

COLORADO DEPARTMENT OF
TRANSPORTATION
RE-EVALUATION FORM

Original NEPA Approval Date: 1/19/2017	Reevaluation Date: 6/18/2018	Project Code: AQC R600-165 Subaccount: 13599
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Project Name and Location: Central 70 Project: Reevaluation #3, I-70 from I-25 to Chambers Road

NEPA Document Title: I-70 East ROD 1: Phase 1 (Central 70 Project) (January 19, 2017)

Region/Program/Residency: Headquarters—Central 70 Project Office

Project Description:

The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected in the January 19, 2017 Record of Decision (ROD) is the first phase of implementing the Preferred Alternative identified in the FEIS. Details of the Preferred Alternative, Phase 1 were further described in Reevaluation #1 (September 18, 2017) and Reevaluation #2 (1/11/2018). The Preferred Alternative, Phase 1 is also known as the Central 70 Project. It removes the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lowers the highway below grade in this area, placing a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges, adjacent to Swansea Elementary School), and adds additional lanes in each direction.

Project Phasing Plan and Portions Completed (if warranted):

Portions Completed: None

Project Phasing Plan: Phase 1, the Central 70 Project, is the only defined phase for the I-70 East Project at this time. Future phases have not been determined and will rely on future funding.

Portion of Project Currently Being Advanced:

The Central 70 Project incorporates portions of the Preferred Alternative for the I-70 East Project, which were selected in the ROD. It includes improvements to an approximately 10-mile stretch of I-70 from I-25 to Chambers Road, adding one new tolled express lane (selected as the type of managed lane) in each direction, removing the aging 50+-year-old viaduct, lowering the highway between Brighton Boulevard and Colorado Boulevard, and placing a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges, adjacent to Swansea Elementary School). **Figure 1** provides an overview of the Central 70 Project, and **Figure 2** shows the number of lanes and planned interchange modifications. **Attachment A of Reevaluation #1** includes detailed maps of the Central 70 Project.

Figure 1 : Central 70 Project Overview

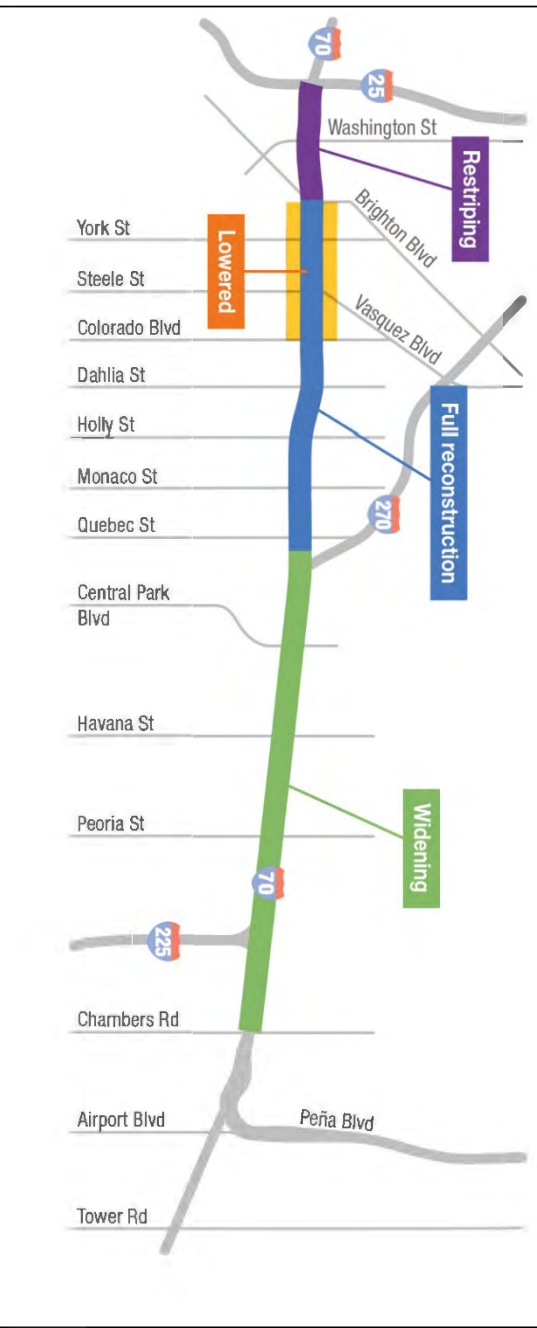
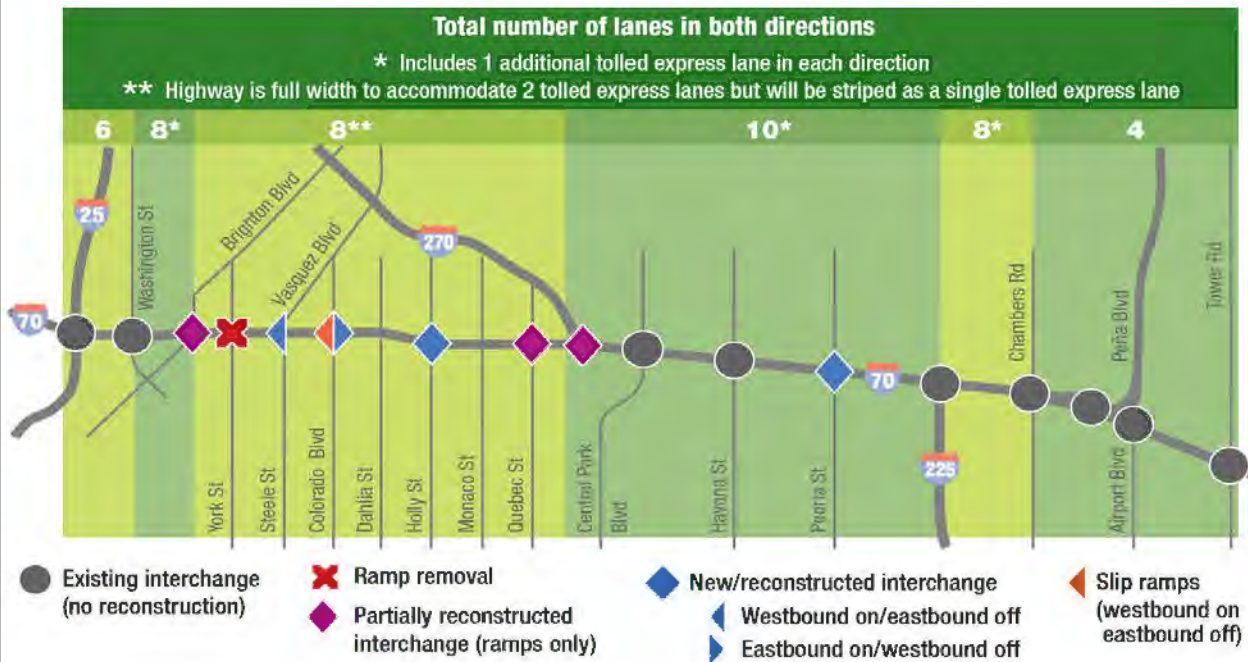


Figure 2: Central 70 Project Lane Configuration and Interchange Reconstruction



Although striped for only one tolled express lane, the lowered section of the highway will be constructed to the full width of the Preferred Alternative as identified in the I-70 East Final Environmental Impact Statement (FEIS) because it is more cost effective to construct the whole width now and it is less disruptive to the community than performing additional future expansion. For lane continuity, only a single additional lane will be striped from Brighton Boulevard to Quebec Street, even though the highway in this area will be wide enough to accommodate two additional lanes.

Date(s) of Prior Reevaluations: Reevaluation #1, 9/18/2017; Reevaluation #2, 1/11/2018

I. Document Type

- Categorical Exclusion (CE)
- Environmental Assessment (EA)
- Finding of No Significant Impacts (FONSI)
- Draft Environmental Impact Statement (DEIS)
- Final Environmental Impact Statement (FEIS)
- Supplemental Environmental Impact Statement (SEIS)
- Record of Decision (ROD)
- Other (such as: local funding, etc.) _____

II. Reason for Reevaluation

- Project is proceeding to the next major approval or action [23 CFR 771.129(c)]
- Project changes such as laws, policies, guidelines, design, environmental setting, impacts or mitigation (describe: Changes in project design, existing conditions, and mitigation as described in Section IV below)
- Greater than three years have elapsed since FHWA's approval of the DEIS [23 CFR 771.129(a)] or FHWA's last major approval action for the FEIS [23 CFR 771.129(b)]
- Other: _____

III. Conclusion and Recommendation

- The above environmental document has been reevaluated as required by 23 CFR 771.129 and it was determined that no substantial changes have occurred in the social, economic, or environmental impacts of the proposed action that would substantially impact the quality of the human, socio-economic, or natural environment. Therefore, the original environmental document or CE designation remains valid for the proposed action. It is recommended that the project identified here-in be advanced to the next phase of project development. A summary of the review is documented in Section IV.
- The above environmental document has been reevaluated as required by 23 CFR 771.129 and it was determined that the environmental document or CE designation is no longer valid or more information is required. Additional required documentation is identified in Section VII.

David Singer 06/14/2018
 Regional Planning Environmental Manager or Designee Date

John M. Cater 06/18/2018
 Federal Highway Administration Division Administrator or Designee Date

IV. Evaluation

- Level 1: Less than three years since last major step to advance the action (e.g. approval of NEPA document, authority to undertake final design, authority to acquire significant portion of ROW, approval of PS&E) and there are no changes in project scope, environmental conditions, environmental impacts or regulations and guidelines.- OR - The document being re-evaluated is a programmatic Categorical Exclusion regardless of time since the last major step to advance the action (as long as the project would still be covered by a programmatic Categorical Exclusion). All decisions in the prior NEPA document remain valid. No FHWA concurrence is required. Note to file and to distribution below.
- Level 2: Less than three years since last major step to advance action and there are only minor changes in the project scope and/or updates or explanation needed for one or more resource areas. FHWA concurrence is required.
- Level 3: More than three years since last major step to advance action and there are only minor changes in the project scope and/or updates or explanation needed for one or more resource areas. FHWA concurrence is required.
- Level 4: Major changes in project scope or environmental commitments, or for EISs when greater than three years have elapsed since the last major project action. Updates or new studies maybe required. A Level 4 Reevaluation may require a separate document. FHWA concurrence is required.

ENVIRONMENT SETTING, AFFECTED ENVIRONMENT, AND ENVIRONMENTAL IMPACT ASSESSMENT:

Document changes to human, socio economic, or natural environment for environmental setting or circumstances.

Document changes in impact status. Place check-mark or description where relevant. Note: this list may be expanded or adjusted to match the headings in the original environmental document reviewed.

Setting/Resource/Circumstance	Change in Affected Environment or Setting		Change in Environmental Impact		Date Reviewed	Highlight Section VI Additional Studies Required or Section IX Attachments
	Yes	No	Yes	No		
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Social and Economic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Environmental Justice	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Land Use and Zoning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	May 2018	
Relocations and Displacements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Historic Preservation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	May 2018	See Attachment B
Paleontological Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Visual Resources and Aesthetic Qualities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Parks and Recreation Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Biological Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Floodplains and Drainage/Hydrology	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Wetlands and Other Waters of the U.S.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Water Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Geology and Soils	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	May 2018	See Attachment A
Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Human Health Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Section 4(f)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	May 2018	
Cumulative Impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	
Other(s): Temporary Easements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	May 2018	See Attachment A
Other(s): Project Boundary Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	May 2018	See Attachment C

DESIGN ALTERATION 1: *Document changes to project scope and or design criteria:*

Between Colorado Boulevard and Quebec Street, there have been minor adjustments and refinements to the design of the Preferred Alternative, Phase 1. The changes resulted from advanced design and include the following types of modifications:

- Construction limit adjustments to allow for additional space to facilitate movement of construction equipment and to tie-back slopes along driveway approaches.
- Minor adjustments to right-of-way (ROW) acquisition boundaries. ROW needs have generally been reduced through advanced design. This included refining design of ramp and frontage road geometry, and modifying design from a combination sidewalk/tree lawn section to attached sidewalks. However, ROW acquisition increase on one parcel to accommodate an 8-foot sidewalk rather than a 5-foot sidewalk.

Attachment A shows the locations where construction limits have been modified.

DESIGN ALTERATION 2: *Document changes to project scope and or design criteria:*

At 47th Avenue and the intersection with York Street, the City and County of Denver (CCD) has added bicycle lanes to 47th Avenue. This addition has occurred since the development of the reference design that was included in the ROD. To accommodate the bicycle lanes at the intersection minor changes to the intersection layout are required. All work associated with this design alteration will occur within the existing Right-of-Way boundaries and represents only minor changes from the original ROD design.

To accommodate CCD design standards, the existing curb and gutter will be replaced at the ally entrance north of 47th Avenue between York Street and Josephine Street. The curb and gutter replacement will extend approximately 20 feet beyond the existing ROD footprint on 47th Avenue. Subsequently, this Reevaluation will extend the ROD boundary and construction limits 25 feet to the east on 47th Avenue. These changes remain within the roadway and existing transportation infrastructure. No additional impacts are created with this change.

Attachment C shows the locations where ROD footprint and construction limits have been modified.

REGULATORY CHANGES: *Document changes to laws, regulations, and/or guidelines:*

There have been no changes to laws, regulations, and/or guidelines since the completion of the ROD.

IMPACTS ASSESSMENT: *For items checked as changed above, assess the affected natural and socio-economic environment, impacts, and new issues/concerns which may now exist.*

Changes in impacts from minor design modifications affects historic preservation, land use, hazardous materials, Section 4(f), and temporary easements. The remaining resources are not affected by these minor design modifications, and have relevant mitigation that is required for environmental impacts identified in the Final Environmental Impact Statement (FEIS) and the Record of Decision (ROD).

Historic Preservation

Changes to the Preferred Alternative, Phase 1, slightly expanded the construction limits between Colorado Boulevard and Quebec Street beyond the previous Area of Potential Effect (APE). To adequately capture these changes, the APE was expanded to capture entire parcel boundaries (see **Attachment B, Figure 1**). **Table 1** details parcels affected by APE changes. Properties that included structures that were constructed through 1972 were inventoried and evaluated for listing on the National Register of Historic Places (NRHP). As a result, two properties, 4390 Glencoe Street (5DV34925) and 6666 Stapleton Drive South (5DV34927), were inventoried and evaluated and recommended not eligible. SHPO concurred with this finding on May 31, 2018 (see **Attachment B**). With the exception of the NRHP-eligible Univar property (5DV9231), all other properties or parcels affected by the design modifications were of insufficient age to be evaluated for eligibility, did not contain structures on the parcel, or were re-visited and determined that there are no changes to the site condition and the determination of not NRHP-eligible remains valid (see **Attachments B** for further details).

With regard to the Univar property (5DV9231), the ROD identified approximately 0.03 acre (1,106 square feet) of permanent ROW acquisition from this property in areas along Holly Street and Stapleton Drive South. As a result of design changes, permanent ROW acquisition has been reduced by approximately 1,022 square feet overall from the amount of ROW previously proposed (see **Attachment B, Figure 2**). In total, approximately 84 square feet of permanent ROW acquisition is still proposed on the property; of which, 39 square feet are beyond the area previously proposed for ROW acquisition.

In order to tie back slopes and tie in driveway approaches to the property, a total of approximately 724 square feet of temporary easements in two locations on the Univar property will be required within the parking lot (see **Attachment B, Figure 2**). The location and configuration of the site's driveways will remain unchanged. While these project activities would constitute a physical change to non-contributing features within the resource's boundary, these changes would be in keeping with existing elements of the property; specifically, the existing driveways and parking lot (see **Attachment B, Figure 3**). In addition, the historic building and access to the building would remain intact such that its historic function will continue. The building would retain integrity of design, workmanship, and materials needed to be eligible under Criterion C, and the visual changes on the property would not affect the features that qualify the resource for inclusion on the NRHP. Therefore, it was determined the previous *no adverse effect* finding for 5DV9231 remains valid for the undertaking. SHPO concurred with this updated finding on May 31, 2018 (see **Attachment D**).

Table 1: Parcels Affected by APE Changes

Parcel Address (City/County of Denver [CCD] Data)	Construction Date (CCD Data)	Site Number (if applicable)	Eligibility Determination* (if applicable)
4245 E 46 th Ave	1953	5DV9247	Officially Not Eligible (5/28/07)
4351 E 46 th Ave	1953	5DV9234	Officially Not Eligible (5/28/07)
4401 E 46 th Ave	1953	5DV9233	Officially Not Eligible (5/28/07)
4455 E 46 th Ave	1953	5DV9239	Officially Not Eligible (5/28/07)
4511 E 46 th Ave	1953	5DV9237	Officially Not Eligible (5/28/07)
4555 E Stapleton Dr N	1953	5DV9238	Officially Not Eligible (11/20/07)
4595 E Stapleton Dr N	1973	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
4611 E 46 th Ave	1958	5DV9236	Officially Not Eligible (5/28/07)
4755 E 46 th Ave	1962	5DV9243	Officially Not Eligible (5/28/07)
4801 E 46 th Ave	1955	5DV9240	Officially Not Eligible (5/28/07)
4500 Dahlia St	1973	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
4401 Forest St	No structure (parking lot)	N/A	N/A
4590 Forest St	No structure (parking lot)	N/A	N/A
4501 Grape St	No structure (trailer sales; sheds on trailers)	N/A	N/A
4500 Grape St	1973	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
4545 Holly St	1965	5DV9235	Officially Not Eligible (5/28/07)
5701 E Stapleton Dr N	1957	5DV9242	Officially Not Eligible (5/28/07)
5855 E Stapleton Dr N	1985	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
6101 E Stapleton Dr N	1967	5DV11724	Officially Not Eligible (5/22/15)
4444 Forest St	1979	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.

4390 Glencoe St	1971	5DV34925	Officially Not Eligible (5/31/18)
4455 Grape St	1966	5DV12316	Officially Not Eligible (2/24/16)
4394 Grape St	1964	5DV9249	Officially Not Eligible (5/28/07)
4343 Holly St	1962	5DV9230	Officially Not Eligible (5/28/07)
4300 Holly St	1960	5DV9231	Officially Eligible (5/28/07)
4355 Kearney St	1961	5DV9248	Officially Not Eligible (5/28/07)
6100 E Stapleton Dr S	1993	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
6405 E Stapleton Dr N	1967	5DV11723	Officially Not Eligible (5/22/15)
6501 E Stapleton Dr N	1958	5DV9246	Officially Not Eligible (5/31/07)
6701 E Stapleton Dr N	1963	5DV9254	Officially Not Eligible (5/28/07)
6300 E Stapleton Dr S	1963	5DV9241	Officially Not Eligible (5/28/07)
6400 E Stapleton Dr S	1973	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
6500 E Stapleton Dr S	1973	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
6800 E Stapleton Dr S	1966	5DV11719	Officially Not Eligible (5/22/15)
4395 Oneida St	1976	N/A	Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A–G.
4300 Oneida St	1962	5DV9250	Officially Not Eligible (5/28/07)
6666 E Stapleton Dr S	1970	5DV34927	Officially Not Eligible (5/31/18)

* All properties that had a determination of Officially Not Eligible prior to this Reevaluation were revisited in May of 2018 to confirm that there has been no change in status.

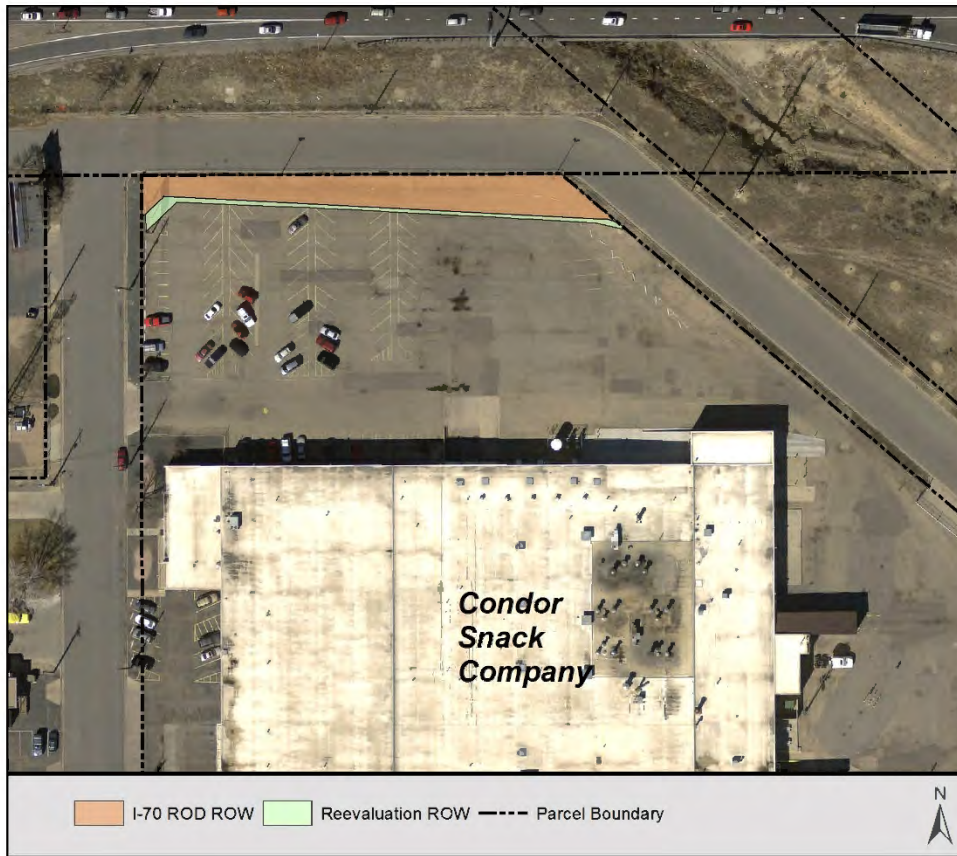
Land Use and Zoning

Through advanced design, ROW acquisition needs for the project have been reduced by approximately 0.4 acres. As shown in **Table 2**, this results in a reduction of existing industrial use conversions to a transportation use. However, partial acquisition has increased on one parcel to facilitate a wider sidewalk; specifically, an 8-foot sidewalk rather than a 5-foot sidewalk. Less than 0.1 acre of additional acquisition is proposed on the Condor Snack property (see **Figure 3**). None of these changes affect zoning within the area, and the project would remain consistent with local and regional plans.

Table 2: Changes to Land Use Impacts

	Land Use Category						Total Acres
	Commercial	Government/ Institutional	Industrial	Parks/Open Space	Residential	Vacant	
ROD Impacts	30.1	1.1	28.0	1.1	7.4	0.1	67.7
Reevaluation #3 Impacts	30.1	1.1	27.6	1.1	7.4	0.1	67.3
Impact Change	0	0	-0.4	0	0	0	-0.4

Figure 3: Condor Snack Company ROW Changes to Accommodate 8 foot Sidewalk



Hazardous Materials

Design modifications described in this Reevaluation result in approximately 2.2 additional acres of disturbance. **Table 3** summarizes these changes and **Attachment A, Pages 1 through 5**, provide further detail. While there are hazardous material facilities of concern between Colorado Boulevard and Quebec Street, such as the Chemical Sales Company property, no additional hazardous material facilities of concern identified in the Environmental Records Search database obtained for the FEIS will be impacted because of the modifications.

Table 3: Updated Hazardous Materials Sites Affected and Acres Disturbed

	ROD Impacts	Reevaluation #1 Impacts	Reevaluation #3 Impacts
Number of sites affected	34	34	34
Acres disturbed	750	775	777

Of the 2.2 acres referenced above, approximately 1.0 acre on the north side of I-70 lies within the boundary of Operable Unit 1 of the Chemical Sales Company a National Priorities List (NPL) Site. The source location of contamination associated with the Chemical Sales Company NPL site is approximately 600 feet north of the I-70 construction limits. Contamination associated with this NPL site include contaminated subsurface soils and groundwater. Remedial actions were halted in 2014 to evaluate groundwater samples. Based on the Environmental Protection Agency's 5-year review of the site (dated 9/8/17), volatile organic compounds (VOCs) are still present in the groundwater, although generally decreasing at most monitoring wells. While VOCs are still present within the site, construction activities associated with this Reevaluation are limited and will not extend into the groundwater. Also, the proposed work is located south of the plume. Groundwater flow in the area generally travels north to northwest away from the construction limits, which reduces the potential for encountering contaminated groundwater.

The remainder of the approximately 1.2 additional acres of disturbance associated with the design modifications may result in additional encounters with hazardous materials because the likelihood of encountering hazardous materials is proportional to the amount of ground disturbance. Project specific plans will be implemented, including a Materials Management Plan, a Sampling and Analysis Plan, and a Health and Safety Plan to monitor and assure appropriate procedures are followed in the event that hazardous materials are encountered.

Section 4(f)

The finding of *no adverse effect* under Section 106 for the Univar property (5DV9231) maintains the Section 4(f) *de minimis impact* finding for the property. This finding concludes the effects would not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" as described in 36 CFR § 800.5(a)(1). SHPO concurred with the finding of *no adverse effect* on May 31, 2018 and CDOT's intent to continue with the *de minimis impact* finding (see **Attachment B**).

Based on this finding, the design changes on the Univar property, which includes an overall reduction in permanent ROW acquisition but increase of temporary easement to tie-in driveway approaches as described earlier, will remain *de minimis*.

Temporary Easements

Construction limits were expanded in order to facilitate the movement of construction equipment and to ensure adequate space to tie-back slopes. As a result, minor temporary easements are required on 37 parcels totaling approximately 2.2 acres of additional easements. These changes are reflected in **Attachment A, Pages 1 through 5**, and are located in areas of the parcels that are vacant or consist of a parking lot. All of these impacts are temporary and the properties will be returned to the previous or better condition after construction is complete.

MITIGATION:

- All mitigation commitment(s) from NEPA document remain the same (discuss status and compliance):
- Mitigation commitment(s) have changed from NEPA document.

Mitigation measures remain the same as documented in the ROD for all resources.

V. Public/Agency Involvement (optional)

If any, document public meetings, notices, and websites, and/or document agency coordination. For each, provide dates and coordination, where applicable:

There were no public meetings during the completion of this Reevaluation.

Section 106 consultation with SHPO and the consulting parties occurred and copies of the consultation materials are available in **Attachments B**.

VI. Additional Studies Required for Proposed Action

None

VII. Additional Requirements for Proposed Action

- An SEIS is required, because the changes to the proposed action will result in significant impacts not evaluated in the EIS.
- An SEIS is required, because new information or circumstances will result in significant environmental impacts not evaluated in the EIS.
- A revised ROD is required, because an alternative is recommended that was fully evaluated in an approved FEIS but was not identified as the preferred alternative.
- Appropriate environmental study or an EA is required, because the significance of new impacts is uncertain.
- A revised FONSI is required, because an alternative is recommended that was fully evaluated in an approved EA but was not identified as the preferred alternative.
- Other _____
- None

VIII. Permits Updated (optional)

This section is only required when the next stage of a project is going to construction. List permits:

IX. Attachments Listed

List permits, studies, background data, etc.

Attachment A: Construction Limit Modifications – Colorado Avenue to Quebec Street

Attachment B: Coordination and Correspondence

Attachment C: Construction Limit Modifications – 47th Avenue East of York Street

Index of Attachments

Attachment A

- Construction Limit Modifications

Attachment B

- Correspondence to SHPO and the Consulting Parties
- Enclosures included with SHPO and Consulting Party Correspondence

Figure 1 – Area of Potential Effect Modifications

Figure 2 – Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)

Figure 3 – Construction Limit Changes at Site 5DV9231 (Univar Property)

Table 1 – Revisitation of Properties Previously Inventoried

Site Form for 4390 Glencoe Street (5DV34925)

Site Form for 6666 Stapleton Drive South (5DV34927)

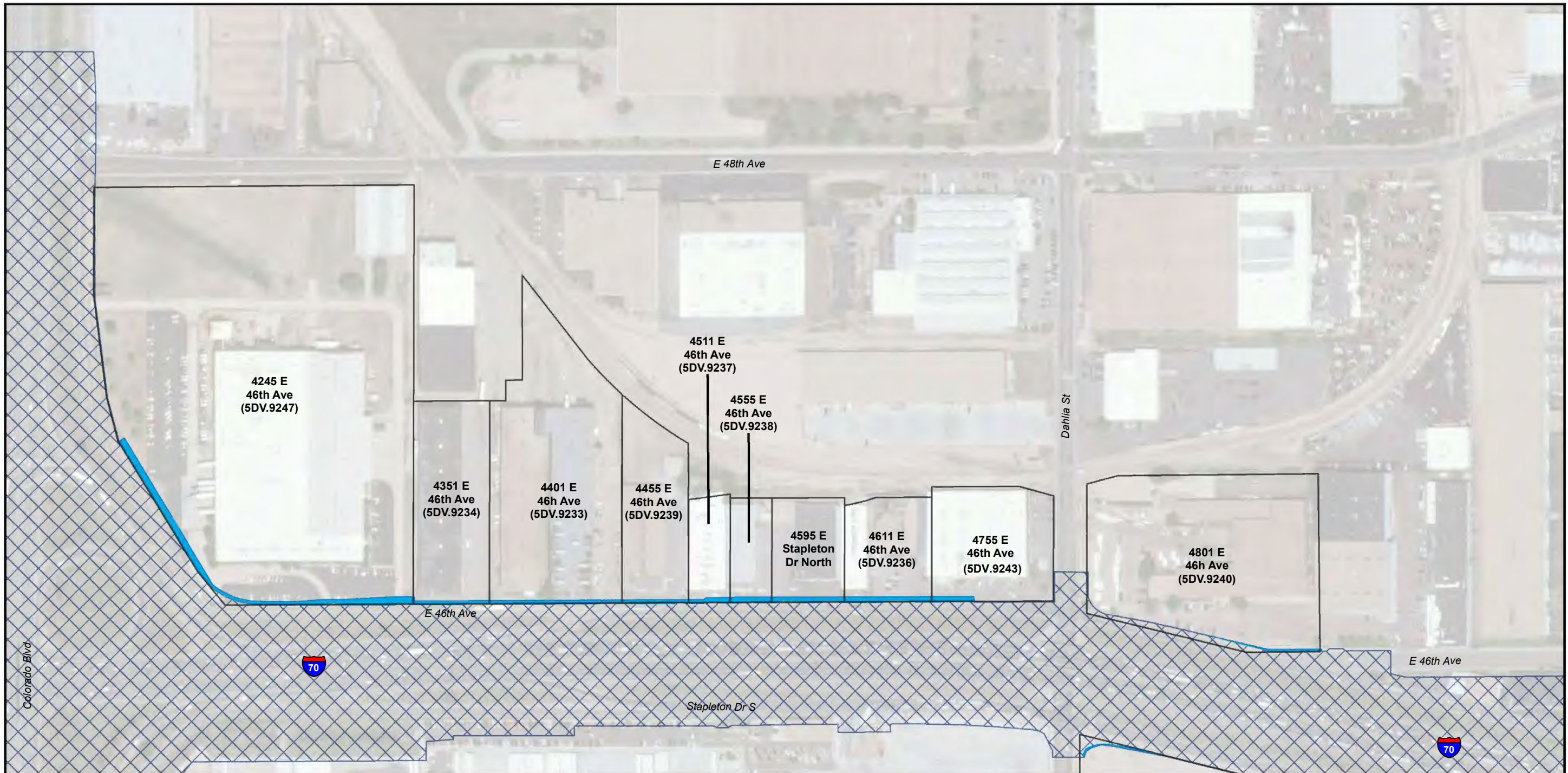
- Concurrence Letter from SHPO




Attachment C

- Construction Limit Modifications for 47th Avenue east of York Street

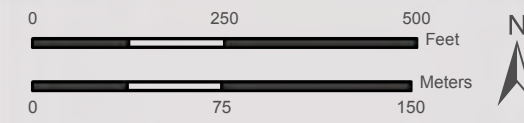
Attachment A

- Construction Limit Modifications



-  I-70 ROD Construction Limits
-  I-70 Reevaluation Construction Limit Expansion
-  Affected Parcel

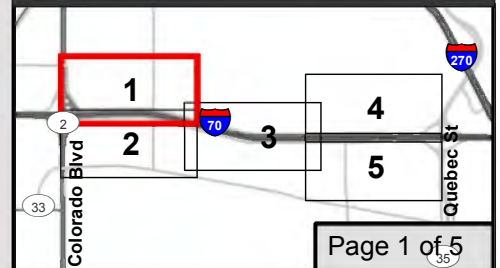
Central 70
Reevaluation #3 (Colorado Blvd to Quebec St)
Construction Limit Modifications






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 US Survey Feet
 North American Datum 1983 HARN

Basemap source: ESRI and its data partners.

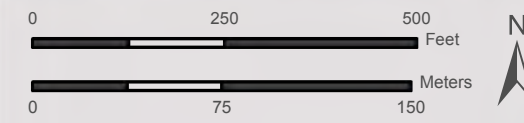
Regional Locator





-  I-70 ROD Construction Limits
-  I-70 Reevaluation Construction Limit Expansion
-  Affected Parcel

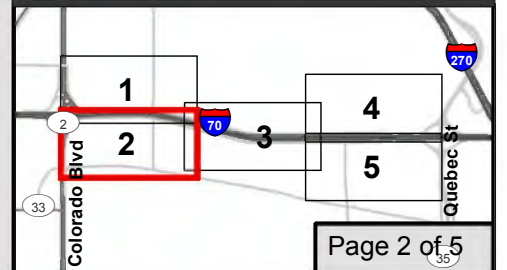
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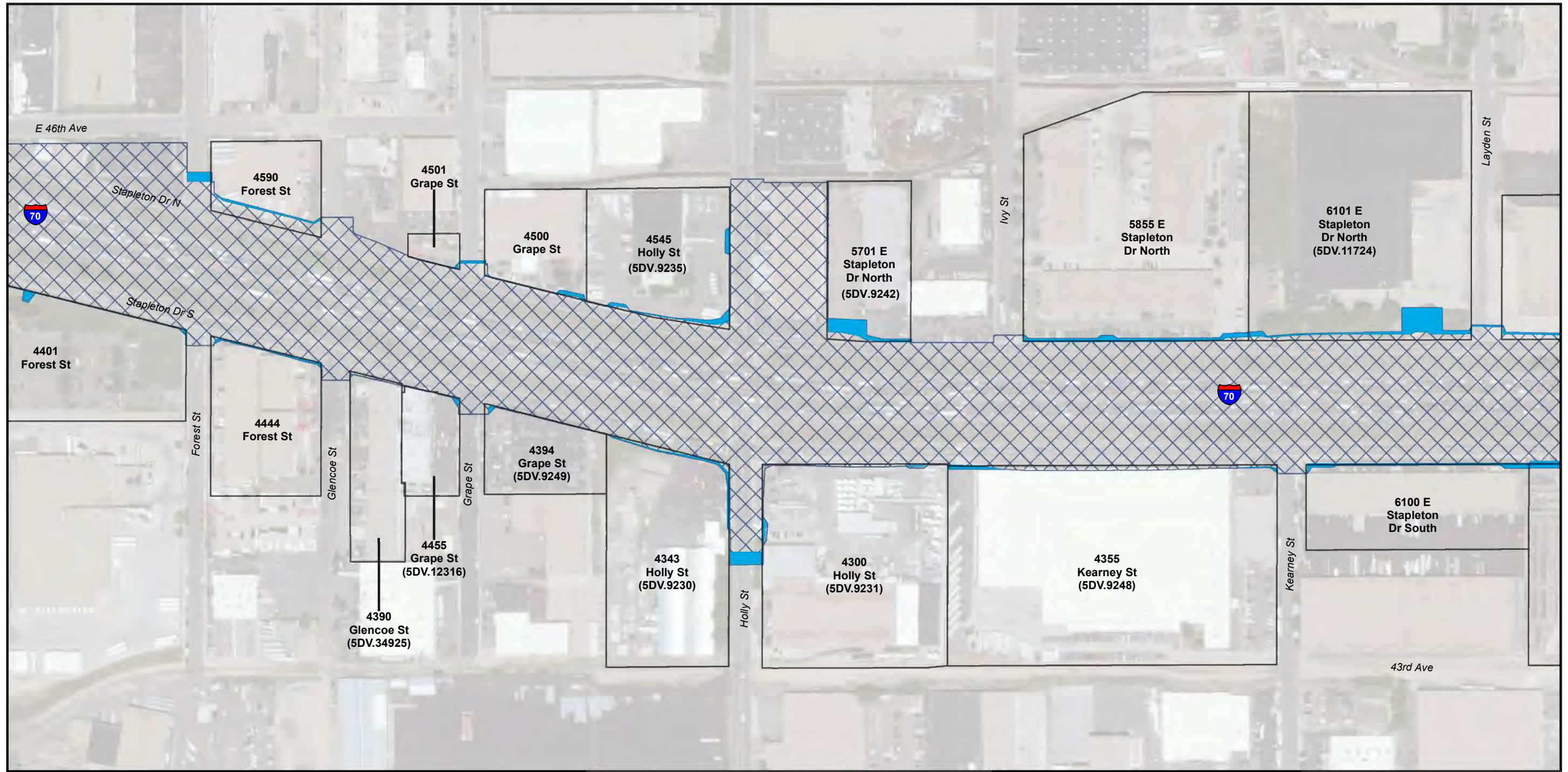





Projection: Custom
US Survey Feet
North American Datum 1983 HARN

Basemap source: ESRI and its data partners.

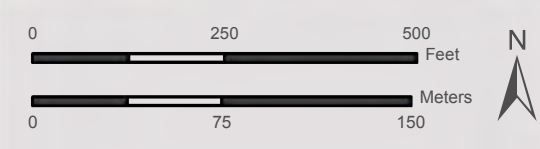
Regional Locator



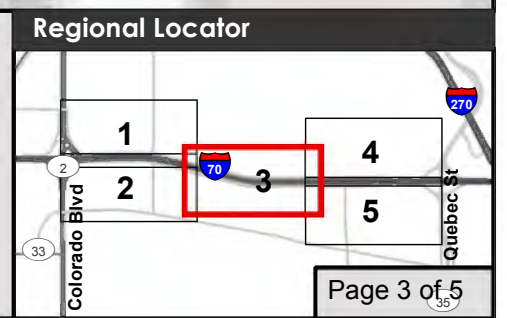


-  I-70 ROD Construction Limits
-  I-70 Reevaluation Construction Limit Expansion
-  Affected Parcel




Central 70
Reevaluation #3 (Colorado Blvd to Quebec St)
Construction Limit Modifications



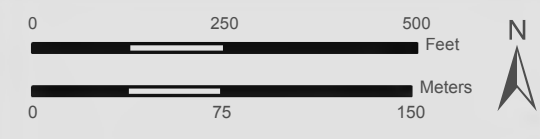
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 US Survey Feet
 North American Datum 1983 HARN
 Basemap source: ESRI and its data partners.



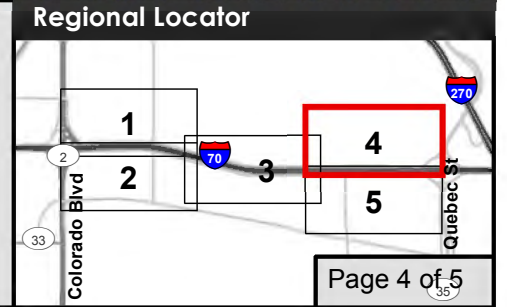


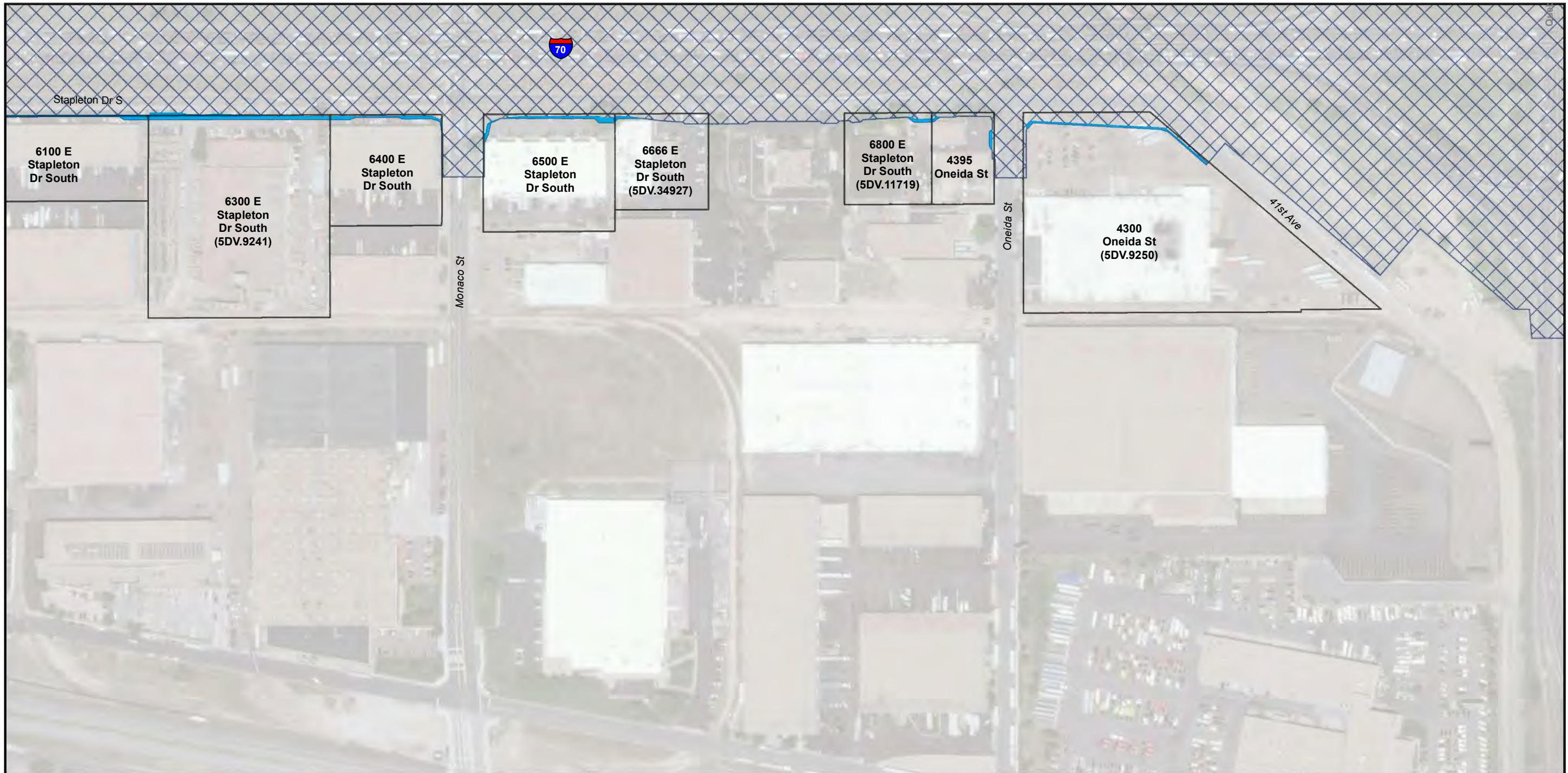
-  I-70 ROD Construction Limits
-  I-70 Reevaluation Construction Limit Expansion
-  Affected Parcel




**Central 70
Reevaluation #3 (Colorado Blvd to Quebec St)
Construction Limit Modifications**



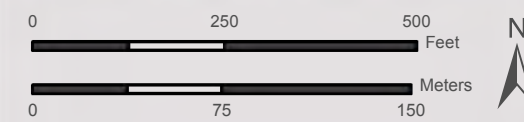
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US Survey Feet
North American Datum 1983 HARN
Basemap source: ESRI and its data partners.





-  I-70 ROD Construction Limits
-  I-70 Reevaluation Construction Limit Expansion
-  Affected Parcel

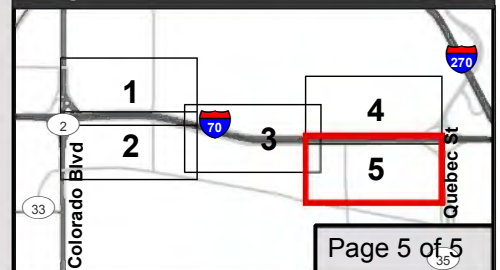
**Central 70
Reevaluation #3 (Colorado Blvd to Quebec St)
Construction Limit Modifications**



Projection: Custom
US Survey Feet
North American Datum 1983 HARN

Basemap source: ESRI and its data partners.

Regional Locator



Attachment B

- **Correspondence to SHPO and the Consulting Parties**
- **Enclosures included with SHPO and Consulting Party Correspondence**

Figure 1 – Area of Potential Effect Modifications

Figure 2 – Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)

Figure 3 – Construction Limit Changes at Site 5DV9231 (Univar Property)

Table 1 – Revisitation of Properties Previously Inventoried

Site Form for 4390 Glencoe Street (5DV34925)

Site Form for 6666 Stapleton Drive South (5DV34927)

- **Concurrence Letter from SHPO**



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Ms. Patricia Carmody
P.O. Box 460394
Denver, CO 80246

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Ms. Carmody:

The letter and the attached materials constitute a request for comments on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

We previously consulted with you about this project in correspondence dated November 17, 2017. Since then, changes in the advanced design have resulted in effects to new properties. This submittal contains the following information related to these design changes:

1. Modified Area of Potential Effects (APE) boundary
2. Eligibility determinations for revisited properties that were inventoried more than five years ago
3. Eligibility determinations for newly inventoried properties
4. Determinations of effect

This consultation only pertains to resources within the expanded APE for the Central 70 Project (Preferred Alternative, Phase 1) for I-70 between Brighton Boulevard and Colorado Boulevard.

Design Changes:

As the project design has advanced, minor adjustments and refinements have been made to the Preferred Alternative, Phase 1 design. The design changes are summarized below and shown on Figure 1:

- Construction limits have been adjusted to provide additional space to accommodate construction equipment movement and to tie-back slopes along driveway approaches. As a result, minor temporary easements are required on 34 parcels, totaling approximately two acres of additional temporary easements. These changes are located in areas of the parcels that are vacant or consist of a parking lot.
- Minor adjustments to right-of-way acquisition boundaries have been made. Adjustments include refining the design of ramp and frontage road geometry, and changing the design from a combination sidewalk/tree lawn section to attached sidewalks. Right-of-way required has generally been reduced overall.

Modified APE

The design changes described above slightly expanded the construction limits beyond the previous APE boundary. Therefore, CDOT expanded the APE boundary to encompass those construction limits, (referred to as the I-70 Reevaluation Area of Potential Effect on Figure 1). Note that while the previous APE boundary (referred to as the I-70 ROD Area of Potential Effect on Figure 1) did not capture entire parcel boundaries, we included entire parcel boundaries in the expanded APE.

Eligibility Determinations

Revisited Properties

Over five years have passed since historic resources for the Central 70 Project were evaluated. Per Stipulation II.3 of the Section 106 Programmatic Agreement for the project, previously inventoried sites were revisited for National Register of Historic Places (NRHP) eligibility. This involved reviewing those sites to determine if their condition has changed or if CDOT has obtained additional knowledge of those property types that would suggest that they would be found to be NRHP eligible should they be reevaluated. As indicated in Table 1, for all properties previously determined *not eligible* for the NRHP within the I-70 Reevaluation APE boundary, CDOT found that condition of the sites has not changed since they were previously inventoried, and that the previous determinations of *not eligible* for these properties remains valid. Individual Re-Visitation Forms were not completed for the properties in the attached Table 1. Twenty-five (25) properties were re-visited and summarized in Table 1. The additional properties in the table that did not meet the 50-year age threshold for evaluation are noted.

Newly Inventoried Properties

CDOT identified two sites within the expanded APE that were constructed before 1973 and evaluated them for NRHP eligibility. Descriptions of these sites and CDOT's eligibility determinations are summarized below. Please refer to the attached site forms for these two resources for more information.

- **4390 Glencoe Street (5DV34925):** This commercial building was constructed in 1971 and is currently occupied by a company called Coolerado, who manufactures air conditioning systems. This resource is not associated with key themes or trends in the development of industry, the I-70 corridor, or the City of Denver, nor is it associated with persons significant in history. Therefore, it is not significant under Criteria A or B. The building does not include architectural detailing or features that reflect a known architectural style or regional vernacular and is, therefore, not significant under Criterion C. The resource is located on a fully paved lot and as such is unlikely to yield additional information important in history or prehistory. Therefore, this resource does not qualify for the NRHP under Criterion D. The resource also does not qualify under Criteria Considerations A – G. In addition, there are insufficient resources of similar type and period to create a cohesive NRHP district. CDOT has therefore determined that Site 5DV34925 is not eligible for the NRHP.
- **6666 Stapleton Drive South (5DV34927):** This commercial building was built in 1970. It is currently occupied by Rocky Mountain High Recreational Dispensary. Although the building currently functions as a marijuana dispensary, which is a current tourism and drug industry theme, the building is not representative of historic themes and, therefore, is not considered significant under Criterion A. The building is also not associated with persons significant in history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under

Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

Table 1 Properties

Because the properties summarized in Table 1 below are *officially not eligible* or do not meet the minimum 50-year age threshold for NRHP eligibility, the design changes result in a finding of *no historic properties affected* to all of those resources.

Site 5DV9231 (Univar Property): This NRHP eligible property (5DV9231) within the expanded APE for the Central 70 Project was reevaluated based on the design changes described earlier, and the results are provided below. We previously consulted with your office on this property in correspondence dated September 2, 2015 and provided supporting documentation such as the original 2005 site form and 2013 Re-Visitation form. That consultation addressed proposed right-of-way (ROW) acquisition on the parcel. Based on advanced design, the construction limits within the parcel boundary of this site have been expanded. The entire parcel boundary of this resource is now included in the expanded APE. However, the proposed modifications fall within the previous APE. The property contains a one-story, brick commercial building that is eligible for the NRHP under Criterion C as a good example of a mid-20th century commercial building with International style features.

Before the recent design changes, the project would have required approximately 0.03 acre (1,106 square feet) of permanent ROW acquisition from this property in areas along Holly Street and Stapleton Drive South (shown as I-70 ROD Permanent Right of Way on Figure 2). As a result of design changes, permanent ROW acquisition has been reduced by approximately 1,022 square feet overall from the amount of ROW previously proposed (shown as Reevaluation Permanent Right of Way on Figure 2). In total, approximately 84 square feet of permanent ROW acquisition is still proposed on the property; of which, 39 square feet are beyond the area previously proposed for right-of-way acquisition.

In order to tie back slopes and tie in driveway approaches to the property, a total of approximately 724 square feet of temporary easements in two locations will be required within the parking lot (shown as Reevaluation Temporary Easement on Figure 2). The location and configuration of the site's driveways will remain unchanged. While these project activities would constitute a physical change to non-historic features within the resource's boundary, these changes would be in keeping with existing elements of the property; specifically, the existing driveways and parking lot (see Figure 3). In addition, the historic building and access to the building would remain intact such that its historic function will continue. The building would retain integrity of design, workmanship, and materials needed to be eligible under Criterion C, and the visual changes on the property would not affect the features that qualify the resource for inclusion on the NRHP. Therefore, we find that the *no adverse effect* finding for 5DV9231, with which your office originally concurred on September 8, 2015, remains valid for the undertaking.

Notification of Section 4(f) *De Minimis* Finding

The Section 4(f) regulations (23 CFR 774) provide the Federal Highway Administration (FHWA) an opportunity to make a *de minimis* impact finding under Section 4(f), if the Section 106 finding is *no adverse effect* for that historic property. This serves as notification that, pursuant to 23 CFR 774.5(b)(ii)

regarding coordination, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for Site 5DV9231.

As a consulting party, we welcome your comments on the revised APE and the Determinations of Eligibility and Effects outlined above within 30 days of receipt of these materials. If we do not hear from you within that time frame, we will assume you do not plan to comment. To respond via Email, send our comments to CDOT Senior Historian Lisa Schoch at lisa.schoch@state.co.us. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258.

Note that our mailing address has changed. Please direct any correspondence to Colorado Department of Transportation, Environmental Programs Branch, 2829 W. Howard Place, Denver, CO 80204.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Hann', is written over a printed name and title. The signature is stylized and cursive.

Jane Hann, Manager
Environmental Branch

Enclosures:

- Figure 1 C70 Reevaluation #3 APE Modifications
- Figure 2 Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)
- Figure 3 Construction Limit Changes at Site 5DV9231 (Univar Property)
- Site Form for 4390 Glencoe Street (5DV34925)
- Site Form for 6666 Stapleton Drive South (5DV34927)

Cc: Tim Buntrock, Central 70



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Mr. Steve Turner, AIA
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Mr. Turner:

The letter and the attached materials constitute a request for concurrence on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

We previously consulted with you about this project in correspondence dated November 17, 2017. Since then, changes in the advanced design have resulted in effects to new properties. This submittal contains the following information related to these design changes:

1. Modified Area of Potential Effects (APE) boundary
2. Eligibility determinations for revisited properties that were inventoried more than five years ago
3. Eligibility determinations for newly inventoried properties
4. Determinations of effect

This consultation only pertains to resources within the expanded APE for the Central 70 Project (Preferred Alternative, Phase 1) for I-70 between Brighton Boulevard and Colorado Boulevard.

Design Changes:

As the project design has advanced, minor adjustments and refinements have been made to the Preferred Alternative, Phase 1 design. The design changes are summarized below and shown on Figure 1:

- Construction limits have been adjusted to provide additional space to accommodate construction equipment movement and to tie-back slopes along driveway approaches. As a result, minor temporary easements are required on 34 parcels, totaling approximately two acres of additional temporary easements. These changes are located in areas of the parcels that are vacant or consist of a parking lot.

- Minor adjustments to right-of-way acquisition boundaries have been made. Adjustments include refining the design of ramp and frontage road geometry, and changing the design from a combination sidewalk/tree lawn section to attached sidewalks. Right-of-way required has generally been reduced overall.

Modified APE

The design changes described above slightly expanded the construction limits beyond the previous APE boundary. Therefore, CDOT expanded the APE boundary to encompass those construction limits, (referred to as the I-70 Reevaluation Area of Potential Effect on Figure 1). Note that while the previous APE boundary (referred to as the I-70 ROD Area of Potential Effect on Figure 1) did not capture entire parcel boundaries, we included entire parcel boundaries in the expanded APE.

Eligibility Determinations

Revisited Properties

Over five years have passed since historic resources for the Central 70 Project were evaluated. Per Stipulation II.3 of the Section 106 Programmatic Agreement for the project, previously inventoried sites were revisited for National Register of Historic Places (NRHP) eligibility. This involved reviewing those sites to determine if their condition has changed or if CDOT has obtained additional knowledge of those property types that would suggest that they would be found to be NRHP eligible should they be reevaluated. As indicated in Table 1, for all properties previously determined *not eligible* for the NRHP within the I-70 Reevaluation APE boundary, CDOT found that condition of the sites has not changed since they were previously inventoried, and that the previous determinations of *not eligible* for these properties remains valid. Individual Re-Visitation Forms were not completed for the properties in the attached Table 1. Twenty-five (25) properties were re-visited and summarized in Table 1. The additional properties in the table that did not meet the 50-year age threshold for evaluation are noted.

Newly Inventoried Properties

CDOT identified two sites within the expanded APE that were constructed before 1973 and evaluated them for NRIIP eligibility. Descriptions of these sites and CDOT's eligibility determinations are summarized below. Please refer to the attached site forms for these two resources for more information.

- **4390 Glencoe Street (SDV34925):** This commercial building was constructed in 1971 and is currently occupied by a company called Coolerado, who manufactures air conditioning systems. This resource is not associated with key themes or trends in the development of industry, the I-70 corridor, or the City of Denver, nor is it associated with persons significant in history. Therefore, it is not significant under Criteria A or B. The building does not include architectural detailing or features that reflect a known architectural style or regional vernacular and is, therefore, not significant under Criterion C. The resource is located on a fully paved lot and as such is unlikely to yield additional information important in history or prehistory. Therefore, this resource does not qualify for the NRHP under Criterion D. The resource also does not qualify under Criteria Considerations A – G. In addition, there are insufficient resources of similar type and period to create a cohesive NRHP district. CDOT has therefore determined that Site SDV34925 is not eligible for the NRHP.
- **6666 Stapleton Drive South (SDV34927):** This commercial building was built in 1970. It is currently occupied by Rocky Mountain High Recreational Dispensary. Although the building currently functions as a marijuana dispensary, which is a current tourism and drug industry

theme, the building is not representative of historic themes and, therefore, is not considered significant under Criterion A. The building is also not associated with persons significant in history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

Table 1 Properties

Because the properties summarized in Table 1 below are *officially not eligible* or do not meet the minimum 50-year age threshold for NRHP eligibility, the design changes result in a finding of *no historic properties affected* to all of those resources.

Site 5DV9231 (Univar Property): This NRHP eligible property (5DV9231) within the expanded APE for the Central 70 Project was reevaluated based on the design changes described earlier, and the results are provided below. We previously consulted with your office on this property in correspondence dated September 2, 2015 and provided supporting documentation such as the original 2005 site form and 2013 Re-Visitation form. That consultation addressed proposed right-of-way (ROW) acquisition on the parcel. Based on advanced design, the construction limits within the parcel boundary of this site have been expanded. The entire parcel boundary of this resource is now included in the expanded APE. However, the proposed modifications fall within the previous APE. The property contains a one-story, brick commercial building that is eligible for the NRHP under Criterion C as a good example of a mid-20th century commercial building with International style features.

Before the recent design changes, the project would have required approximately 0.03 acre (1,106 square feet) of permanent ROW acquisition from this property in areas along Holly Street and Stapleton Drive South (shown as I-70 ROD Permanent Right of Way on Figure 2). As a result of design changes, permanent ROW acquisition has been reduced by approximately 1,022 square feet overall from the amount of ROW previously proposed (shown as Reevaluation Permanent Right of Way on Figure 2). In total, approximately 84 square feet of permanent ROW acquisition is still proposed on the property; of which, 39 square feet are beyond the area previously proposed for right-of-way acquisition.

In order to tie back slopes and tie in driveway approaches to the property, a total of approximately 724 square feet of temporary easements in two locations will be required within the parking lot (shown as Reevaluation Temporary Easement on Figure 2). The location and configuration of the site's driveways will remain unchanged. While these project activities would constitute a physical change to non-historic features within the resource's boundary, these changes would be in keeping with existing elements of the property; specifically, the existing driveways and parking lot (see Figure 3). In addition, the historic building and access to the building would remain intact such that its historic function will continue. The building would retain integrity of design, workmanship, and materials needed to be eligible under Criterion C, and the visual changes on the property would not affect the features that qualify the resource for inclusion on the NRHP. Therefore, we find that the *no adverse effect* finding for 5DV9231, with which your office originally concurred on September 8, 2015, remains valid for the undertaking.

Notification of Section 4(f) *De Minimis* Finding

The Section 4(f) regulations (23 CFR 774) provide the Federal Highway Administration (FHWA) an opportunity to make a *de minimis* impact finding under Section 4(f), if the Section 106 finding is *no adverse effect* for that historic property. This serves as notification that, pursuant to 23 CFR 774.5(b)(ii) regarding coordination, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for Site 5DV9231.

We request your concurrence with the eligibility and effect determinations provided herein. We also request your acknowledgement of FHWA's intent to make a Section 4(f) *de minimis* finding for Site 5DV9231. This information has been provided to the following Section 106 consulting parties: Historic Denver, Inc., Colorado Preservation, Inc., City and County of Denver Landmark Preservation Commission, Fairmount Heritage Foundation, Fairmount Cemetery Company, and Ms. Patricia Carmody. We will notify you of any responses received from these groups. If you have questions or require additional information, please contact Senior Historian Lisa Schoch at (303) 512-4258 or via email at lisa.schoch@state.co.us.

Note that our mailing address has changed. Please direct any correspondence to Colorado Department of Transportation, 2829 W. Howard Place, Denver, CO 80204.

Sincerely,



Jane Harris, Manager
Environmental Branch

Enclosures:

Figure 1 C70 Reevaluation #3 APE Modifications
Figure 2 Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)
Figure 3 Construction Limit Changes at Site 5DV9231 (Univar Property)
Site Form for 4390 Glencoe Street (5DV34925)
Site Form for 6666 Stapleton Drive South (5DV34927)

Cc: Tim Buntrock, Central 70



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Ms. Jennifer Orrigo-Charles
Colorado Preservation Incorporated
1420 Ogden Street
Suite 104
Denver, CO 80218

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Ms. Orrigo-Charles:

The letter and the attached materials constitute a request for comments on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

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- **4390 Glencoe Street (SDV34925):** This commercial building was constructed in 1971 and is currently occupied by a company called Coolerado, who manufactures air conditioning systems. This resource is not associated with key themes or trends in the development of industry, the I-70 corridor, or the City of Denver, nor is it associated with persons significant in history. Therefore, it is not significant under Criteria A or B. The building does not include architectural detailing or features that reflect a known architectural style or regional vernacular and is, therefore, not significant under Criterion C. The resource is located on a fully paved lot and as such is unlikely to yield additional information important in history or prehistory. Therefore, this resource does not qualify for the NRHP under Criterion D. The resource also does not qualify under Criteria Considerations A – G. In addition, there are insufficient resources of similar type and period to create a cohesive NRHP district. CDOT has therefore determined that Site SDV34925 is not eligible for the NRHP.
- **6666 Stapleton Drive South (SDV34927):** This commercial building was built in 1970. It is currently occupied by Rocky Mountain High Recreational Dispensary. Although the building currently functions as a marijuana dispensary, which is a current tourism and drug industry theme, the building is not representative of historic themes and, therefore, is not considered significant under Criterion A. The building is also not associated with persons significant in

history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

Table 1 Properties

Because the properties summarized in Table 1 below are *officially not eligible* or do not meet the minimum 50-year age threshold for NRHP eligibility, the design changes result in a finding of *no historic properties affected* to all of those resources.

Site 5DV9231 (Univar Property): This NRHP eligible property (5DV9231) within the expanded APE for the Central 70 Project was reevaluated based on the design changes described earlier, and the results are provided below. We previously consulted with your office on this property in correspondence dated September 2, 2015 and provided supporting documentation such as the original 2005 site form and 2013 Re-Visitation form. That consultation addressed proposed right-of-way (ROW) acquisition on the parcel. Based on advanced design, the construction limits within the parcel boundary of this site have been expanded. The entire parcel boundary of this resource is now included in the expanded APE. However, the proposed modifications fall within the previous APE. The property contains a one-story, brick commercial building that is eligible for the NRHP under Criterion C as a good example of a mid-20th century commercial building with International style features.

Before the recent design changes, the project would have required approximately 0.03 acre (1,106 square feet) of permanent ROW acquisition from this property in areas along Holly Street and Stapleton Drive South (shown as I-70 ROD Permanent Right of Way on Figure 2). As a result of design changes, permanent ROW acquisition has been reduced by approximately 1,022 square feet overall from the amount of ROW previously proposed (shown as Reevaluation Permanent Right of Way on Figure 2). In total, approximately 84 square feet of permanent ROW acquisition is still proposed on the property; of which, 39 square feet are beyond the area previously proposed for right-of-way acquisition.

In order to tie back slopes and tie in driveway approaches to the property, a total of approximately 724 square feet of temporary easements in two locations will be required within the parking lot (shown as Reevaluation Temporary Easement on Figure 2). The location and configuration of the site's driveways will remain unchanged. While these project activities would constitute a physical change to non-historic features within the resource's boundary, these changes would be in keeping with existing elements of the property; specifically, the existing driveways and parking lot (see Figure 3). In addition, the historic building and access to the building would remain intact such that its historic function will continue. The building would retain integrity of design, workmanship, and materials needed to be eligible under Criterion C, and the visual changes on the property would not affect the features that qualify the resource for inclusion on the NRHP. Therefore, we find that the *no adverse effect* finding for 5DV9231, with which your office originally concurred on September 8, 2015, remains valid for the undertaking.

Ms. Orrigo-Charles

May 15, 2018

Page 4 of 15

Notification of Section 4(f) *De Minimis* Finding

The Section 4(f) regulations (23 CFR 774) provide the Federal Highway Administration (FHWA) an opportunity to make a *de minimis* impact finding under Section 4(f), if the Section 106 finding is *no adverse effect* for that historic property. This serves as notification that, pursuant to 23 CFR 774.5(b)(ii) regarding coordination, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for Site 5DV9231.

As a consulting party, we welcome your comments on the revised APE and the Determinations of Eligibility and Effects outlined above within 30 days of receipt of these materials. If we do not hear from you within that time frame, we will assume you do not plan to comment. To respond via Email, send our comments to CDOT Senior Historian Lisa Schoch at lisa.schoch@state.co.us. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258.

Note that our mailing address has changed. Please direct any correspondence to Colorado Department of Transportation, Environmental Programs Branch, 2829 W. Howard Place, Denver, CO 80204.

Sincerely,



Jane Hann, Manager
Environmental Branch

Enclosures:

Figure 1 C70 Reevaluation #3 APE Modifications

Figure 2 Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)

Figure 3 Construction Limit Changes at Site 5DV9231 (Univar Property)

Site Form for 4390 Glencoe Street (5DV34925)

Site Form for 6666 Stapleton Drive South (5DV34927)

Cc: Tim Buntrock, Central 70



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Ms. Kara Hahn
City and County of Denver
Landmark Preservation Commission
Denver Planning Office
201 West Colfax Avenue
Denver, CO 80202

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Ms. Hahn:

The letter and the attached materials constitute a request for comments on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

We previously consulted with you about this project in correspondence dated November 17, 2017. Since then, changes in the advanced design have resulted in effects to new properties. This submittal contains the following information related to these design changes:

1. Modified Area of Potential Effects (APE) boundary
2. Eligibility determinations for revisited properties that were inventoried more than five years ago
3. Eligibility determinations for newly inventoried properties
4. Determinations of effect

This consultation only pertains to resources within the expanded APE for the Central 70 Project (Preferred Alternative, Phase 1) for I-70 between Brighton Boulevard and Colorado Boulevard.

Design Changes:

As the project design has advanced, minor adjustments and refinements have been made to the Preferred Alternative, Phase 1 design. The design changes are summarized below and shown on Figure 1:

- Construction limits have been adjusted to provide additional space to accommodate construction equipment movement and to tie-back slopes along driveway approaches. As a result, minor temporary easements are required on 34 parcels, totaling approximately two acres of additional temporary easements. These changes are located in areas of the parcels that are vacant or consist of a parking lot.

- Minor adjustments to right-of-way acquisition boundaries have been made. Adjustments include refining the design of ramp and frontage road geometry, and changing the design from a combination sidewalk/tree lawn section to attached sidewalks. Right-of-way required has generally been reduced overall.

Modified APE

The design changes described above slightly expanded the construction limits beyond the previous APE boundary. Therefore, CDOT expanded the APE boundary to encompass those construction limits, (referred to as the I-70 Reevaluation Area of Potential Effect on Figure 1). Note that while the previous APE boundary (referred to as the I-70 ROD Area of Potential Effect on Figure 1) did not capture entire parcel boundaries, we included entire parcel boundaries in the expanded APE.

Eligibility Determinations

Revisited Properties

Over five years have passed since historic resources for the Central 70 Project were evaluated. Per Stipulation II.3 of the Section 106 Programmatic Agreement for the project, previously inventoried sites were revisited for National Register of Historic Places (NRHP) eligibility. This involved reviewing those sites to determine if their condition has changed or if CDOT has obtained additional knowledge of those property types that would suggest that they would be found to be NRHP eligible should they be reevaluated. As indicated in Table 1, for all properties previously determined *not eligible* for the NRHP within the I-70 Reevaluation APE boundary, CDOT found that condition of the sites has not changed since they were previously inventoried, and that the previous determinations of *not eligible* for these properties remains valid. Individual Re-Visitation Forms were not completed for the properties in the attached Table 1. Twenty-five (25) properties were re-visited and summarized in Table 1. The additional properties in the table that did not meet the 50-year age threshold for evaluation are noted.

Newly Inventoried Properties

CDOT identified two sites within the expanded APE that were constructed before 1973 and evaluated them for NRHP eligibility. Descriptions of these sites and CDOT's eligibility determinations are summarized below. Please refer to the attached site forms for these two resources for more information.

- **4390 Glencoe Street (5DV34925):** This commercial building was constructed in 1971 and is currently occupied by a company called Coolerado, who manufactures air conditioning systems. This resource is not associated with key themes or trends in the development of industry, the I-70 corridor, or the City of Denver, nor is it associated with persons significant in history. Therefore, it is not significant under Criteria A or B. The building does not include architectural detailing or features that reflect a known architectural style or regional vernacular and is, therefore, not significant under Criterion C. The resource is located on a fully paved lot and as such is unlikely to yield additional information important in history or prehistory. Therefore, this resource does not qualify for the NRHP under Criterion D. The resource also does not qualify under Criteria Considerations A – G. In addition, there are insufficient resources of similar type and period to create a cohesive NRHP district. CDOT has therefore determined that Site 5DV34925 is not eligible for the NRHP.
- **6666 Stapleton Drive South (5DV34927):** This commercial building was built in 1970. It is currently occupied by Rocky Mountain High Recreational Dispensary. Although the building currently functions as a marijuana dispensary, which is a current tourism and drug industry

theme, the building is not representative of historic themes and, therefore, is not considered significant under Criterion A. The building is also not associated with persons significant in history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

Table 1 Properties

Because the properties summarized in Table 1 below are *officially not eligible* or do not meet the minimum 50-year age threshold for NRHP eligibility, the design changes result in a finding of *no historic properties affected* to all of those resources.

Site 5DV9231 (Univar Property): This NRHP eligible property (5DV9231) within the expanded APE for the Central 70 Project was reevaluated based on the design changes described earlier, and the results are provided below. We previously consulted with your office on this property in correspondence dated September 2, 2015 and provided supporting documentation such as the original 2005 site form and 2013 Re-Visitation form. That consultation addressed proposed right-of-way (ROW) acquisition on the parcel. Based on advanced design, the construction limits within the parcel boundary of this site have been expanded. The entire parcel boundary of this resource is now included in the expanded APE. However, the proposed modifications fall within the previous APE. The property contains a one-story, brick commercial building that is eligible for the NRHP under Criterion C as a good example of a mid-20th century commercial building with International style features.

Before the recent design changes, the project would have required approximately 0.03 acre (1,106 square feet) of permanent ROW acquisition from this property in areas along Holly Street and Stapleton Drive South (shown as I-70 ROD Permanent Right of Way on Figure 2). As a result of design changes, permanent ROW acquisition has been reduced by approximately 1,022 square feet overall from the amount of ROW previously proposed (shown as Reevaluation Permanent Right of Way on Figure 2). In total, approximately 84 square feet of permanent ROW acquisition is still proposed on the property; of which, 39 square feet are beyond the area previously proposed for right-of-way acquisition.

In order to tie back slopes and tie in driveway approaches to the property, a total of approximately 724 square feet of temporary easements in two locations will be required within the parking lot (shown as Reevaluation Temporary Easement on Figure 2). The location and configuration of the site's driveways will remain unchanged. While these project activities would constitute a physical change to non-historic features within the resource's boundary, these changes would be in keeping with existing elements of the property; specifically, the existing driveways and parking lot (see Figure 3). In addition, the historic building and access to the building would remain intact such that its historic function will continue. The building would retain integrity of design, workmanship, and materials needed to be eligible under Criterion C, and the visual changes on the property would not affect the features that qualify the resource for inclusion on the NRHP. Therefore, we find that the *no adverse effect* finding for 5DV9231, with which your office originally concurred on September 8, 2015, remains valid for the undertaking.

Notification of Section 4(f) *De Minimis* Finding

The Section 4(f) regulations (23 CFR 774) provide the Federal Highway Administration (FHWA) an opportunity to make a *de minimis* impact finding under Section 4(f), if the Section 106 finding is *no adverse effect* for that historic property. This serves as notification that, pursuant to 23 CFR 774.5(b)(ii) regarding coordination, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for Site 5DV9231.

As a consulting party, we welcome your comments on the revised APE and the Determinations of Eligibility and Effects outlined above within 30 days of receipt of these materials. If we do not hear from you within that time frame, we will assume you do not plan to comment. To respond via Email, send our comments to CDOT Senior Historian Lisa Schoch at lisa.schoch@state.co.us. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258.

Note that our mailing address has changed. Please direct any correspondence to Colorado Department of Transportation, Environmental Programs Branch, 2829 W. Howard Place, Denver, CO 80204.

Sincerely,


for Jane Hann, Manager
Environmental Branch

Enclosures:

- Figure 1 C70 Reevaluation #3 APE Modifications
- Figure 2 Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)
- Figure 3 Construction Limit Changes at Site 5DV9231 (Univar Property)
- Site Form for 4390 Glencoe Street (5DV34925)
- Site Form for 6666 Stapleton Drive South (5DV34927)

Cc: Tim Buntrock, Central 70



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Mr. Kelly Briggs
Fairmount Cemetery Company
430 South Quebec Street
Denver, CO 80247

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Mr. Briggs:

The letter and the attached materials constitute a request for comments on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

We previously consulted with you about this project in correspondence dated November 17, 2017. Since then, changes in the advanced design have resulted in effects to new properties. This submittal contains the following information related to these design changes:

1. Modified Area of Potential Effects (APE) boundary
2. Eligibility determinations for revisited properties that were inventoried more than five years ago
3. Eligibility determinations for newly inventoried properties
4. Determinations of effect

This consultation only pertains to resources within the expanded APE for the Central 70 Project (Preferred Alternative, Phase 1) for I-70 between Brighton Boulevard and Colorado Boulevard.

Design Changes:

As the project design has advanced, minor adjustments and refinements have been made to the Preferred Alternative, Phase 1 design. The design changes are summarized below and shown on Figure 1:

- Construction limits have been adjusted to provide additional space to accommodate construction equipment movement and to tie-back slopes along driveway approaches. As a result, minor temporary easements are required on 34 parcels, totaling approximately two acres of additional temporary easements. These changes are located in areas of the parcels that are vacant or consist of a parking lot.
- Minor adjustments to right-of-way acquisition boundaries have been made. Adjustments include refining the design of ramp and frontage road geometry, and changing the design from a

combination sidewalk/tree lawn section to attached sidewalks. Right-of-way required has generally been reduced overall.

Modified APE

The design changes described above slightly expanded the construction limits beyond the previous APE boundary. Therefore, CDOT expanded the APE boundary to encompass those construction limits, (referred to as the I-70 Reevaluation Area of Potential Effect on Figure 1). Note that while the previous APE boundary (referred to as the I-70 ROD Area of Potential Effect on Figure 1) did not capture entire parcel boundaries, we included entire parcel boundaries in the expanded APE.

Eligibility Determinations

Revisited Properties

Over five years have passed since historic resources for the Central 70 Project were evaluated. Per Stipulation II.3 of the Section 106 Programmatic Agreement for the project, previously inventoried sites were revisited for National Register of Historic Places (NRHP) eligibility. This involved reviewing those sites to determine if their condition has changed or if CDOT has obtained additional knowledge of those property types that would suggest that they would be found to be NRHP eligible should they be reevaluated. As indicated in Table 1, for all properties previously determined *not eligible* for the NRHP within the I-70 Reevaluation APE boundary, CDOT found that condition of the sites has not changed since they were previously inventoried, and that the previous determinations of *not eligible* for these properties remains valid. Individual Re-Visitation Forms were not completed for the properties in the attached Table 1. Twenty-five (25) properties were re-visited and summarized in Table 1. The additional properties in the table that did not meet the 50-year age threshold for evaluation are noted.

Newly Inventoried Properties

CDOT identified two sites within the expanded APE that were constructed before 1973 and evaluated them for NRHP eligibility. Descriptions of these sites and CDOT's eligibility determinations are summarized below. Please refer to the attached site forms for these two resources for more information.

- **4390 Glencoe Street (5DV34925):** This commercial building was constructed in 1971 and is currently occupied by a company called Coolerado, who manufactures air conditioning systems. This resource is not associated with key themes or trends in the development of industry, the I-70 corridor, or the City of Denver, nor is it associated with persons significant in history. Therefore, it is not significant under Criteria A or B. The building does not include architectural detailing or features that reflect a known architectural style or regional vernacular and is, therefore, not significant under Criterion C. The resource is located on a fully paved lot and as such is unlikely to yield additional information important in history or prehistory. Therefore, this resource does not qualify for the NRHP under Criterion D. The resource also does not qualify under Criteria Considerations A – G. In addition, there are insufficient resources of similar type and period to create a cohesive NRHP district. CDOT has therefore determined that Site 5DV34925 is not eligible for the NRHP.
- **6666 Stapleton Drive South (5DV34927):** This commercial building was built in 1970. It is currently occupied by Rocky Mountain High Recreational Dispensary. Although the building currently functions as a marijuana dispensary, which is a current tourism and drug industry theme, the building is not representative of historic themes and, therefore, is not considered significant under Criterion A. The building is also not associated with persons significant in

history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

Table 1 Properties

Because the properties summarized in Table 1 below are *officially not eligible* or do not meet the minimum 50-year age threshold for NRHP eligibility, the design changes result in a finding of *no historic properties affected* to all of those resources.

Site 5DV9231 (Univar Property): This NRHP eligible property (5DV9231) within the expanded APE for the Central 70 Project was reevaluated based on the design changes described earlier, and the results are provided below. We previously consulted with your office on this property in correspondence dated September 2, 2015 and provided supporting documentation such as the original 2005 site form and 2013 Re-Visitation form. That consultation addressed proposed right-of-way (ROW) acquisition on the parcel. Based on advanced design, the construction limits within the parcel boundary of this site have been expanded. The entire parcel boundary of this resource is now included in the expanded APE. However, the proposed modifications fall within the previous APE. The property contains a one-story, brick commercial building that is eligible for the NRHP under Criterion C as a good example of a mid-20th century commercial building with International style features.

Before the recent design changes, the project would have required approximately 0.03 acre (1,106 square feet) of permanent ROW acquisition from this property in areas along Holly Street and Stapleton Drive South (shown as I-70 ROD Permanent Right of Way on Figure 2). As a result of design changes, permanent ROW acquisition has been reduced by approximately 1,022 square feet overall from the amount of ROW previously proposed (shown as Reevaluation Permanent Right of Way on Figure 2). In total, approximately 84 square feet of permanent ROW acquisition is still proposed on the property; of which, 39 square feet are beyond the area previously proposed for right-of-way acquisition.

In order to tie back slopes and tie in driveway approaches to the property, a total of approximately 724 square feet of temporary easements in two locations will be required within the parking lot (shown as Reevaluation Temporary Easement on Figure 2). The location and configuration of the site's driveways will remain unchanged. While these project activities would constitute a physical change to non-historic features within the resource's boundary, these changes would be in keeping with existing elements of the property; specifically, the existing driveways and parking lot (see Figure 3). In addition, the historic building and access to the building would remain intact such that its historic function will continue. The building would retain integrity of design, workmanship, and materials needed to be eligible under Criterion C, and the visual changes on the property would not affect the features that qualify the resource for inclusion on the NRHP. Therefore, we find that the *no adverse effect* finding for 5DV9231, with which your office originally concurred on September 8, 2015, remains valid for the undertaking.

Notification of Section 4(f) *De Minimis* Finding

The Section 4(f) regulations (23 CFR 774) provide the Federal Highway Administration (FHWA) an opportunity to make a *de minimis* impact finding under Section 4(f), if the Section 106 finding is *no adverse effect* for that historic property. This serves as notification that, pursuant to 23 CFR 774.5(b)(ii) regarding coordination, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for Site 5DV9231.

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for Jane Hann, Manager
Environmental Branch

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Cc: Tim Buntrock, Central 70



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Mr. Jim Cavoto
Fairmount Heritage Foundation
430 South Quebec Street
Denver, CO 80247

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Mr. Cavoto:

The letter and the attached materials constitute a request for comments on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

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history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

Table 1 Properties

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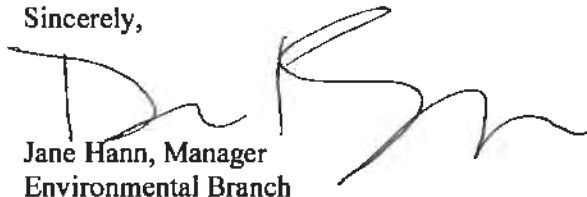
Notification of Section 4(f) *De Minimis* Finding

The Section 4(f) regulations (23 CFR 774) provide the Federal Highway Administration (FHWA) an opportunity to make a *de minimis* impact finding under Section 4(f), if the Section 106 finding is *no adverse effect* for that historic property. This serves as notification that, pursuant to 23 CFR 774.5(b)(ii) regarding coordination, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for Site 5DV9231.

As a consulting party, we welcome your comments on the revised APE and the Determinations of Eligibility and Effects outlined above within 30 days of receipt of these materials. If we do not hear from you within that time frame, we will assume you do not plan to comment. To respond via Email, send our comments to CDOT Senior Historian Lisa Schoch at lisa.schoch@state.co.us. If you have questions or require additional information, please contact Ms. Schoch at (303) 512-4258.

Note that our mailing address has changed. Please direct any correspondence to Colorado Department of Transportation, Environmental Programs Branch, 2829 W. Howard Place, Denver, CO 80204.

Sincerely,



Jane Hann, Manager
Environmental Branch

Enclosures:

Figure 1 C70 Reevaluation #3 APE Modifications
Figure 2 Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)
Figure 3 Construction Limit Changes at Site 5DV9231 (Univar Property)
Site Form for 4390 Glencoe Street (5DV34925)
Site Form for 6666 Stapleton Drive South (5DV34927)

Cc: Tim Buntrock, Central 70



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Mr. John Olson
Historic Denver, Inc.
1420 Ogden Street
Suite 202
Denver, CO 80216

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Mr. Olson:

The letter and the attached materials constitute a request for comments on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

We previously consulted with you about this project in correspondence dated November 17, 2017. Since then, changes in the advanced design have resulted in effects to new properties. This submittal contains the following information related to these design changes:

1. Modified Area of Potential Effects (APE) boundary
2. Eligibility determinations for revisited properties that were inventoried more than five years ago
3. Eligibility determinations for newly inventoried properties
4. Determinations of effect

This consultation only pertains to resources within the expanded APE for the Central 70 Project (Preferred Alternative, Phase 1) for I-70 between Brighton Boulevard and Colorado Boulevard.

Design Changes:

As the project design has advanced, minor adjustments and refinements have been made to the Preferred Alternative, Phase I design. The design changes are summarized below and shown on Figure 1:

- Construction limits have been adjusted to provide additional space to accommodate construction equipment movement and to tie-back slopes along driveway approaches. As a result, minor temporary easements are required on 34 parcels, totaling approximately two acres of additional temporary easements. These changes are located in areas of the parcels that are vacant or consist of a parking lot.

- Minor adjustments to right-of-way acquisition boundaries have been made. Adjustments include refining the design of ramp and frontage road geometry, and changing the design from a combination sidewalk/tree lawn section to attached sidewalks. Right-of-way required has generally been reduced overall.

Modified APE

The design changes described above slightly expanded the construction limits beyond the previous APE boundary. Therefore, CDOT expanded the APE boundary to encompass those construction limits, (referred to as the I-70 Reevaluation Area of Potential Effect on Figure 1). Note that while the previous APE boundary (referred to as the I-70 ROD Area of Potential Effect on Figure 1) did not capture entire parcel boundaries, we included entire parcel boundaries in the expanded APE.

Eligibility Determinations

Revisited Properties

Over five years have passed since historic resources for the Central 70 Project were evaluated. Per Stipulation IL3 of the Section 106 Programmatic Agreement for the project, previously inventoried sites were revisited for National Register of Historic Places (NRHP) eligibility. This involved reviewing those sites to determine if their condition has changed or if CDOT has obtained additional knowledge of those property types that would suggest that they would be found to be NRHP eligible should they be reevaluated. As indicated in Table 1, for all properties previously determined *not eligible* for the NRHP within the I-70 Reevaluation APE boundary, CDOT found that condition of the sites has not changed since they were previously inventoried, and that the previous determinations of *not eligible* for these properties remains valid. Individual Re-Visitation Forms were not completed for the properties in the attached Table 1. Twenty-five (25) properties were re-visited and summarized in Table 1. The additional properties in the table that did not meet the 50-year age threshold for evaluation are noted.

Newly Inventoried Properties

CDOT identified two sites within the expanded APE that were constructed before 1973 and evaluated them for NRHP eligibility. Descriptions of these sites and CDOT's eligibility determinations are summarized below. Please refer to the attached site forms for these two resources for more information.

- **4390 Glencoe Street (5DV34925):** This commercial building was constructed in 1971 and is currently occupied by a company called Coolerado, who manufactures air conditioning systems. This resource is not associated with key themes or trends in the development of industry, the I-70 corridor, or the City of Denver, nor is it associated with persons significant in history. Therefore, it is not significant under Criteria A or B. The building does not include architectural detailing or features that reflect a known architectural style or regional vernacular and is, therefore, not significant under Criterion C. The resource is located on a fully paved lot and as such is unlikely to yield additional information important in history or prehistory. Therefore, this resource does not qualify for the NRHP under Criterion D. The resource also does not qualify under Criteria Considerations A – G. In addition, there are insufficient resources of similar type and period to create a cohesive NRHP district. CDOT has therefore determined that Site 5DV34925 is not eligible for the NRHP.
- **6666 Stapleton Drive South (5DV34927):** This commercial building was built in 1970. It is currently occupied by Rocky Mountain High Recreational Dispensary. Although the building currently functions as a marijuana dispensary, which is a current tourism and drug industry

theme, the building is not representative of historic themes and, therefore, is not considered significant under Criterion A. The building is also not associated with persons significant in history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

Table 1 Properties

Because the properties summarized in Table 1 below are *officially not eligible* or do not meet the minimum 50-year age threshold for NRHP eligibility, the design changes result in a finding of *no historic properties affected* to all of those resources.

Site 5DV9231 (Univar Property): This NRHP eligible property (5DV9231) within the expanded APE for the Central 70 Project was reevaluated based on the design changes described earlier, and the results are provided below. We previously consulted with your office on this property in correspondence dated September 2, 2015 and provided supporting documentation such as the original 2005 site form and 2013 Re-Visitation form. That consultation addressed proposed right-of-way (ROW) acquisition on the parcel. Based on advanced design, the construction limits within the parcel boundary of this site have been expanded. The entire parcel boundary of this resource is now included in the expanded APE. However, the proposed modifications fall within the previous APE. The property contains a one-story, brick commercial building that is eligible for the NRHP under Criterion C as a good example of a mid-20th century commercial building with International style features.

Before the recent design changes, the project would have required approximately 0.03 acre (1,106 square feet) of permanent ROW acquisition from this property in areas along Holly Street and Stapleton Drive South (shown as I-70 ROD Permanent Right of Way on Figure 2). As a result of design changes, permanent ROW acquisition has been reduced by approximately 1,022 square feet overall from the amount of ROW previously proposed (shown as Reevaluation Permanent Right of Way on Figure 2). In total, approximately 84 square feet of permanent ROW acquisition is still proposed on the property; of which, 39 square feet are beyond the area previously proposed for right-of-way acquisition.

In order to tie back slopes and tie in driveway approaches to the property, a total of approximately 724 square feet of temporary easements in two locations will be required within the parking lot (shown as Reevaluation Temporary Easement on Figure 2). The location and configuration of the site's driveways will remain unchanged. While these project activities would constitute a physical change to non-historic features within the resource's boundary, these changes would be in keeping with existing elements of the property; specifically, the existing driveways and parking lot (see Figure 3). In addition, the historic building and access to the building would remain intact such that its historic function will continue. The building would retain integrity of design, workmanship, and materials needed to be eligible under Criterion C, and the visual changes on the property would not affect the features that qualify the resource for inclusion on the NRHP. Therefore, we find that the *no adverse effect* finding for 5DV9231, with which your office originally concurred on September 8, 2015, remains valid for the undertaking.

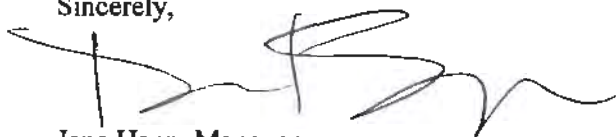
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Sincerely,



Jane Hann, Manager
Environmental Branch

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Site Form for 4390 Glencoe Street (5DV34925)

Site Form for 6666 Stapleton Drive South (5DV34927)

Cc: Tim Buntrock, Central 70



COLORADO
Department of Transportation
Division of Transportation Development

2829 W. Howard Place
Denver, CO 80204
(303) 757-9281

May 15, 2018

Mr. Dominick Sekich
Moye, White
16 Market Square, 6th Floor
1400 16th Street
Denver, CO 80202

SUBJECT: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (CHS #41831)

Dear Mr. Sekich:

The letter and the attached materials constitute a request for comments on updated information regarding the project referenced above. The Preferred Alternative, Phase 1 (Partial Cover Lowered Alternative with Managed Lanes) selected for this project in January 2017 is the first phase of implementing the overall Preferred Alternative. The Preferred Alternative, Phase 1, is also referred to as the Central 70 Project. The Central 70 Project would remove the existing Interstate 70 (I-70) viaduct between Brighton Boulevard and Colorado Boulevard and lower the highway below grade in this area, place a four-acre cover over a portion of the lowered highway (between the Clayton Street and Columbine Street bridges adjacent to Swansea Elementary School), and add additional lanes in each direction.

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Eligibility Determinations

Revisited Properties

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- **6666 Stapleton Drive South (5DV34927):** This commercial building was built in 1970. It is currently occupied by Rocky Mountain High Recreational Dispensary. Although the building currently functions as a marijuana dispensary, which is a current tourism and drug industry theme, the building is not representative of historic themes and, therefore, is not considered significant under Criterion A. The building is also not associated with persons significant in

history, and is, therefore, not significant under Criterion B. The building exhibits some mid-century modern architecture characteristics, such as horizontality and contrasting color accents in the window recesses. However, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, this resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and is not significant under Criterion D. The resource does not qualify under Criteria Considerations A – G. Lastly, there are insufficient resources of similar type and period to create a cohesive NRHP district. Therefore, CDOT has determined that Site 5DV34927 is not eligible for the NRHP.

Effects Determinations

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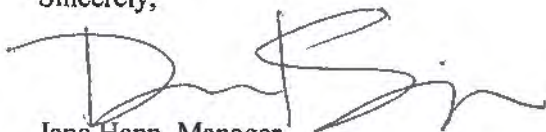
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Sincerely,



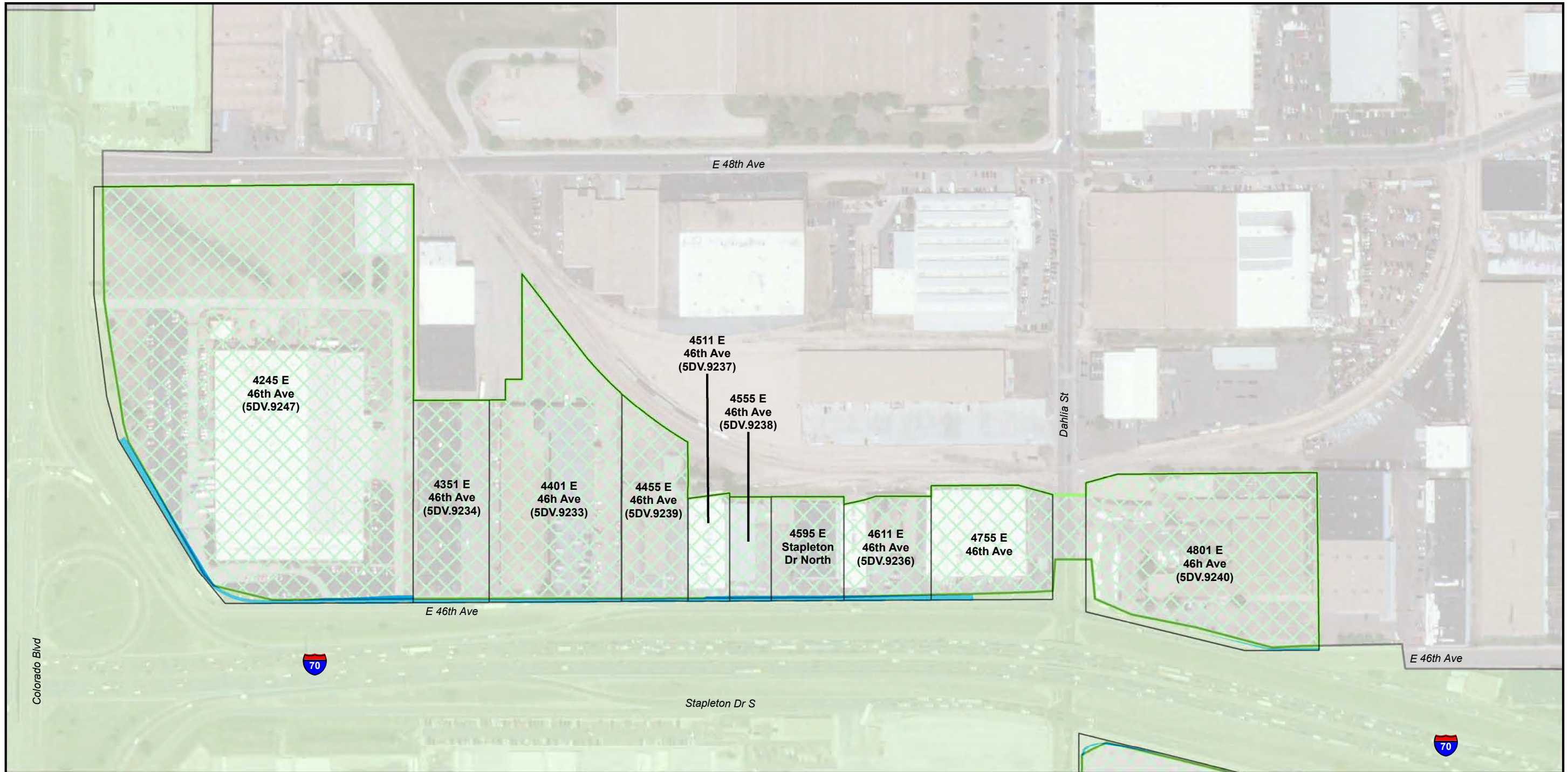
Jane Hann, Manager
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


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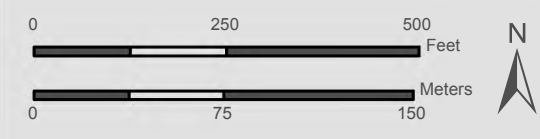
Cc: Tim Buntrock, Central 70

Figure 1 C70 Reevaluation #3 APE Modifications

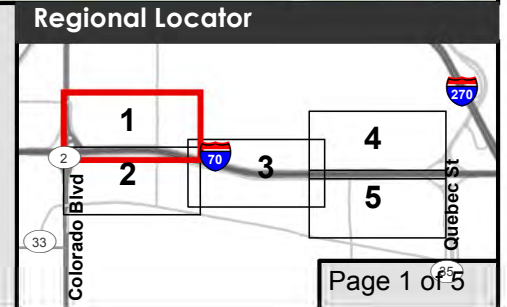


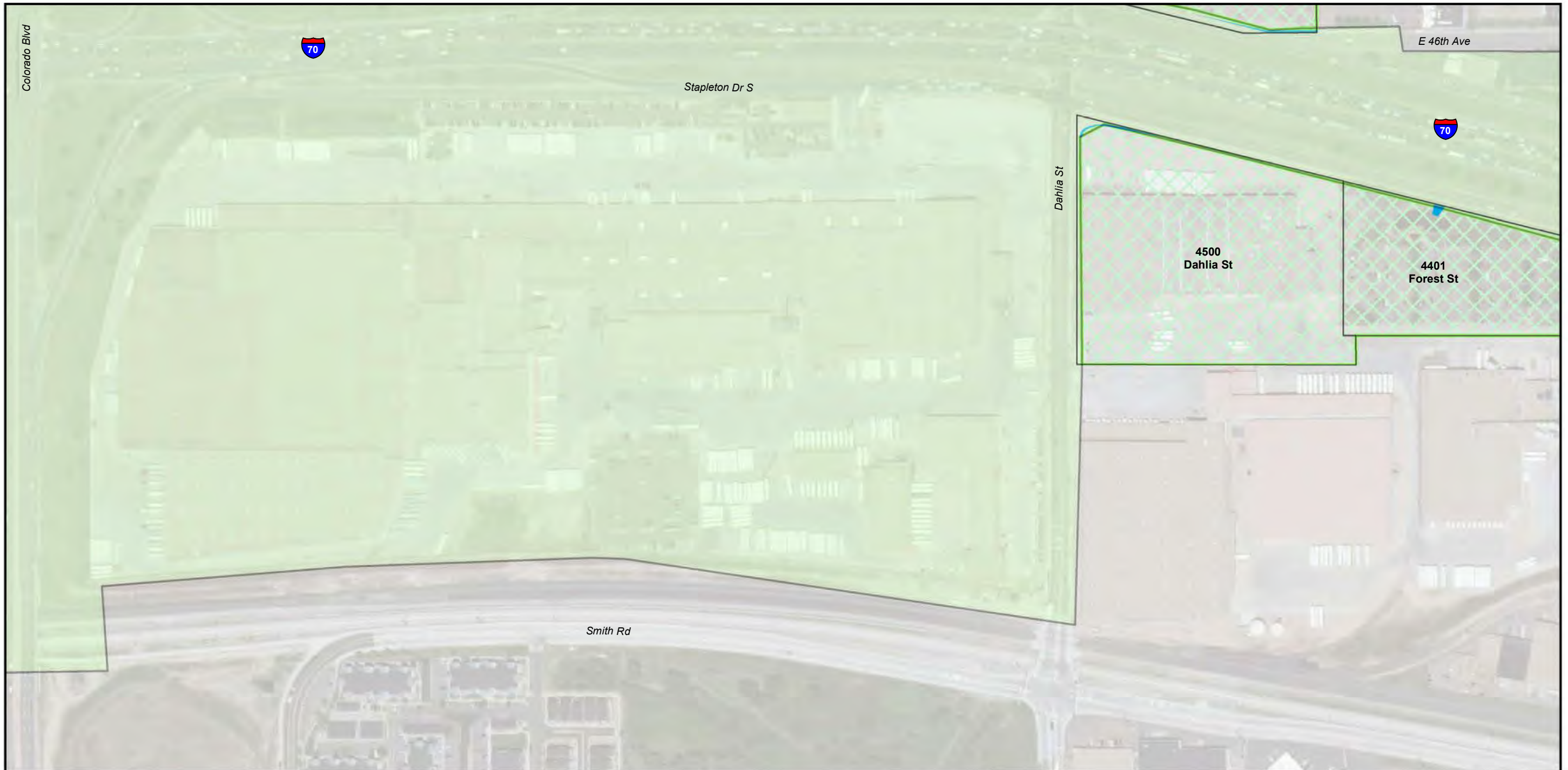
-  I-70 ROD Area of Potential Effect
-  I-70 Reevaluation Area of Potential Effect
-  Construction Limit Expansion
-  Affected Parcel

**Central 70
Reevaluation #3 (Colorado Blvd to Quebec St)
Area of Potential Effect Modifications**



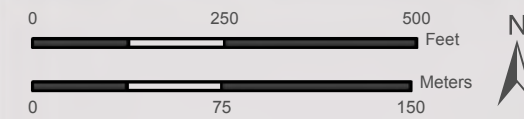
Projection: Custom
US Survey Feet
North American Datum 1983 HARN
Basemap source: ESRI and its data partners.





- I-70 ROD Area of Potential Effect
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- Construction Limit Expansion
- Affected Parcel

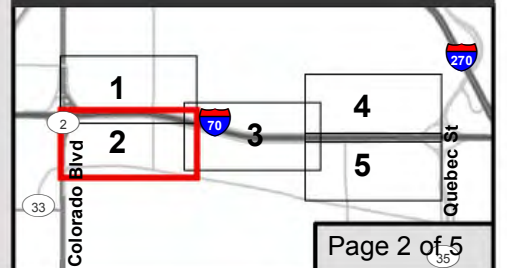
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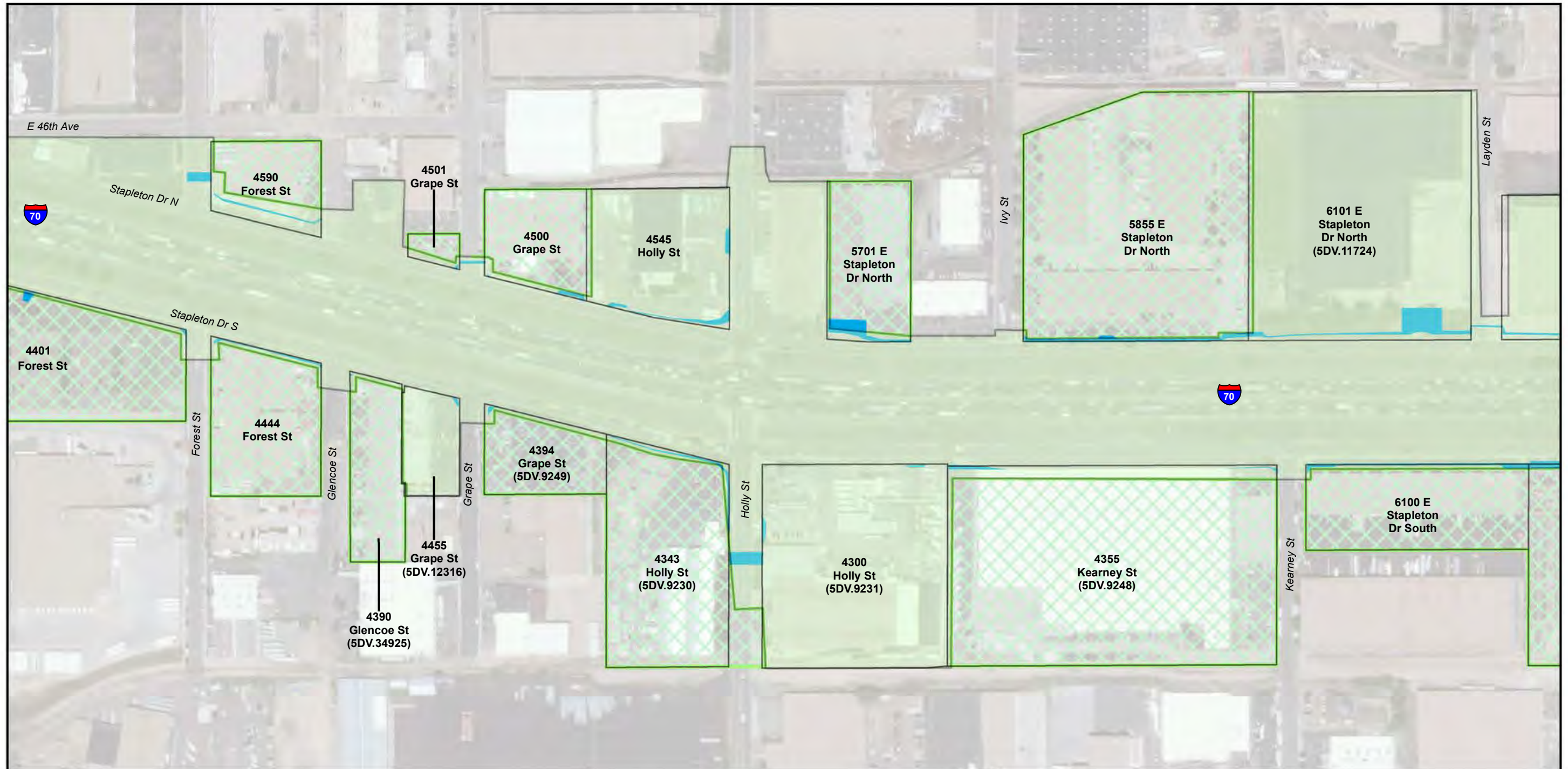


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US Survey Feet
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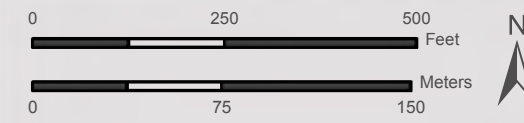
Regional Locator





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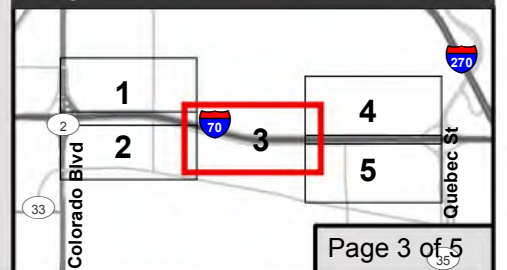
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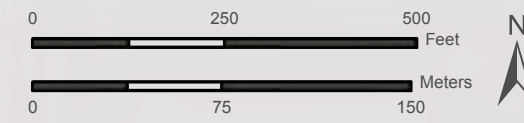
Regional Locator





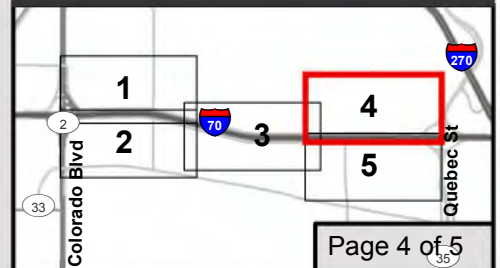
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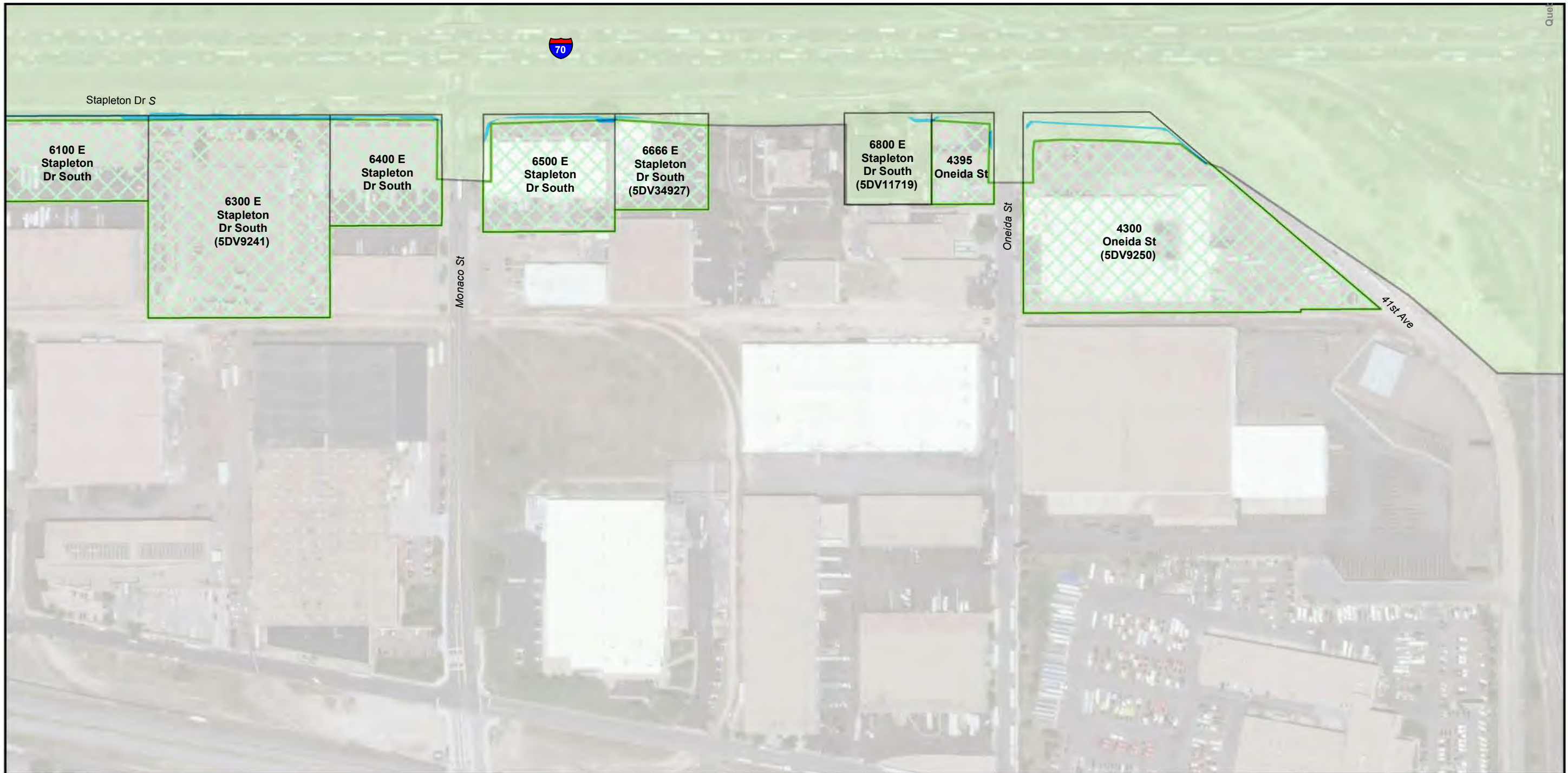
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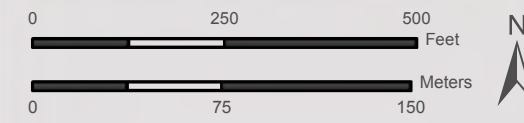
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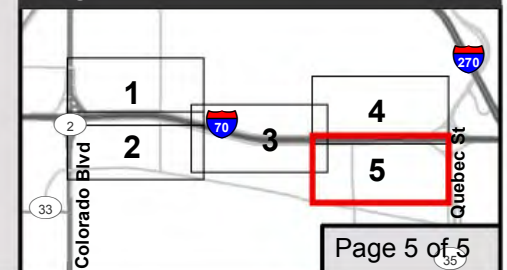


Figure 2 Permanent and Temporary Acquisition at Site 5DV9231 (Univar Property)

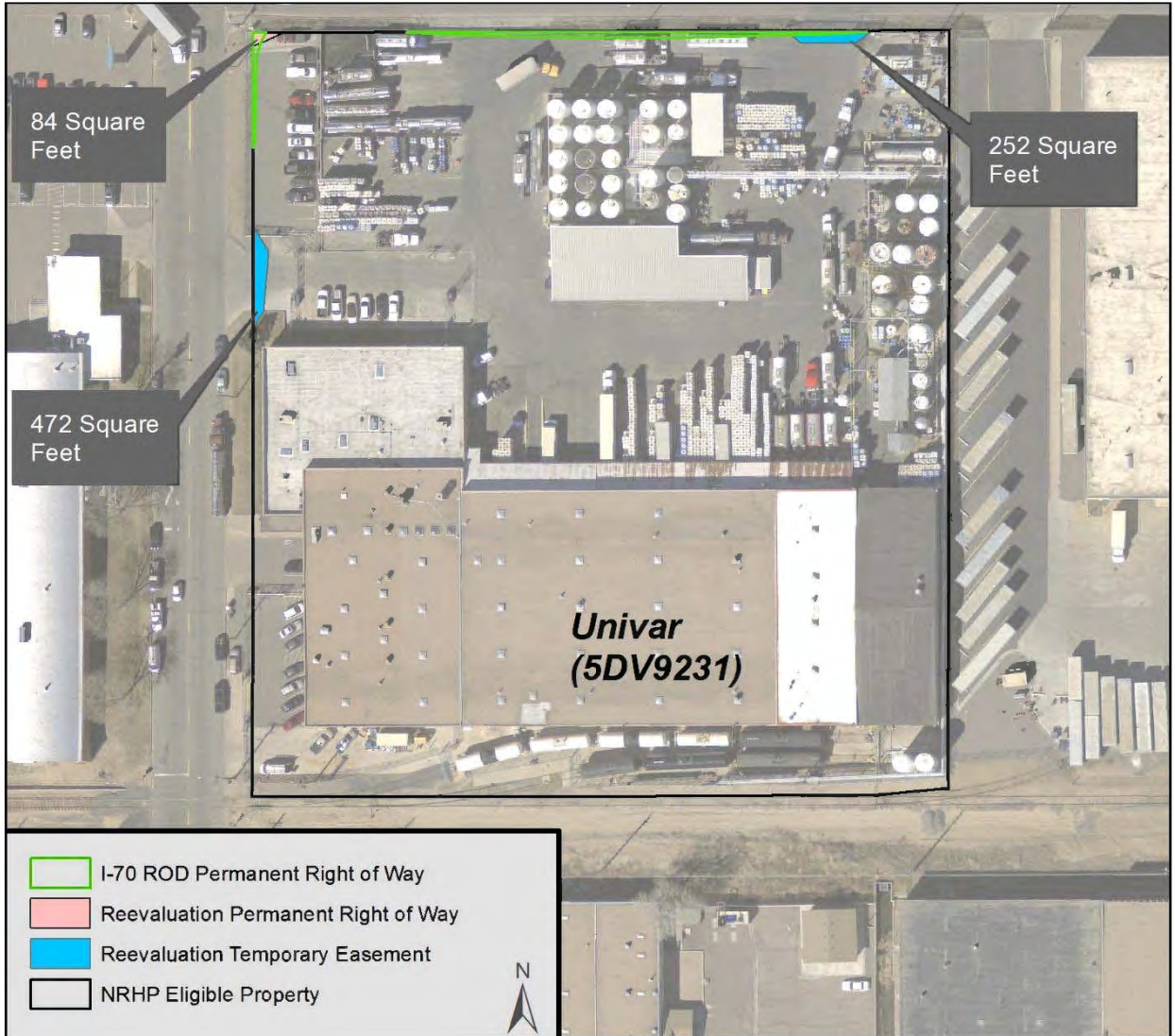


Figure 3 Construction Limit Changes at Site 5DV9231 (Univar Property)

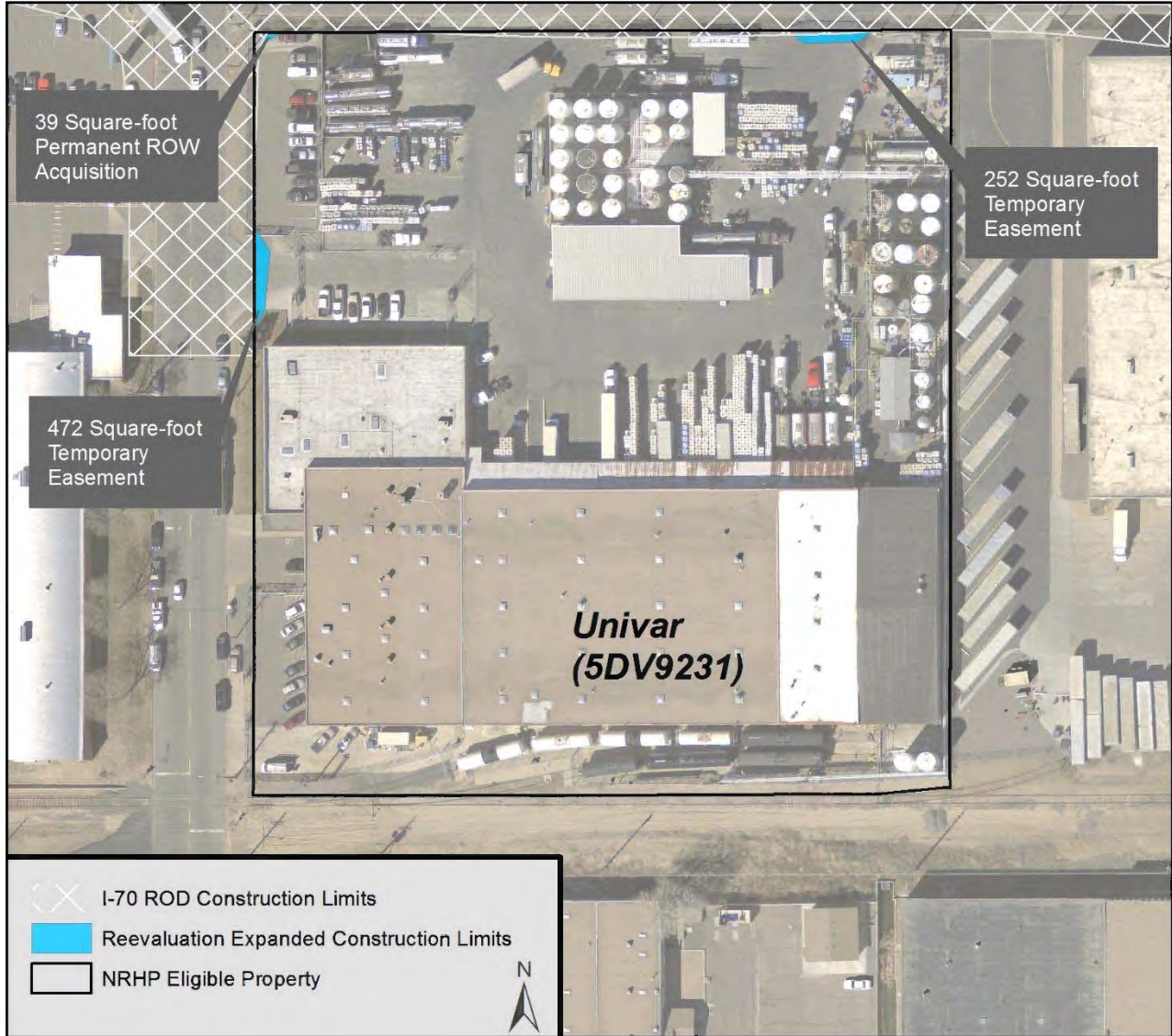









Table 1: Revisitation of Properties Inventoried Over Five Years Ago





Map Pg #	Parcel Address (City/County of Denver [CCD] data)	Construction Date (CCD data)	COMPASS Information (site no. and name)	Eligibility Determination (if applicable)	Site Photos/Date	Revisitation Determination
1	4245 E 46 th Ave	1953	5DV9247 Wright and McGill Company, Eagle Claw Fishing Tackle	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
1	4351 E 46 th Ave	1953	5DV9234 Indoor Racing/Team-Building Concepts	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
1	4401 E 46 th Ave	1953	5DV9233 Fulcrum Publishing	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid

1	4455 E 46 th Ave	1953	5DV9239 Carefree Spa and Billiards	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
1	4511 E 46 th Ave	1953	5DV9237 Dahlia Street Youth Center	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
1	4555 E Stapleton Dr N	1953	5DV9238 The BWB INV Company	Officially Not Eligible 11/20/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
1	4595 E Stapleton Dr N	1973	The BWB Investment Co. Industrial- Warehouse	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A - G.

1	4611 E 46 th Ave	1958	5DV9236 Castlegate Garage Door Service	Officially Not Eligible 05/28/2007	 <p>April 2018 Source: Pinyon Environmental, Inc.</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
1	4755 E 46 th Ave	1962	5DV9243 Iron Mountain Records	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
1	4801 E 46 th Ave	1955	5DV9240 McMillan Sales Corp. Plumbing and Heating Supply	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
2	4500 Dahlia St	1973	Safeway Denver Bread Plant	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A- G.

2	4401 Forest St	No structure (parking lot)	No Info		 <p>2017 Source: Google streetview</p>	
3	4590 Forest St	No structure (parking lot)	No Info		 <p>2014 Source: Google Streetview</p>	
3	4501 Grape St	No structure (trailer sales; sheds on trailers)	No Info		 <p>2017 Source: Google Streetview</p>	
3	4500 Grape St	1973	Airlawn Industrial Park	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A- G.

3	4545 Holly St	1965	5DV9235 Verizon Wireless Distribution Center	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
3	5701 E Stapleton Dr N	1957	5DV9242 CCC Air Conditioning Parts & Services	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
3	5855 E Stapleton Dr N	1985	FR CO/TEX CUNA LLC Industrial Warehouse	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A - G.
3	6101 E Stapleton Dr N	1967	5DV11724	Officially Not Eligible 05/22/2015	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
3	4444 Forest St	1979	No Info	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A - G.

3	4455 Grape St	1966	5DV12316	Officially Not Eligible 02/24/2016	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
3	4394 Grape St	1964	5DV9249 A. Alliance Moving and Storage	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
3	4343 Holly St	1962	5DV9230 Hercules Industries	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
3	4355 Kearney St	1961	5DV9248 Swig and Weiler	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid

3	6100 E Stapleton South Dr	1993	No Info	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A - G.
4	6405 E Stapleton Dr N	1967	5DV11723	Officially Not Eligible 05/22/2015	 2017 Source: Google streetview	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
4	6501 E Stapleton Dr N	1958	5DV9246 Safeway Select Warehouse	Officially Not Eligible 05/31/2007	 2017 Source: Google streetview	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
4	6701 E Stapleton Dr N	1963	5DV9254	Officially Not Eligible 05/28/2007	 2017 Source: Google streetview	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
5	6300 E Stapleton Dr S	1963	5DV9241 Environmental Stoneworks	Officially Not Eligible 05/28/2007	 2017 Source: Google streetview	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid

5	6400 E Stapleton Dr S	1973	No Info	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A - G
5	6500 E Stapleton Dr S	1973	No Info	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A - G
5	6800 E Stapleton Dr S	1966	5DV11719	Officially Not Eligible 05/22/2015	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid
5	4395 Oneida St	1976	No Info	Not applicable		Insufficient age to evaluate for eligibility (built after 1972) and does not meet Criteria Considerations A - G
5	4300 Oneida St	1962	5DV9250 Condor Snack Company	Officially Not Eligible 05/28/2007	 <p>2017 Source: Google streetview</p>	No changes in site condition or CDOT's knowledge of structure type. Previous Not Eligible determination remains valid

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form
CDOT Lite

Official eligibility determination
(OAHP use only)

Date _____ Initials _____
____ Determined Eligible- NR
____ Determined Not Eligible- NR
____ Determined Eligible- SR
____ Determined Not Eligible- SR
____ Need Data
____ Contributes to eligible NR District
____ Noncontributing to eligible NR District

I. IDENTIFICATION

1. Resource number: 5DV34925
2. Temporary resource number:
3. County: Denver
4. City: Denver
5. Historic building name:
6. Current building name: Coolerado
7. Building address: 4390 Glencoe Street
8. Owner name and address: First California Investments 104 Tiburon Boulevard 100 Mill Valley, CA 94941

II. GEOGRAPHIC INFORMATION

9. P.M. 6 Township 3S Range 67W
SE ¼ of SW ¼ of SE ¼ of NE ¼ of section 19
10. UTM reference
Zone 13; 506382 mE 440288 mN
11. USGS quad name: Commerce City, CO
Year: 1965/1994 Map scale: 7.5' X 15' Attach photo copy of appropriate map section.
12. Lot(s): 1-5; 5-15 Block: 5; 6
Addition: Schlessingers Capitol Heights Year of Addition:
Unknown
13. Boundary Description and Justification: The boundary of the resource follows the legal parcel boundary currently associated with 4390 Glencoe Street and contains all extant features historically associated with the resource.

III. Architectural Description

14. Building plan (footprint, shape):
15. Dimensions in feet: Length _____ x Width _____
16. Number of stories:
17. Primary external wall material(s):
18. Roof configuration:

19. Primary external roof material:
20. Special features:
21. General architectural description:
22. Architectural style/building type:

23. Landscaping or special setting features:

24. Associated buildings, features, or objects:

IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate: _____ Actual: 1971
Source of information: Denver Assessor
26. Architect:
Source of information:
27. Builder/Contractor:
Source of information:
28. Original owner:
Source of information:
29. Construction history (include description and dates of major additions, alterations, or demolitions):
The building is estimated by the Denver Assessor as constructed in 1971 and containing 28667 square feet. Aerial images from 1993 to present do not demonstrate alterations in the building footprint, and visual review did not indicate significant alterations to the building envelope.
30. Original location Moved Date of move(s):

V. HISTORICAL ASSOCIATIONS

31. Original use(s):
32. Intermediate use(s):
33. Current use(s):
34. Site type(s):
35. Historical background:
The 1972, 1979 and 1986 City Directories indicate the building was occupied by Universal Foods Corporation. In 1996, the building was occupied by Red Star Yeast & Products and Ryder Dedicated Logistics, Inc. The building is currently occupied by Coolerado, manufacturers of air conditioning systems.
36. Sources of information:
1972 Denver Colorado City Directory. R.L. Polk & Co. Publishers. Kansas City, Missouri.

1979 Denver Colorado City Directory. R.L. Polk & Co. Publishers. Kansas City, Missouri.

1986 Denver Colorado City Directory. R.L. Polk & Co. Publishers. Kansas City, Missouri.

1996 Polk's Denver North City Directory.

VI. SIGNIFICANCE

37. Local landmark designation: Yes No Date of designation: _____

Designating authority: NA

38. Applicable National Register Criteria:

- A. Associated with events that have made a significant contribution to the broad pattern of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- D. Has yielded, or may be likely to yield, information important in history or prehistory.
- Qualifies under Criteria Considerations A through G (see Manual)
- Does not meet any of the above National Register criteria

39. Area(s) of significance: NA

40. Period of significance: NA

41. Level of significance: National State Local

42. Statement of significance: The resource does not meet any National Register Criteria. The resource is not associated with key themes or trends in the development of industry, the Interstate 70 corridor, or the City of Denver. Therefore, the resource is not significant under Criterion A. The building is not associated with persons significant in history, and therefore is not significant under Criterion B. The building does not include architectural detailing or features reflective of a known architectural style or regional vernacular; therefore, the resource is not significant under Criterion C. The resource is on a fully paved lot and therefore unlikely to yield additional information important in history or prehistory; the resource does not qualify for the National Register under Criterion D. Lastly, the resource does not qualify under Criteria Considerations A – G.

43. Assessment of historic physical integrity related to significance: For resources that lack significance, integrity is not assessed.

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment:

Eligible Not Eligible Need Data

45. Is there National Register district potential? Yes No

Discuss: There are insufficient resources of similar type and period to create a cohesive district.

If there is National Register district potential, is this building: Contributing Noncontributing

46. If the building is in existing National Register district, is it: Contributing Noncontributing

VIII. RECORDING INFORMATION

47. Photograph numbers: 5DV34925_1 to 5DV34925_6

Photo files filed at: Pinyon Environmental, Inc.

48. Report title: I-70 Central Record of Decision Re-Evaluation 3

49. Date(s): April 26, 2018

50. Recorder(s): Ashley L. Bushey

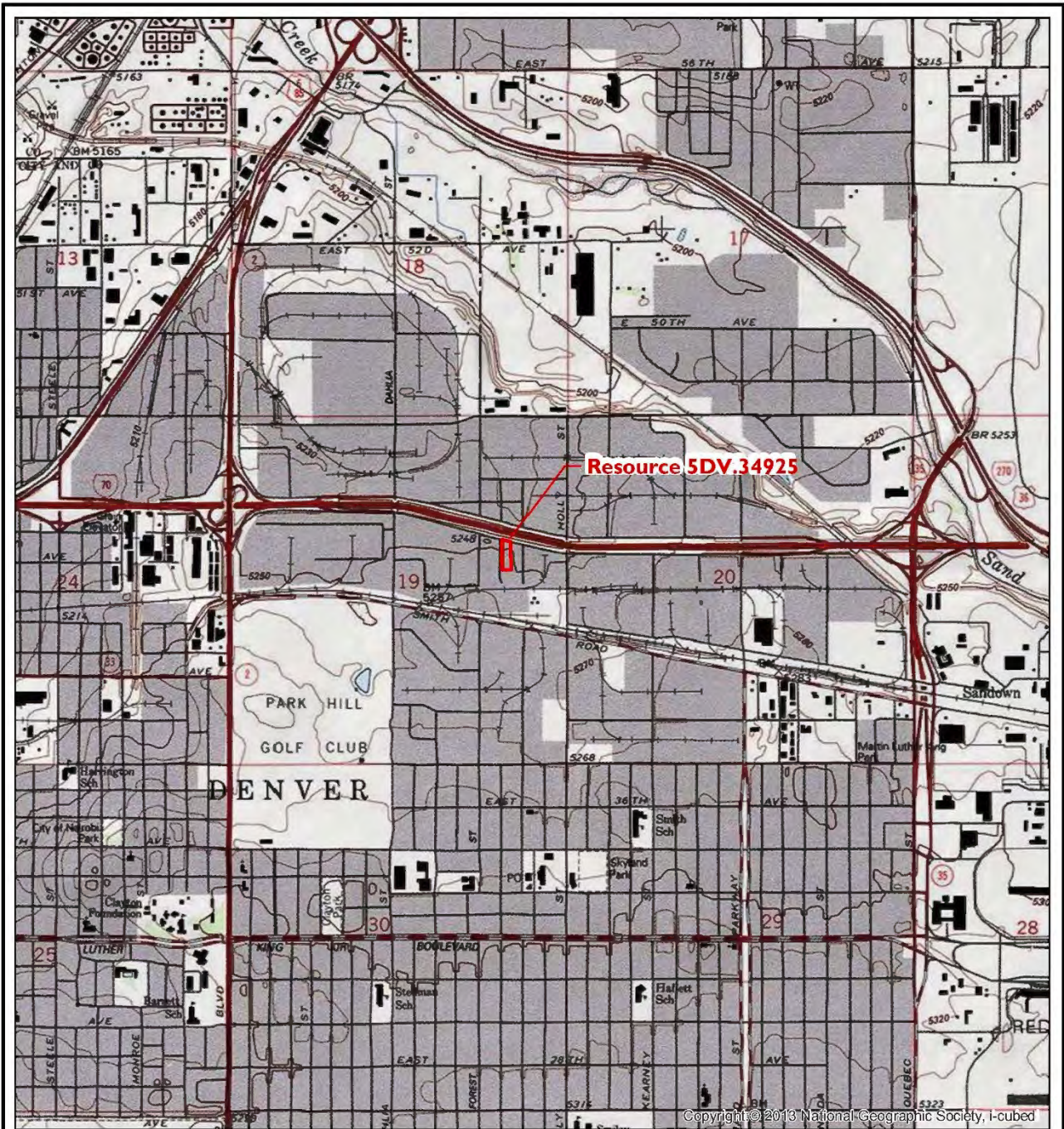
51. Organization: Pinyon Environmental, Inc.

52. Address: 9100 West Jewel Avenue, Lakewood, Colorado 80232

53. Phone number(s): 303.980.5200

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.

Colorado Historical Society - Office of Archaeology & Historic Preservation
1300 Broadway, Denver, CO 80203 (303) 866-3395



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<p>N</p> <p>Legend</p> <p> Resource Boundary (5DV.34925)</p> <p>USGS 7.5' Topographic Map: Commerce City, CO 1965 (revised 1994)</p>	<p>UTM Coordinates (NAD 27, Zone 13N): 506382.86m, 4402888.07m</p>	<p>Pinyon Environmental, Inc.</p> <p>TOPO MAP Resource No. 5DV.34925 4390 Glencoe Street Denver, Colorado</p>
	<p>0 1,000 2,000 Feet</p>	
<p>Site Location: SE 1/4 of NE 1/4 of Section 19, Township 3S, Range 67W, 6th Principal Meridian</p> <p>Pinyon Project Number: 1/12-790-04</p>	<p>Drawn By: MJS</p> <p>Reviewed By: ALB</p>	<p>Figure 1</p> <p>Date: 4/27/2018</p>

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<p>N</p> <p>Legend</p> <p> Resource Boundary (5DV.34925)</p> <p>0 50 100 Feet</p>		
	<p>SKETCH MAP Resource No. 5DV.34925 4390 Glencoe Street Denver, Colorado</p>	
Site Location: SE 1/4 of NE 1/4 of Section 19, Township 3S, Range 67W, 6th Principal Meridian Pinyon Project Number: 1/12-790-04	Drawn By: MJS Reviewed By: ALB	Figure 2 Date: 4/27/2018

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5DV34925_1: North and west elevations. The "Coolerado" name is on the north elevation.

View: Southeast



5DV34925_2: West elevation.

View: East



5DV34925_3: South end of the west elevation.
View: East



5DV34925_4: West elevation.
View: East



5DV34925_5: South elevation.

View: Northeast



5DV34925_6: Detail view of the "Coolerado" name on the north elevation.

View: Southeast

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form
CDOT Lite

Official eligibility determination
(OAHP use only)

Date _____ Initials _____
____ Determined Eligible- NR
____ Determined Not Eligible- NR
____ Determined Eligible- SR
____ Determined Not Eligible- SR
____ Need Data
____ Contributes to eligible NR District
____ Noncontributing to eligible NR District

I. IDENTIFICATION

1. Resource number: 5DV34927
2. Temporary resource number:
3. County: Denver
4. City: Denver
5. Historic building name:
6. Current building name: Rocky Mountain High Recreational Dispensary
7. Building address: 6666 East Stapleton Drive South
8. Owner name and address: 6666 Stapleton Drive LLC 20155 N 38th Court 201 Aventura, Florida 33180

II. GEOGRAPHIC INFORMATION

9. P.M. 6 Township 3S Range 67W
NE ¼ of SW ¼ of SW ¼ of NE ¼ of section 20
10. UTM reference
Zone 13; 507607 mE 4402868 mN
11. USGS quad name: Commerce City, CO
Year: 1965/1994 Map scale: 7.5' X 15' Attach photo copy of appropriate map section.
12. Lot(s): None Listed Block: 17
Addition: Second Addition to Swansea Year of Addition:
Unknown
13. Boundary Description and Justification: The resource boundary follows the legal parcel associated with 6666 East Stapleton Drive South and includes all extant features historically associated with the resource.

III. Architectural Description

14. Building plan (footprint, shape):
15. Dimensions in feet: Length _____ x Width _____
16. Number of stories:
17. Primary external wall material(s):
18. Roof configuration:

19. Primary external roof material:
20. Special features:
21. General architectural description:
22. Architectural style/building type:

23. Landscaping or special setting features:

24. Associated buildings, features, or objects:

IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate: _____ Actual: 1970
Source of information: Denver Assessor
26. Architect:
Source of information:
27. Builder/Contractor:
Source of information:
28. Original owner:
Source of information:
29. Construction history (include description and dates of major additions, alterations, or demolitions):
The building is estimated by the Denver Assessor as constructed in 1970 and containing 19998 square feet. Aerial images from 1993 to present do not demonstrate alterations in the building footprint, and visual review did not indicate significant alterations to the building envelope.

30. Original location Moved Date of move(s):

V. HISTORICAL ASSOCIATIONS

31. Original use(s):
32. Intermediate use(s):
33. Current use(s):
34. Site type(s):
35. Historical background:
This address was not located in the 1972 or 1979 City Directories. In 1986 the building was vacant. In 1996, the building was occupied by Star Guide Corporation. The building is currently functioning as a recreational marijuana dispensary, under the name Rocky Mountain High Recreational Dispensary.

36. Sources of information:
1972 Denver Colorado City Directory. R.L. Polk & Co. Publishers. Kansas City, Missouri.

1979 Denver Colorado City Directory. R.L. Polk & Co. Publishers. Kansas City, Missouri.

1986 Denver Colorado City Directory. R.L. Polk & Co. Publishers. Kansas City, Missouri.

1996 Polk's Denver North City Directory.

VI. SIGNIFICANCE

37. Local landmark designation: Yes No Date of designation: _____

Designating authority:

38. Applicable National Register Criteria:

- A. Associated with events that have made a significant contribution to the broad pattern of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- D. Has yielded, or may be likely to yield, information important in history or prehistory.
- Qualifies under Criteria Considerations A through G (see Manual)
- Does not meet any of the above National Register criteria

39. Area(s) of significance: NA

40. Period of significance: NA

41. Level of significance: National State Local

42. Statement of significance: The Rocky Mountain High Recreational Dispensary does not meet any National Register Criteria. Though the building currently functions as a marijuana dispensary, which is a current tourism and drug industry theme, the building is not representative of historic themes and therefore is not considered significant under Criterion A. The building is also not associated with persons significant in history, and therefore is not significant under Criterion B. The building does exhibit some characteristics of mid-century modern architecture such as horizontality and contrasting color accents in the window recesses, however, the building does not embody or exemplify any specific style from the period or a known regional vernacular. Therefore, the resource is not significant under Criterion C. The resource is unlikely to yield additional information important in history or prehistory, and therefore is not significant under Criterion D. Lastly, the resource does not qualify under Criteria Considerations A – G.

43. Assessment of historic physical integrity related to significance: For resources that lack significance, integrity is not assessed.

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment:

Eligible Not Eligible Need Data

45. Is there National Register district potential? Yes No

Discuss: There are insufficient resources of similar type and period to create a cohesive district. s

If there is National Register district potential, is this building: Contributing Noncontributing

46. If the building is in existing National Register district, is it: Contributing Noncontributing

VIII. RECORDING INFORMATION

47. Photograph numbers: 5DV34927_1 to 5DV34927_6

Photo files filed at: Pinyon Environmental, Inc.

48. Report title: I-70 Central Record of Decision Re-Evaluation 3

49. Date(s): April 26, 2018

50. Recorder(s): Ashley L. Bushey

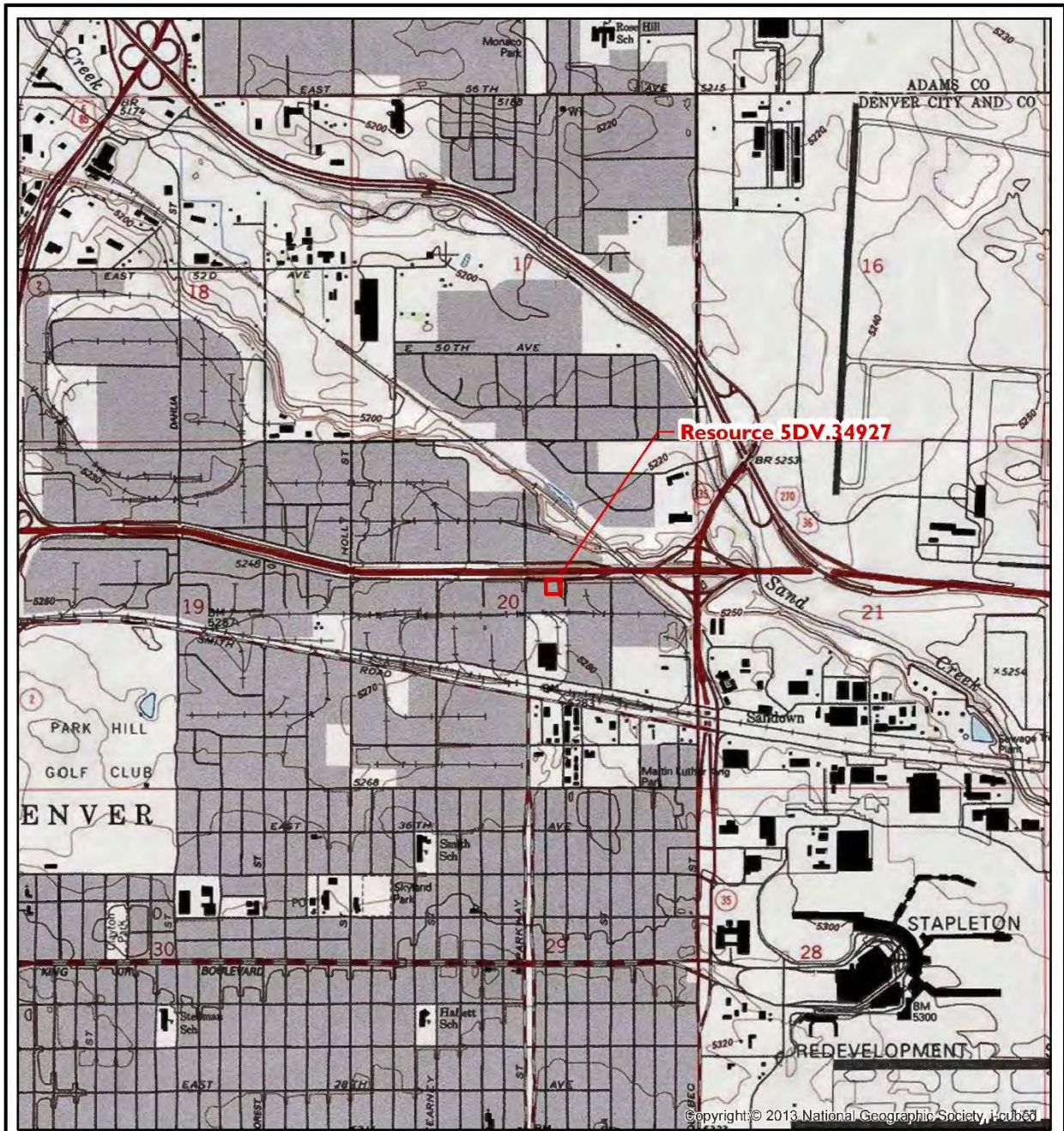
51. Organization: Pinyon Environmental, Inc.

52. Address: 9100 West Jewel Avenue, Lakewood, Colorado 80232

53. Phone number(s): 303.980.5200

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.





Colorado Historical Society - Office of Archaeology & Historic Preservation
1300 Broadway, Denver, CO 80203 (303) 866-3395



<p>N</p> <p>Legend</p> <p> Resource Boundary (5DV.34927)</p> <p>USGS 7.5' Topographic Map: Commerce City, CO 1965 (revised 1994)</p>	<p>UTM Coordinates (NAD 27, Zone 13N): 507607.74m, 4402868.41m</p>	<p>TOPO MAP Resource No. 5DV.34927 6666 East Stapleton Drive South Denver, Colorado</p>
	<p>0 1,000 2,000 Feet</p>	
<p>Site Location: SW 1/4 of NE 1/4 of Section 20, Township 3S, Range 67W, 6th Principal Meridian</p> <p>Pinyon Project Number: I/12-790-04</p>	<p>Drawn By: MJS</p> <p>Reviewed By: ALB</p>	<p>Figure 1</p> <p>Date: 4/27/2018</p>

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<p>N</p>  <p>Legend</p> <p> Resource Boundary (5DV.34927)</p> <p style="text-align: center;">0 50 100  Feet</p>	 <p>SKETCH MAP Resource No. 5DV.34927 6666 East Stapleton Drive South Denver, Colorado</p>	
	Site Location: SW 1/4 of NE 1/4 of Section 20, Township 3S, Range 67W, 6th Principal Meridian Pinyon Project Number: I/12-790-04	Drawn By: MJS Reviewed By: ALB



5DV34927_1: North (primary) elevation.

View: South



5DV34927_2: North (primary) elevation and part of the west elevation.

View: Southeast



5DV34927_3: North (primary) elevation and west elevation. The dispensary sign is shown at left.

View: Southeast



5DV34927_4: North (primary) elevation and west elevation.

View: South




5DV34927_5: West Elevation.


View: Southeast



5DV34927_6: South (rear) elevation.

View: East



 OFFICE of ARCHAEOLOGY and HISTORIC PRESERVATION

Jane Hann
Manager, Environmental Programs Branch
Colorado Department of Transportation
2829 W. Howard Place
Denver, CO 80204

MAY 9 1 2018

Re: Updated Eligibility and Effects Determinations and Section 4(f) *De Minimis* Notification, I-70 East Environmental Impact Statement, Denver and Adams Counties (HC #41831)

Dear Ms. Hann:

Thank you for your correspondence dated May 15, 2018 and received on May 17, 2018 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the proposed modified Area of Potential Effects (APE) for the proposed project.

After review of the additional information, we concur that resource 5DV.9231 remains *eligible* for the National Register of Historic Places (NRHP).

We concur that the newly inventoried properties 5DV.34925 and 5DV.34927 are *not eligible* for the NRHP.

Our office finds that our previous eligibility concurrences for those properties revisited remain. Our office had reviewed the revised scope of work and assessment of adverse effect, we concur with the recommended finding of *no historic properties affected* [36 CFR 800.4(d)(1)] under Section 106 for those properties revisited and for resources 5DV.34925 and 5DV.34927.

We also concur with the recommended finding that the proposed design changes to 5DV.9231 will result in *no adverse effect* [36 CFR 800.5(d)(1)] under Section 106.


We acknowledge that FHWA may make a *de minimis* determination in respect to the requirements of Section 4(f) for resource 5DV.9231.

Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria (36 CFR 60.4) in consultation with our office pursuant to 36 CFR 800.13. Also, should the consulted-upon scope of the work change please contact our office for continued consultation under 36 CFR 800.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you again for the opportunity to consult. If there are any questions please contact Jason O'Brien, Section 106 Compliance Manager, at (303) 866-2673 or Jason.obrien@state.co.us.

Sincerely,



Steve Turner, AIA
State Historic Preservation Officer

Attachment C

- Construction Limit Modifications for 47th Avenue east of York Street

YORK STREET

JOSEPHINE

EXISTING ROW

EXISTING ROD LIMIT LINE

NEW ROD LIMIT LINE

47TH AVE

EXISTING ROW

Attachment C
Construction Limit Modifications
47th Avenue East of York Street

