

**A RESOLUTION MAKING CERTAIN LEGISLATIVE FINDINGS AND APPROVING
THE MANITOU SPRINGS EAST CORRIDOR URBAN RENEWAL PLAN**

WHEREAS, Nolte Associates, Inc. and Leland Consulting Group (the "Consultants") have been retained to conduct studies and surveys of the area (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, the Consultants prepared, submitted and presented to the City Council a document entitled "Manitou Springs East Corridor" (the "Survey") dated July 31, 2006, containing 24 pages including exhibits, which Survey is incorporated herein by this reference, and which describes in detail the conditions in the Area that are summarized in Section 1, below; and

WHEREAS, by Ordinance No. 3206 the Manitou Springs City Council found and determined that the Area is a blighted area as defined in Section 31-25-103(2) of the Act; and

WHEREAS, the Consultants have prepared the Manitou Springs East Corridor Urban Renewal Plan, which 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) of the Act, at least thirty days prior to the public hearing; and

WHEREAS, written notice was mailed 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 Manitou Springs Planning Commission has determined that the Plan complies with the Manitou Springs Rainbow Vision Plan (the "Comprehensive Plan"), which is the general plan for the development of the City as a whole; and

WHEREAS, on December 5, 2006, the City Council conducted a public hearing and reviewed said Plan pursuant to the procedural and notice requirements of the Act, and the City Council having considered the evidence presented in support of and in opposition to the Plan, the Survey, the Comprehensive Plan, and staff recommendations and so having considered the legislative record and given appropriate weight to the evidence.

NOW, THEREFORE, be it resolved by the City Council of Manitou Springs, Colorado, as follows:

Section 1. Based on a review of the Survey and in accordance with the Act, the City Council finds and determines that the Area is a blighted area as defined in Section 31-25-103(2) of the Act, and by reason of the presence of the following factors the Area substantially impairs or arrests the sound growth of the City, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public health, safety, morals or welfare in its present condition and use. The City Council finds and determines that the following factors exist in the Area:

- 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;
- g. Inadequate public improvements or utilities;
- h. the existence of conditions that endanger life or property by fire and 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. the existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

The 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 El Paso County, Colorado, together with the information required by Section 31-25-107(3.5) of the Act.

Section 4. School District No. 14 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 5. 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 6. 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 7. 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 8. 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 9. 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 10. The Plan conforms with the Manitou Springs Rainbow Vision Plan, which is the general plan for the development of the City of Manitou Springs as a whole.

Section 11. 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 12. All of the Urban Renewal Area is within the corporate limits of the City. Construction of public improvements and provision of services in the Urban Renewal Area will be the primary responsibility of the City, the Manitou Springs Urban Renewal Authority and public entities other than the County, and private enterprise. The County has not provided information that any additional county infrastructure and services will be required to serve development in the Urban Renewal Area while the tax allocation provisions authorized by Section 31-25-107(9)(a)(I) and (II) of the Act are in place. Therefore, increases in County revenue resulting from the proportionate adjustment of the valuations for assessment under subparagraphs (I) and (II) of Section 31-25-107(9)(a) of the Act and the increase in new County sales tax revenue resulting from redevelopment in the Urban Renewal Area as described in the impact report provided to the County pursuant to Section 31-25-107(3.5) of the Act will adequately finance any additional County infrastructure or services while such tax allocation provisions are in effect.

Section 13. The Manitou Springs East Corridor Urban Renewal Plan has been duly reviewed and considered and is hereby approved. The Manitou Springs Urban Renewal Authority is hereby authorized to take any and all actions pursuant to the Act to carry out the Plan.

Section 14. This resolution is effective upon its approval by the City Council.

ADOPTED this 5th day of December, 2006.

CITY OF MANITOU SPRINGS, COLORADO

By: _____
Mayor

Attest:

By: _____
City Clerk

EXHIBIT A

Description of Urban Renewal Area

A tract of land bordered by the Manitou Springs City limits on the east; the north right-of-way line of El Paso Boulevard on the north, and the northerly and easterly right-of-way line of Highway 24 on the south and west; all in the City of Manitou Springs, County of El Paso, State of Colorado. The Urban Renewal Area contains approximately 50 acres.