

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2020

COUNCIL BILL NO. 20-0933
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance approving the 1840 Grant Street Urban Redevelopment Plan, the creation of the 1840 Grant Street Urban Redevelopment Area and the 1840 Grant Street Property Tax Increment Area and Sales Tax Increment Area and in connection therewith amending the St. Luke's Urban Redevelopment Plan.

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 the 1840 Grant Street area in Denver and desire to create an urban redevelopment area through the adoption of this 1840 Grant Street Urban Redevelopment Plan, as filed with the Denver City Clerk on the 10th day of September, 2020, under City Clerk Filing No. 20200082, to facilitate redevelopment of the area as more fully set forth in the 1840 Grant Street Urban Redevelopment Plan; and

WHEREAS, the Board of Commissioners of the Authority has approved the 1840 Grant Street Urban Redevelopment Plan and redevelopment of the 1840 Grant Street Urban Redevelopment Area through the rehabilitation and reuse of the Cathedral High School and Sisters of Charity Convent Building and Oscar Malo Jr. Memorial Hall Gymnasium Building, and the development of an approximately 212,000 square foot, eleven story tower to be located on the existing surface parking lot, as described in the 1840 Grant Street Redevelopment Plan (collectively and as further described in the 1840 Grant Street Urban Redevelopment Plan, the "1840 Grant Street 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 1840 Grant Street 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 1840 Grant Street 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 and recommendations
2 respecting the 1840 Grant Street Urban Redevelopment Plan for the 1840 Grant Street Urban
3 Redevelopment Area and certifies that the 1840 Grant Street Urban Redevelopment Plan conforms
4 to the general plan for the City as a whole, and the City Council duly considered the report,
5 recommendations and certifications of the 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 1840 Grant Street Intergovernmental Agreement with the Authority (the "DPS Agreement") and the
9 Urban Drainage and Flood Control District ("UDFCD") has entered into that letter agreement with
10 the Authority (the "UDFCD Agreement"); and

11 **WHEREAS**, the City Council previously approved the St. Luke's Urban Redevelopment Plan,
12 as filed under City Clerk Filing No. 96-711, pursuant to Ordinance No. 667, Series of 1996 (the "St.
13 Luke's Urban Redevelopment Plan"); and

14 **WHEREAS**, the urban redevelopment area created by the St. Luke's Urban Redevelopment
15 Plan (the "St. Luke's Urban Redevelopment Area") contains an area that overlaps with the proposed
16 1840 Grant Street Urban Redevelopment Area (the "Overlap Area") and the legal description of the
17 overlapping area is shown in the Amendment (as defined below) ; and

18 **WHEREAS**, no development or rehabilitation occurred in the Overlap Area pursuant to the
19 St. Luke's Urban Redevelopment Plan; and

20 **WHEREAS**, the City and the Authority desire to amend the St. Luke's Urban Redevelopment
21 Plan pursuant to the amendment as filed with the Denver City Clerk on the 10th day of September,
22 2020 under City Clerk Filing No. 19960711-C (the "Amendment") to remove the Overlap Area from
23 the St. Luke's Urban Redevelopment Area; and

24 **WHEREAS**, the Amendment is not considered to be a substantial modification of the St.
25 Luke's Urban Redevelopment Plan in accordance with § 31-25-107(7), Colorado Revised Statutes;
26 and

27 **WHEREAS**, the Amendment has been approved by the Board of Commissioners of the
28 Authority; and

29 **WHEREAS**, in accordance with the requirements of § 31-25-107(7), Colorado Revised
30 Statutes, the Authority has provided to DPS and UDFCD a written description of the Amendment
31 and a notice the date and time of the Amendment is being considered by the City Council; and

32 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been

1 held concerning the 1840 Grant Street Urban Redevelopment Plan ("Public Hearing").

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

4 **Section 1.** That it be and is hereby found and determined, based upon the evidence
5 presented at the Public Hearing, in the Conditions Study, and testimony at the Public Hearing, that
6 the 1840 Grant Street Urban Redevelopment Area consists of a "blighted area," which is appropriate
7 for one or more urban redevelopment projects according to the Act, and which, by reason of the
8 following factors, constitutes "blight" (as defined in the Act), constitutes an economic and social
9 liability, and is a menace to the public health, safety, morals and welfare: (i) slum, deteriorated, or
10 deteriorating structures, (ii) buildings that are unsafe or unhealthy for persons to live or work in
11 because of building code violations, dilapidation, deterioration, defective design, physical
12 construction, or faulty or inadequate facilities, (iii) environmental contamination of buildings or
13 property, and (iv) existence of health, safety or welfare factors requiring high levels of municipal
14 services or substantial physical underutilization or vacancy of sites, buildings, or other
15 improvements.

16 **Section 2.** That it be and is hereby found and determined that the 1840 Grant Street Urban
17 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as supplemented, and is
18 necessary and appropriate to facilitate the proper growth and development of the community in
19 accordance with sound planning standards and local community objectives.

20 **Section 3.** That it be and is hereby found and determined that the 1840 Grant Street Urban
21 Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City
22 as a whole, for the rehabilitation and redevelopment of the 1840 Grant Street Urban Redevelopment
23 Area by private enterprise.

24 **Section 4.** That it be and is hereby found and determined that the conditions of blight in the
25 1840 Grant Street Urban Redevelopment Area constitute an economic and social liability and a
26 menace to the public health, safety, morals, or welfare.

27 **Section 5.** That if any individuals or families are displaced from dwelling units as a result of
28 adoption or implementation of the 1840 Grant Street Urban Redevelopment Plan, a feasible method
29 exists for the relocation of those individuals or families in accordance with the Act.

30 **Section 6.** That if business concerns are displaced by the adoption or implementation of
31 1840 Grant Street Urban Redevelopment Plan, a feasible method exists for the relocation of those
32 business 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 1840 Grant Street Urban Redevelopment
4 Area 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 1840 Grant
7 Street Urban Redevelopment Plan.

8 **Section 9.** That it be and is hereby found and determined that the 1840 Grant Street 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 is hereby found and determined that the 1840 Grant Street Urban
12 Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as a whole, and is
13 necessary and appropriate to facilitate the proper growth and development of the community in
14 accordance with sound planning standards and local community objectives.

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

17 **Section 12.** That the City and County of Denver can adequately finance any additional City
18 and County of Denver infrastructure and services required to serve development within the 1840
19 Grant Street Urban Redevelopment Area for the period during which City and County of Denver
20 property taxes are paid to the Authority.

21 **Section 13.** That the Amendment to the St. Luke's Urban Redevelopment Plan to remove
22 the Overlap Area from the St. Luke's Urban Redevelopment Area, having been duly reviewed and
23 considered, be and hereby is approved.

24 **Section 14.** That the 1840 Grant Street Urban Redevelopment Plan, having been duly
25 reviewed and considered, be and hereby is approved.

26

27

28 **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

29

1 COMMITTEE APPROVAL DATE: September 15, 2020
2 MAYOR-COUNCIL DATE: September 22, 2020
3 PASSED BY THE COUNCIL: _____ October 20, 2020
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____ Oct 22, 2020
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: October 8, 2020
11 Pursuant to section 13-12, 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 Kristin M. Bronson, Denver City Attorney
17
18 BY: _____, Assistant City Attorney DATE: Oct 8, 2020