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**PLANNING AND ECONOMIC DEVELOPMENT POLICY COMMITTEE MEETING**

**MINUTES**

**Date:** April 12, 2023

**Time:** 8:30 am

Members Present Chair: Council Member Francoise Bergan, Vice Chair: Council Member Steve Sundberg, Council Member Angela Lawson

Others Present Mayor Pro Tem Curtis Gardner, Council Member Crystal Murillo , Council Member Juan Marcano, Adrian Botham, Alicia Montoya, Andrea Amonick, Andrea Barnes, Ariana Muca, Becky Hogan, Blake Fulenwider, Bob Oliva, Brian Rulla, Bruce Dalton, Cathy DeWolf, Chad Argentar, Chance Horiuchi, Crystal Vigil, Cindy Colip, Daniel Krzyzanowski, Daniel Brotzman, Daniel Money, Darcy Dodd, Dave C., David Schoonmaker, Deanna Meyer, Diana Rael, Elena Vasconez, Gayle Jetchick, Issamar, Jacob Cox, Jason Batchelor, Jay Morse, Jeannine Rustad, Jennifer Orozco, Jessica Prosser, Jose Rodriguez, Laura Perry, Leah Ramsey, Marisa Noble, Mark Witkiewicz, MaryAnn McGeady, Megan Waldschmidt, Melissa Rogers, Melvin Bush, Michael Bryant, Michelle Gardner, Mindy Parnes, Morgan Cullen, Rachel Allen, Saadia Aurakzai-Foster, Scott Berg, Scott Campbell, Steve S., Steven Durian, Tod Kuntzelman, Tom Oldenburg, Thomas Blevins, Yuriy Gorlov

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**1. CALL TO ORDER**

CM Bergan called the PED meeting to order on April 12, 2023, 8:30 am

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**2. APPROVAL OF MARCH 8, 2023, DRAFT MINUTES–COUNCIL MEMBER BERGAN**

**2.a.** The minutes were approved.

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**3. GENERAL BUSINESS****3.a. Development Review Quarterly Update Q1 2023***Summary of Issue and Discussion:*

DCM Jason Batchelor, DCM Laura Perry

Laura Perry provided a quarterly update on the development review process. She explained that the organization's mission was to deliver quality, on-time, and customer-focused services with an emphasis on livability, job creation, economic growth, and responsible planning, engineering, and construction. L. Perry highlighted four major areas of focus, which were management and leadership oversight, culture and customer service, process improvement and technology, and process documentation, teaching and training. She outlined initiatives that were accomplished to streamline processes, provide better customer service, and meet City Code and Regulations. L. Perry explained the consolidation of intake for civil plans and permit center, which would be a one-stop-shop for civil real property and building plan submittals and instituted a standard work process for quality checks of plans. She mentioned the ongoing collaboration with the Development Community and updating the manuals. L. Perry also gave updates on the process improvement initiatives. She mentioned that they are monitoring staffing for plan review workload and augmenting staff through third party contractors where needed. They are also working on building a culture of performance throughout the organization, instituting a customer service survey, and providing better checklists and guidance to ensure consistency in submittals through the consolidated intake process. They have also constituted an Advisory Board to City Management to garner customer feedback and will review various items with the board. City Management established a quarterly multi-departmental all-staff meeting to build a one-team mentality across all departments for development review. The staff will receive training to build a common understanding of their stressors and milestones.

L. Perry explained that the city is planning to roll out a new customer experience survey in March. Perry also highlighted the progress made in on-time percentages since the beginning of the year and the increase in on-time civil plan reviews. She talked about the Development Review Fund and its revenues and expenditures, which fluctuate over time depending on the level of new development and construction activity within the city. Lastly, Perry thanked the staff and various departments for their dedication to improving the processes and performance of the development review process.

- CM Sundberg asked Laura Perry about the advisory board made up of developers and how long it has been in place or conceptualized. L. Perry responded that they began planning for it in January of this year and had their first meeting in February, and they meet on a bi-monthly basis. CM Sundberg expressed support for the advisory board and noted that it was a good idea to gather direct feedback and support.

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- CM Lawson asked L. Perry how often they plan to conduct customer service experience surveys, given the dynamic nature of development changes. Perry explained that the survey is continuous and will be added to signature links in plan reviewers' emails and communications from Planning. The survey will be used to monitor changes and trends in the Development Community's experience and respond to areas of improvement. She then asked if new people who are coming into the Development Community in Aurora will be invited to the life in the day of a developer session. Laura replied that their goal is to engage every aspect of the Development Review community, not limit it to a few, and they will be extending invitations broadly to seek feedback.
- CM Lawson asked why the development application percentage was still lower than some of the other percentages, and L. Perry explained that multiple departments are involved in each category of the development process, and the traffic review workload has been high, but Public Works is addressing this issue by evaluating workload and identifying staffing solutions. Jeannine Rustad added that they are improving communication between departments and making sure they have a feedback loop to address delays and obtain necessary information from applicants.
- CM Bergan inquired about the open positions in the Traffic Department, and it was mentioned that there are two vacancies that are being filled by third-party services. When CM Bergan suggested using interns, it was explained that it is not possible due to the high skill set required. She also suggested that interns could be hired for training. CM Bergan then asked how the advisory board members were selected, and L. Perry stated that they looked through ODA and are open to engaging with others. CM Bergan suggested adding Norris Design to the board, as they do a lot of work in the city. Finally, CM Bergan asked if developers are informed ahead of time about proposed ordinances, and it was mentioned that they are notified through the joint task force, but not necessarily through the advisory board. Jacob Cox agreed that they could do a better job of getting feedback from developers before passing ordinances.

**Outcome:**

Information only.

**Follow-up Action:**

None required.

**3.b. IGA with Prairie Point CAB for Ownership and Maintenance of Certain Public Improvements*****Summary of Issue and Discussion:***

Steve Durian, Deputy Public Works Director

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S. Durian, the Deputy Public Works Director for Development Review, presented an exhibit from an agreement to illustrate the city's aim of having a seamless transfer of public infrastructure from the developer to the city while acknowledging Magellan's control of the easement and utility maintenance. There are three agreements in the works, including an Encroachment Agreement between Magellan and the developer, an IGA between the city and the Community Advisory Board (CAB), and a third agreement between the city and Magellan. The IGA creates an interim condition for maintenance of the road while the developer is constructing and maintaining it during the warranty period. The agreement requires City Council's resolution for approval, and representatives of the developer are present on the call to answer questions.

All speakers expressed their gratitude for the effort that went into the agreement between the city and the developer, and also with Magellan, regarding an easement for a gas line. Steve Durian, the Deputy Public Works Director for Development Review, explained the purpose of the agreement and the series of three agreements that were in the works. He also presented an exhibit to illustrate the process.

- CM Bergan thanked the parties involved for their hard work and expressed the importance of having the agreement to avoid delays in the development process. Dave Carro, a representative of the developer, also expressed gratitude for the cooperation and effort of the city staff in resolving the complicated issue.

**Outcome:**

Council unanimously approved this item to move forward to Study Session.

**Follow-up Action:**

Staff will add this item to Study Session agenda.

**3.c. Resolution Improving HOA Notification Process****Summary of Issue and Discussion:**

Jeannine Rustad, Director of Planning and Development Services

CM Bergan discussed the HOA Notification Process, which was brought up during the Addison Development Public Hearing. The issue was that some associations didn't get notified, and one was not registered. CM Bergan suggested having two contacts for each association to ensure that residents would receive notifications, even if one person was unavailable. She also mentioned that the staff is working on improving the notification process and will bring it back to PED this summer with several options and analysis. J. Rustad, from the staff, agreed with the need to improve the notice procedures and stated that they will look at best practices to bring forward several options to the Council.

**Outcome:**

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Council unanimously approved this item to move forward to Study Session

**Follow-up Action:**

Staff will add this item to Study Session agenda.

**3.d. Prairie Dog Relocation Ordinance****Summary of Issue and Discussion:**

J. Rustad, Planning and Development Services Director

CM Bergan introduced the topic of Prairie Dog Relocation Ordinance and mentioned that it was presented at the last PED meeting and changes were made to the ordinance. CM Marcano and CM Murillo were present in the meeting, and CM Murillo gave an overview of the changes made to the ordinance. She said that they went back to staff to dig into their concerns and met with the city of Parker to explore a similar ordinance that they have been very successful in implementing. They learned from their mistakes and modeled the legislation based on their most revised version. CM Marcano said that the primary change was that there is just a 30-day period for relocation to occur, coupled with triggers where typically work does not begin immediately. The overall structure takes the onus off of the city and the developer and puts it on the organizations that relocate prairie dogs. He added that there is no additional cost to the city or to the developers, and their role would be to make the connection and let everyone figure it out from there. CM Bergan said that she liked the ordinance way better than the last draft.

- CM Bergan asked two questions regarding the relocation of prairie dogs. She asked what would happen if a developer were ready to start work between April 1st and June 1st, which is the birthing season for prairie dogs, and whether there are readily available nonprofit organizations to work with developers for prairie dog relocation.
- CM Marcano responded that there is no exception for the birthing season in the draft, and the nonprofit groups are responsible for reaching out to developers. Jeannine Rustad, Director of Planning and Development Services clarified that the onus would be on the nonprofit group to accomplish everything within 30 days, and Deanna Meyer from an advocacy group mentioned that Pueblo has pre-approved a large area of land to repopulate with prairie dogs. She also stated that the developer would have to humanely euthanize the prairie dogs if there is no available site for relocation.

Deanna Meyer from an advocacy group stated that as soon as a developer files for an application to develop, they are made aware of the Prairie Dog Ordinance and the need to work towards relocating prairie dogs if found on site. She mentioned that communication between the developer and advocacy groups can happen earlier than the 30-day period before grading begins. Regarding the relocation of prairie dogs to available lands, D. Meyer stated that as long as the incoming Commissioners have approved it and Colorado Parks and Wildlife issues the relocation permit, there should be no

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delay in the relocation process. CM Lawson asked if there would need to be an intergovernmental agreement between jurisdictions, to which Meyer responded that the relocation regulations are through Colorado Parks and Wildlife and the incoming Commissioner needs to approve it. She added that delays have not been an issue in the past and that developers usually take longer to start grading than anticipated, providing more time for prairie dog relocation.

- CM Sundberg asked where the animals were being relocated to and was informed, they were being moved to Pueblo. He also asked about the benefits of the ferret to the environment and whether the prairie dog was considered an invasive species. D. Meyer explained the critical endangerment of the ferret and how it is a predator on grasslands, but the prairie dog is not considered an invasive species in Colorado, just a nuisance species.
- CM Murillo refocused the conversation on the process of relocation and the need for transparency between advocates, developers, and the city.
- CM Bergan questioned whether any IGAs were needed, and Jeannine Rustad mentioned there is a process through the state but the onus is on the property owner and the receiving site.
- CM Sundberg shared developer input, and CM Murillo offered to reach out to developers before the next meeting. Jeannine Rustad mentioned that they had spoken to a few developers on the original ordinance but would take this revised ordinance through the Development Review Advisory Board and the Joint Task Force to get broader input.

**Outcome:**

Council unanimously approved this item to move forward.

**Follow-up Action:**

Staff will add this item to the DRAB agenda, JTF agenda and Study Session agenda.

**3.e. Opportunity Zones****Summary of Issue and Discussion:**

Andrea Amonick, Development Services Manager

Andrea Amonick introduced Yuriy Gorlov, Vice President of the Aurora Economic Development Council, to give an update on the tax program.

Y. Gorlov discussed the work done over the last four years since the Tax Reform Federal Bill in 2017. He mentioned their advocacy for specific census tracts, co-hosting forums, partnering with the City of Aurora to create a GIS website, and meeting with investors, developers, and policy architects in Washington, D.C. He also highlighted their involvement with the Adams County Task Force and former Mayor Laguerre's invitation to the White House. Y. Gorlov explained that the

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program has been more successful than initially predicted, with about \$1 billion invested in Colorado through Opportunity Zone Funds, and Aurora receiving about 10% of that funding. He mentioned a couple of projects that were completed, such as JA Green Development and the Metro Center Redevelopment and noted the GIS website has had 6,000 visits since its inception. Finally, he discussed the possibility of federal reform to the bill and emphasized that there is still time for more projects to come their way.

- CM Lawson expressed her disappointment with the Opportunity Zones in Aurora, stating that they were initially intended to benefit distressed communities and small, minority, and women-owned businesses. She argued that the zones have mainly benefited larger corporations and that there should be an audit on cities and reform to better align with the original intent of the program.
- CM Bergan asked Y. Gorlov if there was any data on businesses that tried to apply for the Opportunity Zone but didn't qualify, and whether there were any reasons why those applications didn't work out. Y. Gorlov replied that he didn't know of any data but was willing to investigate further.

**Outcome:**

Information Only

**Follow-up Action:**

None required.

**3.f. Resolution Regarding Aurora Development Review Incentive****Summary of Issue and Discussion:**

Mayor Pro Tem, Curtis Gardner

Mayor Pro Tem Gardner presented a resolution directing the City Manager to develop an incentive program for development plan reviews. He explained that the resolution was intended to address developers' frustrations with the review process and the uncertainties regarding timelines. Mayor Pro Tem Gardner believed that the resolution would help expedite the review process and get projects built quicker.

- CM Sundberg emphasized the importance of completing the reviews promptly, as delays can increase housing costs and cause developers to miss market opportunities.
- CM Bergan expressed her support for the resolution and acknowledged the importance of incentives in achieving desired outcomes. She inquired about the next steps, and Mayor Pro Tem Gardner explained that the city management staff would develop the program and present it to either the PED or City Council at a study session. He emphasized the importance of doing things right and not rushing the process. Mayor Pro Tem Gardner

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agreed with CM Bergan that a "three strikes" rule could lead to unintended consequences and stated that incentivizing desired activities would be a better approach.

**Outcome:**

Council unanimously approved this item to move forward to Study Session.

**Follow-up Action:**

Staff will add this to a future Study Session agenda.

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**4. MISCELLANEOUS MATTERS FOR CONSIDERATION****4. a. Aurora Economic Development Council**

- Yuri Gorlov

NO REPORT

**4.b. Havana Business Improvement District**

- Chance Horiuchi

NO REPORT

**4.c. Aurora Chamber of Commerce**

- Kevin Hougen:

NO REPORT

**4.d. Planning Commission**

- Becky Hogan

CM Bergan mentioned the reports shared by Becky Hogan from Planning in the chat. She noted that the Aurora Mental Health Campus and the ADU in Ward I would be discussed during the Planning meeting that night.

**4.e. Oil and Gas Committee**

- Brad Pierce:

Updates on Oil and Gas are in the packet.

**4.f. Business Advisory Board**

- Garrett Walls

NO REPORT

**4.g. Retail**

- Bob Oliva

NO REPORT



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**4.h. Small Business**

- Elena Vasconez

CM Bergan asked if there were any other reports that needed to be presented. A. Amonick from Development Services introduced E. Vasconez to provide updates on small business and the SBDC. E. Vasconez discussed the Small Business Grant Program, sharing details on the number of applications received, the approval process, and the distribution of grants. She also reported on the diversity of business owners who received grants and their distribution across all wards. E. Vasconez then mentioned a pilot program to help childcare cooperatives, detailing the nine-week class offered in Spanish and the formation of three cooperatives. She also mentioned support for the formation of a worker-owned composting service cooperative and said she would bring more updates on these cooperatives in the future.

**4.i. Visit Aurora**

- Bruce Dalton

NO REPORT

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**5. CONFIRM NEXT MEETING DATE**

Scheduled for May 10, 2023, at 8:30 AM MT.

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**6. ADJOURNMENT**

Meeting adjourned at 10:07 AM MT.

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Françoise Bergan, Committee Chair