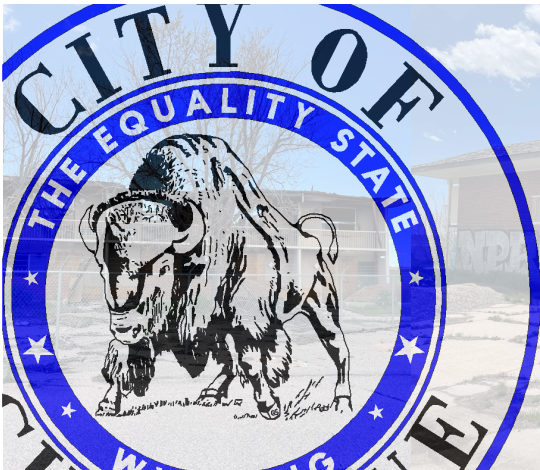


Hitching Post Urban Renewal Plan

City of Cheyenne



Produced July 2021
Planning and Development Department
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Introduction

The City of Cheyenne adopted Ordinance No. 4381 and Resolution No. 6156 on June 28, 2021 authorizing the creation and use of powers for the Urban Renewal Authority. This action fulfilled the requirements in Wyo. Stat. § 15-9-106, § 15-9-107, § 15-9-133, and § 15-9-134 as the Governing Body adopted a resolution declaring one or more slum or blighted areas in the community and that the redevelopment of such areas are necessary for the health, safety, morals or welfare of the community; and the Governing Body delegated the authorities of Urban Renewal to the Cheyenne Urban Renewal Authority. By completing the previous actions and pursuant to Wyo. Stat. § 15-9-106, the City of Cheyenne has completed the prerequisites to exercise the authority conferred by the Wyoming Urban Renewal Code.

This plan serves to establish the Hitching Post Urban Renewal Project for the City of Cheyenne. The Hitching Post Urban Renewal Plan will overview the urban renewal boundaries of the project area, the conditions of blight identified in the project area, all authorized urban renewal activities, the project financing, the terms of the plan, the conformance of the urban renewal project with adopted City of Cheyenne plans, the conformance of the project with Wyo. Stat. § 15-9-110, and the procedures to amend the plan. The Hitching Post Urban Renewal Plan will be referred to the Urban Renewal Authority and City Planning Commission for recommendations. The plan and recommendations will be introduced before the Governing Body for final consideration through Resolution. The creation of the plan and adoption thereof serves to enable and fulfill Wyo. Stat. § 15-9-107 through § 15-9-111, § 15-9-113, § 15-9-115 through § 15-9-116, and § 15-9-119 through § 15-9-132.

The Hitching Post redevelopment is proposed to include a variety of commercial, residential, and office uses. While the exact redevelopment is yet to be determined, the City of Cheyenne will utilize its Urban Renewal powers to aid the redevelopment with infrastructure upgrades, the relocation of

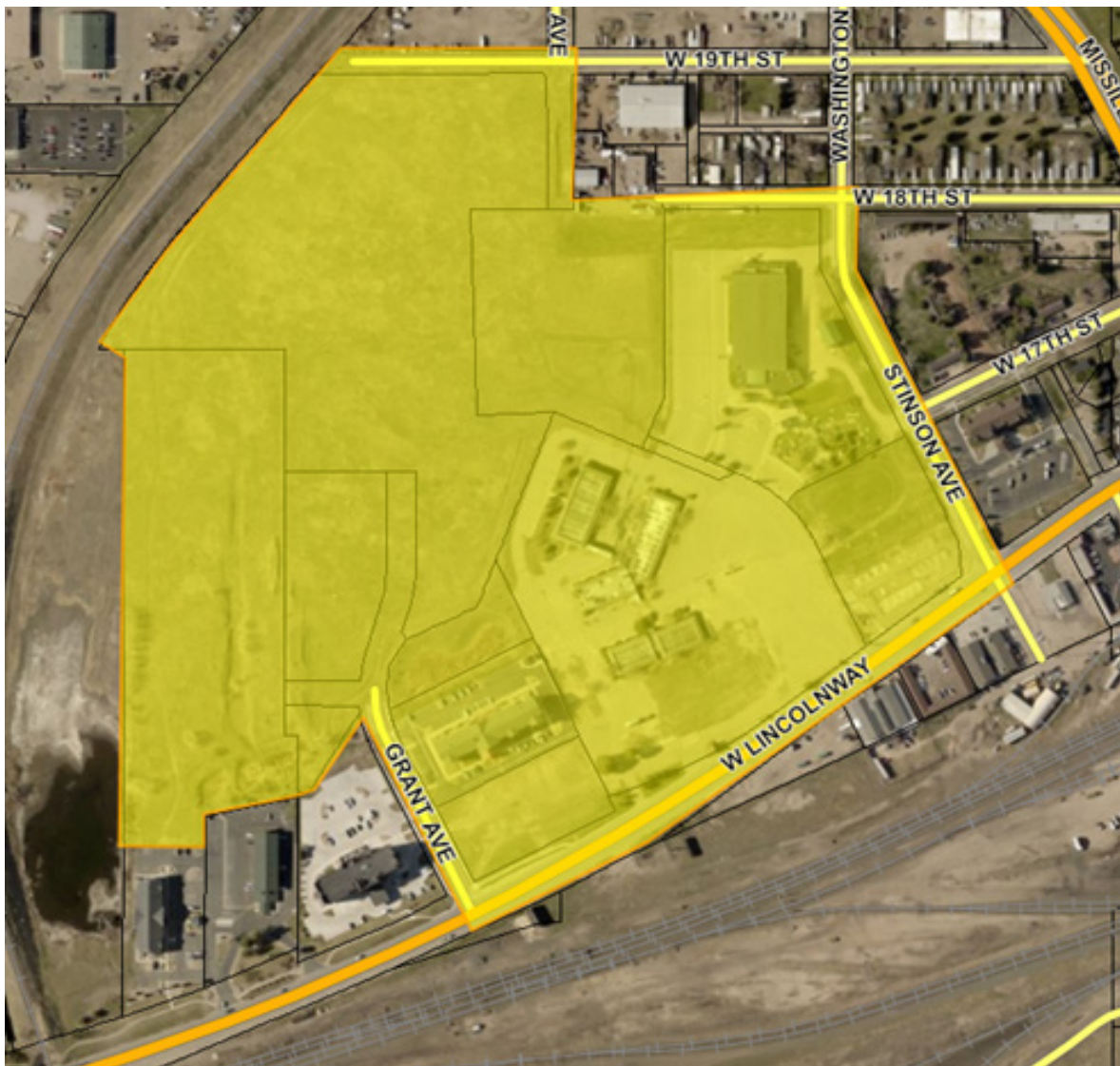
utilities, construct other public improvements including stormwater drainage and detention facilities, and the remediation of environmental contaminants. The City plans to use tax increment financing (TIF), enabled by WT Stat. § 15-9-120, to aid in the completion of these objectives. The use of these Urban Renewal powers and adoption of the plan will permit the redevelopment of the Hitching Post site through a robust public/private partnership and permit the utilization of Urban Renewal tools.

Urban Renewal Boundaries

The Hitching Post Urban Renewal Plan and Project encompasses the entirety of the Hitching Post property, several adjacent sites, and several adjacent rights-of-way. The map of the Urban Renewal Area can be found below.

The legal description for the project area includes:

- Lot 1, Block 1, P.A.S. First Filing;
- Lot 2, Block 1, P.A.S. First Filing;
- Lot 1, Cheyenne Ice and Events Center 2nd Filing;
- Lot 1, Block 1, Cheyenne Ice and Events Center, 3rd Filing;
- Lot 1, Block 1, Back 40 Subdivision, 1st Filing;
- Lot 1, Block 3, and Lot 1, Block 2, Back 40 Subdivision, 2nd Filing;
- Lot 1, Block 2, Lincoln Addition, 2nd Filing;
- Lot 2 and 3, Block 2, Lincoln Addition, 2nd Filing Revision A;
- Lot 3 Block 1, Rivett Subdivision, 2nd Filing;
- All public rights-of-way adjacent to the lots and blocks referenced herein; and
- West Lincolnway right-of-way between Grant Avenue and Stinson Avenue



Conditions Survey

To identify blight areas and slum areas in the Hitching Post Urban Renewal Plan and Project Area, staff created a survey with the nine (9) conditions of blight identified in the definitions section of the Wyoming Urban Renewal Code. Staff did not utilize the conditions of slum areas as they were similar to those of blight. Staff extrapolated nine (9) distinct characteristics of blight as defined in Wyo. Stat. § 15-9-103(iii). The nine (9) conditions with one option of “Other” include:

- Deteriorated or deteriorating structures
- Predominance of defective or Inadequate street layout
- Faulty lot layout in relation to size, accessibility or usefulness
- Unsanitary or unsafe conditions
- Deterioration of site or other improvements
- Diversity of ownership, tax or other special assessments
- Delinquency exceeding the fair value of the land
- Defective or unusual conditions of title
- The existence of conditions which endanger life or property by fire and other causes
- Other

The “other” option pertained to the section of the definition that stated, “or any combination of those factors, substantially impairs or arrests the sound growth of a 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 in its present condition and use.” (Wyo. Stat. § 15-9-103(iii)). After listing the conditions, the survey had the option for staff to use a checkbox for each condition that existed and to provide a description of indicators that were used to conclude that the condition was present. The end of the survey allowed staff to provide notes for anything of importance. Unlike other neighboring states, notably Colorado, the Wyoming Urban Renewal Code does not establish a threshold for the number of blight conditions that must be found to qualify an area for Urban Renewal. Based on this, if any one of the nine (9) conditions are identified on the site it is sufficient to determine the area as blighted.

The Hitching Post Urban Renewal Plan and Project area was surveyed on May 24, 2021. The site contained six (6) of the nine (9) conditions of blight identified on the survey, demonstrating that the project area is blighted and in need of redevelopment.

Deteriorated or Deteriorating Structures

The study area contains several examples of deteriorated or deteriorating structures. Most of the buildings on the Hitching Post property are either boarded up or burned and the walkway between two of the buildings has partially collapsed. In addition to the buildings on the Hitching Post site, other buildings in the area show evidence of deterioration. The prevalence of deteriorating buildings as depicted in the supporting photographs fulfills this condition of blight.

Predominance of Defective or Inadequate Street Layout

The Hitching Post study area contains approximately 50 acres. The subject area has very few connections and many of the connections present are access easements. The street network through the area is not sufficient for urban development and many connections will need to be planned and built. Furthermore, the access easements are not built to city street standards and will need improvements in the future. Lastly, staff has had many discussions on the as-yet determined status of West 18th Street and whether or not it has been vacated in the past (a point that needs further research), further complicating the street network in the area. Due to the faulty street network through the Hitching Post, the status of West 18th Street, and the lack of connections through the Back 40 subdivision, staff is satisfied this condition of blight is met.



Faulty Lot Layout in Relation to Size, Accessibility or Usefulness

Several of the parcels in the Hitching Post property are large with no lot frontage or direct right-of-way access. Again, the lack of internal connections through the site lead to accessibility issues and a lack of pedestrian connections. The study area is designated as a Community/Regional Activity Center in PlanCheyenne, yielding a maximum block size with a 2000' perimeter and 600' maximum on any one block face per Unified Development Code Table 4-6. Currently the site has approximately 1500' of frontage on one block face and an incomplete block structure due to lack of connections, though if one were to complete the block it would be approximately 5250' of perimeter. The size of the blocks, lack of pedestrian routes, and lack of internal connections yield a faulty lot layout in relation to size, accessibility and usefulness; thus, meeting this condition of blight.

Unsanitary or Unsafe Conditions

A recent Phase I Environmental Site Assessment was completed at the Hitching Post in May of 2021. The Phase I ESA reiterated that the site contains various unsafe conditions; including the presence of lead-based paint, asbestos-containing building materials, mercury-containing thermostats, and mold. In addition to the recognized environmental conditions on-site making the site unsafe and unsanitary, staff documented the presence of abandoned mattresses, trash, and fire damaged buildings. There are also noted unconnected sidewalks which lead to unsafe conditions for pedestrians. All of the conditions noted meet the criteria for unsafe and unsanitary conditions as an indicator of blight at the property.

Deterioration of Site or Other Improvements

Staff noted several conditions of deterioration of site improvements at the Hitching Post study area. The deterioration included curb, gutter, sidewalk, and areas around a storm sewer drain. In addition to these conditions of deterioration, staff also noted a downed light pole on the Hitching Post property. The deterioration of site conditions is illustrative of blight in the study area.

The Existence of Conditions which Endanger Life or Property by Fire and Other Causes

The two main indicators of the site that meet these conditions include the fire damaged building and the presence of environmental contamination. As mentioned previously, a recent Phase I Environmental Site Assessment documented several conditions that are recognized as hazardous by the Environmental Protection Agency. The existence of a fire damaged building also leads to concern as the buildings have become unstable and possibly endanger life.



Authorized Urban Renewal Activities

The conditions identified in the plan and project area yield that the property is in need of rehabilitation and that such redevelopment is in the best interest of the public health, safety, morals and welfare of the community. The City of Cheyenne will use the Urban Renewal powers authorized to improve streets and sidewalks, relocate utilities, construct other public improvements including stormwater drainage and detention facilities, and remediate environmental contamination, all of which are enabled by the Wyoming Urban Renewal Code. In addition to the general municipal powers of Wyo. Stat. § 15-9-113, this plan hereby authorizes the use of tax increment financing per Wyo. Stat. § 15-9-120 to accomplish the stated actions authorized by the Wyoming Urban Renewal Code.

Tax Increment Financing Wyo. Stat. § 15-9-120

Pursuant to Wyo. Stat. § 15-9-120, the Hitching Post Urban Renewal Plan authorizes the use of tax increment financing for the Urban Renewal Project Area as identified in Section II. Wyo. Stat. § 15-9-120 states:

(a) Any urban renewal plan may contain a provision that taxes, if any, levied upon taxable property in an urban renewal project each year by or for the benefit of a municipality in the state shall be divided as follows:

(i) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the urban renewal project as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized prior to the effective date of the urban renewal project shall be allocated to and, when collected, paid into the funds of the respective taxing agencies as taxes by or for those taxing agencies on all other property are paid (for the purpose of allocating taxes by or for any taxing agency which did not include the territory in the urban renewal project on the effective date

of the project but which territory had been annexed or otherwise included after the effective date, the assessment of the county last equalized on the project shall be used in determining the assessed valuation on the taxable property in the project on the effective date); and

(ii) That portion of the levied taxes each year in excess of the amount specified in paragraph (a)(i) of this section shall be allocated to and, when collected, paid into a special fund of the participating municipality or urban renewal agency to pay the principal and interest on loaned money advanced to, or any indebtedness incurred by the municipality or urban renewal agency. Unless the total assessed valuation of the taxable property in an urban renewal project exceeds the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in paragraph (a)(i) of this section, all of the taxes levied and collected upon the taxable property in the urban renewal project shall be paid into the funds of the respective taxing agencies. When any loans, advances and indebtedness, if any, and interest have been paid in full, all monies thereafter received from taxes upon the taxable property in the urban renewal project shall be paid into the funds of the various taxing agencies as taxes on all other property are paid.

The tax increment will be used to fulfil the purposes of Wyo. Stat. § 15-9-121, which reads:

In any urban renewal plan or in proceedings for the advance of monies or making of loans or the incurring of any indebtedness by the municipality or agency to finance or refinance in whole or in part the urban renewal project, the portion of the taxes specified in W.S. 15-9-120(a)(ii) may be irrevocably pledged for the payment of the principal of and interest on those loans or advances or that indebtedness.

Plan Financing

The Hitching Post Urban Renewal Project Area includes a mix of vacant land, deteriorated structures, civic facilities, and some developed land. Collectively, the base valuation for the project is \$8,782,808. There are a few small vacant parcels where tax information was not readily available and will need to be confirmed by the County Assessor’s Office. Within the Project Area, the property tax revenue collected to all jurisdictions is roughly \$60,191 as of 2020.

The first proposal by the developer included an interest in the development of the Hitching post site to include a new hotel, restaurant, and bank as seen in Map 1. The future development of the land behind the hotels is uncertain and may include some combination of commercial or residential. The plan financing is dependent upon completion of the proposed projects as well as future development on the site as shown in Map 2, which is roughly 25 acres.

| Base Valuation | | | | | |
|------------------|--------------------|--------------------|---------------------------|---------------------|---------------------------------|
| Parcel ID Number | Property Address | Valuation (2020) | Assessed Valuation (2020) | Property Tax (2020) | Notes |
| 13670110500600 | W. Lincolnway | \$791,231 | \$75,167 | \$5,423 | |
| 13670111002300 | Grant Avenue | \$1,551,215 | \$147,365 | \$10,631 | |
| 13670111002200 | Grant Avenue | | | | (Tax information not available) |
| 13670111002100 | Grant Avenue | | | | (Tax information not available) |
| 13670111002000 | Grant Avenue | \$0 | \$0 | \$0 | Exempt City |
| 13670111700100 | 1524 W. Lincolnway | \$292,600 | \$27,797 | \$2,005 | |
| 13670111600100 | 1530 W. Lincolnway | \$0 | \$0 | \$0 | Exempt City |
| 13670111001200 | W. Lincolnway | \$0 | \$0 | \$0 | Exempt City |
| 13670111001100 | 1600 W. Lincolnway | \$773,212 | \$73,455 | \$5,299 | |
| 13670111001700 | Grant Avenue | \$164,591 | \$15,636 | \$1,128 | |
| 13670111001600 | 1710 W. Lincolnway | \$5,094,155 | \$483,994 | \$34,912 | |
| 13670111001400 | Grant Avenue | \$115,804 | \$11,001 | \$794 | |
| TOTAL: | | \$8,782,808 | \$834,365 | \$60,191 | |



Map 1 - Area of expected development



Map 2 - Area of anticipated future development

The proposed future development of the Hitching Post Plaza has been refined by the developer since the initial adoption of the Plan and Project Area on August 23, 2021. Based on the information provided by the developer and estimates created by Ayres Associates, the current tax increment projection is approximately \$3.7 million. The developer is currently proposing two hotels, a restaurant, a surgical center, a financial institution, a climbing gym, 64 units of residential, and other retail opportunities. The possibility of the second hotel significantly increased the potential for the tax increment to grow. The property is currently being replatted to allow for the sale of the two lots proposed for hotel development, bringing about further certainty that some of the development opportunities will come to fruition.

Conformance with the Comprehensive Plan

PlanCheyenne is the comprehensive plan for the City of Cheyenne. The Hitching Post Urban Renewal Plan conforms to and advances the intent of PlanCheyenne. First, the redevelopment of the Hitching Post accomplishes several Foundations of the comprehensive plan. The Foundations laid out in the plan articulate what is important when making decisions about Cheyenne's future. This urban renewal plan furthers Foundation 1 – Growing as a Community of Choice; Foundation 3 – Fostering a Vital Economy and Activity Centers; and Foundation 7- Developing in a Fiscally Responsible Way. Growing as a Community of Choice specifies that the community will be competitive in the region by providing a wide variety of housing choices, attracting new jobs, and fostering opportunities for retail and service uses. The redevelopment of the Hitching Post through Urban Renewal will afford private enterprise the opportunity to develop housing, places of employment, and new hotels and restaurants as is the intent of the prospective purchaser. Fostering a Vital Economy and Activity Center details that the community should make an attractive environment for businesses and workers to invest their energy and resources. The project area redevelopment will encourage precisely this sort of environment with residential, office, and commercial uses. It is anticipated the site will be an activity center in the City of Cheyenne. Developing in a Fiscally Responsible Way challenges decision makers to efficiently use public and private resources as the community continues to grow. Investing in an infill development site with tax increment financing with a proposed public/private partnership significantly increases the opportunity for revitalization on an important corridor in the community in a fiscally responsible manner.

In addition to promoting these key foundations in the plan, the Hitching Post Urban Renewal Plan furthers several policies contained within PlanCheyenne.

Plan Cheyenne policies include:

- Policy 1.1.B: Flexibility to Respond to Market Demands.

The Urban Renewal Plan will promote infill development and redevelopment of an important area in the City of Cheyenne. The flexibility will incentivize private enterprise to complete the redevelopment of the Hitching Post and near vicinity.

- Policy 1.4.A: Infill Opportunities

The Hitching Post Project Area lies within an area in the community that is already developed. The use of TIF to finance the relocation of utilities and construct the necessary infrastructure to service the proposed development will serve to accomplish this policy goal.

- Policy 1.4.B: Locations for Future Revitalization

This policy outlines West Lincolnway from I-25 to Downtown as a primary location for redevelopment in the City. The proposed project is located along this corridor and its construction is expected to serve as a catalyst for economic development in this important community gateway.

- Policy 1.4.D: Infill and Revitalization Incentives

The Urban Renewal Powers offer infill and revitalization incentives by enabling financing for public improvements and opportunities for public/private partnerships.

- Policy 2.3.A: Mix of Housing Types

The redevelopment of the project area is anticipated to create a variety of housing options, including the opportunity for the integration of affordable housing. This opportunity for housing development may not be possible without the use of Urban Renewal powers.

In addition to furthering many objectives within PlanCheyenne, the Hitching Post Urban Renewal Plan conforms to the Future Land Use Map contained within Connect 2045: Cheyenne Area Transportation Master Plan. The subject property is designated in the Future Land Use Map as a combination of Mixed-Use Commercial and Mixed-Use Residential. The proposed multi-family residential, parks and recreation facilities, and commercial use fulfills these future land use designations. Through addressing the Foundations, several policies, and the Future Land Use Map of PlanCheyenne, the Hitching Post Urban Renewal Plan substantially conforms to the general plan of the municipality.



Conformance with Wyo. Stat. §15-9-110

In order for an Urban Renewal Plan and Project to be approved the Governing Body must find that the plan meets the review criteria found in Wyo. Stat. § 15-9-110(a) and (b). Due to the fact that the Hitching Post Urban Renewal Plan does not consist of the acquisition of open space to be acquired by the municipality, the plan will not address the findings of Wyo. Stat. § 15-9-110(b). Pursuant to Wyo. Stat. § 15-9-110(a), the plan achieves the following requirements:

- (i) A feasible method exists for the relocation of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to those families;

The plan and project area boundaries do not encompass any residential properties; therefore, there is no need to designate a method for relocation of families displaced from the urban renewal area.

- (ii) The urban renewal plan conforms to the general plan of the municipality as a whole;

PlanCheyenne is the Comprehensive Plan for the City of Cheyenne. As discussed in the previous section, the Hitching Post Urban Renewal Plan conforms to PlanCheyenne.

- (iii) The urban renewal plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the plan;

The Hitching Post Project Area contains the Cheyenne Ice and Events Center and an adjacent property owned by the City of Cheyenne that is deed restricted for recreation purposes. The redevelopment of the project area is anticipated to include a variety of housing types, from single-family residential to multi-family condominiums and apartments.

The recreation facilities owned by the City of Cheyenne and the required open space of the new development per the Unified Development Code will serve as an amenity to the proposed and existing residential development in the vicinity. The health, safety, and welfare of current and future residents will be enhanced by the existing and future recreational facilities.

- (iv) The urban renewal plan affords maximum opportunity, consistent with the municipality's needs, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

The Hitching Post Urban Renewal Plan affords the maximum opportunity for redevelopment by private enterprise. The City anticipates using funds collected under tax increment financing to pay the principal and interest on loaned money for the relocation of utilities, the construction of public improvements such as street and sidewalks, and the demolition and disposal of buildings containing environmental contaminants. The use of the urban renewal powers in this fashion enhances the viability of the redevelopment of the subject properties by private enterprise. The proposed urban renewal actions by the City are anticipated to catalyze development by private enterprise on an important gateway to the City of Cheyenne, thus promoting the overall health, safety, welfare, and morals of the community.



Plan Term

The Term of the Hitching Post Urban Renewal Plan is 25 years from the approval of the Resolution by the Governing Body. The Plan shall be effective pursuant to Wyo. Stat. § 15-9-111(b). If the Authority deems that all projects have been accomplished and all debts incurred to finance those projects and all expenses of the Authority have been repaid, the Authority may declare this Plan fully implemented and the total tax collections derived from this Plan Area shall be paid into the funds of the appropriate taxing entity.

Amendment Procedures

This plan shall be amended pursuant to Wyo. Stat. § 15-9-111(a). All modifications to this Plan will be referred from the Urban Renewal Authority Board to the City of Cheyenne Governing Body and shall be approved by Resolution.