

RESOLUTION No. 133-01

**A RESOLUTION FOR THE APPROVAL OF THE SOUTHWEST
DOWNTOWN URBAN RENEWAL PLAN**

WHEREAS, the City of Colorado Springs Planning Commission has adopted the Colorado Springs Comprehensive Plan and,

WHEREAS, the City of Colorado Springs City Council has adopted the Colorado Springs Comprehensive Plan and,

WHEREAS, the City of Colorado Springs Planning Commission has considered the public testimony received and the staff report and has found that the Southwest Downtown Urban Renewal Plan is in conformance with the Colorado Springs Comprehensive Plan; and,

WHEREAS, the Colorado Springs Comprehensive Plan contains numerous goals and policies relevant to the Southwest Downtown Urban Renewal Plan, which goals and policies are noted in the Southwest Downtown Urban Renewal Plan; and,

WHEREAS, Southwest Downtown Urban Renewal Plan conforms to the Colorado Springs Comprehensive Plan and affords 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,

WHEREAS, the Colorado Springs City Council has reviewed the Southwest Downtown Colorado Springs Relocation Policy; and,

WHEREAS, the Colorado Springs City Council considered the Southwest Downtown Urban Renewal Plan at a public hearing on August 14, 2001, pursuant to notice published in the Gazette, on July 13, 14, 2001 and mailed to all known property owners and tenants within the project boundary on July 12, 2001; and,

WHEREAS, the Board of County Commissioners of El Paso County has received a copy of the Southwest Downtown Colorado Springs Blight Study and the Southwest Downtown Urban Renewal Plan and has received notification of the estimated duration of the urban renewal project, the estimated annual property tax increment, and any other estimated impacts of the urban renewal project on county services or revenues and,

WHEREAS, the Colorado Springs City Council has considered the Southwest Downtown Colorado Springs Blight Study, dated November 2000, prepared by Leland Consulting Group; and,

WHEREAS, the Colorado Springs City Council has considered the public testimony and the recommendations of the Colorado Springs Urban Renewal Authority and of staff.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Colorado Springs


SECTION 1. The City Council of the City of Colorado Springs finds that conditions of blight exist in the Southwest Downtown Study Area as documented in the Southwest Downtown Colorado Springs Blight Study.

SECTION 2. The City Council of the City of Colorado Springs finds that the Southwest Downtown Urban Renewal Plan is in conformity with the Colorado Springs Comprehensive Plan and affords maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation and redevelopment of the Southwest Downtown Study Area by private enterprise.

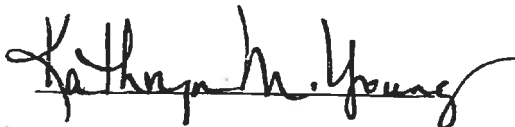
SECTION 3. The City Council of the City of Colorado Springs finds that a feasible method exists for the relocation of individuals, families and businesses displaced as a result of the direct acquisition of property by the Colorado Springs Urban Renewal Authority in the Southwest Downtown Study Area as more fully detailed in the Southwest Downtown Colorado Springs Urban Relocation Policy and hereby directs the Colorado Springs Urban Renewal Authority to provide relocation assistance to any individuals, families, and businesses relocated as a result of implementation of the Southwest Downtown Urban Renewal Plan in substantial conformance with the Southwest Downtown Colorado Springs Urban Relocation Policy.

SECTION 4. The Mayor and City Clerk are hereby authorized and directed to affix their signatures on this Resolution and on the Southwest Downtown Urban Renewal Plan as evidence of the same by this City Council.

Dated at Colorado Springs, Colorado, this 14th Day of August, 2001.


Mayor

ATTEST:


City Clerk

At the May 17, 2001 regularly scheduled meeting of the Colorado Springs Urban Renewal Authority Board of Commissioners, the Board unanimously approved the following (bold faced) addition to Section 4.1. of the proposed Southwest Downtown Urban Renewal Plan. This addition should be included with previously distributed copies of the proposed plan and together represent the plan that is submitted by the Authority to City Council for approval

4.0 PROJECT IMPLEMENTATION

4.1 PROPERTY ACQUISITION AND LAND ASSEMBLAGE

It is the principal intent of this Plan that property for projects in the Urban Renewal Area be acquired by private individuals and entities. While the Authority is authorized to acquire real property or any interest in real property by purchase, gift, donation, lease or other conveyance, this principle intent is the foundation upon which this Plan has been developed. If necessary, the Authority is authorized to acquire property or interest in property by condemnation as provided in Article 1 and Article 7 of Title 38 of the Colorado Revised Statutes. All redevelopment plan submittals and proposals to enter into a redevelopment agreement with the Authority shall identify all real property which is to be part of the project, not then owned by, controlled by or, under contract to be acquired by the proponent or with the consent of the Owner (the "Non-owned Property"). As to such Non-owned Property, the proponent shall submit evidence that the owner of said Non-owned Property has been advised in writing of the proponent's intent to include said Non-owned Property in its proposal, and shall set forth a plan for the acquisition of said Non-owned Property. In the event the Authority adopts a redevelopment proposal which encompasses Non-owned Property, the Authority shall notify the owners of such Non-owned Property in writing of the possibility of acquisition of their property by condemnation. The Authority shall not initiate condemnation proceedings on such Non-owned Property less than thirty-six (36) months from the date of said written notice from the Authority (Moratorium Period"). **Should the Authority determine that the use of the power of eminent domain is warranted for the acquisition of the Non-owned Property, the Authority will request approval to condemn said Non-owned Property from the Colorado Springs City Council at a regularly scheduled Formal City Council meeting.** The Authority reserves the right, in the Authority's absolute discretion, to consider or reject proposals from the owner of the Non-owned Property for the redevelopment of said Non-owned Property, amend the adopted redevelopment plan and/or redevelopment agreement as to the Non-owned Property, and enter into a redevelopment plan and redevelopment agreement with the owner of the Non-owned Property for the redevelopment of said Non-owned Property. This will not, however, preclude private sector acquisition of property during this period.