

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. 22-1373
COMMITTEE OF REFERENCE:
Finance and Governance

A BILL

For an ordinance approving the 27th and Larimer Urban Redevelopment Plan, the creation of the 27th and Larimer Urban Redevelopment Area and the 27th and Larimer 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 an approximately 4.99 acre site generally situated in the Five Points neighborhood bound by Larimer Street, 27th Street, Lawrence Street and 26th Street, and a smaller portion located south of 26th Street along the northeast side of the 2500 Block of Larimer Street in Denver, and desire to create an urban redevelopment area through the adoption of this 27th and Larimer Urban Redevelopment Plan, as filed with the Denver City Clerk on the 24th day of October, 2022, under City Clerk Filing No. 20220103, to facilitate redevelopment of the area as more fully set forth in the 27th and Larimer Urban Redevelopment Plan; and

WHEREAS, the Board of Commissioners of the Authority has approved the 27th and Larimer Urban Redevelopment Plan and redevelopment of the 27th and Larimer Urban Redevelopment Area as described in the 27th and Larimer Redevelopment Plan (collectively and as further described in the 27th and Larimer Urban Redevelopment Plan, the "27th and Larimer Urban Redevelopment Area"); and

WHEREAS, the Board of Commissioners of the Authority has approved the creation of the Property Tax Increment Area and the Sales Tax Increment Area, as each term is defined in the 27th and Larimer 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 27th and Larimer Urban Redevelopment Plan;

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

1 planning body of the City, has submitted to the City Council its report respecting the 27th and Larimer
2 Urban Redevelopment Plan for the 27th and Larimer Urban Redevelopment Area and certifies that
3 the 27th and Larimer Urban Redevelopment Plan conforms to the general plan for the City as a
4 whole, and the City Council duly considered the report, recommendations and certifications of the
5 Planning Board; and

6 **WHEREAS**, in accordance with the requirements of § 31-25-107(9.5) of the Act, School
7 District No. 1 in the City and County of Denver and State of Colorado ("DPS") has entered into that
8 27th and Larimer Intergovernmental Agreement with the Authority (the "DPS Agreement"), the Urban
9 Drainage and Flood Control District, doing business as the Mile High Flood District ("UDFCD") has
10 entered into that letter agreement with the Authority (the "UDFCD Agreement"), and the RiNo
11 Business Improvement District ("BID") has entered into that Intergovernmental Agreement with the
12 Authority (the "BID Agreement"); and

13 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been
14 held concerning the 27th and Larimer Urban Redevelopment Plan ("Public Hearing").

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

17 **Section 1.** That it be and is hereby found and determined, based upon the evidence
18 presented at the Public Hearing, in the related Conditions Study, and testimony at the Public Hearing,
19 that the 27th and Larimer Urban Redevelopment Area consists of a "blighted area," which is
20 appropriate for one or more urban redevelopment projects according to the Act, and which, by reason
21 of the following factors, constitutes "blight" (as defined in the Act), constitutes an economic and social
22 liability, and is a menace to the public health, safety, morals and welfare: (i) slum, deteriorated, or
23 deteriorating structures; (ii) deterioration of site or other improvements; (iii) environmental
24 contamination of buildings or property; and (iv) the existence of health, safety or welfare factors
25 requiring high levels of municipal services or substantial physical underutilization or vacancy of sites,
26 buildings, or other improvements.

27 **Section 2.** That it be and is hereby found and determined that the 27th and Larimer Urban
28 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as supplemented, and is
29 necessary and appropriate to facilitate the proper growth and development of the community in
30 accordance with sound planning standards and local community objectives.

31 **Section 3.** That it be and is hereby found and determined that the 27th and Larimer Urban
32 Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City

1 as a whole, for the rehabilitation and redevelopment of the 27th and Larimer Urban Redevelopment
2 Area by private enterprise.

3 **Section 4.** That it be and is hereby found and determined that the conditions of blight in the
4 27th and Larimer Urban Redevelopment Area constitute an economic and social liability and a
5 menace to the public health, safety, morals, or welfare.

6 **Section 5.** That if any individuals or families are displaced from dwelling units as a result of
7 adoption or implementation of the 27th and Larimer Urban Redevelopment Plan, a feasible method
8 exists for the relocation of those individuals or families in accordance with the Act.

9 **Section 6.** That if business concerns are displaced by the adoption or implementation of 27th
10 and Larimer Urban Redevelopment Plan, a feasible method exists for the relocation of those
11 business concerns in accordance with the Act.

12 **Section 7.** That it be and is hereby found and determined that reasonable efforts have been
13 taken by the Authority and the City to provide written notice of the Public Hearing to all property
14 owners, residents and owners of business concerns in the 27th and Larimer Urban Redevelopment
15 Area at least thirty (30) days prior to the date hereof.

16 **Section 8.** That it be and is hereby found and determined that no more than one hundred
17 twenty (120) days have passed since the commencement of the Public Hearing for the 27th and
18 Larimer Urban Redevelopment Plan.

19 **Section 9.** That it be and is hereby found and determined that the 27th and Larimer Urban
20 Redevelopment Plan contains no property that was included in a previously submitted urban renewal
21 plan that was not approved by the City Council.

22 **Section 10.** That it is hereby found and determined that the 27th and Larimer Urban
23 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as a whole, and is
24 necessary and appropriate to facilitate the proper growth and development of the community in
25 accordance with sound planning standards and local community objectives.

26 **Section 11.** That it be and hereby is found that the DPS Agreement, the UDFCD Agreement
27 and the BID Agreement satisfy of the requirements of § 31-25-107(9.5) of the Act.

28 **Section 12.** That the City and County of Denver can adequately finance any additional City
29 and County of Denver infrastructure and services required to serve development within the 27th and
30 Larimer Urban Redevelopment Area for the period during which City and County of Denver property
31 taxes are paid to the Authority.

1 **Section 13.** That the 27th and Larimer Urban Redevelopment Plan, having been duly
2 reviewed and considered, be and hereby is approved.

3 COMMITTEE APPROVAL DATE: November 1, 2022

4 MAYOR-COUNCIL DATE: November 8, 2022

5 PASSED BY THE COUNCIL: _____
6 _____ - PRESIDENT

7 APPROVED: _____ - MAYOR _____

8 ATTEST: _____ - CLERK AND RECORDER,
9 EX-OFFICIO CLERK OF THE
10 CITY AND COUNTY OF DENVER

11 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

12 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: November 10, 2022

13 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
14 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
16 § 3.2.6 of the Charter.

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18 Kerry Tipper, Interim Denver City Attorney

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20 BY: Anshul Bagga, Assistant City Attorney DATE: Nov 10, 2022