



**ADMINISTRATION MEMORANDUM**  
**15-32**

**DATE:** December 14, 2015

**TO:** Honorable Mayor Downing & City Council

**FROM:** David Willett, Acting City Manager   
Debbie Tuttle, Economic Development Manager & NURA Executive Director 

**SUBJECT:** CR-162 – NURA Plan No. 1 Amendment Modification

**PURPOSE**

For City Council's consideration is Resolution CR-162 to modify Plan 1 with an addendum to clarify the various undertakings and activities that are contemplated by Urban Renewal Plan 1.

**BACKGROUND**

This addendum (**Exhibit A**) has been created in response to the change in the Colorado Urban Renewal Law by House Bill 15-1348. Among other changes, House Bill 15-1348 imposes additional burdens on urban renewal authorities if new projects are added to their urban renewal plans after 2016.

Therefore, it is important for the City of Northglenn to clarify the undertakings and activities contemplated by Plan 2 prior to the end of 2015. This will help reduce the risk of urban renewal activity occurring after January 1, 2016, being viewed as a new project, which would trigger the additional burdens. This addendum does not constitute a substantial modification under the Colorado Urban Renewal Law, and the City Council can approve Resolution CR-162 without the need for special notifications and review procedures.

**RECOMMENDATION**

The NURA Board recommends approval of Resolution CR-162, which if approved, would approve an addendum modification to the existing NURA Plan No. 1

**STAFF REFERENCE**

Please contact Debbie Tuttle, NURA Executive Director at [dtuttle@northglenn.org](mailto:dtuttle@northglenn.org) or 303-450-8743 with any questions or comments.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-162  
Series of 2015

\_\_\_\_\_  
Series of 2015

A RESOLUTION OF THE NORTHGLENN CITY COUNCIL APPROVING A NON-SUBSTANTIAL MODIFICATION TO NORTHGLENN URBAN RENEWAL PLAN NO. 1 BY THE ADDITION OF AN ADDENDUM ADDRESSING HOUSE BILL 15-1348

WHEREAS, by the adoption of Resolution No. 92-29, Series of 1992, the Northglenn City Council adopted the original Northglenn Urban Renewal Plan (now referred to as “Urban Renewal Plan 1”);

WHEREAS, at the time of its adoption in 1992, Urban Renewal Plan 1 focused on the redevelopment of the Northglenn Mall;

WHEREAS, over time, the Northglenn City Council has expanded the scope of Urban Renewal Plan 1 to include additional property and additional undertakings and activities;

WHEREAS, on May 29, 2015, Governor Hickenlooper signed into law House Bill 15-1348, which amended certain provisions of Colorado’s Urban Renewal Law;

WHEREAS, Section 4 of House Bill 15-1348 applies to, in part, “urban renewal plan amendments or modifications adopted on or after January 1, 2016, that include any of the following: Any addition of an urban renewal project; an alteration in the boundaries of an urban renewal area; any change in the mill levy or the sales tax component of any such plan, except where such changes or modifications are made in connection with refinancing any outstanding bonded indebtedness; or an extension of an urban renewal plan or the duration of a specific urban renewal project regardless of whether such extension or related changes in duration of a specific urban renewal project require actual alteration of the terms of the urban renewal plan”;

WHEREAS, the above-referenced language is vague and may lead to confusion regarding whether House Bill 15-1348 applies to certain amendments to or modifications of an urban renewal plan, particularly with respect to additions to an urban renewal project, extensions of urban renewal plans, or extensions in duration of an urban renewal project;

WHEREAS, by adoption of this Resolution, the Northglenn City Council desires to clarify its intentions regarding the meaning of the term “project” as used in Urban Renewal Plan 1, to reduce potential confusion regarding whether: (1) a project is being added to Urban Renewal Plan 1; (2) Urban Renewal Plan 1 is being extended; or (3) the duration of a project is being extended;

WHEREAS, in clarifying the meaning of the term “project” as used in Urban Renewal Plan 1, the Northglenn City Council intends to facilitate determinations of whether House Bill 15-1348 applies to the Northglenn Urban Renewal Authority and Urban Renewal Plan 1; and

WHEREAS, the Northglenn City Council finds and determines pursuant to C.R.S. § 31-25-107(7), that the modifications set forth herein are not substantial in nature, because they do not substantially change the urban renewal plan in land area, land use, design, building requirements, timing, or procedure. The modifications set forth herein are clarifications, not alterations, of the existing provisions and intent of Urban Renewal Plan 1.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Northglenn Urban Renewal Plan 1 is hereby modified by the addition of the Addendum attached hereto as **Exhibit A**.

DATED at Northglenn, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney

**ADDENDUM TO NORTHGLENN URBAN RENEWAL PLAN 1**

**CLARIFYING THE SCOPE OF THE PLAN'S PROJECT**

Section 1(C) of Urban Renewal Plan 1 provides that “The resolution creating NURA and Northglenn City Council’s approval of this Plan, vests the Authority with all of the rights and powers contained in the Urban Renewal Law of Colorado and authorizes NURA to carry out all of the functions as provided in such law and herein.”

Urban Renewal Plan 1 authorizes the Authority to undertake an urban renewal project to the fullest extent permitted by the Colorado Urban Renewal Law. The intent of this Addendum is to clarify that it remains the City Council’s intention that the Authority has the fullest authority allowed by law to undertake an urban renewal project pursuant to Urban Renewal Plan 1. Such authority allows the Authority to pursue multiple undertakings and activities within Urban Renewal Area 1. Accordingly, this Addendum confirms that so long as the undertakings and activities pursued by the Authority meet the definition in Colorado’s Urban Renewal Law of an “urban renewal project” and are consistent with Urban Renewal Plan 1 and this Addendum, such undertakings and activities will not trigger the provisions of House Bill 15-1348.

Any land that is developed or redeveloped in accordance with the provisions of the Urban Renewal Plan 1 and this Addendum shall not be deemed: (1) the addition of a project to Urban Renewal Plan 1; (2) the extension of Urban Renewal Plan 1; or (3) the extension of the duration of a project, because such undertakings and activities have been previously authorized by Urban Renewal Plan 1 and this Addendum.

Examples of such undertakings and activities include, but are not limited to:

A. Public improvements (including related studies, designs, and technical assistance) to address conditions of blight within Urban Renewal Area 1 and on neighboring properties impacted by Urban Renewal Area 1 or neighboring properties impacting or serving Urban Renewal Area 1, including:

1. Bridge and roadway improvements, including landscaping, beautification, repairs and maintenance.
2. Drainage studies, improvements, repairs and maintenance.
3. Design and construction of 104<sup>th</sup> Avenue and I-25 Ramp improvements, including landscaping, beautification, signage, repairs, maintenance and upgrades.
4. Curb, gutter, and sidewalk improvements, including landscaping, beautification, maintenance, upgrades and repairs.
5. Vehicular and pedestrian traffic improvements, including trails, bicycle lanes, multi-modal transportation, roadways, traffic-control devices, street lighting, signage, repairs, maintenance and upgrades.

6. Business upgrade and improvement programs, grants, and incentives, including Business Improvement and Business Utility Assistance grants.
7. New and existing business assistance grants and incentives, including attraction and retention grants and incentives.
8. Public art, beautification, lighting, and other components.
9. New signage, maintenance and improvements.
10. Property and right-of-way acquisition.

B. Development and redevelopment (including related studies, designs, and technical assistance) to address conditions of blight within Urban Renewal Area 1 and on neighboring properties impacted by Urban Renewal Area 1 or neighboring properties impacting or serving Urban Renewal Area 1, including:

1. Redevelopment of and maintenance, repairs and improvements to the Huron Center, including parking and common area improvements, drainage and transportation studies and improvements.
2. Redevelopment, and maintenance, repairs and improvements to the Marketplace. including parking and common area improvements, drainage and transportation studies and improvements
3. Redevelopment and improvements to the 3.5 acre vacant lot at the NWC of the Marketplace.
4. Redevelopment and improvements to the Vitamin Cottage property, and development adjacent vacant land.
5. Maintenance, repairs and improvements to and adjacent to the Best Buy, Vitamin Shoppe, and Larkburger properties.
6. Environmental studies, testing and remediation.
7. Repaving, realigning, and related right-of-way improvements of Huron Street.
8. Demolition of property to prepare for redevelopment, and related studies, environmental, and other related fees and costs.
9. Transportation improvements for Marketplace, Huron Street, 104<sup>th</sup> Avenue and Grant, I-25 rights-of-way, Bannock Street, Melody Street, Washington Street, 120<sup>th</sup> Avenue, and adjacent streets and areas.
10. Marketplace pedestrian bridge assessment, studies, improvements, repairs, replacement, and maintenance.