

RESOLUTION NO. 161-18

A RESOLUTION MAKING CERTAIN LEGISLATIVE FINDINGS AND APPROVING THE MUSEUM & PARK URBAN RENEWAL PLAN

WHEREAS, it is desirable and in the public interest that the Colorado Springs Urban Renewal Authority ("CSURA") undertake the redevelopment described in the Museum & Park Urban Renewal Plan (the "Plan"), attached and incorporated herein as "Exhibit A"; and

WHEREAS, the Plan is a matter of public record in the custody of the City Clerk, and is available for public inspection during business hours of the City; and

WHEREAS, there was presented to the City Council for its review and consideration a document entitled the "Conditions Study for the Southwest Downtown Study Area" (the "Conditions Survey"), dated June 2018, prepared by DGC Consulting, which shows that the area described in the Plan qualifies as a blighted area as such term is defined in the Colorado Urban Renewal Law, Colorado Revised Statutes ("C.R.S.") § 31-25-101, *et seq.* (the "Act"); and

WHEREAS, the Colorado Springs Urban Renewal Authority Board approved the Conditions Survey at its June 27, 2018 meeting; and

WHEREAS, the Colorado Springs Urban Renewal Authority Board adopted the Plan at its October 24, 2018 meeting; and

WHEREAS, on October 18, 2018, pursuant to C.R.S. § 31-25-107 (2), the City of Colorado Springs City Planning Commission found that the Plan is consistent with the Comprehensive Plan of the City of Colorado Springs (general plan), and the Experience Downtown Master Plan and Plan of Development, and recommended its adoption; and

WHEREAS, at its November 26, 2018 public "Work Session" meeting, the City Council received information regarding the Plan which it incorporates as evidence and a part of its record on this matter; and

WHEREAS, on December 11, 2018, the City Council conducted a public hearing and reviewed the Plan pursuant to the procedural and notice requirements of the City Charter and the Act; and

WHEREAS, notice of the City Council's December 11, 2018 public hearing on the Plan was published at least thirty (30) days prior to the public hearing as required by C.R.S. § 31-25-107 (3); and

WHEREAS, written notice of the public hearing was mailed to all property owners, owners of business concerns, and residents of the area included in the Plan at least thirty (30) days prior to the public hearing; and

WHEREAS, the City Council has considered the evidence presented in support of and in opposition to the Plan, the Conditions Survey, the City's Comprehensive Plan, the Experience Downtown Master Plan and Plan of Development, the CSURA recommendation, City staff recommendation, the legislative record and has given appropriate weight to the evidence.

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

Section 1. The "Urban Renewal Area" described in the Plan is found and declared to be a blighted area as defined by the Act, and such Urban Renewal Area, in its present condition and use, 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 public health, safety, morals, or welfare. This is a legislative finding by the City Council based upon the Conditions Survey and other evidence presented to the City Council.

Section 2. The boundaries of the Urban Renewal Area have been drawn as narrowly as the City Council determines feasible to accomplish the planning and development objectives of the Plan.

Section 3. The Plan has been submitted to the Board of County Commissioners of El Paso County, Colorado, together with the information required by C.R.S. § 31-25-107.

Section 4. Colorado Springs School District 11 has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of the tax allocation provisions authority by C.R.S. § 31-25-107(9).

Section 5. Pursuant to C.R.S. § 31-25-107(9.5), CSURA has notified the Board of County Commissioners of El Paso County and the governing boards of each other taxing entity whose incremental property tax revenues would be allocated under the Plan as of the date hereof. Representatives of CSURA and the governing body of each such taxing entity have met and attempted to negotiate an agreement governing the sharing of incremental property tax revenue allocated to the special fund established in accordance with the Plan and the Act. CSURA has reached an agreement with each taxing entity whose incremental property tax revenues would be allocated under the Plan as of the date hereof.

Section 6. It is not expected that any relocation of individuals and families will be required in connection with the Plan, but to the extent that any such relocation may be required,

a feasible method exists for the relocation of individuals and families in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families.

Section 7. It is not expected that any relocation of business concerns will be required in connection with the Plan, but to the extent that any such relocation may be required, a feasible method exists for the relocation of such business concerns in the Urban Renewal Area or in other areas that are not generally less desirable with respect to public utilities and public and commercial facilities.

Section 8. The City Council has taken reasonable efforts to provide written notice of the public hearing prescribed by C.R.S. § 31-25-107 (3) to all property owners, residents, and owners of business concerns in the proposed Urban Renewal Area at their last known addresses at least thirty (30) days prior to the public hearing on the Plan.

Section 9. C.R.S. § 31-25-107 (4)(d) does not apply because no more than 120 days have passed since the commencement of the only public hearing on the Plan.

Section 10. C.R.S. § 31-25-107 (4)(e) does not apply because the City Council did not fail to previously approve the Plan.

Section 11. The Plan conforms with the Comprehensive Plan of the City of Colorado Springs, which is the general plan for the development of the City as a whole.

Section 12. The Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the Urban Renewal Area described in the Plan.

Section 13. To the extent any additional county infrastructure or services are required to serve development within the Urban Renewal Area, CSURA will adequately finance, or agreements are in place to finance, any such infrastructure and services for the period in which all or any portion of the property taxes described in C.R.S. § 31-25-107(9)(a)(II) and levied by a county are paid to CSURA.

Section 14. To the extent the Urban Renewal Area may constitute open land within the meaning of C.R.S. § 31-25-107 (5), it is found and determined that a shortage of housing of sound standards and design that is decent, safe, and sanitary exists in the City, the need for housing accommodations has been or will be increased as a result of the clearance of substandard and dilapidated housing in the City, the conditions of blight in the Urban Renewal Area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare, and, if necessary to carry out the Plan, the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

Section 15. To the extent the Urban Renewal Area may constitute open land within the meaning of C.R.S. § 31-25-107 (6), it is found and determined that the nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth and development of the community in accord with sound planning standards and local community objectives and, if necessary to carry out the Plan, the contemplated acquisition of the area may require the exercise of governmental action, as provided in the Act, because of being a blighted area.

Section 16. C.R.S. § 31-25-107 (1)(c)(II) and (III) do not apply because the Urban Renewal Area does not contain any agricultural land.

Section 17. The Plan has been duly reviewed and considered and is hereby approved by the City Council. The CSURA is hereby authorized to take any and all action pursuant to the Act to carry out the Plan.

Dated at Colorado Springs, Colorado, this 11th day of December, 2018.



Council President

ATTEST


Sarah B. Johnson, City Clerk

**Urban Renewal Plan for
Museum & Park Urban Renewal Area
Colorado Springs, Colorado**

Prepared for:

Colorado Springs Urban Renewal Authority
30 South Nevada Avenue, Suite 603
Colorado Springs, CO 80903

Prepared by:

DGC Consulting

DGC Consulting
18331 E. Davies Avenue
Foxfield, CO 80016

FINAL
September 2018

Background information and other data have been furnished to DGC Consulting (DGC) by Colorado Springs Urban Renewal Authority, Colorado Springs Downtown Development Authority, City of Colorado Springs, the Developer and/or third parties, which DGC has used in preparing this report. DGC has relied on this information as furnished, and is neither responsible for nor has confirmed the accuracy of this information.

Contents

1.0	Introduction	1
1.1	Preface	1
1.2	Blight Findings.....	1
1.3	Other Findings.....	1
1.4	Urban Renewal Area Boundaries	2
2.0	Definitions.....	2
3.0	Purpose of the Plan.....	4
4.0	Blight Conditions	5
5.0	Plan's Relationship to Local Objectives and Appropriate Land Uses	6
5.1	Plan Conformity	6
5.2	Consistency with Comprehensive Plan	7
5.3	Relationship to Other Community Plans.....	7
6.0	Authorized Urban Renewal Undertakings and Activities.....	7
6.1	Undertakings and Activities to Remedy Blight.....	7
6.2	Project Development Plan	10
6.3	Complete Public Improvements and Facilities.....	10
6.4	Plan Modification	10
6.5	Provide Relocation Assistance	11
6.6	Demolish, Clear and Prepare Improvements.....	11
6.7	Acquire and Dispose of Property	11
6.8	Enter into Redevelopment / Development Agreements	11
6.9	Enter Into Cooperation Agreements.....	12
6.10	Other Project Undertakings and Activities	12
7.0	Project Financing.....	12
7.1	Base Valuation Revenues	13
7.2	Increment Valuation Revenues.....	13
8.0	Severability	14
Appendix		15
	Appendix A: Museum & Park Urban Renewal Area Legal Description and Map	15
	Appendix B: Excerpts from 2001 City of Colorado Springs Comprehensive Plan	16

[This page intentionally left blank]

1.0 Introduction

1.1 Preface

This Museum & Park Urban Renewal Plan (the “Plan” or the “Urban Renewal Plan”) has been prepared for the City of Colorado Springs, Colorado, a home rule municipal corporation of the State of Colorado (the “City”). The Plan will be carried out by the Colorado Springs Urban Renewal Authority (the “Authority”), 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 to date (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.

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project by the City Council of the City. 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 impair or arrest 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 Southwest Downtown Conditions Study, prepared by DGC Consulting, dated June 2018, provided to the Authority under separate cover and incorporated herein by this reference (the “Conditions Study”), demonstrates that the Southwest Downtown Study Area (“Study Area”), as defined in the Conditions Study, is eligible to be declared a blighted area by the City Council under the Act. Note that the Conditions Study surveyed approximately 125.7 acres, which is an area larger than the 81.7 acre Urban Renewal Area.

1.3 Other Findings

The Area (defined in Section 1.4) is appropriate for an urban renewal project to be carried out by the Authority. The activities and undertakings that constitute the urban renewal project as defined in the Act include, without limitation, demolition and clearance of existing improvements, site preparation, installation of needed public improvements, relocation of and provision of new utilities, parking improvements, traffic improvements, and life safety measures. Such actions are necessary to eliminate unsafe conditions, obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of blight.

As required by §31-25-107(4)(g) of the Act, this Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City, for the redevelopment of the Urban Renewal Area by private enterprise.

It is the intent of the City Council in adopting this Plan that the Authority exercises all powers authorized in the Act which may be necessary, convenient or appropriate to accomplish the objectives of this Plan, except that the use of the power of eminent domain is not authorized. It is the intent of this Plan that

the Authority may 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 and police powers exercised. 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 Museum & Park Urban Renewal Area (the "Urban Renewal Area" or the "Area") is comprised of 81.7 acres in Downtown Colorado Springs. The Area is irregular in shape. The north side is bounded by Colorado Avenue and West Cucharas Street, the east side by Cascade Avenue and Sahwatch Street, the south side by Cimarron Street, and the west side by Interstate 25. It excludes most of the Denver & Rio Grande Western Railyard R.O.W.

The Area is depicted and shown on Appendix A: Museum & Park Urban Renewal Area and Legal Description.

2.0 Definitions

Act – has the meaning given to such term in Section 1.1 above.

Area or Urban Renewal Area – has the meaning given to such term in Section 1.4 above.

Authority – has the meaning given to such term in Section 1.1 above.

Available Property Tax Increment Revenues – means all Property Tax Increment Revenues available pursuant to the Tax Increment Financing provisions of the Act not payable to taxing bodies pursuant to agreements, if any, with the Authority or otherwise as provided in §31-25-107(9.5) of the Act. In the event that an agreement is reached with a taxing body pursuant to § 31-25-107(9.5) of the Act after the Effective Date of Plan Approval, the Property Tax Increment Revenues generated by said taxing body's mill levy shall become Available Property Tax Increment Revenues, and the addition of such revenue shall not be a substantial modification to this Plan. Upon approval of this Plan the Available Property Tax Increment Revenues are irrevocably pledged to payment of Bonds for the Duration of the Urban Renewal Project as provided in Section 7.0 below.

Base Valuation Revenues – means the revenues produced by the base valuation for taxable property and municipal sales and use taxes as provided in Section 7.0 of this Plan.

Bonds – shall have the same meaning as in §§31-25-103(3) and 109 of the Act, and, without limitation, specifically includes all revenues pledged to the Authority, including Available Property Tax Increment Revenues, and further pledged to pay Project costs pursuant to Redevelopment/Development Agreements or other reimbursement agreements between the Authority and owners and developers.

City – has the meaning given to such term in Section 1.1 above.

City Council – means the City Council of the City.

Colorado Springs Comprehensive Plan (or Comprehensive Plan) – means 2001 City of Colorado Springs Comprehensive Plan, as such plan has been or may be amended from time to time.

Colorado Springs Downtown Plan – means 2016 Experience Downtown Colorado Springs, Plan of Development and Master Plan, prepared by Progressive Urban Management Associates.

Conditions Study (or Study or Survey) – has the meaning given to such term in Section 1.2 above.

Cooperation Agreement – means any agreement between the Authority and City, or between the Authority and any public body (the term “public body” being used in this Plan is 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.

County Treasurer – means the El Paso County Treasurer.

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

Duration – means the entire twenty-five (25) year time period authorized by §31-25-107(9) of the Act.

Effective Date of Plan Approval – means the date this Plan is approved by resolution of the City Council.

Impact Report – means the Museum & Park Urban Renewal Area Tax Forecast and County Impact Report, prepared by DGC Consulting, dated September 2018.

District (or Districts) – means a metropolitan district which is a quasi-municipal corporation and political subdivision of the State of Colorado organized under the Colorado Special District Act, 32-1-101, et seq., C.R.S., as from time to time amended, or a business improvement district which is a quasi-municipal corporation and political subdivision of the State of Colorado organized under the Colorado Business Improvement District Act, 31-25-1201, et seq., C.R.S., as from time to time amended, or any successor District or Districts thereto as may be approved by the City.

Increment Valuation Revenues – means the revenues produced by the increment valuation of taxable property and municipal sales and use taxes as described in Section 7.0 of this Urban Renewal Plan.

Plan or Urban Renewal Plan – has the meaning given to such term in Section 1.1 above.

Pledged Revenues – means any and all revenues available to the Authority, including, without limitation, Available Property Tax Increment Revenues, Sales Tax Increment Revenues and Use Tax Increment Revenues any revenues available to the Authority from Districts, or any other source that are pledged by this Plan or otherwise to the payment of Bonds of the Authority.

Project or Urban Renewal Project – means all activities and undertakings described in §31-25-103(10), C.R.S., and otherwise authorized by the Act as required for the Duration of the Project to complete development and redevelopment of the Urban Renewal Area, including, without limitation financing and construction of all public and private improvements and payment of all financing obligations included in the definition of Bonds.

Property Taxes – means, without limitation, all levies to be made on an ad valorem basis by or for the benefit of any public body upon taxable real and personal property in the Area.

Property Tax Increment Revenues – means the property tax revenues allocated to the Authority pursuant to §31-25-107(9) of the Act and Section 7.0 of this Plan.

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.

Sales Tax Increment Revenues – means City sales tax revenues allocated to the Authority pursuant to §31-25-107(9) of the Act and Section 7.0 of this Plan.

Study Area – has the meaning given to such term in Section 1.2 above.

Tax Increment Financing or TIF – means tax allocation financing described in §31-25- 107(9) of the Act as in effect on the date this Plan is approved by the City Council. Tax Increment Financing shall be required for the full Duration to carry out all activities and undertakings to complete the Urban Renewal Project, including, without limitation, payment of all Bonds.

Use Tax Increment Revenues – means City use tax revenues allocated to the Authority pursuant to §31-25-107(9) of the Act and Section 7.0 of this Plan.

3.0 Purpose of the Plan

The main public purpose of this Plan is to reduce, eliminate and prevent the spread of blight within the Area through redevelopment by private enterprise. The Plan sets goals to achieve this through implementing established objectives for the Area and assisting with the eligible costs of redevelopment, promoting economic growth and private investment through the tools available within the context of urban renewal tools, laws, and guidelines, including, without limitation, Tax Increment Financing.

Establishment of the Urban Renewal Area will take advantage of improving conditions and the upcoming development cycle by focusing urban renewal efforts in a small Area for the Duration in accordance with the mandates of the Act.

The Authority commissioned a Conditions Study by DGC Consulting to determine if the Urban Renewal Area contained the factors that constitute a Blighted Area as defined in §31-25-103 of the Act. The Conditions Study was issued and approved in 2018. It concluded that nine of the statutory factors are

present in the Area, which supports a finding and declaration by the City Council that the Area is a Blighted Area as defined in the Act.

4.0 Blight Conditions

Before an urban renewal plan can be approved and adopted by the City Council, the area must be found and declared to be a “blighted area” as defined in Section 31-25-103(2) of the Act. The Act provides that, in order for blight to be present within the area, at least four specific blight factors must be present in the area, and that such area, in its present condition and use 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.

DGC conducted the Conditions Study which included the following steps:

- 1. Define the Study Area;
- 2. Conduct a visual field survey for the property and evaluate current conditions;
- 3. Review data provided by the City;

4. Evaluate conditions found in the context of statutory blight criteria; and
5. Document the survey findings, as presented in the Conditions Study.

The Study Area is approximately 125.7 acres, including public rights-of-way and a public park. It is owned primarily by private entities. The Urban Renewal Area is located entirely within the Study Area. The future redevelopment of the Urban Renewal Area is proposed to be mixed use development, including residential, hotel, commercial, retail, office, industrial, cultural, and public uses.

Of the eleven qualifying factors identified in the Act, the Conditions Study revealed the following nine qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, evident within the Study Area.

- a. Slum, deteriorating or deteriorated structures
- b. Predominance of defective or inadequate street layout
- 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 which 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

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

5.1 Plan Conformity

Implementation of this Plan supports the objectives and requirements of the Comprehensive Plan with respect to connectivity to neighborhoods, accessibility to open space, completion of infrastructure, and

preservation of natural features, and quality design that promotes Colorado Springs's unique identity. As development occurs in the Area, it shall conform to the Comprehensive Plan and any subsequent updates; the Pikes Peak Regional 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. Finally, existing conditions present within the Area will be remedied by the proposed Plan and funded in part by tax increment revenues and improvements phased as the market allows.

5.2 Consistency with Comprehensive Plan

As explained above, a comprehensive or general plan for the City known as the City of Colorado Springs Comprehensive Plan was adopted in 2001 as an amendment to the 1991 plan of the same name. The Authority, with the cooperation of the City, private businesses, 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 the Comprehensive Plan and all other City-adopted plans which impact properties within the Area. These include the recent key goals and policies of that plan which this Urban Renewal Plan will advance are described in detail in Appendix B: Excerpts from 2001 City of Colorado Springs Comprehensive Plan.

5.3 Relationship to Other Community Plans

Implementation of this Plan will be consistent with the development goals and objectives in other community plans and guides which pertain to development in the Area. The 2016 Experience Downtown Colorado Springs - Plan of Development and Master Plan, summarizes a planning vision, goals, objectives, and actions for Downtown Colorado Springs, which includes the Urban Renewal Area. The 2007 Downtown Colorado Springs Form-Based Code summarizes development standards and design guidelines for Downtown, including the Downtown Central Sector of which the Urban Renewal Area is a part.

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. The Authority is authorized to provide both financial assistance and improvements in partnership with property owners and other affected parties in order to accomplish the objectives stated herein. Public-private partnerships and other forms of cooperative development, including Cooperation Agreements, will be essential to the Authority's strategy for preventing the spread of blight and eliminating existing blighting conditions. Without limitation, undertakings and activities of the Authority in the furtherance of this Plan as described as follows.

6.1 Undertakings and Activities to Remedy Blight

As described in Section 4.0 of this Plan, nine qualifying conditions of blight were identified in the Study Area of which this Urban Renewal Area is a part. Each of the nine qualifying conditions was observed

within the Urban Renewal Area. Implementation of this Plan by providing urban renewal resources for public and private improvements will remedy many of the following conditions:

(a) Slum, deteriorating or deteriorated structures – OBSERVED

Several private structures in the Study Area exhibited a wide range of exterior deterioration in terms of walls, foundations, eaves, finishes, windows and doors, stairways, loading docks, ancillary structures, and exposed electrical and structural elements. Urban renewal resources can be used to demolish and clear these buildings, allowing new public and private improvements to be constructed that will help to eliminate these blight factors.

(b) Predominance of defective or inadequate street layout – OBSERVED

Many of the parcels in the Study Area exhibited poor vehicle access, non-existent or substandard driveways, and poor or non-existent parking lot layouts. Much of this was due to a lack of curb and gutter along the street right-of-way. Taken as a whole, the Study Area exhibited a predominance of defective and inadequate street layout. Urban renewal resources focused on private development and public improvements will help to eliminate these blight factors.

(d) Unsanitary or unsafe conditions – OBSERVED

The site survey identified multiple examples of unsanitary or unsafe conditions in the Study Area. These include poor outdoor lighting, uneven surfaces for pedestrians, poor drainage, insufficient grading, trash and debris, abandoned/inoperable vehicles and equipment, presence of hazardous materials and conditions, evidence of vagrants/vandalism/graffiti and unsafe level changes/drop-offs. Urban renewal resources focused on improvements to the pedestrian zone and right-of-way, including sidewalks, curb and gutter, lighting, and drainage improvements, as well as street paving and intersection improvements. Urban renewal resources to encourage private redevelopment will help to eliminate evidence of blight including abandoned vehicles, equipment, graffiti, and vandalism.

(e) Deterioration of site or other improvements – OBSERVED

The site survey documented widespread deterioration of site and other improvements throughout the Study area. These included deteriorated/lack of on-site parking lot paving, curb and gutter, sidewalks, outdoor lighting, and surface drainage facilities. In addition, there were numerous examples of lack of site maintenance, non-conformance to development regulations, deteriorated signage, and deteriorated site improvements such as fencing and walls. Urban renewal resources focused on private development and public improvements will help to eliminate these blight factors.

(f) Unusual topography or inadequate public improvements or utilities – OBSERVED

There were widespread examples of inadequate public improvements or utilities in the public right-of-way. This included poor site grading that prevented surface drainage, deteriorated/lack of street pavement, curb and gutter, overhead lighting, and sidewalks. Urban renewal resources focused on improvements in the public right-of-way will help to eliminate these blight factors.

(h) The existence of conditions that endanger life or property by fire or other causes – OBSERVED

Examples of life or property-endangering conditions were observed in the Study Area. These include dry debris and hazardous materials near structures, dead trees and shrubs in high traffic areas, and unsafe level changes that could result injury. Urban renewal resources supporting private redevelopment improvements can help to eliminate or mitigate these conditions.

(i) Buildings which 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 – OBSERVED

This factor was evaluated through the field survey and desktop analysis. The field survey focused on parcels that included buildings, which in many cases were in poor repair. The photographs highlight several buildings with obvious code and safety violations such as exposed electrical, exposed and damaged walls and structural elements, and unprotected vertical drops. These buildings were also in poor repair or dilapidated and otherwise inadequate for current occupancy. Taken together, these observations are evidence of buildings which 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.

Urban renewal resources that stimulate private development may help to rehabilitate or replace these buildings with new, code-compliant structures that can eliminate these blight factors.

(j) Environmental contamination of buildings or property - OBSERVED

The Limited Site Investigation (LSI) of Industrial Property at South Sierra Madre Street and Cimarron Street was prepared for the Olympic Museum by Terracon in July 2015. Evidence of contaminants and hazardous materials was found through soil sampling. Terracon recommended that the site be entered into the CDPHE Voluntary Cleanup Program (VCUP), which provides public and private property owners with the opportunity to facilitate remediation as well as assurances against future regulatory enforcement once the site has satisfied the remedial targets set forth in the VCUP program. The VCUP application package would include a materials management plan (MMP) for handling impacted materials from construction activities, specifically the PAHs identified in the coal based fill material on the site. In addition, Terracon recommended a review of proposed construction plans for the site.

These documented conditions are evidence of environmental contamination of buildings or property within the Study Area. Urban renewal resources that help to stimulate private development which can fund, possibly with public funds, the cleanup of these sites and eliminate these blight factors.

(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 – OBSERVED

Many parts of the Study Area have vacant sites or are physically underutilized. This is documented in the 2016 Downtown Colorado Springs Market Assessment and is also supported by the Floor Area Ratio (FAR) analysis referenced in the Conditions Study. Urban renewal resources that help stimulate private development and which are used to construct public improvements will help to eliminate these blight factors.

6.2 Project Development Plan

The primary goal of this Plan is to eliminate the current conditions of blight in the Urban Renewal Area and prevent those conditions from reoccurring. The contemplated redevelopment of the Area is for use as hotel, related retail, and parking facilities; provided however, the Authority is authorized to approve any uses for the Area that eliminate blight and are consistent with the Comprehensive Plan and applicable zoning, including, without limitation, mixed use development, including residential, hotel, commercial, retail, office, industrial, cultural, and public uses.

6.3 Complete Public Improvements and Facilities

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or may cause others, including, without limitation, one or more Districts to install, construct, and reconstruct any public improvements, including, without limitation, parking facilities. The Authority may, or may cause others to, demolish and clear buildings and existing improvements for the purpose of promoting the objectives of the Plan and the Act. Additionally, the Authority may, or may cause others to, install, construct and reconstruct any other authorized improvements, including, without limitation, other authorized undertakings or improvements for the purpose of promoting the objectives of this Plan and the Act.

6.4 Plan Modification

The Authority may propose, and City Council may make, modifications to this Plan as may be necessary; provided, however, any modification of the Plan shall (a) comply with the provisions of the Act, including §31-25-107(7); (b) not impair Pledged Revenues or the ability of the Authority to pay any outstanding Bonds, including any reimbursement obligations of the Authority; or (c) not impair the ability of the Authority or any party to any then-existing agreement to fully perform their respective covenants and duties under any such agreement. The Authority may, in specific cases, allow non-substantive variations

from the provisions of this Plan if it determines that a literal enforcement or application of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

6.5 Provide Relocation Assistance

While it is not anticipated as of the date of this Plan that acquisition of real property will result in the relocation of any individuals, families, or business concerns; if such relocation becomes necessary, the Authority will adopt a relocation plan as necessary to comply with applicable provisions of the Act.

6.6 Demolish, Clear and Prepare Improvements

The Authority is authorized to demolish or cooperate with others to clear buildings, structures and other improvements within the Area in an effort to advance projects deemed consistent with the vision stated herein. Such demolition or site clearance is necessary to eliminate unhealthy, unsanitary, and unsafe conditions; eliminate obsolete uses deemed detrimental to the public welfare; remove and prevent the spread of blight; and facilitate redevelopment of the Area by private enterprise.

6.7 Acquire and Dispose of Property

It is not expected that the Authority will be required to acquire property to carry out the Project. However, if the Authority determines such acquisition is necessary, it is authorized to acquire any such property by negotiation or any other method, except that the Authority is not authorized to acquire property by eminent domain. Properties acquired by the Authority by negotiation may be temporarily operated, managed and maintained by the Authority if requested to do so by the acquiring entity and deemed in the best interest of the Urban Renewal Project and the Plan. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

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 in accordance with the Act and this Plan.

6.8 Enter into Redevelopment / Development Agreements

The Authority may enter into Redevelopment / Development Agreements or other contracts with developer(s) or property owners or such other individuals or entities determined to be necessary to carry out the purposes of this Plan, including the further pledge by the Authority of Pledged Revenues to pay eligible costs pursuant to the Act or any other applicable law. Further, such Redevelopment/Development Agreements, or other contracts, may contain terms, provisions, activities, and undertakings contemplated by this Plan and 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.

6.9 Enter Into Cooperation Agreements

The Authority is authorized to enter into such Cooperation Agreements as may be required by the Act, including tax sharing agreements. The Authority may also use the mediation and other provisions of the Act when necessary to provide adequate financing to carry out this Plan. This paragraph shall not be construed to require any particular form of cooperation.

6.10 Other Project Undertakings and Activities

Other Project undertakings and activities deemed necessary by the Authority to carry out the Plan may be undertaken and performed by the Authority or pursuant to agreements with other parties or public bodies in accordance with the authorization of the Act and any applicable law or laws.

7.0 Project Financing

The Authority is authorized to finance the Project by any method authorized by the Act or any other applicable law, including without limitation, 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 including, without limitation, Districts; issuance of Bonds; sale of securities; Tax Increment Financing (including both property, sales and use tax increments); loans, advances and grants from any other available source.

Any financing method legally available to the City, the Authority, any private developer, redeveloper or owner may be used to finance in whole or in part any lawful cost or financial obligation, including without limitation, the cost of public improvements described, authorized or anticipated in the Act or Plan or in any manner related or incidental to the redevelopment of the Area. Such methods may be combined to finance all or any part of the Project. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for Bonds and all forms of indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the City to finance the Project in whole or in part.

The Authority is authorized to issue Bonds, including notes or any other financing instruments or documents in amounts sufficient to finance all or part of the 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 from Tax Increment Financing revenue or any other funds available to the Authority, including, without limitation, Pledged Revenues.

The Project may be financed by the Authority under the Tax Increment Financing provisions of the Act. Property taxes levied after the effective date of the approval of this Plan upon taxable property in the Area each year by or for the benefit of each specific public body that levies Property Taxes in the Urban Area on taxable property in the Urban Renewal Area or all or a portion of municipal sales and use taxes collected within the Area, or both such taxes, shall be divided for a period not to exceed twenty-five (25) years after the effective date of this allocation provision, as follows:

7.1 Base Valuation Revenues

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each such specific public body upon the valuation for assessment of taxable property in the Area last certified prior to the effective date of approval of the Plan or, as to an area later added to the Area, the effective date of the modification of the Plan, and, subject to the City Council approval, that portion of municipal sales taxes, not including any sales taxes for remote sales as specified in §39-26-104(2), C.R.S., and use taxes collected within the boundaries of the 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, or, both such portions, must be paid into the funds of each such public body as are all other taxes collected by or for said public body.

7.2 Increment Valuation Revenues

That portion of said property taxes or, subject to City Council approval, all or any portion of said sales taxes and use taxes, or both, in excess of the base amount of property taxes, sales taxes or use taxes paid into the funds of each such public body as provided above must 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 in part, the Urban Renewal Project, or to make payments under an agreement executed pursuant to §31-25-107(11) of the Act.

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, as provided above, all of the taxes levied upon the taxable property in the Urban Renewal Area must be paid into the funds of the respective public bodies. Unless and until the respective municipal sales and use tax collections in the Urban Renewal Area exceed the respective base year municipal sales and use tax collections in such urban renewal area, as provided above, all such sales and use tax collections must be paid into the funds of the municipality.

When such bonds, 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 or the total municipal sales and use tax collections, or both, in the Urban Renewal Area must be paid into the funds of the respective public bodies, and all moneys remaining in the special fund that have not previously been rebated and that originated as property tax increment generated based on the mill levy of a taxing body, other than the municipality, within the boundaries of the Urban Renewal Area must be repaid to each taxing body based on the pro rata share of the prior year's property tax increment attributable to each taxing body's current mill levy in which property taxes were divided pursuant to provision. Any moneys remaining in the special fund not generated by property tax increment are excluded from any such repayment requirement. Notwithstanding any other provision of law, revenues excluded by §31-25-107(9)(a)(II) of the Act are not intended to be included in Available Property Tax Increment Revenues.

The Increment Valuation Revenues are irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such Bonds, including any loans, advances and other indebtedness incurred by the Authority to finance the Urban Renewal Project, but excluding 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 §31-25-107(9)(a)(III) and (b) of the Act, and also excluding a reasonable amount each year as determined by the Authority for payment of maintenance and operating expenses associated with administering the Plan, carrying out the Urban Renewal Project, and maintaining the existence of the Authority.

The Available Property Tax Increment Revenues (as described and defined in this Plan) are immediately subject to the lien provided by the provisions of §11-57-208, C.R.S., effective as of the date this Plan is approved by the City Council of the City. Such pledge is necessary and required for the benefit of the Authority and private enterprise to carry the Urban Renewal Project in accordance with the requirements of §31-25-107(4)(g) of the Act. Such Available Property Tax Increment Revenues are and shall be subject to the lien of such pledge for the Duration of the Project without any physical delivery, filing, or further act. The creation, perfection, enforcement and priority of the pledge of the Available Property Tax Increment Revenues as provided herein shall be governed by §11-57-208, C.R.S. The lien of such pledge on the Available Property Tax Increment Revenues shall have priority over any and all other obligations and liabilities of the Authority with respect to the Available Property Tax Increment Revenues.

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.

Appendix

Appendix A: Museum & Park Urban Renewal Area Legal Description and Map



619 N. Cascade Avenue, Suite 200
Colorado Springs, Colorado 80903

(719)785-0790
(719) 785-0799(Fax)

JOB NO. 1025.31-03R
AUGUST 13, 2018
REVISED SEPTEMBER 12, 2018
PAGE 1 OF 9

LEGAL DESCRIPTION:

PARCEL 1

LOTS 1 THROUGH 5 INCLUSIVE AND TRACTS A AND B, AS PLATTED IN CONFLUENCE PARK SOUTH RECORDED UNDER RECEPTION NO. 203096556 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 2

CIMINO DRIVE, PLATTED AS CONFLUENCE PARK BOULEVARD, AS PLATTED IN CONFLUENCE PARK SOUTH RECORDED UNDER RECEPTION NO. 203096556 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 3

ANY PORTION OF CONEJOS STREET, AS PLATTED IN CONFLUENCE PARK SOUTH RECORDED UNDER RECEPTION NO. 203096556 RECORDS OF EL PASO COUNTY, COLORADO, LYING NORTHERLY OF THE EASTERLY EXTENSION OF THE NORTHERLY BOUNDARY LINE OF LOT 6 AS PLATTED IN SAID CONFLUENCE PARK SOUTH.

PARCEL 4

LOTS 1 AND 2, AS PLATTED IN MONUMENT ADDITION TO COLORADO SPRINGS RECORDED IN PLAT BOOK A AT PAGE 24 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 5

ANY PORTION OF COLORADO AVENUE, PLATTED AS HUERFANO STREET, AS PLATTED IN MONUMENT ADDITION TO COLORADO SPRINGS RECORDED IN PLAT BOOK A AT PAGE 24 RECORDS OF EL PASO COUNTY, COLORADO AND IN PARRISH'S ADDITION TO COLORADO SPRINGS RECORDED IN PLAT BOOK A AT PAGE 21, LYING WESTERLY OF THE NORTHERLY EXTENSION OF THE WESTERLY BOUNDARY TRESTLE SUBDIVISION RECORDED IN PLAT BOOK B-4 AT PAGE 71 AND EASTERLY OF A LINE BETWEEN THE NORTHWESTERLY CORNER OF LOT 1 AS PLATTED IN CONFLUENCE PARK SOUTH RECORDED UNDER RECEPTION NO. 203096556 AND THE SOUTHWESTERLY CORNER OF THE SECOND PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 096032802.

PARCEL 6

ANY PORTION OF VERMIJO AVENUE AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, AND PLATTED IN TOWN OF COLORADO SPRINGS RECORDED IN PLAT BOOK A AT PAGE 3, LYING WESTERLY OF THE WESTERLY RIGHT OF WAY LINE OF CASCADE AVENUE AS PLATTED IN SAID TOWN OF COLORADO SPRINGS AND EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF SIERRA MADRE STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS.

PARCEL 7

ANY PORTION OF COSTILLA STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, LYING WESTERLY OF THE WESTERLY RIGHT OF WAY LINE OF SAHWATCH STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS AND EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF SIERRA MADRE STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS.

PARCEL 8

ANY PORTION OF SAHWATCH STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF VERMIJO AVENUE AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS AND NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF CIMARRON STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS.

PARCEL 9

ANY PORTION OF SIERRA MADRE STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, LYING SOUTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF CUCHARRAS STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS AND NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF CIMARRON STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS.

PARCEL 10

ANY PORTION OF CIMARRON STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, LYING WESTERLY OF THE SOUTHERLY EXTENSION OF

THE EASTERLY BOUNDARY LINE OF LOT 2 AS PLATTED IN COLORADO SPRINGS
CREDIT UNION FILING NO. 2 RECORDED UNDER RECEPTION NO. 208712782.

TOGETHER WITH

THAT PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 1749 AT
PAGE 86.

TOGETHER WITH

THAT PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 1991 AT
PAGE 640, **EXCEPT** THAT PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED
UNDER RECEPTION NO. 207141695.

TOGETHER WITH

THAT PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION
NO. 207141694.

TOGETHER WITH

ANY PORTION OF CIMARRON STREET LYING WESTERLY OF THE WESTERLY
BOUNDARY OF ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED
IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO AND
EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 25.

PARCEL 11

ANY PORTION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD RIGHT OF WAY
LYING SOUTHERLY OF THE SOUTHERLY BOUNDARY OF LOT 2, AS PLATTED IN SIERRA
MADRE BUSINESS PARK RECORDED UNDER RECEPTION NO. 099093094 RECORDS OF
EL PASO COUNTY, COLORADO, WESTERLY OF THE WESTERLY RIGHT OF WAY LINE OF
SIERRA MADRE STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO
SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7, NORTHERLY OF THE NORTHERLY
BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER
RECEPTION NO. 216151501 AND EASTERLY OF A LINE BETWEEN THE NORTHWESTERLY
CORNER OF SAID PARCEL DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION
NO. 216151501 AND THE SOUTHWESTERLY CORNER OF LOT 2 AS PLATTED IN SAID
SIERRA MADRE BUSINESS PARK.

TOGETHER WITH

ANY PORTION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD RIGHT OF WAY
LYING SOUTHERLY OF THE WESTERLY EXTENSION OF THE NORTHERLY RIGHT OF WAY
LINE OF VERMIJO AVENUE AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF
COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7, RECORDS OF EL PASO
COUNTY, COLORADO, WESTERLY OF THE WESTERLY BOUNDARY OF A PARCEL OF
LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5525 AT PAGE 1117,
NORTHERLY OF THE WESTERLY EXTENSION OF THE SOUTHERLY RIGHT OF WAY LINE
OF SAID VERMIJO AVENUE AND EASTERLY OF LOT 2 AS PLATTED IN CONFLUENCE
PARK SOUTH RECORDED UNDER RECEPTION NO. 203096556.

PARCEL 12

ALL OF BLOCK 266 AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO
SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY,
COLORADO.

PARCEL 13

ALL OF BLOCK 269 AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 14

LOTS 1 THROUGH 16 INCLUSIVE, AND THE ADJACENT ALLEY SOUTHERLY THEREOF, ALL IN BLOCK 270 AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 15

LOT 2 AS PLATTED IN COLORADO SPRINGS CREDIT UNION FILING NO. 2 RECORDED UNDER RECEPTION NO. 208712782 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 16

TOGETHER WITH

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THAT PART OF WEST CIMARRON STREET, DESCRIBED IN DEED TO THE CITY OF COLORADO SPRINGS RECORDED IN BOOK 1749 AT PAGE 86 UNDER RECEPTION NO. 115325, WITH THE WEST LINE OF SIERRA MADRE STREET;
THENCE WEST ON THE NORTH LINE OF WEST CIMARRON STREET TO A POINT 97.00 FEET WEST OF THE WEST LINE OF SIERRA MADRE STREET, BEING THE SOUTHEASTERLY CORNER OF PARCEL NO. 1 DESCRIBED IN SAID DEED TO THE CITY OF COLORADO SPRINGS;
THENCE NORTH 545.00 FEET PARALLEL WITH THE WEST LINE OF SAID SIERRA MADRE STREET;
THENCE N07°18'11"E 225.70 FEET; (NORTH 5 DEGREES 20' EAST OF RECORD)
THENCE N15°43'11"E 66.00 FEET; (NORTH 13 DEGREES 45' EAST OF RECORD)
THENCE N61°58'11"E 69.67 FEET (NORTH 60 DEGREES EAST OF RECORD) TO THE WEST LINE OF SAID SIERRA MADRE STREET;
THENCE SOUTH ON THE WEST LINE OF SAID SIERRA MADRE STREET 868.67 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PORTION CONVEYED TO THE CITY OF COLORADO SPRINGS BY BOOK 2277 AT PAGE 533, AND EXCEPT THAT PORTION CONVEYED BY DEED RECORDED OCTOBER 29, 2002 UNDER RECEPTION NO. 202187404, EL PASO COUNTY, COLORADO.

TOGETHER WITH

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14

SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING ON THE WEST LINE OF SIERRA MADRE STREET AT THE MOST NORTHERLY CORNER OF TRACT NO. 1 DESCRIBED IN DEED TO CITY OF COLORADO SPRINGS RECORDED IN BOOK 1749 AT PAGE 86 UNDER RECEPTION NO. 115325;

THENCE S61°58'11"W 109.84 FEET;(SOUTH 60 DEGREES WEST 109.80 FEET OF RECORD)

THENCE S15°43'11"W 86.02 FEET;(SOUTH 13 DEGREES 45' WEST OF RECORD)

THENCE S07°18'11"W 228.24 FEET;(SOUTH 5 DEGREES 20' WEST 228.23 FEET OF RECORD) FOR THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED HEREBY;
THENCE N07°18'11"E 228.24 FEET;(NORTH 5 DEGREES 20' EAST 228.23 FEET OF RECORD)

THENCE N15°43'11"E 100.00 FEET;(NORTH 13 DEGREES 45' EAST OF RECORD)

THENCE N74°16'49"W 50.00 FEET;(NORTH 76 DEGREES 15' WEST OF RECORD)

THENCE S15°43'11"W 100.00 FEET;(SOUTH 13 DEGREES 45' WEST OF RECORD)

THENCE SOUTHERLY ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S77 DEGREES 56'03" E WITH A RADIUS OF 1473.61 FEET AND HAVING A DELTA ANGLE OF 09 DEGREES 35'33", 246.71 FEET;

THENCE N84°52'27"E, 50.50 FEET (NORTH 68 DEGREES 41' EAST 50.5 FEET OF RECORD) TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.

TOGETHER WITH

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
A PARCEL OF LAND IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 561.86 FEET NORTH OF THE NORTH LINE OF WEST CIMARRON STREET AND 137.00 FEET WEST OF THE WEST LINE OF SIERRA MADRE STREET IN SAID CITY;

THENCE N07°18'11"E 230.50 FEET;(NORTH 5 DEGREES 20' EAST OF RECORD)

THENCE N15°43'11"E 86.02 FEET;(NORTH 13 DEGREES 45' EAST OF RECORD)

THENCE N61°58'11"E 93.29 FEET;(NORTH 60 DEGREES 00' EAST OF RECORD)

THENCE S33°50'11"W 124.76 FEET;(SOUTH 31 DEGREES 52' WEST OF RECORD)

THENCE S14°35'11"W 260.03 FEET;(SOUTH 12 DEGREES 37' WEST OF RECORD), MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH

LOT 1 IN WALK SUBDIVISION, RECORDED IN PLAT BOOK R2 AT PAGE 48, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

TOGETHER WITH

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SIERRA MADRE STREET WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CIMARRON STREET AS PLATTED IN THE MAP OF ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS AS RECORDED IN PLAT BOOK A AT PAGE 7 OF THE RECORDS OF SAID COUNTY;

THENCE S88°01'49"W (SOUTH 89 DEGREES 58'54" WEST OF RECORD) ON SAID NORTHERLY RIGHT-OF-WAY LINE OF CIMARRON STREET, 202.90 FEET;
THENCE N01°58'11"E, (NORTH 00 DEGREES 01'06" WEST OF RECORD) 15.00 FEET TO THE POINT OF BEGINNING;
THENCE N01°59'19"E, (NORTH 00 DEGREES 00'00" E OF RECORD) 494.68 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 5280 AT PAGE 1160 OF SAID RECORDS;
THENCE EASTERLY ON SAID WESTERLY EXTENSION AND ON SAID NORTHERLY LINE FOR THE FOLLOWING TWO (2) COURSES:

- (1) THENCE S88°02'33"E, 40.74 FEET; (NORTH 89 DEGREES 58'08" EAST, 40.63 FEET OF RECORD);
- (2) THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 25.00 FEET AND AN ARC LENGTH OF 39.27 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL NO. 1 AS DESCRIBED IN QUIT CLAIM DEED FROM THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO THE CITY OF COLORADO SPRINGS DATED JANUARY 24, 1958, AS RECORDED IN BOOK 1749 ON PAGE 86, OF SAID RECORDS:

THENCE NORTHERLY ON SAID WESTERLY LINE FOR THE FOLLOWING TWO (2) COURSES:

- (1) THENCE N01°58'11"E (NORTH 00 DEGREES 01'52" WEST OF RECORD) ON THE NORTHERLY EXTENSION OF THE TANGENT TO SAID CURVE 77.19 FEET;
 - (2) THENCE N07°18'11"E, 2.26 FEET (NORTH 05 DEGREES 18'08"E, 2.27 FEET OF RECORD) TO A POINT ON THE SOUTHERLY LINE OF TRACT NO. TWO AS DESCRIBED IN QUIT CLAIM DEED FROM THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO THE CRISSEY-FOWLER LUMBER COMPANY DATED MARCH 23, 1966 AS RECORDED IN BOOK 2124 AT PAGE 639 OF SAID RECORDS;
THENCE S84°52'27"W (SOUTH 82 DEGREES 53'08" WEST OF RECORD) ON SAID SOUTHERLY LINE AND ITS WESTERLY EXTENSION 86.68 FEET; (86.55 FEET OF RECORD)
- THENCE S20°05'15"W (SOUTH 18 DEGREES 05'56" WEST OF RECORD) 513.88 FEET;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°07'20", A RADIUS OF 1412.69 FEET AND AN ARC LENGTH OF 52.33 FEET TO A POINT ON A LINE BEING 15.00 FEET NORTHERLY OF AND PARALLEL WITH THE AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF CIMARRON STREET;
THENCE S88°01'49"E (NORTH 89 DEGREES 58'54" EAST OF RECORD) ON A NON-TANGENT LINE TO SAID CURVE AND ON SAID PARALLEL LINE 195.04 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SIERRA MADRE STREET WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CIMARRON STREET AS PLATTED IN THE MAP OF ADDITION NO. 1 TO THE TOWN OF COLORADO

SPRINGS, AS RECORDED IN PLAT BOOK A, AT PAGE 7 OF THE RECORDS OF SAID COUNTY;

THENCE N01°58'12"E (NORTH 00 DEGREES 01'52" WEST OF RECORD) ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID SIERRA MADRE STREET, 929.86 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE N01°58'11"E (NORTH 00 DEGREES 01'52" WEST OF RECORD) ON SAID WESTERLY RIGHT-OF-WAY LINE, 303.18 FEET;

THENCE N78°28'06"W (NORTH 80 DEGREES 28'09" WEST OF RECORD), 83.85 FEET;

THENCE S11°31'54"W (SOUTH 09 DEGREES 31'51" WEST OF RECORD), 351.28 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT NO. TWO AS DESCRIBED IN QUIT CLAIM DEED FROM THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO THE CRISSEY FOWLER LUMBER COMPANY DATED MARCH 23, 1966 AS RECORDED IN BOOK 2124 AT PAGE 639 OF THE RECORDS OF SAID COUNTY;

THENCE EASTERLY AND SOUTHERLY ON THE NORTHERLY AND EASTERLY LINES OF SAID TRACT NO. TWO FOR THE FOLLOWING TWO (2) COURSES:

(1) THENCE S74°16'49"E, 50.69 FEET;

(2) THENCE S15°43'11"W (SOUTH 13 DEGREES 43'08" WEST OF RECORD) 13.98 FEET TO A POINT ON THE NORTHERLY LINE OF PARCEL NO. 1 AS DESCRIBED IN QUIT CLAIM DEED FROM THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO THE CITY OF COLORADO SPRINGS DATED JANUARY 24, 1958 AND AS RECORDED IN BOOK 1749 AT PAGE 86 OF SAID RECORDS;

THENCE N61°58'11"E (NORTH 59 DEGREES 58'08" EAST OF RECORD) ON SAID NORTHERLY LINE, 109.85 FEET TO THE POINT OF BEGINNING.

EXCEPTING ANY PORTION LYING WITHIN A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 216151501.

TOGETHER WITH

A PARCEL OF LAND BEING A PORTION OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE MOST EASTERLY LINE OF A PARCEL OF LAND RECORDED IN BOOK 6066, AT PAGE 1104, MONUMENTED AT THE SOUTHERLY END BY A NO. 4 REBAR WITH PLASTIC CAP STAMPED PLS 14611, AND AT THE NORTHERLY END BY A NO. 4 REBAR WITH PLASTIC CAP ILLEGIBLE, ASSUMED TO BEAR N01°59'19"E, A DISTANCE OF 494.68 FEET;

COMMENCING AT THE MOST SOUTHEASTERLY CORNER OF A PARCEL OF LAND RECORDED IN BOOK 6066, AT PAGE 1104, BEING THE MOST SOUTHWESTERLY CORNER OF THE PARCEL OF LAND TO BE DESCRIBED HEREIN, ALSO BEING THE POINT OF BEGINNING;

THENCE N01°59'19"E, ON THE EASTERLY BOUNDARY OF SAID TRACT OF LAND DESCRIBED IN BOOK 6066 AT PAGE 1104, A DISTANCE OF 494.68 FEET;

THENCE S88°02'33"E, ON THE SOUTHERLY BOUNDARY OF SAID TRACT OF LAND DESCRIBED IN BOOK 6066 AT PAGE 1104, A DISTANCE OF 15.75 FEET;
THENCE S01°58'11"W, ON THE WESTERLY BOUNDARY OF A TRACT OF LAND DESCRIBED IN BOOK 5280 AT PAGE 1160 AND LOT 1 OF THE WALK SUBDIVISION RECORDED IN PLAT BOOK R2 AT PAGE 48, A DISTANCE OF 494.68 FEET;
THENCE N88°01'49"W, A DISTANCE OF 15.91 FEET TO THE POINT OF BEGINNING;
TOGETHER WITH
A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 216151501 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 17

ANY PORTION OF AN ALLEY PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, LYING NORTHERLY OF LOT 2, COLORADO SPRINGS CREDIT UNION FILING NO. 2, RECORDED UNDER RECEPTION NO. 208712782.

PARCEL 18

ALL OF BLOCK 272 AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 19

ANY PORTION OF CUCHARRAS STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, LYING WESTERLY OF THE WESTERLY RIGHT OF WAY LINE OF SAHWATCH STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS AND EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF SIERRA MADRE STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS.

PARCEL 20

THAT PORTION OF CUCHARRAS STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO AS VACATED ON JUNE 26, 1979, BY ORDINANCE NUMBER 79-117.

PARCEL 21

ANY PORTION OF SAHWATCH STREET AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO, LYING SOUTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF CUCHARRAS STREET AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS AND NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF

VERMIJO AVENUE AS PLATTED IN SAID ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS.

PARCEL 22

ALL OF BLOCK 273 AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7 RECORDS OF EL PASO COUNTY, COLORADO.

PARCEL 23

ANY PORTION OF CASCADE AVENUE AS PLATTED IN TOWN OF COLORADO SPRINGS RECORDED IN PLAT BOOK A AT PAGE 3, RECORDS OF EL PASO COUNTY, COLORADO, LYING SOUTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF CUCHARRAS STREET AS PLATTED IN AS PLATTED IN ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS, RECORDED IN PLAT BOOK A AT PAGE 7, AND NORTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF THE ALLEY PLATTED IN IN BLOCK 270, ADDITION NO. 1 TO THE TOWN OF COLORADO SPRINGS.

CONTAINING APPROXIMATELY 81.7 ACRES

THIS DESCRIPTION HAS BEEN PREPARED UTILIZING RECORDED DOCUMENTS FOR THE AREA DESCRIBED AND WITHOUT THE BENEFIT OF A FIELD SURVEY.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF IS CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING,
ENGINEERS AND SURVEYORS, LLC.

SEPT 12, 2018
DATE

SECOND PANEL
REC. NO. 096022802

COLORADO AVENUE

INSTEAD SUBDIVISION
PLAT BOOK B-4
PAGE 71

SIERRA MADRE
BUSINESS PARK
REC. NO. 099093094

INTERSTATE 25.

DENVER & RIO GRANDE WESTERN RAILYARD R.O.W.

CONEJOS STREET

CIMINO DRIVE

SIERRA MADRE STREET

CUCHARRAS STREET

VERMILIO AVENUE

SAHWATCH STREET

COSTILLA STREET

CIMARON STREET

CASCADE AVENUE



300 150 0 300

SCALE: 1" = 300'

MUSEUM & PARK URA
URBAN RENEWAL
AREA BOUNDARY
JOB NO. 1025.31-05
OCTOBER 30, 2018
SHEET 1 OF 1



619 N. Cascade Avenue, Suite 200
Colorado Springs, Colorado 80903
(719) 775-0790
(719) 775-0790 (fax)

LOT 1 BLOCK 1
MUSEUM DRIVE
PLAT BOOK Y-3, PAGE 34

Appendix B: Excerpts from 2001 City of Colorado Springs Comprehensive Plan

City of Colorado Springs Comprehensive Plan, adopted 2001 (excerpts taken verbatim, but formatted for emphasis). Policies summarized here are relevant to the proposal Urban Renewal Area.

Introduction

Major Issues Addressed by the Plan

This Plan is based on the concept that how the City deals with its growth issues will be more effective in improving our quality of life than any attempts to slow down or stop growth. The city has significant room to grow, and so our challenge is to improve the character of physical development, while protecting and preserving the natural features of the city's setting. Major issues thus correspond to the subjects of the Plan's chapters.

- 1. Develop a coordinated land use pattern that efficiently uses land by encouraging mixed use activity centers rather than segregated land uses.*
- 2. Recognize the central importance of all neighborhoods.*
- 3. Create opportunities for travel modes that can reduce the rate of growth in automobile use.*
- 4. Evaluate effective tools for assessing the fiscal impact of development.*
- 5. Continually improve the community's stewardship of its natural setting.*
- 6. Strengthen the quality of development's visual character and appearance.*
- 7. Maintain a citywide context or perspective as an integral part of incremental land use decision-making.*

The Organization of the Plan

The Plan is then organized into the following policy chapter headings, each containing sets of objectives, policies, and strategies and supporting maps:

- I. Land Use*
- II. Neighborhoods*
- III. Transportation*
- IV. Community Infrastructure and Services V. Natural Environment*
- VI. Community Character and Appearance*
- VII. 2020 Land Use Map*

Objectives are, in essence, goal statements, in that they represent a desired result. Policies represent a more focused statement of action to achieve an objective. Strategies represent specific steps and frequently identify tools or techniques that should be developed.

Chapter 1 - Land Use

Definitions

Activity Center: Activity center is a general term for a mixed-use center that integrates a range of uses and activities which complement and support each other. Typically, an activity center includes a predominant type of use, such as commercial or employment-related, that is then supported by a mix of one or more other uses, such as residential, civic, or institutional. The predominant use generally determines the type of center. Activity centers vary in size, intensity, scale, and their mix of supportive uses, depending on their purpose, location, and context. In each case, activity centers are intended to be mixed use and pedestrian-oriented and to establish good connections and transitions to surrounding areas. The Comprehensive Plan includes the following types of activity centers.

Infill Development: Development of vacant parcels within a built up area. Parks and open space are also considered as infill, since they are permanent uses for vacant parcels.

Mixed-Use Development: Development that integrates two or more land uses, such as residential, commercial, and office, with a strong pedestrian orientation.

Redevelopment: Development of sites that were formerly developed and cleared or that require the clearance of existing structures and improvements prior to new building.

Significant Natural Features: Those ridgelines, bluffs, rock outcroppings, view corridors, foothills, mountain backdrops, unique vegetation, floodplains, streams, surface water, air, natural drainage ways and wildlife habitats that contributes to the attractiveness of the community.

Strategic Network of Long-Range Plans: A network of long-range plans to be developed for transportation, infrastructure, and services as identified in the City's Strategic Plan. They include the Intermodal Transportation Plan, the Long-range Public Works Infrastructure and Services Plan, the Long-Range Plan for Police Services, the Long-range Plan for Fire Services, the Parks Capital System Master Plan, and the Parks System Services Master Plan.

Transit-Oriented Development: Development that supports transit use through a concentration and mix of uses and pedestrian connections.

Land Use Pattern

Objective LU 2: Develop A Land Use Pattern That Preserves the City's Natural Environment, Livability, And Sense of Community

A focused pattern of development makes more efficient use of land and natural and financial resources than scattered, "leap frog" development. In contrast to dispersed patterns of development, a consolidated pattern helps to decrease traffic congestion and facilitates the ability of the City to provide needed services and public facilities, such as street maintenance, public transit, police and fire protection, and emergency services. A more focused land use pattern should be planned to better protect open spaces and natural resources, deliver public facilities and services more effectively, provide a greater range of options for housing in

neighborhoods, preserve the unique character of the community, and make available a greater range of choices in modes of transportation.

Policy LU 201: Promote a Focused, Consolidated Land Use Pattern

Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

Strategy LU 203b: Concentrate and Mix Uses

Concentrate and mix activities and uses in and around defined centers in order to create more diversity and synergy between uses, combine destinations, support more effective transit service, and provide viable pedestrian and bicycle access and circulation.

Land Use Mix

Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

Policy LU 301: Promote a Mixed Land Use Pattern

Promote development that is characterized by a mix of mutually supportive and integrated residential and non-residential land uses, and a network of interconnected streets with good pedestrian and bicycle access and connections to transit.

Strategy LU 301a: Support Mixed-use Development in Neighborhoods

Support mixed-use development through neighborhood plans and zoning revisions. Develop zoning guidelines and standards that support mixed-use development and pedestrian access by facilitating the integration of residential and non-residential land uses.

Policy LU 302: Encourage Development of Mixed-Use Activity Centers

Encourage the development of activity centers designed to include a mix of uses that compliment and support each other, such as commercial, employment-related, institutional, civic, and residential. A walkable, pedestrian friendly environment will tie the mix of uses in activity centers together. Activity centers will vary in size, intensity, scale, and types of uses depending on their function, location, and surroundings. Activity centers will be designed so they are compatible with, accessible from, and serve as a benefit to the surrounding neighborhood or business area.

Strategy LU 302b: Promote Pedestrian Orientation of New Activity Centers to the Public Right-of-Way and Public Spaces

Orient buildings within activity centers toward the street, sidewalks, or public spaces to facilitate pedestrian access and circulation.

Strategy LU 302e: Incorporate Mixed-Use Activity Center Principles into the Design of New and Redeveloping Employment and Commercial Centers

Design and develop commercial and employment centers as activity centers that include a range of integrated uses, such as retail, concentrated office, research and development, institutional, entertainment, and civic activities.

Strategy LU 303a: Design Pedestrian-Friendly Environments Plan and design neighborhoods and activity centers as coordinated pedestrian-friendly environments.

Infill and Redevelopment

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Strategy LU 401a: Identify Infill and Redevelopment Opportunities and Target Public Investments

Identify major infill and redevelopment opportunities and target infrastructure improvements to the preferred infill development and redevelopment areas.

Strategy LU 401b: Provide Incentives to Foster Private Reinvestment

Utilize incentives to encourage infill and redevelopment. Regulatory incentives can be used to expedite the development approval process. Available financial incentives, such as rehabilitation loans/grants, if targeted and strategic, should be utilized to support additional investment in the community, as well as to assist existing residents to remain in areas that are redeveloping.

Residential (policy may apply if there is a residential component to the project)

Strategy LU 502c: Plan Community Activity Centers to Serve Residential Areas

Plan community activity centers to serve more than one neighborhood in a residential area.

Housing (policy may apply if there is a residential component to the project)

Policy LU 602: Integrate Housing with Other Supportive Land Uses

Integrate housing with supportive land uses, such as employment, education, health facilities, recreation and shopping, to ensure functional and attractive neighborhoods.

Commercial Development

Objective LU 7: Develop Shopping and Service Areas to be Convenient to Use and Compatible with Their Surroundings

Colorado Springs has numerous commercial areas that provide the necessary goods and services for visitors and regional, community, and neighborhood residents. The location and design of these areas not only has a profound effect on the financial success of commercial businesses, but also on the quality of life for the residents. Regardless of whether a commercial development is intended to serve neighborhood, community, citywide, or regional functions, it must be located and designed to balance pedestrian, bicycle, automobile, and, in many cases, transit access. In addition, the location and design of commercial uses must be integrated into surrounding areas, rather than altering the character of surrounding land uses and neighborhoods. Incorporating a mix of uses will increase the diversity and vitality of commercial areas.

Strategy LU 701a: Locate New Commercial Uses in Activity Centers

Locate new commercial (retail, office, services, etc.) development in identified regional centers, commercial centers, and community or neighborhood activity centers. Prohibit strip commercial development along new major roadways.

Strategy LU 701b: Locate and Design Neighborhood Centers to be Local Pedestrian-Oriented Amenities

Design neighborhood centers primarily for walk-up pedestrian access with low-impact uses and a limited range of convenience goods and services that benefit neighborhood residents. Locate neighborhood centers to take advantage of daily activity patterns, such as the corner of a residential collector street, at the entrance to a neighborhood, or in conjunction with a park, school, civic use, or public space. Prohibit auto-related uses and other uses that produce noxious fumes or excessive light and noise.

Strategy LU 701f: Encourage New Commercial Development in New and Developing Corridors to Form Activity Centers

Encourage new commercial development in new and developing corridors to take place in activity centers that incorporate a mix of uses and avoid large, single-use buildings and dominating parking areas.

Policy LU 702: Design Commercial Redevelopment and Infill Projects as Activity Centers

Design all commercial redevelopment and infill projects as activity centers that incorporate a mix of uses, pedestrian orientation, and transit service wherever possible.

Strategy LU 702a: Redevelop Obsolete Commercial Areas as Activity Centers

Redevelop commercial areas that are obsolete or underutilized either as community activity centers, commercial centers, or employment centers, depending on their size, location and primary function.

Strategy LU 702b: Redevelop and Infill Commercial Uses in Mature/Development Corridors to Form Activity Centers

Redevelop and infill commercial uses in mature/redevelopment corridors to support the formation and evolution of new activity centers. Coordinate the formation of new activity centers with the redevelopment of the entire corridor.

Chapter 2 - Neighborhoods

Definitions

Neighborhood: A geographic sub-area within the city that contains residential land uses. The extent of a neighborhood is variable and may be defined by tradition, period of building and development, or subdivision patterns. Neighborhood boundaries may include such features as major streets or other physical features.

Enhancement

Objective N 2: Enhance Neighborhoods

Preserve and enhance existing and established neighborhoods and support developing and redeveloping neighborhoods. While neighborhoods change over time, there are certain fundamental characteristics of most neighborhoods, such as natural features and landscaping, building and street patterns, historic and cultural features, parks, open space and schools, which need to be preserved in order to maintain their character. At the same time, there are new and developing residential areas that need to be supported so that they emerge as well-functioning neighborhoods.

Strategy N 202e: Encourage Development of Public Gathering Places in Redeveloping Neighborhoods (policy may apply if there is a residential component to the project)

Encourage the development of a landscaped, outdoor center in each redeveloped neighborhood to serve as a focal point and gathering place for the public. This may occur in conjunction with existing schools, parks, recreational facilities, supporting retail uses, community centers, neighborhood life centers, or other civic or institutional uses. Where existing facilities are inappropriate, a new center may be developed.

Strategy N 203b: Achieve Balanced Mix of Land Uses

Use the land development review process to plan well-functioning new neighborhoods. Reserve planned land uses in new neighborhoods to achieve a balanced mix of land uses over time.

Strategy N 203f: Develop Gathering Places

Plan and develop a landscaped, outdoor center for each new neighborhood in conjunction with schools, parks, recreational facilities, supporting retail uses, community centers, neighborhood life centers or other civic or institutional uses to function as a focal point and gathering place for the public.

Mixed-Use

Objective N 3: Vary Neighborhood Patterns

Integrate a variety of housing types and densities with amenities, services, and retail uses to generate opportunities and choices for households. When the character, context and scale of the surrounding neighborhood are taken into account, mixed-use developments can provide unique opportunities for employment, shopping, housing choice, and public gathering space, while having a positive impact on the neighborhood.

Policy N 301: Identify and Develop Mutually Supportive Mixed Uses

Develop an appropriate mix of land uses and differing housing types in both new and existing neighborhoods.

Strategy N 301a: Identify Non-Residential Land Uses that Support Neighborhoods *Identify the type, scale and nature of non-residential uses that contribute to the efficient functioning and attractiveness of neighborhoods.*

Policy N 302: Promote Development of Mixed-Use Neighborhoods

Provide residents the choice of walking, bicycling or driving to parks, schools, work, shopping, places of worship, and transit stops in their own and other neighborhoods.

Chapter 3 - Transportation

Planning and Mobility

Policy T 103: Transportation System and Land Use Pattern

Develop a land use pattern and a transportation system that are mutually supportive. Enhance access to housing, jobs, schools, goods and services, shopping, and recreation through the joint planning of land uses and transportation. Link sites used for living, working, shopping and recreating and make them accessible via transit, bike, foot and car.

Strategy T 103a: Integrate Mixed Land Use

Provide opportunities for mixed land uses to afford proximity choices for working, shopping, recreational and other activities. Encourage a variety of uses in activity centers, commercial centers, employment centers, regional centers and corridors.

Livable Communities

Strategy T 201e: Bicycle and Pedestrian Safety

Designed pedestrian and bicycle facilities, including sidewalks, on-road lanes, off-road trails, connections, crossings, signals, and bridges to facilitate movement in a safe and efficient manner. Facilitate convenient and safe bicycle and pedestrian movement at crossings and traffic signals.

Strategy T 201f: Roadway Beautification

Conduct and implement a citywide street beautification plan. Design residential streets that minimize road mat width and include detached sidewalks, landscaping and adequate pedestrian crossings to enhance neighborhoods. Maintain and protect existing landscaped medians. Include landscaped medians or side parking in new street design. Design streetlights for pedestrian use and to complement neighborhood character. Place utility boxes, cable boxes and similar facilities as unobtrusively as possible, with consideration for operability and safety.

Strategy T 201h: Streetscape and Neighborhood Creation and Preservation

Develop streetscape design criteria that consider the elements essential to the creation and preservation of neighborhood character, including trees, medians, parkways, scenic vistas and the relationship between homes and roadways. Incorporate historic elements such as landscaping, medians, smaller turning radii and narrower configurations in historic neighborhoods. Incorporate design criteria fostering neighborhood livability in all new development and redevelopment.

Policy T 202: Improve Mobility with Multi-Modal System

Plan and develop an integrated all-mode transportation system. Facilities and services will jointly serve all modes while respecting and maintaining the integrity of existing neighborhoods. Support and implement alternative modes and facilities to help maintain and increase Colorado Spring's attractive quality of life.

Strategy T 202a: Improve Mobility Options

Develop a transportation system that increases mobility options, including alternative ways to travel and strategies to manage demand.

Strategy T 202b: Transportation and Land Use

Provide mobility choices for City residents, visitors and businesses in support of the City's land use and development visions, objectives and policies.

Strategy T 202c: Incorporate Non-motorized Transportation Facilities

Incorporate non-motorized transportation facilities into the planning and construction of general transportation improvements, including road construction, bridge construction, subdivision development and new transit systems.

Chapter 6 - Community Character/Appearance

Built Environment and Natural Setting Streets

Policy CCA 401: Support Mixed Land Uses

The City will encourage design that supports mixed land uses and promotes compatibility, accessibility, and appropriate transitions between uses that vary in intensity and scale.

Strategy CCA 401b: Design Mixed-use to Provide Significant Benefits

Design mixed-use development, including infill and redevelopment, to provide significant benefits to the surrounding area.

Strategy 501b: Locate and Design Public Places to Give Quality, Identity, and Focus to the Community

Locate and design public spaces and civic facilities to set a standard in quality design, to provide a focal point and meeting place, and to express community identity within the context of the surrounding private development.

Mixed Uses

Objective CCA 4: Integrate Different Land Uses

The separation of land uses that exists in Colorado Springs increases the reliance on the automobile and detracts from the dynamic urban setting. Integrating land uses increases the opportunities for various modes of travel and contributes to a more interesting and appealing land use pattern. Colorado Springs will encourage new development to integrate a diversity of land uses.