

**Urban Renewal Plan for  
Lone Tree Entertainment District Urban Renewal Area  
Lone Tree, Colorado**

Prepared for:

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*Background information and other data have been furnished to DGC Consulting (DGC) by the City of Lone Tree and/or third parties, which DGC has used in preparing this report. DGC has relied on this information as furnished, and is neither responsible for nor has confirmed the accuracy of this information.*

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## **1.0 Introduction**

### **1.1 Preface**

This Lone Tree Entertainment District Urban Renewal Plan (the “Plan” or the “Urban Renewal Plan”) has been prepared for the City of Lone Tree, Colorado (the “City”). The Plan will be carried out by the City of Lone Tree Urban Renewal Authority (the “Authority”), pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “Act”). The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

### **1.2 Blight Findings**

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.

The Lone Tree Entertainment District Conditions Study prepared by DGC Consulting, dated July, 2023, which is attached hereto as Exhibit A (the “Conditions Study”), demonstrates that the Lone Tree Entertainment District Study Area (“Study Area”), as defined in the Conditions Study, is a blighted area under the Act.

### **1.3 Other Findings**

The Area (defined in Section 1.4) is appropriate for an urban renewal project and other undertakings authorized by the Act to be advanced by the Authority. While a future project may require the demolition and clearance of certain public and private improvements within the Plan area, the more common need is anticipated to be the implementation of infrastructure, public improvements, utilities and life safety measures. Such actions are necessary to eliminate unsafe conditions, obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of blight.

It is the intent of the City Council in adopting this Plan that the Authority exercises all powers authorized in the Act, which may be necessary, convenient or appropriate to accomplish the objectives of this Plan, including, but not limited to, the power of eminent domain. It is the intent of this Plan that the Authority may exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised. This Plan is in the public interest and necessity -- such finding being a matter of legislative determination by the City Council.

#### **1.4 Urban Renewal Area Boundaries**

The area comprising the proposed Lone Tree Entertainment District Urban Renewal Area (the “Urban Renewal Area” or the “Area”) contains approximately 67 acres of privately and publicly-owned parcels and public rights-of-way. It is depicted and legally described in Exhibit A.

## 2.0 Definitions

Act – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

Area or Urban Renewal Area – means the Lone Tree Entertainment District Urban Renewal Area as depicted in and legally described in Exhibit A.

Assessor – means the Douglas County Assessor.

Authority – means the City of Lone Tree Renewal Authority (The Authority).

Authority Board – means the Board of the City of Lone Tree Urban Renewal Authority.

City – means the City of Lone Tree, a home-rule municipal corporation of the State of Colorado.

City Code – means the City Code.

City Council – means the City Council.

City (or Municipal) Tax or Taxes – means, collectively, (i) the Sales Tax, (ii) the Lodger’s Tax, (iii) the OPT, and (iv) the Use Tax.

City (or Municipal) Tax Increment – means the tax increment derived from City Taxes.

City of Lone Tree Comprehensive Plan (or Comprehensive plan) – means the City of Lone Tree Comprehensive Plan, as approved by the City Council on January 15, 2019, as such plan has been or may be amended from time to time.

Conditions Study (or Study or Survey) – means the Lone Tree Entertainment District Conditions Study, prepared by DGC Consulting, dated July, 2023.

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

County Impact Report or Impact Report – means the Lone Tree Entertainment District Tax Forecast and County Impact Report prepared by DGC Consulting, dated October, 2023.

County Sales Tax Increment - means the Douglas County sales tax increment revenue allocated to the Authority as defined in this Plan.

C.R.S. – means the Colorado Revised Statutes, as amended from time to time.

DCSD – refers to the Douglas County School District RE-1

Effective Date of Plan Approval – means xxx.

Entertainment District (PowerPoint) – refers to City of Lone Tree Entertainment District Urban Renewal Area (PowerPoint - 2023).

Entertainment District Vision Book – refers to Lone Tree Plaza – Re-Envisioning the Entertainment District Vision Book, City of Lone Tree, (September 3, 2013), and attached hereto as Exhibit X and incorporated herein by this reference.

IGA – means an intergovernmental agreement.

County Impact Report or Impact Report – means the Lone Tree Entertainment District Tax Forecast and County Impact Report prepared by DGC Consulting, dated xxx.

Improvement District – means a special district created to make improvements, typically to public space infrastructure, in a given area.

Metropolitan District (or Districts) – means a quasi-municipal corporation and political subdivision of the State of Colorado organized under the Colorado Special District Act, 32-1-101, et. Seq., C.R.S., as from time to time amended, or any successor district or districts thereto as may be approved by the City.

Plan Area – refers to the legal boundaries of the Lone Tree Entertainment District Urban Renewal Area.

Plan or Urban Renewal Plan – means the Lone Tree Entertainment District Urban Renewal Plan.

Property Taxes – means, without limitation, all levies to be made on an ad valorem basis by or for the benefit of any public body upon taxable real and personal property in the Area.

Property Tax Increment – means tax increment derived from Property Taxes.

Public Finance and Redevelopment Agreement – means one or more agreements between the Authority, the developer and/or developers of property within the Area, any special district or districts organized or caused to be organized by such developer or developers for the purpose of financing or refinancing public improvements within the Area, or such other individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan pursuant to any of the powers set forth in the Act or in any other provision of Colorado law.



Redevelopment / Development Agreement – means one or more agreements between the Authority and developer(s) and / or property owners or such other individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan.

Sales Tax Increment – means tax increment derived from Sales Taxes.

Study Area – means the geographic area studied in the context of the Survey for the purpose of determining its collective eligibility for a designation of "blight" as defined by the Act.

Tax Increment - means the increase in revenue derived from taxes that are actually collected above a specified tax base imposed in a Tax Increment Area after a date to be specified in this Plan or with any subsequent modification to this Urban Renewal Plan, as per 31-25-107(9), C.R.S.

Tax Increment Finance (or Financing) (TIF) – means a financing mechanism authorized by the Act which uses future incremental revenues resulting from private investment within an established Tax Increment Area to fund improvements for the public benefit.

Tax Increment Revenue – means the incremental revenues (property and / or sales tax) allocated to the Authority by this Urban Renewal Plan.

Tax Increment Area – means all or a portion of the Urban Renewal Area designated as a Tax Increment Area, as defined and pursuant to the procedures set forth in Section 6 of this Plan.

The County – refers to the Douglas County Government.

Urban Renewal Project (or the Project) – means all the undertakings and activities to be carried out over the life of the Urban Renewal Plan, including specific, individual projects.

### **3.0 Purpose of the Plan**

The main public purpose of the Lone Tree Entertainment District Urban Renewal Plan is to reduce, eliminate and prevent the spread of blight within the Area. The Plan sets goals to achieve this through implementing established objectives for the Area and stimulating redevelopment, economic growth and investment through the tools available within the context of urban renewal tools, laws, and guidelines, such as tax increment financing.

Establishment of the Lone Tree Entertainment District Urban Renewal Area will take advantage of the excellent location, access, and visibility of the area as well as the continued development momentum in the Lone Tree and Park Meadows mall area. It will allow financing and urban renewal tools to be used for the next 25 years.

With these goals in mind, in 2023 the City of Lone Tree engaged a third-party consultant to prepare the Lone Tree Entertainment District Conditions Study. Documentation of blighted conditions within the Study Area and designation by the City would set the stage for the creation of smaller, phased urban renewal areas tailored to specific market opportunities and projects.

The Conditions Study concluded that this larger Study Area is blighted. Adoption of the Lone Tree Entertainment District Urban Renewal Plan ensures that development on this site will remedy blighted conditions by taking advantage of market conditions and future redevelopment, through the use of TIF financing and other urban renewal tools.

## 4.0 Blight Conditions

Before an urban renewal plan can be adopted by the City, the area must be determined to be a “blighted area” as defined in Section 31-25-103(2) of the Act. The Act provides that, in order for blight to be present within the area, at least four specific blight factors must be present in the area, and must substantially impair or arrest the sound growth of the municipality, retard the provision of housing accommodations, or constitute an economic or social liability, and be a menace to the public health, safety, morals, or welfare. The Act further provides that, if private property is to be acquired by the Authority by eminent domain, at least five of the following specific blight factors must be present.

- 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.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.

A third-party consultant (DGC Consulting) was commissioned to conduct a Conditions Study (or Blight Study) of the Lone Tree Entertainment District area. The Conditions Study is included in Exhibit B of this Plan. The general methodology for conducting the Study was the following:

- 1. Delineation of the Study Area;
- 2. Visual field survey for the property and evaluate current conditions;
- 3. Review of data provided by the City of Lone Tree and Douglas County and;

4. Evaluation of conditions found in the context of statutory blight criteria and;
5. Documentation of the survey findings, as presented in the Conditions Study.

The Conditions Study Area is approximately 68 acres, including public rights-of-way, and is owned primarily by private entities. The future redevelopment of the Study Area is proposed to be commercial retail and mixed-use development, including for purchase residential, commercial, retail, and public uses.

Of the 11 qualifying factors identified in the Act, the Conditions Study revealed the following eight qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, evident within the Area.

- a. Slum, deteriorated, or deteriorating structures
- b. Defective or inadequate street layout
- c. Faulty lot layout
- d. Unsanitary or unsafe conditions
- e. Deterioration of site or other improvements
- f. Unusual topography or inadequate public improvements or utilities
- h. The existence of conditions that endanger life or property by fire or other causes
- 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

## **5.0 Plan’s Relationship to Local Objectives and Appropriate Land Uses**

### **5.1 Plan Conformity**

Implementation of this Plan supports the objectives and requirements of the City of Lone Tree Comprehensive Plan, as approved by the City Council on January 15, 2019, with respect to infill development of vacant land, economic activities that support tourism and attract businesses, improving the visual appearance of commercial/industrial corridors and the downtown district, supporting capital improvements that enhance the capacity of the existing road network, and supporting capital improvements for drainage collection and detention facilities. The Plan is currently being updated. As development occurs in the Area, it should conform to the Comprehensive Plan and any subsequent updates; the City of Lone Tree Development Code and any rules, regulations, and policies promulgated pursuant thereto; any site-specific planning documents that might impact properties in the Area including, but not limited to, City-approved site, drainage, and public improvement plans; and, any applicable City design standards, all as in effect and as may be amended from time to time. Finally, existing conditions present within the Area will be remedied by the proposed Plan and funded in part by tax increment revenues and improvements phased as the market allows.

### **5.2 Consistency with Comprehensive Plan**

As explained above, the City of Lone Tree adopted its most recent Comprehensive Plan in 2019 and is currently in the process of updating it.

The Authority, with the cooperation of the City, private businesses, and other public bodies, will undertake projects and activities described herein in order to eliminate the identified conditions of blight while also implementing the goals and objectives of the Comprehensive Plan and all other City-adopted plans which impact properties within the Area. These include key goals and policies of that plan which this Urban Renewal Plan will advance. These are found in Appendix E: Excerpts from 2019 City of Lone Tree Comprehensive Plan.

### **5.3 Relationship to Other Community Plans**

Implementation of this Plan will be consistent with the development goals and objectives in other community plans and guides which pertain to development in the Area. This includes the results of a focused site planning effort undertaken in 2013 for the Lone Tree Entertainment District. The concepts and strategies resulting from this effort are summarized in the project document: Lone Tree Plaza – Re-Envisioning the Entertainment District Vision Book. Recently, the study was updated and In April 2023 the Lone Tree City Council formally adopted the 2023 Lone Tree Plaza Entertainment District Vision Book and Addendum, as a planning document to communicate and guide revitalization efforts in the Entertainment District.

Specifically, the 2013 Vision Book and 2023 Addendum are intended to:

1. Communicate and reinforce the concepts and principles necessary to realize the vision over time including efforts that create strong pedestrian connections, a walkable environment, placemaking, public gathering spaces, and a mix of uses.
2. Reflect on and document the progress and substantial investments made since the vision was set in 2013; and
3. Serve as a living document that the city and community partners and stakeholders may use to support future planning efforts.

## **6.0 Authorized Urban Renewal Undertakings and Activities**

Whereas the Act allows for a wide range of activities to be used in the implementation of an urban renewal plan, it is the Authority's intent to provide both financial assistance and public improvements in partnership with property owners and other affected parties in order to accomplish the objectives stated herein. Public-private partnerships and other forms of cooperative development will be essential to the City of Lone Tree and the Authority's strategy for preventing the spread of blight and eliminating existing blighting conditions. Specific undertakings of the Authority in the furtherance of this Plan as described as follows.

### **6.1 Undertakings and Activities to Remedy Blight**

As described in Section 4.0 of this Plan, eight qualifying conditions of blight were identified in the Study Area of which this Urban Renewal Plan Area is a part. Implementation of this Plan by providing urban renewal resources for public and private improvements will remedy many of the following conditions:

#### **a. Slum, deteriorated, or deteriorating structures**

Although the development in the Area is relatively recent (the last 30 years), there are three vacant and dilapidated buildings and several occupied buildings with signs of deterioration. Vacant buildings are the United Artists Theater complex, Treo~ building, Mimi's, Ichiban Buffet, and Rio Grande multi-tenant building (partially vacant), which total 91,528 SF of 441, 651 SF total building area. This is a vacancy rate of 21% measured by building area and 31% measure by parcel area.

While examined only on the exterior, these buildings exhibited deteriorated exterior walls, windows and doors, architectural features, and finishes. Several exterior loading docks, site walls and fences, and pedestrian access facilities were also deteriorated. Much of this was due to the age of buildings, vacancy, soil expansion and settlement, and lack of exterior maintenance. Taken as a whole, slum, deteriorated, and deteriorating structures were observed in the Study Area.

Urban renewal tools can be used to help remedy these conditions by funding planning, design, and financing studies for the Area. Urban renewal tools can also be used to coordinate a comprehensive reconstruction of shared utilities, streets, parking areas, landscaping and other common features in the Area.

#### **b. Predominance of defective or inadequate street layout**

The Area is served by several large capacity arterial (Yosemite Street) and collector streets (Park Meadows Drive) within the public right-of-way. Within the adjoining development areas, private drives located along access easements provide access to individual parcels, parking lots, and building pads. This system of customized parcels and access easements is a common approach in this type of commercial development, but it is not nearly as flexible as traditional gridiron street systems with include both access and utilities in the public right-of-way. As a result, the existing pattern of parcels and private access and utility easements is tailored to current and past users, and may not be

appropriate in other development scenarios. Therefore, these observed conditions constitute predominance of defective or inadequate street layout.

Urban renewal tools can be used to help remedy these conditions by eliminating obsolete property lines and easements that encumber future development, as well as fund the design and construction of new vehicle access points, as appropriate.

**c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness**

The Area has a complex and tailored system of parcel layouts and access easements that may hinder future redevelopment of viable commercial users. In order to redevelop the Study Area with different sizes and types of users it will be necessary to re-plat it to create new lot boundaries and easements for utilities and access, or new blocks with right-of-way for vehicles and utilities. Together, these factors are evidence of faulty lot layout in relation to size, adequacy, accessibility, or usefulness in the Study Area.

Urban renewal tools can be used to help remedy these conditions through the subdivision re-platting of parcels into more useable development sites with improvement size, shape, and frontage. Re-platting can also move or eliminate easements in order to improve access or site development functionality.

**d. Unsanitary or unsafe conditions**

Multiple conditions were observed indicating unsanitary or unsafe conditions within the Study Area. These include evidence of cracked or uneven surfaces for pedestrians; poor drainage around buildings and parking lots contributing to pooling of water, ice buildup, and pavement deterioration in parking lots and drive; presence of trash and debris; evidence of pest infestation; and unsafe level changes due to overall deterioration of site improvements. Together, these constitute unsanitary and unsafe conditions.

Urban renewal tools can be used to help remedy these conditions by coordinating and funding the reconstruction of outdoor parking and pedestrian areas, including the improvement of surface drainage facilities, which will make these areas safer for pedestrians and vehicles.

**e. Deterioration of site or other improvements**

Even though there is evidence of recent paving and new curb and gutter, there is widespread deterioration of site and other private improvements throughout the Study Area. Asphalt and concrete parking lot and site pavements are broken or exhibit other signs of failure, parking lot curb and gutter are chipped and heaving, sidewalks and pedestrian areas are deteriorated, and gutters and drainage pans in parking lots are deteriorated. These are indicators of lack of site maintenance and pavement failure due to expansive soils. In many cases site retaining walls were damaged and deteriorated and site fencing and safety railing were leaning and partially collapsed. These observations are evidence of deteriorated site improvements.



Urban renewal tools can be used to help remedy these conditions by coordinating and funding the rehabilitation or reconstruction of outdoor parking areas, pedestrian areas, retaining walls, and drainage facilities to improve their function and extend their long-term life cycle.

**f. Unusual topography or inadequate public improvements or utilities**

The Area is served by underground utilities in adjacent public streets (Yosemite Street and Park Meadows Drive). These utilities serve individual parcels by way of underground utilities crossing adjacent private parcels. Water, sewer, natural gas, and electric power provided by public and private utilities are reported to be adequate. Telecommunications are provided by private companies and are considered satisfactory.

Visible public improvements in the adjoining public rights-of-way include sidewalks, curb and gutter, and landscaping. These vary from good to poor condition. Due to ground settlement and lack of maintenance, street pavement and curb and gutter have cracked and failed. The areas around several drainage vaults have settled to the point that the vaults present hazards to pedestrians. Steep slopes and lack of surface drainage facilities have resulted in ground erosion on the edges of several open space areas. Considered as a whole, the Study Area has evidence of unusual topography or inadequate public improvements or utilities. improvements

Urban renewal tools can be used to help remedy these conditions by coordinating and funding the maintenance and reconstruction of public improvements in the right-of-way such as streets, sidewalks, curb and gutter and surface drainage facilities.

**h. The existence of conditions that endanger life or property by fire or other causes**

The field survey identified several Study Area parcels with debris, equipment, and trash next to buildings, considered to be a hazard and unsafe. Private sidewalks, parking lots, and public streets throughout the Study Area were degraded by uneven pavements and broken curb/gutter that are trip/fall hazards and unsafe for pedestrians.

Taken together, these observations throughout the Study Area are evidence of conditions that endanger life or property by fire or other causes.

Urban renewal tools can be used to help remedy these conditions by coordinating and funding improved maintenance of outdoor areas that will eliminate trash and debris as well as repair damage in public areas that currently endangers people and property.

**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**

Conditions of vacancy and underutilization in the Study Area were observed during the field survey in five buildings, which include: United Artists Theater complex, Treo~ building, Mimi’s, Ichiban Buffet, and Rio Grande multi-tenant building (partially vacant), which comprise 31% of parcel area and 21% of gross building area. This is an alarming vacancy for an upscale retail area such as the Lone Tree Entertainment District.

Parking lots throughout the Study Area are much underutilized (perhaps 60-70% is unused). This correlates with a lack of commercial activity as well as the high building vacancy.

Considered as a whole, these conditions are evidence of substantial physical underutilization or vacancy of sites, buildings, and parking areas.

Urban renewal tools can be used to help remedy these conditions by planning and coordinating improvements to public and private property that help to attract new tenants to buildings that are currently vacant.

## 6.2 Project Development Plan

The planned project for the Area is mixed use development, including for purchase residential, commercial, retail, and public uses. See Exhibit x: Lone Tree Plaza – Re-Envisioning the Entertainment District Vision Book for narrative and graphic depiction of future development, planning concepts and branding, and Exhibit x: Entertainment District Urban Renewal Area (PowerPoint) for identification of initial Urban Renewal Projects.

The initial redevelopment projects identified in the Entertainment District Urban Renewal Area (PowerPoint) were used to develop development program and phasing plan for the Lone Tree Entertainment District Tax Forecast and County Impact Report. This program included five projects with commercial, retail and for purchase residential uses and phased over a five-year period. It is summarized in Table 1.

**Table 1: Development Program (2023 - 2028)**

For Purchase Residential Component			Year	1	2	3	4	5
Project	Existing	Development	2023	2024	2025	2026	2027	2028
UA Theater site	59,935	New building(s)				200000	320000	-
<b>CUMULATIVE TOTAL</b>				-	-	200000	520000	520000
<b>Commercial Component</b>			<b>Year</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Project	Existing	Development	2023	2024	2025	2026	2027	2028
Treo	15,000	New building			15,000			
Mimi’s	7,000	New building		7,000				
Ichiban Buffet	8,326	Reuse			8,326			
UA Theater site	59,935	New building(s)				50000	80000	-
<b>CUMULATIVE TOTAL</b>				7,000	30,326	80326	160326	160326
<i>Note: UA Theater site buildings: 1 story retail and 4 stories residential Bldg 1 (50,000 and 200,00 SF), Bldg 2 (80,000 and 320,000 SF)</i>								
<i>Source: City of Lone Tree</i>								

Planning concepts, development character, possible projects, and progress to date are summarized in the 2023 Lone Tree Plaza Entertainment District Vision Book and Addendum. A representative concept sketch is shown in Figure 1 and public and private investments are shown in Figure 2.



Figure 1 - Lone Tree Plaza Framework Plan



**Figure 2 - Public and Private Investments**

### **6.3 Complete Public Improvements and Facilities**

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or may cause others, to install, construct, and reconstruct any public improvements. The Authority may, or may cause others to, demolish and clear buildings and existing improvements for the purpose of promoting the objectives of the Plan and the Act. Additionally, the Authority may, or may cause others to, install, construct and reconstruct any other authorized improvements, including, without limitation, other authorized undertakings or improvements for the purpose of promoting the objectives of this Plan and the Act.

Public projects are intended to stimulate (directly and indirectly) private sector investment to assist in the conversion of the Area into a viable commercial, employment and mixed-use area supported by accessible transportation with supporting public spaces contributing to increased revenues from property and sales taxes.

It is the intent of the Plan that the public sector plays a significant role in all urban renewal efforts as a strategic partner. However, experience has proven that a critical component to the success of any urban renewal strategy is participation by both the public and private sectors. The leveraging of resources is essential as no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Typical public infrastructure investments may include, but are not limited to: creating public spaces and meeting places; improving access and circulation; improving streets, parks and open space; providing for corridor improvements and parking; completing utilities and improving storm water drainage capacity; and, creating special districts or other financing mechanisms.

#### **6.4 Complete Other Improvements and Facilities**

Whereas there could be non-public improvements in the Area that may be required to accommodate development and redevelopment and still benefit the public, the Authority may assist in the financing or constructing these improvements to the extent authorized by the Act.

#### **6.5 Promote Development and Redevelopment**

A key concept associated with implementation of this Plan is targeted investment that will serve to catalyze development within the Area and on adjacent properties, as well as fund future public improvements. The potential impact of this investment to Douglas County and other taxing entities is quantified in Exhibit C: [Lone Tree Entertainment District County Impact Report](#).

#### **6.6 Adopt Standards**

As stated earlier, all development in the Area shall conform to applicable rules, regulations, policies and other requirements and standards of the City, along with any other governmental entity which has jurisdiction within its boundaries. While the Act allows for the adoption of standards and requirements applicable to projects undertaken in an urban renewal area, in the context of this Plan, it is the Authority's intention that investment in the Area conform to City-approved documents.

#### **6.7 Modify the Plan**

The Authority may propose, and City Council may make, modifications to this Plan as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates which may be made. Additionally, any such amendments made in accordance with this Plan and as otherwise contemplated, must also be compliant with the Act. Finally, the Authority may, in specific cases, allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

## **6.8 Review the Plan**

The ongoing review process for the Plan is intended to provide a mechanism to allow those parties responsible for administering and implementing key projects within its boundaries to periodically evaluate its effectiveness and make adjustments to ensure efficiency in implementing these activities.

To this end, the following steps are presented to serve as a guide for future Plan review:

- a) The Authority may propose modifications, and City Council makes such modifications as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates, as well as the Act.
- b) Modifications may be developed from suggestions by the Authority, property and business owners, and City staff operating in support of the Authority and advancement of this Plan.

## **6.9 Provide Relocation Assistance**

While it is not anticipated as of the date of this Plan that acquisition of real property will result in the relocation of any individuals, families, or business concerns; if such relocation becomes necessary, the Authority will adopt a relocation plan in conformance with the Act.

## **6.10 Demolish, Clear and Prepare Improvements**

While not anticipated as of the date of this Plan, the Authority may, on a case-by-case basis, elect to demolish or cooperate with others to clear buildings, structures and other improvements within the Area in an effort to advance projects deemed consistent with the vision stated herein. Additionally, existing Development or Cooperation Agreements may require such demolition or site clearance to eliminate unhealthy, unsanitary, and unsafe conditions; obsolete uses deemed detrimental to the public welfare; and, otherwise remove and prevent the spread of deterioration.

## **6.11 Acquire and Dispose of Property**

While the Act allows for the acquisition of property by negotiation or any other method, it is not the intent of this Plan that the Authority uses its resources to acquire property by eminent domain. Further, while the urban renewal law permits acquisition by eminent domain, in the context of this Plan, the Board will confer decisions of eminent domain to the Lone Tree City Council. Properties acquired by entities other than the Authority may temporarily be operated, managed and maintained by the Authority if requested to do so by the acquiring entity and deemed in the best interest of the Urban Renewal Project and the Plan. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements in accordance with the Act and this Plan.

## **6.12 Enter into Redevelopment / Development Agreements**

The Authority may enter into Redevelopment / Development Agreements or other contracts with developer(s) or property owners or such other individuals or entities determined to be necessary to carry out the purposes of this Plan. Further, such Agreements, or other contracts, may contain terms and provisions deemed necessary or appropriate for the purpose of undertaking the activities contemplated by this Plan and the Act. Any existing agreements between the City and private parties that are consistent with this Plan are intended to remain in full force and effect, unless all parties to such agreements agree otherwise.

## **6.13 Enter Into Cooperation Agreements**

For the purpose of this Plan, the Authority may enter into one or more Cooperation Agreements pursuant to the Act. Whereas the City and the Authority recognize the need to cooperate in the implementation of this Plan, these Cooperation Agreements may include without limitation the planning, financing, installation, construction and / or reconstruction of public or other eligible improvements. This paragraph shall not be construed to require any particular form of cooperation.

## **6.14 Create Tax Increment Areas**

The boundaries of the Urban Renewal Area shall be as set forth in Section 1.5 and more fully described in Exhibit A: Lone Tree Entertainment District Urban Renewal Area and (same boundary as) TIF Area Map and Legal Description. It is the intent of the City Council in approving this Plan to authorize the use of Tax Increment Financing by the Authority within this Area, as part of its efforts to advance the vision, objectives and projects described herein. Pursuant to the provisions of Section 31-25107(9) of the Act, the City Council in approving this Plan further contemplates that a single Tax Increment Area will be created with adoption of this Plan by City Council. Notwithstanding such distinction, the Authority is specifically authorized to expend the revenue from Property and Sales Tax Increments to the extent authorized by the Act and this Plan for a period not to exceed the statutory requirement of twenty-five (25) years.

While this Urban Renewal Plan for the Lone Tree Entertainment District contemplates that the primary method of assisting with financing eligible expenses in the Area will be through the use of Property Tax Increment Revenue, City Council may allocate Municipal Sales Tax Increments, if requested to do so by the Authority, and only after receipt of a financing plan outlining the proposed amounts and purpose for which the Municipal Sales Tax Increment is to be used. Upon City Council approval, the Municipal Sales Tax Increment will be allocated and distributed in accordance with the Tax Increment Financing provisions of Section 31-25-107 (9), C.R.S., which is by this reference incorporated herein as if set forth in its entirety.

## **7.0 Severability**

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



## **Appendix**

### **Exhibit A: Lone Tree Entertainment District Urban Renewal Area and (same boundary as) TIF Area Map and Legal Description**



## **LEGAL DESCRIPTION**

ALL DOCUMENTS REFERENCED HEREIN ARE LOCATED IN THE RECORDS OF THE CLERK & RECORDER OF DOUGLAS COUNTY, COLORADO.

THE FOLLOWING PARCELS OF LAND ARE LOCATED WITHIN SECTION 3, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO:

LOTS 1, 4, 5, 7, 8, 9,12, PARK MEADOWS FILING NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 199732830.

LOTS 6, 6A, PARK MEADOWS FILING NO. 2, 1ST AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 199818179.

LOTS 13B, 13C, 13D, PARK MEADOWS FILING NO. 2, 4TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 199894702.

LOT 13F1, PARK MEADOWS FILING NO. 2, 6TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 1999091495.

LOTS 14F1R, 14F2R, 14F3R, PARK MEADOWS FILING NO. 2, 10TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2001056041.

LOT 13H1, PARK MEADOWS FILING NO. 2, 12TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2001123508.

LOTS 2A, 3A, PARK MEADOWS FILING NO. 2, 14TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2002004782.

LOTS 13A2, LOT 13A1, PARK MEADOWS FILING NO. 2, 15TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2002028479.

LOTS 13G-1C, 13G-2C, PARK MEADOWS FILING NO. 2, 16TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2004100329.

LOTS 13A3A, 13A3B, PARK MEADOWS FILING NO. 2, 17TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO 2004130972.

LOT 14F4R1, PARK MEADOWS FILING NO. 2, 18TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2004115508.

LOT 13E1, PARK MEADOWS FILING NO. 2, 19TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2005100174.

LOTS 1, 2, 3, PARK MEADOWS FILING NO. 2, 20TH AMENDMENT ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2005046836.

LOTS 1, 2, 3, APPLEBEES AT LONE TREE SUBDIVISION FILING NO. 1 ACCORDING TO THE PLAT THEREOF RECORDED AT RECEPTION NO. 2000001913.

**EXCEPTING** THEREFROM ANY AND ALL OF THOSE PARCELS OF RECORD DEDICATED AS PUBLIC RIGHT-OF-WAY FOR THE BENEFIT AND USE OF SOUTH YOSEMITE STREET.

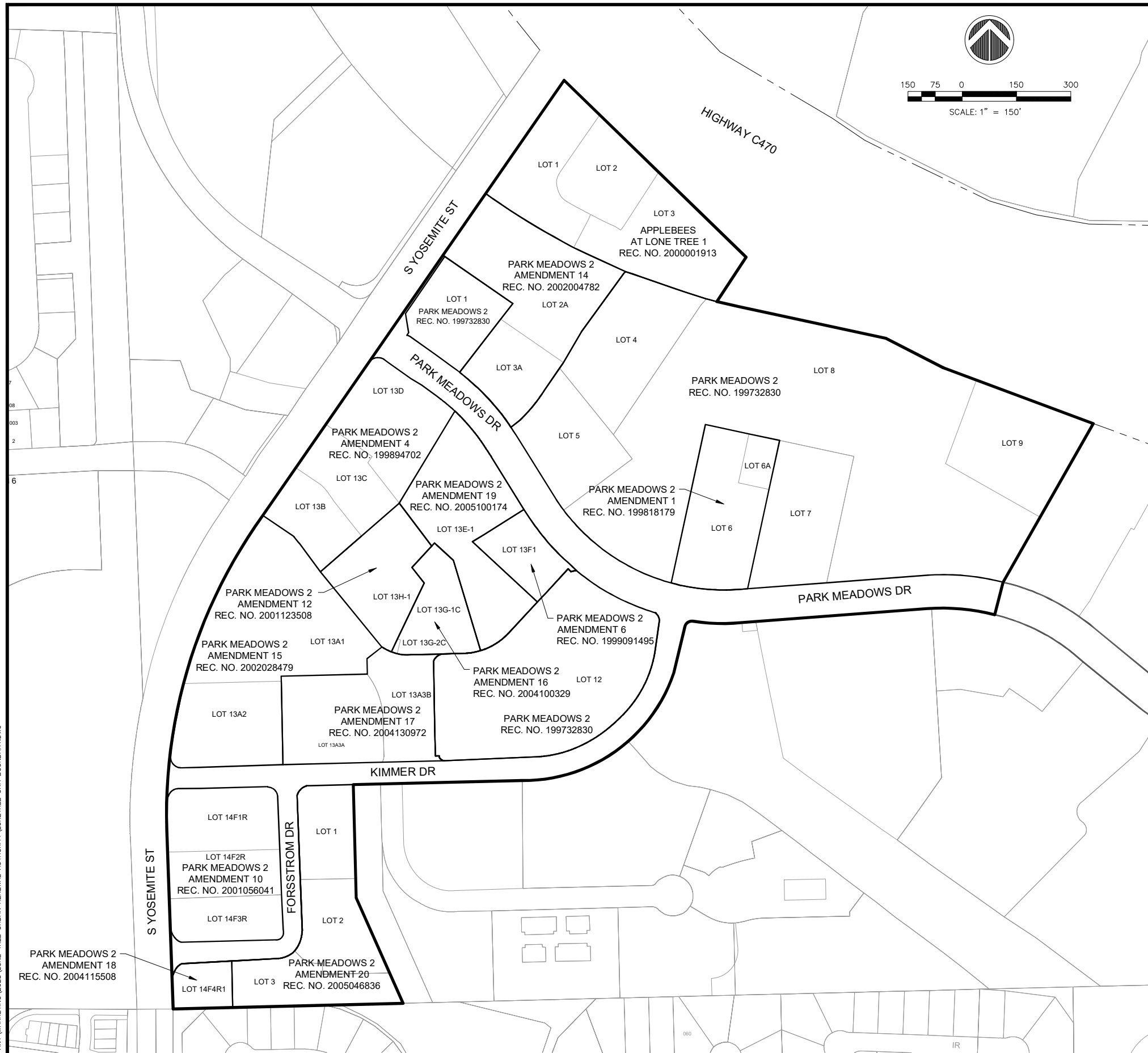
THE ABOVE DESCRIBED PARCEL CONTAINS 67 ACRES, MORE OR LESS.

**SURVEYOR'S CERTIFICATE**

THIS LEGAL DESCRIPTION WAS PREPARED ON OCTOBER 11, 2023 BY MICHAEL R. COMPTON, A PROFESSIONAL LAND SURVEYOR, REGISTRATION NO. 25361, REGISTERED IN THE STATE OF COLORADO, UTILIZING INFORMATION FROM THE DOUGLAS COUNTY ASSESSOR AND DOUGLAS COUNTY CLERK & RECORDER'S OFFICES, FOR AND ON BEHALF OF IMEG CONSULTANTS CORP.



Friday, October 13, 2023, 8:29:51 AM  
 C:\DRAVER\COMPANY\MARKETING\2023\LONE TREE URBAN RENEWAL AUTHORITY\LONETREE URA BOUNDARY.DWG



**LEGAL DESCRIPTION**

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EXCEPTING THEREFROM ANY AND ALL OF THOSE PARCELS OF RECORD DEDICATED AS PUBLIC RIGHT-OF-WAY FOR THE BENEFIT AND USE OF SOUTH YOSEMITE STREET. CONTAINING 67 ACRES MORE OR LESS

**NOTES:**

THE LONE TREE ENTERTAINMENT DISTRICT URBAN RENEWAL AREA BOUNDARY AND LEGAL DESCRIPTION SHOWN HEREON DO NOT REPRESENT A LAND SURVEY PLAT OF ANY KIND.

INFORMATION SHOWN HEREON IS BASED ON DOUGLAS COUNTY ASSESSOR RECORDS AND CLERK AND RECORDER RECORDS.

**SURVEYOR'S CERTIFICATE**

THIS LEGAL DESCRIPTION AND EXHIBIT WERE PREPARED ON OCTOBER 11, 2023 BY MICHAEL R. COMPTON, A PROFESSIONAL LAND SURVEYOR, REGISTRATION NO. 25361, REGISTERED IN THE STATE OF COLORADO, UTILIZING INFORMATION FROM THE DOUGLAS COUNTY ASSESSOR AND DOUGLAS COUNTY CLERK & RECORDER'S OFFICES, FOR AND ON BEHALF OF IMEG CONSULTANTS CORP.



REVISIONS	DESCRIPTION	DATE
No.		



LONE TREE ENTERTAINMENT DISTRICT  
 URBAN RENEWAL AREA BOUNDARY  
 CITY OF LONE TREE, DOUGLAS COUNTY,  
 COLORADO

IMEG Project No:  
 23000010.1  
 File Name:  
 LONETREE URA BOUNDARY.dwg  
 © COPYRIGHT 2023  
 ALL RIGHTS RESERVED  
 Field Book No: N/A  
 Drawn By: MRC  
 Checked By: MCC  
 Date: 10/09/2023

**Exhibit B: Lone Tree Entertainment District Conditions Study**

(INCLUDED BY REFERENCE AND [LINK](#))

**Exhibit C: Lone Tree Entertainment District Tax Forecast and County Impact Report**

(INCLUDED BY REFERENCE AND [LINK](#))

**Exhibit D: Entertainment District Urban Renewal Area PowerPoint (2023)**

(INCLUDED BY REFERENCE AND [LINK](#))

**Exhibit E: 2023 Lone Tree Plaza Vision Book and Addendum (2023)**

(INCLUDED BY REFERENCE AND [LINK](#))

**Exhibit F: RESOLUTION 23-13, A RESOLUTION ADOPTING THE 2023 VISION BOOK AS A PLANNING DOCUMENT TO COMMUNICATE AND GUIDE REVITALIZATION EFFORTS IN THE ENTERTAINMENT DISTRICT (18 April, 2023)**

# STAFF REPORT



**To:** Mayor Millet and City Council  
**From:** Kelly First, Community Development Director  
**For:** City Council Regular Meeting - 18 Apr 2023  
**Subject:** RESOLUTION 23-13, A RESOLUTION ADOPTING THE 2023 VISION BOOK AS A PLANNING DOCUMENT TO COMMUNICATE AND GUIDE REVITALIZATION EFFORTS IN THE ENTERTAINMENT DISTRICT

## **SUMMARY:**

The City would like to acknowledge and build upon a 2013 public planning effort for the Entertainment District that described a re-envisioning of the area and which culminated in a "Vision Book". That Vision Book describes feedback from a public engagement process as well as opportunities for improvements related to identification, design, public spaces, and connectivity. Several private and public investments have occurred in the area over the years, and there remain opportunities to strengthen the viability of the area to create a successful, vibrant place for the community.

Although the Vision Book was endorsed by the City Council in 2013, formal adoption was not pursued by staff. Adoption of the Vision Book at this time is recommended to re-affirm the City's support of the general principles described by the book, which remain relevant today. Additionally, an accompanying addendum to the Vision Book is proposed, intended to reinforce the concepts and principles of the Vision Book, document progress and investments that have occurred to date; and, serve as a living document that the city and stakeholders may use to support future planning efforts. Together, the Vision Book and the Addendum will be known as "The 2023 Vision Book", and will provide a tool for the City when evaluating site improvement plans for new development or redevelopment proposals.

## **COST:**

No cost to the City for adoption of these documents.

## **RECOMMENDED ACTION:**

I MOVE TO APPROVE RESOLUTION 23-13, A RESOLUTION ADOPTING THE 2023 VISION BOOK AS A PLANNING DOCUMENT TO COMMUNICATE AND GUIDE REVITALIZATION EFFORTS IN THE ENTERTAINMENT DISTRICT

## **BACKGROUND:**

In 2012 the City engaged the Urban Land Institute to provide a Technical Advisory Panel consisting of experts in real estate development and design. The Panel presented findings to the City Council, encouraging the development of a Vision and Repositioning Strategy for the Entertainment District Area. As described in the proposed Addendum, several improvement initiatives have happened since 2013 including incorporation of the Lone Tree Business Improvement District and successful TABOR Election in 2015; installation of a traffic light at Kimmer Drive and Park Meadows Drive, construction of a right turn lane at Yosemite and Park Meadows Drive, and renovation of the United Artist Theater and Brunswick Zone/Bowlero in 2016; completion of Kimmer Plaza Phase I, improvements to Yosemite Street median, renovation of The Rio/Grist Building and construction of Tru Hotel in 2018; completion of Kimmer trail in 2020; City adoption of a Tax Incentive Program in 2021; completion of

Market and Zoning Analysis of the Entertainment District in 2022; and, construction of the C-470 Trail Improvements.

If adopted by Council, the Vision Book and Addendum (collectively, "The 2023 Vision Book") will be among the approved plans used to further engage the public and property owners in the area and evaluate proposed development in the area. Additional public engagement will occur in 2023 throughout the process of updating the City's Comprehensive Plan, which may result in refined or additional approaches to the growth and development of the area.

**ATTACHMENTS:**

[Resolution 23-13 2023 Vision Book Adoption](#)  
[2013\\_08\\_30 lone tree vision book reduced](#)  
[Vision Book 2023 Addendum](#)



Section 1. The City Council hereby: a) approves and adopts The 2023 Vision Book, incorporated herein by reference and available on the City’s website, as a planning document to (a) communicate and guide revitalization efforts in the Entertainment District; b) memorialize the City’s intent to evaluate site improvement plan applications proposed within the Entertainment District for conformance with, among other criteria, the 2023 Vision Book; and c) authorize the Community Development Director to make minor, non-substantive modifications to the 2023 Vision Book to correct and/or update clerical and mapping information and document approved improvements.

Section 2. The 2023 Vision Book shall become effective immediately upon the adoption of this Resolution.

APPROVED AND ADOPTED THIS \_\_\_\_ DAY OF APRIL, 2023.

**CITY OF LONE TREE**

By: \_\_\_\_\_  
Jacqueline A. Millet, Mayor

**ATTEST:**

\_\_\_\_\_  
Rick Parsons, City Clerk

(S E A L)

**EXHIBIT A**

**CITY OF LONE TREE  
THE VISION BOOK AND 2023 ADDENDUM**