

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. 22-0937
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance approving the Sun Valley Homes Urban Redevelopment Plan, the creation of the Sun Valley Homes Urban Redevelopment Area and the Sun Valley Homes Property Tax Increment Area and Sales Tax Increment Area

WHEREAS, the City and County of Denver ("City") is a consolidated city and county government pursuant to Article XX, Section 1 of the Constitution of the State of Colorado; and

WHEREAS, the Denver Urban Renewal Authority ("Authority") is a body corporate organized by the Colorado Urban Renewal Law, §§ 31-25-101, *et seq.*, Colorado Revised Statutes ("Act"); and

WHEREAS, the City and the Authority are cooperating on the redevelopment of the Sun Valley Homes area in Denver and desire to create an urban redevelopment area through the adoption of this Sun Valley Homes Urban Redevelopment Plan, as filed with the Denver City Clerk on the 19th day of August, 2022, under City Clerk Filing No. 20220085, to facilitate redevelopment of the area as more fully set forth in the Sun Valley Homes Urban Redevelopment Plan; and

WHEREAS, the Board of Commissioners of the Authority has approved the Sun Valley Homes Urban Redevelopment Plan and redevelopment of the Sun Valley Homes Urban Redevelopment Area as described in the Sun Valley Homes Redevelopment Plan (collectively and as further described in the Sun Valley Homes Urban Redevelopment Plan, the "Sun Valley Homes Urban Redevelopment Area"); and

WHEREAS, the Board of Commissioners of the Authority has approved the creation of the Property Tax Increment Area and the Sales Tax Increment Area, as each term is defined in the Sun Valley Homes Redevelopment Plan; and

WHEREAS, there has been prepared and referred to the Council of the City and County of Denver ("City Council") for its consideration and approval a copy of the Sun Valley Homes Urban Redevelopment Plan;

WHEREAS, the Denver Planning Board, which is the duly designated and acting official planning body of the City, has submitted to the City Council its report respecting the Sun Valley Homes Urban Redevelopment Plan for the Sun Valley Homes Urban Redevelopment Area and certifies that the Sun Valley Homes Urban Redevelopment Plan conforms to the general plan for the

1 City as a whole, and the City Council duly considered the report, recommendations and certifications
2 of the Planning Board; and

3 **WHEREAS**, in accordance with the requirements of § 31-25-107(9.5) of the Act, School
4 District No. 1 in the City and County of Denver and State of Colorado (“DPS”) has entered into that
5 Sun Valley Homes Intergovernmental Agreement with the Authority (the "DPS Agreement"), the
6 Urban Drainage and Flood Control District, doing business as the Mile High Flood District (“UDFCD”)
7 has entered into that letter agreement with the Authority (the "UDFCD Agreement"), and the Sun
8 Valley Denver General Improvement District (“GID”) has entered into that Intergovernmental
9 Agreement with the Authority (the “GID Agreement”); and

10 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been
11 held concerning the Sun Valley Homes Urban Redevelopment Plan ("Public Hearing").

12 **NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
13 **DENVER:**

14 **Section 1.** That it be and is hereby found and determined, based upon the evidence
15 presented at the Public Hearing, in the related Conditions Study, and testimony at the Public Hearing,
16 that the Sun Valley Homes Urban Redevelopment Area consists of a "blighted area," which is
17 appropriate for one or more urban redevelopment projects according to the Act, and which, by reason
18 of the following factors, constitutes "blight" (as defined in the Act), constitutes an economic and social
19 liability, and is a menace to the public health, safety, morals and welfare: (i) predominance of
20 defective or inadequate street layout; (ii) unsanitary or unsafe conditions; (iii) deterioration of site or
21 other improvements; (iv) unusual topography or inadequate public improvements or utilities; (v)
22 environmental contamination of buildings or property; and (vi) the existence of health, safety or
23 welfare factors requiring high levels of municipal services or substantial physical underutilization or
24 vacancy of sites, buildings, or other improvements.

25 **Section 2.** That it be and is hereby found and determined that the Sun Valley Homes Urban
26 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as supplemented, and is
27 necessary and appropriate to facilitate the proper growth and development of the community in
28 accordance with sound planning standards and local community objectives.

29 **Section 3.** That it be and is hereby found and determined that the Sun Valley Homes Urban
30 Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City
31 as a whole, for the rehabilitation and redevelopment of the Sun Valley Homes Urban Redevelopment
32 Area by private enterprise.

1 **Section 4.** That it be and is hereby found and determined that the conditions of blight in the
2 Sun Valley Homes Urban Redevelopment Area constitute an economic and social liability and a
3 menace to the public health, safety, morals, or welfare.

4 **Section 5.** That if any individuals or families are displaced from dwelling units as a result of
5 adoption or implementation of the Sun Valley Homes Urban Redevelopment Plan, a feasible method
6 exists for the relocation of those individuals or families in accordance with the Act.

7 **Section 6.** That if business concerns are displaced by the adoption or implementation of Sun
8 Valley Homes Urban Redevelopment Plan, a feasible method exists for the relocation of those
9 business concerns in accordance with the Act.

10 **Section 7.** That it be and is hereby found and determined that reasonable efforts have been
11 taken by the Authority and the City to provide written notice of the Public Hearing to all property
12 owners, residents and owners of business concerns in the Sun Valley Homes Urban Redevelopment
13 Area at least thirty (30) days prior to the date hereof.

14 **Section 8.** That it be and is hereby found and determined that no more than one hundred
15 twenty (120) days have passed since the commencement of the Public Hearing for the Sun Valley
16 Homes Urban Redevelopment Plan.

17 **Section 9.** That it be and is hereby found and determined that the Sun Valley Homes Urban
18 Redevelopment Plan contains no property that was included in a previously submitted urban renewal
19 plan that was not approved by the City Council.

20 **Section 10.** That it is hereby found and determined that the Sun Valley Homes Urban
21 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as a whole, and is
22 necessary and appropriate to facilitate the proper growth and development of the community in
23 accordance with sound planning standards and local community objectives.


24 **Section 11.** That it be and hereby is found that the DPS Agreement, the UDFCD Agreement
25 and the GID Agreement satisfy of the requirements of § 31-25-107(9.5) of the Act.

26 **Section 12.** That the City and County of Denver can adequately finance any additional City
27 and County of Denver infrastructure and services required to serve development within the Sun
28 Valley Homes Urban Redevelopment Area for the period during which City and County of Denver
29 property taxes are paid to the Authority.

30 **Section 13.** That the Sun Valley Homes Urban Redevelopment Plan, having been duly
31 reviewed and considered, be and hereby is approved.

32 **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: August 9, 2022
2 MAYOR-COUNCIL DATE: August 16, 2022
3 PASSED BY THE COUNCIL: _____ October 3, 2022

4  _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: September 22, 2022

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.

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16 Kristin M. Bronson, Denver City Attorney

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18 BY:  _____, Assistant City Attorney DATE: Sep 22, 2022