



# Planning Commission Agenda

Thursday, July 25, 2024

Special Meeting – 6:30 P.M.

Frederick Town Hall

401 Locust St.

## Built On What Matters

In order to promote social distancing and to protect the health and safety of our Commission members, staff, and community this meeting will be hybrid and conducted via Microsoft Teams and in person. **Interested parties are encouraged to access the meeting via Microsoft Teams or in person at Town Hall.**

The meeting information is as follows:

### Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 229 286 565 79

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Please contact Assistant Town Clerk- Records Emily Nitcher with questions regarding the meeting. 720-382-5582 or [enitcher@frederickco.gov](mailto:enitcher@frederickco.gov)

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### Call to Order – Roll Call

### Pledge of Allegiance

### Additions to the Agenda

### Consent Agenda

- A. May 16, 2024, Meeting Minutes – Emily Nitcher, Deputy Town Clerk
- B. June 20, 2024, Meeting Minutes – Emily Nitcher, Deputy Town Clerk

### Action Agenda

- C. PCR-2024-03 Consideration of the Miner’s Park Town Center Urban Renewal Project

– Ryan Johnson, Assistant Town Manager

### Discussion Item

## **Other Business**

- A. Upcoming Meetings – Regular Meeting Thursday, August 15, 2024.

## **Adjournment**



# Town of Frederick Planning Commission

Regular Commission Meeting Minutes

Meeting Conducted in Person and Via Microsoft Teams

Frederick Town Hall, 401 Locust Street

May 16, 2024

**Call to Order:** At 6:30 p.m., Chairperson Moe called the meeting to order and requested roll call.

**Roll Call:** Present were Chairperson Moe, Vice Chair Conroy, and Commissioner Sammartino.

Also Present were Planning Manager Ali van Deutekom, Deputy Town Attorney Christine Francinetti, Parks and Open Space Director Colby Johnson, Town Clerk Tricia David, and Deputy Town Clerk Emily Nitcher.

**Pledge of Allegiance:**

**Approval of Agenda:**

**Action Agenda:**

Approval of March 21, 2024, Minutes – Emily Nitcher, Deputy Town Clerk

Motion by Vice Chair Conroy and seconded by Commissioner Sammartino to approve the March 21, 2024, meeting minutes.

Upon roll call vote, motion passed unanimously.

Approval of April 18, 2024, Meeting Minutes – Emily Nitcher, Deputy Town Clerk

Motion by Vice Chair Conroy and seconded by Commissioner Sammartino to approve the April 18, 2024, meeting minutes.

Upon roll call vote motion passed unanimously.

**Discussion Item:**

FRA and Crist Park Update – Colby Johnson, Parks and Open Space Director Presented:

Chairperson Moe asked how the Town has cleaned up the Algee Blooms in the past.

Vice Chair Conroy asked if the baseball field lights would be on past 11:00 p.m.

Chairperson Moe asked about putting in a Disc Golf Area.  
She also asked if any of this would be eligible for grant funding.

Chairperson Moe and Vice Chair Conroy agreed that this is a very cool concept.

Chairperson Moe commented that the Disc Golf in Lincoln Nebraska is a very nice setup and could be used for inspiration.

**Built on What Matters.**

The Planning Commission is in agreement that this is Very Exciting.

**Commissioner Reports:**

**Other Business:**

Upcoming Meeting

Regular meeting Thursday June 6<sup>th</sup>, 2024, with work session.

**Adjournment:**

There being no further business of the Planning Commission, Chairperson Moe adjourned the meeting at 7:02 p.m.

Approved by the Planning Commission:

\_\_\_\_\_  
Tracy Moe, Chairperson

ATTEST:

\_\_\_\_\_  
Emily Nitcher, Secretary to Planning Commission



# Town of Frederick Planning Commission

Regular Commission Meeting Minutes

Meeting Conducted in Person and Via Microsoft Teams

Frederick Town Hall, 401 Locust Street

June 20, 2024

6:30 pm  
Work Session  
Comprehensive Plan

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**Call to Order:** At 7:58 p.m., Chairperson Moe called the meeting to order and requested roll call.

**Roll Call:** Present were Chairperson Moe, Vice Chair Conroy, Commissioner Kelley and Commissioner Sammartino.

Also Present were Planning Manager Ali van Deutekom, Deputy Town Attorney Christine Francinceti, Senior Planner Audem Gonzales, and Deputy Town Clerk Emily Nitcher.

**Pledge of Allegiance:**

**Approval of Agenda:**

**Action Agenda:**

PCR-2024-02 Consideration of the Silverstone Commons Final Development Plan – Public Hearing – Audem Gonzales, Senior Planner presented. Zack Lauterbach with Evergreen Devco, Inc. was also present to answer the Planning Commissions Questions.

The Public Hearing was noticed twice in the Times Call.

Chairperson Moe asked if the traffic studies with C-DOT had happened, and if there are any traffic lights called out for the project.

Commissioner Sammartino asked about the other 3 lots that were not the Carwash, if they also had setback requirements, and why they did not consider moving the car wash to be in compliance with the code.

Vice Chair Conroy asked if the Homeowners on Easten Circle were aware of the potential for the lot when they purchased their homes.

Commissioner Kelley asked about a soundproofing wall that would go in with the landscaping, and how high the sound would go. Commissioner Kelley also asked if they had a quick serve restaurant on board as seen in the Final Development Plan. He also asked about the potential for shared/ cross parking.

Vice Chair Conroy asked if the 50% Evergreen trees was a figure that came from Staff or from Evergreen, and then inquired about spacing/ density of the trees and maturity and size of the trees.

**Built on What Matters.**

Vice Chair Conroy requested that there be more trees added to provide a better buffer, either a wall or no wall and 100% Evergreens.

Public Comment: Steve Anguiano – 6229 Sherwood – Steve Anguiano spoke of his concern for safety on Hwy 52, 13<sup>th</sup>, Silverbirch, and William Bailey. He is asking to lower the speed and to have more stop signs. He is concerned for the children, as he stated that there are many that ride their bikes in that area.

Senior Planner Audem Gonzales informed Mr. Anguiano that that particular process was not part of the item under consideration but assured him that Staff would reach out to him to make sure that his concerns are heard.

Motion by Vice Chair Conroy and seconded by Commissioner Kelley to approve PCR-2024-02 with the condition that the applicant work with staff to add additional buffer and screening.

Upon roll call vote, motion passed unanimously.

**Discussion Item:**

**Commissioner Reports:**

**Other Business:**

Upcoming Meeting

Special meeting Thursday July 25<sup>th</sup>

**Adjournment:**

There being no further business of the Planning Commission, Chairperson Moe adjourned the meeting at 8:54 p.m.

Approved by the Planning Commission:

\_\_\_\_\_  
Tracy Moe, Chairperson

ATTEST:

\_\_\_\_\_  
Emily Nitcher, Secretary to Planning Commission



# TOWN OF FREDERICK

## Planning Commission

Tracy Moe, Chairman

Dennis Stark, Alternate Commissioner  
William Mahoney, Alternate Commissioner  
Roger Kelley, Commissioner

Kristin Conroy, Vice-Chairman  
Nathan Scott, Commissioner  
Joseph Sammartino, Commissioner

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### Consideration of the Miner's Park Town Center Urban Renewal Project

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**Agenda Date:** Planning Commission - July 25, 2024

**Attachments:**

- a. Resolution PCR-2024-03
- b. Proposed Urban Renewal Plan
  - Exhibit A – Vicinity Map
  - Exhibit B – Conditions Survey

**Submitted by:** Ryan Johnson  
Assistant Town Manager

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#### **Summary Statement:**

The Town of Frederick is considering establishing a new urban renewal project within its municipal boundaries. As required by C.R.S. 31-27-107, the Planning Commission is required to make a recommendation to the Board of Trustees as to the conformance with the Comprehensive Plan.

#### **Strategic Plan Alignment:**

This request aligns with following Town of Frederick Strategic Plan:



2. Community and Economic Vitality-

2.2 Continue implementing our retail attraction strategy to target regional and destination opportunities, traditional and non-traditional grocers, and sit-down eating establishments.

2.4 Continue work on updating the Comprehensive Plan and Downtown Plan

#### **Detail of Issue/Request:**

**Applicant:** Town of Frederick

**Owner:** Town of Frederick & Lupton Land LLC

**Location and Zoning:** The property is generally located at the northeast corner of Colorado Boulevard and Colorado Highway 52. The project area is ~121 acres in size.

**Surrounding Development:**

North	Centennial Park
South	City of Dacono
West	Silverstone Marketplace
East	Carriage Hills

**Background Information:**

- Beginning in 2021-2022, the Town responded to initial interest from a potential development partner to develop the site commonly known as Miner’s Park.
- The applicant requested the Town consider the creation of an urban renewal project area considering the preponderance of several development challenges (i.e. drainage, stormwater, oil and gas etc.).
- Title 31 of the Colorado Revised Statutes, Part 1 of Article 25 governs how urban renewal projects are established and regulated.
- There are several statutorily required things that must be completed prior to creating a new urban renewal project. One of which is submitting the proposed urban renewal plan for review and a recommendation that the proposed urban renewal plan is in conformance with the Comprehensive Plan.
- Simultaneously, the Town began the process of overhauling its 2016 Comprehensive Plan in 2023-2024. Knowing this and knowing that the Town fundamentally didn’t agree any longer with the goals and objectives within that existing plan, Staff waited to draft this proposed urban renewal plan until the new 2024 Comprehensive Plan had sufficient detail to outline new goals, action items and objectives such that the drafting of this proposed urban renewal plan would be consistent with those newly established goals and objectives.
- The proposed urban renewal plan is intended to be high level including the following key elements, all of which are consistent with the proposed updates to the Comprehensive Plan:
  - Establishing the qualifying conditions justifying the use of urban renewal
  - High level land use regulations
  - Identification of authorized project activities
  - Identification of authorized financing activities
- This is necessary at this point as the applicant is desiring to move forward with their proposed project and prior to doing so must have the urban renewal project fully implemented as part of the financing for the project.

**Review Criteria:**

After review of the proposed urban renewal plan, the Planning Commission is tasked with making the following finding:

- The Town of Frederick Planning Commission finds and recommends to the Town Board of Trustees that the proposed Plan conforms with the Comprehensive Plan.

**Public Notice:**

No public noticing requirement exists for this step in the process.

**Legal/Political Considerations:**

This plan has been drafted and reviewed by Frederick Urban Renewal Authority legal counsel, Town Staff as well as the potential development applicant.

**Approval:**

I move to approve PCR-2024-03, finding and recommending to the Town Board of Trustees that the proposed Urban Renewal Plan for the Miner’s Park Urban Renewal Project conforms with the Comprehensive Plan for the Town of Frederick.

**Approval with Conditions:**

I move to approve PCR-2024-03, finding and recommending to the Town Board of Trustees that the proposed Urban Renewal Plan for the Miner’s Park Urban Renewal Project conforms with the Comprehensive Plan for the Town of Frederick with the following conditions (list the conditions).

**Denial:**

I move to approve PCR-2024-03, finding and recommending to the Town Board of Trustees that the proposed Urban Renewal Plan for the Miner’s Park Urban Renewal Project does not conform with the Comprehensive Plan for the Town of Frederick.

**Staff Recommendation:**

1. Staff recommends approval of the proposed urban renewal plan in substantially the same form as attached on the basis that the plan conforms with the Comprehensive Plan.

**PCR-2024-03**

**A Resolution of the Planning Commission  
Recommendation Regarding Conformity with the Comprehensive Plan  
Urban Renewal Plan for the Miner’s Park Town Center Urban Renewal Project**

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Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

1.1 As required by Section 31-27-107 of the Colorado Urban Renewal Law, the Town Board has submitted the proposed Urban Renewal Plan for the Miner’s Park Town Center Urban Renewal Project (the “Plan”) for review and recommendations as to its conformity with the Town of Frederick Comprehensive Plan-2024, as amended to date (the “Comprehensive Plan”).

1.2 Said Plan was reviewed during a public meeting held July 25th, 2024.

Section 2.

On the basis of the above, the Town of Frederick Planning Commission finds and recommends that the Plan conforms with the Comprehensive Plan.

This resolution approved this \_\_\_ day of July, 2024 by a vote of \_\_\_ to \_\_\_.

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Tracy Moe, Chairperson, Planning Commission

# URBAN RENEWAL PLAN FOR THE MINER'S PARK TOWN CENTER URBAN RENEWAL PROJECT



June 2024

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## I. INTRODUCTION

The Urban Renewal Plan for the Miners Park Town Center Urban Renewal Project has been prepared pursuant to the provisions of the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the “Act”) as in effect in all respects on the date this Urban Renewal Plan is approved by the Town of Frederick Board of Trustees. In accordance with the Act, the Urban Renewal Plan is effective upon approval by the Town of Frederick Board of Trustees. The Urban Renewal Plan (sometimes referred to herein alternatively as the “Plan”), including the preparation and execution of any documents implementing it, shall be performed by the Frederick Urban Renewal Authority.

## II. AGRICULTURAL LAND

The Urban Renewal Area largely consists of land that has been classified by the Weld County Assessor as agricultural land for the purposes of levying and collecting property taxes during the five-year period prior to the date of adoption of this Urban Renewal Plan, which requires compliance with the Act for inclusion of Agricultural Land in the Plan. It is the intention of the Board of Trustees that the Frederick Urban Renewal Authority will enter into agreements where required by the Act and appropriate to assist in financing additional services or infrastructure to serve new improvements in the Urban Renewal Area.

## III. DEFINITIONS

Any terms used in this Urban Renewal Plan that are not defined herein are governed by definitions in the Act or, where applicable, definitions in the Town of Frederick Land Use Code, as applicable. Unless a different meaning is clearly stated, the terms used in this Urban Renewal Plan shall have the following meanings:

“Act” means the Colorado Urban Renewal Law cited in Section I above, as in effect in all respects on the date this Plan is approved by the Town Board.

“Agricultural Land” shall have the same meaning as in Section 31-25-103(1) of the Act.

“Area” and “Urban Renewal Area” mean the area depicted on Exhibit A, attached to and made a part hereof.

“Authority” means the Frederick Urban Renewal Authority, a body corporate and politic of the State of Colorado.

“Bonds” shall have the same meaning as in Sections 31-25-103(3) and 109 of the Act and, without limitation, specifically includes reimbursement agreements with owners and developers.

“Comprehensive Plan” means the Town of Frederick Comprehensive Plan – 2016 or as subsequently adopted or readopted. The Comprehensive Plan is being revised and updated. Any new revisions are not expected to materially affect the provisions of this Urban Renewal Plan.

“Plan” and “Urban Renewal Plan” mean this urban renewal plan as adopted and approved by the Town Board. The Plan may only be modified by a resolution adopted by the Town Board and compliance with the Act.

“Tax Increment Financing” or “TIF” means tax allocation financing described in Section 31-25-107(9) of the Act, as in effect on the date this Plan is approved by the Town Board. Unless this Plan is formally amended by the Town Board to provide otherwise, Tax Increment Financing shall be required for the full twenty-five year period, calculated and administrated in accordance with the Act and the lawful regulations of the Property Tax Administrator of the State of Colorado, and required to carry out all activities and undertakings necessary to complete the Urban Renewal Project in accordance with the Act and the Plan.

“Town” means the Town of Frederick, Colorado.

“Town Board” means the Board of Trustees of the Town of Frederick, Colorado.

“Town Land Use and Building Requirements” means the requirements listed in Section VII of this Plan.

“Urban Renewal Project” means, pursuant to the Act, all of the activities and undertakings required for the complete development of the Urban Renewal Area described in the Plan including, without limitation, financing and construction of all public and private improvements and payment of all financing obligations included in the definition of “Bonds” in the Act.

#### **IV. URBAN RENEWAL BOUNDARIES**

The Urban Renewal Area is entirely within the municipal boundaries of the Town and contains approximately 121.11 acres. The Area is depicted on Exhibit A. The Area largely consists of land that is or has been classified by the Weld County Assessor as Agricultural Land as defined in the Act.

#### **V. QUALIFYING CONDITIONS**

An independent consultant, Andy Arnold with the planning Firm SEH, experienced in conducting conditions surveys, conducted a field investigation survey to determine if conditions constituting the definition of “blighted area” contained in Section 103(2) of the Act exist in the Area. The results of this survey are contained in a report entitled “Miners Park Town Center Conditions Survey” dated April 29, 2022, attached to and made a part

hereof as Exhibit B, that identifies and documents the following statutory conditions as existing in the Urban Renewal Area:

- A. Factor 2(b) – Predominance of Defective or Inadequate Street Layout
- B. Factor 3(c) – Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness
- C. Factor 4(d) – Unsanitary or Unsafe Conditions
- D. Factor 6(f) – Unusual Topography or Inadequate Public Improvements or Utilities
- E. Factor 10(j) – Environmental Contamination of Buildings or Property
- F. Factor 11(k.5) – The existence of Health, Safety, or Welfare Factors Requiring High Levels of Municipal Services or substantial Physical Underutilization or Vacancy of Sites, Buildings, or other Improvements

## **VI. CONFORMANCE WITH COMPREHENSIVE PLAN**

As required by the Act, this Plan conforms with the Comprehensive Plan, which is a general plan of the Town as a whole. The Comprehensive Plan will govern the execution of this Urban Renewal Project by the Authority in a manner consistent with the following goals and objectives.

## **VII. GOALS AND OBJECTIVES OF THE URBAN RENEWAL PLAN**

A major objective of the Comprehensive Plan is to create safe and attractive places to live, work, and shop in accordance with community goals, policies, and strategies articulated for each land use category. The activities and undertakings necessary to carry out this Urban Renewal Plan are intended to implement the following specific goals, action items, policies, and strategies of the Comprehensive Plan.

### **Chapter 5 - Community Framework and Community Character**

**Goal 5.1:** Expand and enhance Downtown Frederick to make it one of the best small-town downtowns in the region.

**Action 5.1.3:** Collaborate with property owners to finalize a plan for Miners Park in line with the concepts for Downtown outlined in the Comprehensive Plan and the Downtown Plan.

**Action 5.1.5:** Explore the potential to facilitate redevelopment along Locust Street, south of 5<sup>th</sup> Street, including collaboration with the Carbon Valley Recreation District and the St. Vrain School District.

**Action 5.1.8:** Implement the program of amenities, streetscape improvements, and gathering places for the expansion of Downtown to the west and south, as identified in the Downtown Plan.

**Action 5.1.11:** Implement the remainder of the recommendations outlined in the Downtown Plan.

**Goal 5.3:** Cultivate the development of community hubs and neighborhood villages, as envisioned in the Comprehensive Plan.

**Action 5.3.2:** Develop networks and partnerships with developers in the region who may be interested in developing one or more community hubs or neighborhood villages.

**Action 5.3.3:** Identify incentives or public improvements the Town may offer to help facilitate the development of community hubs and neighborhood villages, in line with the vision of the Comprehensive Plan.

## **Chapter 6 – Parks and Open Space**

**Goal 6.1:** Ensure that every member of the Frederick community has equitable and walkable access to a nearby park or open space.

**Action 6.1.1:** Update the Land Use Code to require developments to provide parks, open space areas, or gathering places so that every resident is within a 10-minute walk of a facility.

**Goal 6.2:** Develop a local trails system that serves as one of the main amenities for Frederick and connects the community to the broader region.

**Action 6.2.1:** Develop a set route and final plans for the central trail loop serving Frederick, as identified in the Comprehensive Plan.

**Action 6.2.4:** Develop standards for amenities, signage and wayfinding, lighting, and other features to be included in local-serving and regional-serving trails to be constructed in Frederick in the future.

**Goal 6.3:** Develop neighborhood, community, and regional parks and open spaces that enhance quality of life and help make Frederick a destination in the region for recreation.

**Action 6.3.1:** As part of the Parks and Open Space Plan, update design standards for different types of new parks and open spaces in Frederick, to emphasize nature play, the

use of natural materials, and design for residents and households of different ages and types.

**Action 6.3.5:** Complete detailed design and implement improvements and modifications to Centennial Park.

## **Chapter 7 – Community Connectivity**

**Goal 7.1:** Continue to expand the local street network and capacities, using Complete Streets principles

**Action 7.1.1:** Develop street sections and street designs for the street widenings outlined in the Transportation Master Plan (TMP), with an emphasis on including shared-use sidewalks or trails, bike lanes, landscaping, and trees, in line with the feedback from the community during Frederick Forward.

**Action 7.1.2:** Finalize designs for the expansion of Highway 52 through Frederick.

**Action 7.1.3:** Develop a partnership with Weld County, Erie, and Dacono to pool funding to begin construction and implementation of Highway 52's expansion through the Frederick area.

**Goal 7.3:** Continue to expand and enhance facilities for people walking and biking around Frederick.

**Action 7.3.1:** As part of Chapter 6, develop final plans and implementation strategy to complete the circle loop of trails around Frederick and other regional trail connections identified in Chapter 6.

**Action 7.3.2:** Continue to identify and complete projects to close sidewalk gaps around the community.

**Action 7.3.4:** Implement the bike and pedestrian improvements identified in the Downtown Plan.

**Action 7.3.5:** Complete any additional bike / pedestrian improvements identified in the upcoming Go Outdoors Frederick 2050 plan.

**Goal 7.4:** Explore and implement projects to provide for local and regional transit connections.

**Action 7.4.1:** Continue to explore and potentially implement an entertainment shuttle or restaurant shuttle serving Downtown Frederick and/or other community and regional hubs in Frederick.

**Action 7.4.2:** Explore, as part of efforts to improve Highway 52, the potential to integrate transit service along the Highway 52 corridor to Erie and Boulder.

## **Chapter 8 – Housing and Economic Development**

**Goal 8.1:** Maintain a balanced housing supply with housing available for people at all income levels and unit types that meet the varying life-cycle needs of Frederick residents.

**Action 8.1.2:** Explore potential state, federal and other applicable grant funding for the construction, rehabilitation, preservation, or improvement of housing that is affordable for low- to moderate-income households.

**Action 8.1.4:** Develop an incentive program (involving the use of density bonuses) to encourage residential developments to include affordable housing as a portion of their developments. This program would allow for greater residential density in exchange for the provision of a percentage of residential units in a project as affordable.

**Action 8.1.5:** Develop an incentive program (involving fee waivers and/or reductions in site plan review times) for projects that include affordable housing units.

**Action 8.1.6:** Develop an affordable housing trust fund (funded by fees on development) to provide financial support for projects that include affordable housing units.

**Action 8.1.7:** Market Frederick to developers experienced in developing senior housing and affordable/workforce housing in the region.

**Goal 8.3:** Promote Frederick as a great place for business investment and employment.

**Action 8.3.3:** Develop services, facilities, and infrastructure in support of start-up companies, entrepreneurs, and those working remotely in Frederick. These efforts may include the development of small business incubators or co-working spaces.

**Action 8.3.4:** Develop an incentive policy and program designed for small or new businesses in Frederick.

## **Chapter 9 – Infrastructure and Sustainability**

**Goal 9.3:** Proactively plan for stormwater management in the Town of Frederick.

**Action 9.3.1:** Encourage the development of regional stormwater plans (that incorporate multiple developments together) rather than having stormwater detained on a project-by-project basis.

**Action 9.3.3:** Encourage the use of bioswales, greenways, and other green infrastructure strategies to help manage stormwater in new development projects.

## **VIII. LAND USE REGULATIONS AND BUILDING REQUIREMENTS**

All development and redevelopment in the Area will be governed by the Comprehensive Plan, the Town Land Use Code, the Town Design Standards and Construction Specifications, and the International Building Code as adopted by the Town with minor modifications (collectively, the “Town Land Use and Building Requirements”). The Plan will implement the provisions of Section 31-25-107(8) of the Act, which provides that, upon approval of the Plan, the provisions of the Plan shall be controlling with respect to land area, land use, design, building requirements, maximum densities, timing or procedure applicable to the property covered by the Plan. It is the intention of this Plan, that the requirements for development and redevelopment in the Area shall be applied in accordance with all legally applicable Town Land Use and Building Requirements in effect as of the time that proper application for relevant permits and approvals are submitted. The Town or the Authority may adopt land use design standards that are supportive and in alignment with the Board of Trustees Strategic Plan and any other guiding documents adopted by the Town.

## **IX. PROJECT ACTIVITIES**

The Authority is authorized to use any and all powers available to it under the Act and other applicable laws in order to carry out the activities and undertakings it determines are necessary for the successful execution of this Plan including, without limitation, those listed below.

### **A. Owner Participation and Cooperation with Special Districts**

The Authority may enter into ownership participation agreements and cooperation agreements with property owners, developers, and special districts, including metropolitan districts, in the Area for the development, redevelopment or rehabilitation of their property or provision and improvement of public improvements.

Owner participation and other agreements of this nature shall contain, at a minimum, provisions requiring:

1. Compliance with the Plan and all applicable ordinances and regulations.
2. Covenants to begin and complete development, construction, or rehabilitation of both public and private improvements within a period of time considered to be appropriate by the Authority.
3. The financial commitment of each party.

4. The financial and legal ability to carry out development and redevelopment proposals.

#### **B. Property Acquisition**

If the Authority determines it is necessary to acquire any real property to implement this Plan, the Authority may do so by any means available by law, except that, unless the Town Board of Trustees authorizes use of eminent domain, the Authority is not authorized to acquire any property by exercise of the power of eminent domain.

#### **C. Property Management**

During such time as required property is owned by the Authority, such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

#### **D. Relocation Assistance and Payments**

It is not expected that the implementation of this Plan will require the displacement of any person, family, or business. However, if acquisition of property displaces any person, family, or business, the Authority may assist such party in finding another location, and may, but is not obligated to make relocation payments and provide relocation benefits authorized by the Act (except to the extent required by law in the event the use of eminent domain is properly authorized and causes such displacement) to eligible residents and businesses in such amounts and under such terms and conditions as required by law.

#### **E. Demolition, Clearance, and Site Preparation**

The Authority may demolish and clear, or contract to demolish and clear, buildings, structures, and other improvements from any property it acquires in accordance with the Plan. The Authority may provide rough and finished site grading and other site preparation services as part of a specific redevelopment program.

#### **F. Public Improvements and Facilities**

In carrying out this Plan, the Authority may cooperate with other public bodies and with private enterprise to provide public improvements and facilities as may be necessary to serve the needs of the Area and respond to community needs as set forth in the Comprehensive Plan and the Town Land Use and Building Requirements. The Authority may make provision and provide funding for such public improvements and facilities in accordance with the goals and objectives of this Plan.

#### **G. Property Disposition**

If the Authority acquires any real property in the Area, the Authority shall dispose of such property it acquires by any legal means, including establishment of a reasonable competitive bidding procedure as required by the Act. Such requirements may include compliance with the Plan, covenants to begin and complete construction of improvements within a time deemed reasonable by the Authority. The Authority shall also determine the

financial and legal ability of any private developer to carry out any redevelopment agreement with the Authority.

#### **H. Cooperation Agreements**

For the purposes of planning and carrying out this Plan, the Authority may enter into one or more cooperation agreements with the Town or other public entities. Without limitation, such agreements may include project financing and implementation; design, location, and construction of public improvements and any other matters required to carry out this Plan, including, without limitation, payment or reserving of funds required to provide for administration, financing, or impacts as a result of the proposed development and redevelopment of the Area.

#### **I. Other Plan Undertakings and Activities**

Other Plan undertakings and activities deemed necessary by the Authority to carry out the Plan may be undertaken and performed by the Authority or pursuant to agreements with other public or private entities in accordance with the provisions of the Act and any other applicable law.

### **X. PROJECT FINANCING; TAX INCREMENT FINANCING**

The Authority is authorized to finance implementation of the Plan and the Urban Renewal Project by any method authorized by the Act or any other applicable law including, without limitation, appropriations, loans, grants, or advances from any source including, without limitation, the Town; federal loans and grants; state loans and grants; interest income; agreements with public and private parties or entities; sale of securities and other assets; property and sales tax increments (if approved by the Town Board by agreement with the Authority); and loans, advances, and grants from any other available source. The following methods of financing redevelopment projects are illustrative only and not necessarily inclusive or complete. All financing methods legally available to the Town and/or the Authority, including other public and private entities or agencies, and/or developers may be used to finance the public or private improvements or any other costs described or anticipated in this Plan, or related in any manner to the development and redevelopment of the Area. These methods include, without limitation, property tax increment financing; sales tax increment financing (if approved by the Town Board by agreement with the Authority); general obligation bond financing; special obligation bond financing; municipal revenue bond financing; general and metropolitan improvement district financing; local improvement district and special assessment financing; tax anticipation notes and warrants; installment purchasing; short-term notes and loans; tax exempt financing; industrial development revenue bond financing; conventional financing; and any other method of financing acquisition, improvements, or redevelopment as authorized by law, including, without limitation, reimbursement agreements with the private sector.

Such financing methods can be combined to finance individual developments in the Area as well as all activities and undertakings by the Authority to carry out the Plan and the Urban Renewal Project. These methods can also be used insofar as legally allowable to pay the

principal of interest on, and to establish reserves for, indebtedness (whether funded, refunding, assumed or otherwise) incurred by the Town or the Authority to finance, refinance, or refund in whole or in part, the Urban Renewal Project as defined in the Act and the Plan. It is the policy of the Authority to consider any and all methods of financing by any legal method, or any combination of methods of financing.

The Authority is authorized to issue notes, bonds, or any other financing instruments or documents in amounts sufficient to finance all or part of the Urban Renewal Project as defined in the Act and the Plan. The Authority is authorized to borrow funds and to otherwise create indebtedness through incurring obligations for in-kind contributions from the Town or any other entity in carrying out this Plan. The principal, interest, and any premiums due on, or in connection with, such indebtedness may be paid from tax increments or any other funds available to the Authority.

Activities and undertakings pursuant to the Plan may be financed by the Authority under the Tax Increment Financing provisions of the Act in existence at the time this Plan is approved by the Town Board. Unless this Plan is formally amended by the Town Board to provide otherwise, Tax Increment Financing shall be in effect for the full twenty-five year period calculated in accordance with the Act, the Plan, and the lawful provisions of the regulations of the Property Tax Administrator of the State of Colorado required to carry out all the activities and undertakings necessary to complete the Urban Renewal Project.

The Authority shall be entitled to impose and collect an administrative fee as a means to cover the costs associated with the administration of the Plan. By way of example and not exclusion, administrative fees collected may be used to cover legal costs, consultant fees, staff costs or any other expense authorized under the Urban Renewal Law. Said fee shall be not less than 5% of the tax increment revenue received and collected by the Authority annually and shall be imposed on each development within the Area. Administrative fees shall be collected before reimbursement to any other entity, private or public.

**A. Establishment of Special Fund**

Upon approval of this Plan by the Town Board, the Authority shall establish a tax increment revenue fund in accordance with the Act (the "Special Fund") for the deposit of all funds, if any, received by the Authority from property taxes levied by public bodies in the Urban Renewal Area and, subject to approval by the Town Board, municipal sales taxes collected in the Urban Renewal Area for the twenty-five year period calculated in accordance with the Act, the Plan, and the lawful provisions of the regulations of the Property Tax Administrator of the State of Colorado, as follows.

**B. Base Amount**

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified prior to the effective date of approval of the Plan, and, if authorized by the Town Board in an agreement with the Authority, that portion of the municipal sales taxes collected within the boundaries of the Urban Renewal Area in the

twelve-month period ending in that last day of the month prior to the effective date of the approval of the Plan, or both such portions, shall be paid into the funds of each such public body as all other taxes collected by or for said public body.

**C. Increment Amount**

That portion of said property taxes in excess of such base amount or, if authorized by the Town Board in an agreement with the Authority, that portion of such municipal sales taxes in excess of such base amount, or both, shall be allocated to and, when collected paid into the Special Fund to pay the principal of, the interest on, and any other premiums due in connection with the Bonds of, loans or advances to or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the Authority for financing or refinancing, in whole or in part, the Urban Renewal Project. Unless and until the total valuation for assessment of the taxable property in the Urban Renewal Area, all of the taxes levied upon taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies. If sales tax increment financing is authorized by the Town Board, unless and until all or the relevant part of the municipal sales tax collections in the Urban Renewal Area exceed the base year municipal sales tax collections in the Urban Renewal Area, all such sales tax collections shall be paid into the funds of the Town. When such Bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies.

The increment portion of the taxes, as described in this Subsection C, may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such Bonds, loans, advances and indebtedness incurred by the Authority to finance the Urban Renewal Project, but excluding any offsets collected by the County Treasurer for return of overpayments or any reserve funds reserved by the Authority for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S., and also excluding a reasonable amount each year as determined by the Authority for payment of maintenance and operating expenses associated with administering the Plan, carrying out the Urban Renewal Project, and maintaining the existence of the Authority.

**XI. CHANGES IN APPROVED PLAN**

This Plan may be modified by formal resolution of the Town Board pursuant to and in accordance with the requirements of the Act including, without limitation, all protections afforded by law to owners, lessees, and holders of Bonds and rights to reimbursement payments.

**XII. MINOR VARIATIONS**

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

**XIII. EXHIBITS**

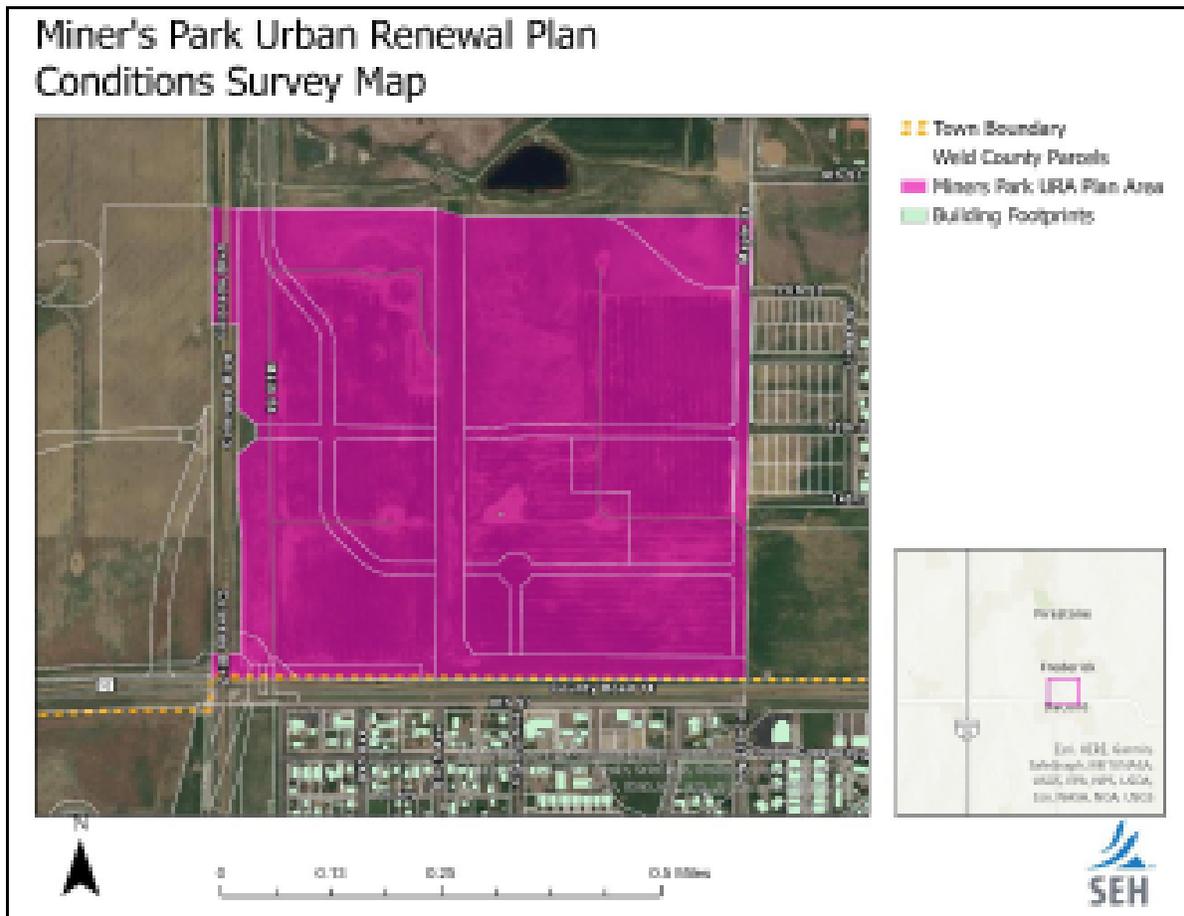
Exhibit A: Map of Urban Renewal Area

Exhibit B: Conditions Survey

### EXHIBIT A

## Survey Boundary Statistics

Miner's Park URA Survey Boundary	Totals
Number of Total Acres	121.13
Parcel Acreage	93.78
Number of Parcels	13





# Frederick Urban Renewal Authority

## Miners Park URA Plan: Conditions Survey

The Town of Frederick, Colorado

166404 | April 29, 2022



Building a Better World  
for All of Us®

Engineers | Architects | Planners | Scientists



Building a Better World  
for All of Us®

April 29, 2022

Frederick Urban Renewal Authority  
The Town of Frederick, Colorado

Dear Frederick Urban Renewal Authority Board of Commissioners,

The following conditions survey report is intended to assist the Frederick Urban Renewal Authority (FURA) with identifying and cataloguing conditions that may be arresting sound development from occurring throughout a specific area in town. This area tentatively named the “Miners Park Urban Renewal Plan” since it is being considered for a future urban renewal project.

The proposed Miner’s Park Urban Renewal Plan will encompass approximately 121 acres that includes 13 parcels. The properties currently lack building improvements. The land is assessed agricultural and features four oil and gas wells. This conditions survey evaluates the area in its entirety.

The conditions survey report has been prepared based upon the application of Colorado’s Urban Renewal Law under C.R.S. 31-25 Part I, more specifically §§ 101 to 116 (the “Act”). The report includes a description of each blighting factor for identification pursuant to the Act and an identification of those factors observed, identified, and found to exist within the proposed plan area. Blighting factors have also been mapped to illustrate the location of these observed conditions and the parcels they impact.

Based upon our field observations and analysis, this report finds that the surveyed area meets the Act’s statutory minimum of blighting factors required to designate the proposed Miner’s Park Urban Renewal Plan as an urban renewal project eligible for urban renewal activities.

Sincerely,

Andrew Arnold, AICP  
Economic Development Planner  
Short Elliott Hendrickson, Inc (SEH®)

CC: Ryan Johnson

# Executive Summary

## The Miner's Park Urban Renewal Plan Conditions Survey:

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

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

For an urban renewal plan to be established and adopted, a specific geographic area within the community must be found to exhibit certain conditions. These conditions are known as "blighted area factors" and these factors must be cataloged before urban renewal projects and activities can commence. The process of surveying for the presence of blighting factors is part of conducting a conditions survey, a report that carefully analyzes a geographic area to determine the existence of factors that, "substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare." (C.R.S. 31-25-103.2)

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

The proposed Miner's Park Urban Renewal Plan area was carefully surveyed using a holistic analysis. Observations were taken during a field visit that identified the presence of statutorily defined blighting factors throughout the area. These observations were supplemented with background research on the site and market characteristics. This report thoroughly reviewed both City and County planning documents, as well as assessment information that could help identify blighting factors that were not easily observable during the site visits.

This conditions survey's conclusion is that the proposed Miner's Park Urban Renewal Plan area exhibits the necessary number of blighting factors to make it eligible for an urban renewal project or plan area according to state statute. This conditions survey identified six (6) blighting factors within the area, listed in the table below:

Miner's Park URA Plan Conditions Survey - Blighted Area Factors Cataloged	
Blighted Area Factor # (C.R.S. 31-25-103.2 List Label)	Definition
Factor 2 (b)	Predominance of Defective or Inadequate Street Layout
Factor 3 (c)	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness
Factor 4 (d)	Unsanitary or Unsafe Conditions
Factor 6 (f)	Unusual Topography or Inadequate Public Improvements or Utilities
Factor 10 (j)	Environmental Contamination of Buildings or Property
Factor 11 (k.5)	The existence of Health, Safety, or Welfare Factors Requiring High Levels of Municipal Services or substantial Physical Underutilization or Vacancy of Sites, Buildings, or other Improvements

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# Frederick Urban Renewal Authority

## Miners Park URA Plan: Conditions Survey

Prepared for the FURA Board of Commissioners

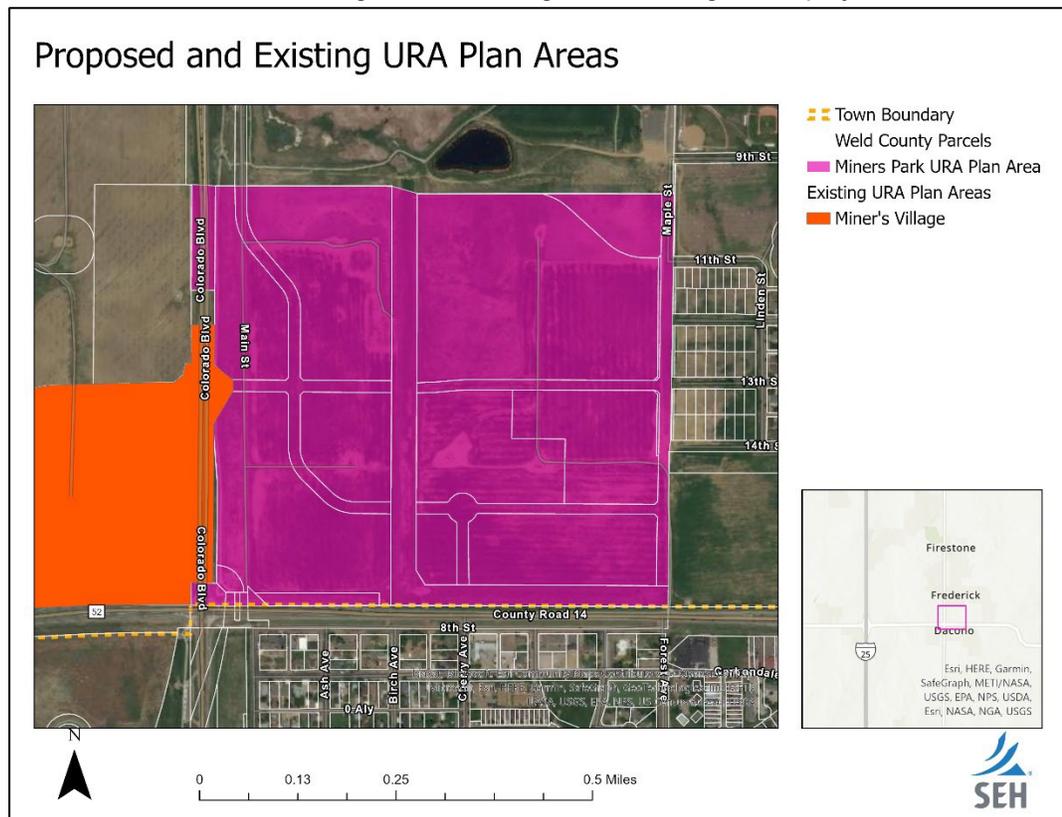
### 1 The Miners Park Urban Renewal Plan Summary

#### 1.1 Survey Area

The Miners Park Urban Renewal Plan's proposed boundary encompasses 121.11-acres within the Town of Frederick, which includes 13 parcels and public right of way. The boundary, acreage and parcels comprise the survey area for this Conditions Survey.

#### Survey Boundary Description and Background

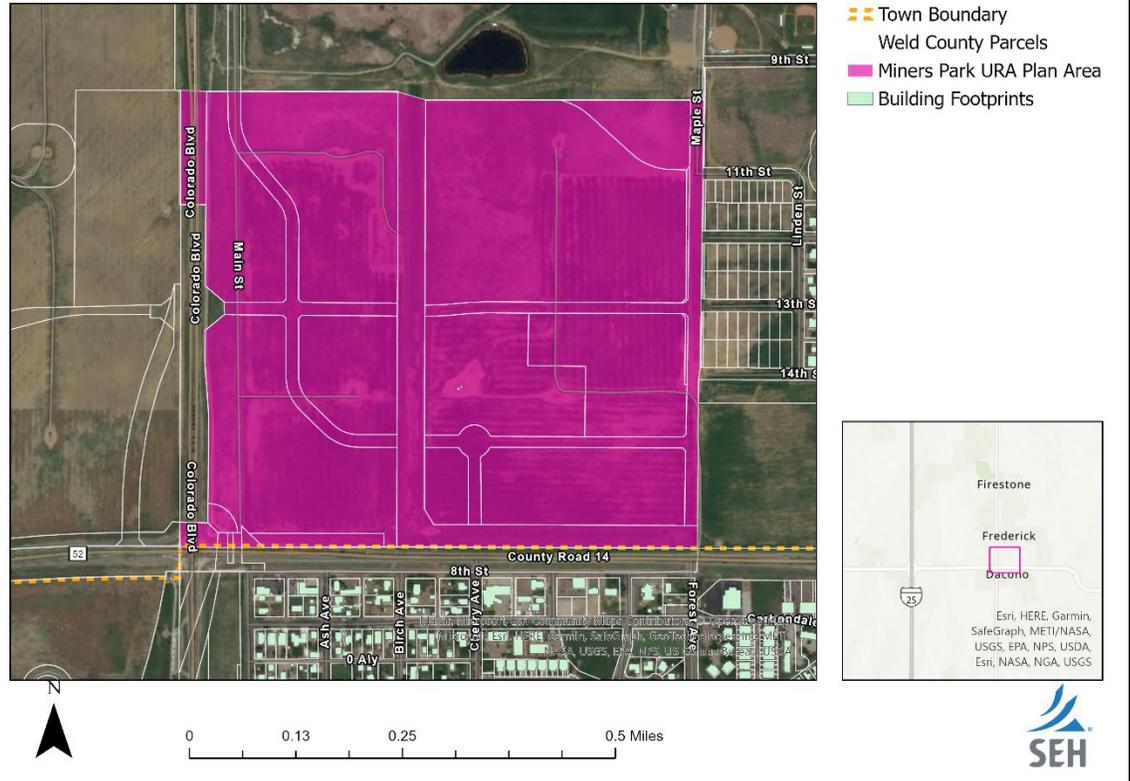
The proposed Miners Park Urban Renewal Plan area, if approved, will be the eighth Urban Renewal Plan area within the Town of Frederick. The boundary of this proposed area is adjacent to the existing Miner's Village Urban Renewal project. This common boundary is Colorado Boulevard, which forms the Western edge of the proposed URA area. The proposed Miners Park URA Plan area cuts across the southern extent of centennial park, continuing east until reaching Maple Street. From Maple Street, the boundary heads due south until reaching County Road 14, and the Town of Frederick's limits. The boundary terminates again once reaching Colorado boulevard and the eastern edge of the existing Miner's Village URA project.



## Survey Boundary Statistics

Miner's Park URA Survey Boundary	Totals
Number of Total Acres	121.13
Parcel Acreage	93.78
Number of Parcels	13

### Miner's Park Urban Renewal Plan Conditions Survey Map



## 1.2 Zoning Districts

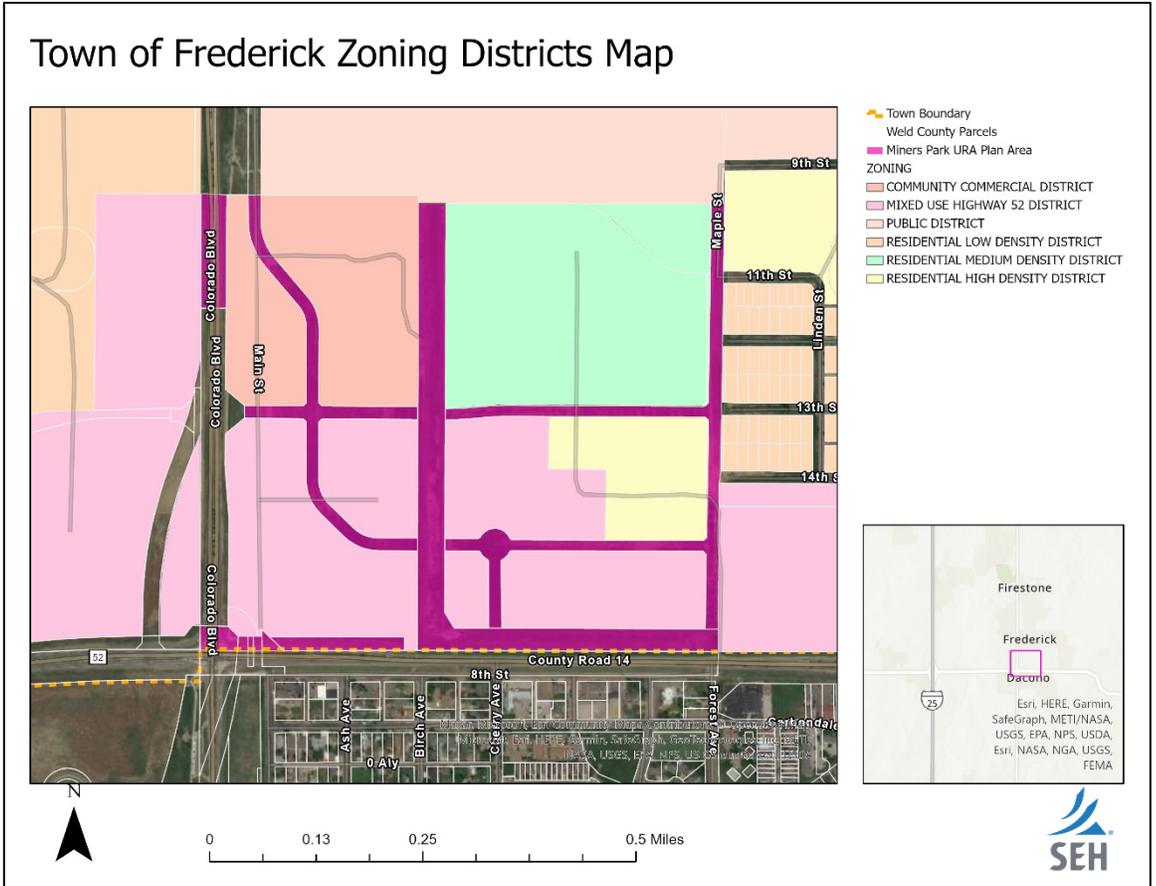
The Miner's Park Urban Renewal Plan survey boundary includes 4 Town of Frederick zoning districts. Each zoning district regulates the land uses on their respective parcels according to the Town of Frederick's Comprehensive Plan and municipal code. These zoning districts will regulate the redevelopment that will be permitted throughout the Miner's Park urban renewal project.

A summary of each zoning district's acreage, number of parcels, and assessed value has been included in the table below. The location of these zoning districts throughout the survey boundary is illustrated in the map below.

# Zoning Districts Statistics

Zoning District Statistics				
Zoning District Code	Number of Parcels	Estimated Acreage	Estimated Assessed Value	
C-H52	6	38.27	\$10,200	
C-C	2	19.30	\$840	
R-2	2	27.37	\$1,400	
R-3	1	7.93	\$430	
Null	1	0.91	\$10	

Source – Weld County GIS and Assessor Database



## 1.3 Current Assessment of Survey Area

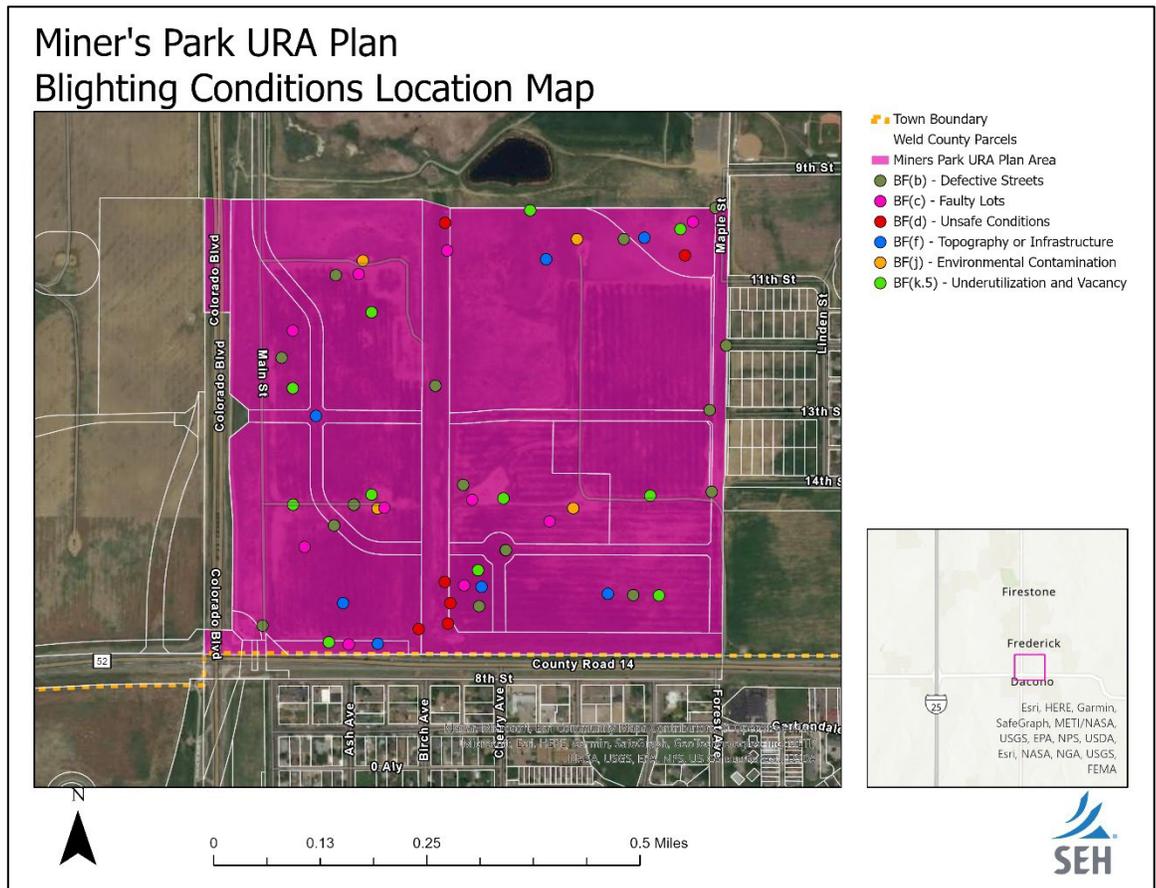
The survey area includes 13 parcels<sup>1</sup>. The total equalized assessed value of these parcels, according to the Weld County Assessor’s database, is \$12,880. Most of the parcels within the survey boundary are agriculturally assessed. There are no building improvement values within the survey boundary.

The survey boundary encompasses properties that are within Weld County’s 1459 Tax Area. The millage rate in this area is 102.417.

<sup>1</sup> This includes a portion of Parcel Number 131131300026. This parcel is owned by the Town of Frederick and includes the irrigation ditch running through the survey area.

## 2 Methodology

This Conditions Survey utilized a holistic methodology in determining whether blighting factors exist within the proposed Miner's Park Urban Renewal survey boundary. This methodology included a detailed literature review of adopted plans and reports, an analysis of County Assessor records and GIS databases, and a field visit. Field work was supplemented by GIS technology that recorded and documented potential blighting factors in real time. Maps were created for each blighting factor identified within the survey area, illustrating which parcels contain, or are in proximity to, statutorily defined blighting factors. These maps represent the layered information gathering approach used in this report to ensure that each blighting factor was thoroughly analyzed.



It is important to note that conditions surveys evaluate an area in its entirety for the presence of blighting factors and are not intended to declare individual properties or separate areas as blighted<sup>2</sup>. The maps included in this report illustrate the location and clustering of individual blighting factors as a means of representing this survey's findings. In order for a survey area to be declared blighted, it must exhibit four or more blighted area factors<sup>3</sup>. It is the combination of factors within an area that makes that area eligible for urban renewal activities.

<sup>2</sup> Unless that individual property is in fact the entirety of the URA Plan area.

<sup>3</sup> Exceptions include property owner consent and eminent domain. A survey area where property owners' consent to inclusion may only require one blighting factor. In order to use eminent domain, five blighting factors must be found.

# 3 Evaluation of Blighting Factors

## Defining “Blighted Area Factors”

Colorado Revised Statutes 31-25-103 states that for an Urban Renewal Plan area to be established, there must exist certain conditions known as “blighted area factors”. State statute defines eleven separate factors for blight. The law indicates that if four or more of these factors are found in an area of the municipality, that area may be declared blighted and qualify for urban renewal treatment.

### Blighted Area Factors Defined:

- a) Slum, deteriorated, or deteriorating structures
- b) Predominance of defective or inadequate street layout
- c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
- d) Unsanitary or unsafe conditions
- e) Deterioration of site or other improvements
- f) Unusual topography or inadequate public improvements or utilities
- g) Defective or unusual conditions of title rendering the title nonmarketable;
- h) The existence of conditions that endanger life or property by fire or other causes
- i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities
- j) Environmental contamination of buildings or property
- k) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements

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

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

Identifying blighting conditions throughout this proposed project area required an objective analysis. The following sections outline the blighted area factors that this analysis found to be present within the survey area. Blighted area factors that were not identified were excluded from this report.

## 3.1 Factor Two – Predominance of Defective or Inadequate Street Layout

### Description:

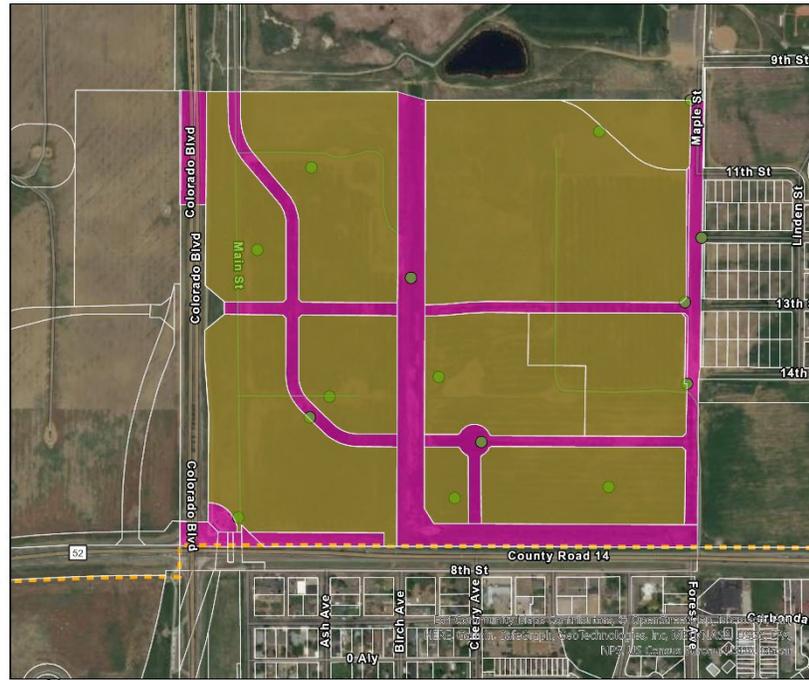
This factor refers to street conditions that negatively impact sound development, redevelopment, or threaten safety. Conditions that would justify the inclusion of this factor in an area may include:

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

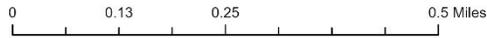
### Findings:

*The proposed Miner's Park URA plan area encompasses parcels that lack building improvements and are assessed agricultural. However, the area has been subdivided into specific parcels that include right-of-way segments. Although these "potential" streets are illustrated in the County's GIS database, these streets have not yet been constructed. The only existing roads within the survey area are oil and gas roads that need to be reconstructed. These oil and gas roads dead end at the existing well heads, are dirt and uneven, and do not serve outlying parcels. Overall, the survey area lacks an internal street network that would provide vehicular access to its parcels. There is also a lack of active transportation improvements throughout the survey area. Significant active transportation infrastructure surrounds this proposed URA plan area, such as the sidewalks lining Colorado Boulevard or the trails throughout centennial park and the school properties to the north, but this infrastructure fails to penetrate the survey boundary. In sum, the survey boundary exhibits an inadequate street layout that negatively impacts sound development throughout the survey area.*

# Blighting Factor 2 - Defective Streets



- Town Boundary
- Weld County Parcels
- Miners Park URA Plan Area
- BF(b) - Defective Streets
- BF(b) Parcels



## 3.2 Factor Three – Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

### Description:

This factor refers to shapes, layout and sizes of lots that complicate sound development and the usefulness of the property. Conditions that would justify the inclusion of this factor in an area may include:

- Narrow or odd shaped lots
- Impractical lot layouts
- Lot configurations that yield unproductive conditions on the land as exhibited by misuse or nonuse

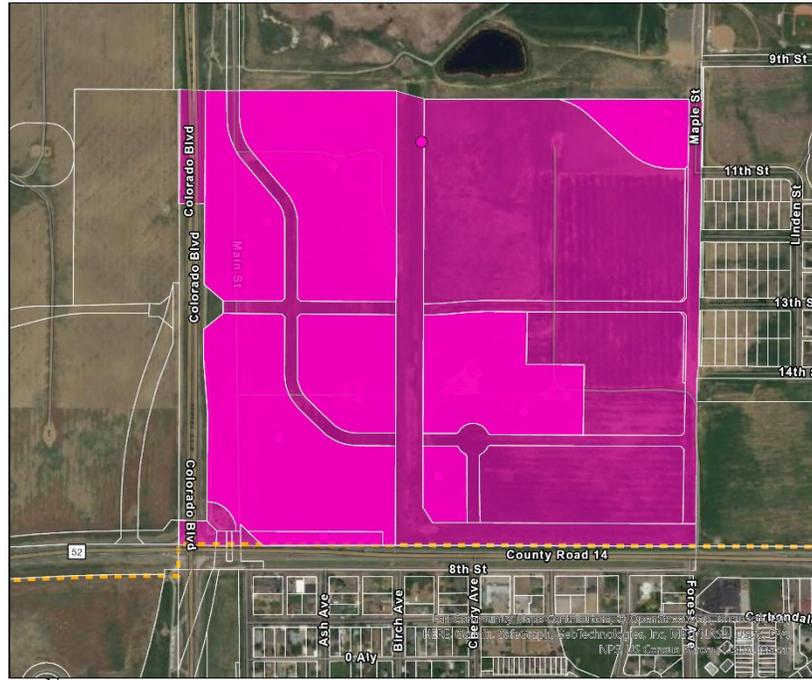
### Findings:

*The conditions survey identified conditions that underscore the presence of this factor throughout the survey area. The proposed Miner's Park Urban Renewal Plan area includes four oil wells within its boundary. These oil and gas well heads require significant setbacks for future development. When these setbacks are considered, the remaining developable area of the parcels impacted is severely limited. This situation yields unproductive lot layouts and challenging lot configuration which support the inclusion of this blighting factor in this report.*

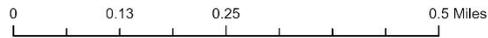
*There field work and GIS research also revealed parcels that are narrow and oddly shaped. These parcels were found near the intersection of Colorado Boulevard and County Road 14, as well as the teardrop shaped lot nearest the high school in the northeast corner of the survey boundary.*

*The fact that these lots are severely impacted by oil and gas setbacks, exhibit narrow and odd shapes, and are mostly vacant or underutilized, indicates that this blighted area factor is present.*

# Blighting Factor 3 - Faulty Lots



- Town Boundary
- Weld County Parcels
- Miners Park URA Plan Area
- BF(c) - Faulty Lots
- BF(c) Parcels



### 3.3 Factor Four – Unsanitary or Unsafe Conditions

#### Description:

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

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

#### Findings:

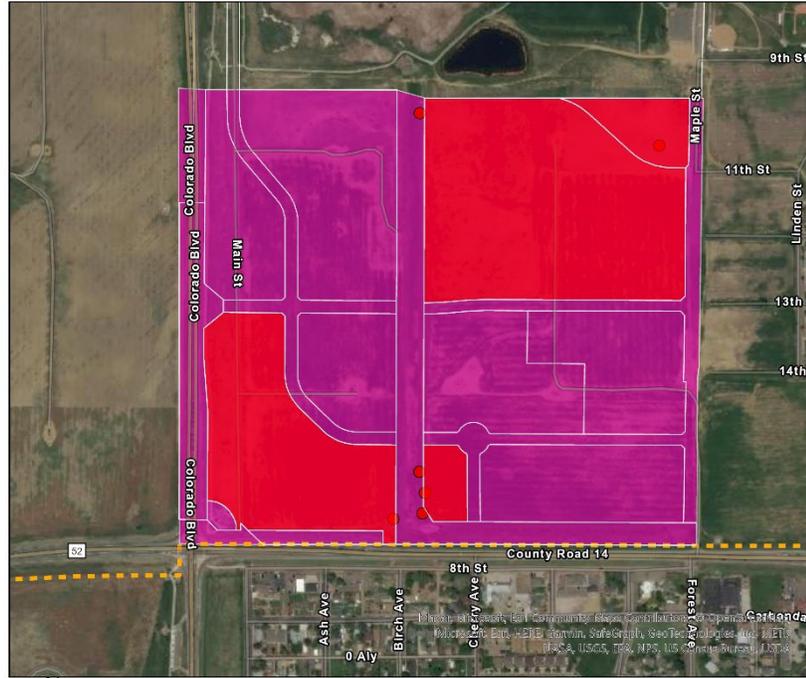
*The range of conditions listed made it possible to find multiple examples of this blighting factor within the survey area. The most significant example identified in the survey area involved the presence of hazardous materials and possible environmental contamination. The fact that the survey area includes four well heads, including storage facilities, creates conditions that underscore this blighted area factor. Future development projects would be required to cap these wells, and this challenge and cost could arrest sound development from taking place throughout the property. This challenge is further evidence this blighted area factor is present.*

*Stormwater drainage was also identified as a condition throughout the survey area. In the northeast "outlot", it was clear that a depression existed which lacked any formal stormwater drainage facilities. Also, the Frederick Drainage Ditch bisects the survey area. During the field visit, large amounts of standing water were visible within the ditch. Future development will likely require new stormwater improvements throughout the survey area to ensure this ditch is not negatively impacted.*

*Trash and debris were also identified in the drainage ditch, especially where it approaches County Road 14.*

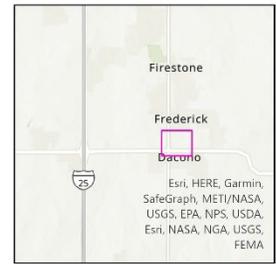
*The culmination of environmental and drainage concerns, as well as trash and debris identified during the site visit, underscores the presence of this factor.*

# Blighting Factor 4 - Unsafe/Unsanitary Conditions



- Town Boundary
- Miners Park URA Plan Area
- Weld County Parcels
- BF(d) - Unsafe Conditions
- BF(d) Parcels

The blighting factors listed above are derived from C.R.S. 31-25-103, where statute defines the eleven blighting factors that are catalogued by Conditions Surveys. The labels assigned to the factors within this legend are only descriptive and not intended to summarize the statute's definition for each factor.



## 3.4 Factor Six – Unusual Topography or Inadequate Public Improvements or Utilities

### Description:

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

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

### Findings:

*The conditions survey analysis found similar conditions for this factor as those that were identified in Blighted Area Factor 2. The lack of an internal street network is evidence for this blighting factor. The surveyed parcels lack public roads to gain proper access to surrounding streets. The few roads that were existing are used to service the oil wells throughout the property. These roads are dirt and dead end without accessing all the parcels throughout the survey area, making this infrastructure inadequate for sound development.*

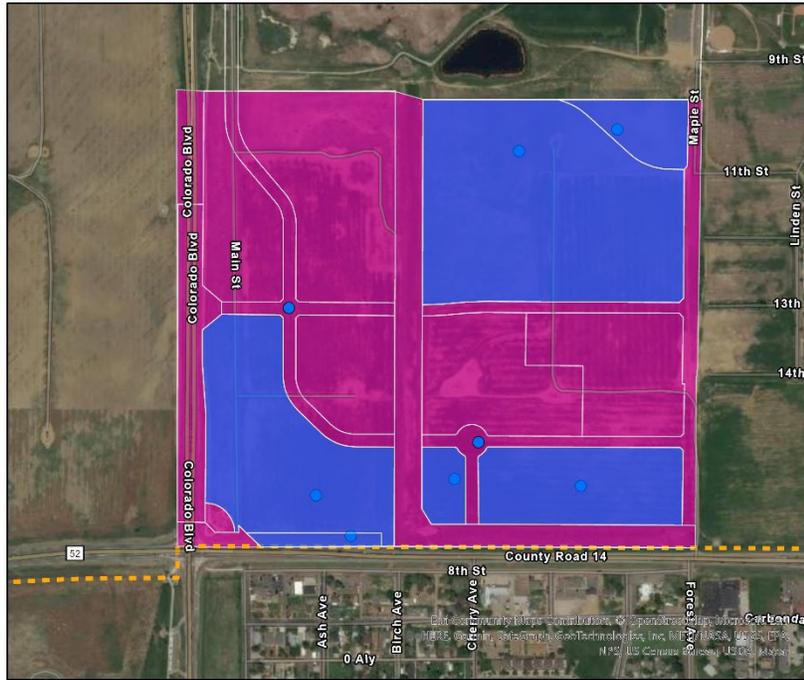
*There is also a partial constructed, dirt frontage road that parallels Colorado Boulevard. This road abruptly dead-ends at the intersection of County Road 14 and Colorado Blvd. This again is evidence of inadequate infrastructure.*

*Drainage was also identified as a potential challenge within the survey boundary. Although the Frederick drainage ditch bisects the survey area, standing water and debris were observed within this ditch. Stormwater drainage facilities would need to be improved and constructed throughout the survey area to ensure that the existing drainage ditch is not negatively impacted.*

*Wet and dry utilities would also need to be extended throughout the survey area. The fact that these utilities are currently missing from the proposed plan area is evidence of this blighted area factor.*

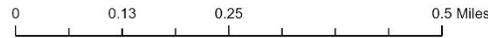
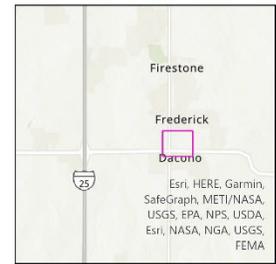
*The combination of these conditions supports the inclusion of this factor within the Conditions Survey.*

# Blighting Factor 6 - Topography or Infrastructure



- Town Boundary
- Miners Park URA Plan Area
- Weld County Parcels
- BF(f) - Topography or Infrastructure
- BF(f) Parcels

The blighting factors listed above are derived from C.R.S. 31-25-103, where statute defines the eleven blighting factors that are catalogued by Conditions Surveys. The labels assigned to the factors within this legend are only descriptive and not intended to summarize the statute's definition for each factor.



## 3.5 Factor Ten - Environmental Contamination of Buildings or Property

### Description:

This factor refers specifically to the environmental contamination of buildings or property. In this regard, it shares many similarities with factors four (4) and eight (8). Conditions that would justify the inclusion of this factor in an area may include:

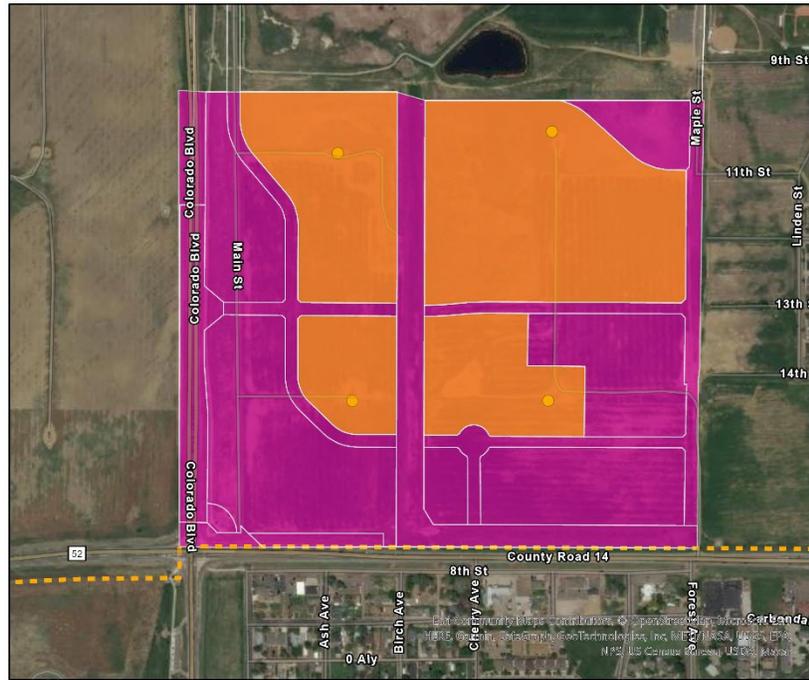
- The presence of hazardous materials in buildings or property

### Findings:

*The presence of hazardous material within a survey area is evidence of this blighted area factor. Although Phase 1 ESA's were not conducted or reviewed by this Conditions Survey, the fact that four oil and gas wells exist within the survey boundary is significant enough to include this blighted area factor in this report.*

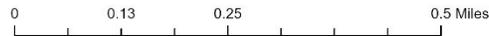
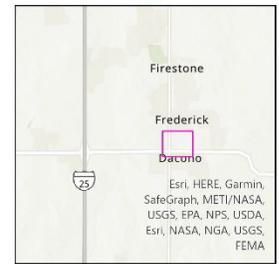
*Future development would be required to cap these wells or abide by significant setbacks. These setbacks and capping requirements are necessary because oil and gas wells can be hazardous to surrounding uses and users. The oil and gas wells create conditions which arrest sound development from taking place throughout the area. This underscores the presence of this blighted area factor.*

# Blighting Factor 10 - Environmental Contamination



- Town Boundary
- Miners Park URA Plan Area
- Weld County Parcels
- BF(j) - Environmental Contamination
- BF(j) Parcels

The blighting factors listed above are derived from C.R.S. 31-25-103, where statute defines the eleven blighting factors that are catalogued by Conditions Surveys. The labels assigned to the factors within this legend are only descriptive and not intended to summarize the statute's definition for each factor.



### 3.6 Factor Eleven – The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements

#### Description:

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

- Numerous vacant buildings or property throughout the area
- Evidence of underutilized buildings
- Underutilized or vacant sites

#### Findings:

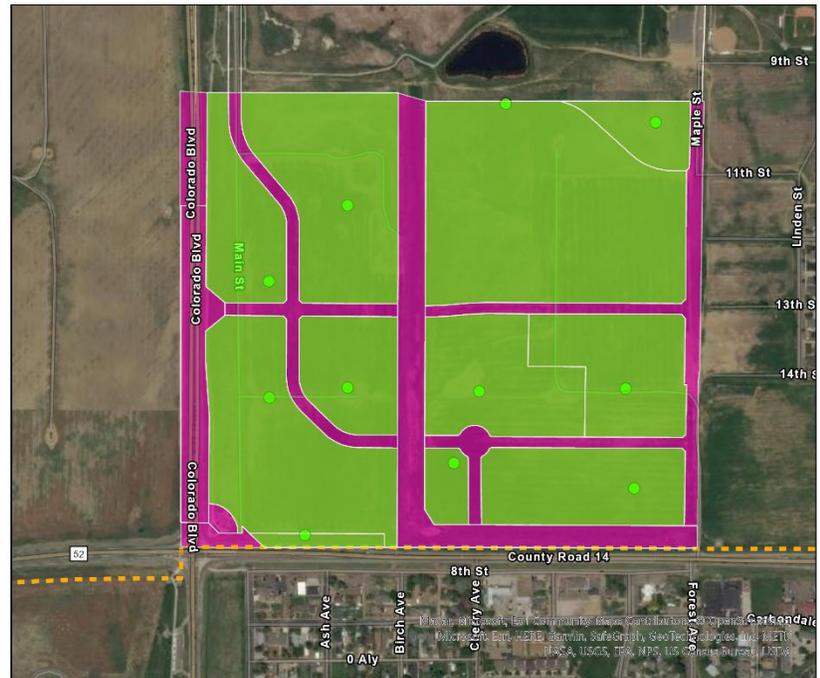
*The conditions survey identified this blighted area factor throughout the survey boundary. The condition that led to this factor's inclusion in the report was substantial underutilization of the site. This underutilization determination resulted from researching the existing uses throughout the survey area and comparing these properties with surrounding properties in the Town of Frederick and Dacono.*

*The survey area parcels are currently assessed for agricultural uses, except for three parcels that are tax exempt. This would typically mean that the agricultural parcels are being utilized, despite their lack of building improvements. However, careful research into the history of these uses, and a comparison of surrounding properties indicates that these parcels are being underutilized relative to the area. Aerial photographs reveal that these properties have not exhibited significant agricultural use over the last 20 years. Although the properties are annually mowed, there does not appear to be grazing or growing operations present.*

*When compared to surrounding properties, this underutilization is even more pronounced. The area surrounding the proposed Miner's Park URA has undergone significant development. Commercial and residential development is adjacent to the survey area, in the Town of Dacono to the south and along Frederick Way to the east. Centennial Park forms the Northern border of the property, which itself is surrounded by residential and commercial development. West of the survey area is part of the Miner's Village Urban Renewal Plan area. This area is already undergoing land development and will see a marked increase in commercial development along Colorado Boulevard and County Road 14.*

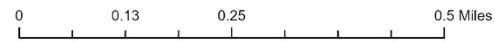
*The fact that this survey area is essentially a vacant enclave surrounded by development and proposed development, indicates that it is underutilized relative to its location in Frederick. This underutilization underscores the presence of this blighted area factor within the survey boundary.*

# Blighting Factor 11 - Underutilization and Vacancy



- Town Boundary
- Miners Park URA Plan Area
- Weld County Parcels
- BF(k,5) - Underutilization and Vacancy
- BF(k,5) Parcels

The blighting factors listed above are derived from C.R.S. 31-25-103, where statute defines the eleven blighting factors that are catalogued by Conditions Surveys. The labels assigned to the factors within this legend are only descriptive and not intended to summarize the statute's definition for each factor.



## 4 Conclusion

This conditions survey catalogs the presence of statutorily defined blighting factors within the proposed Miner's Park Urban Renewal Plan area. This report was designed to assist the Frederick Urban Renewal Authority (FURA) in determining whether this area is 1) eligible for urban renewal projects and activities, and 2) that the proposed boundary is drawn as narrowly as possible.

This Conditions Survey identified six blighted area factors as defined by Colorado's Urban Renewal Law, within the survey boundaries of the proposed plan area. The presence of six blighted area factors meets the requirements outlined in C.R.S. 31-25-103(2), in which at least four blighted area factors must be present for that area to be declared "blighted" and therefore eligible to be designated as an Urban Renewal Plan area.

The proposed boundary also meets the statutory recommendation of "being drawn as narrowly as possible". The six blighting factors were not clustered in one vicinity, but rather, spread across the entirety of the survey boundary.

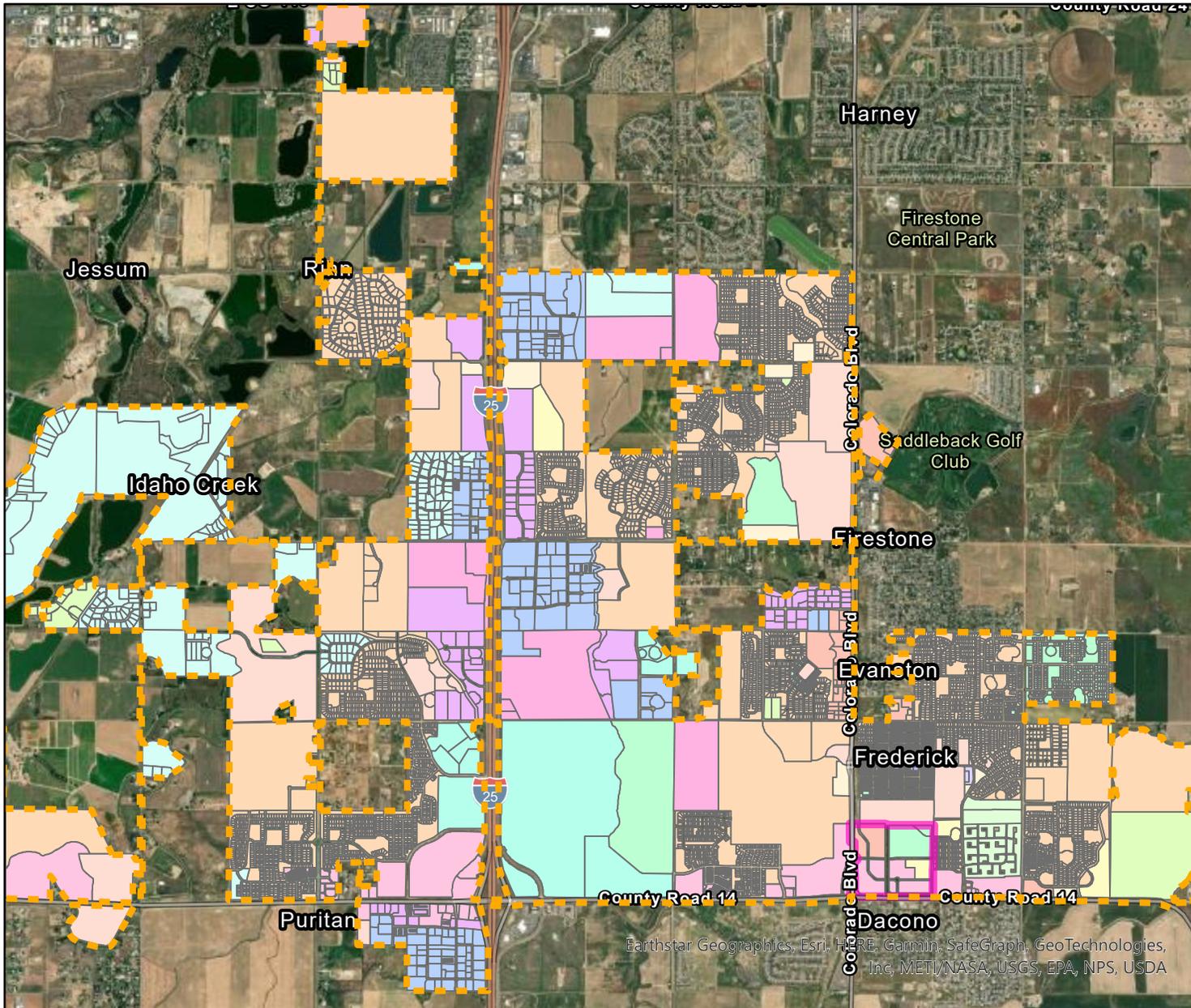
This Conditions Survey finds that the proposed Miner's Park Urban Renewal Plan area can be declared a "blighted area" as defined by Colorado's Urban Renewal Law and therefore qualifies for urban renewal treatment.

# Conditions Survey Maps

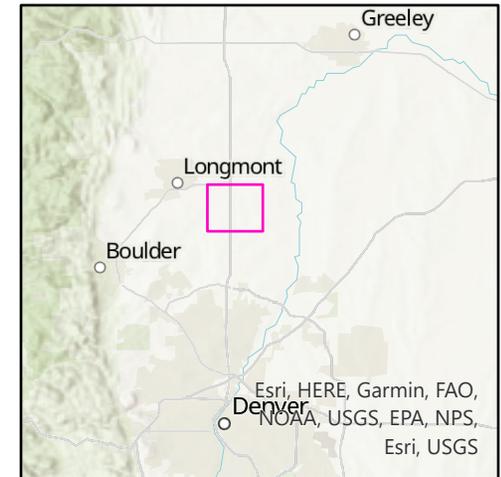
# Appendix A

Zoning Map

# Town of Frederick Zoning Districts



- Town Boundary
- Miners Park URA Plan Area
- ZONING**
- AGRICULTURAL DISTRICT
- BUSINESS LIGHT INDUSTRIAL DISTRICT
- COMMUNITY COMMERCIAL DISTRICT
- EMPLOYMENT DISTRICT
- MIXED USE HIGHWAY 52 DISTRICT
- NEIGHBORHOOD COMMERCIAL DISTRICT
- DOWNTOWN A
- DOWNTOWN B
- INDUSTRIAL DISTRICT
- PUBLIC DISTRICT
- RESIDENTIAL LOW DENSITY DISTRICT
- RESIDENTIAL MEDIUM DENSITY DISTRICT
- RESIDENTIAL HIGH DENSITY DISTRICT
- ESTATE DISTRICT
- MANUFACTURED HOME DISTRICT 1
- TO BE DETERMINED



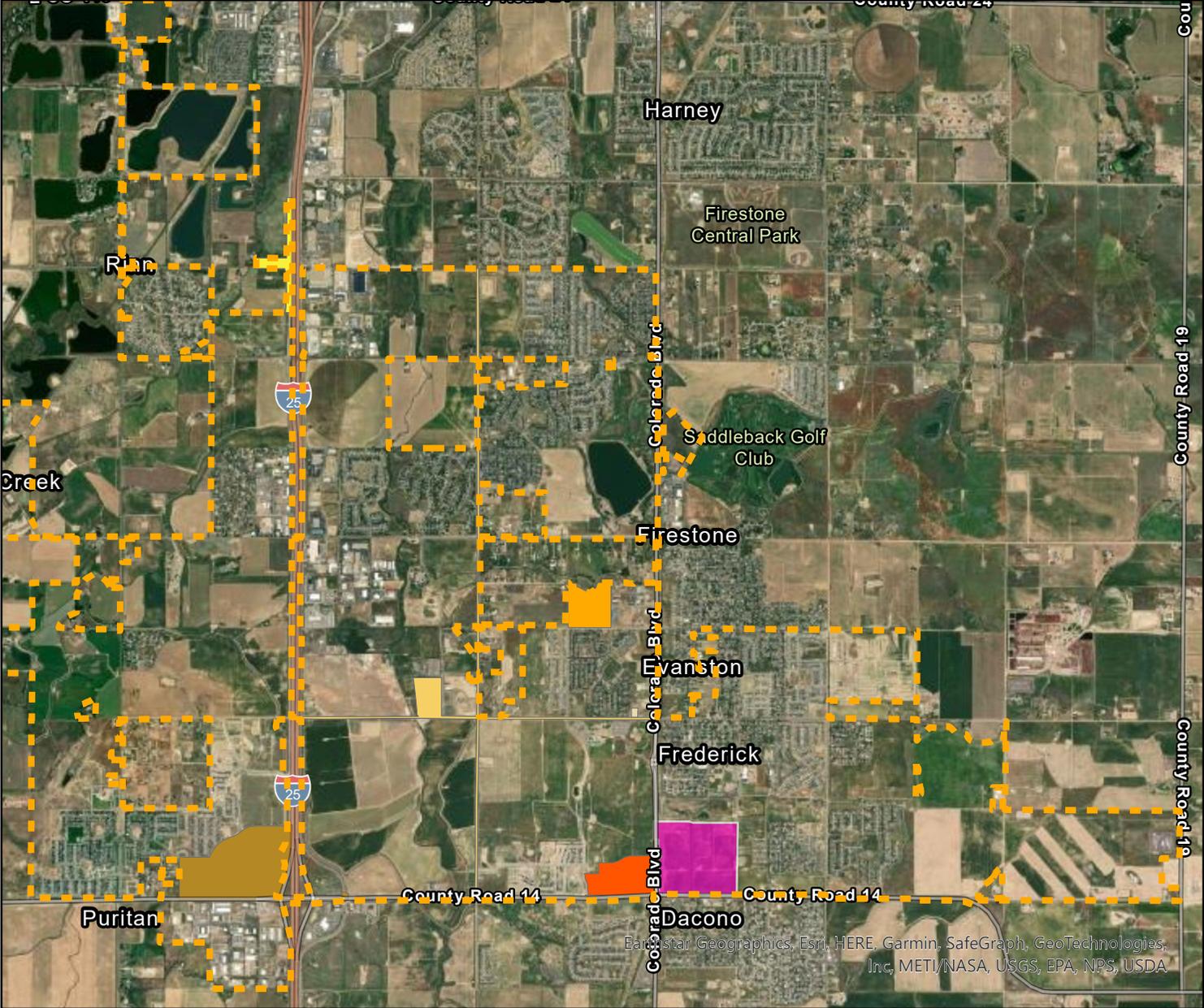
Earthstar Geographics, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA



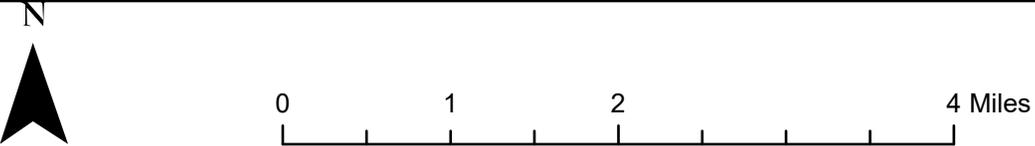
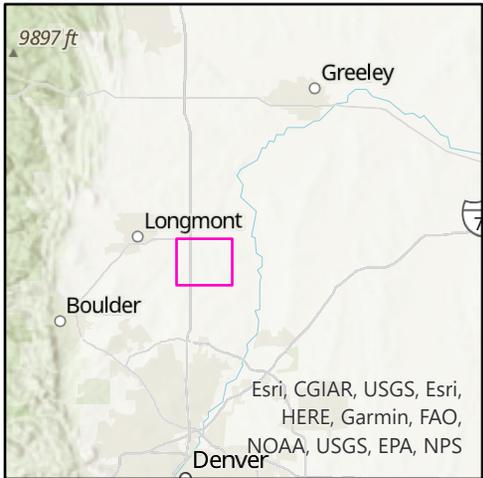
# Appendix B

Existing URA Plan Area Map

# Frederick Existing and Proposed URA Plans



- Town Boundary
- Miners Park URA Plan Area
- Eagle Business Park
- Former Public Works Site
- Meadowlark Business Park
- Miner's Village
- Schillinger
- Talbert Building
- Wyndham Hill



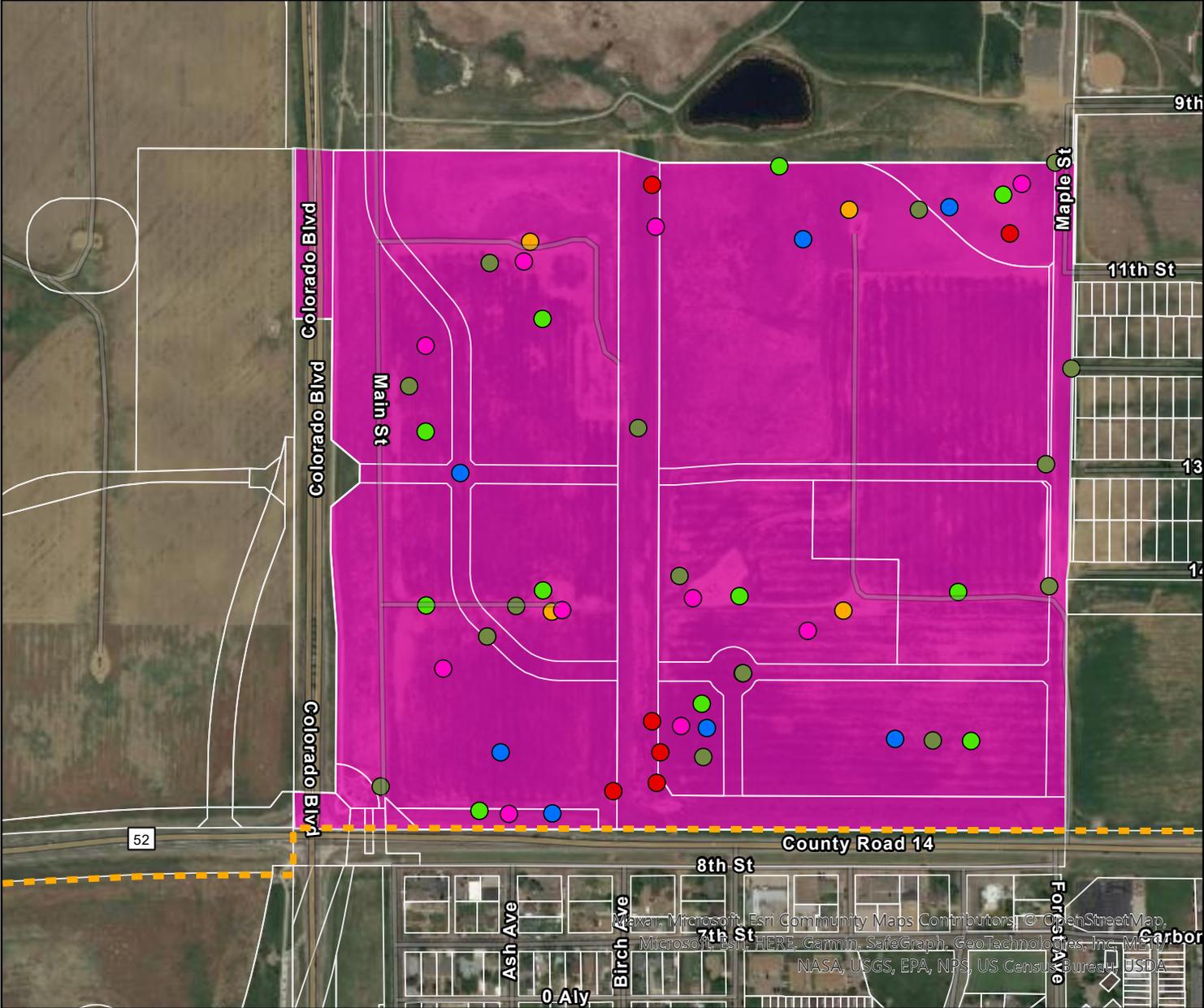
Esri, CGIAR, USGS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA



# Appendix C

Conditions Survey Field Work Map

# Conditions Survey Field Work Map



- Town Boundary
- Weld County Parcels
- Miners Park URA Plan Area
- BF(b) - Defective Streets
- BF(c) - Faulty Lots
- BF(d) - Unsafe Conditions
- BF(f) - Topography or Infrastructure
- BF(j) - Environmental Contamination
- BF(k.5) - Underutilization and Vacancy





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