

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2025

COUNCIL BILL NO. CB 25-1222
COMMITTEE OF REFERENCE:
Finance and Business

5 **A BILL**

6 **For an ordinance approving the Rock Drill Urban Redevelopment Plan, the**
7 **creation of the Rock Drill Urban Redevelopment Area and the Rock Drill**
8 **Property Tax Increment Area and Sales Tax Increment Area.**
9

10 **WHEREAS**, the City and County of Denver ("City") is a consolidated city and county
11 government pursuant to Article XX, Section 1 of the Constitution of the State of Colorado; and

12 **WHEREAS**, the Denver Urban Renewal Authority ("Authority") is a body corporate
13 organized by the Colorado Urban Renewal Law, §§ 31-25-101, *et seq.*, Colorado Revised Statutes
14 ("Act"); and

15 **WHEREAS**, the City and the Authority are cooperating on the redevelopment of an
16 approximately 8.4 acre site generally bounded by East 40th Avenue to the north, Franklin Street to
17 the west, East 39th Avenue to the south and Williams Street to the east, and desire to create an
18 urban redevelopment area through the adoption of this Rock Drill Urban Redevelopment Plan, as
19 filed with the Denver City Clerk on the 21st day of August, 2025 under City Clerk Filing No.
20 20250128, to facilitate redevelopment of the area as more fully set forth in the Rock Drill Urban
21 Redevelopment Plan; and

22 **WHEREAS**, the Board of Commissioners of the Authority has approved the Rock Drill
23 Urban Redevelopment Plan and redevelopment of the Rock Drill Urban Redevelopment Area as
24 described in the Rock Drill Redevelopment Plan (collectively and as further described in the Rock
25 Drill Urban Redevelopment Plan, the "Rock Drill Urban Redevelopment Area"); and

26 **WHEREAS**, the Board of Commissioners of the Authority has approved the creation of the
27 Property Tax Increment Area and the Sales Tax Increment Area, as each term is defined in the
28 Rock Drill Redevelopment Plan; and

29 **WHEREAS**, there has been prepared and referred to the Council of the City and County of
30 Denver ("City Council") for its consideration and approval a copy of the Rock Drill Urban
31 Redevelopment Plan;

32 **WHEREAS**, in conformance with the requirements of § 31-25-107(2) of the Act the Denver
33 Planning Board, which is the duly designated and acting official planning body of the City, has
34 either: 1) submitted to the City Council its written recommendations with respect to the Rock Drill

1 Urban Redevelopment Plan for the Rock Drill Urban Redevelopment Area and certifies that the
2 Rock Drill Urban Redevelopment Plan conforms to the general plan for the City as a whole, and
3 the City Council duly considered the report, recommendations and certifications of the Planning
4 Board, or 2) more than thirty (30) days have passed since the submittal to Denver Planning Board
5 of the Rock Drill Urban Redevelopment Plan for the Rock Drill Urban Redevelopment Area without
6 a recommendation being provided by the Denver Planning Board; and

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

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

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

18 **Section 1.** That it be and is hereby found and determined, based upon the evidence
19 presented at the Public Hearing, in the related Conditions Study, and testimony at the Public
20 Hearing, that the Rock Drill Urban Redevelopment Area consists of a "blighted area," which is
21 appropriate for one or more urban redevelopment projects according to the Act, and which, by
22 reason of the following factors, constitutes "blight" (as defined in the Act), constitutes an economic
23 and social liability, and is a menace to the public health, safety, morals and welfare: (i) slum,
24 deteriorated, or deteriorating structures; (ii) deterioration of site or other improvements; (iii)
25 buildings that are unsafe or unhealthy for persons to live or work in because of building code
26 violations, dilapidation, deterioration, defective design, physical construction, or faulty or
27 inadequate facilities; (iv) environmental contamination of buildings or property; and (v) existence of
28 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 Rock Drill Urban
31 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as supplemented, and is
32 necessary and appropriate to facilitate the proper growth and development of the community in
33 accordance with sound planning standards and local community objectives.

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

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

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

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

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

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

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

24 **Section 10.** That it be and hereby is found that the DPS Agreement, the RiNo Agreement
25 and the UDFCD Agreement have been negotiated or entered into in satisfaction of the
26 requirements of § 31-25-107(9.5) of the Act.

27 **Section 11.** That the City and County of Denver can adequately finance any additional City
28 and County of Denver infrastructure and services required to serve development within the Rock
29 Drill Urban Redevelopment Area for the period during which City and County of Denver property
30 taxes are paid to the Authority.

31 **Section 12.** That the Rock Drill Urban Redevelopment Plan, having been duly reviewed
32 and considered, be and hereby is approved.
33

1 COMMITTEE APPROVAL DATE: August 26, 2025
2 MAYOR-COUNCIL DATE: September 2, 2025
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: September 4, 2025
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the 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 Katie J. McLoughlin, Interim City Attorney
17
18 BY: Jonathan Griffin, Assistant City Attorney DATE: 09/04/2025
19