

RESOLUTION NO. ____ -22

A RESOLUTION MAKING CERTAIN LEGISLATIVE FINDINGS
AND APPROVING THE LOWELL-DRAPER URBAN RENEWAL
PLAN

WHEREAS, it is desirable and in the public interest that the Colorado Springs Urban Renewal Authority (“CSURA”) undertake the redevelopment described in the Lowell-Draper Urban Renewal Plan (the “Plan”), attached and incorporated herein as “Exhibit A”; and

WHEREAS, the 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 the “Lowell-Draper Existing Conditions Study” for the Lowell-Draper Urban Renewal Area (the “Conditions Survey”), dated August 30, 2021, prepared by Economic & Planning Systems, Inc., which shows that the area described in the Plan qualifies as a blighted area as such term is defined in the Colorado Urban Renewal Law, Colorado Revised Statutes (“C.R.S.”) § 31-25-101, *et seq.* (the “Act”); and

WHEREAS, the Colorado Springs Urban Renewal Authority Board approved the Conditions Survey at its July 28, 2021 meeting; and

WHEREAS, the Colorado Springs Urban Renewal Authority Board adopted the Plan at its August 25, 2021 meeting; and

WHEREAS, on December 16, 2021, pursuant to C.R.S. § 31-25-107 (2), the City of Colorado Springs City Planning Commission found that the Plan is consistent with the Comprehensive Plan of the City of Colorado Springs (general plan), and recommended its adoption; and

WHEREAS, at its January 24, 2022 public “Work Session” meeting, the City Council received information regarding the Plan which it incorporates as evidence and a part of its record on this matter; and

WHEREAS, on February 8, 2022, the City Council conducted a public hearing and reviewed the Plan pursuant to the procedural and notice requirements of the City Charter and the Act; and

WHEREAS, notice of the City Council’s February 8, 2022 public hearing on the Plan was published at least thirty (30) days prior to the public hearing as required by C.R.S. § 31-25-107 (3); and

WHEREAS, written notice of the February 8, 2022 public hearing was mailed to all property owners, owners of business concerns, and residents of the area included in the Plan at least thirty (30) days prior to the public hearing; and

WHEREAS, the City Council has considered the evidence presented in support of and in opposition to the Plan, the Conditions Survey, the City’s Comprehensive Plan, and Plan of Development, the CSURA recommendation, City staff recommendation, the legislative record and has given appropriate weight to the evidence.

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

Section 1. The "Urban Renewal Area" described in the Plan is found and declared to be a blighted area as defined by the Act, and such Urban Renewal Area, in its present condition and use, 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 public health, safety, morals, or welfare. This is a legislative finding by the City Council based upon the Conditions Survey and other evidence presented to the 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. The Plan has been submitted to the Board of County Commissioners of El Paso County, Colorado, together with the information required by C.R.S. § 31-25-107.

Section 4. Colorado Springs School District 11 has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of the tax allocation provisions authority by C.R.S. § 31-25-107(9).

Section 5. Pursuant to C.R.S. § 31-25-107(9.5), CSURA has notified the Board of County Commissioners of El Paso County and the governing boards of each other taxing entity whose incremental property tax revenues would be allocated under the Plan as of the date hereof. Representatives of CSURA and the governing body of each such taxing entity have met and attempted to negotiate an agreement governing the sharing of incremental property tax revenue allocated to the special fund established in accordance with the Plan and the Act. CSURA has reached an agreement with each taxing entity whose incremental property tax revenues would be allocated under the Plan as of the date hereof.

Section 6. 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 7. 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 8. The City Council has taken reasonable efforts to provide written notice of the public hearing prescribed by C.R.S. § 31-25-107 (3) to all property owners, residents, and owners of business concerns in the proposed Urban Renewal Area at their last known addresses at least thirty (30) days prior to the public hearing on the Plan.

Section 9. C.R.S. § 31-25-107 (4)(d) does not apply because no more than 120 days have passed since the commencement of the only public hearing on the Plan.

Section 10. C.R.S. § 31-25-107 (4)(e) does not apply because the City Council did not fail to previously approve the Plan.

Section 11. The Plan conforms with the Comprehensive Plan of the City of Colorado Springs, which is the general plan for the development of the City as a whole.

Section 12. 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.

Section 13. To the extent any additional county infrastructure or services are required to serve development within the Urban Renewal Area, CSURA will adequately finance, or agreements are in place to finance, any such infrastructure and services for the period in which all or any portion of the property taxes described in C.R.S. § 31-25-107(9)(a)(II) and levied by a

county are paid to CSURA.

Section 14. To the extent the Urban Renewal Area may constitute open land within the meaning of C.R.S. § 31-25-107 (5), 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 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 15. To the extent the Urban Renewal Area may constitute open land within the meaning of C.R.S. § 31-25-107 (6), 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 accord 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 Act, because of being a blighted area.

Section 16. C.R.S. § 31-25-107 (1)(c)(II) and (III) do not apply because the Urban Renewal Area does not contain any agricultural land.

Section 17. The Plan has been duly reviewed and considered and is hereby approved by the City Council. The CSURA is hereby authorized to take any and all action pursuant to the Act to carry out the Plan.

Dated at Colorado Springs, Colorado, this ____ day of _____ 2022.

City Council President

ATTEST:

Sarah B. Johnson, City Clerk