

# URBAN RENEWAL PLANS

## URBAN RENEWAL PLANS

- Urban Renewal Plan West Midway Extended (1988)
- Broomfield Shopping Center (1991)
- 96<sup>th</sup> Street Gateway Urban Renewal Project (1993)
- 120<sup>th</sup> Avenue Gateway Corridor Urban Renewal Plan (1995)
- Villager Square Shopping Center in the Villager Square Urban Renewal Plan (1997)
- West 120<sup>th</sup> Avenue Urban Renewal Project (1998)
- Urban Renewal Plan for the North Park West (2004)  
Urban Renewal Project

RESOLUTION NO. 60-88

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS  
AND APPROVING AN URBAN RENEWAL PLAN ENTITLED "URBAN  
RENEWAL PLAN - WEST MIDWAY EXTENDED"

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOMFIELD,  
COLORADO:

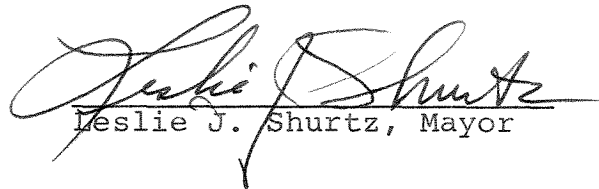
Section 1. Findings. The Broomfield City Council finds that:

- 1.1 The City Council has reviewed an urban renewal plan entitled "Urban Renewal Plan - West Midway Extended." A copy is attached hereto as Exhibit A and encompassed herein by this reference.
- 1.2 The City Council held a public hearing on May 10, 1988. Proper public notice of said hearing was published in a newspaper having a general circulation in the municipality.
- 1.3 The Broomfield Planning and Zoning Commission has found the proposed urban renewal plan to be in conformity with the general plan for the development of the municipality as a whole (the 1984 Master Plan, as amended), and has recommended approval.
- 1.4 The urban renewal plan involves no activities which will require relocation of individuals and families.
- 1.5 The urban renewal plan conforms to the general plan of the municipality as a whole (the 1984 Master Plan, as amended).
- 1.6 The urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.
- 1.7 The urban renewal area consists of open land which, under the urban renewal plan, is to be developed for non-residential uses. Such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives. The contemplated acquisition of a portion of the area may require the exercise of governmental action as provided in part 1 of Article 25, Title 31, C.R.S., because of being in a blighted area.

Resolution No. 60-88  
Page No. 2

Section 2. Decision. The urban renewal plan entitled "Urban  
Renewal Plan - West Midway Extended" is hereby approved.


ADOPTED this 10<sup>th</sup> day of May, 1988.

  
Leslie J. Shurtz, Mayor

ATTEST:

  
Vicki Marcy, City Clerk

APPROVED AS TO FORM:

  
Matthew Glasser, City Attorney

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URBAN RENEWAL PLAN - WEST MIDWAY EXTENDED

Revision: 5/5/88

## TABLE OF CONTENTS

|   | Page |
|---|------|
| I. INTRODUCTION                                   |      |
| A. Preface  | 3    |
| B. Project Purposes                               | 3    |
| C. Project Area                                   | 4    |
| D. Plan's Relationship to Local Objectives        | 5    |
| II. PROJECT PLAN                                  |      |
| A. Overall Development Plan                       | 6    |
| B. Initial Phase - Private Improvements           | 6    |
| C. Initial Phase - Public Improvements            | 6    |
| 1. Streets and Utilities                          | 7    |
| 2. Parks, Recreation and Open Space               | 7    |
| D. Later Phases - Public and Private Improvements | 7    |
| E. Planning and Design Standards                  | 8    |
| III. PROCEDURES FOR IMPLEMENTATION                |      |
| A. Project Activities                             | 10   |
| B. Redevelopment Agreements                       | 10   |
| C. Financing                                      | 10   |
| 1. Methods of Financing                           | 10   |
| 2. Tax Increment Financing                        | 11   |
| 3. Project Financing Analysis                     | 14   |
| D. Relocation                                     | 15   |

## I. INTRODUCTION

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### A. PREFACE

This Plan has been prepared pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, C.R.S., as amended. The administration of this project and the enforcement of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Broomfield Urban Renewal Authority.

### B. PROJECT PURPOSES

An Urban Renewal Plan for the industrial area described on Exhibit A has been developed to achieve the following purposes:

1. TO ELIMINATE the existing blighted conditions in their various forms within the Urban Renewal Project Area (hereinafter referred to as the Area), which constitute a serious and growing problem (as delineated in the "Addendum to Blight Survey" dated April 1988) prepared by WestPlan Partnership; are injurious to the well-being of the entire community; constitute economic and social liabilities for the City; and adversely affect the sound growth of the City.
2. TO STIMULATE the development of vacant industrial land in the Area; TO ENCOURAGE improvement of existing properties; and TO RETAIN existing industries and provide for their expansion needs.
3. TO IMPROVE CONDITIONS AND CORRECT PROBLEMS in the Area related to access, traffic, pedestrian and bicycle circulation, public utilities, public amenities, recreation, drainage and TO ENSURE that existing and proposed development is sensitive to surrounding residential neighborhoods.
4. TO ASSIST in developing the economic potential of this Area, through the attraction of capital investment, retention and expansion of existing industries and maintaining a competitive regional position, thereby, providing employment and strengthening the City's economic base.
5. TO DEVELOP a strong visual entry to the City from the northwest in a highly visible location, which reflects an image of a quality development, through good landscaping and design.

6. TO IMPLEMENT the 1984 Broomfield Master Plan, as amended, and insure the orderly growth of the Broomfield industrial sector of the community.

#### C. PROJECT AREA

The boundaries of the Broomfield Urban Renewal Project Area are illustrated on Exhibit A, and include the following described property:

Tract A Lac Amora Filing No. 2; and

Turnpike Industrial Park Filing No. 3; and

Lots 1 and 2, Block 5, Lots 1-6, Block 4, Atlas Industrial Park Replat; and

West Midway Boulevard right-of-way from the west right-of-way line of Hoyt Street to the west right-of-way line of Burbank Street; and Compton Street from the north right-of-way of West Midway Boulevard to the east line of Lot 7, Block 1, Ideal Industrial Park; and

the following described parcel:

A parcel of land located in a portion of the Northeast one-quarter of Section 33 and a portion of the Northwest one-quarter of Section 34, Township 1 South, Range 69 West of the Sixth Principal Meridian, County of Boulder, State of Colorado, more particularly described as follows:

Commencing at the Northeast corner of the Northwest one-quarter of said Section 34; thence S00°25'42"E and along the East line of said Northwest one-quarter a distance of 151.19 feet to the North line of Turnpike Industrial Park Filing Number 2; thence S88°45'00"W and along said North line a distance of 1127.83 feet to the West line of said Turnpike Industrial Park Filing Number 2, being the True Point of Beginning; thence N01°15'00"W a distance of 101.17 feet; thence S88°45'00"W a distance of 1495.21 feet to the West line of the Northwest one-quarter of Section 34; thence N88°43'00"W a distance of 723.62 feet to a point on a curve; thence S30°40'00"E and along a curve to the left having a radius of 1498.61 feet and a central angle of 20°34'49" an arc distance of 538.29 feet to a point of tangent; thence S51°14'49"E along said tangent a distance of 1685.27 feet; thence S38°45'11"W a distance of 40.00 feet to the Northerly right-of-way line of the Burlington Northern Railroad; thence Southeasterly along said Northerly right-of-way line a distance of 650.00 feet (more or less) to a point which intersects with the West right-of-way line of Hoyt Street extended; thence N01°15'00"W and along said West right-of-way line extended a distance of 285.00 feet (more or less) to a

point on the South right-of-way line of West Midway Boulevard; thence continuing N01°15'00"W and along said West right-of-way line of Hoyt Street a distance of 1434.93 feet to a point at the Northwest corner of Turnpike Industrial Park Filing Number 2, also being the True Point of Beginning.

#### D. PLAN'S RELATIONSHIP TO LOCAL OBJECTIVES

The Urban Renewal Plan is in conformance with the 1984 Master Plan, as amended. The Urban Renewal Plan places special emphasis on the following local objectives:

1. The Urban Renewal Plan reflects the strong commitment for industrial development in the community.
2. The designated land use is industrial, which is an objective of the Master Plan.
3. The boundary between the project area and the neighboring residential development is designated as a design sensitive area in the Master Plan. Accordingly, the Urban Renewal Plan mitigates potential land use conflicts through planning and design standards.
4. Adequate recreational and community facilities are a key local objective. To help achieve this objective, a trail is planned along the north boundary of the industrial area which will connect areas of the community.
5. Major highways are designated as visual corridors in the Master Plan. Broomfield's image is created by what is seen along its adjoining highways. Accordingly, the Urban Renewal Plan provides for landscaping for screening of individual sites, limits outdoor storage and encourages distinctive, high-quality building design.
6. The Urban Renewal Plan provides for Midway Boulevard to be extended west across U.S. 36 to Coalton Road. This relates directly to achieving the local objective of enhancing traffic flow and access.
7. The plan calls for improved sewer utility service within the area, which is an important local objective.

## II. PROJECT PLAN

### A. OVERALL REDEVELOPMENT PLAN

The proposed project plan, as illustrated on Exhibit B, provides for the following:

1. Acquisition of vacant property by the Broomfield Urban Renewal Authority;
2. Conveyance of acquired property for private industrial development;
3. Public street, park, landscaping and utility improvements;
4. Buffering of existing residential development; and
5. Enhanced community image through architectural design, site planning and landscaping requirements.

Since all private parcels within the project area are vacant, no demolition or removal of structures is anticipated.

### B. INITIAL PHASE - PRIVATE IMPROVEMENTS

Private improvements in the initial phase are anticipated to occur on a 25 acre parcel of land generally located west of Hoyt Street, south of Lac Amora, Filing No. 2 and Lac Amora, Filing No. 3, and north and east of the Burlington Northern Railroad right-of-ways. The 25 acre parcel is to be acquired by the Broomfield Urban Renewal Authority and then transferred to a developer for development of a manufacturing facility. In connection with this transfer, the Authority first proposes to prepare the property for development by acquiring water and sewer licenses for the property. It is anticipated that the valuation of this private redevelopment will generate sufficient tax increment to fund the anticipated costs of the project.

This initial phase may be developed in two or more sub-phases.

### C. INITIAL PHASE - PUBLIC IMPROVEMENTS

The Authority, through agreements with the City or a developer or contractor, may provide for construction of public improvements which are part of the project. These improvements may be constructed in a single phase or in a series of sub-phases.

The proposed public improvements are as follows:

1. Streets and Utilities

- a. West Midway Boulevard is anticipated to be extended approximately 1,400 feet west from Hoyt Street so as to provide improved access to the project area.
- b. Sewer service is anticipated to be extended from the Interlocken lift station to serve the project area.

2. Parks, Recreation and Open Space

- a. Landscaped land use buffers and a pedestrian/bicycle trail are anticipated to be developed along the north side of the initial 25 acres and from Hoyt Street east to Community Ditch. A park and open space area is also anticipated to be developed in the project area. Picnic tables and shelters are anticipated to be installed. These improvements are anticipated to be built on City-owned property.
- b. It is anticipated that West Midway Boulevard street right-of-way landscaping areas will be developed within City rights-of-way on the north side of West Midway Boulevard between Compton Street and Burbank Street. This will improve the current image of the urban renewal area and the community, set the tone for development of the vacant properties, and enhance the marketability and thus hasten the development of industrial properties within the area.

D. LATER PHASES - PUBLIC AND PRIVATE IMPROVEMENTS

Private improvements on the remaining private property within the project area are anticipated to include uses permitted in accordance with the City's zoning ordinances.

Public improvements beyond the initial phase are projected to include the extension of Midway Boulevard to Industrial Lane, to further improve access to the project area. Pavement, curb, gutter, sidewalk, and other street improvements may also be provided in subsequent phases. Water or sewer service improvements may also be necessary to optimize developability of private parcels.

Landscaping, park improvements, drainage facilities, and open space improvements may also be provided in later phases, including pedestrian bridge(s) across Community

Ditch and redevelopment of an existing drainage detention area as landscaped open space and a trail head. Future park improvements may also include horseshoes, softball, and volleyball areas.

Phases may be done in any order. They are not necessarily sequential.

#### E. PLANNING AND DESIGN STANDARDS

Properties within the project, especially those visible from U.S. 36, must be developed with high standards of site planning and architectural design. Prior to the issuance of any building permits within the project area, the Broomfield Urban Renewal Authority shall review a proposed development plan and shall determine whether the proposed development plans are in compliance with the Urban Renewal Plan.

##### 1. Permitted Land Uses

Land uses within the project area shall be generally as permitted in the existing zone districts. However, no outdoor storage of materials is permitted if such materials will be visible from public rights-of-way or residential properties.

##### 2. Building facade materials shall be: brick, split-faced block, stone, or aggregate-finished concrete.

Roofs shall be either flat roofs with parapet walls, hip roof, or glass, galleria-style.

Distinctive, high-quality building designs are encouraged.

##### 3. Building heights shall be set so as to achieve the following:

- a. transition from existing dwellings
- b. preservation of views to/from office buildings
- c. maintenance of a relatively low profile against hillside(s)

##### 4. Signage

Signs shall conform to the City's sign code. Free-standing signs shall be restricted to low monument-type signs. Building signs shall be limited to company names or graphic corporate symbols. Sign materials shall reflect a quality, "high-tech" image.



5. Landscaping

- a. Parking lots shall be partially screened from public rights-of-way by materials at least 30 inches in height.
- b. Deciduous shade trees shall be planted in parking lots and along south lot lines.
- c. Consistent, high-quality landscape materials shall be used along street rights-of-way to establish a unified theme.

### III. PROCEDURES FOR IMPLEMENTATION

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#### A. PROJECT ACTIVITIES

The Broomfield Urban Renewal Authority may exercise all legal powers without limitation. These powers may include:

- acquisition of property or any interest in property by any lawful methods (including eminent domain);
- management of property;
- demolition and clearance of property;
- furnishing or repair of public streets, utilities or other improvements;
- disposal of property or any interest in property.

#### B. REDEVELOPMENT AGREEMENTS

Disposition and development agreements will be negotiated with any developers submitting successful proposals.

These agreements will specifically address the financial commitments of the parties and the timetable for construction of improvements.

#### C. FINANCING

##### 1. Methods of Financing

The following methods of financing the urban renewal project are illustrative only, not necessarily inclusive or complete. All financing methods legally available to the City and/or Authority and/or the developer may be used to finance the public improvements or any other costs described or anticipated in this Plan, or related in any manner to the redevelopment project. These methods include but are not limited to:

- a. Property tax increment financing,
- b. Sales tax increment financing,
- c. General obligation bond financing,
- d. Municipal revenue bond financing,

- e. General improvement district financing,
- f. Local improvement district and special assessment financing,
- g. Tax anticipation notes and warrants,
- h. Installment purchasing,
- i. Short term notes and loans,
- j. Tax exempt mortgage financing,
- k. Industrial development revenue bond financing,
- l. Conventional financing, and/or
- m. Any other method of financing acquisition, improvements or redevelopment authorized by law.

These methods can be combined to finance individual portions of the project or the entire project as the City and Authority deem appropriate. These methods can also be used insofar as legally allowable to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the City or Authority to finance or refinance in whole or in part, the projects contained in this Plan. It is the policy of the Broomfield Urban Renewal Authority to consider any and all methods of financing by any legal issuer, or any combination of methods of financing.

## 2. Tax Increment Financing

Colorado urban renewal law allows cities to include within an Urban Renewal Plan a provision that property and municipal sales taxes collected within the redevelopment area can be utilized to pay bonds, loans, advances or indebtedness of the Authority. These taxes may be used for a period not to exceed twenty-five years after the effective date of adoption of the renewal plan. Pursuant to such law, both property and municipal sales tax increments derived from this project area shall be used to pay the principal of, interest on, and any premiums due in connection with the bonds, loans, advances, other indebtedness or financial obligations of any nature of the Broomfield Urban Renewal Authority for financing all or a portion of the cost of the urban renewal project within this project area. The following information describes the division of funds necessary to implement the tax increment mechanism under this Plan. This description relates to all property and municipal sales taxes generated within this project.

- a. The effective date of this Plan shall be May 10, 1988, that date being subsequent to December 28, 1987, the last date of certification of valuation for assessment of taxable property within the boundaries of this project area. The base year for property tax valuation shall be 1987.
- b. The Authority shall establish a tax increment revenue fund for the deposit of property and sales tax increments and any other funds designated by the Authority.
- c. Municipal sales taxes collected in this project area for the twelve month period ending on the last day of the month (April 30, 1988) prior to the effective date of this Plan (May 10, 1988) shall be certified to the Authority by the City's Finance Director as soon as possible. The twelve-month period base year for the division of sales taxes shall be May 1, 1987, to April 30, 1988.
- d. Property and municipal sales tax shall be divided according to Colorado law, for a period of twenty-five years from the effective date of this Plan (May 10, 1988) unless the Authority deems that all of the projects anticipated in this Plan have been accomplished and all debts incurred to finance those projects have been repaid or otherwise disposed of. In that event the Authority may declare the Plan implemented, and all taxes upon taxable property and total municipal sales tax collections derived from this project area thereafter shall be paid into the funds of the respective public bodies.
- e. The division of municipal sales taxes generated and collected from within this area after April 30, 1988, shall be:
  - (1) The base year amount shall be first paid into the funds of the City.
  - (2) Upon receipt by the City, One Hundred Percent (100%) of the incremental amount in excess of the base year amount shall be paid into the tax increment revenue fund of the Broomfield Urban Renewal Authority as provided by statute.

- (3) Payment of incremental funds to the Authority shall commence only after the base year amount has been collected and paid into the funds of the City.
  - (4) All interest earned on the deposit or investment of funds allocated to the tax increment revenue fund shall be paid into said fund.
- f. The division of ad valorem property taxes for the project area shall be divided and paid to the Authority by the Boulder County Treasurer as provided by Colorado law.
- g. Tax increment revenues may be irrevocably pledged by the Authority for the payment of the principal of, the interest on and any premiums due in connection with the bonds, loans, advances, indebtedness and financial obligations of the Authority. It is anticipated, but not binding upon the Authority, that the first such bonds will be issued by the Authority in the second or third quarter of 1988. Any and all funds paid into the tax increment revenue fund prior to the issuance of the bonds shall be retained in the tax increment fund until such bonds have been issued.
- h. In connection with the issuance of bonds, the Authority shall establish such other funds and accounts as may be necessary to:
  - (1) Service the debt on bonds, loans, notes, financial obligations, and advances, and
  - (2) Create debt service and other reserves to cover a portion of the debt service on bonds, notes, loans or advances.

### 3. Project Financing Analysis

#### a. Initial Phase Project Expenses

Initial expenses of the Broomfield Urban Renewal Authority may include debt; acquisition and option costs; landscaping and park development costs; water and sewer license, tap and inspection fees; street improvements; administrative and related costs; costs of issuance of bonds; and required bond interest and security reserves. After acquisition and preparation of the land, transfer thereof to the developer will generate income to cover some of the initial expenses.

The following expenses and costs are based on the best information available and are preliminary estimates, subject to confirmation, negotiation, bid, agreement, real estate appraisals, litigation, changes in the market and many other factors. They must be evaluated in that perspective. The purpose of this information is to establish a general outline and method of financing and analysis thereof. It is not to prescribe the limits of the costs, income, benefits or risks. Each of these items will be determined and evaluated as the project progresses and as specific details become available.

Table One: Initial Phase Project Expenditures:  
Estimated

|  |                |
|--|----------------|
| Acquisition Costs  |                |
| Land-Purchase Price .....                                | \$2,602,710    |
| Option Payment .....                                     | 50,000         |
| Landscaping & Park Development Costs .....               | 539,615        |
| Other Property Preparation Expenses                      |                |
| Water & Sewer License, Tap, and<br>Inspection Fees ..... | 56,155         |
| Street Improvements .....                                | 168,000        |
| Administrative & Related Costs .....                     | 20,000         |
| Bond Issuance Costs .....                                | 91,411         |
| Bond Interest & Security Reserves .....                  | <u>366,439</u> |
| TOTAL  | \$3,894,330    |

b. Initial Phase Project Income

The purchase price of the land to be paid by the developer will be as provided in a negotiated development agreement. The Broomfield Urban Renewal Authority anticipates the following income:

Table Two: Initial Phase Project Income:  
Estimated

|                            |                  |
|----------------------------|------------------|
| Transfer of Property ..... | \$1,905,750      |
| Bonds & Other Indebtedness | <u>1,988,580</u> |
| TOTAL                      | \$3,894,330      |

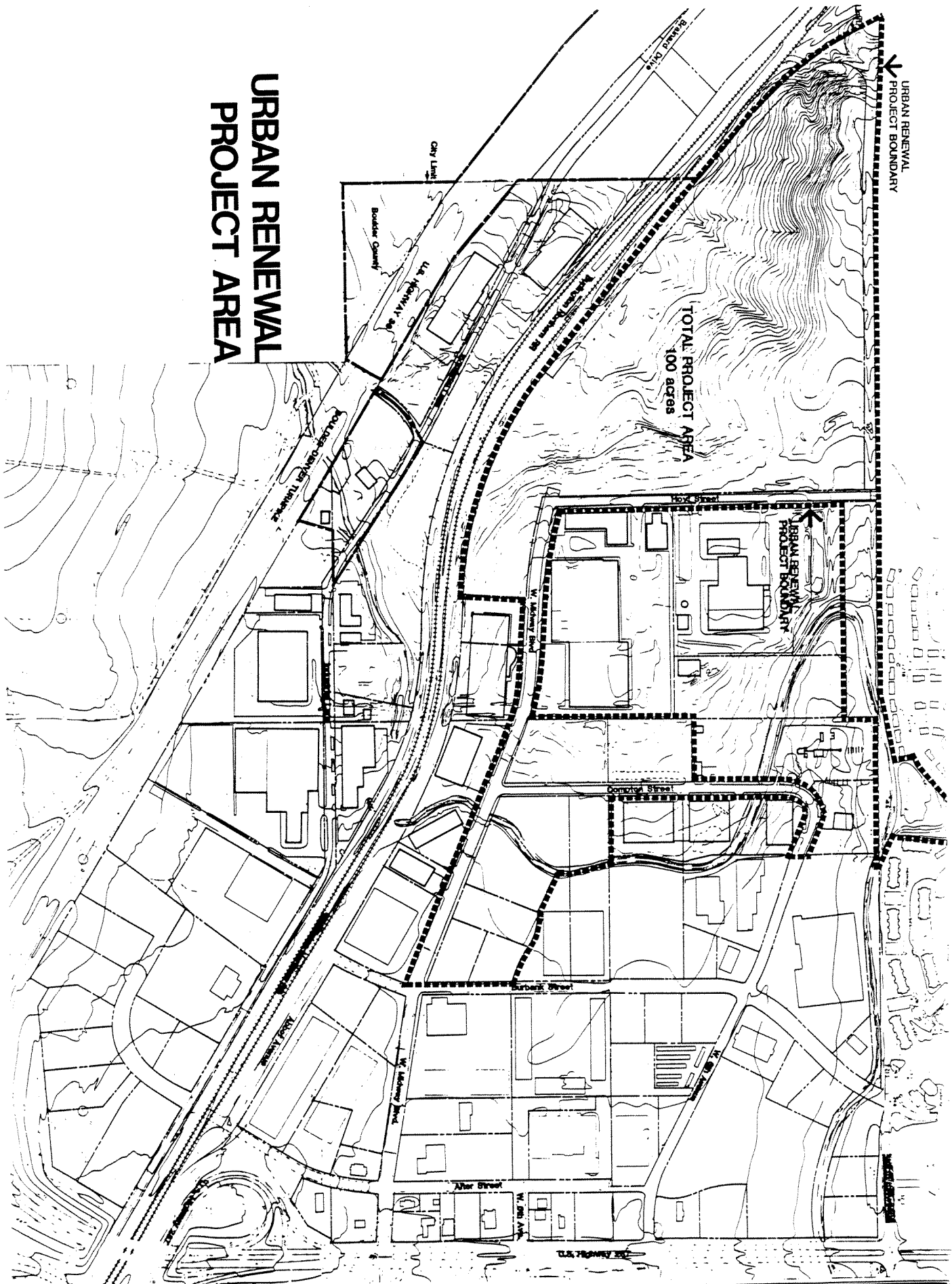
b. Subsequent Phases

Financing alternatives for subsequent phases of this Urban Renewal Plan will be explored prior to implementation of such subsequent phases.

D. RELOCATION

There are no residences or businesses which will be displaced by the urban renewal project in accordance with this plan. Therefore, this plan does not include a plan for relocation. In the event any relocation or displacement of residences or businesses ever occurs as a result of this project, this plan shall be amended to include a relocation plan.

# URBAN RENEWAL PROJECT AREA



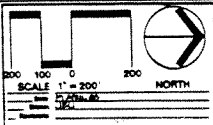
**BROOMFIELD**

Colorado

URBAN RENEWAL PLAN

URBAN RENEWAL  
PROJECT AREA

EXHIBIT A







RESOLUTION NO. 34-91

A RESOLUTION SUBMITTING AN URBAN RENEWAL PLAN TO THE  
PLANNING AND ZONING COMMISSION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOMFIELD,  
COLORADO:

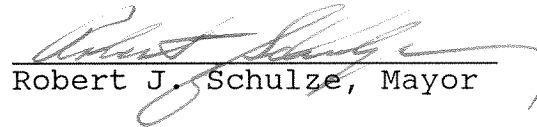
Section 1. Findings. The Broomfield City Council finds that:

- 1.1 The City Council previously determined, in Resolution No. 155-86, which is attached hereto as Exhibit A and incorporated herein by reference, that a Blight Survey found that one or more blighted areas exist in the City.
- 1.2 The City Council has reviewed the memorandum from Kirk Oglesby dated April 9, 1991, which is attached hereto as Exhibit B and incorporated by reference, and finds that the blighted conditions sited in that survey continue to exist and have worsened since the date of that resolution.
- 1.3 The City Council has received a proposed urban renewal plan, a copy of which is attached hereto as Exhibit C and incorporated herein by reference, which addresses the blighted conditions within the area of the Blight Survey.
- 1.4 Section 31-25-107(2), C.R.S., requires that prior to its approval of an urban renewal plan, the governing body shall submit the plan to the planning commission of the municipality for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole (The 1988 Master Plan, as amended).


Section 2. Submittal of Plan.

- 2.1 The City Council hereby submits the proposed urban renewal plan (Exhibit C) to the Broomfield Planning and Zoning Commission for its review and recommendations pursuant to said statute.
- 2.2 The Commission is requested to review the plan and submit its recommendations on or before April 17, 1991.


ADOPTED this 9<sup>th</sup> day of April, 1991.

  
Robert J. Schulze, Mayor

ATTEST:

  
Vicki Marcy, City Clerk

APPROVED AS TO FORM:

  
Laura Ditges, City Attorney

**URBAN RENEWAL PLAN  
BROOMFIELD SHOPPING CENTER**

**I. INTRODUCTION**

This Urban Renewal Plan (the "Plan") is prepared pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, C.R.S., as amended. The administration and the enforcement of the Plan, including the preparation and execution of any documents implementing it, shall be performed by the Broomfield Urban Renewal Authority (the "Authority").

The Plan, any modifications thereto, shall control the land use, design and building requirements within the "Plan Area," as defined below. Any development within the Plan Area must be approved by the Authority and comply with all City of Broomfield regulations and Ordinances.

The redevelopment of the "Plan Area" will require public and private participation. The elements of such participation shall be included in a Disposition and Development agreement.

**A. General Description**

1. Plan Area: The area encompassed by the Plan is illustrated on the Plan Area Map, Exhibit A, and includes the property located north of West 120th Avenue, east of Burbank Street, south of West 6th Avenue between Burbank Street and U.S. 287, and south of North Midway Park, and west of Laurel Street.
2. Project Area: The area to be redeveloped is illustrated on the Plan Area Map, and includes the property located generally north and east of U.S. 287, south of North Midway Park, and west of Laurel Street.
3. Objectives: To redevelop the Project Area into a modern, consumer-viable, vibrant, attractive and welcoming retail/business center.

**B. Plan Purpose**

This Plan for the Project Area has been adopted to achieve the following purposes:

1. To implement the 1988 Broomfield Master Plan, as amended ("Master Plan"), and insure the orderly growth of the Broomfield business/retail sector of the community.



10th Ave.

# PLAN AREA MAP

## LEGEND:

PLANNING AREA

PROJECT AREA

264 ACRES

69 ACRES

PUD

U.S. 287

PUD

I-1

I-1

B-2

I-2

I-2

B-1

B-1

B-1

R-1

N MIDWAY PARK

Midway Blvd.

I-1

I-1



MARCH 29, 1991

B-2

R-5

B-2

B-2

B-2

I-1

PUD

S.H. 121

U.S. 36

B-2

I-1

PUD

R-1

B-2

PUD

B-2

B-1

U.S. 287

Laurel St.

R-1

B-1

B-2

B-1



2. To assist in developing the economic potential of the Project Area through the attraction of capital investment and new retail businesses, retention and expansion of existing businesses, and development of a competitive regional retail market, thereby providing employment and strengthening the City's economic base.
3. To create a high quality image of Broomfield and the Project Area by creating a pleasing visual image at the entry through landscaping and design concepts, and through the creation of a "gateway" into the Project Area. The "gateway" will be directly off U.S. 287 and will improve entry experience, while accommodating full traffic movements and access.
4. To expand retail opportunities for the citizens of Broomfield and the surrounding area and to create a stable sales tax base for the city.
5. To provide for the redevelopment of commercial land in the Project Area and to encourage improvement of existing properties.
6. To upgrade the access, traffic, pedestrian and bicycle circulation, public utilities, public amenities, recreation and drainage in the Project Area, while ensuring that existing and proposed development is sensitive to the surrounding residential neighborhoods.

C. Plan's Relationship to Local Objectives

The Plan is in conformance with the Master Plan. The Plan places special emphasis on the following local objectives:

1. A strong commitment to retail development in the Project Area, an objective of the Master Plan.
2. The need for improved traffic patterns in the Project Area. Adequate east-west traffic flow should be accommodated in any redevelopment project.
3. A serious interest in development and expansion of pedestrian access and public transportation.
4. The mitigation of potential land use conflicts between the Project Area and neighboring residential development through implementation of planning and design standards.

5. Adequate recreational and community facilities. A trail connection between the existing Broomfield trails system and the Project Area is desired.
6. Enhancement of visual corridors designated in the Master Plan.

## II. PROJECT PLAN

The Project Area is designated for the development of a large regional shopping area and ancillary public and private mixed uses.

### A. Land Acquisition

If property is acquired by the Authority, the land shall be sold, leased, or transferred at not less than its fair value (as determined by the Authority) to be used in compliance with the Urban Renewal Plan. In determining the fair value the Authority shall consider such matters as the uses for the property as provided in the Plan; the restrictions; conditions and covenants on such uses assumed by the purchases; and the objectives of the Plan related to the elimination and prevention of blight.

All or some of the properties within the Project Area may be acquired by the Broomfield Urban Renewal Authority or acquired directly by a private developer.

### B. Land Use

#### 1. Inside Project Area

##### a. Allowed Uses

The uses permitted within the Project Area shall be those allowed under B-1 and B-2 zoning districts under the Broomfield Municipal Code.

##### b. Non-Conforming Uses

Any use or structure in conformance with the Broomfield Municipal Code as of the date of adoption of this Plan, and not a nonconforming use, which is made a nonconforming use by the adoption of this Plan, shall be considered a "special nonconforming use." Subject to the provisions of the Broomfield Municipal Code, the existing use or structure may be enlarged or altered or rebuilt, in accordance with the applicable zoning regulations in existence on the date of the adoption of this Plan, unless

the Authority determines, within 60 days after receipt of such proposal to enlarge, alter, or rebuild, to acquire the affected land, or to enter into an owner participation agreement.

2. Outside Project Area

The uses permitted for those properties located within the Plan Area but outside the Project Area shall be those permitted under the Broomfield Municipal Code, as amended from time to time.

The Authority may impose additional written land use and design controls as the Authority considers necessary to implement the intent and purposes of the Plan. Such controls shall provide for the cohesion and planned redevelopment of the entire Plan Area.

3. Exceptions

The City Council may determine, at its sole discretion, to allow an exception to the application of any City ordinance or regulation in order to meet the intent and purposes of the Urban Renewal Law and the Plan.

C. Private Improvements - Initial Phase

Private improvements are anticipated to occur in the Project Area. It is anticipated that the private redevelopment will generate sufficient property and sales tax revenues to fund a portion of the public costs.

D. Public Improvements - Initial Phase

The Authority, through agreements with the City or a developer or contractor, may provide for construction or acquisition of public improvements which are located within the Project Area. These improvements may be constructed or acquired in a single phase or in a series of subphases.

The proposed public improvements are as follows:

1. Streets and Utilities

- a. Public improvements are to include underground utilities, pavement, curb, gutter, sidewalk and other water, sewer and street improvements as may be necessary to optimize redevelopment of private parcels.

b. Streets may be relocated to accommodate development of the Project Area and improve traffic flow.

c. To facilitate public and private improvements to the Project Area, demolition of existing public improvements is anticipated.

2. Parks, Recreation and Open Space

a. Landscaped buffers, open space areas, pedestrian and bicycle trail connections are to be developed within the Project Area.

b. Landscaping, park improvements, drainage facilities, and open space improvements may also be provided. These improvements may include landscaping at Laurel Street, pedestrian walkways, development of drainage detention areas as landscaped open space, and trail heads.

E. Later Phases - Public and Private Improvements

1. Project Area

Improvements on any remaining property within the Project Area are to include uses permitted in accordance with the Plan and the Broomfield Municipal Code.

2. Plan Area

The properties within the Plan Area which are not included in the Project Area are anticipated to be redeveloped in subsequent phases. The intent is to provide for additional retail, commercial and industrial development or redevelopment which is consistent with and enhances the redevelopment of the Project Area.

Private and public improvements are anticipated. This Plan will be amended to adopt specific land use and other criteria prior to approval of projects in this area.

F. Planning and Design Standards

Properties within the Project Area, especially those visible from U.S. 287, must be developed with the highest standards of site planning and architectural design.



1. Building Design and Materials

Distinctive, high-quality building designs are encouraged. Building facade materials shall be: brick, architectural block, stone, or aggregate-finished concrete. Roofs shall be either flat roofs with parapet walls, hip roof, or glass, galleria-style. Mechanical equipment shall be screened from view from public rights-of-way.

2. Building Heights

Building heights shall be set to achieve the following:

- a. Transition from adjacent dwellings;
- b. Preservation of scenic views; and
- c. Emphasis of visual focal points.

3. Signage

Consistency in signage throughout the Project Area is a priority. A sign program that insures this approach is required.

- a. One major project identification sign shall be permitted. The dimension of the sign and the location of the sign shall be determined at the time of plan review.
- b. Building signs shall be limited to tenant (company) names or graphic symbols. Sign materials shall reflect a consistent, quality image.

4. Landscaping

- a. Parking lots shall be partially screened from public rights-of-way by materials at least 30 inches in height.
- b. Trees shall be planted in parking lots and along selected perimeter lot lines.
- c. Consistent, high-quality landscape materials shall be used along street rights-of-way to establish a unified theme.

5. Outdoor Storage

No outdoor storage of materials is permitted if such materials will be visible from public rights-of-way or residential properties.

6. Other Standards

Planning and design standards which are not specified in this plan shall be governed by applicable state law and the Broomfield Municipal Code.

III. PROCEDURES FOR IMPLEMENTATION

A. Project Activities

The Broomfield Urban Renewal Authority may exercise all legal powers without limitation. These powers may include:

1. Acquisition of property or any interest in property by any lawful methods (including eminent domain);
2. Management of property;
3. Demolition and clearance of property;
4. Furnishing or repair of public streets, utilities or other improvements;
5. Disposal of property or any interest in property.

B. A Request for Proposals will be issued and will include a copy of the Plan.

C. Redevelopment Agreements

Disposition and development agreements will be negotiated with a developer submitting the successful proposal. These agreements will specifically address the financial commitments of the parties and the timetable for construction of improvements and any additional land use controls.

D. Financing

1. Method.

All financing methods legally available to the City and/or Authority and/or the developer may be used to

finance the public improvements or any other costs described or anticipated in the Plan, or related in any manner to the redevelopment of the Project Area. Such methods may be combined to finance individual portions of the project or the entire project as the City and Authority deem appropriate. These methods can also be used insofar as legally allowable to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the City or Authority to finance or refinance in whole or in part, the projects contained in the Plan.

It is the policy of the Authority to consider any and all methods of financing by any legal issuer, or any combination of methods of financing, including but not limited to tax increment financing and tax sharing. This Paragraph is not intended to commence the twenty-five year period during which taxes may be divided pursuant to Section 31-25-107(9), C.R.S.

The Plan will be amended to include specific financing provisions to reflect the financing methods chosen after negotiation of the development and disposition agreements. The twenty-five year period set forth in Section 31-25-107(9), C.R.S. shall commence if, and when specific financing provisions which provide for tax increment financing are included in an amendment to the Plan.

## 2. Project Financing Analysis - Initial Phase

### a. Expenses

Initial expenses of the Authority may include debt; acquisition and option costs; demolition and removal costs; landscaping and park development costs; water and sewer license, tap and inspection fees; street improvements; administrative and related costs; costs of issuance of bonds; and required bond interest and security reserves.

### b. Revenues

In the event that the Authority acquires land, after acquisition and preparation of the land, transfer thereof to the developer will generate revenue to cover the initial expenses, as negotiated. Taxes generated from the Project may provide revenues to cover remaining expenses, as negotiated.

c. City Revenue Losses

The expectation of the Authority is that the development and disposition agreements shall establish a maximum period of actual loss of revenues to the City due to redevelopment in the Project Area, and that the developer shall indemnify the City against any losses should they exceed a maximum period.

E. Relocation Assistance and Payments

The Authority shall assist business and residence occupants with moving and relocation expenses as required by law. The Authority shall pay the moving expenses and actual direct losses of personal property as a result of relocation from the project area. However, because an urban renewal authority is not allowed to pay for certain matters by Colorado law, the Authority shall not pay for items such as loss of goodwill or loss of profit of any business, or any costs for which the business receives reimbursement or compensation from other sources.

Relocation benefits will be available only to businesses functioning and residents living within the project area as of the date of the Authority's Notice of Intent to Acquire Property to the businesses and residents.

To implement this relocation policy, the Authority shall adopt a Relocation Handbook. The Authority may designate a person to be responsible for negotiating the relocation benefits with the property owners and tenants. Such person shall negotiate in strict conformance with the provisions of the Handbook and the direction of the Authority. The Authority may also establish a Relocation Committee to assist the negotiator with the application of this Plan and the Handbook. The Relocation Committee shall serve as directed by the Authority.

The Relocation Handbook shall include, but is not limited to, the following:

- a. The specific method for relocating individuals and families;
- b. The procedures for applying for relocation benefits from the Authority;
- c. The manner in which the Authority shall pay such relocation expenses;

the Authority shall pay the relocatee;

- e. The method for appealing a determination of the relocation negotiator or Relocation Committee to the Board of Commissions of the Authority;
- f. The expenses for which the Authority shall not pay relocation benefits, including but not limited to:
  - (1) Loss of business profits;
  - (2) Loss of goodwill;
  - (3) Losses for which the relocatee shall receive reimbursement or compensation from another source;
  - (4) Legal fees and related costs; and
  - (5) Costs of constructing or moving real property improvements;
  - (6) The minimum benefits to which all eligible relocatees shall be entitled shall be in accordance with the applicable statutory and legal requirements.

RESOLUTION NO. 77-93

A RESOLUTION APPROVING AN URBAN RENEWAL PLAN  
FOR THE 96TH STREET GATEWAY URBAN RENEWAL PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOMFIELD,  
COLORADO:

Section 1. Findings. The Broomfield City Council finds and  
determines that:

- 1.1 The City Council previously determined, in Resolution No. 67-93, which is attached hereto as Exhibit A and incorporated herein by reference, that the area described in Resolution No. 67-93 is a "blighted area" as defined in the Colorado Urban Renewal Law, and the Council directed that an urban renewal plan or plans should be prepared and submitted to the City Council on or before June 29, 1993.
- 1.2 The City Council has received an urban renewal plan entitled "96th Street Gateway Urban Renewal Project Urban Renewal Plan" (the "Plan") a copy of which is attached hereto as Exhibit B and incorporated herein by reference.
- 1.3 Based upon the Blight Survey described in the Plan and in accordance with the Colorado Urban Renewal Law, the City Council finds and determines that the urban renewal area (the "Area") described in the Plan is a blighted area, which by reason of the following factors substantially impairs or arrests the sound growth of the City, constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare in its present condition and use. The City Council further finds and determines that the following factors exist in the Area:
  - a. Defective or inadequate street layout;
  - b. faulty lot layout in relation to size, adequacy, accessibility or usefulness;
  - c. unsanitary or unsafe conditions which endanger life or property;
  - d. substandard improvements and conditions;
  - e. adverse environmental conditions, including excessive unusual topography; and
  - f. deteriorated or deteriorating structures, sites and other improvements.

- 1.4 The Broomfield Planning and Zoning Commission has reviewed the Plan and has adopted Resolution No. PZ-8-93, which is attached hereto as Exhibit C and incorporated herein by reference, finding that the Plan is in conformance with the general plan for the development of the city as a whole.
- 1.5 It is not expected that any relocation of individuals, facilities or businesses will be required in connection with the Plan, but to the extent that any such relocation may be required, a feasible method exists for the relocation of individuals, families and businesses who will be displaced by the urban renewal project in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals, families and businesses.
- 1.6 The Plan conforms to the 1988 Master Plan, as amended, which is the general plan of the municipality as a whole.
- 1.7 The Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the Area by private enterprise.
- 1.8 The Area consists of an area of open land which, under the Plan, is to be developed for nonresidential uses. Such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and City objectives and that, to the extent that any land acquisition is required under the Plan, such acquisition may require the exercise of governmental action, as provided in the Act, because of being in a blighted area.

Section 2. Decisions. The City Council hereby approves the Urban Renewal Plan for the 96th Street Gateway Urban Renewal Project (Exhibit B).

ADOPTED this 29<sup>th</sup> day of June, 1993

ATTEST:

Vicki May  
City Clerk

[Signature]  
Mayor

APPROVED AS TO FORM:

[Signature]  
City Attorney, Deputy

# 96th STREET GATEWAY URBAN RENEWAL PROJECT

## URBAN RENEWAL PLAN

CITY OF BROOMFIELD

MAY 1993



# 96th Street Gateway Urban Renewal Project

## Urban Renewal Plan

|    |  |    |
|----|--|----|
| A. | PREFACE .....  | 1  |
| B. | URBAN RENEWAL AREA BOUNDARIES .....  | 2  |
| C. | SUMMARY OF ELIGIBILITY CRITERIA .....  | 2  |
|    | 1. Open Land, 2  |    |
|    | 2. Blight Survey, 2  |    |
|    | 3. Summary of Blight Survey, 2   |    |
| D. | GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT .....   | 3  |
| E. | URBAN RENEWAL PLAN GOALS AND THE PLAN'S RELATIONSHIP<br>TO LOCAL AND REGIONAL OBJECTIVES ..... | 4  |
| F. | LAND USE REGULATIONS AND BUILDING REQUIREMENTS .....   | 5  |
| G. | PROJECT ACTIVITIES .....   | 6  |
|    | 1. Transportation Improvements, 6  |    |
|    | a. Interchange Improvements, 6   |    |
|    | b. Street Improvements, 6  |    |
|    | c. Traffic Control Improvements, 7   |    |
|    | 2. Public Utilities and Facilities, 7  |    |
|    | 3. Land Acquisition, 8   |    |
|    | 4. Owner Participation, 8  |    |
|    | 5. Other Project Undertakings and Activities, 8  |    |
| H. | PROJECT FINANCING .....  | 9  |
| I. | CHANGES IN APPROVED PLAN .....   | 10 |
| J. | MINOR VARIATIONS .....   | 11 |

### APPENDIX

- Exhibit A: The Urban Renewal Area
- Exhibit B: Urban Renewal Area Legal Description
- Exhibit C: Zoning Districts

# 96th STREET GATEWAY URBAN RENEWAL PROJECT

## URBAN RENEWAL PLAN

### A. PREFACE

The Urban Renewal Plan (the "Plan") for the 96th Street Gateway Urban Renewal Project (the "Project") has been prepared for the City Council of the City of Broomfield (the "City") pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part I of Article 25 of Title 31, C.R.S., as amended (the "Act"). The location of the Urban Renewal Area within the City is shown in Figure 1 below. The administration of the Project and the implementation of the Plan shall be the responsibility of the Broomfield Urban Renewal Authority (the "Authority").

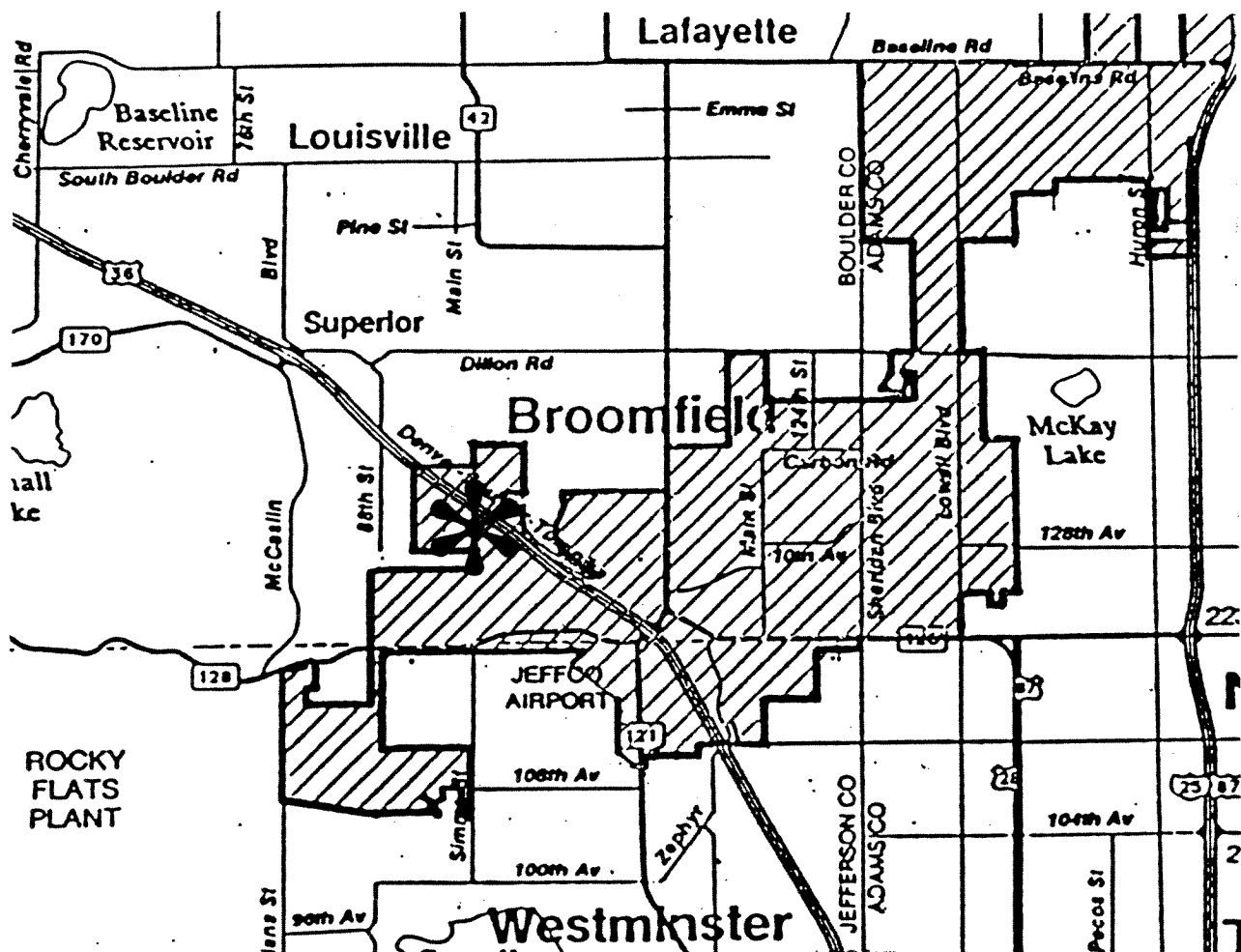


Figure 1  
Urban Renewal Area Location

## B. URBAN RENEWAL AREA BOUNDARIES

The Urban Renewal Area contains approximately 300 acres, and is depicted in Exhibit A. The Urban Renewal Area is described in Exhibit B.

## C. SUMMARY OF ELIGIBILITY CRITERIA

### 1. Open Land

The Urban Renewal Area in its entirety consists of an area of open land which, under the Plan, is to be developed for nonresidential uses. The Plan will promote the development of a balanced and complete environment for desirable land uses, including, without limitation, science and technology facilities, corporate and professional offices, a hotel/conference center, research laboratories, light manufacturing facilities, a retail shopping area, a recreation/fitness facility, a golf course, major open space and landscape amenities, and infrastructure and utilities systems, all in furtherance of and conformance with the 1988 Master Plan, as amended. Such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives in conformance with the 1988 Master Plan, as amended, which is the general plan of the City as a whole.

An area of open land is one that has not been developed by the provision of buildings, streets, utilities or other site improvements, except for an incidental building or structure.

### 2. Blight Survey

On February 10, 1993, the Authority contracted with WestPlan Consulting Group to prepare a Blight Survey covering an area of approximately 1,263 acres, including the Urban Renewal Area. The purpose of the survey was to establish whether conditions of blight, as defined in the Act, exist in the survey area. The Blight Survey dated May, 1993, consisting of 50 pages and 8 exhibits is incorporated herein by reference.

### 3. Summary of Blight Survey

The following is a summary of the conditions of blight that exist in the Urban Renewal Area, as more particularly set forth in the Blight Survey:

- a. There is a strong presence of defective or inadequate street layout in the Urban Renewal Area that contributes to traffic, circulation and access problems. Circulation to and through the Urban Renewal Area is circuitous due to the lack of a standard street network. An inadequate number of arterial, collector and

local streets exist in the Urban Renewal Area to provide for development in accordance with the 1988 Master Plan, as amended. U.S. Highway 36 acts as a barrier, and lack of entrances/exits requires traveling to the existing Broomfield or Louisville/Superior interchanges, exacerbating the problem.

- b. There is a strong presence of faulty lot layout within the Urban Renewal Area. Physical barriers cause land configuration problems; faulty lot shapes create unusable or limited-use land parcels, especially those with long, narrow triangular shapes; and inadequate access related to the use of lots causes problems for other properties or impedes access to public rights-of-way.
- c. There is a strong presence of unsanitary and unsafe conditions that endanger life and property in the Urban Renewal Area including areas of potential subsidence due to previous mining activity, areas littered with junk and debris, auto hazards related to intersections, minimal or non-existent shoulders on the sides of roads, lack of pedestrian walkways, two high pressure gas lines bisecting the area, and the Jefferson County Airport hazardous influence zone.
- d. There is a strong presence of substandard improvements and conditions existing throughout the Urban Renewal Area related to substandard rights-of-way, non-conforming uses, failure to meet City standards, lack of public utilities, inadequate lighting and lack of community facilities.
- e. There is a strong presence of adverse environmental conditions present in the Urban Renewal Area including the 100-year flood plain, areas of steep slopes and unusual topography, and areas of erosion along creek and ditch banks.
- f. Deteriorated structures, sites and other improvements are evident to a minor extent in the Urban Renewal Area.

#### D. GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT

The Blight Study covers an area larger than the Urban Renewal Area included in the Plan. The Blight Study identified conditions that constitute "blight" as defined in the Act both within and outside of the Urban Renewal Area. This Plan shall be implemented as part of a comprehensive program to eliminate such blight without the need to make the Urban Renewal Area any larger than necessary to eliminate blight.

In 1991, the City adopted Ordinance No. 907 establishing the Interchange Influence Area zoning district to govern land use and building requirements in the area around the proposed 96th Street Interchange. As more fully described in Sections F and G, by combining the Plan with the codes and ordinances applicable to the Interchange Influence Area zone district, the Authority and the City, with the cooperation of private enterprise and other public bodies, will undertake a

program to eliminate the conditions of blight identified in the Blight Study while implementing the 1988 Master Plan, as amended.

Phase 1 of this program is the implementation of the Plan in the Urban Renewal Area, which includes only those areas and financing commitments deemed necessary by the City Council to implement the project activities described in this Plan. Phase 2 is the program to eliminate blight outside of the Urban Renewal Area in undeveloped portions of the Interchange Influence Area. Phase 2 may also include widening of the 96th Street interchange and other public improvements in the Interchange Influence Area. The Phase 1 and Phase 2 areas are shown on Exhibit A. The entire Interchange Influence Area is depicted in Exhibit C.

E. URBAN RENEWAL PLAN GOALS AND THE PLAN'S RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES

1. The Plan is part of a comprehensive program to eliminate or otherwise address and prevent the spread of the conditions of blight identified in the Blight Survey. This program and implementation of the Project as described in Sections F and G will provide maximum opportunity for development of the Urban Renewal Area by private enterprise with the cooperation and participation of the public sector.
2. The 1988 Master Plan, as amended, of the City of Broomfield and the Boulder County Comprehensive Plan both include the construction of the 96th Street interchange at U.S. Highway 36. The Plan conforms with and will implement the transportation provisions of both of these general plans.
3. The Plan furthers a major goal of the 1988 Master Plan, as amended, to encourage the location of retail, commercial, professional office and light industrial uses in the City to provide local shopping and employment opportunities and to increase the City's revenue base in an effort to support community services and facilities.
4. The construction of the 96th Street interchange at U.S. Highway 36 will result in the following benefits to the regional highway system:
  - a. Significant improvement in ramp terminal intersection traffic operations at the existing Broomfield interchange at U.S. Highway 36 and U.S. Highway 287;
  - b. improvement in freeway merge and diverge operations in the vicinity of the existing Broomfield interchange;
  - c. a decrease in traffic on U.S. Highway 287, State Highway 121 and State Highway 128;

- d. improvement of regional roadway continuity by providing a north-south link from the area north of U.S. Highway 36 to Coalton Drive and State Highway 128.
5. By implementing the Plan and enforcing the criteria specified for the Interchange Influence Area zoning district, the City and the Authority intend to promote the orderly development of the Urban Renewal Area and the Interchange Influence Area in accordance with the 1988 Master Plan, as amended.
6. The Plan is designed to improve and correct problems in the Urban Renewal Area and in the Interchange Influence Area related to access, traffic congestion, public transportation, vehicular, pedestrian and bicycle circulation, public utilities, recreation and community facilities and amenities, open space and drainage improvements.
7. The Plan will promote the development of a balanced and complete environment for desirable and appropriate land uses, including science and technology facilities, corporate and professional offices, a hotel/conference center, research laboratories, light manufacturing facilities, a retail shopping area, a recreation/fitness facility, a golf course, major open space and landscape amenities, and infrastructure and utilities systems, all in furtherance of and conformance with the 1988 Master Plan, as amended.
8. The Plan, including the financing plan for the Project, is designed to minimize impacts on other taxing bodies in the vicinity and to promote the cooperation of those governments with the City and the Authority in carrying out the 1988 Master Plan, as amended.

#### F. LAND USE REGULATIONS AND BUILDING REQUIREMENTS

The construction of the proposed 96th Street interchange will provide a western gateway to the City, stimulate and encourage economic development in the Urban Renewal Area and the Interchange Influence Area by private enterprise and will also improve access to surrounding areas. To encourage high-quality development in the area directly affected by the installation of the proposed interchange and to promote and maintain a desirable image for the City, the City Council deemed it to be a matter of public interest to adopt a specific set of land use and building requirements to be applicable to those areas of the municipality directly affected by construction of the 96th Street interchange. As a result, the City adopted Ordinance No. 907 in 1991 establishing the Interchange Influence Area zoning district.

The land use and building requirements contained in City codes and ordinances, including, without limitation, the provisions applicable to the Interchange Influence Area, as it may be amended from time to time, shall govern zoning and planning requirements, land uses, maximum densities and building requirements in the Urban Renewal Area.

## G. PROJECT ACTIVITIES

### 1. Transportation Improvements

The following transportation improvements are to be undertaken as part of this Plan. The description of these improvements is general and subject to modification during the design and execution stages of the Project.

#### a. Interchange Improvements

The 96th Street/ U.S. Highway 36 interchange will be designed and constructed in the Urban Renewal Area in accordance with all applicable Colorado Department of Transportation ("CDOT") design standards, policies and procedures. Project elements and design requirements are based upon the US-36/96th Street Interchange Environmental Assessment, October, 1991 and Finding of No Significant Impact, November 1991, prepared for the City.

The general physical elements of the interchange are described as follows:

1. A diamond interchange at U.S. Highway 36;
2. signalized ramp intersections at 96th Street;
3. a five-lane, two-span bridge with sidewalks on both sides over U.S. Highway 36;
4. two single-span ramp bridges over Rock Creek on the west side of the interchange;
5. a retaining wall along the outside of the southbound on-ramp;
6. lighting, signing and striping in accordance with CDOT standards;
7. landscaping and irrigation improvements within the interchange area; and
8. a U.S. Highway 36 utility crossing.

#### b. Street Improvements

Street improvements in the Urban Renewal Area will be coordinated with work scheduled in the surrounding area, including street work within the Interchange Influence Area. The following is a general description of the street improvements to be constructed within the Urban Renewal Area:

96th Street - Coalton Drive to the interchange (south side):

1. Four lane 96th Street with a 30-foot wide raised median and 10-foot wide shoulders;
2. two drainage culverts under 96th Street;
3. roadway signing and striping;
4. lighting (double mast arm poles in the median);
5. landscaping and irrigation improvements in the median of 96th Street.

96th Street - interchange to Carbon Road (north side):

1. Four lane 96th Street with a 30-foot wide raised median and 10-foot wide shoulders;
2. 96th Street will narrow to two lanes plus left turn bay at the south side of Carbon Road with transition on the north side to tie into the existing two lanes on 96th Street;
3. roadway signing and striping;
4. lighting (double mast arm poles in the median);
5. landscaping and irrigation improvements in the median of 96th Street.

c. Traffic Control Improvements

Traffic control improvements will be required to be provided by private developers as part of the related public improvements and other items required when specific development proposals within the Urban Renewal Area and within the Interchange Improvement Area are being considered by the City or, when appropriate, by the Authority for approval.

2. Public Utilities and Facilities

Except as may be specifically approved by the Authority as part of interchange improvements described above, no other public utilities or facilities are planned to be installed or constructed by the Authority or the City as part of this Project. Public improvements and utilities such as streets, parkways, sidewalks, curbs and gutters, water, sanitary sewer and storm sewer systems and facilities, among others, will be required to be provided by private developers as part of the related public improvements and other



items required when specific development proposals within the Urban Renewal Area and within the Interchange Influence Area are being considered by the City or, when appropriate, by the Authority for approval.

The Authority and the City will also cooperate to reduce or eliminate other conditions identified in the Blight Study. This cooperation may involve priority decisions related to the City's capital improvement program, the installation of new traffic control devices, enforcement of City codes, ordinances and land use regulations. To the extent that reduction or mitigation of conditions of blight may require the participation or cooperation of other public bodies, the Authority and the City will initiate contact with such public bodies and negotiate appropriate agreements.

### 3. Land Acquisition

It is anticipated that right of way required for the 96th Street interchange at U.S. Highway 36 will be dedicated by adjoining landowners, and no formal land acquisition will be required as part of the Project. If it becomes necessary to acquire property for Project purposes, the Authority may acquire such property in accordance with the authorization and requirements of applicable law.

Any interest in property may be acquired by the Authority by condemnation or eminent domain, if and when such acquisition is deemed necessary by the Authority, for any lawful purpose authorized by the Plan or the Act or any other applicable law.

### 4. Owner Participation

To carry out the provisions of the Plan, it is anticipated that the Authority may enter into one or more agreements with the owners of real property within the Urban Renewal Area to develop such property in accordance with the Plan and in accordance with such other terms and conditions as are necessary to carry out the Project in accordance with the Act and the Plan. Such agreements may include provisions deemed necessary by the Authority to obtain the public financing required to accomplish the goals and objectives of the Plan, including without limitation, provisions requiring construction of certain improvements in accordance with specific timetables, land use restrictions and other necessary terms and conditions. Such agreements may also include property that is outside of the Urban Renewal Area but within the Interchange Influence Area zoning district of the City.

### 5. Other Project Undertakings and Activities

Other Project undertakings and activities, including without limitation, management of property acquired by the Authority, demolition, removal of structures and clearance of property, rehabilitation, furnishing or repair of public streets, utilities or other improvements not specifically listed in this Plan and disposal of property or any interest

in property acquired by the Authority may be undertaken and performed by the Authority in accordance with the authorization of any and all applicable laws.

As authorized by law, any public body may enter into agreements or otherwise cooperate with the City and the Authority to carry out the Project and to achieve the goals and objectives of this Plan.

#### H. PROJECT FINANCING

The Authority is authorized to finance this Project by any method authorized by the Act or any other applicable law, including without limitation, appropriations, loans or advances from the City; federal loans and grants; state loans and grants; interest income; sale of securities; property tax increments; loans, advances and grants from any other available source.

Any and all financing methods legally available to the City, the Authority or to any private developer may be used to finance in whole or in part any and all costs, including without limitation, the cost of public improvements, described or anticipated in the Plan or in any manner related to the development of the Urban Renewal Area or the Interchange Influence Area. Such methods may be combined to finance all or any part of the Project. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the City or the Authority to finance the Project in whole or in part.

The Authority is authorized to issue bonds in an amount sufficient to finance all or part of the Project. The Authority is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest and any premiums due on or in connection with such indebtedness may be paid from tax increments or any other funds available to the Authority.

The Project may be financed by the Authority under the tax allocation financing provisions of the Act. Under the tax allocation method of financing the Project, property taxes levied after the effective date of the approval of this Plan upon taxable property in the Urban Renewal Area each year by or for the benefit of any public body or, subject to City Council approval by ordinance, all or a portion of municipal sales taxes collected within the Urban Renewal Area as determined in such City Council ordinance, or both such taxes, subject in the case of municipal sales taxes to City Council approval by ordinance, shall be divided for a period not to exceed twenty-five (25) years after the effective date of the adoption of this tax allocation provision, as follows:

(I) Base Amount: That portion of the taxes which are produced by the levy at the rate fixed each year by or for such public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified prior to the effective date of approval of the Plan or, as to an area later added to the Urban Renewal Area, the effective date of the modification of the

Plan, and, subject to the City Council approval by ordinance referred to above, that portion of municipal sales taxes collected within the boundaries of the Urban Renewal Area in the twelve-month period ending on the last day of the month prior to the effective date of the approval of the Plan, or, in the case of municipal sales taxes, subject to the City Council approval by ordinance as referred to above, both such portions, shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

(II) Increment Amount: That portion of said property taxes in excess of such base amount or, if the City Council shall have made the determination by ordinance that all or a portion of municipal sales taxes collected within the Urban Renewal Area shall be divided as provided above, that portion of said municipal sales taxes in excess of such base, or both, subject in the case of municipal sales taxes to the City Council having made such determination as to municipal sales taxes by ordinance, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the Authority for financing or refinancing, in whole or in part, the Project.

Unless and until the total valuation for assessment of the taxable property in the Urban Renewal Area exceeds the base valuation for assessment of the taxable property in the Urban Renewal Area, all of the taxes levied upon taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies. Unless and until all or the relevant part of the municipal sales tax collections in the Urban Renewal Area exceed the base year municipal sales tax collections in the Urban Renewal Area, all such sales tax collections shall be paid into the funds of the City.

When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies and all such municipal sales tax collections in the Urban Renewal Area shall be paid into the funds of the City.

The increment portion of the taxes, as described in subparagraph (II), may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances and indebtedness incurred by the Authority to finance the Project, subject to the terms of any loan or bond trust indenture.

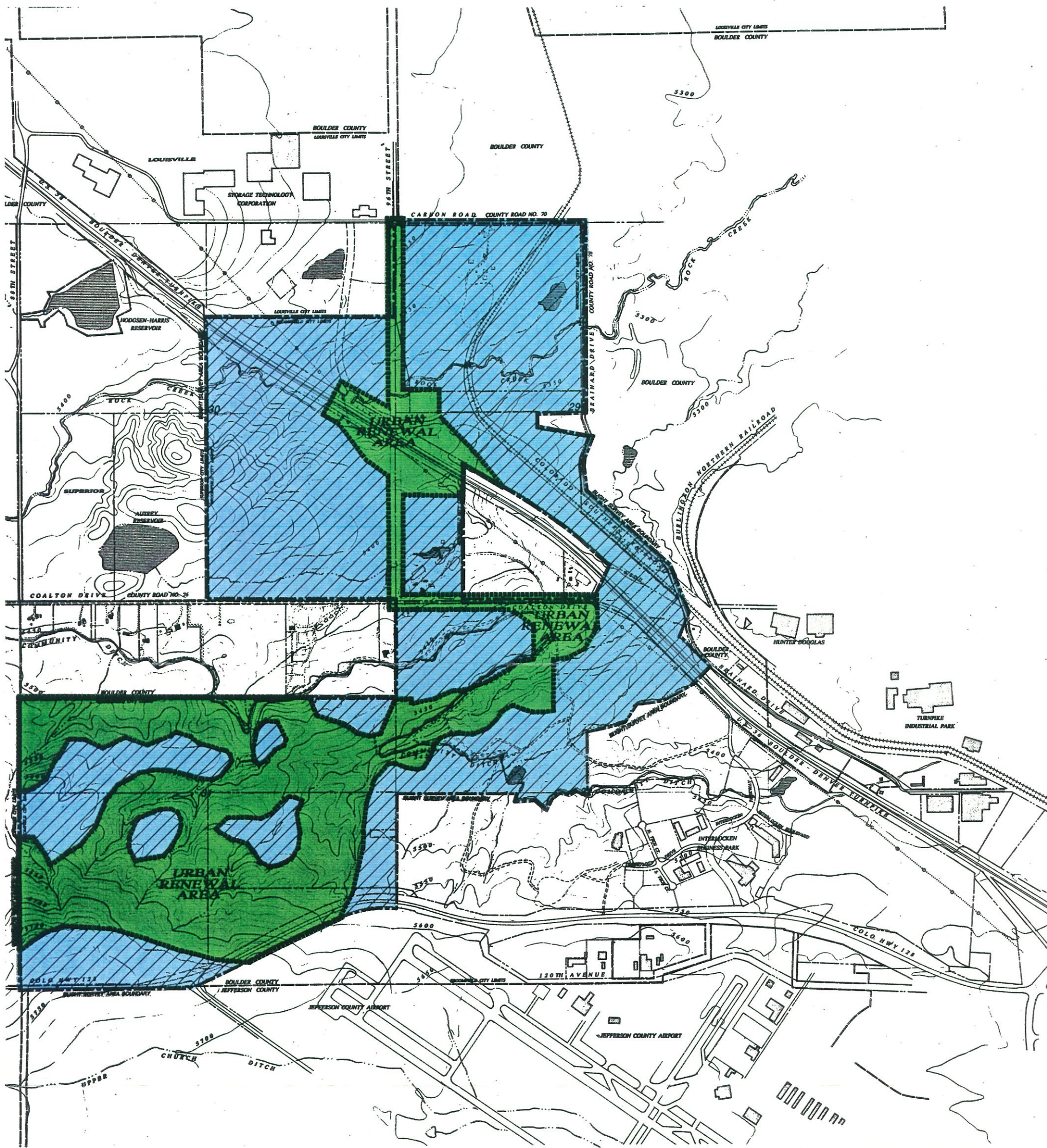
#### I. CHANGES IN APPROVED PLAN

This Plan may be modified pursuant to the provisions of the Act governing such modifications, including §31-25-107, C.R.S.

## J. MINOR VARIATIONS

Where a literal enforcement of the provisions of the Plan would constitute an unreasonable limitation beyond the intent and purpose of the Plan, as determined by the Authority, the Authority may in specific cases allow minor variations from such provisions.





## URBAN RENEWAL AREA

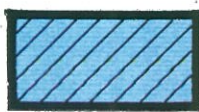
# BROOMFIELD

## 96th STREET GATEWAY URBAN RENEWAL PLAN

### LEGEND:



**PHASE 1**  
(Urban Renewal Area)



**PHASE 2**  
(Portion within Interchange Influence Area)

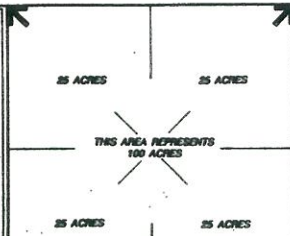
JUNE 23, 1993



Broomfield Urban Renewal Authority  
Broomfield, Colorado

WestPlan Consulting Group  
Boulder, Colorado  
April 1993

This map has been formatted by WestPlan from maps provided by the City of Broomfield, Ltd., and the Boulder County Assessor's Office. It has been supplemented by field survey observations and oblique aerial photographs. The purpose of this map is to be used to document right-of-way conditions when found in the survey area. It should only be used for general planning purposes.



**Exhibit A**



## **URBAN RENEWAL PLAN**

### **LEGAL DESCRIPTION** (Subject to Minor Modification)

Urban Renewal Area will consist of the following parcels:

**Parcel 1:** A tract of land located in the south one-half (S 1/2) of the north one-half (N 1/2) and in the south one-half (S 1/2) of Section 32, Township 1 South, Range 69 West of the 6th Principal Meridian, County of Boulder, State of Colorado, more particularly described as follows:

Commencing at the northwest corner of said Section 32, thence southerly and along the west line of said Section 32 a distance of 1341.5 feet more or less to the northwest corner of the S-1/2 of the N-1/2 of said Section 32, said point being the True Point of Beginning, thence south along the west line of said Section 32 a distance of 3,062.7 feet, thence on an angle to the left of 132 degrees 14 minutes for a distance of 126.7 feet, thence on an angle to the right of 36 degrees 00 minutes for a distance of 823.4 feet, thence on an angle to the right of 21 degrees 15 minutes for a distance of 1,950 feet, thence on an angle to the left of 32 degrees 18 minutes for a distance of 1,125.9 feet, thence on an angle to the left of 36 degrees 46 minutes for a distance of 1,221.8 feet, thence on an angle to the left of 35 degrees 24 minutes for a distance of 1,042.1 feet, thence on an angle to the right of 26 degrees 37 minutes for a distance of 708.0 feet, thence on an angle to the right of 83 degrees 8 minutes for a distance of 193.6 feet, thence on an angle to the left of 110 degrees 30 minutes for a distance of 359.6 feet more or less to a point on the north line of said S-1/2 of the N-1/2 of Section 32, thence westerly and along said north line for a distance of 5,071.4 feet more or less to the True Point of Beginning, excluding the following described tracts of land;

**Tract 1** - Commencing at the northeast corner of said S-1/2 of the N-1/2 of said Section 32, thence southwesterly at an angle of 69 degrees from the east line of said S-1/2 of the N-1/2 for a distance of 1,630 feet to the True point of Beginning, thence on an angle to the left of 83 degrees 48 minutes for a distance of 381.4 feet, thence on an angle to the left of 65 degrees 42 minutes for a distance of 381.8 feet, thence on an angle to the left of 78 degrees 49 minutes for a distance of 389.6 feet, thence on an angle to the left of 32 degrees 4 minutes for a distance of 348.8 feet, thence on an angle to the left of 95 degrees 28 minutes more or less for a distance of 608.3 feet more or less to the True Point of Beginning, containing 6.5 acres more or less.

**Tract 2** - Commencing at the northeast corner of said S-1/2 of the N-1/2 of said Section 32, thence westerly and along the north line of said S-1/2 of the N-1/2 for a distance of 100.0 feet to the True Point of Beginning, thence westerly and along said north line for a distance of 1,260.5 feet, thence on an angle to the left

of 99 degrees 55 minutes for a distance of 221.3 feet, thence on an angle to the left of 77 degrees 43 minutes for a distance of 349.9 feet, thence on an angle to the right of 32 degrees 57 minutes for a distance of 371.2 feet, thence on an angle to the left of 31 degrees 57 minutes for a distance of 450.0 feet, thence on an angle to the left of 79 degrees 19 minutes more or less for a distance of 496.7 feet more or less to the True Point of Beginning, containing 9.8 acres more or less.

Tract 3 - Commencing at the northeast corner of said S-1/2 of the N-1/2 of said Section 32, thence southwesterly at an angle of 48 degrees from the east line of said S-1/2 of the N-1/2 for a distance of 1,950 feet to the True Point of Beginning, thence on an angle to the right of 23 degrees 56 minutes for a distance of 200.8 feet, thence on an angle to the left of 31 degrees 52 minutes for a distance of 361.4 feet, thence on an angle to the right of 42 degrees 49 minutes for a distance of 682.5 feet, thence on an angle to the left of 73 degrees 43 minutes for a distance of 200.6 feet, thence on an angle to the left of 68 degrees 57 minutes for a distance of 1,018.2 feet, thence on an angle to the left of 73 degrees 15 minutes for a distance of 597.5 feet, thence on an angle to the left of 61 degrees 11 minutes more or less for a distance of 748.5 feet more or less to the True Point of Beginning, containing 18.0 acres more or less.

Tract 4 - Commencing at the northwest corner of said S-1/2 of the N-1/2 of said Section 32, thence southeasterly at an angle of 59 degrees from the west line of said S-1/2 of the N-1/2 for a distance of 2,690 feet to the True Point of Beginning, thence on an angle to the right of 128 degrees 46 minutes for a distance of 548.9 feet, thence on an angle to the left of 51 degrees 50 minutes for a distance of 566.5 feet, thence on an angle to the left of 83 degrees 4 minutes for a distance of 299.0 feet, thence on an angle to the left of 53 degrees 34 minutes for a distance of 702.0 feet, thence on an angle to the left of 82 degrees 9 minutes more or less for a distance of 553.4 feet more or less to the True Point of Beginning, containing 10.5 acres more or less.

Tract 5 - Commencing at the northwest corner of said S-1/2 of the N-1/2 of said Section 32, thence southerly and along the west line of said west line a distance of 1,20 feet more or less to the True Point of Beginning, thence continuing southerly and along said west line for a distance of 675.2 feet, thence on an angle to the left of 90 degrees 25 minutes for a distance of 346.9 feet, thence on an angle to the right of 78 degrees 50 minutes for a distance of 396.4 feet, thence on an angle to the left of 107 degrees 1 minute for a distance of 547.6 feet, thence on an angle to the left of 32 degrees 2 minutes for a distance of 1,102.1 feet, thence on an angle to the right of 46 degrees 6 minutes for a distance of 675.3 feet, thence on an angle to the right of 26 degrees 13 minutes for a distance of 870.8 feet, thence on an angle to the left of 81 degrees 17 minutes for a distance of 481.7 feet, thence on an angle to the left of 88 degrees 13 minutes for

a distance of 888.9 feet, thence on an angle to the left of 53 degrees 36 minutes for a distance of 351.2 feet, thence on an angle to the right of 40 degrees 42 minutes for a distance of 453.8 feet, thence on an angle to the left of 35 degrees 44 minutes for a distance of 241.0 feet, thence on an angle to the right of 37 degrees 43 minutes for a distance of 660.9 feet, thence on an angle to the left of 74 degrees 47 minutes for a distance of 748.0 feet, thence on an angle to the right of 35 degrees 9 minutes more or less for a distance of 392.2 feet more or less to the True Point of Beginning, containing 60.2 acres more or less.

Net acreage for Parcel 1 is 214.5 acres more or less as shown on Exhibit A. Said Tract includes portions of Boulder County Assessor parcel numbers 1575-32-0-00-010, 011 & 012.

**Parcel 2:** A tract of land located in the north one-half (N 1/2) of Section 33, Township 1 South, Range 69 West of the 6th Principal Meridian, County of Boulder, State of Colorado, more particularly described as follows:

Commencing at the northwest corner of said Section 33, said point being the True Point of Beginning, thence southerly and along the west line of said Section 33 for a distance of 65.0 feet more or less, thence easterly along a line parallel to the north line of Section 33 for a distance of 1,718.0 feet, thence on an angle to the right of 43 degrees 45 minutes for a distance of 1,718.0 feet, thence on an angle to the right of 45 degrees 1 minute for a distance of 436.6 feet, thence on an angle to the right of 78 degrees 9 minutes for a distance of 422.9 feet, thence on an angle to the left of 6 degrees 3 minutes for a distance of 1,034.6 feet, thence on an angle to the left of 23 degrees 20 minutes for a distance of 274.3 feet, thence on an angle to the right of 40 degrees 13 minutes for a distance of 461.4 feet more or less to a point on the west line of said Section 33, thence southerly and along said west line for a distance of 779.9 feet, thence on an angle to the left of 68 degrees 24 minutes for a distance of 100.8 feet, thence on an angle to the left of 30 degrees 37 minutes for a distance of 242.8 feet, thence on an angle to the left of 71 degrees 6 minutes for a distance of 483.9 feet, thence on an angle to the right of 74 degrees 14 minutes for a distance of 455.2 feet, thence on an angle to the left of 17 degrees 42 minutes for a distance of 485.9 feet, thence on an angle to the left of 23 degrees 38 minutes for a distance of 475.5 feet, thence on an angle to the right of 45 degrees 31 minutes for a distance of 738.1 feet, thence on an angle to the left of 86 degrees 58 minutes for a distance of 387.4 feet, thence on an angle to the right of 66 degrees 23 minutes for a distance of 374.1 feet, thence on an angle to the left of 48 degrees 23 minutes for a distance of 433.8 feet, thence on an angle to the left of 82 degrees 37 minutes for a distance of 188.3 feet more or less to a point on the north line of said Section 33, thence westerly and along said north line for a distance of 355.5 feet, thence on an angle to the left of 34 degrees 26 minutes for a distance of 206.3 feet, thence on angle to the left of 41 degrees 35 minutes for a distance of 167.8 feet, thence on an angle to the right of 120 degrees 35 minutes for a



distance of 378.7 feet more or less to a point on the north line of said Section 33, thence westerly and along said north line for a distance of 1,828.5 feet more or less to the True Point of Beginning, containing 36.0 acres more or less as shown on Exhibit A. Said tract includes portions of Boulder County Assessor parcel numbers 1575-33-0-00-018, 019 & 021.

**Parcel 3:** A tract of land located in the east one-half (E 1/2) of the east one-half (E 1/2) of Section 29 and the west one-half (W 1/2) of Section 28, Township 1 South, Range 69 West of the 6th Principal Meridian, County of Boulder, State of Colorado, more particularly described as follows:

Commencing at the southwest corner of said Section 28, said point also being the True Point of Beginning, thence easterly and along the south line of said Section 28 for a distance of 2,733.7 feet, thence on an angle to the left of 90 degrees for a distance of 65 feet, thence westerly and along a line parallel to said south line for a distance of 2,646.0 feet more or less to a point 100.0 feet east of the west line of said Section 28, thence northerly and along a line parallel to said west line for a distance of 1,248.6 feet, thence on an angle to the right of 90 degrees 19 minutes for a distance of 633.5 feet, thence on an angle to the left of 90 degrees 32 minutes for a distance of 437.6 feet, thence on an angle to the right of 121 degrees 20 minutes for a distance of 1,230.7 feet, thence on an angle to the left of 164 degrees 42 minutes for a distance of 2,145.6 feet, thence on an angle to the right of 45 degrees 2 minutes for a distance of 328.0 feet, thence on an angle to the left of 90 degrees 13 minutes for a distance of 195.4 feet more or less to a point 100.0 feet east of the west line of said Section 28, thence northerly and along a line parallel to said west line for a distance of 2,268.2 feet more or less to a point on the north line of said Section 28, thence westerly and along said north line for a distance of 100.0 feet to the northwest corner of said Section 28, said point also being the northeast corner of said Section 29, thence westerly and along the north line of said Section 29, for a distance of 100.0 feet, thence southerly and along a line parallel to the east line of said Section 29 for a distance of 2,512.2 feet, thence on an angle to the right of 120 degrees 28 minutes for a distance of 899.4 feet, thence on an angle to the left of 89 degrees 50 minutes for a distance of 451.9 feet, thence on an angle to the left of 89 degrees 45 minutes for a distance of 300.2 feet, thence on an angle to the right of 22 degrees 50 minutes for a distance of 551.4 feet, thence on an angle to the left of 21 degrees 3 minutes for a distance of 550.5 feet more or less to a point 100.0 feet west of the east line of said Section 29, thence southerly along a line parallel to said east line for a distance of 1,889.4 feet more or less to a point on the south line of said Section 29, thence easterly and along said south line for a distance of 100.0 feet to the True Point of Beginning, containing 64.7 acres more or less as shown on Exhibit A. Said tract includes portions of Boulder County Assessor parcel numbers 1575-29-0-00-009 & 010 and 1575-28-0-00-002, 005, 012, 016 & 019.

**TOTAL ACREAGE = 315.2 (MINIMUM)**



PLANNING AND ZONING COMMISSION

RESOLUTION NO. PZ-8-93

A RESOLUTION FINDING THE PROPOSED URBAN RENEWAL PLAN  
IN CONFORMANCE WITH THE 1988 BROOMFIELD MASTER PLAN, AS AMENDED

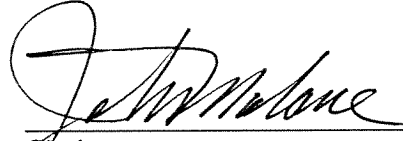
BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF  
BROOMFIELD, COLORADO:

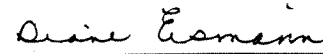
Section 1. The Broomfield Planning and Zoning Commission finds that the attached Urban  
Renewal Plan is in conformance with the general plan for the development of the city as a whole  
(The 1988 Broomfield Master Plan, as amended).

Section 2. This Resolution constitutes the written report, findings, and recommendation or  
decision of the Broomfield Planning and Zoning Commission.

PASSED 4-2 this 15th day of June 1993.

Commissioners Erickson and Davis voting in opposition.  
Commissioner Malone abstaining.

  
\_\_\_\_\_  
Chairman  
Planning and Zoning Commission

  
\_\_\_\_\_  
Secretary  
Planning and Zoning Commission

## **RESOLUTION NO. 153-95**

### **A RESOLUTION APPROVING AN URBAN RENEWAL PLAN FOR THE 120TH AVENUE CORRIDOR URBAN RENEWAL PROJECT**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOMFIELD,  
COLORADO:**

**Section 1. Findings. The Broomfield City Council finds that:**

- 1.1 The City Council has determined, in Resolution No. 116-95, which is incorporated herein by this reference, that the area described in Resolution No. 116-95 is a "blighted area" as defined in the Colorado Urban Renewal Law, and the Council directed that an urban renewal plan or plans should be prepared and submitted to the City Council.**
- 1.2 The City Council has received an urban renewal plan entitled "120th Avenue Gateway Corridor Urban Renewal Plan" (the "Plan") a copy of which is attached hereto as Exhibit A and incorporated herein by this reference.**
- 1.3 Based on the Blight Survey described in the Plan and in accordance with the Colorado Urban Renewal Law, the City Council finds and determines that the urban renewal area (the "Area") described in the Plan is a blighted area, which by reason of the following factors substantially impairs or arrests the sound growth of the City, constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare in its present condition and use. The City Council further finds and determines that the following factors exist in the Area:**
  - (a) Deteriorated structures and sites;**
  - (b) Defective or inadequate street layout;**
  - (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;**
  - (d) Unsanitary or unsafe conditions which endanger life or property;**
  - (e) Substandard improvements and conditions;**
  - (f) Adverse environmental conditions; and**
  - (g) Problems in the utilization of property.**
- 1.4 The City Council finds that the Plan is in conformance with the City Master Plan which is the general plan for the development of the City as a whole.**

- 1.5 It is not expected that any relocation of individuals, families or businesses will be required in connection with the Plan, but to the extent that such relocation may be required, a feasible method exists for the relocation of individuals, families and businesses who will be displaced by the urban renewal project in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals, families and businesses.
- 1.6 The Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the Area by private enterprise.

**Section 2. Decisions.** The City Council hereby approves the Urban Renewal Plan for the 120th Avenue Urban Renewal Project (Exhibit A), including the Standards and Guidelines for Building and Development.

**Section 3.** This resolution is effective upon its approval by the City Council.

APPROVED on November 28, 1995.

CITY OF BROOMFIELD, COLORADO

William M. Berens  
Mayor

ATTEST:

Vicki Mancy  
City Clerk

APPROVED AS TO FORM:

James W. Roush  
City Attorney, Deputy





# **BROOMFIELD**

**120th Avenue**

**Gateway Corridor**

**Lowell Blvd to Main St.**

# TABLE OF CONTENTS

## 1201 AVENUE GATEWAY CORRIDOR - URBAN RENEWAL PLAN

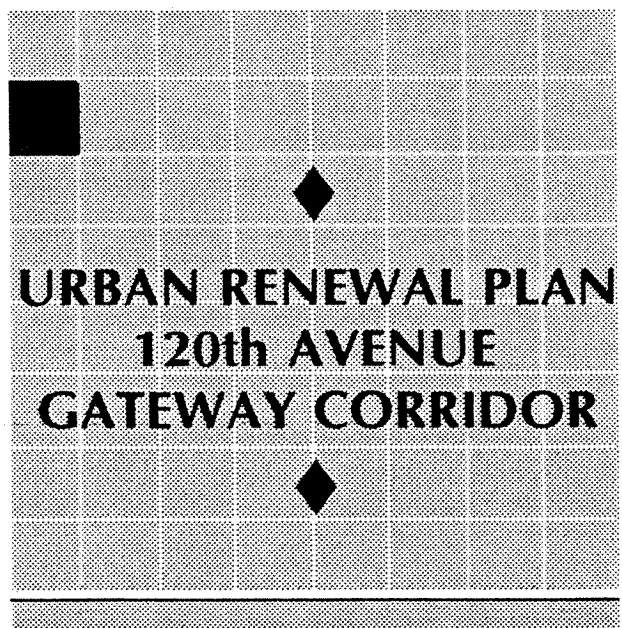
|          |  |          |
|----------|--|----------|
| <b>A</b> | <b>PREFACE .....</b>   | <b>1</b> |
| <b>B</b> | <b>URBAN RENEWAL AREA BOUNDARIES .....</b>   | <b>1</b> |
| <b>C</b> | <b>SUMMARY OF ELIGIBILITY CRITERIA .....</b>   | <b>1</b> |
|          | 1. BLIGHT SURVEY .....   | 1        |
|          | 2. SUMMARY OF BLIGHT SURVEY FINDINGS .....   | 2        |
| <b>D</b> | <b>GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT.....</b>   | <b>2</b> |
| <b>E</b> | <b>URBAN RENEWAL PLAN GOALS AND THE PLAN'S<br/>RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES .....</b> | <b>3</b> |
|          | 1. GOALS .....   | 3        |
|          | 2. RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES .....   | 3        |
| <b>F</b> | <b>LAND USE REGULATIONS AND BUILDING REQUIREMENTS.....</b>   | <b>4</b> |
|          | 1. USES .....  | 4        |
|          | 2. PLAN REVIEW PROCESS .....   | 5        |
|          | a. Site Development Plan, 5  |          |
|          | b. Public Hearing, Notice, 5   |          |
|          | c. Review Standards, 5   |          |
| <b>G</b> | <b>PROJECT ACTIVITIES .....</b>  | <b>6</b> |
|          | 1. LAND ACQUISITION .....  | 6        |
|          | 2. RELOCATION .....  | 6        |
|          | 3. DEMOLITION, CLEARANCE AND SITE PREPARATION .....  | 6        |
|          | 4. PROPERTY MANAGEMENT .....   | 6        |
|          | 5. PUBLIC IMPROVEMENTS .....   | 7        |
|          | 6. LAND DISPOSITION, REDEVELOPMENT AND REHABILITATION.....   | 7        |
|          | 7. COOPERATION AGREEMENTS .....  | 7        |
|          | 8. OTHER PROJECT UNDERTAKINGS AND ACTIVITIES .....   | 7        |
| <b>H</b> | <b>PROJECT FINANCING .....</b>   | <b>8</b> |
|          | 1. BASE AMOUNT .....   | 8        |
|          | 2. INCREMENT AMOUNT.....   | 8        |
| <b>I</b> | <b>CHANGES IN APPROVED PLAN .....</b>  | <b>9</b> |
| <b>J</b> | <b>MINOR VARIATIONS .....</b>  | <b>9</b> |

### APPENDIX

Exhibit 1: URBAN RENEWAL AREA LOCATION

Exhibit 2: URBAN RENEWAL PLAN AREA

Exhibit 3: URBAN RENEWAL AREA LEGAL DESCRIPTION



## A. PREFACE

The Urban Renewal Plan (the "**Plan**") for the **120th Avenue Gateway Corridor** Urban Renewal Project (the "**Project**") has been prepared for the City Council of the City of Broomfield (the "**City**") pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, C.R.S., as amended (the "**Act**"). The location of the Urban Renewal Area (the "**Urban Renewal Area**") within the City is shown in *Exhibit 1* (see Appendix). The administration of the **Project** and the implementation of the **Plan** shall be the responsibility of the Broomfield Urban Renewal Authority (the "**Authority**").

## B. URBAN RENEWAL AREA BOUNDARIES

The **Urban Renewal Area** contains approximately 372 acres and is depicted in *Exhibit 2* (see Appendix). The **Urban Renewal Area** is described in *Exhibit 3* (see Appendix).

## C. SUMMARY OF ELIGIBILITY CRITERIA

### 1. BLIGHT SURVEY

In August 1995, the **Authority** contracted with WestPlan Consulting Group to prepare a Blight Survey covering an area of approximately 372 acres, including the **Urban Renewal Area**. The purpose of the survey was to establish whether conditions of blight, as defined in the **Act**, exist in the survey area. The Blight Survey dated November 1995, is incorporated herein by reference.



## 2. SUMMARY OF BLIGHT SURVEY FINDINGS

The following is a summary of the conditions of blight that exist in the Urban Renewal Area, as more particularly set forth in the Blight Survey.

There is a presence of **deteriorated structures, sites and other improvements** in the Urban Renewal Area.

There is a presence of **defective or inadequate street layout** in the Urban Renewal Area including inadequate rights-of-way, dead-end access provided to existing developments with no emergency access, and private property existing within dedicated street right-of-way.

There is a strong presence of **faulty lot layout** within the Urban Renewal Area consisting of properties without or with limited street access, flag lots, and properties of inadequate size and shape creating setback and site development constraints. These lots represent 26% of the total lots and 30% of the total private property within the Area.

There is a strong presence of **unsanitary and unsafe conditions** that endanger life and property in the Urban Renewal Area including lack of pedestrian and bicycle facilities along major arterial streets; unsafe bus stops; auto hazards; unsafe and hazardous children's play areas; junk, debris and weeds; higher crime and accident rates than other areas of the city; flood plain hazards; an abandoned sewage treatment facility; and, potential fire hazard conditions.

There is a strong presence of **substandard improvements** and conditions existing in the Urban Renewal Area related to substandard rights-of-way; lack of a planned internal street system to serve development and redevelopment; adverse impacts on adjacent residential areas; changes in site development in an existing mobile home park; failure to meet city setback standards; non-conforming uses and uses not in conformance with the City's Master Plan; water system, sewer line and fire protection problems; and, lack of street lighting and pedestrian facilities in many areas.

There is a strong presence of **adverse environmental conditions** present in the Urban Renewal Area including the 100-year flood plain in two drainage basins through the area, areas of steep slopes, and areas of erosion along creek banks. The Survey Area is currently 29% covered by the 100-year flood plain and includes structures and unanchored materials within it. Alterations to the flood plain are taking place without required permits.

There is a strong presence of **vacant and underutilized property** within the Urban Renewal Area. Currently 19% of the Survey Area consists of vacant property and 35% of the area is underutilized.

## D. GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT

The Blight Survey identifies conditions that constitute "blight" as defined in the *Act* within the *Urban Renewal Area*. This *Plan* shall be implemented as part of a comprehensive program to eliminate and prevent blight in the *Urban Renewal Area*. The *Authority* and the *City*, with the cooperation of private enterprise and other public bodies, will undertake a program to eliminate the conditions of

blight identified in the Blight Survey while implementing the 1988 Master Plan, as modified and updated by the 1995 Master Plan (the "*Master Plan*").

## **E. URBAN RENEWAL PLAN GOALS AND THE PLAN'S RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES**

### **1. GOALS**

This *Plan* has been adopted to achieve the following goals in the *Urban Renewal Area*.

- a. The *Plan* will implement the Broomfield *Master Plan* and ensure the orderly growth and development of the 120th Avenue Gateway Corridor.
- b. Implementation of the *Plan* will eliminate and prevent conditions of blight in the *Urban Renewal Area*.
- c. Through the maximum possible participation of private enterprise and the cooperative efforts of the public sector, implementation of the *Plan* will eliminate and prevent economic deterioration in the *Urban Renewal Area* and the community at large.
- d. The *Plan* will assist in the mitigation and control of the danger from flooding in the *Urban Renewal Area* as well as adjoining property.
- e. The *Plan* will upgrade access, traffic, pedestrian and bicycle circulation, public utilities, public amenities, recreation and drainage in the *Urban Renewal Area*, while ensuring that existing and proposed development is sensitive to the surrounding residential neighborhoods.
- f. The *Plan* will help attract capital investment and new retail businesses, retention and expansion of existing businesses, and development of a competitive retail market, thereby providing employment and strengthening the *City's* economic base.
- g. The *Plan* will create a high quality image for the *City* and the *Urban Renewal Area* by creating an attractive visual image at the southeastern entries to the *City* through landscaping and design guidelines.
- h. The *Plan* will expand retail opportunities for the citizens of Broomfield and the surrounding area and create a stable sales tax base for the *City*.
- i. Implementation of the *Plan* will provide for the redevelopment of commercial land in the *Urban Renewal Area* and promote improvements of properties in the area.
- j. Where appropriate, the *Plan* will provide for conservation and improvement of existing housing resources and construction of new housing in areas of transition between existing and proposed uses.

### **2. RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES**

The *Plan* conforms to, and is designed to implement, the recently updated *Master Plan*, and regional objectives as well.

- a. The *Plan* will promote and encourage commercial, mixed use, retail and employment related development in the *Urban Renewal Area*, an objective of the *Master Plan*.

- b. The *Plan* will implement the provisions of the *City's* master drainage and flood improvement program, which is part of regional efforts to control flooding and promote a comprehensive drainage program to serve the entire region.
- c. Transportation improvements promoted by the *Plan* are consistent with intergovernmental efforts to fund, plan, design and improve the 120th Avenue corridor through the City and the northern metropolitan area.
- d. Implementation of the *Plan* is consistent with regional efforts to create public/private partnerships to provide employment and generate revenues for both sectors.
- e. The improvement of internal street patterns in the *Urban Renewal Area* will improve and ease traffic and circulation problems in the *City* and region.
- f. The *Plan* will provide the means for the orderly redevelopment of the *Urban Renewal Area* by resolving land use conflicts within the area.
- g. The *Plan* will provide a means of mitigating land use conflicts with adjoining residential areas through implementation of planning and design guidelines for public and private improvements.
- h. The *Plan* promotes the development and expansion of safe and adequate pedestrian access and public transportation.
- i. The *Plan* implements and enhances recreational and community facilities by providing additions to the *City* trails and park system.
- j. The *Plan* enhances and upgrades visual corridors designated in the *Master Plan*.

## F. LAND USE REGULATIONS AND BUILDING REQUIREMENTS

The eastern gateway to Broomfield is 120th Avenue. The *Plan* will provide a comprehensive and unified plan to promote and encourage high quality development of the *Urban Renewal Area* by private enterprise. In addition to the land use and building requirements contained in the City Codes and ordinances and the provisions of the *Plan*, the *Authority* will adopt design guidelines and standards ("*Design Guidelines and Standards*") that will apply to the property included in the *Urban Renewal Area*. The *Design Guidelines and Standards* shall apply to both public and private improvements.

The *Plan* and *Design Guidelines and Standards* will implement the provisions of Section 31-25-107(8) of the *Act*, which provides that, upon approval of the *Plan* by the City Council, the provisions of the *Plan* shall be controlling with respect to land area, land use, design, building requirements, timing or procedure applicable to the property covered by the *Plan*.

In the event of a conflict involving the provisions of the City codes, the *Plan* and the *Design Guidelines and Standards*, the most restrictive provision shall govern.

### 1. USES

- a. Permitted uses for properties in the Urban Renewal Area shall be those uses allowed in the underlying zoning district of the Broomfield Municipal Code, provided, however, notwithstanding the foregoing language, except where approved PUD plans are in effect, the following uses are not permitted in the Urban Renewal Area.

- 1) *Dairy processing and distribution;*
  - 2) *plumbing, electrical and carpenter shops;*
  - 3) *tractor, trailer, heavy machinery or farm equipment storage, sales or service;*
  - 4) *manufacture or bulk storage of oil, gasoline, or petroleum;*
  - 5) *mini-storage;*
  - 6) *animal kennels;*
  - 7) *chemical manufacturing plants;*
  - 8) *cement, concrete, lime or gypsum manufacturing;*
  - 9) *fertilizer manufacturing;*
  - 10) *aggregate plants;*
  - 11) *commercial manufacturing or storage of hazardous materials such as gasoline, flammable liquids and gases, and industrial waste products;*
  - 12) *outdoor storage of rubbish, refuse, wastes, junk or salvage yards, automobiles, shipping containers, or vegetable or animal by-products;*
  - 13) *landfills, sewage treatment or transfer stations.*
- b. When permitted by the underlying zoning district, the following uses may be permitted upon special review and approval by the **Authority**.
- 1) *Recreational vehicle storage or outdoor storage.*

## 2. PLAN REVIEW PROCESS

The purposes of the **Plan** are to eliminate and prevent blight in the **Urban Renewal Area** and to achieve development of the highest quality in the **Urban Renewal Area**. To assure that those purposes are accomplished, the **Authority** shall hold a public hearing on all plans or proposals for development in the **Urban Renewal Area** to determine compliance with the **Plan**. No building permit shall be issued prior to and unless the **Authority** makes a finding of compliance.

### a. Site Development Plan

Each plan or proposal shall be accompanied by a site development plan. The site development plan shall be submitted to the **Authority** in a form as set forth in Sections 17-038-150, 17-38-160 and 17-38-170 of the Broomfield Municipal Code as they may be amended from time to time.

### b. Public Hearing, Notice

The **Authority** shall hold a public hearing on any proposed site development plan. Notice of the hearing shall be published in a newspaper of general circulation in the City of Broomfield at least seven (7) days prior to the hearing.

### c. Review Standards

The decision of the Authority shall be based on whether a proposed site development plan meets the following standards:

- 1) *The proposal should be consistent with the purposes and standards of this Plan.*
- 2) *The proposal should identify and specify factors that mitigate any potential negative impacts on nearby properties.*
- 3) *The proposal should identify and specify factors that maximize potential positive impacts on nearby properties.*

- 4) *The proposal should include adequate facilities for pedestrians, transit, bicyclists and motorists.*
- 5) *The proposal should optimize conservation of energy, water, and other resources on a site-specific basis.*
- 6) *The land uses within the proposal should be compatible with one another.*
- 7) *The proposal should include any common areas serving the site, and contain adequate provisions for ownership and maintenance of such areas.*
- 8) *The proposal should include adequate public improvements (both on and off site) to be provided in a timely fashion.*
- 9) *The proposal is consistent with the **Design Guidelines and Standards**.*

## **G. PROJECT ACTIVITIES**

### **1. LAND ACQUISITION**

In order to carry out this *Plan*, the *Authority* may exercise any and all of its rights and powers under the *Act* and any other applicable law, ordinance or regulation. The *Authority* may acquire any interest in property by any manner available, including, without limitation, by exercise of the power of eminent domain. The *Authority* may acquire property for the following reasons: To eliminate or prevent conditions of blight; to carry out one or more objectives of the *Plan*; to assemble property for redevelopment by private enterprise; for needed public improvements; and, for any other lawful purpose authorized by the *Plan*, the *Act* or any other applicable law.

### **2. RELOCATION**

If acquisition of property displaces any person, family or business, the *Authority* may assist such party in finding another location, and may, but is not obligated to, make relocation payments to eligible residents and businesses in such amounts and under such terms and conditions as it may determine.

### **3. DEMOLITION, CLEARANCE AND SITE PREPARATION**

The *Authority* may demolish and clear those buildings, structures and other improvements from property it acquires if such buildings, structures and other improvements are not to be rehabilitated in accordance with this *Plan*. The *Authority* may provide rough and finished site grading and other site preparation services as part of a comprehensive redevelopment program.

### **4. PROPERTY MANAGEMENT**

During such time as any property is owned by the *Authority*, such property shall be under the management and control of the *Authority* and may be rented or leased by it pending disposition for redevelopment or rehabilitation.

### **5. PUBLIC IMPROVEMENTS**

The *Design Guidelines and Standards* to be adopted by the *Authority* will contain *Design Guidelines and Standards* for all public improvements and infrastructure. The *Design Guidelines and Standards* shall include criteria and standards to address street, streetscape, utility, drainage and flood problems in the *Urban Renewal Area* as well as other elements deemed necessary by the *Authority* to eliminate and prevent conditions of blight and to carry out the provisions of the *Act* and the *Plan*.

## 6. LAND DISPOSITION, REDEVELOPMENT AND REHABILITATION

Purchasers or owners of property within the *Urban Renewal Area* will be obligated to develop, redevelop or rehabilitate such property in accordance with the provisions of this *Plan* and the *Design Guidelines and Standards*.

The *Authority* may dispose of property it acquires by means of a reasonable competitive bidding procedure it establishes in accordance with the *Act* and pursuant to redevelopment agreements between the *Authority* and such purchasers.

The *Authority* may also enter into owner participation agreements with property owners in the *Urban Renewal Area* for the development, redevelopment or rehabilitation of their property. Such agreements will provide for such participation and assistance as the *Authority* may elect to provide to such owners.

All such redevelopment, owner participation and other agreements shall contain, at a minimum, provisions requiring:

- a. Compliance with the *Plan*, the *Design Guidelines and Standards* and City codes and ordinances;
- b. covenants to begin and complete development, construction or rehabilitation of both public and private improvements within a period of time deemed to be reasonable by the *Authority*;
- c. the financial commitments of each party (but nothing herein shall obligate the *Authority* to make any such financial commitment to any party or transaction).

## 7. COOPERATION AGREEMENTS

For the purposes of planning and carrying out this *Plan*, the *Authority* may enter into one or more cooperation agreements with the *City* or other public bodies. Without limitation, such agreements may include project financing and implementation; design, location and construction of public improvements and any other matters required to carry out this *Project*. It is recognized that cooperation with the *City*, other municipalities and other public and private bodies may be required to coordinate such issues as the design, construction and timing of public and private improvements within and outside of the *Urban Renewal Area* to properly and efficiently carry out the goals and objectives of this *Plan*. Cooperation agreements addressing such issues are deemed necessary and incidental to the planning and execution of the *Project*.

## 8. OTHER PROJECT UNDERTAKINGS AND ACTIVITIES

Other *Project* undertakings and activities deemed necessary by the *Authority* to carry out the *Plan* may be undertaken and performed by the *Authority* or pursuant to agreements with other parties or public bodies in accordance with the authorization of the *Act* and any and all applicable laws.

## H. PROJECT FINANCING

The *Authority* is authorized to finance the *Project* by any method authorized by the *Act* or any other applicable law, including without limitation, appropriations, loans or advances from the *City*; federal loans and grants; state loans and grants; interest income; pay as you go arrangements; annual appropriation agreements; agreements with public and private parties or entities; sale of securities; property and sales tax increments; loans, advances and grants from any other available source.

Any and all financing methods legally available to the *City*, the *Authority*, any private developer, re-developer or owner may be used to finance in whole or in part any and all costs, including without limitation, the cost of public improvements, described or anticipated in the *Plan* or in any manner related or incidental to the development and redevelopment of the *Urban Renewal Area*.

Such methods may be combined to finance all or any part of the *Project*. Any financing method authorized by the *Plan* or by any applicable law, including without limitation, the *Act*, may be used to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, re-funded, assumed or otherwise) incurred by the *Authority* or the *City* to finance the *Project* in whole or in part.

The *Authority* is authorized to issue notes, bonds or any other financing instruments or documents in amounts sufficient to finance all or part of the *Project*. The *Authority* is authorized to borrow funds and to create indebtedness in carrying out this *Plan*. The principal, interest and any premiums due on or in connection with such indebtedness may be paid from tax increments or any other funds available to the *Authority*.

The *Project* may be financed by the *Authority* under the tax allocation financing provisions of the *Act*. Under the tax allocation method of financing the *Project*, property taxes levied after the effective date of the approval of this *Plan* upon taxable property in the Urban Renewal Area each year by or for the benefit of any public body, or all or a portion of municipal sales taxes collected within the *Urban Renewal Area*, or both such taxes, shall be divided for a period not to exceed twenty-five (25) years after the effective date of the adoption of this tax allocation provision, as follows:

## 1. BASE AMOUNT

That portion of the taxes which are produced by the levy at the rate fixed each year by or for such public body upon the valuation for assessment of taxable property in the *Urban Renewal Area* last certified prior to the effective date of approval of the *Plan* or, as to an area later added to the *Urban Renewal Area*, the effective date of the modification of the *Plan*, and, subject to the City Council approval, that portion of municipal sales taxes collected within the boundaries of the *Urban Renewal Area* in the twelve-month period ending on the last day of the month prior to the effective date of the approval of the *Plan*, or both such portions, shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

## 2. INCREMENT AMOUNT

That portion of said property taxes in excess of such base amount or, subject to City Council approval, that portion of said municipal sales taxes in excess of such base amount, or both, shall be allocated to and, when collected, paid into a special fund of the *Authority* to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the *Authority* for financing or refinancing, in whole or in part, the *Project*.

Unless and until the total valuation for assessment of the taxable property in the *Urban Renewal Area* exceeds the base valuation for assessment of the taxable property in the *Urban Renewal Area*, all of the taxes levied upon taxable property in the *Urban Renewal Area* shall be paid into the funds of the respective public bodies. Unless and until all or the relevant part of the municipal sales tax collections in the *Urban Renewal Area* exceed the base year municipal sales tax collections in the *Urban Renewal Area*, all such sales tax collections shall be paid into the funds of the *City*.

When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the *Urban Renewal Area* shall be paid into the funds of the respective public bodies and all such municipal sales tax collections in the *Urban Renewal Area* shall be paid into the funds of the *City*.



The increment portion of the taxes, as described in subparagraph (II), may be irrevocably pledged by the *Authority* for the payment of the principal of, the interest on, and any premiums due connection with such bonds, loans, advances and indebtedness incurred by the *Authority* to finance the *Project*.

## **I. CHANGES IN APPROVED PLAN**

This *Plan* may be modified pursuant to the provisions of the *Act* governing such modifications, including §31-25-107, C.R.S.

## **J. MINOR VARIATIONS**

The *Authority* may in specific cases allow minor variations from the provisions of the *Plan* if it determines that a literal enforcement of the provisions of the *Plan* would constitute an unreasonable limitation beyond the intent and purpose of the *Plan*.



# **APPENDIX**

**120th AVENUE GATEWAY CORRIDOR - URBAN RENEWAL PLAN**



# 120TH AVENUE GATEWAY CORRIDOR URBAN RENEWAL PLAN

## EXHIBIT 3 LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF THE SOUTH ONE-HALF OF SECTION 31, TOWNSHIP 1 SOUTH RANGE 88 WEST OF THE SIXTH PRINCIPAL MERIDIAN, A PORTION OF THE SOUTH ONE-HALF OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND A PORTION OF THE NORTH ONE-HALF OF THE NORTH ONE-HALF OF SECTION 1 AND A PORTION OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE W1/2, SE1/4, OF SAID SECTION 31; AND A PARCEL OF LAND LYING IN THE SE 1/4, SE 1/4, SAID SECTION 31, (EXCEPT THAT PORTION LYING IN A PARCEL OF LAND KNOWN AS BRANDYWINE SUBDIVISION, FILINGS NUMBER 4 AND 5, RECORDED AT RECEPTION NUMBERS B690425 AND B690426 RESPECTIVELY, ADAMS COUNTY CLERK AND RECORDERS OFFICE); AND A PARCEL OF LAND LYING IN THE S1/2, SW1/4, SAID SECTION 31, ALL LOCATED IN TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

AND,

A PARCEL OF LAND KNOWN AS PARK BUSINESS PLAZA, RECORDED AT RECEPTION NUMBER 477077, BOULDER COUNTY CLERK AND RECORDERS OFFICES (EXCEPT THAT PORTION KNOWN AS THE SAFEWAY MARKETPLACE SUBDIVISION, FILING NUMBER 2 RECORDED AT RECEPTION NUMBER 1175171, BOULDER COUNTY CLERK AND RECORDERS OFFICE); AND A PARCEL OF LAND RECORDED AT RECEPTION NUMBER 892284, BOULDER COUNTY CLERK AND RECORDERS OFFICE AND THE S1/2, SE 1/4, SAID SECTION 36, ALL LOCATED IN TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

AND,

A PARCEL ANNEXED AT RECEPTION NUMBER 82059925, JEFFERSON COUNTY CLERK AND RECORDERS OFFICE; AND A PARCEL OF LAND KNOWN AS LOTS 1, 2, AND 3, DONELSON SUBDIVISION, RECORDED AT RECEPTION NUMBER 88055074, JEFFERSON COUNTY CLERK AND RECORDERS OFFICE; AND A PARCEL ANNEXED AT RECEPTION NUMBER 69324625, JEFFERSON COUNTY CLERK AND RECORDERS OFFICE, ALL LOCATED IN TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

AND,

THAT PORTION OF W. 120TH AVE. LYING BETWEEN THE WEST BOUNDARY LINE OF THE ABOVE SAID PARCEL OF LAND (RECEPTION NUMBER 69324625) AND THE WEST RIGHT-OF-WAY LINE OF SHERIDAN BLVD.; AND THAT PORTION OF PIERCE STREET FROM W. 120TH TO THE SOUTH BOUNDARY LINE OF THE ABOVE SAID PARCEL OF LAND (RECEPTION NUMBER 69324625); AND THAT PORTION OF E. 1ST AVE. FROM MAIN ST. TO THE END; AND THAT PORTION OF MAIN ST. FROM E. 1ST AVE. TO THE NORTH BOUNDARY LINE OF ABOVE SAID PARCEL OF LAND (RECEPTION NUMBER 477077, ALL WITHIN THE CORPORATE CITY LIMITS OF BROOMFIELD.

SAID PARCEL OF LAND CONTAINS 372.2 ACRES (MORE OR LESS)

## PLANNING AND DESIGN STANDARDS AND GUIDELINES

### Application and Purpose

These planning and design standards and guidelines apply to all development within the 120th Avenue Gateway Corridor Urban Renewal Plan Area ("Area") as defined in the 120th Avenue Gateway Urban Renewal Plan ("Plan"). They are intended to further the goals of the Plan: to eliminate and prevent the conditions of blight within the Area; to attract capital investment and new businesses to strengthen the City's economic base; and to create a high quality image for the City.

These standards and guidelines are in addition to those prescribed by the Broomfield Municipal Code for the underlying zoning districts and by the Broomfield Master Plan. In case of any conflict with those standards, the most restrictive shall apply.

All new development, or redevelopment, within the Area is subject to these standards and guidelines. Pursuant to the Plan, no building permits may be issued for any development prior to and unless the Broomfield Urban Renewal Authority ("BURA") determines that the development is in compliance with these standards and guidelines.

### Guidelines

1. All non-residential buildings shall:
  - a. Include quality, durable materials on all facades. Facades oriented to, and visible from, any public right-of-way or any residentially used or planned parcel shall have as the primary building material: brick, stone, wood or textured, colored concrete masonry units.
  - b. Highlight entryway areas with architectural features so that they are visible from the street.
  - c. Screen, on all sides, mechanical units in a manner consistent with the project's architectural design.
  - d. Use earth tone colors which are compatible with the project's built and natural setting. Primary colors may be used for accent, but may not constitute the dominant color of any structure.
2. Non-residential buildings within 800 feet of 120th Avenue, Sheridan and Lowell Boulevards or Main Street, or oriented towards any of these streets, shall, on any facade visible from

any public right-of-way or any residentially used or planned parcel, include a massing change, reveal, projection or a similar feature to provide relief to the facade at least once every thirty (30) horizontal feet.

#### Height

3. Building heights shall be set to achieve the following:
  - a. Transition from adjacent dwellings.
  - b. Preservation of view corridors.
  - c. Emphasis of visual focal points.
  - d. Compatibility with the topography of the site.

#### Signage

4. All free standing signage shall be in a monument form. Signs shall not exceed 7 feet in height. Specific dimensions and locations shall be determined at the time of plan review.
5. Signage design shall be consistent with the larger project design.
6. All lighting, with the exception of neon, which will be reviewed on a case-by-case basis, shall be internal.
7. Building signs shall not extend above the wall and shall be limited to tenant (company) names or graphic symbols.

#### Outdoor storage, trash collection and loading areas

8. Outdoor Storage, trash collection and loading areas shall be located and designed in such a manner that they are not visible from any public right-of-way or residentially used or planned parcel. Large, over 30 gallon, trash receptacles shall be enclosed in a manner consistent with the architecture of the project. Adjacent parcels shall be protected from sound, odor and other impacts related to these activities.

#### Landscaping

9. The entire project shall be landscaped. The area and density of landscaping may vary, but the greatest areas and densities shall occur adjacent to public rights way and less

intensive land uses. Areas of the site not covered by building, parking or loading area shall be landscaped.

10. Where appropriate, thematic landscaping treatments are encouraged.

#### Parking

11. Parking areas which front on 120th Avenue, Sheridan or Lowell Boulevards or Main Street shall be bordered on these street sides by a berm or knee wall, no less than 30 inches, or no more than 36 inches high. If a knee wall is provided, it shall be architecturally consistent with the design on the project. Alternatives shall be considered in instances where finished topography provides a natural screening effect.
12. Buildings which front on 120th Avenue, Sheridan or Lowell Boulevards or Main Street shall distribute and design their parking areas so that the parking lots do not visually overwhelm the project. This may be achieved by careful placement of buildings, distributing parking throughout the site, use of landscaping and topography or other innovative site planning techniques.
13. Where appropriate, shared parking between uses of varying peak usage characteristics are encouraged.
14. Parking lots of greater than 15 parking spaces shall have internal landscaping areas. These landscaping areas shall be interspersed throughout the parking area.

#### Vehicular Access

15. To the extent possible, adjoining and proximate projects shall provide shared access points and/or cross access opportunities.

#### Bicycle/Pedestrian Access

16. Direct connections for pedestrians and bicycles shall be provided from adjacent public streets and public trails. These access points shall be distinguished from driving surfaces by placement, texture change, elevation or some other technique.
17. All buildings within projects shall have pedestrian connections.
18. When appropriate, adjacent and proximate developments shall have pedestrian and bicycle connections. When feasible, these connections should be through landscaped areas.

19. Development shall provide appropriate bicycle parking facilities.

#### Lighting

20. All lighting shall be provided in an efficient manner such that it does not adversely affect neighboring properties. Directed, downcast lighting that does not extend beyond property lines is required.

#### Fences and Walls

21. Fences and walls shall be designed in such a manner that materials and design are consistent with the overall project. Adjacent to public rights of ways and planned or existing residential uses, walls and fences shall have landscaped setbacks.

#### Other Standards

22. Planning and design standards which are not specified in this plan shall be governed by applicable state law and the applicable section of the Broomfield Municipal Code.

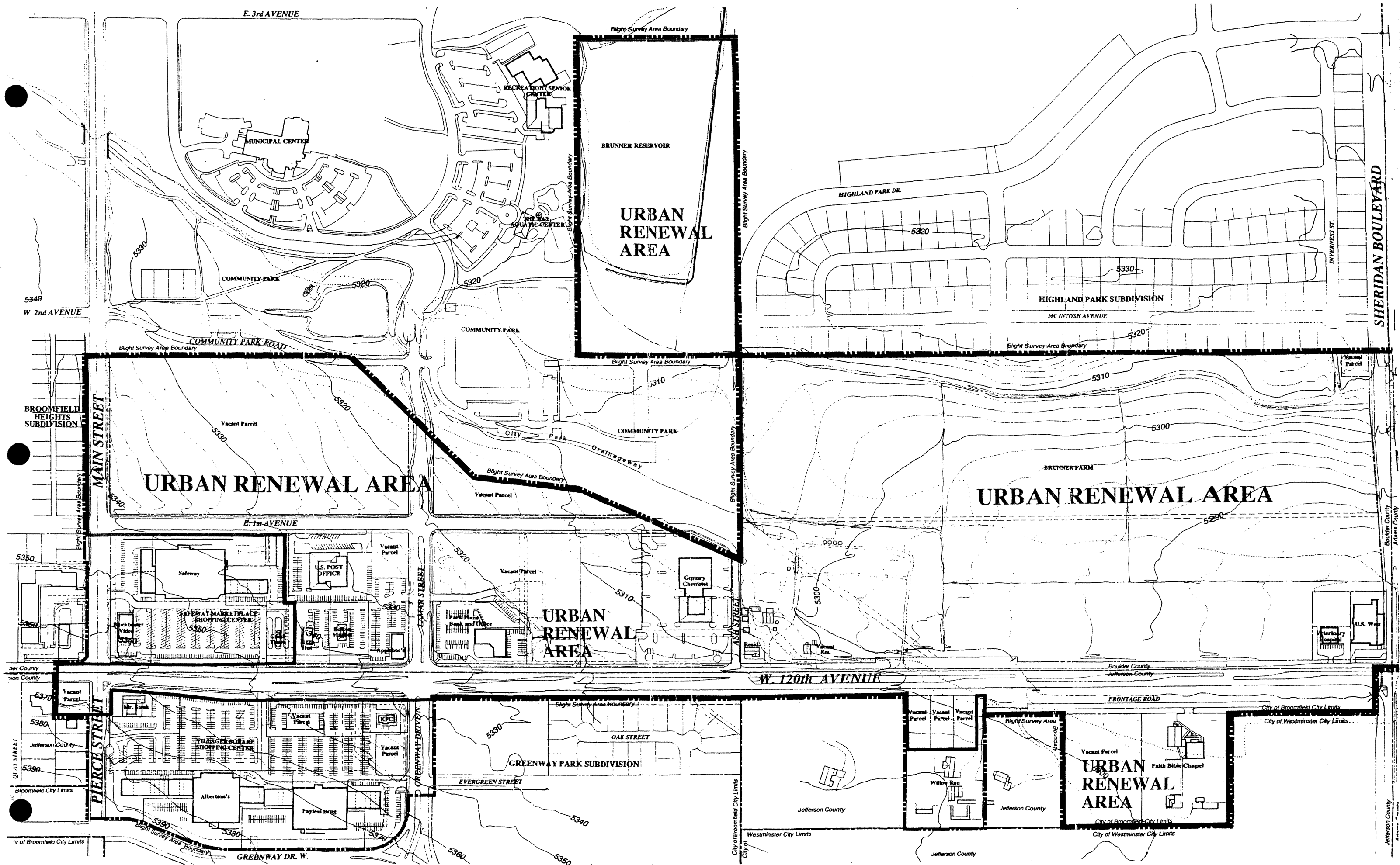
#### Variances

The Urban Renewal Authority is empowered to grant variances to the standards under the following conditions:

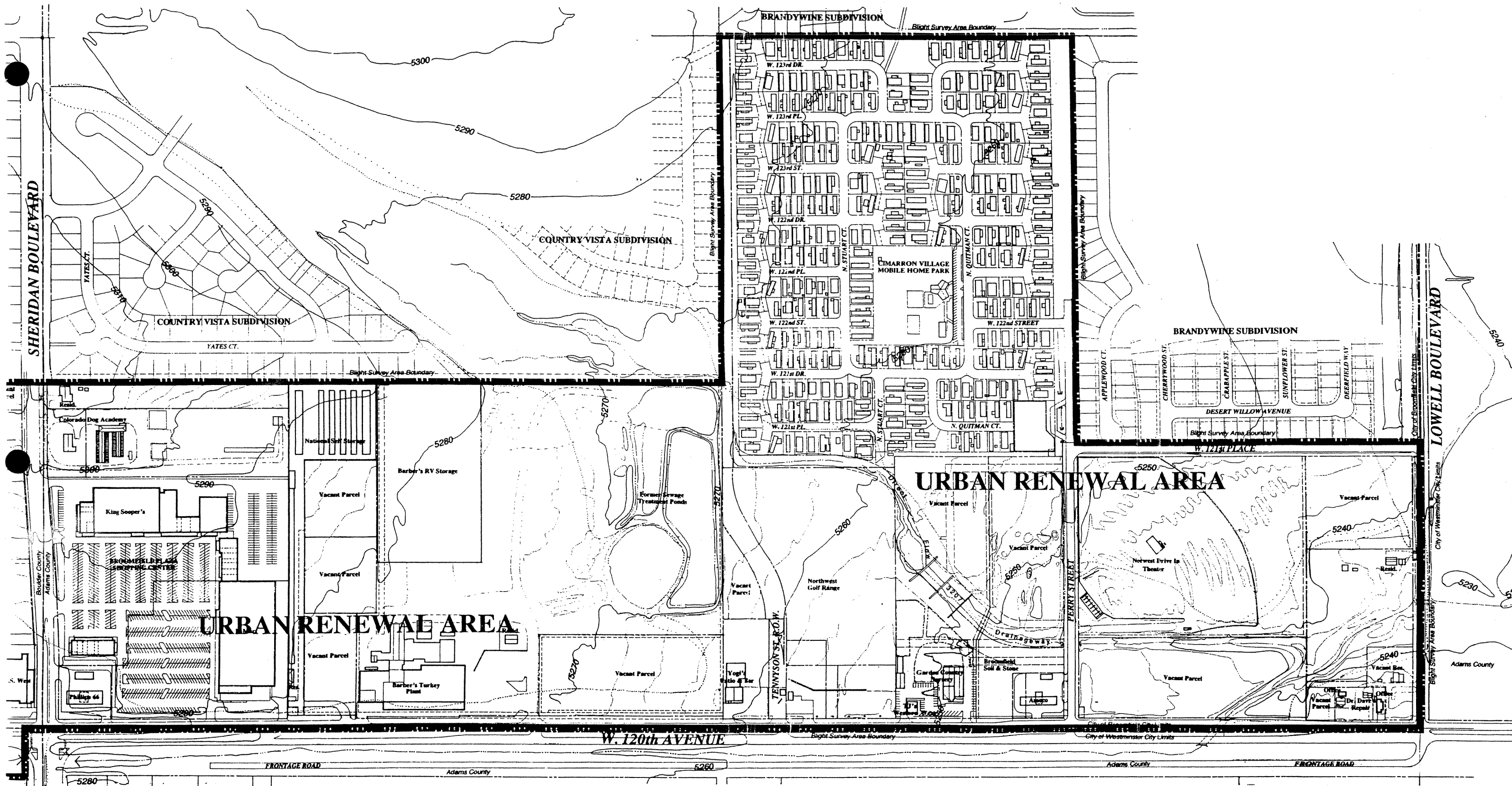
1. The strict application of the standard would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of the affected property; or
2. The alternative site planning and building design approach meets the design objectives as stated in the standard, equally well or better than would compliance with the standards; and
3. In either of the foregoing circumstances, the granting of a variance would not be detrimental to the public good.

#### Amendment

These standards and guidelines may be amended from time to time by BURA.







# URBAN RENEWAL PLAN AREA

- URBAN RENEWAL AREA PLAN BOUNDARY
- BLIGHT SURVEY AREA BOUNDARY

BROOMFIELD URBAN RENEWAL AUTHORITY  
Broomfield, Colorado  
WestPlan Consulting Group  
Boulder, Colorado  
October 1995  
Revised December 1995  
This map has been prepared by WestPlan from maps provided by the City of Broomfield. It has been supplemented by field survey observations and oblique aerial photographs. The purpose of the map is to be used to document existing conditions found in the Survey Area. It should only be used for general planning purposes.  
SCALE  
0 50 100 200 300  
NORTH

## BROOMFIELD Urban Renewal Plan 120th Avenue Corridor Lowell Boulevard to Main Street

THIS AREA  
REPRESENTS  
FOUR (4) ACRES  
**EXHIBIT 2**

RESOLUTION NO. 2004-28-UR

A RESOLUTION APPROVING THE URBAN RENEWAL DEVELOPMENT PLAN  
FOR THE VILLAGER SQUARE SHOPPING CENTER IN THE VILLAGER SQUARE  
URBAN RENEWAL PLAN

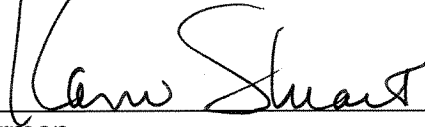
BE IT RESOLVED BY THE BROOMFIELD URBAN RENEWAL AUTHORITY:

Section 1. The Authority has reviewed the urban renewal development plan for Villager Square Shopping Center in the Villager Square Urban Renewal Plan and finds the development plan in compliance with the Villager Square Urban Renewal Plan. The development plan is approved.

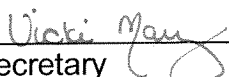
Section 2. This resolution is effective upon its approval by the Broomfield Urban Renewal Authority.

APPROVED on January 27, 2004.


BROOMFIELD URBAN RENEWAL AUTHORITY

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City & County Attorney



# Villager Square Urban Renewal Project

## Urban Renewal Plan

|     |  |    |
|-----|--|----|
| A.  | PREFACE  | 1  |
| B.  | URBAN RENEWAL AREA BOUNDARIES  | 1  |
| C.  | SUMMARY OF ELIGIBILITY CRITERIA  | 1  |
| 1.  | Blight Survey  | 1  |
| 2.  | Summary of Blight Survey   | 1  |
| D.  | GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT   | 2  |
| E.  | URBAN RENEWAL PLAN GOALS AND THE PLAN'S<br>RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES | 2  |
| 1.  | Goals  | 2  |
| 2.  | Relationship to Local and Regional Objectives  | 3  |
| F.  | LAND USE REGULATIONS AND BUILDING<br>REQUIREMENTS  | 3  |
| 1.  | Uses   | 4  |
| 2.  | Plan Review Process  | 5  |
| G.  | PLANNING AND DESIGN STANDARDS AND GUIDELINES   | 6  |
| 1.  | Application and Purpose  | 6  |
| 2.  | Guidelines   | 6  |
| 3.  | Height   | 7  |
| 4.  | Signage  | 7  |
| 5.  | Outdoor storage, trash collection and loading areas                                      | 7  |
| 6.  | Landscaping  | 8  |
| 7.  | Parking  | 8  |
| 8.  | Vehicular Access   | 8  |
| 9.  | Bicycle/Pedestrian Access  | 8  |
| 10. | Lighting   | 9  |
| 11. | Fences and Walls   | 9  |
| 12. | Other Standards  | 9  |
| 13. | Variances  | 9  |
| H.  | PROJECT ACTIVITIES   | 10 |
| 1.  | Land Acquisition   | 10 |
| 2.  | Relocation   | 10 |
| 3.  | Demolition, Clearance and Site Preparation   | 10 |
| 4.  | Property Management  | 10 |

|    |  |    |
|----|--|----|
| 5. | Land Disposition, Redevelopment and Rehabilitation | 10 |
| 6. | Cooperation Agreements                             | 11 |
| 7. | Signage  | 11 |
| 8. | Other Project Undertakings and Activities          | 11 |
| I. | PROJECT FINANCING                                  | 12 |
| J. | CHANGES IN APPROVED PLAN                           | 12 |
| K. | MINOR VARIATIONS                                   | 13 |

#### APPENDIX

Exhibit 1: Map of the Urban Renewal Area

Exhibit 2: Urban Renewal Area Legal Description

Exhibit 3: Signage Plan and Elevation

Exhibit 4: Financial Impact of the Villager Square Urban Renewal Project

# Urban Renewal Plan: Villager Square Urban Renewal Project

## **A. PREFACE**

The Urban Renewal Plan (the "Plan") for the Villager Square Urban Renewal Project (the "Project") has been prepared for the City Council of the City of Broomfield (the "City") pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, C.R.S., as amended (the "Act"). The location of the Urban Renewal Area within the City is shown in Exhibit 1. The administration of the Project and the implementation of the Plan shall be the responsibility of the Broomfield Urban Renewal Authority (the "Authority").

## **B. URBAN RENEWAL AREA BOUNDARIES**

The Urban Renewal Area contains approximately 17.2 acres, and is depicted in Exhibit 1. The Urban Renewal Area is described in Exhibit 2.

## **C. SUMMARY OF ELIGIBILITY CRITERIA**

### **1. Blight Survey**

The Authority contracted with Arthur L. Anderson and Associates, Inc. to prepare a Blight Survey covering the proposed Urban Renewal Area. The Villager Square area was originally part of the proposed 120th Avenue Gateway Corridor Urban Renewal Area and was included in the blight survey for that project. Villager Square was excluded from the 120th Avenue Gateway Corridor Urban Renewal Project at the request of the owner. The purpose of the new blight survey was to establish whether conditions of blight, as defined in the Act, exist in the survey area. The Blight Survey dated February 1997, consisting of twenty-five pages, two exhibits and an appendix of photographs is incorporated herein by reference.

### **2. Summary of Blight Survey**

The following is a summary of the conditions of blight that exist in the Urban Renewal Area, as more particularly set forth in the Blight Survey:

- a. Extensive physical deterioration of parking, drive lanes and access alley pavement is present.
- b. Structural cracking of buildings is present.
- c. Expansive soils exist under the study area.
- d. Vacant retail space and a vacant, boarded-up building are present.

- e. An unbuildable building site exists because of storm water detention problems.
- f. Fragmented ownership, inadequate site design, lot layout and property utilization are present.
- g. Traffic and pedestrian problems exist on and adjacent to the shopping center.
- h. Assessed valuation and sales tax revenues are trending downward.

#### **D. GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT**

The Blight Study identifies conditions that constitute "blight" as defined in the Act within the Urban Renewal Area. This Plan shall be implemented as part of a comprehensive program to eliminate blight in the Urban Renewal Area. The Authority and the City, with the cooperation of private enterprise and other public bodies, will undertake a program to eliminate the conditions of blight identified in the Blight Study while implementing the City's 1995 Master Plan (the "Master Plan").

#### **E. URBAN RENEWAL PLAN GOALS AND THE PLAN'S RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES**

##### **1. Goals**

This Plan has been adopted to achieve the following goals in the Urban Renewal Area:

- a. The Plan will implement the Master Plan and contribute to the orderly growth and development of the 120th Avenue gateway corridor.
- b. Implementation of the Plan will help eliminate and prevent conditions of blight in the Urban Renewal Area.
- c. Through the maximum possible participation of private enterprise and the cooperative efforts of the public sector, implementation of the Plan will eliminate and prevent economic deterioration in the Urban Renewal Area.
- d. The Plan will upgrade access, traffic, pedestrian and bicycle circulation, public utilities, recreation and drainage in the Urban Renewal Area, while ensuring that existing and proposed development is sensitive to the surrounding residential neighborhoods.
- e. The Plan will help attract capital investment and new retail businesses, retention and expansion of existing businesses, and development of a

competitive regional retail market, thereby providing employment and strengthening the City's economic base.

- f. The Plan will create a high quality image of the City and the Urban Renewal Area by creating an attractive visual image through landscaping and design guidelines.
- g. The Plan will expand retail opportunities for the citizens of Broomfield and the surrounding area and create a stable sales tax base for the City.
- h. Implementation of the Plan will provide for the redevelopment of commercial land in the Urban Renewal Area and promote improvements of properties in the area.

## **2. Relationship to Local and Regional Objectives**

The Plan conforms to and is designed to implement the Master Plan as well as regional objectives.

- a. The Plan will promote and encourage commercial and retail developments in the Urban Renewal Area, an objective of the Master Plan.
- b. The Plan will help implement the provisions of the City's master drainage and flood improvement program, which is part of regional efforts to control flooding and promote a comprehensive drainage program to serve the entire region.
- c. Implementation of the Plan is consistent with regional efforts to create public/private partnerships to provide employment and generate revenues for both sectors.
- d. The Plan will provide a means of mitigating land use conflicts with adjoining areas through implementation of planning and design standards for public and private improvements.
- e. The Plan promotes the development and expansion of safe and adequate pedestrian access and public transportation.
- f. The Plan enhances and upgrades visual corridors designated in the Master Plan.

## **F. LAND USE REGULATIONS AND BUILDING REQUIREMENTS**

120th Avenue is a gateway to the City. The Plan will provide a comprehensive and unified plan to promote and encourage high quality development of the Urban Renewal Area by private enterprise. In addition to the land use and building requirements contained in City Codes and ordinances and the provisions of this Plan, this Plan contains planning and design standards and



guidelines ("Design Standards") that will also apply to the property included in the Urban Renewal Area. The Design Standards shall apply to both public and private improvements. No building permit for a new structure or significant exterior modifications shall be issued prior to and unless the Authority makes a finding of compliance.

In the event of a conflict involving the provisions of City codes and ordinances, the Plan and the Design Standards, the most restrictive provision shall govern.

1.        Uses

- a.        Permitted uses for properties in the Urban Renewal Area shall be those uses allowed in the underlying zoning district of the Broomfield Municipal Code; *provided, however*, notwithstanding the foregoing language, the following uses are not permitted in the Urban Renewal Area:

- (1)        Dairy processing and distribution;
- (2)        plumbing, electrical and carpenter shops;
- (3)        truck, tractor, trailer, recreational vehicle, heavy machinery, mobile home or farm equipment storage, rental, sales or service;
- (4)        adult entertainment stores;
- (5)        mini-storage or outdoor storage;
- (6)        animal kennels;
- (7)        outdoor storage of rubbish, refuse, wastes, junk or salvage yards, automobiles, shipping containers, or vegetable or animal by-products;
- (8)        automobile sales and rental (new and used);
- (9)        wholesale stores;
- (10)       indoor recreation facilities;
- (11)       outdoor vehicle storage;
- (12)       churches;
- (13)       used merchandise stores greater than 5,000 square feet, not including antique stores.

- b. When permitted by the underlying zoning district, the following uses may be permitted upon special review and approval by the Authority:
  - (1) Office uses with greater than 25 peak business hour employees (8 a.m. to 5 p.m. on weekdays).

## **2. Plan Review Process**

The purposes of the Plan are to eliminate and prevent blight in the Urban Renewal Area and to achieve development of the highest quality in the Urban Renewal Area. To assure that those purposes are accomplished, the Authority shall hold a public hearing on all plans or proposals for development in the Urban Renewal Area to determine compliance with the Plan. No building permit for a new structure or significant exterior modifications shall be issued prior to and unless the Authority makes a finding of compliance.

### **a. Site Development Plan.**

Each plan or proposal shall be accompanied by a site development plan. The site development plan shall be submitted to the Authority in a form as set forth in Sections 17-038-150 and 17-38-160 of the Broomfield Municipal Code as they may be amended from time to time.

### **b. Public Hearing, Notice.**

The Authority shall hold a public hearing on any proposed site development plan. Notice of the hearing shall be published in a newspaper of general circulation in the City of Broomfield at least five (5) days prior to the hearing.

### **c. Review Standards.**

The decision of the Authority shall be based on whether a proposed site development plan meets the following standards.

- (1) The proposal should be consistent with the purposes and standards of this Plan.
- (2) The proposal should identify and specify factors that mitigate any potential negative impacts on nearby properties.
- (3) The proposal should identify and specify factors that maximize potential positive impacts on nearby properties.
- (4) The proposal should include adequate facilities for pedestrians, bicyclists and motorists.

- (5) The proposal should optimize conservation of energy, water, and other resources on a site-specific scale.
- (6) The land uses within the proposal should be compatible with one another.
- (7) The proposal should include any common areas serving the site, and contain adequate provisions for ownership and maintenance of such areas.
- (8) The proposal should include adequate public improvements (both on and off site) to be provided in a timely fashion.
- (9) The proposal is consistent with the Design Guidelines and Standards.

## **G. PLANNING AND DESIGN STANDARDS AND GUIDELINES**

### **1. Application and Purpose**

These planning and design standards and guidelines apply to all development within the Villager Square Urban Renewal Area ("Area"). They are intended to further the goals of the Plan: to eliminate and prevent the conditions of blight within the Area; to attract capital investment and new businesses to strengthen the City's economic base; and to create a high quality image for the City.

These standards and guidelines are in addition to those prescribed by the Broomfield Municipal Code for the underlying zoning districts and by the Broomfield Master Plan. In case of any conflict with those standards, the most restrictive shall apply.

All new development, redevelopment or rehabilitation within the Area is subject to these standards and guidelines. Pursuant to the Plan, no building permits for a new structure or significant exterior modification may be issued for any development prior to and unless the Authority determines that the development is in compliance with these standards and guidelines.

### **2. Guidelines**

All non-residential buildings shall:

- a. Include quality, durable materials on all facades with facades oriented to, and visible from, any public right-of-way, or any residentially used or planned parcel, shall have as the primary building material: brick, stone, wood or textured, colored concrete masonry units.

- b. Highlight entryway areas with architectural features so that they are visible from the street.
- c. Screen, on all sides, mechanical units in a manner consistent with the project's architectural design.
- d. Use earth tone colors that are compatible with the project's surroundings, including its natural setting. Primary colors may be used for accent, but may not constitute the dominant color of any structure.
- e. On any facade visible from any public right-of-way or any residentially used or planned parcel, include a massing change, reveal, projection or a similar feature to provide relief to the facade at least once every thirty (30) horizontal feet.

### **3. Height**

Building heights shall be set to achieve the following:

- a. Transition from adjacent dwellings;
- b. Preservation of view corridors;
- c. Emphasis of visual focal points;
- d. Compatibility with the topography of the site

### **4. Signage**

- a. All free standing signage shall be in a monument form. Signs shall not exceed 7 feet in height, unless otherwise authorized in this plan. Specific dimensions and locations shall be determined at the time of plan review.
- b. Signage design shall be consistent with the larger project design.
- c. All lighting, with the exception of neon, which will be reviewed on a case-by-case basis, shall be internal.

### **5. Outdoor storage, trash collection and loading areas**

Outdoor storage, trash collection and loading areas shall be located and designed in such a manner that they are not visible from any public right-of-way or residentially used or planned parcel. Large, over 30 gallon, trash receptacles shall be enclosed in a manner consistent with the architecture of the project. Adjacent parcels shall be protected from sound, odor and other impacts related to these activities.

## **6. Landscaping**

- a. The entire project shall be landscaped. The area and density of landscaping may vary, but the greatest areas and densities shall occur adjacent to public rights-of-way and less intensive land uses. Areas of the site not covered by building, parking or loading area shall be landscaped.
- b. Where appropriate, thematic landscaping treatments are encouraged.

## **7. Parking**

- a. Parking areas that front on a public street shall be bordered on the street sides by a berm or knee wall, not less than 30 inches, and not more than 36 inches high. If a knee wall is provided, it shall be architecturally consistent with the design of the project. Alternatives shall be considered in instances where finished topography provides a natural screening effect.
- b. New buildings shall distribute and design their parking areas so that the parking lots do not visually overwhelm the project. This may be achieved by careful placement of buildings, distributing parking throughout the site, use of landscaping and topography or other innovative site planning techniques.
- c. Where appropriate, shared parking between uses of varying peak usage characteristics are encouraged.
- d. Parking lots of greater than 15 parking spaces shall have internal landscaping areas. These landscaping areas shall be interspersed throughout the parking area.

## **8. Vehicular Access**

To the extent possible, adjoining and proximate projects shall provide shared access points and/or cross access provisions.

## **9. Bicycle/Pedestrian Access**

- a. Direct connections for pedestrians and bicycles shall be provided to buildings from adjacent public streets and public trails. these access points shall be distinguished from driving surfaces by placement, texture change, elevation or some other technique.
- b. All buildings within projects shall have pedestrian connections.

- c. When appropriate, adjacent and proximate developments shall have pedestrian and bicycle connections. When feasible, these connections should be through landscaped areas.
- d. Each development shall provide appropriate bicycle parking facilities.

#### **10. Lighting**

All lighting shall be provided in an efficient manner such that it does not adversely affect neighboring properties. Directed, downcast lighting that does not extend beyond property lines is required.

#### **11. Fences and Walls**

Fences and walls shall be designed in such a manner that materials and design are consistent with the overall project. Walls and fences shall have landscaped setbacks adjacent to public rights of ways and planned or existing residential uses.

#### **12. Other Standards**

Planning and design standards that are not specified in this Plan shall be governed by applicable state law and the applicable section of the Broomfield Municipal Code.

#### **13. Variances**

The Authority is empowered to grant variances to the standards under the following conditions:

- a. The strict application of the standard would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of the affected property; or
- b. The alternative site planning and building design approach meets the design objectives as stated in the standard, equally well or better than would compliance with the standards; and
- c. In either of the foregoing circumstances, the granting of a variance would not be detrimental to the public good.

## **H. PROJECT ACTIVITIES**

### **1. Land Acquisition**

In order to carry out this Plan, the Authority may exercise any and all of its rights and powers under the Act and any other applicable law, ordinance or regulation. The Authority may acquire any interest in property by any manner available, including, without limitation, by exercise of the power of eminent domain. The Authority may acquire property for the following reasons: To eliminate or prevent conditions of blight, to carry out one or more objectives of the Plan, to assemble property for redevelopment by private enterprise, for needed public improvements and for any lawful purpose authorized by the Plan or the Act or any other applicable law.

### **2. Relocation**

If acquisition of property displaces any persons, families or businesses, the Authority may assist such parties in finding other locations and facilities and may make relocation payments to eligible residents and businesses in such amounts and under such terms and conditions as may be determined by the Authority.

### **3. Demolition, Clearance and Site Preparation**

The Authority may demolish and clear those buildings, structures and other improvements from property it acquires pursuant to this Plan if such buildings, structures and other improvements are not to be rehabilitated in accordance with this Plan. The Authority may provide rough and finished site grading and other site preparation services as part of a comprehensive redevelopment program.

### **4. Property Management**

During such time as any property is owned by the Authority, such property shall be under the management and control of the Authority (or the Authority's agents) and may be rented or leased by it pending disposition for redevelopment or rehabilitation.

### **5. Land Disposition, Redevelopment and Rehabilitation**

Purchasers or owners of property within the Urban Renewal Area will be obligated to develop, redevelop or rehabilitate such property in accordance with the provisions of this Plan.

The Authority may dispose of property it acquires by means of a reasonable competitive bidding procedure it establishes in accordance with the Act and pursuant to redevelopment between the Authority and such purchaser.



The Authority may also enter into owner participation agreements with property owners in the Urban Renewal Area for the development, redevelopment or rehabilitation of their property. Such agreements will provide for the participation and assistance that the Authority may provide to such owners.

All such redevelopment, owner participation and other agreements shall contain, at a minimum, provisions requiring:

- a. Compliance with the Plan, the Design Guidelines and Standards and City codes and ordinances;
- b. covenants to begin and complete development, construction or rehabilitation of both public and private improvements within a period of time deemed to be reasonable by the Authority;
- c. the financial commitments of each party (but nothing herein shall obligate the Authority to make any such financial commitment to any party or transaction).

**6. Cooperation Agreements**

For the purposes of planning and carrying out this Plan, the Authority may enter into one or more cooperation agreements with the City or other public bodies. Without limitation, such agreements may include project financing and implementation; design, location and construction of public improvements and any other matters required to carry out this Project. It is recognized that cooperation with the City, other municipalities and other public and private bodies may be required to coordinate such issues as the design, construction and timing of public and private improvements within and outside of the Urban Renewal Area to properly and efficiently carry out the goals and objectives of this Plan. Cooperation agreements addressing such issues are deemed necessary and incidental to the planning and execution of the Project.

**7. Signage**

Additional signage may be installed as depicted on Exhibit 3. Such signage shall consist of a joint identification sign along West 120<sup>th</sup> Avenue.

**8. Other Project Undertakings and Activities**

Other Project undertakings and activities deemed necessary by the Authority to carry the Plan may be undertaken and performed by the Authority or pursuant to agreements with other parties or public bodies in accordance with the authorization of the Act and any and all applicable laws.

## **I. PROJECT FINANCING**

The Authority is authorized to finance this Project by any method authorized by the Act or any other applicable law, including without limitation, appropriations, loans or advances from the City; federal loans and grants; state loans and grants; interest income; pay as you go arrangements; annual appropriation agreements; agreements with public and private parties or entities; sale of securities; property and sales tax increments; loans, advances and grants from any other available source.

Any and all financing methods legally available to the City, the Authority, any private developer, redeveloper or owner may be used to finance in whole or in part any and all costs, including without limitation, the cost of public improvements, described or anticipated in the Plan or in any manner related or incidental to the development of the Urban Renewal Area. Such methods may be combined to finance all or any part of the Project. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the City to finance the Project in whole or in part.

The Authority is authorized to issue notes, bonds or any other financing instruments or documents in amounts sufficient to finance all or part of the Project. The Authority is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest and any premiums due on or in connection with such indebtedness may be paid from tax increments or any other funds available to the Authority.

The Project may be financed by the Authority under the tax allocation financing provisions of the Act upon adoption of an amendment to this Plan that specifically implements such financing.

The urban renewal area does not include single- or multiple- family residences. Therefore the provisions of C.R.S. 31-25-107(9)(d) of the Act regarding school board participation are not applicable.

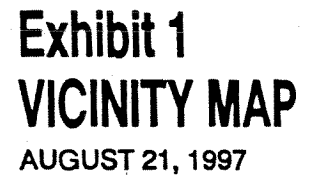
The report to the Board of County Commissioners of Jefferson County required by C.R.S. 31-25-107(3.5) of the Act is attached as Exhibit 4.

## **J. CHANGES IN APPROVED PLAN**

This Plan may be modified pursuant to the provisions of the Act governing such modifications, including §31-25-107, C.R.S.

## **K. MINOR VARIATIONS**

The Authority may in specific cases allow minor variations from the provisions of the Plan if it determines that a literal enforcement of the provisions of the Plan would constitute an unreasonable limitation beyond the intent and purpose of the Plan.

[illegible]

URBAN RENEWAL AREA

## EXHIBIT 2

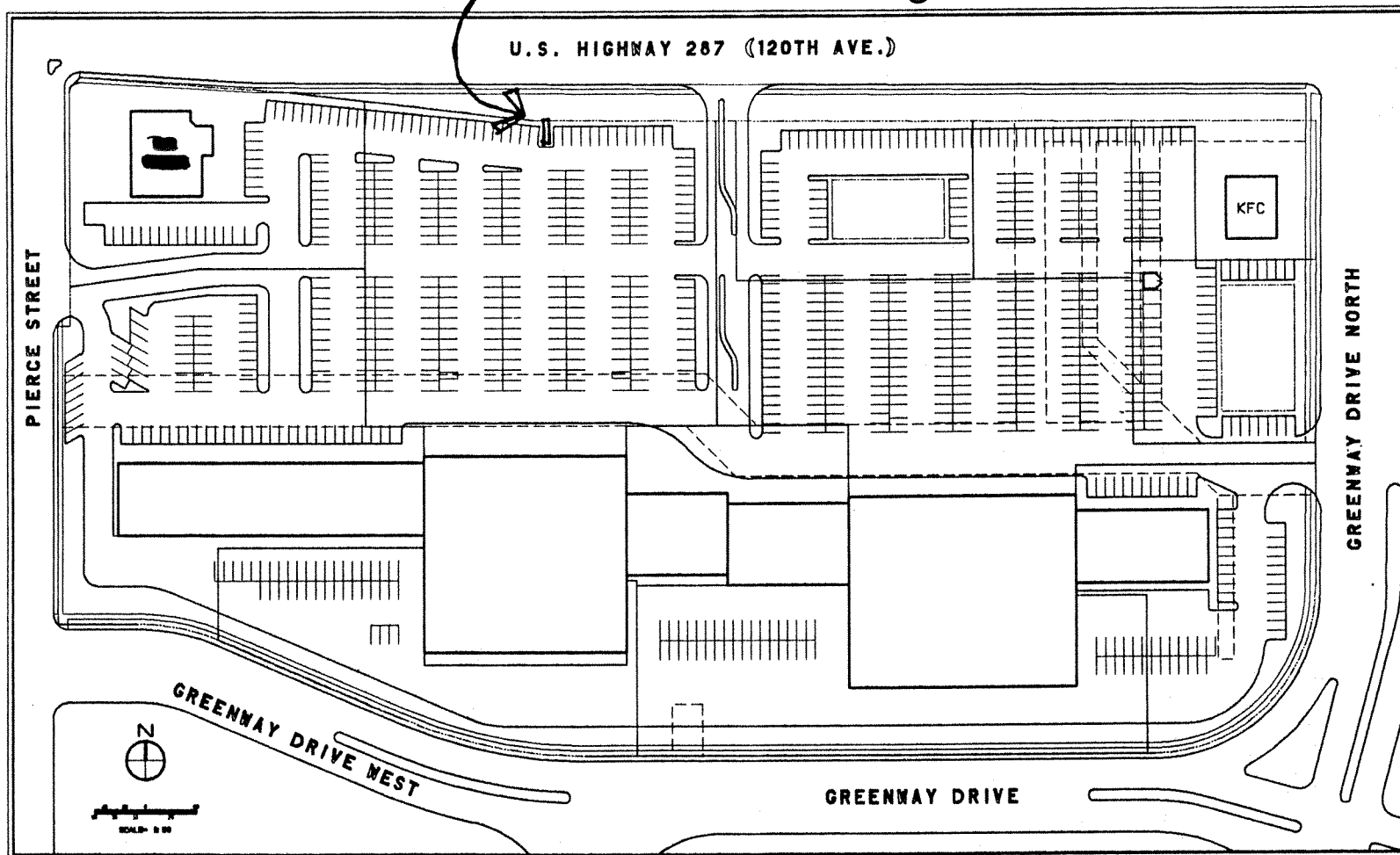
### Legal Description

A parcel of land in the City of Broomfield, County of Jefferson, State of Colorado:

Beginning at the intersection of the center line of west 120<sup>th</sup> Avenue and the west right of way line of Pierce Street extended north; thence east along the center line of west 120<sup>th</sup> Avenue to its intersection with the northerly extension of the east right of way line of Greenway Drive North; thence south along the northerly extension of the east right of way line and along the east right of way line of Greenway Drive North to its intersection with the southerly right of way line of Greenway Drive West; thence westerly along the southerly right of way line of Greenway Drive West to the west right of way line of Pierce Street; thence north along the west right of way line of Pierce Street to the point of beginning.

## Location of Sign

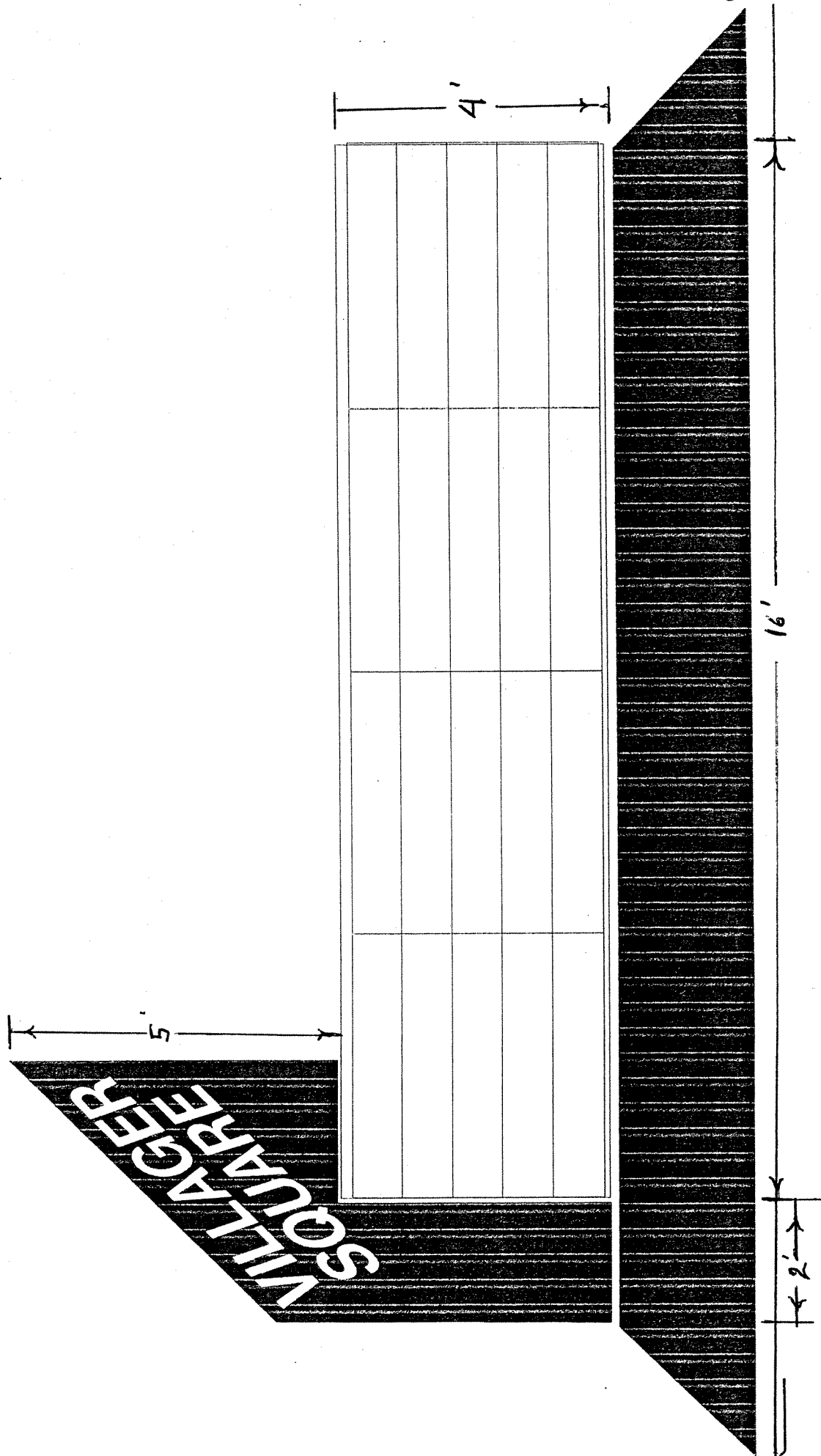
U.S. HIGHWAY 287 (120TH AVE.)



## VILLAGER SQUARE SHOPPING CENTER

8850 WEST 120TH AVENUE  
BROOMFIELD, COLORADO 80020

82 5g





## **FINANCIAL IMPACT OF THE VILLAGER SQUARE URBAN RENEWAL PROJECT**

This report is prepared in accordance with C.R.S. sec. 31-25-107 (3.5) in connection with approval of the Villager Square Urban Renewal Plan within the City of Broomfield, within Jefferson County. The report includes the following information concerning the impact of the plan:

- A. The estimated duration of time to complete the urban renewal project;
- B. The estimated annual property tax increment to be generated by the urban renewal project and the portion of such property tax increment to be allocated during this time period to fund the urban renewal project; and
- C. Any other estimated impacts of the urban renewal project on county services or revenues.

### **A. Duration of Time**

The urban renewal plan sets forth measures to eliminate and prevent blight in the proposed urban renewal area. Such measures will be implemented on a "pay-as-you-go" basis as individual private sector developments occur within the project area. The first activity in the plan will be the construction of a new joint-identification sign along West 120th Avenue. This should be completed by the end of 1997. No additional development or redevelopment activities have been scheduled at this time. However, it is reasonable to expect the urban renewal plan to be implemented over a five- to twenty-year time frame (within the twenty-five year period of limitation set forth under C.R.S. sec. 31-25-107 (9)(a)).

### **B. Property Tax Increment**

At this time, there is no estimated annual property tax increment expected to be generated by the urban renewal project for 1997. The urban renewal plan does not include tax increment financing provisions. If at some time in the future, tax increment financing is proposed, an amendment to the plan will be considered. Such amendment will include a revised report of impact to the County.

The current assessed value (1997) in the plan area is \$2,642,736. This includes \$602,790 for land, \$1,824,070 for improvements and \$215,876 for personal property.

It is expected that as the plan is implemented, an increase in the assessed valuation will occur. The emphasis on private sector actions makes an estimate of this expected increase in value purely speculative and therefore of no benefit for the purpose of this report.

C. Other Estimated Impacts

There are no other estimated impacts, at this time, on County services or revenues.

## ORDINANCE NO. 1362

### AN ORDINANCE APPROVING AN URBAN RENEWAL PLAN FOR THE WEST 120TH AVENUE URBAN RENEWAL PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOMFIELD,  
COLORADO.

Section 1. The Broomfield City Council finds and determines that:

- 1.1 In Resolution No. 116-95, which is incorporated herein by this reference, the area described in Resolution No. 116-95 is a "blighted area" as defined in the Colorado Urban Renewal Law, and the Broomfield Urban Renewal Authority directed that an urban renewal plan or plans should be prepared and submitted to the City Council.
- 1.2 The City Council received an urban renewal plan entitled "West 120th Avenue Urban Renewal Plan" (the "Plan") a copy of which is attached hereto as Exhibit A and incorporated herein by this reference.
- 1.3 Based on the Blight Survey described in the Plan and in accordance with the Colorado Urban Renewal Law, the City Council finds and determines that the urban renewal area (the "Area") described in the Plan is a blighted area, which by reason of the following factors substantially impairs or arrests the sound growth of the City, constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare in its present condition and use. The City Council further finds and determines that the following factors exist in the Area:
  - (a) Extensive physical deterioration of parking, drive lanes, and access alley pavement is present;
  - (b) Structural cracking of buildings is present;
  - (c) Expansive soils exist under the study area;
  - (d) Vacant retail space and a vacant, boarded-up building are present;
  - (e) An unbuildable building site exists because of storm water detention problems;
  - (f) Fragmented ownership, inadequate site design, lot layout and property utilization are present;
  - (g) Traffic and pedestrian problems exist on and adjacent to the shopping center; and
  - (h) Assessed valuation and sales tax revenues are trending downward.
- 1.4 The City Council finds that the Plan is in conformance with the 1995 Master Plan, which is the general plan for the development of the city as a whole.

- 1.5 It is not expected that any relocation of individuals, facilities or businesses will be required in connection with the Plan, but to the extent that such relocation may be required, a feasible method exists for the relocation of individuals, families and businesses who will be displaced by the urban renewal project in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals, families and businesses.
- 1.6 The Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the Area by private enterprise.


Section 2. The City Council hereby approves the Urban Renewal Plan for the West 120th Avenue Urban Renewal Project as set forth in Exhibit A, including the Standards and Guidelines for Building and Development.

Section 3. This ordinance shall be effective seven days after publication following final passage.

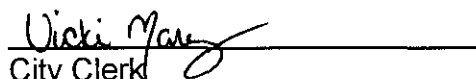
INTRODUCED AND APPROVED after first reading on August 25, 1998, and ordered published in full.

INTRODUCED A SECOND TIME and approved on September 8, 1998, and further ordered published in full.

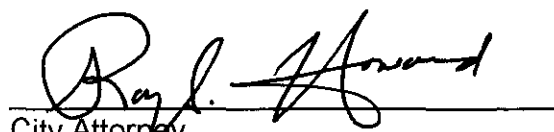
CITY OF BROOMFIELD, COLORADO

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

First Publication: August 27, 1998

Second Publication: September 17, 1998

# THE WEST 120th AVENUE URBAN RENEWAL PLAN

City of Broomfield

August 19, 1998

# The West 120th Avenue Urban Renewal Plan

|    |   |    |
|----|---|----|
| A. | PREFACE .....   | 1  |
| B. | URBAN RENEWAL AREA BOUNDARIES .....   | 1  |
| C. | SUMMARY OF ELIGIBILITY CRITERIA .....   | 1  |
| D. | GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT .....  | 2  |
| E. | URBAN RENEWAL PLAN GOALS AND THE PLAN'S RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES ..... | 2  |
|    | 1. Goals .....  | 2  |
|    | 2. Relationship to Local and Regional Objectives .....                                      | 4  |
| F. | LAND USE REGULATIONS AND BUILDING REQUIREMENTS .....  | 5  |
|    | 1. Uses .....   | 5  |
|    | 2. Plan Review Process .....  | 6  |
|    | a. Site Development Plan. ....  | 6  |
|    | b. Public Hearing, Notice. ....   | 6  |
|    | c. Review Standards. ....   | 6  |
| G. | PROJECT ACTIVITIES .....  | 7  |
|    | 1. Land Acquisition .....   | 7  |
|    | 2. Relocation .....   | 7  |
|    | 3. Demolition, Clearance and Site Preparation .....   | 8  |
|    | 4. Property Management .....  | 8  |
|    | 5. Public Improvements .....  | 8  |
|    | 6. Land Disposition, Redevelopment and Rehabilitation .....                                 | 8  |
|    | 7. Cooperation Agreements .....   | 9  |
|    | 8. Other Project Undertakings and Activities .....  | 9  |
| H. | PROJECT FINANCING .....   | 9  |
| I. | CHANGES IN APPROVED PLAN .....  | 11 |
| J. | MINOR VARIATIONS .....  | 11 |

## **APPENDIX**

- Exhibit 1: The Urban Renewal Area
- Exhibit 2: Urban Renewal Area Map
- Exhibit 3: Urban Renewal Area Legal Description
- Exhibit 4: Existing Conditions in Urban Renewal Area
- Exhibit 5: Financial Impact of the Urban Renewal Project



# The West 120th Avenue Urban Renewal Plan

## A. PREFACE

The Urban Renewal Plan (the "Plan") for the West 120th Avenue Urban Renewal Project (the "Project") has been prepared for the City Council of the City of Broomfield (the "City") pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, C.R.S., as amended (the "Act"). The location of the Urban Renewal Area within the City is shown in Exhibit 1. The administration of the Project and the implementation of the Plan shall be the responsibility of the Broomfield Urban Renewal Authority (the "Authority").

## B. URBAN RENEWAL AREA BOUNDARIES

The Urban Renewal Area contains approximately 195 acres and is depicted in Exhibit 2. The Urban Renewal Area is described in Exhibit 3.

## C. SUMMARY OF ELIGIBILITY CRITERIA

### 1. Blight Survey

In August, 1995, the Authority contracted with WestPlan Consulting Group to prepare a Blight Survey covering an area of approximately 426 acres, including the Urban Renewal Area. The purpose of the survey was to establish whether conditions of blight, as defined in the Act, exist in the survey area. The Blight Survey dated October 1995, is incorporated herein by reference. The City's Planning Director has affirmed in Exhibit 4 that conditions in the Urban Renewal Area remain unchanged as of August 12, 1998.

### 2. Summary of Blight Survey

The following is a summary of the conditions of blight that exist in the Urban Renewal Area, as more particularly set forth in the Blight Survey:

- a. There is a presence of deteriorated structures, sites and other improvements in the Urban Renewal Area.
- b. There is a presence of defective or inadequate street layout in the Urban Renewal Area including inadequate rights-of-way, dead-end access provided to existing developments with no emergency access and private property existing within dedicated street right-of-way.

- c. There is a strong presence of faulty lot layout within the Urban Renewal Area consisting of properties without or with limited street access, flag lots, and lots of inadequate size and shape creating setback and site development constraints.
- d. There is a strong presence of unsanitary and unsafe conditions that endanger life and property in the Urban Renewal Area including lack of pedestrian and bicycle facilities along major arterial streets; unsafe bus stops; auto hazards; unsafe and hazardous children's play areas; junk, debris and weeds; higher crime and accident rates than other areas of the City; flood plain hazards; abandoned sewage treatment facility and potential fire hazards.
- e. There is a strong presence of substandard improvements and conditions existing in the Urban Renewal Area related to substandard rights-of-way; lack of a planned internal street system to serve development and redevelopment; adverse impacts on adjacent residential areas; changes in site development in the mobile home park; failure to meet city setback standards; non-conforming uses and uses not in conformance with the City's Master Plan; water system, sewer line and fire protection problems and lack of street lighting and pedestrian facilities.
- f. There is a strong presence of adverse environmental conditions present in the Urban Renewal Area including the 100-year flood plain for two drainage basins through the area, areas of steep slopes, and areas of erosion along creek banks. The 100-year flood plain includes structures and unanchored materials within it. Alterations to the flood plain are taking place without required permits.
- g. There is a strong presence of vacant and underutilized property within the Urban Renewal Area.

#### D. GENERAL DESCRIPTION OF URBAN RENEWAL PROJECT

The Blight Study identifies conditions that constitute "blight" as defined in the Act within the Urban Renewal Area. This Plan will be implemented as part of a comprehensive program to eliminate and prevent blight in the Urban Renewal Area. The Authority and the City, with the cooperation of private enterprise and other public bodies, will undertake a program to eliminate the conditions of blight identified in the Blight Study while implementing the 1995 Master Plan (the "Master Plan").

#### E. URBAN RENEWAL PLAN GOALS AND THE PLAN'S RELATIONSHIP TO LOCAL AND REGIONAL OBJECTIVES

##### 1. Goals

This Plan has been adopted to achieve the following goals in the Urban Renewal Area:

- a. The Plan will implement the Master Plan and insure the orderly growth and development of the West 120th Avenue gateway corridor.
- b. Implementation of the Plan will eliminate and prevent conditions of blight in the Urban Renewal Area.
- c. Through the maximum possible participation of private enterprise and the cooperative efforts of the public sector, implementation of the Plan will eliminate and prevent economic deterioration in the Urban Renewal Area and the community at large.
- d. The Plan will assist in the mitigation and control of the danger from flooding in the Urban Renewal Area as well as adjoining property.
- e. The Plan will upgrade access, traffic, pedestrian and bicycle circulation, public utilities, public amenities, recreation and drainage in the Urban Renewal Area, while ensuring that existing and proposed development is sensitive to the surrounding residential neighborhoods.
- f. The Plan will help attract capital investment and new retail businesses, retention and expansion of existing businesses, and development of a competitive regional retail market, thereby providing employment and strengthening the City's economic base.
- g. The Plan will create a high quality image of the City and the Urban Renewal Area by creating an attractive visual image at the eastern entry to the City, through landscaping and design guidelines.
- h. The Plan will expand retail opportunities for the citizens of Broomfield and the surrounding area and create a stable sales tax base for the City.
- i. Implementation of the Plan will provide for the redevelopment of commercial land in the Urban Renewal Area and promote improvements of properties in the area.
- j. Where appropriate, the Plan will provide for conservation and improvement of existing housing resources and construction of new housing in areas of transition between existing and proposed uses.

## 2. Relationship to Local and Regional Objectives

The Plan conforms to and is designed to implement the recently updated Master Plan and regional objectives as well.

- a. The Plan will promote and encourage commercial, mixed use and employment-related retail developments in the Urban Renewal Area, an objective of the Master Plan.
- b. The Plan will implement the provisions of the City's master drainage and flood improvement program, which is part of regional efforts to control flooding and promote a comprehensive drainage program to serve the entire region.
- c. Transportation improvements promoted by the Plan are consistent with intergovernmental efforts to fund, plan, design and improve the 120th Avenue corridor through the City and the northern metropolitan area.
- d. Implementation of the Plan is consistent with regional efforts to create public/private partnerships to provide employment and generate revenues for both sectors.
- e. The improvement of internal street patterns in the Urban Renewal Area will improve and ease traffic and circulation problems in the City and the region.
- f. The Plan will provide the means for the orderly redevelopment of the Urban Renewal Area by resolving land use conflicts within the area.
- g. The Plan will provide a means of mitigating land use conflicts with adjoining residential areas through implementation of planning and design standards for public and private improvements.
- h. The Plan promotes the development and expansion of safe and adequate pedestrian access and public transportation.
- i. The Plan implements and enhances recreational and community facilities by providing additions to the City trails system.
- j. The Plan enhances and upgrades visual corridors designated in the Master Plan.

## F. LAND USE REGULATIONS AND BUILDING REQUIREMENTS

West 120th Avenue is an eastern gateway to the City. The Plan will provide a comprehensive and unified plan to promote and encourage high quality development of the Urban Renewal Area by private enterprise. In addition to the land use and building requirements contained in City Codes and ordinances and the provisions of this Plan, the Authority will adopt design guidelines and standards ("Design Guidelines and Standards") that will apply to the property included in the Urban Renewal Area. The Design Guidelines and Standards shall apply to both public and private improvements.

The Plan and the Design Guidelines and Standards will implement the provisions of section 31-25-107(8) of the Act, which provides that, upon approval of the Plan by the City Council, the provisions of the Plan shall be controlling with respect to land area, land use, design, building requirements, timing or procedure applicable to the property covered by the Plan.

In the event of a conflict involving the provisions of City codes, the Plan and the Design Guidelines and Standards, the most restrictive provision shall govern.

### 1. Uses

- a. Permitted uses for properties in the Urban Renewal Area shall be those uses allowed in the underlying zoning district of the Broomfield Municipal Code, provided, however, notwithstanding the foregoing language, except where approved PUD plans are in effect, the following uses are not permitted in the Urban Renewal Area:

- (1) Dairy processing and distribution;
- (2) plumbing, electrical and carpenter shops;
- (3) tractor, trailer, recreational vehicle, heavy machinery or farm equipment storage sales or service;
- (4) manufacture or bulk storage of oil, gasoline, or petroleum;
- (5) mini-storage or outdoor storage;
- (6) animal kennels;
- (7) chemical manufacturing plants;
- (8) cement, concrete, lime or gypsum manufacturing;

- (9) fertilizer manufacturing;
  - (10) aggregate plants;
  - (11) commercial manufacturing or storage of hazardous materials such as gasoline, flammable liquids and gases and industrial waste products;
  - (12) outdoor storage of rubbish, refuse, wastes, junk or salvage yards, automobiles, shipping containers, or vegetable or animal by-products;
  - (13) landfills, sewage treatment or transfer stations.
- b. The following uses may be permitted upon special review and approval by the Authority:
- (1) Recreational vehicle storage or outdoor storage.

## 2. Plan Review Process

The purposes of the Plan are to eliminate and prevent blight in the Urban Renewal Area and to achieve development of the highest quality in the Urban Renewal Area. To assure that those purposes are accomplished, the Authority shall hold a public hearing on all plans or proposals for development in the Urban Renewal Area to determine compliance with the Plan. No building permit shall be issued prior to and unless the Authority makes a finding of compliance.

a. Site Development Plan.

Each plan or proposal shall be accompanied by a site development plan. The site development plan shall be submitted to the Authority in a form as set forth in Sections 17-038-150 and 17-38-160 of the Broomfield Municipal Code as they may be amended from time to time.

b. Public Hearing, Notice.

The Authority shall hold a public hearing on any proposed site development plan. Notice of the hearing shall be published in a newspaper of general circulation in the City of Broomfield at least five (5) days prior to the hearing.

c. Review Standards.

The decision of the Authority shall be based on whether a proposed site development plan meets the following standards.

- (1) The proposal should be consistent with the purposes and standards of this Plan.
- (2) The proposal should identify and specify factors that mitigate any potential negative impacts on nearby properties.
- (3) The proposal should identify and specify factors that maximize potential positive impacts on nearby properties.
- (4) The proposal should include adequate facilities for pedestrians, bicyclists and motorists.
- (5) The proposal should optimize conservation of energy, water, and other resources on a site-specific scale.
- (6) The land uses within the proposal should be compatible with one another.
- (7) The proposal should include any common areas serving the site, and contain adequate provisions for ownership and maintenance of such areas.
- (8) The proposal should include adequate public improvements (both on and off site) to be provided in a timely fashion.
- (9) The proposal is consistent with the Design Guidelines and Standards.

## G. PROJECT ACTIVITIES

### 1. Land Acquisition

In order to carry out this Plan, the Authority may exercise any and all of its rights and powers under the Act and any other applicable law, ordinance or regulation. The Authority may acquire any interest in property by any manner available, including, without limitation, by exercise of the power of eminent domain. The Authority may acquire property for the following reasons: To eliminate or prevent conditions of blight; to carry out one or more objectives of the Plan; to assemble property for redevelopment by private enterprise; for needed public improvements and for any other lawful purpose authorized by the Plan, the Act or any other applicable law.

### 2. Relocation

If acquisition of property displaces any person, family or business, the Authority may assist such party in finding another location, and may, but is not obligated to, make relocation



be combined to finance all or any part of the Project. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the City to finance the Project in whole or in part. The Project may be financed by the Authority under the tax allocation financing provisions of the Act upon adoption of an amendment to this Plan that specifically implements such financing. Therefore, the provisions of § 31-25-107(9)(d) of the Act regarding school board participation are not applicable.

The Authority is authorized to issue notes, bonds or any other financing instruments or documents in amounts sufficient to finance all or part of the Project. The Authority is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest and any premiums due on or in connection with such indebtedness may be paid from any funds available to the Authority.

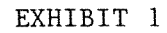
The report to the Board of County Commissioners of the County of Adams is attached as Exhibit 5.

#### I. CHANGES IN APPROVED PLAN

This Plan may be modified pursuant to the provisions of the Act governing such modifications, including §31-25-107, C.R.S.

#### J. MINOR VARIATIONS

The Authority may in specific cases allow minor variations from the provisions of the Plan if it determines that a literal enforcement of the provisions of the Plan would constitute an unreasonable limitation beyond the intent and purpose of the Plan.



ST AVE.  
COUNTY T1S

JNTY T2S

W. 118TH PL

**CHASE ST.**

AVE.

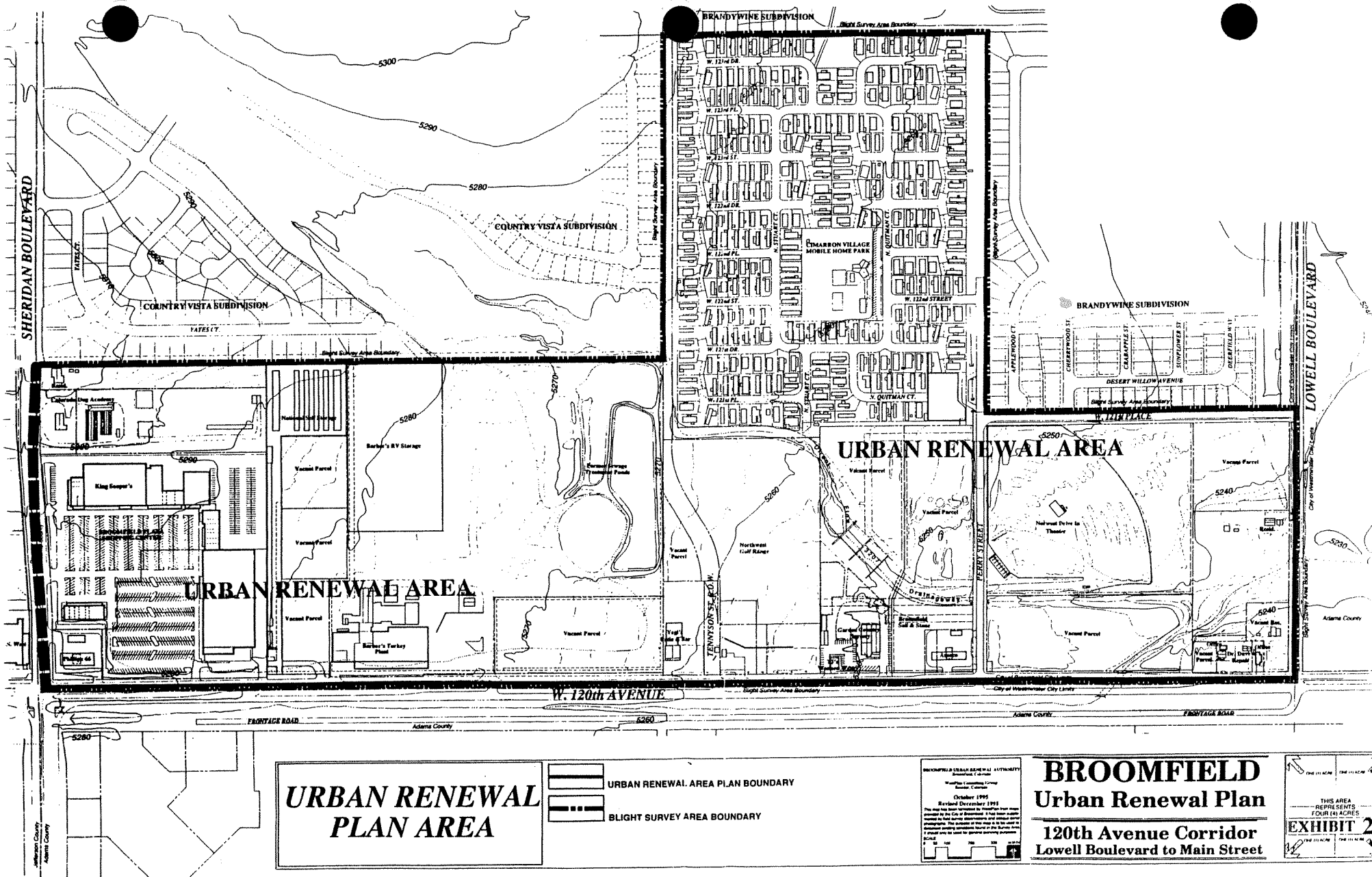
**SHERIDAN BLVD.**



## LOCATION OF MASTER PLAN AMENDMENT



## LOCATION OF URBAN RENEWAL PLAN



# URBAN RENEWAL PLAN AREA

- URBAN RENEWAL AREA PLAN BOUNDARY
- BLIGHT SURVEY AREA BOUNDARY

BROOMFIELD URBAN RENEWAL AUTHORITY  
 Broomfield, Colorado  
 W. 120th Avenue Corridor  
 October 1995  
 Revised December 1995  
 This map has been prepared by the City of Broomfield. It has been adopted by the City Council and is hereby published. This is to certify that the map is a true and correct representation of the land in the area shown.

## BROOMFIELD Urban Renewal Plan 120th Avenue Corridor Lowell Boulevard to Main Street

THIS AREA  
REPRESENTS  
FOUR (4) ACRES  
**EXHIBIT 2**

## **WEST 120TH AVENUE CORRIDOR URBAN RENEWAL PLAN**

A PARCEL OF LAND LOCATED IN A PORTION OF THE SOUTH ONE-HALF OF SECTION 31, TOWNSHIP 1 SOUTH RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

A PARCEL OF LAND LYING IN THE W 1/2, SE 1/4, OF SAID SECTION 31; AND A PARCEL OF LAND LYING IN THE SE 1/4, SE 1/4, SAID SECTION 31, (EXCEPT THAT PORTION LYING IN A PARCEL OF LAND KNOWN AS BRANDYWINE SUBDIVISION, FILINGS NUMBER 4 AND 5, RECORDED AT RECEPTION NUMBERS B690425 AND B690426 RESPECTIVELY, ADAMS COUNTY CLERK AND RECORDERS OFFICE); AND A PARCEL OF LAND LYING IN THE S 1/2, SW 1/4, SAID SECTION 31, ALL LOCATED IN TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

## MEMORANDUM

To: Mayor and City Council

From: Kevin Standbridge, AICP *KS*

Date: August 18, 1998

Subject: Analysis of Slum and Blight Contributing Conditions in West 120th Avenue Corridor

As the City's Planning Director I have had the opportunity to review the November 1995, *Broomfield 120th Avenue Gateway Corridor Lowell Blvd. to Main Street Blight Study*. I have also compared the contributing factors included in the Blight Study to the conditions as they exist today in the corridor.

It is my finding that the contributing blight factors in the area north of West 120th Avenue between Lowell Boulevard and Sheridan Boulevard remain unchanged from those cited in the 1995 Blight Study.

## **FINANCIAL IMPACT OF THE WEST 120TH AVENUE URBAN RENEWAL PROJECT**

This report is prepared in accordance with C.R.S. sec. 31-25-107 (3.5) in connection with approval of the West 120th Avenue Renewal Plan within the City of Broomfield, within Adams County. The report includes the following information concerning the impact of the plan:

- A. The estimated duration of time to complete the urban renewal project;
- B. The estimated annual property tax increment to be generated by the urban renewal project and the portion of such property tax increment to be allocated during this time period to fund the urban renewal project; and
- C. Any other estimated impacts of the urban renewal project on county services or revenues.

### **A. Duration of Time**

The urban renewal plan sets forth measures to eliminate and prevent blight in the proposed urban renewal area. Such measures will be implemented on a "pay-as-you-go" basis as individual private sector developments occur within the project area. No development or redevelopment activities have been scheduled at this time. However, it is reasonable to expect the urban renewal plan to be implemented over a five- to twenty-year time frame (within the twenty-five year period of limitation set forth under C.R.S. sec. 31-25-107 (9)(a)).

### **B. Property Tax Increment**

At this time, there is no estimated annual property tax increment expected to be generated by the urban renewal project for 1998. The urban renewal plan does not include tax increment financing provisions. If at some time in the future, tax increment financing is proposed, an amendment to the plan will be considered. Such amendment will include a revised report of impact to the County.

It is expected that as the plan is implemented, an increase in the assessed valuation will occur. The emphasis on private sector actions makes an estimate of this expected increase in value purely speculative and therefore of no benefit for the purpose of this report.

### **C. Other Estimated Impacts**

There are no other estimated impacts, at this time, on County services or revenues.

## PLANNING AND DESIGN STANDARDS AND GUIDELINES

### Application and Purpose

These planning and design standards and guidelines apply to all development within the West 120th Avenue Plan Area ("Area") as defined in the West 120th Avenue Urban Renewal Plan ("Plan"). They are intended to further the goals of the Plan: to eliminate and prevent the conditions of blight within the Area; to attract capital investment and new businesses to strengthen the City's economic base; and to create a high quality image for the City.

These standards and guidelines are in addition to those prescribed by the Broomfield Municipal Code for the underlying zoning districts and by the Broomfield Master Plan. In case of any conflict with those standards, the most restrictive shall apply.

All new development, or redevelopment, within the Area is subject to these standards and guidelines. Pursuant to the Plan, no building permits may be issued for any development prior to and unless the Broomfield Urban Renewal Authority ("BURA") determines that the development is in compliance with these standards and guidelines.

### Guidelines

1. All non-residential buildings shall:
  - a. Include quality, durable materials on all facades. Facades oriented to, and visible from, any public right-of-way or any residentially used or planned parcel shall have as the primary building material: brick, stone, wood or textured, colored concrete masonry units.
  - b. Highlight entryway areas with architectural features so that they are visible from the street.
  - c. Screen, on all sides, mechanical units in a manner consistent with the project's architectural design.
  - d. Use earth tone colors which are compatible with the project's built and natural setting. Primary colors may be used for accent, but may not constitute the dominant color of any structure.
  - e. On any facade visible from any public right-of-way or any residentially used or planned parcel, include a massing change, reveal, projection or a similar feature to provide relief to the facade at least once every thirty (30) horizontal feet.

## Height

2. Building heights shall be set to achieve the following:
  - a. Transition from adjacent dwellings.
  - b. Preservation of view corridors.
  - c. Emphasis of visual focal points.
  - d. Compatibility with the topography of the site.

## New Signage

3. All free standing signage shall be in a monument form. Signs shall not exceed 7 feet in height. Specific dimensions and locations shall be determined at the time of plan review.
4. Signage design shall be consistent with the larger project design.
5. All lighting, with the exception of neon, which will be reviewed on a case-by-case basis, shall be internal.

## Outdoor storage, trash collection and loading areas

6. Outdoor Storage, trash collection and loading areas shall be located and designed in such a manner that they are not visible from any public right-of-way or residentially used or planned parcel. Large, over 30 gallon, trash receptacles shall be enclosed in a manner consistent with the architecture of the project. Adjacent parcels shall be protected from sound, odor and other impacts related to these activities.

## Landscaping

7. The entire project shall be landscaped. The area and density of landscaping may vary, but the greatest areas and densities shall occur adjacent to public rights way and less intensive land uses. Areas of the site not covered by building, parking or loading area shall be landscaped.
8. Where appropriate, thematic landscaping treatments are encouraged.



## Parking

9. Parking areas which front on a public street shall be bordered on these street sides by a berm or knee wall, no less than 30 inches, or no more than 36 inches high. If a knee wall is provided, it shall be architecturally consistent with the design on the project. Alternatives shall be considered in instances where finished topography provides a natural screening effect.
10. New buildings shall distribute and design their parking areas so that the parking lots do not visually overwhelm the project. This may be achieved by careful placement of buildings, distributing parking throughout the site, use of landscaping and topography or other innovative site planning techniques.
11. Where appropriate, shared parking between uses of varying peak usage characteristics are encouraged.
12. Parking lots of greater than 15 parking spaces shall have internal landscaping areas. These landscaping areas shall be interspersed throughout the parking area.

## Vehicular Access

13. To the extent possible, adjoining and proximate projects shall provide shared access points and/or cross access provisions.

## Bicycle/Pedestrian Access

14. Direct connections for pedestrians and bicycles shall be provided to buildings from adjacent public streets and public trails. These access points shall be distinguished from driving surfaces by placement, texture change, elevation or some other technique.
15. All buildings within projects shall have pedestrian connections.
16. When appropriate, adjacent and proximate developments shall have pedestrian and bicycle connections. When feasible, these connections should be through landscaped areas.
17. Development shall provide appropriate bicycle parking facilities.

## Lighting

18. All lighting shall be provided in an efficient manner such that it does not adversely affect neighboring properties. Directed, downcast lighting that does not extend beyond property lines is required.

## Fences and Walls

19. Fences and walls shall be designed in such a manner that materials and design are consistent with the overall project. Adjacent to public rights of ways and planned or existing residential uses, walls and fences shall have landscaped setbacks.

## Other Standards

20. Planning and design standards which are not specified in this plan shall be governed by applicable state law and the applicable section of the Broomfield Municipal Code.

## Variances

The Urban Renewal Authority is empowered to grant variances to the standards under the following conditions:

1. The strict application of the standard would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of the affected property; or
2. The alternative site planning and building design approach meets the design objectives as stated in the standard, equally well or better than would compliance with the standards; and
3. In either of the foregoing circumstances, the granting of a variance would not be detrimental to the public good.

## Amendment

These standards and guidelines may be amended from time to time by BURA.

ORDINANCE NO. 1768

AN ORDINANCE MAKING LEGISLATIVE FINDINGS AND APPROVING THE URBAN RENEWAL PLAN FOR THE NORTH PARK WEST URBAN RENEWAL PROJECT

WHEREAS, it is desirable and in the public interest that the Broomfield Urban Renewal Authority (the Authority) undertake the redevelopment described in the Urban Renewal Plan for the North Park West Urban Renewal Project (the Plan), attached hereto and incorporated herein by this reference; and

WHEREAS, the aforesaid Plan is a matter of public record in the custody of the City Clerk, and is available for public inspection during business hours of the City; and

WHEREAS, there was presented to the City Council for its review and consideration a document entitled North Park West Existing Conditions Survey (the Conditions Survey) dated April 2004 consisting of 11 pages, a map exhibit, a description of existing conditions and numerous photographs, which Conditions Survey shows that the area described in the Plan qualifies as a blighted area as such term is defined in the Colorado Urban Renewal Law, sections 31-25-101, et seq., C.R.S. (the Law); and

WHEREAS, on April 27, 2004, the City Council conducted a public hearing and reviewed said Plan pursuant to the procedural and notice requirements of the Law; and

WHEREAS, notice of the public hearing on the Plan was published as required by section 31-25-107(3), C.R.S., at least thirty days prior to the public hearing; and

WHEREAS, written notice of the public hearing was mailed to each property owner, business, and resident of the area included in the Plan informing them of the public hearing at least 30 days prior to the public hearing; and

WHEREAS, the Broomfield Land Use Commission has found that the Plan is in conformance with the City of Broomfield 1995 Master Plan, as amended (the Master Plan); and

WHEREAS, the City Council having considered the evidence presented in support of and in opposition to the Plan, the Conditions Survey, the Master Plan, and staff recommendations and so having considered the legislative record and given appropriate weight to the evidence,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY AND COUNTY OF BROOMFIELD, COLORADO:

Section 1. The Urban Renewal Area described in the Plan is found, determined, and declared to be a blighted area as defined in the Law. This is a legislative finding by the City Council based upon the Conditions Survey and other evidence presented to City Council.

Section 2. The boundaries of the Urban Renewal Area have been drawn as narrowly as the City Council determines feasible to accomplish the planning and development objectives of the Plan.

Section 3. Pursuant to Section 2-04-010 of the Broomfield Municipal Code, the City Council exercises the powers of the board of county commissioners as described in section 31-25-107 of the Law, and to that end, this Ordinance and the hearing conducted therefor conform with the submission requirements of section 31-25-107(3.5) of the Law.

Section 4. Saint Vrain Valley School District has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of the tax allocation provisions authorized by section 31-25-107(9) of the Law.

Section 5. It is not expected that any relocation of individuals and families will be required in connection with the Plan, but to the extent that any such relocation may be required, a feasible method exists for the relocation of individuals and families in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families.

Section 6. It is not expected that any relocation of business concerns will be required in connection with the Plan, but to the extent that any such relocation may be required, a feasible method exists for the relocation of such business concerns in the urban renewal area or in other areas that are not generally less desirable with respect to public utilities and public and commercial facilities.

Section 7. The City Council has taken reasonable efforts to provide written notice of the public hearing prescribed by section 31-25-107(3) of the Law to all property owners, residents and owners of business concerns in the proposed urban renewal area at their last known addresses at least thirty days prior to the public hearing on the Plan.

Section 8. Section 31-25-107(4)(d) of the Law does not apply because no more than 120 days have passed since the commencement of the only public hearing on the Plan.

Section 9. Section 31-25-107(4)(e) of the Law does not apply because the City Council did not fail to previously approve this Plan.

Section 10. The Plan conforms with the Master Plan, which is the general plan for the development of the City and County of Broomfield as a whole.

Section 11. The Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area described in the Plan by private enterprise.

Section 12. To the extent that the Urban Renewal Area described in the Plan may constitute open land within the meaning of section 31-25-107(5) of the Law, it is found and determined that a shortage of housing of sound standards and design that is decent, safe, and sanitary exists in the City; the need for housing accommodations has been or will be increased as a result of the clearance of substandard and dilapidated housing in the City; the conditions of blight in the urban renewal area described in the Plan and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and, if necessary to carry out the Plan, the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

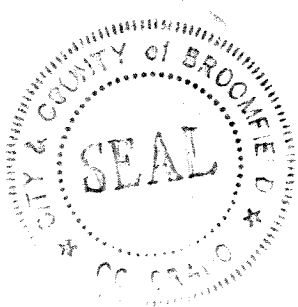
Section 13. To the extent that the Urban Renewal Area described in the Plan may constitute open land within the meaning of section 31-25-107(6) of the Law, it is found and determined that the nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives and, if necessary to carry out the Plan, the contemplated acquisition of the area may require the exercise of governmental action, as provided in the Law, because of being a blighted area.

Section 14. The Plan has been duly reviewed and considered and is hereby approved. The Authority is hereby authorized to take any and all actions pursuant to the Law to carry out the Plan.

Section 15. This ordinance shall be effective seven days after publication following final passage.

INTRODUCED AND APPROVED after first reading on April 13, 2004, and ordered published in full.

INTRODUCED A SECOND TIME and approved on April 27, 2004, and further ordered published.



THE CITY AND COUNTY OF BROOMFIELD  
COLORADO

Mayor

ATTEST:

APPROVED AS TO FORM:

  
City Clerk  
City & County Attorney, Deputy

First Publication: April 17, 2004  
Second Publication: May 1, 2004



# North Park West Existing Conditions Survey City and County of Broomfield Colorado



April 2004



Prepared by:

UrbanPlan.inc  
boulder • estes park

# CONTENTS

|     |  |      |    |
|-----|--|------|----|
| 1.0 | Survey Objective and Scope                         | Page | 3  |
| 2.0 | Survey Area  | Page | 3  |
| 3.0 | Survey Methodology                                 | Page | 3  |
| 4.0 | Survey Documentation                               | Page | 3  |
| 5.0 | Survey Findings                                    | Page | 3  |
|     | Figure 1: Survey Area                              | Page | 4  |
| 5.1 | Slum, Deteriorated, or Deteriorating Structures    | Page | 5  |
| 5.2 | Defective or Inadequate Street Layout              | Page | 6  |
| 5.3 | Faulty Lot Layout                                  | Page | 7  |
| 5.4 | Unsanitary or Unsafe Conditions                    | Page | 8  |
| 5.5 | Deterioration of Site or Other Improvements        | Page | 9  |
| 5.6 | Conditions that Endanger Life or Property          | Page | 10 |
| 5.7 | Buildings that are Unsafe or Unhealthy for Persons | Page | 10 |
| 5.8 | Environmental Contamination                        | Page | 10 |
| 5.9 | Inadequate Public Improvements or Utilities        | Page | 10 |
| 6.0 | Survey Conclusions                                 | Page | 10 |
| 7.0 | Photographic Log                                   | Page | 11 |

1.0 SURVEY OBJECTIVE AND SCOPE

Under the Urban Renewal Law of Colorado, the legal term "blight" describes a wide array of urban problems that can range from physical deterioration of buildings and the environment to the health problems in a particular area. In order to make such a finding, a combination of factors attributable to a number of physical, environmental and safety factors need to be present. This analysis will identify the conditions that may constitute blight in the study area.

C.R.S. Section 31-25-103(2) as amended, defines "blighted area" as follows:

*"... an area that, in its present condition and use and, by reason of the presence of at least four of the following factors, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare:*

- (a) slum, deteriorated, or deteriorating structures;*
- (b) predominance of defective or inadequate street layout;*
- (c) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- (d) unsanitary or unsafe conditions;*
- (e) deterioration of site or other improvements;*
- (f) unusual topography;*
- (g) defective or unusual conditions of title rendering the title nonmarketable;*
- (h) the existence of conditions that endanger life or property by fire or other causes;*
- (i) buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;*
- (j) environmental contamination of buildings or property;*
- (k) inadequate public improvements or utilities; or*
- (l) if there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k) of this subsection (2), substantially impairs or arrests the sound growth of the municipality,retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare. For purposes of this paragraph (l), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.*

This survey has measured a wide range of physical, environmental and safety factors based upon on-site inspections, research and interviews conducted with City of Broomfield staff from Planning, Public Safety, and Public Works. Broomfield County electronic records of properties were examined at the Assessors Office and County Clerks Office web site.

2.0 SURVEY AREA

The survey area is defined as the area of Highway 7/168th Avenue on the south, Interstate 25 on the east, CR6 on the north and the Broomfield city limit, roughly following CR7 on the west, as shown in Figure 1.

3.0 SURVEY METHODOLOGY

The area defined for the survey was visited and visually examined two times during the period from June 9, 2003 to August 1, 2003 by Arthur L. Anderson and Lauren E. Waterton. The area was re-examined on April 13, 2004 to verify that conditions had not changed since the survey was originally conducted. Photographic records of relevant conditions were made. Relevant documents were reviewed and are referenced. The information collected was compared and analyzed with the factors found in C.R.S. Section 31-25-103(2), as amended.

The following information is referenced in this survey:

Ref. 1. Irrigation District Law of 1905, C.R.S. 37-41-101 et seq., as amended.  
Ref. 2. Drowning Prevention Fact Sheet, National Children’s Center for Agricultural Health and Safety.

4.0 SURVEY DOCUMENTATION

This study has been prepared to document the conditions that exist in the study area. A written description of each condition and photographs are included in this document. An aerial photograph showing locations of conditions has been prepared as Exhibit 1. A photo log is included in this report as Section 7.0 and all negatives and photographs are included in the final submittal. An electronic file of this report and the presentation will be provided as part of the final submittal.

5.0 SURVEY FINDINGS

The data obtained and reviewed show presence of the following statutory blight factors:

- 1 Slum, deteriorated, or deteriorating structures;**
- 2. Predominance of defective or inadequate street layout;**
- 3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;**
- 4. Unsanitary or unsafe conditions;**
- 5. Deterioration of site or other improvements;**
- 6. Conditions that endanger life or property;**
- 7. Buildings that are unsafe or unhealthy for persons**
- 8. Environmental contamination;**
- 9. Inadequate public improvements or utilities.**

These nine factors are within the statutory definition of blight. Because the presence of blight is a cumulative finding, these factors are described as well as depicted in graphic form to show the geographic incidence of distribution throughout the area. Some items may be categorized under several headings as permitted by statute. The study findings are tabulated in the order of the list of "Blight Factors" found in C.R.S. Section 31-25-103(2) as amended and are not necessarily listed in order of importance. Items under multiple categories show the picture under the first category only and that item number is bold face. A subsequent citation of the same photograph will cite the page number where the photograph appears. The number in parenthesis after a finding refers to a photographic image, with the first number referring to the film roll and the second number being the image number.





Figure 1: Survey Area



5.1 SLUM, DETERIORATED, OR DETERIORATING STRUCTURES

1.

427 CR 9 is a vacant auction building with deteriorated outbuildings and fences. Windows have been boarded up, one large metal door has fallen from its hinges, the paint is peeling and the roof fascia is deteriorated. (2-4, 3-2, 3-3)
2.

A barn on CR 7 ( County Assessor Parcel ID=146734300001) has a deteriorated roof and windows and doors that have been removed. (2-10, 3-4, 3-5, 3-8, 3-9)
3.

At 1084 CR7, there are outbuildings with deteriorated roofs and boarded up windows. (3-10, 3-11)
4.

1767 W I-25 Frontage Road, there is a deteriorated wooden structure. The wood walls and roof have been removed, exposing the wood frame, and doors have been removed. (2-13)
5.

1767 W I-25 Frontage Road, there is an open wood structure that is full of trash and debris. The structure is deteriorating and the adjacent building has deteriorated roof and walls. (2-14)
6.

Along I-25, there are several deteriorated buildings (County Assessor Parcel ID=146734000010). Roofs and walls are in deteriorated condition, windows have either been removed or boarded up and the metal siding has deteriorated. (2-16, 3-1)
7.

Along CR7 (County Assessor Parcel ID=146734300001), there is a building with a deteriorated roof, the door has been removed and deteriorated siding. (3-6)





5.2 PREDOMINANCE OF DEFECTIVE OR INADEQUATE STREET LAYOUT

Defective or inadequate street layout includes, but is not limited to, street layout creating unusual traffic conditions and deficiencies in an urban area including all improvements in the right-of-ways, such as side-walks, accessibility ramps, and curb and gutter.

The following conditions are evidence of a predominance of defective or inadequate street layout:

- 1. Along Highway 7, west of I-25, there is an unmarked parking area that is unpaved and has numerous potholes. (2-5)
- 2. At the intersection of Highway 7 and CR7, the edge of road where cars decelerate from Highway 7 is deteriorating with large potholes. (2-8)
- 3. On CR4, the road goes from paved to unpaved without warning and then dead ends without warning. (2-11)
- 4. An informal park-n-ride at the southwest corner of I-25 and Highway 7 adjacent to the study area is not marked but is used indicating a need for such a facility. (2-7, p. 10)

- 5. The west side frontage road of I-25 ends north of Highway 7 and restricts access to the properties along Interstate 25.
- 6. The rural character of the road system is in conflict with the zoning and master plan for the area, which calls for Regional Commercial uses and employment uses and creation of a distinctive northern gateway to the City. The area lacks adequate streets, roads, public transit, and parking facilities as well as pedestrian and bicycle circulation systems.

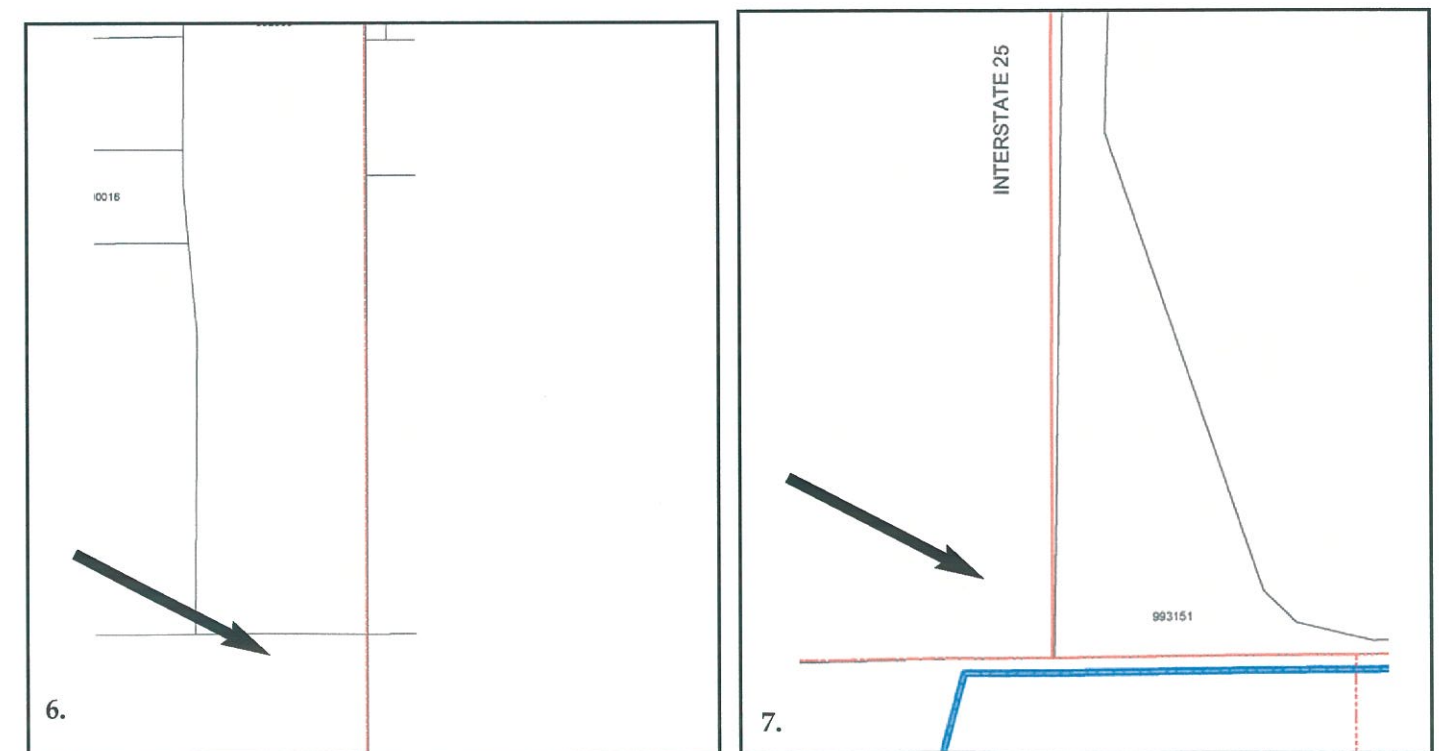
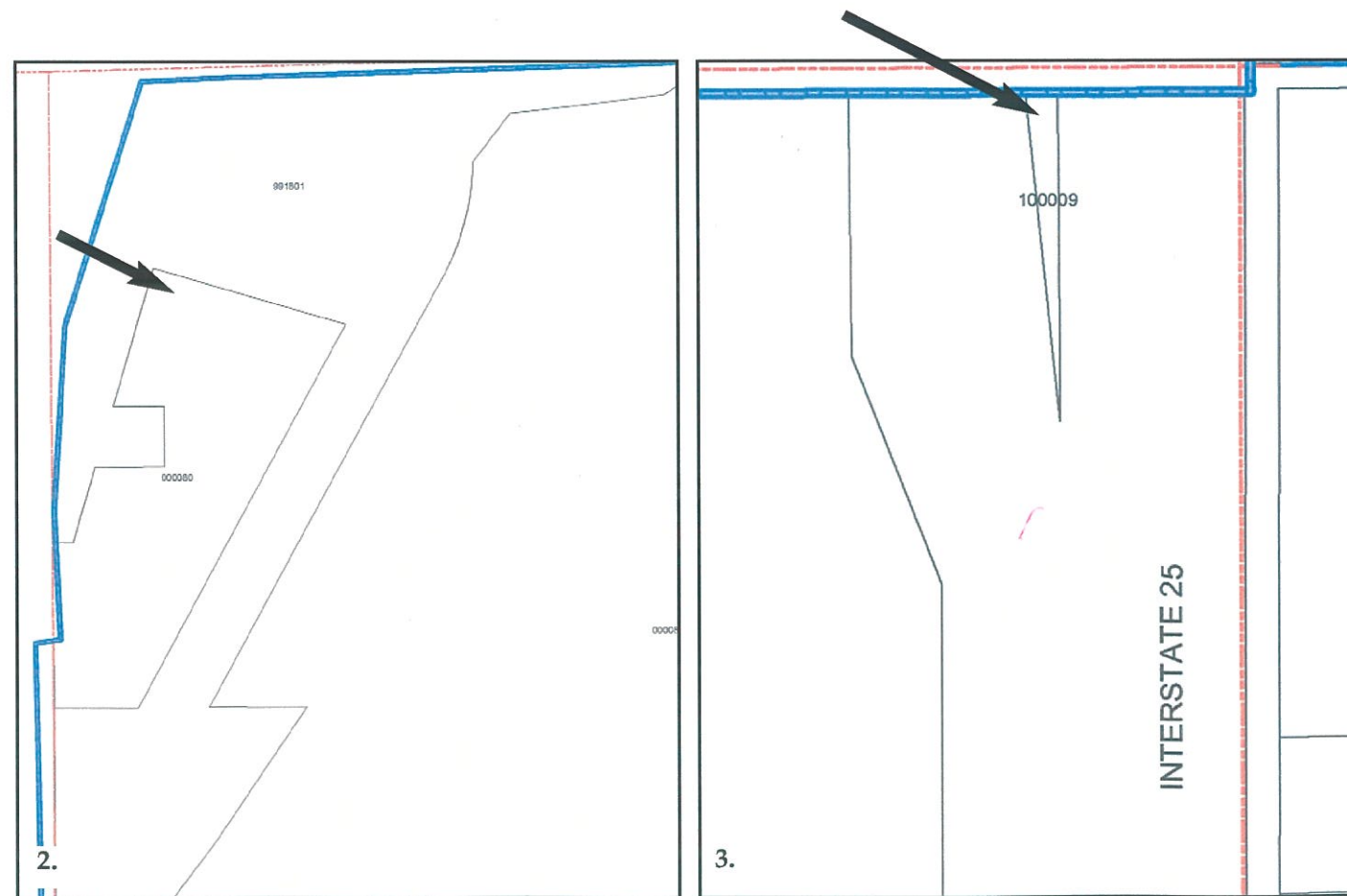




5.3 FAULTY LOT LAYOUT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY, OR USEFULNESS

1. The survey area is laid out and sized for agricultural use, which is inconsistent with master plan for the area. This layout can be seen in the tax records from the assessors office.
2. I-25 rights-of-way at CR8 has created unusual privately owned small lot truncated from other property. (County tax map 146723)
3. I-25 rights-of-way at CR6 has created a privately owned small lot of limited use. (County tax map 146726)
4. There are two high-pressure gas lines in one easement, which bisects the property on the west side of I-25 in an east-west direction along CR4.
5. Irrigation law allows irrigation companies unlimited rights to enter property and work on irrigation ditches. (Ref 1) (County tax map 146735)

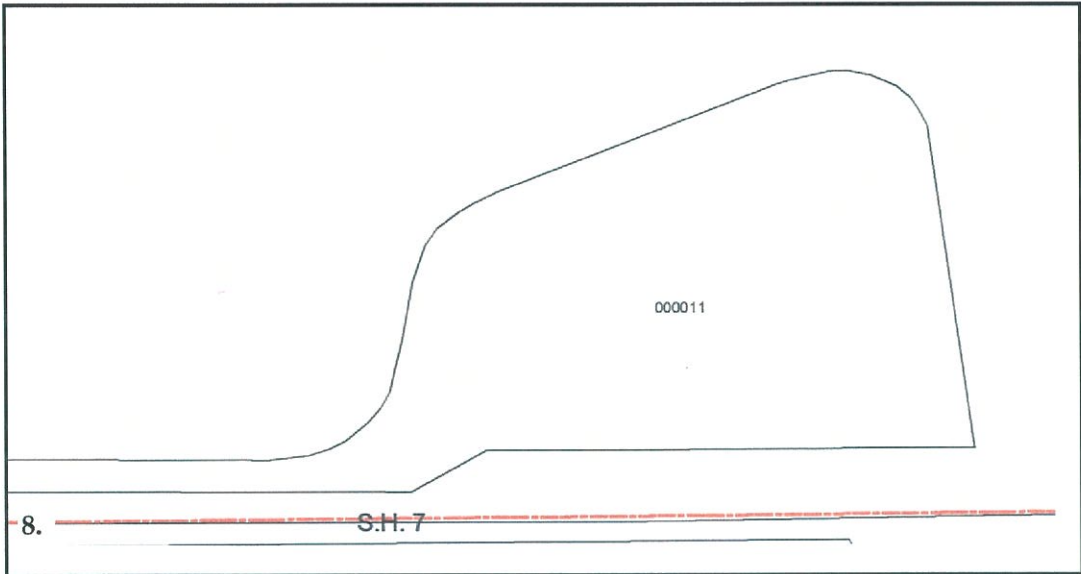
6. I-25 does not appear to have rights-of-way according to County tax records. Rights of way end south of CR6. (County tax map 146726)
7. I-25 does not appear to have rights-of-way according to County tax records. There is no recorded Interstate r-o-w and no exit r-o-w at the Highway 7 interchange. (County tax map 146734)





5.3 FAULTY LOT LAYOUT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY, OR USEFULNESS (continued)

- 8. The Bull Canal created a strange shaped lot which seems not to have highway access. (County tax map 146734)
- 9. There are numerous producing oil wells in the area. These wells require access through existing properties to service the wells and remove produced oil. These access must be maintained because mineral rights may be owned by persons other than the present surface land owner. (4-1)



5.4 UNSANITARY OR UNSAFE CONDITIONS

Unsanitary or unsafe conditions are those conditions that threaten the health of the community and present safety hazards such as, but not limited to: criminal activity; uneven sidewalks; missing or unsafe accessibility ramps; lack of sidewalk forcing pedestrians to walk in the street or across uneven surfaces; accumulation of trash that could be breeding places for rodents or insects; environmental contamination; empty structures and storefronts that may be susceptible to vandalism or arson activities; and the like.

The following conditions are evidence of unsanitary or unsafe conditions:

- 1 Open irrigation canals are a drowning potential. Drowning is the second leading cause of death among children, with irrigation canals and ponds the most likely causes in rural areas. Shown is a picture of the Bull Canal west of I-25 at Highway 7. (Ref. 2) (1-2)
- 2. An informal park and ride at the southwest corner of I-25 and Highway 7 adjacent to the study area is not marked and cars entering and exiting may cause traffic problems. (2-7)
- 3. There is a high pressure gas lines that cross the site in a east-west direction. This gas lines could be pierced by construction activity causing potential explosion and fire hazard.
- 4 There are no water mains and no fire hydrants in area. This reduces the fire fighting capability.
- 5. The West I-25 Frontage Road ends one-half mile north of Highway 7, limiting emergency response.
- 6. Vacant buildings are a potential safety hazard, due to the possibility of arson or a naturally caused fire. The following buildings are vacant structures:
  - 1767 W I-25 Frontage Road. (2-13, p.5)
  - Building along CR7, (parcel ID=146734300001). (3-6, p.5)
  - 427 CR 9. (3-2, p.5)
  - Deteriorating barn along CR7, (parcel ID=146734300001). (3-4, p.5)





5.5 DETERIORATION OF SITE OR OTHER IMPROVEMENTS

Deterioration of site or other improvements includes, but is not limited to, such conditions as building façade deterioration, sidewalks in poor repair; streets, alleys and parking lots in poor repair or damaged; accumulation of trash, including tires, pallets, scrap metal and inflammable items.

The following conditions are evidence of deterioration of the site or other improvements:

- 1. At 1767 W I-25 Frontage Road, there is a large piece of equipment apparently unused and abandoned that is rusting. (2-12, 2-15)
- 2. A lot west of CR7 and north of Highway 7 (Parcel ID 146733000024) has a large pile of debris. (2-9)
- 3. There is metal junk along the edge of the irrigation ditch north of Highway 7 and east of I-25. (2-6)
- 4. At 1767 W I-25 Frontage Road, there is an open wood structure that is full of trash and debris. (2-14)



- 5. At 1767 W I-25 Frontage Road, there are scrap metal pieces from machinery along the road. (2-15)
- 6. At the intersection of Highway 7 and CR7, the edge of road where cars decelerate from Highway 7, is deteriorating with large potholes. (2-8, p.7)
- 7. Along Highway 7, west of I-25 there is an unpaved area with numerous potholes and trash. (2-5, p.6)

The following structures were cited as slum, deteriorated structures. They also contribute to the deterioration of the site.

- 8. 427 CR 9 is a vacant auction building with deteriorated outbuildings and fences. Windows have been boarded up, one large metal door has fallen from its hinges, the paint is peeling and the roof fascia is deteriorated. (2-4, 3-2, 3-3, p.6)
- 9. A barn on CR 7 (parcel ID=146734300001) has a deteriorated roof and windows and doors that have been removed. (2-10, 3-4, 3-5, 3-8, 3-9, p.6)
- 10. 1767 W I-25 Frontage Road, there is a deteriorated wooden structure. The wood walls and roof have been removed, exposing the wood frame and doors have been removed. (2-13, p.6)
- 11. 1767 W I-25 Frontage Road, there is an open wood structure that is full of trash and debris. The structure is deteriorating and the adjacent building has deteriorated roof and walls. (2-14, p. 6)
- 12. Along I-25, there are several deteriorated buildings (parcel ID=146734000010). Roofs and walls are in deteriorated condition, windows have either been removed or boarded up and the metal siding has deteriorated. (2-16, 3-1, p.6)
- 13. Along CR7 (parcel ID=146734300001), there is a building with a deteriorated roof, the door has been removed and deteriorated siding. (3-6, p.6)
- 14. At 1084 CR7, there are outbuildings with deteriorated roofs and boarded up windows. (3-10, 3-11, p.6)





5.6 CONDITIONS THAT ENDANGER LIFE OR PROPERTY BY FIRE OR OTHER CAUSES

- 1. There is a high pressure gas lines that cross the site in a east-west direction. This gas lines could be pierced by construction activity causing potential explosion and fire hazard.

The following buildings are vacant structures. Vacant structures are potential targets for arson and other sources of fire.

- 2. 1767 West I-25 Frontage Road. (2-13, p. 5)
- 3. Building along CR7, (parcel ID=146734300001). (3-6, p. 5)
- 4. 427 CR 9. (3-2, p. 5)

5.7 BUILDINGS THAT ARE UNSAFE OR UNHEALTHY FOR PERSONS TO LIVE OR WORK IN

The following buildings are vacant structures. These buildings have deteriorated roofs, windows and doors that have been removed and/or structural damage rendering the buildings uninhabitable in their present form.

- 1. 1767 W I-25 Frontage Road. (2-13, p. 5)
- 2. Building along CR7, (parcel ID=146734300001). (3-6, p. 5)
- 3. 427 CR 9. (3-2, p. 5)

5.8 ENVIRONMENTAL CONTAMINATION

- 1. There are several oil wells in the area. The potential for soil contamination as well as ground water contamination exists. The well pictured is visible from the east end of CR4.



5.9 INADEQUATE PUBLIC IMPROVEMENTS

- 1. Along Highway 7, west of I-25, there is an unmarked parking area that is unpaved and has numerous potholes. (2-5, p. 6)
- 2. At the intersection of Highway 7 and CR7, the edge of road where cars decelerate from Highway 7, is deteriorating with large potholes. (2-8, p. 6)
- 3. On CR4, the road goes from paved to unpaved without warning. (2-11, p. 6)
- 4. The West I-25 Frontage Road ends north of Highway 7.
- 4. The rural character of the road system is in conflict with the zoning and master plan for the area, which calls for Regional Commercial uses.
- 5. There is no sanitary sewer service in the area.
- 6. There are no water lines and fire hydrants in the area.
- 7. There are no storm water drainage facilities in the area.
- 8. There is no natural gas distribution system in the area.
- 9. There is limited telephone infrastructure to serve the area.
- 10. There is limited electrical infrastructure to serve the area.

6.0 STUDY CONCLUSIONS

Based on the observed and presented evidence and associated photographs, interviews, exhibits and reports included by reference it is the conclusion of this report that the study area has significant examples of the conditions associated with the legal definition of blight and does meet the criteria established in C.R.S. Section 31-25-103(2) as amended and is a "blighted area."

UrbanPlan.inc.

Arthur L. Anderson, Principal

Lauren E. Waterton, AICP, Principal

April 22, 2004

7.0 PHOTOGRAPHIC LOG

These pictures represent the North Park West and the North Park East areas.

Roll 1

- 0. CR 11 is not paved.
- 1. Trailer at 881 CR 11 is in poor condition.
- 2. Irrigation ditch adjacent to 885 CR 11 runs northwest through the site.
- 3. North of 885 CR 11 are piles of wood debris.
- 4. 1291 CR11, there is trash, debris, old cars parked on lot.
- 5. 1291 CR 11, old machinery and junk.
- 6. 1291CR 11, the barn in poor condition.
- 7. 1291 CR 11, the buildings are in poor condition.
- 8. 1545 CR11, an outbuilding is in poor condition.
- 9. Oil wells at the intersection of CR11 and CR6.
- 10. CR11 gravel road covers the railroad tracks, rendering them useless.
- 11. Overhead power lines run along CR11, with gas line buried underneath.
- 12. On CR8, a bridge has a weight restriction, limiting use.
- 13. South of CR8 and CR11 intersection, there are piles of wood and debris along the railroad tracks.
- 14. Railroad trestle
- 15. South of CR8 and CR11 intersection, there are piles of wood and debris along the railroad tracks.
- 16. 4566 CR8, there is an abandoned wooden structure. Power lines are visible running north/south through the property.
- 17. The transition from the concrete road at the overpass of I-25 to the dirt road of CR 8 is not marked.
- 18. 4566 CR 8 has a deteriorated structure.
- 19. 1958 Frontage Road is a deteriorated structure.
- 20. Building north of 1958 Frontage Road is a deteriorated structure.
- 21. Two deteriorated structures sit along the Frontage Road.
- 22. At 1758 Frontage Road, the gate has been left open to the high voltage area, allowing access and trash piles.
- 23. 1758 I-25 Frontage piles of trash and debris.
- 24. 1758 I-25 Frontage piles of trash and debris.

Roll 2

- 0. Debris in irrigation ditch just north of the East Service Road
- 1. West side of CR11 is a junk yard and is a potential source of pollution.
- 2. Unaddressed property along CR11 has deteriorated structures
- 3. 4845 W 168th Avenue has piles of miscellaneous debris
- 4. 427 CR 9 is an abandoned building along Highway 7
- 5. Highway 7, west of I-25 has an unpaved area with potholes and trash.
- 6. Metal debris along the irrigation ditch north of Highway 7, west of I-25
- 7. Informal park and ride at the southwest corner of I-25 and Highway 7 is not marked and cars entering and exiting could cause traffic problems.
- 8. Intersection of Highway 7 and CR7, the edge of road is deteriorating with large potholes.
- 9. A lot west of CR7 and north of Highway 7 has a large pile of debris. Parcel ID 146733000024.
- 10. Deteriorating barn on CR 7, (parcel ID 146734300001)
- 11. On CR4, the road goes from paved to unpaved without warning.
- 12. 1767 W I-25 Frontage Road, there is a piece of equipment that is rusting
- 13. 1767 W I-25 Frontage Road, there is a deteriorated wooden structure
- 14. 1767 W I-25 Frontage Road, there is a open wood structure that is full of trash and debris.
- 15. 1767 W I-25 Frontage Road, there are scrap metal pieces from machinery along the road.
- 16. Along I-25 (parcel ID=146734000010), there are several deteriorated buildings.

Roll 3

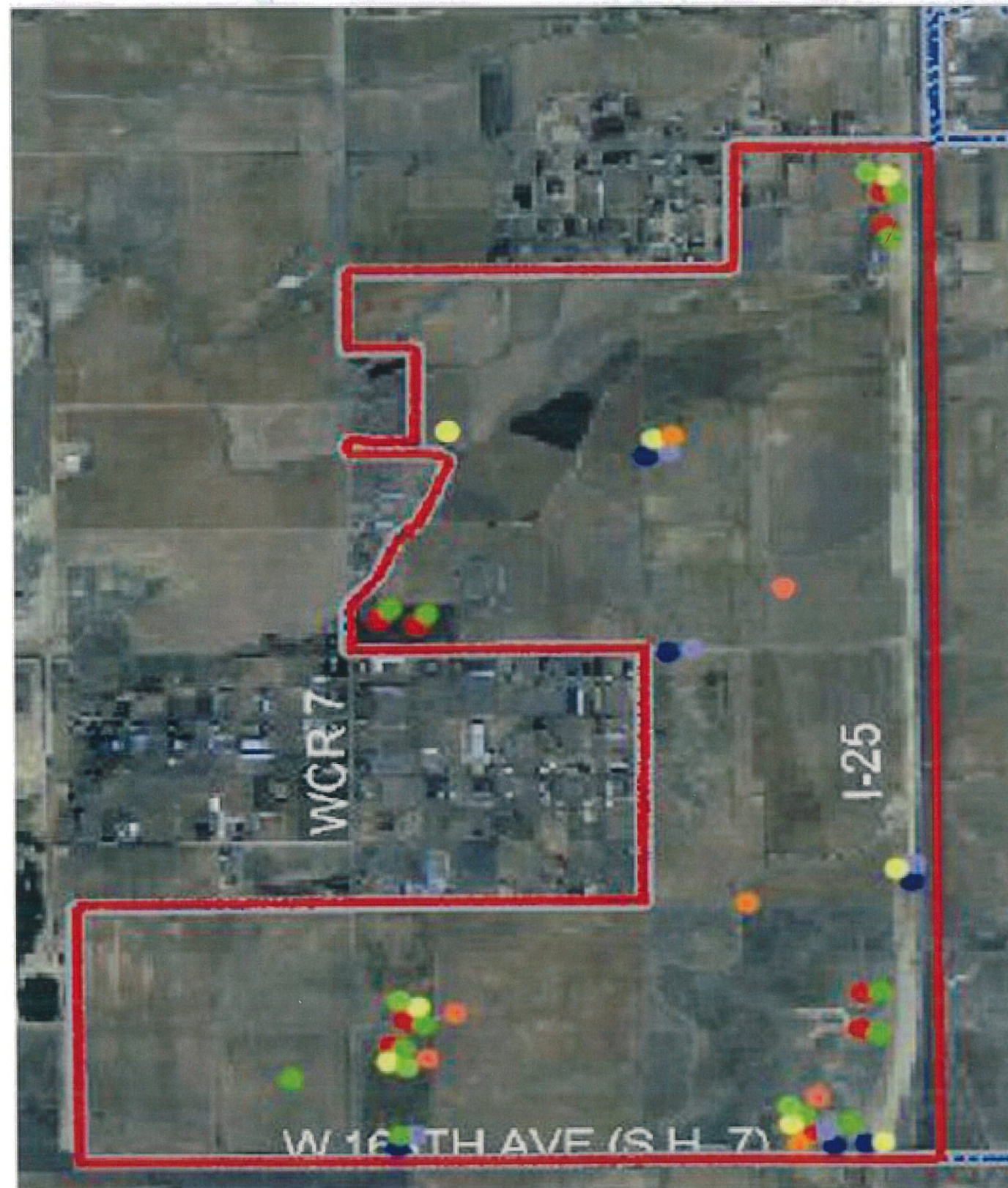
- 1. Building along I-25 (parcel ID=146734000010), is vacant and boarded up
- 2. 427 CR 9, west of I-25 is an abandoned building
- 3. 427 CR 9 is an abandoned building and livestock structure along Highway 7
- 4. Deteriorating barn along CR7, (parcel ID 146734300001)
- 5. Deteriorating barn along CR7, (parcel ID 146734300001)
- 6. Deteriorating building along CR7, (parcel ID 146734300001)
- 7. Deteriorating barn along CR7, (parcel ID 146734300001)
- 8. Deteriorating barn along CR7, (parcel ID 146734300001)
- 9. Deteriorating barn along CR7, (parcel ID 146734300001)
- 10. At 1084 CR7, there are deteriorated outbuildings
- 11. At 1084 CR7, there are deteriorated outbuildings
- 12. At 1767 W I-25 Frontage Road, there is abandoned equipment along I-25

Roll 4

- 1. Oil wells visible from CR4
- 2. High pressure gas lines along CR4
- 3. High pressure gas lines along CR4



# Distribution of Blight Factors



## Legend

-  Slum, Deteriorated structures
-  Defective or inadequate street layout
-  Inadequate Public improvements
-  Deterioration of Site
-  Unsanitary or Unsafe Conditions
-  Conditions that Endanger Life or Property
-  Buildings that are unsafe
-  Environmental Contamination
-  Faulty Lot Layout



**URBAN RENEWAL PLAN FOR THE  
NORTH PARK WEST URBAN RENEWAL PROJECT**

**I. DEFINITIONS**

The terms used in this Urban Renewal Plan shall have the following meanings.

“Act” means the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, of the Colorado Revised Statutes.

“Area” or “Urban Renewal Area” means the area of the City included within the boundaries of this Urban Renewal Plan as depicted in Exhibit A and described in Exhibit B.

“Authority” means the Broomfield Urban Renewal Authority.

“City” means the City and County of Broomfield, Colorado.

“Master Plan” means the City of Broomfield 1995 Master Plan as amended by the 1999 I-25 Sub-Area Plan, as amended to the date of this Plan.

“Plan” or “Urban Renewal Plan” means this urban renewal plan as it may be amended in the future.

“Project” or “Urban Renewal Project” means all of the activities and undertakings described in this Urban Renewal Plan.

**II. INTRODUCTION**

By Resolution No. 114-92 adopted by the City Council of the City on December 14, 1992, a portion of the Area was declared to be a “blighted area” as then defined in the Act. In May of 1997 the City completed the US 36 Sub-Area Plan to complement the 1995 Master Plan. In November of 1999 the City completed a second planning study, entitled the I-25 Sub-Area Plan, that was similar in scope to the 1997 US 36 Sub-Area Plan but expanded to include infrastructure costs and comprehensive Design Standards for development occurring in the Sub-Area.

The purpose of this Plan is to implement those provisions of the Master Plan and the I-25 Sub-Area Plan that apply to the Urban Renewal Area. This Urban Renewal Plan has been prepared for the City Council pursuant to the provisions of the Act. The administration of the Project and the implementation of the Plan shall be the responsibility of the Authority.

**III. URBAN RENEWAL AREA BOUNDARIES**

The location and boundaries of the Urban Renewal Area within the City are shown in Exhibit A. The Urban Renewal Area contains approximately 1138 acres and is described in Exhibit B.

#### **IV. SUMMARY OF STATUTORY CRITERIA**

The City contracted with UrbanPlan Inc. to survey and document whether conditions that constitute a “blighted area”, as defined in the Act, exist in the Area. The result of the survey is included in a document entitled “North Park West Existing Conditions Survey” (the “Conditions Survey”) dated April 2004 consisting of 11 pages, a map exhibit, a description of existing conditions and numerous photographs. The Conditions Survey is incorporated herein by reference.

The Conditions Survey shows that the following factors listed in the Act are present in the Area and that these conditions qualify the Area as a “blighted area” as defined in the Act:

- Slum, deteriorated, or deteriorating structures;
- Predominance of defective or inadequate street layout;
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- Unsanitary or unsafe conditions;
- Deterioration of site or other improvements;
- Conditions that endanger life or property;
- Buildings that are unsafe or unhealthy for persons;
- Environmental contamination; and
- Inadequate public improvements or utilities.

#### **V. DESCRIPTION OF URBAN RENEWAL PROJECT**

This Plan will be implemented as part of a comprehensive program to eliminate and prevent blight in the Urban Renewal Area. The Authority and the City, with the cooperation of private enterprise and other public bodies, will undertake a program to eliminate the conditions of blight identified in the Conditions Survey while implementing the Master Plan.

##### **A. Urban Renewal Plan Goals and the Plan’s Relationship to Local and Regional Objectives**

###### **1. Goals of the Plan**

This Plan has been adopted to achieve the following goals in the Area:

- a. The Plan will implement those provisions of the Master Plan and the I-25 Sub-Area Plan as apply to the Urban Renewal Area and insure the orderly growth and development of the Urban Renewal Area.
- b. The Plan will create a quality “gateway image” that conveys a desirable vision for the City and the region.
- c. The Plan will promote a balance of complementary land uses in the Area.

- d. Implementation of the Plan will eliminate and prevent conditions of blight in the Urban Renewal Area.
- e. Through the maximum possible participation of private enterprise and the cooperative efforts of the public sector, implementation of the Plan will eliminate and prevent economic deterioration in the Urban Renewal Area and the community at large. The Plan will promote creation of value in the Area.
- f. The Plan will assist in the mitigation and control of the danger from flooding in the Urban Renewal Area as well as adjoining property.
- g. The Plan will upgrade public facilities and infrastructure, access, traffic, pedestrian and bicycle circulation, public utilities, public amenities, recreation and drainage in the Urban Renewal Area.
- h. The Plan will help attract capital investment and new retail businesses, retention and development of a competitive regional retail market, thereby providing employment and strengthening the City's economic base.
- i. The Plan will expand retail opportunities for the citizens of Broomfield and the surrounding area and create a stable sales tax base for the City.

## 2. Relationship to Local and Regional Objectives

The Plan conforms to and is designed to implement the Master Plan and regional objectives in the Area.

- a. The Plan will promote and encourage commercial, mixed use and employment-related retail developments in the Urban Renewal Area, an objective of the Master Plan and the I-25 Sub-Area Plan.
- b. The Plan will implement the provisions of the City's master drainage and flood improvement program, which is part of regional efforts to control flooding and promote a comprehensive drainage program to serve the entire region.
- c. Transportation improvements promoted by the Plan are consistent with intergovernmental efforts to fund, plan, design and improve public improvements and amenities in the Area.
- d. Implementation of the Plan is consistent with regional efforts to create public/private partnerships to provide employment and generate revenues

for both sectors.

- e. The improvement of internal street patterns in the Urban Renewal Area will improve and ease traffic and circulation problems in the City and the region.
- f. The Plan will provide the means for the orderly development and redevelopment of the Urban Renewal Area by resolving land use conflicts within the area.
- g. The Plan promotes the development and expansion of safe and adequate pedestrian access and public transportation.
- h. The Plan implements and enhances recreational and community facilities by providing additions to the City trails system.
- i. The Plan enhances and upgrades visual corridors designated in the Master Plan.

#### B. Land Use Regulations and Building Requirements

The Plan will provide a comprehensive and unified plan to promote and encourage high quality development of the Urban Renewal Area by private enterprise. In addition to the land use and building requirements contained in City Codes and ordinances and the provisions of this Plan, the Authority will adopt design guidelines and standards (“Design Guidelines and Standards”) that will apply to the property included in the Area. The Design Guidelines and Standards shall apply to both public and private improvements. In addition, the City’s current Residential Design Guidelines shall apply to and control all residential development in the Urban Renewal Area.

The Plan and the Design Guidelines and Standards will implement the provisions of section 31-25-107(8) of the Act, which provides that, upon approval of the Plan by the City Council, the provisions of the Plan shall be controlling with respect to land area, land use, design, building requirements, timing, or procedure applicable to the Area.

In the event of a conflict involving the provisions of City codes, the Plan and the Design Guidelines and Standards, the most restrictive provision shall govern.

##### 1. Uses

Permitted uses for properties in the Urban Renewal Area shall be those uses allowed in the I-25 Sub-Area Plan.

## 2. Plan Review Process

The purposes of the Plan are to eliminate and prevent blight in the Urban Renewal Area and to achieve development of the highest quality in the Urban Renewal Area. To assure that those purposes are accomplished, the Authority shall hold a public hearing on all plans or proposals for development in the Area to determine compliance with the Plan. No building permit shall be issued prior to and unless the Authority makes a finding that such plans or proposals comply with this Plan.

### a. Site Development Plan.

Each plan or proposal shall be accompanied by a site development plan. The site development plan shall be submitted to the Authority in a form required by Sections 17-38-150 and 17-38-160 of the Broomfield Municipal Code as such provisions may be amended from time to time.

### b. Public Hearing, Notice.

The Authority shall hold a public hearing on any proposed site development plan. Notice of the hearing shall be published in a newspaper of general circulation in the City of Broomfield at least five (5) days prior to the hearing.

### c. Review Standards.

The decision of the Authority shall be based on whether a proposed site development plan meets the following standards.

- (1) The proposal should be consistent with the purposes and standards of this Plan and the I-25 Sub-Area Plan.
- (2) The proposal should identify and specify factors that mitigate any potential negative impacts on nearby properties.
- (3) The proposal should identify and specify factors that maximize potential positive impacts on nearby properties.
- (4) The proposal should include adequate facilities for pedestrians, bicyclists and motorists.
- (5) The proposal should optimize conservation of energy, water, and other resources on a site-specific scale.

- (6) The land uses within the proposal should be compatible with one another.
- (7) The proposal should include any common areas serving the site, and contain adequate provisions for ownership and maintenance of such areas.
- (8) The proposal should include adequate public improvements (both on and off site) to be provided in a timely fashion.
- (9) The proposal is consistent with the I-25 Sub-Area Design Guidelines and Standards.
- (10) Residential designs must comply with the City's Residential Design Guidelines.

## **VI. PROJECT ACTIVITIES**

The following provisions shall apply to the Area.

### **A. Land Acquisition**

In order to carry out this Plan, the Authority may exercise any and all of its rights and powers under the Act and any other applicable law, ordinance or regulation. The Authority may acquire any interest in property by any manner available, including, without limitation, by exercise of the power of eminent domain. The Authority may acquire property in the Area for the following reasons: To eliminate or prevent conditions of blight; to carry out one or more objectives of the Plan; to assemble property for redevelopment by private enterprise; for needed public improvements and for any other lawful purpose authorized by the Plan, the Act or any other applicable law.

### **B. Relocation**

If acquisition of property displaces any individual, family or business concern, the Authority may assist such party in finding another location, and may, but is not obligated to, make relocation payments to eligible residents and businesses in such amounts and under such terms and conditions as it may determine.

### **C. Demolition, Clearance and Site Preparation**

The Authority may demolish and clear those buildings, structures and other improvements from property it acquires if such buildings, structures and other improvements are not to be rehabilitated in accordance with this Plan. The Authority may provide rough and finished site

grading and other site preparation services as part of a comprehensive redevelopment program.

D. Property Management

During such time as any property is owned by the Authority, such property shall be under the management and control of the Authority and may be rented or leased by it pending disposition for redevelopment or rehabilitation.

E. Public Improvements

The Design Guidelines and Standards to be adopted by the Authority will contain plan and Design Guidelines and Standards for all public improvements and infrastructure. The Design Guidelines and Standards shall include criteria and standards to address street, streetscape, utility, drainage and flood problems in the Area as well as other elements deemed necessary by the Authority to eliminate and prevent conditions of blight and to carry out the provisions of the Act and the Plan.

F. Land Disposition, Redevelopment and Rehabilitation

Purchasers or owners of property within the Area will be obligated to develop, redevelop or rehabilitate such property in accordance with the provisions of this Plan and the Design Guidelines and Standards.

The Authority may dispose of property it acquires by means of a reasonable competitive bidding procedure it establishes in accordance with the Act and pursuant to redevelopment agreements between the Authority and such purchasers.

The Authority may also enter into owner participation agreements with property owners in the Area for the development, redevelopment or rehabilitation of their property. Such agreements will provide for such participation and assistance as the Authority may elect to provide to such owners.

All such redevelopment, owner participation and other agreements shall contain, at a minimum, provisions requiring:

1. Compliance with the Plan, the I-25 Sub-Area Plan, the Design Guidelines and Standards and City codes and ordinances;
2. covenants to begin and complete development, construction or rehabilitation of both public and private improvements within a period of time deemed to be reasonable by the Authority;
3. the financial commitments of each party (but nothing herein shall obligate the



Authority to make any such financial commitment to any party or transaction).

G. Cooperation Agreements

For the purposes of planning and carrying out this Plan in the Area, the Authority may enter into one or more cooperation agreements with the City or other public bodies. Without limitation, such agreements may include project financing and implementation; design, location and construction of public improvements and any other matters required to carry out this Project. It is recognized that cooperation with the City, other municipalities and other public and private bodies may be required to coordinate such issues as the design, construction and timing of public and private improvements within and outside of the Area to properly and efficiently carry out the goals and objectives of this Plan. Cooperation agreements addressing such issues are deemed necessary and incidental to the planning and execution of the Project.

H. Other Project Undertakings and Activities

Other Project undertakings and activities deemed necessary by the Authority to carry out the Plan in the Area may be undertaken and performed by the Authority or pursuant to agreements with other parties or public bodies in accordance with the authorization of the Act and any and all applicable laws.

**VII. PROJECT FINANCING**

The Authority is authorized to finance activities and undertakings under this Plan by any method authorized by the Act or any other applicable law, including without limitation, appropriations, loans or advances from the City; federal loans and grants; state loans and grants; interest income; pay as you go arrangements; annual appropriation agreements; agreements with public and private parties or entities; sale of securities; loans, advances and grants from any other available source.

Any and all financing methods legally available to the City, the Authority, any private developer, redeveloper or owner may be used to finance in whole or in part any and all costs, including without limitation, the cost of public improvements, described or anticipated in the Plan or in any manner related or incidental to the development of the Urban Renewal Area. Such methods may be combined to finance all or any part of activities and undertakings throughout the Urban Renewal Area. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the City to finance activities and undertakings authorized by the Act and this Plan in whole or in part.

The Authority is authorized to issue notes, bonds or any other financing instruments or documents in amounts sufficient to finance all or part of the Urban Renewal Plan. The Authority

is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest and any premiums due on or in connection with such indebtedness may be paid from any funds available to the Authority.

The Project may be financed by the Authority under the tax allocation financing provisions of the Act. Under the tax allocation method of financing the Project, property taxes levied after the effective date of the approval of this Plan upon taxable property in the Urban Renewal Area each year by or for the benefit of any public body and all the municipal sales taxes collected within the Urban Renewal Area, or both such taxes, shall be divided for a period not to exceed twenty-five (25) years after the effective date of the adoption of this tax allocation provision, as follows:

1. Base Amount

That portion of the taxes which are produced by the levy at the rate fixed each year by or for such public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified prior to the effective date of approval of the Plan or, as to an area later added to the Urban Renewal Area, the effective date of the modification of the Plan and that portion of municipal sales taxes collected within the boundaries of the Urban Renewal Area in the twelve-month period ending on the last day of the month prior to the effective date of the approval of the Plan shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

2. Increment Amount

That portion of said property taxes in excess of such base amount shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the Authority for financing or refinancing, in whole or in part, the Project.

Unless and until the total valuation for assessment of the taxable property in the Urban Renewal Area exceeds the base valuation for assessment of the taxable property in the Urban Renewal Area, all of the taxes levied upon taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies. Unless and until the total municipal sales tax collections in the Urban Renewal Area exceed the base year municipal sales tax collections, all such sales tax collections shall be paid into the funds of the City.

When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies and all such municipal sales tax collections in the Urban Renewal Area shall be paid into the funds of the City.

The increment portion of the taxes, as described in this subparagraph 2, may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances and indebtedness incurred by the Authority to finance the Project.

#### **VII. CHANGES IN APPROVED PLAN**

This Plan may be modified pursuant to the provisions of the Act governing such modifications, including §31-25-107, C.R.S.

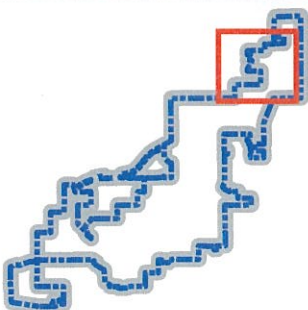
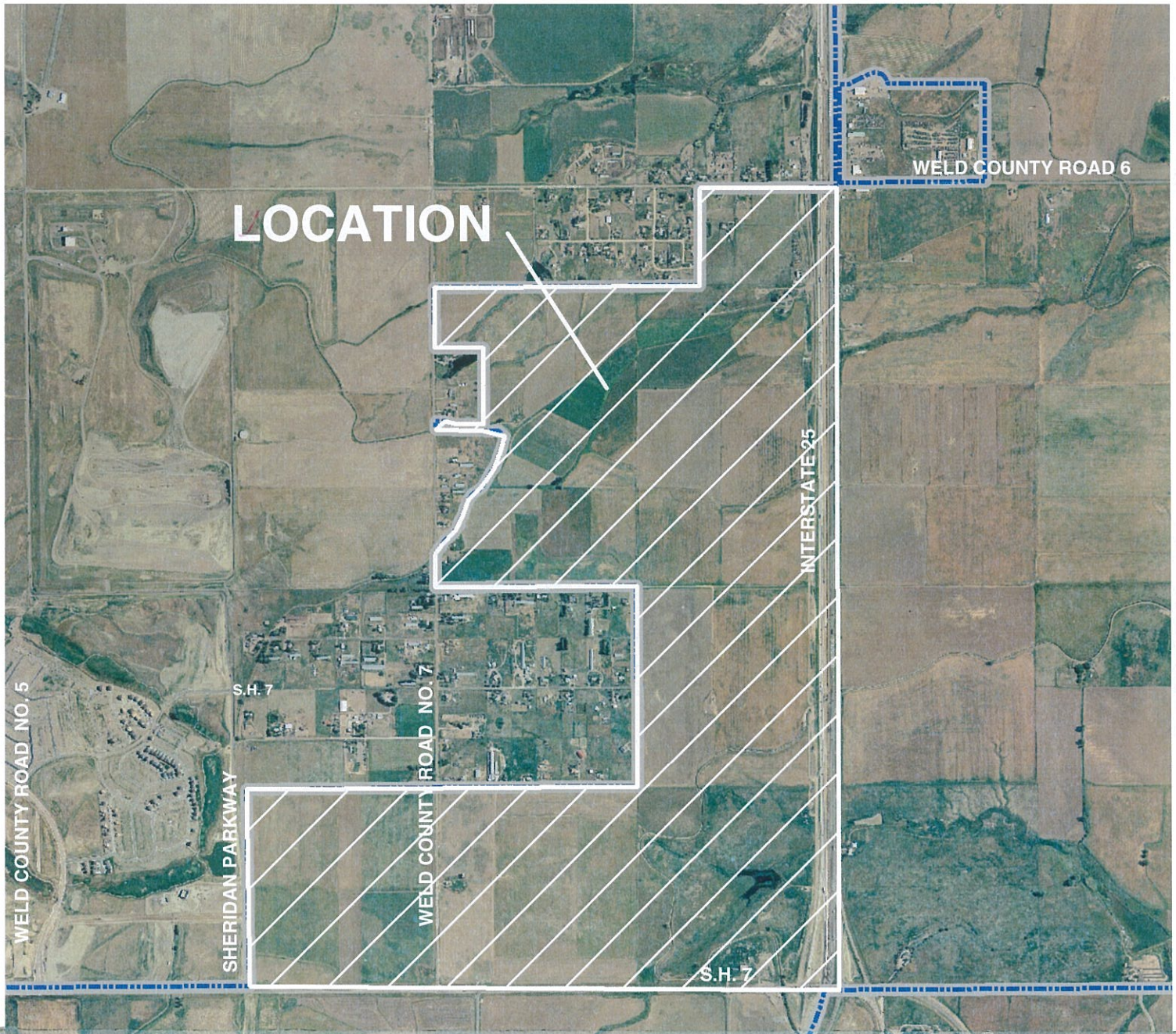
#### **VIII. MINOR VARIATIONS**

The Authority may in specific cases allow minor variations from the provisions of the Plan if it determines that a literal enforcement of the provisions of the Plan would constitute an unreasonable limitation beyond the intent and purpose of the Plan.





# NORTH PARK WEST URBAN RENEWAL PROJECT PLAN



## **EXHIBIT B**

### Legal Description of the North Park West Urban Renewal Area

Beginning at the intersection of the south right-of-way line of Colorado State Highway 7 and the east right-of-way line of Interstate Highway 25; thence west along said south right-of-way line to its intersection with the City limits of the City and County of Broomfield; thence north, east, north, northerly, northeasterly, westerly, northerly and easterly along said city limits to its intersection with the easterly right-of-way line of Interstate Highway 25; thence south along said easterly right-of-way line to the point of beginning; except any part of such property that is not in the corporate limits of the City and County of Broomfield, State of Colorado.