

RESOLUTION NO. 15-067, Series of 2015

TITLE: A RESOLUTION APPROVING A NONSUBSTANTIAL MODIFICATION TO THE CURRENT AMENDED AND RESTATED COTTONWOOD COMMERCIAL AREA URBAN RENEWAL PLAN BY THE ADDITION OF AN ADDENDUM ADDRESSING HOUSE BILL 15-1348

WHEREAS, by the adoption of Resolution No. 14-006, Series of 2014, the Town Council of the Town of Parker (the “Town Council”) adopted the Amended and Restated Cottonwood Commercial Area Urban Renewal Plan (the “Cottonwood Commercial Plan”);

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 urban renewal projects, extensions of urban renewal plans, or extensions in duration of urban renewal projects;

WHEREAS, by adoption of this Resolution, the Town Council desires to clarify its intentions regarding the meaning of the term “project” as used in the Cottonwood Commercial Plan, to reduce potential confusion regarding the application of Section 4 of House Bill 15-1348;

WHEREAS, in clarifying the meaning of the term “project” as used in the Cottonwood Commercial Plan, the Town Council intends to facilitate determinations of whether House Bill 15-1348 applies to the undertakings and activities of the Parker Authority for Reinvestment with regards to the Cottonwood Commercial Plan; and


WHEREAS, the Town Council therefore 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. Rather, the modifications set forth herein are clarifications, not alterations, of the existing provisions and intent of the Cottonwood Commercial Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Amended and Restated Cottonwood Commercial Area Urban Renewal Plan is hereby modified by the addition of the Addendum attached hereto as **Exhibit A.**

RESOLVED AND PASSED this 19th day of October, 2015.

TOWN OF PARKER, COLORADO


Mike Waid, Mayor

ATTEST:



Carol Baumgartner, Town Clerk

EXHIBIT A

ADDENDUM TO AMENDED AND RESTATED COTTONWOOD COMMERCIAL AREA URBAN RENEWAL PLAN

This Addendum is intended to address the language in House Bill 15-1348, which statutory provisions are effective January 1, 2016.

Impact of House Bill 15-1348

The Amended and Restated Cottonwood Commercial Area Urban Renewal Plan (the “Plan”) defines the term *Urban Renewal Project* in Section 2.0 as “defined in the [Urban Renewal] Act.” This Addendum confirms that House Bill 15-1348 did not change the definition of *Urban Renewal Project* in the Urban Renewal Act. Accordingly, this Addendum further confirms that so long as the “undertakings and activities” of the Parker Authority for Reinvestment are consistent with the approved Plan, 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 Plan shall not be deemed the “addition of an urban renewal project” within the meaning of Section 4 of House Bill 15-1348, because such undertakings and activities have been previously authorized by the Plan.

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

- A. Public improvements which are intended to address conditions of blight within the Plan area such as:
1. Road improvements, including, but not limited to, correcting lane alignments for Cottonwood Drive, widening the Cottonwood Drive bridge and a new roadway connection north from Cottonwood Drive to Aurora Parkway east of Parker Road;
 2. Multimodal roadway improvements, such as, but not limited to, widened sidewalks, improved crosswalks, pedestrian crossing signals, bike lanes, multiuse trails, pedestrian and bicycle connectivity and transit improvements, sidewalk connections and pedestrian improvements along Parker Road and Cottonwood Drive and safe crossings on Parker Road (not at grade);
 3. Plantings, streetscapes, median improvements and landscaping along all roadways with a focus on Parker Road and Cottonwood Drive;
 4. Eligible costs associated with redevelopment, including demolition;
 5. Utility improvements (including, but not limited to, water, sanitation and storm water services; relocation; undergrounding of overhead lines; upgrades and replacement of inadequate infrastructure);
 6. Placemaking improvements, such as, but not limited to, gateway elements to the Town and the Cottonwood neighborhood, public art, wayfinding signage and improved urban design elements;

7. Parks, trails and open space construction and redesign;
 8. Environmental cleanup and remediation;
 9. Other public facilities; and
 10. Those project recommendations established in the Transportation Master Plan and other plans adopted as part of the Parker 2035 Master Plan, as amended.
- B. Development or redevelopment undertakings and activities, including, but not limited to:
1. Assembly of property essential to redevelopment projects;
 2. Financing of redevelopment projects and critical infrastructure;
 3. Agreements with private and public partners to undertake redevelopment projects;
 4. Implementation of grant and loan programs to eliminate blight;
 5. Other activities deemed necessary to reduce and eliminate blight;
 6. Building façade improvements;
 7. Costs associated with higher intensity uses, such as, but not limited to, elevators, structured parking, structural improvements;
 8. Building interior improvements that address blight conditions, such as, but not limited to, structural repairs and adaptive reuse of structures;
 9. Within the Crown Point (SE Corner of Parker Road and Cottonwood Drive) catalyst area, undertakings and activities, including, but not limited to, the following: Undertakings and activities that support uses that include a blend of commercial and retail serving both local and regional needs. Regional retail offerings that are currently not in Parker will be encouraged, and multiple-story, signatory office buildings (medical office buildings) are desirable along E-470;
 10. Within the Vantage Point (NE Corner of Parker Road and Cottonwood Drive) catalyst area, undertakings and activities, including, but not limited to, the following: Undertakings and activities that support uses that are a mix of higher-density residential and local-serving retail. Vantage Point will host additional residential units to help sustain adjacent commercial areas, and should include multiple pedestrian-safe connections to surrounding uses;
 11. Within the Cottonwood Plaza (NW Corner of Parker Road and Cottonwood Drive) catalyst area, undertakings and activities, including, but not limited to, the following: Undertakings and activities that support uses that are a mix of retail and commercial businesses serving local needs, and that focus on integrating

commercial uses with surrounding residential neighborhoods, while providing adequate buffers; and

12. Within the Brompton (SW Corner of Parker Road and Cottonwood Drive) catalyst area, undertakings and activities, including, but not limited to, the following: Undertakings and activities that support uses that are a mix of local-serving retail uses near the intersection of Parker Road and Cottonwood Drive. The area is intended to include a mix of office, medical office, and hotel uses along its southern edge.