

**DATE:** October 12, 2004

**STAFF:** Ken Waldo  
Clark Mapes

## **STUDY SESSION ITEM FORT COLLINS CITY COUNCIL**

### **SUBJECT FOR DISCUSSION**

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The North College Avenue Urban Renewal Plan.

### **GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED**

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1. Should the North College Avenue Urban Renewal Plan make provisions to retain the option of using either property taxes or sales taxes, or both, generated by development/redevelopment projects to help finance infrastructure improvements within the North College Corridor?
2. Does the City Council wish to appoint a special advisory committee to advise the Council acting as the Urban Renewal Authority's Board of Directors for issues related to the North College Avenue Urban Renewal Plan?
3. Does Council wish to delay the adoption of the Urban Renewal Plan so the Existing Conditions Survey (a.k.a. "Blight Study") can be amended to extend the boundary of the Plan east of Redwood Street to Lemay Avenue and south to Lincoln Avenue?
4. Should the Urban Renewal Plan be written in such a manner as to prohibit the location of any additional social service agencies in the North College Corridor?

### **BACKGROUND**

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In June of this year, the City was approached by the North Fort Collins Business Association to recognize the North College Avenue Corridor as an urban renewal project area and to create an urban renewal plan for it. Since June, staff has worked with a Citizens Advisory Committee (CAC), composed of business owners, business tenants, and members of the Planning and Zoning Board, to conduct an Existing Conditions Study (a.k.a. "Blight Study") and develop the North College Avenue Urban Renewal Plan. The Council is scheduled to conduct a public hearing and consider a resolution accepting the Existing Conditions Study and approving the North College Avenue Urban Renewal Plan at its November 16 regular meeting.

During the development of the North College Avenue Urban Renewal Plan several key issues have surfaced. Staff is seeking further direction from the Council in order to resolve the issues. These issues involve:

1. Property and Sales Tax Retention for Tax Increment Financing.
2. A North College Corridor Urban Renewal Plan Advisory Committee.
3. Boundary expansion east to Lemay Avenue and south to Lincoln Avenue
4. Location of additional social services agencies.

### Tax Increment Financing

State Statutes give an Urban Renewal Authority broad powers to carry out its statutory mandate. Included are the powers to enter into contracts, borrow funds and acquire property voluntarily or by eminent domain, among others. In financial related matters, an URA is authorized to borrow money, issue bonds, and accept grants from public or private sources. An URA does not have the power to levy or assess taxes of any kind, however, an urban renewal plan can provide for tax increment financing (TIF) for the Authority. Thus, the principal method of financing urban renewal projects is through obligations secured by property tax or sales tax increments, or both, from the project area. The question for the North College Urban Renewal Plan becomes, should the increases in property taxes or sales taxes, or both, be retained for the TIF increment? The TIF can continue for 25 years.

Staff has identified a listing of infrastructure needs for the North College area (see attached information). The total estimated cost of infrastructure improvements for the North College area is approximately \$72.9 million. Staff has estimated that about \$22.3 million can be covered by direct development contributions, impact fees, and utility fees. This still leaves a \$50.6 million funding gap. High priority projects on the list have about a \$6 million funding gap.

A major purpose of developing the North College Corridor Urban Renewal Plan is to set the area up for the utilization of tax increment financing. Infrastructure needs in the area have helped retard development/redevelopment activities since the proposed activities in the past were typically not large enough to cover the costs of development related and off-site infrastructure improvement needs.

According to staff's research and discussions with other urban renewal authorities, it is clear that URAs need to utilize both property tax and sales tax increments in order to be successful in achieving their missions. The redevelopment vision for the North College corridor is contained in the North College Avenue Corridor Plan. Of course, it is likely to take many years to achieve the ultimate vision of the North College Avenue Corridor Plan. If it were ever to be achieved, such redevelopment could, in staff's estimation, generate approximately \$2 million of property tax increment per year. Even that amount, unfortunately, is not sufficient to cover the costs of the infrastructure needs of North College Avenue corridor.

Thus, staff believes that something in addition to the property tax increment would need to be found to meet the capital funding needs in the North College corridor. The use of the sales tax increment could provide that funding source.

Staff needs direction from the Council as to whether the North College Avenue Urban Renewal Plan should be written to maintain the option to include the retention of the sales tax increment within the North College corridor for TIF purposes.

**CAC Advice to Staff:** The CAC's perception and belief is that for years the taxes paid by North College property owners and business operators have been used by the City to pay for services, facilities, and capital improvements located predominantly outside of the North College corridor. Therefore, the CAC strongly supports the retention of taxes from the Urban Renewal Plan to remain in the area and be used for infrastructure improvements within the North College corridor.

**Staff Recommendation:** Staff is seeking direction whether to keep the utilization of sales tax in the Plan as a possible option for TIF purposes. The ultimate decision to utilize the sales tax increment does not have to be made at this time. The benefit of utilizing both the property tax increment and the sales tax increment from development/redevelopment projects in the North College Corridor should be fairly obvious, there would simply be much more money available to be applied to infrastructure improvements of the area. On the negative side, retaining sales tax increases means less money will be available to the General Fund to keep up with the basic services that the City provides.

### **Advisory Committee**

In 1982, when the Fort Collins City Council created an Urban Renewal Authority (URA) the Council designated itself as the governing board (known as the "Authority"). Under the Urban Renewal State Statutes, the Mayor and the Council could appoint a separate governing board, as has been done in the case of the Downtown Development Authority. In previous discussions with the Council, the Council reconfirmed that they had no desire to pass the duties of the Urban Renewal Authority to an appointed group. It is likely other urban renewal plan project areas will be established in the future.

The Citizens Advisory Committee currently working with staff believes an advisory committee more familiar with the issues and concerns of the North College property owners and business operators is needed. They suggest the committee include two Council members, and maybe a representative from the Planning and Zoning Board, in addition to North College owners and other interested citizens. The advisory committee would provide comments and recommendations to the URA Board on matters pertaining to the Urban Renewal Plan such as project proposals, bond financing for projects, prioritization of infrastructure improvements, and plan amendments.

Staff seeks direction from the Council as to whether to include a provision for a special advisory committee for the North College Avenue Urban Renewal Plan.

**CAC Advice to Staff:** The CAC strongly supports the creation of an advisory committee to the point of indicating that it is essentially a condition for their continued support for the approval of the North College Avenue Urban Renewal Plan.

**Staff Recommendation:** Staff agrees with the CAC and supports the concept for a North College Avenue Urban Renewal Plan advisory committee and has included the creation of such a group in the Urban Renewal Plan document.

### **Boundary Expansion**

The initial Existing Conditions Study (a.k.a. "Blight Study") study area boundary was primarily based on the boundary of the North College Avenue Corridor Plan, a subarea plan element of City Plan (see attached map). The study area boundary was designed to identify the area that best met the criteria in the State's urban renewal law to meet the requirement that the City Council declare the area "blighted" and in need of redevelopment activity, which the URA is designed to help foster. As indicated above, a major means of financing infrastructure improvements which contribute to the blight of the area is through TIF. Including

undeveloped/vacant land within the boundary provides the greatest potential for a high property tax increment since the relatively low tax generation from such property would increase the most through development activity.

As the attached map shows, the initial proposed boundary for the Urban Renewal Plan did not extend east of Redwood Street. The CAC has asked if the boundary could be extended east to Lemay Avenue, generally between Conifer Street and Vine Drive, and perhaps south of Vine to Lincoln Avenue. The CAC's purpose of extending the boundary would be to include additional vacant/undeveloped property that could be a source for additional tax increment to be used to fund improvements in the North College corridor.

Staff has responded that the boundary could be extended, but there would be several issues and potential implications in doing so. Staff estimates it would take three to four months to address the implications. If Council supports the boundary expansion then two options exist. One option would be to adopt the Plan with the initial boundary, then do a boundary amendment at a later time. The second option would be to expand the scope of the Existing Conditions Study to identify items that would be used to address the criteria in the State's urban renewal law to determine if the area contained blighting influences in need of correction via an urban renewal plan. Also, the property owners of the area would need to be notified and brought up to speed on all the reasoning, purpose, potential actions, benefits, and liabilities of being included in the Urban Renewal Plan boundary.

In addition to the public process issues, an expanded boundary would open the Urban Renewal Plan to other capital improvement needs, e.g., the Lemay Avenue Bypass around Andersonville. So, while an expanded boundary would include vacant and undeveloped property that could be a source for additional tax increment, it would also bring other capital projects which could compete for funding with those closer to North College Avenue.

**CAC Advice to Staff:** The CAC strongly believes it is more important to go through the process to expand the boundary of the Urban Renewal Plan to include the area east of Redwood Street to Lemay Avenue and south to Lincoln Avenue than it is to have the Plan adopted by mid-November. The CAC believes a three or four month delay is acceptable to "do it right" the first time, rather than trying to complete the boundary expansion later.

**Staff Recommendation:** Staff understands that the City Council has expected the North College Avenue Urban Renewal Plan to be completed by the end of this year. Staff recommends that the adoption schedule stay on track and that the boundary expansion be done as a Plan amendment. However, staff is open to direction from the Council to delay the process in order to do the necessary work needed to complete the boundary expansion up front before Council adopts the Plan.

### Social Services

The United Way Agency of Larimer County, in conjunction with the Salvation Army, various other social service agencies, church groups, and the Cities of Loveland and Fort Collins, is proposing a Housing Services Day Center (serving homeless people and those at risk of becoming homeless) at the northwest corner of Conifer Street and Blue Spruce Drive. The

service center would be an additional agency to other social service agencies already located in the area, including the Larimer County Department of Human Development.

The North Fort Collins Business Association and its members serving on the CAC have repeatedly expressed concerns over the proliferation of social service agencies and the wandering of their clients through the area. These concerns range from simple loitering to actual crimes against persons and property. They believe these agencies and their clients contribute to the "blighted" image of the area. They also believe the North College area has their "fair share" of such agencies and new agencies should be distributed throughout other quadrants of the community.

On the other hand, the social service agencies consider consolidation of their agencies in one area contributes to the cost effectiveness of providing their services and allows sort of a "one-stop" service provision center to people in need. The United Way, Salvation Army, etc., have been attempting to work with all interested parties to resolve the issues and concerns from the new Housing Services Day Center. They are attempting to find design features, and operational and security procedures to alleviate the concerns.

An urban renewal plan can become the controlling document for the Plan's area of coverage, even overriding permitted uses allowed under a zoning code. Thus, the North College Avenue Urban Renewal Plan could be written in such a detailed manner that would prohibit the location of any additional social service agencies within the Plan's boundary even though the location of such services would be permitted by the City's Land Use Code.

**CAC Advice to Staff:** The CAC would like the North College Corridor Urban Renewal Plan to address the issue of social service agencies by prohibiting the location of any such additional agencies in the area.

**Staff Recommendation:** Staff believes the location/distribution of social services is a community-wide comprehensive planning and zoning issue and should not be addressed in the North College Avenue Urban Renewal Plan. To attempt to deal with the issue as part of the Urban Renewal Plan would delay the project by a period of six months or more. The issue will be extremely controversial and would require significant staff time and resources (from several City departments), could delay other department projects, and would require significant public outreach and involvement. Social service agencies are also property owners in the proposed urban renewal area and they would most likely oppose any ban which would complicate the adoption of the Plan.

### **Eminent Domain**

Staff and the CAC extensively discussed the use of the power of eminent domain by the URA and there are no significant difference between the CAC and staff on how that power should be addressed in the North College Avenue Urban Renewal Plan. Staff and the CAC agree that the eminent domain power should only be used as a last resort after all other attempts to reach agreement regarding the sale of a property have failed.

As the Council is aware, one of the most significant powers of an URA is the ability to assemble and consolidate property through the use of eminent domain for the purposes of helping

development/redevelopment projects. An URA may purchase privately owned property through eminent domain for transfer to a private developer to implement the Urban Renewal Plan through a development or redevelopment project.

The City Council currently has and utilizes the power of eminent domain to acquire private property for a public use, e.g., obtaining right-of way for a street improvement project. The City Council, acting as the Urban Renewal Authority, can use the power of eminent domain to acquire private property for public purpose, i.e., the implementation of an Urban Renewal Plan through a development/redevelopment project.

The State law on urban renewal authorities requires that eminent domain be addressed in an urban renewal plan. The CAC has some concerns about the power being used for the benefit of a developer at the expense of small business operators. Most CAC members understand that property assembly and consolidation will be required for development/redevelopment projects to properly move forward in the North College corridor and that some of them will need to sell their properties.

**CAC Advice to Staff:** The CAC understands that eminent domain needs to be addressed in the North College Avenue Urban Renewal Plan. The CAC, composed of property and/or small business owners/operators, would like the use of eminent domain to be limited to an act of “last resort” by the Urban Renewal Authority and not used for convenience or to circumvent the need for negotiated agreements. It is the property and/or small business owners/operators in the North College corridor who would most likely be approached by developers and asked to sell their land for a development or redevelopment project. It is property and/or small business owners/operators who, if they were unable to mutually agree with the developer on a price for acquisition of their property, would be subjected to the eminent domain powers of the URA. Therefore, the CAC believes the use of eminent domain should only be used after all realistic and honest efforts have been made by a developer to reach a mutually agreeable price for the acquisition of private property from the owner for a development or redevelopment project.

**Staff Recommendation:** Staff agrees with the CAC and has written a section in the North College Avenue Urban Renewal Plan to coincide with the desires of the CAC in regards to the future use of eminent domain as a last resort action.

## ATTACHMENTS

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North College Avenue Urban Renewal Plan  
North College Area Infrastructure Improvements

# North College Avenue

## Urban Renewal Plan



Prepared for:  
City of Fort Collins and  
Fort Collins Urban Renewal Authority  
October 5, 2004

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# 1. Preface and Background

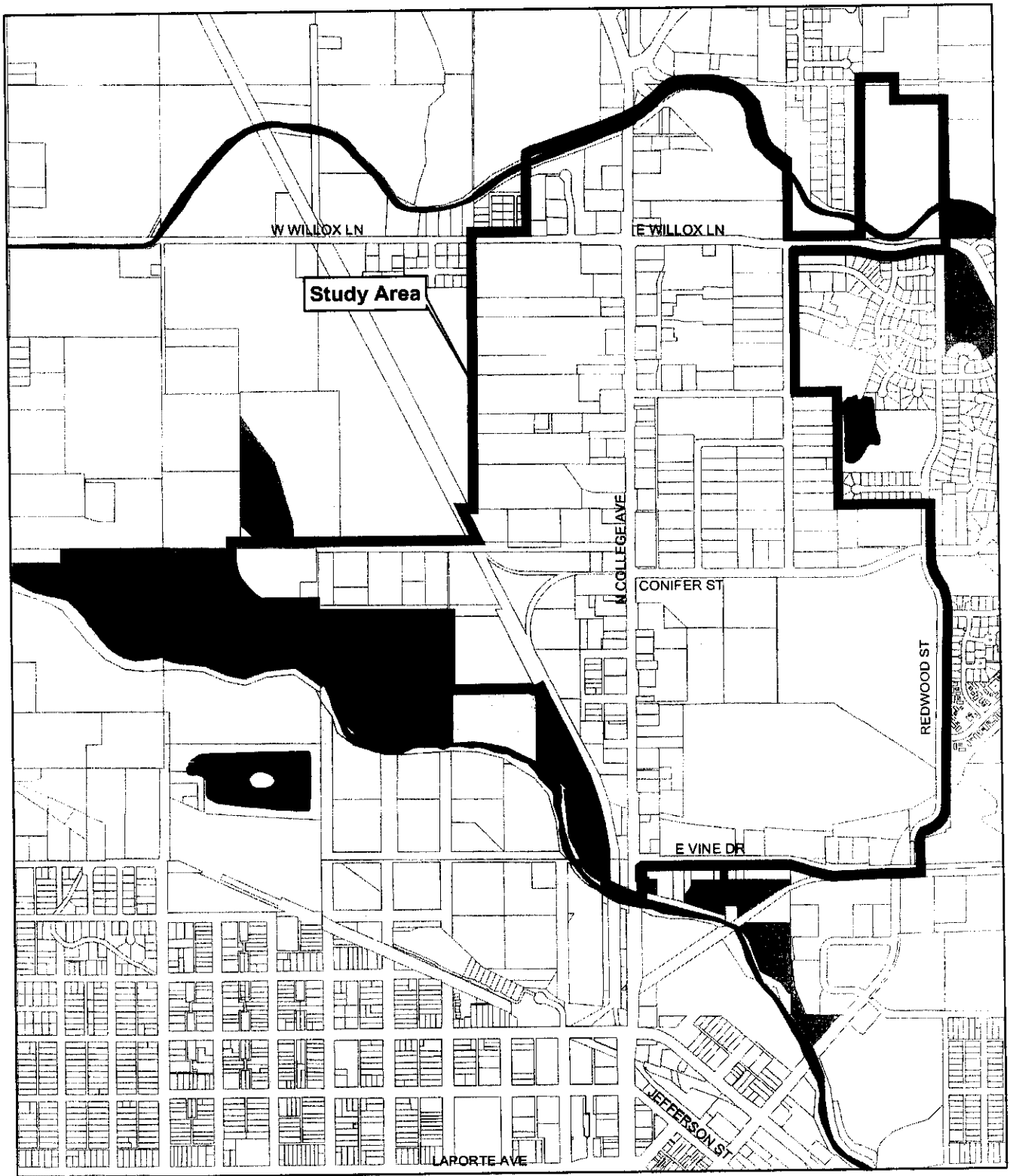
The North College Avenue Corridor Renewal Plan (Plan) is an urban renewal plan prepared for the Fort Collins Urban Renewal Authority (Authority) and the City of Fort Collins (the City), pursuant to the provisions of the Urban Renewal Law, Colo. Rev. Stat. §§ 31-25-101 et seq. (Urban Renewal Law). Terms used in the Plan have the same meaning as in the Urban Renewal Law.

The jurisdictional boundaries of the Authority are the same as the boundaries of the City. Within the City boundaries there may be one or more urban renewal areas. This Plan describes the framework for certain public undertakings constituting urban renewal projects and other authorized activities under the Urban Renewal Law in the North College Corridor area, located in the City of Fort Collins, Larimer County, Colorado.

The boundary of the area to which this Plan applies generally includes those properties located within the area bounded by:

- The Cache La Poudre River on the south,
- the Larimer-Weld Canal on the north,
- an irregular line generally about a quarter mile from North College Avenue on the west,
- and irregular line generally extending to Redwood Street about a half mile from North College Avenue on the east.

The plan area is depicted on the Boundary Map on the following page. A legal description of the area is attached hereto as Appendix A.



- City Limits
  - Property Lines
  - Rivers, Streams and Lakes
- Parks
  - Natural Areas
  - Study Area Boundary



This Plan was prepared for adoption by the City Council in recognition that the Renewal Area requires a coordinated strategy that addresses the elimination and prevention of the spread of blight and includes financing possibilities, to accomplish the City's development objectives for improving the viability of the area. The Plan effort was originated in response to a request by existing owners in the area. Owners reached consensus and requested the establishment of a renewal plan after years of involvement in public discussion. As a group, they recognize the problems with existing development, which is outdated and substandard, and they want to stay involved in solutions that fit the area.

It is the intent of this renewal plan for any redevelopment and other implementation actions to be done in a responsive manner, with full consideration for interests and concerns of owners in the area. The driving interest in establishment of this plan is to begin offering tax increment financing as a tool to facilitate projects that help remedy problems.

Development and redevelopment in the area is anticipated to occur incrementally over a substantial period of time.

## 2. Finding of "Blight"

Based on the evidence presented at a public hearing, and in the North College Avenue Existing Conditions Study, dated September 29, 2004, a copy of which is attached hereto as Appendix "B" the City Council, by Resolution 2004-118, made a finding that the Renewal Area was "blighted" as defined by the Urban Renewal Law, by the existence of the following ten factors:

- slum, deteriorated, or deteriorating structures;
- predominance of defective or inadequate street layout;
- faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- unsanitary or unsafe conditions;
- deterioration of site or other improvements;
- unusual topography or inadequate public improvements or utilities
- the existence of conditions that endanger life or property by fire or other causes;
- 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;
- environmental contamination of buildings or property;
- 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 City Council also found that these factors, taken together, substantially impair the sound growth of the City, constitute an economic and social liability, and are a menace to the public health, safety and welfare of the community. Based on evidence of the "blighted" factors, the Renewal Area is appropriate for authorized activities of the Authority pursuant to the Urban Renewal Law.

### 3. Plan Intent & Objectives

The intent and purpose of this Plan is to remedy blight and prevent the spread of blight by assisting implementation of the relevant provisions contained in the following documents:

- *North College Avenue Corridor Plan*
- *North College Avenue Access Management Plan*
- *City of Fort Collins Master Street Plan*
- *Fort Collins Infill Infrastructure Report*
- *City Plan (The City of Fort Collins Comprehensive Plan)*
- *City of Fort Collins Master Transportation Plan*
- *Dry Creek Drainage Basin Master Plan*

To do this, this Plan is intended to stimulate private sector development in and around the Renewal Area. A combination of private investment, Authority financing, and public investment will assist progress toward the following objectives:

- To facilitate redevelopment and new development by private enterprise through cooperation among developers and public agencies to plan, design, and build needed improvements
- To address conditions in the area that impair or arrest the sound growth of the city
- To implement the Comprehensive Plan and its related elements
- To redevelop and rehabilitate the area in a manner which is compatible with and complementary to unique circumstances in the area
- To effectively utilize undeveloped and underdeveloped land
- To improve pedestrian, bicycle, and vehicular circulation and safety
- To ultimately contribute to increased revenues for all taxing entities
- To encourage the voluntary rehabilitation of buildings, improvements and conditions

### 4. Renewal Activities

To support progress toward the objectives, the Authority may undertake any of the following renewal activities, as deemed appropriate for the elimination or prevention of blight factors within the renewal area, pursuant to the Urban Renewal Law:

- a. **Public Improvements.** The Authority may cause, finance or facilitate the design, installation, construction and reconstruction of public improvements in the Renewal Area.
- b. **Purchase of Property.** In the event that the Authority finds it necessary to purchase any real property for an urban renewal project to remedy "blight" factors pursuant to the Urban Renewal Law and this Plan, the Authority may do so by any legal means available, including the exercise of the power of eminent domain, pursuant to the Urban Renewal Law. If the power of eminent domain is to be exercised for the purpose of transfer of property to another private person or entity, it shall be exercised if and only if the following conditions are fully met:
  - all technical requirements of the Urban Renewal Law have been met;
  - no feasible and prudent alternative exists;

- good faith negotiation by the Authority and/or the project developer are refused or rejected by the owner;
  - reasonable efforts have been undertaken to understand and address the owner's position and desires for the property and business, and to work in conjunction with the owner to either a) include the owner in project planning; or b) purchase and relocate the owner in accordance with the Urban Renewal., and, if reasonable, on terms acceptable to the owner.
- c. Demolition. The Authority may provide for the demolition of existing development and clearance of sites as part of specific projects.
- d. Participation Agreements. The Authority may enter into participation agreements with property owners or developers in the renewal area to facilitate participation and assistance that the Authority may choose to provide to such owners or developers. These may include provisions regarding project planning, public improvements, financing, design, and any other matters allowed pursuant to the Urban Renewal Law.
- e. Relocation Assistance. It is not expected that the activities of the Authority will displace any person, family, or business. However, to the extent that in the future the Authority may purchase and manage property causing displacement of any person, family, or business, it shall develop a relocation program to assist any such party in finding another location pursuant to the Urban Renewal Law, and provide relocation benefits consistent with the Urban Renewal Law. There shall be no displacement of any person or business without there being in place a relocation program, which program shall become a part of this Plan when adopted.
- f. Hiring. The Authority may employ consultants, agents, and employees, permanent and temporary, and it shall determine their qualifications, duties, and compensation.
- g. Legal Authority. The Authority may also exercise all other powers given to it under the Urban Renewal Law.

## 5. Development Standards and Procedures

Development within the Renewal Area shall be designed and processed in accordance with the City of Fort Collins Land Use Code and other applicable standards, in the City's standard development review procedures.

## 6. Conformance

### URBAN RENEWAL LAW

This Plan is in conformity with and subject to the applicable statutory requirements of the Urban Renewal Law.

### CITY PLAN

The City's adopted Comprehensive Plan, known as *City Plan*, describes desirable land use and transportation patterns, with goals and policies for those topics along with community appearance and design, the environment, open lands, housing, the economy, and growth management. In addition, the adopted *North College Avenue Corridor Plan* is a related *Element of City Plan*.

Briefly summarized, the land use pattern envisioned by these plans for the Renewal Area is a commercial corridor well-integrated with surrounding mixed-use and residential development. The Renewal Area is envisioned to evolve with improved community design and streetscapes, in an interconnected framework of streets and blocks.

- As noted above, this Plan is intended to provide mechanisms to facilitate implementation of adopted plans, and therefore it is in conformance with those adopted plans. Accordingly, this Plan is in conformance with *City Plan* (the City's comprehensive plan).

## 7. Project Financing

Specific projects may be financed in whole or in part by the Authority under the tax increment financing (TIF) provisions of CRS § 31-25-107(9)(a) of the Urban Renewal Law, or by any other available source of financing authorized to be undertaken by the Authority pursuant to CRS § 31-25-105 of the Urban Renewal Law. This provision only authorizes increment financing, which financing will be implemented on a project by project basis; and the implementation of such increment financing will be performed at the time that such increment of taxation may be utilized, and in accordance with the Urban Renewal Law.

The Authority is authorized to: (a) finance urban renewal within the Renewal Area with revenues from property tax increments, interest income, federal loans or grants, agreements with public, quasi-public or private parties and entities, loans or advances from any other available source, and any other available sources of revenue; (b) issue bonds and incur other obligations contemplated by the Urban Renewal Law in an amount sufficient to finance all or any part of an urban renewal project within the Renewal Area; and (c) borrow funds and create indebtedness in any authorized form in carrying out this Plan in the manner contemplated by the Urban Renewal Law. Any principal and interest on such indebtedness may be paid from property tax increments, or any other funds, revenues, assets or properties legally available to the Authority. Such methods may be combined to finance all or part of the Plan activities.

### TAX INCREMENT

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

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

## **INCREMENT AMOUNT**

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

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

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

In the event that there is a general reassessment of taxable property valuations in Larimer County, which are subject to division of valuation for assessment between base and increment, as provided above, the portions of valuations for assessment to be allocated as provided above shall be proportionately adjusted in accordance with such reassessment.

## **8. Plan Advisory Group**

To help tailor implementation of this Plan to unique circumstances in the area, a citizen advisory group shall be formed with strong representation of owners in the North College Corridor area to render advice to the URA Board of Commissioners (Board). Furthermore, to ensure effective communication, this Plan recommends that the group include one or two members from City Council and a member from the Planning and Zoning Board. The intent of this Plan is for URA administrators to consult with the Advisory Group on all actions and decisions of the Authority regarding this Plan.

## **9. Modifications to the Plan**

This Plan may be modified pursuant to requirements and procedures set forth in CRS §31-25-107 of the Urban Renewal Law governing such modifications.

## 10. Reasonable Variations

The Board shall have the ability to approve reasonable variations (as determined by the Board) from the strict application of these Plan provisions, so long as such variations reasonably accommodate the intent and purpose of this Plan and the Urban Renewal Law. Plan provisions may be altered by market conditions, redevelopment opportunities and/or the needs of the community affected by the Plan.



# Appendix A - Legal Description

## DESCRIPTION OF THE BOUNDARY OF THE NORTH COLLEGE URBAN RENEWAL PLAN AREA

The North College Urban Renewal Plan Area is located in Sections 35 and 36 of Township 8 North Range 69 West and in Sections 1, 2, 11 and 12 of Township 7 North Range 69 West all of the Sixth Principal Meridian, City of Fort Collins, Larimer County, Colorado, being more particularly described as follows;

Commencing at the northeast corner of the said Section 2;  
THENCE westerly along the north line of Section 2 to the east one sixteenth corner on the north line of Section 2 and to the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;  
THENCE northerly along the west line of the southeast quarter of the southeast quarter of the said Section 35 to the north right of way of West Willox Lane;  
THENCE easterly along the said north right of way, to the west line of Lot 21 of the Plat of The Re-subdivision Of The Goehring Subdivision;  
THENCE northerly along the west line of Lot 21 and along the west line of Lot 3 of the K-D Park Subdivision to the northerly line of the North College Annexation to the said City;  
THENCE northeasterly, northerly, easterly and southeasterly along the said northerly annexation line, to the east most line of the said North College Annexation;  
THENCE southerly along the said east most line and along the east line of the Nauta North College Annexation to the said City to the north right of way of East Willox Lane;  
THENCE easterly along the said north right of way, to the west line of the Willox Heights Annexation to the said City;  
THENCE northerly along the said west line to the north line of the said Willox Heights Annexation;  
THENCE easterly, southerly and easterly along the said north line, to the east line of the said Willox Heights Annexation;  
THENCE southerly along the said east line and its southerly extension to the south right of way of the said East Willox Lane;  
THENCE westerly along the said south right of way to the east right of way of Blue Spruce Drive;  
THENCE southerly along the said east right of way to the south line of the plat of Replat of Coachlight Plaza;  
THENCE easterly along the said south line to the east line of Block 5 of the plat of Replat No. 1 of Evergreen Park;  
THENCE southerly along the said east line to the south line of the plat of Nokomis Subdivision;  
THENCE easterly along the said south line and its easterly extension to the easterly right of way of Redwood Street;  
THENCE southerly along the said easterly right of way and its southerly extension to the southerly right of way of East Vine Drive;  
THENCE westerly along the said southerly right of way to the easterly right of way of North College Avenue;  
THENCE southerly along the said easterly right of way to the southerly line of the said North College Annexation;  
THENCE westerly along the said southerly line, its westerly extension and along the southerly line of the Griffin Addition to the said City to a line which is 75.00 feet (measured at right angles) westerly of and parallel with the centerline of the main track of the Union Pacific Railroad;

THENCE northerly along the said parallel line to the south line of the U.S. Department of Agriculture Forest Service, Canyon Lakes Ranger District Administrative Site;  
THENCE westerly along the said south line to the west line of the said Canyon Lakes Ranger District Administrative Site;  
THENCE northerly along the said west line and its northerly extension to the south right of way of Hemlock Street (4th Street);  
THENCE westerly along the said south right of way to the north-south centerline of the said Section 2 and to the easterly line of McMurry Park;  
THENCE northerly, westerly and northwesterly along the said easterly line of McMurry Park to the east-west centerline of the said Section 2;  
THENCE easterly along the said east-west centerline to the west line of the plat of Lakewood Estates Mobile Home Park;  
THENCE northerly along the said west line to the northerly right of way of Hickory Street;  
THENCE easterly along the said northerly right of way to a line which is 25.00 feet (measured at right angles) northeasterly of and parallel with the said centerline of the main track of the Union Pacific Railroad;  
THENCE northwesterly along the said parallel line to a line which is 328.50 feet (measured at right angles) north of and parallel with the south line of the north east quarter of the said Section 2;  
THENCE easterly along the said parallel line to the west line of the east half of the said northeast quarter of Section 2;  
THENCE northerly along the said west line of the east half of the northeast quarter to the Point of Beginning.

Priority	North College Area Infrastructure Improvements Description		Established Funding					Possible Funding		Funding Unavailable	
	From	To	Type	Rough Cost	Development Direct Contributions	Impact Fees	Utility Fees	City Capital/ Special District	HPO / Federal / CDOT	Total Potentially Funded	Funding Unavailable (Funding Gap)
High (+3)	College @ Willow Intersection	Improvements	Streets	\$3,000,000	\$1,200,000	\$1,800,000	\$0	\$0	\$0	\$3,000,000	\$0
High (+4)	Vine (New)	College	Segment total	\$3,000,000	\$1,200,000	\$1,800,000	\$0	\$0	\$0	\$3,000,000	\$0
High	College	Vine	Streets	\$3,000,000	\$1,200,000	\$1,800,000	\$0	\$0	\$0	\$3,000,000	\$0
Medium	College	College	Streets	\$3,000,000	\$1,200,000	\$1,800,000	\$0	\$0	\$0	\$3,000,000	\$0
Medium	Parallel East (Red Cedar)	Conifer	Streets	\$4,005,000	\$0	\$0	\$0	\$4,005,000	\$4,005,000	\$0	\$0
Medium	Parallel East (Denome)	Conifer	Streets	\$4,005,000	\$0	\$0	\$0	\$4,005,000	\$4,005,000	\$0	\$0
Medium	Redwood	Old Vine	Streets	\$4,005,000	\$0	\$0	\$0	\$4,005,000	\$4,005,000	\$0	\$0
Medium	Conifer @ Hickory	Improvements	Streets	\$4,005,000	\$0	\$0	\$0	\$4,005,000	\$4,005,000	\$0	\$0
Low +	Parallel West	Alpine	Streets	\$2,670,000	\$0	\$0	\$0	\$2,670,000	\$2,670,000	\$0	\$0
Low	Redwood Extension	Willow	Streets	\$2,670,000	\$0	\$0	\$0	\$2,670,000	\$2,670,000	\$0	\$0
Low	Willow	College	Streets	\$2,670,000	\$0	\$0	\$0	\$2,670,000	\$2,670,000	\$0	\$0
Low	Willow	Redwood	Streets	\$2,670,000	\$0	\$0	\$0	\$2,670,000	\$2,670,000	\$0	\$0
Low	Old Vine	Lemay	Streets	\$2,670,000	\$0	\$0	\$0	\$2,670,000	\$2,670,000	\$0	\$0
Low -	Parallel West	Hickory	Streets	\$2,670,000	\$0	\$0	\$0	\$2,670,000	\$2,670,000	\$0	\$0
Low	Enhanced Travel Corridor (Conifer)	College	Streets	\$7,000,000	\$0	\$0	\$0	\$7,000,000	\$7,000,000	\$0	\$0
<b>Total Cost</b>				<b>\$77,892,588</b>	<b>\$3,345,500</b>	<b>\$33,336,500</b>	<b>\$5,573,000</b>	<b>\$46,227,500</b>	<b>\$10,406,000</b>	<b>\$23,157,000</b>	<b>\$50,835,500</b>

**Notes:**

- Priority indicates relative priority within North College; based on subjective assessment of benefit to redevelopment
- Priority is not ranked within the low, medium, and high categories unless noted
- Street projects include related bicycle and pedestrian improvements
- Possible funding sources are rated based on how well a particular source matches up with a project element.
  - +++ = best possibility and/or highest priority
  - ++ = lower possibility and/or smaller funding priority; - not realistic
  - + = possible funding source (e.g., U.S. Dept. of Transportation)
  - = not realistic
- \*\*\* = does not include projects which already have a funding source or are more regional in nature (e.g., Dry Creek Flood Control Project, electric undergrounding)
- = Some projects may have costs beyond those listed here due to downstream or related improvements