

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2024

COUNCIL BILL NO. CB 24-0851
COMMITTEE OF REFERENCE:
Finance and Governance

A BILL

For an ordinance approving the Evans School Urban Redevelopment Plan, the creation of the Evans School Urban Redevelopment Area and the Evans School 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 0.8 acre site generally situated in the Golden Triangle neighborhood bounded by privately-owned vacant property to the north, Acoma Street to the east, 11th Avenue to the south and privately-owned residential property to the west, and desire to create an urban redevelopment area through the adoption of this Evans School Urban Redevelopment Plan, as filed with the Denver City Clerk on the 24th day of June, 2024, under City Clerk Filing No. 20240078, to facilitate redevelopment of the area as more fully set forth in the Evans School Urban Redevelopment Plan; and

WHEREAS, the Board of Commissioners of the Authority has approved the Evans School Urban Redevelopment Plan and redevelopment of the Evans School Urban Redevelopment Area as described in the Evans School Redevelopment Plan (collectively and as further described in the Evans School Urban Redevelopment Plan, the "Evans School 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 Evans School 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 Evans School Urban Redevelopment Plan;

WHEREAS, in conformance with the requirements of § 31-25-107(2) of the Act the Denver Planning Board, which is the duly designated and acting official planning body of the City, has either:
1) submitted to the City Council its written recommendations with respect to the Evans School Urban Redevelopment Plan for the Evans School Urban Redevelopment Area and certifies that the Evans

1 School Urban Redevelopment Plan conforms to the general plan for the City as a whole, and the
2 City Council duly considered the report, recommendations and certifications of the Planning Board,
3 or 2) more than thirty (30) days have passed since the submittal to Denver Planning Board of the
4 Evans School Urban Redevelopment Plan for the Evans School Urban Redevelopment Area without
5 a recommendation being provided by the Denver 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 negotiated or
8 entered into that Evans School Intergovernmental Agreement with the Authority (the "DPS
9 Agreement"), and the Urban Drainage and Flood Control District, doing business as the Mile High
10 Flood District (“UDFCD”) has negotiated or entered into that letter agreement with the Authority (the
11 "UDFCD Agreement"); and

12 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been
13 held concerning the Evans School Urban Redevelopment Plan ("Public Hearing").

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

16 **Section 1.** That it be and is hereby found and determined, based upon the evidence
17 presented at the Public Hearing, in the related Conditions Study, and testimony at the Public Hearing,
18 that the Evans School Urban Redevelopment Area consists of a "blighted area," which is appropriate
19 for one or more urban redevelopment projects according to the Act, and which, by reason of the
20 following factors, constitutes "blight" (as defined in the Act), constitutes an economic and social
21 liability, and is a menace to the public health, safety, morals and welfare: (i) unusual topography or
22 inadequate public improvements or utilities, (ii) buildings that are unsafe or unhealthy for persons to
23 live or work in because of building code violations, dilapidation, deterioration, defective design,
24 physical construction, or faulty or inadequate facilities, (iii) environmental contamination of buildings
25 or property, and (iv) existence of health, safety or welfare factors requiring high levels of municipal
26 services or substantial physical underutilization or vacancy of sites, buildings, or other
27 improvements.

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

32 **Section 3.** That it be and is hereby found and determined that the Evans School Urban
33 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 Evans School 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 Evans School Urban Redevelopment Area constitute an economic and social liability and a menace
5 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 Evans School 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
10 Evans School 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 Evans School 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 Evans School
18 Urban Redevelopment Plan.

19 **Section 9.** That it be and is hereby found and determined that the Evans School 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 be and hereby is found that the DPS Agreement and the UDFCD
23 Agreement have been negotiated or entered into in satisfaction of the requirements of § 31-25-
24 107(9.5) of the Act.

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

29 **Section 12.** That the Evans School Urban Redevelopment Plan, having been duly reviewed
30 and considered, be and hereby is approved.

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1 COMMITTEE APPROVAL DATE: June 25, 2024
2 MAYOR-COUNCIL DATE: July 2, 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: Bradley T. Neiman, Assistant City Attorney DATE: July 3, 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.
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16 Kerry Tipper, Denver City Attorney
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18 BY: _____, Assistant City Attorney DATE: _____
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