



COPPER RIDGE AT NORTHGATE

CONDITIONS SURVEY

Colorado Springs, Colorado

Surveyed and Submitted January 2010 (revised 4_15_10)

PREPARED FOR:

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1.0 Introduction

The following report, the *Copper Ridge at Northgate Conditions Survey* was prepared for the Colorado Springs Urban Renewal Authority and Colorado Springs City Council in January 2010 and revised in April 2010. The purpose of this work was to analyze conditions within a defined Survey Area (also referred to here as “the Area”) located within the City of Colorado Springs, Colorado and El Paso County, Colorado, in order to determine whether factors contributing to blight are present and whether it is; therefore, eligible as an urban renewal area under the provisions of the Colorado Urban Renewal Law.

The Area includes parcels within the Copper Ridge at Northgate Metro District and public rights-of-way adjacent to that boundary. Geographically, it is situated immediately east of Interstate 25 and south of North Gate Boulevard, in northern Colorado Springs. *A map depicting the exact Area boundaries is presented as an Appendix to this report.* All property owners of record were notified prior to completion of the field work.

This Survey represents a necessary step in the determination of blight and establishment of an urban renewal area with the intent of addressing the problems outlined herein. As such, it is also an important element in achieving community goals set out in the City’s comprehensive planning documents specifically related to redevelopment and reinvestment.

Establishment of an urban renewal area, after a declaration of blight, will allow the City of Colorado Springs, through its urban renewal authority, to use designated powers to assist in the mitigation of blighting conditions on properties and improvement of infrastructure within its boundaries.



2.0 Definition of Blight

A determination of blight is a cumulative conclusion based on the presence of several physical, environmental, and social factors defined by state law. Indeed, blight is often attributable to a multiplicity of conditions, which, in combination, tend to contribute to the phenomenon of deterioration of an area. For purposes of this Survey, the definition of a blighted area is based upon the definition articulated in the Colorado Urban Renewal Law, as follows:

“Blighted area” means an area that, in its present condition and use and, by reason of the presence of at least four 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, dilapidations, 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;*
- (l) If there is no objection of such property owner or owners and the tenant or tenants of such owner or owners, if an, 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 (1), 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.*

Source: Colorado Revised Statute 31-25-103(2).

While the conclusion of an area constitutes a legally “blighted area” is a determination left to municipal legislative bodies, this Survey provides a detailed documentation of the aforementioned physical, environmental and social factors as they exist within the boundaries defined herein. Note: It is not legally necessary for every factor to be present in an area in order for it to be considered “blighted”. In addition, a given factor need not be present on each and every parcel or building to be counted, but must be found somewhere in the Area as a whole. In other words, the presence of one or more well-maintained, non-blighted buildings or parcels does not necessarily preclude a finding of blight for a larger area in which blighting factors are present elsewhere¹. Rather, an area qualifies as blighted when *four* or more factors are present (or *five* factors, in cases where the use of eminent domain is anticipated). As explained in item (l) above, this threshold may be reduced to presence of *one* blighting factor in cases where no property owners in the Area object to inclusion in an urban renewal area. In

¹ While not clearly addressed in Colorado Urban Renewal law, this interpretation has been favored by the courts.



this instance, the majority of parcels within the Area are owned by Northgate Properties LLC, and the remaining parcels are held by three separate ownership entities, as shown in the field survey document in the Appendix. There is no known opposition to creation of, nor inclusion in, an urban renewal area by any of the property owners.

With this understanding, the *Copper Ridge at Northgate Conditions Survey* presents an overview of factors within the Area sufficient to make a determination of blight. The “Summary of Findings” (below) provides conclusions regarding the analysis and presence of qualifying conditions in key areas; however, the Colorado Springs City Council will make a final determination as to whether the survey area constitutes a “blighted area” under Colorado Urban Renewal Law.

3.0 Study Methodology

Leland Consulting Group (LCG) personnel conducted two separate field investigations in January of 2010 for the purpose of documenting conditions within the categories of blight shown above. Pertinent Geographic Information Systems (GIS) data from the El Paso County Assessor and City of Colorado Springs were also obtained and subsequently analyzed by Leland Consulting Group. Finally, discussions with Colorado Springs planning staff, CSURA representatives, the project developer and developers’ engineers were conducted and collectively the results of these efforts are discussed herein.

Whereas the 11 factors listed in the Urban Renewal Law (see Section 2.0 of this report) contain few specific details or quantitative benchmarks to guide the conditions survey process, LCG has developed a checklist of more specific categories of blighting conditions within each statutory factor to aid in the identification and characterization of blight factors. This checklist has been used in over 40 urban renewal conditions surveys for dozens of municipalities across Colorado and the Rocky Mountain West.



(a) Slum, deteriorated, or deteriorating structures

This factor is said to be present when the physical condition of structures in the area present specific life-safety concerns. Sub-categories include:

- Roof deterioration/damage
- Wall, fascia board and soffit deterioration/damage
- Foundation problems (can also be inferred from subsidence)
- Gutter/downspouts: deterioration or absence
- Exterior finish deterioration (i.e. peeling or badly faded paint, crumbling stucco, cracked masonry, etc.)
- Window and/or door deterioration/damage
- Stairway/fire escape deterioration/damage
- Mechanical equipment (problems with or damage to major mechanical elements of primary structure)
- Loading areas: damage/deterioration
- Fence/wall/gate damage or deterioration
- Other structures: deterioration to significant non-primary structures

(b) Predominance of defective or inadequate street layout

This factor is said to be present when the layout (or non-existence) of streets or roads creates problems impacting health, safety, welfare or sound development. Sub-categories include:

- Vehicular access: ingress and/or egress options for automobile traffic are unsafe or significantly inconvenient for visitor or customers



- Internal circulation: non-public, internal roadways or driveways are unsafe, significantly inconvenient or present safety problems relative to their interaction with public roads
- Driveway definitions/curb cuts: unsafe or significantly inconvenient
- Parking layout substandard: causing safety or access problems
- Traffic accident history: (when data is available), disproportionate share of reported vehicular accidents

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

This factor is said to be present when lot size or configuration inhibits or is likely to inhibit sound development. It includes the following sub-categories:

- Faulty lot shape or layout: narrow, triangular, split, and other shapes incompatible with most land uses. Can include parcels that are blocked from direct vehicular access by other parcels.
- Vehicular access unsafe or significantly inconvenient. Because access involves the interplay between lots and roadways, parcels with poor access are usually found to have both category (b) and (c) present.
- Inadequate lot size. This can depend on the context (i.e. downtown and/or historical environments can often develop successfully with smaller lots, whereas suburban locales are expected to have larger parcels available for development)



(d) Unsanitary or unsafe conditions

This factor recognizes both safety hazards and conditions likely to have adverse effects on health or welfare due to problems with cleanliness. Sub-categories include:

- Poorly lit or unlit areas
- Cracked or uneven sidewalks
- Hazardous contaminants
- Poor drainage
- Floodplain/flood hazard: substantially within a 100-yr floodplain, according to FEMA
- Grading/steep slopes: terrain that presents a safety hazard due
- Unscreened trash or mechanical equipment: openly accessible dumpsters (note: this is scored as a safety problem under this statutory factor even if not a municipal code violation) or potentially dangerous mechanical equipment
- Pedestrian safety issues: often related to other blight factors, this sub-category is present when pedestrian and cyclists face a clear danger from sidewalk problems, lack of crosswalks/crossing lights, fast-moving traffic, etc.
- High crime incidence: (when data available), usually defined as an area with a disproportionate share of police calls for service
- Vagrants/vandalism/graffiti: while usually not a direct safety threat, can be indicative of unsafe urban environments

(e) Deterioration of site or other improvements

This factor is related to factor (a), but focuses more on land and/or minor structures, and includes damage, negligence or use of the following:



- Presence of billboards
- Signage problems: deteriorating, damaged
- Neglected or poorly maintained properties
- Trash/Debris/Weeds
- Parking surface deterioration/damage
- Lack of landscaping: reserved for properties with an expectation of landscaping (due to zoning or context) but with none (or landscaping that has become neglected)

(f) Unusual topography or inadequate public improvements or utilities

This factor represents the combination of two formerly separate blight factors. It can indicate topography incompatible with development (hilly, sloped, etc.) or properties lacking complete public infrastructure. Sub-categories include:

- Slopes or unusual terrain
- Street pavement deterioration or absence
- Curb and gutter deterioration or absence
- Street lighting inadequate, damaged or missing
- Overhead utilities in place (considered obsolete relative to underground utilities)
- Lack of sidewalks (or significant damage)
- Water/Sewer service: missing or in need of repair/replacement
- Storm sewer/drainage missing or damaged

(g) Defective or unusual conditions of title rendering the title non-marketable

This factor covers problems with the marketability of property titles, including unusual restrictions, unclear ownership, etc. Due to the expense of title searches,



this blight factor is typically not examined unless developers or land owners provide documentation of known problematic title issues. (No sub-categories).

(h) The existence of conditions that endanger life or property by fire or other causes

This factor covers site, building, maintenance or use issues that may threaten site users or site improvements due to fire or other causes. Sub-categories include:

- Fire safety problems: identified through fire code violation data (where available), discussions with fire department personnel, or evidence of recent fires
- Hazardous contaminants: an “other cause” posing danger to life/property
- High crime incidence (note: included in other factors)
- Floodplain/flood hazard (note: included in other factors)

(i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities

This factor is related to primary improvements, specifically those described in the context of factors (a) and (d) above, as well as property when it poses a danger to the extent that habitation and/or daily use is considered unsafe specifically due to problems with the design or condition of the structures. Sub-categories include:

- Hazardous contaminants
- High crime index
- Building/facilities unsafe: this determination is best made through interior inspection but can be obvious with outside observation in some cases.



(j) Environmental contamination of buildings or property

This factor is related to the presence of chemical or biological contamination. Unlike category (i) above, this factor can be said to exist even when such contamination is not a direct health hazard, so long as it causes other problems (i.e. inhibits development). Sub-categories include:

- Hazardous contaminants

(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

This factor, recently added, addresses properties with two often unrelated conditions -- underutilization and high municipal service requirements. Properties generating frequent calls for police, code enforcement or fire service can be said to require more than their share of municipal services. Sites with vacant land or unoccupied buildings can be considered underutilized. Sub-categories include:

- High fire call volume
- High crime incidence (reflected in police calls for service)
- Site underutilization (vacant land or buildings more than 20 percent vacant)

In an effort to organize the conditions data and prepare supporting graphic illustrations of the findings, the Area's approximately 398 acres were analyzed at the parcel level. Findings pertaining to the Area's 24 legal parcels (and rights-of-way) are reflected in the maps and field ledger located in the Appendix.



4.0 Survey Area Facts

The overall Survey Area consists of 23 legal parcels. While the total Area comprises approximately 490 acres, the area within legal parcels, excluding rights-of-way, totals approximately 280 acres. Parcels range in size from approximately 0.1 acres to just over 98 acres, as shown in Table 1 below:

Table 1: Survey Area Parcels

Map ID	Assessor's Parcel ID	Site Address	Owner	Improved Area (s.f.)	Year Built	parcel acres (approx.)
1	6207200006	SEC 07-12-66	SCHOLL RANDAL	0	0	6.3
2	6207200007	NORTH GATE BLVD	NORTHGATE PROPERTIES LLC	0	0	4.6
3	6207200013	SEC 7-12-66	SCHOLL RANDAL	0	0	2.1
4	6207200012	SEC 7-12-66	NORTHGATE PROPERTIES LLC	0	0	89.3
5	6207200010	SEC 7-12-66	NORTHGATE PROPERTIES LLC	0	0	31.0
6	6207400011	SEC 7-12-66	NORTHGATE PROPERTIES LLC	0	0	98.3
7	6207108004	MEADOWGRASS DR	NORTHGATE PROPERTIES LLC	0	0	0.2
8	6207107009	13425 VOYAGER PKWY	NORTHGATE PLAZA LLC	15,099	2007	1.8
9	6207107008	13335 VOYAGER PKWY	NORTHGATE PLAZA LLC	3,750	2008	0.7
10	6207107011	604 SPECTRUM LOOP	NORTHGATE PROPERTIES LLC	0	0	0.5
11	6207107007	13315 VOYAGER PKWY	MJH REAL ESTATE HOLDINGS LLC	2,729	2008	0.5
12	6207107002	652 SPECTRUM LOOP	NORTHGATE PROPERTIES LLC	0	0	1.1
13	6207107006	13370 VOYAGER PKWY	NORTHGATE PROPERTIES LLC	0	0	8.5
14	6207107010	VOYAGER PKWY	NORTHGATE PROPERTIES LLC	0	0	0.1
15	6207100002	SEC 7-12-66	CHAPTER TWO INVESTMENTS LLC	0	0	11.9
16	6207100003	SEC 7-12-66	NORTHGATE PROPERTIES LLC	0	0	14.2
17	6207109001	13135 VOYAGER PKWY	NORTHGATE PROPERTIES	0	0	1.5



			LLC			
18	6207109002	710 COPPER CENTER PKWY	NORTHGATE PROPERTIES LLC	0	0	1.1
19	6207109003	750 COPPER CENTER PKWY	NORTHGATE PROPERTIES LLC	0	0	1.4
20	6208214001	790 COPPER CENTER PKWY	NORTHGATE PROPERTIES LLC	0	0	1.6
21	6207110001	13095 VOYAGER PKWY	NORTHGATE PROPERTIES LLC	0	0	0.9
22	6208215001	791 COPPER CENTER PKWY	NORTHGATE PROPERTIES LLC	0	0	1.6
23	6208215002	13075 VOYAGER PKWY	CITY OF COLORADO SPRINGS	0	0	1.2
24	6208200002	Sec 7-12-66	NORTHGATE PROPERTIES LLC	0	0	0.5
Totals				21,578		280.9

Note: Parcels No. 5 and 16 are included among the “legal parcels” as they were owned by Northgate Properties as of the date of the Survey. However, both are slated to be included in the Powers Boulevard interchange right-of-way.

The Area is almost entirely vacant land, some graded and prepared for development, some not. Parcels in the northeast quadrant of Voyager Parkway and Spectrum Loop host new strip and pad retail developments (including three restaurants, and personal services businesses). Another commercial building is under construction within the site.

5.0 Summary of Findings

The presence of blight that “...substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare...” [Colorado Revised Statute 31-25-103(2)]

It is the conclusion of this Survey that, within the Area described in this report, there is the presence of adverse physical conditions sufficient to meet criteria established in the



Statute. As described herein, there are 4 of 11 blight factors present including: b) predominance of defective or inadequate street layout; c) faulty lot layout in relation to size, adequacy, accessibility, or usefulness; f) unusual topography or inadequate public improvements or utilities; and 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. Among these conditions, the most pervasive issues are associated with access problems affecting streets and lots within the Area (factors b and c) (relative to the incomplete Powers Boulevard improvement and unusually tight cloverleaf improvement between I-25 and North Gate Boulevard). While the Area's unusual topography may present somewhat of a development constraint, the other dominant factor is related to land underutilization which itself constitutes a blight factor (k.5) as outlined in Urban Renewal Law. Factors related to structural and site deterioration are generally not present, due to the age of recent construction within the Area.

While Colorado Urban Renewal Law normally requires four or more conditions be present (or five, in cases where eminent domain is to be used) in order for an area to qualify as blighted, this Area is largely under the ownership of one entity, and the remaining parcel owners do not object to inclusion. Therefore, subsection (l) of the Statute, presented in Section 2.0 of this report, also applies, further allowing a finding of blight.

What follows is a discussion of findings by factor. Supporting maps to this text are presented in the Appendix.



(a) *Slum, deteriorated, or deteriorating structures;*

The few structures present within the Area are primarily new construction and do not show any signs of deterioration.

(b) *Predominance of defective or inadequate street layout;*

While difficult to assign to individual parcels, defective street layout is a dominant factor negatively impacting the accessibility (and to a lesser extent, safety) in the Area. Future development at the Copper Ridge at Northgate assembly will rely heavily on regional access via Interstate 25, from Colorado Springs to the south and from newer growth in Monument and unincorporated areas of El Paso County to the north. While a cloverleaf configured off-ramp exists to serve traffic traveling to North Gate Boulevard from both the north and south, the turning radius serving traffic coming southbound on I-25 is tight relative to the northbound exit loop (and most other regional exits). The tight radius makes for an abrupt and potentially unsafe highway egress, compounded by limited signage and restricted sight-lines into the Area.

Local east-west access is limited to North Gate Boulevard which also serves the U.S. Air Force Academy to the west and U.S. 83/Academy Boulevard to the east. North-south access is constrained, as the main arterial, Voyager Parkway, terminates within a residential subdivision just north of North Gate Road. There is little continuity or grid structure in the local street network, resulting in a series of dead end streets connected to Voyager Parkway.

While not all parcels in the Area are located adjacent to roads with deficient layouts, they are all negatively impacted by access-related street layout inadequacies.



(c) *Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*

Because poor vehicular access is also a characteristic of faulty lots, all properties in the Area suffer from this blight factor for the reasons explained under (b), above. In addition, three parcels (7, 10, and 14 in this Survey) can be said to be faulty because of inadequate size and/or unusual lot shapes for development. Although these size and shape conditions would be mitigated under an (assembled) master-planned site design, the *current* conditions observed in this blight study would otherwise be a constraint to sound development.

(d) *Unsanitary or unsafe conditions;*

The abrupt interstate exit required by the small-radius cloverleaf interchange for southbound I-25 traffic, discussed under factor (b) above, appears to constitute an unsafe condition. However, because that condition directly impacts the interchange and highway, and only indirectly Area parcels, this factor is not considered present for purposes of this study.

(e) *Deterioration of site or other improvements;*

Retail improvements located northeast of the intersection of Voyager Parkway and Spectrum Loop includes an internal access road improvement in poor condition. Because of the “ongoing” nature of construction in the area, this condition is considered to be temporary, rather than as a result of on-going deterioration. All other sites and “improvements” are in good condition.



(f) Unusual topography or inadequate public improvements or utilities;

Although relatively flat for Colorado Springs, the Area does include numerous instances of unusual topography in the form of riparian embankments, low bluffs and rolling terrain. Collectively, these will add to site development costs and thus, potentially deter development.

All major utilities are generally available to the site via adjacent or nearby service connections. However, the interchange constraints mentioned above in factors (b) and (d) can be considered an instance of inadequate public improvements. The incomplete Powers Boulevard improvement, planned to bisect the Area before connecting with I-25, also represents an inadequate public improvement – affecting all Area parcels.

(g) Defective or unusual conditions of title rendering the title non-marketable;

No title search was conducted as a part of this Survey therefore, this condition was not examined.

(h) The existence of conditions that endanger life or property by fire or other causes;

Because buildings in the Area are primarily new construction, they are assumed to be compliant with the latest fire safety requirements of the City of Colorado Springs.

FEMA-Q3 flood hazard maps, in GIS format, were examined for the Area, indicating no 100-year (1%) flood hazards for any Area parcels.



- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities;***

This condition was not present in buildings in the Area.

- (j) Environmental contamination of buildings or property;***

The Area has no known environmental contamination.

- (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 Area does not currently require disproportionately high levels of municipal services. Because much of the Area is undeveloped land, vacant parcels are counted as having substantial physical underutilization due to vacancy.

Table 2 summarizes the findings across all surveyed parcels. As shown, **four** factors of the 11 total possible factors were found, to some extent, while **three** factors (as discussed earlier) were present to a degree that appeared likely to have a significantly negative impact.



Table 2

Copper Ridge at Northgate Conditions Survey - Summary of Findings

	Blight Qualifying Conditions										
	<i>(a)</i>	<i>(b)</i>	<i>(c)</i>	<i>(d)</i>	<i>(e)</i>	<i>(f)</i>	<i>(g)</i>	<i>(h)</i>	<i>(i)</i>	<i>(j)</i>	<i>(k.5)</i>
Area	no	yes	yes	no	no	yes	n.a.	no	no	no	yes

Source: Leland Consulting Group.

- (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;
- (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, dilapidations, 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



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Appendix





















