

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2017

COUNCIL BILL NO. CB17-1004  
COMMITTEE OF REFERENCE:  
Finance & Governance

**A BILL**

**For an ordinance approving the I-25 and Broadway Urban Redevelopment Plan and the I-25 and Broadway Project, the creation of the I-25 and Broadway Urban Redevelopment Area and the I-25 and Broadway Tax Increment Area, and in connection therewith repealing the Cherokee 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 (“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 I-25 and Broadway area of Denver and desire to create an urban redevelopment area through the adoption of this I-25 and Broadway Urban Redevelopment Plan (“Urban Redevelopment Plan”) to facilitate redevelopment of the area as more fully set forth in the Urban 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 Urban Redevelopment Plan filed with the Denver City Clerk on the 15<sup>th</sup> day of September, 2017, in City Clerk File No. 2017-0433; and

**WHEREAS**, the 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 Urban Redevelopment Plan for the I-25 and Broadway Urban Redevelopment Area (“the Urban Redevelopment Area”) and certifies that the 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**, the City Council previously approved the Amended and Restated Cherokee Urban Redevelopment Plan pursuant to Ordinance No. 67, Series of 2006; and

**WHEREAS**, the urban redevelopment area created by the Amended and Restated Cherokee

1 Urban Redevelopment Plan contains areas that overlap with the proposed Urban Redevelopment  
2 Area; and

3 **WHEREAS**, no tax increment collected pursuant to the Amended and Restated Cherokee  
4 Urban Redevelopment Plan was expended; and

5 **WHEREAS**, the City and the Authority desire to repeal the Amended and Restated Cherokee  
6 Urban Redevelopment Plan in connection with the approval of the Urban Redevelopment Plan and  
7 to return all tax increment collected pursuant to the Amended and Restated Cherokee Urban  
8 Redevelopment Plan to the respective taxing entities; and

9 **WHEREAS**, in accordance with the requirements of § 31-25-107(9.5) of the Act, School  
10 District No. 1 in the City and County of Denver has entered into an agreement with the Authority (the  
11 “DPS Agreement”), the Urban Drainage and Flood Control District has entered into an agreement  
12 with the Authority (the “UDFCD Agreement”), and Broadway Station Metropolitan Districts No. 1, No.  
13 2 and No. 3 have entered an intergovernmental agreement with the Authority (the “Metropolitan  
14 Districts Agreement”); and

15 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been  
16 held concerning the Urban Redevelopment Plan (“Public Hearing”).

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

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

30 **Section 2.** That it be and is hereby found and determined that the Urban Redevelopment  
31 Plan conforms to the Denver Comprehensive Plan 2000, as supplemented, and is necessary and  
32 appropriate to facilitate the proper growth and development of the community in accordance with  
33 sound planning standards and local community objectives.

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

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

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

10           **Section 6.** That if business concerns are displaced by the adoption or implementation of the  
11 Urban Redevelopment Plan, a feasible method exists for the relocation of those business concerns  
12 in accordance with the Act.

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

17           **Section 8.** That it be and is hereby found and determined that no more than one hundred  
18 twenty (120) days have passed since the commencement of the Public Hearing for the Urban  
19 Redevelopment Plan.

20           **Section 9.** That it be and is hereby found and determined that the Urban Redevelopment  
21 Plan contains no property that was included in a previously submitted urban renewal plan that was  
22 not approved by the City Council.

23           **Section 10.** That it be and is hereby found and determined that the Urban Redevelopment  
24 Plan conforms to the Denver Comprehensive Plan 2000, as a whole, and is necessary and  
25 appropriate to facilitate the proper growth and development of the community in accordance with  
26 sound planning standards and local community objectives.

27           **Section 11.** That it be and hereby is found that the DPS Agreement, the UDFCD Agreement  
28 and the Metropolitan Districts Agreement have been entered into in satisfaction of the requirements  
29 of Section 31-25-107(9.5) of the Act.

30           **Section 12.** That the City and County of Denver can adequately finance any additional City  
31 and County of Denver infrastructure and services required to serve development within the Urban  
32 Redevelopment Area for the period during which City and County of Denver property taxes are paid  
33 to the Authority.



## APPENDIX A

### Schedule of Projects

1. I-25 and Broadway Project  
Redeveloper: Broadway Station Metropolitan District No. 1

## APPENDIX B

### Property Tax Increment Areas and Sales Tax Increment Areas

1. I-25 and Broadway Property Tax Increment Area and Sales Tax Increment Area