

PLANNING AND ECONOMIC DEVELOPMENT MEETING

August 12, 2020

8:30 a.m.

Teleconference Meeting

Public Participation Dialing Instructions

Call in Number: (720) 650-7664

Access Code: 146 297 5499

Council Member Francoise Bergan, Chair
Council Member Crystal Murillo, Vice Chair

Council Member Allison Hiltz, Member

Be a great place to locate, expand and operate a business and provide for well-planned growth and development.

1. Approval of July 8, 2020 Draft Minutes - Council Member Bergan 8:30 a.m.
2. Subarea C: Proposed Amendments to the UDO – Karen Hancock 8:35 a.m.
3. Havana Street Corridor Study – Huiliang Liu 9:00 a.m.
4. AER and SBDC Update – Andrea Amonick, Marcia McGilley 9:25 a.m.
5. Miscellaneous Matters for Consideration - Council Member Bergan 9:45 a.m.
 - Aurora Economic Development Council
 - Havana Business Improvement District
 - Aurora Chamber of Commerce
 - Planning Commission
 - Oil and Gas Committee
 - Business Advisory Board
 - Retail
 - Small Business
6. Confirm Next Meeting - Council Member Bergan 9:55 a.m.
September 9, 2020

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July 8, 2020 PED Minutes

**PLANNING AND ECONOMIC DEVELOPMENT (PED)
POLICY COMMITTEE
TELECONFERENCE MEETING**

July 8, 2020

Members Present: Councilmember Francoise Bergan, Chair; Councilmember Crystal Murillo, Vice Chair; Councilmember Allison Hiltz, Councilmember Dave Gruber, Councilmember Curtis Gardner

Others present: Robert Bengen, Gayle Jetchick, Melvin Bush, Vinessa Irvin, Denise Aten, Daniel Krzyanowski, Brandon Cammarata, Becky Hogan, Frank Butz, Daniel Money, Brad Pierce, Karen Hancock, Yuriy Gorlov, Sarah Wile, Andrea Amonick, George Adams, Tod Kuntzelman, Andrea Barnes, Mark Witkiewicz, Dennis Lyon, Scott Berg, Marisa Noble, Margie Sobey, Claire Dalby, Phil Turner, Elena Vasconez, Jared Lee, Bob Oliva, Jeffrey Moore, Juliana Berry, Liz Fuselier, Jason Batchelor, Marcia McGilley, Christopher Johnson, Bryan Cook, Michael Gifford, Mindy Parnes, Debbie Bickmire, Porter Ingram, Chad Giron, Justin Andrews, Julie Patterson, Bob Gaiser, Chance Horiuchi, Ryan Loomis, Stephen Rodriguez, Trevor Vaughn, Diana Rael, Michael Sheldon

APPROVAL OF MINUTES

June 10, 2020 minutes were approved.

AURORA DEVELOPMENT REVIEW PROCESS STUDY

Summary of Issue and Discussion:

Vinessa Irvin, Manger, Development Assistance gave a brief summary of the RFP process for the Aurora Development Review Process Study. Denise Aten, Senior Vice President at Bohannon Huston presented the study's results and answered questions from the committee.

Denise Aten presented an overview of findings from the Aurora Development Review Process Survey conducted by Bohannon Huston. Workshops and interviews were conducted externally and internally with approximately 150 participants. Recommendations were separated by focus areas: Culture and Staff, Process Improvements, Document Updates, and Training.

- Identify an Operational Leader to manage all operations associated with the development review process.
- Establish regularly-scheduled manager meetings and division/department meetings
- Collectively create a vision with clear objectives, and expectations.
- Create and update consistent checklists for all divisions/departments.
- Identify the milestones within the standard development review process and establish clear expectations for each phase of the process.
- Establish protocol for concurrent reviews and non-standard processes.
- Create an improved template for the summary letter and create a single form for all comments.
- Establish expectations and requirements for acceptable levels of quality and develop protocol to improve quality control.
- Track and document issues and concerns noted by staff.
- Update submittal requirements to create reasonable expectations for each project type and associated phase.
- Create long-term training programs on the development review process for staff and applicants.

CM Murillo asked how the city will accommodate changes to the documents that feed into decisions this group makes, and what happens if there is a new document? How are we planning for a seamless incorporation into these processes?

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Ms. Aten stated that each manual and criteria will be categorized and that a regular schedule should be set up to address improvements to the documents.

Ms. Aten discussed the implementation of the recommendations and provided a timeline for presenting the Development Review Process Study.

CM Murillo asked if there will be a list of subject matter experts that the city can utilize during the implementation of recommendations.

Vinessa Irvin stated that the group had not gotten that far in discussing the details of implementation, but thought the suggestion was a good idea.

CM Hiltz stated that people from all aspects of the process should be involved.

CM Bergan asked if there would be the status of projects along with responsible parties on the checklist. She also asked who would be setting the acceptable level of quality. She also asked if there is someone identified who knows aspects in each area.

Ms. Aten stated that all information should be accessible but does not have a set format at this time. The Operational Leader and division/department managers would set the expectations. Vinessa Irvin stated that specifics of the Operational Leader's qualifications are still being worked through. Because they will work closely with ODA, who will be providing some of the expertise related to our project work with developers and their teams, or outward-facing. The Operational Leader will be focused inward on process and policy.

CM Gruber discussed some of the issues he's heard from the development community concerning changes during subsequent reviews, specifically at the signature review. He asked how the new process can address this issue.

Ms. Aten stated that this was a concern they were aware of. Addressing the issue will come from implementing a combination of the presented recommendations. Ms. Aten also stated that they believe the process works well currently, but the Operational Leader will ensure the process is being applied consistently. The quality control recommendation will be key to addressing this issue.

Mark Witkiewicz provided feedback on the study and current process from a developer's perspective and thanked the group for making efforts to improve the development review process.

Vinessa Irvin stated that the study was recently forwarded to stakeholders in the development community with a planned question and answer session to identify any concerns on July 31.

CM Bergan asked if there is a fast-paced review process for developers that work with the city frequently, to which Vinessa Irvin gave an overview of the ASAP process and concurrent review process.

Diana Rael of Norris Design provided comments from her perspective. She stated that the Operational Leader position should be very helpful to the review process, and suggested a focus on communicating policy changes to staff and customers. She summarized a list of changes and interpretations that differ from the UDO.

Michael Sheldon gave a summary of large-scale projects and highlighted recommendation PI3 as critical to these projects.

CM Hiltz stated that there needs to be consistency and fairness across all types and sizes of developments. She asked if there were members of the non-profit community invited to speak at PED.

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CM Bergan stated that there were no invitations sent, and developers typically attend PED meetings. CM Hiltz followed up by asking staff to reach out to smaller developers and non-profits for their input regarding the report and recommendations and include their feedback in the minutes of this meeting.

CM Bergan asked about the status of the new Accel workflow system.

Vinessa Irvin gave a summary of implementation phases and stated that the city is currently on phase 3. Development Review is the largest process and will be implemented after working through issues on smaller phases.

Comments received from Civitas Inc. (urban land design firm) on behalf of the Fitzsimons Redevelopment Authority in response to staff outreach to small developers and non-profits.

Process Improvement Recommendations (p35) - For Landscape Plans, it would be ideal if there were a simple preliminary site plan approval phase and that final construction plans could be submitted in lieu of constantly revising the “CSP (now Preliminary Site Plan)” for final approvals. This is how City of Denver does it, and it significantly improves timeliness.

Comment (PI4, pg. 59) – Streamlined template is a very good idea, especially if it editable directly by the applicant once received. It would be even better if there was a way to host this online. Something that has the ability for the applicant to respond directly to the comment, and the City can “close” it once it’s taken care of? Maybe something akin to how punch lists and submittals work during Construction on a site/application like ProCore.

Quality Control (PI5) – The two-phased review process, if it ultimately reduces timelines in the end, could be very good. Will be important to have a clear and consistent QC checklist for the applicant.

Document Updates

Tracking of Issues (pg. 37) – I think this is very important. Regarding comments and issues, it would be preferred that comments were catalogued either in a checklist format online or in a spreadsheet so that items can be “closed” once complete.

Requirements (pg. 38) – Really important to differentiate requirements based on project type; the requirements often require specifying plant material or other details before projects have begun landscape design phases.

TRAINING

Training (TR1, pg. 70) – would be really great to have training available to applicants. Also, could be really helpful to have open Q&A sessions once a month or something so folks can ask general questions about the UDO.

Outcome:

Follow-up Action: Bohannon Huston will return to the Joint Task Force on July 31 and PED likely in September. Staff to reach out to small developers and non-profits for input on the report and recommendations to include in the meeting minutes.

CONSTRUCTION EDUCATION FOUNDATION

Summary of Issue and Discussion:

Vinessa Irvin, Manger, Development Assistance gave a summary of staff’s presentation at the March PED of the Construction Education Foundation, specifically the Careers in Construction Program. Bryan Cook and Michael Gifford, who were not able to be present at the March meeting, gave a presentation and fielded questions from the committee.

Michael Gifford gave a brief summary of the Construction Education Foundation and briefly discussed the industry’s status during the COVID-19 pandemic and discussed how this program will assist students to secure

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careers. CEF is spending around \$600,000 on high school programs but needs more of a presence in the Aurora area due to the amount of construction in the city.

Bryan Cook discussed three CEF Programs:

- High School Construction Connection
- Careers in Construction
- Construction Careers Now!

Careers in Construction aims to bring Shop classes back to high schools and provides a pre-apprenticeship certification. The program takes place in the schools and on the job site. CEF provides funding for instructors and curriculum. CEF proposes an opt-in fee tied to permits to provide funding for these programs. This was done with the Pikes Peak Regional Building Department with \$25 fees on residential permits and \$50 on commercial permits.

CM Bergan asked if the fee would be optional, to which Mr. Cook said it was optional. Mr. Gifford stated at the Pikes Peak Regional Building Department, the fee is presented on the form and is reflected in the total amount due, but provides a box to opt-out.

CM Bergan asked for an estimated timeline for implementation.

Mr. Gifford stated that CEF would like to put the fee program in place by the end of the year through an MOU or Ordinance with the foundation, in partnership with Aurora Public Schools and Cherry Creek School District. This timeline is to provide CEF the opportunity to commit funding to an additional school for the next school year.

Vinessa Irvin stated that an ordinance may not be necessary, and the issue would be brought back to PED when a process is determined.

MISCELLANEOUS MATTERS

Havana Business Improvement District (Chance Hourichi):

On Havana Street – COVID Update:

- Eight to 10 businesses remain closed due to COVID
- The Stampede will need to open as a restaurant to remain open with COVID restrictions
- 101 restaurants remain open for take-out and dine-in
- Businesses are looking for smaller spaces that provide service options (drive-thru, walk-up, etc.)

Events

- Kitchen Food Collective – raising money from businesses doing well to purchase food items from smaller businesses along the corridor. Food will be distributed at The Stampede on July 15.

Havana Street Multi-Modal Study

- Outreach was held on 7/7 for businesses to provide feedback on traffic and RTD issues.

Marketing

- Motor Mile marketing is being published
- Ads through 9NEWS are being pursued
- PSA commercials for COVID safety, Mayor Mike Live, and free mask distribution.

Aurora Economic Development Council Update (Yuriy Gorlov):

Continues to see steady activity in the industrial sectors. A few deals have closed in the last month with a couple more on the way. Mr. Gorlov provided feedback on the Development Review Study and discussed how the development community talks internally. Streamlined processes can make relocation to Aurora attractive. Mr. Gorlov also expressed support for the CEF program.

Aurora Chamber of Commerce Update (Kevin Hogan)

The Chamber of Commerce is administering \$3.5 million in CARES Act dollars to Aurora organizations in Adams County. The \$6 million Arapahoe CARES Act grant is in process. The Space Command response has been accepted

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by the Air Force and signed by the Governor and Mayor. The Chamber of Commerce has funding for paid internships in Arapahoe and Adams Counties.

Planning Commission Update (Dennis Lyon):

The first public hearing for oil and gas well location permit will be heard at the 7/8 Planning Commission meeting. A site plan for 64 rental homes in Sterling Hills is also being discussed. Saddlerock East Active Sports Center GDP amendment and major site plan adjustments will be discussed.

CM Bergan asked where the 64 rental homes will be located.

Mr. Lyons stated that it was near Tower Road and Sterling Hills Parkway.

Oil & Gas Advisory Committee Update

The Oil & Gas Manual is out for public comment. Committee members are reviewing the manual and providing comments.

Retail Development (Robert Oliva):

Metro Center City Center project is moving forward. Pop-out markets are successful. With re-opening plans, businesses are confused as COVID intensifies. In a holding pattern with APS request.

CM Bergan asked Mr. Oliva if he has been in touch with Southlands.

Mr. Oliva stated that they are not interested in having pop-out markets. There is interest for restaurants to provide outside service on a case-by-case basis.

CM Murillo asked about the building space partnership with APS and asked if there was a list available.

Mr. Oliva stated that specific spaces have not been vetted outside of conversations with landlords but would provide the un-vetted list to CM Murillo.

Business Advisory Board Update (Elena Vasconez):

Commander Wright informed the BAB about violations for multi-family properties and how AFD is handling it. Trevor Vaughn presented information on the car wash exemption, marketplace facilitators, and a tech modification. An update from SBDC was provided. Elena Vasconez provided an update on AER2. 600 applications were received and have been screened. 410 applications are ready and will be assigned to Case Managers.

Marcia McGilley of the SBDC Administration provided an update on funding. There is some grant and loan fatigue and the SBDC has been providing guidance. SBDC has been advising on the Paycheck Protection Program Accessibility Act. A new program out of the Attorney General's Office Colorado Lawyer's Committee to provide free legal advice for businesses on COVID-related issues. There is a focus on minority and women-owned businesses, but is available to all.

Approved, _____
Francoise Bergan, PED Committee Chair

Next meeting date: August 12, 2020 at 8:30 a.m. Teleconference meeting.



Planning and Economic Development Policy Committee Agenda Item Commentary

Item Title: Subarea C: UDO Amendments
Item Initiator: Karen Hancock, Principal Planner
Staff Source: Karen Hancock, Principal Planner
Deputy City Manager Signature:
Outside Speaker:
Council Goal: 4.0: Create a superior quality of life for residents making the city a desirable place to live and work

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

The Unified Development Ordinance (UDO) was adopted in August 2019 and became effective in September 2019. Staff brought a batch of amendments to the committee in May 2020 that will address errors, clarifications and omissions. The amendments to the UDO proposed in this item include substantive changes to address concerns from residents in Ward II and character Subarea C.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

During development of the UDO between 2014 and 2019, residents in Ward II and Subarea C on the city's eastern plains, brought a number of issues to the attention of staff, the consultant team and Elected. Although key elements were addressed in the adopted version of the UDO, residents continued to work with their ward representative, Mayor Pro Tem Johnston, to advocate for further amendments to specific sections of the UDO. This item is on the agenda at the request of Mayor Pro Tem Johnston.

QUESTIONS FOR Committee

Does the Committee wish to forward the proposed amendments to a public hearing at the Planning & Zoning Commission and to City Council at Study Session?

EXHIBITS ATTACHED:

Subarea C: Notice and Development Approvals Draft Ordinance
Development Near Lowry Landfill Draft Ordinance
Area Maps

ORDINANCE NO. 2020- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 5.3.1, 5.3.7, 5.4.1, 5.4.2 AND 5.4.3 OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) PERTAINING TO FIRST REVIEW NEIGHBORHOOD MEETINGS, NOTICE AND DEVELOPMENT APPROVALS IN SUBAREA C

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. The City hereby amends Section 5.3.1 of the UDO pertaining to first review neighborhood meetings, which section shall read as follows:

5.3.1. FIRST REVIEW NEIGHBORHOOD MEETING

A. The purpose of the First Review Neighborhood Meeting is to allow residents, businesses and organizations in the area surrounding a proposed development project an early opportunity to learn about the proposed land uses, size, height, and layout of the project, and to give potential applicants an opportunity to hear the residents', business' and organizations' comments and concerns about the potential development after the first review comments have been received.

B. When an application under this UDO is received, notice shall be sent by mail or electronically to those registered neighborhood groups that have boundaries within one mile of the proposed project site **in Subareas A and B and three miles in Subarea C** and to property owners abutting the proposed project site. The notice shall include a project description and a conceptual sketch. City staff shall provide a template for the project description and conceptual sketch.

C. A First Review Neighborhood Meeting is required for those types of applications indicated in Table 146-5.2-1, if:

1. A registered neighborhood group requests a meeting; or
2. The City has received significant comments regarding **the application** as determined by the Planning Director; or
3. The Planning Director determines that the application raises potential controversy or potential unanticipated impacts on the surrounding area.

D. When a First Review Neighborhood Meeting is required pursuant to Subsection C above:

1. The meeting shall be scheduled at least 14 days after the date on which the City sends notice that the application has been received; and
2. Only one meeting is required to be conducted, unless the **applicant fails to comply with the requirements of Subsection E below, or the** Planning Director requires one or more additional meetings; but
3. The applicant may conduct additional meetings beyond those required by the City, at the applicant's option.

E. At any required First Review Neighborhood Meeting, the applicant shall present information about the general land uses proposed to be included in the application, the proposed size, height, and location of any structures to be constructed, and concept-level information about the proposed site including multimodal connectivity, traffic flow, site layout, and building design. Detailed engineering is not required. The material presented shall be adequate to describe the proposed project features listed above without the need for the applicant to have retained project design architects, engineers, or consultants before the meeting is conducted.

F. For any required First Review Neighborhood Meeting, the applicant shall submit proof of notification mailing; a summary of the meeting, including the date, time, and place of the meeting; a list of meeting attendees; any drawings, illustrations, or written information about the project presented at the meeting; topics discussed at the meeting, any areas of neighborhood concern, and any changes to the application to be made by the applicant in response to neighborhood concerns. **Such meeting summary shall be included in any department, Planning and Zoning Commission, or City Council review of the application and shall be available to the public.** Any meeting attendee, or any registered neighborhood organization whose boundaries include the proposed project site may also submit a summary of the meeting, and that summary shall be included in any Department, Planning and Zoning Commission, or City Council review of the application.

G. If a First Review Neighborhood Meeting is required, and subsequent application submittals show that the proposed development is larger, taller, contains significantly reduced multimodal connectivity, or contains significantly different land uses than those presented at the neighborhood meeting, the Planning Director may require that an additional neighborhood meeting be held before the application is reviewed.

Section 2. The City hereby amends Section 5.3.7 of the UDO pertaining to development notice requirements, which section shall read as follows:

5.3.7. NOTICE

Printed, published, mailed, and website notice for different types of development applications submitted under this UDO shall be required as shown in Table 5.2-1 (Summary Table of Procedures), and shall comply with the standards below.

A. Written Notice

1. Notice of the time, date, and place of any public hearing before the Planning and Zoning Commission or City Council shall be mailed to the individuals and organizations listed in Subsection 3 below at least 10 calendar days prior to the public hearing **OR DIRECTOR APPROVAL.**

2. Notice of the receipt of an application ~~for a Redevelopment Plan~~ shall be mailed to the individuals and organizations listed in Subsection 3 below within 10 days after receipt of the application.

3. The individuals and organizations to be mailed notice when required by Subsections 1 or 2 above include:

a. The owner of the property affected;

b. All owners of property abutting the property that is the subject of the application; and

c. Each registered neighborhood group whose boundaries include or are located within one mile of the property affected **in Subareas A and B and three miles in Subarea C.**

Section 3. The City hereby amends Section 5.4.1.E.2 of the UDO, and hereby amends the corresponding flow chart, which shall read as follows:

5.4.1. Plan, Ordinance and Map Changes

E. Master Plan

2. Procedure

a. ~~All Subareas A and B~~

i. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).

ii. ii. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

b. ~~Subarea C The Planning Director shall review the application and make a decision on the Master Plan.~~

Section 4. The City hereby amends Section 5.4.2.A.2.b.iii of the UDO, and hereby modifies the corresponding flow chart, which shall read as follows:

5.4.2. Subdivision of Land

A. Initial Subdivision of Land

2. Procedure

b. Major Subdivision

iii. Following review by the City Engineer:

a. ~~If the property is located in Subareas A or B, the~~ **The** Planning Director shall review the preliminary plat and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3.

b. ~~If the property is located in Subareas A or B, the~~ **The** Planning and Zoning Commission shall conduct a public hearing and shall make a decision on the preliminary plat pursuant to all applicable provisions of Section 146-5.3.

c. ~~If the property is located in Subarea C, the Planning Director shall review the application and make a decision on the preliminary plat pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).~~

Section 5. The City hereby amends Section 5.4.3.B.2 of the UDO, and hereby removes the corresponding flow chart “Major Site Plan Subarea C,” which shall read as follows:

5.4.3. Development Applications

B. Site Plans

2. Major Site Plan, **All Subareas**

a. Applicability

~~In Subareas A and B, the~~ **The** Major Site Plan process **for all subareas** and criteria apply to all applications for a permitted use in the zone district where the property is located if the application is not exempt from the Site Plan process pursuant to Section 146-5.4.3.B.1.a and the application does not qualify for Minor Site Plan review. ~~In Subarea C, Major Site Plans that are submitted without requests for Major Adjustments are approved administratively pursuant to the Minor Site Plan review process in Section 146-5.4.3.B.3.~~

Section 6. The City hereby amends Section 5.4.3.B.3.a of the UDO, which shall read as follows:

5.4.3. Development Applications

B. Site Plans

3. Minor Site Plan

a. Applicability

The Minor Site Plan procedures and criteria apply to applications for a permitted use in the zone district where the property is located if the application is not exempt from the Site Plan process pursuant to Section 146-5.4.3.B.1.a and the application is for one of the following:

i. ~~All Subareas A and B~~

a. A new commercial, mixed-use, civic, institutional and industrial development that includes a single primary building on a single lot or parcel that contains less than 10,000 square feet of gross floor area on the ground floor, compatible with the heights of buildings on abutting lots facing the same street right-of-way.

b. A new residential development that contains six or fewer dwelling units.

c. An expansion of existing multifamily, non-residential, mixed-use and nonresidential properties, projects, or developments that increase the property, project, or development by less than 10,000 square feet of gross floor area.

d. A project for which the primary use is listed in the Industrial use category in Table 3.2-1 (Permitted Use Table) and that is located at least 300 feet, measured radially, from a Residential zone district.

e. A Redevelopment Plan.

~~ii. Subarea C All applications that do not include Major Adjustments, and that do not require Major Site Plan review.~~

Section 7. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 8. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2020.

PASSED AND ORDERED PUBLISHED this ____ day of _____, 2020.

MIKE COFFMAN, Mayor

ATTEST:

LISA HORTON, Acting City Clerk

APPROVED AS TO FORM:

DANIEL L. MONEY, Senior Assistant City Attorney

DRAFT

ORDINANCE NO. 2020- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 3.1.7 OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) PERTAINING TO DEVELOPMENT RESTRICTIONS AROUND THE LOWRY LANDFILL SUPERFUND SITE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. The City Code of the City of Aurora, Colorado, is hereby amended to place additional restrictions around the Lowry Landfill Superfund Site, amending Section 3.1.7 of the UDO, which section shall read as follows:

3.1.7. DEVELOPMENT NEAR LOWRY LANDFILL

All development within one-quarter mile of **North**, East, South, and West of section 6, Township 5 south, **and section 31, Township 4 South**, range 65 west of the sixth principal meridian, Arapahoe County, Colorado, shall be subject to the provisions of this Section 146-3.1.7. If the requirements of this Section 146-3.1.7 conflict with any other standard or provision of this UDO, the requirements of this Section shall apply.

A. Development Within One-Quarter Mile

No development or construction of buildings or structures shall be permitted within one-quarter mile of the **North**, east, south, or west exterior boundaries of sections **6 and 31** prior to **written determination that the remedy is effective and protective of human health and the environment by the implementation of the Environmental Protection Agency's remedy, and the performance standards are met at the ground-water compliance boundary as required in the LLSF Site Record of Decision (ROD). Table 11-2 in the ROD.** The remedy is defined in the record of decision for the Lowry Landfill Superfund Site and the completion of the five-year performance review which confirms that the remedy is in conformity at the compliance boundary, as determined by the City Council. This prohibition shall not apply to the development or construction of buildings or structures that are used for remediating the contamination at the Lowry Landfill or to the development or construction of roadways, public utilities, and structures accessory to the remediation effort. Upon the City Council's determination that the remedy is in conformity at the compliance boundary, development and construction of buildings and structures may be permitted within one-fourth mile of sections **6 and 31**, provided the underlying zoning permits such development.

B. Hold Harmless Agreement

At such time as development is permitted within one-fourth mile of the **north**, east, south, and west exterior boundaries of sections **6 and 31**, every development application shall be accompanied by a hold harmless agreement in a form satisfactory to the City Council that releases the City from any damage claim arising from permission to develop.

C. Development Conditions

Under this Section 146-3.1.7 the City Council may attach reasonable conditions and stipulations of approval deemed necessary to protect the health, safety, and welfare and to maintain compliance with the purposes of this article. Reasonable conditions and stipulations of approval may be attached in response to new information unavailable at the time of enactment of the ordinance from which this Section 146-3.1.7 derives. The conditions may include posting of notice of location of the landfill site to advise occupants and tenants.

D. Notice of Proximity of Landfill

1. Notice

Vendors of real property located within one-quarter mile of the **north**, east, south, or west exterior boundaries of sections **6 and 31**, shall provide the following notice to prospective purchasers:

NOTICE OF LANDFILL SITE

The following described property is located within one-quarter mile of the **north**, east, south, or west exterior boundaries of sections **6 and 31**, which contains a facility generally referred to as the Lowry Landfill Superfund Site that has been added to the national priority list for superfund cleanup.

Vendor/grantor:

Property description:

Street address:

2. Area of Applicability

The notice required in this section 146-3.1.7 shall be presented to prospective purchasers of real property located within one-quarter mile of the **north**, east, south, or west exterior boundaries of sections **6 and 31**, prior to entering into a contract of sale for the real property. The notice shall be on a separate sheet of paper in at least **sixteen** ~~ten~~-point boldface type, **and** ~~or~~ in printed capital letters. A signature line for prospective purchasers shall be provided ~~if typewritten~~. A statement of receipt of the notice shall also be included.

3. Recordation

The notice required in this section shall be recorded with the clerk and recorder of Arapahoe County.

Section 2. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 3. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2020.

PASSED AND ORDERED PUBLISHED this ____ day of _____, 2020.

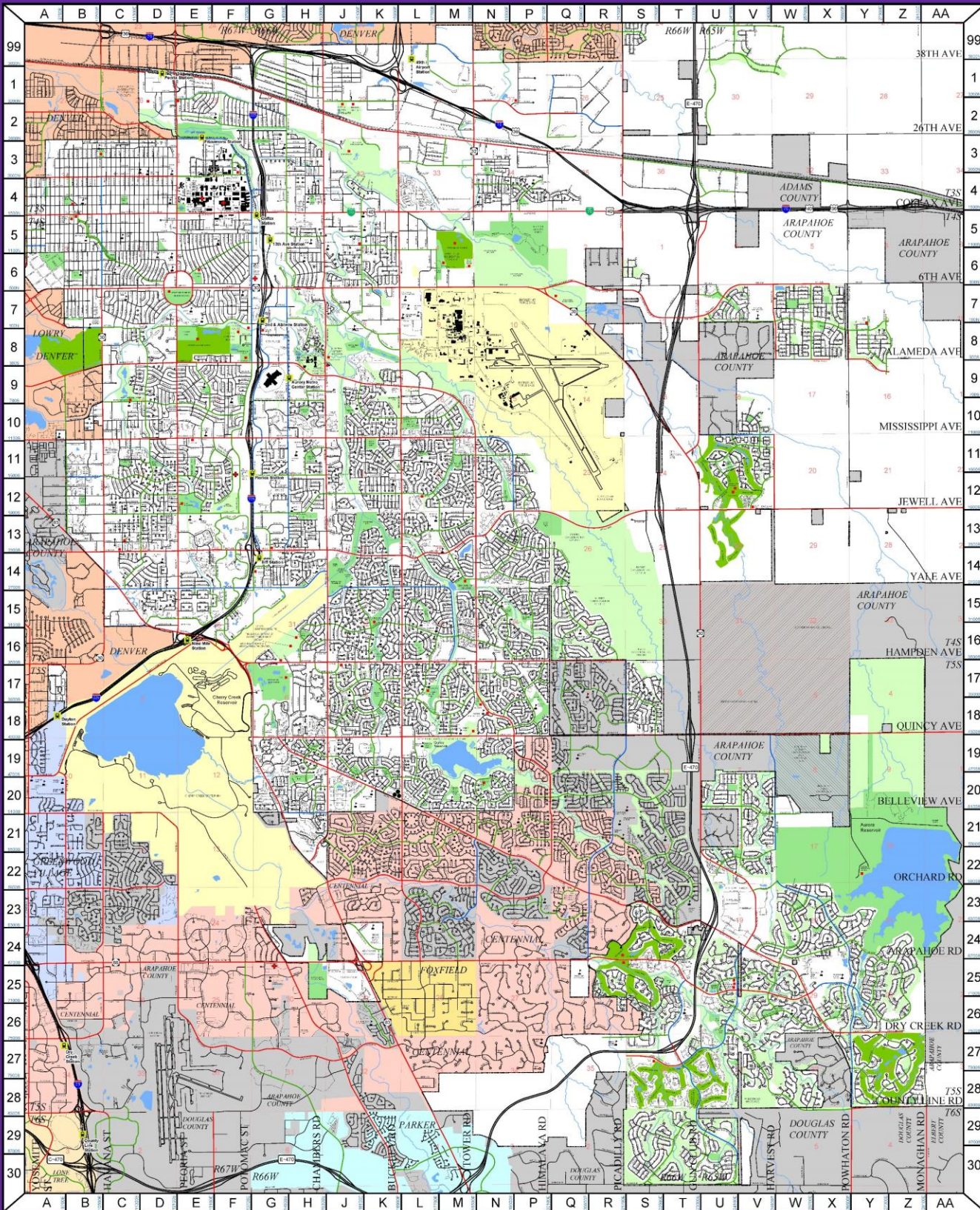
MIKE COFFMAN, Mayor

ATTEST:

LISA HORTON, Acting City Clerk

APPROVED AS TO FORM:

DANIEL L. MONEY, Senior Assistant City Attorney

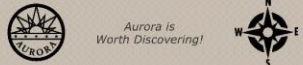


Public Works Department
 15151 E. Alameda Pkwy
 Aurora CO 80012 USA
www.auroragov.org
 303-739-7000
GIS@auroragov.org

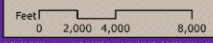
City of Aurora, Colorado

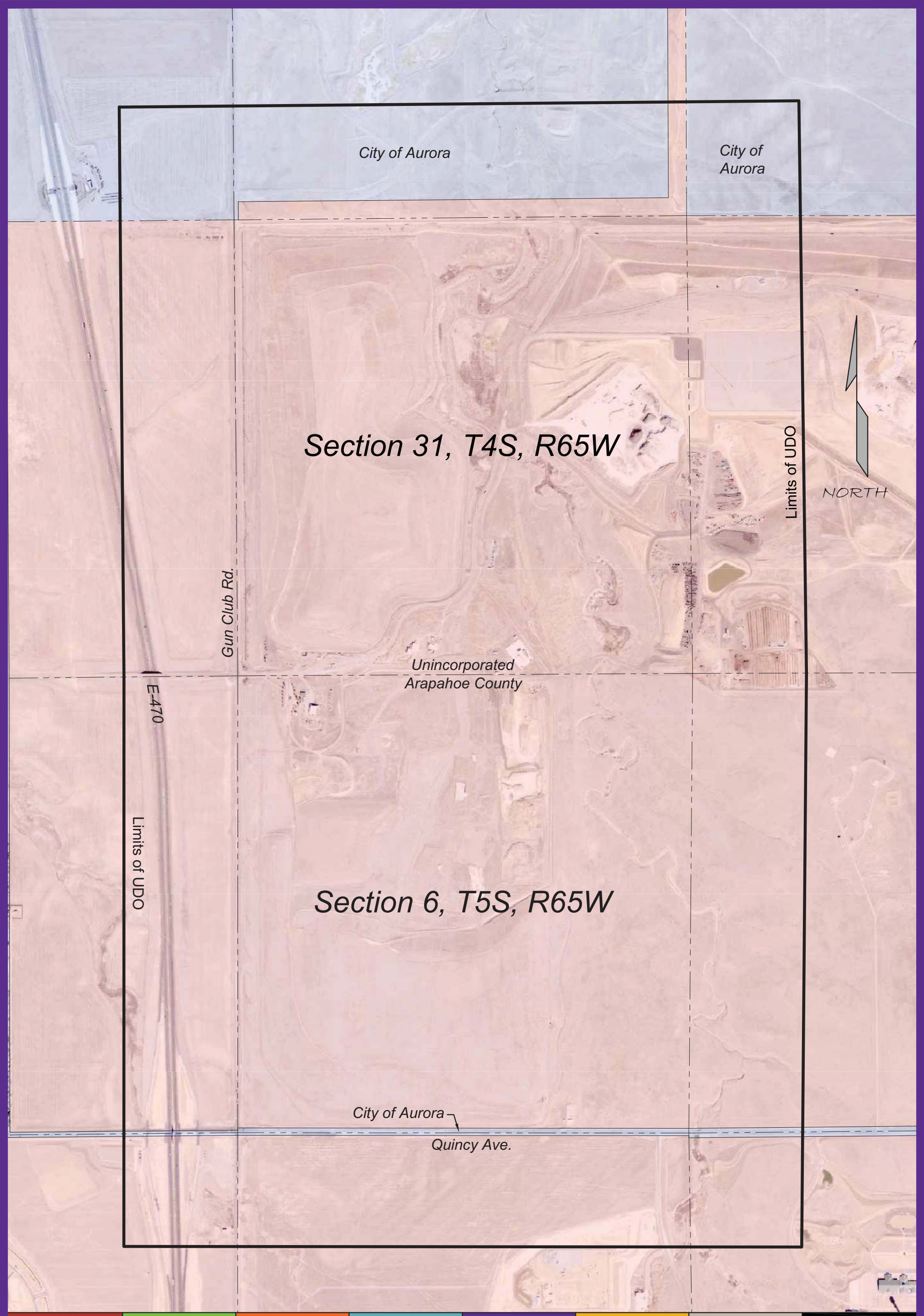
2020 Street Map

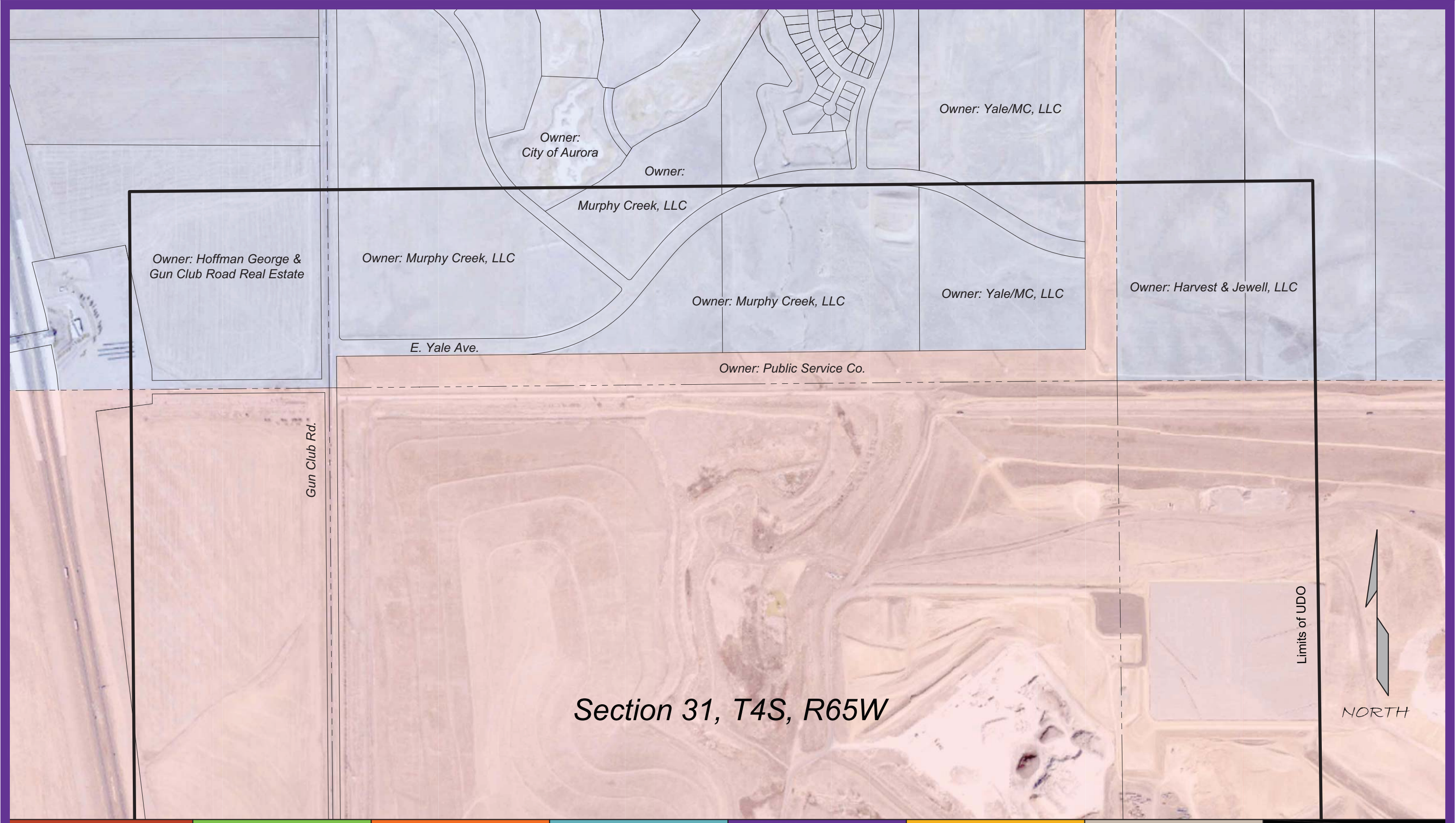
August 2, 2020



- Legend**
- City of Aurora
 - Unincorporated County Area
 - Bennett
 - Brighton
 - Centennial
 - Commerce City
 - Denver
 - Foxfield
 - Greenwood Village
 - Lone Tree
 - Thornton
 - Arapahoe County Fairground
 - Golf Courses
 - Government Land
 - Landfill
 - City Land / Open Space
 - City Parks
 - Aurora City Limits
 - RTD Stations
 - RTD Light Rail Line
 - Major Arterial Streets
 - Minor Arterial Streets
 - Collector Streets
 - Local Streets
 - Private Streets
 - Highways
 - City Buildings
 - City Water Tanks
 - Hospitals
 - Schools







Section 31, T4S, R65W

Public Works Department
 15151 E. Alameda Pkwy
 Aurora, CO 80012
 303-739-7300
 www.auroragov.org

City of Aurora, Colorado
Proposed UDO Buffer

June 19, 2020

City of Aurora
 Arapahoe County





Planning and Economic Development Policy Committee Agenda Item Commentary

Item Title: Havana Street Corridor Study Update
Item Initiator: Huiliang Liu, Principal Transportation Planner
Staff Source: Huiliang Liu, Principal Transportation Planner
Deputy City Manager Signature:
Outside Speaker: No
Council Goal: 3.2: Reduce travel time and reduce congestion and provide expanded multi-modal mobility choices--2012: 3.2--Reduce travel time and reduce congestion and provide expanded multi-modal mobility choice

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

This project is funded through the Denver Regional Council of Governments (DRCOG) Transportation Improvement Program. Staff briefed the Council Transportation, Airports and Public Works Committee on November 13, 2019 and Council Study Session on November 18, 2019 when the project was going through the Intergovernmental Agreement process with Colorado Department of Transportation.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

The city is conducting the study in response to a renewed emphasis and heightened awareness of safety, accessibility and mobility for all users along Havana Street, a busy transportation corridor, including planning for pedestrians, bicycles, buses and cars. The study is an opportunity to create a vision and plan that recognizes the diverse needs of Aurora's residents, business owners, visitors and traveling public along the Havana Street corridor. The study will result in a corridor vision, goals, branding enhancements, land use framework, recommended transportation improvements, phasing, conceptual design, cost estimates and funding strategies.

The project was kicked off on March 3, 2020. Currently, the consultant has completed a draft report on Existing and Future Background Conditions Analysis. Staff will present the findings and highlights of the draft report to the committee at the meeting. The draft report has also been presented to the following groups:

- Stakeholder's group, including Havana BID and other key business owners and neighborhood groups, on July 7th, 2020.
- Technical Advisory Committee, including key city staff and agency representatives from CDOT, DRCOG, City and County of Denver and RTD, on July 16, 2020
- Planning Commission on July 22, 2020

The next steps of the project include more extensive public engagement and outreach with the following specific actions:

- Webpage information update
- Newsletter distributions
- Survey via internet or text messaging services
- Virtual public meetings
- One on One meetings with key business owners.

QUESTIONS FOR Committee

For Information Only

EXHIBITS ATTACHED:

Havana Street Study PPT



Havana Street Corridor Study

Planning and Economic Committee, August 12, 2020



City of Aurora

Outline

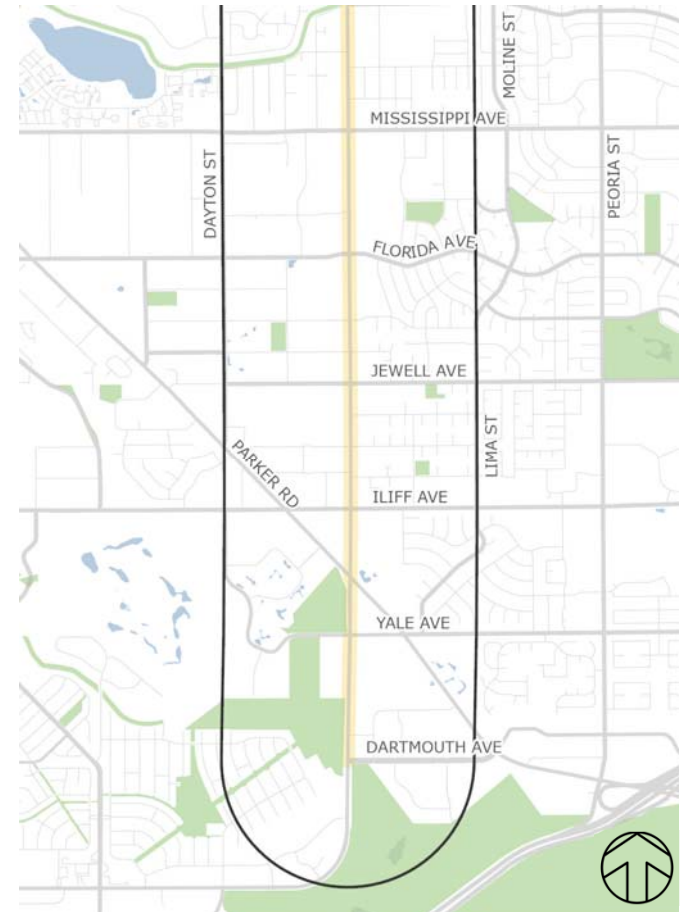
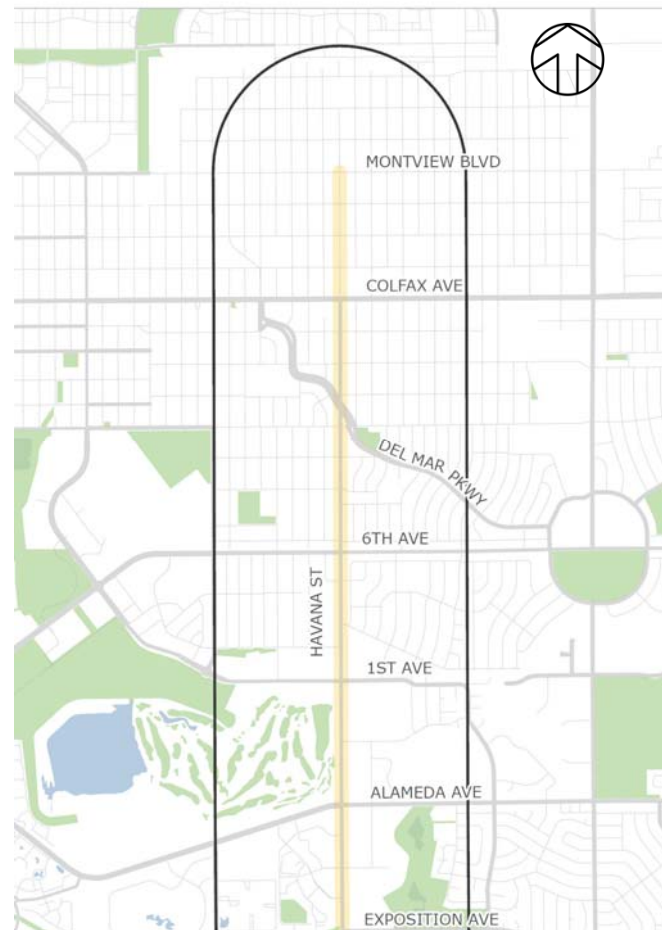
- Project Overview
- Existing Conditions
- Corridor Wide Strategies and Focus Areas
- Next Steps

PROJECT OVERVIEW



Study Area

½ Mile Radius
around
Havana Street
from
Montview Blvd
south to
Dartmouth
Avenue



Project Purpose and Goals

- Identify a package of multimodal improvements that will make the corridor:
 - Pedestrian and bicycle friendly while efficient and safe for all travel modes
 - Promotes the existing and future economic development
 - A diverse cultural hub and community
 - Maintains distinct characteristics in corridor subareas
 - Activated by arts and entertainment

Project Process and Timeline

Phase 1: February – July 2020

- Existing and Future Conditions Analysis Report



Phase 2: August through September 2020

- Corridor Vision, Branding and Land Use



Phase 3: September through November 2020

- Alternatives Development



Phase 4: December through April 2021

- Final Recommendations



Phase 5: April through June 2021

- Final Report and Presentations



Stakeholder Input Opportunities



EXISTING CONDITIONS



Existing Studies

- Havana District Design Concepts Plan, 2004
- DRCOG's Metro Vision 2035 Plan, 2011
- RTD Network Analysis of Potential Improvements to Bus Speed, Delay & Access, 2016
- DRCOG's Metro Vision 2040 Plan, 2017
- RTD Transit Priority Analysis of Select Corridors, 2018
- Aurora ITS Strategic Plan, 2018
- Aurora Places, the Aurora Comprehensive Plan (*Aurora Places*), 2018
- Aurora Unified Development Ordinance – Havana Street Overlay, 2019
- The Havana Street Transit Improvements - 2020 -2023 DRCOG TIP project Application
- Aurora Smart City Playbook, 2020
- RTD Regional BRT Feasibility Study, 2020
- Business Improvement District Documents

Demographics: Within 1 Mile of Corridor

Population	144,000
Older than 65	11.8%
Children (5-17 years)	16%
Minority Persons	44.6%
English as Second Language	10,400
2019 Median Income	\$51,639
Houses without Motor Vehicle	10.3%
2020 Jobs	48,245
2040 Jobs	63,300
New Development	159,000 sf

Existing Pedestrian Conditions

- Quality / consistency of sidewalks



Existing Pedestrian Conditions

- Transitions from sidewalk to parking lot to a dirt shoulder



Existing Pedestrian Conditions

- Narrow sidewalks / limited pass space



Existing Pedestrian Conditions

- Quality / consistency of curb ramps



Existing Pedestrian Conditions

- Distances between crosswalks



Existing Pedestrian Conditions

- Lighting (scaled to motorized travel)



Pedestrian Conditions Key Takeaways

- **Stressful** pedestrian conditions
- **Inconsistent** sidewalk widths and separation from vehicle traffic
- **Dangerous**, approximately 50% of crashes were fatal or resulted in injury
- **Key connections** to shared use paths along the corridor

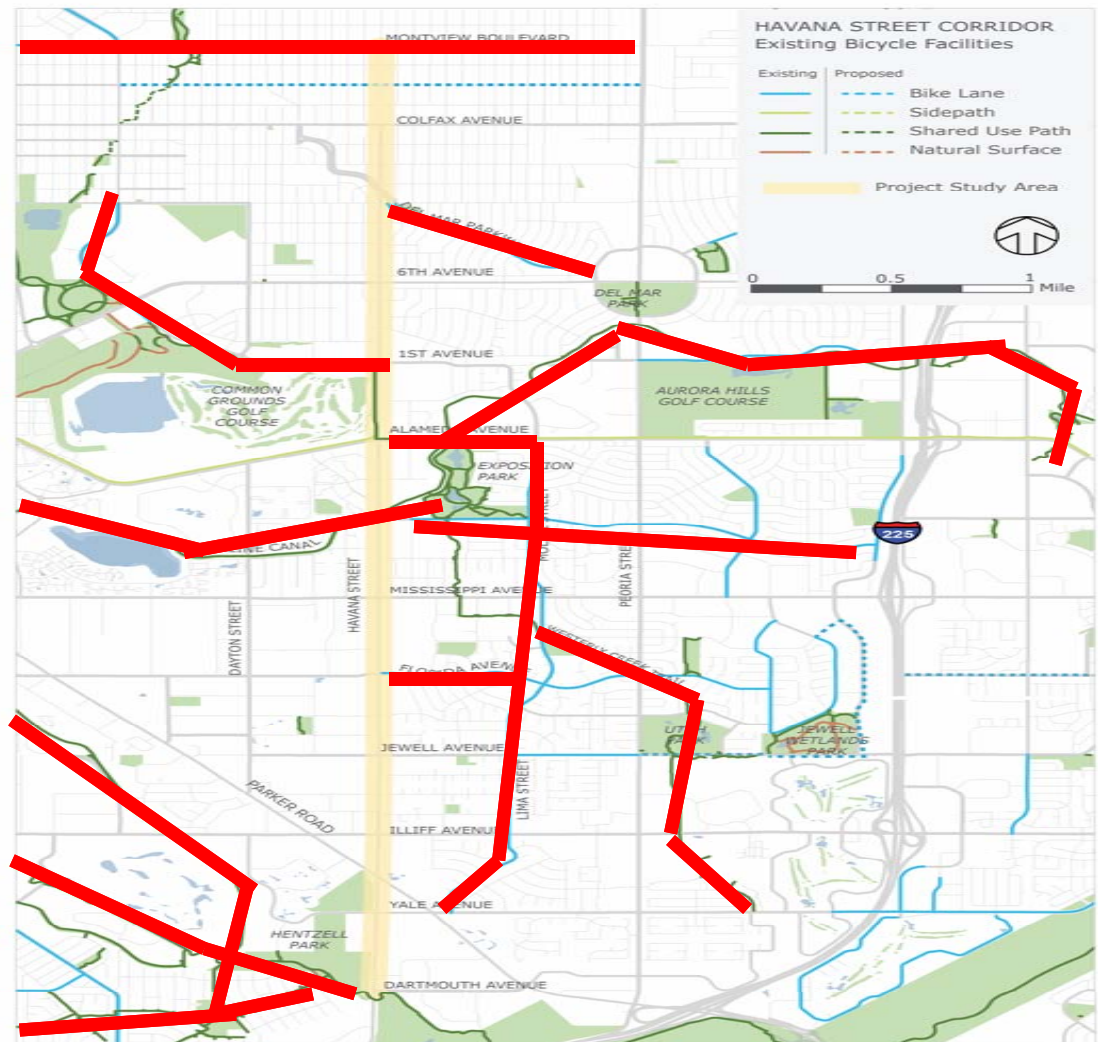
Existing Bicyclist Conditions

- No designated bike facilities or bike treatments
- Riding in lanes is legal, but level of traffic stress is high (# of lanes, average speeds, volumes)
- Sidewalk conditions inconsistent for riding



Bicycle Network Connections

- Three shared use paths (local and regional connectivity)
- E-W bike lanes at four locations
- Moline – Lima parallel bike lane (three miles N-S)
- Shortage of E-W bike lanes on west side of corridor



Bicyclist Key Takeaways

- **Dangerous**, approximately 50% of crashes resulted in injury
- **Inconsistent** sidewalk riding conditions
- No **bicycle-specific** facilities
- **Opportunities** for connections to adjacent facilities

Existing Transit Conditions

- Route 105 in the study area:
 - Serves 6,000 riders per day
 - 48 bus stops
 - Connects to 11 east/west routes (including 15L)
- Amenities:
 - None - 31% of Stops
 - Benches Only – 42% of Stops
 - Shelter & Bench – 27% of Stops



Existing Transit Conditions

- Lighting at Stops:
 - North of 6th Avenue & South of Jewell Avenue - Poor
 - 6th Avenue to Jewell Avenue - Good
- Average level of service – longer delay and low travel speed

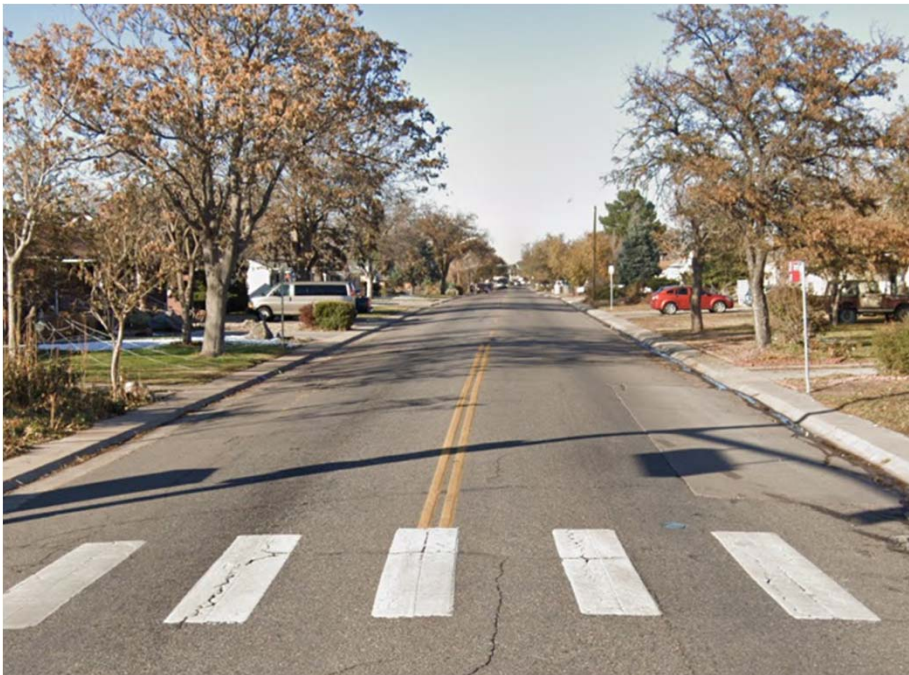


Transit Key Takeaways

- High ridership
- Limited amenities
- Areas of poor lighting
- Low travel speed
- Long delays
- Overall average operations conditions
- Improvements to come

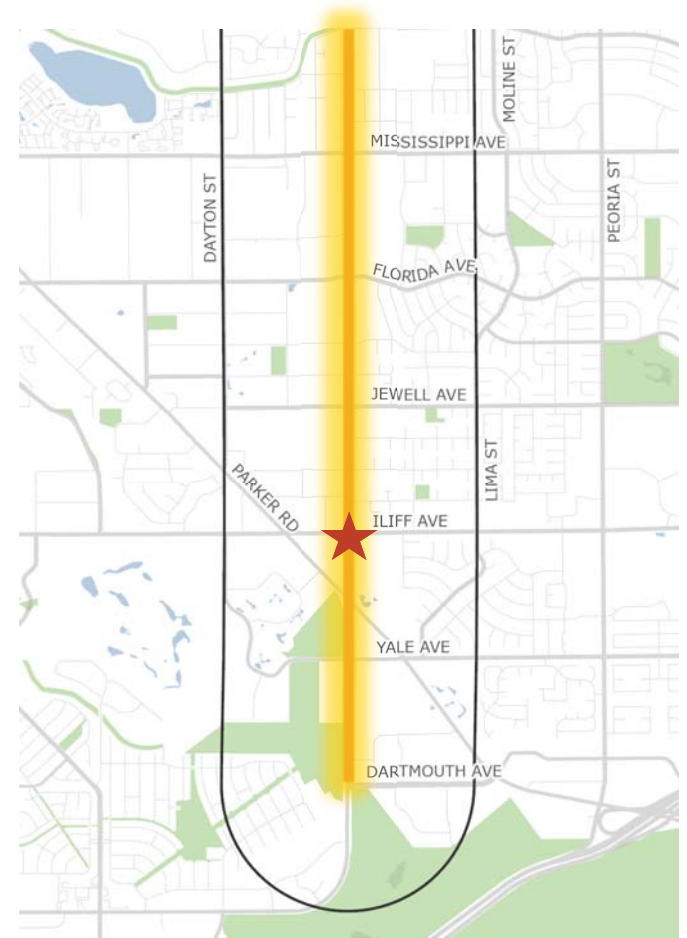
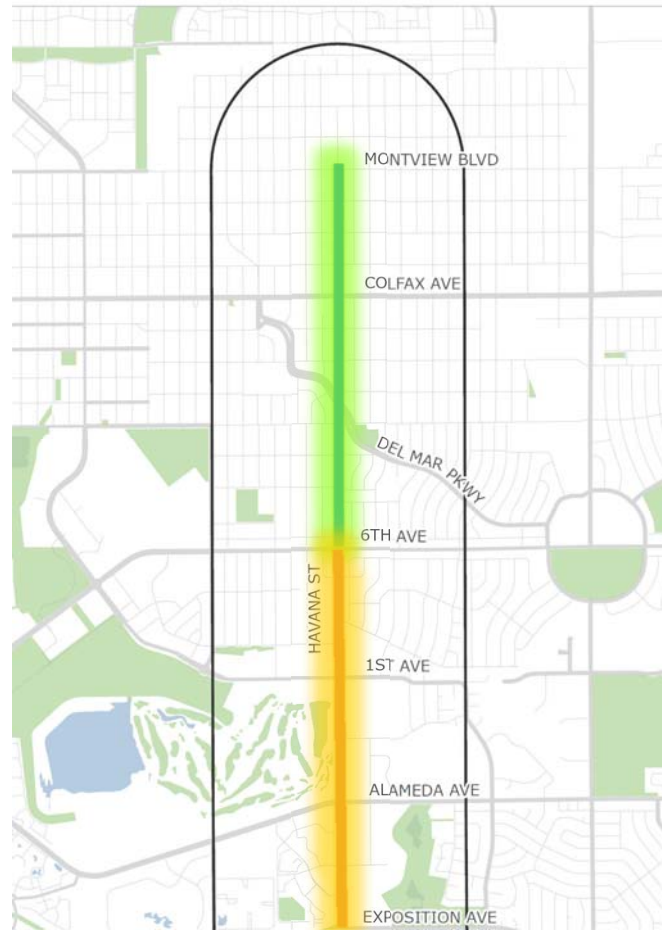


Existing Vehicle Conditions



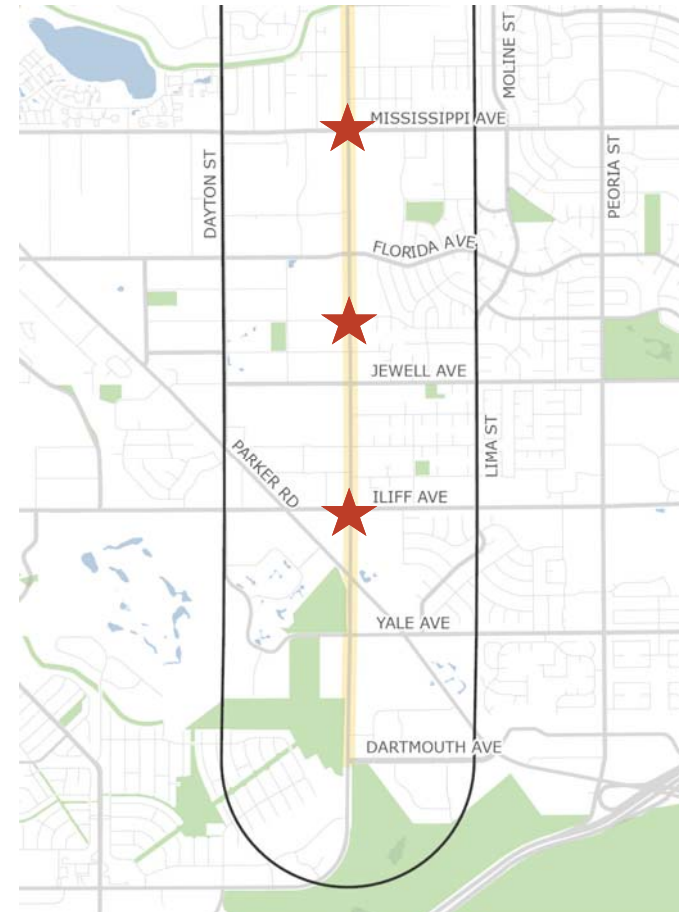
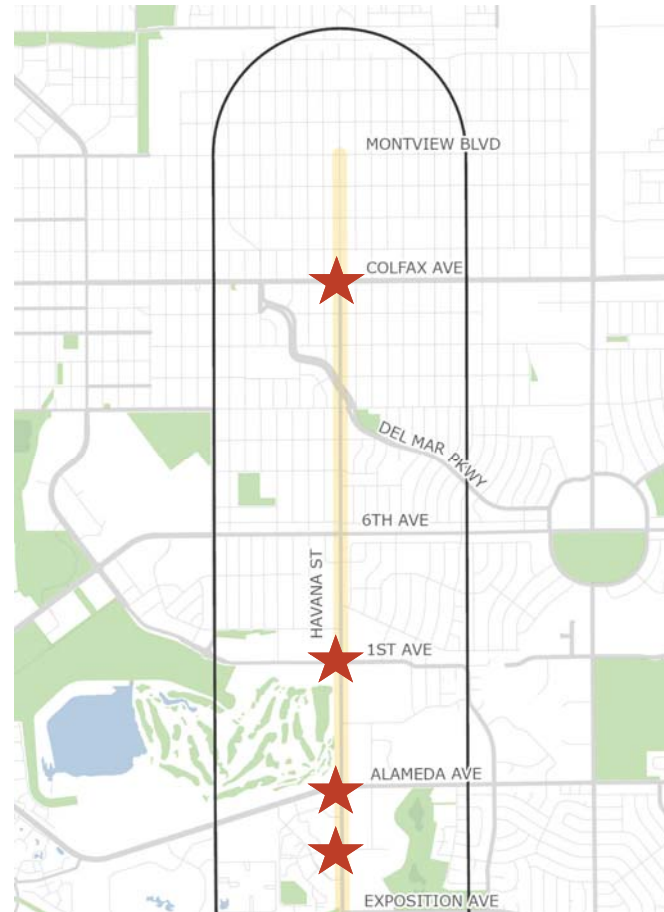
Existing Vehicle Conditions

- Intersection Delay
 - Minor Delays
 - Longer Delays
 - Longest Delays



Existing Vehicle Conditions

- Reported Crashes
 - Approximately 7,500 crashes (2012-2019)
 - All fatal crashes occurred at signalized intersections



Vehicle Key Takeaways

- Success and Growth = Increased Traffic
- Limited right of way
- Creative solutions to address vehicle demand and congestion
- Consider multimodal improvements

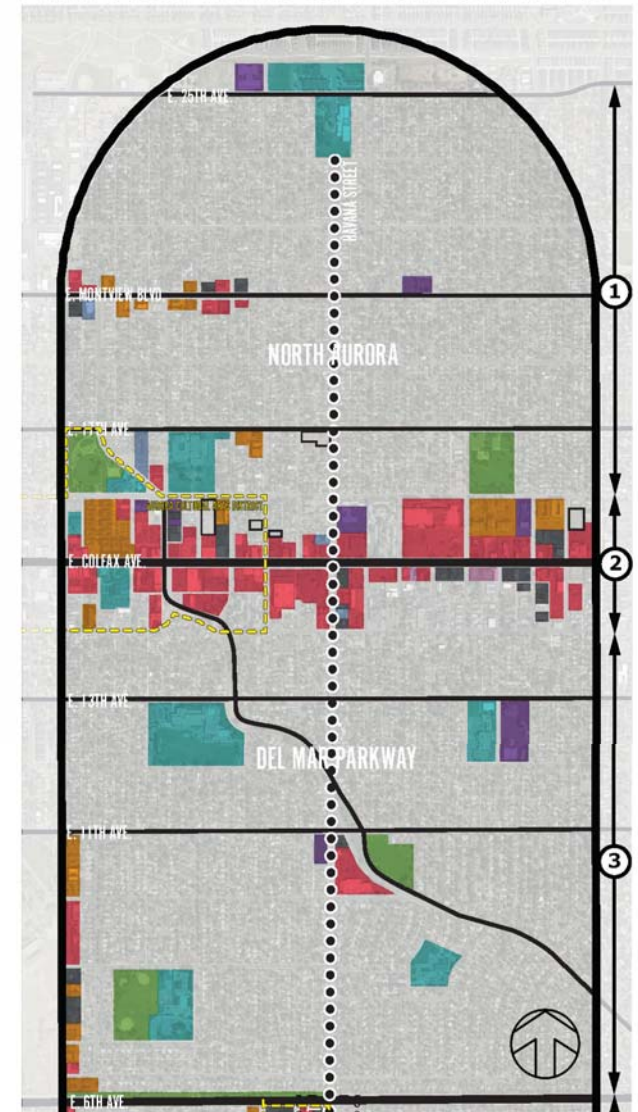


Original Aurora

- Key Takeaways
 - **Havana** – encourage use of alleys, detached sidewalks and sensitive residential density per Unified Development Ordinance.
 - **Colfax** – momentum around bus rapid transit system and zoning to support walkable, mixed use redevelopment.



LAND USE AND OPPORTUNITIES

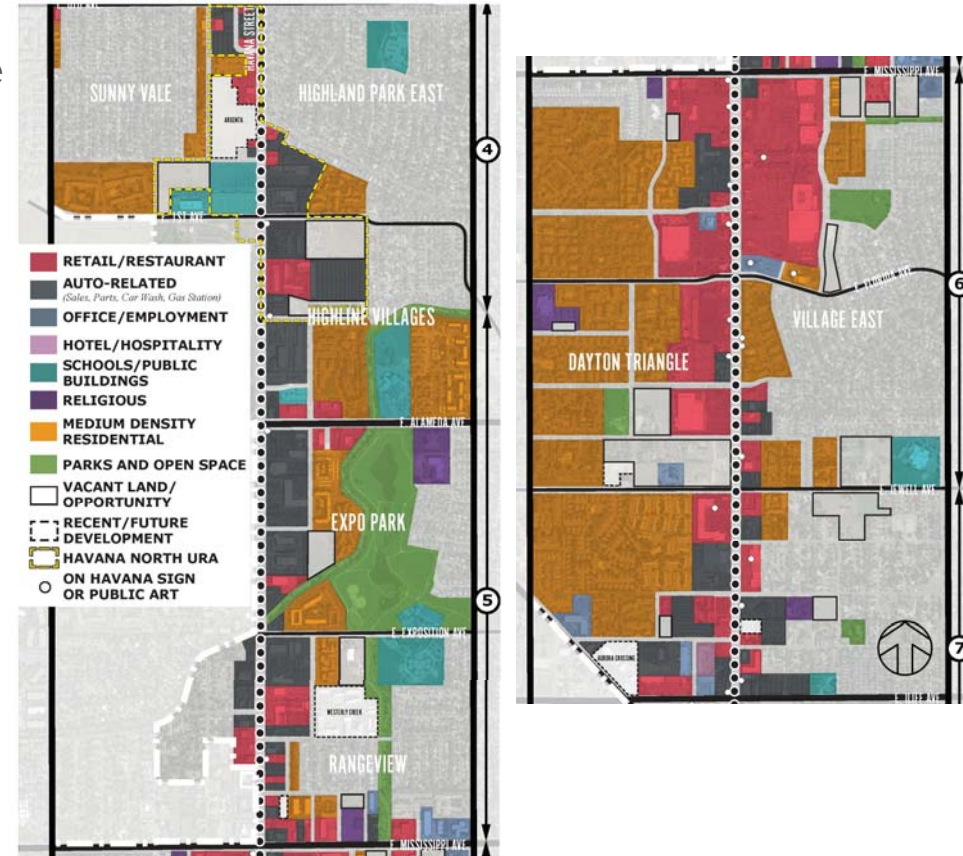


City Corridor

- Key Takeaways
 - **Auto-Oriented Uses** – streetscape and identity.
 - **Havana BID** – gateways, signage/branding and streetscape.
 - **Connections** – trails & open space!
 - **Catalysts** - Havana North URA & Recent Development
 - **Streetscape** – continue to implement Havana Overlay



LAND USE AND OPPORTUNITIES

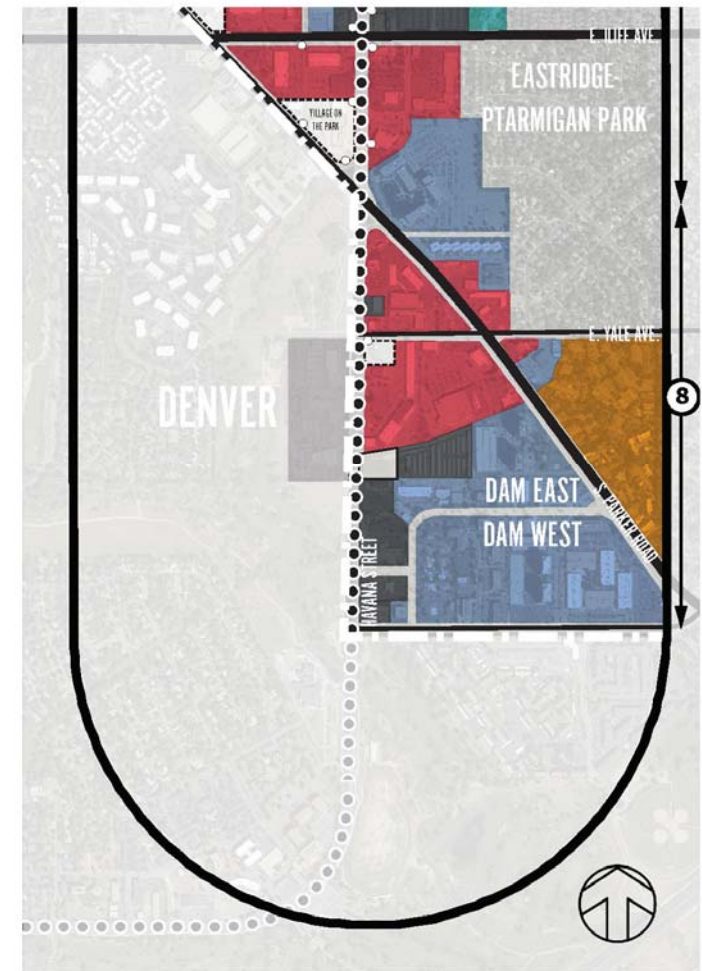


Urban District

- Key Takeaways
 - **Identity and Cohesion** – Parker Road vs. Havana; Large employment vs. small retail (scale and use)
 - **Urban District** – Aurora Places implementation.
 - **Connections** – transit and trails



LAND USE AND OPPORTUNITIES



CORRIDOR WIDE STRATEGIES & FOCUS AREAS

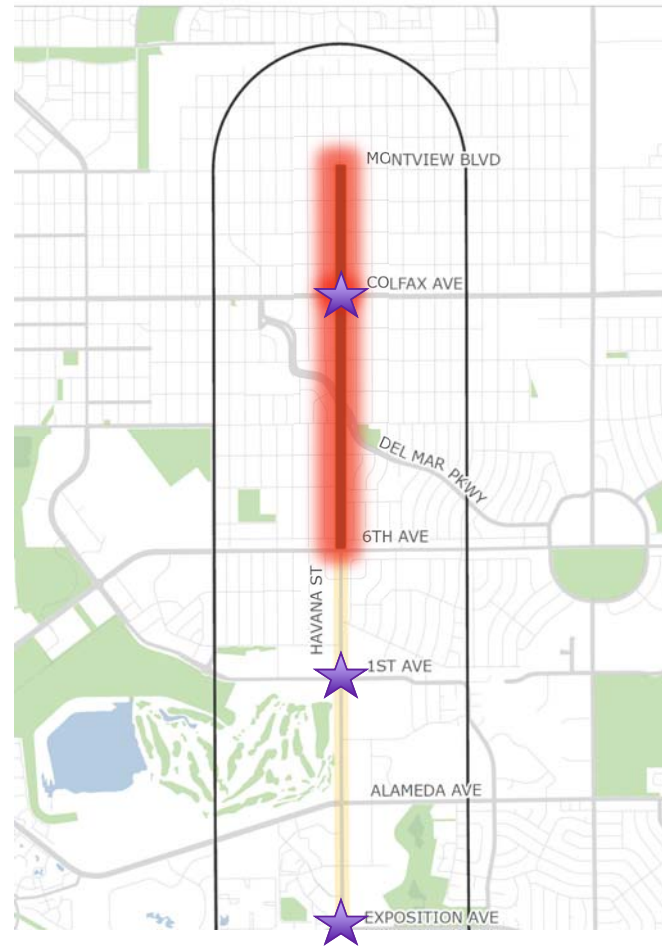


Corridor Wide Strategies

- Transit Improvements
 - Bus Rapid Transit
- Bike Improvements
 - Separated Bike Lane
- Pedestrian Improvements
 - Mid-block crossings
- Vehicular Improvements
 - Smart signals
 - ITS

Focus Areas

- High crash rates
- Long vehicle/transit delays
- High bike/ped/vehicle traffic
- High transit ridership
- Lack of bike/ped/transit amenities
- Opportunities for re/development
- Popular destinations



Next steps and opportunities for input

Please visit website for updates and evolving details!

AuroraGov.org/HavanaStreetCorridorStudy

HLiu@auroragov.org

Planned Engagement Opportunities:

Survey

Public Outreach



Thank you





Planning and Economic Development Policy Committee Agenda Item Commentary

Item Title: AER/SBDC Update
Item Initiator: Andrea Amonick
Staff Source: Andrea Amonick
Council Goal: 4.0: Create a superior quality of life for residents making the city a desirable place to live and work

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

Information Only

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

Staff will provide an update on recent activities of AER and SBDC initiatives.

QUESTIONS FOR Committee

For Information Only