approval Status: Approved

Comments:

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/26/2021

2021-ENCROACHMENT-0000063

Comment Report

Tier III Loretto Heights Master Development

08/09/2021

Master ID: 2019-PROJMSTR-0000117 **Project Type:** Tier III Encroachment Resolution
Review ID: 2021-ENCROACHMENT-0000063 **Review Phase:**
Location: 3001 S Federal Blvd. **Review End Date:** 06/25/2021

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

Status: Approved - No Response
Comments:

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

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

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

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

Reviewing Agency: Building Department Review Review Status: Approved

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

Status Date: 06/23/2021
Status: Approved
Comments:

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

Status Date: 06/28/2021
Status: Approved
Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development
Reviewing Agency/Company: Asset Management DOF
Reviewers Name: David J Edwards
Reviewers Phone: 7275806635
Reviewers Email: Davidj.edwards@denvergov.org
Approval Status: Approved

Comments:
Status Date: 06/26/2021
Status: Approved - No Response
Comments:

Reviewing Agency: Denver Fire Department Review Review Status: Approved

Reviewers Name: Jeremiah Willmott
Reviewers Email: Jeremiah.Willmott@denvergov.org

Status Date: 06/24/2021
Status: Approved
Comments:

Reviewing Agency: Denver Water Referral Review Status: Approved

Comment Report

Tier III Loretto Heights Master Development

08/09/2021

Master ID: 2019-PROJMSTR-0000117 **Project Type:** Tier III Encroachment Resolution
Review ID: 2021-ENCROACHMENT-0000063 **Review Phase:**
Location: 3001 S Federal Blvd. **Review End Date:** 06/25/2021

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

Status Date: 07/08/2021
Status: Approved
Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 13036286302
Reviewers Email: kela.naso@denverwater.org
Approval Status: Approved

Comments:
Denver Water's easement is currently being amended, for further questions please contact Gary Boothe at gary.boothe@denverwater.org.

Status Date: 06/28/2021
Status: Denied
Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development
Reviewing Agency/Company: Denver Water
Reviewers Name: Kela Naso
Reviewers Phone: 13036286302
Reviewers Email: kela.naso@denverwater.org
Approval Status: Denied

Comments:
The Encroachment Permit 2 crosses a Denver Water easement and will require a license. Please contact Denver Water property manager Gary Boothe at Gary.Boothe@denverwater.org for more information.

Status Date: 06/26/2021
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: 06/09/2021
Status: Approved
Comments:

Reviewing Agency: Policy and Planning Referral Review Status: Approved - No Response

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

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

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

Comment Report

Tier III Loretto Heights Master Development

08/09/2021

Master ID: 2019-PROJMSTR-0000117 **Project Type:** Tier III Encroachment Resolution
Review ID: 2021-ENCROACHMENT-0000063 **Review Phase:**
Location: 3001 S Federal Blvd. **Review End Date:** 06/25/2021

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

Status Date: 06/25/2021
Status: Approved
Comments: *Approved
*Final construction (including any later modifications to the current design) shall continue to adhere with all applicable accessibility requirements of this review (2010 Americans with Disabilities Act "ADA").

Reviewing Agency: Construction Engineering Review **Review Status:** Approved - No Response

Reviewers Name: Michael Holm
Reviewers Email: Michael.Holm@denvergov.org

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

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

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

Status Date: 06/26/2021
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: 08/09/2021
Status: Approved
Comments: PWPRS Project Number: 2021-ENCROACHMENT-0000063 - Tier III Loretto Heights Master Development
Reviewing Agency/Company: Denver Parks and Rec - Forestry
Reviewers Name: Nick Evers
Reviewers Phone: 720-675-9194
Reviewers Email: nick.evers@denvergov.org
Approval Status: Approved

Comments:
Approved. Coordinate with Forestry if project impacts existing or proposed ROW trees.

Status Date: 06/25/2021
Status: Approved w/Conditions
Comments: Please show existing and proposed ROW trees on plan to verify conflict/non-conflict.

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

Reviewers Name: Becca Dierschow
Reviewers Email: Becca.Dierschow@denvergov.org

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

2021-ENCROACHMENT-0000063

Comment Report

Tier III Loretto Heights Master Development

08/09/2021

Master ID: 2019-PROJMSTR-0000117 **Project Type:** Tier III Encroachment Resolution
Review ID: 2021-ENCROACHMENT-0000063 **Review Phase:**
Location: 3001 S Federal Blvd. **Review End Date:** 06/25/2021

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

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

Status Date: 06/26/2021
Status: Approved - No Response
Comments:

Reviewing Agency: Environmental Health Referral Review Status: Approved

Reviewers Name: Andrew Ross
Reviewers Email: andrew.ross@denvergov.org

Status Date: 06/08/2021
Status: Approved
Comments:

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

Reviewers Name: Jessica Eusebio
Reviewers Email: Jessica.Eusebio@denvergov.org

Status Date: 06/26/2021
Status: Approved - No Response
Comments: