

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2015

COUNCIL BILL NO. 15-0302
COMMITTEE OF REFERENCE:
4 Finance and Services

5 **A BILL**

6 **For an Ordinance authorizing and approving an Amended and Restated**
7 **Ironworks Foundry Urban Redevelopment Plan to expand the boundaries of**
8 **the Urban Redevelopment Area, to authorize the Phase Two Urban**
9 **Redevelopment Project and to create the Phase Two Property Tax Increment**
10 **Area and the Phase Two Sales Tax Increment Area**
11

12 **WHEREAS**, the Council of the City and County of Denver (“Council”) approved the
13 Ironworks Foundry Urban Redevelopment Plan (“Plan”) by authority of Ordinance No. 405,
14 Series of 2012, having found that the area described in the Plan consists of a blighted area
15 which is appropriate for urban redevelopment projects according to the Urban Renewal Law of
16 the State of Colorado (“Act”); and

17 **WHEREAS**, the Council found and determined that it was desirable and in the public
18 interest for the Denver Urban Renewal Authority to undertake and carry out projects identified
19 and described in the Plan; and

20 **WHEREAS**, there has been prepared and referred to the Council of the City and County
21 of Denver (“City Council”) for its consideration and approval a copy of the Amended and
22 Restated Ironworks Foundry Urban Redevelopment Plan filed with the Denver City Clerk on the
23 27th day of May, 2015, City Clerk File Number 2012-0625-C together with an explanation of the
24 conditions of blight that exist within the expanded Ironworks Foundry Urban Redevelopment
25 Area, as herein amended, as set forth in the 3330 Brighton Boulevard Conditions Study dated
26 February 2015, prepared by Matrix Design Group, as filed on the 27th day of May, 2015, Denver
27 City Clerk File No. 2012-0625-E, (“Conditions Study”); and

28 **WHEREAS**, the Board of Commissioners of the Denver Urban Renewal Authority has
29 approved the Amended and Restated Ironworks Foundry Urban Redevelopment Plan to expand
30 the boundaries of the Ironworks Foundry Urban Redevelopment Area, to allow for the creation of
31 an additional Project and to create the Phase Two Property Tax Increment Area and the Phase
32 Two Sales Tax Increment Area;

33 **WHEREAS**, the Denver Planning Board which is the duly designated and acting official
34 planning body of the City and County of Denver, has submitted to the Council its report and

1 recommendations concerning the Amended and Restated Ironworks Foundry Urban
2 Redevelopment Plan and has certified that the Amended and Restated Ironworks Foundry Urban
3 Redevelopment Plan conforms to the Comprehensive Plan for the City and County of Denver as
4 a whole, and the Council of the City and County of Denver has duly considered the report,
5 recommendations and certifications of the Planning Board; and

6 **WHEREAS**, there has been prepared and referred to the City Council of the City and
7 County of Denver for its consideration and approval, a copy of the Amended and Restated
8 Ironworks Foundry Urban Redevelopment Plan; and

9 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has
10 been held concerning the Amended and Restated Ironworks Foundry Urban Redevelopment
11 Plan (the “Public Hearing”); and

12 **WHEREAS**, in accordance with the requirements of Section 31-25-107(9)(d), Colorado
13 Revised Statutes, School District No. 1 in the City and County of Denver and State of Colorado
14 has been permitted to participate in an advisory capacity concerning the project financing
15 described in the Amended and Restated Ironworks Foundry Urban Redevelopment Plan.

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

18 **Section 1.** That it be and is hereby found and determined, based upon the evidence
19 presented at the Public Hearing, in the Blight Study, and testimony at the Public Hearing, that the
20 Ironworks Foundry Urban Redevelopment Area, as expanded herein, consists of a “blighted
21 area,” which is appropriate for one or more urban redevelopment projects according to the urban
22 renewal law of the State of Colorado, C.R.S.§ 31-25-101 et seq. (“Act”), and which, by reason of
23 the following factors, constitutes “blight” (as defined in the Act), constitutes an economic and
24 social liability, and is a menace to the public health, safety, morals and welfare: (i) deterioration
25 of site or other improvements, (ii) unusual topography or inadequate public improvement or
26 utilities, (iii) contamination of building or property, and (iv) high levels of municipal services or
27 underutilization or vacancy of sites, buildings or other improvements. Such blight substantially
28 impairs or arrests the sound growth of the municipality.

29 **Section 2.** The property owners were notified of the Conditions Study within thirty (30)
30 days of commissioning the Conditions Study and the owner has no objection to the inclusion of
31 the property in the Ironworks Foundry Urban Redevelopment Area.

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

4 **Section 4.** No individuals or families will be displaced from dwelling units as a result of
5 adoption or implementation of the Amended and Restated Ironworks Foundry Urban
6 Redevelopment Plan.

7 **Section 5.** No business concerns will be displaced as a result of adoption or
8 implementation of the Amended and Restated Ironworks Foundry Urban Redevelopment Plan.

9 **Section 6.** Council set a public hearing on the Amended and Restated Ironworks
10 Foundry Urban Redevelopment Plan for June 8, 2015 (“Public Hearing”) and that it be and is
11 hereby found and determined that reasonable efforts have been taken to provide written notice
12 of the Public Hearing to all property owners, residents and owners of business concerns in the
13 Amended and Restated Ironworks Foundry Redevelopment Area at least thirty (30) days prior to
14 the date of the Public Hearing.

15 **Section 7.** That it be and is hereby found and determined that no more than one
16 hundred twenty (120) days have passed since the commencement of the Public Hearing.

17 **Section 8.** That it be and is hereby found and determined that the Amended and
18 Restated Ironworks Foundry Urban Redevelopment Plan contains no property that was included
19 in a previously submitted urban redevelopment plan that Council failed to approve.

20 **Section 9.** That it be and is hereby found and determined that the Amended and
21 Restated Ironworks Foundry Urban Redevelopment Plan conforms to the Denver
22 Comprehensive Plan 2000, as a whole, and is necessary and appropriate to facilitate the proper
23 growth and development of the community in accordance with sound planning standards and
24 local community objectives.

25 **Section 10.** That it be and is hereby found and determined that the Amended and
26 Restated Ironworks Foundry Urban Redevelopment Plan will afford maximum opportunity,
27 consistent with the sound needs of the City as a whole, for the rehabilitation and redevelopment
28 of the Amended and Restated Ironworks Foundry Urban Redevelopment Area by private
29 enterprise.

30 **Section 11.** That the City and County of Denver can adequately finance or agreements
31 are in place to finance any additional City and County of Denver infrastructure and services

1 required to serve development within the Ironworks Foundry Urban Redevelopment Area for the
2 period during which City and County of Denver property taxes are paid to the Authority.

3 **Section 12.** That the Amended and Restated Ironworks Foundry Urban Redevelopment
4 Plan, having been duly reviewed and considered, be and hereby is approved.

5 COMMITTEE APPROVAL DATE: May 13, 2015

6 MAYOR-COUNCIL DATE: May 19, 2015

7 PASSED BY THE COUNCIL: _____, 2015

8 _____ - PRESIDENT

9 APPROVED: _____ - MAYOR _____, 2015

10 ATTEST: _____ - CLERK AND RECORDER,
11 EX-OFFICIO CLERK OF THE
12 CITY AND COUNTY OF DENVER
13

14 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2015; _____, 2015

15 PREPARED BY: Jennifer Welborn, Assistant City Attorney, Dated: May 28, 2015

16 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
17 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
18 ordinance. The proposed ordinance is NOT submitted to the City Council for approval pursuant
19 to §3.2.6 of the Charter.
20

21 D. Scott Martinez, Denver City Attorney

22 By: _____, Assistant City Attorney DATE: _____