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Carol Snyder, Clerk \$26 00

City Clerk's Office  
City of Westminster  
4800 W. 92nd Ave.  
Westminster, CO 80031

RESOLUTION

RESOLUTION NO 21

INTRODUCED BY COUNCILLORS

SERIES OF 2004

Kauffman - Dixon

A RESOLUTION

FOR APPROVAL OF THE SOUTH SHERIDAN URBAN RENEWAL PLAN AND FINDING THAT THE SOUTH SHERIDAN URBAN RENEWAL AREA IS A BLIGHTED AREA, DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT PURSUANT TO THE URBAN RENEWAL PLAN, AND FINDING THAT THE ACQUISITION, CLEARANCE, REHABILITATION, CONSERVATION, DEVELOPMENT, REDEVELOPMENT OR A COMBINATION THEREOF OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE CITIZENS OF THE CITY OF WESTMINSTER

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WHEREAS, an urban renewal plan for the South Sheridan Area has been submitted to the City Council of the City of Westminster for appropriate action pursuant to Part 1 of Article 25 of Title 31, C R S , and

WHEREAS, the South Sheridan area which is subject to the South Sheridan Urban Renewal Plan is described in Exhibit A to this Resolution; and

WHEREAS, the City Council of the City of Westminster adopted the Westminster Comprehensive Land Use Plan on June 23, 1997, which is the general plan for the development of the City of Westminster; and

WHEREAS, the South Sheridan Urban Renewal Plan has previously been submitted to the Westminster Planning Commission for its review and recommendations as to conformity with the Westminster Comprehensive Land Use Plan pursuant to C.R.S. §31-25-107(2); and

WHEREAS, the Westminster Planning Commission has determined that the South Sheridan Urban Renewal Plan does conform to the Westminster Comprehensive Land Use Plan, and

WHEREAS, no property in the South Sheridan Urban Renewal Area has been included in an urban renewal plan previously submitted to the City Council of the City of Westminster; and

WHEREAS, the City Clerk of the City Westminster has published the notice of the time, place, and purpose of the public hearing to consider the adoption of the South Sheridan Urban Renewal Plan in the Westminster Window in conformance with C.R.S. §31-25-107(3); and

WHEREAS, the City Westminster has provided written notice of the public hearing to consider the adoption of the South Sheridan Urban Renewal Plan to all property owners, residents and business owners within the proposed South Sheridan Urban Renewal Area at their last known addresses in conformance with C R S §31-25-107(4)(c), and

WHEREAS, the Adams and Jefferson County Commissioners have received notification of and copies of the South Sheridan Urban Renewal Plan as well as such additional information as is required by C R.S §31-25-107(3 5); and

WHEREAS, the Adams County School District No. 50 and Jefferson County School District have received notification of and copies of the South Sheridan Urban Renewal Plan and has been given an opportunity to participate in an advisory capacity; and

WHEREAS, City Council of the City of Westminster has conducted a public hearing and considered the public testimony received; and.

Reception No 17-2039904  
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WHEREAS, the City Council of the City of Westminster has considered the testimony and evidence introduced as part of the public hearing process, including the South Sheridan Reinvestment Study prepared by the URS Corporation and the proposed South Sheridan Urban Renewal Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER THAT

1. Blight, as defined by C.R.S. §31-25-103(2), is present in the South Sheridan Urban Renewal Area as documented by the South Sheridan Reinvestment Study prepared by the URS Corporation and based on evidence presented at the public hearing. The following blight factors are present in the South Sheridan Urban Renewal Area:

- Slum, deteriorated or deteriorating structures: a significant number of structures exhibited primary and secondary deterioration, abandonment and evidence of vandalism and unsafe and unauthorized human occupancies.
- Faulty lot layout. presence of faulty lot layout in relation to size, adequacy, accessibility and usefulness including inefficient and unworkable layout of parking spaces in relation to commercial structures which creates unusable tracts of land, poor and dangerous traffic circulation, a lack of pedestrian walkway system, and poor internal pedestrian circulation.
- Unsanitary or unsafe conditions that endanger life or property: conditions that include unsafe and hazardous conditions for pedestrians and bicyclists, lack of street and parking area lighting, lack of adequate provision for the disabled, lack of fire protection facilities and planned emergency access.
- Deterioration of site improvements: deteriorated street, curb and gutter surfaces; missing or damaged signage, trash, debris, weeds and signs of vandalism; substandard public and common area improvements; unscreened trash; deteriorated parking surfaces; lack of landscaping;
- Inadequate public improvements: substandard water, sewer, and transportation systems.
- Defective or inadequate street layout: there is evidence of a defective and inadequate street layout within the Study Area. A combination of poor parking layout, poor vehicular access to and from Sheridan Boulevard, and poor internal circulation of smaller commercial properties contribute to this finding

2. The South Sheridan Urban Renewal Area is a blighted area and is appropriate for an urban renewal project pursuant to Part 1 of Article 25 of Title 31, C.R.S.

3 The boundaries of the South Sheridan Urban Renewal Area have been drawn as narrowly as feasible to accomplish the planning and development objectives for the South Sheridan Urban Renewal Area. The South Sheridan Urban Renewal Area includes an area of open land that may be redeveloped with housing and commercial uses. 4 A shortage of housing of sound standards and design, which is decent, safe, and sanitary, exists in the municipality; the need for housing accommodations will be increased as a result of the clearance of slums in other areas; the conditions of blight in the urban renewal area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and the potential acquisition of the land in the South Sheridan Urban Renewal Area for residential uses is an integral part of and essential to the South Westminster Strategic Revitalization Plan and the South Sheridan Urban Renewal Plan.

5 The proposed commercial uses are necessary and appropriate to facilitate the proper growth and development of the City and South Sheridan Urban Renewal Area in accordance with sound planning standards and local community objectives and the potential acquisition of land in



the South Sheridan Urban Renewal Area may require the exercise of governmental action, as provided by state law, because of being in a blighted area.

6. The South Sheridan Urban Renewal Plan conforms to the Westminster Comprehensive Land Use Plan, which is the general plan for the development of the City of Westminster.

7. The South Sheridan Urban Renewal Plan is hereby approved.

8. There exist feasible methods for the relocation of individuals and families and business concerns in accommodations or areas suitable for their relocation.


9. The South Sheridan Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City of Westminster as a whole, for the rehabilitation or redevelopment of the South Sheridan Urban Renewal Area by private enterprise.

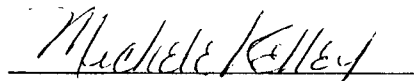
10. The acquisition, clearance, rehabilitation, conservation, development or redevelopment of the South Sheridan Urban Renewal Area pursuant to the South Sheridan Urban Renewal Plan is necessary in the best interests of the public health, safety, morals, and welfare of the citizens of the City of Westminster.

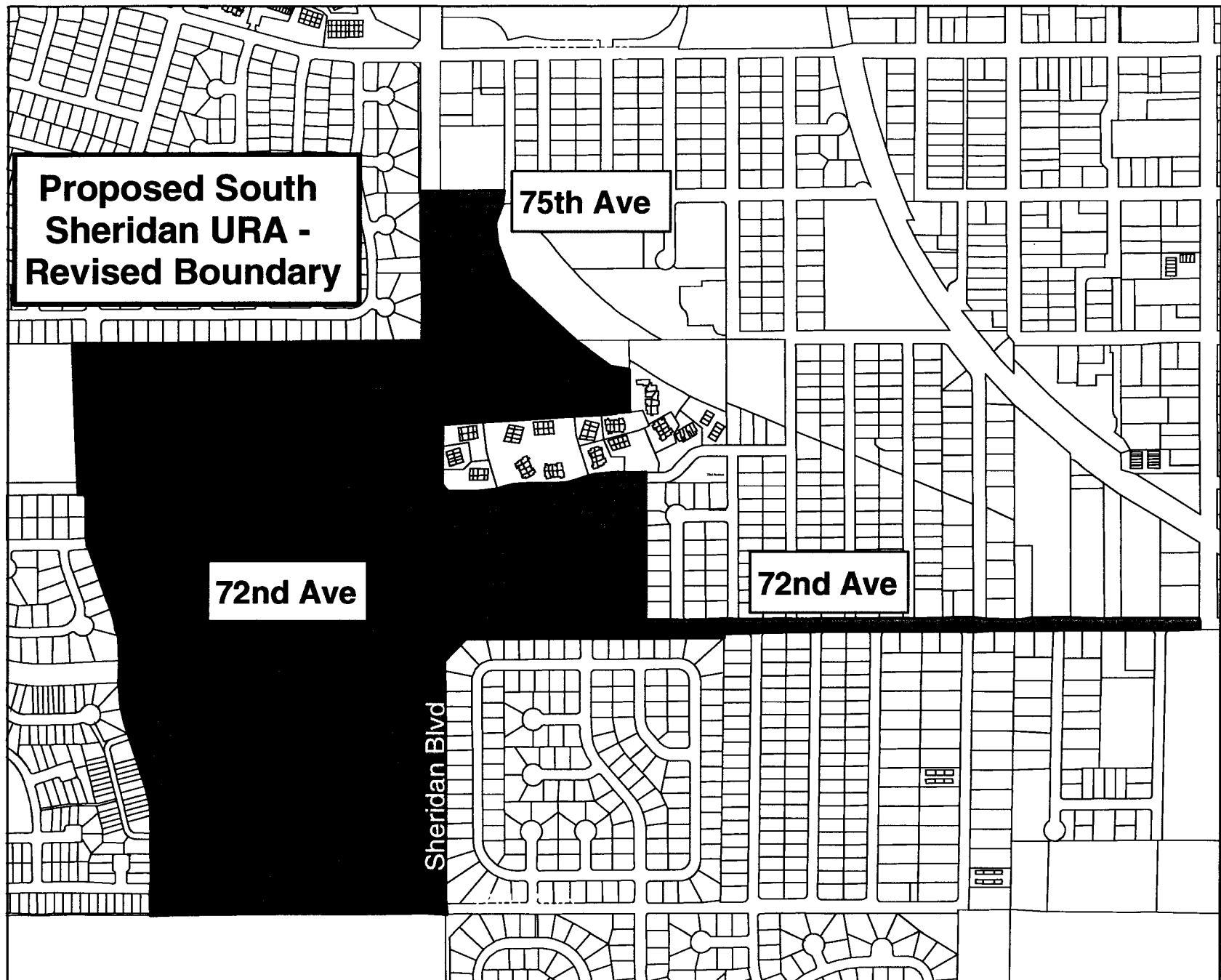
11. The City Council has taken reasonable efforts to provide written notice of the public hearing prescribed by CRS 31-25-107 (3) and (4) and no more than 120 days have passed since the commencement of said public hearing.

Passed and adopted this 29th day of March, 2004.

ATTEST

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



<b>South Sheridan Urban Renewal Area</b>				
<b>City of Westminster, CO</b>				
<b>Included Parcel List</b>				
<b>ADDRESS</b>	<b>NAME</b>	<b>TYPE</b>	<b>UNIT_</b>	<b>APN</b>
0 VAC				0171931328011
0 VAC				0171931328012
4955 72nd		Avenue		0171931328008
4995 72nd		Avenue	A thru Q	0171931328007
5001 72nd		Avenue		0171931328006
5005 72nd		Avenue		0171931328005
5055 72nd		Avenue	A thru I	0171931328009
5155 72nd		Avenue		0171931328010
5165 72nd		Avenue		0171931328001
5330 72nd		Avenue		39-011-01-004
6109 73rd		Avenue		29-364-00-001
7200 Depew		Street		29-364-00-006
7007 Sheridan		Boulevard		39-011-00-004
7051 Sheridan		Boulevard		39-011-01-006
7061 Sheridan		Boulevard		39-011-01-005
7141 Sheridan		Boulevard		39-011-01-003
7151 Sheridan		Boulevard		39-011-01-002
7171 Sheridan		Boulevard		39-011-01-001
7201 Sheridan		Boulevard		29-364-00-008
7225 Sheridan		Boulevard		29-364-00-007
7255 Sheridan		Boulevard		29-364-00-005
7355 Sheridan		Boulevard		29-364-00-004
7370 Sheridan		Boulevard		0171931324001
7480 Sheridan		Boulevard		0171931300003
7490 Sheridan		Boulevard		0171931300021
0 VACANT, COMM				39-011-01-007
0 VACANT, RES				0171931300024
0 VACANT, RES				29-364-00-002
0 VACANT, RES				39-011-00-001
0 VACANT, RES				39-011-00-002
0 VACANT, RES				39-011-00-003
0 VACANT, RESIDEN				0171931300026

**SOUTH SHERIDAN**  
**REINVESTMENT PLAN**

**WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY**

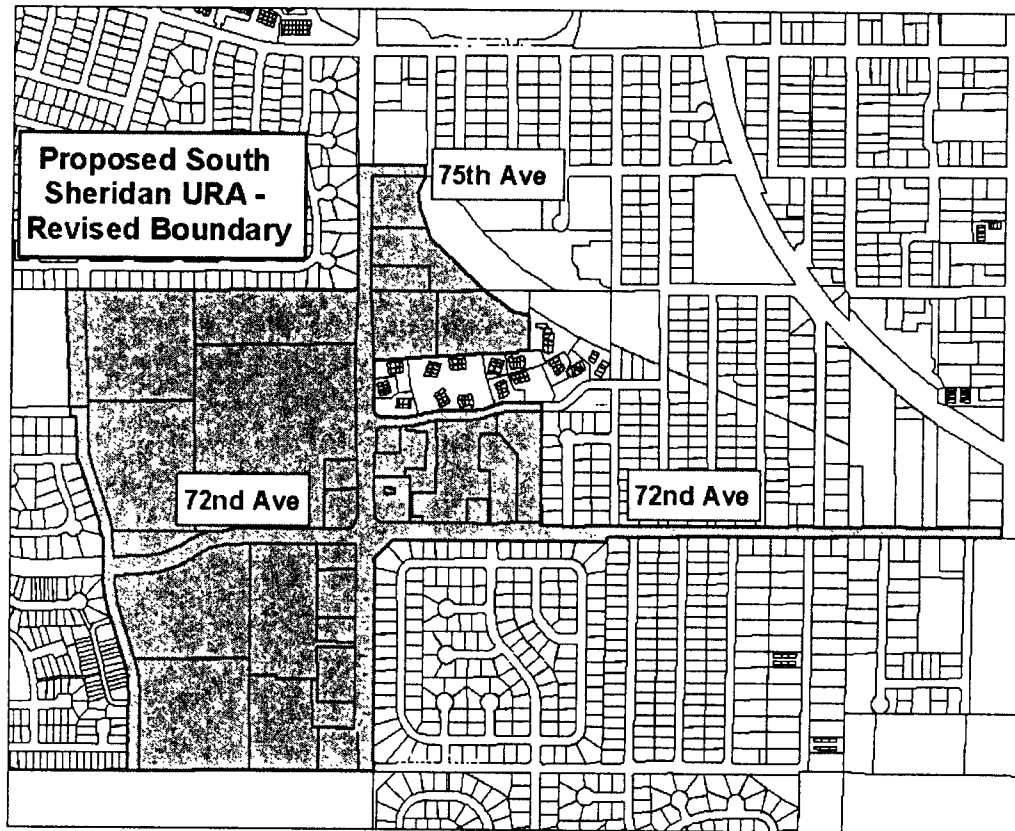
**March, 2004**

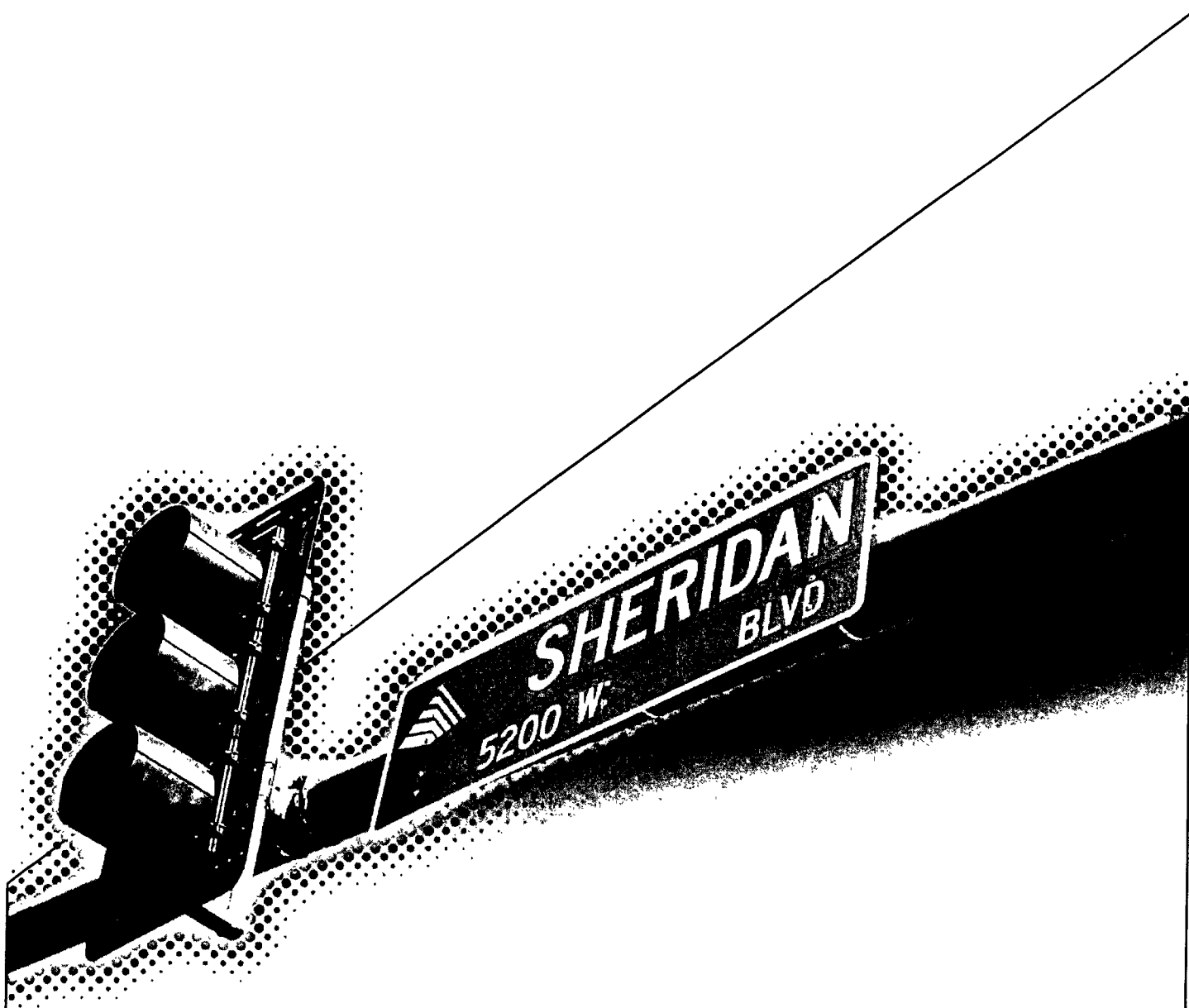
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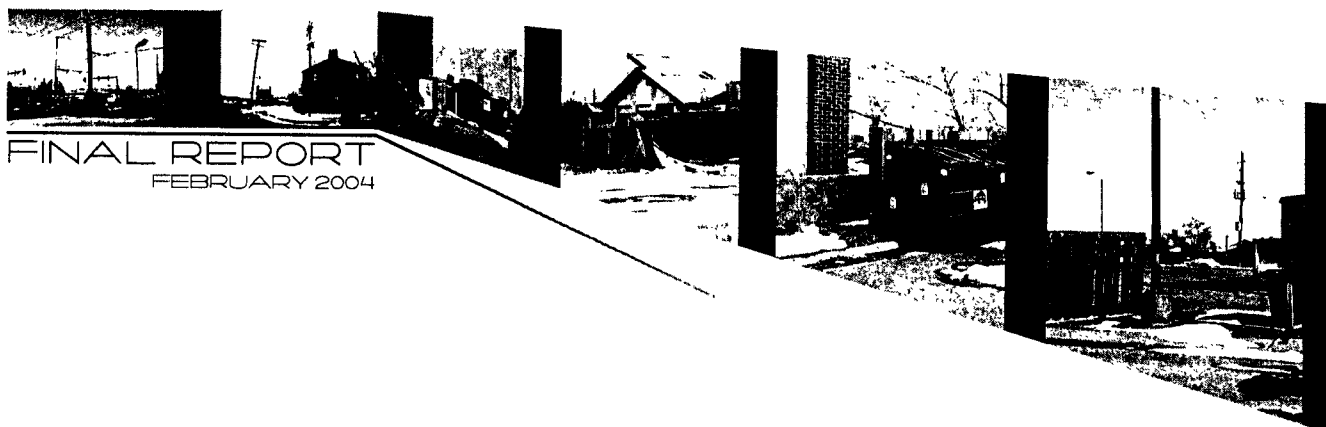
**FIGURE 1**

**SOUTH SHERIDAN REINVESTMENT AREA**





# SOUTH SHERIDAN REINVESTMENT STUDY



WESTMINSTER

**URS**

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## 1.0 Reinvestment Study Purpose and Methodology

The purpose of this reinvestment study is to determine whether the Westminster South Sheridan Study Area ("Study Area") constitutes a "blighted area" within the meaning of Colorado Urban Renewal Law, and whether the Study Area should be recommended for such urban renewal efforts as the City of Westminster may deem appropriate to prevent further deterioration and blight.

The methodology employed in this study was to obtain and evaluate data on a wide range of physical and non-physical conditions that are present in the Study Area. This data was collected from various public agencies and supplemented by a careful field survey of the Study Area.

This study includes the following tasks:

- Task 1: Project Initiation, Data Collection and Mapping
- Task 2: Field Survey and Verification
- Task 3: Documentation and Presentation of Findings

# **SOUTH SHERIDAN REINVESTMENT PLAN**

**FEBRUARY, 2004**

## **I. INTRODUCTION**

### **1.1 Preface**

This South Sheridan Reinvestment Plan ("Plan") has been prepared by the Westminster Economic Development Authority ("WEDA") for adoption by the City Council of the City of Westminster pursuant to provisions of the Urban Renewal Law of the State of Colorado, Article 25 of Title 31, Colorado Revised Statutes. This Reinvestment Plan is prepared and adopted to satisfy the requirements of § 31-25-107, C.R.S., that an urban renewal plan be adopted by the governing body of the municipality before an urban renewal authority undertakes an urban renewal project. The administration of this project and the enforcement and execution of this Plan shall be performed by WEDA.

### **1.2 Background**

South Sheridan is an area generally situated along Sheridan Boulevard between West 70<sup>th</sup> Avenue (the southerly City boundary) to the south and West 75<sup>th</sup> Avenue to the north. The area includes the right-of-way along 72<sup>nd</sup> Avenue, east to approximately Raleigh Street. The area includes all or a portion of 32 individual parcels plus rights-of-way totaling 126+/- acres.

Most of the developed properties along Sheridan Boulevard within the study area are used for commercial retail or office, with a few scattered residential properties found between West 70<sup>th</sup> and West 75 Avenues. These older homes typically sit on larger lots, with some ancillary structures reflecting the agricultural history of the area. The commercial properties along Sheridan Boulevard are located within a mix of small stand-alone structures and small to mid-sized shopping centers, including a mixture of bars, restaurants and gas stations.

The South Sheridan corridor serves as a gateway to over 40,000 vehicles per day entering and exiting the City of Westminster. Traffic congestion, particularly along Sheridan Boulevard, is a challenge to the area, and forces traffic onto secondary roads. The intersection of 72nd is in need of significant capital improvements, including double left turn lanes, acceleration and deceleration lanes. Per the DRCOG Transportation Improvement Plan, Sheridan Boulevard also needs to be expanded to 6 travel lanes.

The expansion of nearby regional shopping centers and big box stores has also eroded the neighborhood-level market position of the area, contributing to the lack of reinvestment into existing facilities. The physical blight conditions, coupled with the obsolescence of many of the existing retail areas, severely limit the near and long term viability of many of the retail properties.

These conditions are sufficiently troubling to cause the City Council to take action. Urban renewal is an important tool to address the problems in the South Sheridan area. The area around the intersection of West 72<sup>nd</sup> Avenue and Sheridan Boulevard and the Sheridan and 72<sup>nd</sup> rights-of-way are immediate priorities for redevelopment.

### **1.3 Definitions**

Cooperation Agreement: Any agreement between WEDA and the City of Westminster or any other public body respecting action taken pursuant to any of the powers set forth in the Urban Renewal Law, or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by WEDA under this Reinvestment Plan.

Plan: This South Sheridan Reinvestment Plan as it may be amended from time to time.

Redevelopment Agreement: An agreement between WEDA and a developer or developers respecting the redevelopment or rehabilitation of property within the South Sheridan Reinvestment Area.

South Sheridan Reinvestment Area: The property described in Section 2.5 of this Plan which has been found to be blighted and for which the undertaking of urban renewal projects is declared to be necessary.

## **2. LEGISLATIVE FINDINGS**

### **2.1 Qualifying Conditions**

Based on the Reinvestment Study prepared by URS Corporation dated January, 2004, and evidence presented at the public hearing, the City Council finds that there exists blight, as defined by § 31-25-103(2), C.R.S., in the South Sheridan Reinvestment Area.

The Reinvestment Study found approximately 85 instances of blight in the revised area which indicate that contribute to six factors of blight present in the South Sheridan Reinvestment Area, as required by § 31-25-103(2), C.R.S. The factors found to exist include:

- a) Slum, deteriorated or deteriorating structures: a significant number of structures exhibited primary and secondary deterioration or evidence of vandalism.
- b) Defective and inadequate street layout: approximately 30% of the street layout is defective or inadequate.
- c) Faulty lot layout: presence of faulty lot layout in relation to size, adequacy, accessibility and usefulness including inefficient and unworkable layout of parking spaces in relation to commercial structures which creates unusable tracts of land, poor and dangerous traffic

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- d) Unsanitary or unsafe conditions that endanger life or property: conditions that include unsafe and hazardous conditions for pedestrians and bicyclists, lack of street and parking area lighting, and lack of adequate provision for the disabled.
- e) Deterioration of site improvements: deteriorated street, curb and gutter surfaces; missing or damaged signage; trash, debris, weeds and signs of vandalism; substandard improvements such as unscreened trash, deteriorated parking surfaces, and lack of landscaping.
- f) Inadequate public improvements: substandard water, sewer, and transportation systems.

The City Council finds that the presence of these factors in the area substantially impairs or arrests the sound growth of the City of Westminster, retards the provision of housing accommodations, constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare of the City of Westminster.

## **2.2 Reinvestment Projects**

The South Sheridan Reinvestment Area is appropriate for one or more reinvestment projects and other undertakings of WEDA as authorized by the Urban Renewal Law.

## **2.3 Planning Approval**

A general plan for the City of Westminster, known as the Comprehensive Land Use Plan ("CLUP"), has been adopted by the City Council. This Plan has been submitted to the Planning Commission for review and recommendations as to its conformity with the CLUP. The Planning Commission met on February 10, 2004, and has submitted its written findings of consistency with the adopted Comprehensive Land Use Plan to the City Council. This Plan has also been submitted to the Boards of County Commissioners of Jefferson County and Adams County as required by C.R.S. 31-25-107.

## **2.4 Public Hearing**

The City Council of the City of Westminster has held a public hearing to consider this Plan after public notice thereof in compliance with the Urban Renewal Law in the Westminster Window newspaper, describing the time, date, and purpose of the public hearing, identifying the South Sheridan Reinvestment Area and outlining the general scope of the projects being considered for implementation pursuant to this Plan. A similar notice was also mailed to property owners and occupants within the proposed area.

## **2.5 Boundaries of the South Sheridan Reinvestment Area**

The boundaries of the South Sheridan Reinvestment Area are set forth in Figure 1 attached hereto. The City Council finds that the boundaries of the Area have been drawn as narrowly as feasible to accomplish the planning and development objectives of this Plan.

## **2.6 Other Findings**

- 2.6.1 One or more of the projects may require the demolition and clearance, subject to other restrictions, of certain property within the Area as provided in this Plan. Such actions may be necessary to eliminate unhealthy, unsanitary, and unsafe conditions, eliminate obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of deterioration.
- 2.6.2 Other portions of the Area may be conserved or rehabilitated through appropriate public action, as authorized or contemplated by the Urban Renewal Law, and through the cooperation and voluntary action of the owners and tenants of such property.
- 2.6.3 In order to eliminate or reduce the qualifying conditions currently existing within the Area, as well as those qualifying conditions which may be reasonably anticipated to develop within the South Sheridan Reinvestment Area in the absence of public action, it is the intent of the City Council in adopting this Plan that WEDA exercise all powers authorized to be exercised by WEDA under the Urban Renewal Law and which are necessary, convenient, or appropriate to accomplish the objectives of this Plan. It is the intent of this Plan that except as otherwise provided herein, WEDA shall exercise all such powers as may now be possessed or hereafter granted to WEDA for the elimination of qualifying conditions within the Area. Acquisition of property or any interest in property by WEDA within the Area may be undertaken by any means authorized by WEDA, including the use of eminent domain.
- 2.6.4 A feasible method exists for the relocation of individuals, families, and business concerns that may be displaced by an urban renewal project through the adoption of a relocation policy by WEDA insuring that decent, safe and sanitary dwelling accommodations and business locations can be made available.
- 2.6.5 The powers conferred by the Urban Renewal Law are for public uses and purposes for which public money may be expended and the police powers exercised, and this Plan is in the public interest and necessity, such finding being a matter of legislative determination by the City Council.

## **2.5 Boundaries of the South Sheridan Reinvestment Area**

The boundaries of the South Sheridan Reinvestment Area are set forth in Figure 1 attached hereto. The City Council finds that the boundaries of the Area have been drawn as narrowly as feasible to accomplish the planning and development objectives of this Plan.

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- 2.6.5 The powers conferred by the Urban Renewal Law are for public uses and purposes for which public money may be expended and the police powers exercised, and this Plan is in the public interest and necessity, such finding being a matter of legislative determination by the City Council.

- 2.6.6 WEDA may, in its discretion, issue bonds, including revenue bonds or other obligations, to the extent permitted by law.
- 2.6.7 Compliance with South Westminster Strategic Revitalization Plan - On January 22, 2001, the Westminster City Council adopted a document relative to revitalization of the south Westminster neighborhood, within which the entire Urban Renewal Area and the Northgate Project Area are located. The goals of the South Westminster Strategic Revitalization Plan ("Revitalization Plan") guide the implementation of the Urban Renewal Plan. The goals as provided in the Revitalization Plan include:
- Provide a wide range of safe and habitable residential opportunities promoting and sustaining social and economic diversity.
  - Promote and facilitate development and rehabilitation activity to support and sustain a healthy economic base aimed at developing, attracting, and retaining a diverse range of businesses neighborhood supporting businesses.
  - Develop and promote the neighborhood as a positive and desirable Westminster asset attractive to existing residents and newcomers alike.
  - Improve opportunities for community participation in social, recreation and cultural programs and use of public facilities and property, in an innovative manner that is enticing and fulfilling to residents and visitors.

### **3. DESCRIPTION OF PLAN OBJECTIVES**

This Plan is an important tool to address the problems confronting the South Sheridan area. The Plan helps to further the goals for the area previously outlined in the CLUP. The objectives for the Plan include the following:

- Reduce the traffic congestion and enhance mobility in the area.
- Renovate or redevelop the deteriorated and/or outdated retail, manufacturing and office buildings.
- Enhance the aesthetic appearance of the area to make it more appealing to residents of the City, shoppers and employees.
- Assemble vacant and developed parcels as needed to facilitate redevelopment.
- Increase tax revenues collected from the area.
- Reduce the retail vacancy rate in the area and enhance other non-residential areas.



- Improve property values in the area.
- Secure and improve additional public parks, opens space and trail connections, including additional trail connections under Sheridan Boulevard.
- Furtherance of the South Westminster Revitalization Plan.

#### **4. PLAN IMPLEMENTATION**

In order to accomplish the objectives of this Plan and to fully implement this Plan, WEDA shall be authorized to undertake the following activities:

##### **4.1 Redevelopment and Rehabilitation Actions**

Redevelopment and rehabilitation actions within the South Sheridan area may include such undertakings and activities as are in accordance with this Plan and the Urban Renewal Law, including without limitation: renovation and rehabilitation of existing buildings; demolition and removal of buildings and improvements as set forth herein; installation, construction and reconstruction of public improvements as set forth herein; elimination of unhealthful, unsanitary or unsafe conditions; programs for repair, alteration and rehabilitation of existing improvements; elimination of obsolete or other uses detrimental to the public welfare; and other actions to remove or to prevent the spread of deterioration or to provide land for needed public facilities. WEDA is authorized to solicit interest from developers in redevelopment projects and to negotiate with landowners, developers, and investors regarding appropriate projects within the South Sheridan area.

##### **4.2 Property Acquisition and Land Assemblage**

It is the principal intent of this Plan that property for projects in the Area be acquired by private individuals and entities. While WEDA is authorized to acquire real property or any interest in real property by purchase, gift, donation, lease or other conveyance, this principal intent is the foundation upon which this Plan has been developed. If necessary, WEDA is authorized to acquire property or interests in property by condemnation as provided in Article 1 and Article 7 of Title 38 of the Colorado Revised Statutes.

##### **4.3 Relocation Assistance and Payments**

In the event it is necessary to relocate or displace any resident, business or commercial establishments as a result of any property acquisition, WEDA may adopt relocation policies for payment of relocation expenses. Such expenses may include moving expenses, actual direct losses of property for business concerns, and goodwill and lost profits that are reasonably related to relocation of the business, resulting from its displacement for which reimbursement or compensation is not otherwise made.

- Improve property values in the area.
- Secure and improve additional public parks, opens space and trail connections, including additional trail connections under Sheridan Boulevard.
- Furtherance of the South Westminster Revitalization Plan.

#### **4. PLAN IMPLEMENTATION**

In order to accomplish the objectives of this Plan and to fully implement this Plan, WEDA shall be authorized to undertake the following activities:

##### **4.1 Redevelopment and Rehabilitation Actions**

Redevelopment and rehabilitation actions within the South Sheridan area may include such undertakings and activities as are in accordance with this Plan and the Urban Renewal Law, including without limitation: renovation and rehabilitation of existing buildings; demolition and removal of buildings and improvements as set forth herein; installation, construction and reconstruction of public improvements as set forth herein; elimination of unhealthful, unsanitary or unsafe conditions; programs for repair, alteration and rehabilitation of existing improvements; elimination of obsolete or other uses detrimental to the public welfare; and other actions to remove or to prevent the spread of deterioration or to provide land for needed public facilities. WEDA is authorized to solicit interest from developers in redevelopment projects and to negotiate with landowners, developers, and investors regarding appropriate projects within the South Sheridan area.

##### **4.2 Property Acquisition and Land Assemblage**

It is the principal intent of this Plan that property for projects in the Area be acquired by private individuals and entities. While WEDA is authorized to acquire real property or any interest in real property by purchase, gift, donation, lease or other conveyance, this principal intent is the foundation upon which this Plan has been developed. If necessary, WEDA is authorized to acquire property or interests in property by condemnation as provided in Article 1 and Article 7 of Title 38 of the Colorado Revised Statutes.

##### **4.3 Relocation Assistance and Payments**

In the event it is necessary to relocate or displace any resident, business or commercial establishments as a result of any property acquisition, WEDA may adopt relocation policies for payment of relocation expenses. Such expenses may include moving expenses, actual direct losses of property for business concerns, and goodwill and lost profits that are reasonably related to relocation of the business, resulting from its displacement for which reimbursement or compensation is not otherwise made.

#### **4.4 Demolition, Clearance and Site Preparation**

With respect to property acquired by WEDA, it may demolish and clear, or contract to demolish and clear, those buildings, structures and other improvements from property pursuant to this Plan if in the judgment of WEDA such buildings, structures and other improvements are not to be rehabilitated in accordance with this Plan.

#### **4.5 Public Improvements and Facilities**

WEDA may undertake certain actions which would make the Area more attractive for private investment. These actions may include but are not limited to street and traffic improvements, streetscape improvements, landscaping, park and recreation facilities, utility improvements and public art projects, stormwater management projects and historic preservation efforts.

Public projects are intended to stimulate private sector investment in and around the Urban Renewal Area. The combination of public and private investment will assist in the reinvestment and conversion of the Urban Renewal Area into an attractive and viable urban neighborhood. Public improvements may include, but are not limited to, street and traffic improvements, streetscape improvements, landscaping, public spaces, sidewalks, utility undergrounding, lighting, park and recreation facilities, storm drainage improvements, utility improvements and public art projects. WEDA may also, or cause others to, install, construct and reconstruct any other authorized improvements in the Urban Renewal Area, which may include, without limitation, other authorized undertakings or improvements for the purpose of promoting the objectives of this Plan, the South Westminster Urban Renewal Plan and the Urban Renewal Law.

#### **4.6 Property Disposition**

WEDA may sell, lease, or otherwise transfer real property or any interest in real property subject to such covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, in addition to zoning and building code regulations. Real property or interests in real property may be sold, leased or otherwise transferred for uses in accordance with this Plan.

#### **4.7 Redevelopment Agreements**

WEDA is authorized to enter into one or more Redevelopment Agreements with developer(s) and such other entities as are determined by WEDA to be necessary or desirable by WEDA to carry out the purposes of this Plan. Such Redevelopment Agreements may contain such terms and provisions as shall be deemed necessary or appropriate by WEDA for the purpose of undertaking the activities contemplated by this Plan or the Urban Renewal Law, and may further provide for such undertakings by WEDA, including financial assistance, as may be necessary for the achievement of the objectives of this Plan or as may otherwise be authorized by the Urban Renewal Law.

#### **4.8 Intergovernmental Cooperation**

WEDA may enter into one or more Cooperation Agreements with the City of Westminster or other public bodies pursuant to the Urban Renewal Law. Cooperation Agreements may provide, without limitation, for financing, for construction of public improvements, for administration, for technical assistance and for other purposes.

### **5. PROJECT FINANCING**

#### **5.1 Tax Increment Financing**

The primary method of financing the projects undertaken in furtherance of this Plan shall be the use of sales tax and property tax increment financing pursuant to Section 31-25-107(9), C.R.S., which is by this reference incorporated herein as if set forth in its entirety. If there is any conflict between the Urban Renewal Law and this Plan, the provisions of the Urban Renewal Law shall control. All property and sales taxes collected within the South Sheridan Urban Renewal Area ("Area") shall be divided as follows:

- a) That portion of property and sales taxes equal to the amount collected within the boundaries of the Area in the twelve-month period ending on the last day of the month prior to the effective date of the approval of this Plan shall be paid into the funds of each such public body as are all other taxes collected by or for such public body.
- b) Except as WEDA may legally provide otherwise under the Urban Renewal Law, the portion of such property and sales taxes in excess of the amounts described in paragraph a), above, shall be allocated to and, when collected, paid into a special fund to fund WEDA's obligations with respect to any project, including payment of the principal of, the interest on, and any premiums due in connection with the bonds, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed, or otherwise) WEDA for financing or refinancing, in whole or in part, the reinvestment projects or applicable redevelopment agreements.
- c) When such bonds, loans, advances, and indebtedness, if any, including interest thereon and any premiums due in connection therewith, have been paid, but in no event later than 25 years following the adoption of this Plan for the construction of the projects' improvements, any excess property and sales tax collections not allocated pursuant to this paragraph or any Cooperation Agreement between WEDA and City or other taxing jurisdiction, shall be paid into the funds of said jurisdiction or public body. Unless and until the total property and sales tax collections in the Area exceed the base year property and sales tax collections in the Area, as provided in paragraph a), above, all such property and sales tax collections shall be paid into the funds of the appropriate public body. WEDA

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- c) When such bonds, loans, advances, and indebtedness, if any, including interest thereon and any premiums due in connection therewith, have been paid, but in no event later than 25 years following the adoption of this Plan for the construction of the projects' improvements, any excess property and sales tax collections not allocated pursuant to this paragraph or any Cooperation Agreement between WEDA and City or other taxing jurisdiction, shall be paid into the funds of said jurisdiction or public body. Unless and until the total property and sales tax collections in the Area exceed the base year property and sales tax collections in the Area, as provided in paragraph a), above, all such property and sales tax collections shall be paid into the funds of the appropriate public body. WEDA

reserves the right to enter into Cooperation Agreements with select taxing jurisdictions relative to allocation of incremental tax revenues.

- d) The adoption of this Plan shall be deemed an adoption of a provision that taxes, if any, levied after the effective date of the approval of this Plan upon taxable property in the Area shall be divided among WEDA and various taxing entities for a period of 25 years thereafter or such lesser period as provided in Section 31-25-107(9), C.R.S., or in any Cooperation Agreement between WEDA and a county, school district, the City or a special district.
- e) WEDA and the City may, by Cooperation Agreement or other agreement, provide for the method by which sales tax increments shall be allocated and paid to WEDA pursuant to the provisions of this Plan and the Urban Renewal Law. Such agreements, and similar agreements between WEDA and other public bodies, may provide for additional assistance by the City and cooperation between WEDA and the City in support of the projects as may be more fully set forth in the provisions of such Cooperation Agreement or other agreement.

## **5.2 Additional Taxing Entities**

WEDA recognizes that tax increment financing is the primary tool for funding redevelopment activities. However, Colorado law allows the creation of additional political subdivisions within a municipality to provide services within a defined area. These entities include metropolitan and other special districts as well as general and business improvement districts. These districts have available certain taxing powers that can generate revenues in addition to those generated by tax increment financing.

WEDA is committed to exploring a variety of strategies and mechanisms to complement tax increment financing. WEDA recognizes that it is imperative that financing mechanisms be flexible and creative to provide necessary assistance to a broad range of redevelopment activities.

## **5.3 Participating Interest in Projects**

WEDA may require a participating interest in private development projects for which it provides financial assistance. Public assistance is frequently needed for redevelopment projects in order to fill the gap between traditional equity and debt financing and the additional costs of a redevelopment project. In the event the project generates revenues at or greater than market return, the public should share in the success of the project. The terms of the participating interest will be specified in the Redevelopment Agreement at a level and on terms appropriate for each project.

## **6. AMENDMENTS TO THIS PLAN**

This Plan may be amended or modified pursuant to provision of the Urban Renewal Law as provided in § 31-25-107, C.R.S.

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## 2.0 Study Area Location and Definition

The South Sheridan Study Area is located in the City of Westminster in the State of Colorado, roughly six miles northwest of Downtown Denver (see Exhibit 1: Regional Context Map).

The Study Area is generally situated along Sheridan Boulevard between West 70th Avenue and approximately West 82nd Avenue (see Exhibit 2: Study Area Map).

The Study Area has been broken down into five subareas (see Exhibit 3: Subarea Definition Map). The use of these smaller geographical areas facilitates field survey data collection and allows information shown on maps in this report to be presented at a more readable scale. The five subareas are defined as follows:

- Subarea 1: North of W. 80th Avenue
- Subarea 2: Between W. 78th Avenue and W. 80th Avenue
- Subarea 3: Between W. 75th Avenue and W. 78th Avenue
- Subarea 4: Between W. 72nd Avenue and W. 75th Avenue, east of Sheridan
- Subarea 5: Between W. 70th Avenue and approximately W. 74th Avenue, west of Sheridan

The Study Area is 176 acres in size and consists of 87 complete real estate parcels, one partial real estate parcel, and non-parcelized public streets and rights-of-way. For each parcel, the following information was gathered:

- Assessor's Parcel Number
- Property Owner Name
- Property Site Address
- County Location
- General Land Use
- Area in Acres

The total land area of the 88 real estate parcels within the Study area is approximately 137 acres (see Exhibit 4: Study Area Real Estate Parcels). The non-parcelized public streets and rights-of-way cover the remaining 39 acres.

**Exhibit 1: Regional Context Map**

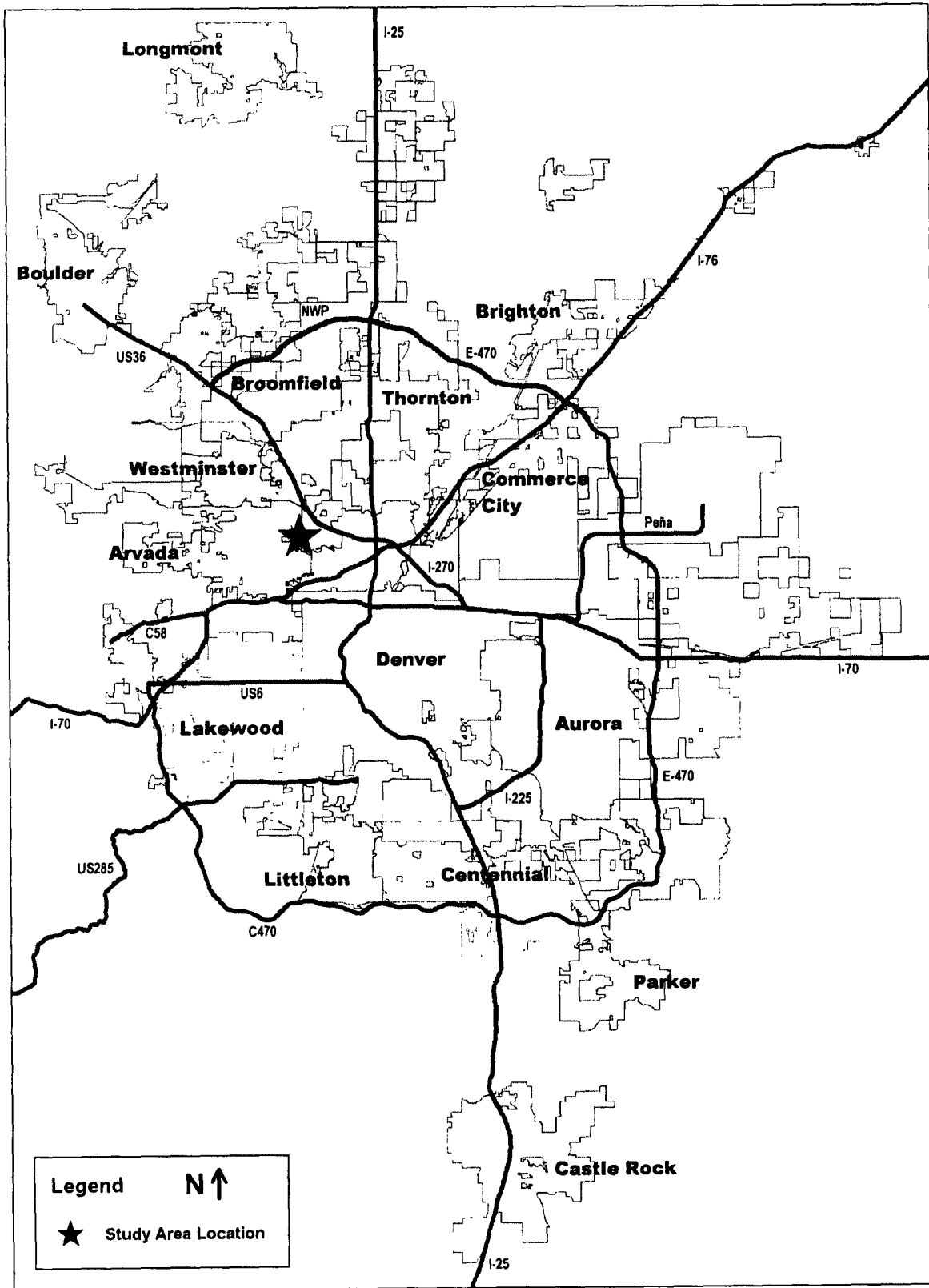


Exhibit 2: Study Area Map



Exhibit 3: Subarea Definition Map



**Exhibit 4: Study Area Real Estate Parcels**

Assessor's Parcel Number	Property Owner	Property Address	County Location	General Land Use	Area (Acres)
<b>Subarea 1</b>					
0171930320007	Berman Andrew P	8020 Sheridan Boulevard	Adams	Commercial	0.17
0171930320005	Lutgen Vernon A	8060 Sheridan Boulevard	Adams	Commercial	0.29
0171930320001	Osage Properties LLC	8070 Sheridan Boulevard	Adams	Commercial	0.41
0171930300023	Blue Owl Investments LLC	8080 Sheridan Boulevard	Adams	Commercial	0.72
0171930311005	Sheridan Investors LLC	8120 Sheridan Boulevard	Adams	Commercial	1.98
0171930310012	Total Petroleum Inc	8160 Sheridan Boulevard	Adams	Commercial	0.72
0171930310014	Merritt Bobby J	8190 Sheridan Boulevard	Adams	Commercial	0.87
0171930300013	Luevano Ignacio Trust	4977 W. 80th Avenue	Adams	Commercial	0.73
0171930300012	Luevano Ignacio Trust	4991 W. 80th Avenue	Adams	Commercial	1.01
0171930321001	Storage Equities Inc	5005 W. 80th Avenue	Adams	Commercial	4.01
0171930300008	Wash Me Car Wash	5051 W. 80th Avenue	Adams	Commercial	0.58
0171930300035	Action Holdings LLC	5155 W. 80th Avenue	Adams	Commercial	0.42
0171930300007	Action Holdings LLC	5161 W. 80th Avenue	Adams	Commercial	0.31
0171930320008	Fuller & Son LLC	5185 W. 80th Avenue	Adams	Commercial	0.30
0171930310004	Carlson Clarke D	5005 W. 81st Place	Adams	Commercial	0.59
0171930310015	Little Park Ranches LLP	5100 W. 81st Place	Adams	Commercial	3.66
0171930300027	Action Holdings LLC	No Site Address	Adams	Commercial	0.13
0171930300036	Action Holdings LLC	No Site Address	Adams	Commercial	1.19
0171930310009	Carlson Clarke D	No Site Address	Adams	Commercial	0.06
0171930310016	Cammann Michael M	No Site Address	Adams	Commercial	0.64
					<b>18.16</b>
<b>Subarea 2</b>					
0171931217001	D & A Inc	7810 Sheridan Boulevard	Adams	Commercial	0.37
0171931213009	Sheridan East Partners LLC	7820 Sheridan Boulevard	Adams	Commercial	0.48
0171931213008	Sheridan East Partners LLC	7850 Sheridan Boulevard	Adams	Commercial	0.58
29-361-01-053	Miller Thomas A	7855 Sheridan Boulevard	Jefferson	Commercial	0.75
0171931213007	Sheridan East Partners LLC	7930 Sheridan Boulevard	Adams	Commercial	0.34
0171931213006	Sheridan East Partners LLC	7940 Sheridan Boulevard	Adams	Commercial	0.36
0171931213005	Bean Gilbert A Trustee	7960 Sheridan Boulevard	Adams	Commercial	0.51
0171931213004	Jones L Bruce	7970 Sheridan Boulevard	Adams	Commercial	0.45
0171931200004	Walker Roger W	7980 Sheridan Boulevard	Adams	Commercial	0.54
0171931200001	80th & Sheridan Associates	7990 Sheridan Boulevard	Adams	Commercial	0.31
0171931213021	Stroup / Ciri Properties LLP	7901 Zenobia Street	Adams	Commercial	0.02
0171931213026	Westminster Colony Office	7901 Zenobia Street	Adams	Commercial	0.37
0171931213022	Stroup / Ciri Properties LLP	7903 Zenobia Street	Adams	Commercial	0.03
0171931213023	Stroup / Ciri Properties LLP	7905 Zenobia Street	Adams	Commercial	0.02
0171931213024	Borchers Richard M	7907 Zenobia Street	Adams	Commercial	0.02
0171931213025	Larson Micki	7909 Zenobia Street	Adams	Commercial	0.02
0171931213029	Tramutt Michael H	7919 Zenobia Street	Adams	Commercial	0.02
0171931213030	Heil Land Co The	7919 Zenobia Street	Adams	Commercial	0.02
0171931213031	Heil Land Co The	7919 Zenobia Street	Adams	Commercial	0.31
0171931217002	D & A Inc	5141 W. 78th Avenue	Adams	Commercial	0.35
29-361-01-057	Roberts Patricia L	5210 W. 78th Place	Jefferson	Commercial	0.68
29-361-01-056	W 78th LLC	5240 W. 78th Place	Jefferson	Commercial	0.58
29-361-01-054	Robertson June	5305 W. 78th Place	Jefferson	Residential	0.59
0171931213034	Bennett Family Holdings	5130 W. 80th Avenue	Adams	Commercial	0.95
0171931213033	Hyatt Management LLC	5150 W. 80th Avenue	Adams	Commercial	0.53
0171931213015	Bean Gilbert A Trustee	No Site Address	Adams	Commercial	0.33
0171931213016	Bean Gilbert A Trustee	No Site Address	Adams	Commercial	0.32
0171931213017	Sheridan East Inc	No Site Address	Adams	Commercial	0.55
0171931213018	Bean Gilbert A Trustee	No Site Address	Adams	Commercial	0.46
0171931213028	Jones L Bruce	No Site Address	Adams	Commercial	0.06
					<b>10.92</b>

**Exhibit 4: Study Area Real Estate Parcels (continued)**

Assessor's Parcel Number	Property Owner	Property Address	County Location	General Land Use	Area (Acres)
<b>Subarea 3</b>					
0171931301017	M & S Kim LLC	7500 Sheridan Boulevard	Adams	Commercial	2.02
0171931302020	Thomas-Witkoff LLC	7578 Sheridan Boulevard	Adams	Commercial	0.50
0171931301011	Diamond Shamrock Refining	7580 Sheridan Boulevard	Adams	Commercial	0.34
0171931301018	Diamond Shamrock Refining	7584 Sheridan Boulevard	Adams	Commercial	0.51
0171931302021	Kloor Patricia A	7590 Sheridan Boulevard	Adams	Commercial	0.31
0171931301012	Diamond Shamrock Refining	No Site Address	Adams	Commercial	0.17
0171931302019	Diamond Shamrock Refining	No Site Address	Adams	Commercial	0.11
0171931302022	Thomas-Witkoff LLC	No Site Address	Adams	Commercial	0.07
					<b>4.04</b>

<b>Subarea 4</b>					
0171931324001	De Palma Mike	7370 Sheridan Boulevard	Adams	Residential	3.10
0171931300003	Culbreath J Gail Und	7480 Sheridan Boulevard	Adams	Residential	1.00
0171931300021	Byers Family Trust	7490 Sheridan Boulevard	Adams	Residential	2.60
0171931328007	Joseph Felix Realty Co	4955 W. 72nd Avenue	Adams	Commercial	1.81
0171931328008	Bascos Cosme A	4955 W. 72nd Avenue	Adams	Commercial	2.38
0171931328013	Joseph Felix Realty Co	5055 W. 72nd Avenue	Adams	Commercial	0.93
0171931328014	Albertsons, Inc.	5005 W. 72nd Avenue	Adams	Commercial	3.82
0171931328010	McDonalds Corporation	5155 W. 72nd Avenue	Adams	Commercial	1.10
0171931328001	Breck Mountain Properties LLC	5165 W. 72nd Avenue	Adams	Commercial	0.44
0171931300024	HG Investments	No Site Address	Adams	Residential	1.86
0171931300026	De Palma Mike	No Site Address	Adams	Residential	3.62
0171931328006	Joseph Felix Realty Co	No Site Address	Adams	Commercial	0.36
0171931328009	Joseph Felix Realty Co	No Site Address	Adams	Commercial	1.15
					<b>24.15</b>

<b>Subarea 5</b>					
39-011-00-004	Anderson Richard D	7007 Sheridan Boulevard	Jefferson	Residential	1.19
39-011-01-006	Shoenberg Venture	7051 Sheridan Boulevard	Jefferson	Commercial	0.84
39-011-01-005	Shoenberg Venture	7061 Sheridan Boulevard	Jefferson	Commercial	1.41
39-011-01-003	Shoenberg Venture	7141 Sheridan Boulevard	Jefferson	Commercial	0.65
39-011-01-002	Shoenberg Venture	7151 Sheridan Boulevard	Jefferson	Commercial	1.26
39-011-01-001	Shoenberg Venture	7171 Sheridan Boulevard	Jefferson	Commercial	0.68
39-011-01-007	Shoenberg Venture	7199 Sheridan Boulevard	Jefferson	Commercial	4.23
29-364-00-008	Tepper Debra E	7201 Sheridan Boulevard	Jefferson	Residential	0.87
29-364-00-007	Tepper Jerry J Co-trustee	7225 Sheridan Boulevard	Jefferson	Residential	0.66
29-364-00-005	Tepper Partners LLC	7255 Sheridan Boulevard	Jefferson	Industrial	25.33
29-364-00-006	Wells Fargo Bank Northwest	7200 Depew Street	Jefferson	Residential	8.84
39-011-01-004	Shoenberg Venture	5330 W. 72nd Avenue	Jefferson	Commercial	6.46
29-364-00-001*	City Of Westminster	6109 W. 73rd Avenue	Jefferson	Public	0.80
29-364-00-002	Wells Fargo Bank Northwest	No Site Address	Jefferson	Residential	8.22
39-011-00-001	Wells Fargo Bank Northwest	No Site Address	Jefferson	Residential	1.21
39-011-00-002	Imperial Bank	No Site Address	Jefferson	Residential	8.76
39-011-00-003	Imperial Bank	No Site Address	Jefferson	Residential	8.52
					<b>79.91</b>

**Study Area Parcels****137.17**

\* The entire parcel is approximately 29 acres in size of which only 0.80 acres has been included within the Study Area  
 Sources: City of Westminster Community Development, Jefferson County Assessor, Adams County Assessor



### 3.0 Study Area Description

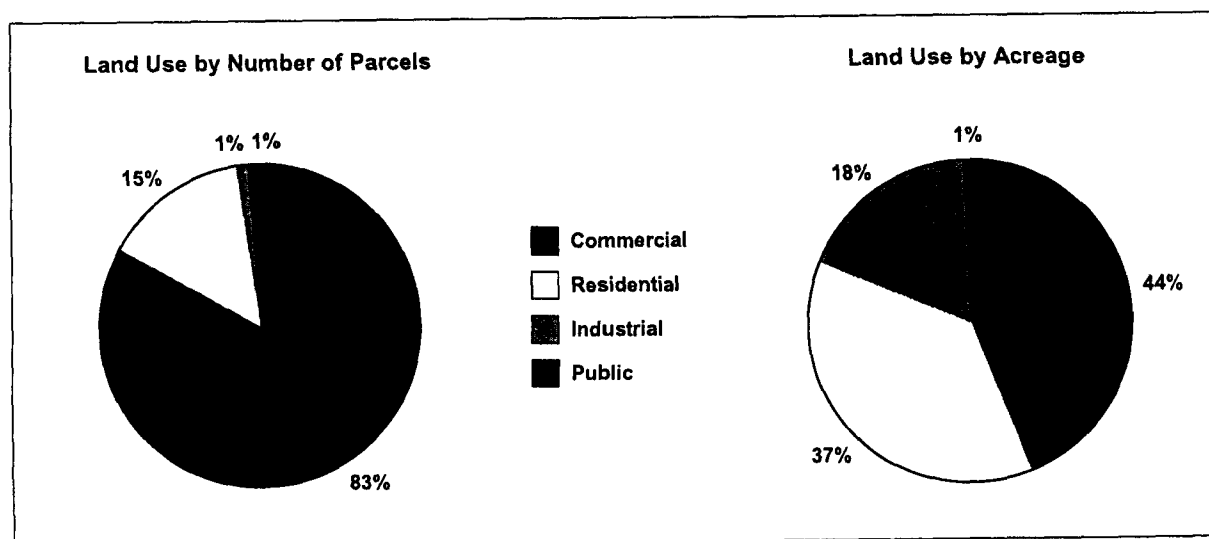
The Study Area is generally situated along Sheridan Boulevard between W. 70th Avenue and approximately W. 82nd Avenue. Sheridan Boulevard is a principal arterial serving the west-central part of the Denver metropolitan area and providing north/south mobility from the City of Littleton in the south to the City and County of Broomfield in the north.

Most of the properties along Sheridan Boulevard within the Study Area are commercial, with a few scattered residential properties found between W. 70th and W. 75th Avenues. These older homes typically sit on larger lots, some with ancillary structures, and reflect the area's agricultural roots.

The commercial properties along Sheridan Boulevard are mostly neighborhood and community retail, located within a mix of small stand-alone structures and small to mid-sized shopping centers, and featuring a number of bars, restaurants, and gas stations. The largest retail property, Hidden Lake Shopping Center, is located at the northeast corner of Sheridan and W. 72nd Avenue and includes an Albertson's grocery store as the anchor tenant. A few office and semi-industrial uses are also found within the Study Area. Several small multi-tenant office buildings are located primarily in the area north of W. 78th Avenue and two large self-storage businesses and an industrial equipment rental business are found further north along W. 81st Place. A large, mostly vacant, industrial parcel located on the west side of Sheridan just south of W. 74th Avenue houses an emissions testing facility.

Exhibit 5: Study Area Land Use, shown below, is based on the general land use classifications associated with each parcel in the real property databases of the Jefferson and Adams County Assessor's offices. These land use classifications include both vacant and non-vacant parcels.

**Exhibit 5: Study Area Land Use**



## 4.0 Colorado Urban Renewal Law

In the Colorado Urban Renewal Law, Colo. Rev. Stat. § 31-25-101 et seq. (the “Urban Renewal Law”), the legislature has declared 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....”

Under the Urban Renewal Law, the term “blighted area” describes an area with an array of urban problems, including health and social deficiencies, and physical deterioration. See Colo. Rev. Stat. § 31-25-103(2). Before remedial action can be taken by a public agency, however, the Urban Renewal Law requires a finding by the appropriate governing body that an area such as the Study Area constitutes a blighted area. *Id.* § 107(1).

The determination that an area constitutes a blighted area is a cumulative conclusion attributable to the presence of several physical, environmental, and social factors. Indeed, blight is attributable to a multiplicity of conditions, which, in combination, tend to accelerate the phenomenon of deterioration of an area. For purposes of the study, the definition of a blighted area is premised upon the definition 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. Deterioration of site or other improvements;*
- f. Unusual topography;*
- g. Defective or unusual conditions of title rendering the title non-marketable;*
- h. The existence of conditions that endanger life or property by fire and other causes;*
- i. Buildings that are unsafe or unhealthy for persons to live or work in;*
- j. Environmental contamination of buildings or property; or*
- k. Inadequate public improvements or utilities.”*



Additionally, paragraph (l.) states, *“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) of this subsection....”*

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 violation of building and health codes does not, by itself, preclude a finding of blight. “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.”

Second, the presence of one well-maintained building does not defeat a determination that an area constitutes a blighted area. A determination of blight is based upon an area “taken as a whole,” and not on a building-by-building or parcel-by-parcel basis.

Third, an authority’s “determination as to whether an area is blighted...is a legislative question and the scope of review by the judiciary is restricted.” A court’s role in reviewing such a blight determination is simply to verify independently if the conclusion is based upon factual evidence and consistent with the statutory definition.

URS was retained by the City of Westminster to perform an independent survey of the Study Area and to determine if it constitutes a blighted area under the Urban Renewal Law. Based upon the conditions existing in the Study Area, this study will make a recommendation as to whether the Study Area constitutes a blighted area. The actual determination itself remains the responsibility of the City’s legislative body. Each real estate parcel was surveyed and evaluated to determine the level of blight within the parcel. When determining whether the Study Area is blighted, however, the entire Study Area was analyzed as a whole.

The collection of site condition data consists of a phased field survey approach. The Phase 1 field survey includes the collection and evaluation of data on seven of the eleven possible blight criteria discussed above. Those seven criteria are:

- Slum, deteriorated, or deteriorating structures
- Predominance of defective or inadequate street layout
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
- Unsanitary or unsafe conditions
- Deterioration of site or other improvements
- Unusual topography
- Inadequate public improvements or utilities

These seven blight criteria have been identified as those that are often the most commonly occurring criteria that contribute to a finding of blight, as well as those requiring a slightly less intrusive field reconnaissance effort. If sufficient documentation of blight conditions from these seven criteria is found within the Study Area to satisfy the requirements of the Colorado urban renewal statutes, it would be unnecessary to survey for the remaining four criteria, which are:

- Defective or unusual conditions of title rendering the title non-marketable
- The existence of conditions that endanger life or property by fire and other causes
- Buildings that are unsafe or unhealthy for persons to live or work in
- Environmental contamination of buildings or property

With the exception of “defective or unusual conditions of title,” these remaining criteria require a survey of both the interior of the various buildings on the site and the exterior grounds with a more technical focus on those elements that would qualify as evidence of environmental contamination, fire and health hazards, structural defects, etc. If insufficient or only marginally compelling evidence of blight is found through the first seven criteria, a Phase 2 field survey for these remaining criteria would then be conducted.

## 5.0 Conditions Contributing to a Finding of Blight

This section provides a detailed explanation of the type of site conditions that would contribute to the finding of blight for each of the eleven criteria established by Colorado statutes.

### **Slum, Deteriorated, or Deteriorating Structures**

Field survey efforts examining this blight criterion focus on the general condition and level of deterioration of a building's exterior components, such as:

- Exterior walls
- Visible foundation
- Fascia and soffits
- Gutters and downspouts
- Exterior finishes
- Windows and doors
- Exterior stairways and fire escapes
- Loading dock areas
- Fences, walls, and gates

The examination of these structural elements is limited to a visual inspection of condition and not a detailed engineering or architectural analysis. The intent of this portion of the field survey is to identify obvious indications of disrepair and deterioration in the exterior of the structures found within the Study Area.

### **Predominance of Defective or Inadequate Street Layout**

The analysis conducted for this blight criterion evaluates the effectiveness or adequacy of the streets that surround and penetrate the Study Area. Factors in this section include:

- Poor vehicular access to buildings or sites
- Poor internal vehicular circulation
- Substandard driveway or curb cut definitions
- Poor parking lot layout or access

The identification of deficiencies in these transportation-related areas is made through both observation in the field as well as through an analysis of Study Area site plan maps and the Study Area's overall integration with the surrounding transportation network.

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

This blight criterion requires an analysis of the Study Area with regard to its accessibility and usefulness as a developable or developed site. Conditions within this criterion include:

- Faulty lot shape
- Faulty lot layout
- Inadequate lot size
- Non-conforming or incompatible land use

These factors take into consideration the position and orientation of Study Area structures to other structures (both in and out of the Study Area) as well as the shape, orientation, location, and size of parcels, and if these attributes would negatively impact the potential for development or redevelopment. The analysis is performed both through observation in the field and through an analysis of the Study Area site plan maps and the site plans of the adjacent real estate parcels.

**Unsanitary or Unsafe Conditions**

Field survey efforts within this blight criterion focus on the following factors:

- Poorly lit or unlit areas
- Cracked or uneven surfaces for pedestrians
- Poor drainage or standing water
- Insufficient grading or steep slopes
- Presence of trash, debris, or weeds
- Presence of abandoned vehicles
- Presence of vagrants, vandalism, or graffiti

The presence of these conditions indicate or can contribute to an environment that is unsanitary or unsafe, especially for pedestrians and children.

**Deterioration of Site or Other Improvements**

This section focuses on conditions that indicate the lack of general maintenance at a site or, through the presence of these factors, an environment that reduces a site's usefulness and desirability.

- Presence of billboards
- Deterioration of signage
- Neglected, vacant or abandoned properties
- Unscreened trash or mechanical equipment
- Parking surface and/or parking curb deterioration
- General site maintenance problems
- Lack of landscaping

**Unusual Topography**

The focus in this section is on the presence of unusual topographical conditions, such as:

- Steep slopes
- Flood plains and wetlands
- Rock outcroppings
- Poor load-bearing soils

**Defective or Unusual Conditions of Title Rendering the Title Non-marketable**

This criterion, when it does apply, is usually known to exist at the commencement of the blight study, and can adversely affect the marketability and desirability of a property.

**The Existence of Conditions that Endanger Life or Property by Fire and Other Causes**

The presence of the following factors can lead to the finding of blight within this criterion:

- Buildings or sites inaccessible to fire and emergency vehicles
- Blocked or poorly maintained fire and emergency access routes or frontages
- Insufficient fire and emergency vehicle turning radii

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

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

- Poor structural design or construction
- Inadequate or improper installation of electrical, mechanical, or other utility components
- Lack of sanitary water or sewer systems

**Environmental Contamination of Buildings or Property**

Factors evaluated in this section include the presence of hazardous substances, liquids, or gasses found within the soils, structures, water sources, or other sites within the Study Area.

**Inadequate Public Improvements or Utilities**

This section identifies key deficiencies in the public infrastructure system within the Study Area, including:

- Deterioration of street pavement
- Deterioration of curb and gutter
- Insufficient street lighting
- Presence of overhead utilities
- Lack of sidewalks

## 6.0 Field Survey Findings

The overall findings of the South Sheridan Study Area field survey are presented in this section. This evaluation is based on the analysis of data and field surveys conducted in December of 2003. The field surveys occurred during several weekday and weekend mornings and afternoons, and on a weekday evening in order to observe nighttime lighting conditions.

### Slum, Deteriorated or Deteriorating Structures

Approximately half of the non-vacant properties within the Study Area contain structures that exhibit some form of visible deterioration. Many of these are relatively minor situations consisting of deteriorated building exterior finishes (such as chipped paint or faded wood or metal siding) and deteriorating fences, walls, and gates. This condition reflects the fact that many of the buildings in the Study Area were constructed in the 1960s and 1970s and are now exhibiting the effects of three or four decades of wear and tear and exposure to the elements. This results in a somewhat drab and tired visual appearance to these properties which diminishes the overall appeal of the area.

There are other properties, however, scattered about the Study Area that exhibit a higher level of building deterioration. Several of these are located along W. 80th Avenue and in much of Subarea 5 (west side of Sheridan, south of W. 74th Avenue). Some of the conditions found on these properties include:

- Rusted, damaged, or sagging fascia and soffits
- Broken window pane glass
- Broken or loose window and door frames
- Cracked, protruding or damaged walls

Some of these instances of deteriorating structures are likely due to a lack of general upkeep, while others indicate a more substantial deterioration of the structure itself.

### Predominance of Defective or Inadequate Street Layout

The primary instances of defective or inadequate street layout found within the Study Area involve poor internal circulation, poor parking lot layout, and poor vehicle access.

Several of the smaller commercial properties along Sheridan have a single vehicle access point (curb cut) to their parking lot, with no driveway looping around the building or providing access to the rear of the property, and parking lots constrained to a single drive lane that terminates at the front of the building. This results in poor internal circulation, with vehicles forced to turn around by using a parking space or, in the case of delivery trucks or when the parking lot is full, to exit the site by backing out into traffic on Sheridan.

While several sites have less than ideal parking lot configurations, one site in particular, the Shoenburg Center, has a particularly poor parking lot layout. The internal drive lanes within its large parking area are defined only by faded painted lines on the asphalt. The entire parking area completely lacks any vertical elements, such as curbs, bollards, or landscaped berms or islands, that would better define the internal drive lanes, parking rows, and pedestrian crossings, and assist the driver with safe navigation through the site. The center's parking area can be characterized as a "sea of asphalt." Consequently, many vehicles were observed cutting across the many empty parking rows at various odd angles to reach their destinations across the site, apparently following the "shortest distance between two points is a straight line" concept.

Many of the parcels along Sheridan Boulevard, particularly those on the east side between W. 78th Avenue and W. 81st Place, and on the west side between W. 70th Avenue and W. 74th Avenue, have vehicle access problems. These properties must endure, for all intents and purposes, a "right in, right out" access situation. It can be very difficult and unsafe to make a left turn out of the parking lots of these properties onto Sheridan, given the traffic volumes and vehicle spacing found along this busy arterial. In order to turn left onto Sheridan, many drivers will turn left from the parking lot driveway into the continuous left turn lane on Sheridan and dwell there until a gap in the traffic allows a merge into the through lanes. This obviously presents potential conflicts with vehicles already on Sheridan that enter the same continuous left turn lane to make a left turn movement. Similarly, access to these properties requiring a left turn from Sheridan is also problematic. This is particularly the case for those properties near a signalized intersection, where vehicles waiting to turn left must yield to not only through traffic on Sheridan, but to vehicles just entering Sheridan from the cross street. Properties on the other side of the signalized intersection often have left-turn access into their parking lots blocked by vehicles on Sheridan in queue at the stoplight.

### **Faulty Lot Layout**

The instances of faulty lot layout conditions would be the existence of several small, strip-like parcels found in several locations within the Study Area that are undeveloped and, given their inadequate size, will stay that way unless eventually assembled into a larger parcel during a future redevelopment.

### **Unsanitary or Unsafe Conditions**

Most of the examples of unsanitary or unsafe conditions found in the Study Area occur in the form of trash and weeds, as well as the presence of graffiti. Evidence of litter, weeds growing through cracks in pavement or within landscaped areas, and weeds of excessive height in undeveloped parcels, was found on 17 properties within the Study Area. Evidence of graffiti was found on buildings on 14 properties within the Study Area. Also, several instances of cracked or broken sidewalks or other surfaces intended for pedestrians were observed.

### **Deterioration of Site or Other Improvements**

A variety of conditions were identified that meet the criteria for deterioration of site or other improvements. Two of the most common instances were parking surface deterioration and unscreened

trash. Many parking lots in the Study Area show obvious signs of pavement deterioration, such as large pot holes and excessive cracking in the asphalt. In several parking lots, concrete “stop blocks” were found that were broken and crumbled with the metal rebar exposed. Many of the smaller, older commercial properties also had their dumpsters sitting out in plain view, with no fence or other screen to reduce the unsightliness of these objects as well as to prevent access to them by children or animals. The lack of landscaping was also evident, particularly in the parking lot areas of some of the commercial establishments along Sheridan.

**Unusual Topography**

No evidence of unusual topography was observed within the Study Area.

**Defective or Unusual Conditions of Title Rendering the Title Non-marketable**

No evidence of defective or unusual conditions of title is known relating to the real estate parcels within the Study Area.

**The Existence of Conditions that Endanger Life or Property by Fire and Other Causes**

As noted earlier in Section 4.0, the study methodology included a phased field survey approach. A survey for evidence of this blight criterion was not conducted as part of the Phase 1 survey.

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

A survey for evidence of this blight criterion was not conducted as part of the Phase 1 survey.

**Environmental Contamination of Buildings or Property**

A survey for evidence of this blight criterion was not conducted as part of the Phase 1 survey.

**Inadequate Public Improvements or Utilities**

Conditions of inadequate public improvements or utilities were found in the Study Area primarily in two forms: the lack of sidewalks and the presence of overhead utilities. In several locations along both the east and west side of Sheridan between W. 70th Avenue and W. 75th Avenue, a social path worn in the grass along the street is evidence that pedestrian activity routinely occurs, despite the absence of any sidewalk. Additionally, on three occasions during the field survey, pedestrians were observed along Sheridan in these areas with no sidewalks, walking sometimes within a few feet of the rushing traffic.

At several locations, particularly in the older developed areas, overhead utility poles and wires create visual blight and the potential for unsafe conditions from downed electric lines.



## 7.0 Summary of Findings

It is the conclusion and recommendation of this study that the Study Area, in its present condition and use, is a blighted area as defined in Colo. Rev. Stat. § 31-25-103(2). By reason of the presence of numerous factors identified in Section 103(2) of the Urban Renewal Law and discussed above in Section 6.0, the Study Area substantially impairs or arrests the sound growth of the City, retards the provision of housing accommodations, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

While some properties in the Study Area were found to be in better condition than others, taken as an entire Study Area, six of the eleven blight criteria are met. It should be noted that the conclusion and recommendation of this study is based on the Study Area as a whole, and is not based on the conditions found on individual parcels or sub-areas.

Overall, there were 25 different conditions that were identified that contribute to the finding of blight within the Study Area. Exhibit 6: Count of Blight Condition Observations, shown below, totals the count of instances of blight observed within each subarea and within each blight criterion.

**Exhibit 6: Count of Blight Condition Observations**

		SLUM, DETERIORATED OR DETERIORATING STRUCTURES										DEFECTIVE STREET LAYOUT				FAULTY LOT LAYOUT				UNSANITARY OR UNSAFE CONDITIONS						DETERIORATION OF SITE OR OTHER IMPROVEMENTS						INADEQUATE PUBLIC IMPROVEMENTS						
		Deteriorated External Walls	Deteriorated Visible Foundation	Deteriorated Fascia/Soffits	Deteriorated Gutters/Downspouts	Deteriorated Exterior Finishes	Deteriorated Windows and Doors	Deteriorated Stairways/Fire Escapes	Deteriorated Loading Dock Areas	Deteriorated Fences/Walls/Gates	Deteriorated Ancillary Structures	Poor Vehicular Access	Poor Internal Circulation	Substandard Driveway Definition/Curb cuts	Poor Parking Lot Layout	Faulty Lot Shape	Faulty Lot Layout	Non-Conforming Land Use	Inadequate Lot Size	Poorly Lit or Unit Areas	Cracked or Uneven Surfaces for Pedestrians	Poor Drainage	Insufficient Grading/Steep Slopes	Trash/Debris/Weeds	Abandoned Vehicles	Vagrants/Mandalism/Graffiti	Presence of Billboards	Deterioration of Signage	Neglected Properties	Unscreened Trash/Mechanical	Parking Surface Deterioration	Site Maintenance Problems	Lack of Landscaping	Deterioration of Street Pavement	Deterioration of Curb and Gutter	Insufficient Street Lighting	Presence of Overhead Utilities	Lack of Sidewalks
Subarea 1	Count	0	0	3	0	2	2	0	0	3	0	4	3	0	2	0	0	0	0	0	2	0	0	4	0	2	0	2	0	4	4	4	4	1	1	0	5	0
	Total	10										9				0				8						18						7						
Subarea 2	Count	0	0	1	0	4	0	0	0	4	0	9	4	0	2	0	0	0	1	0	1	0	0	4	0	5	0	1	0	4	8	0	3	1	0	0	6	0
	Total	9										15				1				10						16						7						
Subarea 3	Count	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	3	0	0	0	0	0	0	2	0	0	0	2	4	0	2	0	2	0	0	0
	Total	1										1				3				2						8						2						
Subarea 4	Count	1	0	0	0	2	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	3	0	0	0	2	0	0	0	0	0	0	2	3
	Total	6										0				0				4						2						5						
Subarea 5	Count	1	0	2	0	5	1	0	0	2	1	10	1	1	2	0	0	1	0	0	0	0	0	8	0	2	1	3	0	1	6	2	0	0	2	0	7	9
	Total	12										14				1				10						13						18						
Study Area	Count	2	0	7	0	13	3	0	0	12	1	23	8	1	7	0	0	1	4	0	3	0	0	17	0	14	1	6	0	13	22	6	9	2	5	0	20	12
	Total	38										39				5				34						57						39						

The conclusion of this study is based on the following summaries of the blighted conditions found in the Study Area and described previously in Section 6.0:

1. *Slum, Deteriorated, or Deteriorating Structures.* There is evidence of structures that are deteriorated or in a deteriorating state within the Study Area. Many structures in the Study Area exhibit some form of physical deterioration, with several exhibiting significant evidence of disrepair.
2. *Defective or Inadequate Street Layout.* There is evidence of a defective and inadequate street layout within the Study Area. A combination of poor parking lot layout, poor vehicular access to and from Sheridan, and poor internal circulation of smaller commercial properties contribute to this finding.
3. *Faulty Lot Layout.* There is evidence of defective lot layout within the Study Area. Several parcels have no current potential for development given their small size or narrow shape.
4. *Unsanitary or Unsafe Conditions.* There is evidence of unsanitary and unsafe conditions within the Study Area. This is evident by the presence of dangerous conditions in the form of cracked or uneven surfaces for pedestrians, the presence of weeds and litter, open trash receptacles, and the presence of graffiti.
5. *Deterioration of Site or Other Improvements.* There is evidence of a deterioration of site or other improvements within the Study Area. This blight criterion can be found in the deterioration of the parking lot surfaces, lack of landscaping, and substandard improvements such as unscreened trash and mechanical systems.
6. *Inadequate Public Improvements.* There is evidence of inadequate public improvements within the Study Area. No sidewalks exist along several key portions of Sheridan Boulevard, placing pedestrians at risk, and the presence of overhead utility wires detracts from the visual appeal of the area.

## **8.0 Documentation of Blight**

The following exhibits have been prepared to document the blight conditions observed within the Study area:

Exhibit 7: Blight Conditions by Parcel, uses a matrix format to identify the blight conditions observed within each parcel in the Study Area.

Exhibit 8: Blight Conditions by Photograph, uses a matrix format to identify the blight conditions in evidence in each of the photographs.

Exhibit 9: Photograph Location Maps, identifies the location and direction of view of each photograph taken to document the evidence of blight within the Study Area.

Exhibit 10: Photograph Index, provides a thumbnail view index of all photographs taken.

Exhibit 11: Photographs of Blight Conditions, presents the photographs that were taken documenting the evidence of blight within the Study Area.

## Exhibit 7: Blight Conditions by Parcel

[illegible]

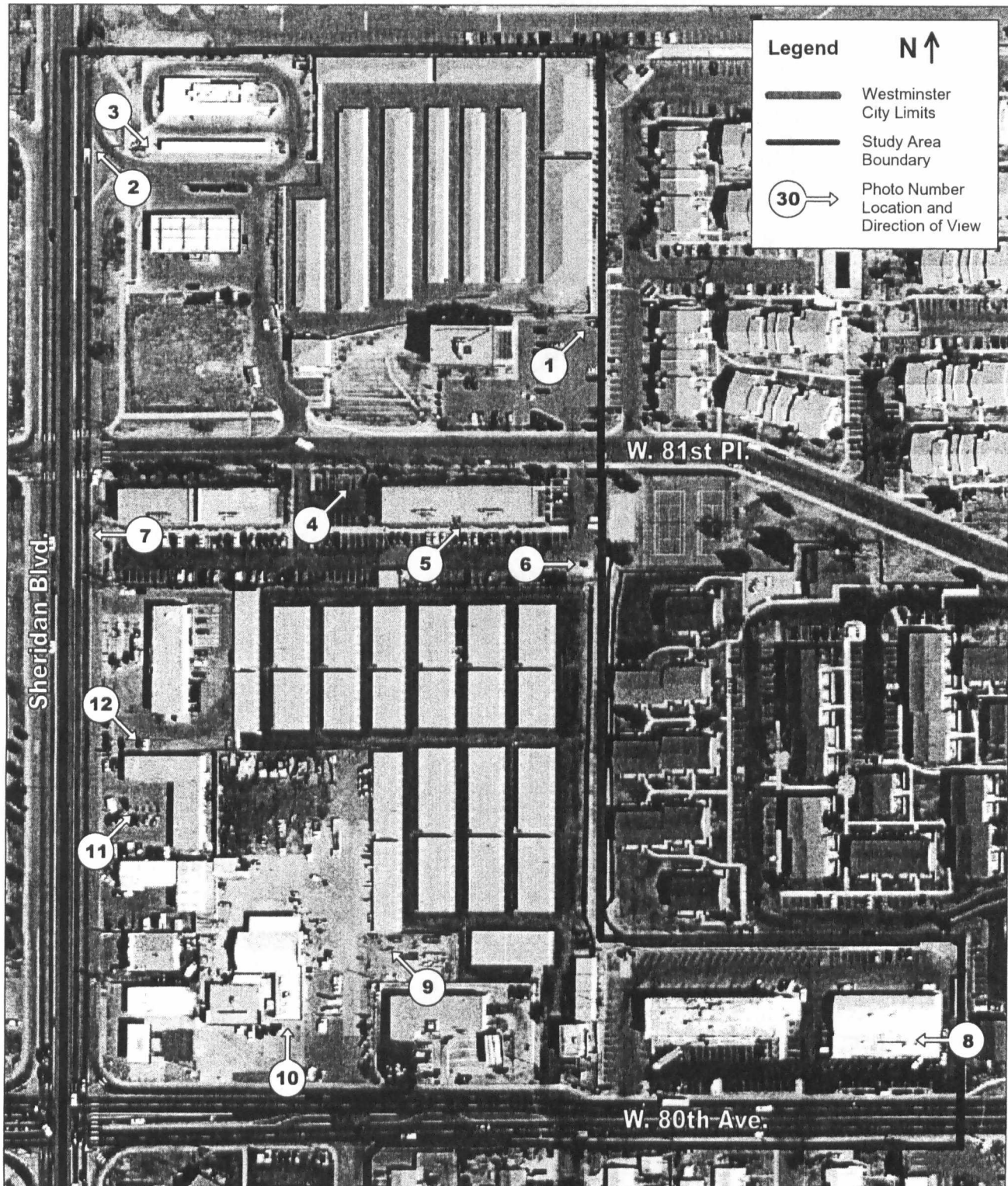
**Exhibit 7: Blight Conditions by Parcel (continued)**

Assessor's Parcel Number	Property Address	SLUM, DETERIORATED OR DETERIORATING STRUCTURES										DEFECTIVE STREET LAYOUT	FAULTY LOT LAYOUT	UNSANITARY OR UNSAFE CONDITIONS	DETERIORATION OF SITE OR OTHER IMPROVEMENTS	INADEQUATE PUBLIC IMPROVEMENTS																							
		Deteriorated External Walls	Deteriorated Visible Foundation	Deteriorated Fascia/Soffits	Deteriorated Gutters/Downspouts	Deteriorated Exterior Finishes	Deteriorated Windows and Doors	Deteriorated Stairways/Fire Escapes	Deteriorated Loading Dock Areas	Deteriorated Fences/Walls/Gates	Deteriorated Ancillary Structures	Poor Vehicular Access	Poor Internal Circulation	Substandard Driveway Definition/Curb cuts	Poor Parking Lot Layout	Faulty Lot Shape	Faulty Lot Layout	Non-Conforming Land Use	Inadequate Lot Size	Poorly Lit or Unit Areas	Cracked or Uneven Surfaces for Pedestrians	Poor Drainage	Insufficient Grading/Sleep Slopes	Trash/Debris/Weeds	Abandoned Vehicles	Vagrants/Vandalism/Graffiti	Presence of Billboards	Deterioration of Signage	Neglected Properties	Unscreened Trash/Mechanical	Parking Surface/Curb Deterioration	Site Maintenance Problems	Lack of Landscaping	Deterioration of Street Pavement	Deterioration of Curb and Gutter	Insufficient Street Lighting	Presence of Overhead Utilities	Lack of Sidewalks	
Subarea 3																																							
0171931301017	7500 Sheridan Boulevard																																						
0171931302020	7578 Sheridan Boulevard																																						
0171931301011	7580 Sheridan Boulevard																																						
0171931301018	7584 Sheridan Boulevard																																						
0171931302021	7590 Sheridan Boulevard																																						
0171931301012	No Site Address																																						
0171931302019	No Site Address																																						
0171931302022	No Site Address																																						
Subarea 4																																							
0171931324001	7370 Sheridan Boulevard																																						
0171931300003	7480 Sheridan Boulevard																																						
0171931300021	7490 Sheridan Boulevard																																						
0171931328007	4955 W 72nd Avenue																																						
0171931328008	4955 W 72nd Avenue																																						
0171931328013	5055 W 72nd Avenue																																						
0171931328014	5005 W 72nd Avenue																																						
0171931328010	5155 W 72nd Avenue																																						
0171931328001	5165 W 72nd Avenue																																						
0171931300024	No Site Address																																						
0171931300026	No Site Address																																						
0171931328006	No Site Address																																						
0171931328009	No Site Address																																						
Subarea 5																																							
39-011-00-004	7007 Sheridan Boulevard																																						
39-011-01-006	7051 Sheridan Boulevard																																						
39-011-01-005	7061 Sheridan Boulevard																																						
39-011-01-003	7141 Sheridan Boulevard																																						
39-011-01-002	7151 Sheridan Boulevard																																						
39-011-01-001	7171 Sheridan Boulevard																																						
39-011-01-007	7199 Sheridan Boulevard																																						
29-364-00-008	7201 Sheridan Boulevard																																						
29-364-00-007	7225 Sheridan Boulevard																																						
29-364-00-005	7255 Sheridan Boulevard																																						
29-364-00-006	7200 Depew Street																																						
39-011-01-004	5330 W. 72nd Avenue																																						
29-364-00-001	6109 W 73rd Avenue																																						
29-364-00-002	No Site Address																																						
39-011-00-001	No Site Address																																						
39-011-00-002	No Site Address																																						
39-011-00-003	No Site Address																																						

## Exhibit 8: Blight Conditions by Photograph

Photograph Number	SLUM, DETERIORATED OR DETERIORATING STRUCTURES								DEFECTIVE STREET LAYOUT		FAULTY LOT LAYOUT		UNSANITARY OR UNSAFE CONDITIONS				DETERIORATION OF SITE OR OTHER IMPROVEMENTS				INADEQUATE PUBLIC IMPROVEMENTS																
	Deteriorated External Walls	Deteriorated Visible Foundation	Deteriorated Fascia/Soffits	Deteriorated Gutters/Downspouts	Deteriorated Exterior Finishes	Deteriorated Windows and Doors	Deteriorated Stairways/Fire Escapes	Deteriorated Loading Dock Areas	Deteriorated Fences/Walls/Gates	Deteriorated Ancillary Structures	Poor Vehicular Access	Poor Internal Circulation	Substandard Driveway Definition/Curb cuts	Poor Parking Lot Layout	Faulty Lot Shape	Faulty Lot Layout	Non-Conforming Land Use	Inadequate Lot Size	Poorly Lit or Unlit Areas	Cracked or Uneven Surfaces for Pedestrians	Poor Drainage	Insufficient Grading/Sleep Slopes	Trash/Debris/Weeds	Abandoned Vehicles	Vagrants/Vandalism/Graffiti	Presence of Billboards	Deterioration of Signage	Neglected Properties	Unscreened Trash/Mechanical	Parking Surface/Curb Deterioration	Site Maintenance Problems	Lack of Landscaping	Deterioration of Street Pavement	Deterioration of Curb and Gutter	Insufficient Street Lighting	Presence of Overhead Utilities	Lack of Sidewalks
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Exhibit 9: Photograph Location Map – Subarea 1

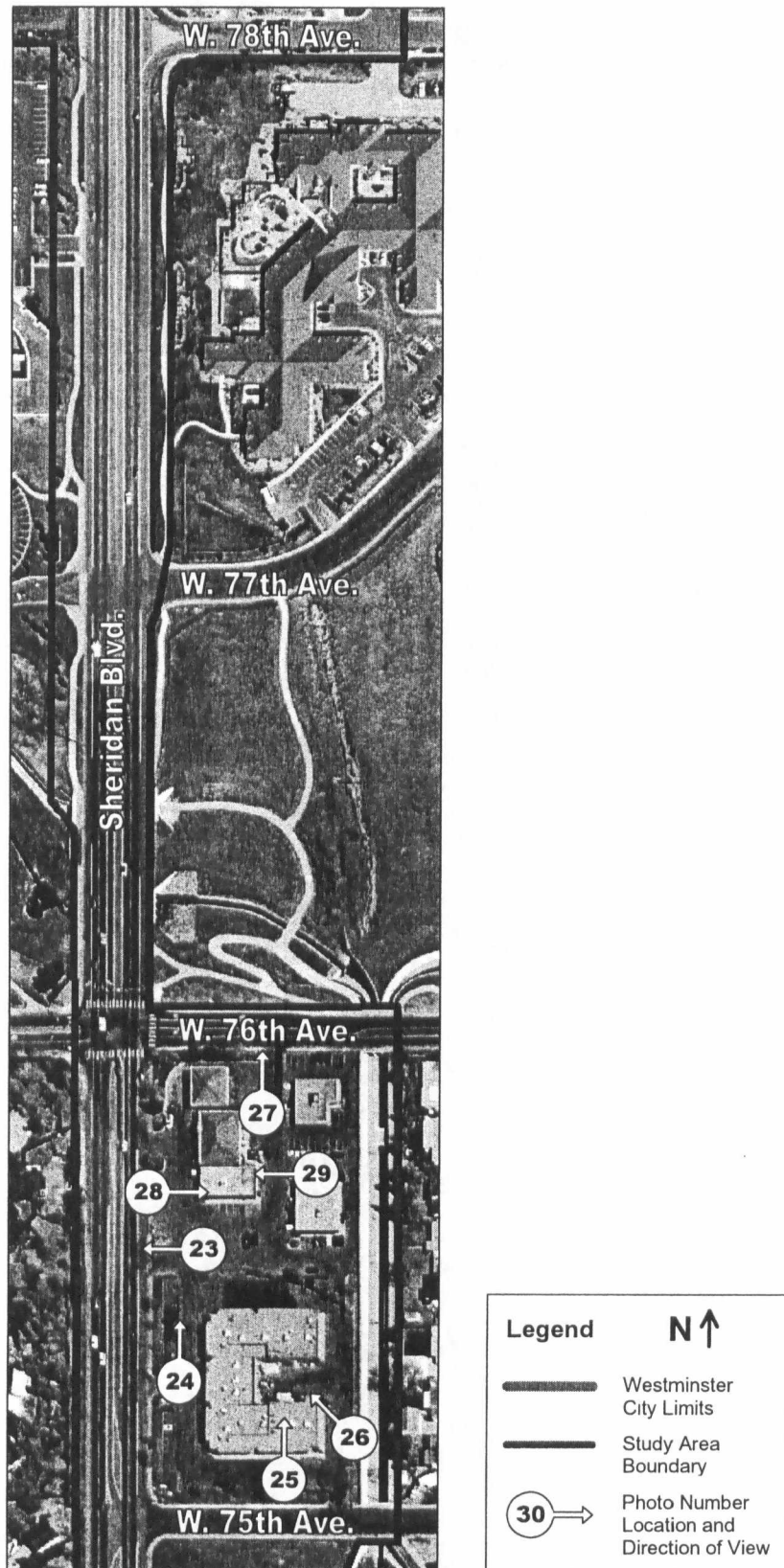




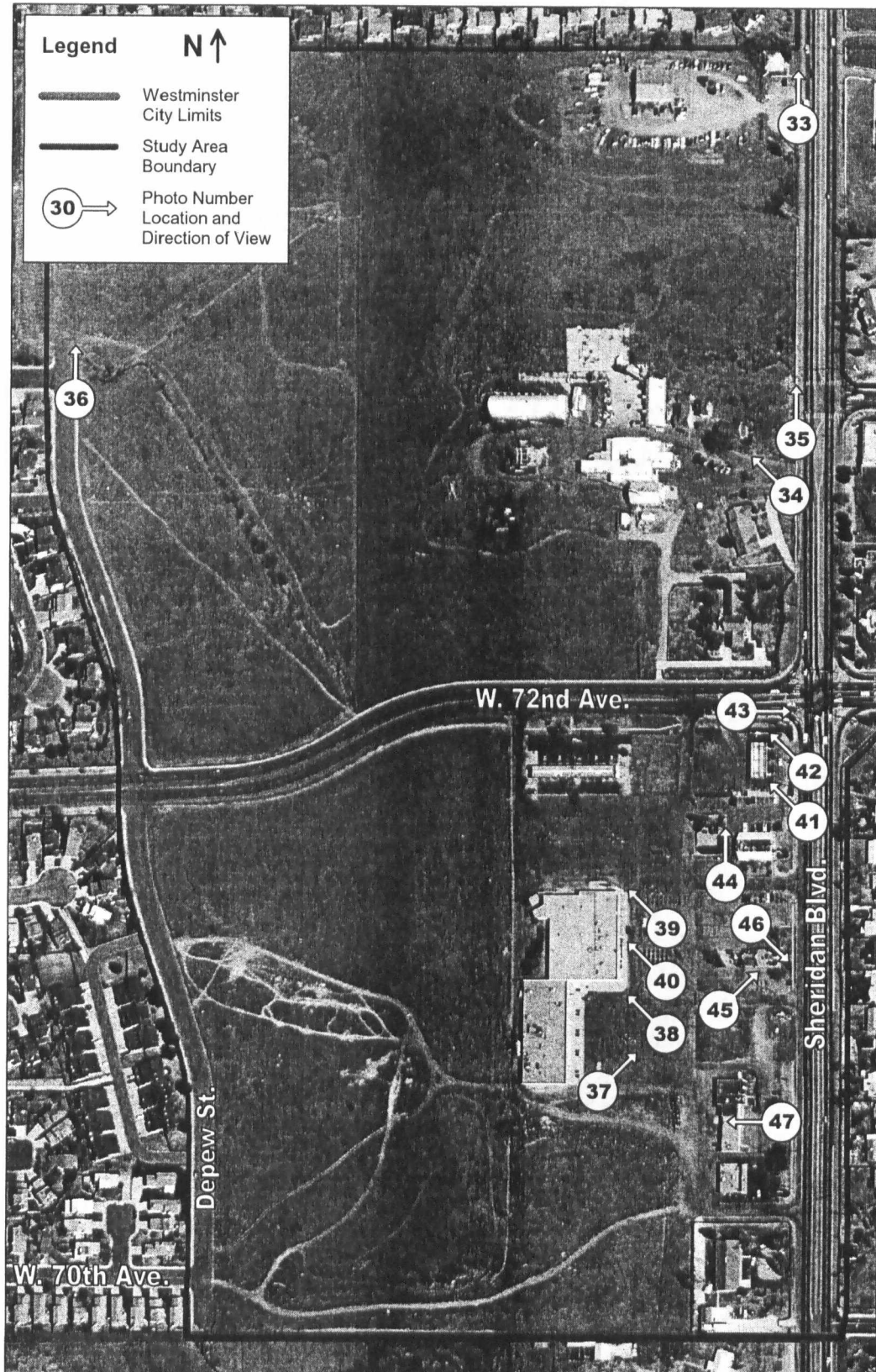
## Exhibit 9: Photograph Location Map – Subarea 2



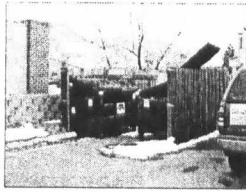


**Exhibit 9: Photograph Location Map – Subarea 3**

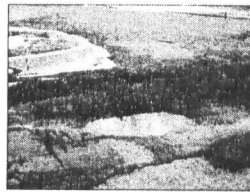
**Exhibit 9: Photograph Location Map – Subarea 4**

**Exhibit 9: Photograph Location Map – Subarea 5**

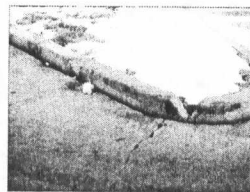
# Exhibit 10: Photograph Index



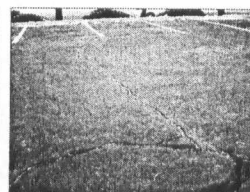
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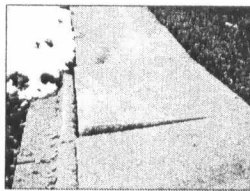
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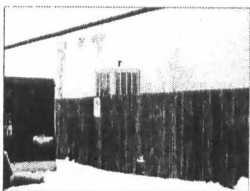
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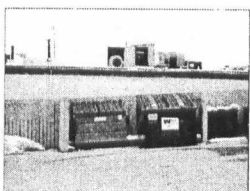
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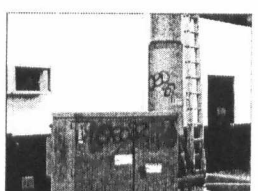
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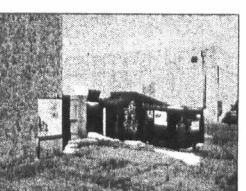
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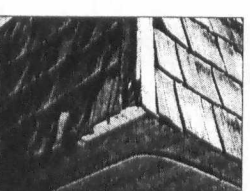
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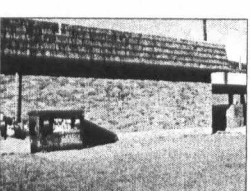
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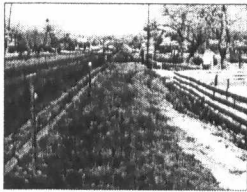
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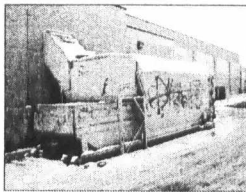
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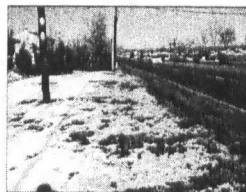
### Exhibit 10: Photograph Index (continued)



31



32



33



34



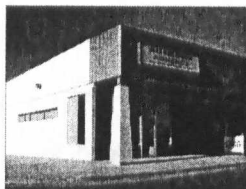
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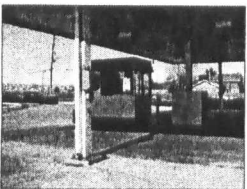
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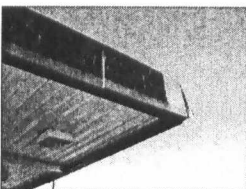
39



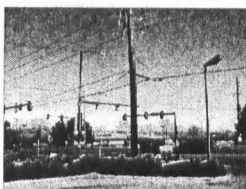
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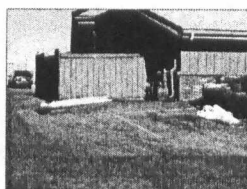
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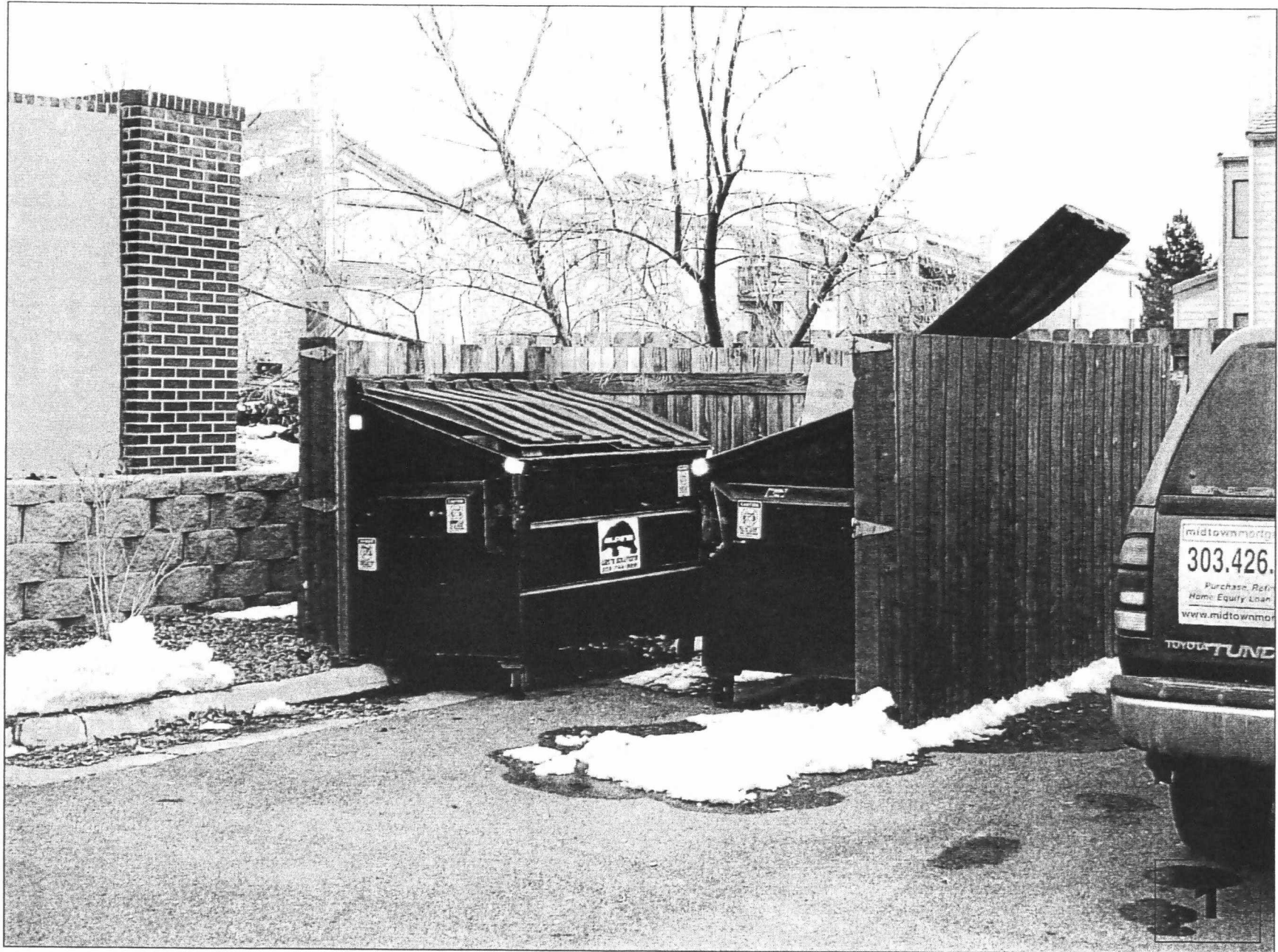


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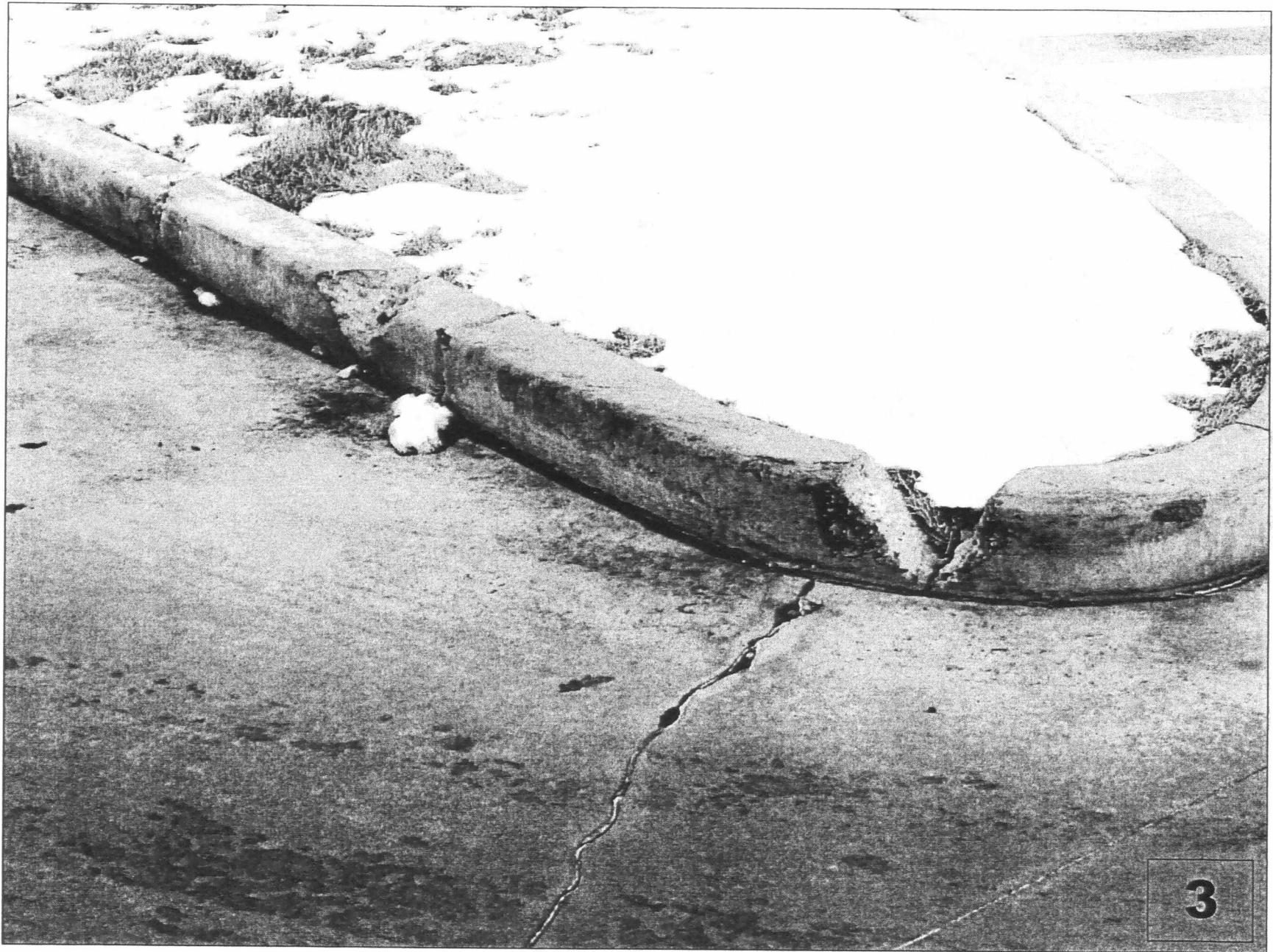
## Exhibit 11: Photographs of Blight Conditions





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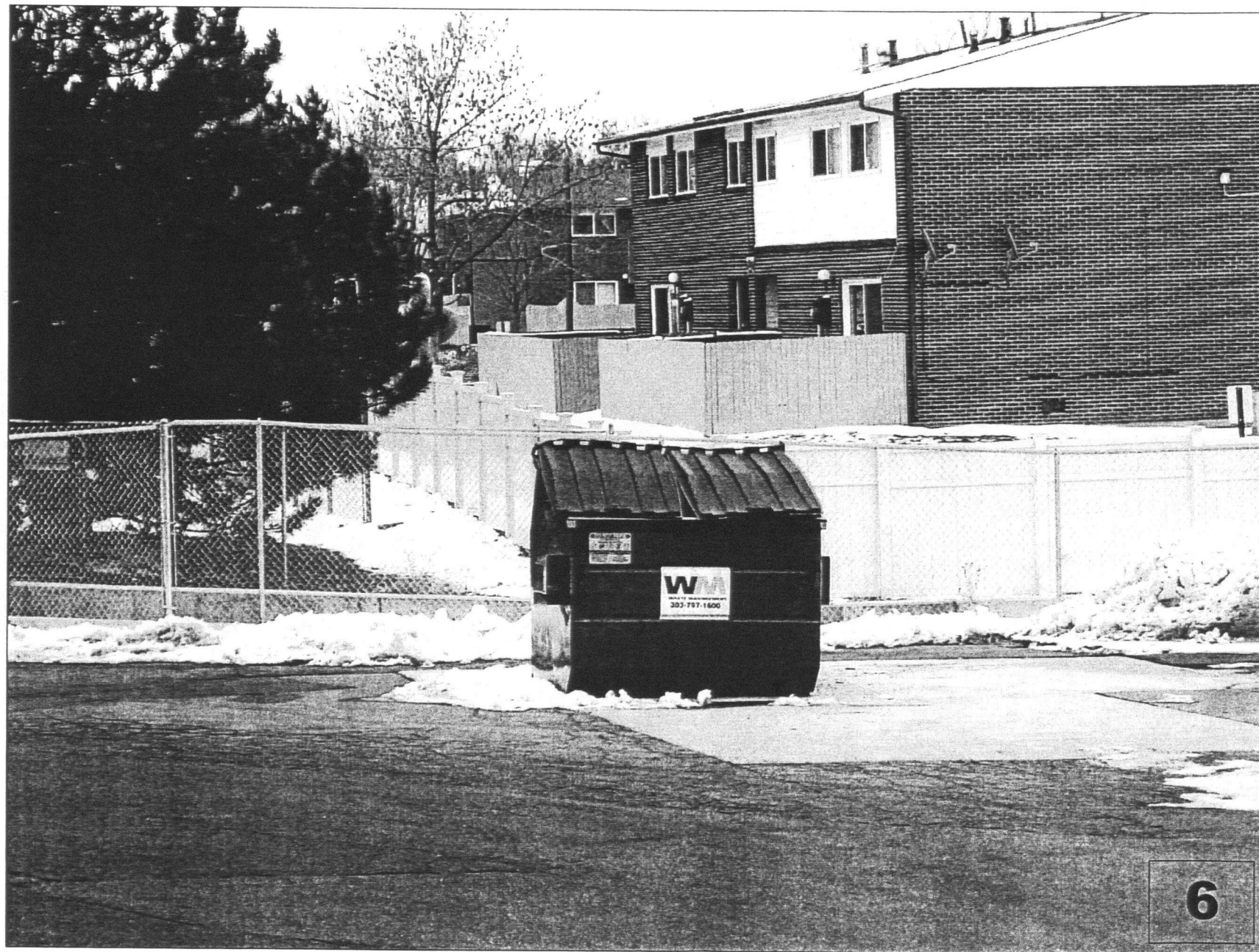






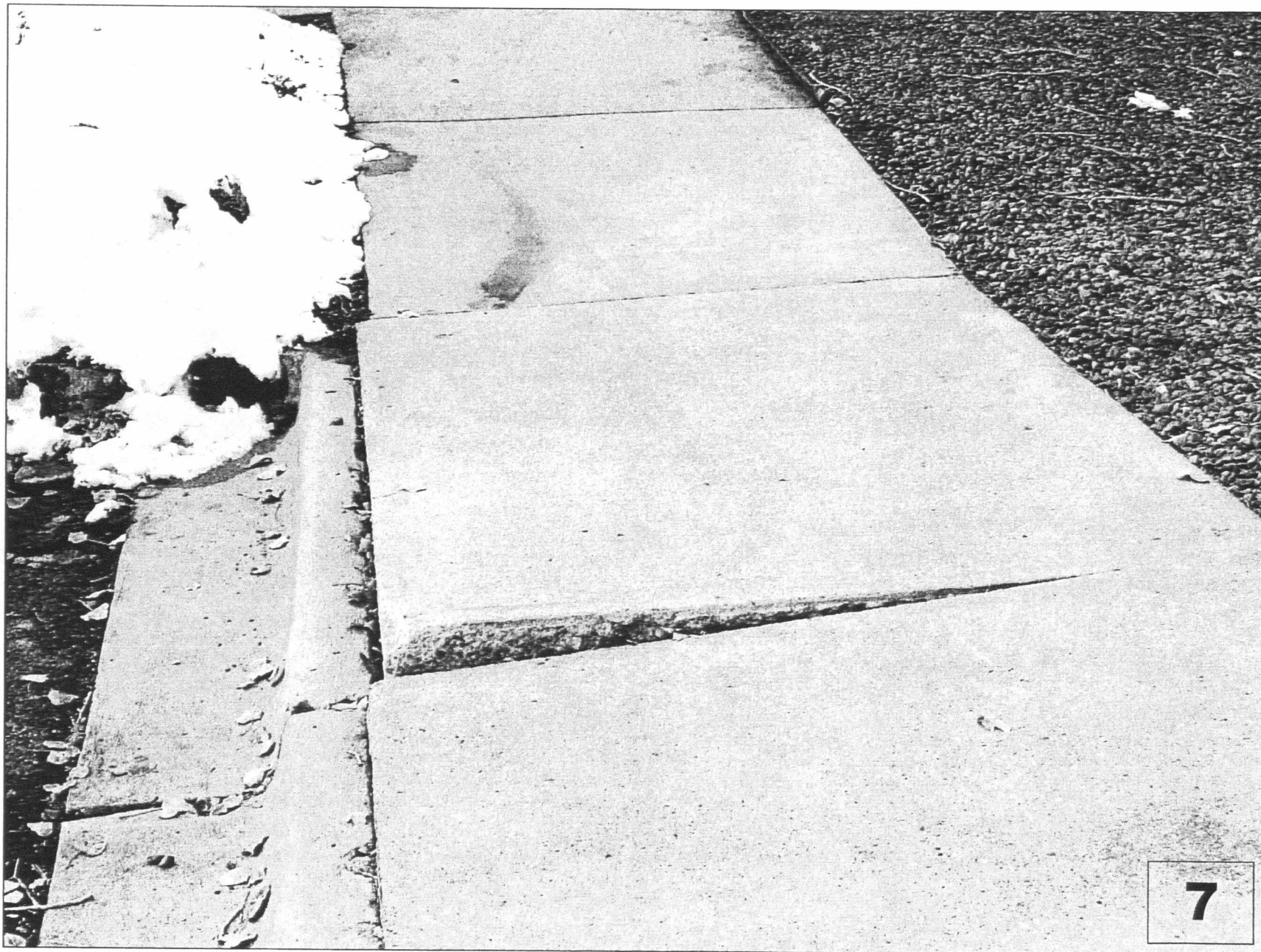


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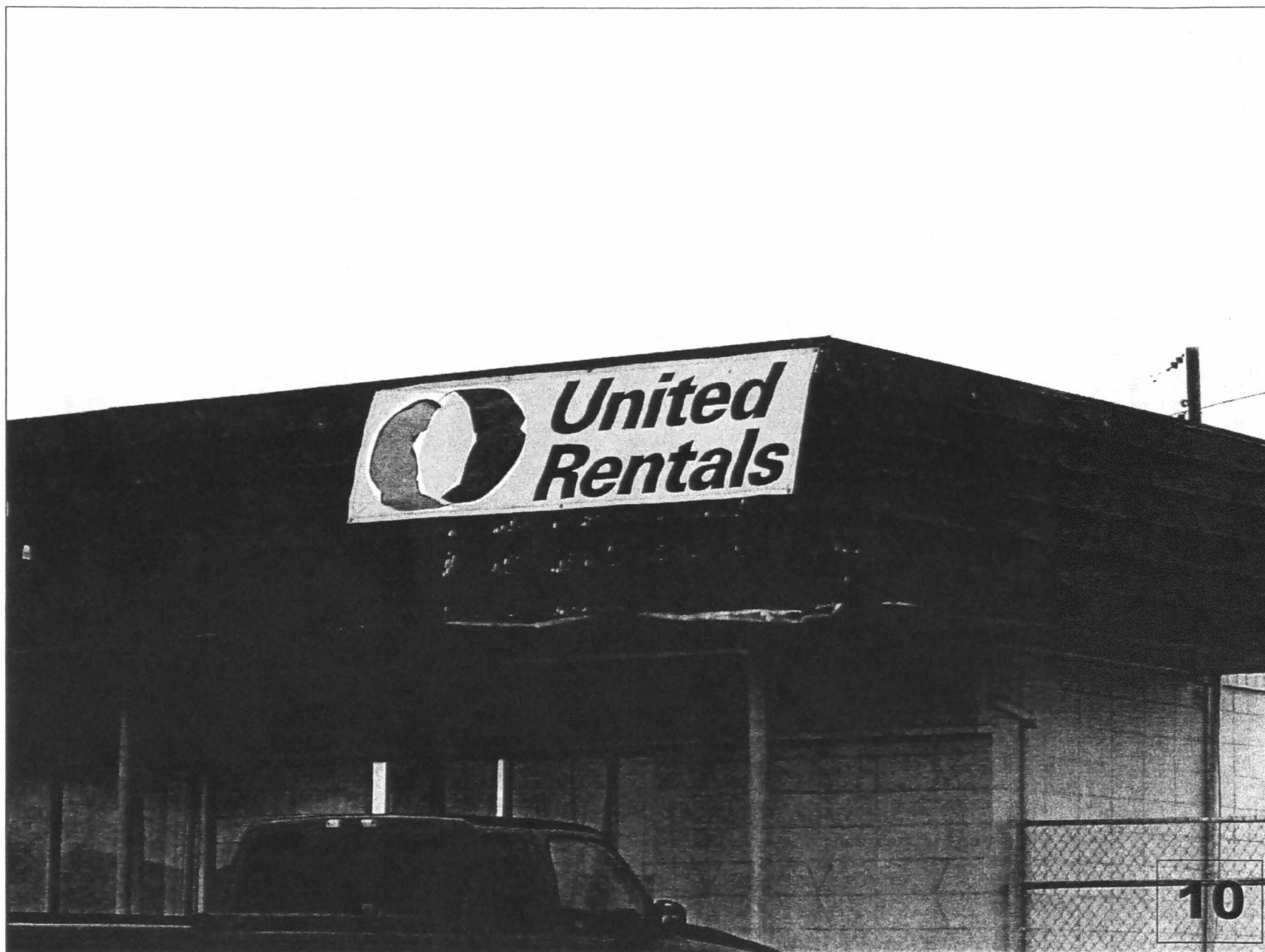


7





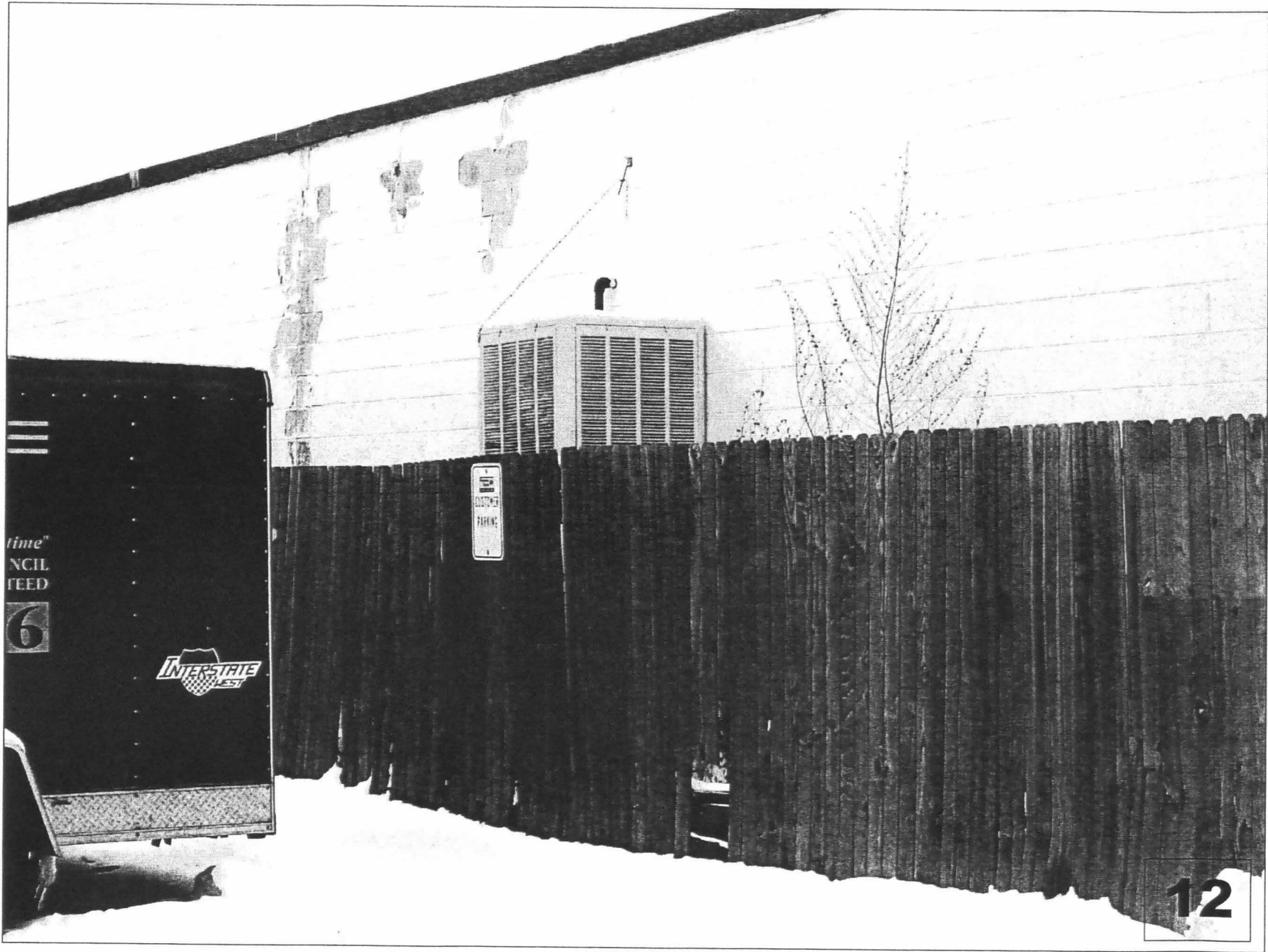


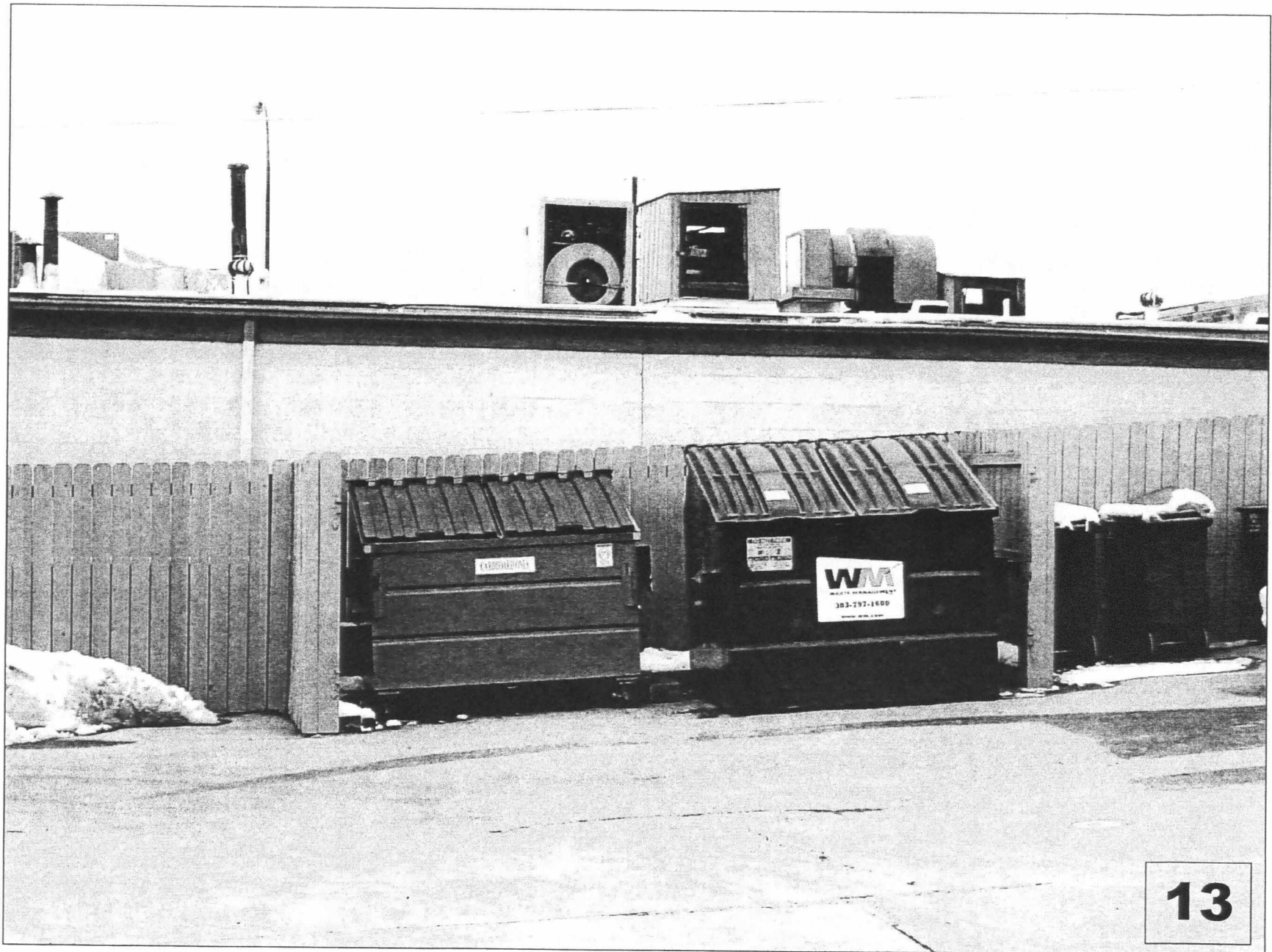






11

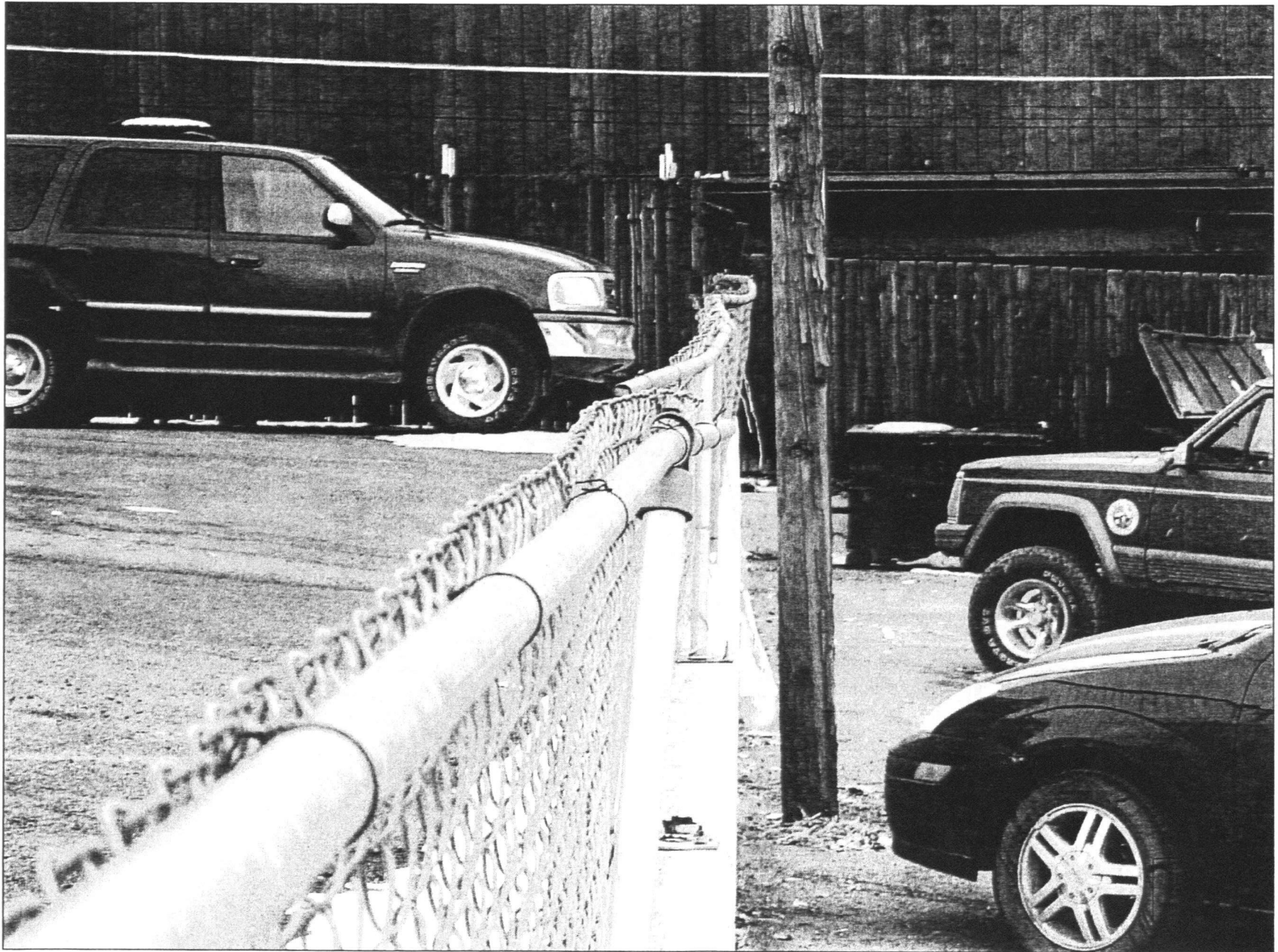
















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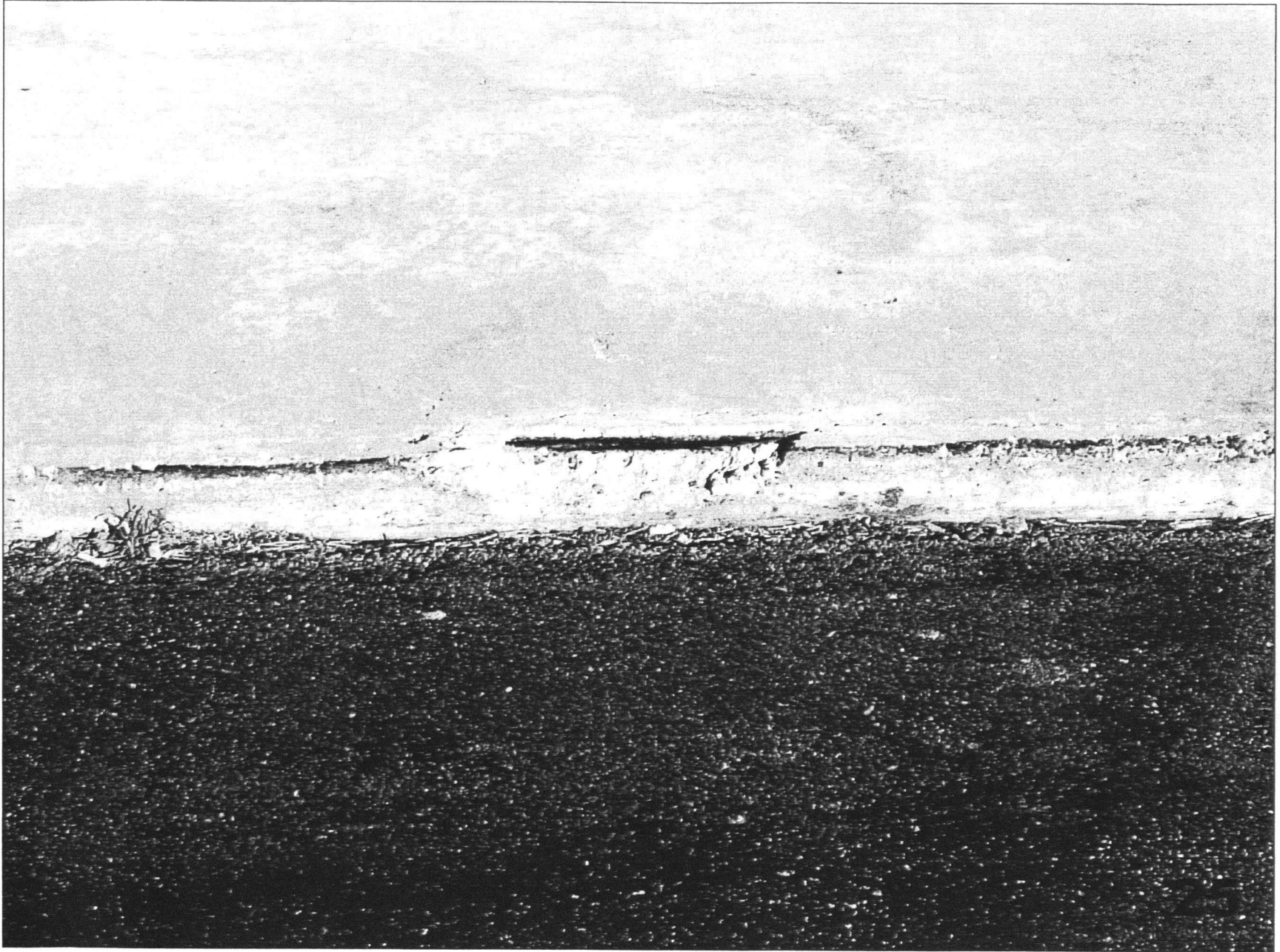
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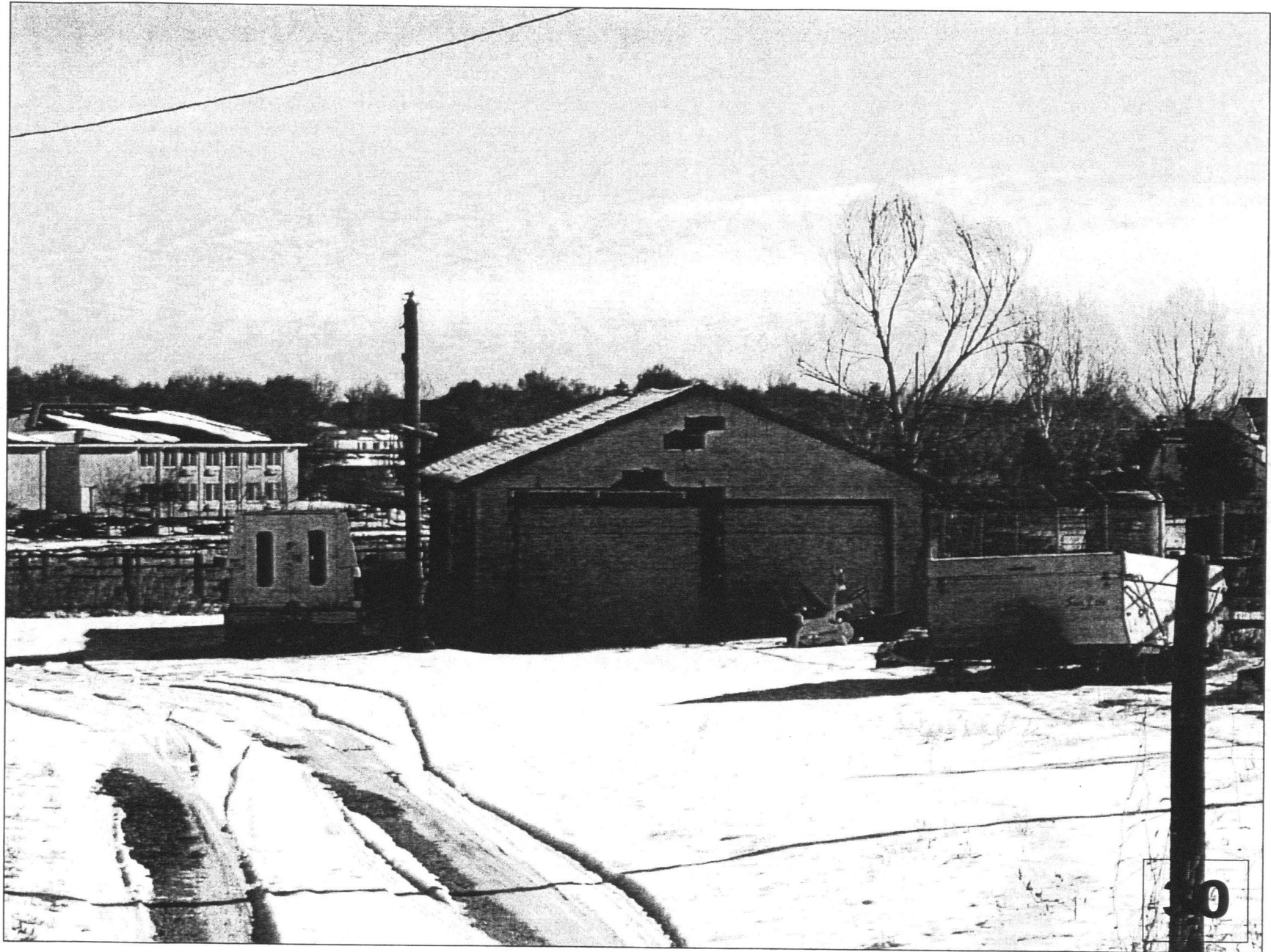




28

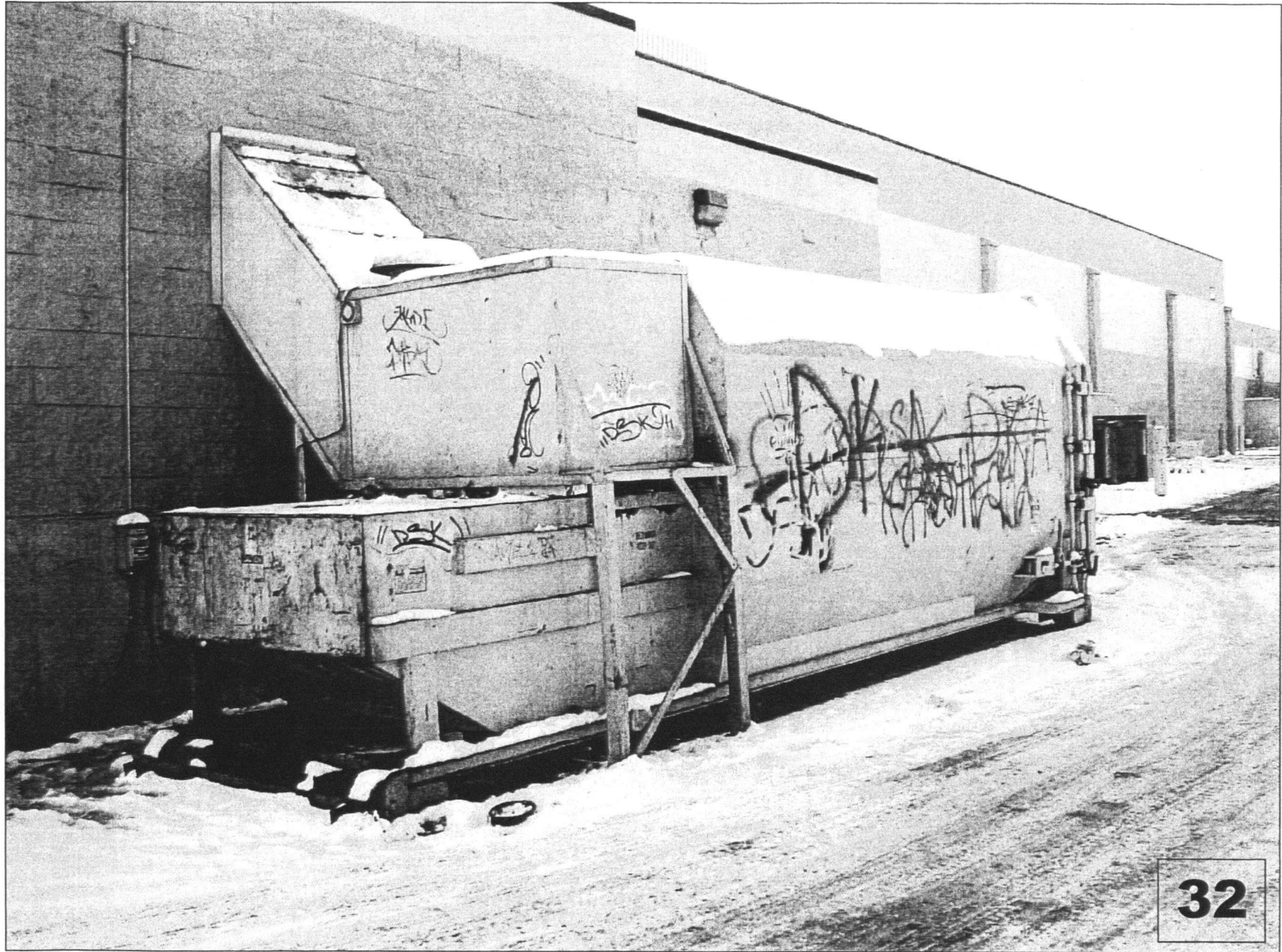
















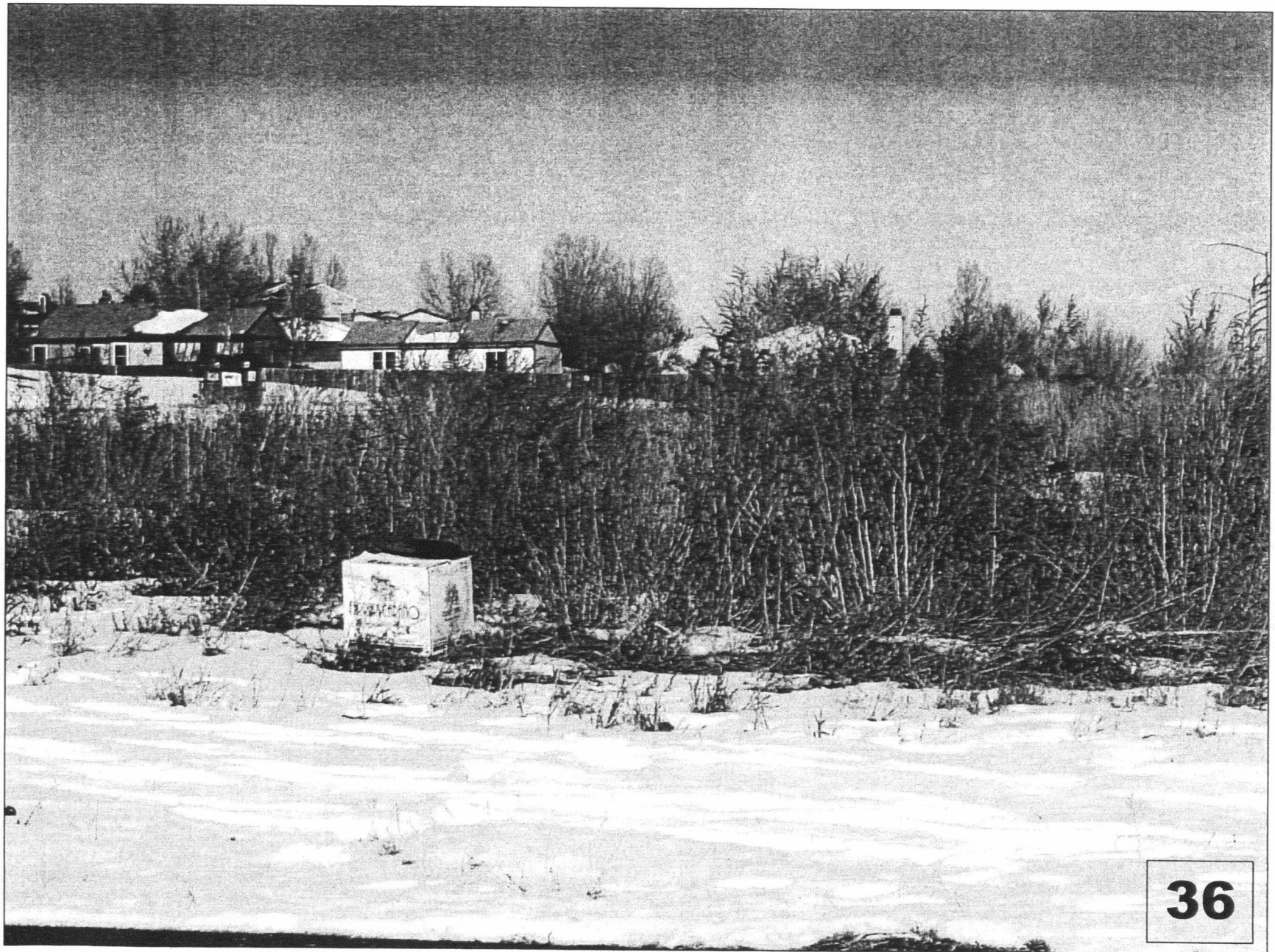
33







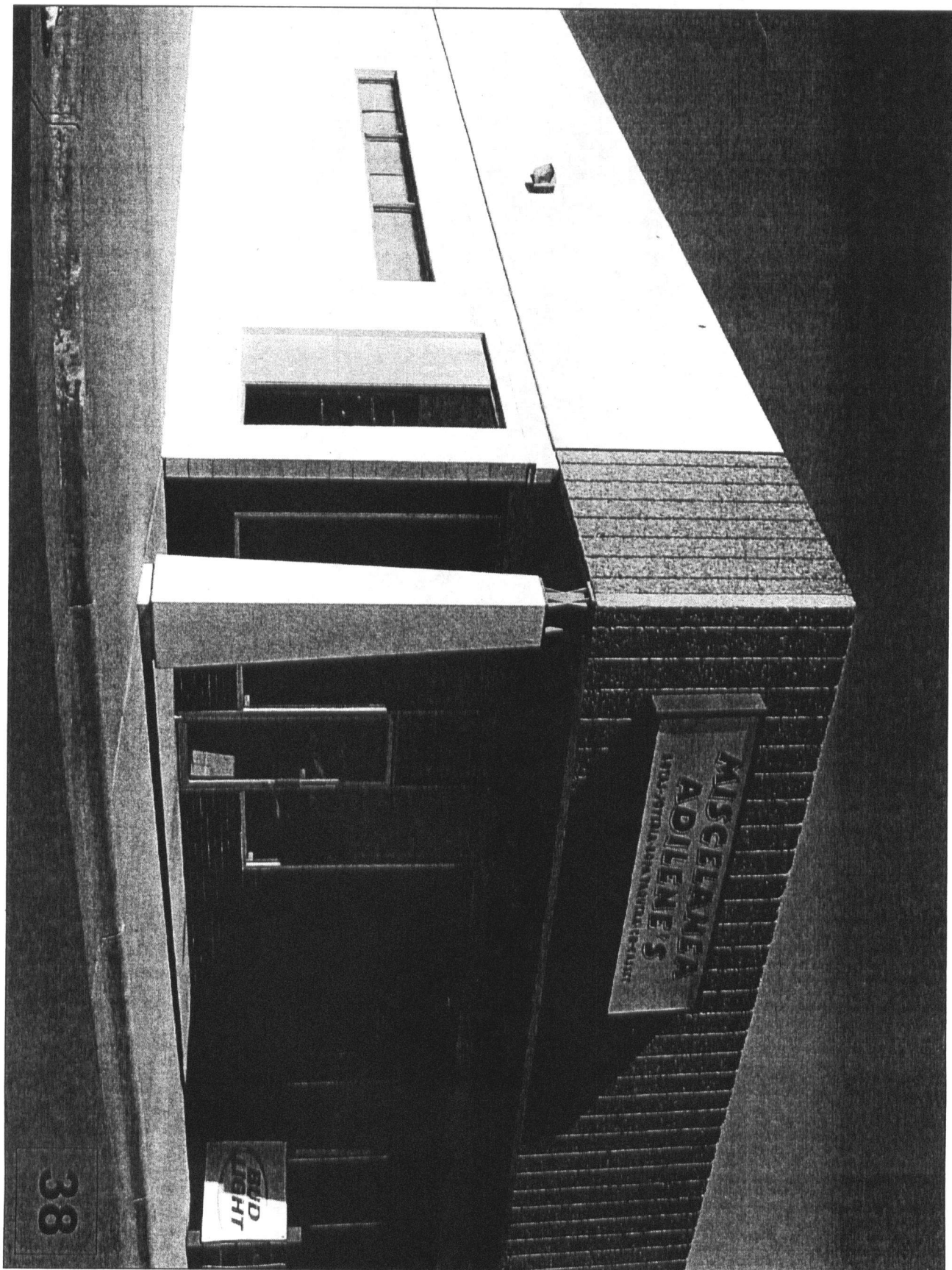




36





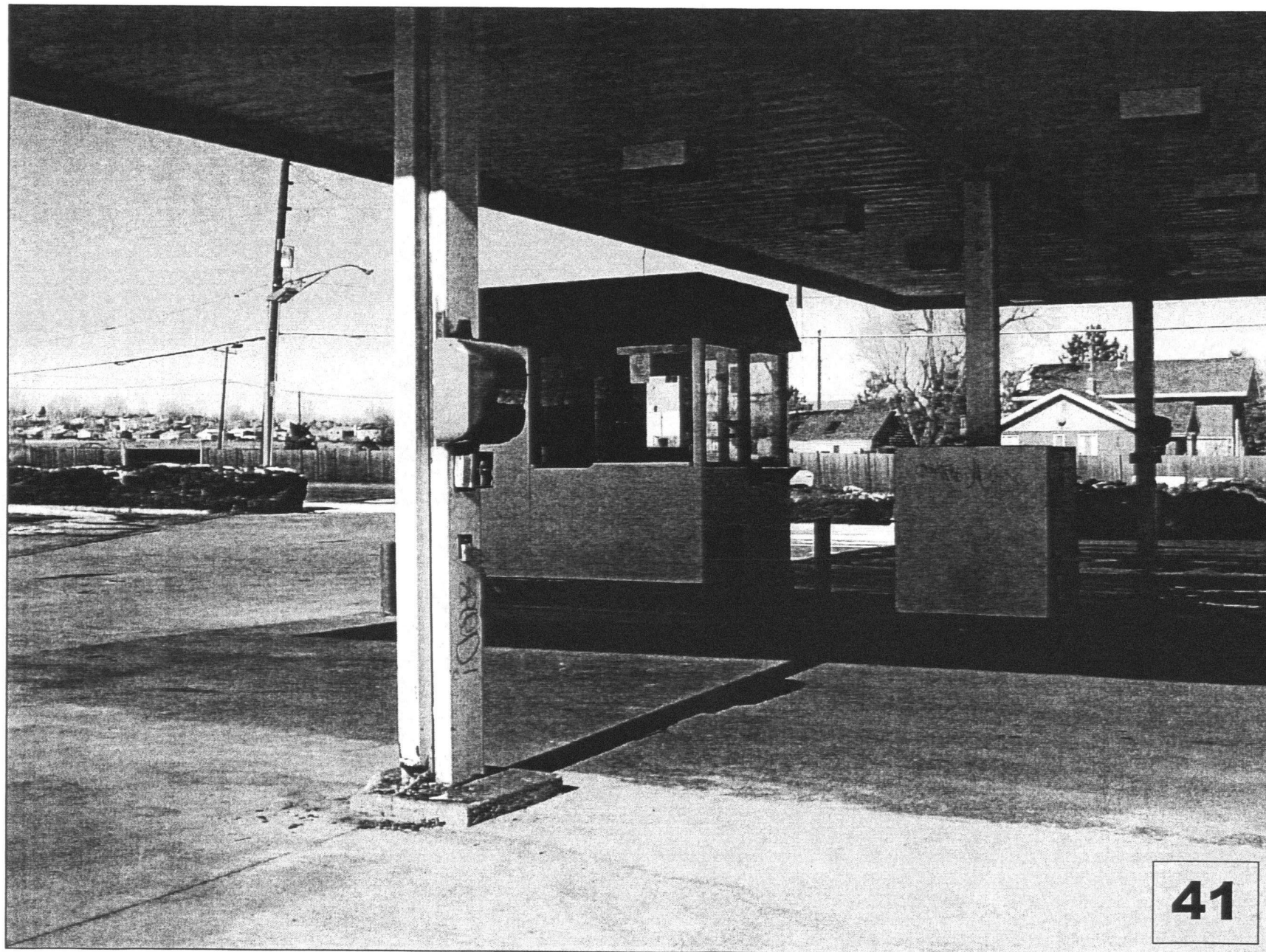




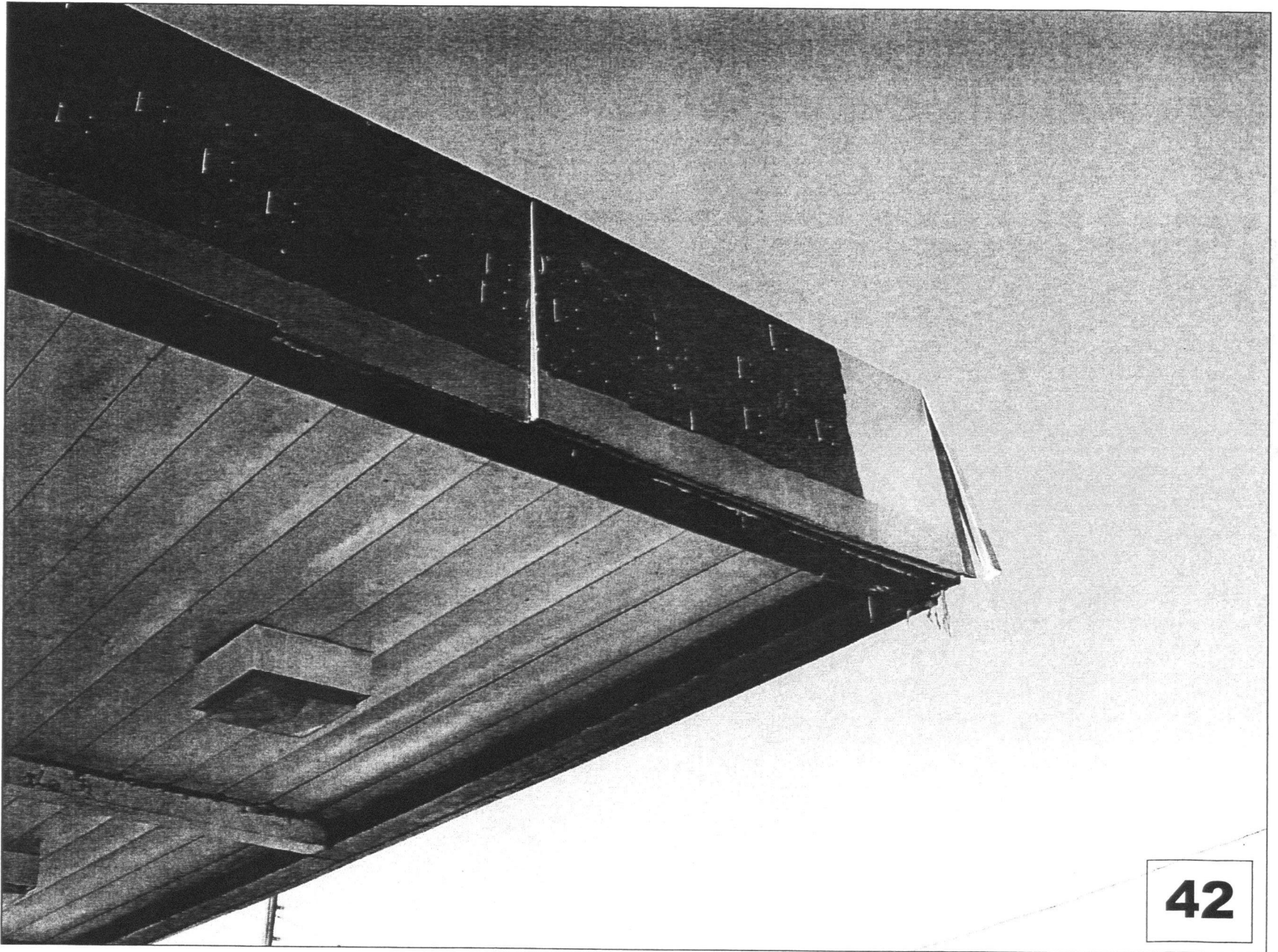






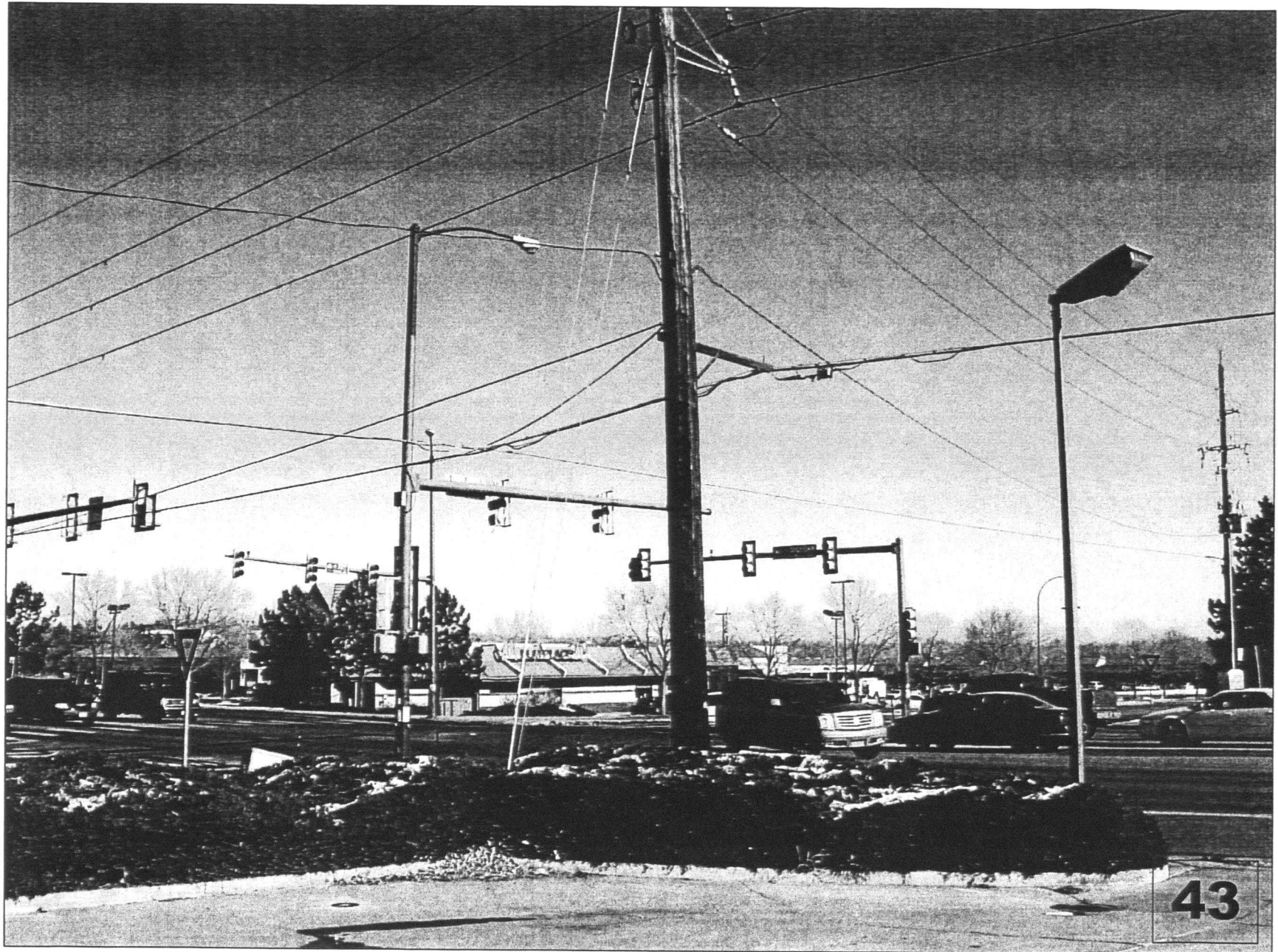


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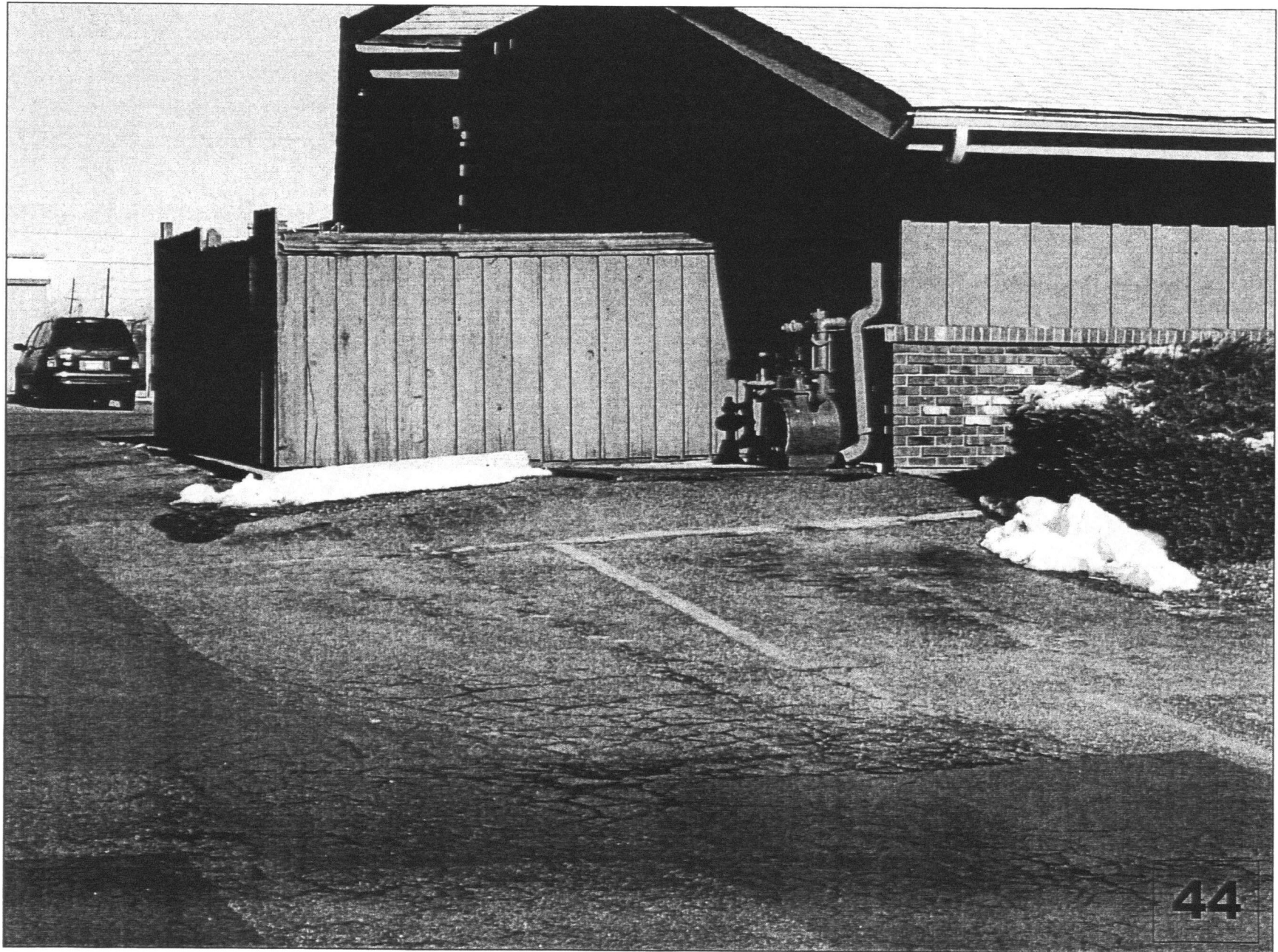


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