

Revitalization Commission

Agenda

Wednesday, September 20, 2023
City Hall, Council Chambers
749 Main Street
8:00 AM

Members of the public are welcome to attend and give comments remotely; however, the in-person meeting may continue even if technology issues prevent remote participation.

- You can call in to [+1 646 876 9923](tel:+16468769923) or [833 548 0282](tel:8335480282) (toll free) Webinar ID [#852 0147 8768](tel:85201478768)
- You can log in via your computer. Please visit the City's website here to link to the meeting: www.louisvilleco.gov/revitalizationcommission.

The Board will accommodate public comments during the meeting. Anyone may also email comments to the Board prior to the meeting at ABrown@LouisvilleCO.gov.

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of August 23, 2023 Meeting Minutes
5. Public Comments on Items Not on the Agenda
6. Reports of Commission
 - a. Staff Updates
 - b. Downtown Business Association Updates
 - c. Chamber of Commerce Updates

Persons planning to attend the meeting who need sign language interpretation, translation services, assisted listening systems, Braille, taped material, or special transportation, should contact the City Clerk's Office at 303 335-4536 or MeredythM@LouisvilleCO.gov. A forty-eight-hour notice is requested.

Si requiere una copia en español de esta publicación o necesita un intérprete durante la reunión, por favor llame a la Ciudad al 303.335.4536 o 303.335.4574.

7. Business Matters of Commission
 - a. Resolution 23-02: Approving a Cooperation Agreement with the City Regarding the Outdoor Skating Rink at Steinbaugh Pavilion
 - b. Resolution 23-03: Amending the Annual Budget for Fiscal Year 2023 for the Urban Revitalization District
 - i. Open Public Hearing
 - ii. Close Public Hearing
 - iii. Commissioner Discussion
 - iv. Commissioner Direction on Resolution 23-03
 - c. Defining the LRC's Purpose
 - d. Recap of 2023 Work Plan and Status Update
 - e. Discussion – South Street Underpass and Future 42 Project
 - f. Discussion – Joint meeting with DBA
 - g. Discussion – Consideration of Hiring a URA Consultant
8. Future Agenda Items
9. Discussion Items for Next Meeting
 - a. 2023 Budget Amendment Adoption
 - b. Public Hearing: 2024 Budget
 - c. Direct Financial Assistance Application: 916 Main
 - d. 3rd Party Financial Review Policy
 - e. Property Improvement Program
 - f. Façade Improvement Program Applications
10. Commissioners' Comments
11. Adjourn

Revitalization Commission

Wednesday, August 23, 2023 | 8:00AM

City Hall, Council Chambers
749 Main Street

The Board will accommodate public comments during the meeting. Anyone may also email comments to the Board prior to the meeting at ABrown@LouisvilleCO.gov.

Call to Order – Chair Adler called the meeting to order at 8:01 AM and took roll call.

Commissioner Attendance: Present

Yes	Alexis Adler
Yes	Clif Harald
Yes	Graham Smith
Yes	Councilmember Chris Leh - late
Yes	Bob Tofte
Yes	Corrie Williams
No	Barbie Iglesias

Staff Present:

- April Kroner, Economic Vitality Manager x
- Austin Brown, Economic Vitality Specialist x
- Jeff Durbin, City Manager x
- Nick Cotton-Baez, Attorney to the City of Louisville - late
- Rob Zuccaro, Director of Planning and Building Safety x
- Deb Fahey, Mayor Pro Tem x
- Samma Fox, Deputy City Manager

Others Present:

- Mike Kranzdorf
- Sherry Sommer
- members of public

Approval of Agenda:

Chair Adler motioned to move the façade improvement applications to 7A & B in business matters, so they get heard first and move item 7C, defining LRC purpose to follow 7E due to the amount of time needed. Commissioner Smith seconded the motion to change the agenda. Motion approved.

Approval of July 12, 2023 Meeting Minutes:

Persons planning to attend the meeting who need sign language interpretation, translation services, assisted listening systems, Braille, taped material, or special transportation, should contact the City Clerk's Office at 303 335-4536 or MeredythM@LouisvilleCO.gov. A forty-eight-hour notice is requested.

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Commissioner Harald made a motion to approve the minutes. Councilmember Leh seconded. Approved.

Public Comments on Items Not on the Agenda:

None.

Reports of Commission:

Staff updates

City Manager Durbin introduced the new Deputy City Manager, Samma Fox.

The EV Manager provided updates on business assistance. Shamrock Foods is opening a retail store in the former Alfalfa's building. It is planned to open in 8-10 months.

Proposed amendments to further support the retention and/or expansion of aerospace businesses in Louisville are scheduled to go to council September 5 and 19 for first and second readings, respectively.

URA property updates – there is interest in the purchase of the Empire building and incentive information has been provided to the interested parties. They would look to LRC for potential support.

Concept Plan Review – Planning Commission approved the draft concept plan review process at the August 10 meeting. Contact the Economic Vitality Manager for more information.

Dark Sky Lighting – The Planning Commission reviewed the ordinance on July 13 and recommended approval to Council with changes. Details on the changes were provided in the meeting packet.

There will be an open house August 29 to provide education on the adopted energy code updates and allow businesses to provide feedback on any concerns.

Underpasses – the Economic Vitality Specialist presented additional background information on the underpass projects in response to a request at the last meeting. Background on the LRC cooperation agreement, LRC responsibility to provide funds and voter response to previous underpass ballot initiatives were discussed. Grants received for HWY 42 improvements and the City's transportation master plan were discussed. This will be an agenda item at a future meeting.

Commissioner Comments: None

Downtown Business Association Updates

The EV Manager attended the DBA meeting this month. This year's Street Faire season was successful. The Ice Rink, Dark Sky, building code and vacancies were discussed.

The EV Manager noted that there will be minor changes next year with the addition of opening bands to help support the food trucks. Food trucks struggle with short window for sales.

The City Manager noted that the City's agreement with Street Faire expires at the end of this year. A new agreement will be brought to Council on September 5 for review/approval.

Chamber of Commerce Updates

None.

Commissioner Comments on Items not on the agenda: None.

Business Matters of Commission:

Cooperation Agreement between the City and LRC for the Outdoor Skating Rink

The EV Manager presented the background on the work done so far to manage the ice rink in the 2023-2024 season. An agreement is needed between Council and LRC. The contract with the vendor will be with City Council. The City Attorney prepared a draft agreement for LRC review and approval. The EV Manager presented the general portions of the agreement, which was included in the meeting packet. The City will be looking at other options on how the ice rink is managed in the future.

The City Attorney mentioned that the contract document is self-explanatory, and he is willing to answer questions.

Chair Adler asked about the contract recitals – Section D it states that revenues will be remitted to the City, not LRC. Section D speaks to management agreement between the City and Contractor. The City will initially receive revenues and remit them to the LRC. The agreement is broad enough to cover the scenario of direct deposit into LRC revenue fund.

The budget amendment will include support from an account not currently being used for staffing support to support this project.

Commissioner Comments: see comments incorporated into the topic above.

Public Comment: None.

Chair Adler made a motion to approve bringing the draft agreement to council for review/approval. Commissioner Smith seconded. Roll call vote: unanimously approved.

Agreement with EPS for Third Party Review:

The EV manager noted that this is a continuation of the discussion in May/June for a direct assistance application. This was reviewed by LRC and approved by Council. This is a 50% cost-share for the third-party financial review, not to exceed \$15,250. If it is determined to approve the application, LRC will reimburse the applicant for their portion of the review. Staff may bring a process change request to LRC and Council to expedite these requests in the future.

Councilmember Leh asked if third party analysis should be required for these applications. The Director of Community Development noted that this topic isn't on the agenda and recommended that staff do more research and include this topic in a future meeting agenda.

Commissioner Comments:

Commissioner Williams noted that the façade on the building under financial review has been removed. The agreement states that the façade was to remain intact to preserve the historic character of the building. Commissioner Smith noted that there may be something behind the façade they needed access to during the repairs. The Director of Community Development mentioned he had just noticed it had been removed. It is not apparent what is old versus what is new, and he will have to review what they are doing. The EV Manager will reach out to the architect to determine what is happening and will share details with LRC.

Public Comment: None

Commissioner Leh made a motion to approve moving forward on the contract. Commissioner Smith seconded. Roll call vote: approved unanimously.

Defining the LRC's Purpose: The City Attorney will present this topic at the September meeting.

Downtown Vision Plan for Streetscapes & Public Places – Contract and Budget

The EV Manager presented the Downtown Vision Plan to the Commission. Staff recommends contracting with Mig to complete the work and requests recommendation from LRC to Council to enter into a contract with Mig to complete the planning process. The vendor's proposal was included in the meeting packet. Staff will be looking at moving budget line items from CIP intended for downtown conduit and pavement repair to pay for this agreement. As this agreement is to create a plan for downtown, staff believes using this funding is appropriate for the vision plan agreement.

Commissioner Comments:

Commissioner Smith asked if the scope of work included cost estimates and what is the percent of design. The Director of Community Development noted that this will be more of a conceptual design.

Commissioner Williams clarified that this won't be for construction; it is just vision planning to identify initial cost estimates for the best investment of LRC funding for downtown streetscape and public places.

The Director of Community Development noted that the LRC wasn't sure what to fund and there was concern about coordination with City CIP projects. The idea is to move forward quickly to begin designing and initiating projects.

The EV Manager noted that Mig includes CIP phasing plan for 15 years in the proposal, which will assist LRC in authorizing funding for projects after 2031.

Commissioner Smith noted that phasing will save us more than the costs of this agreement over the course of project improvements.

The EV Manager noted that Mig will also identify additional funding sources the City can tap into for assistance.

Chair Adler noted that wayfinding is a big part of this visioning plan and asked how far along they will get on wayfinding. The Director of Community Development noted that Mig will have full designs as a result of this agreement. With signage, the design can be provided to any manufacturer to get bids. Mig is the company that did the previously designed signage for the city.

Chair Adler asked what LRC's involvement will be on this project. It is anticipated that LRC will be a stakeholder group and will meet with Mig to provide input. Mig's engagement process is well thought out and there may be multiple opportunities for LRC involvement. The Director of Community Development encouraged LRC to provide input to staff for finalizing the engagement plan. MIG should meet with LRC early, check in as the plan is developed, and provide a final presentation.

Commissioner Williams suggested DBA be invited to participate.

Commissioner Harald clarified that the scope includes public infrastructure, not King Soopers private property. He also asked if MIG has done similar work in Colorado. Recent projects were noted in the proposal.

Councilmember Leh asked if public infrastructure by King Soopers includes sidewalks on both sides. There was a discussion about the public infrastructure along HWY 42.

MIG's plan to engage stakeholders was discussed.

Public Comment:

Josh Cooperman commented on the area near King Soopers, right in front of tire store there is no sidewalk that takes you into the shopping center and suggested it might be a good access point for pedestrians.

Chair Adler made a motion to approve moving forward with the contract. Commissioner Williams seconded. Roll call vote: approved unanimously.

2023 Work Plan Recap and Status Update

The EV Manager presented the commission with a 2023 Work Plan recap and status update to remind LRC of the current work plan, determine what can be completed in 2023, and discuss which priorities should move forward in 2024. She reminded the LRC that the Ice Rink has taken a lot of unanticipated time for Staff and LRC in 2023. Detailed updates were provided in the meeting packet.

There was a discussion around Board and Commission support. It was suggested to move this program to 2024 given the current state of Council redefining Boards and Commissions. The EV Manager suggested that this may not need to be a formal program. Chair Adler suggested LRC should have an application process to help decide what to support.

Councilmember Leh noted that the original idea for Board/Commission support was to enable some boards/commissions, and with the vision plan and restructuring of boards/commission it's prudent to wait for 2024.

There was a discussion on the LRC 2024 budget with a suggestion to keep an eye on council's budget process to influence LRC's priorities.

Commissioner Comments:

Commissioner Harald noted that funding and incentive development should be led by LRC as an Economic Vitality function. Economic vitality and urban renewal are complimentary but may have different purposes. The blight focus of LRC's purpose is important and clarity would be helpful.

There was a discussion on economic vitality and Board/Commission overlapping focus. It was agreed that the Commission and Board support discussion will move to 2024 to be aligned with the purpose of the LRC.

Chair Adler asked to move the work plan discussion to the next meeting and asked if there is anything LRC would like staff to include in the September meeting agenda.

Chair Adler suggested a joint meeting with DBA to improve collaboration and asked if this would require a budget discussion. Commissioner Harald suggested LRC discuss internally in September prior to meeting with DBA to create focus on what LRC would like to achieve through that collaboration. It was recommended LRC meet with DBA in October.

Councilmember Leh suggested it would be worth discussing the third-party review process for financial pro formas at a future meeting.

Public Comments: None.

Façade Improvement Program Application: Moxie Bread Co. @ 641 Main Street

The EV Specialist presented the application for Moxie Bread Co. to the Commission. The application documents were provided in the commission packet. Staff recommends approval of the application.

Commissioner Comments:

Commissioner Williams is in support of this request. At the last meeting we approved the Main Street application and asked if there is sufficient funding to fund this application. This application doesn't go over budget.

City Counsel noted that because the Façade Improvement Program is a bucket funding program, it is recommended that the budget be amended prior to the time the grant applications exceed the budgeted amount for the program. Further Council permission will be needed before increasing the budget for this program for additional applications.

Chair Adler requested the budget amendment to be presented next month. The EV Manager noted that the budget amendment is currently scheduled for October, but staff can bring it to the September meeting to combine all requests into a single amendment.

Councilmember Leh noted that it's important for council/LRC relations for LRC to not over-commit funds.

Commissioner Williams asked staff to provide recommendations on how much the budget should be increased for this program.

The EV Manager noted that staff is looking at expanding this program to a Property Improvement Program so the annual budget request for next year will be higher than this year. This should be on the next meeting agenda.

Public Comments: None.

Commissioner Smith made a motion to approve the application. Councilmember Leh seconded. Roll call vote: approved unanimously.

Façade Improvement Program Agreement Amendment: Amterre Pine LLC @ 1140 Pine Street

The EV Specialist presented the application amendment for Amterre Pine LLC. The original application was approved in July. Mr. Kranzdorf is unable to make the requested improvements due to material application restrictions. Staff worked with the City Attorney on the amended agreement. This request is to approve moving forward on the amended agreement.

Commissioner Comments: None.

Commissioner Harald asked if the amendment is lower in cost than originally requested. It was noted that the reimbursement will be based on the actual amount paid for improvements.

Public Comments: None.

Commissioner Smith made a motion to approve the application. Commissioner Williams seconded. Roll call vote: approved unanimously.

Future Agenda Items

Discussion Items for Next Regular Meeting, Wednesday, September 13, 2023:

1. Define LRC Purpose
2. Work Plan Review
3. Property Improvement Program
4. DBA Engagement
5. 2024 CIP Planning/Coordination
6. Financial Overview

7. Draft RFP for Consultant to Manage URA
8. Direct Financial Assistance Application: 916 Main
9. Façade Improvement Program Applications

Staff will review and propose an agenda prior to the next meeting due to the number of topics. Chair Adler requested the meeting packet be provided on Friday before the next meeting for adequate time to review prior to the meeting. The EV Manager will reach out to the DBA chair to determine the DBA's top priorities prior to the September meeting. Councilmember Leh noted that there are DBA-like entities in surrounding communities that could be reviewed to see how they interact.

Commissioners' Comments: None.

Public Comment: None.

Commissioner Harald motioned to adjourn; Commissioner smith seconded.

Adjourn: The meeting adjourned at 9:42 AM.

SUBJECT: STAFF UPDATES

DATE: SEPTEMBER 20, 2023

PRESENTED BY: AUSTIN BROWN, INTERIM ECONOMIC VITALITY MANAGER

SUMMARY:

In the following, staff provides business and property updates related to activity within the Highway 42 Urban Renewal Area.

Business Assistance Program (BAP) Updates

The proposed amendments to the city's BAP went to City Council for a first reading on September 5. The second reading and public hearing have been set for September 19.

URA Property Updates

The third party financial review of the proforma for the proposed Radiance MedSpa project (916 Main Street) is currently being reviewed by Environmental and Planning Systems (EPS). This review will evaluate the need for possible direct assistance funding to assist with any funding gaps to make the project feasible. The review will return to the LRC for consideration at its October meeting. If the LRC recommends assistance, the application will be presented to City Council for consideration.

Business Openings and Closings

[The Argentos Empanadas](#) (1030 E S Boulder Road) opened its doors on Wednesday September 6. The new Louisville restaurant is the owners' third location, already having one in Silverthorne and one in Keystone.

Ice Rink Update

City Council approved Resolution No. 49, Series 2023 approving a Cooperation Agreement with the LRC regarding the outdoor skating rink at the Steinbaugh Pavilion. The Cooperation Agreement does the following:

- Formalizes the LRC's commitment to pay for the vendor agreement and electricity charges;
- Commits the revenues the City will receive from Rocky Rinks to be delivered back to the LRC; and
- Sets expectations for making decisions about the 2024-2025 season.

The LRC will review a proposed budget amendment to capture the financial commitments to the ice rink during its September meeting.

The ice rink has been named "The Ice on Front".

Dark Sky Lighting

City Council set the public hearing date for the dark sky lighting ordinance for Monday, October 2. At the August Planning Commission hearing, the Planning Commission voted to recommend approval of an updated version of the ordinance including the following changes:

- Any residential addition (net increase in total SF) requires sitewide compliance
- Changes to 25% or more of exterior wall area or materials of an existing building requires building compliance (both residential and nonresidential)
- Nonresidential building additions equal to 25% or more of existing building SF requires sitewide compliance (with existing parking lot pole exemption)

Energy Code Update

Staff held an open house for the Commercial Energy Code on August 29. The event was intended to provide additional education on the adopted energy code and to allow businesses to provide feedback on possible amendments and areas of concern. Approximately 25 members of the business community attended and engaged in conversation with staff. The evening featured two breakout groups: one focusing on new construction and one focusing on existing buildings.

Work Plan

The most recent Work Plan and Advanced Agenda are both included as *Attachment #1*. A recap and status update is included for discussion on today's agenda.

ATTACHMENT(S):

1. LRC 2023 Work Plan and Advanced Agenda



**Louisville Revitalization Commission
2023 Work Plan Prioritization Table**



2023 Priority Projects

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
Downtown Coordinated Streetscape Plan	<ul style="list-style-type: none"> • Discuss scope and funding • Review Request for Proposal • Council approval/collaboration • Contract for consultant • Public Engagement/plan development • Plan adoption • May include EV charging, alleyway activation, and district branding signage 	Q1-Q4	4-6	TBD
Commission and Board URA Project Support	<ul style="list-style-type: none"> • Create proposal process and criteria for Boards and Commissions • Conduct outreach to Cultural Council and others that may be interested in participation • Review and approve proposals 	Q1-Q4	3+	\$50,000
Funding/Incentive Development	<ul style="list-style-type: none"> • Amend cooperation agreement • Review and develop new incentive programs for existing business improvements • New business attraction and business retention incentives for the URA • Could include historic preservation component • Market program • Review/approve funding opportunities 	Q2-Q4	3+	TBD
Sustainability Grant Program	<ul style="list-style-type: none"> • Explore program for energy efficiency building upgrades/EV charging grants (consider partnership with County PACE) • Consult with Sustainability Coordinator 	Q3-Q4	2+	TBD
Marketing Strategy for URA	<ul style="list-style-type: none"> • Update current marketing materials • Potential hiring of marketing/graphics consultant • Develop materials for new LRC programs 	Q1-Q4	As needed	\$150,000



**Louisville Revitalization Commission
2023 Work Plan Prioritization Table**



Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
South Street Underpass	<ul style="list-style-type: none"> Engage with City Council on next steps for funding and design Potential DRCOG TIP grant 	Q2-Q3	1+	TBD
DBA Engagement	<ul style="list-style-type: none"> Meeting w/ DBA to identify projects and partnership opportunities Support creation of DBA BID district funding/election 	Q3	1-2	TBD
Small Business Retention/Attraction	<ul style="list-style-type: none"> Consider Development of Grant Program to attract/retain small businesses within URA 	Q3-Q4	2-4	TBD
Hwy 42 Plan Development	<ul style="list-style-type: none"> DRCOG TIP funded design grant Engage in planning and design 	Q3-Q4	1-2	N/A
SBR Corridor Plan	<ul style="list-style-type: none"> DRCOG corridor planning grant Engage in planning and design 	Q3-Q4	1-2	N/A
2024 CIP Planning/Coordination	<ul style="list-style-type: none"> Develop project list Projects may include bicycle and pedestrian improvements, SBR sidewalk widening, etc. Make recommendations on projects and funding/cost share on priority projects 	Q3	2-3	N/A
10 Year Comprehensive Plan Update	<ul style="list-style-type: none"> Provide feedback on plan development Project will extend into 2024 	Q3 or Q4	1-2	N/A
Façade Improvement Program Application Review	<ul style="list-style-type: none"> Review and approve applications Expand marketing materials 	Q1-Q4	As needed	\$300,000
Development Assistance Application Review	<ul style="list-style-type: none"> Review proposals and develop incentive agreements 	Q1-Q4	As needed	TBD
Downtown Street Light Conversion	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$480,000
Downtown ADA Project	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$120,00
Electric Vehicle Charging Stations	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$26,000
Downtown Conduit and Paver Repair	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$420,000



**Louisville Revitalization Commission
2023 Work Plan Prioritization Table**



Other Potential Projects

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
Small Business Survey	<ul style="list-style-type: none"> • Possible partnership with DBA and/or Chamber 	TBD	TBD	TBD
Shuttle Service to CTC	<ul style="list-style-type: none"> • Create program and hire private shuttle service between CTC and Downtown • Survey DTC to see if it would be desired. 	TBD	TBD	TBD
Inventory Local Events	<ul style="list-style-type: none"> • Create inventory of events and track attendance • Focus on marketing local events • Develop strategy/use for data 	TBD	TBD	TBD
Cooperative Incubator	<ul style="list-style-type: none"> • Define scope and intent of program • Identify location, staffing and resources needed • Lease incubator space for business start up 	TBD	TBD	TBD
Commissioner Outreach to Property Owners	<ul style="list-style-type: none"> • Develop strategy for direct Commissioner outreach to property owners regarding redevelopment opportunities • Inform businesses of current programs/façade program 	TBD	TBD	TBD
Parking Lot Management	<ul style="list-style-type: none"> • Improve Sports Complex parking to provide additional downtown parking 	TBD	TBD	TBD
Downtown WiFi Network	<ul style="list-style-type: none"> • Develop program and contribute to funding • Presentation on Downtown communications options 	TBD	TBD	TBD



**Louisville Revitalization Commission
2023 Tentative Advanced Agenda**



Date	Agenda Items
February 8	<ul style="list-style-type: none"> • Cooperation agreement amendment for pre-approved spending • Discussion – Marketing strategy • Façade improvement program update • 2023 Work Plan review • Review – Façade Improvement Program Applications
March 8	<ul style="list-style-type: none"> • Commission and Board URA Project Support - discussion/develop of process and criteria • URA Marketing Strategy – Window Decals
April 12	<ul style="list-style-type: none"> • URA Marketing Strategy – Window Decals • Downtown Coordinated Streetscape Plan – Scope and RFP • Commission and Board URA Project Support – discussion/develop process and criteria
May 10	<ul style="list-style-type: none"> • Direct Financial Assistance – 916 Main Street, Radiance MedSpa • Funding/Incentive Development – discussion of potential new programs, Part 1 • Board & Commission Mission and Roles Considerations • Winterskate (Special Meeting on 5/24 to discuss budget amendment)
June 14	<ul style="list-style-type: none"> • Public Hearing: 2023 LRC Budget Amendment • TIFF Expenditure Deadline • Funding/Incentive Development – discussion of potential new programs • 2024 CIP Planning/Coordination • Review – Façade Improvement Program Applications
July 12	<ul style="list-style-type: none"> • Funding/Incentive Development – Community-Led Improvement Programs • Ice Rink Electricity Costs • Monthly Meeting Date
August 23	<ul style="list-style-type: none"> • Ice Rink – Cooperation Agreement • Recap of 2023 Work Plan and Status Update • South Street Underpass Discussion • Downtown Coordinated Streetscape Plan – Contract and Budget • Funding/Incentive Program Development • Sustainability Grant Program – presentation from Sustainability Coordinator • DBA Engagement – potential joint meeting • 2024 CIP Planning/Coordination • Application for Direct Financial Assistance – 916 Main Street • Commission and Board URA Project Support
September 13	<ul style="list-style-type: none"> • Downtown Coordinated Streetscape Plan – plan development • Hwy 42 Plan Development - update/feedback • Funding/Incentive Program Development • Sustainability Grant Program – presentation from Sustainability Coordinator



**Louisville Revitalization Commission
2023 Tentative Advanced Agenda**



Date	Agenda Items
	<ul style="list-style-type: none">• DBA Engagement – potential joint meeting• 2024 CIP Planning/Coordination• Application for Direct Financial Assistance - 916 Main Street• Commission and Board URA Project Support
October 11	<ul style="list-style-type: none">• Comp Plan Update presentation/feedback• Sustainability Grant Program – discussion of potential new programs
November 8	<ul style="list-style-type: none">• SBR Corridor Plan – update/feedback
December 13	<ul style="list-style-type: none">• Downtown Coordinated Streetscape Plan – plan development

SUBJECT: RESOLUTION NO. 23-02 – A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH THE CITY REGARDING THE OUTDOOR SKATING RINK AT STEINBAUGH PAVILION

DATE: SEPTEMBER 20, 2023

PRESENTED BY: AUSTIN BROWN, INTERIM ECONOMIC VITALITY MANAGER

SUMMARY:

In recent months the LRC has taken actions to financially support the ability of the City to have an ice skating rink in the downtown which provides a unique recreational opportunity for Louisville residents and visitors, as well as helps to support business activity in the downtown during the winter months. The City Attorney developed the attached cooperation agreement (*Attachment #1*) between the City and the LRC to establish the responsibilities and expectations for each party as they pertain to the city's ice rink. City Council reviewed the cooperation agreement during its September 5 meeting and adopted Resolution No. 49, Series 2023 (*Attachment #2*) formally approving the agreement. The cooperation agreement must return to the LRC for final adoption.

DISCUSSION:

On June 14th, 2023, the LRC approved a new budget appropriation for the purpose of supporting the continuation of the local tradition to have an ice rink in the downtown. Subsequent to that, the City then entered into an Equipment Purchase, Equipment Rental and Management Agreement with Rocky Rinks to secure the items needed to both construct the rink and operate the ice skating events for the 2023-24 season. This has allowed the vendor to place orders for the components needed to construct the ice rink for the upcoming season.

A Cooperation Agreement between the City and the LRC is required to set forth the terms and conditions of the LRC's financial assistance to the City for the ice rink. The cooperation agreement addresses the following major items:

- LRC financial contributions;
- Deadlines to meet for future rink operations/funding; and
- Revenue generation from skating fees and distribution of funds.

LRC Resolution No. 23-02 (*Attachment #3*) would formally approve the cooperation agreement between the City of Louisville and the LRC.

RECOMMENDATION:

Staff recommends adoption of Resolution 23-XX, approving a cooperation agreement with the City regarding the outdoor skating rink at Steinbaugh Pavilion.

SUBJECT: COOPERATION AGREEMENT (OUTDOOR SKATING RINK)

DATE: SEPTEMBER 20, 2023

PAGE 2 OF 2

ATTACHMENTS:

1. Draft Cooperation Agreement between the City of Louisville and the Louisville Revitalization Commission Regarding the Outdoor Ice Rink Equipment and Operations.
2. Resolution No. 49, Series 2023.
3. Resolution No. 23-02.

COOPERATION AGREEMENT (Outdoor Skating Rink)

This Agreement (the "Cooperation Agreement") is made as of _____, 2023, by and between the **CITY OF LOUISVILLE** (the "City") and the **LOUISVILLE REVITALIZATION COMMISSION** (the "LRC"). The City and the LRC are sometimes referred to herein individually as a Party and collectively as the Parties.

RECITALS

A. The City is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City (the "Charter").

B. The LRC is a public body corporate and politic authorized to transact business and exercise its powers as an urban renewal authority under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Act").

C. The City is party to that certain Equipment Purchase, Equipment Rental, and Management Agreement, dated July 6, 2023 (the "Management Agreement"), with Loners LLC, dba Rocky Rinks (the "Contractor"), pertaining to the operation of the City's annual wintertime temporary outdoor ice skating rink located at the Steinbaugh Pavilion ("Ice Rink"), for the 2023-2024 Season, subject to renewal by the City for the 2024-2025 Season (the "Program").

D. Under the Management Agreement, the City will purchase from the Contractor and rent certain equipment necessary for the successful operation of the Ice Rink (the "Equipment"), and pay the Contractor a fee to manage the Ice Rink, for a total cost of \$405,458 ("Management Contract Price") for the 2023-2024 Season, in exchange for the Contractor's remittance of all revenues collected by the Contractor derived from skater fees, including admissions and skate rentals ("Revenues"), to the City.

E. The City entered into the Management Agreement with the expectation that the LRC would bear ultimate responsibility for the Management Contract Price in exchange for the Revenues remitted by the Contractor to the City under the Management Agreement.

F. In addition to paying the Management Contract Price, the LRC is willing to pay electricity costs incurred by the City relative to the Ice Rink, up to a not-to-exceed amount.

G. The Ice Rink is located within the area (the "Plan Area") described in the Highway 42 Revitalization Area Urban Renewal Plan (the "Plan").

H. The Plan provides for financing the activities and undertakings of the LRC by means of property tax allocation or tax increment financing (“Property Tax TIF”) in accordance with Section 31-25-107(9) of the Act.

I. The LRC finds that continued operation of the Ice Rink under the Management Agreement will prevent the spread of blight within the Plan Area by drawing residents and visitors into downtown Louisville for the benefit of downtown businesses, in furtherance of the purposes of the Act and Plan.

J. The Act and Section 18, Article XIV of the Colorado Constitution authorize the Parties to enter into cooperation agreements.

K. The Parties desire to enter into this Cooperation Agreement to set forth the terms of the LRC’s Contribution.

L. The Parties intend that LRC’s financial assistance under this Cooperation Agreement be limited to certain Property Tax TIF revenue available to the LRC after payment of (i) LRC operating, administrative, consulting, and other costs (“Operating Expenses”), and (ii) any prior financial obligations of the LRC, including but not limited to any (a) existing bonded indebtedness, and (b) amounts required to be paid out of the LRC’s special fund under existing agreements to which the LRC is a party (“Prior Financial Obligations”).

AGREEMENT

NOW THEREFORE, in consideration of the foregoing and the following terms and conditions, the Parties agree as follows:

1. Administration of Program. The City will perform the City’s obligations and may exercise any and all rights under the Management Agreement with the Contractor.

2. LRC Financial Assistance.

a. In accordance with Section 31-25-107(9)(a)(II) of the Act, the LRC has established a special fund (the “Special Fund”) and deposited therein all Property Tax TIF revenue from the Plan Area upon receipt from the Treasurer of Boulder County.

b. Notwithstanding any provisions of this Cooperation Agreement to the contrary, the Parties agree the LRC may use for any lawful purpose amounts not required for payments under this Cooperation Agreement.

c. The Parties expressly agree that the LRC’s obligations hereunder are subordinate to payment of the LRC’s Operating Expenses and Prior Financial Obligations.

d. Upon request of the LRC, the City agrees to give reasonable consideration to subordinating its rights under this Cooperation Agreement to payment of other

obligations of the LRC, including but not limited to any bonds, loans, advances, or other LRC indebtedness.

e. 2023-2024 Season. Within thirty (30) days of the execution of this Cooperation Agreement, the LRC agrees to make a lump sum payment to the City in the total amount of \$ 405,458.00 (“LRC Assistance”), in a manner determined appropriate by the City’s Finance Director, which funds shall be used by the City to make payments to the Contractor as such payments become due under the Management Agreement for the 2023-2024 Season. In addition, the LRC agrees to pay the City up to \$ 20,000 to offset electricity charges incurred by the City relative to the Ice Rink. Electricity charges exceeding \$ 20,000 for the 2023-2024 Season, shall be the responsibility of the City. The City’s Finance Director, or the Director’s designee, shall make deductions from the LRC’s Special Fund or City’s General Fund, as applicable, as frequently and in such amounts as are necessary to pay such charges as they become due. Notwithstanding the foregoing sentence, the City’s Finance Director may determine an alternative method of paying such charges in the Director’s reasonable discretion.

f. 2024-2025 Season. The LRC shall provide written notice to the City Council regarding the LRC’s intent to contribute financially to the Program for the 2024-2025 Season, and the amount of such contribution, if any, and whether the LRC will pay electricity use charges relative to the Ice Rink, no later than April 1, 2024 (the “Notice”). The City shall respond to such Notice in writing no later than May 31, 2024, which response shall indicate whether the City intends to renew the Management Agreement and accept the LRC’s financial assistance for the 2024-2025 Season (“Response”). If the City accepts the LRC’s financial assistance, the LRC shall make a lump sum payment in the amount indicated in the Notice no later than June 30, 2024. While the LRC financial assistance may influence the City’s decision to renew the Management Agreement for the 2024-2025 Season, nothing herein shall obligate the City to do so.

g. The City’s Finance Director, or the Director’s designee, shall keep, or cause to be kept, proper and current books and accounts in which complete and accurate entries shall be made of the amounts deposited into and paid out from the Special Fund and General Fund under this Section.

3. Program Revenues. a. For the 2023-2024 Season, the City’s Finance Director, or the Director’s designee, shall deposit all Revenues received under the Management Agreement into the LRC’s Special Fund.

b. The City’s Finance Director, or the Director’s designee, shall keep, or cause to be kept, proper and current books and accounts in which complete and accurate entries shall be made of the amounts deposited into the Special Fund for the Program.

4. Termination. This Cooperation Agreement shall terminate upon expiration or termination of the Management Agreement for any reason.

5. Continuing Cooperation; Additional Agreements. The Parties shall cooperate to carry out and complete the Program as approved by the City Council. The Parties agree to cooperate and give timely consideration to any additional agreements or amendments to this Cooperation Agreement that may be necessary or convenient in connection with such activities and undertakings; provided, however, nothing in this Cooperation Agreement shall preclude or require the commitment of additional revenue, financing, or services by either Party beyond those provided for herein in connection with such activities and undertakings.

6. Obligations Subject to Act, Charter, and Constitution. The covenants, duties and actions required of the Parties under this Cooperation Agreement shall be subject to and performed in accordance with the provisions and procedures required and permitted by the Charter, the Act, any other applicable provision of law, and the Colorado Constitution. Without limiting the foregoing, all financial obligations of the City are subject to annual budgeting and appropriation of funds in the discretion of the City Council, and nothing in this Cooperation Agreement is intended or shall be deemed or construed as creating any multiple fiscal-year direct or indirect debt or financial obligation of the City.

7. Enforced Delay. Neither Party shall be considered in breach of, or in default in, its obligations with respect to this Cooperation Agreement in the event of delay in the performance of such obligations due to causes beyond its control and without its fault, it being the purpose and intent of this provision that if such delay occurs, the time or times for performance by either Party affected by such delay shall be extended for the period of the delay.

8. Prior Agreements. Nothing in this Cooperation Agreement is intended or shall be construed to operate as an amendment to any prior agreement between the Parties, or to enlarge, diminish or impair any provisions of, or any rights, duties or obligations thereunder.

9. No Third-Party Beneficiaries. Neither the City nor the LRC shall be obligated or liable under the terms of this Cooperation Agreement to any person or entity not a party hereto.

10. Severability. In case any one or more of the provisions contained in this Cooperation Agreement or any application thereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of this Cooperation Agreement, or any other application thereof, shall not in any way be affected or impaired thereby.

11. Binding Effect. Subject to compliance with Section 13, below, this Cooperation Agreement shall be binding upon and inure to the benefit of the Parties, their successors, legal representatives, and assigns.

12. City and Commission Separate. Nothing in this Cooperation Agreement shall be interpreted in any manner as constituting the City or its officials, representatives, consultants, or employees as the agents of the LRC, or the LRC or its officials, representatives, consultants, or employees as the agents of the City. Each entity shall remain a separate legal entity pursuant to applicable law. Neither of the Parties hereto shall be deemed to hereby assume the debts, obligations, or liabilities of the other. The LRC shall be responsible for carrying out its duties and functions in accordance with the Act and other applicable laws and regulations, and nothing herein shall be construed to compel either Party to take any action in violation of law.

13. Assignment. This Cooperation Agreement shall not be assigned in whole or in part by either Party without the prior written approval of the other Party.

14. Governing Law. This Cooperation Agreement shall be governed by, and construed in accordance with, the laws of the State of Colorado.

15. Headings. Section headings in this Cooperation Agreement are for convenience of reference only and shall not constitute a part of this Cooperation Agreement for any other purpose.

16. Additional or Supplemental Agreements. The Parties mutually covenant and agree that they will execute, deliver and furnish such other instruments, documents, materials, and information as may be reasonably required to carry out this Cooperation Agreement.

17. Entire Agreement; Amendment. This Cooperation Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof. No addition to or modification of the Cooperation Agreement shall be effective, except by written agreement authorized and executed by the Parties.

IN WITNESS WHEREOF, the Parties have caused this Cooperation Agreement to be duly executed and delivered by their respective officers as of the date first above written.

CITY OF LOUISVILLE,
a Colorado municipal corporation

ATTEST:

Mayor

City Clerk

LOUISVILLE REVITALIZATION COMMISSION

ATTEST:

Chair

Secretary

**RESOLUTION NO. 49
SERIES 2023**

**A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH THE
LOUISVILLE REVITALIZATION COMMISSION REGARDING THE OUTDOOR
SKATING RINK AT THE STEINBAUGH PAVILION**

WHEREAS, the City of Louisville (the “City”) is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City; and

WHEREAS, the Louisville Revitalization Commission (the “LRC”) is a public body corporate and politic authorized to transact business and exercise its powers as an urban renewal authority under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the “Act”); and

WHEREAS, the City is party to that certain Equipment Purchase, Equipment Rental, and Management Agreement, dated July 6, 2023 (the “Management Agreement”), with Loners LLC, dba Rocky Rinks (the “Contractor”), pertaining to the operation of the City’s annual wintertime temporary outdoor ice skating rink located at the Steinbaugh Pavilion (“Ice Rink”), for the 2023-2024 Season, subject to renewal by the City for the 2024-2025 Season (the “Program”); and

WHEREAS, under the Management Agreement, the City has or will purchase from the Contractor and rent certain equipment necessary for the successful operation of the Ice Rink (the “Equipment”), and pay the Contractor a fee to manage the Ice Rink, for a total cost of \$405,458 (“Management Contract Price”) for the 2023-2024 Season, in exchange for the Contractor’s remittance of all revenues collected by the Contractor derived from skater fees, including admissions and skate rentals (“Revenues”), to the City; and

WHEREAS, the City entered into the Management Agreement with the expectation that the LRC would bear ultimate responsibility for the Management Contract Price in exchange for the Revenues remitted by the Contractor to the City under the Management Agreement; and

WHEREAS, in addition to paying the Management Contract Price, the LRC has agreed to pay electricity costs incurred by the City relative to the Ice Rink, up to a not-to-exceed amount; and

WHEREAS, the Ice Rink is located within the area (the “Plan Area”) described in the LRC’s the Highway 42 Revitalization Area Urban Renewal Plan (the “Plan”); and

WHEREAS, the Plan provides for financing the activities and undertakings of the LRC by means of property tax allocation or tax increment financing (“Property Tax TIF”) in accordance with Section 31-25-107(9) of the Act; and

WHEREAS, the Act and Section 18, Article XIV of the Colorado Constitution authorize the Parties to enter into cooperation agreements; and

WHEREAS, there has been prepared a Cooperation Agreement to set forth the terms and conditions of the LRC's financial assistance to the City for the Ice Rink; and

WHEREAS, the LRC and the City intend that LRC financial assistance for the Ice Rink be limited to certain Property Tax TIF revenue available to the LRC after payment of (i) LRC operating, administrative, consulting, and other costs ("Operating Expenses"), and (ii) any prior financial obligations of the LRC, including but not limited to any (a) existing bonded indebtedness, and (b) amounts required to be paid out of the LRC's special fund under existing agreements to which the LRC is a party ("Prior Financial Obligations").

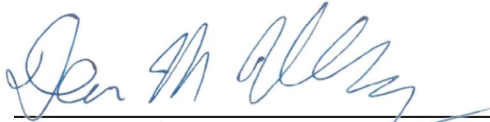
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. The proposed Cooperation Agreement between the City of Louisville and the Louisville Revitalization Commission (the "Agreement"), regarding the outdoor ice rink at the Steinbaugh Pavilion on Front Street, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

Section 2. The Mayor is authorized to execute the Agreement on behalf of the City, except that the Mayor is hereby further granted authority to negotiate and approve such revisions to said Agreement as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the Agreement are not altered.

Section 3. The Mayor, City Manager and City Staff are further authorized to do all things necessary on behalf of the City to perform the obligations of the City under the Agreement, and are further authorized to execute and deliver any and all documents necessary to accomplish the terms, conditions and provisions of the Agreement.

PASSED AND ADOPTED this 5th day of September, 2023.


Dennis Maloney, Mayor

ATTEST:


Meredyth Muth, City Clerk



**LOUISVILLE REVITALIZATION COMMISSION
RESOLUTION NO. 23-02**

**A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH
THE CITY REGARDING THE OUTDOOR SKATING RINK AT THE
STEINBAUGH PAVILION**

WHEREAS, the LRC is a public body corporate and politic authorized to transact business and exercise its powers as an urban renewal authority under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the “Act”); and

WHEREAS, the City is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City (the “Charter”); and

WHEREAS, the City is party to that certain Equipment Purchase, Equipment Rental, and Management Agreement, dated July 6, 2023 (the “Management Agreement”), with Loners LLC, dba Rocky Rinks (the “Contractor”), pertaining to the operation of the City’s annual wintertime temporary outdoor ice skating rink located at the Steinbaugh Pavilion (“Ice Rink”), for the 2023-2024 Season, subject to renewal by the City for the 2024-2025 Season (the “Program”); and

WHEREAS, under the Management Agreement, the City has or will purchase from the Contractor and rent certain equipment necessary for the successful operation of the Ice Rink (the “Equipment”), and pay the Contractor a fee to manage the Ice Rink, for a total cost of \$405,458 (“Management Contract Price”) for the 2023-2024 Season, in exchange for the Contractor’s remittance of all revenues collected by the Contractor derived from skater fees, including admissions and skate rentals (“Revenues”), to the City; and

WHEREAS, the City entered into the Management Agreement with the expectation that the LRC would bear ultimate responsibility for the Management Contract Price in exchange for the Revenues remitted by the Contractor to the City under the Management Agreement; and

WHEREAS, in addition to paying the Management Contract Price, the LRC has agreed to pay electricity costs incurred by the City relative to the Ice Rink, up to a not-to-exceed amount; and

WHEREAS, the Ice Rink is located within the area (the “Plan Area”) described in the Highway 42 Revitalization Area Urban Renewal Plan (the “Plan”); and

WHEREAS, the Plan provides for financing the activities and undertakings of the

LRC by means of property tax allocation or tax increment financing (“Property Tax TIF”) in accordance with Section 31-25-107(9) of the Act; and

WHEREAS, the LRC finds that the continued operation of the Ice Rink will help prevent the spread of blight within the Plan Area by drawing residents and visitors into downtown Louisville for the benefit of downtown businesses, in furtherance of the purposes of the Act and Plan, and thus desires to participate financially in the Ice Rink; and

WHEREAS, the Act and Section 18, Article XIV of the Colorado Constitution authorize the Parties to enter into cooperation agreements; and

WHEREAS, there has been prepared a Cooperation Agreement to set forth the terms and conditions of the LRC’s financial assistance to the City for the Ice Rink; and

WHEREAS, the LRC and the City intend that LRC financial assistance for the Ice Rink be limited to certain Property Tax TIF revenue available to the LRC after payment of (i) LRC operating, administrative, consulting, and other costs (“Operating Expenses”), and (ii) any prior financial obligations of the LRC, including but not limited to any (a) existing bonded indebtedness, and (b) amounts required to be paid out of the LRC’s special fund under existing agreements to which the LRC is a party (“Prior Financial Obligations”).

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

Section 1. The proposed Cooperation Agreement (the “Agreement”) between the City of Louisville and the Louisville Revitalization Commission (the “LRC”), regarding the outdoor ice rink at the Steinbaugh Pavilion on Front Street, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

Section 2. The Chair is authorized to execute the Agreement on behalf of the LRC, and the Chair is hereby further authorized to negotiate and approve such revisions to said Agreement as the Chair determines are necessary or desirable for the protection of the LRC, so long as the essential terms and conditions of the Agreement are not altered.

ADOPTED this 20th day of September, 2023.

ATTEST:

Chair

Secretary

SUBJECT: PUBLIC HEARING – RESOLUTION 23-03: AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2023 FOR THE URBAN REVITALIZATION DISTRICT

DATE: SEPTEMBER 20, 2023

PRESENTED BY: AUSTIN BROWN, INTERIM ECONOMIC VITALITY MANAGER

SUMMARY:

The Louisville Revitalization Commission (LRC) must approve all budget amendments for the Urban Revitalization District (URD). The proposed budget amendments by the LRC must be submitted to Louisville City Council for review and approval prior to final LRC adoption.

The proposed budget amendment is included as *Attachment #1*. Staff requests a general discussion with the Commission and seeks input as to the proposed budget adjustments for 2022 (highlighted in red). A public hearing will be held at this meeting to also take additional input on these amendments. Staff has included a draft Resolution (*Attachment #2*) in the materials, but please note that final action on the Resolution is not requested. If the LRC concurs with the amendments as presented and the draft Resolution, the item would be advanced to City Council for their approval and then return to the LRC for final approval. Staff anticipates City Council could review the amendment at its October 17, 2023 meeting and then the Resolution for adopting the 2023 budget amendment would return to the LRC at its October 20, 2023 meeting.

The proposed amendment has been updated to include new financial commitments that have been made by the LRC in 2023, including:

- Downtown Vision Plan for Streetscapes and Public Places, \$152,500. Please note that the \$152,500 has been transferred from the Downtown Conduit & Paver Repair Capital Improvement Project.

Several items previously budgeted by the LR for 2023 have also been adjusted slightly based on actual pricing or amended agreements, including:

- Adjustment to revenues (property tax and interest earnings), revenue-sharing agreements (Tri-Party and Louisville Fire Protection District), and principal payments for bonds from the original budget estimate and first amendment.
- Agreed-to costs for WinterSkate. The LRC agreed to cover the remaining contract amount with the rink vendor of \$105,458. The LRC also agreed to cover the electricity cost for the operation of the ice rink, which is estimated at \$20,000 for the 2023-23 season. This results in an expected cost of \$425,458.
- Staffing Support. The additional \$125,458 for WinterSkate has been transferred from Staffing Support.

SUBJECT: AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2023

DATE: SEPTEMBER 20, 2023

PAGE 2 OF 2

- Downtown Conduit & Paver Repair. The \$152,500 for Downtown Vision Plan for Streetscapes and Public Places has been transferred from the Downtown Conduit & Paver Repair Capital Improvement Project.

Please note that staff is also suggesting that the budget amendment include an increase in Façade Improvement Program funding. So far in 2023, the LRC has committed \$275,488.70 of the \$300,000 budgeted for the Façade Improvement Program. If it wishes to approve additional Façade Improvement Program requests in 2023, the LRC may want to consider increasing Façade Improvement Program funding. Staff suggests a \$50,000 increase; resulting in \$74,521.30 of Façade Improvement Program funding that can still be committed for 2023.

Additional context on the status of other budgeted items will be addressed in the LRC's discussion of the preliminary 2024 budget.

RECOMMENDATION:

This information is presented for discussion. Staff requests direction on submitting the budget changes to the Louisville City Council.

ATTACHMENT(S):

1. Proposed 2023 Budget Amendment for the Urban Revitalization District
2. Draft Resolution 23-03

Exhibit A
2023 URD Budget Amendment

	2020 Actual	2021 Actual	2022 Actual	2023			2023 Proposed Budget Amendment
				Current Budget	Actual @ 09/13/23	Latest Estimate	
Beginning Fund Balance	1,120,508	2,238,611	2,870,990	3,105,779	2,936,881	3,105,779	3,105,779
Revenue:							
Property Tax	1,904,547	2,052,703	2,302,350	2,068,720	2,033,587	2,068,720	2,068,720
Interest Earnings	33,595	(1,990)	34,060	61,920	63,824	63,824	63,824
Total Revenue	1,938,142	2,050,713	2,336,410	2,130,640	2,097,411	2,132,544	2,132,544
Expenditures:							
Marketing, Communications & Project Development	-	-	75,000	150,000	261	261	150,000
Staffing Support	-	-	-	200,000	-	75,542	75,500
Support Services - COL	60,000	45,000	45,000	50,000	-	50,000	50,000
CIP Consulting	-	-	-	104,730	-	104,730	104,730
Cap Contr - COL - Underpass	-	-	-	-	-	-	-
Cap Contr - COL - Undergrounding	-	-	-	187,000	-	-	187,000
Cap Contr - COL - TMP- Sidewalk- Griffith-Pine	-	-	16,500	-	-	-	-
Cap Contr - COL - South Street Gateway Art	-	-	-	-	-	-	-
Cap Contr - COL - Patio Parklet Enhancement	-	-	80,000	-	-	-	-
Cap Contr - COL - Front Street Sidewalk Connectivity Improvements	-	-	100,000	-	-	-	-
Cap Contr - COL - Downtown Streetlight Conversion	-	-	-	480,000	106	106	480,000
Cap Contr - COL - Electric Vehicle Charging Stations	-	-	-	26,500	-	-	26,500
Cap Contr - COL - Downtown Conduit & Paver Repair	-	-	-	420,800	-	-	268,300
Cap Contr - COL - Downtown ADA Project	-	-	-	120,000	-	-	120,000
TIF Refund - Boulder County	134,132	144,567	164,620	147,910	-	147,910	147,910
TIF Refund - Fire District	51,714	53,037	57,580	49,880	-	49,880	49,880
WinterSkate	-	-	-	300,000	300,000	425,458	425,500
Downtown Vision Plan for Streetscapes and Public Places	-	-	-	-	-	152,500	152,500
Façade Improvement Programming	-	-	250,000	300,000	68,186	275,489	350,000
District Wayfinding Signage	-	1,728	200,000	-	-	-	-
Bike Networks & Bike Parking	-	-	55,000	-	-	-	-
Commission and Board URA Project Support	-	-	-	50,000	-	-	50,000
Bottle Filling Station and Brick Replacement	-	-	15,000	-	-	-	-
Assistance Agreement - 824 South	-	294,108	-	-	-	-	-
Assistance Agreement - 511 SBR	-	-	-	-	-	-	-
Assistance Agreement - 950 Spruce	-	-	-	980,916	-	-	980,916
DCI Consulting Services Agreement	-	-	17,500	-	-	-	-
Bond Maint Fees - Paying Agent	7,150	7,150	7,150	7,150	-	7,150	7,150
ES & SBP Grants	100,000	88,000	-	-	-	-	-
Professional Services - Investment Fees	3,720	4,142	3,500	5,000	4,231	5,000	5,000
Professional Services - Other	-	-	12,000	12,000	360	12,000	12,000
Payments from Construction Acct - DELO	-	17,938	295,000	212,301	-	212,301	212,301
Principal-Bonds	133,369	457,000	603,000	607,000	-	590,000	607,000
Interest-Bonds	329,954	305,664	273,670	232,370	-	273,670	232,370
Total Expenditures	820,039	1,418,334	2,270,520	4,643,557	373,144	2,381,997	4,694,557
Ending Fund Balance	2,238,611	2,870,990	2,936,881	592,862	4,661,148	2,856,326	543,766

**LOUISVILLE REVITALIZATION COMMISSION
RESOLUTION NO. 23-03**

A RESOLUTION ADOPTING AN AMENDMENT TO THE ANNUAL BUDGET FOR THE LOUISVILLE REVITALIZATION COMMISSION AND APPROPRIATING ADDITIONAL EXPENDITURES FOR THE FISCAL YEAR 2023.

WHEREAS, there has been prepared and submitted to the Board of Commissioners a proposed budget amendment to include new financial commitments that have been made by the Louisville Revitalization Commission (the “LRC”) in the fiscal year 2023; and

WHEREAS, the proposed budget amendments include expenditures related to the South Street Gateway public art project, enhancements to the downtown Louisville patio parklets, the assistance provided to the developer of 511 E. South Boulder Road, and the Small Business Preservation Grant Program; and

WHEREAS, the proposed budget amendments were submitted to City Council for review and approval in accordance with the Amended and Restated Cooperation Agreement, dated November 17, 2015, and the City Council approved such budget amendments on _____, 2023; and

WHEREAS, the LRC has held a public hearing on the proposed budget amendments following public notice of the same.

NOW THEREFORE, BE IT RESOLVED BY THE LOUISVILLE REVITALIZATION COMMISSION:

Section 1. The budget amendments for the Louisville Revitalization Commission (the “LRC”) for the fiscal year beginning January 1, 2023 and ending December 31, 2023, as shown in Exhibit A attached hereto and incorporated herein by this reference (the “Budget Amendments”), are hereby approved and adopted.

Section 2. Moneys are hereby appropriated to pay for the Budget Amendments as provided in Exhibit A.

ADOPTED this ____ day of October, 2023.

ATTEST:

Corrie Williams, Secretary

Alexis Adler, Chair

**SUBJECT: DISCUSSION – DEFINING THE LRC’S PURPOSE; AN
ANALYSIS OF THE URBAN RENEWAL ACT & THE LRC’S
GOVERNING DOCUMENTS**

DATE: SEPTEMBER 20, 2023

PRESENTED BY: NICK COTTON-BAEZ, LRC/CITY ATTORNEY

SUMMARY:

At the LRC’s regular meeting on July 12, 2023, Commissioner Leh raised the issue of the LRC’s purpose and encouraged Commissioners to review the LRC’s governing documents. This memorandum contains a summary and analysis of the Urban Renewal Law and the document governing the LRC’s activities—i.e., the Highway 42 Revitalization Area Urban Renewal Plan—relative to defining the LRC’s purpose.

DISCUSSION:

The Louisville Revitalization Commission (“LRC”) is an Urban Renewal Authority (“URA”), a body politic formed pursuant to the Urban Renewal Law, C.R.S. § 31-25-101, *et seq.* (the “Act”).

According to the Act,¹ the purpose of urban renewal is the prevention and clearance of slums and blighted areas through reclamation, rehabilitation, redevelopment, or conservation. In other words, the singular purpose of a URA is the prevention and elimination of blight.

While sound economic development is not a direct URA purpose, URAs often manifest economic development through urban renewal projects aimed at eliminating blight. However, the prevention and elimination of blight should be the primary focus of URA activities.

It should not be discounted that URA activities have the potential to increase URA revenues from property tax increment, thus making way for additional URA undertakings. In other words, a single urban renewal project may ultimately give rise to benefits to the whole of the urban renewal area. Therefore, it stands to reason that projects resulting in increased URA revenues are central to the URA’s purpose.

¹ See C.R.S. §§ 31-25-102 (legislative declaration), -103 (definitions), and -105 (powers of an authority).

Pursuant to the Act, the City has adopted two urban renewal plans²—i.e., the Highway 42 Revitalization Area Urban Renewal Plan³ (2006) (“HW 42 Plan”) and 550 S. McCaslin Urban Renewal Plan (2015)—each of which serve to further the LRC’s singular purpose of preventing and eliminating blight, and govern the LRC’s activities, within the areas identified in the respective plans for “urban renewal projects.”⁴

The Act and the HW 42 Plan each speak to rehabilitation and redevelopment, thus making way for both small and large projects. The LRC’s façade improvement program is authorized under the Act as “a program of voluntary repair and rehabilitation of buildings and improvements,”⁵ and under the HW 42 Plan as a rehabilitation program.⁶ The Act and HW 42 Plan would, similarly, support a program for the rehabilitation of buildings and improvements for compliance with “state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings.”⁷

While the Act does not use the phrase “catalyst project,” the various tools made available to the URA under the Act (e.g., tax increment financing and debt issuance) strongly imply the centrality of such projects to urban renewal efforts.

By contrast, the HW 42 Plan does use the phrase “catalyst project,” indicating a goal of “targeted investment that will serve to catalyze redevelopment throughout the [HW 42 Plan] Area,” while acknowledging “the potential for multiple eligible catalyst projects is limited” due to the “limited number of major property holdings” and “average parcel size” of properties within the HW 42 Plan Area.

CONCLUSION:

While LRC activities may manifest sound economic development through urban renewal projects, the prevention and elimination of blight should be the primary focus of all URA activities.

² “Urban Renewal Plan’ means a plan...for an urban renewal project, which plan conforms to a general or master plan for the physical development of the municipality as a whole and which is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan’s relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.” C.R.S. § 31-25-103(9).

³ This memorandum focuses on the Highway 42 Revitalization Area Urban Renewal Plan because funding has not been made available for activities contemplated under the 550 S. McCaslin Urban Renewal Plan.

⁴ “Urban renewal project’ means undertakings and activities for the elimination and for the prevention of the development or spread of slums and blight and may involve slum clearance and redevelopment, or rehabilitation, or conservation, or any combination or part thereof, in accordance with an urban renewal plan...[that] may require acquisition, clearance, and disposition subject to use restrictions...[or that] may be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated in this section may be eliminated, remedied, or prevented...” C.R.S. § 31-25-103(10).

⁵ C.R.S. § 31-25-105(1)(I)(V).

⁶ See, generally, references to rehabilitation in Sections 1.3 and 5.5 of the HW 24 Plan.

⁷ C.R.S. § 31-25-105(1)(I)(V).

The Act and the HW 42 Plan authorize both smaller-scale rehabilitation projects, and larger-scale (or “catalyst”) redevelopment projects. The HW 42 Plan promotes the undertaking of catalyst projects, while acknowledging limited opportunities for such projects within the Plan Area.

While smaller-scale rehabilitation projects are an important component of urban renewal, projects resulting in increased LRC revenues may do more to further the LRC’s purpose of preventing and eliminating blight within the whole of the HW 42 Plan. However, opportunities for catalyst projects may be limited.

ATTACHMENTS:

1. Urban Renewal Law
 - a. Legislative Declaration (C.R.S. § 31-25-102)
 - b. Definitions (C.R.S. § 31-25-103)
 - c. Powers of an Authority (C.R.S. § 31-25-105)
2. Highway 42 Revitalization Area Urban Renewal Plan (2006)
3. 550 S. McCaslin Urban Renewal Plan (2015)

Colorado Urban Renewal Law, C.R.S. § 31-25-101, et seq.

Section 31-25-102 - Legislative declaration.

(1) The general assembly finds and declares that there exist in municipalities of this state slum and blighted areas which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state in general and of the municipalities thereof; that the existence of such areas contributes substantially to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums and blight is a matter of public policy and statewide concern in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

(2) The general assembly further finds and declares that certain slum or blighted areas, or portions thereof, may require acquisition, clearance, and disposition subject to use restrictions, as provided in this part 1, since the prevailing conditions therein may make impracticable the reclamation of the area by conservation or rehabilitation; that other slum or blighted areas, or portions thereof, through the means provided in this part 1, may be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated in this section may be eliminated, remedied, or prevented; and that salvable slum and blighted areas can be conserved and rehabilitated through appropriate public action, as authorized or contemplated in this part 1, and the cooperation and voluntary action of the owners and tenants of property in such areas.

(3) The general assembly further finds and declares that the powers conferred by this part 1 are for public uses and purposes for which public money may be expended and the police power exercised and that the necessity in the public interest for the provisions enacted in this part 1 is declared as a matter of legislative determination.

(4) The general assembly further finds and declares that:

(a) Urban renewal areas created for the purposes described in subsections (1) and (2) of this section shall not include agricultural land except in connection with the limited circumstances described in this part 1; and

(b) The inclusion of agricultural land within urban renewal areas is a matter of statewide concern.

Section 31-25-103 - Definitions.

As used in this part 1, unless the context otherwise requires:

(9) "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan conforms to a general or master plan for the physical development of the municipality as a whole and which is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

(10) "Urban renewal project" means undertakings and activities for the elimination and for the prevention of the development or spread of slums and blight and may involve slum clearance and redevelopment, or rehabilitation, or conservation, or any combination or part thereof, in accordance with an urban renewal plan. Such undertakings and activities may include:

- (a) Acquisition of a slum area or a blighted area or portion thereof;
- (b) Demolition and removal of buildings and improvements;
- (c) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of this part 1 in accordance with the urban renewal plan;
- (d) Disposition of any property acquired or held by the authority as a part of its undertaking of the urban renewal project for the urban renewal areas (including sale, initial leasing, or temporary retention by the authority itself) at the fair value of such property for uses in accordance with the urban renewal plan;
- (e) Carrying out plans for a program through voluntary action and the regulatory process for the repair, alteration, and rehabilitation of buildings or other improvements in accordance with the urban renewal plan; and
- (f) Acquisition of any other property where necessary to eliminate unhealthful, unsanitary, or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise remove or prevent the spread of blight or deterioration or to provide land for needed public facilities.

Section 31-25-105 - Powers of an authority.

(1) Every authority has all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part 1, including, but not limited to, the following powers in addition to others granted in this part 1:

(a) To sue and to be sued; to adopt and have a seal and to alter the same at pleasure; to have perpetual succession; to make, and from time to time amend and repeal, bylaws, orders, rules, and regulations to effectuate the provisions of this part 1;

(b) To undertake urban renewal projects and to make and execute any and all contracts and other instruments which it may deem necessary or convenient to the exercise of its powers under this part 1, including, but not limited to, contracts for advances, loans, grants, and contributions from the federal government or any other source;

(c) To arrange for the furnishing or repair by any person or public body of services, privileges, works, streets, roads, public utilities, or educational or other facilities for or in connection with a project of the authority; to dedicate property acquired or held by it for public works, improvements, facilities, utilities, and purposes; and to agree, in connection with any of its contracts, to any conditions that it deems reasonable and appropriate under this part 1, including, but not limited to, conditions attached to federal financial assistance, and to include in any contract made or let in connection with any project of the authority provisions to fulfill such of said conditions as it may deem reasonable and appropriate;

(d) To arrange with the municipality or other public body to plan, replan, zone, or rezone any part of the area of the municipality or of such other public body, as the case may be, in connection with any project proposed or being undertaken by the authority under this part 1;

(e) To enter, with the consent of the owner, upon any building or property in order to make surveys or appraisals and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to acquire any property by purchase, lease, option, gift, grant, bequest, devise, or otherwise to acquire any interest in property by condemnation, including a fee simple absolute title thereto, in the manner provided by the laws of this state for the exercise of the power of eminent domain by any other public body (and property already devoted to a public use may be acquired in a like manner except that no property belonging to the federal government or to a public body may be acquired without its consent); except that any acquisition of any interest in property by condemnation by an authority must be approved as part of an urban renewal plan or substantial modification thereof, as provided in section 31-25-107, by a majority vote of the governing body of the municipality in which such property is located, and the acquisition of property by condemnation by an authority shall also satisfy the requirements of section 31-25-105.5; to hold, improve, clear, or prepare for redevelopment any such property; to mortgage, pledge, hypothecate, or otherwise encumber or dispose of its property; and to insure or provide for the insurance of any property or operations of the authority against any risks or hazards; except that no provision of any other law with respect to the planning or undertaking of projects or the acquisition, clearance, or disposition of property by public bodies shall restrict an authority exercising

powers under this part 1 in the exercise of such functions with respect to a project of such authority unless the general assembly specifically so states;

(f)

(I) To invest any of its funds not required for immediate disbursement in property or in securities in which public bodies may legally invest funds subject to their control pursuant to part 6 of article 75 of title 24, C.R.S., and to redeem such bonds as it has issued at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be canceled;

(II) To deposit any funds not required for immediate disbursement in any depository authorized in section 24-75-603, C.R.S. For the purpose of making such deposits, the authority may appoint, by written resolution, one or more persons to act as custodians of the funds of the authority. Such persons shall give surety bonds in such amounts and form and for such purposes as the authority requires.

(g) To borrow money and to apply for and accept advances, loans, grants, and contributions from the federal government or other source for any of the purposes of this part 1 and to give such security as may be required;

(h) To make such appropriations and expenditures of its funds and to set up, establish, and maintain such general, separate, or special funds and bank accounts or other accounts as it deems necessary to carry out the purposes of this part 1;

(i) To make or have made and to submit or resubmit to the governing body for appropriate action the authority's proposed plans and modifications thereof necessary to the carrying out of the purposes of this part 1, such plan shall include, but not be limited to:

(I) Plans to assist the municipality in the latter's preparation of a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slum and blighted areas, to encourage needed urban rehabilitation, to provide for the redevelopment of slum and blighted areas, or to undertake such activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program, which program may include, without limitation, provision for: The prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of slum and blighted areas or portions thereof by replanning, removing congestion, providing public improvements, and encouraging rehabilitation and repair of deteriorated or deteriorating structures; and the clearance and redevelopment of slum and blighted areas or portions thereof;

(II) Urban renewal plans;

(III) Preliminary plans outlining proposed urban renewal activities for neighborhoods of the municipality to embrace two or more urban renewal areas;

(IV) Plans for the relocation of those individuals, families, and business concerns situated in the urban renewal area which will be displaced by the urban renewal project, which relocation plans, without limitation, may include appropriate data setting forth a

feasible method for the temporary relocation of such individuals and families and showing that there will be provided, in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the individuals and families so displaced, decent, safe, and sanitary dwellings equal in number to the number of and available to such individuals and families and reasonably accessible to their places of employment;

(V) Plans for undertaking a program of voluntary repair and rehabilitation of buildings and improvements and for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the repair, rehabilitation, demolition, or removal of buildings and improvements;

(VI) Financing plans, maps, plats, appraisals, title searches, surveys, studies, and other preliminary plans and work necessary or pertinent to any proposed plans or modifications;

(j) To make reasonable relocation payments to or with respect to individuals, families, and business concerns situated in an urban renewal area that will be displaced as provided in subparagraph (IV) of paragraph (i) of this subsection (1) for moving expenses and actual direct losses of property including, for business concerns, goodwill and lost profits that are reasonably related to relocation of the business, resulting from their displacement for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government;

(k) To develop, test, and report methods and techniques and to carry out demonstrations and other activities for the prevention and the elimination of slum and blighted areas within the municipality;

(l) To rent or to provide by any other means suitable quarters for the use of the authority or to accept the use of such quarters as may be furnished by the municipality or any other public body, and to equip such quarters with such furniture, furnishings, equipment, records, and supplies as the authority may deem necessary to enable it to exercise its powers under this part 1.

Highway 42 Revitalization Area
Urban Renewal Plan

City of Louisville, Colorado

Approved December 2006

Prepared for: Louisville Revitalization Commission and Louisville City Council

Highway 42 Revitalization Area Urban Renewal Plan

City of Louisville, Colorado

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Attachments Pending

Attachment 1: Highway 42 Revitalization Commission Conditions Survey

Attachment 2: Boulder County Financial Impact Report

HIGHWAY 42 REVITALIZATION AREA URBAN RENEWAL PLAN

City of Louisville, Colorado

Approved December 2006

Prepared for: City of Louisville Revitalization Commission and Louisville City Council

1.0 Preface and Background

1.1 Preface

This *Highway 42 Revitalization Area Urban Renewal Plan* (the “Plan” or the “Urban Renewal Plan”) has been prepared for the Louisville Revitalization Commission of the City of Louisville, (the “Commission”) pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “Act”). The administration of this project and the enforcement of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Commission.

1.2 Description of Urban Renewal Area

According to the Act, the jurisdictional boundaries of the Commission are the same as the boundaries of the municipality. Additionally, within the municipal boundaries there may be one or more urban renewal areas.

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project. In each urban renewal area, conditions of blight must be present at a level defined by the Act before the Commission can legally exercise its powers. Finally, in each urban renewal area, undertakings and activities that constitute an urban renewal project are implemented as a way to eliminate the conditions of blight.

The Area included in the Urban Renewal Plan (referred to herein as “the Urban Renewal Area” or "the Area") is located in central Louisville, including downtown Louisville, areas east of downtown, and the area west of Highway 42 between approximately South Boulder Road and Elm Street. The boundaries of the Area are delineated on Figure No. 1, and described in the legal description included in Section 1.2.1. The figure controls the boundary description in case of any conflict with the legal description. The boundaries of the Urban Renewal Area are drawn narrowly as feasible to accomplish the planning and development objectives of the Urban Renewal Plan.

1.2.1 Legal Description

A tract of land within the City of Louisville, located in Sections 4, 5, 8 and 9, Township 1 South, Range 69 West of the Sixth (6th) Principal Meridian, County of Boulder, State of Colorado, said tract being more particularly described as follows:

Commencing at the Southeast corner of Section 8; thence North 00°32'00" East, along the east line of Section 8, a distance of 1325.08 feet to the Southeast corner of the Northeast 1/4 of the Southeast corner of Section 8, said point being the **Point of Beginning**; thence the following courses around said tract:

1. North 89°17'49" West, along the south line of PINE STREET PLAZA and the south line of PINE STREET PLAZA extended easterly and westerly, a distance of 583 feet, more or less, to a point on the westerly line of the Colorado and Southern Railroad right-of-way;
2. South 08°14'20" East, along the westerly right-of-way line of the Colorado and Southern Railroad right-of-way, a distance of 438 feet, more or less, to the northeast corner of MANSOUR-ENGLE SUBDIVISION;
3. South 81°38'25" West, along the northerly line of MANSOUR-ENGLE SUBDIVISION and the northerly line extended westerly, a distance of 188.33 feet, more or less, to the to a point on the west line of the County Road right-of-way;

4. North 14°10'00" West, along the west line of the County Road right-of-way, a distance of 408 feet, more or less, to a point on the south line of the Elm Street road right-of-way;
5. West, along the south line of the Elm Street road right-of-way, a distance of 557 feet, more or less, to the west line of the Roosevelt Avenue road right-of-way, said point being on the east line of Block 1, ACME PLACE;
6. North, along the west line of the Roosevelt Avenue road right-of-way and along the west line of the twenty foot wide alley right-of-way west of Block 5, TOWN OF LOUISVILLE, a distance of 1364 feet, more or less, to a point on the south line of the South Street road right-of-way;
7. East, along the south line of the South Street road right-of-way, a distance of 170 feet to the northeast corner of Block 5, TOWN OF LOUISVILLE, said point being on the west line of the Main Street road right-of-way;
8. North, along the west line of the Main Street road right-of-way, a distance of 2050 feet, more or less, to the south line of the vacated High Street road right-of-way;
9. West, along the south line of the vacated High Street road right-of-way, a distance of 10 feet, more or less, to the east line of TESONE SUBDIVISION extended southerly;
10. North 00°42' East, along the east line of TESONE SUBDIVISION and the east line extended southerly, a distance of 343.55 feet, more or less, to the northeast corner of Lot 1, TESONE SUBDIVISION;
11. South 61°33' West, along a northwesterly line of TESONE SUBDIVISION, a distance of 64.60 feet;
12. South 64°01' West, along a northwesterly line of TESONE SUBDIVISION, a distance of 63.0 feet;
13. South 58°04'30" West, along a northwesterly line of TESONE SUBDIVISION, a distance of 50.0 feet;
14. South 64°56' West, along a northwesterly line of TESONE SUBDIVISION, a distance of 69.0 feet;
15. South 57°12' West, along a northwesterly line of TESONE SUBDIVISION, a distance of 64.50 feet;
16. South 34°48' West, along a northwesterly line of TESONE SUBDIVISION, a distance of 56.73 feet;

17. South 45°32'22" West, along a northwesterly line of TESONE SUBDIVISION, a distance of 33.34 feet to a point on the southeasterly line of SCENIC HEIGHTS SUBDIVISION;
18. North 30°13' East, along the southeasterly line of SCENIC HEIGHTS SUBDIVISION, a distance of 5.37 feet;
19. North, along the east line of SCENIC HEIGHTS SUBDIVISION, a distance of 442.23 feet, more or less, to a point on the South line of the South Boulder Road right-of-way;
20. West, along the south line of the South Boulder Road right-of-way, a distance of 899 feet, more or less, to a point on the west line of LOUISVILLE NORTH 7TH FILING extended southerly;
21. North 00°01'40" East, along the west line of LOUISVILLE NORTH 7TH FILING and said line extended southerly, a distance of 529.41 feet, more or less, to the northwest corner of said Tract II, LOUISVILLE NORTH 7TH FILING;
22. North 49°38'35" East, along the northwest line of Tract II, LOUISVILLE NORTH 7TH FILING, a distance of 170.68 feet to the southwest corner of Tract III, LOUISVILLE NORTH 7TH FILING;
23. South 89°58'20" East, along the south line of Tract III, LOUISVILLE NORTH 7TH FILING, a distance of 637.29 feet, more or less, to a point on the easterly line of the Centennial Drive road right-of-way;
24. South 31°45'59" East, along the east line of the Centennial Drive road right-of-way, a distance of 201.37 feet to the beginning of a tangent curve to the right;
25. Along the arc of the curve to the right and the easterly line of the Centennial Drive Road right-of-way, a distance of 352.37 feet, said curve having a radius of 635.0 feet and a central angle of 31°47'39" to a tangent line;
26. South 00°01'40" West, along the east line of the Centennial Drive road right-of-way, a distance of 44.26 feet to a point on the north line of the South Boulder Road right-of-way;
27. North 89°45' East, along the north line of the South Boulder Road right-of-way, a distance of 583 feet, more or less, to a point on the southwest line of Tract A, CHRISTOPHER VILLAGE FOURTH FILING;

28. North 24°25' West, along the west line of CHRISTOPHER VILLAGE FOURTH FILING, a distance of 432.24 feet to the northwest corner of CHRISTOPHER VILLAGE FOURTH FILING;
29. North 89°45' East, along a north line of CHRISTOPHER VILLAGE FOURTH FILING, a distance of 194.86 feet;
30. North 54°44' East, along a northerly line of CHRISTOPHER VILLAGE FOURTH FILING, a distance of 112.87 feet;
31. North 83°25' East, along a northerly line of CHRISTOPHER VILLAGE FOURTH FILING, a distance of 240.39 feet to the Northeasterly corner of CHRISTOPHER VILLAGE FOURTH FILING, said point being the Northwesterly corner of CHRISTOPHER PLAZA II SUBDIVISION;
32. North 85°08'55" East, along the northerly line of CHRISTOPHER PLAZA II SUBDIVISION, a distance of 7.41 feet;
33. North 67°07'22" East, along the northwesterly line of CHRISTOPHER PLAZA II SUBDIVISION, a distance of 316.10 feet;
34. North 66°25'34" East, along the northwesterly line of CHRISTOPHER PLAZA II SUBDIVISION, a distance of 202.09 feet to the northeast corner of Lot 1, Block 1, CHRISTOPHER PLAZA II SUBDIVISION;
35. South 74°15 East, more or less, a distance of 135 feet, more or less, to the northwest corner of LOUISVILLE PLAZA FILING NO. 1 REPLAT 'A';
36. North 89°14'02" East, along the north line of LOUISVILLE PLAZA FILING NO. 1 REPLAT 'A', a distance of 1295.19 feet to the northeast corner thereof, said point being on the east line of the Plaza Drive road right-of-way;
37. South 00°45'58" East, along the east line of Plaza Drive, a distance of 620.0 feet to the beginning of a tangent curve to the left;
38. Along the arc of the curve to the left an arc distance of 47.12 feet, said curve having a radius of 30.00 feet and a central angle of 90°00'00";
39. North 89°14'02" East, along the north line of the South Boulder Road right-of-way, and the south line of LOUISVILLE PLAZA FILING NO. 2, a distance of 268.79 feet to the Southeast corner of Lot 6, LOUISVILLE PLAZA FILING NO. 2;
40. North 02°15'24" West, along the east line of LOUISVILLE PLAZA FILING \NO. 2, a distance of 1921.13 feet, to a point on the south line of WANEKA LANDING FILING

NO. 1; North 89°27'35" East, along the south line of WANEKA LANDING FILING NO. 1, a distance of 1031.40 feet, more or less, to a point on the east line of the southwest quarter of Section 4;

41. South 00°13'25" West, along the east line of the southwest quarter of Section 4 and along the west line of WESTGATE OFFICE PARK FILING ONE extended northerly and southerly, a distance of 1980.58 feet to the south quarter corner of Section 4;
42. South 00°13'25" West, a distance of 60.0 feet to a point on the south line of the South Boulder Road right-of-way;
43. North 89°56'15" West, along the south line of the South Boulder Road right-of-way, a distance of 2528.93 feet to an angle point;
44. South 45° West, along the northwesterly line of that tract of land described in Deed recorded on Film 2123 as Reception No. 1604030, Boulder County records, a distance of 42.67 feet to a point on the east line of State Highway No. 42 (also known as Courtesy Road);
45. South, along the east line of State Highway No. 42, a distance of 3361.38 feet, more or less, to a point on the northwesterly line of EMPIRE ROAD SUBDIVISION, extended southwesterly;
46. North 50°50'53" East, along the north line of EMPIRE ROAD SUBDIVISION and said line extended southwesterly, a distance of 960.69 feet, more or less, to the northeast corner thereof;
47. South 38°07'25" East, along the northeasterly line of EMPIRE ROAD SUBDIVISION and said northeasterly line extended southeasterly, a distance of 528.72 feet, more or less, to a point on the southerly line of the Empire Road right-of-way;
48. South 75°47'38" West, along the southerly line of the Empire Road right-of-way and said line extended westerly, a distance of 1183 feet, more or less, to a point on the west line of Section 9 and the east line of Section 8;
49. South 00°32'00" West, along the east line of Section 8, a distance of 446 feet, more or less, to the **Point of Beginning**.

This tract contains 230 acres, more or less. (Description prepared by Lee W. Stadele, Registered Professional Land Surveyor Colorado License Number 26300)

1.2.2 Figure 1, Urban Renewal Area

The urban renewal plan map is presented as Figure 1 on the following page.

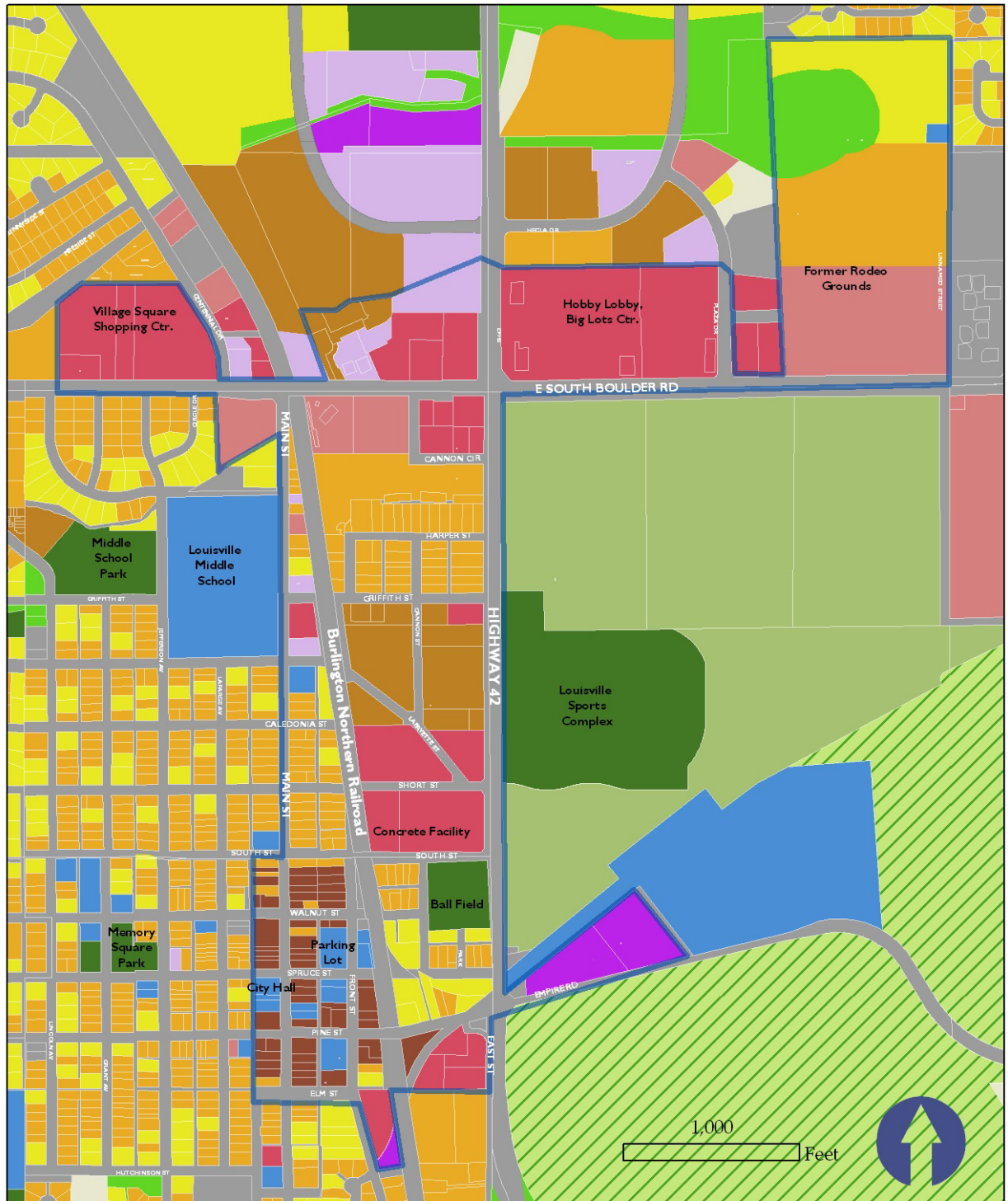
1.3 Purpose of the Plan

The purpose of the *Highway 42 Revitalization Area Urban Renewal Plan* is to reduce, eliminate and prevent the spread of blight within the Urban Renewal Area and to stimulate growth and reinvestment within the Area boundaries, on surrounding blocks and throughout downtown. In particular, this Urban Renewal Plan is intended to promote local objectives with respect to appropriate land uses, private investment and public improvements provided that the delineation of such objectives shall not be construed to require that any particular project necessarily promote all such objectives. Specifically, the Plan promotes an environment which allows for a range of uses and product types which can respond to market conditions over time; further the goals and objectives of the *Louisville Comprehensive Plan*, *Highway 42 Framework Plan* and any other relevant policy document; and, leverage the community's investment in public improvement projects in the Area.

While the principal goal of the urban renewal effort is, as required by the Act, to afford maximum opportunity, consistent with the sound needs of the City of Louisville (the "City") as a whole to redevelop and rehabilitate the Area by private enterprise, it is not intended to replace the efforts of area business development or marketing organizations.

The rehabilitation and redevelopment of properties within the Urban Renewal Area will be accomplished through the improvement of existing structures and infrastructure, attraction of new investment and reinvestment, and prevention of deterioration of properties in the Area. The effort will involve the Commission and City with participation and cooperation by the private sector.

Figure No. 1



1.4 Public Participation

The Plan continues to be made available to business and property owners located within and adjacent to the Plan boundaries, as well as Louisville residents at-large. Notification of the public hearing was provided to property owners, tenants, and residents of record within the Area as required by the Act. Input on the Plan's content was solicited of Area property and business owners, and tenants, as well as the community at-large during an informational meeting held in May 2006.

Presentations were also made at public meetings of the Planning Commission and City Council in the summer of 2006 to receive comments and input on the Plan. It is the intent of the Commission and City Council to provide for public participation in proposed developments and planning efforts which advance the intent of the Plan. Plans and development proposals submitted for approval of the Commission will continue to be made available to the public in an open meeting format.

1.5 Definitions

In addition to terms previously defined in the text, the following terms are used in this Urban Renewal Plan:

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

Redevelopment / Development Agreement – means an agreement between the Commission and developer(s) regarding the redevelopment or redevelopment of property within the Urban Renewal Area.

2.0 Qualifying Conditions

The *Highway 42 Revitalization Area Conditions Survey*, dated August 2006 (the “Survey”), was completed by the Denver, Colorado office of Leland Consulting Group. The 21 page Survey includes an Appendix and 24 exhibits which illustrate the location of qualifying conditions, a final map synthesizing the number of qualifying conditions by parcel, and the supporting field survey. The Survey documents the evidence of blight for the Highway 42 Revitalization Area and is incorporated into this Urban Renewal Plan by reference.

The legal term “blighted area” describes a wide array of urban problems, which can range from physical deterioration of buildings and the environment, to health, social and economic problems in a particular area. Based on the Survey completed in connection with the adoption and approval of the Urban Renewal Plan, at least four qualifying conditions of blight, as defined in the Act, are present within the proposed Urban Renewal Area. These conditions, which are summarized as follows, are evidence of a “blighted area” as defined in the Act.

- 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) The existence of conditions that endanger life or property by fire or other causes;
- i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical

- construction, or faulty or inadequate facilities;
- j) Environmental contamination of buildings or property;
 - k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical and underutilization of 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) above, 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 (l), 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 eminent domain.

As documented in the Survey, 9 of 11 qualifying conditions listed in the Act are present within the Area. The only qualifying condition, which was not identified, was "*defective or unusual conditions of title rendering the title non-marketable.*"

3.0 Relationship to Comprehensive Plan

A general plan for the City, known as the *City of Louisville Comprehensive Plan 2005 Update*, was adopted in 2005 (the "Comprehensive Plan"). The Comprehensive Plan specifically incorporates and included the *Highway 42 Revitalization Area Comprehensive Plan*, as a subarea plan including a recent amendment to the subarea plan regarding conceptual street layouts in the area. That plan also states "As developable land becomes scarcer, underutilized commercial areas will provide opportunities for redevelopment and revitalization that promote economic growth while preserving land use entitlements and property values of adjacent areas." *Policy LU-3*. This Urban Renewal Plan supports, implements, and is in conformance with the goals of, the revised Comprehensive Plan.

Specific goals and policies of the Comprehensive Plan that this Plan will further include the following. Key: LU = Land Use, TS = Transportation, ED = Economic Development, FH = Fiscal Health, HS = Housing, CS = Community Services.

Principle LU-1. Future growth, whether proposed through annexation, rezoning and/or redevelopment, should promote the most efficient use of resources, be consistent with the goals and policies of the City of Louisville and enhance the quality of life for present and future residents of the City of Louisville.

Principle LU-2. The City should maintain a compact urban form to use land efficiently.

Policy LU-2.2: The City should encourage higher density housing development near transit services and commercial centers to create activity nodes that add to the community's quality of life.

Policy LU-2.3: The City should promote mixed-use development as a way to create a walkable and livable community.

Policy LU-2.4: The City should review and revise development regulations as needed to promote a high quality of design, redevelopment, mixed-use development, multi-modal transportation opportunities and the protection of natural features.

Policy LU-2.5: The City should recognize both the fiscal and physical efficiencies in maintaining a compact urban form by encouraging new residential construction to locate adjacent to existing facilities and services.

Principle LU-3. As developable land becomes scarcer, underutilized commercial areas will provide opportunities for redevelopment and revitalization that promote economic growth while preserving land use entitlements and property values of adjacent areas.

Policy LU-3.1: Proposals for new development and/or redevelopment should be based on a consideration of the Framework Plan and the corresponding principles and policies.

Policy LU-3.2: Targeted redevelopment and infill should be encouraged so as to channel growth where it will be beneficial, contribute to the City's vision and improve access to jobs, housing and services.

Principle LU-4. Each Opportunity Area is unique with respect to its location and relationship to the City as a whole. The development or redevelopment within each Opportunity Area should be consistent with the role of that Opportunity Area to achieve the Community Vision.

Policy LU-4.2: Opportunity Area #2 should consist of a healthy and vibrant downtown consisting of a mix of supporting business and residences.

Principle TS-2. The City should promote mass transit as an integral part of the City's overall transportation system by providing connections to regional transit corridors, and enhancing existing service within the community.

Policy TS-2.1: The City should continue to work with the Regional Transportation District (RTD) to expand the existing bus transit network to provide efficient connections to, from, and throughout the City.

Policy TS-2.2: The City should continue to work with RTD to provide rider amenities such as shelters, lighting, security, and bicycle/pedestrian access for transit users, and integrate these into station area designs for all regional transit corridors.

Principle TS-3. The City should integrate transportation and land use decisions to be mutually supportive.

Policy TS-3.1: The City's multi-modal transportation system should be compatible with existing and future land use patterns to effectively shape urban growth.

Principle TS-4. The City should provide a transportation system that has a clearly defined hierarchy, integrates multiple modes of travel, and will meet the City's mobility needs in a manner compatible with fiscal and environmental constraints.

Principle ED-2. The City should direct growth in an economically responsible way, to maintain quality amenities and high service levels for residents.

Policy ED-2.1: The City should strive to achieve complementary land uses that promote an economically healthy community.

Policy ED-3.1: The City should work to maintain and potentially enhance the City's competitive position for economic development.

Policy ED-3.2: The City should make strategic public investments to most effectively encourage private investment that responds to the Community vision and community needs.

Principle FH-1. The City should maintain fiscal balance through effective land use decisions, focused economic development efforts, encouraging a mix of residential unit types and pricing, and strategic public investments, all consistent with the community's desire for high-quality services and amenities.

Policy HS-1.2: The City should pursue strategies that result in appropriately located mixed-use and mixed-income developments, including designating developable land for mixed-use development.

Policy HS-1.3: The City should establish priorities for preserving existing residential structures of historic value.

Policy HS-1.4: The City should improve and maintain the quality of existing housing stock through public and private sector investment and contribution of housing rehabilitation.

Policy HS-1.5: The City should support community organizations and activities that encourage and provide housing rehabilitation and neighborhood improvements.

Principle HS-2. The City should support housing development and redevelopment strategies that promote well-designed, compatible and high quality residential areas that have a mix of unit types and pricing to meet the changing economic, social and multi-generational needs of those who would like to reside in the community.

Policy HS-2.1: The City should encourage residential development that supports the spectrum of housing needs in the community, including housing for seniors and empty-nesters, first time homebuyers and entry-level to mid-level homebuyers by ensuring that a variety of housing types, prices and styles are created and maintained in the community.

Policy HS-2.3: The City should evaluate new and exiting residential uses to ensure that there is a mix of housing types and pricing within the Community that responds to the housing needs of residents and employees.

Policy HS-2.5: the City should target future medium and high-density residential development to infill development locations that are accessible to and integrated with potential employment and transit centers.

Policy HS-4.2: The City should provide for higher density residential housing along major public transit corridors and retail and commercial centers, with lower density residential development located further away from these centers.

Policy HS-4.3: The City should ensure that medium- to high-density zones are established and that minimum densities are met in areas where public transit, including FasTracks and regional transit centers, are planned.

Policy CS-2.4: Development patterns are planned with the consideration of the alignment and location of existing and future public facilities and infrastructure.

The Commission, with the cooperation of the City, private enterprise and other public bodies, will undertake projects and activities described in this Plan in order to eliminate the conditions of blight identified in the Conditions Survey while implementing the Comprehensive Plan.

4.0 Land Use Plan and Plan Objectives

4.1 General Description

The Urban Renewal Area includes 265 parcels and comprises approximately 200 acres. The boundaries of the Area generally include properties west of Highway 42, contiguous to and north of South Boulder Road, north of Elm Street, and east of Main Street to South Street and east and west of Main Street between South Street and approximately Elm Street.

The vision for revitalization of the area is creation of high quality developments which integrate a range of residential and non-residential uses supported by strategic public improvements to facilities, parking, and infrastructure improvements within and adjacent to the Plan boundaries. A combination of uses is proposed all of which will further promote redevelopment of the Area as an enclave with densities comparatively higher than other existing residential neighborhoods in the community.

Existing conditions present within the Area will be remedied by the proposed Plan, but will need to first be identified as a priority public investment item by the Commission in consultation with the City and the community. Improvements will be partially funded by tax increment revenues. Creation of special districts or other financing districts to serve as supplemental funding sources is also possible. Several images representing the character and quality of what is envisioned are presented on the following page.

4.2 Development and Design Objectives

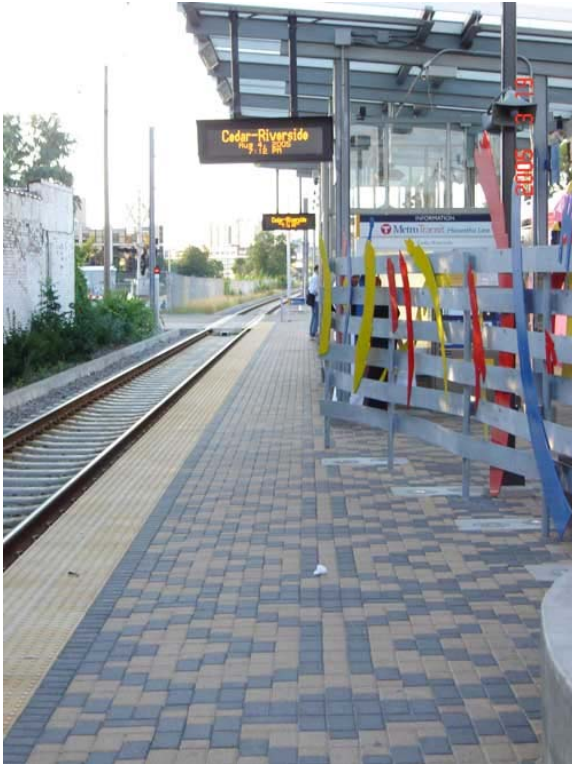
The development objectives for the Urban Renewal Area include establishment of a variety of uses that will allow projects to respond to changing market conditions. Proposed land uses within the Urban Renewal Area include commercial, office, residential, commuter, public, and parking. Design objectives for the Urban Renewal Area also promote flexibility, adaptability to a range of uses and product types and consistency with prevailing market conditions. Other objectives include:

- a) Eliminate and prevent blight
- b) Improve relationship between this area and surrounding areas (neighborhoods, downtown, open space)
- c) Increase property values
- d) Provide uses supportive of and complementary to planned improvements (transit)
- e) Encourage a mix of uses and/or mixed-use projects
- f) Promote a variety of products to address multiple income segments
- g) Provide ease of vehicular and pedestrian circulation and improve connections
- h) Encourage continued presence of businesses consistent with the plan vision
- i) Provide a range of financing mechanisms for private property re-investment and investment
- j) Mitigate impacts from future transportation improvements
- k) Encourage public-private partnerships to implement the plan
- l) Adjust parking ratios to reflect future densities
- m) Encourage shared parking among projects in area
- n) Develop higher design standards including flexible lighting and signage standards
- o) Landscape streetscapes to unify uses and plan components

Representative Images



Representative Images



4.2.1 Redevelopment Opportunities—Catalyst Projects

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze redevelopment throughout the Area. With a limited number of major property holdings, and given the average parcel size, the potential for multiple eligible catalyst projects is limited. Eight reinvestment and / or new investment zones have been identified within the Area, thereby distinguishing potential areas of change from areas of stability. The aggregate impact of potential reinvestment within these areas is reflected in the Financial Impact Report which is incorporated into this Urban Renewal Plan by reference.

4.3 Development Standards

All development in the Plan Area shall conform to the Comprehensive Plan, the Zoning Code, International Building Codes, applicable Design Standards and any site-specific zoning for properties in the Urban Renewal Area, all as in effect and as may be amended from time to time.

In conformance with the Act and Urban Renewal Plan, the Commission may adopt additional design standards and other development requirements applicable to properties in the Urban Renewal Area; provided, however, that any such standards and requirements adopted by the Commission shall be consistent with and no less restrictive than the Comprehensive Plan, Zoning Code, International Building Codes, applicable Design Standards and any site-specific zoning for properties in the Urban Renewal Area, as well as all other zoning and development policies and regulations of the City. ~~Unless otherwise approved by City Council resolution, any such standards and requirements adopted by the Commission shall be consistent with all other zoning and development policies and regulations of the City.~~

4.4 Public Improvements and Facilities

The Commission may undertake certain actions to make the Urban Renewal Area more attractive for private investment. The Commission may, or cause others to, install, construct, and reconstruct any public improvements in the Urban Renewal Area, including, without limitation, streets, sidewalks, underground utility and service facilities, streetscapes, pedestrian corridors, and parking facilities. The Commission may also, or cause others to, install, construct and reconstruct any other authorized improvements in the Urban Renewal Area, including, without limitation, other authorized undertakings or improvements for the purpose of promoting the objectives of this Urban Renewal Plan and the Act.

Public projects are intended to stimulate (directly and indirectly) private sector investment in and around the Urban Renewal Area. The combination of public and private investment will assist in the reinvestment and conversion of the Urban Renewal Area into a viable commercial, residential and employment sub-area supported by multiple forms of transportation and transit with supporting public spaces contributing to increased property and sales taxes.

4.4.1 Infrastructure

New infrastructure (utility) that is required will be located in public rights-of-way or dedicated easements. These systems will be added to the existing infrastructure to the extent possible. Existing services may be removed or abandoned to accommodate new development in the Area.

In undertaking all activities and improvements pursuant to this Urban Renewal Plan, the Commission shall comply with all applicable building and zoning regulations, and other applicable ordinances of the City.

4.5 Other Improvements and Facilities

There could be other non-public improvements in the Urban Renewal Area that may be required to accommodate development. The Commission may assist in the financing or construction of these improvements.

5.0 Project Implementation

The Act allows for a wide range of activities to be used in the implementation of an urban renewal area. It is the intent of the Commission to provide incentives to stimulate private investment in cooperation with property owners and other affected parties in order to accomplish the objectives of the Plan. Public-private partnerships and other forms of cooperative development will be key to the Commission's strategy for preventing the spread of blight and eliminating the blighting conditions. Reliance on powers such as eminent domain will only be considered as a final option as determined by the Louisville City Council, to achieve the redevelopment objectives of this plan.

5.1 Property Acquisition and Land Assemblage

The Commission through purchase or eminent domain or by any method authorized by the Act and the Urban Renewal Plan may acquire property. Any proposal to acquire property under the power of eminent domain must first be approved by the affirmative vote of two-thirds of the entire Louisville City Council. The Commission may temporarily operate, manage and maintain property acquired in the Urban Renewal Area. Such property shall be under the management and control of the Commission and may be rented or leased pending its disposition for redevelopment.

5.2 Relocation Assistance

It is not anticipated that acquisition of real property by the Commission will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the Commission shall adopt a relocation plan in conformance with the Act and consistent with specific objectives which will be identified in that plan. The Commission shall adopt its relocation plan(s) before any individuals, families or business concerns are relocated. The Commission shall solicit public comment on any relocation plan prior to its adoption.

5.2.1 Mitigate Inconvenience and Expense

Development of any relocation program for the Area will be designed to mitigate the inconvenience and expense of individuals, families and business concerns that may be displaced by acquisition of property by the Commission. Any relocation plan adopted by the Commission shall include provisions and mitigation measures required by then applicable law, which may include, by way of example and not limitation, the following:

- the specific methods for temporary or permanent relocations;
- methods for relocation of business concerns in areas that are not generally less desirable with respect to public utilities and public and commercial facilities;
- methods for relocation at rents or prices within the financial means of the persons relocated, into decent, safe and sanitary dwelling accommodations within their means and without undue hardship;
- provisions for payment of reasonable relocation expenses, which expenses may include moving expenses, actual direct loss of property for business concerns, and goodwill and lost profits that are reasonably related to relocation of a business, resulting from its displacement for which reimbursement or compensation is not otherwise made; and
- the procedures for applying for relocation benefits and the manner in which the Commission will pay relocation expenses.

5.2.2 Information Program

Any relocation program will be accompanied by an information program to keep all affected parties advised of relocation activities on a continuing basis and to encourage all such parties to keep the Commission informed of their needs and requirements. The Commission will make adopted relocation plans available to affected parties at no cost and will post such plans, and related information identified by the Commission, on the Commission's website.

5.3 Demolition, Clearance, and Site Preparation

In carrying out this Urban Renewal Plan, it is not anticipated that the Commission will be required to demolish and clear buildings, structures and other improvements from property in the Urban Renewal Area. However, development activities consistent with this Plan, including but not limited to development or cooperation agreements, may require such demolition and clearance to eliminate unhealthy, unsanitary, and unsafe conditions, eliminate obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of deterioration. They may also be necessary to alleviate identified hazardous environmental conditions.

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

5.4 Property Disposition

The Commission may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, as it deems necessary to redevelop such property. Real property or interests in real property may be sold, leased or otherwise transferred for uses in accordance with the Act and this Urban Renewal Plan. All property and interest in real estate acquired by the Commission in the Urban Renewal Area that is not dedicated or transferred to public entities, shall be sold or otherwise disposed of for redevelopment in accordance with the provision of this Plan and the Act.

5.5 Redevelopment and Rehabilitation Actions

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

5.6 Redevelopment Agreements

The Commission is authorized to enter into Redevelopment Agreements or other contracts with developer(s) or property owners or such other individuals or entities as are determined by the Commission to be necessary or desirable to carry out the purposes of this Urban Renewal Plan. Such Redevelopment Agreements, or other contracts, may contain such terms and provisions as shall be deemed necessary or appropriate by the Commission for the purpose of undertaking the activities contemplated by this Urban Renewal Plan and the Act, and may further provide for such undertakings by the Commission, including financial assistance, as may be necessary for the achievement of the objectives of this Urban Renewal Plan or as may otherwise be authorized by the Act. Such Redevelopment Agreements, or other contracts, shall be approved by the Commission by resolution adopted by no less than a majority of all members of the Commission. The Commission shall provide an opportunity for public comment on any such Agreement or contract prior to final Commission approval. The Commission shall also provide any such Agreement to the City Council for Council's review and approval prior to the Commission's final approval thereof. Any such approval by the City Council resolution.

6.0 Project Financing

6.1 Public Investment Objective

It is the intent of the Plan that the public sector play a significant role in revitalization efforts as a strategic partner. Experience has proven that a critical component to the success of any revitalization strategy is participation by both the public and private sectors. Leveraging of resources will be key as no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Typical public infrastructure investments may include but are not limited to: unifying streetscape elements, improving access and circulation, improving streets and parks, providing for railroad corridor improvements and grade separation and parking, completing utilities, and creating special districts or other financing mechanisms.

6.2 Authorization

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

Debt may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created. The Commission is not a local government district under Article X, Section 20 of the Colorado Constitution does not limit the debt options of an urban renewal authority in Colorado.

6.3 Project Revenues

Tax Increment Financing

The Urban Renewal Plan contemplates that a primary method of financing this project to be the use of municipal sales and property tax increments as authorized by the Act. The City Council may allocate municipal sales tax increments when the Louisville Revitalization Commission submits a financing plan outlining the proposed amounts and purpose for which the municipal sales tax increments are to be used. Upon City Council approval, the municipal sales tax increment will be allocated and distributed in accordance with the tax increment financing provisions of Section 31-25-107 (9), C.R.S., which is by this reference incorporated herein as if set forth in its entirety. If there is any conflict between the Act and this Urban Renewal Plan, the provisions of the Act shall control, and the language in the Plan will be automatically deemed to conform to the statute.

All property and sales taxes collected within the Urban Renewal Area, by or for the benefit of any public body, shall be divided for a period not to exceed 25 years as follows:

- a) 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 Urban Renewal Plan, or as to an area later added to the Urban Renewal Area, the effective date of the modification of the Plan or that portion of municipal sales tax collected within the boundaries of said Urban Renewal Area in the twelve-month period ending on the last day of the month prior to the effective date of approval of the Plan, or both such portions, shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.
- b) That portion of said property taxes or all or any portion of said sales taxes, or both, in excess of such amounts in subparagraph (a) shall be allocated to and, when collected, paid into a special fund of the Commission 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 Commission for financing or refinancing, in whole or in part, the urban renewal project within the Urban Renewal Area. Any excess municipal sales tax collections not allocated pursuant to this subparagraph shall be paid into the funds of the municipality.

- c) The portion of taxes described in subparagraph (b) may be irrevocably pledged by the Commission for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances, and indebtedness.
- d) The City and the Commission may enter into agreements with other public bodies and private parties to provide financial assistance in support of development projects consistent with this plan as may be more fully set forth in the provisions of such agreements. Existing agreements between the City and private parties that are consistent with this plan are intended to remain in full force and effect.

6.4 Financing Mechanisms / Structures

The Commission recognizes that tax increment financing is one tool which can be made available to facilitate investment and that others are needed. The Commission is committed to making a variety of strategies and mechanisms available which are financial, physical, market and organizational in nature. It is the intent of this Plan to use the tools either independently or in various combinations. Given the obstacles associated with infill development, the Commission recognizes that it is imperative that solutions and resources be put in places which are comprehensive, flexible and creative. Among those deemed reasonable for the Urban Renewal Area are improvement district(s).

6.5 Commission Participating Interest in Private Development Projects

The Commission may require a participating interest in private development projects in which it provides financial support. The philosophy behind this is that public support is frequently needed for projects of this nature, in order to fill a gap left by available traditional financing. In the event the project(s) produces revenues in excess of a market rate of return, the public sector might become a partner and share in the success of the project. In this event, the Commission may also require an excess profits provision. The terms of the participating interest and excess profits provisions will be negotiated in the Redevelopment Agreement(s).

7.0 Changes and Minor Variations from Adopted Plan

7.1 Changes in the Approved Urban Renewal Plan

This Urban Renewal Plan may be modified pursuant to the provisions of the Act governing such modification, including Section 31-25-107 thereof, as the same may be amended from time to time.

7.2 Minor Variations

In specific cases, where a literal enforcement of the provisions contained in the Urban Renewal Plan constitutes an unreasonable limitation beyond the intent and purpose of these provisions, the Commission may allow minor variances from these provisions.

7.3 Cooperation Agreements

For the purpose of this Plan, the Commission may enter into one or more Cooperation Agreements with the City or other public bodies pursuant to the Act. Such cooperation agreements may include, without limitation, agreements regarding the planning or implementation of this Urban Renewal Plan and its projects, as well as programs, public works operations, or activities which the Commission, the City or such other public body is otherwise empowered to undertake and including without limitation, agreements respecting the financing, installation, construction and reconstruction of public improvements, utility line relocation, storm water detention, environmental remediation, landscaping and/or other eligible improvements within the Urban Renewal Area.

The City and Commission recognize the need to cooperate in the implementation of this Urban Renewal Plan for, but not limited to, such items as project financing and administering the construction of public improvements. This paragraph shall not be construed to require any particular form of cooperation.

7.4 Urban Renewal Plan Review Process

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

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

- a) The Commission may propose modifications, and the Commission shall make such modifications as may be necessary provided they are consistent with the Comprehensive Plan and the Act.
- b) Modifications may be developed from suggestions by the Commission, property and business owners, and Staff operating in support of the Commission.

- c) A series of joint workshops may be held by and between the Commission and property and business owners to direct and review the development of Plan modifications.

8.0 Severability

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

**550 SOUTH MCCASLIN
URBAN RENEWAL PLAN**

Approved by Resolution 58, Series 2015

September 1, 2015

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550 SOUTH MCCASLIN URBAN RENEWAL PLAN

SEPTEMBER 2015

I. INTRODUCTION

1.1 Preface

This 550 South McCaslin Urban Renewal Plan ("Plan") has been prepared for adoption by the City Council of the City of Louisville pursuant to provisions of the Urban Renewal Law of the State of Colorado, Article 25 of Title 31, Colorado Revised Statutes ("Urban Renewal Law"). This Plan is prepared and adopted to satisfy the requirements of § 31-25-107(1), C.R.S. that an urban renewal plan must be adopted by the governing body of the municipality before an urban renewal authority undertakes an urban renewal project. The administration of this project and the enforcement and execution of this Plan are activities performed by the Louisville Revitalization Commission ("LRC").

1.2 Background

The property located at 550 South McCaslin Boulevard ("Property") encompasses approximately 13.16 acres in the McCaslin Boulevard area of Louisville and was formerly occupied by a Sam's Club facility, but has remained vacant since the store's closing in early 2010. The closing has caused significant declines to the retail activity in and around the area. The building is 127,000 square feet in size and cannot be divided into smaller spaces without significant expense. Private restrictive covenants placed on the Property prevent many of the most viable potential reuses of the current building. The Property has a lack of full maintenance creating an impression the area is deteriorating. The McCaslin Boulevard area is the main retail sales tax generating area within Louisville and the minimal use of the Property is lessening the retail viability of the area.

The City of Louisville Comprehensive Plan ("Comprehensive Plan"), adopted by the City Council on May 7, 2013, specifically describes the goals and policies for development within the City. The Comprehensive Plan defines the area as the focal point for a regionally significant commercial activity center and shall remain the City's primary retail center that is supported by a mix of land uses including office and residential.

The City is undertaking a small area planning process that will identify desired uses and development objectives which will encourage new private redevelopment. This Urban Renewal Plan is intended to provide additional tools to support the re-tenanting or redevelopment of the Property and advance the goals for the McCaslin Boulevard area in the Comprehensive Plan and small area plan.

1.3 Definitions

Cooperation Agreement: Any agreement between LRC and the City of Louisville or any other public body regarding action taken pursuant to any of the powers set forth in the Urban Renewal Law, or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by LRC under this Plan.

Plan: This Urban Renewal Plan as it may be modified from time to time.

Plan Area: The area described in Section 2.6 of this Plan, and depicted on Figure 1, which has been found to be blighted by the Louisville City Council by Resolution No. 60, Series 2014 and for which the undertaking of urban renewal projects is declared to be necessary.

Redevelopment Agreement: An agreement between LRC and a developer or developers regarding the re-tenanting, redevelopment or rehabilitation of property within the Plan Area.

2. LEGISLATIVE FINDINGS

2.1 Qualifying Conditions

Based on the 550 South McCaslin Boulevard Conditions Survey prepared by Urban Revitalization Consulting, dated July, 2014, and evidence presented at the public hearing, the City Council on October 7, 2014 adopted its Resolution No. 60, Series 2014 finding that there exists blight, as defined by § 31-25-103(2), C.R.S., in the Plan Area.

The 550 South McCaslin Boulevard Conditions Survey found blight conditions are prevalent throughout the area. The conditions found to exist include:

- a) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- b) Deterioration of site or other improvements;
- c) Defective or unusual conditions of title rendering the title nonmarketable;
- d) 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.

By letters dated September 24, 2014, the property owner and tenants of such owner have stated that they do not object to the inclusion of the Property in an urban renewal area or designation of blight.

The City Council finds that the presence of these factors substantially impairs or arrests the sound growth of the City of Louisville, constitutes an economic and social liability, and is a menace to the public health, safety, morals and welfare of the City of Louisville.

2.2 Projects

The Plan Area is appropriate for one or more urban renewal projects and other undertakings of the LRC as authorized by the Urban Renewal Law.

2.3 Planning Approval

A general plan for the City of Louisville, known as the City of Louisville Comprehensive Plan (“Comprehensive Plan”), has been adopted by the City Council. This Urban Renewal Plan has been submitted to the Planning Commission of the City of Louisville for review and recommendations as to its conformity with the Comprehensive Plan. The City Planning Commission met on July 9, 2015, and has submitted its written recommendations regarding the conformity of this Plan to the City of Louisville Comprehensive Plan to the City Council.

2.4 Consultation

As required by C.R.S. 31-25-107(3.5), this Plan has been submitted to the Board of County Commissioners of Boulder County. The Boulder Valley School District RE-2 has been advised of this Plan and has been given an opportunity to provide comments.

2.5 Public Hearing

The City Council of the City of Louisville has held a public hearing to consider this Plan after public notice thereof published in compliance with the Urban Renewal Law in the *Daily Camera*, describing the time, date, and purpose of the public hearing, identifying the Plan Area and outlining the general scope of the projects being considered for implementation pursuant to this Plan. Notice of the public hearing was provided to owners, residents, and business owners in the Plan Area at their last known address at least 30 days before the date of the public hearing.

2.6 Boundaries of the Plan Area

The boundaries of the Plan Area shall be as set forth in Figure 1 attached hereto, with a legal description as follows:

Lot 2, Centennial Valley Parcel O, Filing No. 7, County of Boulder, State of Colorado with an address of 550 South McCaslin Boulevard, Louisville, Colorado.

The City Council finds that the boundaries of the Plan Area have been drawn as narrowly as feasible to accomplish the planning and development objectives of this Plan.

2.7 Other Findings

- 2.7.1 One or more of the projects may require the use of eminent domain to acquire Property within the Plan Area as provided in this Plan. Such actions may be necessary to eliminate defective or unusual conditions of title rendering the title nonmarketable to prevent the spread of deterioration.

- 2.7.2 In order to eliminate or reduce the qualifying conditions currently existing within the Plan Area, as well as those qualifying conditions which may be reasonably anticipated to develop within the Plan Area in the absence of public action, it is the intent of the City Council in adopting this Plan that LRC shall have the authority to exercise powers herein authorized to be exercised by LRC under the Urban Renewal Law and which are necessary, convenient or appropriate to accomplish the objectives of this Plan. It is the intent of this Plan that LRC shall have the authority to exercise all such powers as may now be possessed or hereafter granted to LRC for the elimination of qualifying conditions within the Plan Area. Any exercise of such powers shall be in accordance with the Urban Renewal Law and the provisions of this Plan and applicable Cooperation Agreements.
- 2.7.3 If it becomes necessary for individuals, families or businesses to relocate as a result of the implementation of this Plan, a feasible method exists for the relocation of individuals, families, and business concerns that may be displaced, insuring that decent, safe and sanitary dwelling accommodations and business locations can be made.
- 2.7.4 The powers conferred by the Urban Renewal Law are for public uses and purposes for which public money may be expended and the police powers exercised, and this Plan is in the public interest and necessity, such finding being a matter of legislative determination by the City Council.

The owner and tenants within the Property have consented to the inclusion of the Property within this Plan.

3. DESCRIPTION OF PLAN OBJECTIVES

3.1 The Plan as a Tool.

This Plan is an important tool to address the problems confronting the Property. The objectives for the Plan include the following:

- Create a retail rich environment where area businesses and residents can be successful.
- Re-tenant or redevelop the Property.
- Increase retail activity by encouraging occupancy of the Property.

3.2 Plan Conforms to the City of Louisville Comprehensive Plan.

This Plan is intended to not only comply with the state statute, but also to conform to the desires of the citizens of the Louisville community as embodied in the City of Louisville Comprehensive Plan (“Comprehensive Plan”). The Comprehensive Plan defines the area as the focal point for a regionally significant commercial activity center and shall remain

the City's primary retail center that is supported by a mix of land uses including office and residential.

3.3 Plan to Alleviate Conditions of Blight Through Private Redevelopment.

The objective of this Plan is to alleviate the conditions of blight by encouraging private redevelopment that will in turn encourage the development and redevelopment and avoid underutilization of other properties in the vicinity.

4. PLAN IMPLEMENTATION

In order to accomplish the objectives of this Plan and to fully implement this Plan, LRC shall be authorized to undertake the following activities:

4.1 Redevelopment and Rehabilitation Actions

Redevelopment and rehabilitation actions within the Plan Area may include such undertakings and activities as are in accordance with this Plan and the Urban Renewal Law, including without limitation: demolition and removal of buildings and improvements as set forth herein; installation, construction and reconstruction of public improvements as set forth herein; elimination of unhealthful, unsanitary or unsafe conditions; taking actions to remove restrictive covenants that might otherwise contribute to the property remaining vacant and/or underutilized; elimination of obsolete or other uses detrimental to the public welfare; and other actions to remove or to prevent the spread of deterioration. LRC is authorized to negotiate and enter into Redevelopment Agreements and Cooperation Agreements with landowners, developers, the City of Louisville, and investors regarding appropriate projects throughout the Plan Area which will generate increased sales and property tax revenues, and to enter into any other agreements authorized or permitted under the Urban Renewal Law or other law. Notwithstanding any language that could be construed to the contrary in § 31-25-107(8), all development in the Plan Area shall be processed in accordance with the ordinances and rules and regulations in place at the time of the application for said project, including, without limitation, the provisions of the Louisville Municipal Code.

4.2 Property Acquisition

The principal purpose of this Plan is the re-tenanting or redevelopment of the Property within the Plan Area. The power of eminent domain as authorized by the Urban Renewal Law may be utilized to alleviate the qualifying conditions specified in Section 2 of this Plan as provided in the Urban Renewal Law.

- 4.2.1 The LRC through purchase or eminent domain or by any method authorized by the Act and the Urban Renewal Plan may acquire property. Any proposal to acquire property under the power of eminent domain must first be approved by the affirmative vote of two-thirds of the entire Louisville City Council. The LRC may temporarily operate, manage and maintain property acquired in the Urban Renewal Area. Any such property acquired shall be

under the management and control of the LRC and may be rented or leased pending its disposition for redevelopment.

4.3 Relocation Assistance and Payments

In the event it is necessary to relocate or displace any business or other commercial establishments as a result of any property acquisition, LRC may adopt relocation policies for payment of relocation expenses. Such expenses may include moving expenses, actual direct losses of property for business concerns, and goodwill and lost profits that are reasonably related to relocation of the business, resulting from its displacement for which reimbursement or compensation is not otherwise made.

4.4 Public Improvements and Facilities

LRC may undertake certain actions which would make the Plan Area more attractive for private investment by providing public improvements consistent with the Comprehensive Plan or McCaslin small area plan. These improvements could include, without limitation, street and traffic improvements, streetscape improvements, a transportation center, landscaping, park and recreation facilities, utility improvements, open space acquisition, stormwater improvements, public art projects, and other similar improvements necessary to carry out the objectives of the Comprehensive Plan or McCaslin small area plan.

4.5 Redevelopment Agreements

LRC is authorized to enter into one or more Redevelopment Agreements with developer(s) and such other entities as are determined by LRC to be necessary or desirable by LRC to carry out the purposes of this Plan. Such Redevelopment Agreements may contain such terms and provisions as shall be deemed necessary or appropriate by LRC for the purpose of undertaking the activities contemplated by this Plan or the Urban Renewal Law, and may further provide for such undertakings by LRC, as may be necessary for the achievement of the objectives of this Plan or as may otherwise be authorized by the Urban Renewal Law.

4.6 Interagency Cooperation

LRC may enter into one or more Cooperation Agreements with the City of Louisville or other public bodies pursuant to the Urban Renewal Law. Cooperation Agreements may provide, without limitation, for financing, for construction of public improvements, for administration, for technical assistance and for other purposes.

5. PROJECT FINANCING

5.1 No Tax Increment Financing

This Plan does not authorize use of tax increment financing pursuant to Section 31-25-107(9), C.R.S. The use of tax increment financing within the Plan Area can only be authorized by amendment to this Plan.

5.2 Participating Interest in Projects

In the event a project derives particular and unique benefits from public improvements financed by the LRC, the public should share in the success of the project. The terms of the participating interest will be specified in the Redevelopment Agreement at a level and on terms appropriate for each project.

6. MODIFICATIONS TO THIS PLAN

6.1 Plan May Be Amended or Modified

This Plan may be amended or modified pursuant to provision of the Urban Renewal Law as provided in § 31-25-107, C.R.S. Major modifications to this Plan will require appropriate notification in accordance with the Urban Renewal Law, including submission to the Board of County Commissioners of Boulder County and written notice provided to all property owners, residents, and owners of businesses in the Plan Area not less than 30 days prior to the consideration of an substantial modification.

FIGURE 1
MAP OF PLAN AREA



SUBJECT: RECAP OF 2023 WORK PLAN AND STATUS UPDATE

DATE: SEPTEMBER 20, 2023

PRESENTED BY: AUSTIN BROWN, INTERIM ECONOMIC VITALITY MANAGER

SUMMARY:

The following is intended to provide a brief recap of how the current 2023 Work Plan was arrived at, and how it incorporates the recommendations from the DCI Downtown Strategy Report (“Report”). As there have been some discussions at recent meetings about potentially considering other initiatives that the LRC may wish to undertake, I am recapping the current work plan and DCI recommendations that are intended to be worked on for the remainder of 2023. In addition, I have provided a status update on each of the projects on the current work plan.

DISCUSSION:

January 9, 2023:

- The Louisville Revitalization Commission (LRC) held a meeting to prioritize initiatives and actions that could realistically be achieved or initiated in 2023.
 - The initiatives discussed utilized those in the existing LRC work plan as well as recommendations from the DCI Report.
- Staff recommended that the LRC come to consensus on the top 5-10 initiatives and provide further direction on “Potential Actions” desired to achieve the initiative where appropriate.

February 8, 2023:

- Based on the feedback provided at the January 9, 2023 work planning session, staff developed a draft 2023 LRC Work Plan and Advanced Agenda. Other projects that were not identified as priorities are listed as “future” projects to be considered at a later time.
- The 2023 LRC Work Plan was developed using the existing LRC Work Plan and recommended initiatives outlined in the Downtown Colorado Inc. (DCI) October, 2022 Downtown Strategy Report.
- The 2023 Work Plan is intended to distill the Louisville Revitalization Commission’s highest priority projects for this year and begin to allot time on upcoming agendas as needed to advance the projects.
- Based on the input from this meeting, the 2023 LRC Work Plan was created and presented at the March 8, 2023 meeting.

RECOMMENDATION:

Staff recommends LRC identify any changes/revisions desired to the remainder of the 2023 Work Plan.

SUBJECT: RECAP OF 2023 WORK PLAN AND STATUS UPDATE

DATE: SEPTEMBER 20, 2023

PAGE 2 OF 2

ATTACHMENTS:

- Attachment 1: 2023 Draft Work Plan with Status Updates
- Attachment 2: DCI Strategy Table for LRC from DCI Downtown Strategy Report, October, 2022



Louisville Revitalization Commission
2023 Work Plan Prioritization Table



2023 Priority Projects & Status Update, September, 2023

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding	Status as of September 20, 2023
Outdoor Ice Rink (new project added due to rink vendor indicating they were not going to do any longer)	See Status	Q2-Q3 Project was added in Q2	5+	Approx \$425,000	<ul style="list-style-type: none"> Amended LRC budget for \$300K. In process developing Coop Agreement for LRC/City Council for ice rink equipment and operations. Need to adjust 2023 budget to move funds from an expense line item not being utilized to fund remaining \$125K for project. Will do before end of year. Vendor selected, contract completed, equipment orders underway and planning for event season underway.
Downtown Coordinated Streetscape Plan	<ul style="list-style-type: none"> Discuss scope and funding Review Request for Proposal Council approval/collaboration Contract for consultant Public Engagement/plan development Plan adoption May include EV charging, alleyway activation, and district branding signage 	Q1-Q4	4-6	Approx \$150,000	Contract being developed and project should be underway in September.
Commission and Board URA Project Support	<ul style="list-style-type: none"> Create proposal process and criteria for Boards and Commissions Conduct outreach to Cultural Council and others that may be interested in participation Review and approve proposals 	Q1-Q4	3+	\$50,000	Not started



**Louisville Revitalization Commission
2023 Work Plan Prioritization Table**



Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding	Status as of September 20, 2023
Funding/Incentive Development	<ul style="list-style-type: none"> Amend cooperation agreement Review and develop new incentive programs for existing business improvements New business attraction and business retention incentives for the URA Could include historic preservation component Market program Review/approve funding opportunities 	Q2-Q4	3+	TBD	<ul style="list-style-type: none"> Coop Agreement amended. Considered incentive programs per DCI recommendations; in process expanding Façade Imp Program into Property Improvement Program to fund a variety of building/site improvements and upgrades.
Sustainability Grant Program	<ul style="list-style-type: none"> Explore program for energy efficiency building upgrades/EV charging grants (consider partnership with County PACE) Consult with Sustainability Coordinator 	Q3-Q4	2+	TBD	<ul style="list-style-type: none"> Energy efficiency upgrades to be included in Property Improvement Program. Not started on EV charging grants; sustainability team partnering with PACE on variety of items to support businesses.
Marketing Strategy for URA	<ul style="list-style-type: none"> Update current marketing materials Potential hiring of marketing/graphics consultant Develop materials for new LRC programs 	Q1-Q4	As needed	\$150,000	LRC decals are completed and ready for distribution. Updating of marketing materials and materials for new PI incentive will be worked on when program is ready to launch and into 2024.
South Street Underpass	<ul style="list-style-type: none"> Engage with City Council on next steps for funding and design Potential DRCOG TIP grant 	Q2-Q3	1+	TBD	<ul style="list-style-type: none"> DRCOG grant awarded (\$3M) <i>Need to engage with Council on funding considerations soon – Q3 or Q4.</i>
DBA Engagement	<ul style="list-style-type: none"> Meeting w/ DBA to identify projects and partnership opportunities Support creation of DBA BID district funding/election 	Q3	1-2	TBD	Not started. Staff can coordinate this meeting between LRC and DBA as desired. DRC completed retreat in July of 2023 so has established their goals/items to work on.
Small Business Retention/Attraction	<ul style="list-style-type: none"> Consider Development of Grant Program to attract/retain small businesses within URA 	Q3-Q4	2-4	TBD	Not started. Can be considered once the new PI incentive program is completed.



**Louisville Revitalization Commission
2023 Work Plan Prioritization Table**



Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding	Status as of September 20, 2023
Hwy 42 Plan Development	<ul style="list-style-type: none"> • DRCOG TIP funded design grant • Engage in planning and design 	Q3-Q4	1-2	N/A	Need to connect with public works for update.
SBR Corridor Plan	<ul style="list-style-type: none"> • DRCOG corridor planning grant • Engage in planning and design 	Q3-Q4	1-2	N/A	Not initiated.
2024 CIP Planning/Coordination	<ul style="list-style-type: none"> • Develop project list • Projects may include bicycle and pedestrian improvements, SBR sidewalk widening, etc. • Make recommendations on projects and funding/cost share on priority projects 	Q3	2-3	N/A	This is likely to be delayed for consideration until AFTER completion of the Downtown Streetscape Vision plan is completed in early 2024.
10 Year Comprehensive Plan Update	<ul style="list-style-type: none"> • Provide feedback on plan development • Project will extend into 2024 	Q3 or Q4	1-2	N/A	Just kicking off as new Planning Manager is onboard. Plan 18-24 mos process.
Façade Improvement Program Application Review	<ul style="list-style-type: none"> • Review and approve applications • Expand marketing materials 	Q1-Q4	As needed	\$300,000	Ongoing
Development Assistance Application Review	<ul style="list-style-type: none"> • Review proposals and develop incentive agreements 	Q1-Q4	As needed	TBD	Ongoing (1 direct assistance request under consideration)
Downtown Street Light Conversion	<ul style="list-style-type: none"> • Potential project update 	TBD	1	\$480,000	On Hold – dependent on Downtown Streetscape Plan
Downtown ADA Project	<ul style="list-style-type: none"> • Potential project update 	TBD	1	\$120,000	On Hold – dependent on Downtown Streetscape Plan
Electric Vehicle Charging Stations	<ul style="list-style-type: none"> • Potential project update 	TBD	1	\$26,000	On Hold – dependent on Downtown Streetscape Plan
Downtown Conduit and Paver Repair	<ul style="list-style-type: none"> • Potential project update 	TBD	1	\$420,000	On Hold – dependent on Downtown Streetscape Plan



Louisville Revitalization Commission
2023 Work Plan Prioritization Table



Other Potential Projects - Status Update, August, 2023

None of the projects below have commenced. EV Staff workload has not allowed for time to work on items other than the priority projects.

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
Small Business Survey	<ul style="list-style-type: none"> Possible partnership with DBA and/or Chamber 	TBD	TBD	TBD
Shuttle Service to CTC	<ul style="list-style-type: none"> Create program and hire private shuttle service between CTC and Downtown Survey DTC to see if it would be desired. 	TBD	TBD	TBD
Inventory Local Events	<ul style="list-style-type: none"> Create inventory of events and track attendance Focus on marketing local events Develop strategy/use for data 	TBD	TBD	TBD
Cooperative Incubator	<ul style="list-style-type: none"> Define scope and intent of program Identify location, staffing and resources needed Lease incubator space for business start up 	TBD	TBD	TBD
Commissioner Outreach to Property Owners	<ul style="list-style-type: none"> Develop strategy for direct Commissioner outreach to property owners regarding redevelopment opportunities Inform businesses of current programs/façade program 	TBD	TBD	TBD
Parking Lot Management	<ul style="list-style-type: none"> Improve Sports Complex parking to provide additional downtown parking 	TBD	TBD	TBD
Downtown WiFi Network	<ul style="list-style-type: none"> Develop program and contribute to funding Presentation on Downtown communications options 	TBD	TBD	TBD

DCI Strategy Table for LRC

Local Business Support

Mgmt + Coordination

Enhance Connectivity

Themes: Improve the Experience

STAFFING + CONTRACTS	Pg. #	Funding	Workplan Priority	Outreach Impacts		Plan Area Location				
				Comms Plan	Direct Engage	Dtown	Hwy 42	DeLo	S. Bo Rd.	
DBA Engagement	DCI 3a2, 6d	\$\$				X	X	X		
Marketing Strategy for URA Area	WP 6b, DCI 4b	\$\$	In Process	X		X	X	X	X	
Site Analysis / Pro Forma	DCI 5a, 5b	\$				X	X	X	X	
URA Director Position	DCI 3a1	\$\$								
Community / Small Business Survey	DCI 5b	\$		X	X	X	X	X	X	
Market Study	DCI 5c	\$		X	X	X	X	X	X	
PRE-APPROVED FUNDS FOR SMALL MOVES										
Arts + Culture Activities	DCI 7e	\$\$			X		X	X	X	
“First Impression” Visual Cues	DCI 1e	\$			X		X	X	X	
Paint Murals, Streets, or Signs	DCI 1g	\$			X	X	X	X	X	
Alleyway Enhancements	DCI 1f	\$\$			X	X	X	X	X	
Placemaking + Activation	DCI 1d, 7f	\$			X	X	X	X	X	
Streetscape Enhancements	DCI 7a	\$\$\$				X	X	X	X	
Terraces + Patios	DCI 7c	\$		X	X	X	X	X	X	
DBA > BID Formation	DCI 3d	\$		X	X	X	X	X		
Historic Structure + Code Improvements	DCI 7b	\$		X		X				
Resilience + Climate Impacts	DCI 7d	\$\$		X	X	X	X	X	X	
COORDINATION FOR INCREMENTAL CHANGE										
Activation with Water Features	DCI 1h	\$\$\$					X	X		
Downtown Streetlights	WP 3c	\$\$\$	Med				X	X	X	
Gateway Art + Cues	DCI 1a, 2b	\$\$		X	X	X	X	X	X	
Sidewalk + Landscape Improvement	WP 1g, 4c, DCI 1c	\$\$	In Process / Med	X	X	X	X	X		
Undergrounding Utilities	WP 2b	\$\$	In Process	X	X		X			
Wi-Fi Improvements	WP 3a	\$\$	High	X	X	X		X		
Incentives for EV Charging Stations	WP 1f, DCI 2f	\$	TBD	X		X	X	X	X	
Inventory All Local Events in URA Area	DCI 6d	\$		X	X	X	X	X	X	
Plans for On-Street Bike Networks, Bike Parking	WP 1c, DCI 2d	\$\$	High	X		X	X	X		
Shuttle Service to CTC	DCI 2c	\$\$\$		X		X	X	X		
Marketing + Comms Materials for LRC	WP 6a, DCI 4a	\$	In Process	X	X	X	X	X	X	
Cooperative Incubator	DCI 6b	\$\$		X	X	X			X	
Innovation Center	DCI 6a, Catalyst 7	\$\$\$		X	X	X			X	
Small Business Retention / Cap-Ex Support Plan	DCI 3c, 6a, 6c	\$\$		X	X	X	X	X	X	
LONG-TERM PLANNING										
Reprogram Parking Lots	DCI 1c	\$				X	X	X	X	
Sidewalk Improvements - Eval and Install	WP 1e,2a,2e, DCI 1b	\$\$\$	Med				X	X		
Street Furniture and Fixtures - Eval and Install	WP 1d, DCI 1b	\$\$\$	Low				X	X		
Connectivity Network Plan	WP 3b, 4b, DCI 4a	\$\$\$	Low	X	X	X	X	X	X	
Implement District Wayfinding Signage	WP 1a, DCI 2a	\$\$	Low	X	X	X	X	X	X	
Underpass Improvements	WP 2c,2d, DCI 2b	\$\$\$	High	X	X		X		X	
Communicate Redevelopment Strategy	WP 5d, DCI 4b	\$	High	X	X	X	X	X	X	
Parking Lots - Management	WP 2f, DCI 2e	\$\$	TBD	X	X	X	X	X	X	
Public Infrastructure Assistance Plan	WP 5e	n/a	TBD		X	X	X	X	X	
Repurpose Large Box Space	DCI 6a, Catalyst 4	\$\$		X	X	X			X	

Items found only in the existing LRC Workplan Items found in DCI Recommendations and LRC Workplan

SUBJECT: DISCUSSION – SOUTH STREET UNDERPASS AND HIGHWAY 42 FUTURE PROJECT

DATE: SEPTEMBER 20, 2023

PRESENTED BY: AUSTIN BROWN, INTERIM ECONOMIC VITALITY MANAGER

SUMMARY:

The following is an update on the South Street Underpass Project. As indicated in the next section, both the timing and cost of the South Street Underpass may be dependent on the Future 42 Project.

DISCUSSION:

The City originally assumed that 30-100% of the South Street Underpass would need to be funded. However, with the award from DRCOG for the Future 42 project, only 60-100% of the design for the underpass will need to be funded. This funding will come from \$334K from DRCOG and \$83K from the City of Louisville. There will be no request for LRC funding for the design phase.

Because the City only received a partial match for these projects, it's currently estimated that there will be a funding gap of approximately \$4,667,000 for the construction phase of the South Street Underpass. This gap will need to be met by City or other outside funding. A summary of the project costs and funding for both the design and construction phases of the South Street Underpass is included below.

Funding Source	Design Phase	Construction Phase
Total Cost	\$1,000,000 Total Cost	\$8,000,000 Total Cost
DRCOG STBG FY 25	\$334,000	
DRCOG STBG FY26		\$2,666,000
CoL Required Match	\$83,000	\$667,000
Funding Gap		\$4,667,000

There should be a much better cost estimate for the construction phase before final commitments are needed. In this case, final Intergovernmental Agreements for funding with the LRC would not be needed until a later date. However, it may make sense to have a Memorandum of Understanding (MOU) or something similar in place, where the LRC commits to assisting current construction estimates. This process and potential MOU would also allow the City to continue to pursue other funding opportunities, including other partnerships and grants (additional DRCOG Transportation Improvement Program funding, Boulder County contributions, etc.).

SUBJECT: SOUTH STREET UNDERPASS AND HIGHWAY 42 FUTURE PROJECT

DATE: SEPTEMBER 20, 2023

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A proposed schedule of the project is included below. As you can see, the City is still very early in the process for this project. Ideally, the City would begin the design phase of the South Street Underpass shortly after the 60% CO42 Design Project meets the 60% design milestone, which is anticipated around Q3 of 2024.

X	Q3 2023	FY24-27 TIP Adopted
	Q4 2023	Start IGA process with CDOT
	Q3 2024	CO42 60% Design Project design complete
	Q3 2024	IGA Executed with CDOT
	Q4 2024	<i>Begin DRCOG FY25 – Design Funding Available</i>
	Q4 2024	Advertise for design consultant
	Q4 2024	Approve design consultant contract
	Q1 2025	Kick-off Final Underpass Design Efforts
	Q3 2025	60% Design Review
	Q3 2025	Final Environmental Clearance
	Q4 2025	<i>Begin DRCOG FY26 – Construction Funding Available</i>
	Q4 2025	90% Design Review
	Q1 2026	Clear for Construction
	Q2 2026	Advertise for Bids

RECOMMENDATION:

None. Informational only.

ATTACHMENT(S):

None.

**SUBJECT: DISCUSSION/DIRECTION – LRC JOINT MEETING WITH
DOWNTOWN BUSINESS ASSOCIATION**

DATE: SEPTEMBER 20, 2023

PRESENTED BY: AUSTIN BROWN, INTERIM ECONOMIC VITALITY MANAGER

SUMMARY:

The 2023 LRC Work Plan identified Downtown Business Association (DBA) Engagement as a priority for 2023. A joint meeting with the DBA was suggested as a potential first step towards DBA engagement.

DISCUSSION:

Prior to holding a joint meeting with the DBA, staff recommends that the LRC determine whether any of the DBA's goals and priorities line up with the LRC's own priorities. The DBA held a Board Member retreat on June 30 that covered a wide range of topics. DBA President Rick Kron submitted a list of items introduced during the retreat that he felt would be of mutual interest to both the DBA and the LRC. All of these items are in support of the DBA's goal of creating and maintaining a vibrant downtown.

1. Address empty buildings downtown.
 - a. Former Chase Bank (833 Main Street)
 - b. Former Empire Lounge and Restaurant (816 Main Street)
 - c. Wildwood Guitars (804 Main Street)
 - d. Louisville Grain Elevator (540 County Road)
2. Explore possible closure of Main Street to vehicular traffic and act on the results, with a potential closure starting in 2024.
3. Downtown East Louisville (DeLo) needs activation.
 - a. Support new housing project
 - b. Create and/or encourage new events in the area
 - c. Develop and implement a marketing strategy
 - d. Increased signage on Highway 42
4. Support the LRC's expanded incentive program.
 - a. Expanded, more flexible program beyond just facades
 - b. Encourage easy application procedures and timely approvals
 - c. Include incentives for energy code and dark sky improvements
 - d. DBA is encouraged by the discussion of broad uses for the program

SUBJECT: LRC JOINT MEETING WITH DOWNTOWN BUSINESS ASSOCIATION

DATE: SEPTEMBER 20, 2023

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5. Consider adding a 'Small Business Specialist' or ombudsman to help navigate the City permit process.
6. Expand downtown offerings to include more new, fun and interesting things.
 - a. Sporting goods store, men's store, wine shop
 - b. Different restaurant types
 - c. More entertainment areas
 - d. Create common consumption areas
7. Upgrade signs and allow more art in downtown.
8. Reopen the downtown outdoor ice rink.

RECOMMENDATION:

Staff recommends that the LRC review the list of DBA priorities to determine whether or not there is a need for a future joint meeting with the DBA. If directed by the LRC, staff will coordinate a joint meeting between the two groups.

ATTACHMENT(S):

None.

**SUBJECT: DISCUSSION – CONSIDERATION OF HIRING A URA
CONSULTANT**

DATE: SEPTEMBER 20, 2023

PRESENTED BY: AUSTIN BROWN, INTERIM ECONOMIC VITALITY MANAGER

SUMMARY:

Downtown Colorado, Inc. recommended in its Downtown Strategy Report for the LRC in October 2022 that the LRC consider hiring an Urban Renewal Area (URA) Director. After conversations between staff and the LRC, both parties decided that a consultant may make more sense than a full time staff position.

DISCUSSION:

Prior to creating a Request for Proposals (RFP) from consultants, staff seeks to identify what duties the LRC anticipates that a potential consultant would perform. These duties will need to be captured in the RFP to ensure that staff receives accurate quotes.

RECOMMENDATION:

None. For discussion only.

ATTACHMENT(S):

None.