

**RESOLUTION NO. 10-46**

**INTRODUCED BY:**

**Councilperson Hamilton-Bruer**

**Councilperson Shul**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES NORTH, COLORADO  
APPROVING THE CASTLE PINES NORTH URBAN RENEWAL PLAN  
AND FINDING CONDITIONS OF BLIGHT**

WHEREAS, by Resolution No. 10-27, the City Council of the City of Castle Pines North (“City”) formed the Castle Pines Urban Renewal Authority (“URA”), finding that one or more blighted areas exist within the City, and that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof, is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, in accordance with the Urban Renewal Law, Section 31-25-101 et seq., C.R.S. (the “Act”), before the URA can undertake an urban renewal project for an urban renewal area, the City Council must determine, pursuant to a duly noticed public hearing, the area to be a slum, blighted area, or a combination thereof and must designate such area for an urban renewal project; and

WHEREAS, by Ordinance No. 08-04, the City Council designated the City Council as the Planning Commission to serve until such time as a citizen planning commission is appointed; and

WHEREAS, sitting as the Planning Commission, the City Council considered an urban renewal plan known as the Castle Pines North Urban Renewal Plan dated May, 2010 (the “Urban Renewal Plan”), a copy of which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the urban renewal area defined in the Urban Renewal Plan generally includes: properties located on the northwest corner of Castle Pines Parkway and Monarch Boulevard; three parcels on the northeast corner of Castle Pines Parkway and Yorkshire Drive; all properties located within the City’s Business Zone District; three parcels on the northwest corner of Castle Pines Parkway and I-25; and the Canyons property located east of Castle Pines Parkway and I-25 (the “Area”); and

WHEREAS, the City Council finds the Urban Renewal Plan is in general conformity with the City’s Comprehensive Plan; and

WHEREAS, in accordance with Section 31-25-107(3.5), C.R.S., the City submitted to the Douglas County Board of County Commissioners the Urban Renewal Plan and an Impact Report and such submission was made not less than thirty (30) days prior to May 25, 2010; and

WHEREAS, pursuant to Section 31-25-107(3)(a), C.R.S., notice of a hearing to consider the approval of a Urban Renewal Plan was duly published in *The Douglas County News-Press*, a newspaper having a general circulation in the City, which publication occurred at least thirty (30) days prior to May 25, 2010, and a copy of the proof of publication of the notice is attached hereto as Exhibit B and incorporated herein; and

WHEREAS, Douglas County School District has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of the tax allocation provisions authorized by Section 31-25-107(9), C.R.S.; and

WHEREAS, on May 25, 2010, a full opportunity to be heard was granted to all residents and taxpayers of the City and to all other interested persons at a public hearing held before the City Council on the issue of whether the City Council should approve the Castle Pines North Urban Renewal Plan and whether the City Council should grant authority to the Urban Redevelopment Authority to exercise the power of eminent domain, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Castle Pines North, Colorado, that:

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

Section 2. The Area described in the Urban Renewal Plan is found, determined, and declared to be a blighted area as defined in the Act such that it substantially impairs the sound growth of the municipality, retards the provision of housing accommodations, and constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare of the community. This is a legislative finding by the City Council based upon the Conditions Survey and other evidence presented to City Council at a public hearing.

Section 3. The boundaries of the Area described in the Urban Renewal Plan have been drawn as narrowly as the City Council determines feasible to accomplish the planning and development objectives of the Urban Renewal Plan.

Section 4. Pursuant to Section 31-25-107, C.R.S., and based upon the Urban Renewal Plan, testimony, and evidence presented at the public hearing:

(a) The City Council finds that each of the applicable requirements of the Urban Renewal Law are met or satisfied by the Urban Renewal Plan and, in particular but without limitation, that:

i. It is not anticipated that acquisition of real property will result in the relocation of individuals, families or business concerns; however, if such relocation becomes necessary, the URA will adopt a relocation plan incorporating a feasible method for such relocation; and

ii. The City Council has taken reasonable efforts to provide written notice of the public hearing prescribed by subsection (3) of Section 31-25-107, C.R.S., to all property owners, residents, and owners of business concerns in the proposed Redevelopment Area at their last known address of record at least thirty (30) days prior to such hearing; and

iii. No more than one hundred twenty (120) days have passed since the commencement of the first public hearing of the Urban Renewal Plan pursuant to subsection (3) of Section 31-25-107, C.R.S.; and

iv. The Urban Renewal Plan does not contain property that was included in a previously submitted urban renewal plan that the City Council for the City of Castle Pines North failed to approve pursuant to Section 31-25-107, C.R.S.; and

v. The Urban Renewal Plan conforms to the general plan (e.g., Comprehensive Plan) of the City as a whole; and

vi. The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; and

vii. The Castle Pines Urban Renewal Authority or the City of Castle Pines North will adequately finance, or that agreements will be in place to finance, any additional county infrastructure and services required to serve development within the Urban Renewal Area for the period in which all or any portion of the property taxes described in subparagraph (II) of paragraph (a) of subsection (9) of Section 31-25-107, C.R.S., and levied by a county are paid to the Authority; and

(b) The City Council finds and determines that a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas (including other portions of the urban renewal area); that 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 that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

(c) The City Council finds and determines that nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives and that the contemplated acquisition of the area may require the exercise of governmental action, as provided in Part 1, Article 25 of Title 31, C.R.S., because of being in a blighted area.

(d) The City Council further finds that the approval and adoption of the Castle Pines North Urban Renewal Plan is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.

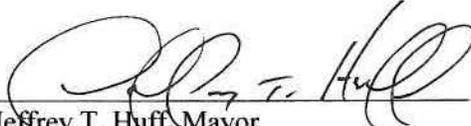
Section 5. The City Council finds that the Urban Renewal Plan has met the requirements of Section 31-25-105.5(2), C.R.S., and the principal purpose for adoption of the Urban Renewal Plan is to facilitate redevelopment in order to eliminate or prevent the spread of physically blighted or slum areas.

Section 6. Based upon the findings of this Resolution and conformance of the Castle Pines North Urban Renewal Plan with the Urban Renewal Law, the City Council hereby approves and adopts the Castle Pines North Urban Renewal Plan. The URA is hereby authorized to take any and all actions pursuant to the Act to carry out the Urban Renewal Plan.

Section 7. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Section 8. Effective Date. This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH by a vote of five (5) in favor, one (1) against and one (1) absent this 25th day of May, 2010.

  
\_\_\_\_\_  
Jeffrey T. Huff, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon DeRouen, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Linda C. Michow, City Attorney

**EXHIBIT A**

**CASTLE PINES NORTH URBAN RENEWAL PLAN**

**EXHIBIT B**  
**PROOF OF PUBLICATION**

# AFFIDAVIT OF PUBLICATION

State of Colorado )  
 )ss  
County of Douglas )

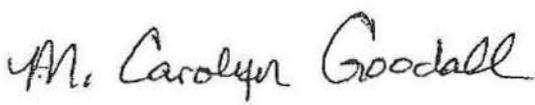
This Affidavit of Publication for the **DOUGLAS COUNTY NEWS-PRESS**, a weekly newspaper, printed and published for the County of Douglas, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made prior to the 23rd day of April A.D., 2010, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



for the Douglas County News-Press

State of Colorado )  
 )ss  
County of Douglas )

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above-named ASA COLE, President/Publisher or JEREMY BANGS, Managing Editor of said newspaper, who is personally known to me to be the identical person in the above certificate on this 23rd day of April A.D., 2010.



Notary Public, 125 Stephanie Place,  
Castle Rock, CO 80109

Public Notice  
Castle Pines North City Council Public Hearing to Consider Adoption of the Castle Pines North Urban Renewal Plan

A public hearing is scheduled for May 25, 2010, at the regular meeting of the Castle Pines North City Council, which begins at 7:00 p.m., or as soon as possible thereafter, for the purpose of considering the approval of the Castle Pines North Urban Renewal Plan pursuant to C.R.S. § 31-25-107. The general scope of the Castle Pines North Urban Renewal Plan includes:

- Blight Conditions and Findings Regarding Areas to be Designated
- Relationship of Urban Renewal Plan to Local Objectives
- Vision, Goals and Objectives
- Concept Plan Map
- Compliance with the Comprehensive Plan
- Authorized Urban Renewal Undertakings and Activities
- Project Financing
- Douglas County Impact Report

This hearing will be held at the Castle Pines North Community Center, located at 7404 Yorkshire Drive, Castle Pines North, CO 80108. Copies of the Castle Pines North Urban Renewal Plan will be available for review in City offices, 7501 Village Square Drive, Suite 100, Castle Pines North, CO 80108. The Urban Renewal Area covered by the Urban Renewal Plan generally includes properties located on the northwest corner of Castle Pines Parkway and Monarch Boulevard; three parcels on the northeast corner of Castle Pines Parkway and Yorkshire Drive; all properties located within the City's Business Zone District; three parcels on the northwest corner of Castle Pines Parkway and I-25; and The Canyons property located east of Castle Pines Parkway and I-25. Please refer to the City of Castle Pines North web page at [www.cpngov.com](http://www.cpngov.com) for additional information.

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