

MILE HIGH GREYHOUND PARK



...CURRENT CONDITIONS SURVEY.....

December 2016



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Section 1

Survey Overview

Purpose:

This Mile High Greyhound Park - Current Conditions Survey (“Survey”) is an examination and analysis of various conditions found within the Mile High Greyhound Park Survey Area (“Survey Area”), which is a defined geographic area used to determine if the particular area qualifies as “blighted” within the meaning of the Colorado Urban Renewal Law. The Survey Area was previously surveyed in 2012. This Survey is a necessary step if urban renewal, as defined and authorized by Colorado statutes, is to be used as a tool by the City of Commerce City (“City”) and the Urban Renewal Authority of the City of Commerce City (“URA”) to remedy and prevent conditions of blight. The findings and conclusions presented in this report are intended to assist the City Council of Commerce City in making a final determination as to whether the Survey Area qualifies as blighted and, consequently, the feasibility and appropriateness of using urban renewal to remediate existing conditions of blight and to protect further deterioration or blight. This survey was produced by a variety of in-house Commerce City staff, led by the Planning Division.

Methodology:

The defined Survey Area is within the municipal boundaries of Commerce City and a map depicting the boundaries of the Survey Area is presented in Section 4 of this report as Exhibit 3: Vicinity Map. To conduct this Survey, the project team conducted a field investigation in September of 2016 for the purpose of documenting factors of blight, pertinent Geographic Information Systems (GIS) data was obtained and subsequently analyzed by the team, and additional information was obtained from the South Adams County Fire Protection District, the Tri-County Health Department, the Commerce City Police Department, the Commerce City Public Works Department, and the Commerce City Building Safety Division. The results of the Survey and the information gathered by the project team were categorized and analyzed as to their applicability to the blight factors outlined in the Colorado Urban Renewal statutes and were prepared and presented in this report for consideration by the City Council of Commerce City.

Section 2:**Colorado Urban Renewal Statutes and Blighted Areas**

Colorado Urban Renewal Law, as provided in Colorado Revised Statute (C.R.S.) Sec. 31-25-101 et seq. (the “Urban Renewal Law”) declares that an area of blight:

“constitutes a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state in general and municipalities thereof; that the existence of such areas contributes substantially to the spread of disease and crime, 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; and that the prevention and elimination of slums and blight is a matter of public policy and statewide concern...”

Before corrective action can be taken, however, the Urban Renewal Law requires a finding by the appropriate governing body that an area such as the Survey Area constitutes a blighted area (C.R.S. Sec. 31-25-107(1)). The blight finding is a legislative determination by the City Council of Commerce City that, as a result of the presence of factors listed in the definition of “blighted area”, the area is a detriment to the health and vitality of the community requiring the use of the municipality’s urban renewal powers to correct those conditions or prevent their spread. In some cases, the factors listed in the definition are symptoms of decay, and in some instances, these factors are the cause of the problems. The definition requires the City Council to examine the factors and determine whether these factors indicate a deterioration that threatens the community as a whole. The determination that constitutes a blighted area depends upon the presence of several physical, environmental, and social factors. Blight is usually attributable to a multiplicity of conditions which, in combination, accelerate the phenomenon of deterioration of an area. For the purposes of this Survey, the definition of a blighted area is articulated in the Urban Renewal Law as follows:

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

- A. Slum, deteriorated, or deteriorating structures;
- B. Predominance of defective or inadequate street layout;
- C. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- D. Unsanitary or unsafe conditions;
- E. Deteriorating 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. 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; or
- 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.
- L. Only one factor of blight must be present if the property owner or owners and the tenant or tenants of such owner or owners do not object to the finding:

“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 this subsection (2), substantially impairs or arrests the sound growth of municipality, retards the provision of housing accommodations or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare. For purposes of this paragraph (L), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation...” C.R.S. 31-25-105.5(2)(L).

To be able to use the power of eminent domain to acquire private property, “blighted” means that five of the eleven factors must be present: Section 31-25-105.5(5), paragraph (a) states:

‘Blighted area’ shall have the same meaning as set forth in Section 31-25-103(2); except that, for purposes of this section only, ‘blighted area’ means an area that, in its present condition and use and, by reason of the presence of at least five of the factors specified in Section 31-25-103(2)(a)(2)(I), 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.” C.R.S. 31-25-105.5(5) paragraph (a).

Thus, the state statutes require, depending on the circumstances, that a minimum of one, four, or five blight factors be present for an area to be considered a blighted area. Given that the Survey Area is governmentally owned, only one factor is required by state law, but this Survey will identify many more factors are found to be present.

Finally, several principles have been developed by Colorado courts to guide the determination of whether an area constitutes a blighted area under the Urban Renewal Law. First, the absence of widespread violations of building and health codes does not, by itself, prevent a finding of blight. According to the courts; “The definition of blighted area contained in the [Urban Renewal Law] is broad and encompasses not only those areas containing properties so dilapidated as to justify condemnation as nuisances, but also envisions the prevention of deterioration.” *Tracy v. City of Boulder*, 635 P.2d 907, 909 (Colo. App. 1981). Second, the presence of one well-maintained building does not defeat a determination that an area constitutes a blighted area. Normally, a determination of blight is based upon an area “taken as a whole” and not on a building-

by-building, parcel-by-parcel, or block-by-block basis. *Interstate Trust Bldg. Co. v. Denver Urban Renewal Authority*, 473 P.2d 978, 981 (Colo. 1970). Third, a city's "determination as to whether an area is blighted... is a legislative question and the scope of the review by the judiciary is restricted." *Tracy*, 635 P.2d at 909. A court's role in reviewing such a blight determination is simply to verify independently if the conclusion is based upon factual evidence determined by the City Council and consistent with the statutory definition. Based upon the conditions identified in the Survey Area, this report makes a recommendation as to whether the Survey Area qualifies as a blighted area. The actual determination itself remains the responsibility of the City Council of Commerce City.

Section 3:

Conditions Indicative of the Presence of Blight

As discussed in Section 2, the Colorado Urban Renewal Law provides a list of 11 factors that, through their presence, may allow an area to be declared as blighted. This section elaborates on those 11 factors by describing some of the conditions that might be found within a Survey Area that would indicate the presence of those factors.

A. Slum, Deteriorated, or Deteriorating Structures

During the field investigation of the Survey Area, the general condition and level of deterioration of buildings and/or structures is evaluated. This examination is limited to a visual inspection of the building's and/or structure's interior and exterior condition. The examination is not a detailed engineering or architectural analysis. The intent is to document obvious indications of disrepair and deterioration to the structure found within the Survey Area. Some of the elements observed for signs of deterioration include, but are not limited to:

- Primary elements (walls, visible foundation, roof)
- Secondary elements (fascia/soffits, gutters/downspouts, windows/ doors, facade finishes, loading docks, stairways, etc.)
- Ancillary structures (detached garages, storage buildings, etc.)

B. Predominance of Defective or Inadequate Street Layout

The presence of this factor is determined through a combination of field observations as well as an analysis of the existing transportation network (both vehicular and pedestrian circulation patterns) in the Survey Area by persons with expertise in transportation planning and/or traffic engineering. These conditions can affect the adequacy or performance of the transportation system within the Survey Area, creating a street layout that is defective or inadequate. These conditions include:

- Inadequate street or alley widths, cross-sections, or geometries
- Poor provisions or unsafe conditions for the flow of vehicular traffic
- Poor provisions or unsafe conditions for the flow of pedestrians
- Insufficient roadway capacity leading to unusual congestion of traffic
- Inadequate emergency vehicle access
- Poor vehicular/pedestrian access to buildings or sites
- Poor internal vehicular/pedestrian circulation
- Excessive curb cuts/driveways in commercial areas
- Inadequate or unsafe street or pedestrian connections

C. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

This factor requires an analysis of the parcels within the Survey Area as to their potential and usefulness as developable sites. This analysis considers the shape, orientation, and size of parcels within the Survey Area and if these attributes would negatively impact the potential for development of the parcel. This evaluation is performed both through observation in the field and through an analysis of parcel boundary maps of the Survey Area. Conditions indicative of the presence of this factor include:

- Lots that are long, narrow, or irregularly shaped
- Lots that are inadequate in size
- Lots with configurations that result in stagnant, misused, or unused land
- Lots with inadequate or substandard access

D. Unsanitary or Unsafe Conditions

These conditions represent situations in which the safety of individuals, especially pedestrians and children, may be compromised due to environmental and physical conditions considered to be unsanitary or unsafe. Conditions observed within the Survey Area that qualify under this blight factor include:

- Floodplains or flood prone areas
- Inadequate storm drainage systems/evidence of standing water
- Poor fire protection facilities
- Above average incidences of public safety responses
- Inadequate sanitation or water systems
- Existence of contaminants or hazardous conditions or materials
- High or unusual crime statistics
- Open trash dumpsters
- Severely cracked, sloped, or uneven surfaces for pedestrians
- Illegal dumping
- Vagrants/vandalism/graffiti/gang activity
- Open ditches, holes, or trenches in pedestrian areas
- Poorly lit or unlit areas

E. Deterioration of Site or Other Improvements

The conditions that apply to this blight factor reflect the deterioration of various improvements made on a site other than the buildings or structures. These conditions may represent a lack of general maintenance at a site, the physical degradation of specific improvements, or an improvement that was poorly planned or constructed. Overall, the presence of these conditions can reduce a site's usefulness and desirability and negatively affect nearby properties.

- Neglected properties or evidence of general site maintenance problems
- Deteriorated signage or lighting
- Deteriorated fences, walls, or gates
- Deterioration of on-site parking surfaces, curb and gutter, or sidewalks
- Poorly maintained landscaping or overgrown vegetation
- Poor parking lot/driveway layout
- Unpaved parking lot on commercial properties

F. Unusual Topography or Inadequate Public Improvements or Utilities

The focus of this factor is on the presence of unusual topographical conditions that could make development prohibitive, such as steep slopes or poor load-bearing soils, as well as deficiencies in the public infrastructure system within the Survey Area that could include:

- Steep slopes / rock outcroppings / poor load-bearing soils
- Deteriorated public infrastructure (street/alley pavement, curb, gutter, sidewalks, street lighting, storm drainage systems)
- Lack of public infrastructure (same as above)
- Presence of overhead utilities or billboards
- Inadequate fire protection facilities/hydrants
- Inadequate sanitation or water systems

G. Defective or Unusual Conditions of Title Rendering the Title Non-Marketable

Certain properties can be difficult to market or redevelop if they have overly restrictive or prohibitive clauses in their deeds or titles, or if they involve an unusually complex or highly divided ownership arrangement. Examples include:

- Properties with covenants or other limiting clauses that significantly impair their ability to redevelop
- Properties with disputed or defective title
- Multiplicity of ownership making assemblages of land difficult or impossible

H. Existence of Conditions that Endanger Life or Property by Fire and Other Causes

A finding of blight within this factor can result from the presence of the following conditions, which include both the deterioration of physical improvements that can lead to dangerous situations as well as the inability for emergency personnel or equipment to provide services to a site:

- Buildings or sites inaccessible to fire and emergency vehicles
- Blocked/poorly maintained fire and emergency access routes/frontages
- Insufficient fire and emergency vehicle turning radii
- Buildings or properties not in compliance with fire codes, building codes, or environmental regulations

I. Buildings that are Unsafe or Unhealthy for Persons to Live or Work In

Some of the conditions that can contribute to this blight factor include:

- Buildings or properties not in compliance with fire codes, building codes, or environmental regulations
- Buildings with deteriorated elements that create unsafe conditions
- Buildings with inadequate or improperly installed utility components

J. Environmental Contamination of Buildings or Property

This factor represents the presence of contamination in the soils, structures, water sources, or other locations within the Survey Area.

- Presence of hazardous substances, liquids, or gasses

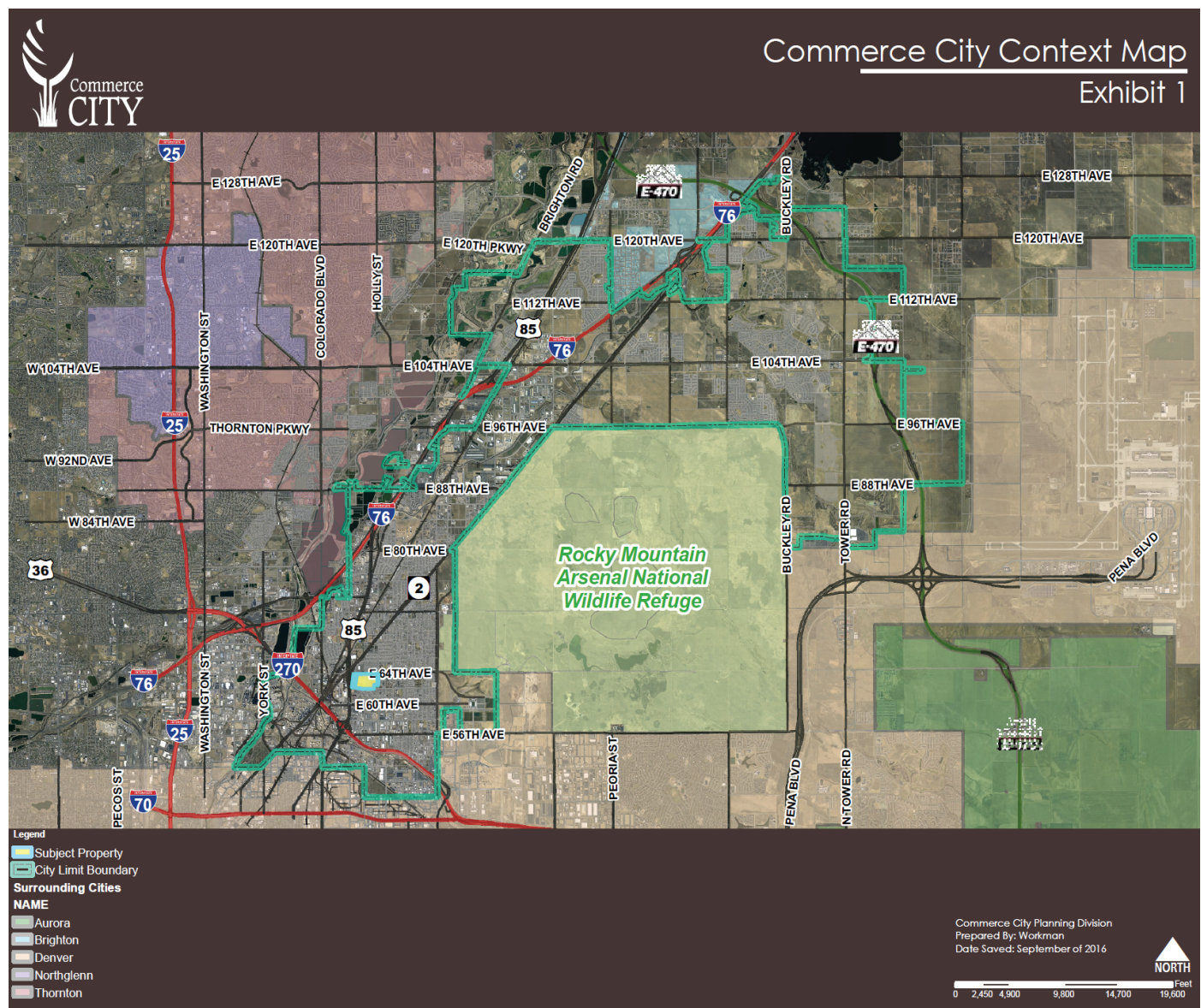
K.5. Existence of Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements

The physical conditions that would contribute to this blight factor include:

- Sites with a high incidence of fire, police, or emergency responses
- Sites adjacent to streets/alleys with a high incidence of traffic accidents
- Sites with a high incidence of code enforcement responses
- An undeveloped parcel in a generally urbanized area
- A parcel with a disproportionately small percentage of its total land area developed
- Vacant structures or vacant units in multi-unit structures

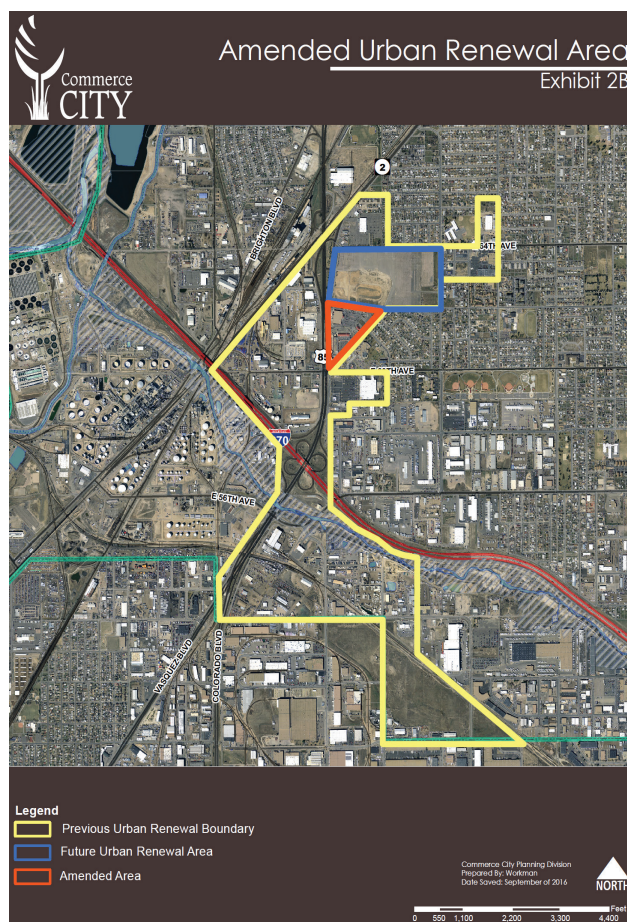
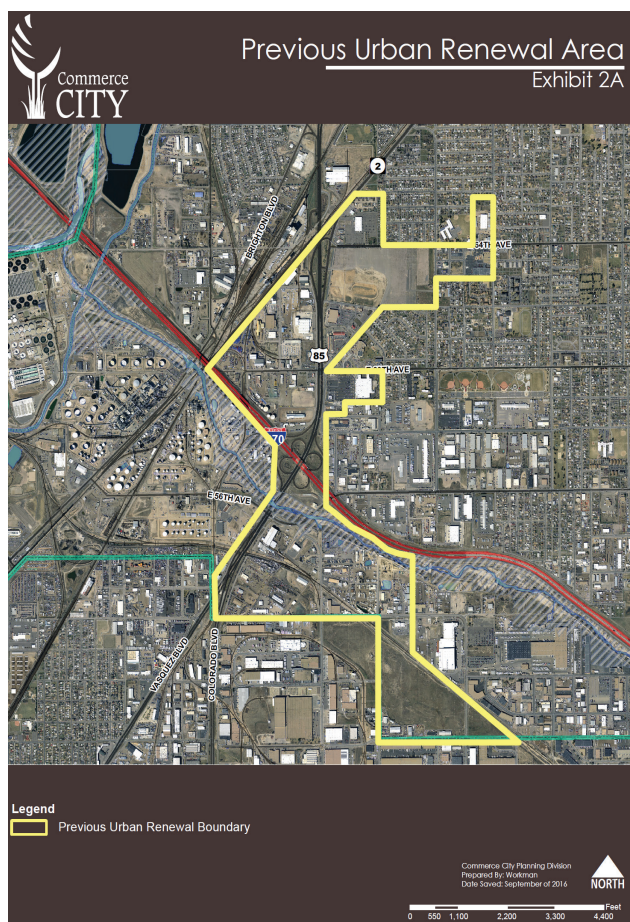
SECTION 4: Survey Area Location, Definition, and Description

The Mile High Greyhound Park Survey Area is located in the City of Commerce City, the County of Adams, and the State of Colorado. Exhibit 1 shows the location of the Survey Area within the context of Commerce City and the surrounding municipalities.



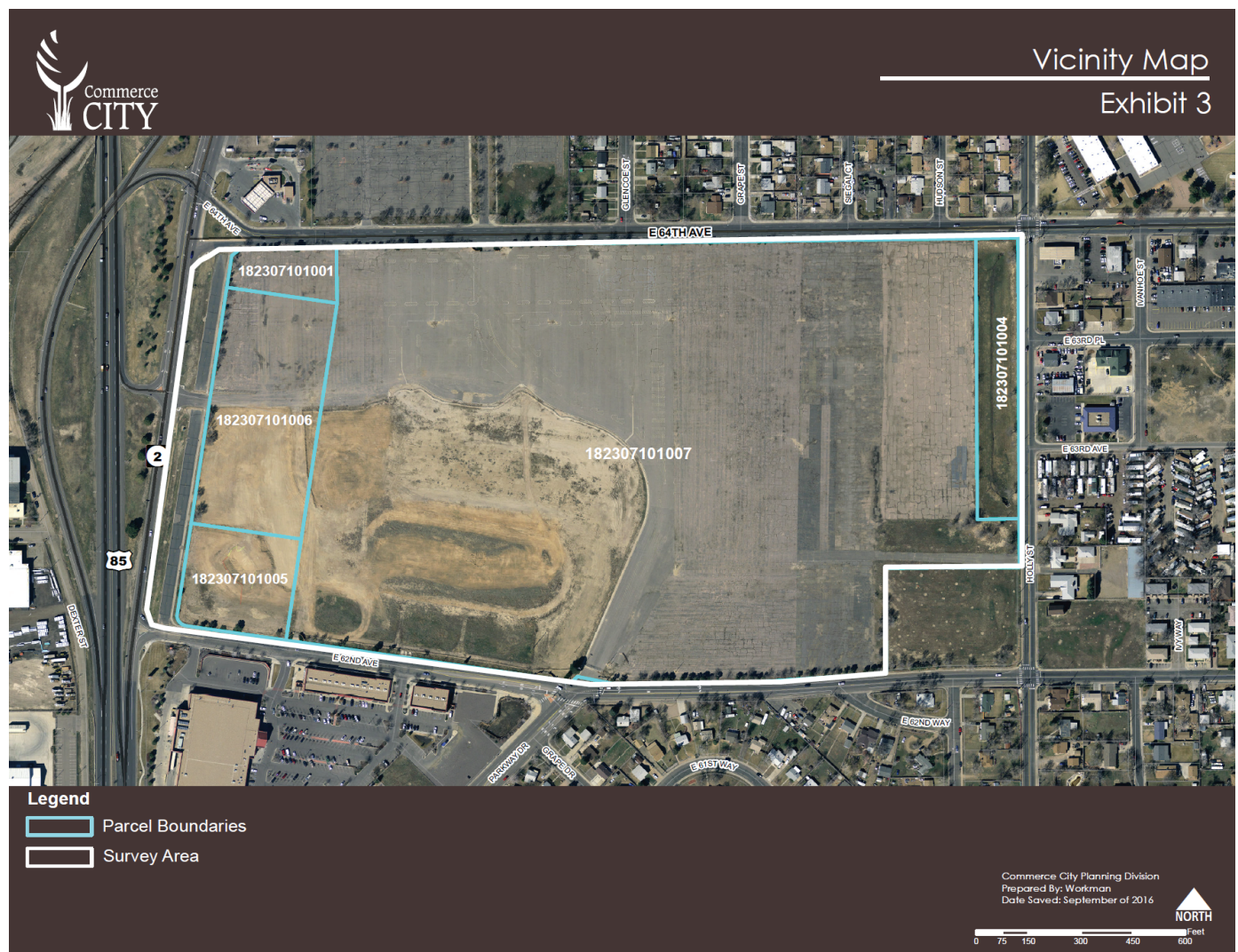
The present Survey Area was included within the City Center Phase 1 Urban Renewal Plan (Ordinance 1254) Urban Renewal Area (Exhibit 2A), but it was removed in April of 2012 via Ordinance SAP-003/URP-001-12 (Exhibit 2B). The original URP did not authorize the use of property tax increment financing (Property TIF), which is why the Survey Area was removed from the URP. The City Center Phase 1 Urban Renewal Plan (URP) (Ordinance 1254) was adopted by the City Council in December of 1998 and is still in effect. The area within the URP remains a prominent focal point in Commerce City with prime opportunities for continued retail and industrial redevelopment and the URP provides concepts for key future redevelopment efforts in this area.

A previous Current Conditions Survey of the Survey Area was approved by the City Council of Commerce City in 2012 (Resolution 2012-14). The Current Conditions Survey that was conducted at that time documented 9 blight factors.



The city is focused on the Survey Area because the city desires to pursue Property Tax Increment Financing (TIF) for the Survey Area. The amendment of the Urban Renewal Plan, which specifically excluded the Mile High Greyhound Park property, was done in order to create a smaller Urban Renewal Area that is focused solely on the Survey Area. The purpose of this report is to identify the blight factors within the Survey Area.

Including rights-of-way, the Survey Area is comprised of approximately 84 acres. The full rights-of-way of the bounding streets are included in the Survey Area. Exhibit 3: Vicinity Map, visually depicts the layout and configuration of the Survey Area and the boundaries of the individual real property parcels within. The subsequent Parcel Identification Table includes more detailed information related to the specific properties.



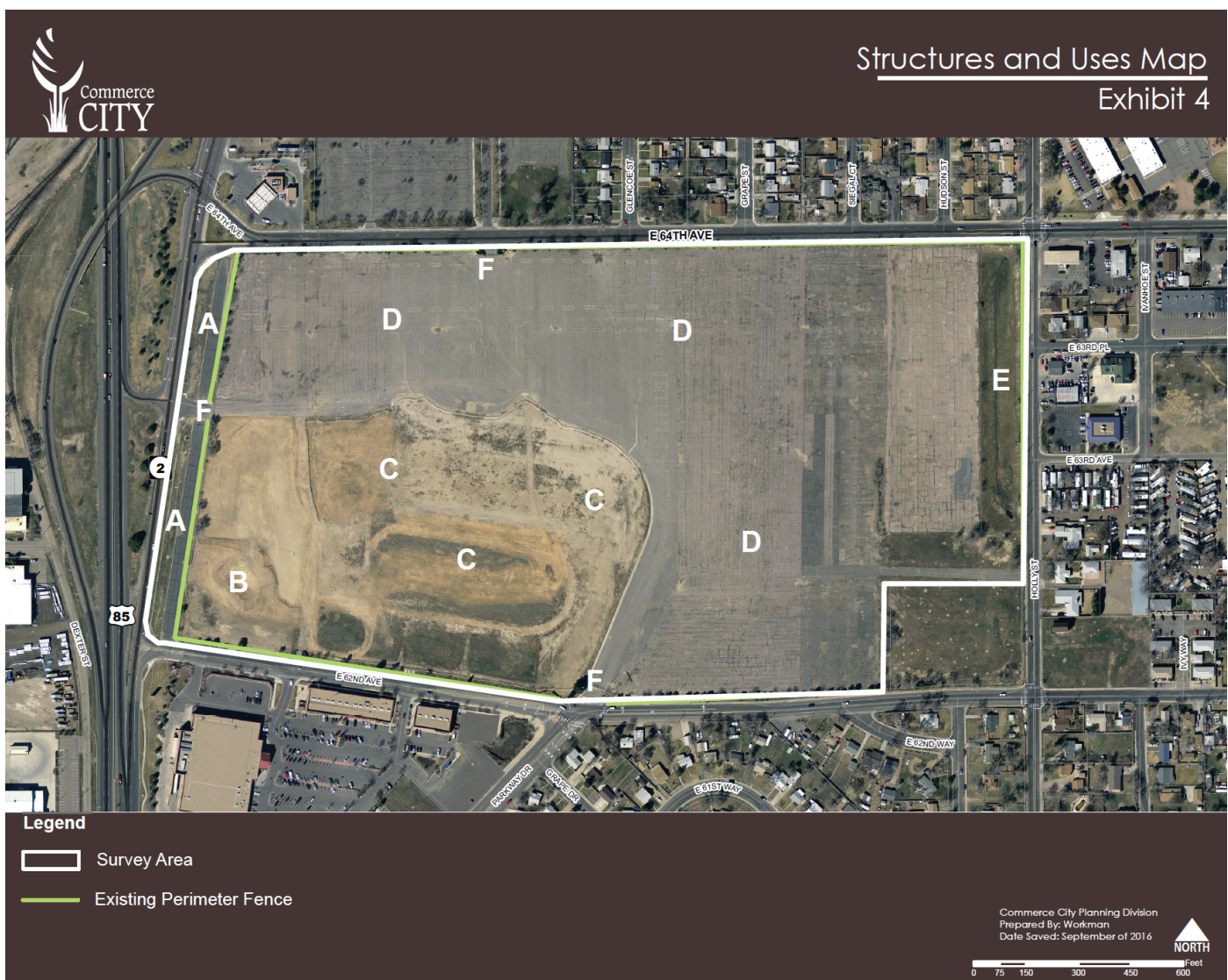
Parcel Identification Table

Parcel Identification Number (PIN)	Subdivision Name	Block/Lot	Address	Size
0182307101001	Town and Country Subdivision Resubdivision	Block 1 Lot 24	N/A	.97 acres
0182307101004	Town and Country Subdivision Resubdivision	Block D	N/A	2.51 acres
0182307101005	Town and Country Subdivision Resubdivision	Block 1 Lot 14	6210 Dahlia Street	2.20 acres
0182307101006	Town and Country Subdivision Resubdivision	Block 1 Lots 17 - 23	6250 Dahlia Street	5.09 acres
0182307101007	Town and Country Subdivision Resubdivision	Block D	6200 Dahlia Street	52.51 acres

Within the 2012 Current Conditions Survey, certain buildings and uses were identified within the Survey Area. Since the Survey Area was used as a greyhound race track for many decades, the structures that were on the property in 2012 were all related to the racing operations. In the past 4 years most of these structures have been removed from the property. The remaining structures and uses are identified on the subsequent page in Exhibit 4: Structures and Uses Map.

Additionally, there is roughly 3 acres in the southeast corner of the site that was included in the 2012 Survey, but has been excluded from this Survey Area. The Commerce City Urban Renewal Authority sold this property to the Boys and Girls Club and they have constructed a new facility on their property.

Use Area	Use Type
A	Existing Dahlia Street Right-of-Way
B	Bare Ground - Former Bubba's Restaurant Site
C	Bare Ground - Former Racing Operations Area
D	Paved Ground - Former Parking Area
E	Regional Drainage Pond
F	Access Locations



Section 5: Survey Findings

A. Slum, Deteriorated or Deteriorating Structures

As described in Section 3, Slum, Deteriorated, or Deteriorating Structures is a factor of blight that focuses on the physical condition of structures within the Survey Area. The assessment of this factor was primarily performed during the field survey which included a site inspection. Since the 2012 conditions survey, many of the buildings on the site have been removed; however, of the fences, walls, gates, and utility structures that remain on the site, nearly all exhibit a deteriorated or deteriorating condition.

The following observations from the Commerce City Planning Division were identified for inclusion in this report:

- Chain link fences that surround the perimeter of the site are in various states of disrepair, exhibiting significant signs of dilapidation and deterioration. Specifically, several sections of the chain link are bulging, and/or have become disconnected with posts and vertical supports. Additionally, sections of the fence structure were observed to be bent, disconnected from adjacent fence supports, or missing entirely. Some sections of fencing appeared to be at risk of falling into pedestrian areas.
- Ancillary structures, such as concrete foundations supporting utility structures, wall structures, and lighting features, were observed to be deteriorated or deteriorating.

The following photos provide some examples of instances of Slum, Deteriorated, or Deteriorating Structures that were found within the Survey Area. Additional photographs documenting this finding can be found in Appendix B of this report. The prevalence of these conditions within the Survey Area provides sufficient evidence to make a finding of Slum/Deteriorated Structures.

Bent/Broken Fence



Bent/Broken Fence



Bent/Broken Fence



Bent/Broken Fence



Deteriorated Support Post



Deteriorated Light Structure



B. Predominance of Defective or Inadequate Street Layout

The conditions that exhibited a predominance of defective or inadequate street layout have not changed since the 2012 Current Conditions Survey. The Survey Area does not provide any internal streets, and does not provide through-movements to vehicular and non-motorized travelers. As a result, the entire Survey Area presents a barrier to mobility and for people moving to and through the area. This problem is exacerbated by the presence of US Highway 85 and railroad tracks to the west, which prevents any east/west movements from East 62nd or East 64th Avenues. Multiple local neighborhood roads that serve the residential and commercial neighborhoods to the north, south, and east terminate at the site. This prevents continuous travel and forces motorists to navigate around the site. Local roads cut-off by the site include Glencoe Street, Grape Street, Segal Court, Hudson Street, East 63rd Avenue, and East 63rd Place.

The street connections between the Survey Area and the major regional roadway in the area, US Highway 85, are also challenging. Due to the split of US Highway 85 and Colorado State Highway 2, the movements required for a motorist to travel from the subject site to southbound US Highway 85 is time consuming and inefficient.

Further, Parkway Drive to the south has the potential to act as a major connection for this part of the community, due to the fact that it is one of the inputs into the East 60th Avenue/US Highway 85 intersection. This connection allows motorists to get onto US Highway 85 southbound and eventually Colorado Boulevard. But because of the Survey Area, very few motorists have direct access onto Parkway Drive. Inadequacies in the street layout impact private and commercial vehicles as well as emergency vehicles traveling through or to the site. All dedicated access points to the Survey Area require a key to unlock a gate. This creates a large area that is fairly cut off from emergency access.

The existing street layout proves to be a hindrance for other modes of travel in addition to motor vehicle drivers. The lack of through streets and the inability to cross the site results in pedestrians and bicyclists having to circumnavigate the site, adding a great deal to travel times and out-of-direction travel. The east, west, and south sides of the site provide a narrow sidewalk with multiple observed instances of cracking or uneven surfaces. The entire north end of the side is lacking a sidewalk altogether and has impediments for pedestrian travel, forcing them to enter onto E. 64th Avenue. These deficiencies in the bicycle and pedestrian systems also impact users of transit in the immediate area.

In short, the Survey Area acts as a barrier to mobility and is poorly connected with the broader street grid. The result is a disorienting and uninviting situation for motorists and an uncomfortable and unsafe environment for bicyclists, pedestrians, transit users. Because of the circulation issues described for automobile, bicycle, and pedestrian traffic, all five parcels that comprise the Survey Area are impacted by these conditions, and therefore, are sufficient and widespread enough to justify a finding of Predominance of Defective or Inadequate Street Layout within the Survey Area.



Site Inaccessibility



Site Inaccessibility



Lack of Connectivity to Adjacent Streets



Lack of Connectivity to Adjacent Streets



C. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

The layout of parcels within the Survey Area are impacted by many of the same physical features listed in the discussion under *Predominance of Defective or Inadequate Street Layout*. In fact, all parcels within the Survey Area are found to have defective street layout due to inadequate vehicular access and they also have a faulty lot layout since adequate access is a necessary characteristic of adequate lot layout. The three parcels along the western side of the Survey Area, adjacent to the inaccessible Dahlia Street right-of-way, lack access to a local roadway (Parcels 0182307101001, 0182307101005, and 0182307101006). The largest parcel (Parcel 0182307101007) is too big to allow for traditional kinds of development and while the perimeter of the parcel is surrounded by roadways, the interior is inaccessible due to the existing gates and the large size of the parcel. The parcel containing the drainage area (Parcel 0182307101004) is too small to accommodate the required size of the drainage facility. At this time, the size of the pond and the parcel are adequate for a 10 year flood event. State and local standards require that the pond be sized to accommodate a 100 year flood event, which can not be accomplished given the current size of the parcel.

The following graphic, Exhibit 6: Faulty Lot Layout Parcel Map, is a visual representation of these lot layout challenges due to little or no access, road layout, odd physical shape, or large physical size. The existing lot layout prevents adequacy, accessibility, or usefulness by lacking access to public rights-of-way or sufficient space to develop. These factors could be mitigated if parcel assemblages were to be made, but in their existing condition all five parcels are identified to contain at least one or more criteria for a faulty layout, justifying the documentation of Faulty Lot Layout within the Survey Area.



Faulty Lot Layout

Exhibit 6



Lack of Access to Dahlia Street right-of-way



Lack of Access to Dahlia Street right-of-way



D. Unsanitary or Unsafe Conditions

The presence of Unsanitary or Unsafe Conditions factor is usually associated with instances of deteriorating, neglected properties or in cases where safety precautions are not taken. In the Survey Area the following conditions were found to be generally unsafe and unsanitary. The outlying environment is significantly deteriorated and dilapidated including the following conditions:

- Bent and broken exterior fencing showing evidence of illegal trespass and a general lack of site security.
- Evidence of vandalism in the form of graffiti, trash dumping, and excessive litter.
- Evidence of rodent infestation at utility structures.
- Multiple instances of exposed wiring, low-hanging/downed power lines, missing electrical cover plates, dilapidated and exposed electrical service panels.
- Cracked and deteriorating water sanitation features.
- Blocked and unmaintained stormwater systems and evidence of standing water.
- Lack of adequate exterior lighting at pedestrian throughways, excessive slopes, cracked and uneven sidewalk surfaces, and open holes and ditches.

The following photos provide some examples of instances of Unsanitary or Unsafe Conditions that were found within the Survey Area. Additional photographs documenting this finding can be found in Appendix B of this report. In all, dozens of separate examples were considered to show signs of the Unsanitary or Unsafe Conditions factor, providing sufficient evidence to warrant a finding of this type of blight within the Survey Area.

Unsafe Paving



Evidence of Rodent Infestation



Low-Hanging Wires



Excessive Litter



Graffiti



Exposed Wires



E. Deterioration of Site or Other Improvements

A variety of conditions were observed within the Survey Area related to the deterioration of the site and other improvements. These conditions which negatively affect the appearance and utilization of the area most commonly include parking surface deterioration, deterioration of the curb and gutter, dead and unmaintained landscaping, and other site deficiencies. This problem is widespread across the entire Survey Area. Parking surface issues range from gravel patches and small potholes to complete deterioration of the asphalt surface to the point where the underlying earth is exposed. Other notable issues found in the Survey Area that fall within this blight factor include general site neglect and deteriorated signage, some of which are shown in the following photographs. Additional examples showing some form of deteriorating site improvements are located in Appendix B of this report.

Conditions pertaining to this factor are prevalent enough in the Survey Area for a finding of Deterioration of Site or Other Improvements to be made.

Deteriorated Paving



Deteriorated Paving



Dead/Deteriorated Landscaping



Dead/Deteriorated Landscaping



Deteriorated Curb



Deteriorated Signage via Graffiti



F. Unusual Topography or Inadequate Public Improvements

In the Survey Area, areas of prior environmental remediation have been found to create topography that is an impediment to development or redevelopment. Additionally, public infrastructure was found to be insufficient or lacking in certain areas to the point it could discourage future redevelopment projects. Specifically, where public access is currently available on the site perimeter, sidewalks and street lighting are in limited quantities. The presence of overhead power lines and inadequate water systems will require additional public improvements. The existence of such inadequacies is an impediment to future development. Because all five parcels are considered to have inadequate public improvements, the Survey Area as a whole has been documented with this factor. Additional photographs are found in Appendix B of this report.

Unusual/Unsafe Topography



Unusual/Unsafe Topography



Deteriorated Stormwater Systems



Deteriorated Stormwater Systems



Lack of Sidewalk



Lack of Sidewalk



G. Defective or Unusual Conditions of Title Rendering the Title Non-Marketable

This condition was assessed during the 2012 conditions survey using information from Commerce City regarding the issue of overly restrictive or defective property titles hampering redevelopment. Specifically, information related to financial liens, environmental liens, and value reduction. At that time no parcels within the Survey Area were identified as having provisions in their titles with the potential for causing a hindrance to redevelopment. There have been no changes in land ownership since that study was documented, thus the conditions regarding property titles have not changed since that time.

H. Existence of Conditions that Endanger Life or Property by Fire and Other Causes

The Survey Area is completely located within the South Adams County Fire Protection District, which provided information to the project team regarding recent fire loss and conformance to fire codes. No evidence of recent fire loss exists. However, there are several issues that could endanger life or property by fire and other causes. Due to the lack of dedicated access to the site, there is risk to property and life in the event of an emergency occurring at the site interior. All of the primary access to the site is blocked and poorly maintained for emergency access. Additionally, the lack of sidewalks and the physical barriers to pedestrian movement adjacent to E. 64th Avenue create a danger to the life of pedestrians.

Based on these observations, conditions that endanger life or property by fire and other causes have been identified in the Study Area. Additional photographs are found in Appendix B of this report.

Site Inaccessibility



Physical Barrier to Pedestrian Movement



I. Buildings that are Unsafe or Unhealthy for Persons to Live or Work In

Buildings that are Unsafe or Unhealthy for Persons to Live or Work In results in similar finding to those found under the previous category, Unsanitary or Unsafe Conditions, but focuses on specific safety related issues in the built environment. Since the previous survey, all of the buildings in the survey area that had previously been determined to be contributing to this criteria, were demolished and their debris removed from the site. Because there are no longer any remaining buildings in the study area, this criteria is not applicable to the current survey.

J. Environmental Contamination of Buildings or Property

As stated in the 2012 Current Conditions Survey, there are no specific statutory requirements for this factor in the state's Urban Renewal Law. However, the factor is generally considered present where there is documented evidence of the existence of hazardous contaminants in the soils, water, or structures of an area. A Phase 1 Environmental Impact Assessment (EIS) was performed in April 2011 by Kleinfelder West, Inc. This EIS reviewed the federal, state, and local regulatory agency lists for references to this Survey Area and listings within the appropriate minimum distance from the Survey Area.

Since the 2012 Current Conditions Survey, asbestos contamination was found to be present during building demolition. Asbestos remediation on the site was conducted through a voluntary action with oversight from appropriate state agencies. In conclusion, there are no known instances of environmental contamination at a level that warrant a finding of blight.

K.5. High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements

The vacancy of the property is causing a complete blight condition of the physical underutilization of the site. Live greyhound racing, which had been the primary use of the entire Survey Area, came to an end in June of 2008 and off-track betting closed shortly thereafter. On August 2, 2011, the Commerce City Urban Renewal Authority purchased the Survey Area, and shortly afterwards, ceased operations with all of the remaining minor tenants and demolished the buildings on the site. As a result, the lack of any users on any part of the site results in a complete underutilization of the site giving the Survey Area a positive finding related to this blight factor. Additional photographs are found in Appendix B of this report.

Site Vacancy/Underutilization



Site Vacancy/Underutilization



Section 6:

Survey Summary and Recommendation

Within the Survey Area, 8 of the 11 blight factors were identified. The blight factors identified 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. Deteriorating of site or other improvements;
- F. Unusual topography or inadequate public improvements or utilities;
- H. The existence of conditions that endanger life or property by fire or other causes; and
- K.5. Substantial physical underutilization or vacancy of sites, buildings, or other improvements.

As discussed in Section 2, in order for an area to be declared blighted, a certain number of the 11 Blight Factors must be found within the Survey Area. Because none of the property owners or tenants object to being included within an urban renewal area, the required minimum is only 1 of the 11 factors. In the event, however, that eminent domain is to be used to acquire property within the survey area, the required minimum is 5 of the 11 factors. Since 8 Blight Factors were identified within the Survey Area, a sufficient number of Blight Factors exist in either scenario.

Conclusion:

It is the recommendation of this Current Conditions Survey to report to the City Council of Commerce City that the Survey Area, in its present condition, contains sufficient number of blight factors as required by the Colorado Urban Renewal Law for the Survey Area to be declared “blighted.” Whether or not the documented blight “substantially impairs or arrests the sound growth of the municipality, retard the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare” is a determination that must be made solely by the City Council of Commerce City.

Appendix A: Observed Conditions of Blight

General Topic	Condition	Observed
A. Slum, Deteriorated, or Deteriorating Structures.	Dilapidated and/or Deteriorated Fencing	<i>X</i>
	Dilapidated and/or Deteriorated Accessory Structures	<i>X</i>
B. Predominance of Defective or Inadequate Street Layout.	Poor Provisions or Unsafe Conditions for the Flow of Vehicular Traffic	<i>X</i>
	Poor Provisions or Unsafe Conditions for the Flow of Pedestrian Traffic	<i>X</i>
	Poor Vehicle Access	<i>X</i>
	Poor Internal Circulation	<i>X</i>
	Poor Parking Layout	<i>X</i>
	Poor Connection to Existing Streets	<i>X</i>
	Right-of-Way that is Inaccessible	<i>X</i>
C. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness.	Poor Configuration Resulting in Stagnant, Misused, or Unused Land	<i>X</i>
	Poor or Nonexistent Access	<i>X</i>
	Inadequate Lot Size to Accommodate Regional Storm Drainage Needs	<i>X</i>

General Topic	Condition	Observed
D. Unsanitary or Unsafe Conditions.	Poorly Lit or Unlit Areas	X
	Cracked or Uneven Pedestrian Surfaces	X
	Open Ditches, Holes, or Trenches	X
	Illegal Dumping, Litter, or Trash	X
	Unsafe or Exposed Electrical Wire	X
	Evidence of Vagrants, Vandalism, Graffiti, or Gang Activity	X
	Evidence of Rodents and/or Vermin	X
E. Deterioration of Site or Other Improvements.	Deterioration of Signage or Lighting	X
	Deterioration of Electrical Poles	X
	Deteriorated Parking Surfaces	X
	Deteriorated Curbs/Sidewalks	X
	Neglected and Dead Landscaping	X
F. Unusual Topography or Inadequate Public Improvements.	Steep and/or Dangerous Topography	X
	Inadequate or No Sidewalks	X
	Deteriorated Stormwater Improvements	X
G. Defective or Unusual Conditions of Title Rendering the Title Non-Marketable.	Disputed or Defective Title	
	Multiplicity of Ownership Making Assemblages of Land Difficult	
H. Conditions that Endanger Life or Property by Fire or Other Causes.	Blocked or Poorly Maintained Fire and/or Emergency Access	X
	Physical Barriers to Pedestrian Movement Resulting in Conflicts with Vehicles	X
I. Unsafe or Unhealthy Buildings for Persons to Live or Work In.	Buildings that are Non-Compliant with Building Codes	
	Unsafe or Deteriorating Buildings	

General Topic	Condition	Observed
J. Environmental Contamination of Buildings or Property.	Presence of Hazardous or Toxic Substances the Exceed Maximum Standards	
K.5. High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements.	Undeveloped Parcels in Urban Areas	X
	Disproportionately Small Land Areas Developed Related to Site Size	X

Appendix B: Additional Photographs

A. Slum, Deteriorated or Deteriorating Structures

Dilapidated/Deteriorated Fencing



Dilapidated/Deteriorated Accessory Structure



Dilapidated/Deteriorated Fencing



Dilapidated/Deteriorated Fencing



Dilapidated/Deteriorated Fencing



Dilapidated/Deteriorated Fencing



Dilapidated/Deteriorated Fencing



Dilapidated/Deteriorated Fencing



Dilapidated/Deteriorated Fencing



Deteriorated Accessory Structure



D. Unsanitary or Unsafe Conditions

Unsafe/Exposed Electrical Wire



Unsafe/Exposed Electrical Wire



Unsafe/Exposed Electrical Wire



Unsafe/Exposed Electrical Wire



Illegal Dumping, Litter, or Trash



Illegal Dumping, Litter, or Trash



Illegal Dumping, Litter, or Trash



Illegal Dumping, Litter, or Trash



Illegal Dumping, Litter, or Trash



Site Vacancy/Underutilization



Site Vacancy/Underutilization



Unsafe/Exposed Electrical Wire



Unsafe/Exposed Electrical Wire



Unsafe/Exposed Electrical Wire



Unsafe/Exposed Electrical Wire



Unsafe/Exposed Electrical Wire



Vandalism, Graffiti, or Gang Activity



Vandalism, Graffiti, or Gang Activity



Cracked/Uneven Pedestrian Surfaces



Cracked/Uneven Pedestrian Surfaces



Cracked/Uneven Pedestrian Surfaces



Cracked/Uneven Pedestrian Surfaces



Cracked/Uneven Pedestrian Surfaces



Vandalism, Graffiti, or Gang Activity



Vandalism, Graffiti, or Gang Activity



Vandalism, Graffiti, or Gang Activity



E. Deterioration of Site or Other Improvements

Deteriorated Curb/Sidewalk



Deteriorated Curb/Sidewalk



Deteriorated Electrical Pole



Deteriorated Electrical Pole



Deteriorated Electrical Pole



Neglected/Dead Landscaping



Neglected/Dead Landscaping



Neglected/Dead Landscaping



Neglected/Dead Landscaping



Deteriorated Curb/Sidewalk



Deteriorated Curb/Sidewalk



Deteriorated Curb/Sidewalk



Deteriorated Curb/Sidewalk



Deteriorated Curb/Sidewalk



Deteriorated Curb/Sidewalk



Neglected/Dead Landscaping



Neglected/Dead Landscaping



Neglected/Dead Landscaping



F. Unusual Topography or Inadequate Public Improvements

Deteriorated Stormwater Improvements



Deteriorated Stormwater Improvements



Deteriorated Stormwater Improvements



Deteriorated Stormwater Improvements



Deteriorated Stormwater Improvements



Inadequate/No Sidewalks



Inadequate/No Sidewalks



Inadequate/No Sidewalks



H. Existence of Conditions that Endanger Life or Property by Fire and Other Causes

Pedestrian Barrier Resulting in Vehicle Conflict



Pedestrian Barrier Resulting in Vehicle Conflict



Blocked/Poorly Maintained Emergency Access



K.5. High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements

Site Vacancy/Underutilization



Site Vacancy/Underutilization

