

AGENDA
LAKEWOOD CITY COUNCIL
STUDY SESSION
CITY OF LAKEWOOD, COLORADO
VIRTUAL MEETING
AUGUST 3, 2020
7:00 P.M.

To watch the Council meeting live, please use either one of the following links:

City of Lakewood Website: <https://www.Lakewood.org/CouncilVideos>

or

Lakewood Speaks: <https://lakewoodspeaks.org/>

Phone Number for Public Input: (1-346-248-7799)

Webinar ID: (973 6627 2611)

(press # after entering the webinar id then press # once more to join the meeting)

Press *9 to Request to Speak

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ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – DISCUSSION – CLARIFICATION OF BLIGHT DEFINITION (MUNICIPAL CODE CHAPTER 14.27)

PUBLIC INPUT

ITEM 4 – PRESENTATION/DISCUSSION – BLIGHT DESIGNATION CONSIDERATION FOR THE PROPERTY LOCATED AT 1347 LAMAR STREET

PUBLIC INPUT

ITEM 5 – REPORTS

ITEM 6 – ADJOURNMENT

STAFF MEMO

DATE OF STUDY SESSION: AUGUST 3, 2020 / AGENDA ITEM NO. 3

To: Mayor and City Council

From: Robert Smith, Economic Development Director, 303-987-7732

Subject: **INITIAL STUDY SESSION PRESENTATION OF A 14.27 BLIGHT DESIGNATION
CONSIDERATION FOR THE PROPERTY LOCATED AT 1347 LAMAR ST**

SUMMARY STATEMENT: In the implementation of Chapter 14.27 Residential Growth Limitations Ordinance, properties located within previously established Urban Renewal Areas (URAs) were exempted from the provisions of the 14.27 Ordinance. The City Council also provided a process for individual property owners outside of the established URAs to conduct an independent Blight Study of their properties, at their expense, to present to Council for the consideration of a 14.27 Blight Designation for the property. The owner of the property at 1347 Lamar St. (the “Property”), Lamar Street Associates, along with its consultant, Matrix Design Group (the “Consultant”), will present its findings so Council may consider granting a 14.27 Blight Designation for the Property.

BACKGROUND INFORMATION:

- City Council previously made determinations of blight, in accordance with C.R.S. §31-25-101 et seq. for the following areas in Lakewood:
 - 1998 – West Alameda Corridor Reinvestment Area Phase 1 (Belmar)
 - 2000 – West Alameda Corridor Reinvestment Area Phase 2
 - 1999 – Colfax-Wadsworth Reinvestment Area (Creekside)
 - 2005 – West Colfax Avenue Corridor Reinvestment Area
- In July 2019, Lakewood voters approved the Strategic Growth Initiative (SGI; Question 200)
- In July 2019, the approved SGI was entered into City Code as Chapter 14.27 Residential Growth Limitations
 - Chapter 14.27 refers to blighted and distressed areas twice:
 - Under 14.27.010 Purpose/Intent, item B: “Encourage redevelopment of blighted and distressed areas;”
 - Under 14.27.020 Implementation/Exceptions, item A: “Structures located, or to be located, upon land that is designated ‘blighted.’”
- In January 2020, City Council passed **RESOLUTION 2020-7**, defining “blighted” as used in Chapter 14.27 and established rules and procedures for requests to designate property as blighted.
- The following table outlines Property Owner Lamar Street Associates’ compliance with **RESOLUTION 2020-7**:

Was a conditions survey (Blight Study) conducted by an independent consultant for the subject property/properties, with such survey being commissioned at the property owner(s) expense?	YES
Was the conditions survey conducted in strict alignment with the criteria and methodology required for a state statute determination of a “Blighted Area”?	YES
Were the property owners informed that the conditions survey report will need to be scheduled for and presented to City Council at a public hearing by the property owner(s) and the independent consultant?	YES
Were the property owners informed upon presentation of the conditions survey report that City Council could determine whether sufficient conditions of blight, consistent with state urban renewal law, exist to designate the property as blighted?	YES
Were the property owners informed that such designation of blight would occur by City Council resolution and would only apply to implementing Chapter 14.27 for the subject properties and will not be construed as a blight designation for urban renewal purposes?	YES
Were the property owners informed that Council’s 14.27 blight determination would sunset in a defined number of years?	YES
Were the property owners informed that Council’s 14.27 blight determination would neither change tax collection nor the ability to use the power of eminent domain?	YES
Were the property owners informed that Property/ies with a 14.27 determination would not be under the Lakewood Reinvestment Authority’s (LRA) oversight?	YES

- The Consultant’s report indicates six (6) State-defined blighting elements exist on the Property – sufficient for a 14.27 Blight Designation to be made. (In alignment with C.R.S. §§ 31-25-101, *et seq.*, a minimum of four (4) blighting factors must be present for a blight determination.)
- According to the Consultant’s report, the following State Statute Defined conditions of blight are present on the property:

Deteriorated or deteriorating structures	
Defective or inadequate street layout	YES
Faulty lot layout in relation to size, adequacy, accessibility, or usefulness	YES
Unsanitary or unsafe conditions	YES
Deterioration of site or other improvements	YES
Unusual topography or inadequate public improvements or utilities	YES
Defective or unusual conditions of title rendering the title non-marketable	
Conditions that endanger life or property by fire or other causes	
Buildings that are unsafe or unhealthy for people to live or work	
Environmental contamination of buildings or property	
Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial underutilization or vacancy of buildings, sites, or improvements	YES

- The Study Area is the approximately one-half acre Property located at 1347 Lamar Street in Lakewood, Colorado.
- The property is currently a vacant lot with negative vegetation, unkempt trees, weeds and an unvegetated packed-earth area used for overflow parking and vehicle turnaround.

- There is undefined, unpaved access to Lamar Street on the east side of the Property and non-engineered access to the World Church parking lot on the north side.
- Above ground utilities are present along eastern and northern parts of the Property.
- No curb, gutter or sidewalks are present along Lamar and no stormwater controls or facilities are present within the Property boundary.
- The Study Area is located less than 500 feet from the exiting West Colfax Avenue Corridor Reinvestment Area (URA). The exiting URA boundary is directly north of the Property across 14th Avenue.
- The Lamar Station stop along the W-Line light rail is within a half block of the Property. Light rail provides public transportation access to the metropolitan region.
- The Property is along the 40West ArtLine, a four-mile walking and biking cultural asset in the City of Lakewood. This amenity has strong community support and the City continues to invest and grow arts related assets in the area. Lakewood actively encourages property owners along the ArtLine route to invest in their properties and engage with this community amenity.
- The Property is located within the Colorado Enterprise Zone, a program aimed at promoting a business-friendly environment in economically distressed areas. Enterprise Zones are areas that see higher than average unemployment, higher poverty and lower incomes. Through this program, businesses are encouraged to invest, grow jobs and engage with their communities.
- The Property is located within a federal Opportunity Zone. The census block in which the Property sits was given Opportunity Zone status because it has seen disproportionately slow economic recovery and growth.
- Data collection for the conditions survey was conducted through site visits, pictures, research and statistical databases.
- The Property is found to have 6 of 11 blight factors. The presence of at least 4 blight factors are required by State law for urban renewal areas.
- An active search was not conducted for blight factor G due to time and cost. G is “defective or unusual conditions of title rendering the title non-marketable.” This does not necessarily mean defective or unusual title conditions do not exist.
- A description of each blight factor is included in the Blight Study report. And a summary of each blight finding is also included in the Blight Study report.

BUDGETARY IMPACTS: None anticipated

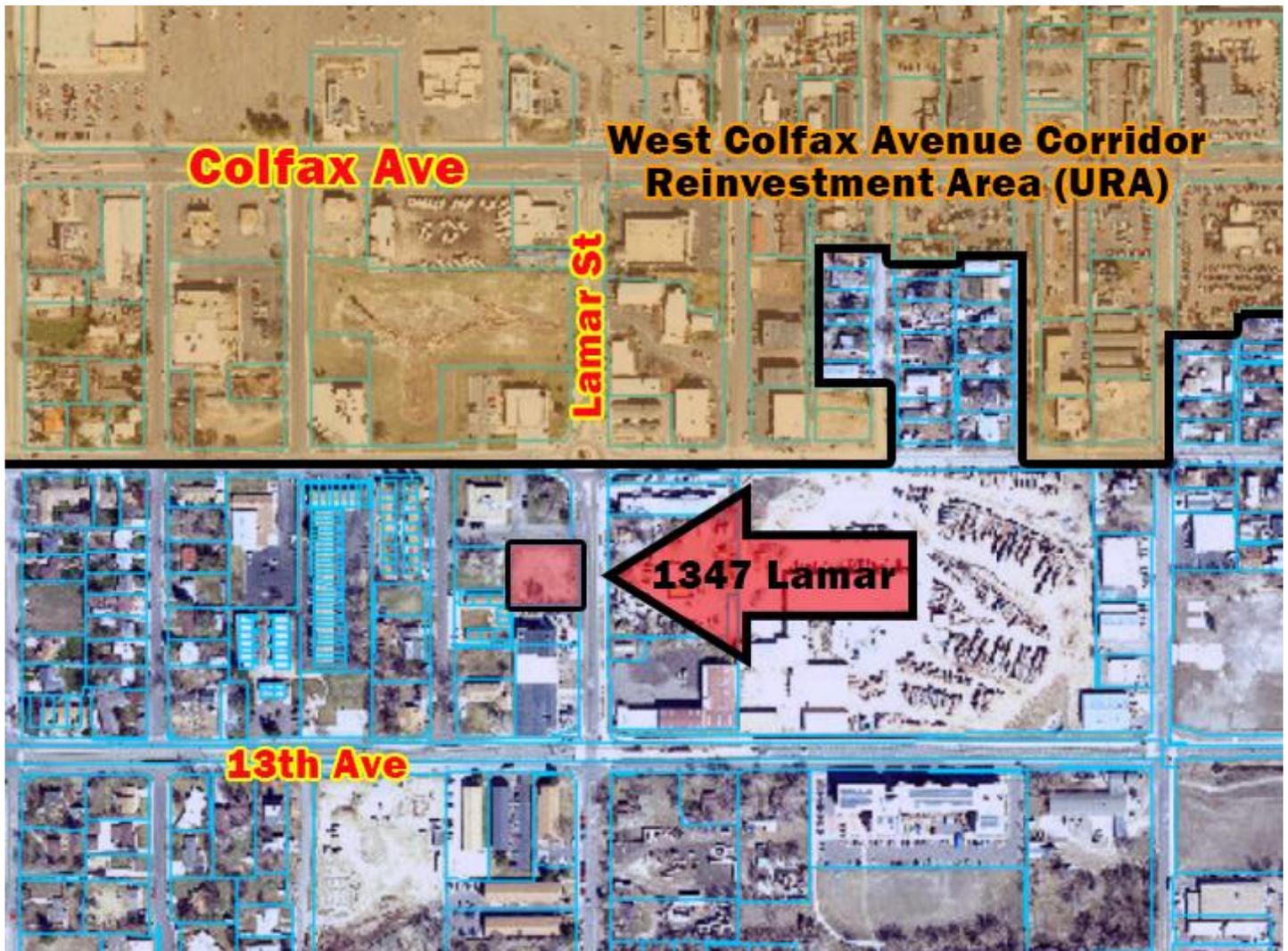
STAFF RECOMMENDATIONS: Staff recommends Council receives this presentation and asks questions of the Property owners, Consultant and staff. Staff recommends Council considers a Resolution for 14.27 Blight Determination for 1347 Lamar Street at the Council’s regularly scheduled meeting on August 10, 2020

PUBLIC OUTREACH: Proper notice of this Council Study Session Presentation and Discussion was given.

ATTACHMENTS: Map of 1347 Lamar St.
Completed Blight Study by Matrix Design Group

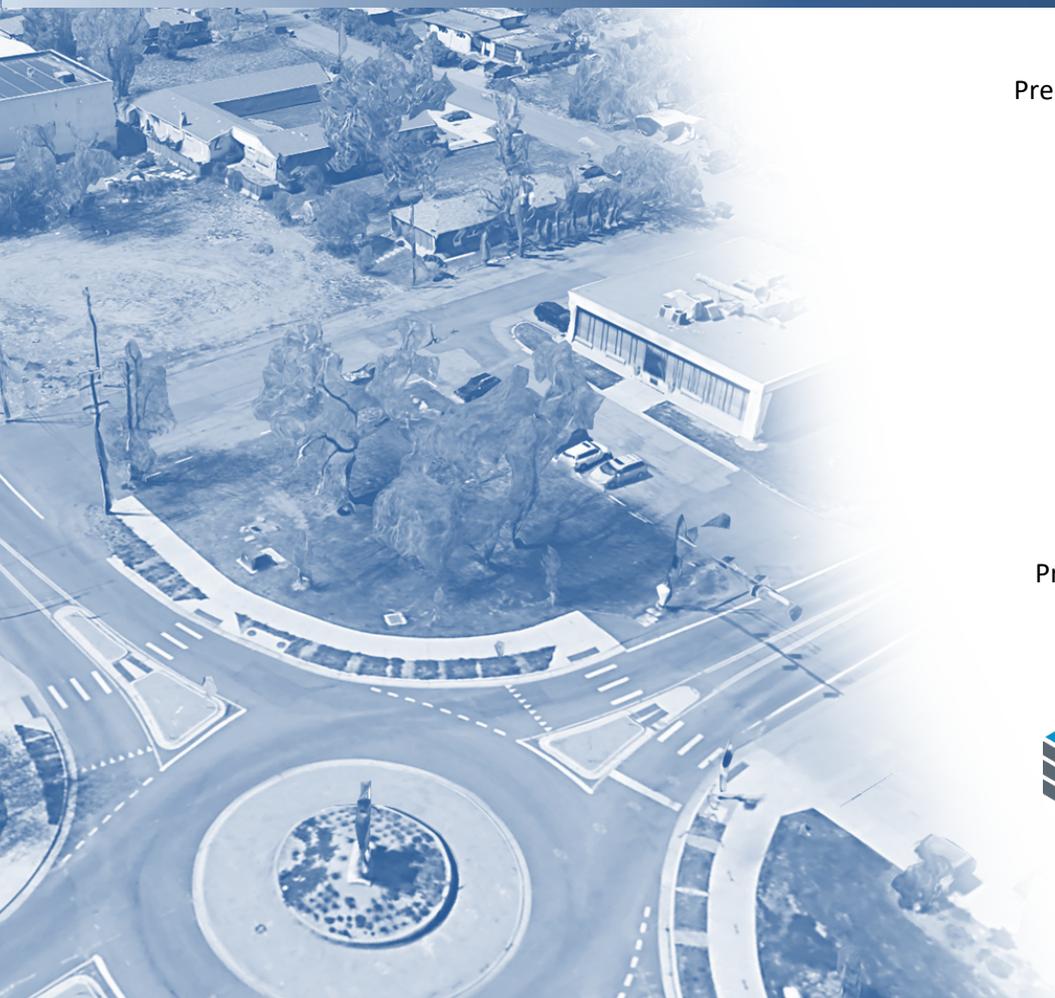
REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney

Map of 1347 Lamar Street





Property Conditions Assessment (Blight Study) for 1347 Lamar Street Lakewood, Colorado March 2020



Prepared for:

Lamar Street Associates
1772 Platte Street, Suite 100
Denver, Colorado 80202

Prepared by:



1347 Lamar Street Property Conditions Assessment

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Section 1: Project Overview

EXECUTIVE SUMMARY

On behalf of Lamar Street Associates, LLC (LSA), Matrix Design Group, Inc. (Matrix) has completed a Property Conditions Assessment (also known as a “Blight Study”) for the developable property at 1347 Lamar Street in Lakewood, Colorado (Study Area). This Assessment is an examination and analysis of physical conditions identified within a defined geographic area (in this instance the property boundary) to determine if the area qualifies as “blighted” within the meaning of Colorado Urban Renewal Law under the 2016 Colorado Revised Statute (CRS) Title 31, Article 25, Part 1. (*CRS § 31-25-101 et seq*).

For the current Study Area to qualify as a blighted area, the presence of at least **one** factor of blight (out of a possible eleven) must be identified. Blight factors are indicators of substantially impaired or arrested growth of the municipality, retardation of the provision of housing accommodations, economic or social liability, and can be considered a menace to the public health, safety, morals, or welfare of the area. *CRS § 31-25-103 (2)*

In July 2019, City of Lakewood voters approved a Strategic Growth Initiative that established a building permit management system limiting residential growth in the City to no greater than one percent annually. Properties with a designation of blight are exempt from the one percent rule, thereby encouraging redevelopment of blighted and distressed areas.

This assessment identified conditions **six** blight factors within the Study Area including:

- Predominance of defective or inadequate street layout
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
- Unsanitary or unsafe conditions
- Deterioration of site or other improvements
- Unusual topography or inadequate public improvements or utilities
- The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

Based on this Conditions Assessment prepared in accordance with the Colorado Urban Renewal statute, the property located at 1347 Lamar Street qualifies as a blighted area.

METHODOLOGY

The defined geographical area for this Assessment (Study Area) lies entirely within the property located at 1347 Lamar Street in Lakewood, Colorado, and identified by the Jefferson County Assessor as Parcel No. 49-012-10-017. Figure 1.1 shows the location of the Study Area in relation to surrounding areas.

Figure 1.1 Study Area Boundary



Data collection for conditions of blight (see Sections 2 and 3 for what constitutes conditions of blight) was accomplished through several means. For those blight conditions that could be identified by visual observations and by the use of maps and aerial photography, Matrix conducted a field survey (site reconnaissance) of the Study Area on March 12, 2020. For those blight conditions that are not observable in the field (such as traffic data, crime statistics, etc.), blight condition data was obtained from researching available resources including statistical databases.

Matrix did not conduct an active search for one blight factor identified in the Colorado Urban Renewal statute, (“G. Defective or unusual conditions of title rendering the title non-marketable”), due to the extensive time and cost that would be involved with researching the property title. That does not mean,

however, that defective or unusual title conditions do not exist.

Section 2: Colorado Urban Renewal Statutes

In CRS 31-25 (*§ 31-25-101 et seq.*), the legislature has declared that an area of blight “constitutes a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state in general and municipalities thereof; that the existence of such areas contributes substantially to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums and blight is a matter of public policy and statewide concern...” *CRS § 31-25-102.*

Under the Urban Renewal Law, the term “blighted area” describes an area with an array of issues, including health and social deficiencies, and physical deterioration. *Colo. Rev. Stat. § 31-25-103(2).* Before remedial action can be taken, however, the Urban Renewal Law requires a finding by the appropriate governing body that an area such as the Study Area constitutes a blighted area. *CRS § 31-25-107(1).*

One of the goals of the City of Lakewood Strategic Growth Initiative is to encourage development of blighted and distressed areas. Although residential growth is capped at one percent annually, the Strategic Growth Initiative exempts structures located, or to be located, upon land that is designated as blighted.

For purposes of the Survey, the definition of a blighted area for this property, in which the owner does not object to a designation of blight, is articulated in the Colorado Urban Renewal statute as follows:

“*Blighted area*” means an area that, in its present condition and use and, by reason of the presence of at least **one** of the following factors, 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:

- 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 non-marketable;
- 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; or
- k. (actually k.5. in the statute) 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; or
- l. if there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, 'blighted area' also means an area that, in its present condition and use and, by reason of the presence of any **one** of the factors specified in paragraphs (a) to (k.5) of this subsection (2), 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. For purposes of this paragraph (l), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.

The statute also states a separate requirement for the number of blight factors that must be present if private property is to be acquired by **eminent domain**. CRS § 31-25-105.5(5), paragraph (a.) states, "'Blighted area' shall have the same meaning as set forth in section 31-25-103 (2); except that, for purposes of this section only, 'blighted area' means an area that, in its present condition and use and, by reason of the presence of at least **five** of the factors specified in section 31-25-103 (2)(a) to (2)(l)..."

In any case where the acquisition of property by eminent domain by an authority displaces individuals, families, or business concerns, the authority shall make reasonable efforts to relocate such individuals, families, or business concerns within the urban renewal area, where such relocation is consistent with the uses provided in the urban renewal plan, or in areas within reasonable proximity of, or comparable to, the original location of such individuals, families, or business concerns.

Thus, the state statutes require, depending on the circumstances, that a minimum of **one** (if no objections by owner or tenant), **four** (standard number of blight factors required), or **five** (acquisition by eminent domain) blight factors be present

for an area to be considered a “blighted area.”

Several principles have been developed by Colorado courts to guide the determination of whether an area constitutes a blighted area under the Urban Renewal Law. First, the absence of widespread violation of building and health codes does not, by itself, preclude a finding of blight. According to the courts, “the definition of ‘blighted area’ contained in [the Urban Renewal Law] is broad and encompasses not only those areas containing properties so dilapidated as to justify condemnation as nuisances, but also envisions the prevention of deterioration.” *CRS § 31-25-103*.

Second, the presence of one well-maintained building does not defeat a determination that an area constitutes a blighted area. Normally, a determination of blight is based upon an area “taken as a whole,” and not on a building-by-building, parcel-by-parcel, or block-by-block basis. *CRS § 31-25-103*.

This report makes a recommendation as to whether the Study Area qualifies as a blighted area based on the number of blight factors identified during the Assessment. As discussed in the following sections, **six** of the eleven factors of blight have been identified within the Study Area indicating that the Study Area qualifies as a blighted area in all scenarios. The final determination of blight must be approved by the Lakewood City Council.

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Section 3: Conditions Indicative of the Presence of Blight

As discussed in Section 2, the Colorado urban renewal statute provides a list of 11 factors that, through their presence, may allow an area to be declared as blighted. This section elaborates on those 11 factors by describing some of the conditions that might be found within a Study Area that would indicate the presence of those factors.

a. Slum, Deteriorated, or Deteriorating Structures:

During the field reconnaissance of the Study Area, the general condition and level of deterioration of buildings within the Study Area are evaluated. This examination is limited to a visual inspection of the building's exterior condition and is not a detailed engineering or architectural analysis, nor does it include the building's interior. The intent is to document obvious indications of disrepair and deterioration to the exterior of a structure found within the Study Area. Some of the exterior elements observed for signs of deterioration include:

- Primary elements (exterior walls, visible foundation, roof)
- Secondary elements (fascia/soffits, gutters/downspouts, windows/doors, façade finishes, loading docks, etc.)
- Ancillary structures (detached garages, storage buildings, etc.)

b. Predominance of Defective or Inadequate Street Layout:

The presence of this factor is determined through a combination of both field observation as well as an analysis of the existing transportation network and vehicular and pedestrian circulation patterns in the Study Area by persons with expertise in transportation planning and/or traffic engineering. These conditions include:

- Inadequate street or alley widths, cross-sections, or geometries
- Poor provisions or unsafe conditions for the flow of vehicular traffic
- Poor provisions or unsafe conditions for the flow of pedestrians
- Insufficient roadway capacity leading to unusual congestion of traffic
- Inadequate emergency vehicle access
- Poor vehicular/pedestrian access to buildings or sites
- Poor internal vehicular/pedestrian circulation
- Excessive curb cuts/driveways in commercial area

These conditions can affect the adequacy or performance of the transportation system within the Study Area, creating a street layout that is defective or inadequate.

c. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness:

This factor requires an analysis of the parcels within the Study Area as to their potential and usefulness as developable sites. Conditions indicative of the presence of this factor include:

- Lots that are long, narrow, or irregularly shaped
- Lots with limited or no access
- Lots that are inadequate in size
- Lots with configurations that result in stagnant, misused, or unused land
- Lots with billboards that have active leases, making redevelopment more difficult

This analysis considers the shape, orientation, and size of undeveloped parcels within the Study Area and if these attributes would negatively impact the potential for development of the parcel. This evaluation is performed both through observation in the field and through an analysis of parcel boundary maps of the Study Area.

d. Unsanitary or Unsafe Conditions:

Conditions observed within the Study Area that qualify under this blight factor include:

- Floodplains or flood prone areas
- Inadequate storm drainage systems/evidence of standing water
- Poor fire protection facilities
- Fire-prone areas or structures
- Above average incidences of public safety responses
- Inadequate sanitation or water systems
- Existence of contaminants or hazardous conditions or materials
- High or unusual crime statistics
- Open trash dumpsters
- Severely cracked, sloped, or uneven surfaces for pedestrians
- Illegal dumping
- Vagrants/vandalism/graffiti/gang activity
- Open ditches, holes, or trenches in pedestrian areas

These represent situations in which the safety of individuals, especially pedestrians and children, may be compromised due to environmental and physical conditions considered to be unsanitary or unsafe.

e. Deterioration of Site or Other Improvements:

The conditions that apply to this blight factor reflect the deterioration of various improvements made on a site other than building structures. These conditions may represent a lack of general maintenance at a site, the physical degradation of

specific improvements, or an improvement that was poorly planned or constructed. Overall, the presence of these conditions can reduce a site's usefulness and desirability and negatively affect nearby properties.

- Neglected properties or evidence of general site maintenance problems
- Deteriorated signage or lighting
- Deteriorated fences, walls, or gates
- Deterioration of on-site parking surfaces, curb & gutter, or sidewalks
- Poorly maintained landscaping or overgrown vegetation
- Poor parking lot/driveway layout
- Unpaved parking lot on commercial properties

f. Unusual Topography or Inadequate Public Improvements or Utilities:

The focus of this factor is on the presence of unusual topographical conditions that could make development prohibitive, such as steep slopes or poor load-bearing soils, as well as deficiencies in the public infrastructure system within the Study Area that could include:

- Steep slopes / rock outcroppings / poor load-bearing soils
- Deteriorated public infrastructure (street/alley pavement, curb, gutter, sidewalks, street lighting, storm drainage systems)
- Lack of public infrastructure (same as above)
- Presence of overhead utilities or billboards
- Inadequate fire protection facilities/hydrants
- Inadequate sanitation or water systems

g. Defective or Unusual Conditions of Title Rendering the Title Non-Marketable:

Certain properties can be considered non-marketable making redevelopment overly difficult if they have overly restrictive or prohibitive clauses in their deeds or titles, or if they involve an unusually complex or highly divided ownership arrangement. Examples of conditions considered non-marketable include:

- Properties with covenants or other limiting clauses that significantly impair their ability to redevelop
- Properties with disputed or defective title
- Multiplicity of ownership making assemblages of land difficult or impossible

h. Existence of Conditions that Endanger Life or Property by Fire or Other Causes:

A finding of blight within this factor can result from the presence of the following conditions, which include both the deterioration of physical improvements that can lead to dangerous situations as well as the inability for emergency personnel or

equipment to provide services to a site:

- Sites inaccessible to fire and emergency vehicles
- Fire-prone areas or structures
- Blocked/poorly maintained fire and emergency access routes/frontages
- Insufficient fire and emergency vehicle turning radii
- Properties not in compliance with fire codes or environmental regulations

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:

Some of the conditions that can contribute to this blight factor include:

- Buildings or properties not in compliance with fire codes, building codes, or environmental regulations
- Buildings with deteriorated elements that create unsafe conditions
- Buildings with inadequate or improperly installed utility components

j. Environmental Contamination of Buildings or Property:

This factor represents the presence of contamination in the soils, water sources, or other locations within the Study Area and may include:

- Presence of hazardous substances, liquids, or gases
- Presence of Environmental Land Use Controls
- Regulatory Oversight or Corrective Actions
- Presence of Recognized Environmental Conditions

k.5 Existence of Health, Safety, or Welfare Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements:

The physical conditions that may contribute to this blight factor include:

- Sites with a high incidence of fire, police, or emergency responses
- Sites adjacent to streets/alleys with a high incidence of traffic accidents
- Sites with a high incidence of code enforcement responses
- An undeveloped parcel in a generally urbanized area
- Vacant, empty, or unused buildings
- A parcel with a disproportionately small percentage of its total land area developed

Section 4: Study Area Location and Description

This Property Conditions Assessment is for the real property located at 1347 Lamar Street in Lakewood Colorado. The property is identified by the Jefferson County Assessor as Parcel No. 49-012-10-017, PIN/Schedule No. 300207571. The property is bordered on the east by Lamar Avenue, on the north by 6464 West 14th Avenue (World Church), on the west by multi-family residential apartments (along Marshall Street), and on the south by 1315 Lamar Street (CHF Custom Rotomolding).

Currently the Study Area is composed of a vacant lot with native vegetation, unkempt trees and weeds, and an unvegetated packed-earth area used for overflow parking and vehicle turnarounds. There is undefined, unpaved access to Lamar Street on the east side of the parcel and non-engineered access to the World Church parking lot on the north side of the parcel. Above-ground utilities and utility poles are present along the eastern and northern sides of the property. No curb and gutter or sidewalks are present along Lamar Street. No stormwater controls or facilities are present within the property boundary.

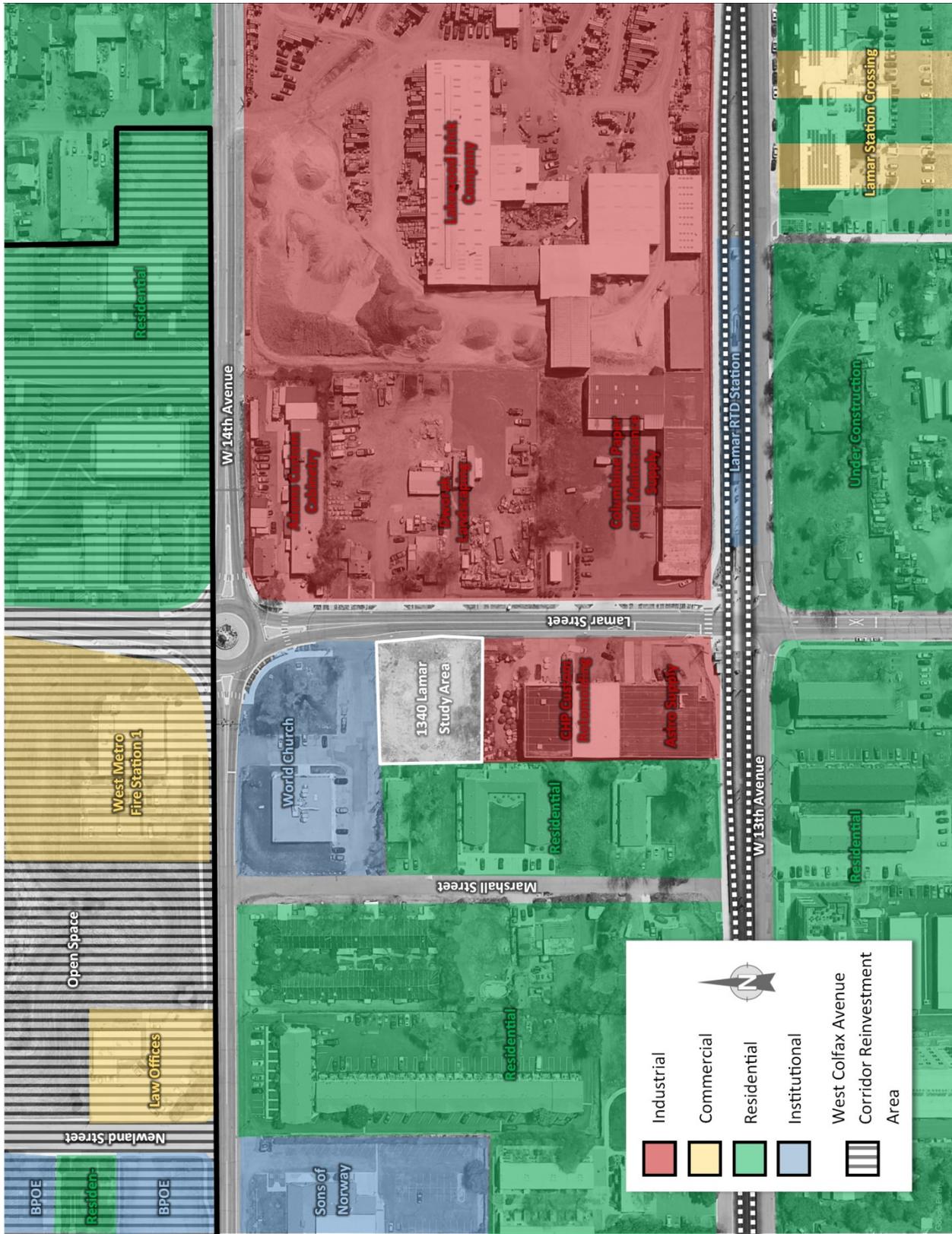
Proposed development of the parcel includes site grading, utility installation, infrastructure, and construction of multi-family residential townhomes. The property is zoned M-N-T (mixed use neighborhood – transit) which allows for attached housing and multi-family residential use. A letter from the City of Lakewood Planning Department, dated October 22, 2018 confirmed that rezoning would not be required for approval of townhome development.

Surrounding areas are generally mixed-use with institutional, residential, industrial, and commercial developments. The Regional Transportation District (RTD)'s Light Rail West Line and Lamar Street Station are located within half a block of the Study Area along 13th Avenue. In 2005, the Lakewood Reinvestment Authority (LRA) established the 813-acre West Colfax Avenue Corridor Reinvestment Area that encompasses an area along Colfax Avenue from Sheridan Boulevard to Simms Street. This Reinvestment Area, located less than 500 feet north of the Study Area, was established after the area was demonstrated to be blighted according to Colorado State Statute. Redevelopment of the West Colfax Avenue Corridor included the Station Betterment project which allowed funding improvements for light rail stations at Wadsworth Boulevard and Oak Street.

Figure 4.1 identifies the Study Area and surrounding development.

1347 Lamar Street Property Conditions Assessment

Figure 4.1 Study Area and Surrounding Areas



Section 5: Assessment Findings

The overall findings of the 1347 Lamar Street property are presented below in a format that mirrors the list of factors and conditions of blight discussed in Section 3.

a. Slum, Deteriorated, or Deteriorating Structures

Slum, deteriorated, or deteriorating structures refers to current buildings that exist within the Study Area boundary. Because the Study Area is currently undeveloped, and no structures exist within the property boundary, this factor of blight is not present.

b. Predominance of Defective or Inadequate Street Layout

The Study Area is located along Lamar Street, a local primary street located in an area that has seen resurgent growth over the past few years. Curb and gutter and sidewalks are not present along Lamar Street at the Study Area, and access to the property from the paved roadway is undefined, unpaved, and rutted, with no curb (and therefore no curb cuts) to indicate a point of access. Additional access is present from the parking lot of the adjacent parcel where evidence of overflow parking and vehicle turnarounds was observed during the site reconnaissance. Because the access points connect non-paved and paved areas, issues such as the tracking of mud onto the street and erosion at the access points creates, at best a nuisance issue for both the City (Lamar Street access) and the adjacent property (World Church).

The lack of sidewalks and other pedestrian provisions along the roadway may also cause unsafe condition for local pedestrians.



Photo 1: Access to the Study Area from the adjacent parcel with mud tracking



Photo 2: Undefined, unmarked access along Lamar Street, and no sidewalks

Due to the lack of appropriate site access, a lack of sidewalks, a lack of curb and gutter, and potential safety concerns for pedestrians, **Blight Factor: Predominance of Defective or Inadequate Street Layout is present.**

c. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

Faulty street layout often produces faulty lots, particularly when vehicular access is impacted. Other causes of faulty lot layout can include the presence of natural features such as creeks, or manmade features such as the presence of highways, rail roads, etc. In addition to access constraints, the size and shape of a property can impact a parcel’s utilization. Irregularly shaped parcels, inadequately shaped parcels, or parcels with natural or man-made obstacles can lead to undeveloped or inaccessible areas within the parcel itself, while small parcels may have little development value.



Photo 1: Access Limitations for the Study Area

The main issue for the Study Area, as discussed, is a lack of adequate accessibility to the property from Lamar Street and an unconventional, unsupported access from the adjacent property. Prior to development, a defined point of access will need to be designed and completed.

Blight Factor: Faulty Lot Layout is present.

d. Unsanitary or Unsafe Conditions

During the field survey, Matrix observed conditions at the site including inadequate storm drainage systems, evidence of standing water, graffiti, homelessness, inadequate lighting, a lack of sidewalks, and other factors that could potentially cause unsanitary or unsafe conditions.



Photo 1: Graffiti was identified along the Study Area property line



Photo 2: Evidence of Homelessness within the Study Area boundary



Photo 3: Lack of sidewalks and stormwater drainage (no curb and gutter)

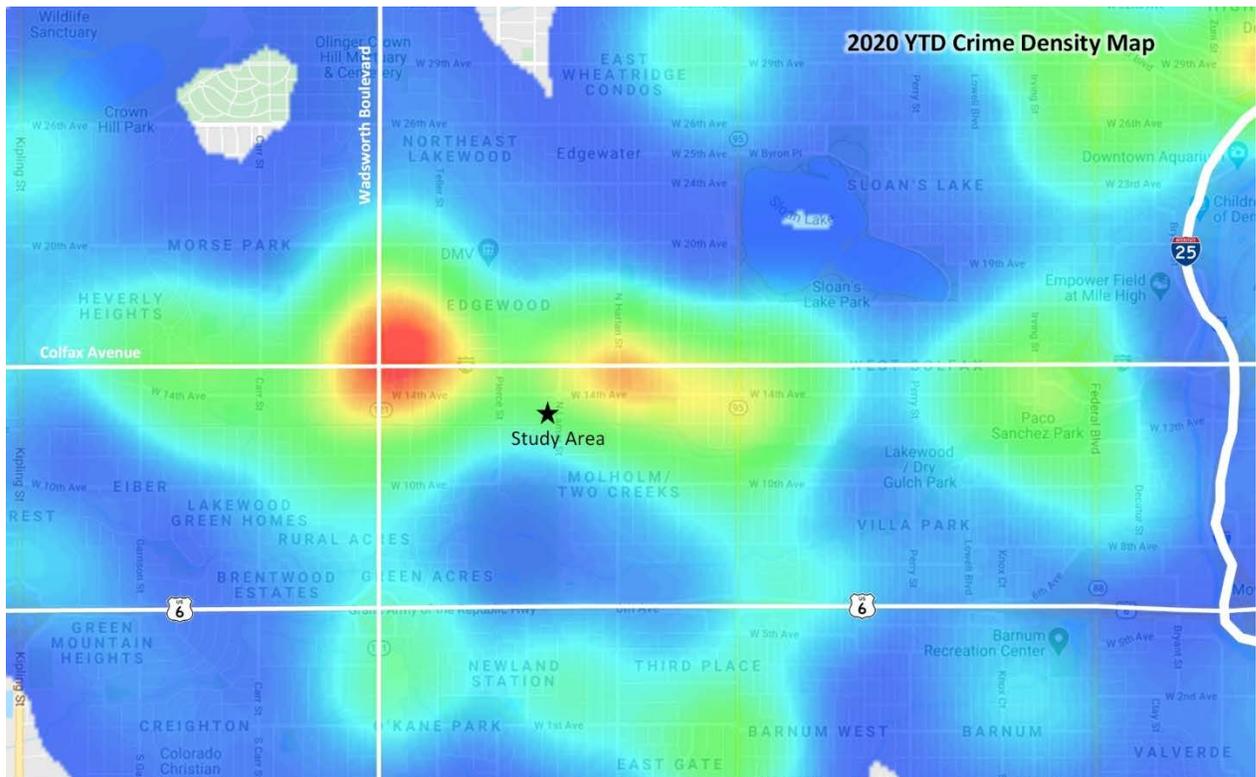
Matrix also reviewed the Federal Emergency Management Agency (FEMA) floodplain database, crime statistics for the City of Lakewood, and completed a review of environmental databases to identify additional unsanitary or unsafe conditions.

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The FEMA floodplain map No. 08059C0302F showed no floodplains impacting the Study Area. The nearest identified floodplain was located at the traffic circle of Lamar Street and 14th Avenue, approximately 150 feet north of the Study Area.

Matrix reviewed the interactive Community Crime Map for 2020 (year to date) to further analyze crime data for the Study Area and surrounding areas. As indicated on the crime concentration map (Figure 5.1), the Study Area is in an area of increased crime risk being near higher crime areas along Colfax Avenue at Wadsworth Boulevard and Harlan Street.

Figure 5.1 2020 Year to Date Crime Density Map



Evidence of unsanitary and/or unsafe conditions were identified at and near the Study Area:

- Gang-related graffiti. Gang graffiti can indicate areas where crime risk may be elevated and is considered a safety issue.
- Elevated crime risk. Year to Date data for crime in the area shows an elevated safety risk.
- Homelessness. Homeless camping typically involves excess trash and other waste and is considered an unsanitary condition.
- Inadequate stormwater facilities. A lack of engineered drainage could potentially cause an unsafe condition at the Study Area and surrounding properties during high precipitation events.

- Inadequate lighting. A lack of street lamps on the west side of Lamar Street or other site lighting may increase the risk of crime or may indicate a safety risk between dusk and dawn.
- Lack of sidewalks. A lack of sidewalks along Lamar Street could present a safety risk for pedestrians in the area.

Blight Factor: Unsanitary or Unsafe Conditions is present.

e. Deterioration of Site or Other Improvements

The deterioration of the site or other improvements refers improvements made on a site other than building structures (e.g. infrastructure, landscaping). This condition of blight basically defines the Study Area as the Study Area is currently undeveloped, non-landscaped, and unmaintained. Because adjacent properties are fully maintained and landscaped, the unkemptness of the Study Area is a condition of blight.



Photo 1: Unkempt, unmaintained vegetation at the Study Area



Photo 2: The Study Area is unmaintained and no site improvements are present

Based on the lack of site maintenance and improvements within the Study Area, **Blight Factor: Deterioration of Site or Other Improvements is present.**

f. Unusual Topography or Inadequate Public Improvements or Utilities

Many deficiencies in infrastructure, public improvements, and utilities were identified within the Study Area boundary. The main issues observed during the site reconnaissance included a general lack of public improvements (no stormwater protections, no curb and gutter, no sidewalks) and potentially developmentally prohibitive overhead utilities.



Photo 1: Overhead utilities exist on the north and east side of the parcel.

Lack of infrastructure, public improvements, and utilities identifies **Blight Factor: Unusual Topography or Inadequate Public Improvements or Utilities as present.**

g. Defective or Unusual Conditions of Title Rendering the Title Non-Marketable

This factor was not researched and no evidence was presented to Matrix that would indicate that this condition exists within the Study Area.

This blight factor was not determined

h. Existence of Conditions that Endanger Life or Property by Fire or Other Causes

No conditions were observed during the field investigation that indicate conditions that endanger life or property.

This blight factor is not considered to be present in the Study Area.

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

The Study Area is undeveloped and no buildings are present within the property boundary.

This blight factor is not considered to be present in the Study Area.

j. Environmental Contamination of Buildings or Property

Matrix completed a governmental record file review and a review of historical properties consistent with the Environmental Protection Agency's (EPA) Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) and the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (Standard E 1527-13).

In addition to the file review, Matrix completed a visual investigation of properties surrounding the Study Area boundary to assess potential environmental impacts associated with current or past site uses. Numerous properties were identified in governmental databases within a half mile of the Study Area, including Resource Conservation and Recovery Act (RCRA) Corrective Action sites, drycleaners, designated brownfield voluntary cleanup sites, leaking underground storage tanks (LUST)s, etc. Some of the more significant potentially-impacted sites located in the Colfax Avenue corridor include:

- Your One Hour Cleaners located at 1515 Pierce Street is approximately 1,450 feet northwest of (potentially upgradient to) the Study Area. This site is a RCRA Corrective Action Site with known groundwater contamination and is under a Colorado Department of Public Health and Environment (CDPHE) Compliance Order.
- The Goodyear property located at 6400 West Colfax Avenue approximately 800 feet north of (potentially upgradient to) the Study Area was the site of LUST and a voluntary brownfield cleanup. This site received a No Action Determination (NAD) from the CDPHE in 2008.

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- Minute Cleaners and Sharon Dry Cleaners located at 6465 and 6469 West Colfax Avenue, respectively, are identified in the drycleaner database. Chemical releases from drycleaner sites have the potential to impact groundwater in the area.
- The Wolfe Miller Shopping Center located at 6469 West Colfax Avenue is approximately 850 feet north of (potentially upgradient to) the Study Area. The shopping center was the site of a RCRA Corrective Action in 2002 due to soil contamination. Remedial activities were completed in May 2002.

Five locations were identified within one quarter mile of the Study Area:

- In August 1990 at 14th Avenue and Lamar Street, public service workers ruptured a natural gas line causing a flash fire. More than 100 people were evacuated from the area.
- In July 2019 at 13th Avenue and Lamar Street, contractors ruptured a potable water line. The resulting release was bermed and escaped water made its way into storm drains in the area.
- The Adams Fine Furniture and Cabinetry site located at 1390 Lamar Street was listed as a Resource Conservation and Recovery Act (RCRA) conditionally exempt small quantity generator in 2012.
- Lakewood Fire Station #1 located at 6401 W 14th Avenue historically contained underground kerosene and diesel storage tanks; however according to the Colorado Department of Labor and Environment Division of Oil and Public Safety (OPS), these tanks have been closed and are no longer active. In September 1990, a release was confirmed from one of the underground petroleum storage tanks. The cleanup was initiated in September 1990 and a site investigation was completed. In 1995, the OPS issued a No Further Action (NFA) status for the site, indicating that cleanup had been achieved and no further cleanups or investigations were required.
- The Columbine Paper Supply company at 1300 Lamar Street historically contained underground gasoline storage tanks which have been closed according to the OPS.

The Study Area is in an area where industrial development is common, and numerous sites were identified upgradient to (north of) the Study Area. These sites include RCRA Corrective Action sites, drycleaners, voluntary cleanup sites, and historical LUSTs. The database report did not, however, indicate any sites within one quarter of a mile that are known to impact the Study Area property. No environmental contamination of the Study Area property is identified, however additional investigations may be recommended based on the presence of surrounding industrial properties. **This blight factor is not considered to present in the Study Area.**

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

The Study Area is in a highly developed part of Lakewood, just south of the Colfax Avenue commercial corridor. Development in the area has been sparked by creation of the West Colfax Avenue Corridor Reinvestment Area and the construction of the RTD West Light Rail Line. Many of the surrounding properties have undergone redevelopment and the City has completed numerous improvements along city right of ways including Lamar Street. Utilization of the Study Area would complement many of the improvements made by the City along the Lamar Street corridor. However, the site is vacant, unmaintained and underutilized, thereby diminishing the positive impact of the corridor improvements and surrounding property developments in the area.

Based on the site vacancy and the underutilization of the Study Area, **Blight Factor: ... Substantial Underutilization or vacancy of sites, buildings, or other improvements is present.**

Section 6: Property Conditions Assessment Summary and Conclusion

Within the entire Study Area, **six** of the 11 blight factors were identified as being present. The blight factors identified within the Study Area include:

- 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.
- 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.

As discussed in Section 2, in order for an area to meet the definition of blight, a certain number of the eleven blight factors identified in the Colorado Urban Renewal Law must be found within the Study Area. Four of the eleven factors is the required minimum, unless none of the property owners or tenants object to being included within an urban renewal area; then, the required minimum is only one of the eleven factors.

For this Conditions Assessment, **six** blight factors were identified within the Study Area, therefore a sufficient number of blight factors exist under Colorado Urban Renewal Law.

It is the conclusion of this Conditions Assessment Report that the Study Area, in its present condition, exhibits a sufficient level of blight to be considered a “blighted area.”

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Section 7: Lakewood Strategic Growth Initiative

In July 2019, City of Lakewood voters approved a Strategic Growth Initiative that established a building permit management system limiting residential growth in the City to no greater than one percent annually. Properties with a designation of blight are exempt from the one percent rule, thereby encouraging redevelopment of blighted and distressed areas. As indicated in this assessment, this property qualifies as blighted and any structures located, or to be located upon this land would be considered exempt from the growth cap.

Although some parts of this area of Lakewood have seen improvement from new developments, several properties surrounding the Study Area were observed to have factors of blight including but not limited to: deteriorating structures, inadequate public improvements, vacancies, inadequate street layouts, and safety and welfare factors. Allowing the development of townhomes within the property boundary as proposed will increase the property values in the area and will hopefully encourage future development of blighted properties, as intended by the Lakewood Strategic Growth Initiative.



A side by side comparison of the current property conditions (left picture) and future townhome development (right picture)