

PUBLIC MEETING

August 19, 2014, 5:30 – 5:45 pm
100 North Wilcox Street, Second Floor Council Chambers
Castle Rock, Colorado

AGENDA

THIS MEETING IS OPEN TO THE PUBLIC. PLEASE NOTE THAT ALL TIMES INDICATED ON THE AGENDA ARE APPROXIMATE. INTERESTED PARTIES ARE ENCOURAGED TO BE PRESENT EARLIER THAN THE SCHEDULED TIME.

5:30 Call to Order / Roll Call:

5:31 Pledge of Allegiance

5:45 Unscheduled Public Comment *(During this time, members of the public are invited to address the Authority on items which are **NOT** scheduled on the agenda. Comments are limited to four (4) minutes per speaker.)*

5:46 Approval of June 17, 2014 Minutes

5:57 Staff Report:

1. Citadel Station – Castle Meadows URA Plan Discussion

5:45 Adjourn

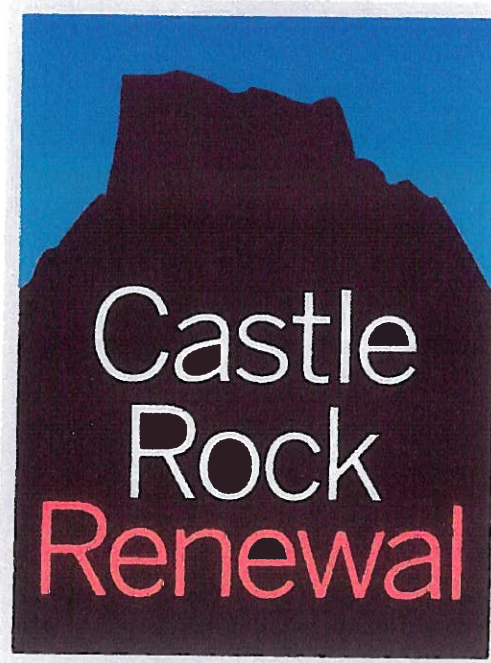
Description CASTLE ROCK URBAN RENEWAL AUTHORITY MEETING**Date** 6/17/2014**Location** Council
Chambers

Time	Speaker	Note
<u>5:00:30 PM</u>	Donahue	<u>Called to Order / Roll Call:</u> All Urban Renewal Authority Members (Ford arrived at 5:03, Teal arrived at 5:09, Wilson arrived at 5:11)
<u>5:01:30 PM</u>	Donahue	Pledge of Allegiance
<u>5:03:30 PM</u>	Donahue	<u>Unscheduled Public Comment:</u> No public comment
<u>5:03:35 PM</u>	Ford	(Arrived)
<u>5:03:41 PM</u>	Donahue	<u>Approval of October 29, 2013 Minutes</u>
<u>5:03:49 PM</u>	Green	Motion to Approve.
<u>5:03:51 PM</u>	Heath	Second.
<u>5:03:53 PM</u>	Donahue	Passed: 5-0
<u>5:04:08 PM</u>	Donahue	<u>Staff Report</u>
<u>5:04:14 PM</u>	Detweiler	<u>Annual Meeting:</u> Bylaws require an annual meeting be held each June. The Mayor shall be the Chair of the URA and the Mayor Pro-Tem shall be the Vice Chair. Suggest next meeting have a general discussion about the Executive Director's performance.
<u>5:05:21 PM</u>	Donahue	Consensus to designate the Mayor and Mayor Pro-Tem as Chair and Vice Chair.
<u>5:05:24 PM</u>	Detweiler	<u>Castle Rock Urban Renewal Authority Resolution No. 201-01: A Resolution Approving Bylaws for the Castle Rock Urban Renewal Authority</u> Suggested changes to the Authority Bylaws: Meeting attendance, Expectations and Responsibilities of the Board Chair and Vice Chair, Deliberations and Decisions of Board Members. Seeking the URA action.
<u>5:06:41 PM</u>	Donahue	No Board comments. Opened public hearing. No Comments. Closed public hearing.
<u>5:07:00 PM</u>	Green	Move to Approve 4 Changes to the URA bylaws.
<u>5:07:10 PM</u>	Valentine	Second.
<u>5:07:14 PM</u>	Donahue	Passed 5-0.
<u>5:07:25 PM</u>	Detweiler	<u>Overview of Citadel Station - Castle Meadows URA Plan.</u> Municipal dump site and abandoned clay mines in part of it. Castle Meadows project extension of Prairie Hawk through that property. Typically a URA plan includes a project.
<u>5:09:53 PM</u>	Teal	(Arrived)

5:09:56 PM	Detweiler	In this case, the two property owners are just asking for URA designation at this time. Issues: finding that several of the properties have been assessed as agriculture the last 5 years so requires all taxing authorities' written consent or the project cannot be acted upon. Fenway Partners LLC had agricultural status removed in 2009, so we just need to inform them and do not need their consent. Castle Meadows ownership was assessed agricultural and was removed in 2011, so the taxing authorities' consent is required.
5:11:59 PM	Wilson	(Arrived)
5:12:02 PM	Detweiler	Met with Commissioners, let them know it will come before them and need their approval. The Cemetery board doesn't meet until August 5th, so it will be after that before it comes to Council.
5:12:54 PM	Valentine	Five years before we can reassess?
5:13:10 PM	Detweiler	No, they must not be assessed as agricultural for a five year period beforehand. So since Castle Meadows agricultural status was removed in 2011, it would not be eligible without written consent until 2016.
5:14:19 PM	Donahue	Can we move ahead with URA on Fenway property?
5:14:38 PM	Detweiler	Yes, but because of the calculations to make it successful from TIF, they require all of the properties. There is no indication from property owners that they would be willing to move forward. It is up to the property owners.
5:15:23 PM	Donahue	No Board Comments. Open Public Hearing. No comments. Closed the Public Hearing.
5:15:33 PM	Donahue	Do you need approval from the Board?
5:15:43 PM	Detweiler	No, just an update of where we are and what to expect, and not back to Town Council until probably later in August.
5:16:26 PM	Donahue	No further comments. <u>Adjourn.</u>

Town Clerk

Date

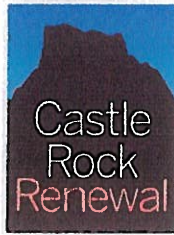


Citadel Station – Castle Meadows Urban Renewal Plan

***Town of Castle Rock, Colorado
September 2014***

***URA Plan Prepared by:
The Castle Rock Urban Renewal Authority***

***Conditions Survey Prepared by:
Ricker/Cunningham***

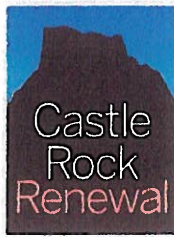


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Urban Renewal Plan
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Section 1.0 Introduction

1.1 Preface

The Citadel Station - Castle Meadows Urban Renewal Plan (Plan) has been prepared by the Town of Castle Rock Urban Renewal Authority (Authority) for the Town of Castle Rock (Town). It will be carried out by 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 (C.R.S.) 1973, as amended (Act). Upon approval of this Plan administration, implementation, preparation and execution of any documents of the Plan shall be performed by the Authority.

1.2 Blight Findings

In each urban renewal area, as defined by the Act, conditions of blight must be present in order for the Authority to exercise its powers. The Authority may not undertake an urban renewal project until Town Council (Council) finds that blight conditions exist and "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 Citadel Station – Castle Meadows Conditions Survey (Survey) finds the Citadel Station - Castle Meadows Urban Renewal Area (Area) qualifies as a blighted area under the Act and is therefore suitable for an urban renewal project.

1.3 Authorizations

Council approval of the Plan authorizes use of powers in the Act which are necessary, convenient or appropriate to accomplish the objectives of the Plan, *with the exception of eminent domain*. The Authority shall exercise its powers to eliminate blight conditions in the Area through use of public funds. The Plan is in the public interest and a matter of legislative determination by the Town Council.

1.4 Urban Renewal Area Boundaries and Map

The Area is located at the northwest intersection of Interstate 25 and Plum Creek Parkway, bounded by Plum Creek Parkway on the south, I-25 on the east and the Castle Highlands Industrial Park on the north. The Area includes all properties generally shown in Figure No. 1 and in the legal description and associated survey map, Appendix II. The Plan is comprised of three privately-owned legal parcels totaling approximately 65.9 acres and located within the Town boundary. In case of conflict, the legal description and survey map in Appendix II shall control.

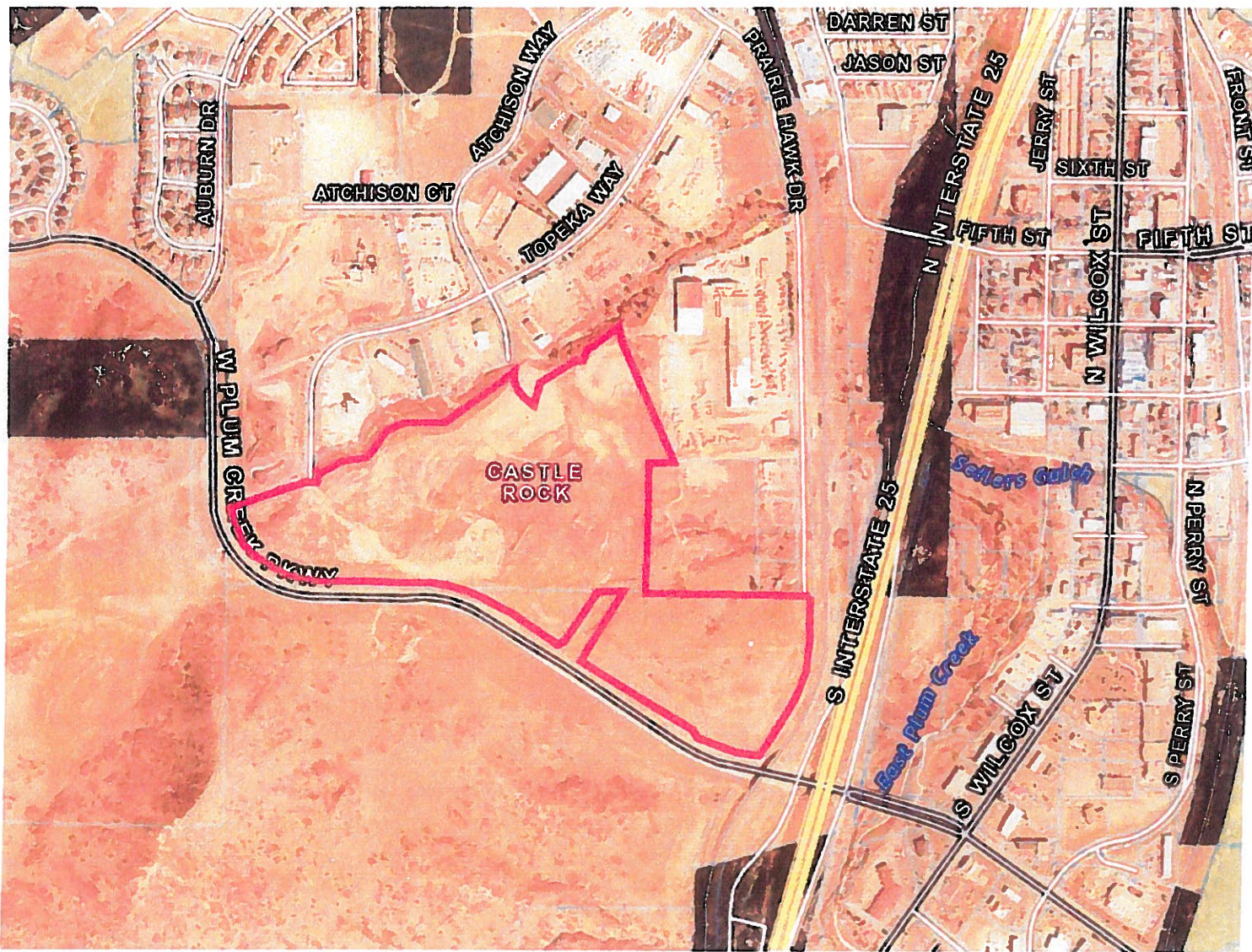
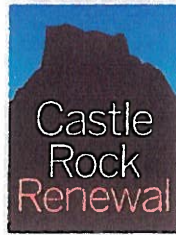


Figure 1:

Citadel Station – Castle Meadows URA Boundary Map



Section 2 Definitions

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

Area – the Citadel Station - Castle Meadows Urban Renewal Plan Area as described in the legal description and survey map in Appendix II.

Authority – the Town of Castle Rock Urban Renewal Authority.

Base Year Revenues – that portion of the taxes which are produced by the levy at the rate fixed each year by or for each public body, which has taxing authority within the Area, upon the valuation for assessment of taxable property in the Area last certified prior to the effective date of approval of this Plan or, as to an area later added to the Area by modification of this Plan, the effective date of the modification of this Plan, and that portion of municipal sales taxes, (not including an sales taxes for remote sales as specified in section 39-26-104(2), C.R.S.) 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 approval of this Plan.

Comprehensive Plan – the Town of Castle Rock Comprehensive Master Plan, as may be amended from time to time.

Cooperation Agreement – any agreement between the Authority and Town or any public body, as defined in the Act, deemed necessary by the Authority for the Plan.

District Taxes – taxes collected by a Special District which may be formed after approval of this Plan.

Impact Report – the Citadel Station - Castle Meadows Douglas County Impact Report prepared by Ricker/Cunningham, dated February, 2014.

Municipal Sales Tax Increment Revenue - that portion of the municipal sales tax increment revenue allocated to the Authority under the Act.

Plan – The Citadel Station - Castle Meadows Urban Renewal Plan.

Property Tax Increment Revenue – the real and personal property tax increment revenue allocated to the Authority under the Act.

Redevelopment / Development Agreement – one or more agreements between the Authority and developer(s), property owner(s), special districts, or such other individuals or entities involved to carry out the Plan.

Special District – a political subdivision and quasi-municipal corporation of the State of Colorado created to construct and finance improvements, pursuant to Title 32, C.R.S.

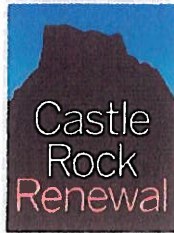
Survey Area – the geographic territory defined in the Condition Survey.

Tax Increment Area – the Area from which net new tax increment revenue will be collected and remitted to the Authority for use in implementing the Plan.

Tax Increment Financing (TIF) – the use of Tax increment Revenue to finance public improvements that support development that creates tax increment. TIF methods include, but are not limited to, the pledge of Tax Increment Revenue for repayment of bonds, loans, advances and other indebtedness, in accordance with the Act.

Tax Increment Revenue – the increments of real and personal property tax revenue and municipal sales tax revenue over the Base Year Revenue generated within the Plan area.

Urban Renewal Project – any work or undertaking carried out for the elimination and prevention of the spread of blight in accordance with this Plan and the Act.



Section 3.0 Purpose of the Plan

The purpose of the Plan is to reduce, eliminate and prevent the spread of blight within the Area by correcting those conditions identified in the Survey. A goal of the plan is to remediate the abandoned municipal dump site and abandoned clay mines located on the site, and further, to stimulate growth and investment within the Area.

The Plan is intended to promote goals and objectives within adopted Castle Rock community plans and advance the Town of Castle Rock Vision 2020, as may be updated or amended, and priorities of the Town of Castle Rock Comprehensive Master Plan (Comprehensive Plan) as may be amended. While the principal goal of the urban renewal effort is to provide development opportunities consistent with policies and goals of the Town, it is not intended to replace the efforts of area business development or marketing organizations.

Development of properties within the Area will be accomplished through the Authority and Town with participation and cooperation by private sector investment through use of authority identified in the Act and through Redevelopment Agreements or other appropriate arrangements. This Plan provides the opportunity for rehabilitation or redevelopment of the Area by private enterprise. The Authority will provide assistance with blight remediation and public improvements as identified in the Act. Council adoption of the Plan and commencement of a single tax increment area (Tax Increment Area) is intended to be the first step of a two-step process. The first step is adoption of the Plan and designated Area and identification of the type of Urban Renewal Projects that will be implemented. The second step is submittal and action on a series of Urban Renewal Projects and requests for funding assistance.

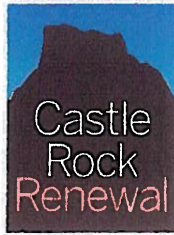
3.1 Development and Design Objectives

The Act authorizes the Authority to undertake planning and zoning activities to regulate land use, establish maximum or minimum densities, and define building requirements in the Area. The Town will regulate land use and building requirements through existing codes and ordinances as may be amended.

3.2 Objectives of the Plan

Objectives of the Plan include:

- reduce, eliminate and prevent the spread of blight within the Area
- remediate the abandoned municipal dump site and abandoned clay mines located on the site
- advance development to generate revenues sufficient to fund public improvements
- implement elements of the Comprehensive Plan
- support and advance actions identified in plans and strategies adopted by the Town of Castle Rock, Castle Rock Urban Renewal Authority and Castle Rock Economic Development Council related to development of vacant and under-utilized parcels
- encourage character of development that is realistic in the market, yet serves to establish quality standards that future development will be expected to emulate
- complete regional infrastructure improvements including those in existing plans and agreements
- advance quality development, infrastructure and services that will be provided to the Area
- provide a range of financing mechanisms for improvements
- facilitate public-private partnerships



Section 4.0 Blight Conditions

To obtain approval of an urban renewal plan the area under consideration must be determined to be a "blighted area" as defined the Act. According to the Act, conditions that would substantially impair or arrest the sound growth of the municipality, retard the provision of housing accommodations, or constitute an economic or social liability, and is a menace to the public health, safety, morals, or welfare 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, property by fire or other causes.
- (i) Buildings and / or properties that is 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.
- (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 substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

The general methodology for conducting the Survey is to:

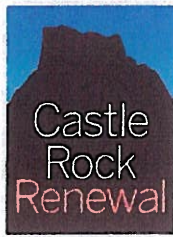
1. Define the Survey Area.
2. Gather information about properties, infrastructure and other improvements within the Area.

3. Evaluate evidence of blight through field reconnaissance, review of aerial photography, discussions with representatives of various Town departments.
4. Record observed and documented conditions as per the Statute.

Among the 11 qualifying factors identified in the Act, the Survey completed by Ricker Cunningham identified the presence of the following nine blight factors in the Survey Area:

- (b) Predominance of defective or inadequate street layout.
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- (d) Unsanitary or unsafe conditions.
- (e) Deterioration of site or other improvements.
- (f) Unusual topography or inadequate public improvements or utilities.
- (h) The existence of conditions that endanger life or property by fire or other causes.
- (i) Buildings and / or properties that is unsafe or unhealthy for persons to live or work in because of code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities.
- (j) Environmental contamination of buildings or property.
- (k5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

The Council shall, prior to acting on this Plan, adopt a resolution finding that the Area is blighted as defined in the Act and is therefore suitable for an urban renewal project.



Section 5.0 Objectives and Appropriate Land Uses

5.1 General Description

Implementation of the Plan supports the objectives and requirements of the Castle Rock Comprehensive Plan, specifically completion of infrastructure, connectivity to transportation corridors, and preservation of natural features and quality design that promotes Castle Rock's unique identity. All Area development shall conform to the Castle Rock Comprehensive Plan and Town adopted policies and regulations that may impact site development and public improvement plans. TIF will be used to implement the Plan and improvements phased as appropriate for the success of all projects within the Area.

5.2 Relationship to Castle Rock Comprehensive Plan

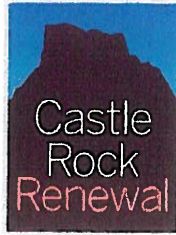
The Town of Castle Rock Comprehensive Master Plan was adopted in 2002 and is currently under review to determine if amendments to the Plan are necessary. The Authority, with the cooperation of the Town, private enterprise and other public bodies, will support or undertake projects and activities described in the Comprehensive Plan in order to eliminate the conditions of blight identified herein while implementing the goals and objectives of the Comprehensive Plan and any subsequent updates.

5.3 Relationship to Other Community Plans

Implementation of this Plan will be consistent with development objectives identified in all community adopted plans that pertain to development in the Area including Capital Improvement Plans.

5.4 Appropriate Land Uses

Existing property entitlements and zoning categories provide for light industrial, office and retail space by-right within the Area. Therefore implementation of the Plan will not require any changes in zoning or land development regulations to move forward with URA Projects in accordance with the Plan. Existing land entitlements and zoning designations prohibit residential development.



Section 6.0

Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to implement an urban renewal plan. It is the Authority's intent to provide financial assistance and public improvements in cooperation with property owners and other affected parties in order to accomplish the Plan objectives. Public-private partnerships and other forms of cooperative development are critical to the Authority's strategy for preventing the spread of blight and eliminating existing blight conditions.

6.1 Public Improvements and Facilities

The Authority may, on its own or in cooperation with others, finance or construct public improvements within the Area. The Plan encourages public and private investment to advance the objectives of the Plan and improve economic conditions of the site and surrounding Castle Rock community.

6.2 Conditions of Blight

The Survey concluded that conditions of blight are present within the Survey Area, as defined by Section 31-25-103(2) of the Act. A goal of the Plan is to address conditions described in the Survey and summarized below.

(b) Predominance of defective or inadequate street layout

There are no paved streets for vehicular traffic or paths for pedestrian circulation within the Survey Area. A portion of right-of-way for the proposed Prairie Hawk extension is dedicated just north of Plum Creek, but has not been improved.

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

The Survey Area is divided into three large lots, none of which are usable because they lack access from Plum Creek Parkway, lack interior roads and there is no infrastructure in place.

(d) Unsanitary or unsafe conditions

Multiple factors contribute to unsafe conditions in the Survey Area including the lack of streets or pedestrian access and the abandoned municipal dump site and abandoned clay mines.

(e) Deterioration of site or other improvements

Properties throughout the Survey Area have not been maintained and include trash and weeds.

(f) Unusual topography or inadequate public improvements or utilities

Construction of Plum Creek Parkway required significant site grading and earthen cuts in excess of 25 feet to maintain acceptable streets grades. The Survey Area contains the same topographical challenges as those encountered with construction of Plum Creek Parkway. The Survey Area has infrastructure deficiencies, specifically water and wastewater.

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

The Area includes an abandoned municipal dump site and abandoned clay mines, which causes a threat to persons due to garbage in varying degrees of decomposition and the potential for subsidence, pathogen migration, and other health and safety issues typically associated with these types of landfills and abandoned mines.

(j) Environmental contamination of buildings or property

The Survey Area includes an abandoned municipal dump site and abandoned clay mines. Such conditions are considered unsafe and unhealthy and susceptible to contamination associated with former activities.

6.3 Other Improvements and Facilities

The Authority may assist in the financing and construction of public improvements to the extent authorized by the Act.

6.4 Development Opportunities—Catalyst Projects

Properties within the Area have not developed over the past 30+ years due to the location of an abandoned municipal dump and abandoned clay mines on site and lack of public infrastructure within the property. The Authority will encourage and provide funding for public improvements to mitigate costs associated with remediation of blight conditions including the abandoned municipal dump site and abandoned clay mines and to assist with construction of the Prairie Hawk extension project.

6.5 Development Standards

All development in the Area shall conform to the Vision and Comprehensive Master Plan policies and goals, Council adopted Design Guidelines and any rules, regulations, policies and any other requirements and standards of the Town. In

conformance with the Act and the Plan, the Authority may adopt design standards and other requirements applicable to projects undertaken by the Authority in the Area through review and action on specific URA Projects and request for funding applications.

6.6 Modifications and Amendments to the Plan

The Authority may propose and Council may approve modifications to the Plan provided they are consistent with the Comprehensive Plan and all rules, regulations and policies adopted by Council and the requirement of the Act with respect to modifications and amendments. Modifications may be developed from suggestions by Council, the Authority and property and business owners. The Authority may allow non-substantive variations from the Plan if it determines that a literal enforcement of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

6.7 Property Acquisition and Land Assemblage

The Authority has the following powers with respect to property acquisition and land assemblage:

- The Authority may acquire property as authorized by the Act, except through use of eminent domain.
- The Authority may temporarily operate, manage and maintain property acquired in the Area. Such acquired property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

6.8 Relocation Assistance

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

6.9 Demolition, Clearance, Environmental Remediation, and Site Prep

The Authority has the following powers with respect to demolition, clearance, environmental remediation and site preparation:

- The Authority may fund projects to remediate contaminants or prepare sites for development consistent with the objectives of the Plan.
- Development or Cooperation Agreements may be used to eliminate unhealthy, unsanitary and unsafe conditions and to remove or prevent the spread of blight.
- The Authority may also undertake demolition, clearance, environmental remediation, and site preparation activities to facilitate the disposition and development of acquired properties, or any other such activities as provided for

in the Act.

6.10 Property Disposition

The Authority may sell, lease, or otherwise transfer real property or any interest in real property, as it deems necessary, to implement the Plan in accordance with the Act. All property and interest in real estate acquired by the Authority in the Area that is not dedicated or transferred to public entities, shall be sold or otherwise disposed of for development in accordance with the provision of this Plan and the Act.

6.11 Redevelopment / Rehabilitation Actions / Development Agreements

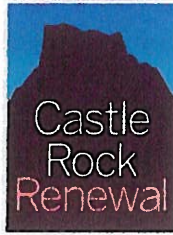
The Authority is authorized to enter into Redevelopment / Development Agreements or other contracts with developer(s), property owners, individuals or entities as necessary to carry out the purposes of this Plan. The Authority may provide financial assistance to achieve goals and objectives stated herein or otherwise authorized by the Act.

6.12 Cooperation Agreements

The Authority may enter into one or more Cooperation Agreements pursuant to the Act to further the goals and objectives of the Plan. Cooperation Agreements may include improvements identified in the Act.

6.13 Creation of Tax Increment Areas

Pursuant to the provisions of Section 31-25-107(9) of the Act, a single tax increment area is created commencing with adoption of this Plan and that activities in the Area and corresponding TIF district may be financed by the Authority for a period not to exceed 25 years. The Authority is specifically authorized to expend tax increment revenues within the Area to the extent authorized by the Act.



Section 7.0 Project Financing

7.1 Public Investment Objective

Public and private sector participation is needed for the Plan to succeed. Public infrastructure investments for the Plan will include constructing streets, public spaces, and new infrastructure, improving access from Plum Creek Parkway and Prairie Hawk and remediation of the abandoned municipal dump site and abandoned clay mines. All public and private investments shall be made in accordance with the Act.

7.2 Authorization

The Authority may finance undertakings authorized under the Act including issuance of notes, bonds and other obligations as defined in the Act in an amount sufficient to finance all or part of the Plan. The Authority may borrow funds and create indebtedness, and approve advances and reimbursement agreements in accordance with the Act. The principal, interest, costs and fees on any indebtedness are to be paid for with any lawfully available funds of the Authority. Debt may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created.

7.3 Tax Increment Financing

Activities may be financed by the Authority using TIF. Tax Incremental Revenues may be used for a period not to exceed the statutory limitations, calculated in accordance with applicable rules of the Property Tax Administrator of the State of Colorado.

7.3.1 Special Fund

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

7.3.2 Base Year Revenues

The Base Year Revenues shall be paid into the funds of each public body as are all other taxes collected by or for said public body. All of the taxes levied upon the taxable property in the Area shall be paid into the funds of the respective public bodies.

7.3.3 Increment Amount

Property Tax Increment Revenue shall be used to finance projects in the Plan area pursuant to Section 31-25-107(9), C.R.S. One hundred percent of property tax increment revenue shall be deposited into the Special Fund as provided in the Act and this Section. The Plan may be amended in the future to include all or a portion of the municipal sales tax as additional tax increment in accordance with the Act. The Authority may expend, pledge, or refund tax increment in any manner authorized or required by the Act. The Authority reserves the right to enter into Cooperation Agreements with the Town and select taxing jurisdictions relative to allocation of incremental tax revenues.

Property taxes collected within the Area shall be divided as follows:

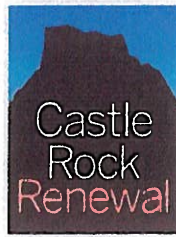
- a) That portion of the taxes which are produced by the levy at the rate fixed each year by or for each public body upon the valuation for assessment of taxable property in the Area, shall be paid into the funds of each such public body as are all other taxes collected by or for such public body, but the amount of the payment shall not exceed the Base Year Revenues.
- b) The approved portion of property taxes in excess of the Base Year Revenue shall be allocated to and, when collected, paid into the special fund to finance obligations with respect to Urban Renewal Projects in the Area, including payment of the principal of, the interest on, and any premiums due in connection with the bonds, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the Authority for financing or refinancing, whole or in part, Urban Renewal Projects in the Area or to make payments under an agreement executed pursuant to Section 31-25-107(11), C.R. S.
- c) When such bonds, loans, advances and indebtedness, if any, including interest thereon and any premiums due in connection therewith, have been paid, but in no event later than 25 years (or such other period as may be authorized by the Act) following the adoption of this Plan, any excess property tax collections not allocated pursuant to this paragraph or any Cooperation Agreement between the Authority and the Town or other taxing jurisdiction, shall be paid into the funds of said jurisdiction or public body. Unless and until the total property tax collections in the Area exceed the base year property tax collections in the Area, all such property tax collections shall be paid into the funds of the appropriate public body based upon Cooperation Agreements between the Authority and the Town or other taxing jurisdiction.
- d) In the event that there is a general reassessment of taxable property valuations in Douglas County, which are subject to division of valuation for assessment between base and increment, as provided above, the portions of valuations for assessment to be allocated as provided above

shall be proportionately adjusted in accordance with the Act.

If there is any conflict between the Act and the Plan with respect to TIF at the time this Plan is approved, the provisions of the Act shall control and the language in the Plan will be automatically deemed to conform to the Statute.

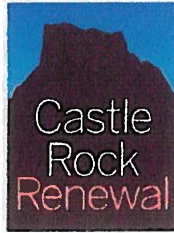
7.4 Other Financing Mechanisms and Structures

The Plan is designed to use TIF as one tool to facilitate investment within the Area. The Authority shall be authorized to finance implementation of the Plan by any method authorized by the Act. The Authority is committed to making a variety of strategies and mechanisms available and encourages use of multiple resources either independently or in various combinations depending on the needs of individual Urban Renewal Projects within its boundaries and area of impact. The Authority recognizes that solutions and resources be put in place that are comprehensive, flexible and creative.



Section 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 I: Excerpts from the Town of Castle Rock Comprehensive Master Plan

The following sections of the Town of Castle Rock Comprehensive Master Plan are referenced to identify consistency of the Plan with adopted Town policies and goals.

Chapter 4: Growth Management

1. Regional Planning Efforts

The Denver Regional Council of Governments (DRCOG) coordinates regional planning in the Denver metropolitan area. DRCOG is a voluntary association of 51 county and municipal governments in the Denver metro area. The Town of Castle Rock is a member of the association.

One element of Metro Vision 2020 and subsequent amendments and updates noted in the Metro Vision 2040 is the concept of freestanding communities. Castle Rock, along with Boulder, Brighton, and Longmont are to be separate from the urban area with a goal of providing an adequate employment/housing balance and internal transportation systems.

2. Specific Goals and Policies for Castle Rock

Principle GM-1: Growth Management in Castle Rock

Growth shall be carefully planned in an orderly, cost-effective, equitable, fiscally responsible and environmentally sound manner.

Policies:

GM-1.1 Concentrate future capital improvements and service delivery systems to benefit existing and future residents in the most effective manner and provide the greatest opportunity for immediate and near-term commercial and employment development.

GM-1.2 Honor the Town's existing contractual obligations regarding development while pursuing modifications to these contracts that more effectively implement the Master Plan.

Principle GM-2: Adequate Facilities and Levels of Service

Adequate community facilities and levels of services shall be provided when considering the timing and location of development.

Policies:

GM-2.1 Development will only be permitted where it can be efficiently served by critical public services such as transportation, water, wastewater, storm drainage, parks and recreation, fire and emergency services, and any other public facilities and services required by the Town.

GM-2.2 Require that new development pays its fair and proportionate share of the cost of services.

Chapter 5: Land Use

Principle LU-5: Adequate Commercial and Industrial Development

Adequate commercial and industrial facilities and services will be provided to meet the needs of the community and surrounding areas.

Policies:

LU-5.2 Commercial and Industrial development should be located according to access, availability of services, parcel size and development suitability and proximity to the markets being served.

LU-5.3 Encourage the location of commercial and industrial uses where adequate transportation facilities exist, or are planned, to accommodate the activities expected on the site. The lowest intensity uses may be considered along collector streets, moderate intensity uses along collectors and arterials, and the highest intensity uses along arterials and areas easily accessible by the I-25 corridor.

LU-5.4 Require adequate public services, including water, sanitary sewer, and storm sewer, and fire and police protection be provided to meet the requirements of each commercial or industrial facility.

LU-5.5 Ensure that commercial and industrial development occurs on parcels large enough to accommodate not only the primary use and structures, but also the necessary access, parking, landscaping and buffering areas.

LU-5.6 Require that development is sensitive to the physical site characteristics, amenities and constraints.

LU-5.7 Encourage commercial and industrial uses to locate in areas that can be accessed by their intended markets without undue impacts on surrounding areas. Neighborhood centers should be located within, or close to, residential neighborhoods. Community or regional development should be located outside of residential areas.

LU-5.8 Concentrate commercial and office uses that serve the region and the overall Town where there is the greatest level of accessibility and urban services available.

LU-5.9 Encourage the development of office and industrial buildings in a planned,

integrated office technology campus environment and industrial parks.

Principle LU-6: Compatible Development

New and redeveloped commercial and industrial development will be compatible with adjacent uses which will minimize impacts and enhance the quality of development.

Policies:

LU-6.1 Encourage the development of commercial and industrial uses that can be integrated with the existing uses and would not create unacceptable nuisances due to the nature of the use or activity.

LU-6.2 Carefully evaluate all commercial and industrial development in terms of building scale, height, setbacks, architectural treatment, construction materials, layout, landscaping and signage.

LU-6.3 Encourage commercial and industrial development to coordinate with adjacent sites for common access points unified architectural design and signage.

Principle LU-8: Interchange Districts

Development and redevelopment within interchange districts should contribute to the overall economic health of the Town by attracting regional commerce through efficient high density and commercial and mixed land use patterns, high quality design, and creating a positive image of the community.

The Interstate 25 corridor provides an important economic opportunity for the Town. The four existing and proposed interchanges along I-25 serve as major entryways into the Town from I-25 and present unique opportunities for higher intensity and high quality economic development. Proposed Interchange Overlay Districts include, Meadows/Founders, Wolfensberger, Plum Creek, Dawson Ridge/Crystal Valley and the proposed and currently under construction North Meadows extension project.

The goals of the Interchange District include:

- To create design standards and incentives to promote high quality, high density residential and economic development opportunities with enhanced design standards and features.
- To encourage higher density development to the west of the interchange that respects the major land features of that area, but allows the built environment to frame the views to the west.
- To encourage higher density development within this Interchange District, there is a limited opportunity to allow buildings to have an increased height at an internal intersection of local streets with the proposed new North/South minor arterial within this district; view corridors would have to be protected; consideration of such a proposal would occur through the development review process.
- To create an Interior Gateway to the uses to the west.
- To create outstanding way finding for the west gateway to highlight uses.

- To create outstanding landscaping installations to support gateways and uses.
- To enhance aesthetics for the trail crossing along Plum Creek under the bridge.
- To protect the natural features identified in the Southwest Quadrant Plan.
- To promote uses that complements activities and goals of Downtown, but is at such a scale as to be out of character with Downtown (for example, major entertainment venue, lodging, larger retail development, tall office buildings).
- To create pedestrian/non-motorized safety and connectivity.
- To provide an opportunity for a possible future FREX station, park 'n' ride, and/or multi-modal transit facility.
- To continue to pursue the potential use of the Santa Fe Depot and Station Master House as a future park 'n' ride and as a future commuter rail stop as well as future pedestrian connections to the Downtown from this area

Chapter 10: Economic Development

Economic development can be defined as cooperative efforts between government and the private sector designed to increase economic activity by encouraging new development and redevelopment within an urban area. Economic development has generally been associated with efforts to increase local employment and expand retail sales, but can include incentives to increase residential development as well. The Town is eager to increase economic activity within the Town in all use sectors - commercial/light industrial, retail and residential. All sectors are necessary for a healthy economy and are dependent upon one another's presence.

Principle ED-1: Freestanding, Self-sustaining Community

Attract a variety of businesses, industries and employment opportunities to provide a balance in the community between jobs and workers, and to diversify the Town's economic base.

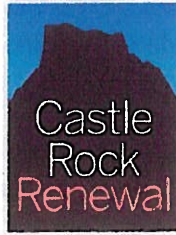
Policies:

ED-1.1 Support efforts to attract and retain business and industries that contribute to local economic base diversification and promote the desired quality of life for Castle Rock residents.

ED-1.2 Promote Castle Rock as a regional economic center that serves the local population, central Douglas County and I-25 travelers, by facilitating primary employment and the development of employment centers as well as retail and service centers.

ED-1.5 Encourage business or industry to locate or expand in compatible zoned areas or in areas scheduled for future facility improvements as designated in the Town Capital Improvements Plan, or in other appropriate areas, to maximize the use of existing public services and infrastructure.

ED-1.7 Seek innovative methods of financing infrastructure and services wherever possible to minimize current and future tax burdens.



Appendix II: Urban Renewal Plan Area Legal Description and Map.

A PARCEL OF LAND BEING A PART OF LOT 2, BLOCK 7, CITADEL STATION FILING NO. 6, A SUBDIVISION PLAT RECORDED UNDER RECEPTION NO. 8708767 AND A PART OF THE SOUTHEAST QUARTER OF SECTION 10 AND A PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 10 AND ASSUMING THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10 TO BEAR SOUTH 89°27'26" EAST, 2616.68 FEET AS PLATTED, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°35'04" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 403.83 FEET TO THE SOUTHWESTERLY CORNER OF OUTLOT B, SAID CITADEL STATION FILING NO. 6; THENCE NORTH 70°14'23" EAST ALONG THE SOUTHERLY LINE OF SAID OUTLOT B, A DISTANCE OF 21.48 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WEST PLUM CREEK PARKWAY (ALSO KNOWN AS COACHLINE ROAD) AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 2008075142, SAID POINT BEING A POINT ON THE NORTHERLY LINE OF SAID LOT 2, BLOCK 7, SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

THENCE ALONG THE NORTHERLY AND EASTERLY LINE OF SAID LOT 2, BLOCK 7 THE FOLLOWING TWENTY-TWO (22) COURSES:

1. CONTINUING NORTH 70°14'23" EAST, A DISTANCE OF 420.04 FEET;
2. NORTH 89°42'53" EAST, A DISTANCE OF 60.00 FEET;
3. NORTH 0°17'7" WEST, A DISTANCE OF 41.71 FEET;
4. NORTH 71°29'11" EAST, A DISTANCE OF 22.78 FEET;
5. NORTH 57°11'1" EAST, A DISTANCE OF 127.32 FEET;
6. NORTH 79°57'40" EAST, A DISTANCE OF 150.30 FEET;
7. NORTH 33°12'60" EAST, A DISTANCE OF 188.02 FEET;
8. NORTH 67°16'37" EAST, A DISTANCE OF 98.12 FEET;
9. NORTH 89°36'24" EAST, A DISTANCE OF 218.51 FEET;
10. NORTH 57°52'24" EAST, A DISTANCE OF 190.11 FEET;
11. NORTH 52°55'43" EAST, A DISTANCE OF 279.75 FEET;

12. SOUTH 7°13'59" EAST, A DISTANCE OF 36.25 FEET, TO A POINT ON A CURVE;
13. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 58°05'53", AN ARC LENGTH OF 172.38 FEET, THE CHORD OF WHICH BEARS SOUTH 36°16'56" EAST, 165.09 FEET;
14. SOUTH 65°19'52" EAST, A DISTANCE OF 10.92 FEET;
15. NORTH 14°31'34" EAST, A DISTANCE OF 120.00 FEET;
16. NORTH 50°36'4" EAST, A DISTANCE OF 187.64 FEET;
17. NORTH 82°51'32" EAST, A DISTANCE OF 87.69 FEET;
18. NORTH 22°23'46" EAST, A DISTANCE OF 59.05 FEET;
19. NORTH 53°48'14" EAST, A DISTANCE OF 202.23 FEET;
20. SOUTH 23°36'32" EAST, A DISTANCE OF 793.03 FEET;
21. SOUTH 88°3'18" WEST, A DISTANCE OF 134.81 FEET;
22. SOUTH 0°0'15" EAST, A DISTANCE OF 700.98 FEET TO A POINT ON THE SOUTH LINE OF NORTHEAST QUARTER OF SAID SECTION 10;

THENCE SOUTH 89°27'26" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 329.66 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTH 89°46'21" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 572.43 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA & SANTA FE RAILROAD;

THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:

1. SOUTH 1°56'48" EAST, A DISTANCE OF 173.53 FEET, TO A POINT ON A CURVE;
2. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 880.93 FEET, A CENTRAL ANGLE OF 37°31'24", AN ARC LENGTH OF 576.93 FEET, THE CHORD OF WHICH BEARS SOUTH 16°48'53" WEST, 566.67 FEET;
3. SOUTH 35°34'35" WEST, A DISTANCE OF 193.47 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WEST PLUM CREEK PARKWAY AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 2008054850;

THENCE ALONG THE RIGHT OF WAY AS DESCRIBED THE FOLLOWING FOURTEEN (14) COURSES:

1. NORTH 75°34'19" WEST, A DISTANCE OF 170.83 FEET, TO A POINT ON A CURVE;
2. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 665.50 FEET, A CENTRAL ANGLE OF 17°49'03", AN ARC LENGTH OF 206.95 FEET, THE CHORD OF WHICH BEARS NORTH 66°39'48" WEST, 206.12 FEET;
3. NORTH 32°14'44" EAST, A DISTANCE OF 6.00 FEET;
4. NORTH 57°45'16" WEST, A DISTANCE OF 709.16 FEET;
5. NORTH 18°59'47" WEST, A DISTANCE OF 32.16 FEET;
6. NORTH 32°14'44" EAST, A DISTANCE OF 275.60 FEET, TO A POINT ON A CURVE;
7. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 910.00 FEET, A CENTRAL ANGLE OF 07°46'45", AN ARC LENGTH OF 123.55

FEET, THE CHORD OF WHICH BEARS NORTH 28°21'22" EAST, 123.46 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10;

8. NORTH 89°27'26" WEST AND ALONG SAID SOUTH LINE, A DISTANCE OF 133.30 FEET, TO A POINT ON A CURVE;
9. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 790.00 FEET, A CENTRAL ANGLE OF 03°51'20", AN ARC LENGTH OF 53.16 FEET, THE CHORD OF WHICH BEARS SOUTH 30°19'4" WEST, 53.15 FEET;
10. SOUTH 32°14'44" WEST, A DISTANCE OF 274.89 FEET;
11. SOUTH 83°29'15" WEST, A DISTANCE OF 33.31 FEET;
12. NORTH 57°45'16" WEST, A DISTANCE OF 380.82 FEET;
13. SOUTH 32°14'44" WEST, A DISTANCE OF 6.00 FEET, TO A POINT ON A CURVE;
14. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 864.50 FEET, A CENTRAL ANGLE OF 14°13'19", AN ARC LENGTH OF 214.59 FEET, THE CHORD OF WHICH BEARS NORTH 64°51'56" WEST, 214.04 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, SAID POINT ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WEST PLUM CREEK PARKWAY AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 2008075142;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:

1. CONTINUING ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 864.50 FEET, A CENTRAL ANGLE OF 17°28'53", AN ARC LENGTH OF 263.77 FEET, THE CHORD OF WHICH BEARS NORTH 80°43'02" WEST, 262.74 FEET;
2. NORTH 89°27'28" WEST, A DISTANCE OF 548.00 FEET, TO A POINT ON A CURVE;
3. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 500.50 FEET, A CENTRAL ANGLE OF 75°02'22", AN ARC LENGTH OF 655.50 FEET, THE CHORD OF WHICH BEARS NORTH 51°56'17" WEST, 609.64 FEET TO THE **POINT OF BEGINNING**,

SAID PARCEL CONTAINING A CALCULATED AREA OF 2,871,687 SQUARE FEET OR 65.925 ACRES, MORE OR LESS.

ALL REFERENCES TO RECORDED DOCUMENTS ARE FILED WITH THE DOUGLAS COUNTY CLERK AND RECORDER.

THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

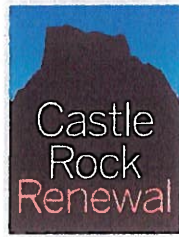
I, WILLIAM F. HESSELBACH JR., A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING. THE LEGAL DESCRIPTION WAS PREPARED FROM EXISTING

PLATS AND RECORDED DOCUMENTS. THIS DOES NOT REPRESENT A
MONUMENTED LAND SURVEY.


WILLIAM F. HESSELBACH JR., P.L.S. 25369
FOR AND ON BEHALF OF
CVL CONSULTANTS OF COLORADO, INC.







Attachment 1:

Citadel Station - Castle Meadows Conditions Survey

Citadel Station - Castle Meadows Conditions Survey

Town of Castle Rock, Colorado

February 2014

Prepared for:

**Castle Rock Urban Renewal Authority (CRURA)
Town of Castle Rock Town Council**

Prepared by:

**RickerCunningham
8200 South Quebec Street, Suite A3-104
Centennial, CO 80112**

**303.458.5800 phone
303.458.5420 fax**

www.rickercunningham.com



Citadel Station - Castle Meadow

Conditions Survey

Town of Castle Rock, Colorado

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Citadel Station - Castle Meadow

Conditions Survey

Town of Castle Rock, Colorado

1.0 Introduction

The following report, the *Citadel Station - Castle Meadows* (the "Survey") was prepared for the Castle Rock Urban Renewal Authority (CRURA) and the Castle Rock Town Council in January 2014. The purpose of this work was to analyze conditions within a defined Survey Area (also referred to here as "the Survey Area" or "Area") located within the Town of Castle Rock, Colorado, in order to determine whether a sufficient number of factors contributing to blight (as defined under the provisions of the Colorado Urban Renewal Law) are present and whether it is, therefore, eligible as an urban renewal plan area.

The Survey Area includes three parcels situated in the south central portion of the Town of Castle Rock, in the northwest quadrant of Interstate 25 (I-25) and Plum Creek Parkway. Specifically, it is bounded by Plum Creek Parkway on the south, I-25 on the east, and improved industrial lots along the frontages of Topeka Boulevard and Santa Fe Boulevard on the north and west (See **Figure 1**). Properties within the Survey Area are owned by separate interests, all local. All property owners of record were notified that the Survey was being conducted.

This *Citadel Station - Castle Meadows Conditions Survey* is a necessary step in the determination of blight and establishment of an urban renewal area with the intent of addressing the issues outlined herein. As such, it is also an important step in advancing community goals set out in the City's comprehensive planning documents specifically related to private property investment, placing vacant and under-utilized land into productive use, and completion of local and regional public improvements, as well as increased municipal revenues.

Establishment of an urban renewal plan area, after a declaration of blight, will allow the Town of Castle Rock, through its urban renewal authority, to use designated powers to

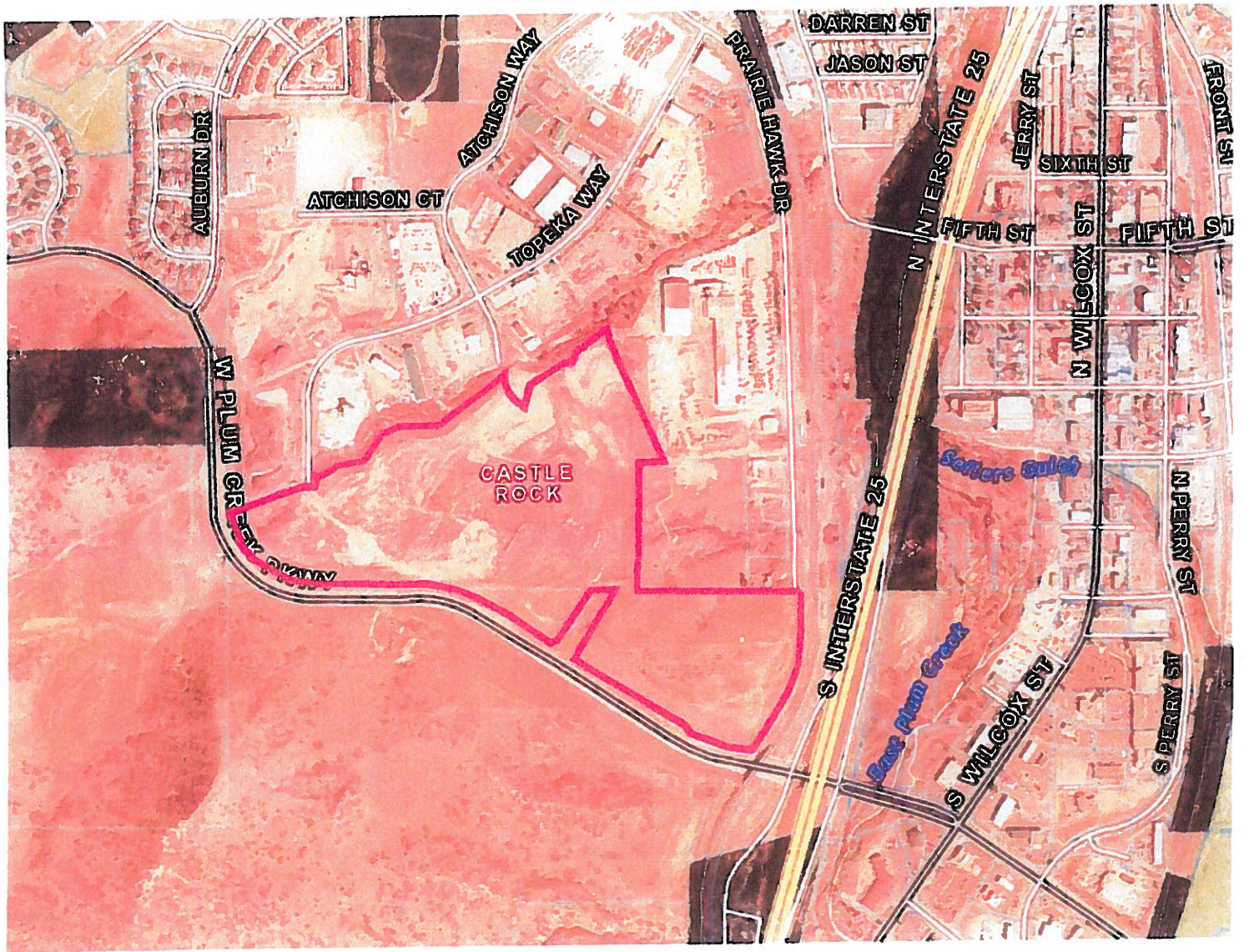


Figure 1:

Citadel Station – Castle Meadows URA Boundary Map

assist in the mitigation of blighted conditions in the plan area and improvement of infrastructure within and adjacent to its boundaries.

2.0 Definition of Blight

A determination of blight is a cumulative conclusion based on the presence of several physical, environmental, and social factors defined by state law. In reality, blight is often attributable to a multiplicity of conditions, which, in combination, tend to contribute to the phenomenon of deterioration of an area. For purposes of this Survey, the definition of a blighted area is based upon the definition articulated in the Colorado Urban Renewal Law, as follows:

“Blighted area” means an area that, in its present condition and use and, by reason of the presence of at least four of the following factors, 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 non-marketable;*
- (h) 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) 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;*
- (l) If there is no objection of such 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 this subsection (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. For purposes of this paragraph (1), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.

Source: Colorado Revised Statute 31-25-103(2).

While the conclusion of whether an area constitutes a legally "blighted area" is a determination left to municipal legislative bodies, this Survey provides detailed documentation of the aforementioned physical, environmental and social factors as they exist within the boundaries defined herein. Note: It is not legally necessary for *every* factor to be present in an area in order for it to be considered "blighted". In addition, a given factor need not be present on each and every parcel or building to be counted, but must be found somewhere in the area as a whole. In other words, the presence of one or more well-maintained, non-blighted buildings or parcels does not necessarily preclude a finding of blight for a larger area in which blighting factors are present elsewhere¹. Rather, an area qualifies as blighted when *four* or more factors are present (or *five* factors, in cases where the use of eminent domain is anticipated). As explained in item (I) above, and relevant here, this threshold may be reduced to the presence of *one* blighting factor in cases where no property owner, tenant or other business interest in the area objects to inclusion in the urban renewal plan area. While the total number of factors found in the subject Survey Area totaled nine conditions, all of which are described in greater detail herein, no person or entity has objected to inclusion in the Area.

With this understanding, the *Citadel Station - Castle Meadows Conditions Survey* presents an overview of factors within the Survey Area sufficient to make a

¹ While not clearly addressed in Colorado Urban Renewal law, this interpretation has been favored by the courts.



determination of blight. Section 5.0 (Summary of Findings) provides conclusions regarding the presence of qualifying conditions in the Survey Area; however, the Castle Rock Town Council will make a final determination as to whether the Area constitutes a "blighted area" under Colorado Urban Renewal Law.

3.0 Study Methodology

Ricker/Cunningham personnel conducted field investigations in December of 2013 and January of 2014 for the purpose of documenting conditions within the categories of blight presented on pages 4 and 5. Pertinent Geographic Information Systems (GIS) data from the Town of Castle Rock was also obtained and subsequently analyzed. Finally, discussions with Town of Castle Rock Staff were conducted and collectively the results of these efforts are discussed herein.

The 11 factors listed in the Urban Renewal Law (see Section 2.0 of this report) contain few specific details or quantitative benchmarks to guide the conditions survey process. Therefore, Ricker/Cunningham has developed a checklist of more specific categories of blighting conditions within each statutory factor to aid in the identification and characterization of blight factors. This checklist has been used in nearly 60 urban renewal conditions surveys for dozens of municipalities across Colorado, and the Southern and Western United States.

(a) Slum, deteriorated, or deteriorating structures

This factor is said to be present when the physical condition of structures in the area present specific life-safety concerns. Sub-categories include deterioration or absence of the following:

- Roof
- Walls fascia board and soffit
- Foundation
- Gutters and downspouts
- Exterior finish
- Windows and doors

- Stairways and fire escapes
- Mechanical equipment
- Loading areas
- Fences, walls and gates
- Other non-primary structures

(b) Predominance of defective or inadequate street layout

This factor is said to be present when the layout (or non-existence) of streets or roads creates problems for health, safety, welfare or sound development. Sub-categories include inadequate or elevated:

- Vehicular access
- Internal circulation
- Driveway definitions and curb cuts
- Parking layout
- Traffic accident history

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

This factor is said to be present when lot size or configuration inhibits or is likely to inhibit sound development. Sub-categories include inadequate or unsafe:

- Lot shape or layout
- Vehicular access - parcels with poor access are usually found to have both category (b) and (c) present
- Lot size

(d) Unsanitary or unsafe conditions

This factor is said to be present when safety hazards and conditions are likely to have adverse effects on the health or welfare of persons in the area due to problems with a lack of infrastructure. Sub-categories include the presence of:

- Poorly lit or unlit areas

- Cracked or uneven sidewalks
- Hazardous contaminants
- Poor drainage
- Flood hazards
- Steep slopes
- Unscreened trash or mechanical equipment
- Pedestrian safety issues
- High crime incidence
- Lack of fire protection
- Vagrants, vandalism and graffiti

(e) Deterioration of site or other improvements

This factor is related to factor (a), and said to be present when land and/or structures have been either damaged or neglected. Sub-categories include the presence of, deteriorating or lack of:

- Billboards
- Signage
- Poorly maintained properties, streets, and other public improvements
- Trash, debris and weeds
- Parking surfaces, curbs and gutters
- Landscaping

(f) Unusual topography or inadequate public improvements or utilities

This factor represents the combination of two formerly separate factors. To that end, it is said to be present when the topography is incompatible with development (hilly, sloped, etc.) or properties are lacking complete public infrastructure. Sub-categories include the presence of, deteriorating or lack of:

- Slopes or unusual terrain
- Street pavement
- Curb and gutter
- Street lighting



- Overhead utilities
- Sidewalks
- Roads
- Water and sewer service
- Storm water quality and drainage improvements

(g) Defective or unusual conditions of title rendering the title non-marketable

This factor is said to be present when there are problems with the marketability of property titles, including unusual restrictions, unclear ownership, etc. Due to the expense of title searches, this blight factor is typically not examined unless developers or land owners provide documentation of known problematic title issues. (No sub-categories).

(h) Existence of conditions that endanger life or property by fire or other causes

This factor is said to be present when site and / or building maintenance or use issues exist that may threaten site users. This factor also includes potential threats from fire or other causes. Sub-categories include the presence of:

- Fire safety problems
- Hazardous contaminants
- High frequency of crime
- Floodplain and flood hazards

(i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities

This factor is said to be present when primary improvements, specifically those described in the context of factors (a) and (d) above, as well as property, poses a danger to the extent that habitation and/or daily use is considered unsafe. Sub-categories include the presence or lack of:

- Hazardous contaminants
- Fire safety infrastructure
- Unsafe building facilities
- All of the factors listed under (h) above

(j) Environmental contamination of buildings or property

This factor is said to be present when there exist threats from chemical or biological contamination. Unlike category (i) above, this factor can be said to exist even when such contamination does not pose a direct health hazard, so long as it causes other problems (i.e. inhibits development). Sub-categories include the presence of:

- Hazardous contaminants

(k.5) 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

This factor is said to be present when properties or their improvements are underutilized; or, there is a disproportionate amount of public service being provided. For instance, properties generating frequent calls for police or fire service or code enforcement often require more than their share of services. Sub-categories include the presence of:

- High frequency of fire calls
- High crime incidence
- Site and building underutilization
- All of the factors listed under (d) and (h) above

4.0 Survey Area History

The overall Survey Area consists of three parcels of land which collectively consist of approximately 66 acres. In 1977, approximately 40 of these acres, classified as “undeveloped industrially zoned land within the corporate limits of the Town” were leased by then owners, Lee H. Weinstein, Peter D. Brown, David M. Brown and Adam Brown, to the Town of Castle Rock Board of Trustees (now Town of Castle Rock Town Council) for the operation of a solid waste disposal site. Upon execution of the original lease agreement, the Town subsequently entered into a sub-lease agreement with the Douglas County Board of Commissioners for the same properties. The intended use as a waste disposal site remained the same, as did the agreement terms and conditions. Both required that the Lessor comply with all State of Colorado regulations and Department of Health requirements related to the maintenance and upkeep of a waste disposal operation and site, for the term of the lease. Additionally, both agreements allowed for twenty-five one year extensions after the first two-year lease period of July 1, 1977 through June 30, 1979.

The lease and sub-lease acknowledged the presence of clay mines not in use, and their impact on the developability of properties in the area, barring any significant mitigation. They also obligated the Lessor to commission the preparation of a boundary survey of the filled areas upon their completion and before said area was filled with clean soil (pursuant to State landfill requirements.) The stated purpose for the survey was to determine where fill areas existed so that future development could appropriately address or avoid them. At the time of this report, no survey was made available and neither property nor Town representatives knew if a survey had ever been completed. Representatives of the Town’s Public Works Department did, however, express the necessity for this type of information prior to defining the final design and alignment for Prairie Hawk Drive Extension, a required public improvement that will provide access for sites within the Area.

5.0 Summary of Findings

The presence of blight that “...*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..." [Colorado Revised Statute 31-25-103(2)]

It is the conclusion of this report that, within the Survey Area, there are physical conditions sufficient to meet criteria established in the Act as "blighting factors." Specifically, nine of the possible 11 blight factors were found to be present including: b) predominance of defective or inadequate street layout; c) faulty lot layout in relation to size, adequacy, accessibility, or usefulness; d) unsanitary or unsafe conditions; e) deterioration of site or other improvements; f) unusual topography or inadequate public improvements or utilities; h) 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, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities; j) environmental contamination of buildings or property; and, k.5) substantial physical underutilization or vacancy of sites, buildings, or other improvements. Each of these is described in greater detail below.

(b) Predominance of defective or inadequate street layout

Predominance of defective or inadequate street layout can be considered present when existing roads are insufficient to meet the needs of land uses within an area (capacity), there is a lack of streets, or the streets that are in place are deteriorating or substandard. Although previous lease agreements associated with the use of properties within the Area for the disposal of solid waste speak to the presence of an access road, none were identified during the field investigation completed as part of this survey effort. If one or more roads are present, they are likely in a state of disrepair, lacking pavement, curbs, gutters and appropriate lighting. According to the Town of Castle Rock Public Works Department, an access management plan was prepared for Plum Creek Parkway (then known as Coachline Road), by Felsburg Holt & Ullevig (FHU) in August 2008, for the purpose of providing "reasonable access guidance to parcels in the area," including those that are the subject of this report. In addition to desired improvements associated with Plum Creek Parkway, the FHU report speaks to a proposed alignment for Prairie Hawk Drive Extension which bisects the Area from south to north, as well as trail connections to a planned regional park. Any development within the Survey Area will necessitate construction of both onsite and offsite streets, built to adopted Town codes and standards, and able to accommodate

safe vehicular and non-vehicular movement. At the time of this report, those standards required accommodations for proper driveway definition (curb cut), lighting and sidewalks. Greater detail regarding all capital projects required to support development in the Area is provided under factor (f) below.

Whereas inadequate or ill-defined streets can result in a high frequency of traffic accidents, and correspondingly, a disproportionate use of public resources, this is another condition considered in the context of this factor. According to the Castle Rock Police Department, there were 17 traffic accidents at Plum Creek Parkway and I-25 between January 1, 2008 and October 31, 2013. No information was provided regarding whether this was or was not a disproportionately high incident level.

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

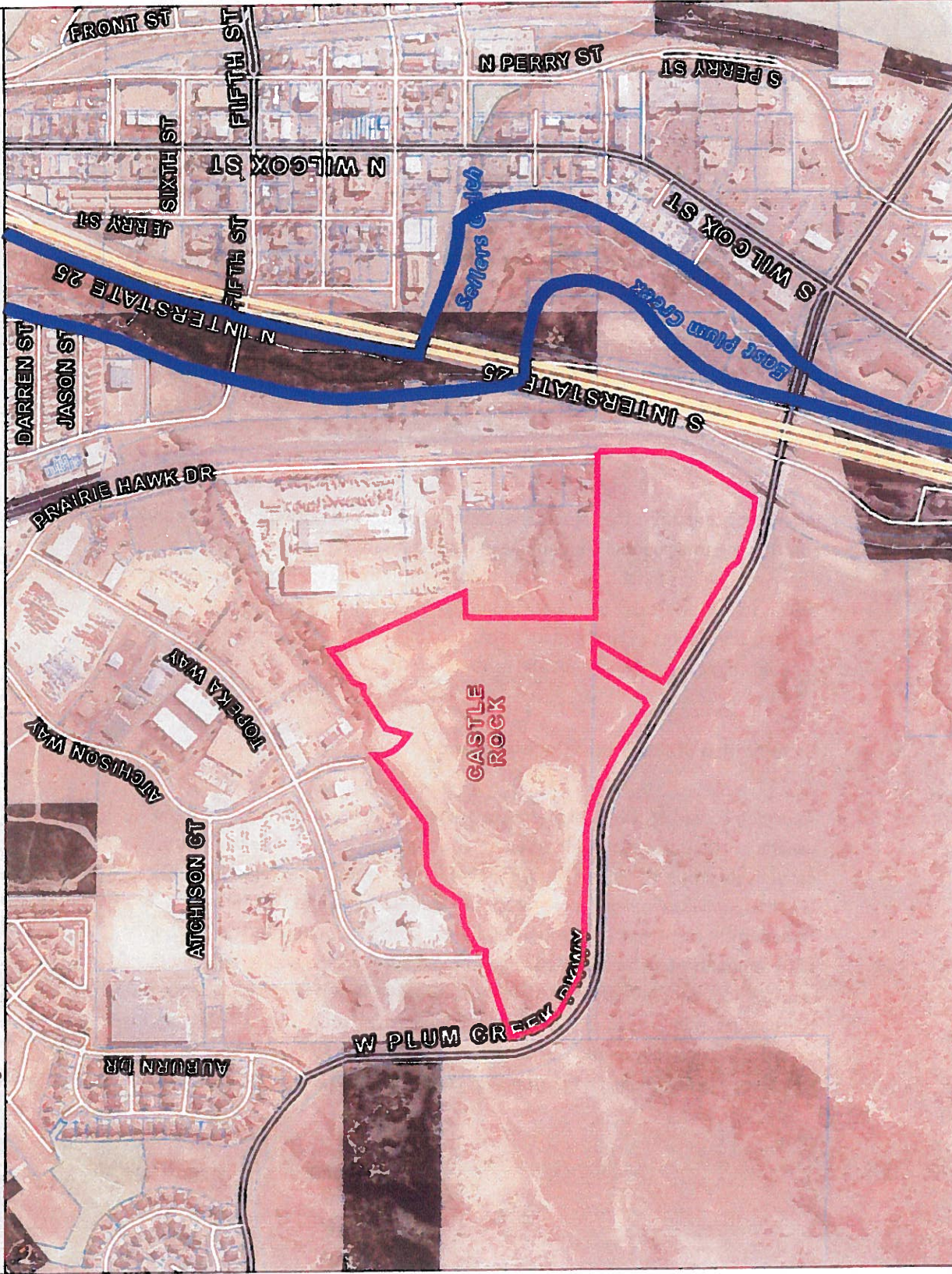
Because faulty streets often produce faulty lots, particularly when they impact vehicular access, properties within the Survey Area that suffer from conditions associated with factor (b) also suffer from this factor (c) for the reasons explained above. In addition to access, factor (c) considers the impact of size and shape as they might impact a parcel's usefulness for private investment. Two of the three sites which comprise the Area are significant in size and do not suffer from any significant irregularities related to their shape. The third parcel, however, comprises approximately 2.3 acres of land, all of which suffers from significant topography issues. Under nearly any development scenario, regardless of zoning, and considered independent of the other properties, this parcel would be significantly limited in its ability to accommodate any improvements other than infrastructure.

(d) Unsanitary or unsafe conditions

Multiple factors were identified that contribute to unsafe conditions in the Survey Area. Among them – insufficient improvements for either vehicular or non-vehicular movement due to a lack of: streets, lighting and sidewalks; defined access points; steep slopes (the latter largely associated with portions of parcels located primarily along the Area's southern and eastern borders); and, the presence of hazardous contaminants remaining since its use as a solid waste

URA Boundary

- Real Property
- Parcel
- Public Land Survey System
- Township
- Section
- General Features
- School
- Private Road
- Railroad
- Floodplain Zones



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Figure 2 Floodplain Zones

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Philip S. Miller, Director, GIS
Castle Rock, Colorado 80104

disposal site. Insufficient infrastructure to accommodate safe vehicular and non-vehicular movement is addressed under factor (b) above. Slope concerns and infrastructure deficiencies are discussed under factor (f) and details regarding hazardous contaminants can be found under factor (j) below.

Two additional conditions considered to contribute to an unsafe environment and discussed in the context of this factor, are: the presence of a flood zone, a high frequency of criminal incidents, and a lack of fire protection equipment. While there is a 100-year flood zone present in the vicinity of the Area, specifically along the eastern edge of I-25 and associated with East Plum Creek and along its northern border, they do not appear to directly impact any portion of the Survey Area. (See Figure 2 on the following page regarding the exact location of these floodways.) With regard to criminal activity, according to the Castle Rock Police Department, there has been no criminal activity in the Area. According to the Castle Rock Fire Department, there have been no calls for service or incidents of fire, either.

In terms of conditions that are not necessarily unsafe, but rather unsanitary and contributing to an overall appearance of neglect, there are several that were observed. Weeds inhabit the natural grasses; trash from recent trespassers, as well as former users can be observed throughout the Area; and, there are numerous incidents of remnant infrastructure including concrete blocks and sections of pipe, retaining walls and fences.

(e) Deterioration of site or other improvements

As explained earlier, while all of the parcels within the Area can be considered vacant, portions of each once served as a disposal site for solid waste. Today, collectively properties in the Area are considered a landfill site, regardless of whether individual parcels were directly or indirectly impacted by the waste. In their current condition, the properties appear both abandoned and neglected, with remnants of infrastructure visible from adjacent roadways. As explained above, the Area is overgrown with weeds and while signed, there is evidence of trespassers. When applied in the context of improved properties, this factor considered the absence and / or condition of parking surfaces, presence or absence of landscaping, and presence or condition of signage. Given the lack of

improvements within its boundaries, and despite its zoning which allows for industrial improvements and an expectation of certain site improvements, these concerns are less relevant.

(f) Unusual topography or inadequate public improvements or utilities

As explained under factors (c) and (d) above, the Area's southern and eastern edges suffer most significantly from extreme grade changes, which once the property is developed, will necessitate retaining walls, drainage improvements, and fill. In addition to these improvements, steep slopes limit the developable acreage of specific parcels and the overall Area. While topographic concerns can be addressed, solutions are costly, yet necessary in order to make sites accessible and internal circulation possible.

Based on information provided by the Town of Castle Rock Utilities Department, existing improvements located adjacent to the perimeter of the Survey Area include a sanitary sewer line, water and raw water distribution mains, and a storm water conduit. There do not, however, appear to be fiber lines present either adjacent to or in the vicinity of properties in the Area. Other public improvements that are more obviously absent are associated with the lack of streets to or within properties in the Area such as: adequate lighting, sidewalks, obvious access points, curbs and gutters, and paved (rather than dirt) roads.

As mentioned under factor (b) above, two roadway improvements will be required to accommodate improvements in the Area – completion of Plum Creek Parkway and construction of Prairie Hawk Drive Extension. Whereas Plum Creek Parkway is located along the Survey Area's southern border, the extension of Prairie Hawk Drive will traverse the Area from south to north, intersecting with Topeka Way and connecting with Atchison Way. Whereas Plum Creek Parkway will be financed by Area property owners as outlined in existing agreements, Prairie Hawk Drive is an unfunded capital improvement.

Overhead utilities, while often present on municipal parcels in more established locations of a community, and while allowed, are considered a visual and functional condition which contributes to blight. Overhead utilities are visible

along the eastern edge of the Survey Area. Whether or not the Town requires that these lines be buried, was undetermined as of the date of this report. Improvements which the Town will require at specified thresholds of development (as reported by the Town's Public Works Department) include completion of: Plum Creek Parkway, an internal street system, the extension of Prairie Hawk Drive, water quality ponds for both roadways, curbs, sidewalks, street lighting, traffic signals, a water looping system, storm water conveyance improvements, and, site mitigation measures resulting from any disturbances to landfill materials. Additionally, a trail connection system within the drainage tributary along the northern boundary of the Area is planned and will need to be completed. Finally, the Town expressed interest in having a regional water quality detention facility in the Area, but did not specifically express their intent to require participation by Area property owners.

(h) Existence of conditions that endanger life or property by fire or other causes

Factors that threaten site users which were either observed or identified in the Survey Area include all of those conditions previously mentioned, but in this context are primarily associated with the lack of adequate infrastructure and the presence of hazardous contaminants. Concerns associated with insufficient infrastructure have been discussed in detail in the discussion above. Known hazardous contaminants which impact properties in the Area are by-products of a former solid waste disposal facility within its boundaries. Details regarding the facility and its operators are presented under factor (j) below.

(i) Buildings (and sites) that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities

Because the presence of unhealthy conditions and corresponding lack of protections from these conditions can also be considered a danger to life and / or property, the Survey Area suffers from this blight factor for the reasons explained under factors (b), (c), (d), (e), (f), and (h) above, as well as (j) below.

(j) Environmental contamination of buildings or property

A review of materials published by the State of Colorado related to properties that are presently the subject of an environmental investigation by the Environmental Protection Agency, suggested that several properties located adjacent to the Area are under review, but none of the properties within the Area. See **Figure 3** on the following page regarding the location of these parcels.

While properties in the Area do not appear in the above-referenced database, they were host to a County-operated solid waste disposal operation during the 1970s and 1980s. As outlined above, in 1977, several private property interests leased a significant portion of the Area to the Town of Castle Rock, who subsequently sub-leased it to Douglas County, for use as a disposal site for solid waste. While the County discontinued their operation several years ago, the site is recognized as the Citadel Landfill Site. Original agreements between the Lessee and the Lessor obligated the Lessor to commission preparation of a boundary survey of the filled areas upon completion or discontinuance of their efforts, and before clean soil was introduced. Discussions with property owner and Town representatives suggest that no survey was ever completed, but that one would be essential prior to commencing development within the Area or in adjacent rights-of-way. A lack of information related to the location of specific contaminants led the Town to establish the alignment for Plum Creek Parkway in a manner that would minimize the risk of any disturbance. Similar concerns informed the Prairie Hawk Drive Extension alignment. Remediation costs associated with the removal of contaminated soil will ultimately need to be based on a survey verifying the location, depth and limits of contaminants, as will the terms of any agreement between the Authority and private interests related to reimbursement of these costs.

(k.5) 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

Only one condition was identified as being present in the context of this factor – site underutilization. As explained above, properties in the Survey Area are classified as vacant industrial parcels.

6.0 Summary of Factors

Table 1 summarizes the findings across all surveyed parcels. As shown, of the 11 total possible factors, nine were found to some extent within the Survey Area. Additionally, all nine (as discussed earlier) were present to a degree that appeared likely to have a significantly negative impact on sound development.

Table 1
Citadel Station - Castle Meadows
Summary of Findings

Blight Qualifying Factor	Present Total Survey Area
(a)	
(b)	X
(c)	X
(d)	X
(e)	X
(f)	X
(g)	
(h)	X
(i)	X
(j)	X
(k5)	X
Total Factors	9

Source: Ricker/Cunningham.



Appendix: Miscellaneous Survey Area Maps

URA Boundary Valuations

Real Property	
	Parcel
Public Land Survey System	
	Township
	Section
General Features	
	School
	Private Road
	Railroad
Parcel Values	

Total Actual Values by Parcel	
	\$ 27,840
	\$212,976
	\$550,152
Total Assessed Values by Parcel	
	\$ 8,070
	\$ 61,760
	\$159,540



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URA Boundary EPA Regulated Facilities

- Real Property**
- Parcel
- Public Land Survey System**
- Township
 - Section
- General Features**
- School
 - Private Road
 - Railroad
 - EPA Regulated Facilities



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Philip S. Miller, Director
Castle Rock, Colorado 80104