

# West Glenwood Springs Urban Renewal Plan

Glenwood Springs, Colorado

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Prepared for:

Glenwood Springs City Council  
Glenwood Springs, Colorado

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# West Glenwood Springs Urban Renewal Plan

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# West Glenwood Springs Urban Renewal Plan

City of Glenwood Springs, Colorado

## 1.0 Introduction

### 1.1 Preface

This West Glenwood Springs Urban Renewal Plan (herein referred to as the "**Plan**" or "**Urban Renewal Plan**") has been prepared for the City of Glenwood Springs (herein referred to as the "**City**"), 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 (herein referred to as the "**Act**" or "**Law**"). Its administration and implementation will be carried out by the Glenwood Springs Urban Renewal Authority (herein referred to as 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**. In order for the **Authority** to exercise its powers within an area, the municipality's board or council must find that the presence of blight, as defined by the **Act**, "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 West Glenwood Springs Urban Renewal Conditions Survey (herein referred to as the "**Survey**"), prepared by Ricker|Cunningham in September 2018, and presented to the **Authority** under separate cover, demonstrates that the West Glenwood Springs Urban Renewal Plan Area (herein referred to as the "**Urban Renewal Plan Area**" or "**Plan Area**"), qualifies as a blighted area under the **Act**. Specifically, the **Survey** concluded that ten (10) of the 11 total possible factors are present at varying degrees of intensity, but all at levels considered significantly adverse. A list of statutory factors either observed or identified, along with a characterization of the same, is presented below in Section 4.0.

### 1.3 Urban Renewal Area Boundaries

The boundaries of the **Urban Renewal Plan Area**, as illustrated in **Figure 1** and set forth in **Appendix B**, includes two (2) legal parcels comprising approximately 20 acres and adjacent rights-of-way, collectively located in western Glenwood Springs. Its borders may generally be defined as the Interstate 70 (I-70) frontage road or U.S. Highway 6 on the south, Storm King Road on the west, and the Glenwood Springs Mall property lines on the north and east.

### 1.4 Zoning Classifications

Properties within **Plan Area** boundaries are currently zoned **PUD Planned Unit Development by the city of Glenwood Springs**. A description of this zoning classification is provided below as defined in the [Glenwood Springs Development Code \(effective August 16, 2018\)](#), Title 70 of the [Municipal Code](#).

#### 070.020.180 Planned Unit Development (PUD) District

##### (a) Purpose

Planned unit developments (PUDs) are intended to allow for greater flexibility in the application of zoning and development standards than would otherwise be achieved through a base zoning district in exchange for greater benefit to the city of Glenwood Springs.

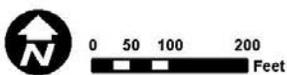
##### (b) Establishment of a PUD District

PUD districts shall be established pursuant to the rezoning to PUD procedures set out in Section 070.060.040(b). Development in a PUD district shall be subject to the standards included in and / or referenced in an approved PUD plan.

##### (c) Applicability of Development Standards

- 1) Unless specifically modified by the PUD plan during the rezoning to PUD, the PUD shall comply with all standards in this Code.
- 2) Where the PUD standards conflict with the standards in this Code, the regulations of the approved PUD plan shall control.
- 3) PUDs shall provide common open space as required by relevant sections of the Code.

Figure No. 1: West Glenwood Springs Urban Renewal Plan Area



SOURCE: U.S. Census, Glenwood Springs, CO, and ESRI  
Date: Thursday, November 01, 2018

- West Glenwood Springs Urban Renewal Area
- Glenwood Springs Municipal Boundary



## 1.5 Future Land Use Designations

Future land uses desired by the city inside its municipal boundaries are illustrated in its Future Land Use Map. In addition to preferred use categories, the Future Land Use Map reflects the intentions of the **Comprehensive Plan** as it relates to the location of targeted public and private investment that should occur as properties transition over the next 10 to 20 years. Therein, the **Plan Area** is designated as a Secondary Commercial Center, and properties are identified as Mixed-Use. Both of these classifications suggest a location that is believed to be “ripe for redevelopment and in need of its own sub-area plan.” A general description of each label is provided below as defined in the **Comprehensive Plan**.

**Mixed-Use** – The mixed-use land use designation allows for a variety of uses including commercial, retail, office, restaurant, entertainment and multi-family housing, co-existing and integrated in either a horizontal or vertical fashion.

**Secondary Commercial Centers** - Within the city’s future commercial nodes, the **Comprehensive Plan** encourages mixed-use redevelopment projects, informed by detailed market-supportable sub-area plans.

## 1.6 Statutory Compliance

In compliance with the **Act**, a notice describing the public hearing at which the **Plan** will be considered; including its time, date, location, purpose and area being considered for an urban renewal designation, along with the general scope of the urban renewal project under consideration; appeared in the Glenwood Springs Post Independent, the community’s designated legal newspaper of general circulation at least 30 days prior to the public hearing. Further, a reasonable attempt was made to provide mailing notice of the hearing to all property owners, residents (if any) and owners of business concerns located in the **Area** at their last-known address of record at least 30 days prior to the public hearing.

The **City**, negating the need to quantify and document potential impacts, provided a copy of the **Plan** to the Garfield County Board of Commissioners at least 30 days prior to the public hearing. In addition, official meetings required by the **Act** were scheduled, noticed and conducted, including with the Planning and Zoning Commission on Tuesday, October 23, 2018, which determined it to be consistent with the **Comprehensive Plan**; and the

Glenwood Springs City Council (herein referred to as the “**City Council**”) when they considered accepting findings of blight documented in the **Survey**, and adoption of the **Plan**.

## 2.0 Definitions and Inclusion of Appendices and Survey

Unless otherwise stated, all capitalized and bolded terms herein shall have the same meaning as set forth in the **Act**. All the **Appendices** and the **Survey** are incorporated in and made a part of this **Plan**.

**Act** – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

**Authority** – means the **City Glenwood Springs Urban Renewal Authority**.

**Base Amount** – in the context of this **Plan** means that portion of municipal sales tax revenues collected within the boundaries of the **Plan Area** in the twelve-month period ending on the last day of the month prior to the effective date of approval of the **Plan**.

**Bonds** – shall have the same meaning as defined in the **Act**.

**City** – means the City of Glenwood Springs.

**City Council** – means the City of Glenwood Springs City Council.

**Comprehensive Plan** – means the 2011 Glenwood Springs Comprehensive Plan.

**Cooperation Agreement** – means any agreement between the **Authority** and **City**, 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 in effect on the effective date of the **Plan**.

**Lessee** – means the Glenwood Springs Mall anchor tenant, Ross Dress for Less, Inc.

**Lessor** – means the owner of commercial properties within the **Plan Area**, Glenwood Springs Mall, LLC.

**Plan** or **Urban Renewal Plan** – means this West Glenwood Springs Urban Renewal Plan.

**Plan Area**– means the West Glenwood Springs Urban Renewal Plan Area as depicted in **Figure 1** and defined in **Appendix B**.

**Project** – (or **Urban Renewal Project**) means any and all undertakings and activities authorized by an urban renewal plan and the **Act**, for the purpose of eliminating blighting conditions; as well as designing and constructing public and private improvements necessary to serve properties in the proposed Urban Renewal Area, including those located within and outside the plan area.

**Redevelopment / Development Agreement** – means one or more agreements between the **Authority** and -- developers, property owners, business interests, individuals, or entities; as may be determined to be necessary or desirable to carry out the purpose of the **Plan**.

**Special Fund** – shall have the same meaning as defined in the **Act**.

**Survey** – means the West Glenwood Springs Conditions Survey, prepared by RickerCunningham, dated September, 2018 and presented to the **City Council** under separate cover.

**Tax Increment** – that portion of incremental revenues in excess of a **Base Amount** as set forth in Section 7.3.1 of this **Plan**, allocated to and when collected, paid into the **Special Fund**.

**Tax Increment Finance (or Financing) (TIF)** – for this **Plan**, means a financing mechanism which uses future sales tax incremental revenues resulting from private investment within an established area, as well as other resources obtained by the **Authority**, to fund improvements authorized by the **Act**.

**Urban Renewal Law** – means the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended. See definition of **Act** above.

**Urban Renewal Plan or Plan** – means this West Glenwood Springs Urban Renewal Plan.

**Urban Renewal Project** – shall have the same meaning as defined in the **Act**.

### 3.0 Plan Intentions

With an urban renewal designation, the **Plan Area** will be eligible for one or more activities and undertakings, authorized by the **Act** and advanced by the **Authority**. To this end, it is an objective of the **City Council** in adopting this **Urban Renewal Plan**, that the **Authority** have available to it any and all powers authorized in the **Act**, and considered necessary and appropriate to accomplish the undertakings stated herein. Because powers conferred by the **Act** include facilitating the completion of improvements for which public money may be expended, the intentions of this **Plan** are considered to be necessary in the public interest as a matter of legislative determination by the **City Council**.

### 3.1 Purpose

As explained in the **Act**, all urban renewal plans, including this West Glenwood Urban Renewal Plan, are consistent with the powers of the administering authority and adopted to, “assist the municipality in the preparation of a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slum and blighted areas, and to encourage needed urban rehabilitation.” Additionally, they are created to implement community priorities identified in adopted community plans and other policy documents, and complete or assist in completing necessary improvements.

For this reason, the purpose of this West Glenwood Springs Urban Renewal Plan is to reduce and remove blighting conditions adversely impacting properties and businesses in the **Plan Area** described in the **Survey**. Specifically, as it relates to this **Area**, it is the **Authority's** intent to finance, install, construct, and reconstruct necessary improvements; and cooperate with others to accomplish the same, all in an effort to further economic growth in the community and throughout the region; and in so doing, to advance objectives expressed in the **Comprehensive Plan** (herein referred to as the 2011 Glenwood Springs Comprehensive Plan.)

### 3.2 Approach

The approach to eliminating and preventing the spread of blighting conditions proposed herein may involve one or more of the following actions: completing and maintaining public and / or private improvements and infrastructure in the **Plan Area**; using financial resources and powers available to the **Authority** for the express purpose of the same; and actively promoting private investment and job creation. The approach to advancing local objectives will likely involve identification of specific priority projects which will effectively leverage private investment therein, and ensure alignment of this West Glenwood Springs Urban Renewal Plan with other accepted and adopted community documents. As required by the **Act**, the **Plan** will afford maximum opportunity, consistent with the sound needs of the City, for the rehabilitation and redevelopment of the **Plan Area** by private enterprise.

### 3.3 Implementation

While the **Authority** will be the **Plan's** principal administrator, **City Council** will authorize and oversee its efforts. Therefore, the **Authority** will work in cooperation with the **City** to prioritize capital investments in the **Plan Area** (roadway, pedestrian, infrastructure, utility); ensuring they provide a public benefit to property owners and business interests within its boundaries and communitywide.

All new development activity will conform to existing municipal codes and ordinances, along with any site-specific regulations or policies in effect at the time. While the **Act** authorizes the **Authority** to regulate land uses, establish maximum or minimum densities, and institute other building requirements in an urban renewal area; for the purpose of this **Plan**, the **Authority** anticipates these activities will remain the responsibility of the **City** in partnership with the **Authority**.

### 4.0 Blight Conditions

Before an urban renewal plan can be adopted by a municipality, the proposed urban renewal area must be determined to be "blighted" as defined in Section 31-25-103(2) of the **Act** which provides that *"in its present condition and use and, by reason of the presence of at least four of the factors (see below) in Section 31-25-103 (2) (a) (or five in cases where property will be acquired by eminent domain the use*

*of eminent domain is anticipated) 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." Statutory factors include:*

- (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 used to prepare the **Survey** involved the following steps:

- (i) identification of parcels to be surveyed;
- (ii) collection of information about properties, infrastructure and other improvements within its boundaries;
- (iii) investigation of conditions through field reconnaissance;
- (iv) review of aerial photography;
- (v) discussions with representatives of various public agencies and municipal departments; and
- (iv) recordation of identified and observed conditions listed in the **Act**.

Among the 11 qualifying factors listed above, the **Survey** showed the presence of all ten (10) blight factors in the **Area** that is the subject of this **Plan**.

- (a) Slum, deteriorated, or deteriorating 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;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) Existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy to live or work in
- (j) Environmental contamination of buildings or property; and
- (k5) 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 Relationship to Community Documents

### 5.1 Consistency with the Comprehensive Plan

Whereas this **Plan's** purpose is to facilitate investment within its boundaries consistent with identified community's objectives, and since those objectives appear in the 2011 Glenwood Springs Comprehensive Plan; development within its boundaries will need to reflect the intentions expressed therein. As presented, future investment within the **Plan Area** will encourage and support the vision and directives presented below.

#### Key Directions of the Plan

##### Vision Statement

*The city of Glenwood Springs desires to maintain its small-town character and preserve its cultural and natural resources by implementing a proactive plan to: achieve directed and balanced development, social and economic diversity; and address its transportation needs.*

##### Community Goals

Community Goals of the 2011 Glenwood Springs Comprehensive Plan include:

- Promote long-term, sustainable, and diverse economic development;
- Maintain Glenwood Springs as the regional tourism, retail, commercial, and governmental center of Garfield County;
- Preserve Glenwood Springs' small-town character, while maintaining its livability, increasing its vibrancy, and growing the commercial success of its downtown;
- Address transportation needs and provide multiple convenient travel choices;
- Direct development and encourage building forms that are cost-effective to serve;
- Provide housing for the entire community;
- Support social diversity;
- Preserve cultural resources; and
- Protect natural resources.

Specific references regarding how investment in the **Plan Area** will advance these and other communitywide intentions, as presented in the **Comprehensive Plan**, are summarized in **Appendix A**.

## 6.0 Authorized Authority Undertakings and Activities

While the **Act** allows for a wide range of activities to be used in the furtherance of goals set out in an urban renewal plan, in the context of this **Plan**, the **Authority** intends to use only those necessary to mitigate or eliminate those conditions adversely impacting properties and businesses within its boundaries. Among those undertakings and activities that may be considered are partnerships and similar forms of cooperative arrangements with owners of private property. Other powers conferred by the **Act**, and a likely component of the **Authority's** strategy for implementation of the West Glenwood Springs Urban Renewal Plan, are described as follows.

### 6.1 Prepare and Modify Plans for the Plan Area

The **Authority** may work with public bodies, and retain consultants and other advisors to assist with the planning of properties in connection with redevelopment of the **Plan Area**. In addition, the **Authority** may propose, and the **City Council** may make modifications to the **Plan**, provided they are consistent with adopted community plans and any subsequent updates. However, any such amendments made and otherwise contemplated, must be compliant with the **Act**. The **Authority** may also, in specific cases, allow

non-substantive variations from the provisions of the **Plan**, if it determines that a literal enforcement would constitute an unreasonable limitation beyond the intent and purpose stated therein.

## 6.2 Complete Public Improvements and Facilities

The **Authority** may, or may cooperate with others to, finance, install, construct and reconstruct public improvements in accordance with the **Act**, and necessary to promote the objectives stated herein. Whereas public improvements should, whenever possible, stimulate desired private sector investment, it is the intent of this **Plan** that the combination of public and private investment that occurs within its boundaries will benefit properties within its boundaries, as well as throughout the community.

As explained in Section 4.0, ten (10) of the 11 qualifying conditions of blight as defined in Section 31-25-103(2) of the **Act**, were evident in the **Plan Area**. As the **Plan's** administrator, the **Authority** will seek to most effectively leverage available resources in the furtherance of desired private investment, while also eliminating the spread of blighting conditions described in the **Survey** and generally characterized below.

- (a) **Slum, deteriorated, or deteriorating structures** – assist in financing physical improvements to Mall properties that will ensure the health, safety and well-being of its employees and customers;
- (b) **Predominance of defective or inadequate street layout** – assist in financing roadway enhancements including accommodations to ensure safe vehicular and non-vehicular mobility to and through the **Area**;
- (d) **Unsanitary or unsafe conditions** – assist in financing improvements between the Mall and adjacent properties to ensure the safety of visitors to, and users of, properties in the **Plan Area** including adequate fencing;
- (e) **Deterioration of site or other improvements** – see Factor (d).
- (f) **Unusual topography or inadequate public improvements or utilities** – assist in financing capital improvements (infrastructure and utility) necessary to support redevelopment and rehabilitation of private improvements;
- (g) **Defective or unusual conditions of title rendering the title nonmarketable** – assist in correcting conditions of title contributing to conditions of blight;

- (h) **Existence of conditions that endanger life or property by fire or other causes** – see Factor (a);
- (i) **Buildings that are unsafe or unhealthy to live or work in** – see Factor (a).
- (j) **Environmental contamination of buildings or property** – assist with financing improvements and / or infrastructure to protect properties from possible impacts associated with past or future contaminating incidents;
- (k5) **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** – assist with eliminating conditions adversely impacting the economic potential of commercial properties operating in the **Plan Area**.

While the **Survey** offers documentation supporting the presence of ten (10) of the 11 total possible factors; all were either observed or identified at varying levels, with the most impactful being those associated with Factors (g) and (k5) specifically related to conditions of title affecting the economic viability of commercial properties within the **Plan Area** boundaries.

Based on a detailed review of the lease agreement (herein referred to as the “**Lease**”) between the owner of commercial properties within the **Plan Area**, Glenwood Springs Mall, LLC (herein referred to as the “**Lessor**”) and its anchor tenant, Ross Dress for Less, Inc. (herein referred to as the “**Lessee**”), dated June 10, 2011, there exist numerous provisions which extend extraordinary control to the **Lessee**, which effectively make it all-but impossible for the **Lessor** to freely manage the Mall properties in a manner appropriate for the market and commensurate with operators of comparable facilities.

As noted therein, inline space within the primary Mall building is approximately 90 percent vacant, compared to the citywide commercial vacancy rate of approximately 3 percent. Given the health of commercial developments in other parts of the city, along with the limited number of comparable commercial tracts available for development, particularly in the rapidly growing western portion of the community; and finally, despite the subject properties’ superior site attributes including access and visibility from the region-serving I-70 corridor, the Glenwood Springs Mall should be operating at or above market averages. Further, real estate professionals familiar with commercial properties, their management and operations, are

certain that the property's poor performance is largely due to certain provisions afforded the **Lessor** in their agreement that have proven to be injurious to the balance of the Mall and its other tenants.

Terms which are particularly harmful, and which actually impact approximately 86% of the Mall's interior space and exclude the Mall's out-parcels, include those summarized below:

- control period (term during which adverse provisions apply) of 10-years, plus four (4) five (5)-year options (essentially 30-years)
- ability of **Lessor** to approve or restrict leasing to certain tenant types and merchandise lines offered by tenants
- ability of **Lessor** to restrict expansion by other anchor tenants
- ability of **Lessor** to restrict re-leasing efforts by other anchor tenants (JC Penney, former tenant Staples, current tenant Tractor Supply Co.)
- ability of **Lessor** to control rental rates of tenants re-leasing inline space

These types of influences by a single tenant in a regional shopping center, particularly over a term roughly equivalent to the depreciable life of the property, effectively renders it obsolete and makes it all-but financially impossible to repurpose or redevelop, much less advance communitywide goals for this targeted Secondary Commercial Center.

### 6.3 Acquire and Dispose of Property

The **Authority** is authorized to acquire any interest in property by any method authorized in the **Act** including eminent domain, upon compliance with the requirements of the **Act**. The **Authority** may also sell, lease or otherwise transfer real property or any interest therein acquired by it as part of an **Urban Renewal Project** in accordance with the **Plan**.

If properties or property interests are acquired, upon their acquisition, and prior to its disposal; the **Authority** may temporarily operate, manage and maintain property if deemed in the best interest of the **Urban Renewal Project** and the **Plan**. It may also set aside, dedicate and transfer properties to public bodies for public uses in accordance with the objectives stated here, with or without compensation.

#### 6.4 Enter into Agreements

The **Authority** may enter into **Redevelopment and Development Agreements** and contracts with developers, property owners, individuals and other entities determined to be necessary to carry out the purposes of a plan. Such **Agreements**, or other contracts, may contain terms and provisions deemed necessary or appropriate for the purpose of undertaking contemplated activities, and remain in full force and effect, unless all parties to such **Agreements** agree otherwise.

In accordance with the **Act**, the **Authority** may also enter into one or more **Cooperation Agreements** with lawful entities for the purpose of financing, installing, constructing and / or reconstructing improvements considered eligible and necessary for implementation of the **Plan**. In addition, it may, but is not required to, contract with a municipality or other organization for administrative support, including distribution of financial resources.

#### 6.5 Adopt Standards

The **Authority** may work with public bodies, and retain consultants and other advisors to assist with zoning and rezoning properties in the **Plan Area**. As stated previously, while the **Act** allows for the adoption of standards and other requirements applicable to projects undertaken in an urban renewal area, in the context of this **Plan**, it is the **Authority's** intention that these activities will be conducted in cooperation with the **City**. Further, it is the intent of the **Authority** that all development within its boundaries meet or exceed applicable rules, regulations, policies, requirements, and standards of the **City**, and any other governmental entity with jurisdiction.

#### 6.6 Provide Relocation Assistance

The **Authority** will adopt a relocation plan in conformance with the **Act**, if relocation of individuals, families or business concerns is required because of acquisition activities of the **Authority**.

#### 6.7 Incur Debt and Issue Bonds

This **Plan** authorizes the **Authority** to borrow money and apply for and accept advances, loans, grants and contributions from all lending sources, private

and public, for purposes identified herein and authorized by the **Act**. The **Authority** may also loan or make monetary resources available for undertakings and activities deemed meritorious and consistent with the **Act** and **Plan**. These resources may be derived through any and all methods authorized in the **Act**, including the issuance of **Bonds** and participation in reimbursement agreements to finance the activities and operations of the **Authority**.

Such **Bonds** may be special obligations of the **Authority** which, as to principal, interest and premiums (if any), are payable solely from and secured only by a pledge of income, proceeds, revenues or funds of the **Authority** derived in connection with its undertakings and activities, including grants or contributions of funds received by outside sources.

#### 6.8 Sales Tax Increment Financing

As explained in Section 31-25-107 of the **Act**, an urban renewal plan may contain a provision for allocation of certain tax revenues in an urban renewal area; including incremental sales tax revenues of the municipality in excess of a **Base Amount** and when collected and deposited in a **Special Fund** of the **Authority** be used for a period not to exceed twenty-five (25) years after the effective date of the urban renewal plan, once approved, for the furtherance of its activities and undertakings.

The use of sales tax increment is hereby authorized by this **Plan**, but shall be utilized by the **Authority** only following approval of an appropriate **Cooperation Agreement** by the board of the **Authority** and **City Council**.

### 7.0 Project Financing

#### 7.1 Public Investment Objective

A critical component of any urban renewal initiative is participation by both the public and private sectors because no one entity typically has sufficient resources to overcome the financial hurdles frequently encountered in areas suffering from blight and deterioration. To this end, effectively leveraging multiple sources is often essential in order to advance initiatives necessary to attract private investment and grow jobs. Support for projects can take many

forms including: monetary contributions, policy and regulatory reform, design support, and assistance with grant writing.

## 7.2 Financial Mechanisms

As explained above, the **Authority** may finance its undertakings pursuant to the **Plan** by any method authorized under the **Act** or any other applicable law. In addition to incremental sales tax revenues, other financing vehicles available for urban renewal activities include, without limitation: issuance of notes, bonds, interim certificates, and certificates of indebtedness; along with other lawful obligations. The **Authority** may also borrow funds, access federal and state loans or grants, and earn interest income; as well as enter into reimbursement or annual appropriation agreements with public or private entities or any other lawful source; the principal, interest, costs and fees of which are paid for with available funds of the **Authority**.

## 7.3 Sales Tax Increment Revenues

It is the intent of the **City Council** in approving this **Plan** that incremental property tax revenues will neither be collected nor used to further the objectives of the **Plan**, or finance or refinancing, in whole or in part, the undertakings and activities of the **Authority**.

While this West Glenwood Springs Urban Renewal Plan does not contemplate the use of incremental property tax revenues, the **City Council** may allocate incremental municipal sales tax revenues, if requested to do so, but only after receipt of a financing plan outlining the proposed amounts and purpose for which those resources are to be used and the approval of a **Cooperation Agreement** by the **Authority Board** as described above and herein.

The approval of such **Cooperation Agreement** by the **City** and **Authority** will not constitute a substantial modification, or the addition of a new activity or undertaking. Finally, approval of such a **Cooperation Agreement** will not extend this **Plan** or the duration of a specific **Urban Renewal Project** in the **Plan Area** which is presently twenty-five (25) years after the effective date of the **Plan's** adoption.

#### 7.4 Other Financing Mechanisms and Structures

Although the **Authority** is authorized to finance implementation **Urban Renewal Projects** in the **Plan Area** by any method authorized by the **Act**, at the time this **Plan** was prepared, **City Council** remained committed to being judicious in their use of monetary resources, and instead make programs and other mechanisms available that can be used independently or in various combinations. Given the obvious and well-documented obstacles often associated with redevelopment, particularly in challenging environments, the **Authority** recognizes the importance of making their offerings as comprehensive, flexible and creative as possible.

#### 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**. Further, if there is any conflict between the **Act** and this **Plan**, the provisions of the **Act** shall prevail, and the language in the **Plan** automatically deemed to conform to the **Law**.

# West Glenwood Springs Urban Renewal Plan

City of Glenwood Springs, Colorado

## **Appendix A:**

2011 Glenwood Springs Comprehensive Plan References

## 2011 Glenwood Springs Comprehensive Plan References

Following are select references from the 2011 Glenwood Springs Comprehensive Plan that support the goals and objectives of this West Glenwood Springs Urban Renewal Plan.

### Prologue / Executive Summary (taken largely verbatim)

#### The Evolution of a Community

Communities evolve over time. Glenwood Springs is different today than it was 20 years ago, and different than it will be 20 years into the future. The past 20 years of growth have brought new stores, bigger better schools, and a large hospital. Growth has also brought traffic congestion, different kinds of building styles, and higher taxes for services. The challenge of “change of course” is to have the positive impacts outweigh the negative ones. Surveys and public input conducted with this Plan update indicate that most people, on the whole, feel that Glenwood has gotten better since they’ve lived here.

The Comprehensive Plan is intended to help the city embrace its evolution by identifying key elements that need to be preserved and recommending or suggesting changes to those elements that need to be modified.

What makes a great, livable community? There are many interrelated factors—a “kit of parts.” Each part of the Comprehensive Plan addresses community issues in numerous ways. Each part, or element, of the Plan interacts with the others to achieve the preferred future. All of the parts have been considered for their individual functions, as well as how they operate as a whole.

#### Current Challenges

Specific current challenges for Glenwood Springs include:

#### Competition in the Role as a Regional Commercial Center of the County

Over the last decade Rifle has eclipsed Glenwood Springs in population, and has attracted major retailers, as well as businesses. The potential growth from New Castle to Parachute means that the western portion of Garfield County will continue to attract both retail and residential development.

## Vitality

The need to grow to maintain vitality is compounded by a lack of land for the community to expand. This forces an introspective look at all opportunities for infill and redevelopment—growing inward and upward instead of outward.

## Significant but Uncertain Impacts from Increased Energy Exploration/Development in Garfield County

A dramatic, decade-long buildup of energy-related workers living in Garfield County (including those working in Rio Blanco County) made it more difficult to attract employees to non-energy industry jobs. Due to the lack of available housing, energy workers were finding temporary housing in area hotels and motels, thereby reducing the available supply of rooms for the tourism industry. However, this was followed in 2008/9 by a sudden drop in energy prices, exploration, and the workforce. Revised projections indicate a period of slow growth before energy exploration expands significantly. Ultimately, energy-related jobs are expected to level off in Garfield County. This has spurred renewed interest in the diversification of the economy in order to lessen the impacts of a single industry decline.

## The Lack of Affordable Housing for its Workforce, Both Rental and For-Sale Housing

The affordability and availability of housing is acknowledged to be a regional issue that requires a regional response. However, currently each community within the Roaring Fork and Colorado River Valleys are addressing their individual housing needs.

According to the 2004 Local and Regional Travel Patterns Study, of those working in Glenwood Springs, only 32% live in Glenwood Springs. Of those living in Glenwood Springs, 41% commute to work somewhere else. A 2005 housing study indicated that the city needs 2,885 additional dwelling units between 2005 in order to catch-up and keep up with the demand for housing. Similarly, the more recent Strategic Housing Plan, approved in 2010, recommended a goal of creating between 20 and 25 units per year between now and 2015, but went on to recognize that the current requirement or providing community housing is based on new residential development, and the city likely will not meet that target.

## Increased Traffic and Congestion on Grand Avenue

State Highway 82 (SH 82) is the Roaring Fork River Valley's sole, regional commuter corridor. It is also Glenwood Springs' historic Downtown main street where it is four lanes wide and carrying daily traffic loads of 25,000 to 29,000 cars and trucks, on average. The 2004 Local and Regional Travel Pattern Study indicated that 35% of all work trips, and virtually all freight and goods delivery vehicle trips in the Roaring Fork Valley, traveled SH 82 in and through Glenwood Springs. The amount of traffic carried by SH 82, and the highway's resulting

impacts on the livability and survivability of Glenwood Springs' Downtown commercial core and nearby residential neighborhoods has been the topic of studies and discussions for decades. Recent projections show that SH 82 traffic volumes through Glenwood Springs will increase to between 47,900 and 52,000 vehicles per day by 2030.

Recent studies of traffic alternatives have increased the interest in, and concern about, a long-standing proposal for another alignment of SH 82 through Glenwood Springs, along the east side of the Roaring Fork River. This route has several possible alignments each of which has different cost implications, as well as impacts on the character of the community.

### Community Character

As commercial development pressures increase, coupled with projections that the city needs to continue to grow and expand its workforce housing stock, how does Glenwood Springs maintain the small-town atmosphere that its residents and visitors prefer?

### To Grow or Not to Grow

Consistent with regional growth policies, Glenwood Springs extended sewer services to developments south of the city along Four Mile Road, and entered into pre-annexation agreements that are still in-force. The county followed suit by designating these areas for urban development. Are those commitments, and that vision, still valid? If so, does it commit the city to extend its Urban Growth Boundary southward?

### Finding Agreement on Complex Issues

### Interrelatedness of Issues

Many of these issues are inter-related. Each part, or element, of the community interacts with the others, usually in multiple ways. For example, the location, density/intensity, mix/variety, and character/design of land uses dictate travel options and patterns. The location of school influences where utilities and roads are extended and where growth will follow. The alignment of an alternative route for SH 82 could impact the expansion of the Downtown to the west. Growing inward and upward allows continued vitality, but may change the character of the community. Land use decisions, how and where people live and businesses locate, profoundly influences behavior.

### Regional Issues

Another factor adding to the complexity of issues in Glenwood Springs is the fact that many are regional issues. Glenwood Springs is not an island. Transportation, congestion, commuting patterns, affordable housing, the location of jobs; and even the quality of air,

water, and native habitat, are not isolated to political boundaries. What happens in one area affects another, despite local efforts to positively address any or all of these issues.

### Diversity of Opinion

Though consensus is the goal sought for addressing the community's issues, the public input process has demonstrated that there is a wide diversity of opinion on many of the issues confronting the city: the relocation of SH 82, the treatment of Grand Avenue, the mass and scale of the Downtown, potential annexations to the south of town, and the future use of the airport are just a few. As a result, the direction of the Comprehensive Plan represents a combination of public input and professional judgment.

The 2011 Glenwood Springs Comprehensive Plan brings direction to many of the issues that have confronted the community for years, and presents the next steps of action for the city to take shape and do so in a sustainable manner.

*Sustainability* is a concept that has only reached the public consciousness in the last couple of decades. The term is used to mean many different things. The simplest definition of sustainability is the ability to meet the needs of the present without compromising the ability of future generations to meet their needs. This means utilizing resources in a way that allows future generations to use them, also. The concept of sustainability applies to the environment, fiscal actions, and social responsibility.

*Environmental sustainability* respects natural systems and resources. This means reducing unnecessary waste, pollutants and energy usage in order to protect the quality of water, air and soils. It also means protecting the river corridors and mountain landscape, preserving important ecosystems and habitat.

*Fiscal sustainability* is living within one's means—as an individual or a community. This means avoiding growth patterns that cost more to serve than the tax revenues they produce. Outward, "greenfield" growth requires new services and infrastructure, whereas inward growth (infill and redevelopment) takes advantage of existing services and infrastructure, usually in a fiscally efficient manner.

*Social sustainability* means taking care of the community to ensure opportunities for proper shelter, food, education, and a healthy lifestyle. It also means that community efforts are equitable, ensuring that the benefits of development are distributed fairly across society. Another aspect of social sustainability is preservation and respect of cultures and heritage.

The physical design of the community can make it either easier or more difficult for a community to be socially sustainable. Creating places for people to gather and interact, and creating a variety of transportation modes adds to a community's vibrancy.

Sustainability is a key foundation of the [2011 Glenwood Springs Comprehensive Plan](#). Many of the concepts presented work concurrently and collaboratively so that Glenwood Springs can evolve toward a sustainable future.

## Chapter 3 Community Character and Form

### Strategies and Actions to Promote Community Character and Form

#### 1. Direct Development into a Compact Form: Infill and Redevelopment

The city will maintain a compact urban form by growing inward and upward. Due largely to topographic constraints, the city has few opportunities for outward expansion. Primary opportunities for additional growth include the Downtown and *secondary commercial centers* such as the Glenwood Springs Mall, Roaring Fork Marketplace, and Confluence Areas; as well as commercial districts on Grand Avenue in the vicinity of 14th Street and 20th Street, and along US Highway 6. Encouraging a compact urban form and directing development where infrastructure already exists will allow for the efficient delivery of services, preservation of its small-town character, and protection of its cultural and natural resources.

**Secondary Commercial Centers** - There are a number of secondary commercial centers located throughout the city that provide convenient access to retail goods and services. In several cases, grocery stores serve as the anchor, supported by service operators, small shops, and restaurants. Many are surrounded by neighborhoods, and most were developed years ago in a "strip mall" style of development with large parking lots between buildings and public rights-of-way. As property values and retailing trends have changed, the format of these secondary centers are becoming somewhat obsolete, and several are being repurposed into mixed-use neighborhoods with retail, office and housing uses. Examples of these centers include:

- Safeway Site (20th Street and Grand Avenue) Current use: local groceries and associated retail
- City Market Site (14th Street and Grand Avenue) Current use: local groceries and associated retail

- Roaring Fork Marketplace / Wal-Mart (3200 block of South Glen Avenue) Current use: regional big box and office retail / services
- **West Glenwood Springs Mall (51000 block Hwy 6) Current use: regional big box, local and regional shopping**
- Glenwood Meadows (Wulfsohn Road / Midland Drive) Current use: regional big-box retail, local and regional shopping

The **Comprehensive Plan** envisions properties in the Glenwood Springs Mall area, as well as those located immediately to the north, as an integrated and redeveloped multi-use community with a significant element of medium- to high-density residential uses, internal system of sidewalks and community spaces; collectively offering a gathering place for residents and visitors in the far west end of town.

## 2. Create Sub-Area Plans for Center Redevelopment

The city will work with willing property owners to develop sub-area plans for Downtown and secondary commercial centers, in an effort to understand the feasibility of different redevelopment programs, refine the vision accordingly, and assign resources necessary to incent redevelopment.

## Chapter 4 Economic Development

### *Strategies and Actions to Promote Economic Development*

#### 1. Create Opportunity - Allocate Adequate Land

In addition to limited opportunities within the city limits to host new industries and businesses, the land that is available will require a new zoning classification to allow for easier development of businesses. To this end, the city should consider revising the zoning code to allow for more flexibility related to uses within structures and sites. Similarly, there is also an inadequate supply of attractive and accessible office space, and commercial space configured to accommodate evolving retail trends. To this end, the City should consider facilitating redevelopment of existing buildings, conducting an analysis of existing spaces, and investigating opportunities for new development located immediately adjacent to the city limits and within its Urban Growth Boundary. A sample location for these types of activities includes the area around and including the Glenwood Springs Mall in west Glenwood.

## 2. Retain, Enhance and Expand the Long-Standing Tourist Market

Tourism has long been an important component of the Glenwood Springs economy. The city should continue efforts to support the tourism market, its agencies, amenities, and facilities including Vapor Caves, Doc Holliday Grave Site, Glenwood Caverns, and Glenwood Hot Springs Pool. To this end, the city should preserve and enhance recreational opportunities (river access, kayak park, parks, and trails) and other city-owned assets in an effort to attract more tourists and encourage them to stay longer. The city should also consider enhancing the Downtown by creating pedestrian-oriented amenities, encouraging special shops and restaurants, lodging and events, so that it is a place where people want to live and visit. The city should consciously retain lodging units in other areas of the city, as well, including West Glenwood, Glenwood Meadows, and the Hwy 6 corridor.

## 3. Maintain Glenwood Springs Role as a Regional Center

Glenwood Springs should retain regional businesses that are convenient to regional clients. One step in doing this is to retain automobile dealership, highway-oriented services, and big box retail centers that serve the region.

# West Glenwood Springs Urban Renewal Plan

City of Glenwood Springs, Colorado

## **Appendix B:**

West Glenwood Springs Urban Renewal Plan Area Legal Description

## West Glenwood Springs Urban Renewal Plan Area

### Legal Description

A parcel of land situated in Lots 1 and 2 and in the North 1/2 of the Southeast 1/4 of Section 6 Township 6 South, Range 89 West of the Sixth Principal Meridian, City of Glenwood Springs, County of Garfield, State of Colorado, said parcel being more particularly described as follows:

Tracts E and F as shown on the plat of the Resubdivision of Glenwood Springs Mall Subdivision, Except Tracts A, B, C & D, recorded as Reception Number 336102, on January 18, 1983 in the office of the Garfield County, Colorado, Clerk and Recorded; together with that portion of the right-of-way of Storm King Road situated between the northerly and southerly boundary lines said Resubdivision of Glenwood Springs Mall Subdivision, Except Tracts A, B, C & D, extended westerly to the easterly boundary line of the Glenwood Auto Plaza Subdivision as shown on the plat recorded as Reception Number 396937, on November 18, 1988 in the office of said Garfield County, Colorado, Clerk and Recorded; together with the right-of-way of U.S. Highway 6 & 24 situated between the westerly and easterly boundary lines of said Resubdivision of Glenwood Springs Mall Subdivision, Except Tracts A, B, C & D, extended southerly.

Section: 6 Township: 6 Range: 89 Subdivision: GLENWOOD SPRINGS MALL Lot: TR F

Section: 6 Township: 6 Range: 89 Subdivision: GLENWOOD SPRINGS MALL Lot: E