

VILLAGE COMMONS URBAN RENEWAL AREA
URBAN RENEWAL PLAN

PREPARED FOR:
ARVADA URBAN RENEWAL AUTHORITY

AUGUST 22, 2008

URS

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RESEARCH &
CONSULTING

**Village Commons Urban Renewal Area
Urban Renewal Plan**

Prepared For:

Arvada Urban Renewal Authority

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Prepared by:

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1.0 Preface and Background

The Village Commons Urban Renewal Plan (“Plan”) is an urban renewal plan prepared for the Arvada Urban Renewal Authority (“Authority”) and the City of Arvada (“the City”) pursuant to the provisions of the Urban Renewal Law, Colorado Revised Statutes §§ 31-25-101 et seq. (“Urban Renewal Law”).

Pursuant to Urban Renewal Law, one or more urban renewal areas may exist within the boundaries of the Authority. The Authority is currently responsible for three distinct urban renewal districts:

1. The Arvada City Center, established in July 1981 and expired in 2006 , which included the Village Commons Urban Renewal Area.
2. Ralston Fields, approved by City Council on October 13, 2003.
3. Jefferson Center Metropolitan District, approved in August 2003.

This Plan is for the Village Commons Urban Renewal Area (hereafter, the “Urban Renewal Area”) situated at the southwest corner of 55th Avenue and Olde Wadsworth Boulevard. The Village Commons consists of two parcels for a total of approximately 2.9 acres. The area is legally described in Appendix A and legally depicted on the proposed Urban Renewal District Map, attached as Appendix B (Urban Renewal Area Legal Description).

This Plan describes the framework for certain public undertakings constituting urban renewal projects and other authorized activities under the Urban Renewal Law in the Urban Renewal Area. Terms used in the Plan have the same meaning as in the Urban Renewal Law unless otherwise defined in the Plan.

The administration of urban renewal projects and the implementation and enforcement of the Plan, including, without limitation, the preparation and execution of any implementing documents, shall be performed in accordance with one or more agreements to be executed by the City, the Authority, the proposed developer of the Urban Renewal Area, and one or more metropolitan districts to be formed within the Urban Renewal Area as deemed necessary (“the Agreements”).



The new district is in close proximity to the future Regional Transportation District's FasTracks transit stop in Olde Town and would enable the Authority to plan for the arrival of the commuter rail in 2015. The Authority is focusing on implementing the existing Arvada Transit Station Framework Plan, adopted by City Council on August 20, 2007.

Completion of urban renewal projects within the Urban Renewal Area is anticipated to occur over a substantial period of time, up to 25 years.

2.0 Findings

2.1 Finding of Blight

The *Village Commons Urban Renewal Area Blight Study* (dated August 2008), (hereafter, the "Blight Study") noted conditions that would support a finding that the Urban Renewal Area is "blighted" as defined by the Urban Renewal Law, by the existence of the following five factors:

- Slum, deteriorated, or deteriorating structures;
- Unsanitary or unsafe conditions;
- Deterioration of site or other improvements;
- Conditions that endanger life or property; and
- Buildings that are unsafe or unhealthy.

Appendix C is an aerial photograph of the Village Commons Study Area. The Blight Study is incorporated herein by this reference.

2.2 Preparation of this Renewal Plan

The findings and recommendations contained herein were formulated, in part, from information collected from site inspections of the Urban Renewal Area, and review of public documents including the Arvada Comprehensive Plan 2005, and the Arvada Transit Station Framework Plan.

2.3 Urban Renewal Project

Based on the evidence of blight, the Urban Renewal Area is appropriate for authorized activities of the Authority pursuant to the Urban Renewal Law. The intent of the



Authority is to facilitate the construction, installation, operation, and maintenance of quality development and public improvements permitted by the Urban Renewal Law.

3.0 Conformance

3.1 Urban Renewal Law

This Plan is in conformity with the applicable statutory requirements of the Urban Renewal Law.

3.2 The Arvada Comprehensive Plan

In 1995, the City of Arvada (hereafter, the “City”) adopted its Comprehensive Plan, which was most recently amended in 2005. The Comprehensive Plan includes the goals and policies of the community that help guide development and growth, including areas contained within the City’s designated urban renewal or redevelopment areas.

The objectives stated in Chapter 3 of the Comprehensive Plan that support urban renewal activities in the Village Commons Urban Renewal Area are:

- *Goal C-4.1: The City will work to increase Olde Town’s economic vitality by creating a unique retail shopping and service area that contains opportunities for housing and employment. In addition, the City will continue physical and economic revitalization efforts in Olde Town and preserve its historic character.*
- *Goal L-6.1: The City will plan for and encourage higher-density, mixed-use development near future transit station locations identified in the Land Use Plan. These transit-oriented projects should also take into consideration factors such as mixed-use development and design for pedestrians around transit facilities.*
- *Goal L-7.1: The City will continue to plan for and promote redevelopment in targeted redevelopment areas.*

Targeted redevelopment areas include Olde Town and its surrounding environs which includes the Village Commons Urban Renewal Area.

The Comprehensive Plan includes references to and recommendations for the redevelopment of underdeveloped areas within the City and, specifically, areas designated for revitalization. Chapter 4, *Community Development Principles*, describes



the City’s commitment to quality redevelopment of targeted areas, including the Urban Renewal Area. Chapter 5, *Land Use Plan*, designates appropriate land uses for all land within the City. The plan designates the property within the Urban Renewal Area as being within the Transit Station Framework Plan, thereby directing future land use decisions to the recommendations in that document.

The Transit Station Framework Plan was adopted on August 20, 2007. A graphic from this plan is attached as Appendix D. The parcels within the Urban Renewal Area are within an area designated for a full range of land uses envisioned in a transit-oriented development, as described in detail in the plan. The land is specifically designated as *Mixed-Use New Town*, which allows redevelopment of the subject parcels with up to 6 stories of mixed-use development (with qualifications).

3.3 Urban Renewal Area Zoning

Land uses and development standards for properties within the Urban Renewal Area are subject to the terms and conditions of the City of Arvada Code. The parcels within the Urban Renewal Area are zoned PUD-BPR (Planned Unit Development – Business/Professional/Residential) and are therefore also governed by an approved Development Plan. The PUD-BPR zoning is a flexible category that permits a wide variety of commercial or residential uses.

The City’s Planning Commission and City Council have previously found that zoning for the properties in the Urban Renewal Area is in compliance with the City’s Comprehensive Plan and promotes the best interests, safety and general welfare of the City. Such findings are consistent with the objectives of this Plan.

3.4 Village Commons Redevelopment Urban Renewal Plan Objectives

The objectives of this Plan are as follows:

- To remediate conditions of blight which will attract capital investment in the Urban Renewal Area and assist in strengthening the City’s tax base.
- To prevent physical and economic deterioration of the Urban Renewal Area.
- To eliminate conditions of blight that exist in the Urban Renewal Area, which impair or arrest the sound growth of the municipality.
- To contribute to the economic stability of the City.



- To promote a development pattern designed to serve the community and region through a balanced mix of employment, retail and service businesses.
- To improve pedestrian and vehicular circulation and safety.
- To implement the Comprehensive Plan, the Transit Station Framework Plan and other related City plans.
- To encourage new development that is compatible in scale and design with the existing character of the Urban Renewal Area.
- To encourage mixed-use development in the site consistent with the Transit Station Framework Plan.

4.0 Urban Renewal Activities

It is the intent of the Authority to eliminate conditions of blight by stimulating private sector development in and around the Urban Renewal Area. The Authority works in collaboration with elected officials, City administrators, private developers, financing sources, as well as the community. The combination of public and private investment will assist in implementing activities consistent with the objectives of this Plan. The implementation of this Plan shall be the responsibility of the Authority. The Authority shall have the powers set forth, enumerated, or reasonably necessary to carry out the Plan, as such powers may be provided in this Plan and in C.R.S. 31-24-101, *et. seq.*

4.1 Authorized Urban Renewal Techniques

In undertaking urban renewal activities within the Urban Renewal Area, the Authority is authorized to utilize any of the following renewal techniques and activities, pursuant to the Urban Renewal Law, and as deemed appropriate for the elimination or prevention of blighted areas. Nothing in this section shall be deemed a limitation on the use of any other power provided in the Plan or under the Urban Renewal Law unless specifically stated herein.

A. Demolition

The Authority may provide for the demolition and clearance of buildings, structures and other improvements in the Urban Renewal Area.



B. Public Improvements

The Authority may cause, finance or facilitate the design, installation, construction and reconstruction of any public improvements in the Urban Renewal Area, insofar as such improvements enhance the success of the Urban Renewal Area and respond to community needs and deliver benefits.

C. Property Acquisition

In the event the Authority determines it is necessary to acquire any real property to implement this Plan, the Authority may do so by any means available by law, except that this Plan does not authorize the use of eminent domain pursuant to the Urban Renewal Statute.

D. Owner Participation Agreements

The Authority may enter into ownership participation agreements with property owners or developers in the Urban Renewal Area for the development or redevelopment of their property. The agreements are intended to facilitate participation and assistance that the Authority may choose to provide to such owners and developers.

Owner participation and other agreements of this nature will contain at a minimum, provisions requiring:

- Compliance with the Village Commons Urban Renewal Plan and all applicable City ordinances and regulations;
- Covenants to begin and complete development, construction, or rehabilitation of both public and private improvements within a period of time considered to be appropriate by the Authority; and
- The financial commitment(s) of each party.

E. Renewal and Rehabilitation

Appropriate activities may include such undertakings and activities authorized by the Urban Renewal Law or this Plan, including those renewal techniques identified in this section determined to be necessary or desirable.



F. Property Management

It may be necessary from time to time, for the Authority to acquire property and maintain it until such time when the property can be integrated into a larger assemblage of land to complete a redevelopment project.

During the period that the Authority owns this acquired property, such property will be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

G. Relocation Assistance & Payments

It is not expected that the activities of the Authority in carrying out this Plan will displace any person, family, or business. However, to the extent that in the future the Authority may acquire property that displaces any person, family, or business, it shall develop a relocation program to assist any such party in finding another location under such terms and conditions as it may determine are consistent with the requirements of applicable law.

H. Demolition, Clearance & Site Preparation

The Authority may demolish and clear buildings, structures, and other improvements from any property it acquires in accordance with this Plan.

I. Property Disposition

The Authority may dispose of property it acquires by means of a reasonable competitive bidding process or by any other reasonable means established by the Authority in accordance with the Urban Renewal Law and pursuant to redevelopment agreements between the Authority and such purchasers. All such agreements shall conform with the requirements of the Urban Renewal Law.

J. Cooperative Agreements

For the purposes of planning and implementing this Plan, the Authority may enter into one or more cooperative agreements with the City or other public entities. Such agreements may include provisions regarding project financing and implementation; design, location and construction of public improvements; and any other matters required to implement this Plan.



K. Other Plan Undertakings & Activities

The Urban Renewal Law authorizes the Authority to undertake zoning and planning activities to regulate land use, maximum densities, and building requirements in the urban renewal area. For purposes of implementing this Plan, the Arvada Urban Renewal Authority shall defer governance of the aforementioned activities to the applicable standards, ordinances, codes and regulations of the City of Arvada.

5.0 Redevelopment Opportunities

Significant portions of the property within the Urban Renewal Area are unique, within the City of Arvada. The area lies within the original confines of the Arvada City Center District, which was the first project area and the essential impetus that prompted citizen demand for the creation of the Authority. The Urban Renewal Area is in close proximity to the successful Water Tower Village project that redeveloped dilapidated apartment buildings into row houses, cottages, lofts, and luxury apartments. The Urban Renewal Area has in the past and continues to experience extended periods of vacancy, underutilization, and blight conditions. Revitalization and redevelopment of this property would greatly benefit the citizens of the City by remedying a blighted area, and improving the quality of life in the City.

A public-private partnership to facilitate redevelopment of the Urban Renewal Area, along with other improvements, would prove substantially beneficial to the City by eliminating or preventing occurrence or reoccurrence of conditions of slum, blight, or blighting conditions.

5.1 Catalyst and Enhancement Projects

Rehabilitation and redevelopment of the properties surrounding the Urban Renewal Area will continue to foster cleanup, preservation and redevelopment of nearby properties. Additional public infrastructure, not limited to pedestrian amenities, enhanced landscaping, public transportation improvements, public utilities, or public art and architectural features as well as access to services, meeting facilities and shopping options may also further redevelopment of the Urban Renewal Area.



6.0 Project Financing

Development of the permitted land uses on the properties within the Urban Renewal Area will likely require AURA participation in financing various types of costs either directly or through cost-sharing arrangements with other public entities such as the City of Arvada or future metropolitan districts on the site, and/or with the proposed developer. A prior section of this document -- Section 4.0 Urban Renewal Activities -- describes the purposes for which financing may be required. The Authority is expressly authorized to finance projects permitted under this Plan by any method authorized by the Urban Renewal Law or any other applicable law, including without limitations, appropriations, loans or advances from the City; federal loans and grants; state loans and grants; interest income; pay as you go arrangements; annual appropriation agreements; agreements with public and private parties or entities; sale of securities; property and sales tax increments; loans, advances and grants from any other available source.

Any and all financing methods legally available to the City, the Authority, and any district, private developer, redeveloper or owner may be used to finance in whole or part any and all costs, including without limitation, the cost of public improvements described or anticipated in this Plan or in any manner related or incidental to development of the Urban Renewal Area. Such methods may be combined to finance all or any part of said project. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Urban Renewal Law, may be used to pay the principal of and any interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the City to finance the Village Commons Urban Renewal Project in whole or in part.

The Authority is authorized to issue notes, bonds, or any other financing instruments or documents in amounts sufficient to finance, directly or indirectly, all or part of the Village Commons Urban Renewal Project. The Authority is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest and any premiums due on or in connection with such indebtedness may be paid for by tax increments or any other funds available to the Authority.



6.1 Tax Increment Financing

Tax Increment Financing (“TIF”) is one method through which AURA can generate revenue within the Urban Renewal Area. Under the TIF financing method, the property taxes levied after the effective date of the approval of this Plan upon taxable property in the Urban Renewal Area each year by or for the benefit of any public body, or all or a portion of municipal sales taxes collected with the Urban Renewal Area, or both such taxes, shall be divided for a period not to exceed twenty-five (25) years after the effective date of the adoption of this tax allocation provision, as follows:

- A. **Base Amount.** That portion of the taxes which are produced by the levy at the rate fixed each year by or for such public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified prior to the effective date of approval of the Plan or, as to any area later added to the Urban Renewal Area, the effective date of the modification of the Plan and that portion of municipal sales taxes collected within the boundaries of the Urban Renewal Area in the twelve-month period ending on the last day of the month prior to the effective date of the approval of the Plan, shall be paid into the funds of each public body as are all other taxes collected by or for said public body. Such funds shall constitute the “Base”.
- B. **Increment Amount.** That portion of said property taxes, and that portion of municipal sales tax revenue resulting from a levy of 3% on transactions subject to municipal sales taxes in the Urban Renewal Area, and that portion of municipal tax levied upon lodging transactions within the Urban Renewal Area in addition to and apart from the levy on transactions subject to municipal sales taxes, in excess of such Base amount shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the Authority for financing or refinancing, in whole or part, the Village Commons Urban Renewal Project.



Unless and until the total valuation for assessment of the taxable property in the Urban Renewal Area exceeds the Base valuation for assessment of the taxable property in the Urban Renewal Area, all of the taxes levied upon taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies. Unless and until the incremental sales tax and the incremental lodging tax produced by municipal sales tax and lodging tax collections in the Urban Renewal Area exceeds the Base year municipal sales tax or municipal lodging tax, as may be the case, all such sales tax and/or all such lodging tax shall be paid to the funds of the City. Nothing in this Plan shall be deemed to be a pledge of any portion of the municipal sales tax approved prior to the effective date of this Plan at a general or special election for the provision of police or police related services.

- C. **Irrevocable Pledge of TIF Revenue.** The increment portion of the taxes, as described in this Section 6.1, may be irrevocably pledged by the Authority for the payment of principal of, the interest on, and any premiums due in connection with the issuance of bonds, loans, advances and other indebtedness incurred by the Authority to finance the Village Commons Urban Renewal Project.

6.2 Bonding

When urban renewal authorities choose to utilize TIF, it is most often for the purpose of issuing revenue bonds. This is because bonding would allow AURA to receive up-front funding to assist with the redevelopment, while retiring the debt over time (e.g., typically the standard 20 or 25-year term on the bonds or sooner if pre-payment is allowed) with the property and/or sales tax increment.

The size and interest rate of the bond issue (i.e., the amount AURA could borrow and at what cost) would be based on multiple factors including: (a) the projected amount of tax increment from the site available to pay debt service; (b) the prevailing interest rates in the credit markets at the time of the bond issue; (c) standard debt underwriting procedures employed by the investment bank(s) chosen by AURA to market the debt, (d) presence and quality of bond insurance; and (e) the rating obtained by the bond



issue from the chosen rating agency. To the extent permitted in the Urban Renewal Law, the power of the Authority to issue Bonds is expressly authorized.

When such bonds, (or other loans, advances and indebtedness if any), including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective bodies and all such municipal sales tax and/or lodging tax collections in the Urban Renewal Area shall be paid into the funds of the City.

6.3 Other Financing Options

Urban renewal authorities can choose to augment TIF-backed bonds with other sources of project financing such as: (a) direct support from agency reserves, (b) direct appropriations from local governments which will benefit from the redevelopment, and (c) State or Federal revenue sharing and grants. While AURA currently has no plans to employ these sources in the Urban Renewal Area, it reserves the right to do so as the need for and availability of funding warrants. Such other funding options, whether specified herein or otherwise permitted by law, are expressly authorized.

7.0 Development Standards and Procedures

Development of the permitted land uses on the properties within the Urban Renewal Area shall be in accordance with the City's Code and/or specific standards and procedures established in connection with the City's zoning approvals for such properties, all as are now existing or as hereafter amended.

8.0 Modification of the Plan

This Plan may be modified or amended pursuant to requirements and procedures set forth in C.R.S. 31-25-107 of the Urban Renewal Law governing such modifications or amendments to the extent such modifications or amendments do not conflict with the Agreements. Nothing herein shall be construed to require the Authority to first obtain the permission of any party to an Agreement prior to amending or modifying this Plan.

The Authority may in specific cases allow minor variations from the provisions of the Plan if it determines that a literal enforcement of the provisions of the Plan would constitute an unreasonable limitation beyond the intent or purpose of the Plan.



9.0 Term of the Plan

This Plan shall be effective upon its final approval by the Arvada City Council. Except as otherwise permitted under the Urban Renewal Law, the term of the TIF period is twenty-five (25) years from the effective date of the Plan, unless the Authority deems, to the extent consistent with the terms in the Agreements, that all activities to accomplish the Project have been completed and all debts incurred to finance such activities and all expenses of the Authority have been repaid. In that event, the Authority may declare the Plan fully implemented.



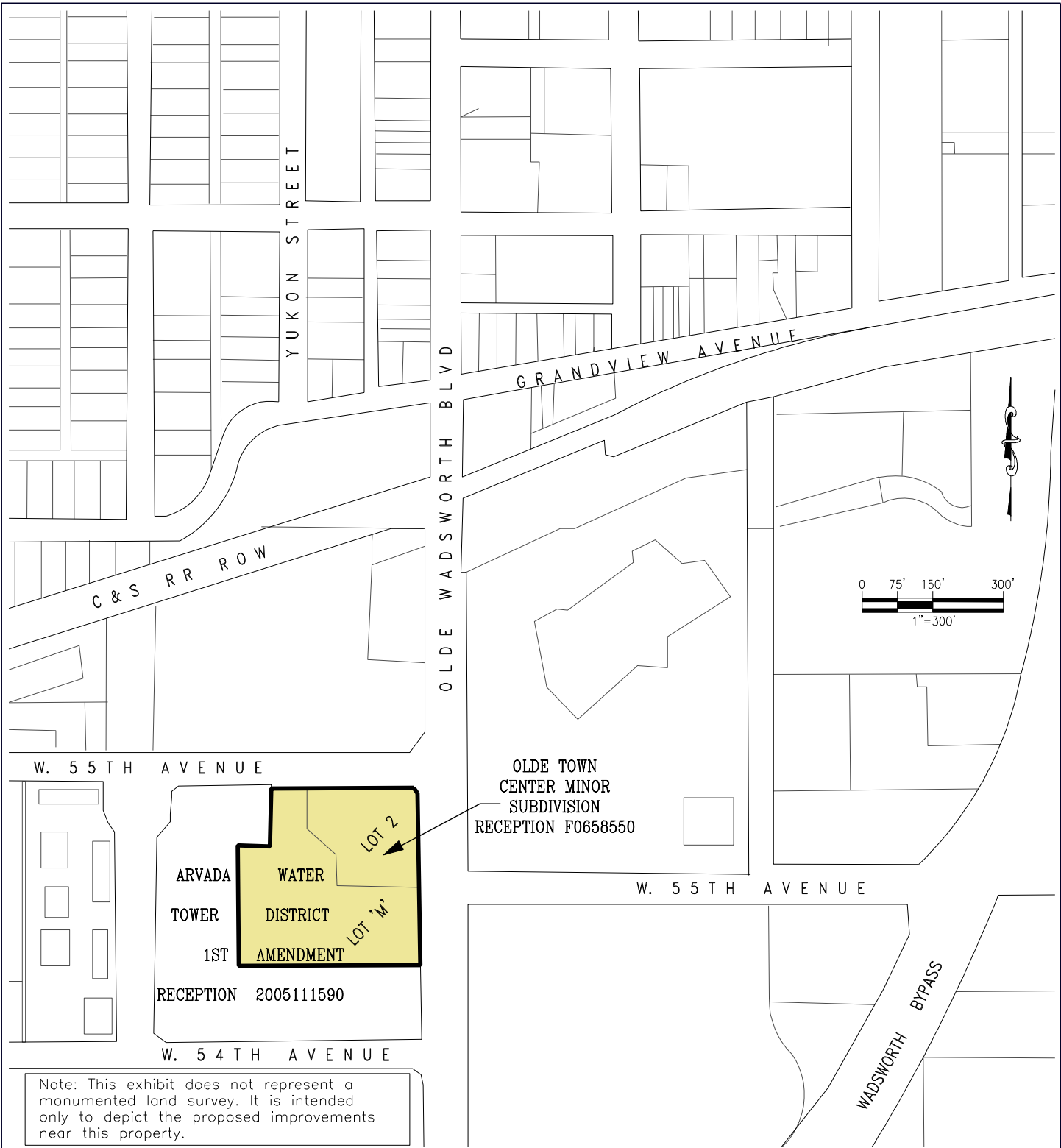
Appendix A – Legal Description

Property Description

Village Commons

Lot 2 of Olde Town Center Minor Subdivision as recorded at Reception F0658550 of the Office of the Jefferson County Clerk and Recorder and Lot 'M' of the Arvada Water Tower District First Amendment Subdivision as recorded at Reception Number 2005111590 of the Office of the Jefferson County Clerk and Recorder, situated in the Northwest Quarter of Section 14, Township 3 South, Range 69 West of the Sixth Principal Meridian, in the City of Arvada, County of Jefferson, State of Colorado.

Ronald E. Ilk, P.L.S. 24313
For and on Behalf of URS Corporation
8181 E. Tufts Avenue
Denver, CO 80237
(303)740-2600



Note: This exhibit does not represent a monumented land survey. It is intended only to depict the proposed improvements near this property.

Village Commons



PROPOSED ARVADA URBAN RENEWAL AUTHORITY DISTRICT

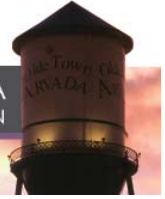
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JEFFERSON COUNTY COUNTY

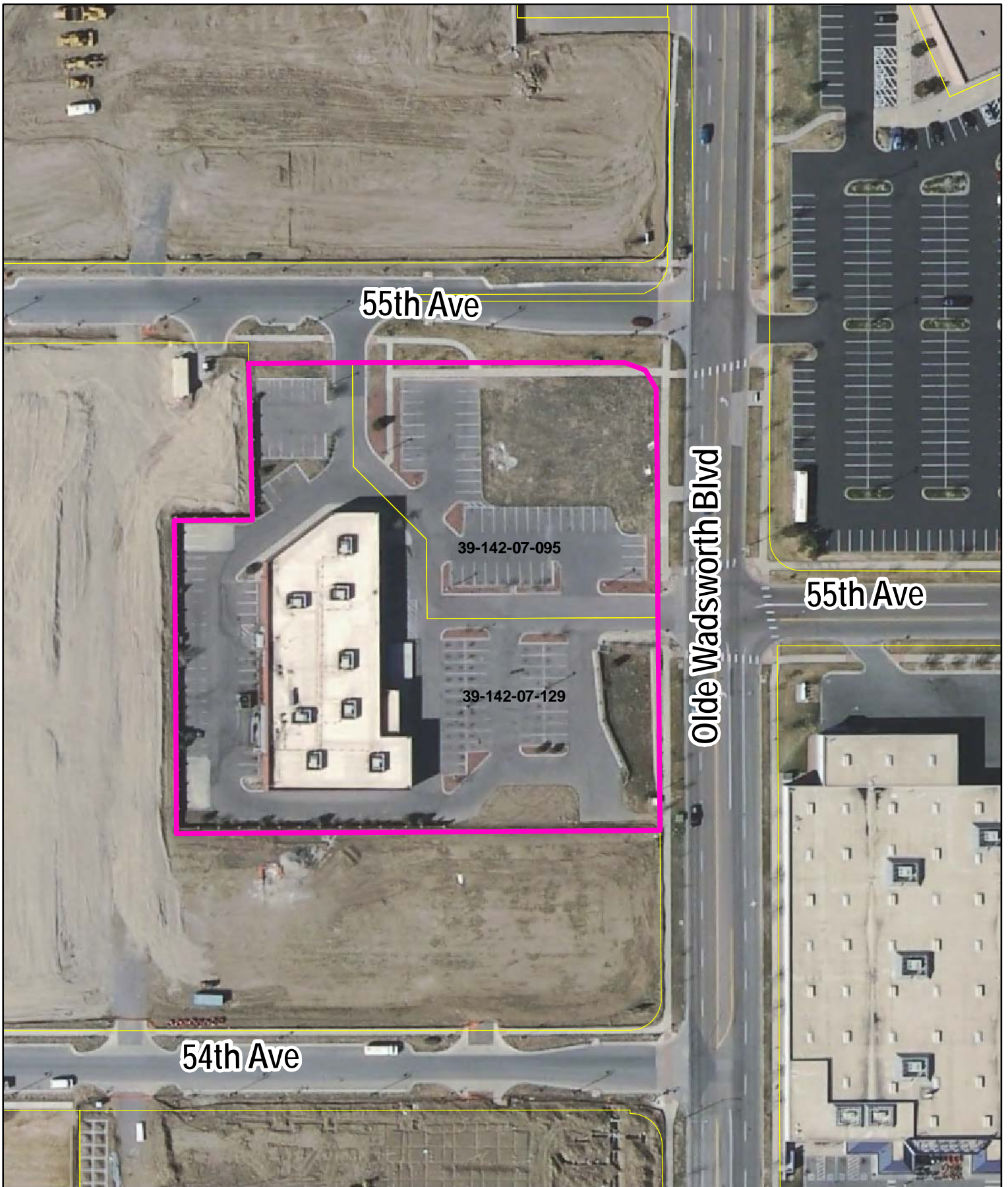
STATE OF COLORADO




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Appendix B – Proposed Village Commons Urban Renewal Area Boundary



Appendix C: Village Commons Study Area Boundary

 Village Commons Study Area Boundary

 Parcel Lines

URS

0 25 50 100 150 200
Feet





Appendix C – Transit Station Framework Plan graphic

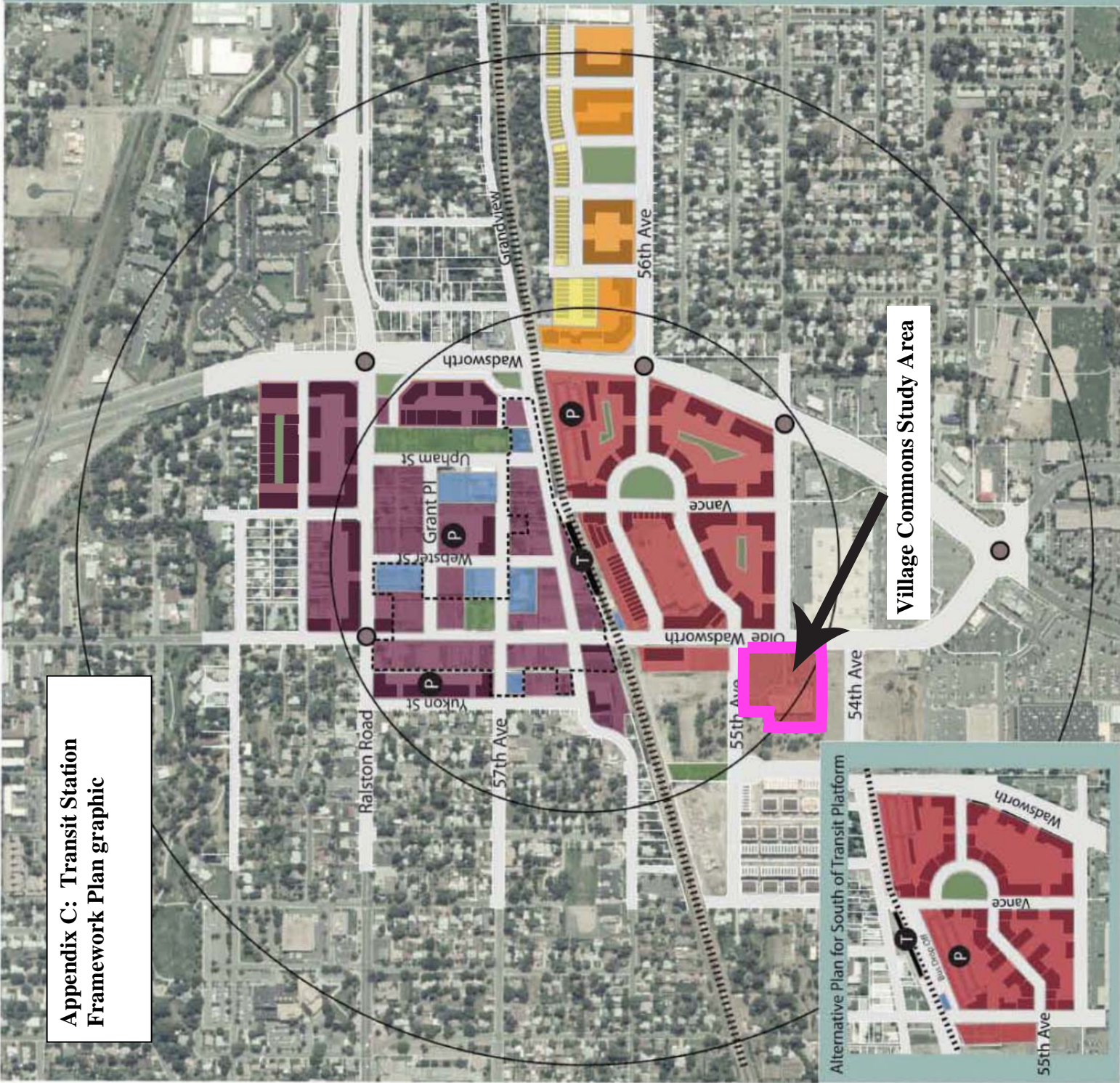
Transit Rail Station
TOD Concept
Olde Town Station

LEGEND

- 1/4 mile & 1/2 mile Radius
- Potential Redevelopment
- Historic District Boundary
- Proposed Rail
- Transit Platform
- Parking Options
- Signalized Intersection
- Mixed-Use Olde Town
 - Up to 4 stories, if allowed by design guidelines
 - Building facades can't exceed two stories; upper stories to be set back (3 story facade east of McVoy Park)
 - Commercial/office use on ground floor and office/residential above
- Mixed-Use New Town
 - Up to 6 stories, if compatible with adjacent historic character
 - 3 story building facades allowed; upper stories to be setback
 - View from Grandview Avenue must be preserved
 - Commercial/office uses on ground floor and office/residential above
- Residential 1
 - 2-3 stories
 - Minimum density - 16 du/s/acre
 - Accessory dwelling units allowed
- Residential 2
 - 3-6 stories
 - 20-60 du/s/acre
- Parks / Open Space
 - Existing or proposed parks and open spaces
- Civic / Institutional
 - Public buildings
 - Churches



Appendix C: Transit Station Framework Plan graphic



Village Commons Study Area



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8181 EAST TUFTS AVE.

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