

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-143  
Series of 2012

12-138  
Series of 2012

A RESOLUTION OF THE NORTHGLENN CITY COUNCIL APPROVING A NEW URBAN RENEWAL PLAN KNOWN AS THE "NORTHGLENN URBAN RENEWAL PLAN 2"

WHEREAS, by the adoption of Resolution No. 92-29, Series of 1992, the Northglenn City Council adopted Northglenn Urban Renewal Plan ("Plan 1");

WHEREAS, Plan 1 was subsequently amended by the addition of property to its boundaries;

WHEREAS, on December 17, 2012, the City Council removed certain undeveloped property from the area subject to Plan 1 via Resolution No. 12-137 (CR-142), and the City Council desires to add this undeveloped property along with other property never before in an urban renewal area to the boundaries of a new urban renewal plan known as Northglenn Urban Renewal Plan 2 ("Plan 2"), a copy of which is attached hereto as **Exhibit A**;

WHEREAS, the property that shall be subject to Plan 2 is described within Plan 2;

WHEREAS, Plan 1 will continue to govern the area subject to Plan 1, as that area has been most recently modified by Resolution No. 12-137 (CR-142), and will continue to be administered by the Northglenn Urban Renewal Authority;

WHEREAS, Plan 2 will govern the area subject to Plan 2, and will also be administered by the Northglenn Urban Renewal Authority;

WHEREAS, by Resolution No. 12-136 (CR-141), the City Council determined that the property subject to Plan 2 is a "blighted area" as that term is defined by C.R.S. § 31-25-103(2) due to the presence of five (5) or more factors of blight in the area, and is therefore eligible for inclusion in the urban renewal area subject to Plan 2;

WHEREAS, the City Council has complied with the requirements of the Urban Renewal Law and particularly C.R.S. § 31-25-107, regarding the adoption of a new urban renewal plan;

WHEREAS, a public hearing on the adoption of Plan 2 was held before the Northglenn City Council at Northglenn City Hall, 11701 Community Center Drive, Northglenn, Colorado 80233, at or around 7:00 p.m. on December 17, 2012; and

WHEREAS, at the public hearing, the City Council heard and received evidence supporting the findings set forth in this Resolution and wishes to approve Plan 2.

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

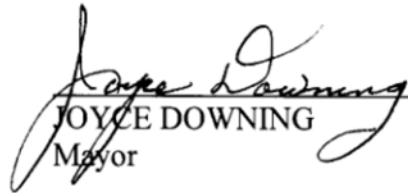
Section 1. Based on the evidence presented at the public hearing, the City Council of the City of Northglenn hereby finds and determines that:

- (a) There exist feasible methods for the relocation of individuals, families, and business concerns in accommodations or areas suitable for their relocation.
- (b) The City Council has taken reasonable efforts to provide written notice of the public hearing to all property owners, residents and owners of business concerns in the proposed urban renewal area at their last known address of record at least thirty days prior to the hearing. Such notice contained the information required by C.R.S. § 31-25-107(3).
- (c) No more than 120 days have passed since the commencement of the first public hearing of the Northglenn Urban Renewal Plan 2.
- (d) The Northglenn Urban Renewal Plan 2 does not contain property that was included in a previously submitted urban renewal plan that the City Council failed to approve.
- (e) The Northglenn Urban Renewal Plan 2 conforms to the general plan of the City of Northglenn as a whole.
- (f) The Northglenn Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City of Northglenn as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.
- (g) The Northglenn Urban Renewal Authority or the City of Northglenn will adequately finance any additional county infrastructure and services required to serve development in the urban renewal area during the applicable tax increment financing period as set forth in C.R.S. § 31-25-107(9)(a)(II).
- (h) The principal purpose for the adoption of the Northglenn Urban Renewal Plan 2 is to facilitate redevelopment in order to eliminate or prevent the spread of physically blighted areas.
- (i) The boundaries of the Northglenn Urban Renewal Plan 2 have been drawn as narrowly as feasible to accomplish the planning and development objectives for the Northglenn Urban Renewal Plan 2.
- (j) The Northglenn Urban Renewal Plan 2 does not consist in its entirety of open land.
- (k) The acquisition, clearance, rehabilitation, conservation, development or redevelopment or a combination thereof of the Northglenn Urban Renewal Plan Area 2,

pursuant to the Northglenn Urban Renewal Plan 2, is necessary and in the best interests of the public health, safety, morals, and welfare of the citizens of the City of Northglenn.

Section 2. Based on the above findings, the City Council approves the Northglenn Urban Renewal Plan 2. From and after the date of adoption of this Resolution, the real property described within the Northglenn Urban Renewal Plan 2 shall, for all purposes, be subject to the provisions of the Northglenn Urban Renewal Plan 2.

DATED, at Northglenn, Colorado, this 17<sup>th</sup> day of December 2012.

  
JOYCE DOWNING  
Mayor

ATTEST:



JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

  
COREY Y. HOFFMANN  
City Attorney

# Northglenn

## Urban Renewal Plan No. 2

City of Northglenn, Colorado

# Northglenn

## Urban Renewal Plan No. 2

City of Northglenn, CO

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# Northglenn

## Urban Renewal Plan No. 2

City of Northglenn, Colorado

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# Northglenn

## Urban Renewal Plan No. 2

City of Northglenn, Colorado

### 1.0 Introduction

#### 1.1 Preface

This Northglenn Urban Renewal Plan No. 2 (the “Plan” or the “Urban Renewal Plan No. 2”) has been prepared for the City of Northglenn (“City”). It will be carried out by the Northglenn Urban Renewal Authority (the “Authority” or NURA), pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “Act”). The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

This Plan is intended to be separate and distinct from the Northglenn Urban Renewal Plan approved on February 26, 1992 (Urban Renewal Plan No. 1 or 1992 Plan), as that plan has been amended. The boundaries of the area that is the subject of this Plan includes some property that was formerly the subject of Urban Renewal Plan No. 1. Although the provisions of this Plan shall be carried out by the Authority, the property that is subject to this Plan shall not be subject to the 1992 Plan.

#### 1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for urban renewal projects. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight, “substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.”

The Northglenn Area Conditions Survey, prepared by Ricker|Cunningham, dated July and August, 2012, which is attached hereto as Attachment 1 (the “Survey”), demonstrates that the Northglenn Area (“Study Area”), as defined in the Survey, is a blighted area under the Act.

### 1.3 Other Findings

The Area, as defined in Section 1.4 below, is appropriate for one or more urban renewal activities and undertakings authorized by the Act to be advanced by the Authority.

It is the intent of the City Council in adopting this Plan that the Authority exercise all powers authorized in the Act which are necessary, convenient or appropriate to accomplish the objectives stated herein. Further, it is the intent of this Plan that the Authority exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended. This Plan is in the public interest and necessity – such finding being a matter of legislative determination by the City Council.

### 1.4 Urban Renewal Area Boundaries

The proposed Northglenn Urban Renewal Area (the “Urban Renewal Area” or the “Area”) includes all properties within the City limits as delineated in Figure No. 1 and described in the legal description presented in Appendix B. The boundaries of the Area include approximately 349 acres of land generally defined to include 244 legal parcels and adjacent rights-of-way. Geographically, it is situated along the City’s primary and secondary north-south and east-west thoroughfares between approximately 120<sup>th</sup> and 104<sup>th</sup> Avenues on the north and south, and Washington and Huron Streets on the east and west. Additional parcels east of Washington Street along 112<sup>th</sup> Avenue are also included. As illustrated in Figure No. 1, properties located within these boundaries include parcels originally included in Urban Renewal Plan No.1, as well as new parcels. In case of conflict, Appendix A, the legal description, shall prevail.



#### 1.4.1 Map of Urban Renewal Area (Figure No. 1)

The Urban Renewal Area map is presented as Figure No. 1 on the following page.

#### 1.5 Public Participation

The Plan has been made available to business and property owners located within the Plan boundaries, as well as Northglenn residents at-large. Input on the Plan's intent was solicited from property owners, residents and business owners from within the Area during meetings held in July and August. Notification of the public hearing was provided to property owners, residents and owners of business concerns at their last known address of record within the Area as required by the Act. Notice of the public hearing to consider the Plan was published in the Northglenn Sentinel paper.

Presentations were also made at public meetings of the City Council and Planning Commission during the fall of 2012 to receive comments and input on the process and content presented herein. The Planning Commission reviewed the Plan on November 20, 2012, and recommended adoption of the Plan as being consistent with the City's Comprehensive Plan, the City of Northglenn Comprehensive Plan, adopted 2010, as amended. It is the intent of the Authority and City Council to provide for public participation in proposed developments and planning efforts, which advance the intent of the Plan. Plans and development proposals submitted for approval by the Authority will continue to be made available to the public in an open meeting format.

#### 2.0 Definitions

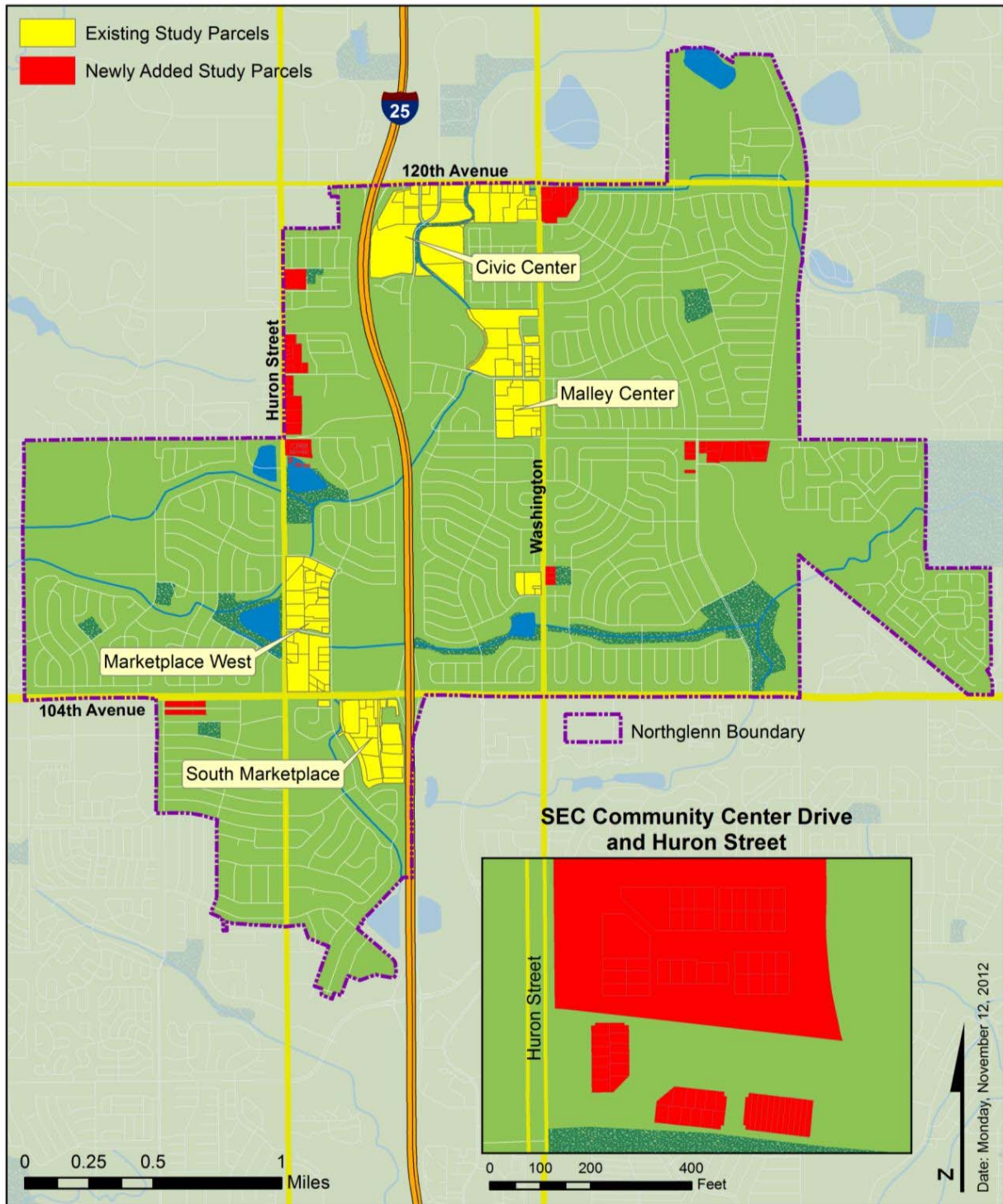
Act – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended. Unless otherwise stated, all capitalized terms herein shall have the same meaning as set forth in the Act.

Area or Urban Renewal Area – means the Northglenn Urban Renewal Plan No. 2 Area as depicted in Figure No. 1 and legally described in Appendix B.

Authority – means the Northglenn Urban Renewal Authority (NURA).

Base Amount – means that portion of the property taxes and municipal sales taxes (if relevant) defined in Section 7.3.2 of this Plan.

Figure No. 1: Urban Renewal Area



Comprehensive Plan – City of Northglenn Comprehensive Plan, adopted 2010.

Cooperation Agreement – means any agreement between the Authority and City, or any public body (the term “public body” being used in this Plan as defined by the Act) respecting action to be taken pursuant to any of the powers set forth in the Act or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the Authority under this Plan.

C.R.S. – means the Colorado Revised Statutes, as amended from time to time.

Impact Report – means the Northglenn Adams County Impact Report prepared by RickerCunningham, dated October, 2012, attached hereto as Attachment 2 and incorporated herein by this reference.

Plan or Urban Renewal Plan No. 2 – means this Northglenn Urban Renewal Plan No. 2.

Redevelopment / Development Agreement – means one or more agreements between the Authority and developer(s) and / or property owners or such other individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan.

Study Area – means the geographic area defined for the Survey.

Survey – means the Northglenn Area Conditions Survey, prepared by RickerCunningham, dated July and August, 2012, attached hereto as Attachment 1 and incorporated herein by this reference.

Tax Increment Area – means any portion of the Area designated as a Tax Increment Area, as defined and pursuant to the procedures set forth in Section 7.3 of this Plan.

City Council – means the City Council of the City of Northglenn.

Urban Renewal Project – as defined in the Act.

### 3.0 Purpose of the Plan

The purpose of this, the Northglenn Urban Renewal Plan No. 2 is to reduce, eliminate and prevent the spread of blight and to stimulate growth and investment within the Area boundaries. To accomplish this purpose, the Plan promotes local objectives expressed in adopted community plans and communicated by stakeholders who participated in its

preparation. While generally the Plan advances the priorities of the Comprehensive Plan, its specific intent is to further the vision and objectives expressed below.

### 3.1 Vision Statement

The City of Northglenn will be a vibrant gateway community to the Denver Metro Area. The City's major north-south commercial corridors will host a mix of uses and serve as entryways to the neighborhoods beyond them. The character of the Area will reflect both new and old architectural standards as revitalization will be incremental. Public sector contributions to advance reform will be obvious in newly occupied and restored commercial centers, as well as roadway, lighting, and pedestrian improvements, and less obvious in solutions to utility and other infrastructure constraints.

### 3.2. Objective

The objective of the Northglenn Urban Renewal Plan No. 2 is to alleviate conditions of blight by actively promoting investment and reinvestment in its commercial corridors.

### 3.3 Development and Design Objectives

All development in the Area shall conform to the Zoning Code and any site-specific zoning regulations or policies which might impact properties, all as are in effect and as may be amended from time to time. While the Act authorizes the Authority to undertake zoning and planning activities to regulate land use, maximum or minimum densities, and building requirements in the Area, the City will regulate land use and building requirements through existing municipal codes and ordinances.

General development objectives for the Urban Renewal Area include redevelopment of properties in the Area for the purpose of generating revenue sufficient to fund public improvements that address conditions of blight and facilitate development and redevelopment in the Area and on adjacent properties. Specific objectives expressed by property owners, residents and business owners during meetings held in July and August 2012 include the following:

1. Eliminate and prevent blight by facilitating redevelopment.
2. Implement elements of the Comprehensive Plan.
3. Support and advance actions identified in existing plans prepared by the City of Northglenn related to development of vacant and under-utilized parcels that are consistent with the vision of this Plan.
4. Provide public infrastructure and make more efficient use of existing land.
5. Diversify land uses in the Area as well as the City.
6. Promote sustainability - development, fiscal, resource, etc.
7. Advance uses that can leverage public investment in planned improvements including multiple modes of transportation (vehicular and non-vehicular).
8. Enhance the public realm including streetscape amenities, trail connections and other pedestrian-friendly improvements in a manner consistent with the existing community character.
9. Encourage economic sustainability throughout the community and growth in appropriate locations.
10. Provide a range of financing mechanisms for improvements.
11. Provide additional opportunities for residential development to support commercial uses in the Area.
12. Support existing industry by encouraging appropriate adjacent uses.
13. Facilitate public-private partnerships.

### 3.4 Authority Activities

As the plan administrator, the Authority will seek to advance the Plan objective through:

- Assembly of property essential to redevelopment projects;

- Financing of redevelopment projects and critical infrastructure; and
- Agreements with private and public partners to undertake redevelopment projects.

The Authority will work in cooperation with the City to advance objectives through:

- Investment in the public realm (roadway, parks, open space);
- Exploration of opportunities to streamline project approvals and revise regulations which impose unintended barriers to investment;
- Quality development of key publicly-held parcels; and
- Provision of supportive municipal policies and programs.

#### 4.0 Blight Conditions

Before an urban renewal plan can be adopted by the City, the Area must be determined to be a “blighted area” as defined in Section 31-25-103(2) of the Act, which provides that, in its present condition and use, the presence of at least four (or five in cases where the use of eminent domain is anticipated), of the following factors (see below) in the Area, 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;
- (k.5) 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; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2), 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.

The general methodology for conducting the Survey is to: (i) define the Study Area; (ii) gather information about properties, infrastructure and other improvements within that Study Area; (iii) evaluate evidence of blight through field reconnaissance, review of aerial photography, discussions with representatives of various City departments; and, (iv) record observed and documented conditions listed as blight factors in the Act.

Among the 11 qualifying factors identified in the Act, the Survey showed the presence of the following 10 blight factors in both the Study Area and the Area (as illustrated in the map in Section 1.4).

- (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;
- (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;
- (k5) 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.

## 5.0 Plan's Relationship to Local Objectives and Appropriate Land Uses

### 5.1 General Description

Implementation of this Urban Renewal Plan No. 2 supports the objectives and requirements of the Comprehensive Plan with respect to development and redevelopment. As development occurs in the Area, it shall conform to: the Comprehensive Plan and any subsequent updates; the City of Northglenn current Building Code and any rules, regulations, and policies promulgated pursuant thereto; any site-specific planning documents that might impact properties in the Area including, but not limited to, City-approved site, drainage, and public improvement plans; and, any applicable City design standards, all as in effect and as may be amended from time to time.

Conditions of blight within the Area will be remedied by the proposed Plan and redevelopment by private enterprise, but will need to first be identified as a priority public investment item by the Authority in consultation with the City and property owners. It is the Plan's intent that public improvements will be phased as the market allows and funded in part by tax increment revenues.



## 5.2 Relationship to the Comprehensive Plan

A general plan for the City, known as the City of Northglenn Comprehensive Plan, was adopted in 2010. The Authority, with the cooperation of the City, private enterprise and other public bodies, will undertake projects and activities described herein in order to eliminate the identified conditions of blight while also implementing the goals and objectives of its Comprehensive Plan. In addition to advancing specific Comprehensive Plan elements, this Plan will advance the following elements of the City's vision and stated City Council goals (taken verbatim):

### A Vision of the City's Future

... As residents learn that a strong local economy is vital to the city providing necessary services, they become committed to attracting new businesses and retaining the current business base. They strongly support redevelopment of aging commercial areas. Future alternative development suggests included increased medical services, advanced educational institutions and entertainment facilities.

Looking toward the future, residents expressed an interest in making the city more pedestrian-friendly, and support improved access to public transportation. The ability to live and work in the city is also desirable. They also desire a variety of accessible retail, commercial and recreational opportunities and an environment that fosters community identity and pride.

In addition to the visions articulated by the residents in the Comprehensive Plan workshops, the goals of the Northglenn City Council have been guiding principles in the plan. These goals helped to formulate the policies and strategies in Chapters 4 through 10. In these chapters, there are notations to indicate which City Council goals each policy supports. The City Council goals are:

1. ~~Fiscally-Responsible~~ Responsible Government
2. Updated City Infrastructure and Facilities
3. Strong and Competitive Businesses

4. Community Governance with Civic Partnerships
5. Clean and Beautiful City
6. Livable Neighborhoods and Homes

In addition, this Plan will advance Comprehensive Plan elements as described in Appendix A: City of Northglenn Comprehensive Plan, adopted 2010.

#### 5.2.1 Map of General Land Use Plan (Figure No. 2)

The Area, in relation to the City, is reflected on the City's General Land Use Plan map in Figure No. 2 on the following page.

#### 5.3 Relationship to Other Community Plans

Implementation of this Plan will be consistent with development objectives expressed in all City adopted and accepted plans.

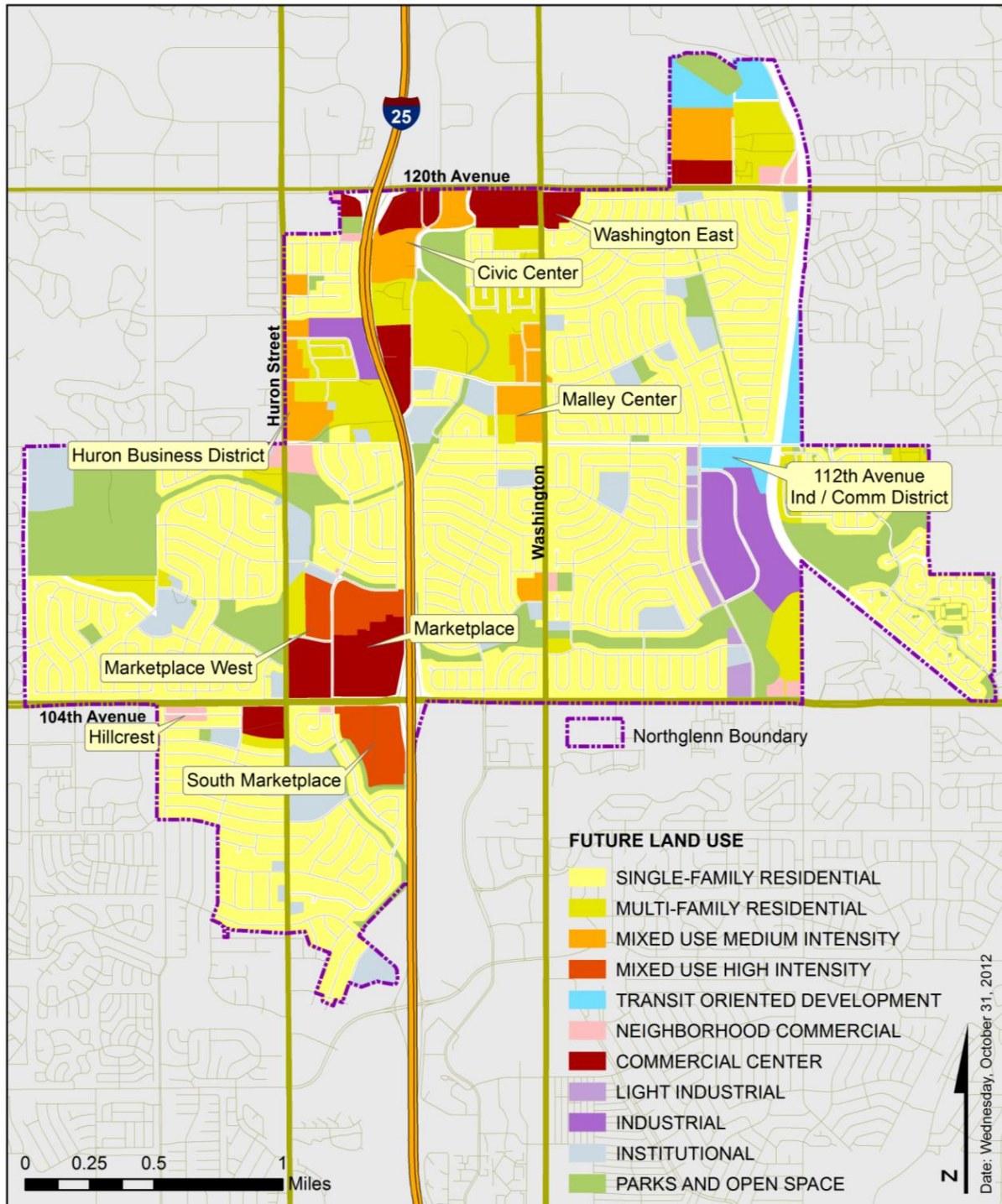
#### 6.0 Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. In the case of this Plan, it is the Authority's intent to provide both financial assistance and public improvements in partnership with property owners and other affected parties in order to accomplish its objectives. Public-private partnerships and other forms of cooperative development will be key to the Authority's strategy for preventing the spread of blight and eliminating existing blighting conditions.

#### 6.1 Priority Public Improvements and Facilities

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or cooperate with others to, finance, install, construct, and reconstruct any public improvements. Additionally, the Authority may,

Figure No. 2: General Land Use Plan



or cooperate with others to, demolish and clear existing improvements for the purpose of promoting the objectives of the Plan and the Act.

Whereas public projects are intended to stimulate (directly and indirectly) private sector investment in and around the Area, it is the intent of this Plan that the combination of public and private investment that may be necessary to advance the objectives stated herein will assist in the investment and reinvestment of the Area and thereby contribute to the overall economic well-being of the community.

As described in Section 4.0 of this Plan, 10 qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, are evident in the Area. This Plan proposes to remedy those conditions by providing certain public improvements and facilities, including, but not limited to the following:

- (a) Sum, deteriorated, or deteriorating structures: improvements to buildings and other structures including fascias, fences and retaining walls;
- (b) Predominance of defective or inadequate street layout: road and parking area repairs; paving; gateway and driveway construction; and, safety improvements;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness: improved access; and, property assemblage (if necessary);
- (d) Unsanitary or unsafe conditions: enhanced lighting on public rights-of-way; parking lot construction; completion of pedestrian improvements; and, any required off-site improvements deemed reasonable and for the public benefit including drainage;
- (e) Deterioration of site or other improvements: signage repairs and construction; landscaping; and, roadway surface improvements;
- (f) Unusual topography or inadequate public improvements or utilities: on-site and off-site infrastructure improvements as approved by the Authority; sidewalk and complete street construction projects; improved curbs and gutters; and, municipal sanitary sewer and storm water;

- (h) The existence of conditions that endanger life or property by fire or other causes: fire protection improvements to buildings and enhanced fire flow (water) capacity where deficient;
- (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: funding for clean-up of contaminated properties; structural improvements; and items listed under (h) above;
- (j) Environmental contamination of buildings or property: items listed under (h and i) above; and
- (k5) 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: property development and redevelopment.

## 6.2 Other Improvements and Facilities

There could be other non-public improvements in the Area that may be required to accommodate development and redevelopment. The Authority may assist in the financing or construction of these improvements to the extent authorized by the Act.

## 6.3 Development Opportunities—Catalyst Areas

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze development throughout the Area and fund future public improvements. The impact of this investment to Adams County is reflected in the Impact Report in Attachment 2.

## 6.4 Development Standards

All development in the Area shall conform to applicable rules, regulations, policies and other requirements and standards of the City and any other governmental entity which has jurisdiction over all or any portion of the Area.

In conformance with the Act and the Plan, the Authority may adopt design standards and other requirements applicable to projects undertaken by the Authority in the Area. Unless otherwise approved by City Council, any such standards and requirements adopted by the Authority shall be consistent with all other City zoning and development policies and regulations.

#### 6.5 Variations in the Plan

The Authority may propose, and the City Council may make, modifications to this Urban Renewal Plan No. 2 as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates. Additionally, any such amendments made in accordance with this Plan and as otherwise contemplated by this Plan must also be compliant with the Act.

The Authority may, in specific cases, allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

#### 6.6 Urban Renewal Plan Review Process

The review process for the Plan is intended to provide a mechanism to allow those parties responsible for implementing key projects to periodically evaluate its effectiveness and make adjustments to ensure efficiency in implementing the recommended activities.

The following steps are intended to serve as a guide for future Plan review:

- (a) The Authority may propose modifications, and the City Council may make such modifications as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates, as well as the Act.

- (b) Modifications may be developed from suggestions by the Authority, property and business owners, and City staff operating in support of the Authority and advancement of this Plan.

#### 6.7 Relocation Assistance

It is not anticipated that acquisition of real property by the Authority will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the Authority will adopt a relocation plan in conformance with the Act.

#### 6.8 Demolition, Clearance, Environmental Remediation, and Site Prep

In carrying out this Plan, it is anticipated that the Authority may, on a case-by-case basis, elect to demolish or to cooperate with others to clear buildings, structures and other improvements. Additionally, development activities consistent with this Plan, including but not limited to Development or Cooperation Agreements, may require such demolition and site clearance to eliminate unhealthy, unsanitary, and unsafe conditions, eliminate obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of deterioration.

With respect to property acquired by the Authority, it may demolish and clear, or contract to demolish and clear, those buildings, structures and other improvements pursuant to this Plan, if in the judgment of the Authority, such buildings, structures and other improvements are not to be rehabilitated in accordance with this Plan. The Authority may also undertake such additional site preparation activities as it deems necessary to facilitate the disposition and development of such property.

#### 6.9 Property Disposition

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, as it deems necessary to develop such property. Real property or interests in real property

may be sold, leased or otherwise transferred for uses in accordance with the Act and this Plan. All property and interest in real estate acquired by the Authority in the Area that is not dedicated or transferred to public entities, shall be sold or otherwise disposed of for redevelopment in accordance with the provision of this Plan and the Act.

#### 6.10 Redevelopment and Rehabilitation Actions

Redevelopment and rehabilitation actions within the Area may include such undertakings and activities as are in accordance with this Plan and the Act, including without limitation: demolition and removal of buildings and improvements; installation, construction and reconstruction of public improvements; elimination of unhealthful, unsanitary or unsafe conditions; elimination of obsolete or other uses detrimental to the public welfare; prevention of the spread of deterioration; and, provision of land for needed public facilities. The Authority may enter into Cooperation Agreements and Redevelopment / Development Agreements to provide assistance or undertake all other actions authorized by the Act or other applicable law to develop and redevelop the Area.

#### 6.11 Redevelopment / Development Agreements

The Authority is authorized to enter into Redevelopment / Development Agreements or other contracts with developer(s) or property owners or such other individuals or entities as are determined by the Authority to be necessary or desirable to carry out the purposes of this Plan. Such Redevelopment / Development Agreements, or other contracts, may contain such terms and provisions as shall be deemed necessary or appropriate by the Authority for the purpose of undertaking the activities contemplated by this Plan and the Act, and may further provide for such undertakings by the Authority, including financial assistance, as may be necessary for the achievement of the objectives of this Plan or as may otherwise be authorized by the Act.

Any existing agreements between the City and private parties that are consistent with this Plan are intended to remain in full force and effect, unless all parties to such agreements agree otherwise.



## 6.12 Cooperation Agreements

For the purpose of this Plan, the Authority may enter into one or more Cooperation Agreements pursuant to the Act. The City and the Authority recognize the need to cooperate in the implementation of this Plan and, as such, Cooperation Agreements may include, without limitation, agreements regarding the planning or implementation of this Plan and its projects, as well as programs, public works operations, or activities which the Authority, the City, or such other public body otherwise empowered to undertake and including without limitation, agreements respecting the financing, installation, construction and reconstruction of public improvements, storm water quality and detention, landscaping and / or other eligible improvements. This paragraph shall not be construed to require any particular form of cooperation.

## 6.13 Creation of Tax Increment Areas

The boundaries of the Urban Renewal Area shall be as set forth in Appendix B. As more fully set forth herein Section 7.3 below, it is the intent of the City Council in approving this Plan to authorize the use of tax increment financing by the Authority as part of its efforts to undertake this Plan. Pursuant to the provisions of Section 31-25-107(9) of the Act, the City Council in approving this Urban Renewal Plan No. 2 contemplates that separate Tax Increment Areas shall be created within the Urban Renewal Area as development occurs. Notwithstanding such distinction, the Authority is specifically authorized to expend the revenue from property tax increments to the extent authorized by the Act.

As a new Tax Increment Area is needed, this Urban Renewal Plan No. 2 may be amended to reflect the boundaries of the new Tax Increment Area. The process for creating a new Tax Increment Area shall be initiated by written notification to the Authority that a new project needs tax increment revenue to fund infrastructure and related lawful improvements. Such notification shall include the area to be designated (including a legal description and a map), and a site plan. Each such amendment, unless it specifically provides to the contrary, shall be deemed an adoption of a provision that taxes, if any, levied and collected after the effective date of the approval of the amendment, upon taxable property in the Tax Increment Area shall be allocated to the Authority as set forth in the amendment for a period of twenty-five years or such lesser period as provided in any Cooperation Agreement and / or Redevelopment / Development Agreement. Provided that such a Tax Increment Area is created within

three (3) years of the final adoption of this Urban Renewal Plan No. 2, the creation of a new Tax Increment Area shall not be deemed a substantial modification of this Urban Renewal Plan No. 2 pursuant to C.R.S § 31-25-107(7).

## 7.0 Project Financing

### 7.1 Public Investment Objective

A critical component to the success of any urban renewal strategy is participation by both the public and private sectors. Leveraging of resources will be key as no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Typical public infrastructure investments may include, but will not be limited to: completing streetscape elements; improving access and circulation; completing regional pedestrian connections; improving streets and public spaces; providing other infrastructure improvements; completing roads and utilities; and, creating various financing mechanisms.

### 7.2 Authorization

The Authority may finance undertakings pursuant to this Plan by any method authorized under the Act or any other applicable law, including without limitation of the following: issuance of notes, bonds and other obligations as defined in the Act in an amount sufficient to finance all or part of this Plan; borrowing of funds and creation of indebtedness; reimbursement agreements; and / or utilization of the following: federal or state loans or grants; interest income; annual appropriation agreements; agreements with public or private entities; and loans, advances and grants from any other available sources. The principal, interest, costs and fees on any indebtedness are to be paid for with any lawfully available funds of the Authority.

Debt may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created.

### 7.3 Tax Increment Financing

Activities may be financed by the Authority under the tax increment financing provisions of the Act. Such tax incremental revenues may be used for a period not to exceed the statutory requirement, which is presently 25 years after the effective date of the creation of a new Tax Increment Area as set forth in Section 6.13 above.

#### 7.3.1 Special Fund

In accordance with the requirements of the law, the Authority shall establish a tax increment revenue fund for the deposit of all funds generated pursuant to the division of ad valorem property tax revenue described in this section.

#### 7.3.2 Base Amount

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each public body upon the valuation for assessment of taxable property in a Tax Increment Area last certified prior to the effective date of approval of the Plan (or future amendments) shall be paid to the public body as are all other taxes collected by or for said public body.

#### 7.3.3 Increment Amount

That portion of said property taxes in excess of the base amount set forth in Section 7.3.2 of this Plan shall be allocated to and, when collected paid into the Authority's tax increment revenue fund. The Authority will use the tax revenue fund to pay the principal of, the interest on, and any other premiums due in connection with the bonds of, loans or advances to or indebtedness incurred (whether funded, refunded, assumed, or otherwise) by the Authority for financing or refinancing, in whole or in part, the Urban Renewal Project (as defined in the Act), or to make payments authorized by the Act. Unless and until the total valuation for assessment of the taxable property in any Tax Increment Area exceeds the base valuation, all of the taxes levied upon taxable property in a Tax Increment Area shall be paid into the funds of the respective

public bodies. When such bonds, loans, advances and indebtedness, 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 to the respective public bodies.

The increment portion of the taxes, as described in this subsection 7.3.3, may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances and indebtedness incurred by the Authority to finance an Urban Renewal Project (as defined in the Act); except:

- (a) Any offsets collected by the County Treasurer for return of overpayments or any reserve funds reserved by the Authority for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S
- (b) The Authority shall also set aside and reserve a reasonable amount as determined by the Authority of all incremental taxes paid to the Authority for payment of expenses associated with administering the Plan.

If there is any conflict between the Act and this Urban Renewal Plan No. 2, the provisions of the Act shall prevail, and the language in the Plan will be automatically deemed to conform to the statute.

#### 7.4 Other Financing Mechanisms/ Structures

The Plan is designed to provide for the use of tax increment financing as one tool to facilitate investment and reinvestment within the Area. However, in addition to tax increment financing, the Authority shall be authorized to finance implementation of the Plan by any method authorized by the Act. The Authority is committed to making a variety of strategies and mechanisms available which are financial, physical, market and organizational in nature. It is the intent of this Plan to use the tools either independently or in various combinations. Given the obstacles associated with redevelopment, the Authority recognizes that it is imperative that solutions and resources be put in place which are comprehensive, flexible and creative. Finally, NURA may contract with the City to administer various incentives.

## 8.0 Severability

If any portion of this Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

# Northglenn

## Urban Renewal Plan No. 2

City of Northglenn, CO

Appendix B:

City of Northglenn Comprehensive Plan, adopted 2010

Chapter 5: Housing

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5B. Housing Policies and Strategies

5B2. Policy: Diversify housing stock and encourage the development of new housing products in Northglenn. A diverse, high-quality housing stock may help Northglenn attract and retain residents.

Strategies:

5B2.1 Create partnerships with agencies, developers and non-profits to redevelop aging multi-family housing developments.

Relevant City Council Goal: Livable Neighborhood and Homes

5B5. Policy: Where applicable, encourage the mixing of housing with commercial uses to provide greater proximal access to goods, services and transportation access.

Strategies:

5B5.1 Examine appropriate areas for mixed-use zone changes.

Relevant City Council Goal: Livable Neighborhood and Homes

5B6. Policy: Recognize the transportation / land use connection with regard to new housing developments and redevelopments within the City.

Strategies:

5B6.1 Complete and adopt a draft corridor master plan.

Relevant City Council Goal: Livable Neighborhood and Homes

## 5C. Housing Implementation

The public and / or private redevelopment of existing structures is a critical concept for the future of the City. New construction through redevelopment of existing structures is a means to inject new investment and capital into neglected areas of the community.

The Northglenn Urban Renewal Authority (NURA) was created to strategically foster the redevelopment of specific areas of the City. Its involvement can help close the gap between what the private market can tolerate and costs of difficult redevelopment projects.

As Northglenn has few Greenfield development opportunities, strategies involving redevelopment of existing housing will be critical to achieve a vision where there is safe, adequate housing for the spectrum of residents' needs within the City.

Each redevelopment project is different and has its own unique challenges. Typical tasks involved in this process include:

- Contact with property owner for determination of long-term plans for the property
- Financial analysis of incentive feasibility
- Consultation with private development community
- Conceptual site / land use plans
- Traffic / density / environmental studies
- Zoning approvals and entitlements
- Demolition of existing structures
- Construction

## Chapter 6: Economic Development

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### 6A. Economic Development

Economic development is particularly important in Northglenn because many of the City's shopping areas are 20 years old or more. Some of these centers are clearly at the end of their lifespan and will need to be reinvented in order to make them competitive with surrounding communities. IN many cases, the private market is unable to shoulder the costs of this kind of redevelopment. Without assistance from the City or another source, these projects often remain untouched, and the vacant buildings do not create the image we would like for our city. Public-private partnership can help us



overcome some of the development roadblocks and will help bring these properties back into the economic base of the City.

## 6A1. Economic Development Statistics

### Tax Revenue

The City is largely dependent on sales tax revenue in order to fund its operations. A large proportion of this revenue comes from the sales taxes collected at the Northglenn Marketplace, the City's power center, located on Interstate 25 and 104<sup>th</sup> Avenue. Revenues from this shopping center peaked in 2005 and have declined slightly each year since. As the center reaches the second half of its likely lifespan, the City must position itself to encourage private development that would augment the existing revenue sources. New retail developments in other communities along the I-25 corridor provide tough competition for sales tax dollars. This trend of declining revenue makes it clear that Northglenn must find supplemental sources of sales tax revenue in order to continue to provide the same level of municipal services into the future.

The revenue picture for the future will be dependent on both new development and redevelopment. Only three percent of all Northglenn is vacant. So while the eventual development of Karl's Farm Dairy along 120<sup>th</sup> Avenue is important to this picture, redevelopment of existing commercial areas will be absolutely critical. There are several underperforming shopping centers in Northglenn, three of which – the Mulley Center, the Huron Center, and the Garland Center – currently have large amounts of retail vacancy and no anchor tenants. IN concert with the private sector, the City must reposition these areas so that they are once again contributing to the economic engine of the City. Additionally, economic activity at these locations would help the surrounding neighborhoods and improve the City's image.

## 6B. Economic Development Policies and Strategies

6B1. Policy: Create a more diversified and well-balanced economic base.

### Strategies:

6B1.1 Improve the area's educational, housing, open space, recreational, retail and cultural amenities that encourage retention and attract new businesses to the City.

6B1.2 Use all available tools such as federal (e.g., Environmental Protection Agency's Brownfields program), state (enterprise zones), or other economic development programs to

facilitate capital investment for the retention, expansion and attraction of businesses meeting the programs' criteria.

Relevant City Council Goal: Fiscally-Responsible Government, Strong and Competitive Businesses

6B2. Policy: Further enhance and solidify the retail sales tax base for the City.

Strategies:

6B2.2 Work to provide economic incentives that will aid in the capture of strong retailers and subsequently strong retail sales tax revenues.

Relevant City Council Goal: Fiscally-Responsible Government, Strong and Competitive Businesses

6B3. Policy: Support the expansion of existing businesses and recruit new businesses that pay higher wages than the current city average, with particular emphasis given to the creation of primary jobs.

Strategies:

6B3.1 Through zoning and other land use authority, expand the supply of both serviced and raw land suitable for commercial and industrial development and redevelopment in a range of sizes, especially at key I-25 interchanges and the Northglenn Industrial Park.

6B3.2 Invest in public infrastructure required to retain existing or attract new industrial and commercial developments when the economic advantage to the City exceeds the cost of the investment.

6B3.3 Use economic incentives to retain and expand existing businesses when the economic advantage to the City is greater than the cost of the incentives.

6B3.4 Continue support of organizations such as Adams County Economic Development (ACED) and NURA that foster and encourage existing businesses to remain and expand in the City, and that convey a positive image to businesses wishing to locate to Northglenn.

Relevant City Council Goal: Fiscally-Responsible Government, Strong and Competitive Businesses

6B4. Policy: Enhance the appearance and image of the City to attract new businesses.

6B4.1 Adopt high-quality design and development standards that will assure new industrial and commercial development contributes positively to the image and appearance of the City and is compatible with nearby residential areas.

Relevant City Council Goal: Fiscally-Responsible Government, Strong and Competitive Businesses, Clean and Beautiful City

6B5. Policy: Encourage the redevelopment of underutilized and vacant properties.

Strategies:

6B5.1 Identify critical, underperforming properties, particularly those in established retail areas.

6B5.2 Outreach to property owners to determine their plans and objectives.

6B5.3 Work with the development community to promote Northglenn and to match potential projects and businesses with properties.

6B5.4 Identify and utilize tools such as NURA where appropriate.

Relevant City Council Goal: Fiscally-Responsible Government, Strong and Competitive Businesses, Clean and Beautiful City

6B6. Policy: Leverage the resources of the Northglenn Urban Renewal Authority (NURA), where appropriate to enhance existing business and secure new businesses.

## Strategies:

6B6.1 Continue to use Tax Increment Financing as an incentive method to attract new development.

6B6.2 Continue to investigate strategic site development incentives to attract new development.

6B6.3 Continue to implement NURA's Business Utility Assistance Program (BUAP) to aid new and existing businesses with infrastructure upgrades.

6B6.4 Consider the creation of a Façade Improvement Program to aid existing businesses in the urban renewal district.

6B6.5 Consider development partnerships with third party developers.

Relevant City Council Goal: Fiscally-Responsible Government, Strong and Competitive Businesses

## 6C. Economic Development Implementation

Redevelopment of existing commercial properties will be critical to revitalizing the City and identifying a sustainable revenue stream to support the City's operations. Private investment will play a key role in this process, and NURA can assist with financially challenging, but important redevelopment projects. Just as is the case with multi-family redevelopment, each commercial redevelopment project has its own unique set of circumstances. Typical tasks involved in this process include:

- Contact with property owner for determination of long-term plans for the property
- Financial analysis; consideration of incentives
- Consultation with private development community
- Conceptual site / land use plans
- Traffic/ density / environmental studies
- Zoning approvals and entitlements
- Marketing, negotiation with tenants, leasing

- Demolition of existing structures
- Construction

## Chapter 8: Parks, Recreation and Open Space

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### 8B. Parks, Recreation and Open Space Policies and Strategies

8B3. Policy: Preserve open space to enhance the quality of life, shape urban areas, avoid development of environmentally-sensitive areas and preserve critical wildlife habitat.

#### Strategies:

8B3.3 Evaluate and possibly revise zoning and land use regulations to include development and site design standards (e.g., tree and vegetation protection, stream corridor and wetlands setbacks). Consider incentives such as density bonuses to encourage creative site layouts that preserve existing trees and vegetation and protect prominent natural features.

Relevant City Council Goals: Upgraded City Infrastructure and Facilities and Livable Neighborhoods and Homes

## Chapter 10: Community Character

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### 10B. Community Character Policies and Strategies

10B1. Policy: Preserve elements of Northglenn's history that tell the story of the City's creation and evolution.

#### Strategies:

10B1.5 Consider the use of tools such as Overlay Districts to aid preservation activities.

Relevant City Council Goals: Community Governance with Civic Partnerships, Clean and Beautiful City

10B2. Policy: Promote a cohesive community aesthetic to help shape, enhance, and improve the character of Northglenn's neighborhoods.

Strategies:

10B2.1 Identify and implement techniques such as signage, branding and beautification to create a strong, positive image for the City.

10B2.2 Strengthen elements within the City's Zoning Ordinance related to landscaping, signage, architectural standards and fencing. These regulations will help guide new development so it contributes positively to the community aesthetic.

10B2.3 Revise the City's street standards to include or enhance elements such as sidewalks, landscaped buffers, medians, lighting and bike lanes, where appropriate.

Relevant City Council Goals: Clean and Beautiful City

10B3. Policy: Work to promote the City through enhanced involvement with the business community and other business organizations. Promote the City at regional, statewide and national levels.

Relevant City Council Goals: Strong and Competitive<sup>3</sup> Businesses and Community Governance with Civic Partnerships

# Northglenn

## Urban Renewal Plan No. 2

City of Northglenn, CO

Appendix B:

Urban Renewal Plan No. 2 Area Legal Description



**NORTHGLENN URBAN RENEWAL AUTHORITY  
SURVEY AREA**

**PROPERTY DESCRIPTION**

A PARCEL OF LAND LOCATED IN SECTIONS 2, 3, 9,10, 11, 15 AND 16, ALL IN TOWNSHIP 2 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF NORTHGLENN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

**NOTE:** ALL PARCEL NUMBERS CITED IN THIS DESCRIPTION ARE ADAMS COUNTY ASSESSOR PARCEL NUMBERS (DECEMBER 2012), HEREINAFTER REFERRED TO AS PN.

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 104TH AVENUE AND THE WEST RIGHT-OF-WAY LINE OF HURON STREET;

THENCE NORTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE OF HURON STREET, AND THE NORTHERLY EXTENSION THEREOF, TO THE CENTERLINE OF 112TH AVENUE;

THENCE EASTERLY, ALONG THE CENTERLINE OF 112TH AVENUE, TO THE CENTERLINE OF HURON STREET;

THENCE NORTHERLY, ALONG THE CENTERLINE OF HURON STREET, TO THE WESTERLY EXTENSION OF THE NORTH LINE OF PN 0171903208001;

THENCE EASTERLY, ALONG SAID WESTERLY EXTENSION, AND THE NORTH LINE OF PN 0171903208001, TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171903208001, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID PN 0171903208001, TO THE SOUTHWEST CORNER THEREOF;

THENCE SOUTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF HURON STREET, TO THE NORTHWEST CORNER OF PN 0171903005007;

THENCE EASTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF 115TH AVENUE, TO THE NORTHEAST CORNER OF PN 0171903005019;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171903005019 TO THE NORTHWEST CORNER OF PN 0171903005021;

THENCE EASTERLY, ALONG THE NORTH LINE OF PN 0171903005021, TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171903005021, AND THE SOUTHERLY EXTENSION THEREOF, TO THE SOUTH RIGHT-OF-WAY LINE OF 114TH AVENUE;

THENCE WESTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF 114TH AVENUE, TO THE NORTHEAST CORNER OF PN 0171903002004;

THENCE SOUTHERLY, ALONG THE EAST LINES OF PN 0171903002004 AND PN 0171903002007, TO THE NORTH LINE OF PN 0171903002016;



THENCE EASTERLY, ALONG THE NORTH LINE OF PN 0171903002016, TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ALONG THE EAST LINES OF PN 0171903002016, PN 0171903304001, PN 0171903003002, AND THE SOUTHERLY EXTENSION THEREOF, TO THE SOUTH RIGHT-OF-WAY LINE OF 112TH AVENUE;

THENCE EASTERLY, ALONG THE NORTH LINE OF PN 0171910217038, TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171910217038, TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ALONG THE WEST LINES OF PN 0171910205011 AND PN 0171910205010, TO THE NORTHEAST CORNER OF PN 0171910205016;

THENCE WESTERLY, ALONG THE NORTH LINE OF PN 0171910205016, TO THE EAST RIGHT-OF-WAY LINE OF HURON STREET;

THENCE SOUTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF HURON STREET, TO THE NORTHWEST CORNER OF PN 0171910215005;

THENCE EASTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF KENNEDY DRIVE, TO THE NORTHEAST CORNER OF PN 0171910304017;

THENCE SOUTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE OF MELODY DRIVE, TO THE SOUTHEAST CORNER OF PN 0171910307037;

THENCE EASTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF 104TH AVENUE, TO THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE NORTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET, TO THE SOUTHEAST CORNER OF PN 0171910401012;

THENCE WESTERLY, ALONG THE SOUTH LINES OF PN 0171910401012, PN 0171910401021 AND PN 0171910401010, TO THE SOUTHWEST CORNER OF PN 0171910401010;

THENCE NORTHERLY, ALONG THE WEST LINE OF PN 0171910401010, TO THE NORTHWEST CORNER THEREOF;

THENCE EASTERLY, ALONG THE NORTH LINES OF PN 0171910401010 AND PN 0171910401021, TO THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE NORTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET, TO THE SOUTHEAST CORNER OF PN 0171903400004;

THENCE WESTERLY, ALONG THE SOUTH LINES OF PN 0171903400004, PN 0171903400006 AND PN 0171903400007, TO THE EAST LINE OF PN 0171903409015;

THENCE SOUTHERLY ALONG THE EAST LINE OF PN 0171903409015, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171903409015, TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF GRANT DRIVE, TO THE NORTH RIGHT-OF-WAY LINE OF MALLEY DRIVE;

THENCE WESTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF MALLEY DRIVE, TO THE SOUTHWEST CORNER OF PN 0171903410013;

THENCE NORTHERLY, ALONG THE WEST LINE OF PN 0171903410013, TO THE NORTHWEST CORNER THEREOF;

THENCE EASTERLY, ALONG THE NORTH LINES OF PN 0171903410013 AND PN 0171903411001, TO THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE NORTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE OF WASHINGTON STREET, TO THE SOUTHEAST CORNER OF PN 0171903111008;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171903111008, TO THE EAST LINE OF PN 0171903111032;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171903111032, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE SOUTH LINES OF PN 0171903111032, PN 0171903111027 AND PN 0171903111034, TO THE SOUTHEAST CORNER OF PN 0171903113014;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171903113014, TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE SOUTHERLY, ALONG THE EAST LINES OF PN 0171903108001 AND PN 0171903108002, TO THE MOST SOUTHERLY CORNER OF PN 0171903108002;

THENCE NORTHWESTERLY, ALONG THE SOUTHWEST LINE OF PN 0171903108002, TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF PN 0171903112002;

THENCE WESTERLY, ALONG SAID EASTERLY EXTENSION, AND THE SOUTH LINE OF PN 0171903112002, TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTHWESTERLY, TO THE SOUTHEAST CORNER OF PN 0171903214003;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171903214003, TO THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 25;

THENCE NORTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 25, TO THE MOST NORTHERLY CORNER OF PN 0171903200020;

THENCE NORTHERLY, ALONG THE WEST LINE OF PN 0171903210001, AND THE NORTHERLY EXTENSION THEREOF, TO THE CENTERLINE OF 120TH AVENUE;

THENCE EASTERLY, ALONG THE CENTERLINE OF 120TH AVENUE, TO THE NORTHERLY EXTENSION OF THE WEST LINE OF PN 0171903100010;

THENCE SOUTHERLY, ALONG SAID NORTHERLY EXTENSION, AND THE WEST LINE OF PN 0171903100010, TO THE SOUTHWEST CORNER THEREOF;

THENCE EASTERLY, ALONG THE SOUTH LINE OF PN 0171903100010, TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTHERLY, ALONG THE EAST LINE OF PN 0171903100010, AND THE NORTHERLY EXTENSION THEREOF, TO THE CENTERLINE OF 120TH AVENUE;

THENCE EASTERLY, ALONG THE CENTERLINE OF 120TH AVENUE, TO THE NORTHERLY EXTENSION OF THE EAST LINE OF PN 0171902209021;

THENCE SOUTHERLY, ALONG SAID NORTHERLY EXTENSION, AND THE EAST LINES OF PN 0171902209021, PN 0171902209034 AND PN 0171902209035, TO THE SOUTHEAST CORNER OF PN 0171902209035;

THENCE WESTERLY, ALONG THE SOUTH LINES OF PN 0171902209035 AND PN 0171902209033, TO THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE SOUTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET, TO THE EASTERLY EXTENSION OF THE NORTH LINE OF PN 0171903413005;

THENCE WESTERLY, ALONG SAID EASTERLY EXTENSION, AND THE NORTH LINES OF PN 0171903413005 AND PN 0171903413004, TO THE NORTHWEST CORNER OF PN 0171903413004;

THENCE SOUTHERLY, ALONG THE WEST LINES OF PN 0171903413004 AND PN 0171903413007, TO THE SOUTHWEST CORNER OF PN 0171903413007;

THENCE EASTERLY, ALONG THE SOUTH LINE OF PN 0171903413007, AND THE EASTERLY EXTENSION THEREOF, TO THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE SOUTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET, TO THE NORTH RIGHT-OF-WAY LINE OF 112TH AVENUE;

THENCE EASTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF 112TH AVENUE, TO THE NORTHERLY EXTENSION OF THE EAST LINE OF PN 0171911101037;

THENCE SOUTHERLY, ALONG SAID NORTHERLY EXTENSION, AND THE EAST LINE OF PN 0171911101037, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE SOUTH LINES OF PN 0171911101037, PN 0171911101017, PN 0171911101016, PN 0171911101039 AND PN 0171911101044, TO THE SOUTHEAST CORNER OF PN 0171911101002;

THENCE NORTHERLY, ALONG THE EAST LINE OF PN 0171911101002, TO THE NORTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE NORTH LINE OF PN 0171911101002, TO THE EAST RIGHT-OF-WAY LINE OF IRMA DRIVE;

THENCE SOUTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF IRMA DRIVE, TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF PN 0171911103019;

THENCE WESTERLY, ALONG SAID EASTERLY EXTENSION, AND THE SOUTH LINE OF PN 0171911103019, TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTHERLY, ALONG THE WEST LINE OF PN 0171911103019, TO THE NORTHWEST CORNER THEREOF;

THENCE EASTERLY, ALONG THE NORTH LINE OF PN 0171911103019, TO THE WEST RIGHT-OF-WAY LINE OF IRMA DRIVE;

THENCE NORTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE OF IRMA DRIVE, TO THE SOUTHEAST CORNER OF PN 0171911103015;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171911103015, TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTHERLY, ALONG THE WEST LINES OF PN 0171911103015, PN 0171911103016 AND PN 0171911103018, TO THE SOUTH RIGHT-OF-WAY LINE OF 112TH AVENUE;

THENCE WESTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF 112TH AVENUE, TO THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE SOUTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET, TO THE NORTHWEST CORNER OF PN 0171911300005;

THENCE EASTERLY, ALONG THE NORTH LINES OF PN 0171911300005 AND PN 0171911300006, TO THE NORTHEAST CORNER OF PN 0171911300006;

THENCE SOUTHERLY, ALONG THE EAST LINES OF PN 0171911300006, PN 0171911300002 AND PN 0171911300003, TO THE SOUTHEAST CORNER OF PN 0171911300003;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171911300003, TO THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE SOUTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF WASHINGTON STREET, AND THE SOUTHERLY EXTENSION THEREOF, TO THE CENTERLINE OF 104TH AVENUE;

THENCE WESTERLY, ALONG THE CENTERLINE OF 104TH AVENUE, TO THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 25;

THENCE WESTERLY, TO THE NORTHEAST CORNER OF PN 0171915201023;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171915201023, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY AND NORTHERLY, ALONG THE SOUTH AND WEST LINES OF PN 0171915201023, TO THE SOUTH RIGHT-OF-WAY LINE OF 104TH AVENUE;

THENCE WESTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF 104TH AVENUE, TO THE NORTHEAST CORNER OF PN 0171915201037;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171915201037, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171915201037, TO THE NORTHEAST CORNER OF PN 0171915201036;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171915201036, TO THE SOUTHEAST CORNER THEREOF;

THENCE EASTERLY, ALONG THE NORTH LINES OF PN 0171915201035 AND PN 0171915201033, TO THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 25;

THENCE SOUTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 25, TO THE SOUTHEAST CORNER OF PN 0171915201031;

THENCE WESTERLY, ALONG THE SOUTH LINES OF PN 0171915201031 AND PN 0171915201029, TO THE MOST SOUTHERLY CORNER OF PN 0171915201029;

THENCE NORTHERLY, ALONG THE EAST LINE OF PN 0171915201029, TO THE SOUTH LINE OF PN 0171915202016;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171915202016, TO THE MOST SOUTHERLY CORNER THEREOF;

THENCE NORTHERLY, ALONG THE WEST LINE OF PN 0171915202016, TO THE MOST WESTERLY CORNER THEREOF;

THENCE EASTERLY, ALONG THE NORTH LINE OF PN 0171915202016, TO THE SOUTHWEST CORNER OF PN 0171915202015;

THENCE NORTHERLY, ALONG THE WEST LINE OF PN 0171915202015, TO THE SOUTH RIGHT-OF-WAY LINE OF 104TH AVENUE;

THENCE WESTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF 104TH AVENUE, TO THE NORTHEAST CORNER OF PN 0171915204003;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171915204003, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE SOUTH LINE OF PN 0171915204003, TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTHERLY, ALONG THE WEST LINE OF PN 0171915204003, TO THE SOUTH RIGHT-OF-WAY LINE OF 104TH AVENUE;

THENCE WESTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF 104TH AVENUE, TO THE NORTHEAST CORNER OF PN 0171916102019;

THENCE SOUTHERLY, ALONG THE EAST LINE OF PN 0171916102019, TO THE SOUTHEAST CORNER THEREOF;

THENCE WESTERLY, ALONG THE SOUTH LINES OF PN 0171916102019 AND PN 0171916102001, AND THE WESTERLY EXTENSION THEREOF, TO THE WEST RIGHT-OF-WAY LINE OF PECOS STREET;

THENCE NORTHERLY, ALONG THE WEST RIGHT-OF-WAY LINE, AND THE NORTHERLY EXTENSION THEREOF, TO THE NORTH RIGHT-OF-WAY LINE OF 104TH AVENUE;

THENCE EASTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF 104TH AVENUE, TO THE POINT OF BEGINNING.