

RESOLUTION NO. _____ - 16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS MAKING CERTAIN FINDINGS AND APPROVING THE EXPERIENCE DOWNTOWN PLAN OF DEVELOPMENT

WHEREAS, by Ordinance No. 06-135, the City Council of the City of Colorado Springs, Colorado (the "City Council"), has previously determined that it is prudent and necessary to establish the Colorado Springs Downtown Development Authority (the "Authority") for the public health, safety, prosperity, security, and welfare in order to halt or prevent deterioration of property values or structures within the central business district, to assist in the planning, development, and redevelopment of this district, and it will be of special benefit to the property within the boundaries of the district; and

WHEREAS, by Ordinance No. 07-15, the City Council has created and established the Authority in accordance with the requirements of Part 8 of Article 25 of Title 31 C.R.S., the Downtown Development Authorities statute, and other applicable law; and

WHEREAS, by Ordinance No. 15-20, the City Council amended Ordinance No. 07-15 to redescribe the Authority's plan of development area so as to include certain additional property; and

WHEREAS, by Resolution 56-07, the City Council made certain findings and approved the Imagine Downtown Final Plan of Development for Colorado Springs dated February 2, 2007 as the plan of development and describing the plan of development area for the Authority; and

WHEREAS, the Experience Downtown Plan of Development, Volume 1 as attached, (the "Experience Downtown Plan") constitutes a plan of development as defined in C.R.S. §31-25-802 (6.6) and sets forth the boundaries of the plan of development; and

WHEREAS, the boundaries of the Experience Downtown Plan shall constitute the "plan of development area" as defined in C.R.S. § 31-25-802 (6.8); and

WHEREAS, School District 11 has been permitted to participate in an advisory capacity with respect to inclusion in the Experience Downtown Plan as provided for in C.R.S. § 31-25-807 (3)(d); and

WHEREAS, the Authority's Board has considered and approved by resolution the Experience Downtown Plan and recommended approval by the City's Downtown Review Board, City Planning Commission and the City Council; and

WHEREAS, the City's Downtown Review Board and City Planning Commission have considered and recommended approval of the Experience Downtown Plan with minor technical and typographical corrections; and

WHEREAS, following duly given public notice, the City Council held a public hearing on November 8, 2016 at which the City Council considered all written comments that were received by the City Council and all persons present were afforded the opportunity to be heard.

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

Section 1. The above recitals are incorporated by reference in this resolution and such recitals constitute findings by the City Council in support of the following resolving sections.

Section 2. The City Council finds and determines that there is a need to take corrective measures in order to halt or prevent deterioration of property values or structures within the boundaries of the Experience Downtown Plan, to halt or prevent the growth of blighted areas therein, and further finds that the Experience Downtown Plan, which is attached hereto and incorporated herein, will afford maximum opportunity, consistent with the sound needs and plans of the City of Colorado Springs as a whole, for development or redevelopment of the plan of development area as described in the Experience Downtown Plan by the Authority and private enterprise.

Section 3. The City Council finds and determines that the Experience Downtown Plan shall be used as a basis for development of public facilities and other improvements to public or private property of all kinds, including removal, site preparation, renovation, repair, remodeling, construction or other changes in existing buildings that may be necessary or appropriate to the execution of such plan which, in the opinion of the City Council, will aid and improve the downtown development area as described in the Experience Downtown Plan. The Experience Downtown Plan as the plan of development will promote the economic growth and implement such physical changes as may be appropriate within the plan of development area.

Section 4. The City Council finds and determines that the tax increment provisions set forth in the Experience Downtown Plan are necessary to provide tax increment financing and to implement the Experience Downtown Plan.

Section 5. The City Council finds and determines that the boundaries of the plan of development and plan of development area are those boundaries described in Chapter 3 of Volume 1 of the Experience Downtown Plan.

Section 6. The City Council hereby rescinds Resolution No. 56-07 and the Imagine Downtown Final Plan of Development for Colorado Springs dated February 2, 2007, and hereby replaces it with the Experience Downtown Plan.

Section 7. The City Council finds and determines that the Experience Downtown Plan for the City of Colorado Springs as presented to City Council on November 8, 2016 has been duly reviewed and considered by City Council, is hereby adopted by the City Council and incorporated in this resolution by reference as if fully set forth herein.

Section 8. The City Council authorizes development projects within the boundaries of and consistent with the Experience Downtown Plan.

Section 9. The City of Colorado Springs and the Colorado Springs Downtown Development Authority are authorized to take any and all actions pursuant to the Downtown Development statute, Part 8 of Article 25 of Title 31 C.R.S, and other applicable law to carry out the Experience Downtown Plan.

Dated at Colorado Springs, Colorado this _____ day of _____, 2016.

Council President

ATTEST:

Sarah B. Johnson, City Clerk