

RESOLUTION #R-133-2023

A RESOLUTION OF THE LOVELAND CITY COUNCIL APPROVING A SUBSTANTIAL MODIFICATION TO THE CENTERRA SOUTH URBAN RENEWAL PLAN

WHEREAS, the City of Loveland, Colorado (the “City”) is a Colorado home rule municipality with all the powers and authority granted pursuant to Article XX of the Colorado Constitution and its City Charter; and

WHEREAS, on July 2, 2002, the City Council of the City (the “Council”) adopted Resolution #R-44-2002 establishing the Loveland Urban Renewal Authority (“LURA”); and

WHEREAS, the Council created the LURA vesting it with the legal authority to exercise all of the rights and powers granted to urban renewal authorities by the Colorado Urban Renewal Law, C.R.S. Section 31-25-101, *et seq.*, as amended (the “Urban Renewal Law”); and

WHEREAS, the Council approved the Centerra South Urban Renewal Plan (the “Original Plan”) on May 2, 2023; and

WHEREAS, the Original Plan contains a tax allocation provision pursuant to C.R.S. Section 31-25-107(9)(a), which is applicable to all entities levying a property tax in the urban renewal area covered the Original Plan, except Larimer County (the “County”) and the Pest Control District; and

WHEREAS, C.R.S. Section 31-25-107(7) allows the Council to modify the Original Plan at any time, provided that, if the modification will substantially change the Original Plan regarding, among other things, the authorization to collect incremental tax revenue, the extent of the use of tax increment financing, or the scope or method of financing, as previously approved, the modification of the Original Plan is substantial and is subject to all of the requirements set forth in C.R.S. Section 31-25-107; and

WHEREAS, the Council has determined and hereby determines that it is in the best interest of the City to approve a substantial modification to the Original Plan, in the form attached hereto as Exhibit A and incorporated herein by reference (the “Modified Plan”), to subject the mill levies of the County and the Pest Control District to the tax allocation provision of the Modified Plan pursuant to C.R.S. Section 31-25-107(9)(a), and to automatically reduce the Sales Tax Credit, as defined in and granted pursuant to Resolution #R-66-2023 adopted by the Council on June 6, 2023, from 1.75% to 1.25%; and

WHEREAS, the Council has previously adopted a general plan for the City on July 19, 2016, known as the 2015 Create Loveland Comprehensive Plan (the “Comprehensive Plan”), which constitutes a general plan for the City under the Urban Renewal Law; and

WHEREAS, pursuant to Section 31-25-107(2) of the Urban Renewal Law, on October 9, 2023, the Modified Plan was submitted to the City Planning Commission, which has reviewed the Modified Plan and submitted to the Council its written recommendation that the Modified Plan conforms with the Comprehensive Plan; and

WHEREAS, at least 30 days prior to the hearing on the Modified Plan the LURA submitted the Modified Plan to the Board of County Commissioners of the County, together with the information required by Section 31-25-107(3.5) of the Urban Renewal Law; and

WHEREAS, pursuant to Section 31-25-107(9.5) of the Urban Renewal Law, the LURA notified, met with, and negotiated an agreement with each taxing entity that levies an ad valorem property tax on the property which is described in the Modified Plan (the “Property”) that would be subject to a tax allocation provision governing the sharing of incremental property tax revenue that would be allocated to the special fund of LURA; and

WHEREAS, on October 10, 2023, the LURA ratified and approved the tax increment revenue sharing agreements between the LURA and each taxing entity that levies an ad valorem property tax on the Property; and

WHEREAS, all of the notices required under Section 31-25-107 of the Urban Renewal Law were given by the City for a public hearing to be held on the Modified Plan on October 17, 2023; and

WHEREAS, the Council conducted a public hearing on the Modified Plan on October 17, 2023, to hear evidence and to consider approval of the Modified Plan, which date is not less than 30 days after public notice thereof was published in a newspaper having a general circulation in the City, describing the time, date, place, and purpose of the hearing, generally identifying the area covered by the Modified Plan (the “Urban Renewal Area”), and outlining the general scope of the urban renewal project being considered in the Modified Plan (the “Urban Renewal Project”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO, AS FOLLOWS:

Section 1. Recitals Incorporated; Ratification. The foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Council. All actions heretofore taken to effect the approval of the Modified Plan (not inconsistent with the provisions of this Resolution) by the Council and by the officers, agents and employees of the City are hereby ratified, approved and confirmed.

Section 2. Notice. All notices have been provided in the time and manner as required by Section 31-25-107 of the Urban Renewal Law.

Section 3. Blighted Area. There was presented to the Council for its review and consideration a document prepared by SEH for the City titled “Loveland Urban Renewal Authority Conditions Survey” dated April 21, 2022, a copy of which is attached hereto as Exhibit B and incorporated herein by reference, which was reaffirmed by Pioneer Development Company in a letter dated July 13, 2023, a copy of which is attached hereto as Exhibit B and incorporated herein by reference (collectively, the “Conditions Survey”). The Conditions Survey establishes, and the Council hereby finds and determines that the following conditions set forth in Section 31-25-103(2) of the Urban Renewal Law exist within the Urban Renewal Area as described in the Conditions Survey and that these conditions substantially impair and arrest the sound growth of the City, slow the provision of housing accommodations, and constitute an economic and social liability, and are a menace to the public health, safety, morals and welfare, and these conditions

are: 1) slum, deteriorated, or deteriorating structures, 2) predominance of defective or inadequate street layout, 3) unsanitary or unsafe conditions, 4) unusual topography or inadequate public improvements or utilities, and 5) the existence of health, safety, or welfare factors requiring high levels of City services or substantial physical underutilization or vacancy of sites, building, or other improvements. The Council hereby finds and determines that the Urban Renewal Area is blighted within the meaning of Section 31-25-103(2) of the Urban Renewal Law and hereby finds and designates Urban Renewal Area as appropriate for an urban renewal project.

Section 4. Findings and Determinations. The Council hereby finds and determines that:

A. The boundaries of the Urban Renewal Area have been drawn as narrowly as the Council determines to be feasible to accomplish the planning and development objectives of the Urban Renewal Area;

B. The Urban Renewal Project is not expected to displace any businesses;

C. The Council has taken reasonable efforts to provide written notice of the public hearing prescribed by Section 31-25-107(3) of the Urban Renewal Law to all property owners, residents, and owners of business concerns in the proposed Urban Renewal Area at their last known address of record at least thirty days prior to such hearing and such notice contained the information required by Section 31-25-107(3) of the Urban Renewal Law;

D. No more than one hundred twenty days have passed since the commencement of the first public hearing of the Modified Plan pursuant to Section 31-25-107(3) of the Urban Renewal Law;

E. No portion of the Property was included in a previously submitted urban renewal plan that the Council failed to approve;

F. The Modified Plan conforms to the Comprehensive Plan of the City as a whole;

G. The Modified Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the Urban Renewal Area by private enterprise;

H. The LURA or the City will adequately finance any additional County infrastructure and services required to serve development within the Urban Renewal Area for the period in which a portion of the property taxes described in subparagraph (II) of paragraph (a) of subsection (9) of Section 31-25-107 of the Urban Renewal Law and levied by the County are paid to the LURA;

I. A shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas (including other portions of the Urban Renewal Area); that the conditions of blight in the Urban Renewal Area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime

and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City;

J. It is not expected or intended that the Modified Plan will displace or need to relocate any individuals or families in connection with its implementation, but to the extent that any such relocation may be required, a feasible method exists for the relocation of individuals and families who may be displaced by the Urban Renewal Project in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families;

K. The nonresidential uses of the Property in the Urban Renewal Area are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives and that the contemplated acquisition of the area may require the exercise of governmental action, because of being in a blighted area; and

L. The Modified Plan meets the requirements of the Urban Renewal Law and furthers the public purposes of facilitating redevelopment of the Urban Renewal Area, eliminating blight, and preventing injury to the public health, safety, morals, or welfare of residents of the City.

Section 5. Approval of Plan. The Modified Plan is hereby approved and adopted pursuant to Section 31-25-107 of the Urban Renewal Law.

Section 6. Effective Date of Resolution. This Resolution shall take effect on the date of its adoption.

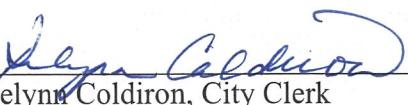
ADOPTED this 17th day of October, 2023.

CITY OF LOVELAND, COLORADO

Jacki Marsh, Mayor

DON OVERCASH, MAYOR
Pro Tem

ATTEST:


Delynn Coldiron, City Clerk

APPROVED AS TO FORM:

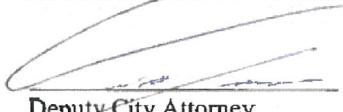
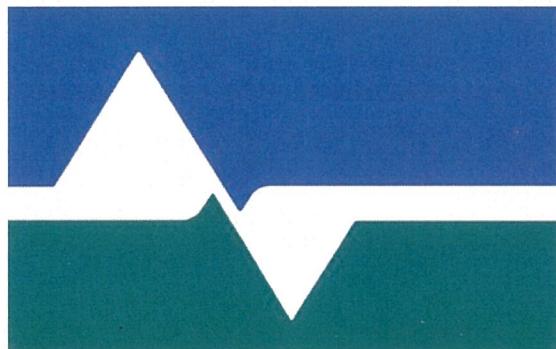

Deputy City Attorney

EXHIBIT A

(Attach Centerra South Urban Renewal Plan, as modified)

**Centerra South
Urban Renewal Plan
May 2, 2023
As modified , 2023**



Prepared by:
City of Loveland
Loveland Urban Renewal Authority

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I. Definitions

The Terms used in this Urban Renewal Plan shall have the following meanings:

Act means the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, of the Colorado Revised Statutes.

Area or Urban Renewal Area means the area of the City included within the boundaries of this Urban Renewal Plan as depicted in Exhibit A and described in Exhibit B.

Authority means the Urban Renewal Authority of Loveland, Colorado.

City means the City of Loveland, Colorado.

City Planning means the Development Services Department the City of Loveland, Colorado.

Comprehensive Plan means the 2015 Create Loveland Comprehensive Plan adopted July 19th, 2016

County means Larimer County, Colorado.

County Comprehensive Plan means the 2019 Larimer County Comprehensive Plan.

Plan or Urban Renewal Plan means this urban renewal plan as it may be amended in the future.

Project or Urban Renewal Project means all activities and undertakings described in this Plan.

Strategic Plan means the City of Loveland's Strategic Plan adopted March 3rd, 2020, and last updated May 10th, 2022.

TIF means Tax Increment Financing.

Transportation Plan means the 2035 Long Range Transportation Masterplan adopted in December 2012.

II. Introduction

The purpose of this Plan is to implement those provisions of the Create Loveland Comprehensive Plan that apply to the Urban Renewal Area. This Plan also considers provisions from other adopted Plans, including the City of Loveland's Strategic Plan, the City of Loveland's Long Range Transportation Plan, the US-34 Corridor Study, and the Larimer County Comprehensive Plan. The provisions of this Plan are intended to help provide important services to the Area, eliminate and prevent conditions of blight, attract private investment, utilize underdeveloped land, and leverage public investment and funding mechanisms to promote redevelopment and rehabilitation of the area by private enterprise, and, where necessary, provide necessary public infrastructure to serve the Area.

This Urban Renewal Plan has been proposed for consideration by the City Council of the City pursuant to the provisions of the Act. The administration of the Project and the implementation of the Plan shall be the responsibility of the Authority.

III. Urban Renewal Area Boundary

An urban renewal plan area has been created that includes property that is within municipal limits. The plan area includes area within one (1) parcel with an area of 147.99 acres. This parcel is currently classified by the County assessor as agricultural. The proposed Urban Renewal activities within the Plan area would include 139 acres of the subject parcel. These Urban Renewal Activities are likely to proceed in multiple phases and have three unique metropolitan districts. A map of this Plan area and its specific legal description, have been included as Exhibit A and Exhibit B.

IV. Summary of Statutory Criteria

On April 21st, 2022 a conditions survey report was delivered to the Loveland Urban Renewal Authority that summarized a blight study of the area described as the Centerra South Urban Renewal Plan. Relevant conditions were researched, documented, photographed, and compared with the blight factors pursuant to the Act. The result of the survey is included in a document entitled "Conditions Survey" (the Conditions Survey) dated April 21st, 2022, consisting of 26 pages, related exhibits, a description of existing conditions, and numerous photographs. The Conditions Survey is incorporated herein in its entirety by this reference.

The Conditions Survey shows that the following factors listed in the Act are present in the Area and that these conditions qualify the Area as a "blighted area" as defined in the Act:

- *Slum, Deteriorated or Deteriorating Structures*
- *Predominance of Defective or Inadequate Street Layout*
- *Unsanitary or Unsafe Conditions*
- *Unusual Topography or Inadequate Street Layout*
- *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*

V. Description of Urban Renewal Project

This Plan will be implemented as part of a comprehensive program to eliminate and prevent blight in the Urban Renewal Area. The Authority and the City, with the cooperation of private enterprise and other public bodies, will undertake a program to eliminate the conditions of blight identified in the Conditions Survey while supporting the Create Loveland Comprehensive Plan, the Larimer County Comprehensive Plan, the City's Long Range Transportation Plan, the City's Strategic Plan, and the Loveland community's remediation and redevelopment goals. Although there are other adopted Plan's both locally and regionally not listed, the Goals and Policies of these plans are assumed to be subsumed under the Comprehensive Plan's, Transportation Master Plan, and Strategic Plan.

A. Urban Renewal Plan Goals and the Plan's Relationship to Local and Regional Objectives

1. **Goals of the Plan** – This Plan has been adopted to achieve the following goals in the Area:
 - a) To encourage renewal throughout the Plan area by attracting additional investment and redevelopment within the project boundary.
 - b) To alleviate blight within the boundaries of the Plan Area.
 - c) To incentivize and invest in catalytic developments to remediate blighting conditions and spur additional community minded development throughout the Plan area.
 - d) To encourage redevelopment within the subject area that aligns with the Community's desires for new development as indicated by their future land use designations and zoning districts.
 - e) To leverage Tax Increment Financing to help attract new commercial and residential investments within the Plan area that will alleviate blighting conditions.
 - f) To leverage Tax Increment Financing to support the development of attainable and/or affordable housing within the Plan area.
 - g) To leverage Tax Increment Financing to assist with the Funding of Infrastructure and Facilities that will help advance the remediation and redevelopment goals of the Plan area.
 - h) To improve the streetscapes in ways that promotes on-street bike and pedestrian travel while also enhancing lighting, sidewalks, pedestrian safety, parking, signage, landscaping, bike racks and bus shelters.
 - i) To invest in cultural and community spaces.

2. Relationship to “Create Loveland” Comprehensive Plan

The Plan conforms with and is designed to help implement the Visions, Goals, Policies and Strategies detailed in the Create Loveland Comprehensive Plan, adopted 2016. Specifically, the Plan will facilitate development that aligns with the Comprehensive Plan’s three visions and will advance strategies within five of its nine elements.

a) The Plan helps advance the following visions, priorities, and elements from the Comprehensive Plan’s Executive Summary:

(1) The Plan aligns with the “Vibrant Community...” vision, the “Centers and Corridors” priority, and the “Revitalize our Corridors and Gateways” and “Cultivate Vibrant Economic Centers” elements in that it will remediate conditions arresting sound development within a historically underutilized parcel near a strategic, interstate exchange area. The Plan will strategically incentivize catalytic development that spurs “high-quality neighborhood, community, and regional mixed-use activity centers”.

(a) See “Create Loveland” Comprehensive Plan, Chapter 1-11

(2) The Plan supports the “...Surrounded by Natural Beauty” vision, the “Health, Environment, and Mobility” priority, and the “Create a Safe and Healthy Built Environment” and “Create a Connected and Accessible Community” elements in that it will incentivize and support a mixed-use development that features public open space, complete streets, bicycle and pedestrian infrastructure, and connectivity and accessibility to surrounding neighborhoods and commercial centers.

(a) See “Create Loveland” Comprehensive Plan, Chapter 1-11

(3) The Plan helps advance the “... Where You Belong” vision, the “Neighborhoods and Community Assets” priority, and the “Facilitate Complete Neighborhoods” element by supporting and incentivizing a mixed-use, compact, and walkable redevelopment that will enhance connectivity and safe multi-modal options. The Plan will also encourage invest in public and cultural amenities and create a diverse housing stock for a range of income levels.

(a) See “Create Loveland” Comprehensive Plan, Chapter 1-6

(4) The Plan will incentivize redevelopment that matches the Loveland Community’s “Opportunity Collage” map. This map designates future uses for the Plan Area, namely “Large Format Retail and Multi-Family Housing”. These uses are being proposed as part of the urban renewal project.

(a) See “Create Loveland” Comprehensive Plan, Chapter 1-9

b) The Plan will support the following Policies and Strategies outlined in the “Revitalize our Corridors and Gateways” Comprehensive Plan Element:

(1) Policy 1: “Foster reinvestment in existing corridors and concentrate commercial activity at prominent intersections and within centers”

(a) Strategy 1.1 – The Plan will concentrate commercial and high-quality mixed-use development at an “appropriate node” near a major interstate exchange. It will advance development that increases bicycle and pedestrian to existing neighborhoods.

(b) Strategy 1.3 – The Plan will “foster reinvestment and redevelopment” of underperforming, underutilized, or vacant property along US-34.

(2) Policy 2: “Transition existing land uses to be more transit supportive”

(a) Strategy 2.2: The Plan has “identified” an underperforming and underutilized area and will support mixed-use redevelopment within that area.

(b) Strategy 2.3: The Plan encourages a complementary mix of transit-oriented development, such as multi-family and commercial development, near future transit routes and transit stations.

(3) Policy 3: “Plan and Redevelop Major Corridors in a manner that promotes a positive and attractive image and that advances economic prosperity of the City”

(a) Strategy 3.4: The Plan will create an attractive, multi-modal environment while balancing the need for higher density and building height.

Exhibit A

c) *The Plan will support the following Policies and Strategies outlined in the “Cultivate Vibrant Economic Centers” Comprehensive Plan Element:*

- (1) Policy 2: “Encourage high-quality neighborhood, community, and regional mixed use activity centers”
 - (a) Strategy 2.1: The Plan will incentivize development that aligns with the Future Land Use Map designations.
 - (b) Strategy 2.2: The Plan will recruit retailers not currently present in Loveland.
 - (c) Strategy 2.4: The Plan will “retain a feasible location for a Grocery store in East Loveland”.
- (2) Policy 3: “Create multiuse, high-quality employment districts.”
 - (a) Strategy 3.1: The Plan will incentivize multi-use redevelopment in a campus-like style along the US-34 corridor.

d) *The Plan will support the following Policies and Strategies outlined in the “Create a Safe and Healthy Built Environment” Comprehensive Plan Element:*

- (1) Policy 1: “Create convenient, safe and diverse physical activity opportunities for residents of all ages, abilities, and income levels”
 - (a) Strategy 1.2: The Plan will encourage redevelopment that features traffic calming measures, detached sidewalks, and other pedestrian and bicycle infrastructure improvements.

e) *The Plan will support the following Policies and Strategies outlined in the “Create a Connected and Accessible Community” Comprehensive Plan Element:*

- (1) Policy 2: “Provide infrastructure to make walking and bicycling convenient and viable for all types of trips and for all ages, abilities, and income levels.”
 - (a) Strategy 2.1: The Plan will leverage private investment to encourage multi-modal oriented development and ensure that bicycle and pedestrian infrastructure is expanding through the project area.
 - (b) Strategy 2.2: The Plan features a public private partnership with the School District that can be leveraged for increased pedestrian connectivity to schools and existing neighborhoods near the project area.
 - (c) Strategy 2.5: The Plan will incentivize development that provides open space and access easements in accordance with Loveland’s land use code.
 - (d) Strategy 2.7: The Plan will incentivize walkable environments within commercial development areas.
 - (e) Strategy 2.8: The Plan will incentivize mixed-use development that provides bicycle and pedestrian infrastructure and amenities.

f) *The Plan will support the following Policies and Strategies outlined in the “Facilitate Complete Neighborhoods” Comprehensive Plan Element:*

- (1) Policy 1: “Encourage development of diverse housing types and complete neighborhoods.”
 - (a) Strategy 1.1: The Plan targets higher density and mixed-use redevelopment near a major arterial and interstate exchange. This supports the strategy to “increase housing intensity” as transportation increases.
 - (b) Strategy 1.2: The Plan will advance the complete neighborhoods concepts, especially since a large portion of the project area is within a MDR land use designation.
 - (c) Strategy 1.3: The Plan will encourage multi-family development and higher density residential development that can attract a range of income levels.
 - (d) Strategy 1.4: The Plan will allow for neighborhood commercial uses, higher density and mixed-use development in “appropriate locations” such as arterial roadways and transit stops.
 - (e) Strategy 1.5: The Plan will incentivize a range of housing types that appeal to high-quality employees and employers.
- (2) Policy 2: “Support housing that meets the needs of low- and moderate-income households.”

Exhibit A

- (a) Strategy 2.2: The Plan can leverage market-based mechanisms such as tax increment financing to increase attainability and affordability of new residential development within the project area.
- (b) Strategy 2.3: The Plan will “prioritize development” of housing, including affordable housing, near commercial centers.
- (3) Policy 3: “Align New Housing development with resident needs and community values.”
 - (a) Strategy 3.2: The Plan will “recall historic neighborhoods” by incentivizing development that is mixed-use, walkable, and higher density.
 - (b) Strategy 3.3: The Plan will allow for development that features live/work and commercial uses near residential areas where appropriate.
- (4) Policy 4: “Promote integration of housing in commercial and employment centers”
 - (a) Strategy 4.3: The Plan will seek to incentivize development that creates a mixed-use neighborhood where residents are within walking distance of commercial amenities.

g) *The Plan aligns with the Comp Plan’s goals and strategies for “Market Supported Development Opportunities”, specifically the I-25 and US-34 Area. The Plan area is within the Comp Plan’s I-25 and US-34 Area, and will help advance the following development opportunities:*

- (1) The Plan will provide incentives to attract retail development along the US-34 facing project area. This supports the Comprehensive Plan’s statement that “The high volumes of traffic along I-25 and US 34 area will ensure the area remains a strong location for future retail.”
- (2) The Plan will provide incentives to attract mixed-use and residential development to the project area. This supports the Comprehensive Plan’s statement that “The undeveloped land directly around the I-25 / US 34 interchange should integrate a mix of housing options into future development. This area is an opportunity to integrate new denser housing options with commercial space.”
- (3) The Plan represents “The City of Loveland’s Role in Development” by advancing the following policy in the I-25 and US-34 area, “Where appropriate, utilize urban renewal policies to organize and incentivize desired redevelopment projects.” (Chapter 3-7)

3. Relationship to Larimer County Comprehensive Plan

The Plan conforms with and is designed to implement the following principles and strategies detailed in the Larimer County Comprehensive Plan, adopted 2019:

- a) *In the Community Element, the Plan helps advance the C.1 Principle that “Larimer County serves as a regional convener, facilitator and collaborator to build relationships and increase intergovernmental cooperation, partnerships, and proactive, long-range planning.” The Plan will demonstrate a public private partnership between the private sector and Larimer County, as well as intergovernmental cooperation between the County, City, and participating taxing entities.*
 - (1) Policy 1.3: The Plan aligns with the County’s policy to “encourage a variety of land use tools, such as... public private partnerships.”
- b) *In the Economy Element, the Plan helps advance the E.1 Principle that “Larimer County fosters a diverse regional economy that adapts to changing needs of the workforce and supports business development, retention and expansion.”*
 - (1) Policy 1.1: The Plan represents a specific “collaboration with municipalities, economic development and business groups, non-profit organizations, and educational institutions on a coordinated regional approach to economic and workforce development.”
 - (2) Policy 1.2: The Plan facilitates the County’s policy to “develop incentives for desired... non-residential development”
 - (3) Policy 1.6: The Plan advances the County Policy to “support the redevelopment of existing commercial and industrial sites in both urban and rural areas.”

Exhibit A

- (4) Policy 1.7: The Plan advances the County Policy to "support provision of basic and enhanced services needed to foster local employment opportunities."
- c) *In the Economy Element, the Plan helps advance the E.3 Principle that "Larimer County supports and facilitates rural economic development efforts that contribute to economic stability, wealth creation, and high-value, low-impact employment sectors"*
 - (1) Policy 3.2: The Plan is an example of the County's policy to "Build on existing efforts to identify areas suitable for economic development..."
- d) *In the Health and Social Element, the Plan helps advance the HS.1 Principle that "Larimer County creates integrated connectivity that encourages multi-modal transportation, physical activity, and social cohesion."*
 - (1) Policy 1.2: The Plan advances the County's policy to "Use public and private partnerships and code requirements to expand opportunities for pedestrian, bicycle and transit infrastructure to reduce car dependency."
- e) *In the Housing Element, the Plan helps advance the H.1 Principle that "Larimer County supports the development of safe, decent, and attainable housing types and choices to meet the needs of its residents."*
 - (1) Policy 1.2: The Plan will support development that aligns with the County policy to "coordinate and continue to participate with other governmental entities, housing agencies, non-profits, developers/builders, and institutions to provide attainable housing."
- f) *In the Infrastructure Element, the Plan helps advance the I.3 Principle that "Larimer County requires the provision of adequate public and/or private facilities and services concurrent with new development."*
 - (1) Policy 3.5: The Plan advances the County's policy to, "foster partnerships with appropriate agencies at a local, state, and federal level to ensure that adequate infrastructure is available for development."

4. Relationship to the Transportation Plan

The Plan aligns with four of the seven Goals outlined and explained in the City of Loveland's 2035 Transportation Plan, adopted 2012:

- a) *The Transportation Plan's goal to "recognize the important relationship between land use and transportation" will be realized through this Plan's community-minded development.*
- b) *The Transportation Plan's goal to "Plan a safe, efficient, continuous, coordinated and convenient multi-modal transportation system" is advanced by this Plan and its development incentives.*
- c) *The Transportation Plan's goal to "Develop transportation plans that sustain the economic vitality of the community consistent with the Loveland Comprehensive Master Plan" is advanced by this Plan and its ability to leverage public private partnerships for economic and community development goals (See Relationship to Comprehensive Plan above).*
- d) *The Transportation Plan's goal to "Investigate all reasonable funding strategies and develop a plan and an implementation strategy that recognizes current funding realities and limitations" is advanced by this Plan and its ability to leverage diverse funding sources and incentives for infrastructure development.*

5. Relationship to Loveland's Strategic Plan

The Plan aligns with the City of Loveland's Strategic Plan's goals outlined in its **Strategic Focus Areas**. This Plan was first adopted in March, 2020 and updated as a Progress Report in May, 2022:

- a) *The Plan represents a "Priority Area" in the Strategic Plan and will help advance the "Economic Vitality" focus area by supporting the following strategic initiatives:*
 - (1) **Strategy 2D1** - Pursue Economic Development Potential of Major Transportation Corridors (i.e., US34, US287, SH402)
 - (2) **Strategy 3A1** - Business Retention and Expansion Plan
 - (3) **Strategy 4A1** - Business Attraction
 - (4) **Strategy 4B1** – Facilitate and Expand Retail Development
- b) *The Plan represents a "Priority Area" in the Strategic Plan and will help advance the "Infrastructure and Transportation" focus area by supporting the following strategic initiatives:*
 - (1) **Strategy 1A1** - I25 (CDOT), US34, SSH402, US287 and East-West Alternatives
 - (2) **Strategy 3A1** - Business Retention and Expansion Plan
 - (3) **Strategy 4A1** - Business Attraction
 - (4) **Strategy 4B1** – Facilitate and Expand Retail Development
- c) *The Plan represents a "Priority Area" in the Strategic Plan and will help advance the "Financial Stability and Strength" focus area by supporting the following strategic initiatives:*
 - (1) **Strategy 1A1** – Revenue Analysis and Recommendations
 - (2) **Strategy 1B1** - Annual Review Program for Cost of Service and Recommendations for Corresponding Fees, Taxes, and Rates
- d) *The Plan represents a "Priority Area" in the Strategic Plan and will help advance the "Livability" focus area by supporting the following strategic initiatives:*
 - (1) **Strategy 1B1** – Affordable and Attainable Housing

B. Land Use Regulations and Building Requirements

The Plan will provide a comprehensive and unified plan to promote and encourage high quality development and redevelopment of the Area by cooperative efforts of private enterprise and public bodies. Notwithstanding anything in the Plan to the contrary, the development and use of the property within the Urban Renewal Area described in the Plan including, without limitation, land area, land use, design building requirements, timing or procedures applicable to the property, shall be subject to the Loveland Municipal Code, Unified Development Code and secondary codes therein adopted by reference, and other applicable standards and regulations of the City of Loveland ("City Regulations"). Permitted uses for properties in the Urban Renewal Area shall be those uses allowed in the City of Loveland Municipal Code and Unified Development Code.

VI. Project Activities

The following provisions shall apply to the Area. In accordance with the Act, the Authority may undertake these activities directly or, to the extent authorized by applicable law, contract with third parties to do so:

A. Land Acquisition

To carry out this Plan, the Authority may exercise any and all of its rights and powers under the Act and any other applicable law, ordinance or regulation. The Authority may acquire any interest in property by any manner available. The Authority may acquire property in the Area for the following reasons: To eliminate or prevent conditions of blight; to carry out one or more objectives of the Plan; to assemble property for redevelopment by private enterprise; for needed public improvements; and for any other lawful purpose authorized by the Plan, the Act or any other applicable law.

Acquisition of property by eminent domain is not authorized unless the City Council approves, by majority vote, the use of eminent domain by the Authority in accordance with the Act and other applicable laws.

B. Relocation

If acquisition of property displaces any individual, family, or business concern, the Authority may assist such party in finding another location, and may, but is not obligated to, make relocation payments to eligible residents and businesses in such amounts and under such terms and conditions as it may determine and as may be required by law.

C. Demolition, Clearance, and Site Preparation

The Authority may demolish and clear those buildings, structures, and other improvements from property it acquires if such buildings, structures, and other improvements are not to be rehabilitated in accordance with this Plan. The Authority may provide rough and finished site grading and other site preparation services as part of a comprehensive redevelopment program.

D. Property Management

During such time as any property is acquired by the Authority, for disposition for redevelopment, such property shall be under the management and control of the Authority and may be rented or leased by it pending disposition for redevelopment or rehabilitation. Notwithstanding the foregoing, the Authority may acquire property, develop, construct, maintain, and operate thereon buildings, and facilities devoted to uses and purposes as the Authority deems to be in the public interest.

E. Public Improvements

The Authority will cooperate with the City and other public bodies to install, repair or replace necessary public infrastructure including, but not limited to, public streets, ADA accessible routes, central water and sewer services, stormwater improvements, bicycle and pedestrian infrastructure, parks and recreation amenities and multi-use recreational trails in the Area.

F. Land Disposition, Redevelopment and Rehabilitation

The Authority may dispose of property it acquires by means of a reasonable competitive bidding procedure it establishes in accordance with the Act and pursuant to redevelopment agreements between the Authority and such purchasers.

The Authority may also enter into owner participation agreements with property owners in the Area for the development, redevelopment, or rehabilitation of their property. Such agreements

will provide for such participation and assistance as the Authority may elect to provide to such owners.

The Authority may develop, construct, maintain, and operate buildings and facilities devoted to uses and purposes as the Authority deems to be in the public interest.

All such redevelopment, owner participation and other agreements shall contain, at a minimum, provisions requiring:

- Compliance with the Plan and, if adopted by the Authority, the Design Guidelines and Standards and City codes and ordinances.
- Covenants to begin and complete development, construction, or rehabilitation of both public and private improvements within a period of time deemed to be reasonable by the Authority.
- The financial commitments of each party (but nothing herein shall obligate the Authority to make any such financial commitment to any party or transaction).

G. Cooperation Agreements

For the purposes of planning and carrying out this Plan in the Area, the Authority may enter into one or more cooperation agreements with the City or other public bodies. Without limitation, such agreements may include project financing and implementation; design, location and construction of public improvements; and any other matters required to carry out this Project. It is recognized that cooperation with the City, other municipalities and other public and private bodies may be required to coordinate such issues as the design, construction, maintenance, operation, and timing of public and private improvements within and outside of the Area to properly and efficiently carry out the goals and objectives of this Plan.

H. Other Project Undertakings and Activities

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

VII. Project Financing

The Authority is authorized to finance activities and undertakings under this Plan by any method authorized by the Act or any other applicable law, including without limitation, appropriations, loans or advances from the City or other public bodies; federal loans and grants; state loans and grants; interest income; pay as you go arrangements; annual appropriation agreements; agreements with public and private parties or entities; sale of securities; loans, advances and grants from any other available source.

Any and all financing methods legally available to the City, the Authority, other public bodies, any private developer, redeveloper or owner may be used to finance in whole or in part any and all costs, including without limitation, the cost of public improvements described or anticipated in the Plan or in any manner related or incidental to the development of the Urban Renewal Area. Such methods may be combined to finance all or any part of activities and undertakings throughout the Urban Renewal Area. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the City to finance activities and undertakings authorized by the Act and this Plan in whole or in part.

The Authority is authorized to issue notes, bonds or any other financing instruments or documents in amounts sufficient to finance all or part of the Urban Renewal Plan. The Authority is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest, and any premiums due on or in connection with such indebtedness may be paid from any funds available to the Authority.

The Project may be financed by the Authority under the tax allocation financing provisions of the Act. Under the tax allocation method of financing the Project, property taxes levied by any public body after the effective date of the approval of this Plan upon taxable property in the Urban Renewal Area each year by or for the benefit of each public body that levies property taxes in the Area, shall be divided for a period not to exceed twenty-five (25) years after the effective date of the adoption of this tax allocation provision, as follows:

Base Amount.

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each such public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified prior to the effective date of approval of the Plan or, as to an area later added to the Urban Renewal Area, the effective date of the modification of the Plan shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

Increment Amount

The increment amount is that portion of property taxes in excess of the base amount as defined above. That portion of said property taxes in excess of such base amount shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the Authority for financing or refinancing, in whole or in part, the Project

or to make payments under an agreement executed pursuant to Section 31-25-107 of the Act.

Unless and until the total valuation for assessment of the taxable property in the Urban Renewal Area exceeds the base valuation for assessment of the taxable property in the Urban Renewal Area, all of the taxes levied upon taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies.

When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies.

The increment portion of the taxes, as described in this subparagraph 2, may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances and indebtedness incurred by the Authority to finance the Project.

VIII. Changes in Approved Plan

This Plan may be modified pursuant to the provisions of the Act governing such modifications, including Section 31-25-107, C.R.S.

IX. Minor Variations

The Authority may in specific cases allow minor variations from the provisions of the Plan if it determines that a literal enforcement of the provisions of the Plan would constitute an unreasonable limitation beyond the intent and purpose of the Plan.

EXHIBIT A
LEGAL DESCRIPTION

Legal Description of Centerra South URA

The Northeast Quarter of Section 16, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado.

EXCEPT:

A strip of land 60-feet wide as described in Deed recorded in Book 168 at Page 311 and in Book 146 at Page 257, both in the Larimer County Clerk and Recorder's Office;

ALSO EXCEPT:

A portion conveyed to the Department of Highways, State of Colorado in Deed recorded March 29, 1965 in Book 1285 at Page 249, in the Larimer County Clerk and Recorder's Office;

ALSO EXCEPT:

A parcel of land, being a portion of that parcel of land as described in Special Warranty Deed recorded March 5, 2007 at Reception Number 20070016551 of the Records of Larimer County, situate in the Northeast Quarter (NE1/4) of Section Sixteen (16), Township Five North (T.5N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Loveland, County of Larimer, State of Colorado, being more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 16 as monumented by a #6 rebar with a 2.5" aluminum cap LS illegible and assuming the East line of the NE1/4 of said Section 16 as monumented on the North end by a 3.25" brass cap LS 16415 as bearing North 00°18'43" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2634.51 feet with all other bearings contained herein being relative thereto;

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE North 00°18'43" East along the East line of the NE1/4 of said Section 16 a distance of 103.32 feet to a point on the North line of that parcel of land as described in Warranty Deed recorded August 4, 1902 in Book 168 at Page 311 and to the POINT OF BEGINNING;

Thence along the North line of said Warranty Deed the following Three (3) courses and distances:

THENCE South 89°55'06" West a distance of 10.24 feet;

THENCE South 89°48'54" West a distance of 645.84 feet;

THENCE South 89°39'49" West a distance of 9.80 feet;

THENCE North 00°18'43" East a distance of 872.88 feet;

THENCE North 89°49'03" East a distance of 665.88 feet to a point on the East line of the NE1/4 of said Section 16;

THENCE South 00°18'43" West along the East line of the NE1/4 of said Section 16 a distance of 872.84 feet to the POINT OF BEGINNING.

Containing 6,071,420 Square Feet (139.381 Acres), more or less.

Exhibit A

EXHIBIT B MAP

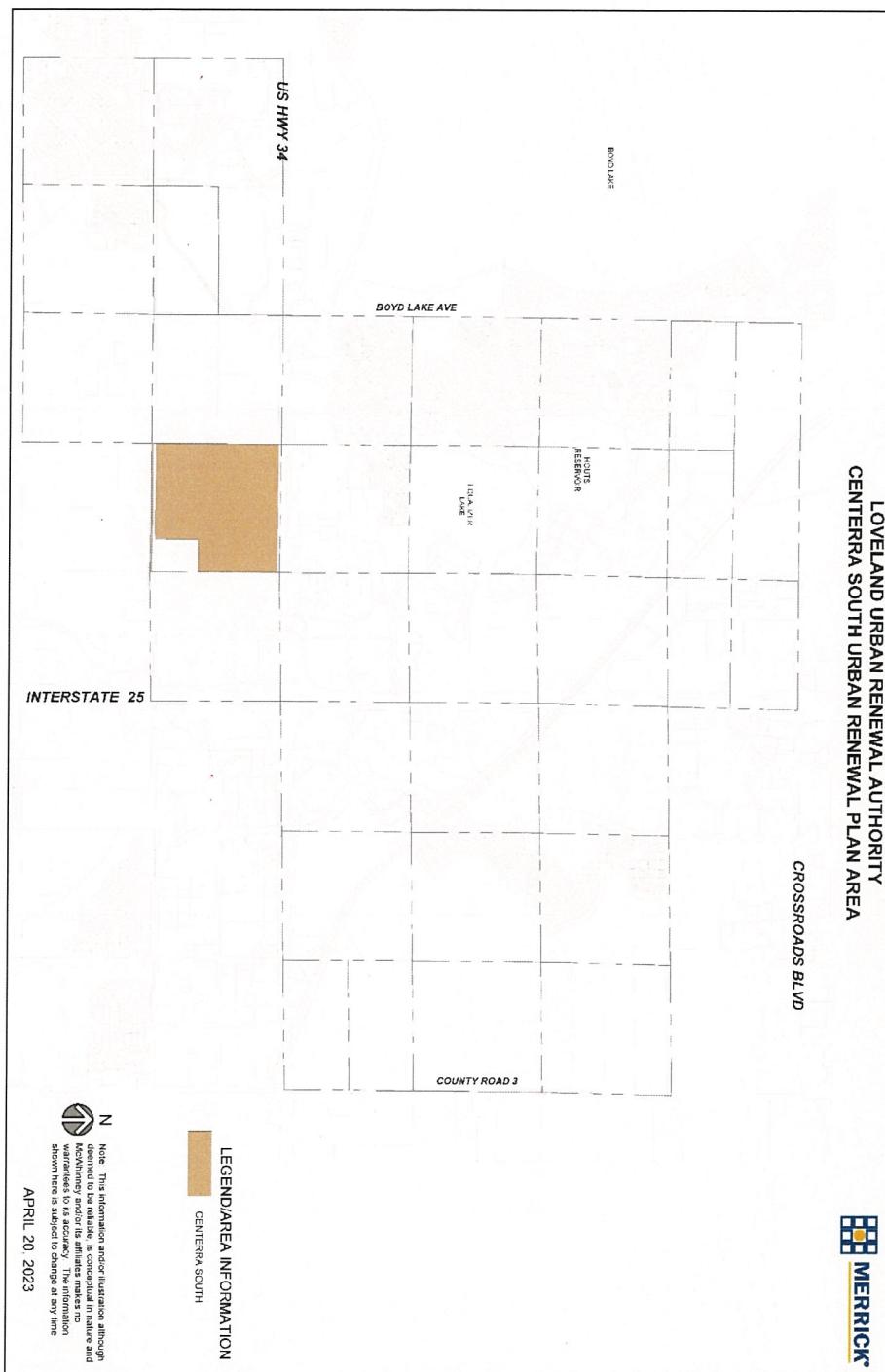


EXHIBIT B

(Attach Letter Reaffirming the Conditions Survey and the Conditions Survey)



July 13, 2023

Loveland Urban Renewal Authority
City of Loveland, Colorado

Dear Brian Waldes,

This letter is to confirm that the original blighted area factors identified within the area that is now the Centerra South Urban Renewal Plan have not changed since the April 21st, 2022 Conditions Survey was completed.

I am writing this letter because the Centerra South Urban Renewal Plan is in the process of being amended, which is triggering a major modification. This modification requires updating the original formation documents, including the Conditions Survey, Impact Report and Urban Renewal Plan.

I completed the April 21st, 2022 Condition Survey while working for SEH Inc. As Principal of Pioneer Development Company, I have visited the Centerra South Urban Renewal Plan area since that Conditions Survey was submitted to the City. I can confirm that the blighted area factors identified within this survey are still present on the property. The fact that five factors were identified and are still present means that the Centerra South Urban Renewal Plan area remains eligible for Urban Renewal Treatment.

Sincerely,

Andrew Arnold, AICP
Founder | Principal
Pioneer Development Company
Durango, Colorado

CC: Kelly Jones, Steve Adams



Loveland Urban Renewal Authority

Conditions Survey

The City of Loveland, Colorado

166754 | April 21, 2022



Building a Better World
for All of Us™

Engineers | Architects | Planners | Scientists



Building a Better World
for All of Us[®]

April 21, 2022

Loveland Urban Renewal Authority
The City of Loveland, Colorado

Dear Loveland Urban Renewal Authority Board of Commissioners,

The following Conditions Survey report is intended to assist the Loveland Urban Renewal Authority (LURA) identify and catalogue conditions that may be arresting sound development throughout a specific area of the US-34/Crossroads Corridor Urban Renewal Plan, an area that may become its own urban renewal project. This report analyses this area, which is a single parcel contained within the current US-34/Crossroads Corridor Urban Renewal Plan. The conditions survey reexamines this parcel to determine whether statutorily defined blighting factors still exist within its boundary, making it eligible for urban renewal treatment.

The proposed urban renewal plan would create a new URA project encompassing a 149.75-acre parcel south of East Eisenhower Boulevard. This parcel is currently included in the US 34/Crossroads Corridor Urban Renewal Plan. Although this Urban Renewal Plan area was established in 2004, the City of Loveland adopted the "Flex Modification to the US 34/Crossroads Corridor Renewal Plan" in 2008, which amended the original URA project to add this parcel and another 359.25 acres within its plan area. The flex modification impacting this parcel was officially adopted September 2nd, 2008 by Resolution #R-98-2008.

This modification to the original URA Plan in 2008 required a conditions survey. That survey evaluated this subject parcel for the presence of statutorily defined blighting factors. The survey concluded that this parcel exhibited five of the eleven statutorily defined blighted area factors, making it and the other blocks eligible for urban renewal projects.

This report evaluates the subject parcel again to determine if blighting factors outlined in the 2008 conditions survey still exist. This report also analyzed the presence of new blighting factors that may have manifested in this parcel over the past 14 years.

This report finds that the subject parcel meets the statutory minimum of blighting factors required to designate an area eligible for urban renewal projects. Summary findings and maps have been provided that illustrate the locations of specific blighting factors. The report also includes a description of each blighting factor that is included within Colorado's Urban Renewal Law (C.R.S. 31-25-101 to 116) and that has been found to exist within the proposed plan area.

Sincerely,
Andrew Arnold

CC: Brian Waldes

Executive Summary

Loveland Urban Renewal Authority Conditions Survey:

A conditions survey report is required by Colorado's Urban Renewal Law to examine the existence of specific conditions that contribute to making an area within the community "blighted", and therefore eligible for urban renewal treatment. The conditions survey is the first step in the process of either establishing an Urban Renewal Authority within a municipality or creating an urban renewal plan for a specific geographical area of that municipality.

An urban renewal plan area, also known as an urban renewal project, is defined by state statute to mean "a slum area, or blighted area, or combination thereof, which the local governing body designates as appropriate for an urban renewal project" (C.R.S. 31-25-103). The process to designate an urban renewal plan is organized under Colorado Urban Renewal Law (C.R.S. 31-25-101 to 116).

For an urban renewal plan to be established and adopted, a specific geographic area within the community must be found to exhibit certain conditions. These conditions are known as "blighted area factors" and these factors must be cataloged before urban renewal projects and activities can commence. This process of surveying an area for the presence of blighted area factors is part of conducting a conditions survey, a report that carefully analyzes a geographic area to determine the existence of factors 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." (C.R.S. 31-25-103.2)

The conditions survey does not create a new Urban Renewal Plan or Urban Renewal Project. The conditions survey is merely a starting point for that process, one that is required before the Loveland Urban Renewal Authority can designate a project area, evaluate its fiscal impacts and potential tax increment generation, and adopt its Urban Renewal Plan. The purpose of this report is to evaluate a proposed URA plan area and determine if it meets the statutorily threshold of blighted area factors. Colorado's Urban Renewal Law defines eleven factors, four of which must be identified before an Urban Renewal Project or Plan can be established and adopted¹.

This report's subject area is unique in that it has already been declared blighted. In 2008, LURA commissioned a conditions survey to begin the process of amending the US-34/Crossroads Corridor Urban Renewal Plan. This amendment, titled the "Flex URA Modification to the US-34/Crossroads Corridor Plan", expanded the existing URA Plan area to include the subject parcel analyzed by this report. The amendment and the conditions survey's findings were approved by the City in 2008.

This report represents the second conditions survey, and second potential amendment, involving this subject parcel. The report thoroughly reviewed the previous conditions survey, the City of Loveland's adopted planning documents, Larimer County's planning documents, and any other sources of information that could help identify potential blighting factors in the survey area. Additional data gathering was conducted using field visits, GIS technology, and assessor and real estate databases. The report's conclusion is that the surveyed area exhibits the necessary number of blighted area factors to make it eligible for an urban renewal treatment. This Conditions Survey identified five blighting factors in total, which are listed in the table below:

¹ The exceptions include properties that are owned by a single property owner and eminent domain. A survey area with a singular owner may only require one blighting factor. In the case of eminent domain, five blighting factors must be found.

LURA Conditions Survey - Blighted Area Factors Cataloged

Blighted Area Factor # (C.R.S. 31-25-103.2 List Label)	Definition
Factor 1 (a)	Slum, Deteriorated or Deteriorating Structures
Factor 2 (b)	Predominance of Defective or Inadequate Street Layout
Factor 4 (d)	Unsanitary or Unsafe Conditions
Factor 6 (f)	Unusual Topography or Inadequate Public Improvements or Utilities
Factor 11 (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

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Executive Summary
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Loveland Urban Renewal Authority

Conditions Survey

Prepared for The Loveland Urban Renewal Authority

1 Background

This conditions survey evaluates a 149.75-acre parcel that is within an existing Urban Renewal Plan area. The reason for this evaluation is that Loveland Urban Renewal Authority (LURA) is exploring the possibility of creating a new urban renewal plan area around this singular parcel. Despite this parcel being declared "blighted" as part of its inclusion in an existing urban renewal plan area, a new conditions survey is required by statute to evaluate the area for the existence of old and new blighting factors.

This parcel and survey area's history as an urban renewal project begins with the US-34/Crossroads Corridor URA Plan. After the City of Loveland established its Urban Renewal Authority in 2002, LURA began the process of forming an Urban Renewal project around the I-25 and US-34 interchange. This would become the US-34/Crossroads Corridor Urban Renewal Plan (hereafter referred to as the Original URA Plan), first adopted in 2004. The original URA plan was made up of approximately 1,561 acres.

Four years later, LURA proposed a substantial modification to the original URA plan, which added approximately 509 acres to the project area. This substantial modification was named the "Flex URA Modification to the US-34/Crossroads Corridor Plan" and required a new conditions survey to be performed on the area being added to the original plan area. This flex modification and conditions survey included the area being analyzed by this report.

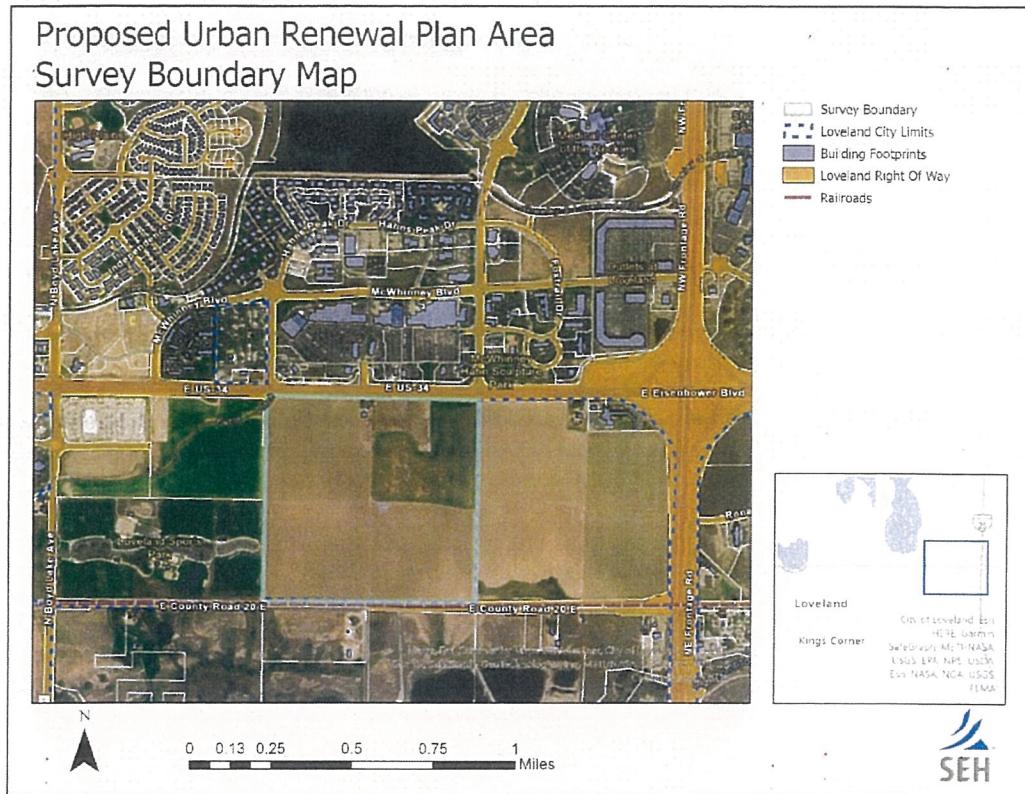
The second Conditions Survey took place in 2008. Titled the "Loveland Regional Improvements Blight Study", the survey found evidence of five blighting factors present in the flex modification area. These included:

- "Slum, deteriorated or deteriorating structures"
- "Predominance of defective or inadequate street layout"
- "Deteriorating Site Improvements"
- "Unusual topography or inadequate public improvements or utilities"
- "Underutilization or vacancy of sites, buildings or other improvements"

The presence of these five blighting factors exceeded the statutory minimum requirement of four blighting factors to declare the flex modification area blighted. Therefore, the 2008 Conditions Survey found that the Flex Modification area, including the subject parcel's 149.75-acres, exhibited conditions that legally allow it to be declared blighted by Colorado's Urban Renewal Law.

It is against this backdrop that this report takes place. The new conditions survey evaluates Parcel ID Number 8516000001 for the presence of statutorily defined conditions that are

arresting sound development from taking place on the property. This report evaluates the 2008 "Loveland Regional Improvements Blight Study" to determine if any of the blighted area factors identified by that report still exist on the parcel. The report also analyzed the presence of new blighting factors that may have manifested on the property over the past 14 years.



2 Existing Conditions

This conditions survey examines Parcel Identification Number 8516000001. This parcel is approximately 149.75 acres in size and is currently owned by Centerra Properties West LLC and VDW Properties LLC. The property is within the City of Loveland's City Limits. The Larimer County's Assessor's office classifies the property as both agricultural and residential, with most of the land (147.75 acres) agriculturally assessed.

This property is currently within LURA's US-34/Crossroads Corridor Urban Renewal Plan area. This original URA plan area was established in 2004 and now encompasses 2,070 acres. The project was highly successful in attracting investment and development over the past 18 years. Statistics provided by the master developer indicate that approximately 745 acres of the plan area have been developed, yielding 2,441 residential units and over 4.4 million square feet of commercial and residential space. There is additional development also in the planning stage that has not yet been completed.

Despite this successful development of infrastructure, businesses, and residences, the total URA plan area is far from complete. Comparing final plans with existing space indicates that only 38%² of the original URA Plan is developed. The report's subject parcel is considered part of the remaining 62%.

The majority of the property appears vacant, although 147.75 acres is assessed for agricultural uses. The property's building improvements include a residential building, agricultural buildings, and an abandoned barn. The property accesses US-34 to the North and East County Road 20 E to the South. The Great Western Railroad line runs adjacent to the property's southern boundary.

LURA is evaluating this parcel for a potential urban renewal plan area. Making this parcel its own URA Plan area would require amending the US-34/Crossroads Corridor Urban Renewal Plan. The amendment would effectively remove this parcel from the original URA Plan. Once removed, this proposed plan area would be required to submit a revised Conditions Survey, a new Impact Report and a new Urban Renewal Plan document. In addition to these formation documents, LURA would also be required to satisfy C.R.S. 31-25-107(1)(c)(II). This provision lists the exceptions that permit the inclusion of agricultural land into an urban renewal plan area. Since the subject parcel has been assessed as agricultural land in the past five years, this provision impacts its inclusion into a new urban renewal plan area.

This Conditions Survey effectively reanalyzes this subject parcel to determine the presence of blighted area factors that may be arresting sound development from taking place. As mentioned in the Background section, this property has been analyzed and deemed blighted by a separate conditions survey in 2008. The purpose of this new conditions survey report is to evaluate which blighted area factors remain or have developed since the property was included in the original plan area in 2008.

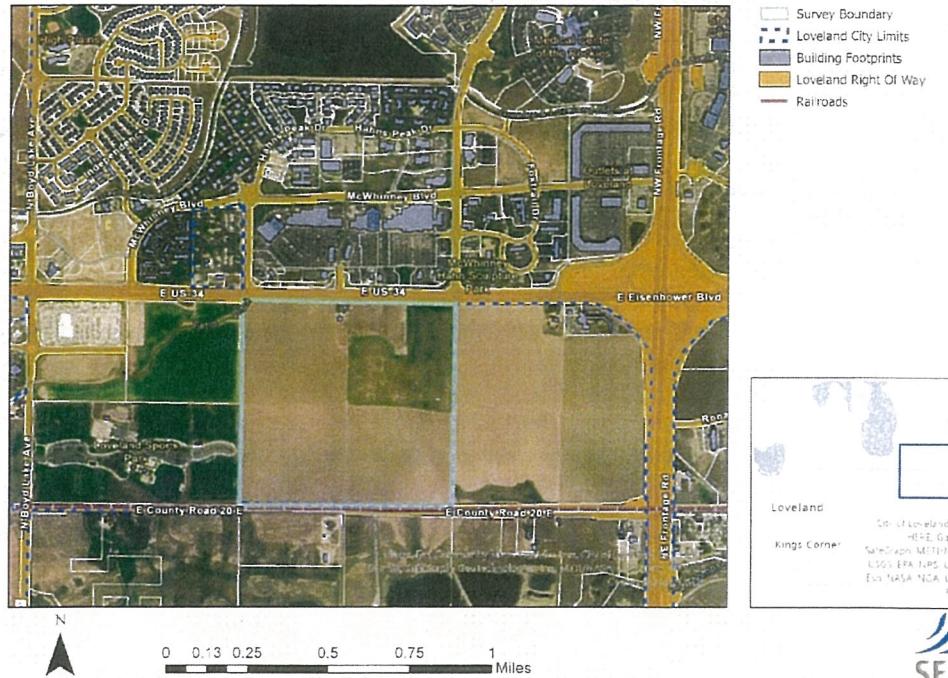
² This estimate compares square footages of the existing build-out in the original URA Plan with the anticipated final build-out total in the masterplan.

3 Survey Boundary Summary

Survey Boundary Area

This Conditions Survey analyzes a proposed amendment to US-34/Crossroads Corridor URA Plan area (original URA Plan area). This area includes 1 parcel encompassing an approximately 149.75-acre area within the City of Loveland.

Proposed Urban Renewal Plan Area Survey Boundary Map

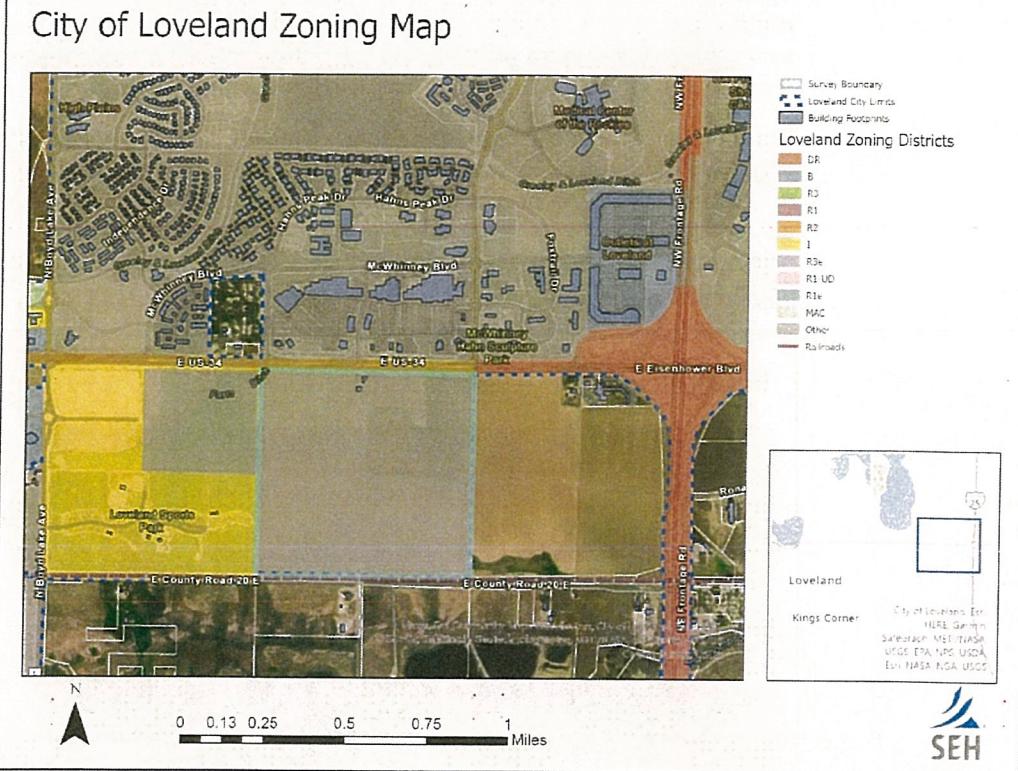


Proposed URA Plan Area Survey Boundary Statistics

Proposed URA Plan Area Survey Boundary	Totals
Number of Acres	149.75
Number of Parcels	1

Zoning Districts

There is one zoning district within the survey boundary. The subject parcel is zoned PUD: Planned Unit Development (PUD). The PUD district contains specified numbers indicating the exact development under the zoning designation. For the proposed URA plan area, this parcel is part of the P-59 Millennium Addition. The P-59 district provides flexible land use zoning that allows for a variety of uses within PUD districts.



Assessment

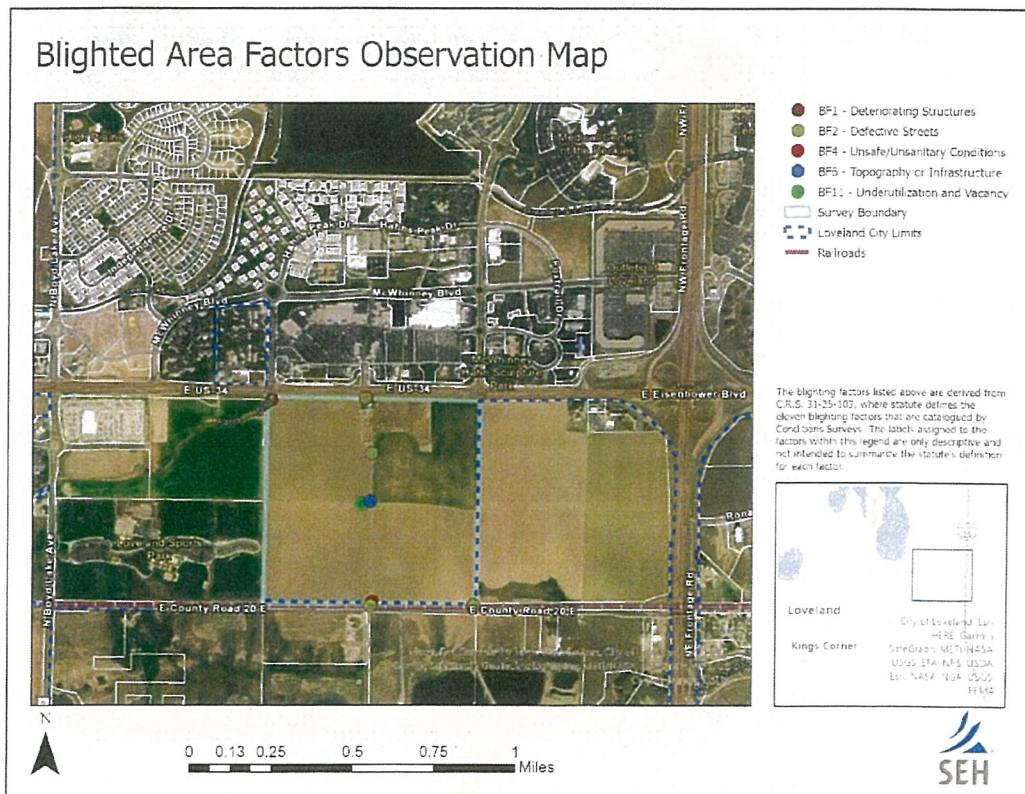
The survey boundary includes one parcel. The Larimer County Assessor's database lists this parcel as being both agricultural and residential. The actual total value of the property is \$479,530, whereas its assessed value is \$65,015. The table below lists specific value based on assessment:

Description	Value Type	Actual Value	Assessed Value	Net Acres	Net Sq Ft
Ag Support Bldgs	Improvement	\$22,700	\$6,583	0	0
Res Property Not Integral to Ag Operation	Improvement	\$203,900	\$14,579	0	0
Res Property Not Integral to Ag Operation	Land	\$135,000	\$9,653	2	87,120
Ag Irrigated IIS	Land	\$117,930	\$34,200	147.75	6,435,990
Totals:		\$479,530	\$65,015	149.75	6,523,110

4 Methodology

This conditions survey utilized a holistic methodology in determining whether blighting factors exists within the surveyed area. This methodology included a detailed literature review of adopted plans and reports, an evaluation of completed or entitled development within the original URA plan area, an analysis of County assessor records and GIS databases, and a three-day site visit. This field work was supplemented by GIS technology which recorded and documented potential blighted area factors in real time. Maps were created for each blighting factor identified within the survey area. These maps represent the layered information gathering approach used in this report to ensure that each blighting factor was thoroughly analyzed.

It is important to note that conditions surveys evaluate an area in its entirety for the presence of blighting factors and are not intended to declare specific areas as blighted. The maps included in this report illustrate the location of individual blighting factors as a means of representing this survey's findings. In order for a survey area to be declared blighted, it must exhibit four or more blighting factors³. It is the combination of factors within an area that makes that area eligible for urban renewal activities.



³ The exceptions include C.R.S. 31-25-103(2)(l), in which the property owners and tenants do not object to the property being included within an Urban Renewal Plan area. In this instance, the survey area may only require one blighting factor to qualify for urban renewal treatment. The other exception is eminent domain, in which five blighting factors must be found.

5 | Evaluation of Blighting Factors

Defining "Blighting Factors"

Colorado Revised Statutes 31-25-103 states that for an Urban Renewal Plan area to be established, there must exist certain conditions known as "blighting factors". State statute defines eleven separate factors which define blight. The law indicates that if four or more of these factors are found in an area of the municipality, that area may be considered eligible for URA designation.

The Eleven Definitions of Blight

- 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) 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

These eleven factors can also be thought as "conditions", and the presence of at least four of these conditions can satisfy the state statute defining an area blighted. In addition to this list, C.R.S. 31-25-103(2) lists a twelfth condition. This final condition only applies when there is unanimous agreement among affected property owners that their properties can be included in an Urban Renewal Area. In this rare occurrence, only one blighting factor from the list of eleven needs to be identified to declare the area blighted.

State statute allows for some flexibility in defining what each blighting factor represents. For the purpose of this conditions survey, each blighting factor will be unpacked to describe various real world "conditions" that would indicate the presence of this factor. The presence of a condition within the proposed URA Plan survey boundary alone is not enough to make that area eligible for urban renewal activities. Rather, it is the culmination of four or more blighting factors which indicates that renewal activities should be applied within the proposed project area.

Identifying blighting factors throughout LURA's proposed project area required an objective analysis. The following section outlines the conditions that this analysis found to be present within the survey boundary. Conditions that were not identified were excluded from this report.

5.1 Factor One: Slum, Deteriorated or Deteriorating Structures

Description:

This factor refers to the current condition of structures in the survey area. When the physical condition of structures in an area foment negative perceptions and a corresponding decline in values, it typically signals the existence of this factor. Conditions that would justify the inclusion of this factor in an area may include:

- A deterioration of the building elements, such as cladding, fenestration, roofing, overhangs, fascia and soffit, or the foundation of a structure
- A deterioration of outside elements such as fencing, gates, fire escapes, outdoor lighting, loading areas, gutters and downspouts
- Vacant lots or high vacancy rates in the offices/businesses/apartments are evidence this factor exists in an area
- Decline in property value over time

Findings:

Although the survey boundary includes an agricultural parcel, there are building improvements present on the property. The Larimer County Assessor database lists five building improvements on the property: a residential property, a barn out-building, a tool shed, a farm utility building, and a grain bin. All of these properties are labeled as "average" condition in the database, and the conditions survey field work confirmed that these building improvements show minor deterioration. Not listed is a dilapidated barn structure located in the northwest corner of the survey boundary, near the farmers ditch. This building is completely dilapidated.

The 2008 conditions survey found evidence of this blighting factor within its survey area, a boundary which included this report's subject parcel. The 2008 analysis justified including this blighting condition because one building improvement within the surveyed area appeared dilapidated and abandoned. The 2008 analysis admits that the majority of the survey area is agricultural land, but the fact that a dilapidated structure exists within an area with so few building improvements is evidence for this condition.

This report arrives at a similar conclusion. The dilapidated barn structure represents 1/6th of the building improvements throughout the survey area, meaning that a significant portion of surveyed structures were found to exhibit this condition. Although the remaining structures are in "average" condition according to the Assessor's database, the survey did identify deterioration of the building's façade elements. Aside from the residential home, which issued a building permit for a new water heater in 2012, there have been no significant improvements to these structures, or any new improvements constructed on the property.

The property's tax history was also analyzed for this report. Since 2000, the property's assessed value has appreciated by \$24,385. However, this increase was caused by a reassessment in 2015, 2017 and 2019, portions of the property and building improvements reassessed as "Not Integral to Ag Operations", causing their actual and assessed value to significantly increase. This change in assessment does not indicate a change in market value. In fact, when compared to surrounding properties and values pegged to inflation over the past decade, this property saw a relative decline in value.

Blighting Factor 1 - Deteriorating Structures



5.2 Factor Two – Predominance of Defective or Inadequate Street Layout

Description:

This factor refers to street conditions that negatively impact sound development, redevelopment, and can threaten safety. Conditions that would justify the inclusion of this factor in an area may include:

- Inadequate street widths, lack of streets, dead ends or overall faulty layouts that impede vehicular access and internal circulation
- Streets that exhibit high degrees of traffic or accidents
- Streets that are in need of repair or reconstruction
- Poor emergency access or active transportation

Findings:

The conditions survey analysis reviewed the City of Loveland's Traffic Reports, Long Range Transportation Plan, and Bicycle and Pedestrian Plan. The analysis also included field observations throughout the survey area and a review of CDOT's OTIS traffic database. This process found identified multiple pieces of evidence to justify this blighting condition's inclusion within the survey area.

Access and safety were the predominant issues identified during the conditions survey. The subject property gains access to US-34 to the North and County Road 20E to the South. All of these ingress/egress accesses are problematic. US-34 is a highly trafficked arterial, with an average daily traffic count approaching 50,000 vehicles. Speed Range analysis reveals that over 12,000 AADT, or 26%, are travelling faster than 50 miles per hour along the survey area's northern border. This creates an unsafe environment for accessing US-34 from the survey area. The property has a single driveway connecting it to the highway, which lacks a significant shoulder or acceleration/deceleration lanes. The highway also lacks pedestrian or bicycle infrastructure that could shield active transportation uses from this fast-moving traffic.

The Great Western railroad spur runs parallel with the survey area's southern boundary. Access to the property must cross these railroad tracks, creating at-grade railroad crossings. At grade railroad crossings represent an unsafe situation, which also limits the properties accessibility. This is further evidence for blighted area factor 2's inclusion.

While accessibility and safety were the predominate conditions identified by this report, the lack of internal streets was also cited as a blighting condition. The subject property lacks an internal street network that would facilitate better transportation and access throughout its 149 acres.

These findings aligned with the 2008 conditions survey's determination also. The 2008 survey stated, "[the subject parcel] is similarly bordered by only one road, Eisenhower Boulevard, as no north-south roads exist on either side of the quarter-section parcel, and railroad tracks inhibit access along its southern border from County Road 20E"⁴. The Factor 2 blighting conditions identified in 2008 are still present at the time of this reporting.

⁴ "Loveland Regional Improvements Blight Study" 2008, page 13

Blighting Factor 2 - Defective Streets



5.3 Factor Four – Unsanitary or Unsafe Conditions

Description:

This factor refers to a multitude of unsafe or hazardous conditions. The commonality is that these conditions contribute to hazards that could have an adverse effect on the health, safety or wellbeing of the public. This factor shares similarities to conditions one (1), five (5), eight (8), nine (9) and ten (10). Conditions that would justify the inclusion of this factor in an area may include:

- Floodplain or flood prone areas
- Poor storm water drainage areas
- Cracked or uneven sidewalks
- Hazardous materials
- Dangerous traffic or pedestrian conditions
- High crime statistics
- Facilities are prone to fire dangers
- Environmental Contamination
- Inadequate utility systems
- Water scarcity and lack of water and sewer infrastructure
- Evidence of vandalism or homelessness
- Steep topography
- Trash, debris and noxious weeds

Findings:

This blighted area factor lists multiple conditions that could justify its presence in a surveyed area. However, it was dangerous traffic and pedestrian conditions that led to this factor's inclusion. For similar reasons identified under Blighted Area Factor 2, the field work and analysis found the subject parcel's access points to be unsafe for vehicles and active transportation users.

The parcel's main access is to US-34. The ingress/egress at this location is essentially a driveway that connects with a high traffic, high speed highway. US-34 experiences an AADT of approximately 50,000 vehicles. This number includes large trucks existing I-25. Over a quarter of these vehicles are travelling over 50 miles per hour. This creates an unsafe traffic situation for accessing the property. During field work, the SEH team found it difficult to walk or ride along the northern boundary of the property due to its limited shoulder that puts active transportation uses in close proximity to highway traffic.

The parcel's southern access points also exhibit this blighting factor, but safety is compromised from a railroad instead of a highway. The southern access points to the property are at-grade railroad crossings. The Great Western railroad runs parallel to the subject property's southern boundary, and the unpaved entrances to the property are not marked. These at-grade crossing pose safety risks that are likewise a development challenge for the property's southern section. At-grade railroad crossing can also pose safety concerns for pedestrians and cyclists.

The 2008 conditions survey did not find evidence for this blighting factor in its analysis. At the time of its study, its survey areas were considered "remote"⁵ due to lack of surrounding development. In the 14 years that have transpired since the 2008 report, development has increased significantly around this subject parcel, increasing the likelihood for active transportation in the area. The 2008 study admits, "In areas where pedestrians are frequently encountered or expected, this situation would be sufficient to allow for this blighting factor"⁶. This report concludes that current traffic and active transportation safety concerns around this parcel warrant Blighted Area Factor 2's inclusion in this survey.

⁵ "Loveland Regional Improvements Blight Study" 2008, page 16

⁶ "Loveland Regional Improvements Blight Study" 2008, page 15

Blighting Factor 4 - Unsafe/Unsanitary Conditions



5.4 Factor Six – Unusual Topography or Inadequate Public Improvements or Utilities

Description:

This factor refers to unusual topography or lack of public infrastructure that have the effect of arresting sound development in a study area. Areas that exhibit steep grades which cause development to be incompatible or unprofitable would fall under this factor. Properties that are lacking public infrastructure or utilities, or are served by deteriorating public infrastructure or utilities, would also fall under this factor. This factor shares aspects of factors two (2), four (4) and five (5). Conditions that justify the inclusion of this factor in an area may include:

- Steep slopes or unusual terrain
- Overhead utilities in need of repair
- Deteriorating parking lots, street surfaces, sidewalks
- Poor storm water drainage facilities
- Lack of central sewer or water
- Broken or inadequate street lighting

Findings:

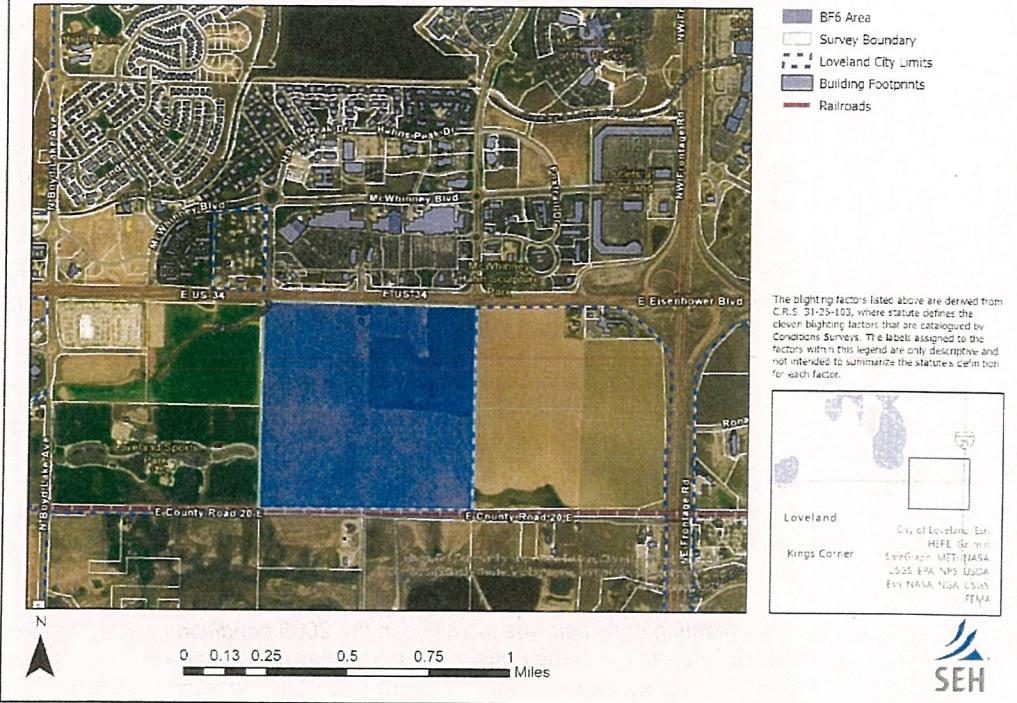
The conditions survey analysis found examples of this blighting factor throughout the survey boundary. Similar to the findings in Blighted Area Factor 2's section, the lack of an internal street network or any roads that provide north-south internal circulation through the property, is evidence of this factor. The parcel is a quarter-section in size at 149-acres. The lack of an internal street network, or even north-south road, serves to arrest sound development from occurring on the property. The Larimer County Assessor's database indicates that this parcel installed signage reading, "Commercial/Retail Development Opportunity" in 2008, indicating that the owners were positioning this property for redevelopment. However, no development has occurred throughout the site in the 14 years since that advert was installed. The lack of streets, or other public surface transportation infrastructure, is a possible condition arresting this development.

The property also lacks central water and sewer services. Despite being annexed into the City of Loveland; the Larimer County Assessor database indicates that the existing residences utilize well and septic systems. Any future development on the parcel would require extending water and sewer lines throughout the property. The lack of these wet utilities is further evidence of this blighted area factor.

The site also lacks pedestrian infrastructure. A lack of active transportation facilities is contributing to unsafe pedestrian and bicycle conditions in the northern and southern boundaries of the survey area.

These findings are consistent with the 2008 conditions survey, which determined that the lack of roads, sidewalks and utilities in the survey area represent the presence of this factor. The fact that this report identified similar conditions supports the inclusion of this factor.

Blighting Factor 6 - Topography or Infrastructure



5.5 Factor Eleven - 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.

Description:

This factor references a broad category of health, safety and welfare factors. The common conditions for this factor to be present are instances where high levels of municipal service are required, substantial physical underutilization of property is exhibited, or high levels of vacancy are common. Vacancy can include buildings, property, or even improvements. This factor shares similarities with many of the factors on this list. Conditions that would justify the inclusion of this factor in an area include:

- Numerous vacant buildings or property throughout the area
- Evidence of underutilized buildings or property
- Decline in property value over time

Findings:

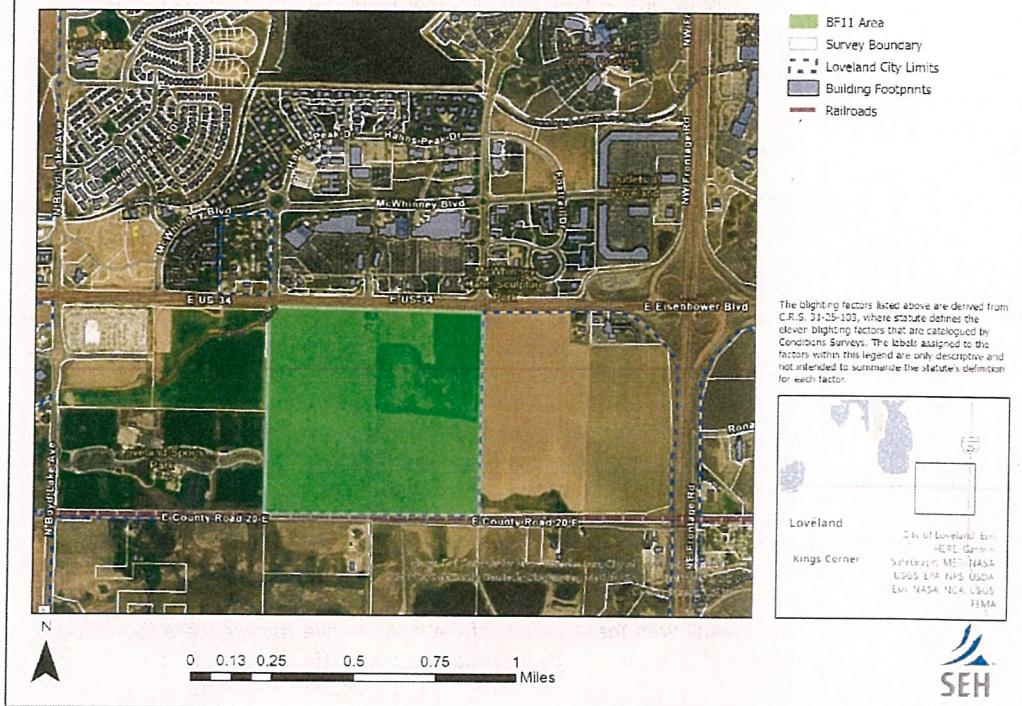
This conditions survey compared this property with surrounding properties to assess whether it is currently “underutilized”. It also evaluated property values over time to determine if the property has lagged behind the appreciation levels of neighboring parcels.

This blighting condition was identified in the 2008 conditions survey as exhibiting this blighting factor. Research into the Larimer County Assessor’s database also revealed that this property installed signage advertising, “Commercial/Retail Opportunity” in 2008. Since that time, there has been no new development or improvements made to the property. This is evidence that although the property became part of an Urban Renewal Plan area and was positioned for redevelopment in 2008, certain factors exist on the site which continue to arrest new development.

An analysis into this and neighboring property values also evinces this blighting factor. In 2000, the property’s assessed value was \$40,630. As of last year, the property had appreciated by \$24,385 to a taxable value of \$65,015. This would appear that the property has been appreciating at a healthy level. However, this increase was caused by a reassessment in uses on the property. In 2015, 2017 and 2019, portions of the property and building improvements reassessed as “Not Integral to Ag Operations”, causing their actual and assessed value to significantly increase. This change in assessment equates to roughly \$15,000 in taxable value. When deducting the reassessment value and comparing the property value if pegged to inflation, it appears that the property is roughly 20% behind its forecasted value. This analysis holds true when comparing the property its neighbor to the west. In 2000, that property of comparable size and use exhibited a taxable value of \$37,510. In 2021, that value had increased to \$62,174, despite being completely assessed as ag uses. This means that without any reassessment changes in use, the neighboring property, which is outside city limits, appreciated at a faster pace than the subject property.

Although the survey area included active agricultural land, the fact that the property has been positioned for redevelopment over the past 14 years and still failed to attract new investment or significantly appreciate, supports the finding that this factor exists throughout the survey area.

Blighting Factor 11 - Underutilization and Vacancy



6 Conclusion

This Conditions Survey catalogs the presence of statutorily defined blighted area factors within a proposed Urban Renewal Plan area. This proposed plan area would encompass a single parcel that is currently within the US-34/Crossroads Corridor Urban Renewal Plan area. This report was designed to assist the Loveland Urban Renewal Authority in determining whether this area is 1) eligible for Urban Renewal Projects and Activities, and 2) that the proposed boundary is drawn as narrowly as possible.

This Conditions Survey identified five blighted area factors as defined by Colorado's Urban Renewal Law, within the survey boundary of the proposed area. The presence of five blight factors meets the requirements outlined in C.R.S. 31-25-103(2), in which at least four blight factors must be present for an area to be declared "blighted" and therefore eligible to be designated as an Urban Renewal Plan area. The proposed boundary also meets the statutory recommendation of "being drawn as narrowly as possible". The five blighting factors were identified within the survey boundary which includes only one parcel.

The conditions survey carefully reviewed prior plans and reports, real estate data, and performed a field visit to evaluate this proposed parcel for the presence of statutorily defined blighted area factors. Of note is that this parcel was originally designated as blighted by a conditions survey completed in 2008. That survey identified five blighted area factors present on this parcel and other parcels within its survey area. This report carefully reviewed the subject parcel within the survey boundary to determine if any of those originally identified factors still exist.

The result was that four out of the original five factors were found to still exist within the subject parcels boundary. Blighted area factor five (5) was not found to exist within the survey area by this report. However, this report did identify blighted area factor 4 as present, a factor which the original survey did not catalogued. Development around this subject property over the past 14 years, as well as increased vehicular traffic throughout the US-34 Highway Corridor, caused this report to include this factor in its findings.

This Conditions Survey finds that the proposed LURA Plan area, as depicted by this report's survey area boundary, can be declared a "blighted area" as defined by Colorado's Urban Renewal Law and therefore qualifies for Urban Renewal treatment.



Conditions Survey Field Observation Map

Blighted Area Factors Observation Map



Exhibit B



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