

**CONDITION SURVEY
11401 N. WASHINGTON STREET
September 2006**

**Northglenn Urban Renewal Authority
September 2006
Prepared By:
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1.0 OBJECTIVE

The purpose of this Study is to identify existing conditions, in certain defined areas of the City so that the Northglenn Urban Renewal Authority (NURA) and Northglenn City Council can determine if the defined area, taken as a whole, meets the State definition of blight.

C.R.S. Section 31-25-103(2) as amended, defines “blighted area” as follows:

“ . . . an area that in its present condition and use and, by reason of the presence of at least four of the following factors (five blight factors are required to acquire property through eminent domain), 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 or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property; or
- (k) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

2.0 SURVEY AREA

The survey area is located at of the City of Northglenn at 11401 N. Washington Street, and is described and shown below.

A PARCEL OF LAND IN THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 150 FEET OF THE EAST 150 FEET OF TRACT A, WEBSTER LAKE SUBDIVISION FIRST FILING, AMENDED.



3.0 AREA BACKGROUND

The site surveyed is located on the northwest corner of Washington Street and Malley Drive. It was operated as a gasoline service station since sometime before 1975. The lack of any records as to the initial site development suggests that the service station was already in operation on the site at the time of the City's incorporation in 1969.

The site ceased operation as a service station sometime around January 2002. (The last sales tax remittance from the service station on the site was January 2002, and the sales tax account was closed by the City in February 2002.

The principal structures on the site were demolished in December 2003, leaving a variety of appurtenant fixtures and remnants. The gasoline tanks were removed in September 2003.

4.0 METHODOLOGY

Field Survey. A field survey was conducted by Patrick Breitenstein between August 28 and September 1, 2006. Any observed conditions meeting the State definition of blight were noted and a photo inventory documenting the conditions was made.

Interviews. Interviews were conducted with City staff members and various government agency experts including:

- a. Gary Mote, Fire Safety Engineer, North Metro Fire Rescue Authority
- b. Kurt Kowar, P.E., Logistics Center Manager, City of Northglenn
- c. Dana Carter, Civil Engineer I/Traffic Engineer, City of Northglenn
- d. Pam Acre, Storm Water Coordinator, City of Northglenn
- e. Renae Serna, Crime Analyst, Northglenn Police Department

Data Collection and Analysis. Both traffic accident history and crime statistics were gathered for this area. FEMA Flood Insurance Rate Maps applicable to the area were reviewed.

5.0 SURVEY FINDINGS

Numerous factors of blight were found to exist in the survey area. The study findings are presented in the following sections, 5.1 through 5.11. The factors are grouped according to the blight factors as defined by Colorado State Statutes.

5.1 SLUM, DETERIORATED OR DETERIORATING STRUCTURES

As noted above the principal structures on the site were removed in 2003. However, a number of site appurtenances were left on the site and are now in various states of disrepair. (see section 5.5 below)

5.2 PREDOMINANCE OF DEFECTIVE OR INADEQUATE STREET LAYOUT

The study area does not include any public streets.

5.3 FAULTY LOT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY, OR USEFULNESS

The site in question is 150 feet x 150 feet in size. This is too small for most, but not all, commercial developments. Evidence of the size limitation became evident in 1975 and again in 1984, when the site owner requested a setback variance because requested site improvements did not fit within the limitations of the City Zoning Ordinance.

MINUTES OF A REGULAR MEETING
OF THE
NORTHGLENN BOARD OF ADJUSTMENT
January 15, 1975

A regular meeting of the Northglenn Board of Adjustment was called to order at 7:35 p.m. on January 15, 1975 in the Northglenn City Hall, 10969 Irma Drive. Those present included:

Richard Figurilli, Chairman
Audrey Himmelmann, Secretary
Donald Heggem, Member
William Gillespie, Member
Staff: Lloyd Holyoak, Debra Van Schuyver, Patricia Blatt

Mr. Michael Zulkowski was absent.

APPROVAL OF THE MINUTES OF DECEMBER 18, 1974

The minutes of the December 18, 1974 Board of Adjustment meeting were approved as submitted with all members present in favor.

ABSENCE OF BOARD MEMBER MICHAEL ZULKOSKI

Chairman Figurilli asked if anyone had been notified of Michael Zulkowski's absence from this meeting. None of the other Board members had been notified that Mr. Zulkowski would be absent or were aware of the reason for his absence. Miss Van Schuyver, acting for the Board, called Mr. Zulkowski's residence and was told by his wife that Mr. Zulkowski was out of town. The Board unanimously decided that Mr. Zulkowski's absence was not excused.

CASE NO. V-1-75 - SKELLY OIL - ERNIE'S CONSTRUCTION - EXTENSION OF EXISTING SERVICE STATION CANOPY 23 FEET AT 11401 NORTH WASHINGTON

Mr. Perry Allis, representative for Ernie's Construction, 4223 West 38th Avenue, came forward requesting permission for a 23 foot extension of a canopy with fluorescent lights over gasoline pumps at Skelly service station, 11401 N. Washington. The request was made for the purpose of improvement of appearance and protection of customers during inclement weather.

Mr. Holyoak advised the Board that this extension did not cause any obstacle to vision at corners and met the requirements of the lighting code.

Mr. Phil Conhey, 11411 Clarkson Street, came forward stating that his property backs N. Washington across the street from the Skelly service station. He objected to the additional fluorescent lights and the existing fluorescent lights, explaining that they penetrate the back portion of his house, despite heavy drapes over the windows and an eight foot high wooden fence. He recommended that shields be placed on the lights to keep the light away from his property.

No one came forward speaking in favor of the application.

During discussion Mr. Holyoak stated that shields would make it possible to direct the lighting down. Mr. Allis agreed to the stipulation.

Mr. Heggen moved and Mr. Gillespie seconded to grant the extension of canopy and flourescent lights with the stipulation that all exterior lighting be directed straight down to the satisfaction of the Building Official. Mrs. Himmelmann moved and Mr. Heggen seconded that an amendment to the motion be added that all exterior lighting be shielded to remain within the station area to the satisfaction of the Building Official.

CHANGE OF MEETING NIGHT FOR BOARD OF ADJUSTMENT

Following a lengthy discussion with Mayor Al Thomas and City Council Members Kettlekamp, Hodges and Taylor, the Board members present decided that the third Tuesday of every month was acceptable as a meeting night and that the next meeting of the board would be held on the third Tuesday of February, February 18, 1975.

DISCUSSION OF ALTERNATES

A discussion was held with the City Council Members present regarding the functions of alternate members of the Board of Adjustment and their possible rotation schedule.

ELECTION OF OFFICERS

Discussion concerning the election of officers was postponed until the February meeting.

With no other business to be discussed, Mr. Gillespie moved and Mrs. Himmelmann seconded to adjourn at 9:25 p.m. The motion carried with all in favor.


Audrey Himmelmann, Secretary



11701 Community Center Drive
Northglenn, Colorado 80233
Phone (303) 451-8326

November 21, 1984

Getty Refining and Marketing Company
3460 Fox
Denver, Colorado 80216

Attn: BLaine Morgan

Dear Mr. Morgan:

You are hereby notified that at their meeting of November 20, 1984, the Northglenn Board of Adjustment approved your setback variance request at 11401 N. Washington Street.

Your variance was granted with the following stipulations: That there would not be any detriment to safety and that it be limited to an 18 foot encroachment.

There is an automatic ten day stay during which the Mayor, City Manager, any member of the City Council, the applicant or any aggrieved person may appeal the decision of the Board of Adjustment. If the decision is appealed, the matter will have to be resolved by the City Council.

If you have any questions, please do not hesitate to contact 450-8745.

Sincerely,


Mrs. Lenora Reiners
Clerk, Board of Adjustment

cc: Mayor and City Council
City Manager

/lr

5.4 UNSANITARY OR UNSAFE CONDITIONS

Unsanitary or unsafe conditions depicted below include trash, refuse and other debris improperly stored, illegally dumped or in such condition as to attract and harbor vermin; broken or inadequate public or private improvements which pose a threat of harm or injury; conditions which pose a threat to public health by spread of disease; and miscellaneous hazards and conditions.



5.4.1. Broken sidewalk adjacent to site.



5.4.1 *Dilapidated fencing.*



5.4.3. Fence obstructing shared driveway.



5.4.4. Result of fence obstructing driveway.



5.4.5. Broken concrete drive and cavities underneath
Sheltering stray and feral animals.



5.4.6. Tree obstructing traffic sign.



5.4.7. Eroded soil and gravel on sidewalk.



5.4.8. Exposed electrical wiring.

5.5 DETERIORATION OF SITE OR OTHER IMPROVEMENTS



5.5.1. *Broken concrete.*



5.5.2. *General site deterioration.*



5.5.3. *Abandoned sign.*



5.5.4. *Base of sign.*

5.6 UNUSUAL TOPOGRAPHY OR INADEQUATE PUBLIC IMPROVEMENTS OR UTILITIES:



5.6.1. Excessive slope adjacent to public street.



5.6.2. Water meter located in sidewalk.

5.7 DEFECTIVE OR UNUSUAL CONDITIONS OF TITLE RENDERING THE TITLE NONMARKETABLE

The subject property is an un-subdivided lot. The City's Subdivision Regulations read as follows:

Section 12-1-3. Application of Regulations.

(a) Whoever divides, or participates in the division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development, whether residential, industrial, office, business or other use, shall make the transaction subject to the provisions of this chapter and a plat therefor must be submitted to and accepted by the City of Northglenn according to the terms as herein set forth.

See following memorandum from Terence Quinn, Northglenn Director of Community Development.

To: City Council and NURA Board
From: Terence T. Quinn, Director of Community Development
Date: September 14, 2006
Re: Subdivision of 11401 Washington Street

During the recent investigation of the old Shell gas station site at 11401 Washington Street, it was discovered that the old station and neighboring 7-11 convenience store were built on the same parcel of land. It should be understood by all interested parties that these buildings are not in compliance with current city subdivision regulations

Construction of any building or other improvements may not be undertaken unless the property where construction is proposed has been properly subdivided. Because this location does not conform to Northglenn subdivision regulations found in Article 12 of the Northglenn Municipal Code it may not be developed until it has been made subject to all requirements of the City's Subdivision Regulations.

The process for subdividing larger tracts of land to individual and developable parcels provides certain assurances to neighboring uses, future owners of the proposed improvements, and the local government that the site will function correctly. Subdividing tracts of land ensures;

- The site has proper vehicular access
- All required rights-of-ways and easements are documented
- Proper utilities like water, sewer, and electricity are available on site
- The site and associated improvements relate to neighboring uses in accordance with the local zoning code and comprehensive plan
- Necessary impact fees are levied and required public improvements are completed

5.8 EXISTENCE OF CONDITIONS THAT ENDANGER LIFE OR PROPERTY BY FIRE OR OTHER CAUSES



5.8.1. Abandoned hazardous materials barrel.



5.8.2. Site unsecured. No lock on gate.

5.9 BUILDINGS THAT ARE UNSAFE OR UNHEALTHY FOR PERSONS TO LIVE OR WORK IN BECAUSE OF BUILDING CODE VIOLATIONS, DILAPIDATION, DETERIORATION, DEFECTIVE DESIGN, PHYSICAL CONSTRUCTION, OR FAULTY OR INADEQUATE FACILITIES

The principle structures on this site have been removed.

5.10 ENVIRONMENTAL CONTAMINATION OF BUILDINGS OR PROPERTY

None known.

5.11 EXISTENCE OF HEALTHY, SAFETY, OR WELFARE FACTORS REQUIRING HIGH LEVELS OF MUNICIPAL SERVICES OR SUBSTANTIAL PHYSICAL UNDERUTILIZATION OR VACANCY OF SITES, BUILDINGS.

The general condition of the site requires monitoring by the City code enforcement and animal control officers.

The site is vacant. The site ceased operation as a service station sometime around January 2002. (The last sales tax remittance from the service station on the site was January 2002, and the sales tax account was closed by the City in February 2002.

The principal structures on the site were demolished in December 2003, leaving a variety of appurtenant fixtures and remnants. The gasoline tanks were removed in September 2003.



5.11.1. Code enforcement trapping vermin on site.

6.0. CONCLUSION.

The State of Colorado identifies eleven factors that may, by statute, be considered indicators of blight. The State does not attach more significance to one factor than another, although a common sense evaluation might reasonably conclude that a site being vacant and in substantial disrepair has a much more significant negative impact on the surrounding area than a defect in title to the site.

Regardless of the relative importance of the blight factors, on this site, evidence of blight was found for seven of the eleven factors. Considering that this study covered a single small site, this is substantial evidence that the site, taken as whole, may reasonably be considered blighted.

Respectfully submitted:

Patrick T. Breitenstein
Acting Executive Director
Northglenn Urban Renewal Authority