

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2019

COUNCIL BILL NO. CB19-0744  
COMMITTEE OF REFERENCE:  
Finance & Governance

**A BILL**

**For an ordinance approving the East Colfax Corridor Urban Redevelopment Plan and the creation of the East Colfax Corridor Urban Redevelopment Area and the East Colfax Corridor Property Tax Increment Area and Sales Tax Increment Area.**

**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 East Colfax corridor area in Denver and desire to create an urban redevelopment area through the adoption of this East Colfax Corridor Urban Redevelopment Plan to facilitate redevelopment of the area as more fully set forth in the East Colfax Corridor 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 East Colfax Corridor Urban Redevelopment Plan filed with the Denver City Clerk on the 15<sup>th</sup> day of August, 2019, in City Clerk File No. 20190068; and

**WHEREAS**, the East Colfax Corridor 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 East Colfax Corridor Urban Redevelopment Plan for the East Colfax Corridor Urban Redevelopment Area and certifies that the East Colfax Corridor 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**, in accordance with the requirements of § 31-25-107(9.5) of the Act, School District No. 1 in the City and County of Denver shall negotiate and enter into one or more agreements with the Authority (collectively, the "DPS Agreement") and the Urban Drainage and Flood Control District shall negotiate and enter into one or more agreements with the Authority (collectively, the "UDFCD Agreement"); and

1           **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been  
2 held concerning the East Colfax Corridor Urban Redevelopment Plan ("Public Hearing").

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

5           **Section 1.** That it be and is hereby found and determined, based upon the evidence presented  
6 at the Public Hearing, in the Conditions Study, and testimony at the Public Hearing, that the East  
7 Colfax Corridor Urban Redevelopment Area consists of a "blighted area," which is appropriate for one  
8 or more urban redevelopment projects according to the Act, and which, by reason of the following  
9 factors, constitutes "blight" (as defined in the Act), constitutes an economic and social liability, and is a  
10 menace to the public health, safety, morals and welfare: (i) slum, deteriorated, or deteriorating  
11 structures, (ii) unsanitary or unsafe conditions, (iii) deterioration of site or other improvements, (iv)  
12 unusual topography or inadequate public improvements or utilities, and (v) existence of health, safety  
13 or welfare factors requiring high levels of municipal services or substantial physical underutilization or  
14 vacancy of sites, buildings, or other improvements.

15           **Section 2.** That it be and is hereby found and determined that the East Colfax Corridor Urban  
16 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as supplemented, and is  
17 necessary and appropriate to facilitate the proper growth and development of the community in  
18 accordance with sound planning standards and local community objectives.

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

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

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

29           **Section 6.** That if business concerns are displaced by the adoption or implementation of East  
30 Colfax Corridor Urban Redevelopment Plan, a feasible method exists for the relocation of those  
31 business concerns in accordance with the Act.

32           **Section 7.** That it be and is hereby found and determined that reasonable efforts have been  
33 taken by the Authority and the City to provide written notice of the Public Hearing to all property

1 owners, residents and owners of business concerns in the East Colfax Corridor Urban Redevelopment  
2 Area at least thirty (30) days prior to the date hereof.

3 **Section 8.** That it be and is hereby found and determined that no more than one hundred  
4 twenty (120) days have passed since the commencement of the Public Hearing for the East Colfax  
5 Corridor Urban Redevelopment Plan.

6 **Section 9.** That it be and is hereby found and determined that the East Colfax Corridor Urban  
7 Redevelopment Plan contains no property that was included in a previously submitted urban renewal  
8 plan that was not approved by the City Council.

9 **Section 10.** That it be and hereby is found that the DPS Agreement and the UDFCD  
10 Agreement satisfy of the requirements of § 31-25-107(9.5) of the Act.

11 **Section 11.** That the City and County of Denver can adequately finance any additional City  
12 and County of Denver infrastructure and services required to serve development within the East  
13 Colfax Corridor Urban Redevelopment Area for the period during which City and County of Denver  
14 property taxes are paid to the Authority.

15 **Section 12.** That the East Colfax Corridor Urban Redevelopment Plan, having been duly  
16 reviewed and considered, be and hereby is approved.

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1 COMMITTEE APPROVAL DATE: July 30, 2019

2 MAYOR-COUNCIL DATE: August 6, 2019

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: Bradley T. Neiman, Assistant City Attorney DATE: August 15, 2019

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.

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16 Kristin M. Bronson, Denver City Attorney

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18 BY:  \_\_\_\_\_, Assistant City Attorney DATE: Aug 14, 2019