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4.2 Right-of-Way and Displacements

This section discusses right-of-way requirements and displacements of businesses and/or residences that would occur with the system alternatives, which include System Alternatives 1, 2, 3, and the Preferred Alternative. The right-of-way requirements and displacements discussed are preliminary, and are subject to revision during final design and right-of-way acquisition.

4.2.1 Existing Right-of-Way

Existing right-of-way information for the Valley Highway project area was collected from CDOT and the City and County of Denver assessor's records. Existing publicly owned right-of-way width in the corridor is described below.

Along I-25:

- Broadway to Santa Fe Drive – 300 feet average width
- Santa Fe Drive to Alameda Avenue – 600 feet average width
- Alameda Avenue to US 6 – 200 feet average width

Along US 6:

- I-25 to Federal Boulevard – 300 feet average width

Interchanges along I-25:

- Largest interchange is Santa Fe Drive (US 85) – 700 feet average width
- Smaller size interchanges of Broadway and Alameda Avenue – 350 feet average width

Interchanges along US 6:

- Federal Boulevard Interchange – 500 feet average width
- Bryant Street Interchange – 350 feet average width

Santa Fe Drive / Kalamath Street:

- Santa Fe Drive north of Alameda Avenue – 65 feet average width
- Kalamath Street north of Alameda Avenue – 90 feet average width

In general, public right-of-way is owned by the City and County of Denver and CDOT. However, CDOT has primary responsibility for all I-25 transportation facilities located within the right-of-way.

4.2.2 Consequences of the Alternatives

The implementation of any of the system alternatives, including the Preferred Alternative, would have impacts due to the physical right-of-way requirements and the displacement of some occupants of that right-of-way. This section summarizes these impacts associated with the

No Action Alternative and system alternatives, including the Preferred Alternative. Impacts are summarized in two categories:

- Right-of-way requirements – the physical land required for each alternative.
- Property impacts and displacements - impacted properties are those where the alternative results in a partial or total acquisition of a property or modifies access to the property. Access modifications include changing the location of existing access to certain streets and providing new access from different streets. Displacements occur where the impacts are substantial. Displaced occupants may be eligible for relocation benefits.

Residential, commercial, and industrial land uses and ownership information are reported using current (2006) data and do not consider future development or ownership changes that might occur prior to right-of-way acquisition for the project.

4.2.2.1 RIGHT-OF-WAY REQUIREMENTS

No Action Alternative

The No Action Alternative would require no additional right-of-way.

System Alternatives 1, 2, and 3

Table 4.2-1 lists the approximate amount of right-of-way that would need to be acquired for each of the system alternatives, including the Preferred Alternative. System Alternative 2 would require the greatest amount of right-of-way acquisition, approximately 11 acres more than System Alternative 1. This difference is attributed to the grade separation of Santa Fe Drive and Kalamath Street with Alameda Avenue and limited access opportunities. System Alternative 3 would also grade separate Santa Fe Drive and Kalamath Street with Alameda Avenue but would better preserve access opportunities.

Preferred Alternative

Table 4.2-1 lists the approximate amount of right-of-way that would need to be acquired for each alternative. The Preferred Alternative would require approximately 21 acres of additional right of way.

Table 4.2-1 Additional Right-of-Way Required

	System Alternative 1	System Alternative 2	System Alternative 3	Preferred Alternative
Additional Right-of-Way Required (Acres)	18 acres	29 acres	21 acres	21 acres

4.2.2.2 PROPERTY IMPACTS AND DISPLACEMENTS

No Action Alternative

The No Action Alternative would have no property impacts nor would it require displacements.

System Alternatives 1, 2, and 3

Table 4.2-2 summarizes the property impacts and access modifications to business and residences associated with System Alternatives 1, 2 and 3.

Preferred Alternative

Table 4.2-2 also summarizes the property impacts and access modifications to business and residences associated with the Preferred Alternative.

Figure 4.2-1 shows the locations of businesses and residences that would be displaced by at least one of the system alternatives, while **Table 4.2-3** provides more specific information on the type of use and address for the displaced occupants.

Right-of-way impacts and displacement of property owners and tenants varies from alternative to alternative. Of the System Alternatives, 1, 2, 3 and the Preferred Alternative, System Alternative 1 requires the least additional right-of-way and requires the fewest displacements. System Alternative 2 requires the most.

Table 4.2-2 Property Impacts

Location System Alternative	Full Purchase				Partial Purchase				Access Modification			
	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative
I-25 Improvements												
I-25 Mainline												
1001 W Bayaud Avenue	X	X	X	X								
135 S Kalamath Street	X	X	X	X								
131 S Kalamath Street	X	X	X	X								
101-125 S Kalamath Street	X	X	X	X								
50 S Lipan Street (approximate)					X	X	X	X				
25 Rio Grande Boulevard (approximate)					X	X	X	X				
1401-1501 W 1st Avenue					X	X	X	X				
1500 W 3rd Avenue (approximate)					X	X	X	X				
301 Raritan Way (approximate)					X	X	X	X				
501 Raritan Way					X	X	X	X				
400-700 Tejon Street					X	X	X	X				
10 S Lipan Street	X	X	X	X								
1030 W Ellsworth Avenue					X	X	X	X				
1100 W Ellsworth Avenue (approximate)					X	X	X	X				
I-25 / Broadway												
685 S Broadway							X	X			X	X
695 S Broadway							X	X			X	X
701-711 S Broadway							X	X			X	X
742-752 S Broadway										X		
754 S Broadway		X										
755 S Broadway					X	X	X	X	X	X	X	X
765 S Broadway	X	X	X	X								
770 S Broadway		X										
788-796 S Broadway		X										
800 S Broadway	X	X	X	X								

Table 4.2-2 Property Impacts (Continued)

Location System Alternative	Full Purchase				Partial Purchase				Access Modification			
	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative
I-25 Improvements (continued)												
I-25 / Broadway (continued)												
801-803 Lincoln Street		X										
805 S Lincoln Street		X					X	X				
807 S Lincoln Street		X					X	X				
819 S Lincoln Street						X	X	X				
823 S Lincoln Street		X					X	X				
827 S Lincoln Street		X	X	X								
831-833 S Lincoln Street		X	X	X								
26 E Ohio Avenue (approximate)		X	X	X								
I-25/Santa Fe												
500 S Santa Fe Drive					X		X	X	X		X	X
350 S Santa Fe Drive					X	X	X	X	X	X	X	X
500 S Santa Fe Drive						X				X		
600 S Santa Fe Drive						X				X		
600 S Santa Fe Drive						X						
600 S Santa Fe Drive						X				X		
666-698 S Santa Fe Drive						X						
330 S Kalamath Street		X	X									
I-25 / Alameda Avenue												
900 W Alameda Avenue		X			X			X	X			X
919 W Alameda Avenue		X			X			X	X			X
950 W Alameda Avenue		X			X			X	X			X
1101 W Alameda Avenue	X	X	X	X								
1101 W Alameda Avenue	X	X	X	X								
1150 W Alameda Avenue					X	X	X	X			X	
1197 W Alameda Avenue	X	X	X	X								
1200 W Alameda Avenue									X	X	X	X
235-255 S Cherokee Street						X						
Total I-25 Improvements	10	24	14	13	16	19	20	23	7	7	8	10

Table 4.2-2 Property Impacts (Continued)

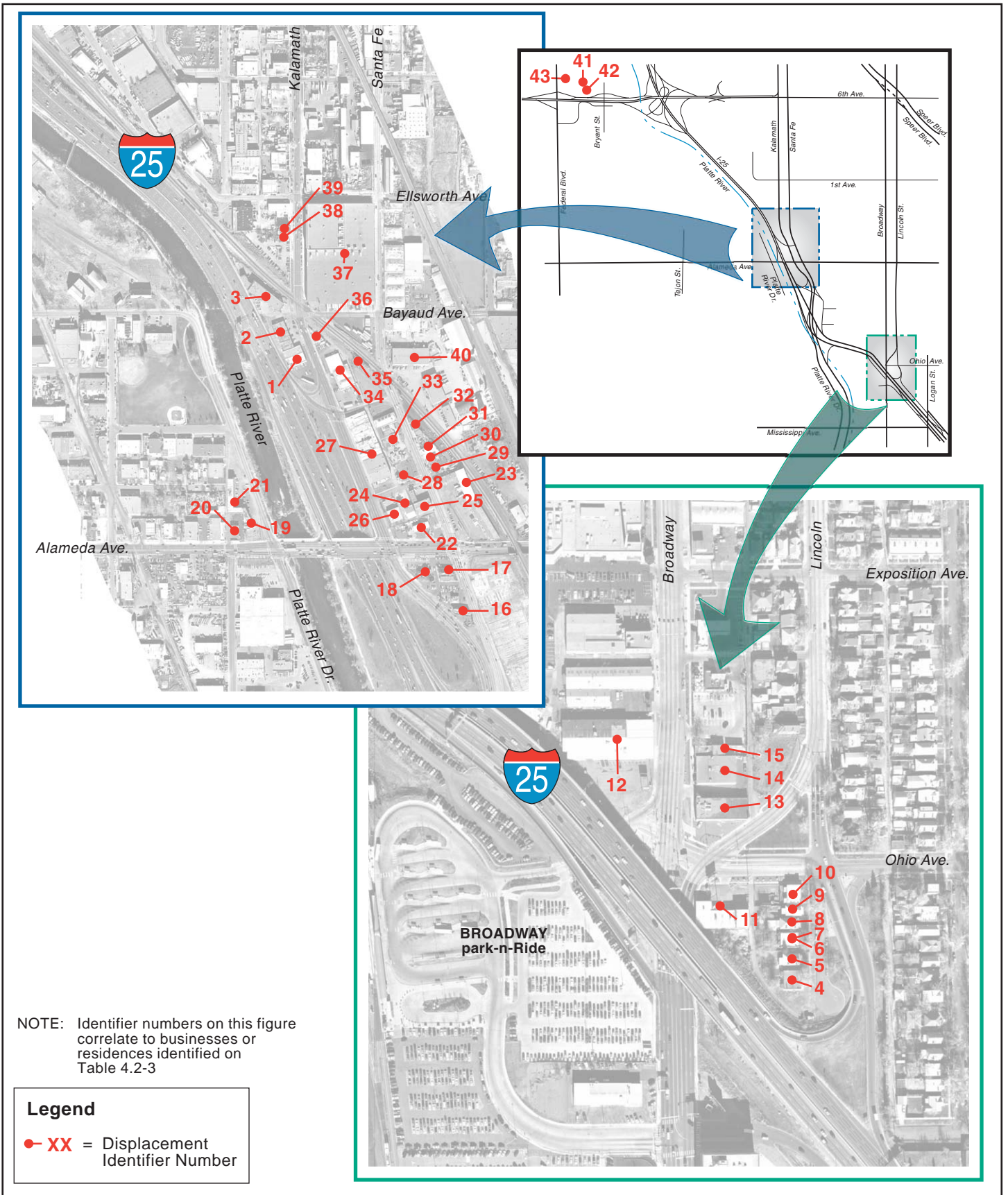
Location System Alternative	Full Purchase				Partial Purchase				Access Modification			
	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative
Santa Fe Drive / Kalamath Street Improvements												
Santa Fe Drive / Kalamath Street / Alameda Avenue												
919 W. Byers Place		X	X									
920 W Byers Place		X										
920 W Byers Place		X										
924-930 W Byers Place		X										
261 S Santa Fe Drive		X	X									
263 S Santa Fe Drive		X	X									
267-269 S Santa Fe Drive		X	X									
268 S Santa Fe Drive		X										
280 S Santa Fe Drive		X	X									
285 S Santa Fe Drive		X	X									
208-236 S Kalamath Street		X										
400 W Alameda Avenue							X					
900 W Alameda Avenue			X									
919 W Alameda Avenue			X									
950 W Alameda Avenue			X									
235-255S Cherokee Street							X					
301#B-1 S Cherokee Street							X					
4-80 S Santa Fe Drive									X	X	X	X
Santa Fe Drive / Kalamath Street / Railroad Grade Separation												
10 S Santa Fe Drive	X	X	X	X								
100 S Santa Fe Drive									X	X	X	X
106-120 S Santa Fe Drive	X	X										X
130-140 S Santa Fe Drive									X	X	X	X
185 S Santa Fe Drive		X	X	X	X				X			
195 S Santa Fe Drive		X	X	X	X				X			
200 S Santa Fe Drive (approximate)						X						

Table 4.2-2 Property Impacts (Continued)

Location System Alternative	Full Purchase				Partial Purchase				Access Modification			
	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative
Santa Fe Drive / Kalamath Street Improvements (continued)												
Santa Fe Drive / Kalamath Street / Railroad Grade Separation (continued)												
201-251 S Santa Fe Drive	X	X	X	X								
230 S Santa Fe Drive	X	X	X	X								
254-262 S Santa Fe Drive	X	X	X	X								
262 S Santa Fe Drive	X		X	X								
264 S Santa Fe Drive	X	X	X	X								
268 S Santa Fe Drive		X	X		X			X				
268 S Santa Fe Drive		X	X									
23 S Kalamath Street	X	X		X								
25 S Kalamath Street	X	X		X								
31 S Kalamath Street	X	X		X								
39 S Kalamath Street (approximate)	X	X	X	X								
50 S Kalamath Street	X	X	X	X								
120 S Kalamath Street	X	X	X	X								
132-142 S Kalamath Street	X	X		X								
144 S Kalamath Street (approximate)	X	X		X								
172-178 S Kalamath Street	X	X		X								
182 S Kalamath Street	X	X		X								
184 S Kalamath Street	X	X		X								
194 S Kalamath Street	X	X		X								
208-236 S Kalamath Street			X									
10 S Lipan Street (approximate)	X	X	X	X								
Total Santa Fe Drive / Kalamath Street Improvements	20	34	24	21	3	1	3	1	5	3	3	4

Table 4.2-2 Property Impacts (Continued)

Location System Alternative	Full Purchase				Partial Purchase				Access Modification			
	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative	1	2	3	Preferred Alternative
US 6 (6th Avenue) Improvements												
Federal Boulevard / Bryant Street / US 6												
375-399 Federal Boulevard							X					
400 Federal Boulevard					X	X	X	X				
401 Federal Boulevard					X		X					
405 Federal Boulevard					X		X					
412 Federal Boulevard					X	X	X	X				
425 Federal Boulevard					X		X					
438 Federal Boulevard					X		X					
445 Federal Boulevard					X		X					
450 Federal Boulevard					X	X	X	X	X	X	X	X
499 Federal Boulevard					X	X	X	X	X	X	X	X
600 Federal Boulevard					X	X		X				
620 Federal Boulevard					X	X	X	X	X	X	X	X
642 Federal Boulevard		X		X	X				X			
690 Federal Boulevard					X	X	X	X				
710 Federal Boulevard					X							
724 Federal Boulevard					X							
730 Federal Boulevard					X							
2800-2930 W. 7 th Avenue					X							
2790 W. 7 th Avenue	X											
2701 W. 6 th Avenue						X	X	X				
2727 W. 6 th Avenue		X	X	X	X							
2727 W. 5 th Avenue					X			X				
Total US 6 Improvements	1	2	1	2	19	8	13	9	4	3	3	3
Total	32	60	39	36	38	28	36	33	16	13	14	17



Displacements

Figure 4.2-1

Table 4.2-3 Displacements

Identifier	Business/Tenant Name	Type of Business	Address	Potential Displacements			
				Alt. 1	Alt. 2	Alt. 3	Preferred Alternative
I-25 Mainline							
1	Pro/File Systems	Office Filing System Supplier	135 S. Kalamath St.	1	1	1	1
2	Backyard Fantasy	Home Playgrounds Equipment and Decks	101-131 Kalamath St.	1	1	1	1
2	City Church Youth Center	Pregnant Teen Outreach Center	101-131 Kalamath St.	1	1	1	1
2	City Perk Coffee	Coffee Shop	101-131 Kalamath St.	1	1	1	1
2	Mountain Trade Supply	Wholesale Carpet Tool and Supply	101-131 Kalamath St.	1	1	1	1
3	Denver Fastening Systems	Wholesale Fastening Systems	1001 W. Bayaud Ave.	1	1	1	1
3	The Grand Entrance	Custom Door Manufacturer	1001 W. Bayaud Ave.	1	1	1	1
I-25 / Broadway							
4	Duplex Residence		831 and 833 S. Lincoln Street	0	2	2	2
5	Private Residence		827 S. Lincoln Street	0	1	1	1
6	Private Residence (Half of Legally Subdivided Duplex)		823 S. Lincoln Street	0	1	0	0
7	Private Residence (Half of Legally Subdivided Duplex)		819 S. Lincoln Street	0	1	0	0
8	Private Residence		807 S. Lincoln Street	0	1	0	0
9	Private Residence		805 S. Lincoln Street	0	1	0	0
10	Duplex Residence		801 & 803 S. Lincoln Street	0	2	0	0
11	Hurricane Drain	Plumbing Repair	800 S. Broadway	1	1	1	1
12	Renal Care Clinic	Dialysis Clinic	765 S. Broadway	1	1	1	1
12	Vacant Rear Space		765 S. Broadway	1	1	1	1
13	Office Space	Offices	788 & 796 S. Broadway	0	2	0	0
14	Iyengar Yoga Center	Yoga Studio	770 S. Broadway	0	1	0	0
15	Vacant		754 S. Broadway	0	1	0	0
I-25 / Alameda							
16	Diamond Shamrock	Gas Station/Convenience Shop	330 S. Kalamath Street	0	1	1	0
17	Denny's	Casual Restaurant	900 W. Alameda	0	1	1	0
18	Burger King	Fast Food Restaurant	950 W. Alameda	0	1	1	0
19	Valverde Yacht Club	Restaurant and Bar	1101 W. Alameda	1	1	1	1
20	Alameda International Market	Ethnic/Convenience Market/Accountant	1197 W. Alameda	1	1	1	1
21	Motel 5	Motel	1101 W. Alameda	1	1	1	1
Santa Fe / Kalamath / Alameda							
22	Vacant	Former Gas Station/ Auto Service	919 W. Alameda	0	1	1	0
23	Dahl Plumbing	Wholesale Plumbing Supply	280 S. Santa Fe Dr.	0	1	1	0

Table 4.2-3 Displacements (continued)

Identifier	Business Name	Type of Business	Address	Potential Displacements			
				Alt. 1	Alt. 2	Alt. 3	Preferred Alternative
<i>Santa Fe / Kalamath / Alameda (continued)</i>							
24	Brady Real Estate	Small Warehouse or Storage	924-930 W. Byers Place	0	1	0	0
24	Survey and Construction Supply	Survey Trade Supply	924-930 W. Byers Place	0	1	0	0
25	Thermo Tech	Industrial Piping Manufacturer and Supplier	285 S. Santa Fe Drive	0	1	1	0
26	Warehouse	Small Warehouse and Storage	920 W. Byers Place	0	1	0	0
27	Vacant	Former Brew Pub and Restaurant	208-236 S. Kalamath	0	1	1	0
27	Office Space Above Heavenly Daze	Vacant Office Space	208-236 S. Kalamath	0	1	1	0
27	Wine Storage of Denver	Wine Storage	208-236 S. Kalamath	0	1	1	0
27	Vacant Space North of Heavenly Daze	Vacant Commercial Space	208-236 S. Kalamath	0	1	1	0
28	Vacant House/ Storage	Formerly Housing for Brew Pub Employees	919 W. Byers Place	0	1	1	0
<i>Santa Fe / Kalamath Grade Separation</i>							
29	Raul's Auto Trim / Caravea Auto Body	Auto Body and Trim	268 S. Santa Fe Drive	0	2	2	0
30	Thermal Grid Windows	Window and Door Contractor	264 S. Santa Fe Drive	1	1	1	1
31	Jarcon Contractors	Contractor Storage	254-262 S. Santa Fe Drive	1	1	1	1
32	Vacant	Vacant Commercial Building	230 S. Santa Fe Drive	1	1	1	1
33	Del Rio	Restaurant Under Construction	201-251 S. Santa Fe Drive	1	1	1	1
34	Customized Tabs	Wholesale Bookbinding Supplier	132-174 S. Kalamath	1	1	0	1
34	MC2 Electrical Contractor	Electrical Contractor	132-174 S. Kalamath	1	1	0	1
35	Platte River Letter Press	Printer	185 S. Santa Fe Drive	0	1	1	1
36	Lincoln Automotive	Auto Sales	120 S. Kalamath	1	1	1	1
37	Sports Authority Warehouse	Sporting Goods Warehouse	50 S. Kalamath	1	1	1	1
38	Vacant	Formerly Heating Contractor	25-31 S. Kalamath	1	1	0	1
39	Alpine AC and Heat	Heating Contractor	23 S. Kalamath	1	1	0	1
40	XPEDEX	Paper Store and Warehouse	120-160 S. Santa Fe Drive	1	1	0	0

Table 4.2-3 Displacements (continued)

Identifier	Business Name	Type of Business	Address	Potential Displacements			
				Alt. 1	Alt. 2	Alt. 3	Preferred Alternative
US 6							
41	School District #1	Office/Storage/Parking	2790 W. 7th Avenue	1	0	0	0
42	Rocky Mountain Window Films	Window Tinting Supplier	2727 W. 6th Avenue	0	1	1	1
42	McCarten	Wire and Cable Installation Equipment Supplier	2727 W. 6th Avenue	0	1	1	1
42	City Church	Church	2727 W. 6th Avenue	0	1	1	1
42	First Love	Screen printing and Christian Apparel Supplier	2727 W. 6th Avenue	0	1	1	1
42	Chaparral Night Club	Night Club	2727 W. 6th Avenue	0	1	1	1
43	Austrian Auto Repair	Auto Service	642 S. Federal	0	1	0	1
Total Displacements Per Alternative				25	60	41	33

Note: Business names and types as of August 1, 2006.

4.2.3 Mitigation Measures

4.2.3.1 ACQUISITION

For any person(s) whose real property interests may be impacted by this project, the acquisition of those property interests will comply fully with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Act). The Uniform Act is a federally mandated program that applies to all acquisitions of real property or displacements of persons resulting from Federal or federally assisted programs or projects. It was created to provide for and insure the fair and equitable treatment of all such persons. To further ensure that the provisions contained within this act are applied "uniformly," CDOT requires Uniform Act compliance on any project for which it has oversight responsibility regardless of the funding source. Additionally, the Fifth Amendment of the United States Constitution provides that private property may not be taken for a public use without payment of "just compensation." All impacted owners will be provided notification of the acquiring agency's intent to acquire an interest in their property including a written offer letter of just compensation specifically describing those property interests. A Right of Way Specialist will be assigned to each property owner to assist them with this process.

4.2.3.2 RELOCATION

In certain situations, it may also be necessary to acquire improvements that are located within a proposed acquisition parcel. In those instances where the improvements are occupied, it becomes necessary to "relocate" those individuals from the subject property (residential or business) to a replacement site. The Uniform Act provides for numerous benefits to these

individuals to assist them both financially and with advisory services related to relocating their residence or business operation. Although the benefits available under the Uniform Act are far too numerous and complex to discuss in detail in this document, they are available to both owner occupants and tenants of either residential or business properties. In some situations, only personal property must be moved from the real property and this is also covered under the relocation program. As soon as feasible, any person scheduled to be displaced shall be furnished with a general written description of the displacing Agency's relocation program which provides at a minimum, detailed information related to eligibility requirements, advisory services and assistance, payments, and the appeal process. It shall also provide notification that the displaced person(s) will not be required to move without at least 90 days advance written notice. For residential relocatees, this notice cannot be provided until a written offer to acquire the subject property has been presented, and at least one comparable replacement dwelling has been made available. Relocation benefits will be provided to all eligible persons regardless of race, color, religion, sex or national origin. Benefits under the Act, to which each eligible owner or tenant may be entitled, will be determined on an individual basis and explained to them in detail by an assigned Right of Way Specialist .

4.2.3.3 RELOCATION PLANNING

Prior to relocation, CDOT staff will prepare a relocation analysis that will enable the relocation activities to be planned so that the problems associated with the displacement of individuals, families, businesses, and nonprofit organizations are recognized, and solutions are developed to minimize the adverse impacts of displacement. The scope of planning will be based on the complexity and nature of the anticipated displacing activity, including the evaluation of program resources available to carry out timely and orderly relocations. The relocation study will include the following:

- A current estimate of the number of households to be displaced, including information such as owner/tenant status, estimated value and rental rates of property to be acquired, family characteristics, and special consideration of impacts on minorities, the elderly, large families, and the handicapped, when applicable
- An estimate of the number of comparable replacement dwellings in the area (including the price ranges and rental rates) that are expected to be available to fulfill the needs of those households displaced (when an adequate supply of properties for displacees to be relocated into is NOT available, CDOT must take actions or make assurances to address the inadequate supply before it can start any relocation activities)
- An estimate of the number, type, and size of businesses and nonprofit organizations to be displaced and the approximate number of employees that may be affected
- Consideration of any special advisory services that may be necessary from CDOT and cooperating agencies

4.2.3.4 RELOCATION ASSISTANCE

Relocation assistance advisory services will include:

- Determining the relocation needs and preferences of each person to be displaced and explaining the relocation benefits and other assistance for which the person may be eligible
- Providing current and continuing inventory of available residential and business properties to purchase or lease, and information about such properties
- Minimizing hardships to persons adjusting to relocation by providing counseling, advice, and other sources of assistance that may be available and other help as may be appropriate
- Supplying the person to be displaced with appropriate information concerning federal, state, and local housing programs administered by the Small Business Administration, and other programs offering assistance to the displaced persons, as well as technical help to persons applying for such assistance

4.2.3.5 RELOCATION PAYMENTS

The relocation benefits provided to those displaced are determined by eligibility guidelines based on federal regulations. For eligible businesses, this includes reimbursement of actual reasonable and necessary moving and related expenses and certain reestablishment costs, or a fixed payment in lieu of all other possible relocation benefits. For eligible residencies, this includes reimbursement of moving and related expenses, a replacement housing benefit for owners or a rental supplement for renters. The rental supplement payment may also be used towards the down payment for the purchase of a replacement dwelling to encourage renters to become property owners. The replacement housing benefit and rental supplement benefit have certain monetary limitations; however, these limitations can be exceeded in certain circumstances.