

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 submitted to the City Council for approval pursuant to § 3.2.6
14 of the Charter.
15
16 Kerry Tipper, Denver City Attorney
17
18 BY: _____, Assistant City Attorney DATE: _____
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