

1 **BY AUTHORITY**

2 ORDINANCE NO. _____

COUNCIL BILL NO. _____

3 SERIES OF 2014

COMMITTEE OF REFERENCE:

4 Health, Safety, Education & Services

5 **A BILL**

6 **For an Ordinance authorizing and approving an amendment to the Welton**
7 **Corridor Urban Redevelopment Plan to add the 2300 Welton Street Project and to**
8 **Create the 2300 Welton Street Property Tax Increment Area**
9

10 **WHEREAS**, the Council of the City and County of Denver ("Council") approved the Welton
11 Corridor Urban Redevelopment Plan ("Plan") by authority of Ordinance No. 448, Series of 2012,
12 having found that the area described in the Plan consists of a blighted area which is appropriate for
13 urban redevelopment projects according to the Urban Renewal Law of the State of Colorado ("Act");
14 and

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

18 **WHEREAS**, Section V-C of the Plan provides that, pursuant to Section 31-25-107(9) of the Act,
19 the Council in approving the Plan contemplated that a separate Property Tax Increment Area may be
20 created within the Welton Corridor Urban Redevelopment Area for a Project; and

21 **WHEREAS**, the Plan may be amended to reflect the boundaries of a Property Tax Increment
22 Area for each project as set forth in an Appendix which shall become part of the Plan; and

23 **WHEREAS**, the Board of Commissioners of the Denver Urban Renewal Authority has approved
24 the redevelopment of 2300 Welton Street through the development of an affordable housing project
25 consisting of two separate buildings and approximately 223 units (the "Project") as one of the projects
26 for tax increment funding; and

27 **WHEREAS**, an amendment to the Plan (the "Proposed Amendment") to create the 2300
28 Welton Street Property Tax Increment Area (the "Property Tax Increment Area") has been approved
29 by the Board of Commissioners of the Denver Urban Renewal Authority; and

30 **WHEREAS**, the Denver Planning Board which is the duly designated and acting official
31 planning body of the City and County of Denver, has submitted to the Council its report and
32 recommendations concerning the Proposed Amendment and has certified that the Proposed
33 Amendment conforms to the Comprehensive Plan for the City and County of Denver as a whole, and
34 the Council of the City and County of Denver has duly considered the report, recommendations and
35 certifications of the Planning Board; and

1 **WHEREAS**, there has been prepared and referred to the City Council of the City and County of
2 Denver for its consideration and approval, a copy of the Proposed Amendment; and

3 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been
4 held concerning the Proposed Amendment (the “Public Hearing”); and

5 **WHEREAS**, in accordance with the requirements of Section 31-25-107(9)(d), Colorado Revised
6 Statutes, School District No. 1 in the City and County of Denver and State of Colorado has been
7 permitted to participate in an advisory capacity concerning the project financing described in the
8 Proposed Amendment.

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

11 **Section 1.** City Council determines that the Project is located within the Welton Corridor
12 Urban Redevelopment Area and will promote the objectives set forth in the Plan. The Project further
13 promotes the urban renewal objectives described in the Plan, which are hereby incorporated by
14 reference.

15 **Section 2.** There are currently no individuals or families living in the Property Tax Increment
16 Area, therefore no individuals or families will be displaced from dwelling units as a result of adoption or
17 implementation of the Proposed Amendment to the Plan.

18 **Section 3.** There are currently no business concerns in the 2300 Welton Street Property Tax
19 Increment Area, therefore no business concerns will be displaced as a result of adoption or
20 implementation of the Proposed Amendment to the Plan.

21 **Section 4.** Council set a public hearing on the Proposed Amendment for July 14, 2014
22 (“Public Hearing”) and that it be and is hereby found and determined that reasonable efforts have
23 been taken to provide written notice of the Public Hearing to all property owners, residents and owners
24 of business concerns in the Welton Corridor Urban Redevelopment Area at least thirty (30) days prior
25 to the date of the Public Hearing.

26 **Section 5.** That it be and is hereby found and determined that no more than one hundred
27 twenty (120) days have passed since the commencement of the Public Hearing.

28 **Section 6.** That it be and is hereby found and determined that the Plan, as amended by the
29 Proposed Amendment, contains no property that was included in a previously submitted urban
30 redevelopment plan that Council failed to approve.

31 **Section 7.** That it be and is hereby found and determined that the Plan, as amended by the
32 Proposed Amendment, conforms to the Denver Comprehensive Plan 2000, as a whole, and is
33 necessary and appropriate to facilitate the proper growth and development of the community in
34 accordance with sound planning standards and local community objectives.

APPENDIX A
Schedule of Projects

1. 2300 Welton Street Project

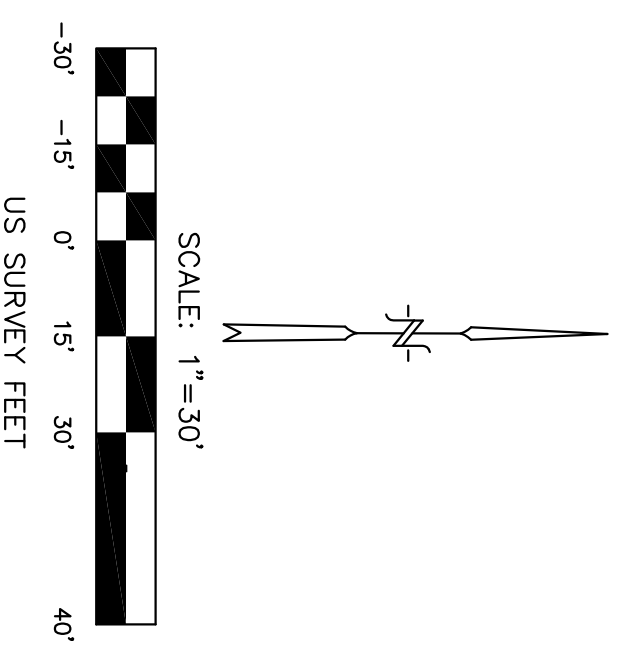
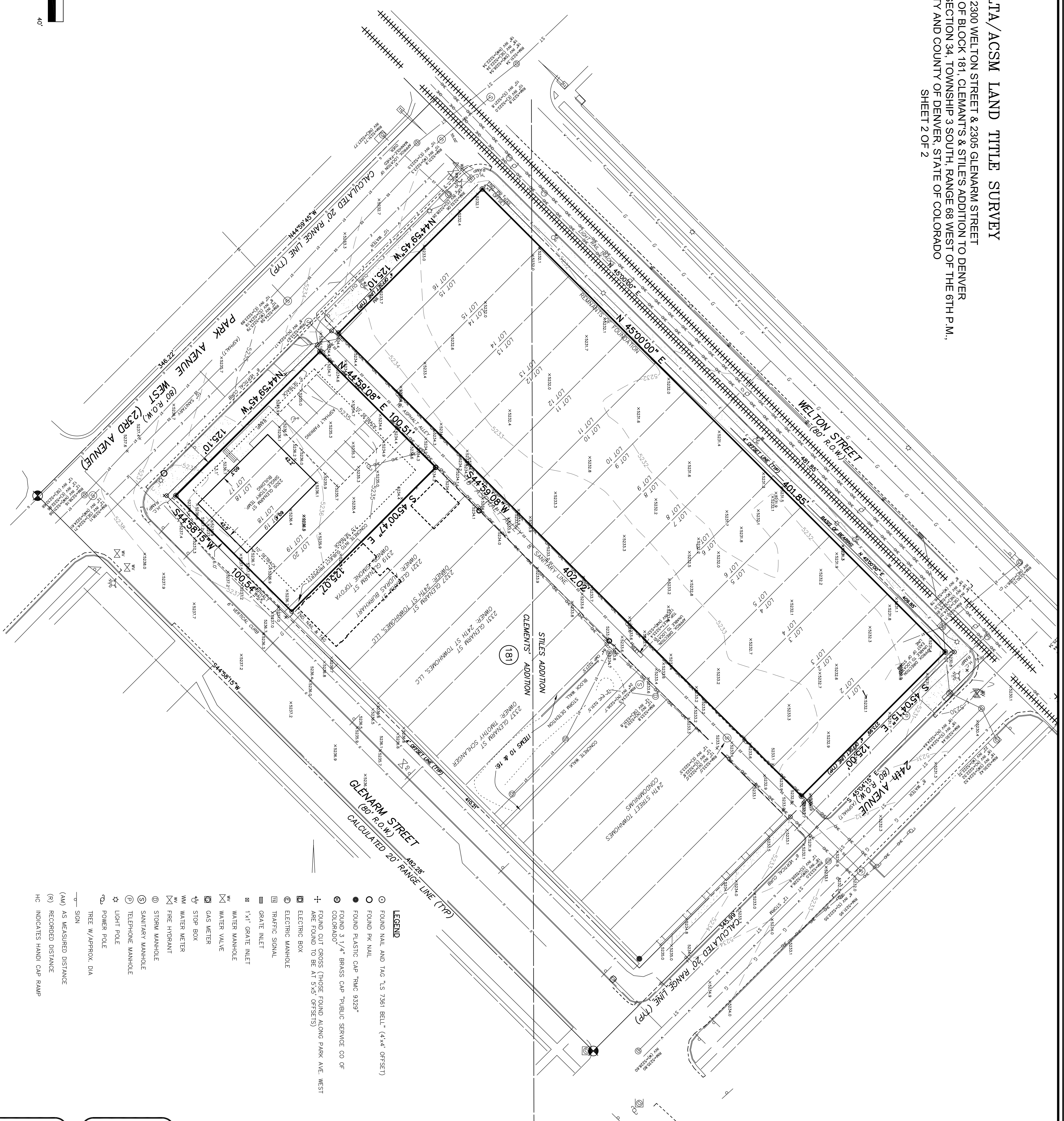
Developer: 2300 Welton LLC

APPENDIX B
Property Tax Increment Areas and Sales Tax Increment Areas

1. 2300 Welton Street Property Tax Increment Area

[insert legal description]

ALTA/ACSM LAND TITLE SURVEY
 2300 WELTON STREET & 2305 GLENARM STREET
 PORTIONS OF BLOCK 181, CLEMANTS & STILES ADDITION TO DENVER
 IN THE NE 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY AND COUNTY OF DENVER, STATE OF COLORADO
 SHEET 2 OF 2



- LEGEND**
- FOUND NAIL AND TAG 1.5 7361 BELL (4"x4" OFFSET)
 - FOUND PK NAIL
 - FOUND PLASTIC CAP "MNC 9329"
 - FOUND 3 1/4" BRASS CAP "PUBLIC SERVICE CO OF COLORADO"
 - + FOUND OUT CROSS (THOSE FOUND ALONG PARK AVE WEST ARE FOUND TO BE AT 5'X5' OFFSETS)
 - ⊠ ELECTRIC BOX
 - ⊞ ELECTRIC MANHOLE
 - ⊞ TRAFFIC SIGNAL
 - ⊞ GRATE INLET
 - ⊞ 1"x1" GRATE INLET
 - ⊞ WATER MANHOLE
 - ⊞ WATER VALVE
 - ⊞ GAS METER
 - ⊞ STOP BOX
 - ⊞ WATER METER
 - ⊞ FIRE HYDRANT
 - ⊞ STORM MANHOLE
 - ⊞ SANITARY MANHOLE
 - ⊞ TELEPHONE MANHOLE
 - ⊞ LIGHT POLE
 - ⊞ POWER POLE
 - ⊞ TREE W/APPROX. DIA
 - SIGN
 - (AM) AS MEASURED DISTANCE
 - (R) RECORDED DISTANCE
 - HC INDICATES HANDI CAP RAMP

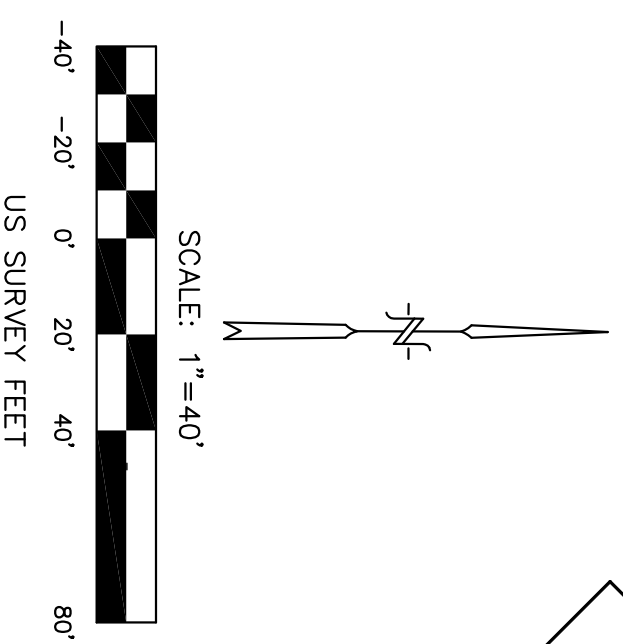
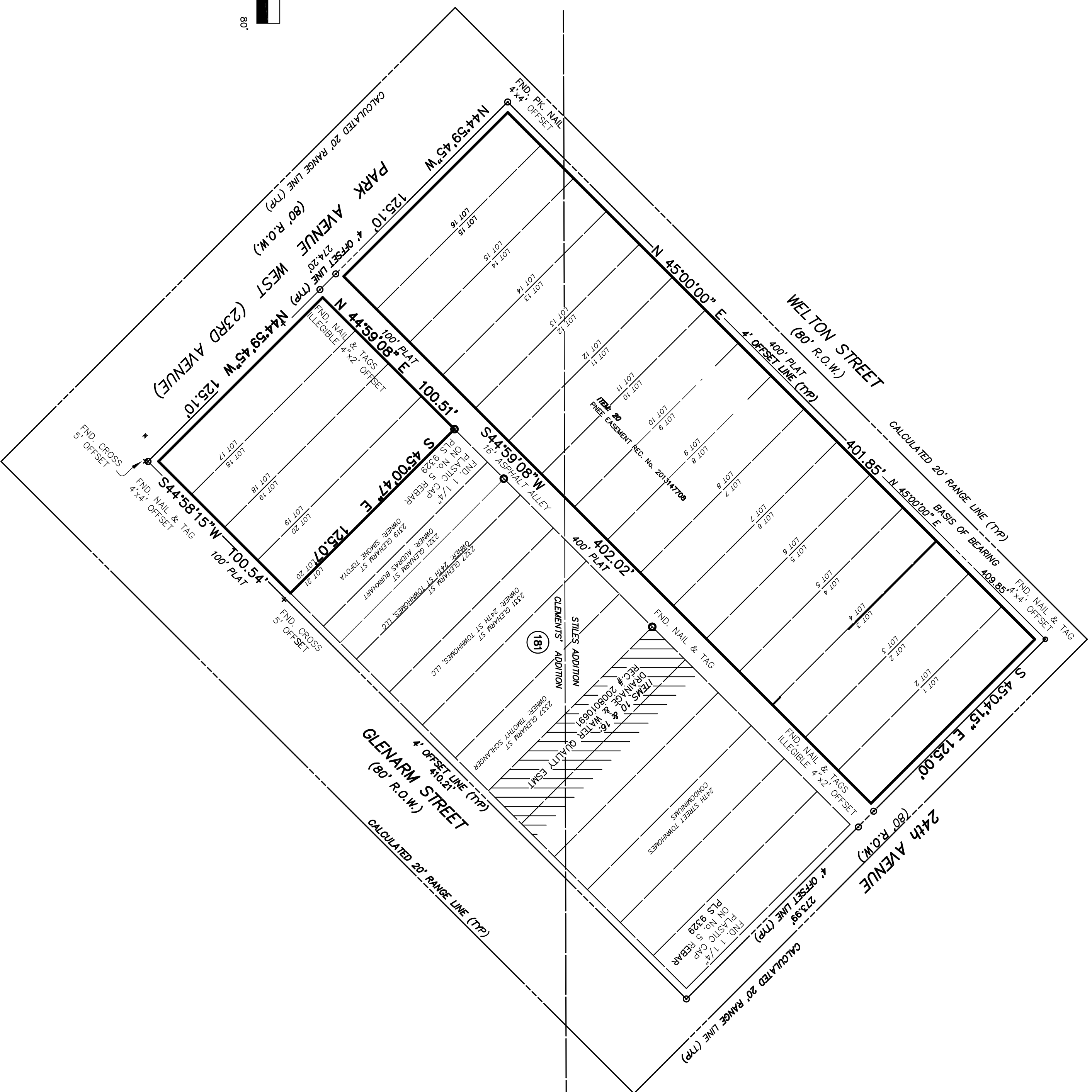
ALTA/ACSM LAND TITLE SURVEY
 2300 WELTON ST & 2305 GLENARM STREET
 CITY AND COUNTY OF DENVER
 STATE OF COLORADO

KURT LINN & ASSOCIATES
 8790 W. COLFAX AVE. UNIT 20
 LAKEWOOD CO. 80215
 303-233-1171 237-1893 (FAX)
 JOB NO. 1403-10

ALTA/ACSM LAND TITLE SURVEY
 2300 WELTON STREET & 2305 GLENARM STREET
 PORTIONS OF BLOCK 181, CLEMANTS & STILES ADDITION TO DENVER
 IN THE NE 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY AND COUNTY OF DENVER, STATE OF COLORADO
 SHEET 1 OF 2

LEGAL DESCRIPTION (PROVIDED BY LAND TITLE GUARANTEE COMPANY)

- PARCEL 1A: (50,260.5 sq. ft./1.15 acres)
- LOTS 1-15, INCLUSIVE, BLOCK 181,
STILES ADDITION TO DENVER
- LOTS 16-18, INCLUSIVE, BLOCK 181,
CLEMANTS ADDITION TO DENVER,
CITY AND COUNTY OF DENVER, STATE OF COLORADO
- PARCEL 2A: (12,574.1 sq. ft./0.29 acres)
- LOTS 17-20, INCLUSIVE, BLOCK 181,
CLEMANTS ADDITION TO DENVER,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

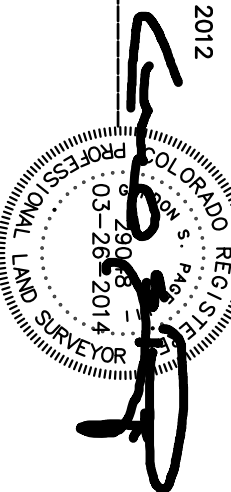


SURVEYORS CERTIFICATE

I HEREBY CERTIFY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), 2300 WELTON STREET, DENVER, COLORADO, THAT THE SURVEY AND THE ASSIGNED MAPS WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4.

DATE OF PLAT OR MAP NOVEMBER 23-24, 2012
 Gordon S. Page III FLS 29048

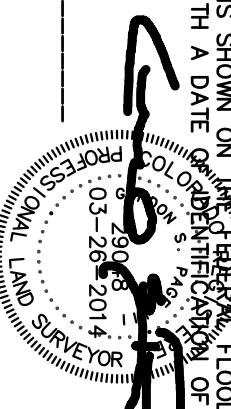


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Gordon S. Page III FLS 29048



NOTES:

1. DATE OF SURVEY: MARCH 22, 2014.
2. AREA OF PROPERTIES SURVEYED: 62,834.6 SQ. FT./1.44 ACRES.
3. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREIN.
4. KURT LINN AND ASSOCIATES HAS FILED UPON LAND TITLE GUARANTEE COMPANY, ORDER NO. 20090600888, A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD PLANE MAP NO. 0804660088, WITH A DATE OF OPERATION ON NOVEMBER 04, 2009, FOR COMPLIANCE WITH THE COMMUNITY DEVELOPMENT STATE OF COLORADO FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE PROPERTY IS SITUATED.
5. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD PLANE MAP NO. 0804660088, WITH A DATE OF OPERATION ON NOVEMBER 04, 2009, FOR COMPLIANCE WITH THE COMMUNITY DEVELOPMENT STATE OF COLORADO FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE PROPERTY IS SITUATED.
6. THE TOTAL NUMBER OF STRIPPED PARKING SPACES ON THE SUBJECT PROPERTY IS 10, INCLUDING 1 DESIGNATED HANDICAP SPACES.
7. THE SUBJECT PROPERTY HAS DIRECT ACCESS TO PARK AVENUE WEST, 24TH AVENUE AND GLENARM STREET BEING PUBLIC RIGHTS OF WAY.
8. ALL UTILITIES AS SHOWN HEREON WERE FIELD LOCATED BY DIVERSED UNDER GROUND MAPPING. BURIED UTILITIES SHOULD BE POIHOLED FOR VERIFICATION AND LOCATION PRIOR TO ANY CONSTRUCTION.
9. THERE WAS NO EVIDENCE ON THE SUBJECT PROPERTY OF CURRENT EXISTING FOUNDATION, BUILDING ADDITIONS OR USE AS A WASTE DUMP, SIMP OR SANITARY LANDFILL.
10. BASED UPON A REVIEW OF THE U.S. FISH AND WILDLIFE SERVICES NATIONAL WETLANDS INVENTORY, AS OF THE DATE OF THIS SURVEY, NO PORTION OF THE SITE IS DESIGNATED AS A WETLANDS AREA.
11. BEARINGS ARE BASED ON THE FOUND MONUMENTS FORMING THE 4' OFFSET LINE ALONG THE SOUTHWESTERN CORNER OF WELTON STREET ASSUMED TO BE N 45°00'00" E AS SHOWN HEREON.
12. BENCHMARK: ORION BENCHMARK CAP LOCATED AT THE EAST CORNER OF 20TH AVENUE AND WELTON STREET. ELEVATION: 5250.43 NAVD 88 (P.S.C.O) TOP OF CURB NORTHWEST CORNER OF PARK AVENUE WEST AND GLENARM STREET. ELEVATION 5257.23 NAVD 88

B-2 EXCEPTIONS:

- ITEM 1-8 AND 18 NOT ADDRESSED AS PART OF THIS SURVEY.
- ITEM 9: THE SUBJECT PROPERTY IS AFFECTED BY THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN COLORADO DIVISION OF HOUSING BENEFICIARY AND RENT USE COVARIANT (AFFECTS PARCELS 1A AND 2A)
- ITEM 10: THE SUBJECT PROPERTY IS AFFECTED BY THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DRAINAGE AND WATER QUALITY EASEMENT (AFFECTS PARCELS 1A AND 2A)
- ITEM 11: THE SUBJECT PROPERTY IS AFFECTED BY EACH AND EVERY RIGHT OR RIGHTS OF VEHICULAR ACCESS TO AND FROM ANY PART OF THE RIGHT OF WAY OF WELTON STREET AS GRANTED TO THE REGIONAL TRANSPORTATION DISTRICT IN INSTRUMENT RECORDED JULY 30, 1993 UNDER RECEPTION NO. R-93-0100500. AFFECTS PARCEL 1A
- ITEM 12: THE SUBJECT PROPERTY IS AFFECTED BY EACH AND EVERY RIGHT OR RIGHTS OF VEHICULAR ACCESS TO AND FROM ANY PART OF THE RIGHT OF WAY OF WELTON STREET AS GRANTED TO THE REGIONAL TRANSPORTATION DISTRICT IN INSTRUMENT RECORDED JULY 30, 1993 UNDER RECEPTION NO. R-93-0100500. AFFECTS PARCEL 1A
- ITEM 13: THE SUBJECT PROPERTY IS AFFECTED BY EACH AND EVERY RIGHT OR RIGHTS OF ACCESS TO AND FROM ANY PART OF THE RIGHT OF WAY OF WELTON STREET, AS TAKEN BY THE REGIONAL TRANSPORTATION DISTRICT IN INSTRUMENT RECORDED DECEMBER 22, 1993 UNDER RECEPTION NO. R-93-0100500 AND INSTRUMENT RECORDED JANUARY 28, 2008 UNDER RECEPTION NO. 2008010691. DENIES ACCESS TO WELTON STREET. AFFECTS PARCEL 1A
- ITEM 14: THE SUBJECT PROPERTY IS AFFECTED BY EACH AND EVERY RIGHT OR RIGHTS OF ACCESS TO AND FROM ANY PART OF THE RIGHT OF WAY OF WELTON STREET, AS TAKEN BY THE REGIONAL TRANSPORTATION DISTRICT IN INSTRUMENT RECORDED FEBRUARY 07, 1995 UNDER RECEPTION NO. 9500014868. DENIES ACCESS TO WELTON STREET. AFFECTS PARCEL 1A
- ITEM 15: THE SUBJECT PROPERTY IS AFFECTED BY THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENVER ASSESSOR'S ORDER NO. 2007047056. SAID DOCUMENT COMBINES SAID PARCEL AFFECTS PARCEL 1A
- ITEM 16: THE SUBJECT PROPERTY IS AFFECTED BY THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENVER ASSESSOR'S ORDER NO. 2008010691. SAME AS ITEM 10 AND IS SHOWN HEREON. AFFECTS PARCEL 1A
- ITEM 17: THE SUBJECT PROPERTY IS AFFECTED BY THE ZONING ORDINANCE #278, SERIES OF 2009, CLASSIFICATION FROM B-8 TO MS-3. SEE ZONING INFORMATION BELOW FOR CURRENT ZONING. AFFECTS PARCEL 1A
- ITEM 18: THE SUBJECT PROPERTY IS AFFECTED BY THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENVER ASSESSOR'S ORDER NO. 2011011518. AFFECTS PARCEL 1A
- ITEM 20: THE SUBJECT PROPERTY IS AFFECTED BY THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT NON-EXCLUSIVE EASEMENT RECORDED SEPTEMBER 30, 2013 UNDER RECEPTION NO. 2013147708. SAID EASEMENT IS THE SAME AS PARCEL 1A.

ZONING INFORMATION

DISTRICT:	MAX. BLDG. HEIGHT:	MAX. STORES:
C-MX-8: URBAN CENTER-MIXED USE- 8 STORES		
C-MU-3: GENERAL MULTI UNIT 3 STORY		
Subdistrict: WELTON ST.	Subdistrict: GLENARM ST.	
SIDE: 0'	FRONT: 5' PARK AVENUE	
REAR: 0'	REAR: 10'	
NO BUILDING ON SITE		

Zoning Data obtained from:
 CITY AND COUNTY OF DENVER ZONING WEBSITE
 NO ZONING REPORT PROVIDED PER ALTA REQUIREMENTS

ALTA/ACSM LAND TITLE SURVEY
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