

HOUSING, NEIGHBORHOOD SERVICES & REDEVELOPMENT POLICY COMMITTEE

June 2, 2022

Members Present: *Council Member, Chair Crystal Murillo*
Council Member, Vice-Chair Ruben Medina
Council Member, Juan Marcano

Others Present: Mattye Sisk, Adrian Botham, Jessica Prosser, Daniel Krzyzanowski, Anthony Youngblood, Andrea Amonick, Brandt Van Sickle, Chad Argentar, Courtney Tassin, Christina Amparan, Daniel Brotzman, Jackie Ehmann, Jeff Hancock, Karen Hancock, Laila Schmidt, Liz Fuselier, Mindy Parnes, Roberto Venegas, Sandra Youngman, Scott Campbell, Teresa Sedmak, Tim Joyce, Emma King, Alicia Montoya

WELCOME AND INTRODUCTIONS

Council Member Murillo welcomes everyone to the meeting.

MINUTES

May 5, 2022 minutes are approved.

ANNOUNCEMENTS

No announcements are made.

NEW ITEMS

Livestock Update – Information **Summary of Issue and Discussion**

Anthony Youngblood, Manager of Animal Services, presented this item. Livestock is only allowed in RA-zoned districts within the city. There are cities around the Denver Metro Area that have different regulations for pigs with some cities with bans, permits, or certain restrictions. Some cities, such as Commerce City, Northglenn, and Westminster, allow them, but have weight restrictions. “Mini pig” is a term used to distinguish between smaller breeds and farm pigs. Despite misinformation, there are no “teacup,” “micropigs,” or “micro-mini pigs.” These are terms used by breeders for marketing. Due to the misinformation, there are pigs needing new homes because they grow larger than the expected 90-100 pounds. Potbelly pigs can also pass on zoonotic diseases such as salmonella and swine flu to humans. The two pigs that were allowed in the city needed to get vaccines for other similar diseases. Potbelly pigs are also loud and get louder during rooting and mating season. The smallest pig breed, the Kune Kune, gets up to 30 inches tall and people keep them at 95 to 100 pounds like dogs. However, according to vets, they must be kept on a restrictive diet to stay at 100 pounds. These pigs are bred from 130 to 250 pounds.

Factors such as Planning and Zoning, Building Codes, HOAs, and others must also be considered. Insurance must be notified regarding livestock to cover the property insurance. Soil and water contamination, though not normally a big deal, may have a big effect if the livestock is kept next to a runoff. If the city does not impose a weight restriction, Animal Services may not be able to house or transfer the pig due to its size. The shelter is ill-equipped to handle pigs and does not have options for them in the winter months. There are also concerns regarding noise, potential property damage,

and potentially aggressive pigs. The closest livestock vet available for pigs is in Lafayette. Female pigs must be spayed which is a very invasive procedure due to their anatomy and biology.

As for ducks, they are messier than chickens, need cleaner water more often, and are vocal. They can live up to 10-15 years and their wings need to be trimmed constantly to prevent flying away. Ducks also require more space than chickens and prefer lower ground rather than being elevated. If ducks are allowed in the city, they would follow the same permitting process and regulations as chickens. The eight-bird limit would still be imposed per property with ducks needing to be in multiples of two with a maximum of four ducks.

Questions/Comments

CM Marcano expressed his disappointment regarding the misleading marketing regarding pigs. He asked how ducks are messier. He also asked if the amount of water needed is substantial or if an ecologically friendly reuse system could be set up. Anthony explained that duck feces attract more bugs and, unlike chickens, ducks do not eat their feces. Regarding water, he mentioned that it will take up to 12 gallons a day or two big kiddie pools for 30 days during the summer months. He added that it needs to be refreshed one to two times a day. He said that it will add to the residential water bill but is not substantial that it cannot be done. CM Marcano asked what the protocol will be for the winter months since the water will freeze. Anthony said homeowners will put in pails and buckets for drinking water. He said that bathing will be different since ducks know when the temperature is bad for their circulation.

CM Medina mentioned that there is misleading information regarding small pigs and that there is no such thing as a small pig. CM Murillo asked for further explanation regarding the number of birds allowed per property. Anthony answered that if the property is 20,000 square feet or more, eight hens are allowed, but no roosters. He mentioned that an ordinance must be drafted to recommend Animal Services to allow eight birds altogether while ducks must be in multiples of two. He mentioned that if someone has four ducks, they can only add four chickens for a total of eight birds. CM Murillo asked if it is more restrictive for ducks. Anthony confirmed this and restated that the ducks can only be housed in multiples of two.

CM Marcano asked if ducks and chickens can cohabitate and if ducks prefer the ground level. Anthony stated that those that have both chickens and ducks have had no problems with cohabitating the two animals. CM Marcano asked if ducks attract predators the same way chickens do. Anthony confirmed this and said that for the ordinance, the birds must be locked up from dusk to dawn.

CM Murillo stated that the item is informational and is not going to the full Council. CM Marcano said he would like to see an ordinance drafted to allow for keeping ducks that coincide with the guidelines for chickens. He added that pigs are not suitable for residential areas although they are sweet animals. CM Murillo asked for CM Medina's opinion regarding the direction. CM Medina agreed that keeping ducks would be fine, but not pigs.

CM Murillo mentioned that there were residents that were active in wanting potbelly pigs, but it would not make sense at this time. She asked for more information regarding the permit-only option for pigs in Denver. Anthony explained that if someone petitions to have a pig in Denver, they must state their case in front of a three-person panel and have supporting signatures from neighbors. He added that they approve the applications at a 50/50 rate since it is also greatly based on neighbor approval. CM Murillo asked the other committee members for their opinions regarding a permit-only option. CM Marcano expressed his concern regarding people underfeeding the pigs and

encouraging animal abuse due to weight restrictions. CM Murillo said they do not need to have a weight restriction. CM Marcano added that pigs require a larger space than chickens or ducks. He mentioned that people in Ward IV or Havana Heights with big homes can put a pig. However, if they are zoned R1 and R2, they could not pursue it. Anthony confirmed that the zoning must be RA.

CM Marcano asked if CM Murillo's proposal would be to explore a permitting process that would allow pigs to be in other zone classifications. CM Murillo said she likes that the approval of the permit would also be up to the neighbors. She mentioned that they would also consider other parameters such as if the person is well-experienced and has the capacity for the commitment to raise a pig and if the neighbors agree to the possibility of noise. She clarified that she wants to see what the ordinance would look like for Aurora. Anthony posited the situation where someone doesn't know how to take care of an unruly pig and Animal Services has to pick it up, but they can't house it. He expressed his concerns regarding ensuring the animal would be on its best behavior and the possibility of having a problem animal that the city would not be able to take care of and house.

CM Marcano asked if they can get up to 250 pounds. Anthony explained that they can get as large as 400 pounds. CM Medina said he has raised pigs and they can get big and unruly. He added that they can also hurt people if they hit you. CM Murillo stated that that would be difficult to manage and reneged her interest in the ordinance for the potbelly pigs. She mentioned that having an ordinance would entail that they must also have a process in place for dealing with potential negative outcomes. She said that the ordinance for potbelly pigs will not move forward. Anthony said they will work with the legal department on the ordinance for ducks.

Outcome – Staff will draft an ordinance to allow ducks in properties and move this forward to Study Session.

Consideration of a Resolution to Approve a Substantive Amendment to the Colorado Science and Technology Park Urban Renewal Plan Creating a Second Tax Increment Financing Area
Summary of Issue and Discussion

Chad Argentar presented the proposed amendment to the Colorado Science and Technology Park (CSTP) Urban Renewal Plan. The city planned for the economic impact of the closing of the Fitzsimons Army Medical Garrison closure in 1999. The Fitzsimons Urban Renewal Area (URA) was created in 2001 and the CTSP Urban Renewal Area was created out of the north portion of the Fitzsimons URA in 2008. The golf course previously owned by the US Army was then turned over to the Fitzsimons Redevelopment Authority, which is the local development agency. Changes in Urban Renewal Law necessitate amending the plan when a new tax increment financing (TIF) area is created. To support the development of the western portion of the CSTP URA, a new TIF area is proposed which is a substantive change to the Urban Renewal Plan and therefore requires a plan amendment. The amended plan will include the addition of the new TIF area as well reflect new development and plans that have occurred since 2008. When the Base Realignment and Closure Commission (BRAC) identified Fitzsimons for closure, to offset the economic loss, the city planned to repurpose the area for a premier bio life science park and hospital center. Initial development included the University of Colorado Hospital with buy-ins from the Children's Hospital and the VA Hospital.

The first TIF was created in 2008 following the adoption of the Urban Renewal Area Plan. The original concept was to attract large, traditional biotech companies build their research and development facilities. Due to a change in the biotech market, the FRA decided to update the

redevelopment concept and shift to an innovation incubator concept attracting companies that work closely with research institutions and hospitals. This resulted in a rebranding from the FRA to the Fitzsimons Innovation Community (FIC). At the same time, the light rail station was built and developed. The proposed amendment will address previous developments and incorporate elements of the Aurora Places plan with regard to urban and innovation districts.

The FIC area roughly 184 acres. In TIF Area 1, there is about 1 million square feet of development including new schools and a hotel. Another half a million square feet of development can still occur in TIF Area 1. In TIF Area 2, the Bioscience 1 and 3 buildings have been constructed and the Bioscience 5 is under construction. There are 3 to 4 million square feet of new development proposed in TIF Area 1a including University of Colorado facilities. New infrastructure will be needed to support the new development. Most of the proposed infrastructure such as streets, gutters, and utilities is planned over the initial 10-year period. Infrastructure construction costs are estimated to be \$83.4 million in current dollars. This cost, however, does not include financing costs, such as bonds related to projects. At full build out, TIF Area 2 could support up to 10,000 new jobs.

. The Aurora Urban Renewal Authority (AURA) is also required to negotiate with various taxing entities such as APS, the Mile High Flood District (MHFD), Adams County, and the CSTP Metropolitan Districts. APS and the county will provide 70% of their property tax increment into the project area. MHFD will provide 100% and Aurora is proposed to provide 100% as well. The City Council approved the designation of blight in 2020 and AURA has been negotiating with different taxing entities since that year. AURA will go in front of the Council on June 6 for a resolution to set a public hearing for July 11. AURA will then go to Planning Commission on June 8, then Study Session on June 13, with the public hearing and AURA Board meeting on July 11. Following this, AURA will work on finalizing a development agreement with the CSTP Metropolitan District to provide pledged incremental revenues to support the financing of their infrastructure. The plan also includes an intent to provide programs and services funding to benefit the immediate adjacent community.

Questions/Comments

CM Marcano asked if the rendering shown as background in the presentation slides is the current proposal. Chad stated the rendering was conceptual. CM Marcano asked what the TIF would be for besides the infrastructure. Chad explained that the TIF would be used to fund the \$85 million plus financing costs for the infrastructure, and reserve funding for neighborhood programming or related development. The reserve funding would be revenue for other needs during the 25-year period. He stressed that this project is large and will take a longer time to complete than many other urban renewal projects within the city. CM Marcano said that there is a “remaining streets and infrastructure” category for \$17 million. He asked if that would be the catch-all for unforeseen parts of the project. Andrea Amonick clarified that there might be incidental streets and infrastructures, and this will be funded by the individual developers responsible for adjacent improvements for their sites. She said that those would not be funded by the TIF. She added that the authority will be keeping some money to fund programs like attracting different businesses or helping offset additional costs since it is a multi-phased project.

CM Marcano asked if the southern side would be for more commercial and industrial use and if the north side will go to housing. Chad said no. Andrea said the original intent of the Urban Renewal Plan was to create jobs. The housing, as per the Urban Renewal Plan, has been capped at a number of units and those areas to the east of Scranton Parkway go to that cap. Housing is not intended at

this time as a business innovation campus is being built in TIF 2. She added that the TIF is dedicated to the infrastructure to allow the land to be developed.

CM Coombs asked if Council will have a say on the final site plan. She mentioned the four two-tier parking garages that can be combined. Andrea said that there is a general development plan (GDP) approved for the area and there is a Design Review Board composed of campus individuals and representatives from the Planning Department. She mentioned that as long as the construction is consistent with the GDP, the City Council would not see the master plan since it has already been approved under the GDP. However, if there is a substantive change, City Council would have to review it and it would go through planning. CM Coombs said that she would hate to see space wasted for parking. Chad added that there is always a danger of showing something as a rendering not knowing exactly what will be built, but just the potential.

CM Murillo asked staff to further elaborate on how somebody would advocate for the community funds being spent one way or the other. Andrea said that as part of the amendment, they will create a community benefit fund for the area, and they have talked to the other taxing jurisdictions that are contributing their tax increment to the fund. The Authority will hold the funds. She added that the Authority Board includes representatives of the counties, the school board, and special districts. The Urban Renewal Authority Board will decide where the community benefit fund will go. The funds will be built up over time and the funds will be allocated to the third party. She mentioned that if the funds are allocated to a third party, the other jurisdictions will ask to be more fairly represented given that they are putting in a considerable amount of money from their taxing jurisdiction.

CM Murillo asked if a third party is someone not part of the taxing jurisdiction. Andrea clarified that she is referring to third-party nonprofits that provide community services. She said the money can be spent to assist adjacent areas and there are requirements by statute on how the money is spent. She mentioned that if the board would like to put money towards housing development, there would likely be a committee put forward to allocate that money specifically.

CM Murillo mentioned the need for community spaces for youth and school closures. She asked if they can preemptively allocate the funds towards a project once the funds become available. Andrea said the board would decide where to allocate the funds. She added that the other taxing jurisdictions feel that they are equally making financial contributions and would want to be involved in supporting the campus and other community efforts. She said the board would move forward with the allocation of this community benefit because it would be in partnership with the other taxing jurisdictions.

CM Murillo asked when the funds would be available. Andrea said that the plan is scheduled to be approved on July 11 and the tax base will be set as 12 months prior to July 11 in terms of the property tax base, sales or lodgers, or use tax base available from city revenues. She added that the value of the two buildings that are already constructed will likely be part of the base and they are trying to get the Bioscience 5 Building to be included increment. She said that once there is a new valuation, that would be the new property tax increment and that's when the money would start to be available for the fund. She clarified that the Bioscience 5 is still not completed, but has started construction. CM Murillo asked for the timeline for the revenue to start. Andrea said that it would be 18 months from July and could be in 2024.

Chad said there is about a 20 - 25-year build-out period. He mentioned that they can't build anything until the infrastructure is in place. Due to this, the increment will slowly ramp up over time. He said that if the base is established and set to capture the increment, they predict \$100,000 from the property taxes that would go into the community benefit fund yearly during the initial years. He said

that this would increase once there is a new development and a new increment created. Andrea said they can spend the money at any point in time and they will keep the Board apprised of its availability. She said the money could be available as soon as three years into the development or by 2024. CM Murillo asked if they can determine how the money is spent before it is actually in the account, as long as the TIF area is created and the plan is approved. She added that they could then give direction. Andrea said yes.

CM Murillo mentioned that they are asking for the item to be forwarded to a Study Session. Andrea explained that they will go to the June 6 meeting to put a resolution on the Council Calendar to set the public hearing for July 11. They will make a presentation to the Planning Commission on June 8 to be reviewed and determine if the plan is consistent with Aurora Places. They are then asking the Committee to move the item forward to an all-Council Study Session on June 13. She said that Building 5 is already under construction and they have bonding needs. She added that they cannot bond until the amendment is passed and they don't want to be the cause of delay.

Outcome – This item will move forward to Study Session.

Department of Local Affairs (DOLA) Grant Update

Summary of Issue and Discussion

Alicia Montoya, the Manager of Community Development, presented an update on the Department of Local Affairs (DOLA) Grant. The \$112,000 grant was effective as of February 9, 2022. The city would match the difference to create a \$150,000 budget to hire a qualified consultant. This consultant will perform a fee waiver and an incentive feasibility study. In addition, there will be an infrastructure fund feasibility assessment and land use code policy updates to incentivize and/or reduce barriers to affordable housing development. The goal is to create better housing policies tailored to Aurora and reduce barriers to affordable housing development.

Once the studies are received, recommendations will be considered and implemented when deemed appropriate and feasible for the city. The first quarterly report was submitted to DOLA in April. Currently, the RFP is under review. Once it comes out, it will be posted by the end of the week to start getting bids.

Questions/Comments

CM Marcano commented that he is excited to see what comes out of the grant. Alicia said they are also looking forward to it. CM Marcano asked if Alicia has been working with the new Planning Director, City Manager, and Laura Perry. He said he brought requests for a code review to them since a lot of things they are trying to do are currently not permissible according to the city code. Alicia said she is working with Jeanine Rustad, and they will eventually have a review committee regarding those items. She mentioned that Jeanine's team is also involved in the housing strategy and that they are working together to address issues and ensure the policy makes sense. CM Murillo expressed her excitement about the data on how they can achieve goals for the city and take actionable steps.

Outcome – This item is informational only.

MISCELLANEOUS MATTERS FOR CONSIDERATION

Updates from Community Members

CM Murillo asked for staff to check the live stream for any comments. CM Marcano said the live

stream is on YouTube, but the comments were turned off. He asked why the comments were turned off. Jessica Prosser said Adrian used the meeting live stream for testing. Adrian said that Michael Bryant was heading the live stream and that it is still on its soft opening and not yet publicized. He said they can turn on the comments once it goes live. CM Marcano commented that any avenue to hear from residents would be appreciated. Roberto Venegas explained that they are still figuring out the staffing, facilitation, and monitoring of the chat room with the communications department.

Next meeting: Thursday, July 7, 2022 at 10 a.m.

Meeting Adjourned: 12:14 p.m.

APPROVED: *Crystal Murillo* Jul 11, 2022
Crystal Murillo (Jul 11, 2022 18:50 MDT)

Committee Chair, Crystal Murillo