



DISCUSSION DRAFT
7/19/2023
WORK SESSION

7437 Village Square Dr., Ste. 200 • Castle Pines, CO 80108
303-705-0200 • castlepinesco.gov

June 1, 2023

Via: United States Postal Service

Castle Pines North Metro District
7404 Yorkshire Drive
Castle Pines, CO 80108

Attention: Nathan Travis, District Manager

Re: Notice of Proposed Castle Pines West Commercial District Urban Renewal Plan and Proposed Tax Increment Financing Agreement

Dear Mr. Travis:

The City of Castle Pines and Castle Pines Urban Renewal Authority ("CPURA") are considering an urban renewal plan, entitled the Castle Pines West Commercial District Urban Renewal Plan ("Proposed Plan"), for the area generally located along Castle Pines Parkway, west of I-25 to Lagae Road, which area is more particularly described in the enclosures to this letter (the "Plan Area"). CPURA believes the implementation of the Proposed Plan would eliminate blight within the Plan Area and be a significant benefit to the community.

The Proposed Plan includes a tax allocation provision.

Section 31-25-107(9.5)(a) of the Colorado Urban Renewal Law requires CPURA to notify the taxing entities whose incremental property taxes would be allocated pursuant to the Proposed Plan before the plan may be approved by the City Council of Castle Pines, and requires CPURA and said taxing entities to meet and attempt to negotiate an agreement governing the sharing of incremental property tax revenues. In accordance with said Section, this letter serves as notice to the Castle Pines North Metro District (the "District") that the Plan Area is located within the jurisdiction of the District and that the District's incremental property tax revenues would be allocated to CPURA under the Proposed Plan.

Enclosed herewith please find (i) a draft copy of the Proposed Plan, (ii) a draft of the proposed Agreement Regarding Castle Pines Urban Renewal Authority Tax Increment Financing (TIF) between CPURA and the District, and (iii) an Impact Report outlining the anticipated impacts of the Proposed Plan on the District.

Per Section 31-25-107(9.5)(a) of the Colorado Urban Renewal Law, I would like to arrange a meeting with you in the near future to discuss the Proposed Plan and

June 1, 2023

proposed Agreement. Please let me know your availability. I can be reached at sam.bishop@castlepinesco.gov, or 303-705-0225.

Sincerely,



Sam Bishop, AICP
Community Development Director
City of Castle Pines

Enclosures:

- i. DRAFT Proposed Plan
- ii. DRAFT Proposed TIF Agreement
- iii. Impact Report



Castle Pines West Commercial District Urban Renewal Plan

Castle Pines, Colorado

April 2023

Prepared for:

City of Castle Pines, CO
City Council
360 Village Square Lane, Suite B
Castle Pines, CO 80108

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Castle Pines West Commercial District Urban Renewal Plan

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Figure 1 Castle Pines West Commercial District Urban Renewal Plan Area Map 5

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Castle Pines West Commercial District Urban Renewal Plan

City of Castle Pines, Colorado

1.0 Introduction

1.1 Preface

This Castle Pines West Commercial District Urban Renewal Plan (herein referred to as the "Plan" or "Urban Renewal Plan") has been prepared for the City of Castle Pines (herein referred to as the "City") pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (herein referred to as the "Statute" or "Act" or "Law").

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an **Urban Renewal Project**. In order for the **Authority** to exercise its powers within the area, the municipality's board or council must find that the presence of blight, as defined by the Act, "constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and impairs or arrests the elimination of traffic hazards, and the improvement of traffic facilities".¹

The Castle Pines West Commercial District Conditions Survey (herein referred to as the "Survey"), prepared by Ricker Cunningham during the Fall of 2022, and presented to the **Authority** under separate cover, demonstrates that the Castle Pines West Commercial District Urban Renewal Plan Area (herein referred to as the "Area" or "Urban Renewal Plan Area") qualifies as a blighted area under the Act. Specifically, the Survey concluded that nine (9) of the 11 total possible factors are present at varying degrees of intensity, but all at levels considered significantly adverse. A list of statutory factors either observed or identified, along with a characterization of the same, is presented below in Section 4.0.

¹ CO Rev Stat § 31-25-102 (2017)

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1.3 Urban Renewal Area Boundaries

The Area, as presented in Figure 1 and set forth in Appendix A includes 87 parcels within approximately 133 acres located in the Castle Pines West Commercial District (the "Commercial District" and "District"). It is generally bound by Charter Oaks Drive on the north, the Interstate 25 (I-25) corridor on the east, southern property lines of the Marquis @ Castle Pines apartment development and Kings Soopers Center on the south, and commercial properties fronting the northern and southern sides of Castle Pines Parkway (herein referred to as the "Parkway") west of Lagae Road, on the west, all in the city of Castle Pines, and Douglas County, Colorado.

1.4 Zoning Classifications

Properties in the Area are zoned Business District. As defined in Section 11B of the Castle Pines Zoning Ordinance, permitted uses within this zoning classification include those listed below.

11 B Business District

Service Businesses:

- Bank | Financial Institution
- Daycare Center
- Firing Range - indoor
- Hotel | Motel - including conference or convention facilities
- Nursing or Convalescent Home - other extended-care facilities
- Retirement Home
- Office
- General, Medical, Dental, Professional, Governmental
- Retail | Service Business - indoor
- Theater - indoor
- Veterinary Clinic | Hospital

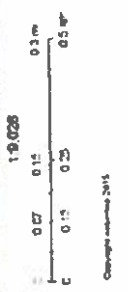
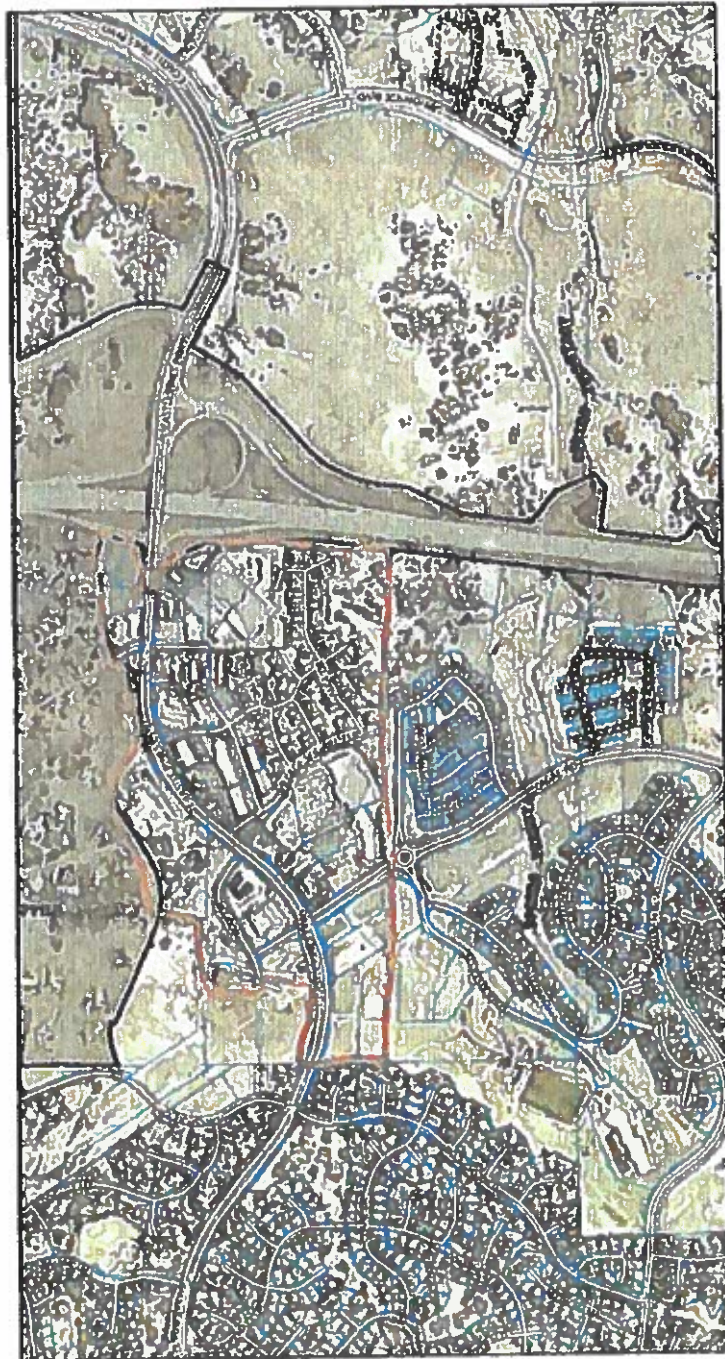
Dining and Drinking Establishments:

- Bar | Lounge
- Restaurant | Fast Food
- Club | Country Club

Institutional Uses:

- Church
- School - including college or university and related facilities
- Hospital

Figure 1: Castle Pines West Commercial District Plan Area Boundaries



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Overmode 1
Castle Pines Boundary
Parcels

Community Facilities:

- Cultural Facility
- Fire Station
- Library
- Recreation Facility - Indoor
- Sheriff Substation
- Utility Service Facility

Public Amenities:

- Open Space | Trails
- Park | Playground
- Seasonal Use

1.5 Future Land Use Designations

As explained in the City of Castle Pines Comprehensive Plan, adopted June 24, 2021, the community's vision is to, "Enhance our unique character through welcoming neighborhoods, a strong sense of community, vibrant gathering places and thriving businesses, a robust open space and trails system, and ease of mobility, while ensuring certain actions within the following five (5) categories: parks, recreation + amenities, economic development, housing, transportation, and land use + growth management."

Objectives specifically related to economic development which will inform investment in the Area include, "Reinforce, expand, and develop our unique and connected town centers as vibrant community gathering spaces that support a range of distinct businesses and restaurants, event space, entertainment venues, mixed-use developments, civic amenities, enhanced walkability, quality design and a supportive mix of housing."

1.6 Statutory Compliance

All official meetings required by the Act were scheduled, noticed, and conducted. Specifically, the **Castle Pines City Council** (herein referred to as "City Council") considered the findings of blight at a public hearing on Tuesday, May 9, 2023, documented in the **Survey**, and adopted the **Plan** on Tuesday, July 25, 2023 at a duly noticed meeting of **Council**. Also, as required, the Castle Pines Planning Commission reviewed the **Plan** on Thursday, June 24, 2023, at which time they determined it to be consistent with the 2021 Castle Pines Comprehensive Plan.

In further compliance with the Act, a notice of the public hearing including the time, date, location, and its purpose, as well as a general description of the Area and scope of proposed **Urban Renewal Projects** and undertakings, appeared in

the Castle Pines News-Press, the community's designated legal newspaper of general circulation. Additionally, every reasonable attempt was made to provide a mailed notice of the same to all owners of **Private Property**, business interests and residents located in the **Area**, at their last-known address of record.

The **Plan** and a report describing impacts resulting from new investment in the **Area**, were submitted to the Douglas County Board of Commissioners, as well as all other governing bodies or taxing entities² which assess a mill levy in the **Plan Area**. During the months April through early July, representatives of the **City** and **Authority** and these taxing entities met and negotiated agreements governing the sharing of incremental property tax revenue, in compliance with the **Act**.

STATUS TODAY

2.0 Definitions

Capitalized and bolded terms shall have the meaning set forth herein. All capitalized and bolded terms used herein and not defined below shall have the same meaning as set forth in the **Act**.

Act – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

Authority – means the **Castle Pines Urban Renewal Authority**, the City's urban renewal authority.

Authority Board – means the City Council, along with appointees from the Douglas County Board of Commissioners, Douglas County School District, other taxing entities with a presence in the **Area**, and special appointee of the Mayor, that direct the activities of the **Authority**.

Base Amount – means that portion of property taxes which are produced by the levy at the rate fixed each year by or for taxing entities upon the valuation for assessment of taxable property in a **Tax Increment Area** last certified prior to the effective date of approval of the **Plan**; and that portion of municipal sales taxes collected within the boundaries of the **Tax Increment Area** in the twelve-month period ending on the last day of the month prior to the effective date of approval of the **Plan**.

Castle Pines West Commercial District ("Commercial District") - means the community's commercial core generally bound by Charter Oaks Drive on the north, the Interstate 25 (I-25) corridor on the east, southern property lines of the Marquis @ Castle Pines

² Douglas County, Douglas County School District RE-1, Douglas Public Library District, City of Castle Pines, South Metro Fire Rescue District, Castle Pines North Metro District, Mile High Flood District and Cherry Creek Basin Water Quality Authority.

apartment development, Kings Soopers Center on the south, and properties located adjacent to Lagae Road on the west.

Castle Pines West Commercial District Tax Increment Area - means an area identified and depicted in Figure 1 as the "Castle Pines West Commercial District Urban Renewal Area" and described in Appendix B, with boundaries concurrent with the Plan Area, which includes property from which incremental property taxes in excess of the **Base Amount**, when collected, will be paid into the **Authority's Special Fund** and used, in part, to finance the **Authority's** activities and undertakings.

City - means the City of Castle Pines.

City Council - means the **City Council** of the City of Castle Pines.

Comprehensive Plan - means the 2021 Castle Pines Comprehensive Plan.

C.R.S. - means the Colorado Revised Statutes, as amended from time-to-time.

District - see Castle Pines West Commercial District ("Commercial District").

Eligible Costs - means those costs eligible to be paid or reimbursed from incremental revenues and other resources pursuant to the **Act**.

Impact Report(s) - means the Castle Pines West Commercial District Urban Renewal Plan - Taxing Entity Impact Reports prepared by Ricker | Cunningham, dated February, 2023 and presented to the governing bodies of other taxing entities assessing a mill levy within the **Plan Area** and **City Council** under separate cover.

Intergovernmental Agreement - means any agreement between the **Authority** and the **City**, or any public body (the term "public body" being used in this **Plan** as defined by the **Act**) respecting action to be taken pursuant to any of the powers set forth in the **Act** or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the **Authority** under this **Plan**.

Plan Area or Urban Renewal Plan Area or Area - means the area identified and depicted as the "Castle Pines West Commercial District Urban Renewal Area" in **Figure 1**.

Plan or Urban Renewal Plan - means this Castle Pines West Commercial District Urban Renewal Plan.

Private Property - as applied to real property, means only a fee ownership interest.

Project - (or **Urban Renewal Project**) means any and all undertakings and activities

authorized in the **Plan** and the **Act** to eliminate blighted conditions and improvements including designing, developing and constructing the various public improvements and private improvements (which collectively, includes paying the costs of constructing such improvements and other costs to the extent such costs are **Eligible Costs** as allowed by the **Act**) necessary to serve the proposed **Urban Renewal Plan Area** which includes public improvements located within and outside the **Urban Renewal Plan Area**.

Redevelopment | Development Agreement – means one or more agreements between the **Authority** and developer or developers, and | or property owners or such other individuals or entities as may be determined by the **Authority**, to be necessary or desirable to carry out the purposes of this **Plan**.

Special Fund – means a fund supervised by the **Authority** and the resources of which include incremental ad valorem property and municipal sales tax revenue resulting from investment and reinvestment in the **Urban Renewal Area**.

Survey – means the Castle Pines West Commercial District Conditions Survey, prepared by Ricker | Cunningham, dated January, 2023 and presented to **City Council** under separate cover.

Survey Area – has the same boundary as the Castle Pines West Commercial District Urban Renewal Area Map, as illustrated in **Figure 1**.

Tax Increment – that portion of incremental revenues in excess of the **Base Amount** as set forth in Section 7.3.2 of this **Plan**, allocated to and when collected, paid into the **Special Fund**.

Tax Increment Area – means an area which includes properties and portions of properties from which incremental property taxes in excess of the **Base Amount**, when collected, will be paid into the **Authority's Special Fund**.

Tax Increment Finance (or Financing) (TIF) - means a financing mechanism which uses future incremental revenues resulting from private investment within an established area (**Tax Increment Area**), as well as other resources obtained by the **Authority**, to fund improvements for the public benefit.

Urban Renewal Law – means the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended. See the definition of the **Act**, above.

Urban Renewal Plan or Plan – means this Castle Pines West Commercial District Urban Renewal Plan.

Urban Renewal Plan Area or Plan Area – means the Castle Pines West Commercial District Urban Renewal Plan Area as depicted in Figure 1.

Urban Renewal Project – is defined by the Act, but generally means an improvement, public or private that addresses the findings of blight and advances the goals of the Plan. See the definition of Project, above.

3.0 Plan Intentions

With an urban renewal designation, properties and public spaces within the Area will be eligible for one or more urban renewal activities and undertakings implemented by the Authority. To this end, it is the intention of City Council in adopting this Urban Renewal Plan that the Authority has available to it any and all powers authorized in the Act, and considered necessary and appropriate to accomplish the undertakings stated herein. Because powers conferred by the Act include facilitating the completion of improvements for which public money may be expended, the intentions of this Plan are considered to be in the public interest and a necessity, such finding being a matter of legislative determination by City Council.

3.1 Purpose

As explained in the Act, the principal objective of any and all urban renewal plans is to provide municipalities with a workable program for using available resources to eliminate and prevent the development or spread of blight, and to encourage needed rehabilitation of improvements in specified locations. In doing so, it is anticipated that community priorities expressed in adopted community plans and other policy documents, will be advanced.

For this reason, the purpose of this Castle Pines West Commercial District Urban Renewal Plan is to reduce and remove blighting conditions adversely impacting properties and businesses in the Area and described in the Survey. In addition, particularly as it relates to the subject Plan Area, it is the Authority's intention to finance, install, construct, reconstruct, and cooperate with others to complete capital improvements to infrastructure and utilities, in an effort to further economic growth locally and regionally, as well as facilitate the orderly development of the community. To this end, it intends to advance objectives expressed in the **Comprehensive Plan** (herein referred to as the 2021 Castle Pines Comprehensive Plan.) References from this and related resources which align with these goals are presented in **Appendix B**.

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3.2 Approach

The approach described herein includes completing and maintaining public and private improvements and infrastructure in the Area, using financial resources available to the Authority for the express purpose of the same, and actively promoting private investment and job creation. With regard to local objectives, the Authority intends to identify specific priorities which most effectively leverage desired private investment that aligns with relevant community initiatives.

3.3 Implementation

The Authority Board is comprised of City Council and representatives from select taxing entities, along with a special appointee of the Mayor. While City Council will authorize and oversee its efforts, the Authority Board will be the Plan's principal administrator. In this capacity, they will identify capital investments (roadways, open spaces, greenways) in the Area necessary to support investment in properties and infrastructure, and prioritize the same to ensure they provide a public benefit to the community.

As reiterated in Section 6.5, any development and investment activity within the Area boundaries will conform to existing municipal codes and ordinances, along with any site-specific regulations or policies in effect at the time. While the Act authorizes the Authority to regulate land uses, establish maximum or minimum densities, and institute other building requirements in an urban renewal area; for the purpose of this Plan, the Authority anticipates the responsibility for these activities will reside with the City, with input from the Authority.

4.0 Blight Conditions

Before an urban renewal plan can be adopted by a municipality, the proposed urban renewal area must be determined to be "blighted" as defined in Section 31-25-103(2) of the Act which provides that "in its present condition and use and, by reason of the presence of at least four of the factors (see below) in section 31-25-103 (2) (a) (or five in cases where property will be acquired by eminent domain the use of eminent domain is anticipated) 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." Statutory factors include:

- (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 or inadequate public improvements or utilities;
- (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.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; 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.5) of Section 31-25-103(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.

The general methodology used to prepare the **Survey** involved the following steps: (i) defining the boundaries of the **Survey Area**; (ii) gathering information about properties, infrastructure, and other improvements within the same; (iii) observing conditions through onsite investigations; (iv) reviewing aerial photography and maps; (v) interviewing representatives of public agencies and municipal departments; and (iv) recording identified and observed circumstances related to factors described in the **Act**.

Among the 11 qualifying factors listed above, **the Survey** showed the presence of **nine (9) blight factors in the Area** that is the subject of this **Plan**.

- (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 or inadequate public improvements or utilities;**
- (g) **Defective or unusual conditions of title rendering the title non-marketable;**
- (h) **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; and**
- (k5) **Existence of health, safety, or welfare factors requiring high levels of municipal**

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services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

5.0 Plan Relationship to Community Documents

5.1 Consistency with the Comprehensive Plan

Whereas the purpose of any urban renewal plan is to facilitate investment that eliminates adverse conditions and fulfills community's objectives, development within its boundaries should reflect the vision and intentions expressed in adopted and accepted policy documents, foremost among them being its master or comprehensive plan. In the context of this **Plan**, the **Authority** anticipates addressing the following goals and ambitions. Additional items are presented in **Appendix B** of this Plan. Note: While much of the following text is taken verbatim, some text has been reworded or paraphrased for clarification.

2021 Comprehensive Plan Vision Statement

Our Community Vision

Enhance our unique character through welcoming neighborhoods, a strong sense of community, vibrant gathering places and thriving businesses, a robust open space and trails system, and ease of mobility, while looking towards the future by ensuring:

- **Parks, Recreation + Amenities** that encompass new recreational facilities, a variety of park types, natural areas, high quality schools, and regional recreational amenities through an integrated city-wide network of open space, greenways, parks, and trails that are accessible to all residents of the city.
- **Economic Development** that reinforces, expands, and develops our unique and connected town centers as vibrant community gathering spaces that support a range of distinct businesses and restaurants, event space, entertainment venues, mixed-use development, civic amenities, enhanced walkability, quality design and a supportive mix of housing.
- **Housing** that builds on our friendly, small-town feel and provides high-quality housing for all lifecycles, integrated into great neighborhoods and set in a natural setting while providing opportunity for new types of housing in close proximity to our walkable town centers.
- **Transportation** that facilitates a safe and connected community through off-street and on street pathways, a highly connected road system, new transportation options, and unique gateway features, streetscape

improvements, and signage that represents the community's high-quality aesthetic and character.

- **Land Use + Growth Management** that provides a high quality-of-life community with exceptional design, augmented by extensive access to open space and physical separation from adjacent communities which together support a healthy, aesthetically pleasing and cohesive community.

6.0 Authorized Authority Undertakings and Activities

Whereas the Act allows for a wide range of activities to be used in furtherance of an urban renewal plan, in this context, the Authority intends to complete public improvements and provide financial assistance in partnership with the City, to affected property owners and other parties with an interest in the Area. To this end, cooperative arrangements will be an essential element of the Authority's approach to eliminating and preventing the spread of blighting conditions within its boundaries, along with those powers described in the discussion that follows.

6.1 Prepare and Modify Plans for the Area

The Authority may work with public bodies, and retain consultants and other advisors, to assist with the planning of properties in connection with Urban Renewal Projects and other undertakings in the Area. In addition, the Authority may propose, and City Council may make, modifications to this Plan, provided they are consistent with adopted community plans and any subsequent updates, and compliant with processes set forth in the Act. The Authority may also, in specific cases, allow non-substantive variations from the provisions of this Plan, if it determines that a literal enforcement would constitute an unreasonable limitation beyond the intent and purpose stated therein.

6.2 Complete Public Improvements and Facilities

The Authority may, or may cooperate with others to, finance, install, construct, or reconstruct public improvements considered Eligible Costs as per the Act, and necessary to promote the intentions of this Plan. Whereas improvements should, whenever possible, stimulate desired investment, it is the intent of this Plan that the use of Authority resources will benefit not only business and property interests within its boundaries, but those in the community at-large. Priority improvements will include those that either mitigate or eliminate adverse conditions, and/or advance stated objectives.

As explained in Section 4.0, nine (9) of the 11 qualifying conditions of blight as defined in Section 31-25-103(2) of the Act, are evident in the Area. As its

administrator, the **Authority** will seek to most effectively leverage available resources in furtherance of the **Plan**, while also eliminating the spread of those blighting conditions described in the **Survey**. To this end, the **Authority** may assist, on a case-by-case basis, in the financing and | or construction of certain improvements, to the extent authorized by the **Act** and required to support development and redevelopment for the benefit of the public. Examples of these improvements include, but are not limited to, the following:

- (b) **Predominance of defective or inadequate street layout** – roadway repairs, completion of roadways, and construction of accommodations for non-vehicular mobility including wheel chairs, and improvements to ensure safe vehicular and non vehicular movement within the **Area**;
- (c) **Faulty lot layout in relation to size, adequacy, accessibility, or usefulness** – completion of improvements that more clearly define points of ingress and egress, as well as connections between centers of activity to enhance walkability to and through the **Area**;
- (d) **Unsanitary or unsafe conditions** – fire suppression systems in multi-family residential properties, and mitigation of any adverse impacts from offsite floodways or onsite environmental contaminants in the **Area**;
- (e) **Deterioration of site or other improvements** – improvements and | or enhancements within and adjacent to public spaces and rights of way;
- (f) **Unusual topography or inadequate public improvements or utilities** – construction of retaining walls or other improvements to ensure appropriate drainage, and undergrounding overhead utility lines in the **Area**;
- (g) **Defective or unusual conditions of title rendering the title non-marketable** – offset economic challenges associated with redevelopment of the former Safeway Center due to title restrictions;
- (h) **Existence of conditions that endanger life or property by fire or other causes** – participation with South Metro Fire Rescue implementing measures to minimize fire-related incidents in the **Area**;
- (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** – see reference to fire suppression system improvements above related to Factor d above;
- (k5) **Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements** – assist with development | redevelopment initiatives considered meritorious and consistent with the vision expressed herein

In addition to completing improvements which may or may not include those

listed above, the **Authority** may also participate in activities such as building and site demolition when those activities are required by existing **Development or Intergovernmental Agreements**; or when they are required to eliminate unhealthy, unsanitary, and unsafe conditions, or obsolete uses deemed detrimental to the public welfare.

6.3 Acquire and Dispose of Property

The **Authority** may sell, lease or otherwise transfer real property or any interest therein acquired by it, as part of an **Urban Renewal Project**, in furtherance of this **Plan**, and as authorized by the Act. Also allowed is acquisition of property or interest in property through the use of eminent domain, a power afforded public bodies and described in applicable state laws. While this **Plan** encourages properties to be acquired through arms-length transactions, it authorizes the use of eminent domain by the **Authority**.

Upon acquisition, and prior to disposal, the **Authority** may temporarily operate, manage and maintain property in the **Area**, if deemed in the best interest of an **Urban Renewal Project or Plan**. The **Authority** may also set aside, dedicate, or transfer properties to public bodies for uses in accordance with this **Plan**, with or without compensation.

6.4 Enter into Agreements

The **Authority** may enter into **Redevelopment and Development Agreements**, and contract with developers, property owners, individuals and other entities determined to be necessary to carry out the purposes of this **Plan**. Such **Agreements**, or other contracts, may contain terms and provisions deemed necessary or appropriate for the purpose of undertaking contemplated activities, and remain in full force and effect, unless all parties to such **Agreements** agree otherwise.

In accordance with the **Act**, the **Authority** may also enter into one or more **Intergovernmental Agreements** with lawful entities for the purpose of financing, installing, constructing and/or reconstructing improvements considered eligible and necessary for implementation of the **Plan**. Finally, it may, but is not required to do so, contract with the **City** or other organization for support of the **Authority** and its staff, including administration of said agreements. (See Sections 7.3 and 7.6 below.)

6.5 Adopt Standards

The **Act** allows for the adoption of standards and other requirements applicable to projects undertaken in an urban renewal area, and the **Authority** may retain consultants and other advisors to assist with various activities including zoning and rezoning properties in the **Area**; however, in the context of this **Plan**, it is the **Authority's** intention that these activities will be conducted in cooperation with the **City**. Further, it is the intent of the **Authority** that all investment in the **Area** meet or exceed applicable rules, regulations, policies, other requirements, and standards established by the **City** and any other governmental entity having jurisdiction within its boundaries.

6.6 Provide Relocation Assistance

While this **Plan** does not anticipate individuals, families, or business concerns will require relocation due to the acquisition of real property, if such a relocation becomes necessary, the **Authority** will adopt a relocation plan in conformance with the **Act**.

6.7 Incur and Issue Debt

This Castle Pines West Commercial District Urban Renewal Plan authorizes the **Authority** to borrow money and apply for and accept advances, loans, grants and contributions from all lending sources, private and public, for purposes identified in the **Plan** and authorized by the **Act**. The **Authority** may expend these resources as loans or grants, and otherwise make them available for undertakings and activities deemed meritorious and consistent with the **Plan**. Funds of the **Authority** resources may be derived through any and all methods authorized by the **Act**, including the issuance of bonds as defined in 31-25-109 of the **Act**.

This **Plan** anticipates the **Authority** will use existing resources and pledge future revenue derived in connection with its undertakings and activities to assist private entities and owners mitigate adverse conditions and advance stated community objectives, including those identified herein.

6.8 Create Tax Increment Areas

As authorized in Section 31-25-107 of the **Act**, this **Plan** also allows for the collection of incremental property taxes otherwise designated to public bodies and levied on taxable property in the **Area**, as well as municipal sales taxes, both in excess of the **Base Amount**. These revenues may be amassed for a period not to exceed twenty-five (25) years commencing on the effective date of the **Plan**.

which will coincide with its adoption by **City Council**. All incremental resources must be deposited in a **Special Fund** of the **Authority** and used for the furtherance of eligible activities and undertakings.

6.9 Share Tax Increment

The **Authority** may enter into accords with public bodies in the **Urban Renewal Area** for any purpose authorized or contemplated by the **Act** including but not limited to sharing incremental revenues derived from the levy of any public body that is a party to such agreement.

7.0 Project Financing

7.1 Public Investment Objective

A critical component of any urban renewal initiative is participation by both the public and private sectors since either entity, alone, rarely has sufficient resources to overcome the financial hurdles frequently resulting from inadequate infrastructure or adverse conditions, a hallmark of areas eligible for this designation. To this end, leveraging the funds of multiple sources will be essential to advance projects that further the objectives of this **Plan**.

7.2 Financial Mechanisms

As explained above in Sections 6.7 and 6.8, the **Authority** may finance its undertakings pursuant to the **Plan** by any method authorized under the **Act**, or any other applicable law. In addition to incremental tax revenues, other potential financing vehicles may include, without limitation, the issuance of notes, bonds, certificates of indebtedness, or other obligation lawfully created as defined in the **Act**. The **Authority** may also borrow funds, access federal and state loans or grants, and earn interest income; as well as enter into reimbursement or annual appropriation agreements with public or private entities, or any other lawful source, the principal, interest, costs and fees of which will be paid for with available funds of the **Authority**.

7.3 Incremental Revenues

It is the intent of **City Council** in approving this **Plan** that incremental property tax revenues will be the primary funding source for **Eligible Costs** and priority improvements in the **Area** by the **Authority**. As such, the **Authority** may irrevocably pledge these funds to pay the principal of, and interest on, any other premiums due in connection with the bonds, loans, or advances to, or

indebtedness incurred (whether funded, refunded, assumed, or otherwise), by the **Authority**, for financing or refinancing in whole or in part, all undertakings and activities authorized by the **Act**, except:

- (a) Any offsets collected by the County Treasurer for return of overpayments or any funds reserved by the **Authority** for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S.; or
- (b) Any reasonable (as determined by the **Authority**) set-asides or reserves of incremental taxes paid to the **Authority** for payment of expenses associated with administering the **Plan**.

Unless and until the total valuation for assessment of taxable property in the **Tax Increment Area** exceeds the base valuation, all taxes levied upon taxable property in the **Area** shall be paid into the funds of the respective public bodies. Also, when such bonds, loans, advances, and indebtedness, including interest thereon and any premiums due in connection therewith have been paid, all remaining taxes upon the same taxable property shall be paid to the respective public bodies.

While this Castle Pines West Commercial District Urban Renewal Plan contemplates the use of incremental property tax revenues, **City Council** may also allocate municipal sales tax increments. As such, the use of incremental sales tax revenue is hereby authorized pursuant to Section 31-25-107 (9), C.R.S., which is by this reference incorporated herein as if set forth in its entirety; however, any such pledge of sales tax increment by the **Authority** in a **Development or Redevelopment Agreement** shall not be authorized until a separate **Intergovernmental Agreement** between the **Authority** and **City** setting forth the allocation of incremental sales taxes between the **City** and **Project** is established. The approval of such **Intergovernmental Agreement** by the **City** and **Authority** will not constitute a substantial modification, nor will the addition of a new activity or undertaking. Finally, approval of such an **Intergovernmental Agreement** will not extend this **Plan** or the duration of a specific **Urban Renewal Project** in the **Area** which is presently twenty-five (25) years after the effective date of this **Plan's** adoption, which authorized and created the **Tax Increment Area**, regardless of when such **Intergovernmental Agreement** may be approved.

7.3.1 Castle Pines West Commercial District Tax Increment Area

As described in Section 6.8, the **Tax Increment Area** is the only tax increment area within the **Urban Renewal Area** as the boundaries of each are one and the same. In the event **City Council** desires to expand the **Tax Increment Area**, the **Urban Renewal Area** will also have to be expanded.

and the Plan amended pursuant to the Act.

7.4 Other Financing Mechanisms and Structures

As explained above, this Castle Pines West Commercial District Urban Renewal Plan intends to provide for the use of incremental revenues as a tool to facilitate investment and reinvestment in the Area. However, whereas the Authority is authorized to finance implementation of the Plan by any method authorized in the Act, it is committed to making a variety of strategies and mechanisms available, including those that may be used independently or in various combinations, as may be necessary to further stated objectives. Given the obvious and well-documented obstacles associated with development in this, and similar challenging environments, the Authority recognizes that it will be imperative that solutions and resources be put in place which are comprehensive, flexible, and creative.

7.5 Agricultural Land

The Area does not include **Agricultural Land**. In accordance with Section 31-25-107(c)(ii)(D) of the Act, each public body that levies an ad valorem property tax on the **Agricultural Land** must agree in writing to the inclusion of **Agricultural Land** within the Area.

7.6 Compliance with Section 31-25-107(9.5) (a) of the Act

As required by Section 31-25-107(9.5)(a) of the Act, the Authority either waived or entered into an **Intergovernmental Agreement** with each taxing entity that levies ad valorem property taxes within the Area. The **Intergovernmental Agreements** set out the terms and conditions governing the sharing of incremental property tax revenue within the Area and address impacts, if any, on the services or revenues of those entities, if any, associated solely with the Plan. The terms of the **Intergovernmental Agreements** are summarized in Table 1.

Table 1: Summary of Taxing Entity Intergovernmental Agreements

Insert after Final Negotiations



8.0 Severability

If any portion of this **Plan** is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the **Plan**. Further, if there is any conflict between the **Act** and this **Plan**, the provisions of the **Act** shall prevail, and the language in the **Plan** will automatically be deemed to conform to the statute.

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Castle Pines West Commercial District Urban Renewal Plan
City of Castle Pines, Colorado

Appendix A:

Castle Pines West Commercial District Urban Renewal Area Legal Description

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Castle Pines West Commercial District Urban Renewal Plan
City of Castle Pines, Colorado

Appendix B:

Excerpts from the 2021 Castle Pines Comprehensive Plan

2021 Castle Pines Comprehensive Plan

Our Community Vision

Enhance our unique character through welcoming neighborhoods, a strong sense of community, vibrant gathering places and thriving businesses, a robust open space and trails system, and ease of mobility, while looking towards the future by ensuring:

- **Parks, Recreation + Amenities** that encompass new recreational facilities, a variety of park types, natural areas, high quality schools, and regional recreational amenities through an integrated city-wide network of open space, greenways, parks, and trails that are accessible to all residents of the city.
- **Economic Development** that reinforces, expands, and develops our unique and connected town centers as vibrant community gathering spaces that support a range of distinct businesses and restaurants, event space, entertainment venues, mixed use development, civic amenities, enhanced walkability, quality design and a supportive mix of housing.
- **Housing** that builds on our friendly, small town feel and provides high-quality housing for all lifecycles, integrated into great neighborhoods and set in a natural setting while providing opportunity for new types of housing in close proximity to our walkable town centers.
- **Transportation** that facilitates a safe and connected community through off-street and on-street pathways, a highly connected road system, new transportation options, and unique gateway features, streetscape improvements, and signage that represents the community's high-quality aesthetic and character.
- **Land Use + Growth Management** that provides a high quality-of-life community with exceptional design, augmented by extensive access to open space and physical separation from adjacent communities which together support a healthy, aesthetically pleasing and cohesive community.

Economic Development

Goals and Objectives

Goal ED-1: Foster a robust and resilient economy and workforce.

- ED-1.1 Support economic development programs and resources that support businesses of all sizes.
- ED-1.2 Balance neighborhood-serving businesses and low-rise urban office space.
- ED-1.3 Support additional business opportunities and attract successful entrepreneurs and small businesses looking to expand to new locations.
- ED-1.4 Continue consistent, high quality development that visually bridges the existing and new areas of the city.
- ED-1.5 Create complementary activity centers that allow people to shop between them and not in isolation.
- ED-1.6 Encourage diverse forms of office, employment, and commercial land uses.
- ED-1.7 Facilitate a diverse mix of workplace types, including creative office | coworking spaces, incubators, and maker space, for small businesses, remote workers, and start-ups.



- ED-1.8 Leverage the Community Benefit Overlay to attract catalyst employment uses for the local economy, such as corporate, institutional, educational, or research and technology industries.

Goal ED-2: Establish vibrant and pedestrian-friendly community activity centers to encourage socialization, entertainment, and local events.

- ED-2.1 Encourage economic development activity by promoting higher densities and a mix of use within and surrounding commercial centers.
- ED-2.2 Design commercial centers to emphasize human scale and create pedestrian-oriented areas.
- ED-2.3 Enhance pedestrian circulation that connects activity centers to residential neighborhoods through a system of trails and sidewalks.
- ED-2.4 Design activity centers to reflect high-quality design that considers compatible scale, form, color, materials, and other architectural characteristics. Also see Goal LU-5 and *Mixed-Use Design Guidelines*.
- ED-2.5 Use landscaping to complement and soften nonresidential development, and provide buffering, screening, and shade.
- ED-2.6 Encourage and facilitate a broad range of civic, cultural, and community-building activities and events that bring the community together.

Goal ED-3: Retrofit the Business District to create a stronger downtown feel with unique sit-down restaurants, office, retail, and housing.

- ED-3.1 Encourage redevelopment at a higher intensity with clustered commercial areas to facilitate walkability.
- ED-3.2 Encourage retrofitting traditional auto-oriented retail centers to comfortably and safely accommodate pedestrian and bicycle connections.
- ED-3.3 Advocate for public outdoor gathering spaces as part of redevelopment efforts, providing places for community events and socializing.
- ED-3.4 Support and cultivate local and existing businesses to increase business retention.
- ED-3.5 Promote reinvestment, redevelopment, and adaptive reuse of under-performing or vacant commercial properties.
- ED-3.6 Foster a pro-business environment conducive to attracting a variety of retail, restaurant, service, and grocery options.
- ED-3.7 Improve shared parking access to serve largely simultaneous use of retail, office, and civic uses.

Goal ED-4: Promote fresh food production for health, food security, and economic opportunities.

- ED-4.1 Promote farmers markets and produce stands where appropriate.
- ED-4.2 Support local food production in appropriate residential locations for community gardens or small urban farms.

Housing

Goals and Objectives

Goal H-1: Build on the small town and friendly feel of neighborhoods and align new housing with community values.

- H-1.1 Establish design and connectivity standards that ensure aesthetic and connected neighborhoods.
- H-1.2 Maintain character of single-family and large lot neighborhoods.
- H-1.3 Preserve environmental and visual resources through clustered development patterns and open space standards.
- H-1.4 Transition the density of housing within Mixed- Use Community areas using the lower density range adjacent to existing residential neighborhoods.

Goal H-2: Provide a balance of diverse, high-quality housing that incorporates a range of type, design, and density and appeals to families, singles, and seniors.

- H-2.1 Accommodate upscale, multifamily housing opportunities within and adjacent to commercial areas.
- H-2.2 Support the provision of lifestyle communities for older residents with appropriate housing, green space, and amenities.
- H-2.3 Locate senior housing and assisted or independent living facilities close to community facilities and transportation options.

Goal H-3: Support housing that meets the financial needs of current and future residents.

- H-3.1 Strengthen a mixed housing stock with a range of housing sizes and price points.
- H-3.2 Encourage the provision of primary or accessory housing types that facilitate aging in place.
- H-3.3 Support opportunities for high-quality attainable housing in proximity to activity centers, transportation, and services.

Implementation

1.0 Invest in Downtown Revitalization

- 1.1 Create a Downtown Plan that encompasses the Mixed-Use Downtown land use category and illustrates a cohesive vision for future development and public amenities.
- 1.2 Investigate the creation of a dedicated funding source for economic development efforts in the Business District, such as a special district or urban renewal authority.
- 1.3 Implement a competitive mill levy and | or lower tax burden on existing commercial property.
- 1.4 Streamline development review and approval processes for projects that meet the economic development goals of this Plan.
- 1.5 Hire an Economic Development Specialist to guide recommended initiatives and actions.
- 1.6 Support ongoing "Shop Local" campaign and regularly profile business to support existing



businesses

- 1.7 Pursue public | private partnerships to redevelop targeted redevelopment and infill sites.
- 1.8 Work to acquire street rights-of-way within the Business District to be able to implement desired improvements and streetscape amenities.
- 1.9 Establish a grant matching program to encourage improvements to existing properties.

2.0 Activate Downtown with Events and Community Gathering Space

- 2.1 Initiate a feasibility study to examine type, location, community benefit and cost of a new outdoor civic space.
- 2.2 Provide pedestrian-oriented landscape and streetscape improvements as outlined in a Downtown Plan, including benches, trees, trash receptacles, banners, lighting, wider sidewalks, striped crosswalks, planters, and bike racks.

2018 Urban Land Institute

Castle Pines Central Business District Technical Advisory Panel

Recognizing fiscal, political, market, and organizational constraints, the panel's recommendations, which are strategic and non-binding, are devised to be practical and achievable in the short and long terms. The panel's recommendations include:

1. **Incrementally Retain, Revitalize & Redevelop the Central Business District:** Overall, panelists suggested an incremental approach to revitalizing the central business district, utilizing short-term tactical improvements to retain and revitalize the area around Village Square Lane and the King Soopers. They recommended a longer-term strategic approach to redeveloping the vacant Safeway site.
2. **Define the Castle Pines Brand:** In both short- and long-term revitalization efforts, panelists recommended that the community identify and promote what is unique and interesting about the community—in other words, what attracts people there.
3. **Create a "There" There:** The panelists recommended getting started by creating a place where people want to linger in the business district. They suggested focusing on the redevelopment of the intersection between Village Square Drive and Village Square Lane, which serves as a gateway into the business district and could catalyze redevelopment around it.
4. **Coordinate and Lead Intentional Development & Redevelopment:** The city can help to shape development toward agreed-upon goals rather than simply accepting any development that comes along. Panelists broke down the implementation steps for a phased redevelopment of the business district. These steps include:
 - a. Coordinate with property owners and landlords to incubate uses at the catalytic intersection of Village Square Drive and Village Square Lane.
 - b. Invest in pedestrian walkways, lighting, banners, and wayfinding signs throughout the district.
 - c. Evaluate the city's development guidelines to ensure that more walkable, bikeable development is encouraged.
 - d. Work with developers, landlords, and restaurants to create and enhance outdoor patios in the district.
 - e. Work with current retailers to improve their "curb appeal" with the addition of more attractive storefronts, outdoor seating and cafes, signs and branding, and landscaping.
 - f. Work closely with current property owners, landlords, and business owners to retain current retailers while improving the retail mix to provide more services.
 - g. Hire an Economic Development Coordinator to align interests in the business district and to attract businesses in target categories, such as local restaurants, specialty fitness, entertainment, health and personal care, local soft goods, and neighborhood convenience.
 - h. Create a "Pine-ifesto" (like Stanley Marketplace's "Stanifesto") stating community goals and aspirations for the business district that businesses sign on to as they join the district.

- i. Work with the property owner to redevelop the former Safeway site in phases, introducing a mix of uses such as multifamily residential and with a fitness center in its first-floor retail.

5. **Forge a Path to Financial Resilience and Vitality:** Panelists recommended enhancing the city's ability to support revitalization of the business district with the following financial tools.

- a. Transition Castle Pines from a statutory municipality to "home rule" for greater local control over its financial destiny.
- b. Explore increasing the sales tax, the proceeds of which could be used to hire an Economic Development Coordinator and fund improvements.
- c. Investigate other grant and financial opportunities, such as DOLA Main Street Funding, DRCOG enhancement funds, and county coordination.
- d. Get educated on the pros and cons of Urban Renewal Authorities and Downtown Development Authorities.
- e. Work with the developers of the Canyons on potentially increasing the number of allowed residential units, which could increase demand for commercial development in the area.

Panelists concluded that Castle Pines' strong and growing residential base could support the transformation of the current central business district into the community gathering place that locals want. With adequate resources, the city can help to catalyze that change throughout the district.

2020 Economic Action Plan

Strategy Purpose

Whereas one objective of the 2016 Comprehensive Plan is to "... guide policy and land use development decisions while managing growth and the provision of services," the purpose of this strategic document is to provide a road map for accomplishing this objective, along with providing an understanding of possible impacts associated with various approaches, and circumstances that could either hinder or support your efforts. Collectively, the recommendations presented here are intended to capitalize on opportunities for, and barriers to investment, in an effort to "ready the market (or community) for desired development. It should be used as a "check" on the use of municipal resources, both monetary and staff, to ensure they effectively leverage desired outcomes. Widely held goals included:

- capital improvements that both optimize and protect the physical realm;
- more and safer accommodations (bicycle and pedestrian) for non-vehicular mobility;
- greater variety of connections between concentrations of residents, businesses and centers of activity; and
- a built environment that meets the needs of a more diverse community profile.

An effective plan for economic growth and stability must be tailored to specific community goals and objectives. To this end, the City of Castle Pines 2020 Economic Action Plan is based on the city's intent to be an "economically resilient community with a diverse, yet stable economic base." This intention is memorialized in both the Vision Statement prepared by the Castle Pines City Council in 2018 and Strategic Objectives, both of which are presented below.

City Council Vision Statement for the City of Castle Pines (2018)

- An inclusive Colorado community that embraces our unique neighborhood character;
- A community that creates outdoor and active lifestyle living amenities; and
- A community that supports conscientious development where we live, work, play, and shop.

City Council 2018-19 Strategic Objectives

- Financial resiliency and vitality
- Reliable and safe infrastructure
- Intentional development
- Foster community
- High performing operations
- Economic strength

The vision and objectives also represent the community's "value proposition" in the competitive South Denver Metro market. A value proposition refers to the value a company (or community) promises to deliver to customers (or residents, business and property owners) should they choose to buy their product. A value proposition is also a declaration of intent or a statement that

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introduces a company's (or community's) brand to consumers by telling them what it stands for, how it operates and why it deserves their business. The value proposition also reflects the community's understanding of "risk" and "opportunity cost" as defined here.

Risk

The risk of failing to act may be defined as (and realized as) a loss in retail sales. For the reasons stated previously and generally attributed to an imbalance in revenue-generating versus service cost-producing land uses, the city cannot afford any measurable reduction in sales tax revenue. This Plan proposes alternative approaches to ensuring adequate levels of revenue.

Opportunity Cost

The cost of doing nothing may be defined as a lost opportunity. With retail trends continuously shifting, the city must maintain a heightened awareness of industry trends and commit resources to attracting emerging retail operators, helping to mitigate declines among existing operators and minimize leakage to other jurisdictions.

Guiding Principles

The range of priorities and actions identified to move the Plan forward were selected based on a foundation of guiding principles. These guiding principles, while general in nature, are responsive to current and future market opportunities and stakeholder input.

1. The city will maintain a proactive and entrepreneurial attitude towards new development and redevelopment that is consistent with the community vision.
2. Public commitment will be long-term.
3. Development will be guided by short-term guidelines and long-term standards.
4. The city may provide assistance for eligible projects that have verifiable financing gaps (to the extent reasonable and possible), but for the minimum possible length of time.
5. Preferences will be given to projects emphasizing a greater diversity of uses and serving broader market segments.
6. The city will consider the fiscal impacts of new development and redevelopment.

Priority Initiatives

As government has the longest-term investment in the community, it is appropriate for the city to "pave" the way for investment and reinvestment by the private sector. The priority initiatives identified below assume private investment will follow public commitment to create a supportive investment climate.

1. Evaluate and modify existing incentive offerings in order to ensure the judicious use of municipal resources.
2. Establish proactive initiatives to better encourage property investment and reinvestment, as well as business expansion and attraction.
3. Leverage partnerships with organizations and institutions that support the vision

expressed herein.

4. Protect and enhance those attributes of the community that are unique to Castle Pines and valued by existing and future populations.
5. Coordinate and align efforts and messaging regarding Castle Pines' vision and objectives.
6. Amend policy, regulations and strategic resources to ensure consistency.
7. Balance flexibility and certainty when considering land use applications and product design.
8. Ensure fiscal stability and predictability with respect to the city's land use balance.

Actions

To advance these priority initiatives, targeted actions by the city will be necessary to achieve desired economic development outcomes. The following actions represent a "work plan" going forward – specific actions designed to "ready the environment for investment".

1. Adopt this Economic Action Plan to enhance the city's potential for sustained fiscal health.
2. Conduct fiscal impact analyses for annexation requests and rezoning land use applications.
3. Periodically (e.g., annually) monitor the city's real estate products and land use mix to ensure consistency with intended development patterns.
4. Monitor real estate market conditions and engage the "Delivery System"³ periodically (e.g., quarterly) to share information and insights.
5. Complete the trails system that connects existing and developing neighborhoods to the Business District.
6. Establish a moniker for the Business District that can be consistently used and which will serve to identify the area as a destination in the region.
7. Streamline development review and approval processes.
8. Research and identify potential special districts that could be established in targeted areas to provide funding for improvements, maintenance, marketing, etc.
9. Establish funding mechanisms and holding entities for publicly-acquired properties to be positioned for development by private entities.
10. Complete capital improvements, especially public roadways, as quickly as possible in order to more easily allow for consistent levels of investment, maintenance and programming.
11. Complete gateway improvements at the Castle Pines Parkway I-25 interchange that are "balanced" and consistent on both the east and west sides, and which communicate a single entrance rather than two separate development areas.
12. Consider providing financial assistance and/or incentives in the redevelopment of strategically-located parcels in the Business District for their secondary and tertiary

³ "Delivery System" refers to any entity, public or private, that affects the delivery of a product to the market. This can include property owners, developers, lenders, investors, neighborhood groups, regulatory agencies, etc.

- benefits (e.g., cultivate community identity, anchor neighborhoods, diversify city's balance sheet and provide public amenities).
13. Engage and educate developers to ensure a greater diversity of residential product types, greater balance of non-residential uses, resources spent recruiting certain land uses and tenant types, and messaging with regard to commercial offerings in the city.
 14. Consider the strategic acquisition of infill parcels for desired development and redevelopment consistent with expressed objectives.
 15. Create a dedicated funding source for economic development efforts.
 16. Consider hiring an Economic Development Specialist to guide recommended initiatives and actions detailed herein.
 17. Rezone the Business District to promote integrated land uses and higher densities.

The economic development priorities and considerations were identified and intended to provide a bridge between the city's intentions with regard to growth and development, and potential consequences resulting from local circumstances and past agreements. They reflect an understanding of the area's locational attributes as well as potential obstacles to desired outcomes. Since the primary purpose of this Plan is to ensure the community's image is preserved through thoughtful planning and development, decisions regarding the same must be deliberate.

Conclusion

This City of Castle Pines 2020 Economic Action Plan was prepared to confirm the visionary intentions expressed in the Comprehensive Plan and reflected in supporting policy documents, and advance objectives related to fiscal balance and livability. The recommendations offered should be used to prioritize expenditures on capital improvements, both functional and aesthetic, and demonstrate the public's commitment to this effort.

The ability of the city to attract market share and encourage desired investment will be largely based on continued growth in the region, as well as the community's willingness to commit long-term to the stated objectives. Until all of the necessary resources are in place to protect the stated vision, city officials are encouraged to use guidance provided here in the form of intentions and desired outcomes to review and consider development proposals. Finally, this report acknowledges that it could take many years to advance this strategy and that market conditions will inevitably change during that timeframe. Therefore, the city is further encouraged to be somewhat flexible in its interpretation of how different product types align with the stated intentions.





Castle Pines West Commercial District Urban Renewal Area
Castle Pines North Metro District Impact Report
Castle Pines, Colorado

March, 2023

Prepared for
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City Council
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Castle Pines West Commercial District Urban Renewal Area

Castle Pines North Metro District Impact Report

March 2023

This report outlines the anticipated impact of the proposed Castle Pines West Commercial District Urban Renewal Plan on the Castle Pines North Metro District (the District). It is prepared in conformance with those requirements set forth in C.R.S. 31-25-107 (3.5) (a):

C.R.S. 31-25-107: APPROVAL OF URBAN RENEWAL PLANS BY LOCAL GOVERNING BODY

(3.5) (a) "At least thirty days prior to the hearing on an urban renewal plan or a substantial modification to such plan, regardless of when the urban renewal plan was first approved, the governing body or the authority shall submit such plan or modification to the board of county commissioners and, if property taxes collected as a result of the county levy will be utilized, the governing body or the authority shall also submit an urban renewal impact report, which shall include, at a minimum, the following information concerning the impact of such plan:

- I. The estimated duration of time to complete the urban renewal project;
- II. 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 period to fund the urban renewal project;
- III. An estimate of the impact of the urban renewal project on county revenues and on the cost and extent of additional county infrastructure and services required to serve development within the proposed urban renewal area, and the benefit of improvements within the urban renewal area to existing county infrastructure;
- IV. A statement setting forth the method under which the authority or the municipality will finance, or that agreements are in place to finance, any additional county infrastructure and services required to serve development in the urban renewal area for the period in which all or any portion of the property taxes described in subparagraph (II) of paragraph (a) of subsection (9) of this section and levied by a county are paid to the authority; and
- V. Any other estimated impacts of the urban renewal project on county services or revenues."

Summary of Urban Renewal Plan

Development Program

The proposed development program for the Castle Pines West Commercial District Urban Renewal Plan is consistent with current policy documents and plans for the City of Castle Pines (the City). The estimated level of development is anticipated to be completed over the next 25 years and the total build out is summarized in **Table 1**.

Table 1
Castle Pines West Commercial District Urban Renewal Plan
Proposed Development Program

New Development/Redevelopment:	
Grocery Retail (sq ft)	86,000
Retail / Service (sq ft)	200,000
Office / Employment (sq ft)	200,000
Hotel / Lodging (rooms)	150
Residential For-Sale (units)	300

Source: Ricker/Cunningham.

The development timetable for the proposed program presented above will ultimately be determined by prevailing market conditions. A critical component of the analysis presented here is the assumption that key parcels within the planning area will be developed into an integrated mix of residential, commercial retail, office / employment and hotel/lodging land uses. For the purposes of this analysis, it was assumed that this level of development in the Castle Pines West Commercial District Area (the Area) will be substantially completed during the 25-year development and stabilization period.

Summary Impacts to Castle Pines North Metro District

For the purposes of this analysis, it is assumed that 100% of the total District property tax increment over the 25-year period will be allocated to project costs. **Table 2** at the end of this report provides a summary of these property tax revenues.

Property Tax Revenue

Currently, the District's share of the property tax base in the Area is approximately \$338,000. During the 25-year statutory period, the District's share of the property tax revenue base will total approximately \$9.5 million, or \$380,000 annually. After the 25-year analysis period is completed, the District's share of property tax revenues will increase to approximately \$937,000 on an annual basis. These figures reflect the impacts of inflation, conservatively estimated at approximately 1% to 2% on an annual basis.

DISTRICT TAX REVENUE UNDER URA

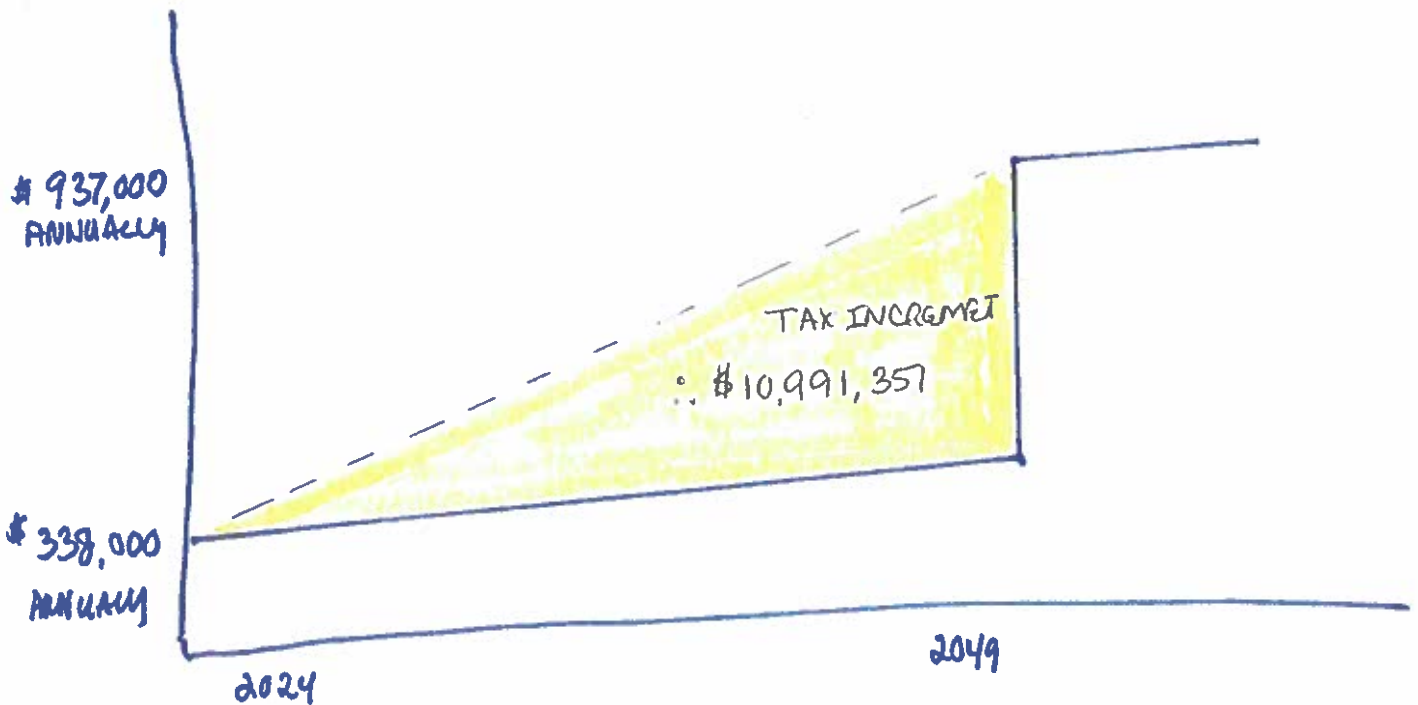


Table 2
Castle Pines West Commercial District Urban Renewal Area
Castle Pines North Metro District Impact Analysis Summary

Development Program (25 years)

Net New Development:	
Grocery Retail (sq ft)	86,000
Retail / Service (sq ft)	200,000
Office / Employment (sq ft)	200,000
Hotel / Lodging (rooms)	150
Residential (For-Sale Units)	300

	Cumulative Total By:				
	2027	2032	2037	2042	2047
Castle Pines North Metro District					
Property Tax Revenues from Existing Base	\$1,716,338	\$3,516,217	\$5,411,193	\$7,398,404	\$9,490,610
Property Tax Increment Generated by the District in the URA (15.79 mil.s)	\$157,738	\$1,029,828	\$3,107,280	\$6,596,186	\$10,990,351

Source: Ricker | Cunningham

Table 2 (cont'd)
Castle Pines West Commercial District Urban Renewal Area
Castle Pines North Metro District Impact Analysis Summary

Development # 1006

New Development/Development	Area
General Office (20,000)	3,000
Professional Office (10,000)	1,500
Office Building (20,000)	3,000
Hotel (10,000)	1,500
Residential (10,000)	1,500

Annual Property Tax Revenue Estimates	Year							
	2032	2033	2034	2035	2036	2037	2038	2039
Existing Property Tax Revenue								
Commercial (20,000)	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
Professional (10,000)	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Office Building (20,000)	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Hotel (10,000)	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Residential (10,000)	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Total Existing Property Tax Revenue	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500
New Development Property Tax Revenue								
General Office (20,000)	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
Professional Office (10,000)	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Office Building (20,000)	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Hotel (10,000)	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Residential (10,000)	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Total New Development Property Tax Revenue	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500
Total Property Tax Revenue	\$27,000	\$27,000	\$27,000	\$27,000	\$27,000	\$27,000	\$27,000	\$27,000
Impact on District Property Tax Revenue								
Commercial (20,000)	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
Professional (10,000)	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Office Building (20,000)	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Hotel (10,000)	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Residential (10,000)	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Total Impact on District Property Tax Revenue	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500
District Share of Property Tax Revenue	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750
District Share of Property Tax Increment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total District Share of Property Tax Revenue	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750	\$6,750

Impact on District Property Tax Revenue: \$6,750

Table 2 (cont'd)
Castle Pines West Commercial District Urban Renewal Area
Castle Pines North Metro District Impact Analysis Summary

Development Program

New Development/Redevelopment:	
Office/Professional	66,000
Hotel/Service (all use)	23,000
Office/Encampment (all use)	2,000
Hotel/Lodging (all use)	150
Residential (all use) (all use)	0

Annual Property Tax Revenue Estimates	Year							
	2048	2049	2050	2051	2052	2053	2054	2055
Estimated Commercial Redevelopment Program:								
Hotel/Professional	66,000	66,000	66,000	66,000	66,000	66,000	66,000	66,000
Hotel/Service	23,000	23,000	23,000	23,000	23,000	23,000	23,000	23,000
Office/Encampment	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Hotel/Lodging	150	150	150	150	150	150	150	150
Residential (all use)	0	0	0	0	0	0	0	0
Estimated Commercial Redevelopment:								
Hotel/Professional	\$180	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000
Hotel/Service	\$180	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000
Office/Encampment	\$180	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000
Hotel/Lodging	\$180	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000
Residential (all use)	\$180	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000
Estimated Commercial Redevelopment:								
Hotel/Professional	29.0%	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762
Hotel/Service	29.0%	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762
Office/Encampment	29.0%	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762
Hotel/Lodging	29.0%	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762
Residential (all use)	29.0%	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762	\$2,752,762
Estimated Commercial Redevelopment:								
Hotel/Professional	0.017630	\$371,010	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031
Hotel/Service	0.017630	\$371,010	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031
Office/Encampment	0.017630	\$371,010	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031
Hotel/Lodging	0.017630	\$371,010	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031
Residential (all use)	0.017630	\$371,010	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031	\$468,031
Total Net New Property Tax Revenue:								
Total Property Tax Revenue from Existing Development	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801
Total Property Tax Revenue:								
Existing Property Tax Base	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801	\$2,462,801
Total Property Tax Increment	\$4,371,010	\$4,680,031	\$4,680,031	\$4,680,031	\$4,680,031	\$4,680,031	\$4,680,031	\$4,680,031
District Impact:								
District Share of Property Tax Base	0.017790	\$375,028	\$462,746	\$462,746	\$462,746	\$462,746	\$462,746	\$462,746
District Share of Property Tax Increment	0.017790	\$83,000	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000
Total District Share of Property Tax Revenue								
		\$458,028	\$566,746	\$566,746	\$566,746	\$566,746	\$566,746	\$566,746

Castle Pines West Commercial District Urban Renewal Area - Castle Pines North Metro District Impact Analysis Summary (March 2023)

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**AGREEMENT REGARDING CASTLE PINES URBAN RENEWAL AUTHORITY
TAX INCREMENT FINANCING**

This **AGREEMENT REGARDING CASTLE PINES URBAN RENEWAL AUTHORITY TAX INCREMENT FINANCING** (the "Agreement") by and between the **CASTLE PINES URBAN RENEWAL AUTHORITY ("CPURA")**, an urban renewal authority and body corporate and politic of the State of Colorado, and the _____ (the "District"), a body corporate and political subdivision of the State of Colorado (each party individually referred to herein as a "Party" and collectively referred to herein as the "Parties").

RECITALS

WHEREAS, pursuant to the Colorado Urban Renewal Law, Section 31-25-101, et seq., C.R.S. (the "Act"), the City Council of the City formed CPURA by Resolution No. 23-26; and

WHEREAS, pursuant to the Act, the City Council of the City is considering adoption of an urban renewal plan (the "Plan") to carry out urban renewal projects within the Urban Renewal Plan Area ("Plan Area") described with particularity in the Plan; and

WHEREAS, the District is a taxing entity whose boundary includes real property within the Plan Area, which real property is shown in **EXHIBIT A**, which is attached hereto and incorporated herein; and

WHEREAS, the Act authorizes and the Plan will provide for the use of tax increment financing by CPURA to assist with the development of projects pursuant to the Plan; and

WHEREAS, C.R.S. § 31-25-107(9.5) requires that CPURA and the District enter into an agreement regarding the sharing of incremental property tax revenue; and

WHEREAS, the Parties recognize that this Agreement satisfies the requirements of C.R.S. § 31-25-107(9.5).

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein, the mutual covenants and promises set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Incorporation of Recitals. The foregoing recitals are incorporated into and made a part of this Agreement.

2. District Mill Levy Allocation. The District agrees that CPURA may retain all incremental property tax revenues generated in the Plan Area solely as a result of the levy of the District's mill levy upon taxable property within the Plan Area.

• Condition upon agreement w/ other tax jurisdictions?

• CONSIDER WHETHER TO AGREE TO SOMETHING LESS?
• CONFIRM CITY RE PRO RATA OR OTHER SHARE FOR PARTIES?

NY

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3. Term, Termination. The term of this Agreement shall commence on the date of mutual execution of this Agreement by the Parties, and shall run for a term of twenty-five (25) years following the formal adoption of the Plan unless terminated earlier due to the abolishment of CPURA or termination of the Plan. This Agreement may be terminated at any time upon the mutual written agreement of the Parties.

4. Modification. This Agreement may not be amended, modified, or changed, in whole or in part, without a written agreement executed by the Parties.

5. Assignment. No Party shall assign this Agreement or any interest hereunder in whole or in part, without the prior written consent of each of the other Parties. Any assignment attempted without the prior written consent of all Parties hereto, which consent shall not be unreasonably withheld, shall be deemed void, and of no force or effect. Consent to one assignment shall not be deemed to be consent to any subsequent assignment nor the waiver of any right to consent to such subsequent assignment. Notwithstanding the foregoing, this Agreement may be assigned to the successor entity of the District or to the District's constituent entities.

6. Notices. Any notices or other communications required or permitted by this Agreement or by law to be served on, given to or delivered to any Party hereto, by any other Party shall be in writing and shall be deemed duly served, given or delivered when personally delivered to the Party to whom it is addressed or in lieu of such personal service, upon receipt in the United States mail, first-class postage prepaid, addressed as follows:

To the District:

With a copy to:

To CPURA:

City of Castle Pines
Castle Pines URA
360 Village Square Lane, Suite B
Castle Pines, CO 80108

With a copy to:

Michow, Cox & McAskin, LLP
Attn: Linda C. Michow
6530 S. Yosemite St., Suite 200
Greenwood Village, Colorado 80111

Any Party may change its address for the purpose of this Paragraph by giving written notice of such change to the other Parties in the manner provided in this Paragraph.

7. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

8. Binding Agreement. This Agreement shall inure to and be binding on the administrator, successors, and permitted assigns of the Parties hereto.

9. Entire Agreement. This Agreement constitutes the complete and exclusive statement of the agreement of the Parties with respect to the subject matter of this Agreement and

supersedes all prior oral and written proposals, negotiations, representations, promises, agreements, warranties or understandings concerning such subject matter.

10. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

11. Governmental Immunity. Nothing in this Agreement shall be construed as a waiver of the rights and privileges of the Parties pursuant to the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as the same may be amended from time to time.

12. Authority to Enter Into Agreement. Each Party hereby confirms it is lawfully authorized to enter into this Agreement, has received legal counsel and advice as to the legal effect of this Agreement, and has taken all steps necessary to authorize the execution of the Agreement by the respective signatories below.

[The remainder of this page is left intentionally blank. Signature page follows.]

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement as of the day and year first above written.

**CASTLE PINES URBAN RENEWAL
AUTHORITY**, an urban renewal authority and
body corporate and politic of the State of Colorado:

Tracy Engerman, Chairperson

ATTEST:

By: _____

Its: _____

Approved as to form:

CPURA Counsel

_____[insert taxing
entity]_____, a body corporate
and political subdivision of the State of Colorado:

By: _____

Name (printed): _____

Its: _____

ATTEST:

By: _____
Secretary

EXHIBIT A
DISTRICT BOUNDARY

BY

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7437 Village Square Dr., Ste. 200 • Castle Pines, CO 80108
303-705-0200 • castlepinesco.gov

May 19, 2023

South Metro Fire Rescue Fire Protection District
9195 E MINERAL AVE,
CENTENNIAL, CO 80112

Re: Designation of Urban Renewal Authority Commissioners

Dear Entity:

The City Council of Castle Pines ("City" or "Castle Pines") has created an Urban Renewal Authority ("URA") to address blighted areas of the City and has adopted Resolution No. 23-26 to memorialize this decision, a copy of which is attached with this letter. Per Resolution No. 23-26 and the Colorado Urban Renewal Law, the URA is comprised of the members of the City Council, including the Mayor, and a commissioner appointed by the Mayor and approved by the City Council.

In accordance with the Colorado Urban Renewal Law, Resolution No. 23-26 also established commissioner seats on the URA to be filled as follows:

- One commissioner must be appointed by the Douglas County Board of County Commissioners (the "County");
- **One commissioner must be appointed by agreement of the special districts levying a mill within the boundaries of the URA (which boundaries are coterminous with those of the City) (the "Special Districts"). This commissioner must be a board member of one of the Special Districts; and**
- One commissioner must be appointed by the Douglas County School District Board of Education (the "BOE"). This commissioner must be an elected member of the BOE.

See C.R.S. §§ 31-25-104(2), 31-25-104(2.5), and 31-25-115(1.5).

Per Resolution No. 23-26, the terms of office of the commissioners appointed by the BOE, the Special Districts, and the County shall continue until such commissioners are replaced by their respective appointing parties or until such commissioners become ineligible to serve under the Urban Renewal Law.

URA meetings will generally be held, as needed, at 5:30 P.M. on the first Tuesday of each month. It is important that the individual appointed by your agency be available to attend these meetings. It is anticipated the first meeting of the URA will be held on September 5, 2023.

The City of Castle Pines respectfully requests that your URA Commissioner appointment be made by June 19, 2023, and that you send his or her name and contact information by U.S. Mail, fax, or e-mail to:

City of Castle Pines
Community Development Department
Attn: Samuel L. Bishop, AICP, Director
7437 Village Square Dr. Ste. 200
Castle Pines, CO 80108

E-mail: sam@castlepinesco.gov
Phone: 303.705.0225

Should you have any questions, please contact Mr. Bishop using the contact information above. Your cooperation and participation are much appreciated during the URA's public improvement process within the City of Castle Pines.

Regards,


Mayor Tracy Engerman

RESOLUTION NO. 23-26

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES, COLORADO
CREATING THE CASTLE PINES URBAN RENEWAL AUTHORITY, DESIGNATING
THE CITY COUNCIL AS THE AUTHORITY, AND PROVIDING FOR THE
APPOINTMENT OF ADDITIONAL COMMISSIONERS BY AFFECTED TAXING
ENTITIES AND THE MAYOR OF THE CITY OF CASTLE PINES**

WHEREAS, a petition with the signatures of at least twenty five (25) registered electors within the City of Castle Pines ("City") was filed with the City Clerk setting forth that there is a need for an urban renewal authority to function in the City; and

WHEREAS, Part 1 of Article 25 of Title 31, Colorado Revised Statutes (the "Urban Renewal Law") provides for the creation and operation of an urban renewal authority to function in the City; and

WHEREAS, during the hearing before City Council on May 9, 2023, City Council was presented with a document entitled Castle Pines West Commercial District Conditions Survey (January 2023) prepared by Ricker Cunningham LLC and incorporated herein by this reference (the "Conditions Survey"), which Conditions Survey shows that more than four of the conditions of blight set forth in Section 31-25-103(3) of the Urban Renewal Law exist within the City; and

WHEREAS, during the hearing before City Council on May 9, 2023, a full opportunity to be heard was granted to all residents and taxpayers of the City and to all other interested persons at a public hearing held before the City Council on the issue of whether the City Council should find that one or more slum or blighted areas exist in the City, and that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof of such area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City, and whether the City Council should declare it to be in the public interest that an urban renewal authority for the City be created; and

WHEREAS, pursuant to Section 31-25-104(1)(a) of the Urban Renewal Law, on April 27, 2023, notice of a hearing to consider the creation of an urban renewal authority in the City was duly published in *The Douglas County News-Press*, a newspaper having a general circulation in the City, which publication occurred at least ten days preceding the date of the hearing, and a copy of the proof of publication of the notice is attached hereto as **Exhibit A** and incorporated herein; and

WHEREAS, in accordance with Section 31-25-104(2.5) and Section 31-25-115(1) of the Urban Renewal Law, the City Council is desirous of creating an urban renewal authority to be named the Castle Pines Urban Renewal Authority (the "Authority") and designating the City Council, including the Mayor, such authority; and

WHEREAS, the Board of County Commissioners of Douglas County (the "County"), the Douglas County School District RE-1 (the "School District"), and those special districts levying

a mill levy within the boundaries of the Authority (the "Special Districts") have been notified of their rights to appoint additional commissioners to the Authority; and

WHEREAS, the Mayor has been notified of her right to appoint an additional commissioner to the Authority, subject to the approval of such appointment by the City Council; and

WHEREAS, during the hearing of City Council on May 9, 2023, the Mayor communicated to City Council that she designated herself as the chairperson of the Authority for the first year of the Authority in accordance with Section 31-25-104(2)(a)(I) of the Urban Renewal Law; and

WHEREAS, by passage of this Resolution the City Council desires to approve the Mayor's designation of herself as the initial chairperson of the Authority in accordance with Section 31-25-104(2)(a)(IV) of the Urban Renewal Law.

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

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. Pursuant to Sections 31-25-104(1)(b) of the Urban Renewal Law and based upon evidence presented at the public hearing of May 9, 2023, the City Council hereby declares it to be in the public interest that an urban renewal authority for the City be created, and such urban renewal authority is hereby created to exercise the powers provided in the Urban Renewal Law.

Section 3. In particular, based on the Conditions Survey and other evidence and testimony presented to City Council at the May 9th, 2023 public hearing, City Council finds and declares that there are one or more blighted areas (the "Blighted Area"), as such term is defined in the Urban Renewal Law, existing within the boundaries of the City.

Section 4. The City Council finds that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof, of the Blighted Area is necessary to protect the public health, safety, morals, or welfare of the residents of the City.

Section 5. The urban renewal authority for the City shall be known as the Castle Pines Urban Renewal Authority and shall have all the powers necessary and convenient to carry out and effectuate the provisions of the Urban Renewal Law.

Section 6. In accordance with Section 31-25-104(1)(b) of the Urban Renewal Law, the boundaries of the Authority shall be coterminous with those of the City.

Section 7. The Authority shall consist of eleven (11) commissioners, as follows:

- (a) Pursuant to Section 31-25-104(2.5) and Section 31-25-115(1) of the Urban Renewal Law, the City Council hereby appoints itself as the Authority. The terms of office of each member of City Council serving as a commissioner, including the Mayor, shall be coterminous with their terms as a member of City Council.
- (b) One additional commissioner of the Authority shall be appointed *by each* of the School District, the Special Districts, and the County in accordance with Sections 31-25-104(2), 31-25-104(2.5), and 31-25-115(1.5) of the Urban Renewal Law. Per said Sections, the commissioner representing the School District and the commissioner representing the Special Districts shall be an elected member of the board of education of the School District and a board member of one of the Special Districts, respectively. The terms of office of the commissioners appointed by the School District, the Special Districts, and the County shall continue until such commissioners are replaced by their respective appointing parties or until such commissioners become ineligible to serve under the Urban Renewal Law. If a vacancy occurs on any of these three (3) seats, it shall be filled in accordance with the Urban Renewal Law.
- (c) One additional commissioner of the Authority shall be appointed by the Mayor subject to approval of the appointment by the City Council in accordance with Sections 31-25-104(2.5) and 31-25-104(2)(a)(IV) of the Urban Renewal Law, respectively. The term of office of the commissioner appointed by the Mayor and their successors shall be five (5) years in accordance with Section 31-25-104(2)(b) of the Urban Renewal Law; the initial five-year term shall commence on the date the appointment is approved by the City Council. If a vacancy occurs in this seat, it shall be filled in accordance with the Urban Renewal Law.

Section 8. Notice is hereby given to the Mayor of the enactment of this Resolution in compliance with Section 31-25-104(1)(b) of the Urban Renewal Law.

Section 9. Pursuant to Section 31-25-104(2)(a)(IV) of the Urban Renewal Law, City Council hereby approves the Mayor's designation of herself as the chairperson of the Authority for the first year, commencing on the date of filing of the certificate described in Section 10 of this Resolution.

Section 10. A certified copy of this Resolution shall be filed in the records of the City. A copy of this Resolution along with the certificate attached hereto as **Exhibit B** shall be filed with the Colorado Division of Local Government in the Department of Local Affairs pursuant to Section 31-25-104(1)(b) of the Urban Renewal Law. Upon the filing of such certificate, the commissioners and their successors are constituted as the Castle Pines Urban Renewal Authority, which shall be an urban renewal authority pursuant to the Urban Renewal Law and a body corporate and politic.

Section 11. The officers, employees, and agents of the City are hereby directed to perform, or cause to be performed, such other actions as required or contemplated by the Urban Renewal Law, including presentation of urban renewal plan(s) to Planning

Commission and City Council pursuant to Section 31-25-107 of the Urban Renewal Law for the Authority to consider undertaking future urban renewal projects.

Section 12. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Section 13. All actions taken by the City's officers, employees, and agents in furtherance of the creation of the Authority are hereby ratified and confirmed.

Section 14. All prior resolutions or any parts thereof, to the extent they are inconsistent with this Resolution, are hereby rescinded.

Section 15. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the City Council.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF ___ IN FAVOR AND ___ AGAINST THIS ___ DAY OF _____, 2023.

Tracy Engerman, Mayor

ATTEST:

APPROVED AS TO FORM:

Tobi Duffey, MMC, City Clerk

Linda C. Michow, City Attorney

**EXHIBIT A
PROOF OF PUBLICATION**

(See attached.)

EXHIBIT B

**CERTIFICATE OF
THE COMMISSIONERS OF THE
CASTLE PINES URBAN RENEWAL AUTHORITY
OF THE CITY OF CASTLE PINES, COLORADO**

(See attached.)

dc

Practice Tip: A seat at the table **HB 15-1348 – Urban Redevelopment Fairness Act**

Have you been wondering how the appointment process works for the new legislation, **House Bill 15-1348 – The Urban Redevelopment Fairness Act**? The new law, which went into effect on January 1, 2016, brings needed reform to the Urban Renewal Authority (URA) process. In addition to a collaborative approach between the URA, the counties, and special districts, the changes to the law include additional seats on the URA for special districts, school districts, and counties.

The theory behind the selection of these new representatives is to let the local governments decide who they would like on the URA. It will be important that if or when you get notice that you are in a URA, you reach out to the other special districts within the URA and decide who will be the designated person to represent the special districts. **One person is chosen among and from the special districts that are affected by the URA or within the URA boundaries.**

The special district appointment is for an individual and not for a specific district within the URA. Depending upon the level of activity of a URA, the special district person who serves on the URA may find that they will have plenty to keep them busy.

You might want to choose someone who:

- Has a positive working relationship with the city and the county or counties
- Is likely to be involved in the special district(s) for the foreseeable future
- Shows an interest in the financial aspects of a URA and gaining a better understanding of that information (but resists micromanaging the URA...that's not our role)
- Can help advise the special districts within the URA when/if it's time to engage in a local negotiation (e.g., the URA changes its original project plan from a light commercial activity to a mixed use housing/commercial project)

Also keep in mind:

- For new URAs created after January 1, 2016, the special districts within the URA automatically get one seat on the URA.
- For URAs in existence as of January 1, 2016, a URA that makes a change to their project-such as adding new land, making an addition to the project that will increase the special district's existing financial investment in the project, extending the duration, etc.- will trigger the 'physical representation' (and the local negotiation) requirement of HB 15-1348. (Please note that minor changes to the project - like the addition of an awning or a planter or things of that nature which have NO impact to the special district's current fiscal obligations to the URA - do NOT trigger HB 15-1348's provisions).

- The special district representative will speak with one representative voice for all the special districts in the URA.

Because the legislature values local control so highly, the new law does not spell out every step in this new process; for instance, there is no formal notice to be delivered to a URA notifying them that a special district person has been appointed. However, once a special district representative has been chosen, we encourage that a letter be sent to the URA (with copies to the appropriate city/cities, county/counties, and fellow special districts) informing the URA of the selection of the special district representative.

We know that some URAs are reaching out to the special districts within their boundaries to address the changes to the law. In addition, we also know of some special districts contacting the URAs in their district to get acquainted and lay the ground work for a successful working relationship. The takeaway here is that good communication will be a useful tool as we operate under the new legislation that has been developed to foster better representation and cooperation on URAs by the governmental entities involved.

Please call the SDA office at 303-863-1733 and ask for Ann Terry or Michael Valdez for assistance with questions related to this new law.