

# **Aurora City Center II Urban Renewal Plan**

*Aurora, Colorado*

***May 18, 2009***

*(Amended November 23, 2015)*

*Prepared for:*

Aurora Urban Renewal Authority  
Aurora, Colorado City Council

# Aurora City Center II Urban Renewal Plan

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***Exhibits***

- Exhibit A: Urban Renewal Area Legal Description
- Exhibit B: TIF Areas Boundary Maps
- Exhibit C: TIF Area 1 Legal Description
- Exhibit D: TIF Area 2 Legal Description
- Exhibit E: TIF Area 3 Legal Description
- Exhibit F: TIF Area 4 Legal Description
- Exhibit G: Aurora City Center II Blight Study (November 2008)
- Exhibit H: Metro Center Blight Confirmation Survey (September 2015)

# Aurora City Center II Urban Renewal Plan

*Aurora, Colorado*

## Section 1.0 Definitions

**Act** - means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

**Area or Urban Renewal Area (URA)** - means the Aurora City Center II Urban Renewal Area as amended by this document and depicted in Figure 1 and legally described in Exhibit A.

**Aurora Centrepoint** - refers to the master planned development located between Sable Boulevard and Chambers Road extending from Alameda Parkway to Center Avenue, excluding the Arapahoe County site, and including parcels 5, 6, 7, 8 & 11 on the map presented in the Aurora City Center II Blight Study. (See Metro Center)

**Aurora Centrepoint Master Plan (ACMP)** - refers to the Master Plan submitted, reviewed and approved in 2005 which includes parcels 5, 6, 7, 8 & 11 on the map presented in the Aurora City Center II Blight Study. (See Aurora Centrepoint)

**Aurora City Center** - means that area included in the Aurora City Center Urban Renewal Plan.

**Authority** - means the Aurora Urban Renewal Authority.

**Authority Board** - means the Board of Commissioners of the Aurora Urban Renewal Authority.

**Blight Confirmation Survey** - means the survey conducted in September 2015, by the City of Aurora which confirmed the continuing presence of blight, as found in the Blight Study, within a sub-section of the Aurora City Center II Urban Renewal Area, attached hereto as Exhibit H.

**Blight Study** – means the Aurora City Center II Blight Study, prepared by Matrix Design Group, dated November, 2008, attached hereto as Exhibit G and incorporated herein by this reference.

**City** – means the City of Aurora, a home-rule municipal corporation of the State of Colorado.

**City Code** – means the City Code of the City of Aurora.

**City Council** – means the City Council of the City of Aurora.

**City Taxes** – means, collectively, (i) the Sales Tax, (ii) the Lodger’s Tax, (iii) the Occupational Privilege Tax, and (iv) the Use Tax.

**City Tax Increment** – means the Tax Increment derived from City Taxes.

**Comprehensive Plan** – means *City of Aurora Comprehensive Plan 2009*, as such plan has been or may be amended from time to time.

**Cooperative Agreement** – means an agreement between the Authority and/or the City and/or the property owners, developer(s), and other taxing entities regarding the planning or implementation of this Urban Renewal Plan and its undertakings, as well as programs, public works operations, and/or activities. Subjects of an agreement may include financing, installation, construction and reconstruction of public improvements, utility line relocation, storm water detention, environmental remediation, landscaping and/or other improvements, undertakings, or activities deemed eligible by the Authority pursuant to the Act.

**C.R.S.** – means the Colorado Revised Statutes, as amended from time to time.

**Effective Date of Allocation** – See “TIF Area 2 Effective Date of Allocation,” “TIF Area 3 Effective Date of Allocation,” and “TIF Area 4 Effective Date of Allocation.”

**FasTracks Station** – means the light rail station planned in Aurora City Center that is planned to be primarily funded through bond proceeds issued through the Regional Transportation District (RTD).

**Lodger's Tax** - means the City lodger's tax authorized by Chapter 130, Article IV, Division I of the City Code and imposed at the rate of 8.0%, subject to any generally applicable decreases in rate that may occur during the term of the Urban Renewal Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the plan made by the City during the term of the plan. "City Lodger's Tax" shall not include any portion of the 0.80% lodger's tax earmarked to fund activities undertaken by Visit Aurora, Inc. pursuant to Section 130-369 of the City Code.

**Metro Center Site Plan #1**- refers to Phase I of the Aurora Centrepoint Master Plan, rebranded as Metro Center, and submitted to and approved by the City in 2008 including parcel 11 on the map presented in the Aurora City Center II Blight Study. (See Aurora Centrepoint)

**Occupational Privilege Tax** - means, collectively, (i) the City Employer Occupational Privilege Tax authorized by Chapter 130, Article V of the City Code and currently imposed at the monthly rate of \$2.00 per employee, subject to any changes in rate that may occur during the term of the Urban Renewal Plan, and (ii) the City Employee Occupational Privilege Tax authorized by Chapter 130, Article VI of the City Code and currently imposed at the monthly rate of \$2.00 per employee, subject to any generally applicable decreases in rate that may occur during the term of the Urban Renewal Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the plan made by the City during the term of the plan.

**Plan or Urban Renewal Plan** - means this amended Aurora City Center II Urban Renewal Plan.

**Property Taxes** - means, without limitation, all levies to be made on an ad valorem basis by or for the benefit of any public body upon taxable real and personal property in a Tax Increment Financing Area.

**Property Tax Increment** - means the Tax Increment derived from Property Taxes.

**Project** - means any activity and/or development of any size that is undertaken by the Authority alone or in cooperation with property owners, developers, stakeholders or other affected parties in order to eliminate and prevent blight within the Area and to accomplish

the goals and objectives of this Plan and the Act. It is anticipated that the Project shall be completed in multiple phases.

**Public Finance and Redevelopment Agreement (PFRA)** – means one or more agreements between and among the Authority, the owner(s) and/or developer(s) of property within the Area, any special district or districts organized or caused to be organized by such owner(s) or developer(s) for the purpose of financing or refinancing public improvements for the benefit of the Area, or such other individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan pursuant to any of the powers set forth in the Act or in any other provision of Colorado law.

**Sales Tax** – means the sales tax authorized by Chapter 130, Article II, Division IV of the City Code and currently imposed at the rate of 3.50%, subject to any generally applicable decreases in rate that may occur during the term of the Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the Plan made by the City during the term of the Plan. “City Sales Tax” shall not mean the 0.25% sales tax dedicated to increased staffing of the City police department and operation and maintenance of the City detention facility and codified in the City Code at Section 130-2.

**Special District** – means a governmental or quasi-governmental entity created under state law to finance, design, construct, maintain, operate and replace improvements for the benefit of a particular geographic area.

**Station Area Plan** – means the City Center Station Area Plan when such plan is approved by the Aurora City Council.

**Study Area** – means the geographic territory defined in the Blight Study.

**Tax Increment** - means the increase in revenue derived from taxes that are actually collected above a specified tax base imposed in a Tax Increment Area after the date specified in this Urban Renewal Plan.

**Tax Increment Area** – means one of the four (4) tax increment financing areas created by this Plan and located within a portion of the Area.

**Tax Increment Finance (TIF) Area 1** – means a portion of the Urban Renewal Area at the southwest corner of E. Alameda Parkway and S. Chambers Road, illustrated in the map attached as Exhibit B and legally described in Exhibit C.

**Tax Increment Finance (TIF) Area 2** – means a portion of the Urban Renewal Area at the southeast corner of E. Alameda Avenue and S. Sable Boulevard, illustrated in the map attached as Exhibit B and legally described in Exhibit D.

**Tax Increment Finance (TIF) Area 3** – means a portion of the Urban Renewal Area at the west corner of E. Alameda Avenue and E. Alameda Drive, illustrated in the map attached as Exhibit B and legally described in Exhibit E.

**Tax Increment Finance (TIF) Area 4** – means a portion of the Urban Renewal Area at the northwest corner of E. Centerpoint Drive and E. Alameda Drive, illustrated in the map attached as Exhibit B and legally described in Exhibit F.

**TIF** – means, collectively, the City Tax Increment and the Property Tax Increment.

**TIF Area 2 Effective Date of Allocation** – means with respect to any Tax Increment allocated to the Authority by the designation of Tax Increment Area 2 under the Plan, the date upon which the City approves the initial site plan for the redevelopment of property located within Tax Increment Area 2, which shall not occur later than three years from the date of the creation of the Tax Increment Area (November 23, 2015). Should an initial site plan for the proposed urban renewal activity not be approved within three years, the Tax Increment shall be allocated by the Authority pursuant to this Plan, effective on November 22, 2018. The initial site plan shall not mean or be interpreted to include the infrastructure site plan.

**TIF Area 3 Effective Date of Allocation** – means with respect to any Tax Increment allocated to the Authority by the designation of Tax Increment Area 3 under the Plan, the date upon which the City approves the initial site plan for the redevelopment of property located within Tax Increment Area 3, which shall not occur later than five years from the date of the creation of the Tax Increment Area (November 23, 2015). Should an initial site plan for the proposed urban renewal activity not be approved within five years, the Tax Increment shall be allocated by the Authority pursuant to this Plan, effective on November

22, 2020. The initial site plan shall not mean or be interpreted to include the infrastructure site plan.

**TIF Area 4 Effective Date of Allocation** – means with respect to any Tax Increment allocated to the Authority by the designation of Tax Increment Area 4 under the Plan, the date upon which the City approves the initial site plan for the redevelopment of property located within Tax Increment Area 4, which shall not occur later than five years from the date of the creation of the Tax Increment Area (November 23, 2015). Should an initial site plan for the proposed urban renewal activity not be approved within five years, the Tax Increment shall be allocated by the Authority pursuant to this Plan, effective on November 22, 2020. The initial site plan shall not mean or be interpreted to include the infrastructure site plan.

**Urban Renewal Area (URA)** – means the Aurora City Center II Urban Renewal Area, as amended by this Plan and depicted in Figure 1 and legally described in Exhibit A.

**Use Tax** – means the City use tax authorized by Chapter 130, Article II, Division V of the City Code and currently imposed at the rate of 3.75% on construction materials used, stored, distributed, and/or consumed within the Area, subject to any generally applicable decreases in rate that may occur during the term of the Urban Renewal Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the plan made by the City during the term of the plan. “City Use Tax” shall not mean the 0.25% use tax dedicated to increased staffing of the City police department and operation and maintenance of the City detention facility and codified in the City Code in Section 130-2.

## **Section 2.0 Introduction**

### **2.1 Preface**

This Plan has been prepared at the request of the Authority for the City. It will be carried out by the Authority, pursuant to the provisions of the Act. The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority. If any portion of this Plan is held to

be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

## **2.2 Blight Findings**

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal undertakings. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.

The Blight Study, attached as Exhibit G, demonstrates that the Study Area is a blighted area under the Act. The Blight Confirmation Survey, dated September 2015, which is attached as Exhibit H, reconfirms that the areas defined as TIF Areas 2, 3, and 4 within the Urban Renewal Area continue to be blighted.

## **2.3 Other Findings**

The Area is appropriate for one or more urban renewal activities and other undertakings authorized by the Act to be advanced by the Authority. One or more such undertakings could require the demolition and clearance of certain public and private improvements within the Area as provided in this Plan. Such actions are necessary to eliminate unsafe conditions, obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of deterioration.

It is the intent of the City Council in adopting this Plan that the Authority exercise all powers authorized in the Act, which may be necessary, convenient or appropriate to accomplish the objectives of this Plan, including, but not limited to, the power of eminent domain. It is the intent of this Plan that the Authority may exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

In adopting this Plan, the City Council has made the determination that the powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised; and, this Plan is in the public interest and necessity.

## **2.4 Urban Renewal Area Boundaries**

The Urban Renewal Area is located in west-central Aurora, Arapahoe County. The boundaries of the Area incorporates approximately 128 acres bounded roughly by South Sable Street on the west, East Alameda Parkway on the north, West Tollgate Creek on the east, and East Center Avenue on the south, as illustrated in Figure 1 and legally described in Exhibit A. As per the Act, the legal description controls the boundary description in case of any conflict. The boundaries of the Area are drawn as narrowly as feasible to accomplish the planning and development objectives of this Plan.

This 2015 Plan modifies the boundaries of the urban renewal area to remove an approximate 6.8-acre area at the northeast corner of Sable and Alameda. The removal of this area was done to establish a distinct new urban renewal area for the Alameda Center at the northeast corner of Sable Boulevard and Alameda Avenue.

Portions of the Aurora City Center II Urban Renewal Area were originally included in the plan area of the Aurora City Center Urban Renewal Plan dated May 1982 (“1982 Plan”). The Aurora City Center was designated the Aurora City Center Urban Renewal Area pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part I of Article 25 of Title 31, C.R.S. 1973 (1978 supp.). The area that was the subject of the 1982 Plan encompassed approximately 516 acres.

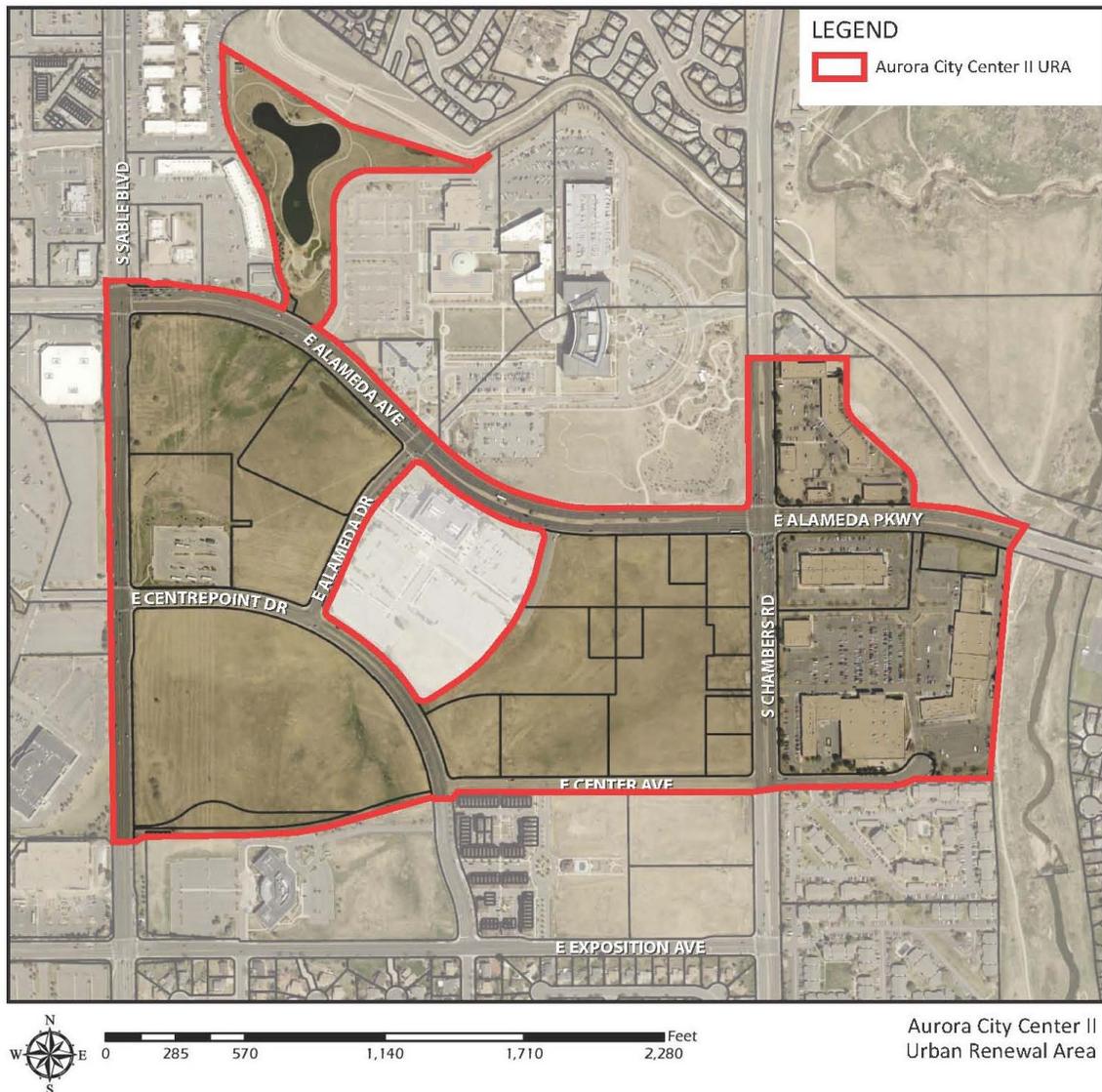
In addition to the findings presented in the table below, the 1982 Plan reported that, “Problems existed in the Area that served to constrain development related to traffic congestion, access, difficulty in providing needed public services, drainage problems and soils.” Taken together, the conditions were thought to “serve to impair the sound growth of Aurora, retard the provision of housing and/or constitute an economic liability to the City.” Some of the blight factors initially identified in the City Center Urban Renewal Blight Study (1982) still exist. Additionally, the Blight Study identified new factors of blight. This Plan supports efforts to address the factors that are delaying and deterring development

and redevelopment initiatives in the Area. The table presented below summarizes conditions identified and reported in 1982 and 2008:

<b>1982 Aurora City Center Urban Renewal Plan - Blight Factors</b>	<b>2008 Aurora City Center II Blight Study – Blight Factors</b>
Deterioration of Structures	Slum, Deteriorated and Deteriorating Structures
Inadequate Street Layout	Predominance of Defective or Inadequate Street Layout
Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness
	Unsanitary or Unsafe Conditions
	Deterioration of Site or Other Improvements
Unusual Topography Unsanitary Conditions	Unusual Topography or Inadequate Public Improvements or Utilities
	Existence of Conditions that Endanger Life or Property by Fire or Other Causes
	Environmental Contamination of Buildings or Property
	Existence of Health, Safety, or Welfare Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements

Implementation of this Urban Renewal Plan will facilitate transformation of the Aurora City Center into a high-density, pedestrian-oriented downtown for Aurora with a mix of uses including residential, government, retail, office and multimodal transit resources. Establishment of the Area allows for the use of public resources and revenues to effectively target the removal of blight and installation of infrastructure and Projects in order to advance the City’s vision.

Figure 1. Aurora City Center II Urban Renewal Area (updated 2015)



### Section 3.0 Purpose of the Plan

The principal public purpose of this Plan is to facilitate redevelopment in order to reduce, eliminate and prevent the spread of blight within the Area. A secondary public purpose of this Plan is to stimulate economic growth and investment within the Area boundaries. To accomplish these purposes, this Plan promotes local objectives with respect to appropriate land uses, private investments and public improvements. The delineation of such objectives shall not be construed to require that any particular activity or undertaking necessarily

promote all such objectives. The Plan sets parameters for the future development and redevelopment of the area.

The principal goal of the urban renewal effort, as required by the Act, is to afford maximum opportunity, consistent with the sound needs of the City as a whole, to develop and rehabilitate the Area through private enterprise, where possible.

To accomplish this purpose, the Plan promotes local objectives expressed in the 1982 Plan and the Comprehensive Plan with respect to appropriate land uses, private investment and public improvements. Transformation of Aurora City Center into a high-density, pedestrian-oriented downtown for Aurora, with a mix of uses including residential, government, retail, office and multimodal transit resources is a goal consistent with the original Aurora City Center Urban Renewal Plan. Although the 1982 Plan generally addressed the need to have uses that supported multiple modes of transportation; it did not anticipate the order of magnitude of development that would be needed to effectively leverage the public sector investment in the City's Regional Transportation District (RTD) bus transfer station and future FasTracks light rail station. Establishment of the Area allows for the use of public resources and revenues to effectively target the removal of blight and installation of infrastructure and Projects at a capacity significant enough to advance the City's vision.

In addition to the objectives stated above, the Plan seeks to advance the vision of the approved Aurora Centrepont Master Plan. ACMP encompasses that portion of the Area which is located in the vicinity of a district envisioned as "Aurora's downtown." As expressed in the ACMP, Aurora's future downtown, Aurora City Center, is conceived by City Council as a "unique opportunity ... to provide intense mixed-use development with excellent transportation service to and within a creatively planned downtown." Within the Aurora Centrepont development, uses and product types which can respond to market conditions over time; further the goals and objectives of the Comprehensive Plan, as well as any other relevant policy document; leverage the community's investment in public improvements; and, contribute to redevelopment of and elimination of blight within the Area will be encouraged.

The rehabilitation and redevelopment of properties within the Area will be accomplished through the initiation of Projects, including but not limited to, improvement of existing, and construction of new, structures and infrastructure, attraction of new investment and reinvestment, and prevention of deterioration of properties in the Area. The effort will involve the Authority and City Council with participation and cooperation by the private sector. All undertakings that intend to use urban renewal resources will be required to show their ability to “reduce, eliminate and prevent the recurrence of blight.”

While the Act authorizes the Authority to undertake zoning and planning activities to regulate land use, maximum densities, and building requirements in the Area, the City will regulate land use and building requirements. At a minimum, all undertakings of the Authority within the Area shall comply with all applicable municipal requirements.

## **Section 4.0 Blight Conditions**

### **4.1 Blight Findings (November 2008)**

Before an urban renewal plan can be adopted by the City, the area must be determined to be a “blighted area” as defined in Section 31-25-103(2) of the Act. The Act provides that at least four specific blight factors must be present in the area, and must substantially impair or arrest the sound growth of the municipality, retard the provision of housing accommodations, or constitute an economic or social liability, and be a menace to the public health, safety, morals, or welfare. The Act further provides that, if private property is to be acquired by the Authority by eminent domain, at least five of the following specific blight factors must be present.

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;

- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property; and,
- (k) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

In November 2008, a consultant hired by the City completed the Blight Study (Exhibit G). Of the 11 qualifying factors identified in the Act, the Blight Study identified the presence of the following eight blight factors in the Study Area:

- (a) Slum, Deteriorated and Deteriorating Structures
- (b) Predominance of Defective or Inadequate Street Layout
- (c) Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness
- (d) Unsanitary or Unsafe Conditions
- (e) Deterioration of Site or Other Improvements
- (f) Unusual Topography or Inadequate Public Improvements or Utilities
- (j) Environmental Contamination of Buildings or Property
- (k.5) Existence of Health, Safety, or Welfare Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements

The condition, (g) of Section 31-25-103(2), defective or unusual conditions of title rendering the title non-marketable, was not investigated.

#### **4.2 Metro Center Blight Confirmation (September 2015)**

In September 2015, City staff completed a Blight Confirmation Survey relative to an approximate 21-acre area at the southeast corner of S. Sable Boulevard and E. Alameda Parkway (Exhibit H) within the Urban Renewal Area. The survey confirmed the presence of four blight factors previously identified as part of the original Blight Study (factors b, d, f, and k.5).

## **Section 5.0 Plan's Relationship to Local Objectives and Appropriate Land Uses**

Implementation of this Urban Renewal Plan supports the objectives and requirements of the Comprehensive Plan with respect to redevelopment of the Urban Renewal Area. As development occurs in the Area, it shall conform to the Comprehensive Plan and any subsequent updates; the City Center Station Area Plan as adopted by the City Council; the City Building and Zoning Code and any rules, regulations, and policies; any site-specific planning documents that might impact properties in the Area including, but not limited to, City-approved site, drainage, and public improvement plans; and any applicable City design standards, all as in effect and as may be amended from time to time.

Existing conditions present within the Area will be remedied by the proposed Plan, but will need to first be identified as a priority public investment item by the Authority in consultation with the City and Area property owners. Improvements will be phased as the market allows and may be funded in whole or in part by Tax Increment revenues.

### **5.1 Relationship to the Comprehensive Plan**

The purpose of the Aurora City Center Urban Renewal Plan (1982) was to:

"Provide opportunities for private redevelopment to address existing conditions of blight ... and, to participate in and support efforts to, improve access, decrease traffic congestion, reduce pollution and lessen conflicts between pedestrian, bicycle and vehicular traffic." In addition, the 1982 Plan sought to, "... encourage initiatives that remedy physical constraints, particularly those associated with soils, drainage and storm run-off." The principle objectives of the 1982 Plan were to, "Provide adequate open space and pedestrian access in a high density urban environment and to further the sound economic growth of the City of Aurora."

The purpose of this Plan is to eliminate blight in the Urban Renewal Area and to implement the Comprehensive Plan, which identifies creation of a "downtown for Aurora" in Aurora City Center. The Authority, with the cooperation of the City, private enterprise and other public bodies, will undertake Projects to eliminate the conditions of blight identified herein while implementing the goals and objectives of the Comprehensive Plan. Specifically, the Comprehensive Plan identifies [Aurora] City Center as a "strategic area" which is critical to

the City's economy and identity (Chapter V.E I-225/City Center). The vision set forth for the [Aurora] City Center Strategic Area states that when the City's goals are achieved:

- Urban centers at ... [Aurora] City Center ... have intensively developed with complementary land uses and are linked by FasTracks light rail transit, allowing ready access to each other.
- [Aurora] City Center is the intensively developed downtown for Aurora.

The Comprehensive Plan further states:

Mid-way into the I-225 corridor lies the Aurora City Center, historically planned as the City's downtown. This regional center is undergoing major changes. At 772 acres, [Aurora] City Center has its own zoning district that promotes master planned development. The City's long-standing vision of [Aurora] City Center as its new downtown continues to evolve.

### **5.1.1 The Vision for Aurora City Center**

As explained in the Comprehensive Plan (Chapter V.E I-225/City Center), the 1994 City Center Working Group stated that Aurora City Center will realize its role as the primary employment and activity center in Aurora in three ways:

- First, by servicing the whole city with a pedestrian-interconnected mixture of high-quality government, open space, cultural, residential, transportation and retailing resources available nowhere else.
- Second, by creating a strong landmark civic center from existing government buildings and services: Library, Municipal Justice Center, and Police Station augmented by a new City Hall, Cultural Center and landscape improvements.
- Third, by creating an attractive regional retailing center with a strong common image.

### 5.1.2 Zoning Districts

Zoning, use and design standards for the Urban Renewal Area are currently controlled by three distinct sets of rules (City Center Zoning District, Fringe and Core; Tollgate Villages PCZD Commercial zoning; and the Centrepont Master Plan and specific site plans). To encourage redevelopment in the Area, the City will adopt a Station Area Plan, a prerequisite for Transit-Oriented Development (TOD) zoning.

### 5.1.3 Plans and Programs

Aurora City Center: Planning for Aurora City Center has been extensive and long-term, dating to the late 1970s. An urban renewal plan was adopted in 1982 along with an urban design plan, later amended in 1994. Design workshops in 2000 re-examined the circulation framework and confirmed the overarching need to make Aurora City Center transit accessible and pedestrian-friendly. In 2000, City Council adopted a “sketchpak” urban design plan for establishing a consistent visual theme for the Alameda corridor. It covers items such as signage, lighting, and median treatment.

Light Rail: RTD’s bus transfer facility in Aurora City Center was identified and purchased by RTD in 2002 and has been integrated with the Aurora Centrepont Master Plan. The bus facility opened in 2009 and the adjacent light rail station will open in 2016. Concurrent with this Plan, City staff have prepared the City Center Station Area Plan.

### 5.1.4 Issues and Needs

As identified in the Comprehensive Plan (Chapter V.E I-225/City Center and Chapter IV.K Center and Corridors):

- Continued strong city leadership is needed to bring the vision for [Aurora] City Center to completion. Even with permissive zoning, the private development and financial markets still tend to favor traditional forms of suburban development.
- The various activity nodes in [Aurora] City Center are not necessarily well connected by direct, attractive pedestrian routes. There is a need to enhance pedestrian access and

increase connectivity in [Aurora] City Center to increase viability of the area as an activity center.

- Planning for TODs that are both responsive to market potentials and to the city's vision is essential to ensure that transit-supportive development happens around transit stations.
- Many firms are finding it desirable to locate close to uses such as restaurants, shops and housing so that employees are provided choices and amenities. TODs provide options for businesses to cluster in mixed-use settings with transportation choices and a variety of amenities.
- A large proportion of higher density housing is needed in centers to help create a market base for retail and service uses, and to help generate desirable levels of street life.
- TODs provide the opportunity to create centers that evolve as enduring, quality compact centers where architecture and art add a sense of community and identity.
- Permissive zoning alone will not bring about an urban center. A set of planning actions is required, including master planning, financial incentives, mass transit, and public-private partnerships, possibly including structured parking.
- Centers are developed incrementally, over time and therefore require patience and a long-term view. Given the abundance of commercial zoning in Aurora, the city should avoid inappropriate "short-term" development proposals in a potential center.

### **5.1.5 Strategies**

The Comprehensive Plan articulates the following strategies which apply to [Aurora] City Center:

- Produce a corridor plan for the I-225/Abilene corridor which will address numerous issues, including:
  - Appropriate land uses
  - Redevelopment opportunities

- Improved access and street connections
- Appropriate urban design including landscaping and aesthetic improvements to bridges, walks, ramps, medians, pedestrian routes, and roadway edges
- Consistent application of aesthetic themes along the length of the corridor
- Continue to work for transportation improvements, some of which include:
  - Improvements to existing interchanges and intersections
  - Bicycle and pedestrian routes and amenities
  - Additional travel alternatives, including improved local bus service
- Continue to seek implementation of TOD station area plans in the corridor.
- Encourage additional retail and medical-related office development in the corridor.
- Review and revise City Center zoning to remove unintended barriers to urban-style development, including excessive open space and building setback requirements, and to require sufficient density and an appropriate mix of uses.
- Continue to implement the recommendations of the Communication Arts “Sketchpak” plan for median and other streetscape improvements in City Center.
- Plan for well-designed and attractive direct pedestrian connections between the major land uses of City Center.”

The Comprehensive Plan also anticipates the use of tax increment revenues for infrastructure and other costs associated with various urban renewal undertakings and the potential issuance of tax increment revenue-supported bonds (Chapter IV.L Redeveloping for Renewal).

## **5.2 Relationship to Aurora Centrepont Master Plan**

Implementation of this Urban Renewal Plan will, to the extent possible, advance those development objectives expressed in the ACMP. Potential land uses envisioned within the Area include: residential, government, retail, office and multi-modal transit resources. Primary planning goals identified and described include: transit stations shall serve as primary linkages between the Aurora Municipal Center and the Aurora Town Center mall; uses shall be horizontally and vertically integrated and shall create a high density compact development; circulation systems shall be improved; pedestrian connections shall be provided; and, architecture shall be of a high quality.

### **5.3 Urban Renewal Plan Vision Statement**

The vision for the Area is the creation of a highly urbanized mixed-use employment and activity center with multi-modal connections and a strong community image. Uses in the Area will service the whole city with a mix of high-quality government, open space, cultural, residential, transportation and retailing resources. Civic uses, including existing government buildings and services, will anchor the district and implementation of the Plan will be the responsibility of a range of public and private sector partners.

## **Section 6.0 Authorized Urban Renewal Undertakings and Activities**

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. In the case of this Plan, it is the Authority's intent to undertake Projects to stimulate private investment in cooperation with property owners, developers, stakeholders and other affected parties in order to accomplish its objectives. Public-private partnerships and other forms of cooperative development will support the Authority's strategy for eliminating existing blight conditions and preventing the spread and/or reoccurrence of blight within the Area.

### **6.1 Public Improvements and Facilities**

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or may cause others to, install, construct, and reconstruct any public improvements or Projects in furtherance of the Plan. The Authority may, or may cause others to, demolish and clear buildings and existing improvements for the purpose of promoting the objectives of the Plan and the Act. Additionally, the Authority may, or may cause others to, install, construct and reconstruct any other authorized improvements, including, without limitation, other authorized undertakings or improvements for the purpose of promoting the objectives of this Plan and the Act.

Public undertakings are intended to stimulate (directly and indirectly) private sector investment to assist in the conversion of the Area into a viable commercial, employment and mixed-use district, supported by accessible transportation with inviting public spaces, which contributes to increased revenues from property and City taxes.

As described in Section 4.0 of this Plan, eight qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, are evident in the Area. This Plan proposes addressing each of these conditions through completion of the following public improvements and facilities:

- (a) Slum, Deteriorated and Deteriorating Structures: building improvements including facades and energy efficient improvements to existing structures;
- (b) Predominance of Defective or Inadequate Street Layout: improved access within interior parcels; and, roadway capacity improvements at Alameda Parkway and Chambers Road, and, Alameda Parkway and Sable Boulevard;
- (c) Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness: property assemblage assistance;
- (d) Unsanitary or Unsafe Conditions: pedestrian improvements including development of sidewalks and transit stop improvements, particularly near the corner of East Alameda Avenue and East Alameda Drive; ADA improvements; lighting; bike paths; and deferred maintenance items including cracked and buckled sidewalks and parking lots;
- (e) Deterioration of Site or Other Improvements: (see unsanitary and unsafe conditions);
- (f) Unusual Topography or Inadequate Public Improvements or Utilities: storm water drainage and detention improvements including major or regional flood control improvements and minor or local drainage improvements; sidewalk additions and improvements;
- (j) Environmental Contamination of Buildings or Property: environmental clean-up;
- (k.5) Existence of Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings or Other Improvements: Redevelopment of the Area; building improvements including façade improvements; addition of parking facilities.

## **6.2 Other Improvements and Facilities**

Other non-public improvements or facilities may be required in connection with urban renewal activities and undertakings to accommodate development of the Area. These may include, but are not limited to, items such as enhanced building facades and upgraded lighting, landscaping, benches and other amenities. The Authority may assist in the financing or construction of these improvements or Projects insofar as such improvements and activities serve a public purpose and further the goals and objectives of this Plan.

## **6.3 Development Opportunities - Catalyst Opportunities**

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze development throughout the Area and fund future public improvements. The Metro Center site represents a large portion of the URA land and as such is considered the catalytic opportunity in this plan.

## **6.4 Development Standards**

In conformance with the Act and the Plan, the Authority may adopt design standards and other requirements applicable to undertakings by the Authority. It is the intent of the City Council in adopting this Plan to conform to all concepts, land uses and design standards of this Plan. Unless otherwise approved by the City Council, any such standards and requirements adopted by the Authority shall be consistent with all other City zoning and development policies and regulations.

## **6.5 Variations in Plan**

Over time, the Authority may propose and the City Council may make such modifications to this Urban Renewal Plan as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates, as well as the Act. The Authority may in specific cases allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provisions of this Plan would constitute an unreasonable limitation beyond the intent and purpose of this Plan.

## **6.6 Urban Renewal Plan Review Process**

The review process for the Plan is intended to provide a mechanism to allow those parties responsible for key undertakings to periodically evaluate its effectiveness and make adjustments to ensure efficiency in implementing the recommended activities.

The following steps are intended to serve as a guide for future Plan review:

- (a) The Authority may propose modifications, and the City Council may make such modifications as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates, as well as the Act.
- (b) Modifications may be developed from suggestions by the Authority, property and business owners, and City staff operating in support of the Authority and advancement of this Plan.

It is the intent of this Plan to remain consistent with the Comprehensive Plan, the Station Area Plan, and any adopted General Development Plan. Amendments or modifications to these plans shall not constitute an amendment to this Urban Renewal Plan.

## **6.7 Financing of Undertakings and Activities and Creation of Tax Increment Areas**

The Authority may finance Projects by any method authorized under the Act or any other applicable law, including without limitation, utilization of the following: issuance of notes, bonds and other obligations in an amount sufficient to finance all or part of this Plan; borrowing of funds and creation of indebtedness; loans, advances, and reimbursement agreements; appropriations, loans, grants or advances from the City; federal, state or other loans or grants; interest income; agreements with public or private entities, including any arrangements made for the payment of moneys in lieu of taxes; sale of property or other assets; and pledging of lawfully available revenues to one or more special districts or other governmental or quasi-governmental entities to be used and pledged by such entities to pay their obligations incurred to finance public infrastructure and other lawful improvements under the Act.

For purposes of this Plan, "Debt" may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, advance and reimbursement agreements, Public Finance and Redevelopment Agreement(s), or any other obligation lawfully created by the Authority, any special district or other governmental or quasi-governmental entity.

In addition to the above referenced financing methods, an accepted method for financing urban renewal undertakings is to utilize incremental tax revenues, including property and/or municipal excise tax revenues (including sales, lodgers, use and occupational privilege tax revenues) attributable to the redevelopment in the plan area to pay the principal of, the interest on, and any premiums due in connections with the bonds or, loans or advances to, or indebtedness incurred by the Authority.

While Projects within the Urban Renewal Area are expected to be primarily privately financed, it is the intent of the City Council in approving this Urban Renewal Plan to authorize the use of tax increment financing by the Authority as part of its efforts to assist in the redevelopment of the Area. Pursuant to the provisions of Section 31-25-107(9) of the Act and Section 130-4 of the City Code, the City Council, in approving this Plan, contemplates that one or more separate Tax Increment Areas shall be created within the Urban Renewal Area as development occurs. Subject to the designation of such Tax Increment Areas, the Authority is specifically authorized to use Tax Increment revenues, except those previously dedicated, for the benefit of the Area, to the extent authorized by the provisions of Section 31-25-107(9) of the Act, Section 130-4 of the City Code, and specific terms of any subsequent agreement.

The process for creating a new Tax Increment Area in addition to or as a modification of TIF Areas 1, 2, 3, and 4, shall be initiated by written application to the Authority's Manager and the City's Director of Planning and Development Services that the applicant needs tax increment financing to fund public infrastructure, a new redevelopment and/or related lawful improvements. Each application shall contain the following information: a legal description and map of the area to be designated; a site plan; a description of the infrastructure to be funded and the estimated costs of that infrastructure; and the estimated tax increment revenue to be generated from the new Tax Increment Area.

The Authority and the City shall provide such notice to Arapahoe County and the Aurora Public School District of the request for the creation of a new Tax Increment Area and the intention to use Tax Increment Financing as may be required under the Act. Each Tax Increment Area approved by City Council shall continue in existence for a period of not to exceed twenty-five years commencing on the date of the City Council approval of such modification to the Urban Renewal Plan, or on a later Effective Date of Allocation.

### **6.7.1 Eligible Activities for TIF Consideration**

Redevelopment activities located within the Area will be required to conform to this Plan, the Comprehensive Plan as well as the Station Area Plan, in order to be considered for Tax Increment Financing, although the Authority may include certain properties within a TIF area to reserve revenues for other area activities or improvements.

This Urban Renewal Plan hereby pledges and authorizes the Authority to use or allocate all or a portion of Tax Increment revenues to finance the costs of Projects and urban renewal activities and undertakings through the provisions of one or more Cooperative Agreements, Public Finance and Redevelopment Agreements, intergovernmental agreement, or other lawful agreement. At the discretion of the Authority, this may include pledging all or part of said revenues to a special district or other government or quasi-governmental entity created for the purpose of financing public infrastructure and other lawful improvements for the benefit of the Area, and to be pledged by such district or entity for payments on obligations it incurs to fund such Projects, infrastructure or improvements. Furthermore, the Authority may, at its discretion, pledge all or part of said revenues as security for debt or other obligations of the authority to fund public infrastructure and other improvements under the Act and the City Code.

### **6.7.2 Tax Increment Financing Area 1**

Pursuant to the provisions of Section 31-25-107(9) of the Act and Section 130-4 of the City Code, the City Council, in approving the Aurora City Center II Urban Renewal Plan, authorized the creation of Tax Increment Financing (TIF) Area 1. An approved PFRA between the Aurora Urban Renewal Authority, Citypoint Aurora LLC, and The Avenues Metropolitan District No.1, sets forth an intent to cooperate on the provision of the public

improvements for the 24.6-acre area generally bounded by East Alameda Parkway to the north, Centrepont Drive to the west, East Center Avenue to the south, and South Chambers Road to the east. The TIF Area 1 boundaries and legal descriptions are shown in Exhibit B. TIF Area 1 was established on the date of Plan approval (May 18, 2009), at which time the allocation of TIF commenced and will continue for a period not-to-exceed 25 years.

### **6.7.3 Tax Increment Financing Areas 2, 3, and 4**

Pursuant to the provisions of Section 31-25-107(9) of the Act and Section 130-4 of the City Code, the City Council, in approving this 2015 Plan, is authorizing the creation of Tax Increment Financing (TIF) Areas 2, 3, and 4. The TIF Area boundaries and legal descriptions are shown in Exhibit B, Exhibit D, Exhibit E, and Exhibit F. TIF Area 2 is proposed to contain new retail; a hotel; a multi-story apartment building with ground floor retail; structured parking; park improvements; and all roads, bridge, and landscape to support the City's vision as outlined in the rail Station Area Plan and the Comprehensive Plan. Later phases of development in TIF Areas 3 and 4 are proposed to include additional residential units, office, and retail space. The establishment of TIF Areas 2, 3, and 4 will provide needed funding to ensure high-quality transit-oriented development and public spaces, and offsetting inordinate expenses associated with drainage, park and open space improvements, and structured parking.

TIF Areas 2, 3, and 4 are created with this Plan. However, the effective dates of allocation of Tax Increment shall be as set forth in the Plan and as defined by the TIF Area 2 Effective Date of Allocation, the TIF Area 3 Effective Date of Allocation, and the TIF Area 4 Effective Date of Allocation. Each TIF Area shall continue for a period not-to-exceed 25 years following the respective Effective Date of Allocation. For TIF Areas 2, 3, and 4, 100% of all incremental tax revenue generated from activities in each TIF Area is pledged and will be shared between the Authority and any private or public parties as defined in a PFRA, Cooperative Agreement or other agreement.

## **6.8 Property Acquisition and Land Assemblage**

The Authority may acquire property or any interest therein by negotiation or any other method authorized by the Act. In addition, the Authority may acquire property or any

interest therein through the exercise of the power of eminent domain, which property or interest may be transferred to a private party as the Authority deems appropriate; provided, however, that any such acquisition and/or transfer shall be conducted in accordance with Sections 31-25-105.5 and 31-25-107(4.5) of the Act, as from time to time amended. The Authority may operate, manage and maintain such acquired property in accordance with the powers granted to it under the Act.

## **6.9 Relocation Assistance**

It is not anticipated that acquisition of real property by the Authority will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the Authority shall act in accordance with the Relocation Assistance and Land Acquisition Policy adopted by the Authority Board on October 18, 2004, per Authority Resolution R2004-02, or its subsequent amendment, and in conformance with the Act.

## **6.10 Demolition, Clearance, Environmental Remediation, and Site Prep**

In carrying out this Plan, it is anticipated that the Authority may, on a case-by-case basis, elect to demolish and clear buildings, structures and other improvements. Additionally, development activities consistent with this Plan, including but not limited to PFRAs, may require such demolition and clearance to eliminate unhealthy, unsanitary, and unsafe conditions; eliminate obsolete and other uses detrimental to the public welfare; and otherwise remove and prevent the spread of deterioration. Environmental remediation, if required, may be facilitated through the use of various Federal programs that are available as a result of being located within the Area.

With respect to property acquired by the Authority, it may demolish and clear, or contract to demolish and clear, those buildings, structures and other improvements pursuant to this Plan, if, in the judgment of the Authority it is the best means to forward the implementation of the Plan. The Authority may also undertake such additional site preparation and environmental remediation activities, as it deems necessary to facilitate the disposition and/or development of such property.

### **6.11 Property Disposition**

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, as it deems necessary to develop such property. Real property or interests in real property may be sold, leased or otherwise transferred for uses in accordance with the Act and this Plan. All property and interest in real estate acquired by the Authority in the Area that is not dedicated or transferred to public entities, shall be sold or otherwise disposed of for redevelopment in accordance with the provision of this Plan and the Act.

### **6.12 Redevelopment and Rehabilitation Actions**

Redevelopment and rehabilitation actions by the Authority may include such undertakings and activities as are in accordance with this Plan and the Act, including without limitation: demolition and removal of buildings and improvements as set forth herein; installation, construction and reconstruction of public improvements as set forth herein; rehabilitation of buildings and sites; elimination of unhealthy, unsanitary or unsafe conditions; elimination of obsolete or other uses detrimental to the public welfare; prevention of the spread of deterioration; and, provision of land for needed public facilities. The Authority may enter into Cooperative Agreements, PFRAs, and other agreements, provide assistance, or undertake all other actions authorized by the Act or other applicable law to redevelop and rehabilitate the Area.

### **6.13 Public Finance and Redevelopment Agreements**

For the purpose of this Plan, the Authority is authorized to enter into PFRAs or other contracts with developer(s) or property owners or such other individuals or entities as are determined by the Authority to be necessary or desirable to carry out the purposes of this Plan. Such redevelopment/development agreements or other contracts may contain such terms and provisions as shall be deemed necessary or appropriate by the Authority for the purpose of undertaking the activities contemplated by this Plan and the Act, and may further provide for such undertakings by the Authority as may be necessary for the achievement of the objectives of this Plan or as may otherwise be authorized by the Act.

Existing agreements between the City and private parties that are consistent with this Plan are intended to remain in full force and effect.

#### **6.14 Cooperative Agreements**

For the purpose of this Plan, the Authority may enter into one or more Cooperative Agreements pursuant to the Act. The City and the Authority recognize the need to cooperate in the implementation of this Plan and, as such, Cooperative Agreement(s) may include, without limitation, agreements regarding the planning or implementation of this Plan and its undertakings, as well as programs, public works operations, or activities which the Authority, the City or such other public body is otherwise empowered to undertake and including, without limitation, agreements respecting the financing, installation, construction and reconstruction of public improvements, utility line relocation, storm water detention, environmental remediation, landscaping and/or other eligible improvements. The Cooperative Agreements may reference or include services that are typically provided by such Agencies, such as public education and other programs and services. This paragraph shall not be construed to require any particular form of cooperation.

**Exhibit A: Urban Renewal Area Legal Description**

## EXHIBIT A

A parcel of land situated in the S 1/2 of Section 7, the NW 1/4 of Section 17, and the N 1/2 of Section 18, Township 4 South, Range 66 West of the 6<sup>th</sup> Principal Meridian, City of Aurora, County of Arapahoe, State of Colorado, more particularly described as follows:

Commencing at the C 1/4 corner of said Section 7 (from whence the E 1/4 corner of said section bears N89°41'57"E, a distance of 2636.66 feet);

Thence S0°30'06"E, coincident with the west line of the SE 1/4 of said Section 7, a distance of 2036.26 feet;

Thence N89°29'54"E, perpendicular to the previously described course, a distance of 45.00 feet;

Thence N89°48'17"E, a distance of 471.14 feet to the northeasterly corner of Aurora-Alameda Center Subdivision Filing No. 1, also being a point on the westerly line of Lot 5, Block 1, Judicial Complex Subdivision Filing No. 4, and the **Point of Beginning**:

Thence coincident with the westerly, northerly and easterly lines of said Lot 5, Block 1 the following thirteen (13) courses:

1. Thence N27°44'42"W, a distance of 81.62 feet to a point of tangent curvature to the right;
2. Thence along said curve (whose chord bears N14°31'44"W, a distance of 146.79 feet) having a radius of 321.03 feet and a central angle of 26°25'56", an arc distance of 148.10 feet to a point of tangency;
3. Thence N1°18'46"W, a distance of 218.17 feet;
4. Thence S58°42'23"E, a distance of 607.75 feet;
5. Thence S72°43'23"E, a distance of 493.29 feet to a point of tangent curvature to the left;
6. Thence along said curve (whose chord bears N77°10'59"E, a distance of 100.28 feet) having a radius of 100.00 feet and a central angle of 60°11'16", an arc distance of 105.05 feet to a point of non-tangency;
7. Thence S47°05'21"W, a distance of 87.09 feet;
8. Thence S89°48'17"W, a distance of 420.16 feet to a point of tangent curvature to the left;
9. Thence along said curve (whose chord bears S44°48'17"W, a distance of 212.13 feet) having a radius of 150.00 feet and a central angle of 90°00'00", an arc distance of 235.62 feet to a point of tangency;
10. Thence S0°11'43"E, a distance of 382.98 feet to a point of tangent curvature to the right;
11. Thence along said curve (whose chord bears S17°47'12"W, a distance of 57.90 feet) having a radius of 93.77 feet and a central angle of 35°57'49", an arc distance of 58.86 feet to a point of tangency;
12. Thence S35°46'06"W, a distance of 51.15 feet to a point of tangent curvature to the right;
13. Thence along said curve (whose chord bears S79°05'55"W, a distance of 34.31 feet) having a radius of 25.00 feet and a central angle of 86°39'38", an arc distance of 37.81 feet to the southeasterly corner of said lot, also being a point on the northerly right-of-way of E. Alameda Ave., and a point of non-tangent curvature to the right;

Thence coincident with said northerly right-of-way, and the northerly right-of-way of E. Alameda Pkwy., the following four (4) courses:

1. Thence along said curve (whose chord bears S51°22'59"E, a distance of 216.66 feet) having a radius of 1005.00 feet and a central angle of 12°22'33", an arc distance of 217.08 feet to a point of tangency;
2. Thence S45°11'43"E, a distance of 495.00 feet to a point of tangent curvature to the left;
3. Thence along said curve (whose chord bears S67°57'00"E, a distance of 692.35 feet) having a radius of 895.00 feet and a central angle of 45°30'34", an arc distance of 710.89 feet to a point of tangency;
4. Thence N89°17'43"E, a distance of 591.10 feet to a point of tangent curvature to the left;

Thence along said curve (whose chord bears N44°18'01"E, a distance of 35.36 feet) having a radius of 25.00 feet and a central angle of 90°00'00", and arc distance of 39.27 feet to a point of tangency, said point also being on the westerly right-of-way of S. Chambers Rd.;

Thence N0°41'59"W, coincident with said westerly right-of-way, a distance of 580.36 feet;

Thence N89°18'01"E, perpendicular to the previously described course, a distance of 55.00 feet to a point on the west line of the NW 1/4 of Section 17, Township 4 South, Range 66 West;

Thence N89°29'15"E, a distance of 55.00 feet to the northwesterly corner of Lot 1, Block 1, Alameda-Chambers Connection Subdivision Filing No. 1;

Thence coincident with the northerly and easterly lines of said Lot 1, Block 1, the following eight (8) courses:

1. Thence N89°29'15"E, coincident with the northerly line of said subdivision, a distance of 293.00 feet to the northeasterly corner of Lot 1, Block1 of said subdivision;
2. Thence S0°41'59"E, a distance of 179.49 feet to a point of tangent curvature to the left;
3. Thence along said curve (whose chord bears S20°41'59"E, a distance of 68.40 feet) having a radius of 100.00 feet and a central angle of 40°00'00", an arc distance of 69.81 feet to a point of tangency;
4. Thence S40°41'59"E, a distance of 31.20 feet to a point of tangent curvature to the left;
5. Thence along said curve (whose chord bears S44°41'59"E, a distance of 132.54 feet) having a radius of 950.00 feet and a central angle of 8°00'00", an arc distance of 132.65 feet to a point of tangency;
6. Thence S48°41'59"E, a distance of 142.91 feet to a point of tangent curvature to the right;
7. Thence along said curve (whose chord bears S24°41'59"E, a distance of 81.35 feet) having a radius of 100.00 feet and a central angle of 48°00'00", an arc distance of 83.78 feet to a point of tangency;
8. Thence S0°41'59"E, a distance of 79.48 feet to the southeasterly corner of said lot, also being a point on the northerly right-of-way of E. Alameda Pkwy., and a point of non-tangent curvature to the right;

Thence coincident with said northerly right-of-way the following two (2) courses:

1. Thence along said curve (whose chord bears  $S79^{\circ}49'55''E$ , a distance of 352.96 feet) having a radius of 1555.00 feet and a central angle of  $13^{\circ}01'59''$ , an arc distance of 353.72 feet to a point of tangency;
2. Thence  $S73^{\circ}18'55''E$ , a distance of 115.27 feet to the southeasterly corner of Lot 2, Block 1, of said Alameda-Chambers Connection Subdivision Filing No. 1;

Thence  $S35^{\circ}21'16''W$ , a distance of 115.93 feet to the northeasterly corner of City Center Marketplace Subdivision Filing No. 1;

Thence coincident with the easterly and southerly lines of said subdivision the following three (3) courses:

1. Thence  $S5^{\circ}01'13''W$ , a distance of 879.53 feet;
2. Thence  $S3^{\circ}58'47''E$ , a distance of 48.01 feet;
3. Thence  $S89^{\circ}18'01''W$ , a distance of 321.79 feet to a point on the southerly right-of-way of S. Helena Way, said point also being a point of non-tangent curvature to the right;

Thence coincident with said southerly right-of-way the following two (2) courses:

1. Thence along said curve (whose chord bears  $S72^{\circ}31'19''W$ , a distance of 103.92 feet) having a radius of 180.00 feet and a central angle of  $33^{\circ}33'28''$ , an arc distance of 105.42 feet to a point of tangency;
2. Thence  $S89^{\circ}18'01''W$ , a distance of 425.00 feet to a point of tangent curvature to the left;

Thence along said curve (whose chord bears  $S44^{\circ}18'01''W$ , a distance of 35.36 feet) having a radius of 25.00 feet and a central angle of  $90^{\circ}00'00''$ , an arc distance of 39.27 feet to a point on the easterly right-of-way of S. Chambers Rd.;

Thence  $S82^{\circ}21'47''W$ , a distance of 110.82 feet to a point on the westerly right-of-way of S. Chambers Rd. and a point of non-tangent curvature to the left;

Thence along said curve (whose chord bears  $N45^{\circ}29'36''W$ , a distance of 35.23 feet) having a radius of 25.00 feet and a central angle of  $89^{\circ}35'15''$ , an arc distance of 39.09 feet to a point of tangency, said point also being on the southerly right-of-way of E. Center Ave.;

Thence coincident with said southerly right-of-way the following two (2) courses:

1. Thence  $S89^{\circ}42'46''W$ , a distance of 1149.22 feet to a point of tangent curvature to the left;
2. Thence along said curve (whose chord bears  $S84^{\circ}42'38''W$ , a distance of 31.46 feet) having a radius of 180.40 feet and a central angle of  $10^{\circ}00'16''$ , an arc distance of 31.50 feet to a point of compound curvature;

Thence along said curve (whose chord bears  $S36^{\circ}23'39''W$ , a distance of 34.30 feet) having a radius of 25.00 feet and a central angle of  $86^{\circ}37'42''$ , an arc distance of 37.80 feet to a point on the easterly right-of-way of E. Centrepoint Dr.;

Thence N63°31'41"W, a distance of 97.64 feet to a point on the westerly right-of-way of E. Centrepoint Dr., said point being the northeasterly corner of Centrepoint Subdivision Filing No. 2;

Thence coincident with the northerly line of said subdivision the following four (4) courses:

1. Thence S79°37'03"W, a distance of 27.10 feet to a point of tangent curvature to the left;
2. Thence along said curve (whose chord bears S74°39'17"W, a distance of 230.98 feet) having a radius of 1335.00 feet and a central angle of 9°55'32", an arc distance of 231.27 feet to a point of reverse curvature;
3. Thence along said curve (whose chord bears S79°41'03"W, a distance of 463.28 feet) having a radius of 1335.00 feet and a central angle of 19°59'03", an arc distance of 465.63 feet to a point of tangency;
4. Thence S89°40'34"W, a distance of 510.60 to the northwesterly corner of said subdivision, also being a point on the easterly right-of-way of S. Sable Blvd.;

Thence S54°58'07"W, a distance of 108.93 feet to a point on the westerly right-of-way of S. Sable Blvd., said point also being the southeasterly corner of Aurora Mall Subdivision Filing No. 2;

Thence N0°44'28"W, coincident with the easterly line of said subdivision, a distance of 1723.79 feet to the southeasterly corner of Aurora Mall Subdivision Filing No. 4;

Thence N0°44'28"W, coincident with the easterly line of said subdivision, a distance of 410.42 feet;

Thence N0°37'14"W, a distance of 159.85 feet to a point on the easterly line of Sable Square Subdivision Filing No. 1;

Thence S89°55'20"E, a distance of 144.98 feet to a point on that parcel of land described at Reception No. D5005037;

Thence coincident with said parcel the following four (4) courses:

1. Thence N89°48'13"E, a distance of 18.62 feet;
2. Thence S68°03'08"E, a distance of 27.86 feet;
3. Thence N89°48'13"E, a distance of 50.97 feet;
4. Thence S83°04'15"E, a distance of 125.31 feet to the easterly most corner of said parcel, also being a point on the northerly right-of-way of E Alameda Ave., and a point of non-tangent curvature to the right;

Thence coincident with said northerly right-of-way and along said curve (whose chord bears S74°58'01"E, a distance of 419.63 feet) having a radius of 1005.00 feet and a central angle of 24°06'02", an arc distance of 422.73 feet to the southeasterly corner of Lot 5, Block 1, Judicial Complex Subdivision Filing No. 4;

Thence coincident with the westerly line of said Lot 5, Block 1 the following seven (7) courses;

1. Thence N18°07'25"E, a distance of 53.10 feet to a point of non-tangent curvature to the right;
2. Thence along said curve (whose chord bears N29°19'04"W, a distance of 160.79 feet) having a radius of 203.86 feet and a central angle of 46°27'06", an arc distance of 165.28 feet to a point of tangency;

3. Thence  $N6^{\circ}05'31''W$ , a distance of 38.47 feet to a point of tangent curvature to the left;
4. Thence along said curve (whose chord bears  $N9^{\circ}41'18''W$ , a distance of 116.84 feet) having a radius of 931.31 feet and a central angle of  $7^{\circ}11'34''$ , an arc distance of 116.91 feet to a point of tangency;
5. Thence  $N13^{\circ}17'05''W$ , a distance of 105.28 feet to a point of tangent curvature to the left;
6. Thence along said curve (whose chord bears  $N20^{\circ}30'53''W$ , a distance of 56.17 feet) having a radius of 223.14 and a central angle of  $14^{\circ}27'37''$ , an arc distance of 56.32 feet to a point of tangency;
7. Thence  $N27^{\circ}44'42''W$ , a distance of 179.83 feet to the **Point of Beginning**.

Said parcel containing 6,106,949 square feet (140.20 acres) more or less.

Less and except the following described parcel of land situated entirely within the above described parcel, more particularly described as follows:

Lot 1, Block 1, Arapahoe Centrepoint Plaza Subdivision Filing No. 1

Said parcel containing 512,527 square feet (11.77 acres) more or less.

Net area of described parcel containing 5,594,422 square feet (128.43 acres) more or less.

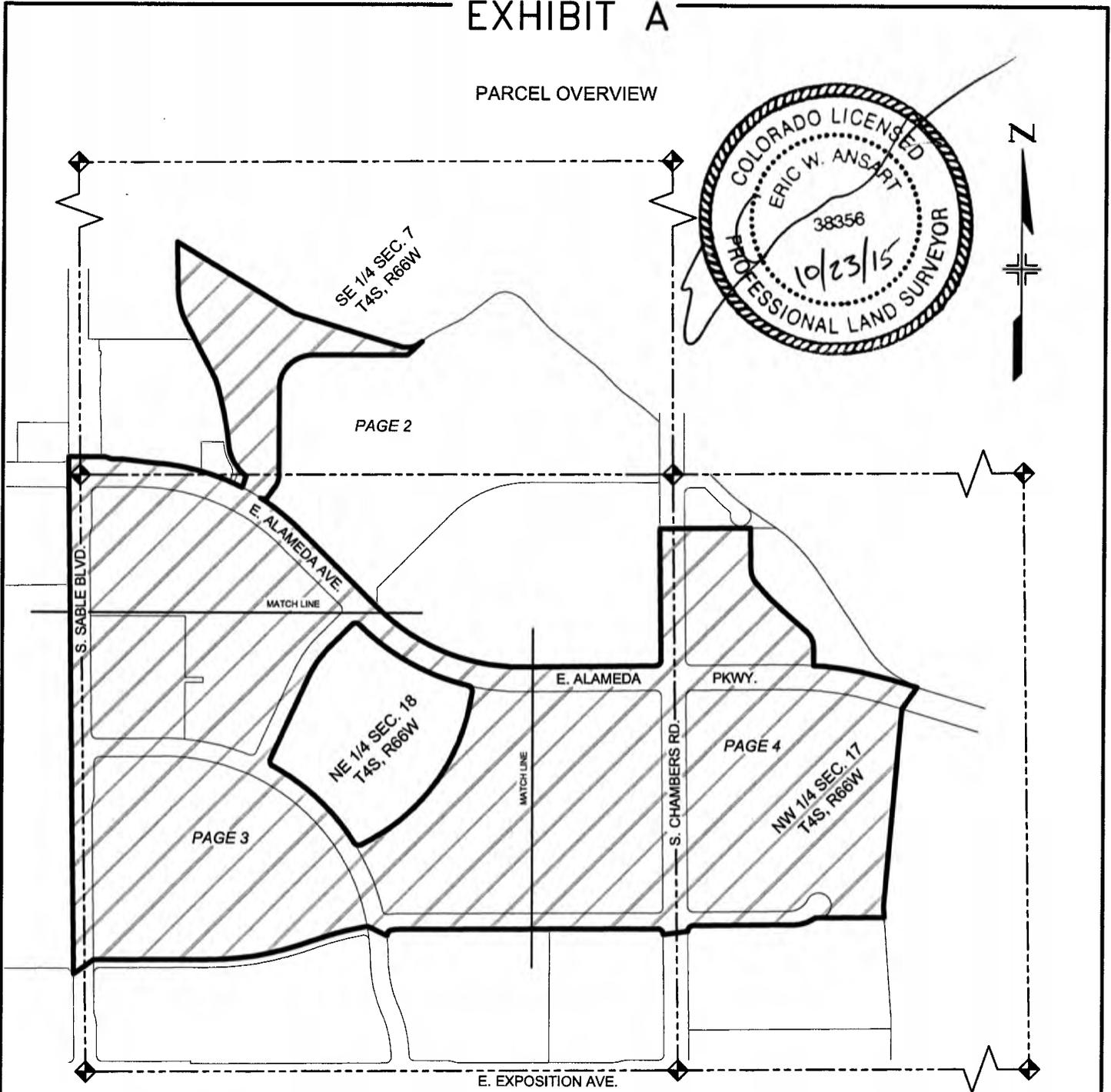
Bearings based on the west line of the SE 1/4 of Section 7, Township 4 South, Range 66 West of the 6<sup>th</sup> Principal Meridian, being  $S0^{\circ}30'06''E$ .

Eric W. Ansart  
Colorado PLS# 38356  
For and on behalf of the  
City of Aurora, Colorado  
13636 E. Ellsworth Ave.  
Aurora, Colorado 80012



ILLUSTRATION FOR  
**EXHIBIT A**

PARCEL OVERVIEW



BEARINGS BASED ON THE WEST LINE OF THE SE 1/4 OF SECTION 7, T4S, R66W, 6TH P.M., BEING S0° 30' 06"E  
THE ABOVE DESCRIBED PARCEL CONTAINS 5,594,422 SQUARE FEET (128.43 ACRES) MORE OR LESS.

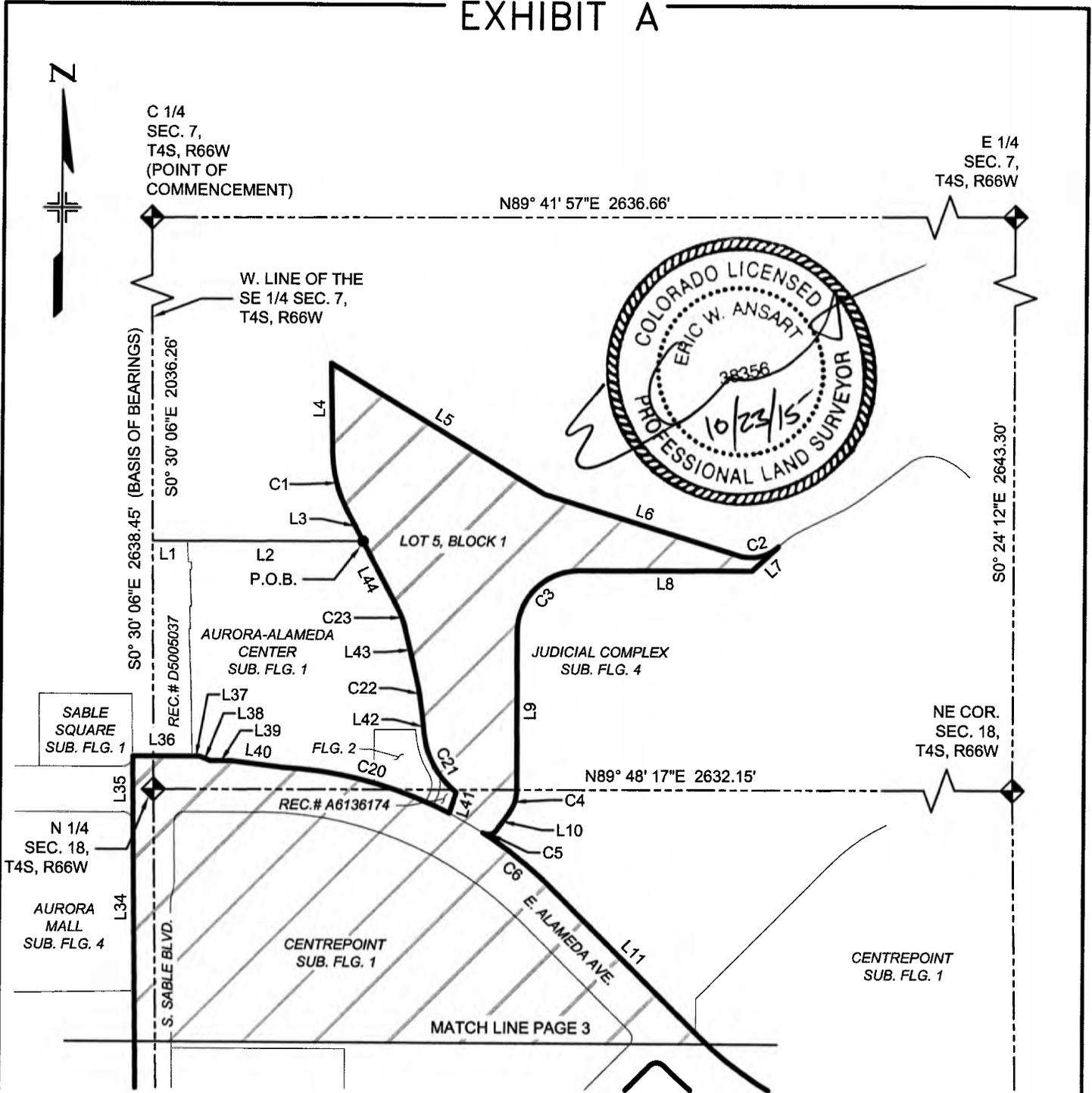
This drawing does not represent a monumented survey. It is intended only to depict the attached legal description.

**CITY OF AURORA, COLORADO**

A PARCEL OF LAND SITUATED IN THE S 1/2 OF SEC. 7,  
THE NW 1/4 OF SEC. 17, AND THE N 1/2 OF SEC. 18,  
T4S, R66W, 6TH P.M., CITY OF AURORA, COUNTY OF  
ARAPAHOE, STATE OF COLORADO

DRAWN BY: EWA	SCALE: NONE	R.O.W. FILE NUMBER 1233M
CHECKED BY: DMR	DATE: 10/16/15	PROJ. NUMBER: 15065

ILLUSTRATION FOR  
**EXHIBIT A**



BEARINGS BASED ON THE WEST LINE OF THE SE 1/4 OF SECTION 7, T4S, R66W, 6TH P.M., BEING  $S0^{\circ} 30' 06'' E$   
THE ABOVE DESCRIBED PARCEL CONTAINS 5,594,422 SQUARE FEET (128.43 ACRES) MORE OR LESS.

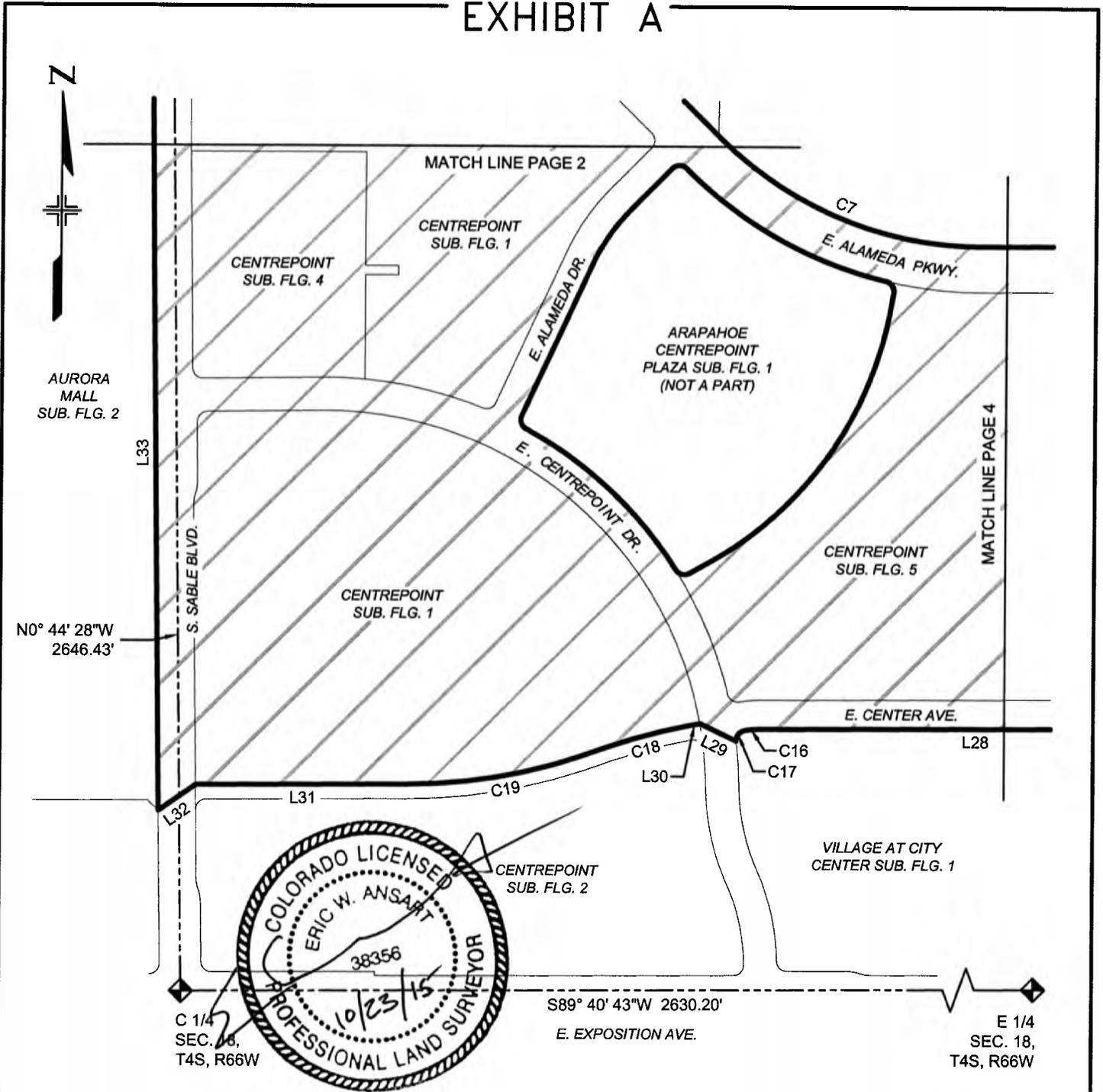
This drawing does not represent a monumented survey. It is intended only to depict the attached legal description.

**CITY OF AURORA, COLORADO**

A PARCEL OF LAND SITUATED IN THE S 1/2 OF SEC. 7,  
THE NW 1/4 OF SEC. 17, AND THE N 1/2 OF SEC. 18, T4S,  
R66W, 6TH P.M., CITY OF AURORA, COUNTY OF  
ARAPAHOE, STATE OF COLORADO

DRAWN BY: EWA	SCALE: NONE	R.O.W. FILE NUMBER 1233M
CHECKED BY: DMR	DATE: 10/16/15	PROJ. NUMBER: 15065

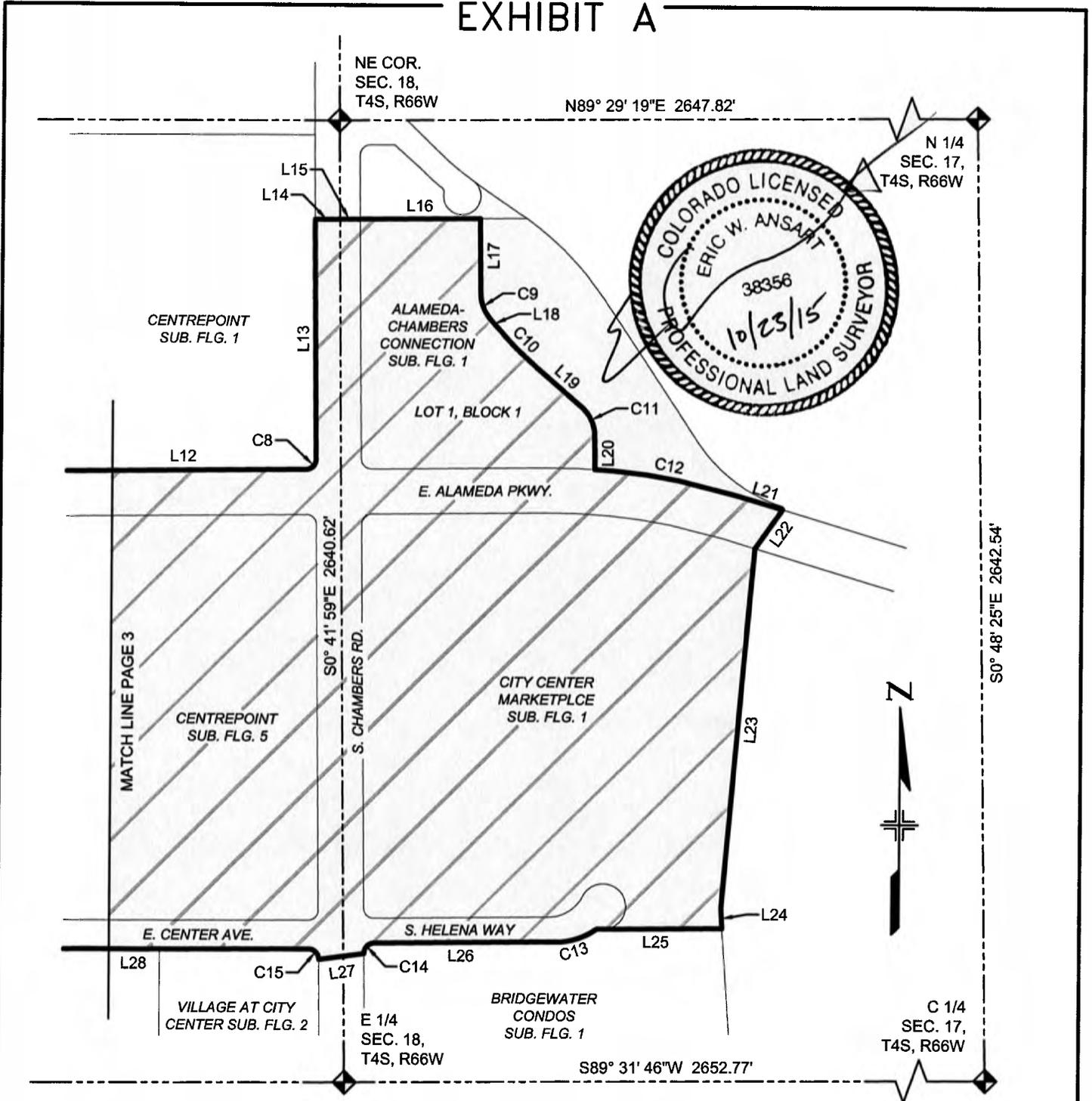
ILLUSTRATION FOR  
EXHIBIT A



BEARINGS BASED ON THE WEST LINE OF THE SE 1/4 OF SECTION 7, T4S, R66W, 6TH P.M., BEING S0° 30' 06"E  
 THE ABOVE DESCRIBED PARCEL CONTAINS 5,594,422 SQUARE FEET (128.43 ACRES) MORE OR LESS.  
 This drawing does not represent a monumented survey. It is intended only to depict the attached legal description.

<b>CITY OF AURORA, COLORADO</b>			A PARCEL OF LAND SITUATED IN THE S 1/2 OF SEC. 7, THE NW 1/4 OF SEC. 17, AND THE N 1/2 OF SEC. 18, T4S, R66W, 6TH P.M., CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO
DRAWN BY: EWA	SCALE: NONE	R.O.W. FILE NUMBER 1233M	
CHECKED BY: DMR	DATE: 10/16/15	PROJ. NUMBER: 15065	

ILLUSTRATION FOR  
**EXHIBIT A**



BEARINGS BASED ON THE WEST LINE OF THE SE 1/4 OF SECTION 7, T4S, R66W, 6TH P.M., BEING S0° 30' 06"E  
 THE ABOVE DESCRIBED PARCEL CONTAINS 5,594,422 SQUARE FEET (128.43 ACRES) MORE OR LESS.  
 This drawing does not represent a monumented survey. It is intended only to depict the attached legal description.

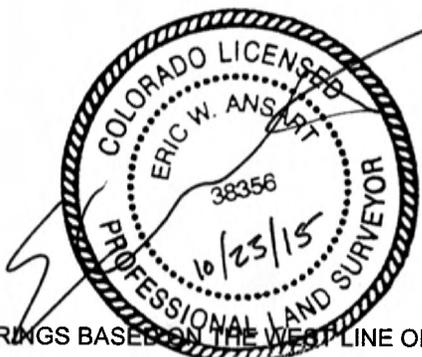
<b>CITY OF AURORA, COLORADO</b>			A PARCEL OF LAND SITUATED IN THE S 1/2 OF SEC. 7, THE NW 1/4 OF SEC. 17, AND THE N 1/2 OF SEC. 18, R66W, 6TH P.M., CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO
DRAWN BY: EWA	SCALE: NONE	R.O.W. FILE NUMBER 1233M	
CHECKED BY: DMR	DATE: 10/16/15	PROJ. NUMBER: 15065	

ILLUSTRATION FOR  
**EXHIBIT A**

Line Table		
Line #	Length	Direction
L1	45.00'	N89° 29' 54"E
L2	471.14'	N89° 48' 17"E
L3	81.62'	N27° 44' 42"W
L4	218.17'	N1° 18' 46"W
L5	607.75'	S58° 42' 23"E
L6	493.29'	S72° 43' 23"E
L7	87.09'	S47° 05' 21"W
L8	420.16'	S89° 48' 17"W
L9	382.98'	S0° 11' 43"E
L10	51.15'	S35° 46' 06"W
L11	495.00'	S45° 11' 43"E
L12	591.10'	N89° 17' 43"E
L13	580.36'	N0° 41' 59"W
L14	55.00'	N89° 18' 01"E
L15	55.00'	N89° 29' 15"E
L16	293.00'	N89° 29' 15"E
L17	179.49'	S0° 41' 59"E
L18	31.20'	S40° 41' 59"E
L19	142.91'	S48° 41' 59"E
L20	79.48'	S0° 41' 59"E
L21	115.27'	S73° 18' 55"E
L22	115.93'	S35° 21' 16"W

Line Table		
Line #	Length	Direction
L23	879.53'	S5° 01' 13"W
L24	48.01'	S3° 58' 47"E
L25	321.79'	S89° 18' 01"W
L26	425.00'	S89° 18' 01"W
L27	110.82'	S82° 21' 47"W
L28	1149.22'	S89° 42' 46"W
L29	97.64'	N63° 31' 41"W
L30	27.10'	S79° 37' 03"W
L31	510.60'	S89° 40' 34"W
L32	108.93'	S54° 58' 07"W
L33	1723.79'	N0° 44' 28"W
L34	410.42'	N0° 44' 28"W
L35	159.85'	N0° 37' 14"W
L36	144.98'	S89° 55' 20"E
L37	18.62'	N89° 48' 13"E
L38	27.86'	S68° 03' 08"E
L39	50.97'	N89° 48' 13"E
L40	125.31'	S83° 04' 15"E
L41	53.10'	N18° 07' 25"E
L42	38.47'	N6° 05' 31"W
L43	105.28'	N13° 17' 05"W
L44	179.83'	N27° 44' 42"W

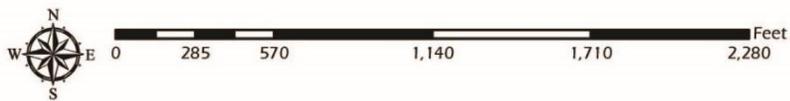
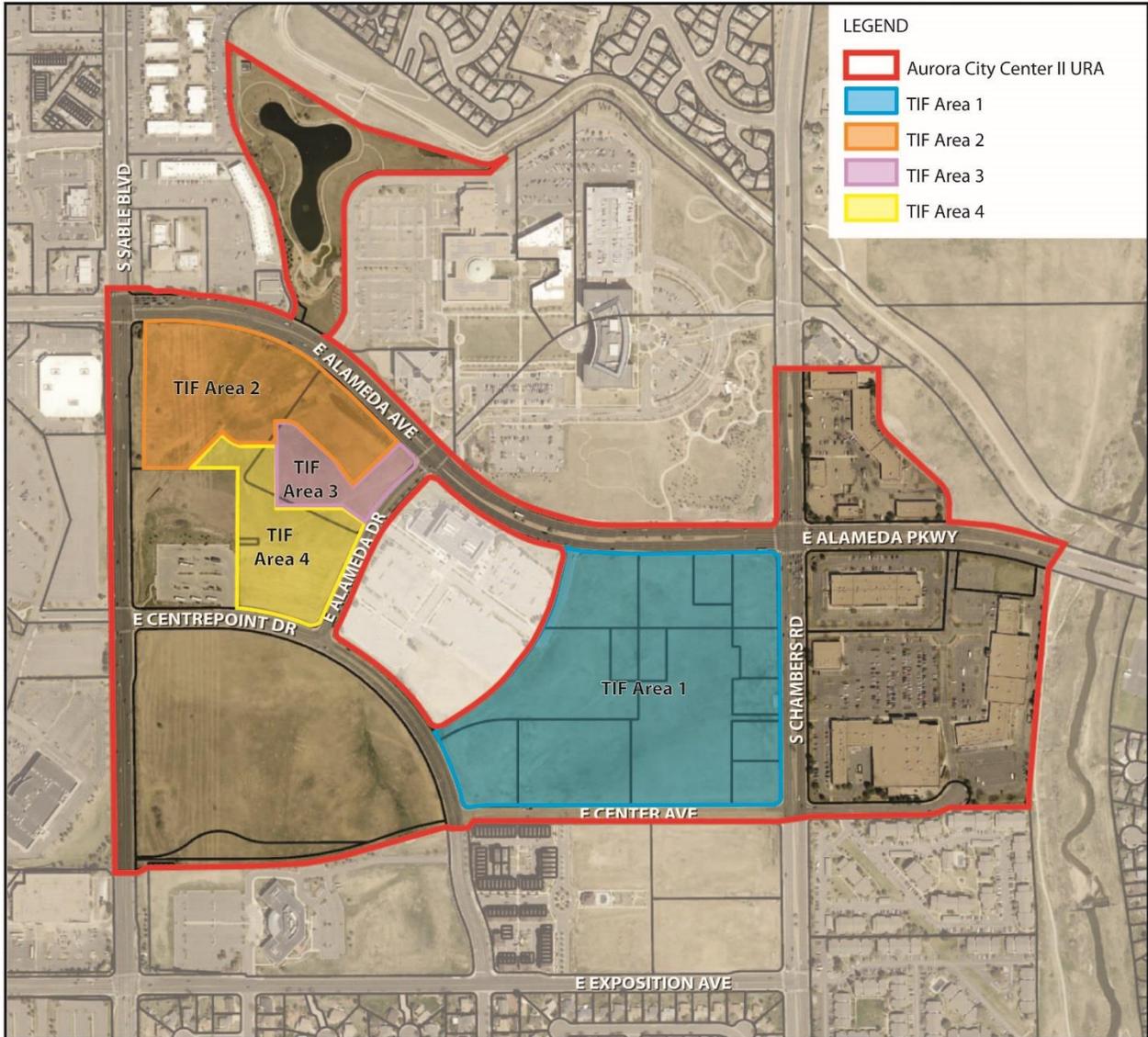
Curve Table					
Curve #	Delta	Length	Radius	Chord Brg.	Chord
C1	26° 25' 56"	148.10'	321.03'	N14° 31' 44"W	146.79'
C2	60° 11' 16"	105.05'	100.00'	N77° 10' 59"E	100.28'
C3	90° 00' 00"	235.62'	150.00'	S44° 48' 17"W	212.13'
C4	35° 57' 49"	58.86'	93.77'	S17° 47' 12"W	57.90'
C5	86° 39' 38"	37.81'	25.00'	S79° 05' 55"W	34.31'
C6	12° 22' 33"	217.08'	1005.00'	S51° 22' 59"E	216.66'
C7	45° 30' 34"	710.89'	895.00'	S67° 57' 00"E	692.35'
C8	90° 00' 00"	39.27'	25.00'	N44° 18' 01"E	35.36'
C9	40° 00' 00"	69.81'	100.00'	S20° 41' 59"E	68.40'
C10	8° 00' 00"	132.65'	950.00'	S44° 41' 59"E	132.54'
C11	48° 00' 00"	83.78'	100.00'	S24° 41' 59"E	81.35'
C12	13° 01' 59"	353.72'	1555.00'	S79° 49' 55"E	352.96'
C13	33° 33' 28"	105.42'	180.00'	S72° 31' 19"W	103.92'
C14	90° 00' 00"	39.27'	25.00'	S44° 18' 01"W	35.36'
C15	89° 35' 15"	39.09'	25.00'	N45° 29' 36"W	35.23'
C16	10° 00' 16"	31.50'	180.40'	S84° 42' 38"W	31.46'
C17	86° 37' 42"	37.80'	25.00'	S36° 23' 39"W	34.30'
C18	9° 55' 32"	231.27'	1335.00'	S74° 39' 17"W	230.98'
C19	19° 59' 03"	465.63'	1335.00'	S79° 41' 03"W	463.28'
C20	24° 06' 02"	422.73'	1005.00'	S74° 58' 01"E	419.63'
C21	46° 27' 06"	165.28'	203.86'	N29° 19' 04"W	160.79'
C22	7° 11' 34"	116.91'	931.31'	N9° 41' 18"W	116.84'
C23	14° 27' 37"	56.32'	223.14'	N20° 30' 53"W	56.17'



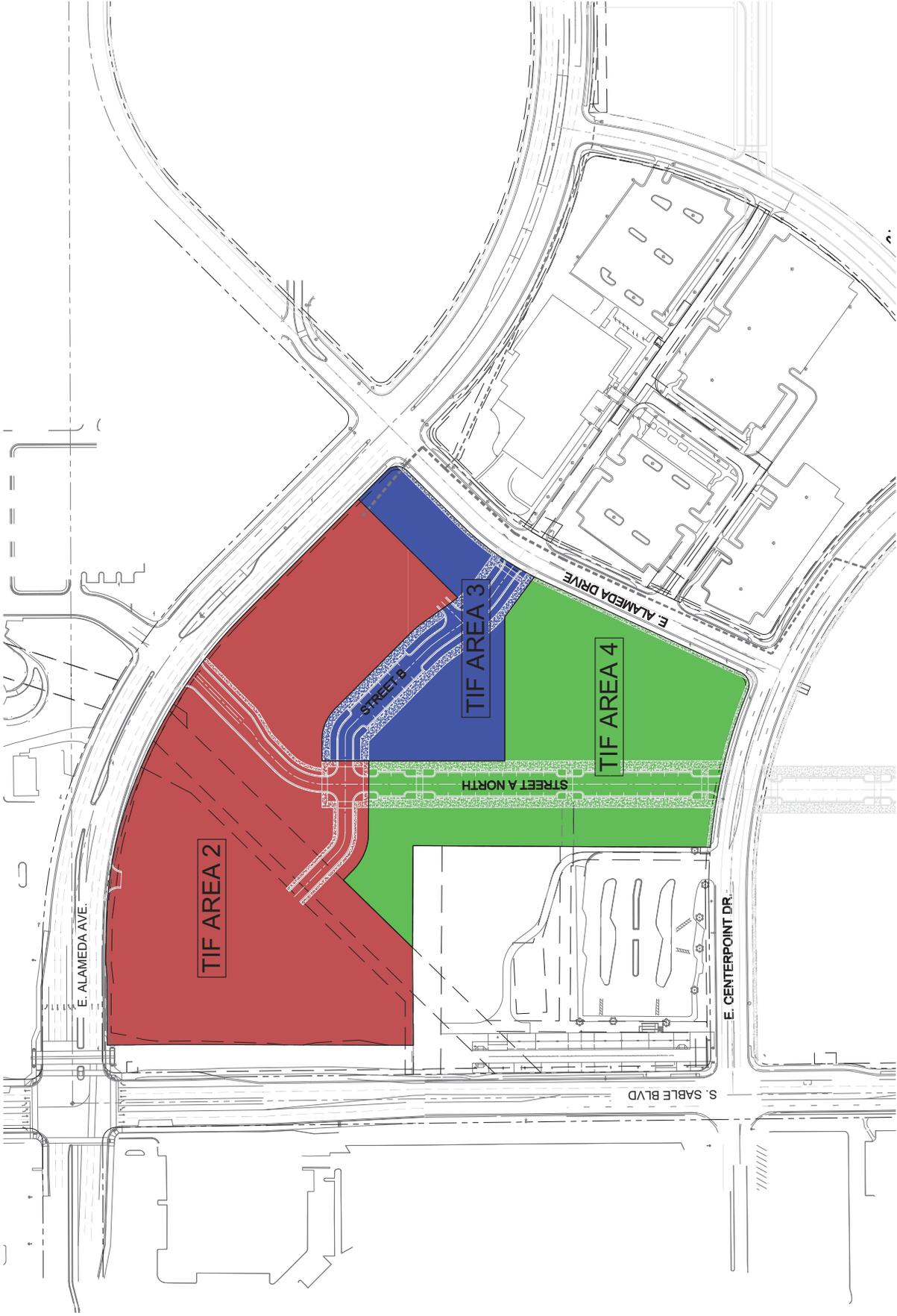
BEARINGS BASED ON THE WEST LINE OF THE SE 1/4 OF SECTION 7, T4S, R66W, 6TH P.M., BEING S0° 30' 06"E  
 THE ABOVE DESCRIBED PARCEL CONTAINS 5,594,422 SQUARE FEET (128.43 ACRES) MORE OR LESS.  
 This drawing does not represent a monumented survey. It is intended only to depict the attached legal description.

<b>CITY OF AURORA, COLORADO</b>			A PARCEL OF LAND SITUATED IN THE S 1/2 OF SEC. 7, THE NW 1/4 OF SEC. 17, AND THE N 1/2 OF SEC. 18, T4S, R66W, 6TH P.M., CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO
DRAWN BY: EWA	SCALE: NONE	R.O.W. FILE NUMBER 1233M	
CHECKED BY: DMR	DATE: 10/16/15	PROJ. NUMBER: 15065	

### Exhibit B: TIF Areas Boundary Maps



Aurora City Center II  
Urban Renewal Area



**AURORA METRO CENTER**

**URA TIF AREA EXHIBIT**

WOODBURY CORPORATION

11.04.2015

**Exhibit C: TIF Area 1 Legal Description**

LEGAL DESCRIPTION – CITY CENTER II (TIF AREA #1)

A PARCEL OF LAND BEING LOT 1, BLOCK 2 ARAPAHOE CENTREPOINT PLAZA SUBDIVISION FILING NO. 1 RECORDED IN BOOK 213 PAGES 5 AND 6 AT RECEPTION NUMBER B1223025 AT THE CLERK AND RECORDER'S OFFICE OF ARAPAHOE COUNTY ALSO BEING LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 18 N89°48'27"E, 1729.20 FEET; THENCE S00°00'00"E, 937.29 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF EAST ALAMEDA AVENUE THE FOLLOWING THREE (3) COURSES: 245.76 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1005.00 FEET, A CENTRAL ANGLE OF 14°00'39", AND A CHORD WHICH BEARS S83°41'47"E, 245.14 FEET; THENCE, N89°17'54"E, 591.09 FEET; THENCE, 39.27 FEET ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S45°42'06"E, 35.36 FEET; THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SOUTH CHAMBERS ROAD THE FOLLOWING TWO (2) COURSES: S00°42'06"E, 935.74 FEET; THENCE, 39.45 FEET ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°24'45", AND A CHORD WHICH BEARS S44°30'16"W, 35.48 FEET; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF EAST CENTER AVENUE THE FOLLOWING THREE (3) COURSES: S89°42'39"W, 1148.38 FEET; THENCE, 43.70 FEET ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 250.40 FEET, A CENTRAL ANGLE OF 9°59'54", AND A CHORD WHICH BEARS S84°42'42"W, 43.64 FEET; THENCE, 37.79 FEET ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86°36'53", AND A CHORD WHICH BEARS N56°58'48"W, 34.30 FEET; THENCE 327.13 FEET ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF EAST CENTREPOINT DRIVE A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 991.55 FEET, A CENTRAL ANGLE OF 18°54'10", AND A CHORD WHICH BEARS N23°07'27"W, 325.65 FEET; THENCE ALONG THE NORTHWESTERLY RIGHT-OF-WAY OF SOUTH FRASER COURT THE FOLLOWING FIVE (5) COURSES, 37.78 FEET ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86°34'41", AND A CHORD WHICH BEARS S75°51'53"E, 34.28 FEET; THENCE, N60°50'47"E, 51.11 FEET; THENCE, 776.28 FEET ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 876.00 FEET, A CENTRAL ANGLE OF 50°46'25", AND A CHORD WHICH BEARS N35°27'35"E, 751.13 FEET; THENCE, N10°04'22"E, 40.57 FEET; THENCE, 37.86 FEET ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86°45'49", AND A CHORD WHICH BEARS N33°18'33"W, 34.34 FEET TO THE POINT OF BEGINNING

CONTAINING: 1,075,729 SQUARE FEET (24.695 ACRES) MORE OR LESS

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN, BEING N89° 48' 27"E.



**Exhibit D: TIF Area 2 Legal Description**

**LEGAL DESCRIPTION: URA TIF AREA 2**

A part of Lot 1, Block 1, Centrepoint Subdivision Filing No. 1, situated in the NE 1/4 of Section 18, T.4S., R.66W., of the 6th P.M., City of Aurora, County of Arapahoe, State of Colorado and more particularly described as follows:

Basis of Bearing:

The West line of the Northeast Quarter of Section 18, T.4S., R.66W., of the 6th P.M., which is considered to bear N00°44'34"W.

Commencing at the North ¼ corner of said section 18;

Thence S59°15'41"E, a distance of 124.51 feet to a point on the southerly line of East Alameda Parkway and the **Point of Beginning**;

Thence along said southerly line the following seven (7) courses:

1. Thence N89°48'00"E, a distance of 127.03 feet;
2. Thence N85°59'24"E, a distance of 30.00 feet;
3. Thence S88°55'38"E, a distance of 62.89 feet to a point of curvature;
4. Thence along said curve to the right, having a radius of 821.20 feet, a central angle of 10°14'17", a distance of 146.74 feet, a chord bearing of S83°48'44"E and a chord distance of 146.54 feet to a point on a compound curve;
5. Thence along said curve to the right, having a radius of 894.82 feet, a central angle of 09°50'07", a distance of 153.60 feet, a chord bearing of S71°47'41"E and a chord distance of 153.42 feet to a point on a compound curve;
6. Thence along said curve to the right, having a radius of 895.02 feet, a central angle of 21°41'09", a distance of 338.75 feet, a chord bearing of S56°02'09"E and a chord distance of 336.74 feet;
7. Thence S45°11'32"E, a distance of 300.00 feet:

Thence S44°48'28"W, a distance of 257.08 feet;

Thence N35°17'21"W, a distance of 71.82 feet to a point of curvature;

Thence along said curve to the left, having a radius of 237.06 feet, a central angle of 10°29'33", a distance of 43.41 feet, a chord bearing of N40°06'08"W and a chord distance of 43.35 feet;

Thence N45°11'32"W, a distance of 191.56 feet to a point of curvature:

Thence along said curve to the left, having a radius of 77.77 feet, a central angle of 45°07'13", a distance of 61.24 feet, a chord bearing of N67°35'46"W and a chord distance of 59.67 feet;

Thence S89°54'38"W, a distance of 39.08 feet;

Thence S00°00'00"E, a distance of 86.00 feet;

Thence N89°47'47"W; a distance of 132.71 feet to a point of curvature;

Thence along said curve to the right, having a radius of 98.00 feet, a central angle of 43°49'39", a distance of 74.96 feet, a chord bearing of N67°39'23"W and a chord distance of 73.15 feet;

Thence N45°44'34"W, a distance of 26.47 feet;

Thence S44°15'26"W, a distance of 177.55 feet;

Thence S89°31'55"W, a distance of 179.56 feet;

Thence N00°11'56"E, a distance of 449.99 feet;

Thence N00°43'13"W, a distance of 88.44 feet;

Thence N00°43'13"W, a distance of 24.29 feet to the **Point of Beginning**.

Containing 389,709 square feet or 8.946 acres more or less.



Prepared for and on behalf of Galloway, Lyle G. Bissegger, PLS# 38038



**Exhibit E: TIF Area 3 Legal Description**

**LEGAL DESCRIPTION: URA TIF AREA 3**

A part of Lot 1, Block 1, Centrepoint Subdivision Filing No. 1, situated in the NE 1/4 of Section 18, T.4S., R.66W., of the 6th P.M., City of Aurora, County of Arapahoe, State of Colorado and more particularly described as follows:

Basis of Bearing:

The West line of the Northeast Quarter of Section 18, T.4S., R.66W., of the 6th P.M., which is considered to bear N00°44'34"W.

Commencing at the North ¼ corner of said section 18;

Thence S64°40'19"E, a distance of 1228.49 feet to a point on the southwesterly line of East Alameda Parkway and the **Point of Beginning**;

Thence S45°11'32"E along said southwesterly line, a distance of 75.00 feet to a point of curvature;

Thence along said curve to the right, having a radius of 25.00, a central angle of 90°00'00", a distance of 39.27 feet, a chord bearing of S00°11'32"E and a chord distance of 35.36 feet to a point on the northwesterly line of East Alameda Drive;

Thence along said northwesterly line the following two (2) courses:

1. Thence N44°48'28"W, a distance of 138.29 feet to a point of curvature;
2. Thence along said curve to the left, having a radius of 535.00 feet, a central angle of 18°08'01", a distance of 169.32 feet, a chord bearing of S35°44'27"W and a chord distance of 168.62 feet;

Thence N53°44'03"W, a distance of 91.72 feet:

Thence N90°00'0"W, a distance of 264.17 feet;

Thence N00°00'00"E, a distance of 336.00 feet;

Thence N89°54'38"E, a distance of 39.08 feet to a point of curvature:

Thence along said curve to the right, having a radius of 77.77 feet, a central angle of 45°07'13", a distance of 61.24 feet, a chord bearing of S67°35'46"E and a chord distance of 59.67 feet;

Thence S45°11'32"E, a distance of 191.56 feet to a point of curvature;

Thence along said curve to the right, having a radius of 237.06 feet, a central angle of 10°29'33", a distance of 43.41 feet, a chord bearing of S40°06'08"E and a chord distance of 43.35 feet;

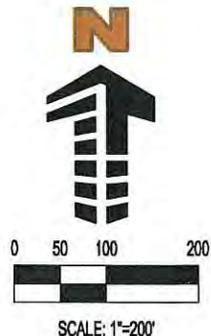
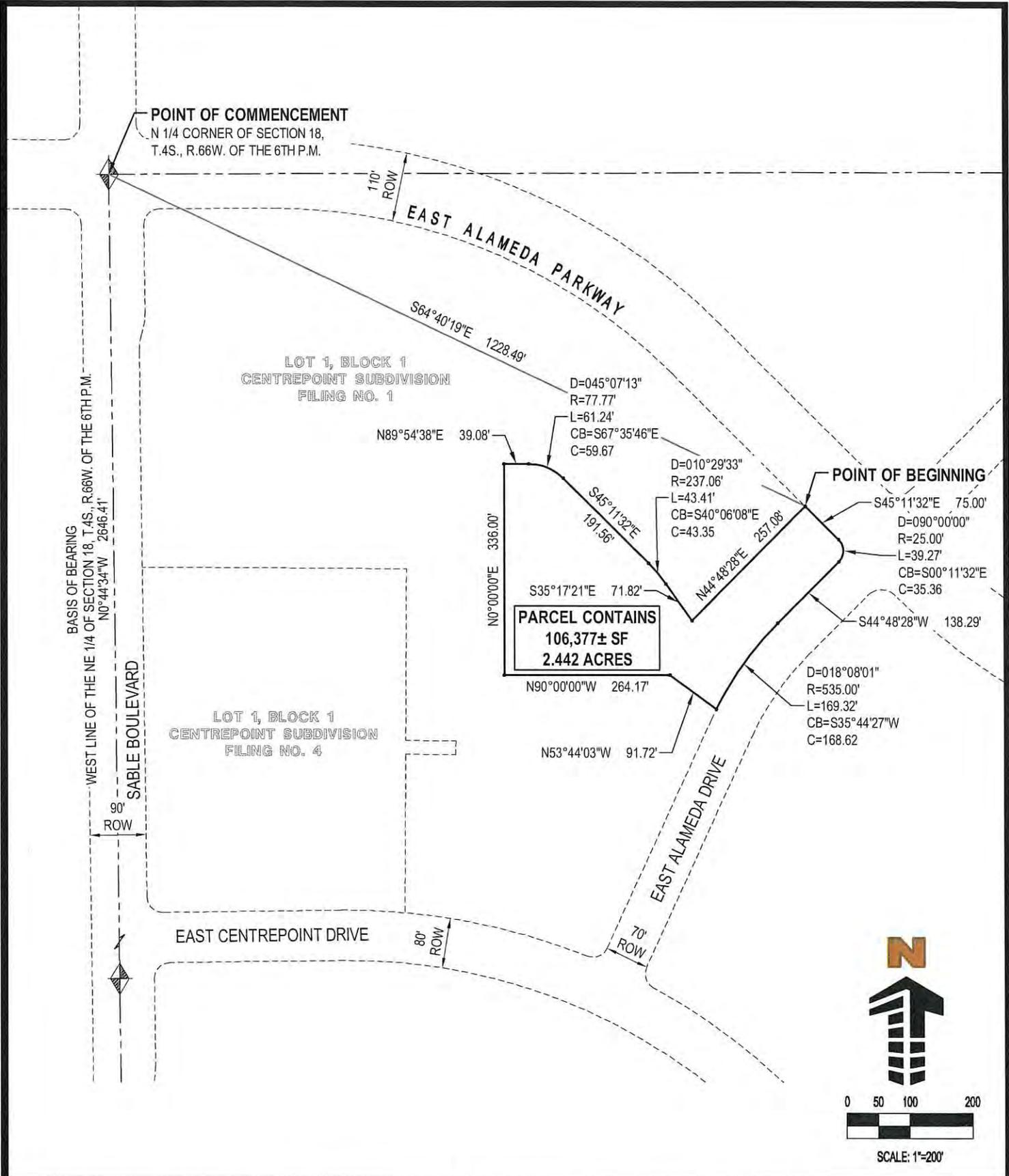
Thence S35°17'21"E, a distance of 71.82 feet;

Thence N44°48'28"E, a distance of 257.08 feet to the **Point of Beginning**.

Containing 106,377 square feet or 2.442 acres more or less.



Prepared for and on behalf of Galloway, Lyle G. Bissegger, PLS# 38038



**AURORA METRO CENTER**  
**WOODBURY CORPORATION**

AURORA, CO

**URA TIF AREA 3 SURVEY EXHIBIT**

Project No:	WOC02.01
Drawn By:	KRS
Checked By:	LGB
Date:	10/30/2015

**Galloway**  
Planning, Architecture, Engineering

Trolley Corners Building  
515 South 700 East, Suite 3F  
Salt Lake City, UT 84102  
303.770.8884 O  
www.gallowayUS.com

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**Exhibit F: TIF Area 4 Legal Description**

**LEGAL DESCRIPTION: URA TIF AREA 4**

A part of Lot 1, Block 1, Centrepoint Subdivision Filing No. 1, situated in the NE 1/4 of Section 18, T.4S., R.66W., of the 6th P.M., City of Aurora, County of Arapahoe, State of Colorado and more particularly described as follows:

Basis of Bearing:

The West line of the Northeast Quarter of Section 18, T.4S., R.66W., of the 6th P.M., which is considered to bear N00°44'34"W.

Commencing at the North ¼ corner of said section 18;

Thence S39°30'10"E, a distance of 645.06 feet to the **Point of Beginning**;

Thence S45°44'34"E, a distance of 26.47 feet to a point of curvature;

Thence along said curve to the left, having a radius of 74.96 feet, a central angle of 43°49'39", a distance of 74.96 feet, a chord bearing of S67°39'23"E and a chord distance of 73.15 feet;

Thence S89°47'47"E, a distance of 132.71 feet;

Thence S00°00'00"E, a distance of 250.00 feet;

Thence N90°00'00"E, a distance of 264.17 feet;

Thence S53°44'05"E, a distance of 91.79 feet to a point on the northwesterly line of East Alameda Drive and a point of curvature;

Thence along said northwesterly line and curve to the left, having a radius of 548.40 feet, a central angle of 01°49'10", a distance of 17.41 feet, a chord bearing of S25°57'51"W and a chord distance of 17.41 feet;

Thence continuing along said northwesterly line S24°48'28"W, a distance of 401.50 feet to a point of curvature:

Thence along said curve to the right, having a radius of 25.00 feet, a central angle of 86°59'26", a distance of 37.96 feet, a chord bearing of S68°18'11"W and a chord distance of 34.41 feet to a point on the north line of East Centrepoint Drive and a point on a reverse curve;

Thence along said north line and curve to the left, having a radius of 974.14 feet, a central angle of 17°33'25", a distance of 298.50 feet, a chord bearing of N76°30'54"W and a chord distance of 297.34 feet;

Thence N00°19'00"E, a distance of 546.35 feet;

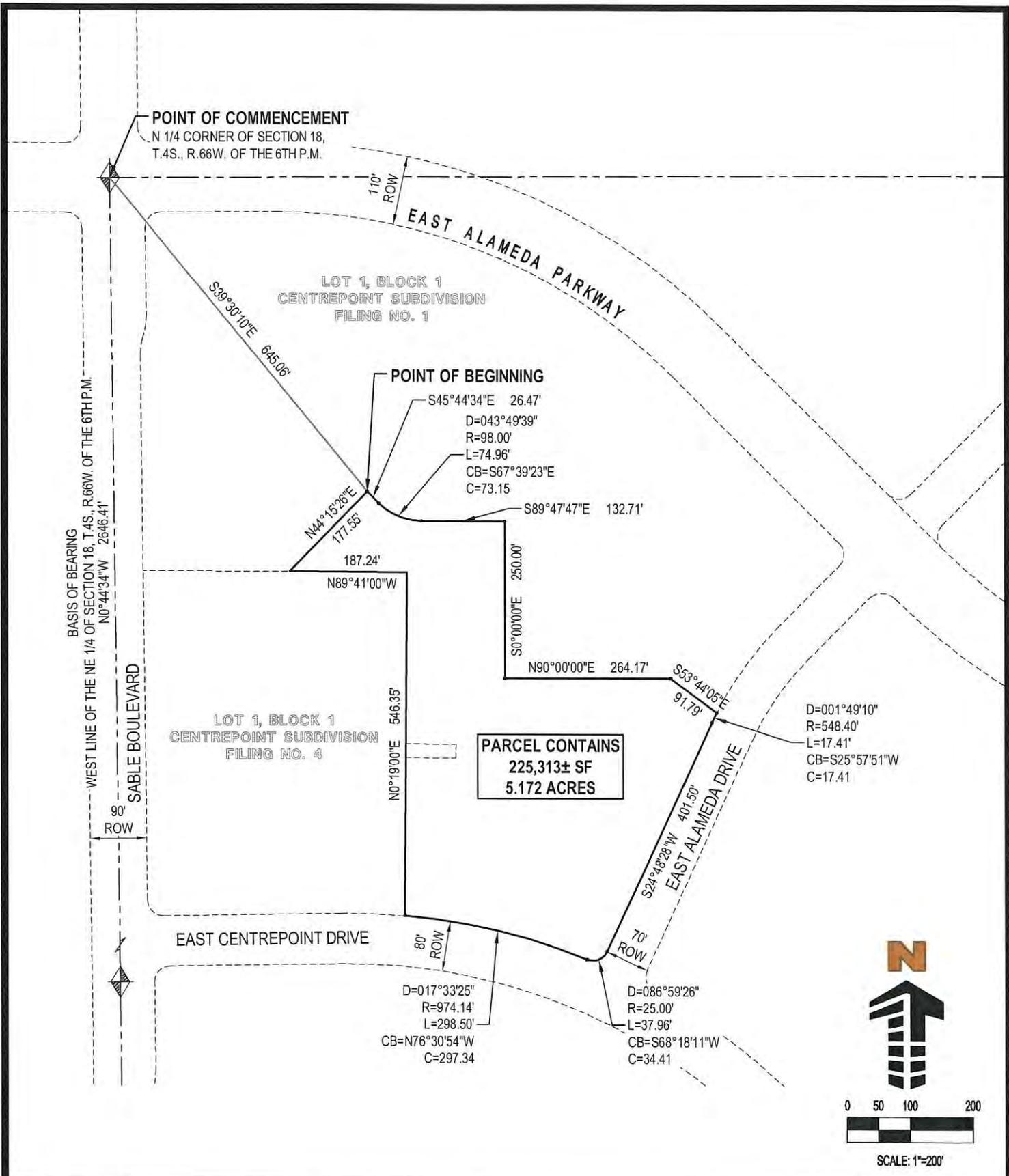
Thence N89°41'00"W, a distance of 187.24 feet;

Thence N44°15'26"E, a distance of 177.55 feet to the **Point of Beginning**.

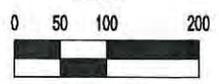
Containing 225,313 square feet or 5.172 acres more or less.



Prepared for and on behalf of Galloway, Lyle G. Bissegger, PLS# 38038



**PARCEL CONTAINS**  
 225,313± SF  
 5.172 ACRES



SCALE: 1"=200'

AURORA METRO CENTER  
 WOODBURY CORPORATION

AURORA, CO  
 URA TIF AREA 4 SURVEY EXHIBIT

Project No:	WOC02.01
Drawn By:	KRS
Checked By:	LGB
Date:	10/30/2015

**Galloway**  
 Planning, Architecture, Engineering  
 Trolley Corners Building  
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**Exhibit G: Aurora City Center II Blight Study (November 2008)**

City of Aurora

# Aurora City Center II



## Urban Renewal Plan and Blight Study

November 2008

Prepared by:



Matrix Design Group Inc.  
Environmental Design Solutions

Leland Consulting Group 

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## Section 1: Study Overview

The Aurora City Center II Blight Study (“Study”) is an examination and analysis of various conditions found within a defined geographic area to determine if the area qualifies as “blighted” within the meaning of Colorado Urban Renewal law.

The Study is a necessary step if urban renewal, as defined and authorized by Colorado statutes, is to be used as a tool by the Aurora Urban Renewal Authority / City of Aurora (“City”) to remedy and prevent conditions of blight. The findings and conclusions presented in this report are intended to assist the City in making a final determination as to whether the Study Area qualifies as blighted and, consequently, the feasibility and appropriateness of using urban renewal as a reinvestment tool.

To conduct the Study and prepare the Study report, the Aurora Urban Renewal Authority retained the services of Denver-based Matrix Design Group, a planning, environmental, and engineering consulting firm.

The general methodology for the Study was as follows: First, the specific geographic territory (“Study Area”) to be evaluated was determined by the City. Next, general information about the Study Area was gathered, such as right-of-way and parcel boundaries, aerial photography, etc. The Study Area was then evaluated for evidence of blight through two means: a thorough field reconnaissance of the Study Area to document observed physical conditions of blight, and a data collection effort to gather information about blight factors that are not visually observable. The Study results were then categorized and analyzed as to their applicability to the blight factors outlined in the Colorado Urban Renewal statutes. Finally, the findings and conclusions regarding blight found within the Study Area were prepared and presented in this report.

## Section 2: Colorado Urban Renewal Statutes and Blighted Areas

Under Colorado Urban Renewal Law, the term “blighted area” describes an area with an array of urban problems. Before remedial action can be taken, however, the Urban Renewal Law requires a finding by the appropriate governing body that an area such as the Study Area constitutes a blighted area. For purposes of the Study, the definition of a blighted area is premised upon the definition articulated in the Urban Renewal Law, as follows:

*“Blighted area” means an area that, in its present condition and use and, by reason of the presence of at least **four** of the following factors, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare:*

- a. Slum, deteriorated, or deteriorating structures;*
- b. Predominance of defective or inadequate street layout;*
- c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- d. Unsanitary or unsafe conditions;*
- e. Deterioration of site or other improvements;*
- f. Unusual topography or inadequate public improvements or utilities;*
- g. Defective or unusual conditions of title rendering the title non-marketable;*
- h. The existence of conditions that endanger life or property by fire or other causes;*
- i. Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;*
- j. Environmental contamination of buildings or property; or*
- k.5. The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements”*

In addition, paragraph (l.) states, *“if there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, ‘blighted area’ also means an area that, in its present condition and use and, by reason of the presence of any **one** of the factors specified in paragraphs (a) to (k.5) of this subsection....”*

The statute also states a separate requirement for the number of blight factors that must be present if private property is to be acquired by eminent domain. At § 31-25-105.5(5), paragraph (a.) states, *“Blighted area’ shall have the same meaning as set forth in section 31-25-103 (2); except that, for purposes of this section only, ‘blighted area’ means an area that, in its present condition and use and, by reason of the presence of at least **five** of the factors specified in section 31-25-103 (2)(a) to (2)(l)....”*

Thus, the state statutes require, depending on the circumstances, that a minimum of either **one, four, or five** blight factors be present for an area to be considered a “blighted area.”

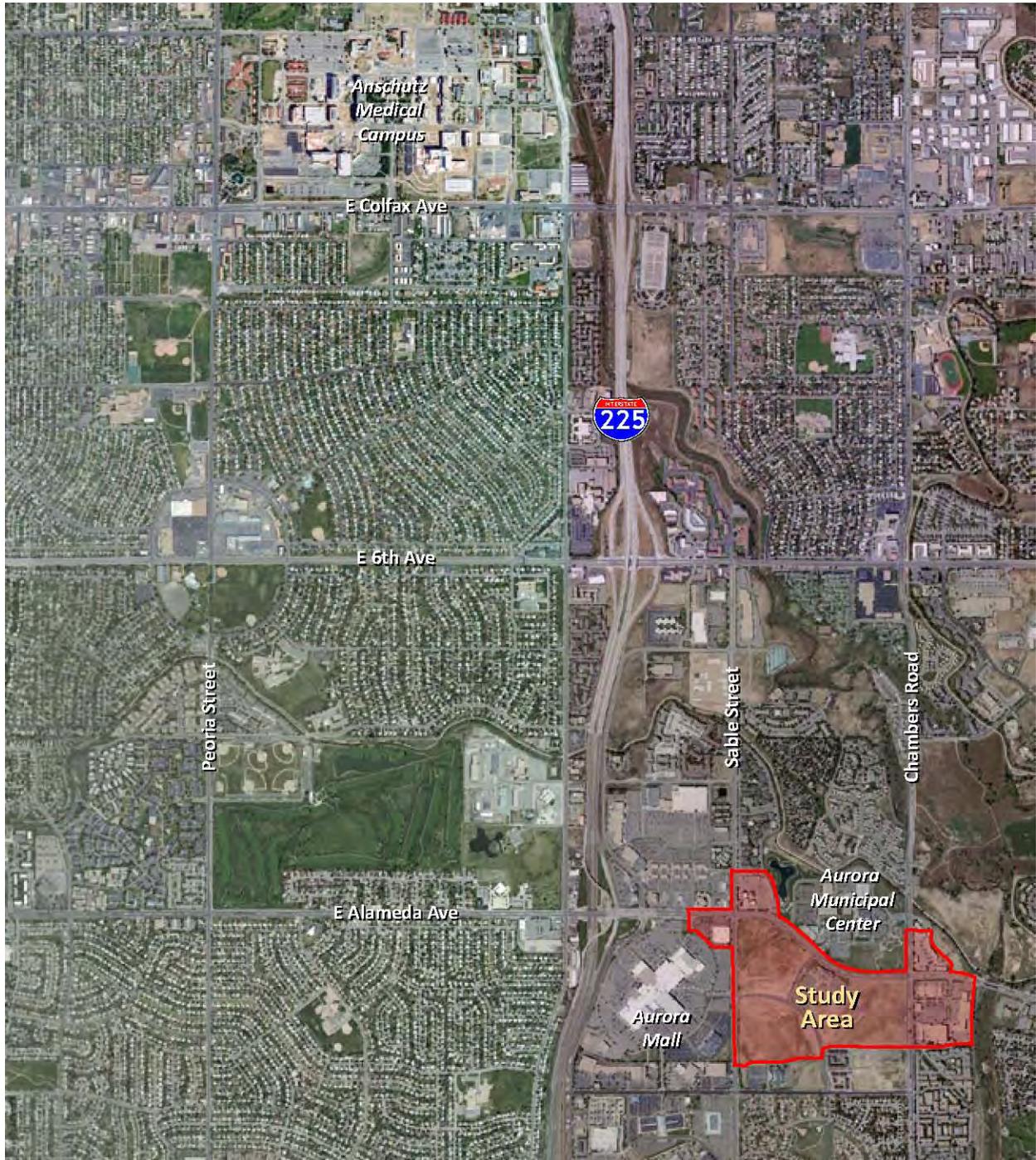
Based upon the conditions identified in the Study Area, this report makes a recommendation as to whether the Study Area contains a sufficient number of blight factors to qualify as a blighted area. The actual determination itself remains the responsibility of the Aurora City Council.

### Section 3: Study Area Location, Definition, and Description

The Aurora City Center Blight Study Area is located in west-central Aurora, Arapahoe County, Colorado. The Study Area is generally bounded by South Sable Street on the west, East Alameda Parkway on the north, West Tollgate Creek on the east, and East Center Avenue on the south. **Exhibit 1: Study Area Location Map**, shows the general location of the Study Area within a regional context, and **Exhibit 2: Study Area Boundary and Parcel Map** shows the specific Study Area boundary and the location of parcels and public rights-of-way within.

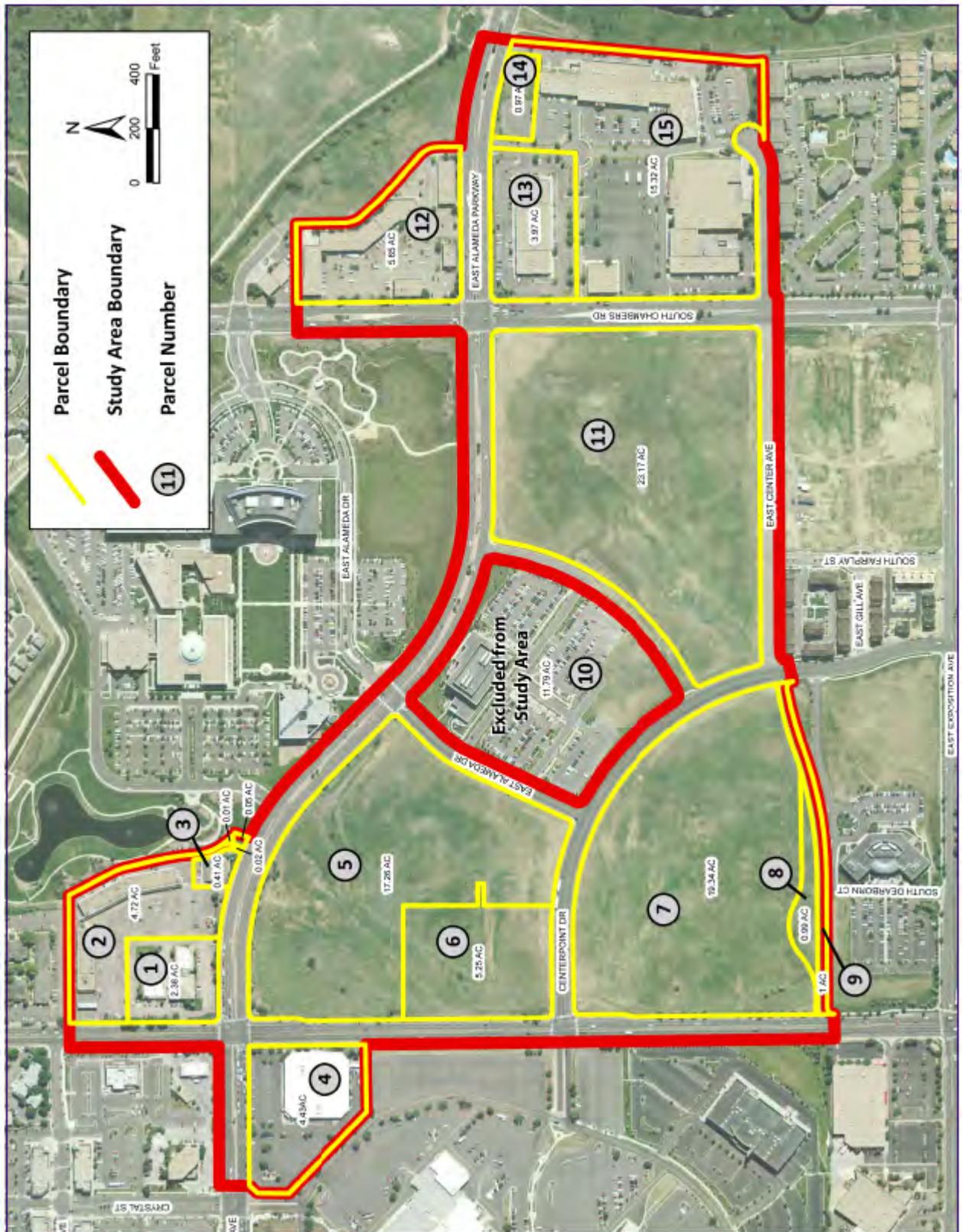
The Study Area includes 15 separate real estate parcels which total approximately 117 acres. Portions of the public right-of-way located within the Study Area measure approximately 24 acres, resulting in a Study Area total size of approximately 141 acres.

### Exhibit 1: Study Area Location Map



Base aerial from Google Earth

### Exhibit 2: Study Area Boundary and Parcel Map



Base aerial from City of Aurora

## Section 4: Study Findings

The overall findings of the Aurora City Center II Blight Study are presented in this section. These findings are based on the analysis of data collected and field studies conducted in the Spring and Summer of 2008.

### **Slum, Deteriorated or Deteriorating Structures:**

During the field survey of the Study Area, the general condition and level of deterioration of each building is evaluated. This examination is limited to a visual inspection of the building's exterior and is not a detailed engineering or architectural analysis, nor does it include the building's interior. The intent is to document obvious indications of disrepair and deterioration to the exterior of a structure found within the Study Area.

Some of the exterior elements observed for signs of deterioration include:

- Primary building elements: Exterior walls, visible foundation, roof
- Secondary building elements: Fascia/soffits, gutters/downspouts, windows/doors, façade finishes
- Ancillary structures: Detached garages, storage buildings

There are several examples of deteriorating structures within the Study Area. These conditions mostly take the form of deteriorated building elements like windows and doors, gutters, overhangs, etc., and are found in several locations within the Study Area, such as:

- Deteriorated gutters/downspouts and exterior finishes on Parcel 2
- Deteriorated exterior finishes and windows/doors on Parcel 12
- Deteriorated fascia/soffits on Parcel 15

The photos on the following pages provide visual documentation of these blight conditions.

Evidence is sufficient to support a finding of Slum, Deteriorated or Deteriorating Structures within the Study Area.



Deteriorated building elements included cracking of exterior building materials, such as the damaged brick wall shown above, as well as deteriorated gutters and downspouts, as shown below.





Deteriorated exterior building elements included awnings with peeling paint (above) and cracked or broken frames on windows and doors (below).





*Deteriorated exterior building finishes and support columns were evident in commercial retail properties.*

### **Predominance of Defective or Inadequate Street Layout:**

The presence of this factor is determined through a combination of both field observation as well as an analysis of the existing transportation network and vehicular and pedestrian circulation patterns in the Study Area by persons with expertise in transportation planning and/or traffic engineering. These conditions include:

- Inadequate Street Widths, Cross-Sections, or Geometries
- Poor Vehicular/Pedestrian Access to Buildings or Sites / Lack of Streets
- Poor Provisions or Unsafe Conditions for Vehicles and Pedestrians
- Insufficient Roadway Capacity Leading to Unusual Congestion of Traffic
- Inadequate Emergency Vehicle Access
- Poor Internal Vehicular/Pedestrian Circulation
- Excessive Curb Cuts/Driveways in Commercial Areas

Examples of Defective or Inadequate Street Layout in the Study Area include:

- Poor access / lack of streets for Parcels 5, 6, 7, 10, and 11
- Insufficient roadway capacity at two major intersections

The lack of streets in some of the Study Area's largest parcels (5, 6, 7, 10, and 11) restricts access to the interior of these parcels and represents an inadequacy of transportation infrastructure necessary for development.

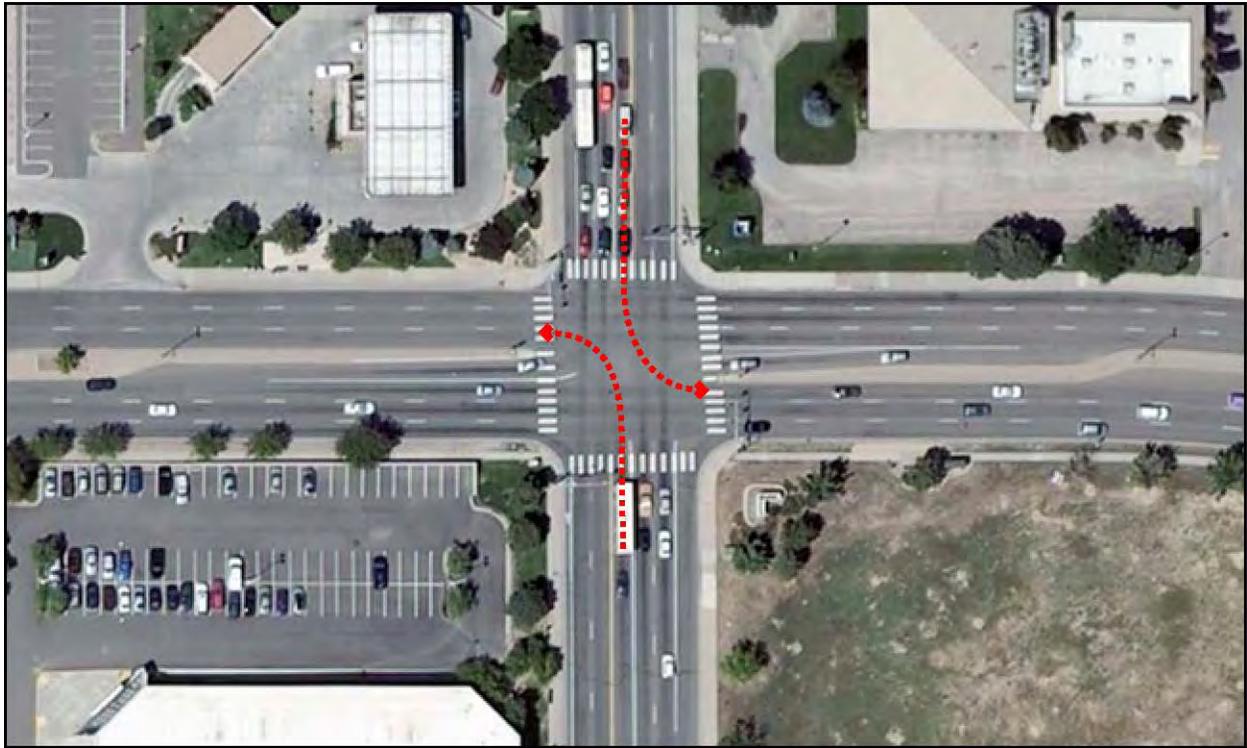
The lack of sufficient roadway capacity, according to the City of Aurora Traffic Services office, exists at the intersection of Alameda Parkway and Chambers Road, where a westbound to northbound right-turn bay is need. The lack of this turn bay results in significant traffic congestion.

Additionally, according to the City of Aurora Traffic Services office, the intersection of Alameda Parkway and Sable Boulevard is in need of dual left turn lanes for both northbound-to-westbound and southbound-to-eastbound turning movements. This condition also results in significant traffic congestion.

The images below show the two intersections with insufficient roadway capacity. Exhibit 2: Study Area Boundary and Parcel Map, shows the lack of streets in the large parcels discussed above.



*The above aerial of the Alameda/Chambers intersection shows the lack of a right turn bay for the westbound-to-northbound turning movement.*



*The above Alameda/Sable intersection needs two sets of dual turn lanes for the indicated turning movements in order to reduce automobile congestion. Currently, those two movements only have one dedicated lane apiece.*

### **Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness:**

This factor requires an analysis of the parcels within the Study Area as to their potential and usefulness as developable sites. Conditions indicative of the presence of this factor include:

- Lots that are Long, Narrow, or Irregularly Shaped
- Lots that are Inadequate in Size
- Lots with Configurations that Result in Stagnant, Misused, or Unused Land
- Multiplicity of Ownership Making Assemblages of Land Difficult or Impossible

Two of the fifteen parcels in the Study Area are elongated and awkward for development, (Parcels 8 and 9), but they function as extensions to the public right-of-way or otherwise facilitate vehicular parking or pedestrian access; so, for those reasons, they are not considered to be “faulty” under this blight factor.

However, Parcels 1, 2, and 3 together form a site that functions as a single development

in many ways (shared parking, for example) and would also represent a single redevelopment opportunity in the future; yet these three parcels are owned by three different owners. Multiplicity of ownership making land assemblages difficult or impossible is a condition that exists for Parcels 1, 2, and 3.

Consequently, evidence is sufficient to support a finding of Faulty Lot Layout within the Study Area.

### **Unsanitary or Unsafe Conditions:**

Conditions observed within the Study Area that qualify under this blight factor include:

- Floodplains or Flood Prone Areas
- Inadequate Storm Drainage Systems/Evidence of Standing Water
- Above Average Incidences of Public Safety Responses
- Existence of Contaminants or Hazardous Conditions or Materials
- Open Trash Dumpsters
- Severely Cracked, Sloped, or Uneven Surfaces for Pedestrians
- Illegal Dumping
- Vagrants/Vandalism/Graffiti/Gang Activity
- Open Ditches, Holes, or Trenches in Pedestrian Areas

Present within the Study Area were several examples of Unsanitary or Unsafe Conditions. Particularly apparent were pedestrian hazards, which took the form of cracked, uneven, or unimproved pedestrian areas and paths. Multiple bus lines serve Study Area, and the bus stop near the corner of East Alameda Avenue and East Alameda Drive on Parcel 5, in particular, lacks a curb ramp, lighting, or a solid asphalt or concrete surface. Pedestrians must therefore stand in the dirt, or even on the road if the ground is too wet or muddy, jeopardizing their safety. Pedestrian hazards were also found within retail areas in the form of cracked or buckled private sidewalks as well as occasional poor surface conditions and standing water in parking lots.

Also, inadequate floodplain and stormwater drainage improvements on Parcel 5 can present unsafe conditions for pedestrians in that area due to localized urban flooding. The images below represent some of these unsafe conditions:



Some bus stops lacked sidewalks despite being in an area frequented by pedestrians. Wet or muddy conditions can encourage riders to wait in the street, creating a safety hazard.





Cracked and buckled sidewalks in retail pedestrian areas and open pot holes in parking areas are examples of unsafe conditions within the Study Area.



**Deterioration of Site or Other Improvements:**

The conditions that apply to this blight factor reflect the deterioration of various improvements made on a site other than building structures. These conditions may represent a lack of general maintenance at a site, the physical degradation of specific improvements, or an improvement that was poorly planned or constructed. Overall, the presence of these conditions can reduce a site's usefulness and desirability and negatively affect nearby properties.

- Neglected Properties or Evidence of General Site Maintenance Problems
- Deteriorated Signage or Lighting
- Deteriorated Fences, Walls, or Gates
- Deterioration of On-Site Parking Surfaces, Curb & Gutter, or Sidewalks
- Poorly Maintained Landscaping or Overgrown Vegetation
- Poor Parking Lot/Driveway Layout
- Unpaved Parking Lot on Commercial Properties

There were several examples of Deterioration of Site or Other Improvements found within the Study Area. Many of the Study Area's site improvements were installed several decades ago and are nearing the end of their life span. The site improvements that show evidence of deterioration include:

- On-site parking lot surfaces, parking stop blocks, and parking lot curb and gutter on Parcels 1, 2, and 12
- Deteriorated signage and lighting on Parcels 2 and 12

The images below represent a few of the several examples of deteriorated site improvements found within the Study Area:



Parking lots needing general maintenance and repair were quite common within the Study Area.





Deteriorated asphalt paving and signage reflect conditions of Deteriorated Site Improvements in the Study Area.



**Unusual Topography or Inadequate Public Improvements or Utilities:**

This factor focuses on the presence of unusual topographical conditions that could make development prohibitive, such as steep slopes or poor load-bearing soils, as well as deficiencies in the public infrastructure within the Study Area that could include:

- Deteriorated Public Infrastructure (street/alley pavement, curb, gutter, sidewalks, street lighting, storm drainage systems)
- Lack of Public Infrastructure (same as above)
- Inadequate Fire Protection Facilities/Hydrants
- Inadequate Sanitation or Water Systems

The public improvements found within the Study Area vary in terms of adequacy and physical condition.

Parcel borders along public rights-of-way that lacked sidewalks often had worn pedestrian trails through the grass, suggesting that a significant number of people travel through the area on foot, despite the lack of public infrastructure. In addition to these pedestrian deficiencies, significant storm water drainage and detention issues also exist within the Study Area. According to a detailed memorandum prepared for this Blight Study by Kevin Wegener, Senior Engineer with the City of Aurora, “the development or redevelopment of the City Center Blight Study Area requires the design and construction of both major or regional flood control improvements and minor or local drainage improvements.”

Regional flood control facilities provide conveyance or transport of stormwater runoff from a 100-year flood event. The memo discusses the existing regional flood control capacity on Parcels 5 and 6, and the need for additional improvements should those parcels be developed. Local or minor drainage improvements generally consist of public street inlets and lesser storm sewers and on-site drainage facilities (such as privately owned detention ponds) that are designed to control more frequent storm events, such as the two –year storm or five – year storm. These local or minor facilities also allow the surface runoff of more intense storms to flow safely through streets and designated easements to a point of discharge into a regional flood control channel. Parcels 1, 2, 3, 4, and 5 all will require the installation of additional local drainage improvements upon development or redevelopment. The detention pond located on Parcel 2 has been altered since its original installation, resulting in potential surface overflow. These pedestrian and storm water issues reflect the existence of Inadequate Public Improvements or Utilities within the Study Area.



Public sidewalks were not consistently present throughout the Study Area. Undeveloped parcels throughout the Study Area require storm water drainage and flood control improvements.



**Defective or Unusual Conditions of Title Rendering the Title Non-marketable:**

Certain properties can be difficult to market or redevelop if they have overly restrictive or prohibitive clauses in their deeds or titles, or if the title itself is in dispute.

No evidence of properties with defective or unusual conditions of title was found within the Study Area.

**Existence of Conditions that Endanger Life or Property by Fire and Other Causes:**

A finding of blight within this factor can result from the presence of the following conditions, which include both the deterioration of physical improvements that can lead to dangerous situations as well as the inability for emergency personnel or equipment to provide services to a site:

- Buildings or Sites Inaccessible to Fire and Emergency Vehicles
- Blocked/Poorly Maintained Fire and Emergency Access Routes/Frontages
- Insufficient Fire and Emergency Vehicle Turning Radii
- Buildings or Properties not in Compliance with Fire Codes, Building Codes, or Environmental Regulations

Information received from City of Aurora life safety officials indicates that such conditions do not exist within the Study Area. Although the ability for emergency vehicles to access some portions of the Study Area may be limited due to the lack of internal streets, the portions with poor access are undeveloped and do not contain human uses or property, and therefore do not pose a threat to the public. Consequently, these conditions are not considered severe enough to qualify as blight under this factor.

**Buildings that are Unsafe or Unhealthy for Persons to Live or Work In:**

Some of the conditions that can contribute to this blight factor include:

- Buildings or Properties not in Compliance with Fire Codes, Building Codes, or Environmental Regulations
- Buildings with Deteriorated Elements that Create Unsafe Conditions
- Buildings with Inadequate or Improperly Installed Utility Components

No evidence of buildings that are unsafe or unhealthy for persons to live or work in was found within the Study Area, nor was information provided by City of Aurora public health or safety officials that such buildings exist within the Study Area.

**Environmental Contamination of Buildings or Property:**

Matrix conducted a document review for the current Conoco fuel service station at 14531 E. Alameda Avenue (fuel service station) in accordance with practices and procedures generally accepted by the environmental consulting industry. The fuel service station is the only property within the Aurora City Center II Blight Study Area considered in Matrix's document review because there are known, documented releases associated with their underground storage tanks. Other properties within the Aurora City Center II Blight Study Area may also contain environmental impacts; however, they have not been researched as part of this study.

The analysis presented herein includes statements of professional opinion and are based on documents and information provided by and produced by others. Matrix has not performed a site walk or sampling of environmental media of any kind. The potential exists for unreported and unknown environmental issues associated with the fuel service station or surrounding areas that are not identified herein. No warranties, expressed or implied, are presented herein. However, Matrix has provided its best professional opinion.

On September 3, 2008 Matrix reviewed over 50 documents at the Division of Oil and Public Safety (OPS) at the Colorado Department of Labor and Employment. The documents indicated multiple reported petroleum releases at the fuel service station. The earliest reported release occurred in September of 1989 and the most recent in September of 1995. Multiple environmental investigations have been performed on the soil and groundwater at the fuel service station, including:

- 9/1989 – Environmental Assessment finds petroleum in soil and groundwater.
- 5/1995 – Soil Vapor Survey showed twelve of fourteen sampling locations to be impacted by petroleum.
- 5/1995 – Environmental Investigation collected four soil and groundwater samples; all samples exceeded Colorado regulatory standards for petroleum.
- 9/1995 – Tightness tests performed on fuel system lines and a leak was discovered. Damaged lines were replaced and one foot of free product was observed in the bottom of a nine-foot soil boring.
- 10/1995 – Initial Site Characterization performed three soil borings to depths of thirteen feet and petroleum contamination was observed from three feet below the ground surface to the bottom of the soil borings.
- 2/1996 – Second Level Site Assessment installed four additional

groundwater monitoring wells outside of the source zone. The assessment determined the groundwater contaminant plume to be approximately 200 feet in length and confirmed migration of the plume across the northern property boundary of the site.

- 10/1996 – Quarterly groundwater sampling commenced. Groundwater has been collected and analyzed then results submitted to OPS in a report four times per year since this first sampling event.
- 12/1996 – Tests were performed on the three leak detectors at the site. All three detectors passed the inspection.
- 7/1997 – Biosparging system with 21 points injecting oxygen into the subsurface to enhance biodegradation of the petroleum was activated.
- 1/2002 – Additional Site Assessment installed two additional groundwater monitoring wells.
- 10/2002 – Additional Site Assessment installed ten temporary groundwater monitoring wells and collected groundwater samples by request of OPS. Seven of the samples exceeded Colorado regulatory standards for benzene.
- 12/2002 – Corrective Action Plan was reevaluated. Biosparging determined to be ineffective and soil vapor extraction (SVE) and air sparging (AS) were selected as the new corrective action technologies.
- 12/2002 – Additional Site Assessment installed three new groundwater monitoring wells and two SVE/AS pilot study wells to test the effectiveness of the newly selected corrective action technologies.
- 3/2007 – Various reasons delayed the startup of the SVE/AS system. Startup of the full-scale system was attempted in March, but the attempt was unsuccessful due to improper wiring.
- 8/2007 – SVE system successfully activated.
- 10/2007 – AS system successfully activated.
- 5/2008 – At the time of Matrix’s document review this report was the most recent Quarterly Groundwater Monitoring Report on file at OPS. The report noted that the AS system is not functional and requires repairs, SVE/AS wells 9 through 15 (all offsite) have been destroyed and require replacement, Conoco has obtained access to property north of their site for installation of additional SVE/AS wells, and groundwater sample results indicate exceedences of Colorado regulatory standards for benzene, ethylbenzene, xylene, methyl tert-butyl ether (MTBE), and total gasoline-range organics. The report stated the project is on schedule for the closure date of August 30, 2010 for the site.

Environmental investigations have determined the local groundwater flow to be generally to the northeast. Furthermore, reports indicate the groundwater plume has migrated across the property boundary and has impacted the property to the north immediately. According to the most recent Quarterly Groundwater Monitoring report, at the time of Matrix's document review, the subsurface at the fuel service is still impacted with petroleum hydrocarbons at concentrations greater than Colorado regulatory standards. Based on the Matrix file review, there are documented environmental impacts from petroleum hydrocarbon releases within the Study Area. Consequently, these conditions reflect the existence of the Environmental Contamination of Buildings or Property blight factor within the Study Area.

**Existence of Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements:**

The physical conditions that would contribute to this blight factor include:

- Sites with a High Incidence of Fire, Police, or Emergency Responses
  - Sites Adjacent to Streets/Alleys with a High Incidence of Traffic Accidents
  - Sites with a High Incidence of Code Enforcement Responses
  - An Undeveloped Parcel in a Generally Urbanized Area
  - A Parcel with a Disproportionately Small Percentage of its Total Land Area Developed
- Vacant Structures or Vacant Units in Multi-Unit Structures

No evidence was found of high levels of municipal services required in the Study Area. There are several vacant pad buildings within the Study Area, specifically on Parcels 12 and 15, to allow for this blight factor to be cited. Additionally, the retail project at the northwest corner of Alameda and Sable (Parcel 2) contained several vacant retail spaces. In fact, the retail development on Parcel 2 is 47% vacant; clearly a level of vacancy that would be considered "substantial."

The photos below are examples of some of these vacancies.



Vacant retail sites in the Study Area indicated general underutilization of some of the retail centers; such sites were also found to have other site maintenance problems.



## Section 5: Study Summary and Recommendation

Within the entire Study Area, eight of the eleven blight factors were identified. As discussed in Section 2, in order for an area to be declared blighted, a certain number of the eleven blight factors must be found within the Study Area. **Four** of the eleven factors is the required minimum, unless none of the property owners or tenants object to being included within an urban renewal area; then, the required minimum is only **one** of the eleven factors. In the event, however, that eminent domain is to be used to acquire property within the urban renewal area, the required minimum is **five** of the eleven factors. Since eight blight factors were identified within the Study Area, a sufficient number of blight factors exists under any of the above scenarios.

Exhibit 3: Blight Findings Summary Table below shows which blight factors were identified on each of the 15 parcels:

Blight Factor	Study Area Parcel																
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		
Deteriorating Structures		✓									Not in Study Area		✓			✓	
Inadequate Street Layout	✓			✓	✓	✓	✓						✓	✓	✓		
Faulty Lot Layout	✓	✓	✓														
Unsanitary or Unsafe Conditions		✓			✓									✓			
Deteriorating Site Improvements	✓	✓												✓			
Inadequate Public Improvements	✓	✓	✓	✓	✓	✓							✓				
Defective or Unusual Conditions of Title																	
Conditions that Endanger Life or Property																	
Unsafe or Unhealthy Buildings																	
Environmental Contamination		✓															
Substantial Vacancy of Sites or Buildings		✓			✓	✓	✓						✓	✓	✓		✓

### Conclusion

It is the recommendation of this blight study report to the Aurora Urban Renewal Authority and the City of Aurora that the Study Area, in its present condition, contains a sufficient number of blight factors as required by the Colorado urban renewal laws for the Study Area to be declared a “blighted area.” Whether or not the documented blight “*substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare*” is a determination that must be made by the Aurora City Council.

**Exhibit H: Metro Center Blight Confirmation Survey (September 2015)**



## **Metro Center Blight Confirmation**

Visual Survey, September 2015

### ***Summary***

The Authority is considering establishing new Tax Increment Financing (TIF) areas for the Metro Center project within the Aurora City Center II Urban Renewal Area. A confirmation of blight is a prerequisite to a substantive amendment to the Aurora City Center II Urban Renewal Plan and the establishment of new TIF areas. The property in question covers approximately 21 acres and is subdivided into three large parcels. A light rail station is under construction at the existing RTD bus transfer facility at the northeast corner of S. Sable Boulevard and E. Centrepont Drive; however, the remainder of the property is undeveloped. Staff undertook a visual survey to ascertain whether or not blight still exists in the target area. The results of the Visual Survey (following) re-confirm that four factors of blight continue to exist on the property. Council, after reviewing this report, may initiate a public hearing process and make a finding of blight.

### ***Background***

The original conditions survey for the Aurora City Center II Urban Renewal Area, Aurora City Center II Blight Study, was prepared by Matrix Design Group in November 2008 for the Aurora Urban Renewal Authority. The study area was generally bounded by South Sable Street on the west, East Alameda Parkway on the north, West Tollgate Creek on the east, and East Center Avenue on the south. The study included 15 real estate parcels and covered approximately 141 acres, including approximately 24 acres of public right-of-way.

Per the Colorado Urban Renewal Law, C.R.S. Section 31-25-103(2), the definition of a blighted area is an area that... "in its present condition and use, and by the existence of the presence of at least four factors of blight, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare."

The 2008 Aurora City Center II Blight Study found eight significant factors of blight (out of a possible eleven factors cited in the legislation) throughout the study area. As a result of those findings the Aurora City Center II area was declared blighted and appropriate for urban renewal by the Aurora City Council. Following the City Council's declaration of blight for the area, the Aurora City Center II Urban Renewal Area was adopted by the Aurora City Council in March 2009.

### ***2015 Visual Survey of Blight on Parcels at the southeast corner of Sable and Alameda***

The attached map shows the location of the newly surveyed parcels within the context of the greater Aurora City Center II Urban Renewal Area. The following table summarizes and compares the 2008 Blight Study and 2015 Visual Survey results.

### Comparison of Blight Surveys, 2008 and 2015

Blight Factor	2008	2015
(a) Slum, deteriorated, or deteriorating structures		
(b) Predominance of defective or inadequate street layout	X	X
(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness		
(d) Unsanitary or unsafe conditions	X	X
(e) Deterioration of site or other improvements		
(f) Unusual topography or inadequate public improvements or utilities	X	X
(g) Defective or unusual conditions of title rendering the title nonmarketable		
(h) The existence of conditions that endanger life or property by fire or other causes		
(i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities		
(j) Environmental contamination of buildings or property		
(k) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements	X	X

The September 2015 visual survey found evidence for the following four (4) significant factors of blight described below. Selected photographs are attached.

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

The Metro Center property is made up of large, undeveloped parcels. As was found in 2008, the lack of streets restricts access to the interior of these parcels and represents an inadequacy of transportation infrastructure necessary for development.

**(d). Unsanitary or unsafe conditions.**

As was found in 2008, there are several examples of unsafe conditions on the property. Particularly apparent were pedestrian hazards such as uneven, or unimproved pedestrian areas and paths. Multiple bus lines serve the RTD facility at S. Sable Boulevard and E. Centrepont Drive. Social trails and unpaved paths cross the Metro Center property, connecting bus riders to the City and County facilities. The bus stop near the corner of E. Alameda Avenue and E. Alameda Drive lacks a curb ramp, lighting, or a solid asphalt or concrete surface. Pedestrians must therefore stand in the dirt, or even on the road if the ground is too wet or muddy, jeopardizing their safety.

Also, the existing floodplain and the need for stormwater drainage improvements on the Metro Center property can present unsafe conditions for pedestrians and vehicles due to localized urban flooding.

**(f). Unusual topography or inadequate public improvements or utilities.**

As previously noted, worn pedestrian trails across the property suggest that a significant number of people travel through the area on foot, despite the lack of public infrastructure. The Metro Center property lacks a sidewalk along E. Alameda Drive; a temporary, asphalt walkway abuts E. Centrepont Drive; and, the sidewalk along E. Alameda Parkway is substandard (too narrow).

Currently there is inadequate regional flood control conveyance across the Metro Center property. Additional conveyance capacity is required to lessen/eliminate local flooding during

large storm events. Additionally, local drainage improvements would also be required for development of the property.

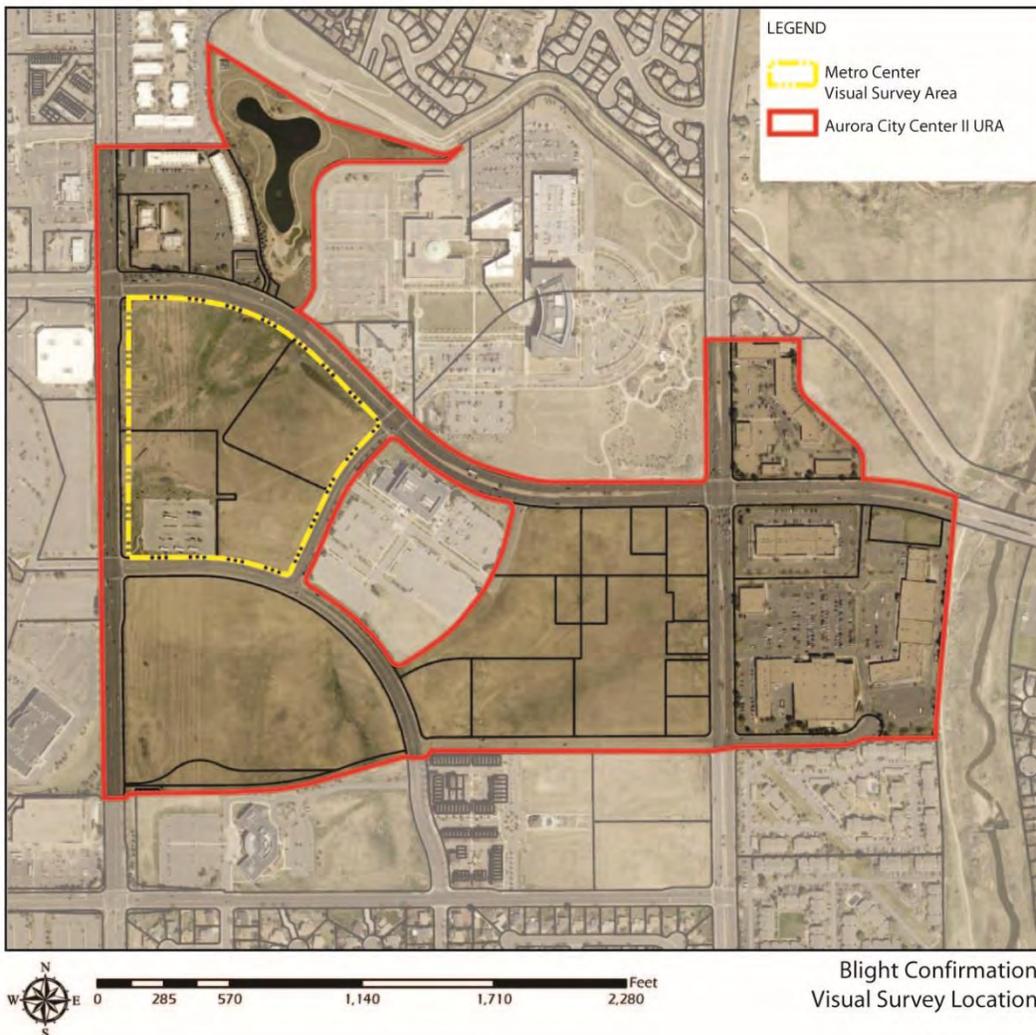
**(k). The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.**

Since 2008, the Metro Center properties have persisted as undeveloped parcels in a generally urbanized area.

**Conclusion:**

The four blight factors that were found in the 2008 Aurora City Center II Blight Study still exist today. The area remains appropriate for redevelopment in alignment with the goals of the proposed amendment to the Aurora City Center II Urban Renewal Plan.

**Alameda Center Visual Survey Area Map**



**Properties within the Proposed Alameda Center Urban Renewal Area**

<b>Address</b>	<b>Parcel ID</b>	<b>Owner</b>	<b>Use</b>	<b>Acreage</b>
SE corner Sable/Alameda	034876766	Citypoint Aurora Llc	Vacant Commercial Lots	11.83
SW Corner Alameda Dr/Alameda Pkwy	034387731	Citypoint Aurora Llc	Vacant Commercial Lots	5.45
14555 E Centrepoint Dr	034876774	Regional Transportation District	Bus transfer lot	5.25

**Selected Blight Photographs**

	
<p>Lack of sidewalk/hazardous unpaved bus stop (Factors <b>d</b> and <b>f</b>)</p>	<p>Undersized culvert/flood hazard (Factors <b>d</b> and <b>f</b>)</p>
	
<p>Lack of sidewalk/pedestrian hazard (Factors <b>d</b> and <b>f</b>)</p>	<p>Temporary/substandard sidewalk (Factor <b>f</b>)</p>
	
<p>Lack of interior streets, unsafe pedestrian path, lack of sidewalk, large undeveloped parcel (Factors <b>b</b>, <b>d</b>, <b>f</b> and <b>k</b>)</p>	<p>Substandard sidewalk (too narrow) and hazardous/inadequate detention pond (Factors <b>d</b> and <b>f</b>)</p>