

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2012

COUNCIL BILL NO. CB12-0473
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance approving the Ironworks Foundry Urban Redevelopment Plan.

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 ("DURA" or "Authority") is a body corporate organized by the Colorado Urban Renewal Law, § 31-25-101, *et seq.*, Colorado Revised Statutes ("Act"); 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 Urban Redevelopment Plan filed with the Denver City Clerk on the 2nd day of August, 2012, in City Clerk File No. 2012-0625 together with an explanation of the conditions of blight that exist within the Ironworks Foundry Urban Redevelopment Area as set forth in the Ironworks Foundry Site Conditions Study dated July, 2012, prepared by Matrix Design Group, as filed on the 2nd day of August, 2012, in Denver City Clerk File No. 2012-0625-A, ("Conditions Study"); and

WHEREAS, the sole property owner within the Ironworks Foundry Urban Redevelopment Area has consented to inclusion of this land in the Ironworks Foundry Urban Redevelopment Area; and

WHEREAS, the Ironworks Foundry Urban Redevelopment Plan has been approved by the Board of Commissioners of the Authority; and

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 and recommendations respecting the Ironworks Foundry Urban Redevelopment Plan for the Ironworks Foundry Urban Redevelopment Area and certifies that the Ironworks Foundry Urban Redevelopment Plan conforms to the general plan for the City as a whole, and the City Council duly considered the report, recommendations and certifications of the Planning Board; and

WHEREAS, pursuant to § 31-25-107(9)(d) of the Act, School District No. 1 in the City and County of Denver has been permitted to participate in an advisory capacity concerning the tax increment financing described in the Plan; and

WHEREAS, after notice as required by Colorado Revised Statutes, a public hearing has been

1 held concerning the Ironworks Foundry Urban Redevelopment Plan ("Public Hearing").

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

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5 **Section 1.** That it be and is hereby found and determined, based upon the evidence presented
6 at the Public Hearing, in the Blight Study, and testimony at the Public Hearing, that the Ironworks
7 Foundry Urban Redevelopment Area consists of a "blighted area," which is appropriate for one or
8 more urban redevelopment projects according to the urban renewal law of the State of Colorado,
9 C.R.S. § 31-25-101, *et seq.* ("Act"), and which, by reason of the following factors, constitutes "blight"
10 (as defined in the Act), constitutes an economic and social liability, and is a menace to the public
11 health, safety, morals and welfare: of (i) slum, deteriorated, or deteriorating structures, and buildings
12 that are unsafe or unhealthy to live and work in, (ii) deterioration of site or other improvements, (iii)
13 unusual topography or inadequate public improvement or utilities, (iv) existence of conditions that
14 endanger life or property by fire and other causes, (v) buildings that are unsafe or unhealthy for
15 persons to live or work in (vi) high levels of municipal services or underutilization or vacancy of sites,
16 buildings, or other improvements. Such blight substantially impairs or arrests the sound growth of the
17 municipality.

18 **Section 2.** The sole property owner was notified of the Conditions Study within thirty (30) days
19 of commissioning the Conditions Study and the owner has no objection to the inclusion of the property
20 in the Ironworks Foundry Urban Redevelopment Area.

21 **Section 3.** That it be and is hereby found and determined that the Ironworks Foundry Urban
22 Redevelopment Plan conforms to the Denver Comprehensive Plan 2000, as a whole, and is
23 necessary and appropriate to facilitate the proper growth and development of the community in
24 accordance with sound planning standards and local community objectives.

25 **Section 4.** That it be and is hereby found and determined that the Ironworks Foundry Urban
26 Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City as
27 a whole, for the rehabilitation and redevelopment of the Globeville Commercial Urban Redevelopment
28 Area by private enterprise.

29 **Section 5.** That it be and is hereby found and determined that the conditions of blight in the
30 Ironworks Foundry Urban Redevelopment Area constitute an economic and social liability and a
31 menace to the public health, safety, morals, or welfare.

32 **Section 6.** No individuals or families will be displaced from dwelling units as a result of
33 adoption or implementation of the Ironworks Foundry Urban Redevelopment Plan; therefore no
34 individuals or families will be displaced from dwelling units as a result of adoption or implementation of

1 the Ironworks Foundry Urban Redevelopment Plan

2 **Section 7.** No business concerns will be displaced by the adoption or implementation of Urban
3 Ironworks Foundry Redevelopment Plan; therefore no business concerns will be displaced by the
4 adoption or implementation of the Ironworks Foundry Redevelopment Plan.

5 **Section 8.** That it be and is hereby found and determined that reasonable efforts have been
6 taken by the Authority and the City to provide written notice of the Public Hearing to all property
7 owners, residents and owners of business concerns in the Ironworks Foundry Urban Redevelopment
8 Area at least thirty (30) days prior to the date hereof.

9 **Section 9.** That it be and is hereby found and determined that no more than one hundred
10 twenty (120) days have passed since the commencement of the Public Hearing for the Ironworks
11 Foundry Urban Redevelopment Plan.

12 **Section 10.** That it be and is hereby found and determined that the Ironworks Foundry Urban
13 Redevelopment Plan contains no property that was included in a previously submitted urban renewal
14 plan that was not approved by the City Council.

15 **Section 11.** That the City and County of Denver can adequately finance, and agreements are
16 in place to finance, any additional City and County of Denver infrastructure and services required to
17 serve development within the Ironworks Foundry Urban Redevelopment Area for the period during
18 which City and County of Denver property taxes are paid to the Authority.

19 **Section 12.** That the Ironworks Foundry Urban Redevelopment Plan, having been duly
20 reviewed and considered, be and hereby is approved.

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1 COMMITTEE APPROVAL DATE: July 17, 2012
2 MAYOR-COUNCIL DATE: July 31, 2012
3 PASSED BY THE COUNCIL: _____, 2012
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2012
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2012; _____, 2012
10 PREPARED BY: Jennifer Welborn, Assistant City Attorney DATE: August 2, 2012
11 Pursuant to section 13-12, 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.
15 Douglas J. Friednash, City Attorney for the City and County of Denver
16 BY: _____, City Attorney DATE: _____, 2012