



Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: March 14, 2022

TO: President Heather Graham and Members of City Council
CC: Mayor Nicholas A. Gradisar
VIA: Marisa Stoller, City Clerk
FROM: Jerry M. Pacheco, Pueblo Urban Renewal Authority Executive Director
SUBJECT: AN ORDINANCE MAKING CERTAIN LEGISLATIVE FINDINGS AND APPROVING THE URBAN RENEWAL PLAN FOR THE MITCHELL PARK SOUTH PROJECT AREA

SUMMARY:

Attached is an Ordinance for City Council to approve the Pueblo Urban Renewal Authority ("PURA") Plan for the twelve-block area surrounding the Pueblo Community Health Center ("PCHC") Park Hill clinic located at E. 8th Street and Lacrosse now known as Mitchell Park South Project Area.

PREVIOUS COUNCIL ACTION:

On July 26, 2021, City Council approved Resolution No. 14666 authorizing PURA to conduct a study to determine whether the area adjacent to the PCHC Park Hill location is a slum, blighted area, or a combination thereof, and to notify owners of property in the area are subject of such study.

On July 27, 2020, City Council approved Resolution No. 14448 authorizing PURA to conduct a study to determine whether the area adjacent to the PCHC Park Hill location is a slum, blighted area, or a combination thereof, and to notify owners of property in the area are subject of such study.

On July 6, 2020, representatives from PURA and PCHC presented redevelopment opportunities at the City Council Work Session.

BACKGROUND:

PURA has met with City of Pueblo and Pueblo Community Health Center representative to discuss redevelopment opportunities surrounding PCHC's new \$38 million health care facility located at E. 8th Street and Lacrosse. PCHC's investment could serve as a catalyst to develop, establish, and execute a measurable redevelopment plan for the area immediately adjoining the new clinic.

FINANCIAL IMPLICATIONS:

There are no financial implications for the City.

BOARD/COMMISSION RECOMMENDATION:

On March 8, 2022, the Pueblo Urban Renewal Authority Board of Commissioners recommended approval of the Mitchell Park South Urban Renewal Plan. The Planning and Zoning Commission made a recommendation at the March 9, 2022, meeting.

STAKEHOLDER PROCESS:

The Pueblo Urban Renewal Authority has complied with all requirements necessary under the Urban Renewal Act. Taxing entity notices and presentations have been completed.

ALTERNATIVES:

Denial of this Ordinance will result in the dismissal of the property owner's concerns and request for further study.

RECOMMENDATION:

Approval of the Ordinance.

Attachments:

Draft Mitchell Park South Urban Renewal Plan

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN LEGISLATIVE FINDINGS
AND APPROVING THE URBAN RENEWAL PLAN FOR THE
MITCHELL PARK SOUTH PROJECT AREA

WHEREAS, the Pueblo Urban Renewal Authority staff (the "Authority Staff") conducted an Conditions Survey of the area (the "Area") described in Exhibit A, attached to and incorporated herein, to determine if the Area contains factors included in the definition of "blighted area" in the Colorado Urban Renewal Law Sections 31-25-101, *et seq.*, C.R.S., (the "Act"); and

WHEREAS, Authority Staff prepared, submitted, and presented to the City Council a document entitled "Mitchell Park South Conditions Survey" (the "Survey") dated August 12, 2021, which describes in detail the conditions in the Area and is incorporated herein by this reference; and

WHEREAS, the Authority has prepared and approved the Urban Renewal Plan for the Mitchell Park South Project Area (the "Plan"), a copy of which has been approved as to form by the City Attorney and is attached hereto and incorporated herein; and

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

WHEREAS, notice of the public hearing on the Plan was published as required by Section 31-25-107(3), C.R.S., at least thirty days prior to the public hearing; and

WHEREAS, written notice was mailed or delivered to each property owner, business, and resident of the area included in the Plan informing them of the public hearing at least thirty days prior to the public hearing; and

WHEREAS, the Pueblo Planning and Zoning Commission has determined that the Plan complies with the Pueblo Regional Comprehensive Development Plan (the "Comprehensive Plan"), which is the general plan for the development of the City as a whole; and

WHEREAS, on March 28, 2022, the City Council conducted a public hearing and reviewed said Plan pursuant to the procedural and notice requirements of the City Charter, and the Act, and the City Council having considered the evidence presented in support of and in opposition to the Plan, the Survey, the City's Comprehensive Plan, and staff recommendations and so having considered the legislative record and given appropriate weight to the evidence; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

The Urban Renewal Area described in the Plan is found and declared to be a blighted area as defined in the Act. This is a legislative finding by the City Council based upon the Survey and other evidence presented to City Council.

SECTION 2.

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

SECTION 3.

The Plan has been submitted to the Board of County Commissioners of Pueblo County, Colorado, (the "County") together with the information required by Section 31-25-107(3.5) of the Act. The Plan will remediate severe conditions of blight in the Urban Renewal Area. The costs of remediating conditions of blight in the Urban Renewal Area are disproportionately high and exceed revenue available for such purposes pursuant to Section 31-25-107(9) of the Act. In addition, new taxable improvements not included in the Urban Renewal Area and not subject to allocation by the Act and the Plan but required for the operation for the proposed uses within the Urban Renewal Area, will provide new property tax revenue to the public bodies that levy property taxes in the Urban Renewal Area (the "Taxing Entities").

SECTION 4.

The Taxing Entities have received (1) copies of the Plan, (2) financial information showing the net financial benefits to the Taxing Entities from redevelopment of the Urban Renewal Area and adjacent property not included in the Urban Renewal Area, and (3) a proposed agreement that waives the right to claim property tax increment revenue allocated to the Authority by the Act and related provisions necessary and in the public interest to remediate conditions of blight and construct required improvements in the Urban Renewal Area.

SECTION 5.

Pueblo City Schools (School District No. 60) has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of the tax allocation provisions authorized by Section 31-25-107(9) of the Act.

SECTION 6.

It is not expected that any relocation of individuals and families will be required in connection with the Plan, but to the extent that any such relocation may be required, a feasible method exists for the relocation of individuals and families in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families.

SECTION 7.

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

SECTION 8.

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

SECTION 9.

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

SECTION 10.

Section 31-25-107(4)(e) of the Act does not apply because the City Council did not fail to previously approve this Plan.

SECTION 11.

The Plan conforms with the Pueblo Regional Comprehensive Development Plan, which is the general plan for the development of the City of Pueblo as a whole.

SECTION 12.

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

SECTION 13.

The entire Urban Renewal Area is within the corporate limits of the City. Construction and maintenance of public improvements and provision of services in the Urban Renewal Area will be the primary responsibility of the City, the Authority, and private enterprise. Any impacts on the services or revenues of the Taxing Entities will be offset by new revenues not now being collected by the Taxing Entities and directly produced as a result of the Plan and subsequent redevelopment of the Urban Renewal Area and adjacent property outside of the Urban Renewal Area.

SECTION 14.

The Urban Renewal Area described in the Plan does not consist of open land within the meaning of Sections 31-25-107(5) and (6) of the Act. Therefore, the findings and determinations set forth in such sections of the Act do not apply and are not required.

SECTION 15.

The Authority is not authorized to acquire property through the exercise of eminent domain.

SECTION 16.

The Urban Renewal Plan for the Mitchell Park South Urban Renewal Project Area has been duly reviewed and considered and is hereby approved. The Authority is hereby authorized to take any and all actions pursuant to the Act to carry out the Plan, including, without limitation, (1) completing agreement with Taxing Entities as required by applicable law and (2) filing of the Plan and related documents with the Pueblo County Assessor.

SECTION 17.

This Ordinance shall become effective upon final passage and approval by the Mayor and City Council.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on _____.

Final adoption of Ordinance by City Council on _____.

President of City Council

Action by the Mayor:

Approved on _____.

Disapproved on _____ based on the following objections:

Mayor

Action by City Council After Disapproval by the Mayor:

Council did not act to override the Mayor's veto.

Ordinance re-adopted on a vote of _____, on _____

Council action on _____ failed to override the Mayor's veto.

President of City Council

ATTEST

City Clerk