

ORDINANCE NO. 15-20

AN ORDINANCE AMENDING ORDINANCE NO. 07-15 TO REDESCRIBE THE COLORADO SPRINGS DOWNTOWN DEVELOPMENT AUTHORITY SO AS TO INCLUDE CERTAIN ADDITIONAL PROPERTY

WHEREAS, in compliance with C.R.S. § 31-25-801, *et seq.*, and after a municipal election approving the creation of a downtown development authority in the City of Colorado Springs, City Council by Ordinance No. 07-15 created and established the boundaries of the Colorado Springs Downtown Development Authority ("DDA") in the City of Colorado Springs, Colorado; and

WHEREAS, C.R.S. § 31-25-822 sets forth the process by which the downtown development authority may be redescribed to include additional property; and

WHEREAS, pursuant to C.R.S. § 31-25-822 petitions (the "Petitions") were received by the Board of the DDA (copies of which are attached hereto as Exhibits A and B), requesting inclusion of certain additional properties identified on the attached Exhibit C (the "Properties") within the DDA; and

WHEREAS, pursuant to C.R.S. § 31-25-822 the Board of the DDA, by Resolution 011415-01 dated January 13, 2015 (the "DDA Resolution"), approved the Petitions and submitted the Petitions to City Council for approval (a copy of the DDA Resolution is attached hereto as Exhibit D); and

WHEREAS, City Council has reviewed the Petitions and the DDA Resolution and has conducted a public hearing and heard comments regarding the inclusion of the Property within the DDA; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. City Council finds and determines that it has jurisdiction in this matter pursuant to Part 8 of Article 25 of Title 31, C.R.S.

Section 2. City Council hereby approves the Petitions and finds that the process by which those Petitions have been submitted to City Council comply with the requirements of C.R.S. § 31-25-822.

Section 3. City Council hereby amends Ordinance No. 07-15 to include the Properties as described in the Petitions within the DDA.

Section 4. Upon the effective date of this ordinance, the Properties shall be included within the DDA and subject to any taxes thereafter imposed for the use and benefit of the DDA.

Section 5. The City Clerk is directed to file a certified copy of this ordinance with the County Clerk and Recorder of El Paso County, Colorado.

Section 6. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Introduced, read, passed on first reading and ordered published this 24th day of February, 2015.

Finally passed: March 10, 2015



Keith King, Council President

Delivered to Mayor on 3-11-15.

Mayor's Action:

- Approved on 3.12.2015.
- Disapproved on _____, based on the following objections:



Steve Bach, Mayor


Council Action After Disapproval:

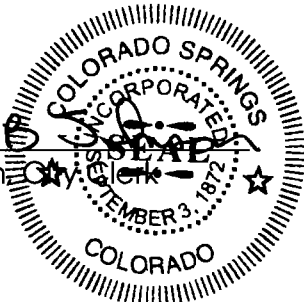
- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Swc

Keith King, Council President

ATTEST:


Sarah B. Johnson, City Clerk



OK 1/10

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE AMENDING ORDINANCE NO. 07-15 TO REDESCRIBE THE COLORADO SPRINGS DOWNTOWN DEVELOPMENT AUTHORITY SO AS TO INCLUDE CERTAIN ADDITIONAL PROPERTY ”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on February 24, 2015; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10th day of March, 2015, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 12th day of March, 2015.

Donna B. Johnson
City Clerk



N O R ' W O O D

November 7, 2014

Mr. David Lord, Chair
Downtown Development Authority
111 S. Tejon Street, Suite 404
Colorado Springs, CO 80903

RE: Amended Downtown Development Authority Boundary to include the redevelopment of the former Gazette and St. Francis Properties

Dear Mr. Lord:

It is with great excitement that we share our plans for the former Gazette and St. Francis properties located on the east edge of Downtown. As one who fully believes in the mission and goals of the Downtown Development Authority, realizing the potential associated with these projects is a game-changer for all of Downtown. As you know, the mission of the Downtown Development Authority is to "build public and private investment partnerships that promote the economic growth of Downtown Colorado Springs", which is precisely what we are proposing.

As you know, this mission is clearly being fulfilled when the goals of the Downtown Development Authority are achieved:

- Construction/conversion of at least 2,000 housing units of a variety of types.
- Recruitment, retention and growth of retail, with a diverse mix and emphasis on independent retailers and careful consideration of select chain stores.
- Increase the downtown workforce, with an emphasis on primary employment.
- Encourage one-of-a-kind cultural and sporting venues and activities.
- Achieve a high-density, pedestrian-oriented, mixed-use downtown of high design standards, attention to historic preservation and emphasis on environmental stewardship.

As you will see, the repurposing of the Gazette/St. Francis properties into a thriving urban, mixed-use hub for working, playing and living will, in fact, help the DDA work towards each one of these goals.

As the property owners, we hereby request the Downtown Development Authority amend its jurisdictional boundary to include the following parcels:

825 East Pikes Peak LLC

- 825 East Pikes Peak Ave
- 0 South Institute St.

30 South Prospect LLC

- 30 South Prospect St
- 704-720 East Colorado Ave
- 731 East Colorado Ave
- 737 East Colorado Ave
- 749 East Colorado Ave
- 727 East Pikes Peak Ave
- 735 East Pikes Peak Ave
- 739 East Pikes Peak Ave
- 745 East Pikes Peak Ave
- 749 East Pikes Peak Ave

CS Residential Rentals LLC

- 107 South Prospect St

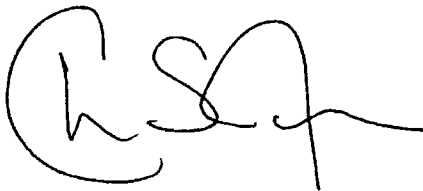
David D. Jenkins

- 715 East Pikes Peak Ave

As you will see, there are exciting opportunities for downtown to include these properties in the boundary of DDA. Additional tax revenue from these and adjacent DDA properties will provide more financial capacity for the DDA to continue leveraging its assets to physically transform downtown Colorado Springs. Additionally, we believe that downtowners will naturally adopt the Gazette/St. Francis redevelopment, and will greatly benefit from its success.

Full legal descriptions, Parcel Tax ID numbers and a location map are included as exhibits in this package. Additional attachments and information are included at your request. We trust this provides you with what is needed to make an educated and informed decision to include these parcels into the active DDA boundary. Please let me know if additional information is necessary.

Kind Regards,



Christopher S. Jenkins
President / Nor'wood Development Group

Jeffry and Cinda Dunn Family LLLP
c/o Jeff Dunn
206 E. Cheyenne Mountain Blvd.
Colorado Springs, Co. 80906

November 25, 2014

Mr. David Lord, Chairman
Colorado Springs DDA
111 S. Tejon St., Suite 404
Colorado Springs, Co. 80903

RE: Petition for Inclusion into DDA(Real Estate tax Schedule # 64172-16-039)

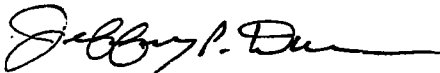
Dear Mr. Lord:

Jeffry and Cinda Dunn Family LLLP (Limited Liability Limited Partnership) asks the Colorado Springs Downtown Development Authority (DDA) Board to consider its petition for inclusion of the described property of approx.. 3.1 acres located at 710-750 E. Pikes Peak Avenue, on the north side of Pikes Peak and bordered on the east by Prospect St. and on the west by Shook's Run. Our LLLP has owned this property for nearly 2 decades.

It's my understanding that your Board of Directors will next meet on Tuesday, December 9 at 8 am and I plan to attend to answer any questions and better understand the operations of the DDA.

Respectfully,

Jeffry and Cinda Dunn Family LLLP



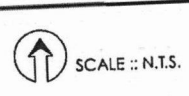
Jeffry P. Dunn, General Partner

EXHIBIT C - AMENDED DDA BOUNDARY PARCELS

PARCEL #	OWNER	ADDRESS	LEGAL DESCRIPTION
64172-21-9022	David D Jenkins	715 E Pikes Peak Ave	A tract in S ½ of SW ¼ of Sec 17, TWS 14 S, R 66 W of the 6th PM and a portion of the vacated east ½ of El Paso Street adjacent to the above described property (.7 acres, more or less)
64172-19-005	30 South Prospect, LLC	727 E Colorado Ave	Lots 1 and 2, Block 3, Pikes Peak Addition to the City of Colorado Springs as recorded in Plat Book 8 at Page 12 of El Paso County records
64172-19-004 and 64172-19-003	30 South Prospect, LLC	735 and 739 E Pikes Peak Ave	Lots 3, 4 and 5, Block 3, Pikes Peak Addition to the City of Colorado Springs as recorded in Plat Book 8 at Page 12 of El Paso County records
64172-19-002	30 South Prospect, LLC	745 E Pikes Peak Ave	Lots 6 and 7, Block 3, Pikes Peak Addition to the City of Colorado Springs as recorded in Plat Book 8 at Page 12 of El Paso County records
64172-19-001	30 South Prospect, LLC	749 E Pikes Peak Ave	Lot 8, Block 3, Pikes Peak Addition to the City of Colorado Springs as recorded in Plat Book 8 at Page 12 of El Paso County records
64173-03-036	30 South Prospect, LLC	731 E Colorado Ave	Lots 6 to 9 Inclusive, Block 5, Pikes Peak Addition to the City of Colorado Springs as recorded in Plat Book 8 at Page 12 of El Paso County records
64173-03-032	30 South Prospect, LLC	737 E Colorado Ave	Lots 10 and 11, Block 5, Pikes Peak Addition to the City of Colorado Springs as recorded in Plat Book 8 at Page 12 of El Paso County records
64173-03-038	30 South Prospect, LLC	749 E Colorado Ave	Lots 12 and 13, Block 5, Pikes Peak Addition to the City of Colorado Springs as recorded in Plat Book 8 at Page 12 of El Paso County records
64172-19-017	30 South Prospect, LLC	30 South Prospect St	Lot 1, Gazette Subdivision as recorded in Plat Book J-3 at Page 78 of El Paso County records

PARCEL #	OWNER	ADDRESS	LEGAL DESCRIPTION
64172-18-002	825 East Pikes Peak, LLC	825 East Pikes Peak St	Lot 1, St. Francis Health Center, in the City of Colorado Springs, County of El Paso, State of Colorado
64172-18-004	825 East Pikes Peak, LLC	0 S Institute St	Tract A, St. Francis Health Center, in the City of Colorado Springs, County of El Paso, State of Colorado
64173-02-035	825 East Pikes Peak, LLC	111 S Prospect St	Lot 2, St. Francis Health Center, in the City of Colorado Springs, County of El Paso, State of Colorado
64173-02-010	CS Residential Rentals, LLC	107 S Prospect St	The N 75 feet of the S 114 feet of Lots 8 and 9, Capital Hill Addition to the City of Colorado Springs, County of El Paso, State of Colorado

Parcel #	Owner	Address	Legal Description
6417216039	Jeffrey & Cinda Dunn LLP	710-750 E Pikes Peak Ave	Lot 1 Pikes Peak Plaza Sub



PARCEL BOUNDARIES TO INCLUDE

EXHIBIT D

**RESOLUTION 011415-01
OF THE BOARD OF DIRECTORS
OF THE COLORADO SPRINGS DOWNTOWN DEVELOPMENT AUTHORITY
RECOMMENDING TO THE COLORADO SPRINGS CITY COUNCIL
THAT THE BOUNDARIES OF THE DOWNTOWN DEVELOPMENT AUTHORITY
BE AMENDED TO INCLUDE THE PROPERTIES DESCRIBED HEREIN**

WHEREAS, on January 23, 2007, the City Council of the City of Colorado Springs, Colorado ("City Council") adopted Ordinance No. 07-15 establishing the Colorado Springs Downtown Development Authority ("the Authority") and establishing the boundaries of the Downtown Development Authority District ("the District"); and

WHEREAS Section 31-25-822, C.R.S, as amended, allows for the inclusion of additional property in the boundaries of the District subject to the receipt of a satisfactory petition therefore from the owner in fee and approval by the Board of Directors of the Authority ("Board") and the City Council; and

WHEREAS, the Board has received petitions from the owners in fee of the properties located on the adjacent eastern boundary of the District, located at 825 East Pikes Peak; 30 S. Prospect St.; 704-720 East Colorado Ave.; 731 E. Colorado Ave.; 737 E. Colorado Ave.; 749 E. Colorado Ave.; 727 E. Pikes Peak Ave.; 735 E. Pikes Peak Ave.; 739 E. Pikes Peak Ave.; 745 e. Pikes Peak Ave.; 749 E. Pikes Peak Ave.; 107 S. Prospect St.; 715 E. Pikes Peak Ave.; 710-750 E. Pikes Peak Ave.; which petitions request that the properties be included within the boundaries of the District; and

WHEREAS a copy of the petitions for inclusion are attached hereto as Exhibit A and Exhibit B and incorporated herein by this reference; and legal descriptions and name of the fee owner of the properties are set forth as Exhibit C and Exhibit D attached hereto and incorporated herein by reference; and

WHEREAS, a map depicting the location of the properties is attached as Exhibit E and incorporated herein by this reference; and

WHEREAS, the Board has duly considered the petitions for inclusion and found that such petitions meet the requirements of Section 31-25-822, C.R.S., as amended.

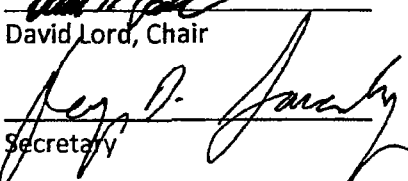
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COLORADO SPRINGS, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY, that it is hereby recommended to the City Council of the City of Colorado Springs that it approve the inclusion of the properties described herein within the boundaries of the District.

Passed and adopted at a regular meeting of the Board of Directors of the Colorado Spring Downtown Development Authority this 13th day of January, 2015.

ATTEST:



David Lord, Chair



Secretary