

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2024

COUNCIL BILL NO. CB24-1108  
COMMITTEE OF REFERENCE:  
Finance and Governance

**A BILL**

**For an ordinance approving an amendment to the Welton Corridor Urban  
Redevelopment Plan for the 29th and Welton Street Project and authorizing the  
creation of the 29th and Welton Street Property Tax and Sales Tax Increment  
Areas.**

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

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

**WHEREAS**, Section V-C of the Urban Redevelopment Plan provides that, pursuant to  
Section 31-25-107(9) of the Act, the Council in approving the Urban Redevelopment Plan  
contemplated that separate property tax increment areas and/or sales tax increment areas may be  
created within the Welton Corridor Urban Redevelopment Area for a project; and

**WHEREAS**, the Urban Redevelopment Plan may be amended to reflect the boundaries of a  
property tax increment area and/or sales tax increment area for each project as set forth in an  
Appendix which shall become part of the Urban Redevelopment Plan; and

**WHEREAS**, the Board of Commissioners of the Denver Urban Renewal Authority has  
approved the redevelopment of 29th and Welton Street, consisting of approximately 62 units of  
affordable for-sale housing, and approximately 5,000 square feet of commercial space (the  
"Project"), as one of the projects for tax increment funding; and

**WHEREAS**, an amendment to the Urban Redevelopment Plan (the "Proposed Amendment")  
to create the 29th and Welton Street Tax Increment Area (the "Tax Increment Area"), to add the  
Project has been approved by the Board of Commissioners of the Denver Urban Renewal Authority;  
And

**WHEREAS**, the Denver Planning Board which is the duly designated and acting official

1 planning body of the City and County of Denver, has submitted to the Council its report and  
2 recommendations concerning the Proposed Amendment and has certified that the Proposed  
3 Amendment conforms to the Comprehensive Plan for the City and County of Denver as a whole,  
4 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 Proposed Amendment; and

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

10 **WHEREAS**, in accordance with the requirements of Section 31-25-107(9.5), Colorado  
11 Revised Statutes, School District No. 1 in the City and County of Denver and State of Colorado  
12 entered into an agreement with the Denver Urban Renewal Authority (the “DPS Agreement”) and  
13 the Urban Drainage and Flood Control District entered into an agreement with the Denver Urban  
14 Renewal Authority (the “UDFCD Agreement”).

15 **NOW, THEREFORE,**

16 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

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

21 **Section 2.** There are currently no individuals or families living in the Tax Increment Area,  
22 therefore, no individuals or families will be displaced from dwelling units as a result of adoption or  
23 implementation of the Proposed Amendment to the Urban Redevelopment Plan.

24 **Section 3.** There are currently no business concerns in the Tax Increment Area, therefore,  
25 no business concerns will be displaced as a result of adoption or implementation of the Proposed  
26 Amendment to the Urban Redevelopment Plan.

27 **Section 4.** Council set a public hearing on the Proposed Amendment for September 23,  
28 2024 (“Public Hearing”) and that it be and is hereby found and determined that reasonable efforts  
29 have been taken to provide written notice of the Public Hearing to all property owners, residents and  
30 owners of business concerns in the Welton Corridor Urban Redevelopment Area at least thirty (30)  
31 days prior to the date of the Public Hearing.

32 **Section 5.** That it be and is hereby found and determined that no more than one hundred

1 twenty (120) days have passed since the commencement of the Public Hearing.

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

5 **Section 7.** That it be and is hereby found and determined that the Urban Redevelopment  
6 Plan, as amended by the Proposed Amendment, conforms to the Denver Comprehensive Plan  
7 2040, as a whole, and is necessary and appropriate to facilitate the proper growth and  
8 development of the community in accordance with sound planning standards and local community  
9 objectives.

10 **Section 8.** That it be and is hereby found and determined that the Urban Redevelopment  
11 Plan, as amended by the Proposed Amendment, will afford maximum opportunity, consistent with  
12 the sound needs of the City as a whole, for the rehabilitation and redevelopment of the Welton  
13 Corridor Urban Redevelopment Area by private enterprise.

14 **Section 9.** That the City and County of Denver can adequately finance or agreements are  
15 in place to finance any additional City and County of Denver infrastructure and services required to  
16 serve development within the Tax Increment Area for the period during which City and County of  
17 Denver property taxes are paid to the Authority.

18 **Section 10.** That the Urban Redevelopment Plan be and is amended hereby to add the  
19 Project to Appendix A (Schedule of Projects) to the Urban Redevelopment Plan, filed in the office  
20 of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver (the "City Clerk") in  
21 City Clerk's Filing No. 20120695D and to add the Tax Increment Area to Appendix B ("Property Tax  
22 Increment Areas and Sales Tax Increment Areas"), filed with the City Clerk in the City Clerk's Filing  
23 No. 20120695E.

24 **Section 11.** That it be and hereby is found that the DPS Agreement and the UDFCD  
25 Agreement have been entered into in satisfaction of the requirements of Section 31-25-  
26 107(9.5), Colorado Revised Statutes, and the Act.

27 **Section 12.** That Ordinance No. 448, Series of 2012, is hereby amended to the extent  
28 described herein. That to the extent that any provision or provisions of the Urban  
29 Redevelopment Plan is or are deemed by a court of competent jurisdiction to be illegal, invalid  
30 or unenforceable, such provision or provisions shall not affect the validity or enforceability of all  
31 remaining provisions of the Urban Redevelopment Plan.

1 COMMITTEE APPROVAL DATE: August 27, 2024  
2 MAYOR-COUNCIL DATE: September 3, 2024 by Consent  
3 PASSED BY THE COUNCIL: \_\_\_\_\_  
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: Carmen Jackson Brown, Assistant City Attorney DATE: September 12, 2024  
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.  
15  
16 Kerry Tipper, Denver City Attorney  
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18 BY: Anshul Bagga, Assistant City Attorney DATE: Sep 12, 2024  
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