

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2018

COUNCIL BILL NO. 18-0563
COMMITTEE OF REFERENCE:
Finance & Governance

4
5 **A BILL**

6 **For an ordinance approving the 101 Broadway Urban Redevelopment Plan and the**
7 **creation of the 101 Broadway Urban Redevelopment Area and the 101 Broadway**
8 **Property Tax Increment Area and Sales Tax Increment Area.**

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

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

13 **WHEREAS**, the City and the Authority are cooperating on the redevelopment of the 101
14 Broadway area in Denver and desire to create an urban redevelopment area through the adoption of
15 this 101 Broadway Urban Redevelopment Plan to facilitate redevelopment of the area as more fully
16 set forth in the 101 Broadway Urban Redevelopment Plan; and

17 **WHEREAS**, there has been prepared and referred to the Council of the City and County of
18 Denver ("City Council") for its consideration and approval a copy of the 101 Broadway Urban
19 Redevelopment Plan filed with the Denver City Clerk on the 12th day of June, 2018 in City Clerk File
20 No. 2018-0270; and

21 **WHEREAS**, the 101 Broadway Urban Redevelopment Plan has been approved by the Board of
22 Commissioners of the Authority; and

23 **WHEREAS**, the Denver Planning Board, which is the duly designated and acting official
24 planning body of the City, has submitted to the City Council its report and recommendations
25 respecting the 101 Broadway Urban Redevelopment Plan for the 101 Broadway Urban
26 Redevelopment Area and certifies that the 101 Broadway Urban Redevelopment Plan conforms to the
27 general plan for the City as a whole, and the City Council duly considered the report,
28 recommendations and certifications of the Planning Board; and

29 **WHEREAS**, in accordance with the requirements of § 31-25-107(9.5) of the Act, School District
30 No. 1 in the City and County of Denver has entered into an agreement with the Authority (the "DPS
31 Agreement") and the Urban Drainage and Flood Control District has negotiated an agreement to be
32 entered into with the Authority (the "UDFCD Agreement"); and

1 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been
2 held concerning the 101 Broadway 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 101 Broadway
7 Urban Redevelopment Area consists of a "blighted area," which is appropriate for one or more urban
8 redevelopment projects according to the urban renewal law of the State of Colorado, C.R.S. § 31-25-
9 101, *et seq.* ("Act"), and which, by reason of the following factors, constitutes "blight" (as defined in the
10 Act), constitutes an economic and social liability, and is a menace to the public health, safety, morals
11 and welfare: (i) slum, deteriorated, or deteriorating structures, (ii) unsanitary or unsafe conditions, (iii)
12 existence of conditions that endanger life or property by fire or other causes, (iv) buildings that are
13 unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation,
14 deterioration, defective design, physical construction, or faulty or inadequate facilities, and (v)
15 existence of health, safety or welfare factors requiring high levels of municipal services or substantial
16 physical underutilization or vacancy of sites, buildings, or other improvements.

17 **Section 2.** That it be and is hereby found and determined that the 101 Broadway Urban
18 Redevelopment Plan conforms to the Denver Comprehensive Plan 2000, as supplemented, and is
19 necessary and appropriate to facilitate the proper growth and development of the community in
20 accordance with sound planning standards and local community objectives.

21 **Section 3.** That it be and is hereby found and determined that the 101 Broadway Urban
22 Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City as
23 a whole, for the rehabilitation and redevelopment of the 101 Broadway Urban Redevelopment Area by
24 private enterprise.

25 **Section 4.** That it be and is hereby found and determined that the conditions of blight in the
26 101 Broadway Urban Redevelopment Area constitute an economic and social liability and a menace
27 to the public health, safety, morals, or welfare.

28 **Section 5.** That if any individuals or families are displaced from dwelling units as a result of
29 adoption or implementation of the 101 Broadway Urban Redevelopment Plan, a feasible method
30 exists for the relocation of those individuals or families in accordance with the Act.

31 **Section 6.** That if business concerns are displaced by the adoption or implementation of 101
32 Broadway Urban Redevelopment Plan, a feasible method exists for the relocation of those business
33 concerns in accordance with the Act.

1 **Section 7.** That it be and is hereby found and determined that reasonable efforts have been
2 taken by the Authority and the City to provide written notice of the Public Hearing to all property
3 owners, residents and owners of business concerns in the 101 Broadway Urban Redevelopment Area
4 at least thirty (30) days prior to the date hereof.

5 **Section 8.** That it be and is hereby found and determined that no more than one hundred
6 twenty (120) days have passed since the commencement of the Public Hearing for the 101 Broadway
7 Urban Redevelopment Plan.

8 **Section 9.** That it be and is hereby found and determined that the 101 Broadway Urban
9 Redevelopment Plan contains no property that was included in a previously submitted urban renewal
10 plan that was not approved by the City Council.

11 **Section 10.** That it be and hereby is found that the DPS Agreement has been entered into
12 and the UDFCD Agreement has been negotiated to be entered into in satisfaction of the requirements
13 of Section 31-25-107(9.5) of the Act.

14 **Section 11.** That the City and County of Denver can adequately finance any additional City
15 and County of Denver infrastructure and services required to serve development within the 101
16 Broadway Urban Redevelopment Area for the period during which City and County of Denver property
17 taxes are paid to the Authority.

18 **Section 12.** That the 101 Broadway Urban Redevelopment Plan, having been duly reviewed
19 and considered, be and hereby is approved.

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1 COMMITTEE APPROVAL DATE: Tuesday, May 15, 2018
2 MAYOR-COUNCIL DATE: Tuesday, May 22, 2018
3 PASSED BY THE COUNCIL: June 25, 2018

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR Jun 26, 2018

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: Noah Cecil, Assistant City Attorney DATE: June 14, 2018

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.

15 Kristin M. Bronson, Denver City Attorney

16 BY: Kristin J. Crawford, Assistant City Attorney DATE: Jun 14, 2018