

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE CITY,
COLORADO, MAKING CERTAIN LEGISLATIVE FINDINGS AND APPROVING THE
MILE HIGH GREYHOUND PARK URBAN RENEWAL PLAN IN CASE # SAP-006-18 /
URP-002-12-16-18**

RESOLUTION #2018-35

WHEREAS, the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31 (the “Act”) provides for urban renewal of blighted areas;

WHEREAS, the Urban Renewal Authority of the City of Commerce City (the “Authority”) has undertaken to eliminate and prevent blight and to prevent injury to the public health, safety, morals, and welfare of the residents of the City of Commerce City, Colorado (the “City”);

WHEREAS, in Resolution #2016-130, the City Council (“City Council”) determined, based on the Mile High Greyhound Park Conditions Survey dated December 2016, that the Mile High Greyhound Park Urban Renewal Area (the “Area”) is a blighted area;

WHEREAS, the Mile High Greyhound Park Urban Renewal Plan (the “Plan”), which includes a legal description of the Area, and a legal description of the Phase I Tax Increment Area (the initial tax increment area as further defined in the Plan), has been submitted for review by the City Council, a copy of which is attached hereto as **Exhibit A** and incorporated herein;

WHEREAS, the Impact Report has been timely submitted to the Adams County Board of County Commissioners pursuant to C.R.S. § 31-25-107(3.5);

WHEREAS, on June 5, 2018, the City Planning Commission approved a written motion which found the Plan to be in conformity with the City Comprehensive Plan (the “Comprehensive Plan”), which is the general plan for the development of the City as a whole;

WHEREAS, notice of the public hearing on the Plan was published in a newspaper of general circulation as required by C.R.S. § 31-25-107(3) at least thirty days prior to the public hearing;

WHEREAS, the real property that makes up the Area is wholly owned by either the City or the Authority, and the City and the Authority received notice of the public hearing on the Plan as required by C.R.S. § 31-25-107(3) at least thirty days prior to the public hearing;

WHEREAS, the Plan is a matter of public record in the custody of the City Clerk and has been available for public inspection during business hours of the City;

WHEREAS, on June 18, 2018, the City Council conducted a public hearing on the Plan pursuant to the procedural and notice requirements of the Act, and the City Council considered the evidence presented in support of and in opposition to the Plan, the Conditions Survey, the

Comprehensive Plan, and staff recommendations, and so having considered the legislative record and given appropriate weight to the evidence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. The boundaries of the Area have been drawn as narrowly as is feasible to accomplish the planning and development objectives of the Plan.

Section 3. The Plan meets the requirements of the Act and furthers the public purposes of facilitating redevelopment of the Area, eliminating blight, and preventing injury to the public health, safety, morals, and welfare of the residents of the City.

Section 4. The Plan does not contain land area which is “agricultural land” as defined in C.R.S. § 31-25-103(1).

Section 5. The Plan contains a legal description of the Area, and a legal description of the Phase I Tax Increment Area.

Section 6. It is not expected or intended that the Plan will displace or need to relocate any individuals or families in connection with its implementation, but to the extent that any such relocation may be required, a feasible method exists for the relocation of individuals and families in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families.

Section 7. It is not expected or intended that the Plan will displace or need to relocate any business concerns in connection with its implementation, but to the extent that any such relocation may be required, a feasible method exists for the relocation of such business concerns in the Area or in other areas that are not generally less desirable with respect to public utilities and public and commercial facilities.

Section 8. The City Council has undertaken reasonable efforts to provide written notice of the public hearing on the Plan as prescribed by C.R.S. § 31-25-107(3).

Section 9. No more than one hundred twenty days have passed since the commencement of the first public hearing on the Plan.

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

Section 11. As previously determined by the City of Commerce City Planning Commission, the City Council also finds that the Plan is in conformity with the Comprehensive Plan, which is the general plan for development of the City as a whole.

Section 12. The Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the Area described in the Plan by private enterprise.

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

Section 14. To the extent that the Area described in the Plan may constitute open land which is to be redeveloped for residential uses within the meaning of C.R.S. § 31-25-107(5) of the Act, the City Council hereby finds that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; conditions of blight and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals or welfare; and the acquisition of the Area for residential uses is an integral part of and essential to the program of the City.

Section 15. To the extent that the Area described in the Plan may constitute open land which is to be redeveloped for nonresidential uses within the meaning of C.R.S. § 31-25-107(6), the City Council hereby finds and determines that the nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.

Section 16. The City Council hereby finds that a public hearing has been held on the Plan and that the principal public purpose for adoption of the Plan is to facilitate redevelopment in order to eliminate or prevent the spread of physically blighted or slum areas.

Section 18. The City Council has duly considered and hereby approves the Plan and authorizes the Authority to take any and all actions pursuant to the Act to execute the Plan.

RESOLVED AND PASSED this June 18, 2018.

CITY OF COMMERCE CITY, COLORADO

By: _____
Sean Ford, Mayor

ATTEST:

By: _____
Dylan A. Gibson, Deputy City Clerk

EXHIBIT A

Mile High Greyhound Park Urban Renewal Plan