



NOTICE OF COUNCIL MEETING

MONDAY, July 11, 2022

Members of the public and media are invited to attend in person or remotely through the options listed below. Public comment is welcome for items appearing on the agenda or on any matter of city concern. One hour is dedicated to public comment on non-agenda items at the beginning of every council meeting (Public Invited to be Heard). Each speaker is allotted a maximum of three minutes to speak.

Individuals wishing to comment during 'Public Invited to be Heard' or on an agenda item may register in advance. Online registration begins at 8 a.m. on the Friday before the meeting date, and ends at noon on Monday, the day of the meeting. To register in advance, visit the city's website at www.auroragov.org/PublicComment.

View or Listen Live

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Cable Channels 8 and 880 in Aurora

Call: 885-695-3475

In-person Participation

Members of the public may participate in-person at the Aurora Municipal Center, Council Chamber, 15151 E. Alameda Pkwy. The building will open at 6:00 p.m. on the day of the council meeting.

- Individuals wishing to comment during 'Public Invited to Be Heard' must submit a speaker slip by 6:30 p.m.
- Individuals wishing to comment on an agenda item must submit a speaker slip before the city clerk reads the title of the item.

Call-in Participation

Call the live public comment line at 855-695-3475 and press *3 to reach the operator. The public call-in line opens at 6 p.m. on the day of the Council Meeting.

- Individuals calling in to comment during 'Public Invited to Be Heard' must call in and be in the queue by 6:30 p.m.
- Individuals calling to comment on agenda items must call in and be in the queue before the City Clerk reads the title of the item. Once the Clerk reads the title, no additional calls for that item will be accepted.

Translation/Accessibility

The city provides closed captioning services on Cable Channels 8 and 880. The Aurora Municipal Center is wheelchair accessible with entry ramps and accessible parking located on the west and east side of the building. Please make your request for accommodations or assistance by noon on the Friday preceding the Monday meeting by contacting the City Clerk's Office at 303-739-7094.

If you are in need of an interpreter, please contact the Office of International and Immigrant Affairs at 303-739-7521 by Monday, July 11 at 9:00 a.m. (Si necesita un intérprete, comuníquese con la oficina de asuntos internacionales e inmigrantes en 303-739-7521 por el viernes anterior a la reunión del lunes.)



City of Aurora, Colorado

MONDAY, July 11, 2022

AURORA URBAN RENEWAL AUTHORITY

(Open to the Public)

Aurora Room

6:00 p.m.

REGULAR MEETING OF THE AURORA CITY COUNCIL

(Open to the Public)

CITY COUNCIL CHAMBERS

6:30 p.m.



AGENDA

Regular Meeting of the
Aurora City Council

Monday, July 11, 2022

6:30 p.m.

City Council Chamber
15151 E. Alameda Parkway
Aurora, CO 80012

Pages

1. CALL TO ORDER
2. ROLL CALL
3. INVOCATION/MOMENT OF SILENCE
4. PLEDGE OF ALLEGIANCE
5. APPROVAL OF MINUTES
 - 5.a. June 27, 2022 Meeting Minutes 11
6. PROCLAMATIONS OR CEREMONIES
 - 6.a. Amazing Auroran Award
Sponsor: Françoise Bergan
Recipient: Daniel 'Danny' Goodwin
7. PUBLIC INVITED TO BE HEARD
(non-agenda related issues only)
8. ADOPTION OF THE AGENDA
 - 8.a. Consideration to Remove Item 12.a. from the Agenda 43
**The appeal of the Station 60 Infrastructure Site Plan has been withdrawn by the appellant*

9. CONSENT CALENDAR

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

- 9.a. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Jacobs Engineering Group, Inc., Englewood, Colorado in the amount of \$248,743.00 for engineering services associated with Phase 2 of the Binney Water Purification Facility (WPF) Ultraviolet Advanced** 45

Elizabeth Carter, Principal Engineer, Aurora Water / David Lathers, Senior Assistant City Attorney

- 9.b. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to T&M Construction, LLC, Sedalia, Colorado in the amount of \$1,056,106.00 for the Smoky Hill and Buckley Intersection Improvement; Project 5878A.** 71

Matt Kozakowski, Transportation Project Delivery Manager / Dave Lathers, Senior Assistant City Attorney

- 9.c. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to Galls LLC, Denver, Colorado in the not- to-exceed amount of \$236,510.50 for uniforms for the Aurora Fire Department through October 31, 2023.** 76

Mathew Wasserburger, Assistant Director of Fire Management Services, Fire / Dave Lathers, Senior Assistant City Attorney

- 9.d. **Nicoletti Psychological Counseling** 82

Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Nicoletti-Flater Associates, Lakewood, Colorado in the not to exceed amount of \$80,500.00 to provide psychological counseling services (secondary contractor) for the Aurora Police Dept. through July 31, 2023.

John Schneebeck, Manager Of Business Services, Police / Dave Lathers, Senior Assistant City Attorney

- 9.e. **Consideration to AWARD A SINGLE SOURCE CONTRACT to SWS VidmarLista, Pittsburgh, PA, in the not-to-exceed amount of \$135,440.00 for purchase and installation of a tire carousel for Fleet Services.** 88

Ronnie Forrest, Fleet Manager, Public Works / Dave Lathers, Senior Assistant City Attorney

9.f. 2022-2023 GE Switchgear and Motor Control Centers Maintenance 93

Consideration to AWARD A SINGLE SOURCE CONTRACT to Integrated Power Services, Denver, Colorado in the not-to-exceed amount of \$100,000.00 for GE switchgear and Motor Control Centers maintenance and repair at various Water facilities as required through July 31, 2023

Marena Lertch, Manager of Water Service, Aurora Water / Dave Lathers, Senior Assistant City Attorney

9.g. Consideration to AWARD A SOLE SOURCE CONTRACT to Hach Company, Loveland, Colorado in the not-to-exceed amount of \$312,540.00 for the purchase of water quality monitoring equipment and supplies for the Water Department as required through June 30, 2023 96

Bobby Oligo, Manager of Water Treatment, Aurora Water / Dave Lathers, Senior Assistant City Attorney

9.h. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to J. Brower Psychological Services, Denver, CO in the total amount of \$269,500.00 to provide psychological counseling services (primary vendor) for the Aurora Police Dept. through June 30, 2023. 101

John Schneebeck, Manager of Business Services, Police / Dave Lathers, Senior Assistant City Attorney

9.i. Consideration to AWARD A SINGLE SOURCE CONTRACT to Colorado Audio Video, Centennial, Colorado in the amount of \$71,142.04 for Emergency Operations Center audio and video upgrades. 110

Scott Newman, Chief Information Officer, IT / Dave Lathers, Senior Assistant City Attorney

10. RESOLUTIONS

10.a. Photo Speed Enforcement Pilot Program 113

R2022-111 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF IMPLEMENTING A PHOTO SPEED ENFORCEMENT ONE YEAR PILOT PROGRAM

Carrigan Bennett, Police Lieutenant / Megan Platt, Assistant City Attorney

Outside Presenter: Scott Stewart, Senior Sales Executive of Conduent

- 10.b. **Grant Application for a Bureau of Reclamation for the North Campus Radial Collector Well.** 143

R2022-133 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF A BUREAU OF RECLAMATION GRANT FOR THE NORTH CAMPUS RADIAL COLLECTOR WELL DROUGHT RESILIENCY INITIATIVE

Sponsor: Angela Lawson, Council Member

Jo Ann Giddings, Deputy Director of Business Services, Aurora Water / Rachel Allen, Manager of Client Services, City Attorney

- 10.c. **The Salvation Army Safe Outdoor Space Operational General Funds Agreement** 178

R2022-134 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO FUND THE SALVATION ARMY WITH GENERAL FUNDS FOR THEM TO OPERATE PALLET SHELTERS AT THE RESTORATION CHRISTIAN MINISTRIES SAFE OUTDOOR SPACE TO PROVIDE A SHELTER OPTIONS FOR THE HOMELESS

Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney

- 10.d. **The Salvation Army Safe Outdoor Space Construction General Funds Agreement** 202

R2022-135 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO FUND THE SALVATION ARMY WITH GENERAL FUNDS TO PREPARE THEIR SAFE OUTDOOR SPACE FOR PALLET SHELTERS TO PROVIDE A SHELTER OPTIONS FOR THE HOMELESS

Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney

- 10.e. **Restoration Christian Ministries Safe Outdoor Space Construction General Funds Agreement** 220

R2022-136 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO FUND RESTORATION CHRISTIAN MINISTRIES WITH GENERAL FUNDS TO PREPARE THEIR SAFE OUTDOOR SPACE FOR PALLET SHELTERS TO PROVIDE A SHELTER OPTIONS FOR THE HOMELESS

Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney

- 10.f. **Colorado Science + Technology Park Urban Renewal Area Intergovernmental Agreements** 238

R2022-137 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO EXPRESSING THE AURORA CITY COUNCIL’S APPROVAL OF AGREEMENTS BY AND BETWEEN THE AURORA URBAN RENEWAL AUTHORITY, THE CITY OF AURORA, AND THE TAXING JURISDICTIONS OF RECORD WITHIN THE COLORADO SCIENCE + TECHNOLOGY PARK (“CSTP”) URBAN RENEWAL AREA, REGARDING TAX INCREMENT REVENUES GENERATED IN A SECOND TAX INCREMENT FINANCING AREA

Andrea Amonick, Development Services, AURA Manager / Chad Argentar, Senior Development Project Manager / Rachel Allen, Client Services Manager

- 10.g. **Special Assistant to the United States Attorney Intergovernmental Agreement** 267

R2022- 138 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED STATES ATTORNEY’S OFFICE FOR THE DISTRICT OF COLORADO AND THE CITY OF AURORA REGARDING THE APPOINTMENT OF A SPECIAL UNITED STATES ATTORNEY

Jason Batchelor, Deputy City Manager / Peter Schulte, Public Safety Client Group Manager

11. PUBLIC HEARING WITH RELATED ORDINANCE

11.a. E 38th Ave and Helena St - Zoning Map Amendment

275

2022-40 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 5 ACRES MORE OR LESS AT THE SOUTHEAST CORNER OF EAST 38TH AVENUE AND HELENA STREET FROM RESIDENTIAL – RURAL DISTRICT (R-R) TO BUSINESS/TECH DISTRICT (I-I) AND AMENDING THE ZONING MAP ACCORDINGLY (EAST 38TH AVENUE & HELENA STREET ZONING MAP AMENDMENT)

Erik Gates, Planner 1 / Daniel L. Money, Senior Assistant City Attorney

11.b. Windler Zoning Map Amendment 2

306

2022-41 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE THREE PARCELS OF LAND TO AIRPORT DISTRICT (AD) AND MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) FOR APPROXIMATELY 242 ACRES OF LAND, LOCATED WEST OF E-470 AND ALONG THE 48TH AVENUE ALIGNMENT (WINDLER ZONING MAP AMENDMENT)

Aja Tibbs, Senior Planner / Daniel L. Money, Senior Assistant City Attorney

12. PUBLIC HEARING WITHOUT RELATED ORDINANCE

12.a. Station 60 Infrastructure Site Plan

342

A PUBLIC HEARING WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY AN ABUTTING PROPERTY OWNER OF THE PLANNING AND ZONING COMMISSION APPROVAL OF THE STATION 60 INFRASTRUCTURE SITE PLAN

Daniel Osoba, Planner II / Daniel L. Money, Senior Assistant City Attorney

**The appeal has been withdrawn by the appellant. Council will be voting to remove the item from the agenda.*

12.b. Colorado Science + Technology Park Urban Renewal Plan Amendment

578

R2022-139 A PUBLIC HEARING FOR A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE COLORADO SCIENCE + TECHNOLOGY PARK URBAN RENEWAL PLAN BY CREATING A SECOND TAX INCREMENT FINANCING AREA

Andrea Amonick, Development Services, AURA Manager / Chad Argentar, Senior Development Project Manager / Rachel Allen, Client Services Manager

13. INTRODUCTION OF ORDINANCES

14. FINALIZING OF ORDINANCES

Ordinances on final reading which were introduced by unanimous vote of those present on the first reading may be taken under consideration and voted upon as a single item. Related ordinances may be acted upon as one item after the titles are read in series by the City Clerk. Any member of the Council may request an item to be considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Finalizing of Ordinances.

14.a. Amendment to the Unified Development Ordinance - Multifamily Building Length

650

2022-32 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-3.3.2.H AND 146-4.8.5.D OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO ADDRESS BUILDING LENGTH STANDARDS OF MULTIFAMILY BUILDINGS

Brandon Cammarata, Planning Manager / Daniel Money, Senior Assistant City Attorney

14.b. Qualification of Elective Officers of the City

669

2022-33 FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE STATEWIDE GENERAL ELECTION COORDINATED IWTH A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022, A PROPOSAL TO AMEND ARTICLE 3-3 OF THE AURORA CHARTER TO CONFORM THE QUALIFICATIONS OF ELECTIVE OFFICERS OF THE CITY WITH THE PROVISIONS OF THE COLORADO CONSTITUTION

Sponsor: Angela Lawson, Council Member

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

14.c. Amusement Device License Repeal 678

2022-34 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING CHAPTER 10 OF THE AURORA CITY CODE AND, REPEALING THE REQUIRMENT FOR AMUSEMENT ENTERPRISE LICENSES, AMUSEMENT DEVICE DISTRIBUTOR’S LICENSES, AMUSEMENT DEVICE VENDOR’S LICENSES, AND AMENDING CHAPTER 26 RELATING TO SELF-SERVICE DEVICES

Sponsor: Curtis Gardner, Council Member

Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Senior Assistant City Attorney

14.d. Reducing Distance Restriction between Liquor Stores and Drugstores 686

2022-35 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 146-3.3.5.R OF THE CITY CODE PERTAINING TO DISTANCE RESTRICTIONS BETWEEN RETAIL LIQUOR STORES AND LIQUOR-LICENSED DRUGSTORES

Sponsor: Dustin Zvonek, Council Member

Trevor Vaughn, Manager of Licensing / Tim Joyce, Assistant City Attorney

14.e. 2022 Certificates of Participation (COPs) – Roadway Improvement Projects 690

2022-36 FOR AN ORDINANCE AUTHORIZING THE USE OF LEASE-PURCHASE FINANCING FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS PURSUANT TO THE TERMS OF A LEASE-PURCHASE AGREEMENT BY AND BETWEEN AURORA CAPITAL LEASING CORPORATION, AS LESSOR, AND THE CITY OF AURORA, COLORADO, AS LESSEE; AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY; AND RELATED MATTERS

Sponsor: Dustin Zvonek, Council Member

Teresa Sedmak, City Treasurer / Hanosky Hernandez, Senior Assistant City Attorney

14.f. Photo Speed Enforcement 699

2022-38 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 134-451 OF THE CITY CODE PERTAINING TO AUTOMATIC VEHICLE IDENTIFICATION CITATIONS

Megan Platt, Assistant City Attorney

14.g. Ordinance Permitting Mobile Ice Cream Vehicles Within the City 704

2022-39 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 26-346 AND 26-347 AND REPEALING SECTION 26-348 TO ALLOW MOBILE ICE CREAM VEHICLES WITHIN THE CITY

Sponsor: Dustin Zvonek, Council Member

Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Sr. Assistant City Attorney

14.h. Motor Vehicle Theft and Vehicle Parts Code Changes 714

2022-37 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS OF THE CITY CODE PERTAINING TO MANDATORY MINIMUM SENTENCES FOR CERTAIN OFFENSES IN THE AURORA MUNICIPAL CODE AND OTHER AMENDMENTS TO THE CITY CODE TO COMBAT THE INCREASE IN MOTOR VEHICLE THEFT AND RELATED OFFENSES

Sponsor: Dustin Zvonek, Council Member

Matthew Novak, Sergeant / Pete Schulte, Public Safety Client Group Manager

15. PLANNING MATTERS

16. ANNEXATIONS

17. RECONSIDERATIONS AND CALL UPS

18. GENERAL BUSINESS

18.a. Consideration to APPROVE AN AGREEMENT between the City of Aurora, Colorado, and the Fraternal Order of Police for the years 2023-2024 722

Jason Batchelor, Deputy City Manager / Kim Skaggs, Assistant City Attorney

- 18.b. **Consideration to APPROVE AN AGREEMENT between the City of Aurora, Colorado, and the International Association of Fire Fighters for the years 2023-2024**

Jason Batchelor, Deputy City Manager / Kim Skaggs, Assistant City Attorney

19. REPORTS

- 19.a. **Report by the Mayor**

- 19.b. **Reports by the Council**

20. ADJOURNMENT

MINUTES

Regular Meeting of the Aurora City Council

Monday, June 27, 2022

1. **RECONVENE REGULAR MEETING OF JUNE 27, 2022, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council for June 27, 2022, at 6:30 p.m.

2. **ROLL CALL**– Cecilia Zapata, Deputy City Clerk

COUNCIL MEMBERS PRESENT: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Public call-in instructions were provided in both English and Spanish.

3. **INVOCATION/MOMENT OF SILENCE**– Mike Coffman, Mayor

Mayor Coffman asked for a moment of silence for the loss of Assistant Chief firefighter John Jaros whose life was tragically taken at I-70 during Fathers’ Day Weekend.

4. **PLEDGE OF ALLEGIANCE** (all standing)

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated that during the executive session the council discussed the Comcast franchise renewal and real property interest.

6. **APPROVAL OF MINUTES**

6.a. **June 6, 2022, Meeting Minutes**

Motion by Bergan, second by Murillo, to approve the minutes of the June 6, 2022 City Council meeting as presented.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

7. **PROCLAMATIONS OR CEREMONIES**

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

7.a. **Animal Services - Animal Showcase**

Animal Services introduced a dog named Rio that will be up for adoption on Wednesday.

7.b. **Amazing Auroran Award**

Council Member Gardner presented the Amazing Auroran Award to Vikram Raju.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda-related issues only)

Public call-in instructions were provided in both English and Spanish.

Mayor Coffman reminded members of the Council that they can respond to comments or **get the speaker's contact information after public invited to be heard or after the speaker is done.** Council members must inform the clerk and wait to be recognized.

Council heard public in-person testimony on non-agenda-related items.

9. **ADOPTION OF THE AGENDA**

9.a. **Station 60 Infrastructure Site Plan (Item 13.a.)**

Applicant presentation (permitted under Council Rules) - 15 minutes

Appellant presentation (if approved by Council) - 15 minutes

Motion by Gardner, second by Bergan to amend the agenda to continue item 13a to July 11th.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

10. **CONSENT CALENDAR**

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

10.a. **Consideration to award an OPENLY SOLICITED contract To Reynolds Construction, LLC, Denver, Colorado in the amount of \$127,309.00 for the Eastern Utility Pipeline Construction Manager / General Contractor Project, Project No. 5876A**

Dean Bedford, Principal Engineer / David Lathers, Senior Assistant City Attorney

- 10.b. **Consideration to AWARD CHANGE ORDER NO. 2 to a competitively bid contract to Peak Environmental, Denver, Colorado in the amount of \$163,228.26 for the Fitzsimons Barrack Abatement and Demolition Project, Project No. 5850A**

John Perkins, Public Works Senior Project Manager / David Lathers, Senior Assistant City Attorney

- 10.c. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Demco, Inc, Madison, WI in the amount of \$99,590.83 for mobile shelving for the Central Library's lower level**

Linda Smith, Manager of Library & Cultural Services / Dave Lathers, Assistant City Attorney

- 10.d. **Consideration to AWARD A SOLE SOURCE CONTRACT to Polydyne, Inc., Riceboro, Georgia in the not-to-exceed amount of \$360,000.00 for the purchase of the water treatment chemical Poly Electrolyte Cationic Clarifloc C-308P as required through June 30, 2023.**

Bobby Oligo, Manager of Water Treatment, Aurora Water / Dave Lathers, Assistant City Attorney

- 10.e. **Crestone Peak Resources Watkins Holdings LLC**

Consideration to approve an oil and gas lease agreement with Crestone Peak Resources Watkins Holdings LLC, for City-owned mineral rights within Section 24, Township 4 South, Range 66 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, containing 103.573 net mineral acres.

Jeffrey S. Moore, Manager Oil & Gas Division / Ian Best, Assistant City Attorney

Jeffrey S. Moore, Manager Oil & Gas Division, provided a summary of the item.

CM Coombs asked for confirmation that the no drilling option is not available for the site due to force pooling. J. Moore confirmed this. CM Coombs asked what the setback from residential is. J. Moore said that it would be 2,000 feet from residences. Mayor Pro Tem Bergan asked if the money goes into the general fund or to a dedicated fund. J. Moore answered that it goes to the general fund. CM Coombs highlighted that the drilling has to occur due to force pooling and is a concerning aspect of the oil and gas policy in the state and the country.

Motion by Gardner, second by Sundberg to approve item 10e.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

10.f. **Waste Management Landfill Services**

Consideration to AWARD A SINGLE SOURCE CONTRACT to Waste Management Corporate Services, Incorporated, Greenwood Village, Colorado in the amount not-to-exceed \$455,000.00 for landfill services at the Denver Arapahoe Disposal Site (DADS) through June 30, 2023.

Mike Mills, Manager of Water Main and Ops / Lynne Center, Deputy Director Public Works Operations / David Lathers, Senior Assistant City Attorney

CM Gardner abstained due to a financial conflict of interest.

Motion by Bergan, second by Lawson to approve item 10f.

Voting Aye: Bergan, Coombs, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Abstain: Gardner

10.g. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to Colorado Electric & Power Systems, Denver CO in the amount of \$1,091,480.00 for the PD HQ Detention Center Generator, UPS, & ATS Replacement; Project No: 5874A.**

A waiver of Reconsideration requested due to material pricing increases and the need for the contractor to lock in the price as quickly as possible.

Haven Cassidy, Public Works Principal Engineer / Dave Lathers, Senior Assistant City Attorney

10.h. **Consideration to AWARD A SOLE SOURCE CONTRACT to Environmental Systems Research, Inc. (ESRI), Redlands, California in the amount of \$115,000.00 for annual maintenance of the city's geographical mapping software through July 12, 2023.**

Scott Newman, Chief Information Officer, IT / Dave Lathers, Senior Assistant City Attorney

10.i. **Consideration to AWARD A SOLE SOURCE CONTRACT to Selectron Technologies, Inc., Portland, Oregon in the amount of \$184,985.00 for the city's Water Customer Billing IVR system**

Jo Ann Giddings, Deputy Director Business Services, Aurora Water / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Marcano to approve the consent calendar items 10a through 10d, and 10g through 10i.

DRAFT

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11. **RESOLUTIONS**

11.a. **Photo Speed Enforcement Pilot Program**

R2022-111 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF IMPLEMENTING A PHOTO SPEED ENFORCEMENT ONE YEAR PILOT PROGRAM

Carrigan Bennett, Police Lieutenant / Megan Platt, Assistant City Attorney

Outside Presenter: Scott Stewart, Senior Sales Executive of Conduent

Carrigan Bennett, Police Lieutenant, provided a summary of the item.

MPT Bergan asked for clarification if they would not issue tickets for 30 days. C. Bennet answered that there would be a 30-day period that would be purely warnings to test the system and inform the public of the new process. MPT Bergan said there should be a longer warning period. She asked staff when they would be able to recoup costs if they did not issue tickets for 90 days. **C. Bennet said he doesn't have the data ready but based on research, the programs tend to pay for themselves.** J. Batchelor mentioned they could get the question regarding the fiscal impact back to the vendor and relay it to Council.

MPT Bergan asked if it would be possible to table the item to get more information on the possibility of a 90-day warning period. Mayor Coffman asked if MPT Bergan would have the opportunity to amend it on the second reading. D. Brotzman said there is only one reading. J. Batchelor said there would still be a call-up period to get the information to Council. CM Coombs asked if they could continue it to the next meeting instead of tabling the item. D. Brotzman clarified they could pass the resolution tonight and do a reconsideration later. He added that the other alternative is to move for a continuance.

CM Gardner said he would prefer not to pass a resolution without having all the information available rather than calling it back up. Mayor Coffman said staff could report back what the fiscal impact would be for 60 or 90 days. He mentioned that 90 days is excessive. CM Murillo requested staff to provide more information on the fiscal impact and if they are open to a sliding scale for any fines imposed by the system.

Megan Platt asked for clarification if there would also be a motion for continuance for the accompanying ordinance that will allow civilians to review the violations. Staff clarified that there would be a second reading of the ordinance on July 11th. MPT said they can pass it tonight and pull it during the second reading. CM Marcano asked if the ordinance would also allow the nonsworn traffic enforcement division to issue speeding violations in the future. C. Bennet clarified that the ordinance is for photo

enforcement. He added that it would allow them to witness the violations for photo enforcement to include speed enforcement but not regular tickets.

Motion by Bergan, second by Marcano to move item 11a for a continuance to the July 11th Regular Meeting.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.b. City-Owned Impound Lot Exploration

R2022-112 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR DIRECTING STAFF TO INVESTIGATE AND EXPLORE THE CREATION OF AN IMPOUND LOT OWNED AND OPERATED BY THE CITY OF AURORA

Sponsor: Juan Marcano, Council Member

Megan Platt, Assistant City Attorney

Council Member Marcano provided a summary of the item.

MPT Bergan stressed the importance of the analysis and said that it will be costly from a capital perspective. CM Sundberg mentioned that with the threat of new competition, current impound lots might lower their costs. He asked if those discussions have been had and if they are willing to bend. CM Marcano said they worked with APD and negotiated lower rates. He stressed there were upwards of \$1 million worth of fees to victims of motor vehicle theft in Aurora last year. He mentioned they can do better than that.

Motion by Marcano, second by Bergan to approve item 11b.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.c. Opioid Abatement Intergovernmental Agreement

R2022-113 A RESOLUTION BY THE CITY COUNCIL OF AURORA, COLORADO, TO APPROVE THE INTERGOVERNMENTAL AGREEMENT – OPIOID ABATEMENT TO ESTABLISH THE ARAPAHOE COUNTY REGIONAL OPIOID ABATEMENT COUNCIL

Kerstin Claspell, Budget Program Manager / Kendall Koca, Manager of Special Projects / Isabelle Evans, Litigation Manager

Kendall Koca, Manager of Special Projects, provided a summary of the item.

CM Lawson asked if they would be able to tap into other funding from the state or other counties if they collaborate on other regional projects. K. Koca confirmed this. CM Lawson asked for clarification on how the representatives will convey

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collaboration with the Council. K. Koca said each regional council would have a voting seat and one of the council members will be a participating voting member.

CM Coombs said she attended the presentation at CML and there were exciting opportunities including the potential to partner regionally to access additional funds. She highlighted that the issues that they face are regional in nature and she hopes they can take a regional approach. CM Coombs thanked MPT Bergan for volunteering. MPT Bergan **thanked CM Coombs and hoped that CM Coombs will be Aurora's** representative for Adams County.

Motion by Coombs, second by Marcano to approve item 11c.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.d. Red Tape Reduction Committee Development Review Process

R2022-114 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF FINDINGS OF THE RED TAPE REDUCTION AD HOC COMMITTEE RELATING TO IMPROVING THE CITY'S DEVELOPMENT REVIEW PROCESS

Sponsor: Dustin Zvonek, Council Member

Jason Batchelor, Deputy City Manager / Dan Money, Senior Assistant City Attorney

CM Zvonek and Jason Batchelor provided a summary of the item.

CM Coombs highlighted the importance of addressing staff turnover and retaining staff to accomplish goals of improving the development process. MPT Bergan congratulated CM Zvonek for the Red Tape Ad Hoc Committee. She also thanked the staff for collaborating. She mentioned the public hearings were effective in getting feedback from businesses and developers to improve the city process and eventually have more housing and economic development within the city.

Motion by Zvonek, second by Sundberg to approve item 11d.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.e. Support of Widening Gun Club Road, Hwy 30

R2022-115 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, IN SUPPORT OF WIDENING GUN CLUB ROAD, ALSO KNOWN AS STATE HIGHWAY 30

Sponsor: Françoise Bergan, Mayor Pro Tem / Steve Sundberg, Council Member

Michelle Gardner, Senior Assistant City Attorney

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Mayor Pro Tem Bergan provided a summary of the item.

CM Sundberg asked if staff is familiar with the section at Alameda and Gun Club Road. V. Rachael said there are improvements from the Murphy Creek Development and would be pending adjacent development on the west side. He mentioned it would also be in coordination with CDOT up to Hogan Parkway.

CM Sundberg said the section at Alameda and Gun Club is starting to bottleneck. He mentioned it is Unincorporated Arapahoe County with some developments like Thunderbird Estates. He asked for the time frame of the study. V. Rachael said they had a public meeting two weeks ago and they are continuing to meet with the public.

CM Marcano expressed support for widening the area. He asked staff if there are conversations with metro districts, RTD, or the state regarding providing mass transit **options for all the new development. He mentioned he doesn't want the city to** constantly go back and widen roads that do not address the issue. V. Rachael said there are conversations regarding extending RTD service along the Colfax alignment and continuing it further to the east as development provides connections and additional densities.

CM Coombs said she supports the resolution. She added that she hopes they can look at how they are planning and developing the city so capacity projects are not the focus with the infrastructure so they can have improvements that allow for multimodal transportation and have a positive climate and quality of life impact. She mentioned that even if they widen Gun Club Road, people will still spend time in traffic coming from sprawling areas.

Motion by Bergan, second by Sundberg to approve item 11e.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.f. Mutual Aid Agreement between Aurora Fire Rescue and Buckley Space Air Force Base

R2022-116 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE FIRE AND EMERGENCY SERVICES MUTUAL AID AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND BUCKLEY SPACE AIR FORCE BASE, COLORADO

Rodney Weber, Aurora Fire Rescue Deputy Chief / Angela Garcia, Senior Assistant City Attorney

Rodney Weber, Aurora Fire Rescue Deputy Chief, provided a summary of the item.

Motion by Gardner, second by Marcano to approve item 11f.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.g. Funding of the Aurora Missing Sidewalks Project

R2022-117 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR FUNDING OF THE AURORA MISSING SIDEWALKS PROJECT

Matt Kozakowski, Transportation Project Delivery Manager / Michelle Gardner, Senior Assistant City Attorney

Matt Kozakowski, Transportation Project Delivery Manager, provided a summary of the item.

CM Marcano expressed support for the resolution and said he was excited to see Yale being funded. He mentioned he received requests for the sidewalk gaps in Yale to be filled. CM Coombs thanked staff for bringing the resolution forward. She highlighted that Aurora has a few missing sidewalks and it is an accessibility issue. CM Murillo mentioned there are non-ADA-compliant sidewalks in the northwest area and expressed support for the resolution.

Motion by Gardner, second by Jurinsky to approve item 11g.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Mayor Coffman called for a brief recess of Council to allow staff to provide call-in instructions.

11.h. Rules of Order and Procedure Amendment: International Travel

R2022-118 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL REGARDING INTERNATIONAL TRAVEL

Sponsor: Mike Coffman, Mayor

Dan Brotzman, City Attorney

Council heard public call-in line testimony on item 11h.

Mayor Mike Coffman provided a summary of the item.

CM Coombs said the trip to Paris cost CM Marcano and CM Murillo less than \$3,500 each for six Council Members to go to Washington D.C. for Accelerate Colorado. **CM Marcano's expenses were roughly the same. She added that a useful conference** could be hosted anywhere. She asked what they are doing to ensure that expenses incurred are reasonable. She mentioned she is bringing forth an ordinance that expenses on trips must fall within the GSA guidelines. She added that accounting for expenses for Council Members **Marcano and Murillo's trip is available.** CM Coombs

also mentioned that the resolution will not allow all-inclusive trips that do not account for the costs of the trips. She stressed the actual expenses must be clear and transparent and that does not happen for all-inclusive lump sums such as Accelerate. This ensures that costs are reasonable and learning-oriented.

Mayor Coffman said this proposal only looks at international travel and he welcomes proposals that would also look at domestic travel. CM Marcano asked why there is a focus on international travel only. Mayor Coffman said they are locally elected officials and selecting to go to an international conference is inappropriate. CM **Marcano asked why it is inappropriate. Mayor Coffman said he didn't see** the value of transferring life in Paris to Aurora. He mentioned that if Sister Cities International or the Office of International and Immigrant Affairs would be willing to support such a program, then it would be brought before Council and voted on.

CM Marcano restated that Mayor Coffman personally did not believe the conference was valuable, and this then leads him to believe that he should be the arbiter. MPT Bergan reminded CM Marcano of the decorum resolution that they are not to address people **personally**. **CM Marcano said he is only asking for clarification of the Mayor's** own words. He again asked if Mayor Coffman believes he should be the arbiter of **what is and isn't valuable information**. **Mayor Coffman explained that six members** have to support international travel.

CM Gardner said he is less concerned about where the trip goes than the value back to the city. He said outsourcing the decision to Sister Cities International or the Office of International and Immigrant Affairs is outsourcing policy making to the city. He added it makes it a partisan political process. He stated he prefers to see council members make a presentation to Council to show what the value is, what they learned, and what they can bring back to the city from a conference. He mentioned he just returned from an international conference in Mexico City with Downtown Denver Partnership and learned more at that conference than at domestic conferences about the bus rapid transit on Colfax. He mentioned some conferences may be alcohol-fueled social events. He highlighted the importance of bringing value back to the city.

Mayor Coffman explained that under the resolution, a council member cannot simply decide to go to an international conference and the reasons are prescribed by the two organizations. If the program fell under the missions of either organization, it would come before Council. CM Coombs said it would not preclude a Council Member from saying that they want to go to New York City for a conference and have the city pay for expensive hotels and flights. Mayor Coffman said they are locally elected officials and not part of the international stage. He fails to see the nexus of international travel with locally elected officials.

CM Marcano stated one of the meetings they had was with the Il de France Chamber of Commerce which had no idea that Aurora had a biomedical campus or an inland port. He said they have local businesses looking to expand to other markets and they **were interested to learn that 20% of the city's population** is foreign-born. He expressed disappointment in the Mayor's narrow view of building international

relationships. He added that they have a tremendous amount to learn from people outside of the US when it comes to urban planning and economic development. He mentioned the Office of International and Immigrant **Affairs and Visit Aurora's** purpose is to draw international and national tourism. CM Marcano said Mayor Coffman decided to go onto social media and accused council members. MPT Bergan stated **CM Marcano's** language were personal attacks.

CM Marcano stated that Mayor Coffman made false assumptions about the trip and is now backpedaling due to pushback from people. He said this is an opportunity to attack political opponents and persecute people because of disagreements. MPT Bergan requested council members to be respectful and debate on the resolution.

Mayor Coffman said the city has Fitzsimmons Innovation Community. He asked if that economic development works internationally in the bioscience community. He expressed that he fails to see how going to Mexico City is essential in learning about BRTs since BRTS are ongoing in American cities. He said he fails to see the value of locally elected officials traveling internationally. He said there are some warranted circumstances, and they must go to City Council before a vote.

CM Murillo said the resolution is retaliatory based on travel that is legitimate. The city issued a statement that she and CM Marcano followed all policies and procedures around travel. She added that Mayor Coffman did not decide it was an issue until the two Latino council members decided to travel internationally. She highlighted that Mayor Coffman traveled to El Salvador a year ago and did not move forward with this resolution. She highlighted that CM Gardner went to Mexico City, yet she did not see a social media post from Mayor Coffman saying it was a taxpayer-funded vacation. She said she is having a hard time thinking whether it is due to them being Latino or being affiliated with one party. CM Murillo said she fails to see this as a legitimate conversation. She said they would be abdicating policy decision-making to staff to decide which conferences to attend. She added they are making this a partisan situation wherein the conservative majority can decide what they can and cannot do. She added that some council members used their travel budget trips and spent \$3,500 on a lobbying trip to Washington D.C. She said there are council members that are ready to address her statement and will only focus on some comments but not the content or premise of the issue. CM Jurinsky said she was not offended. She reiterated that CM Murillo said that two Latino council members went to the conference. She stated there are three Latino council members. She said she must react to comments alluding that the Mayor is racist against Hispanics when he speaks more Spanish than any council member. CM Marcano responded in Spanish.

CM Gardner said other cities in the US have BRT systems, but they have poor reputations for ridership and usage. He added that Mexico City is a city with 7 million cars and was able to drastically reduce traffic. He stressed that learning from a successful city rather than Albuquerque or Houston where the system did not work is in the best interest of Aurora. He highlighted the resolution outsources policy-making decisions to staff making two groups the arbiters for attending international conferences. He said if one of the two offices does not approve, then it cannot move

forward. How the resolution is written does not give Council or the Mayor authority to **override the groups' decisions.**

CM Murillo stated that what people decide to get outraged over is very telling. She clarified she did not reference the third Latino council member **because he wasn't on** the trip. She added it is not factual that the Mayor speaks the most Spanish. She mentioned that according to budget records, the Mayor decided to use taxpayer dollars to learn a different language. She said her colleagues are outraged because she excluded a council member in her statement but not because what she said was wrong. CM Murillo mentioned she and CM Marcano attended the same conference in Carmel, Indiana with no issues. She said there were no statements made about **CM Gardner or Mayor Coffman's international trips.** She said that the resolution is **retaliatory and that they shouldn't be making them based on personal disagreements** or trying to win political points.

Mayor Coffman said he hopes that El Salvador will be the Paris of Central America where local officials will go there for international conferences. He explained he was asked to go there because he lobbied with Mayor Hogan to get the Consulate located in the city. He added that the resolution was about transparency. He mentioned that there were no public statements from CM Murillo or CM Marcano before they left for Paris and he only learned now that CM Gardner went to Mexico City.

Motion by Coffman, second by Gardner to call for the question.

Voting Aye: Mayor Coffman, Bergan, Gardner, Lawson, Zvonek

Voting Nay: Coombs, Jurinsky, Marcano, Medina, Murillo, Sundberg

MPT expressed her disappointment about making the resolution partisan. She said there were constituents that expressed they were not happy about the international travel. She said she would not support it if it was putting a total ban on international travel. She clarified it would require six votes and council members could get support from colleagues if they made a good case. She added it will clarify the purpose of the trip.

Mayor Coffman offered an amendment wherein the travel proposal need not go through the Office of International and Immigrant Affairs or the Sister Cities Program International, but it must come before Study Session for a vote.

CM Marcano stated he was going to give an update on the conference he attended at his Ward IV meeting before Mayor Coffman spoke a mistruth. He clarified that there was no intent to hide that they went to the conference because they are exceptionally valuable. He agreed they should be required to give follow-ups after all conferences to demonstrate their value. CM Marcano said the value to be derived from a conference must not be up to the Council or the Mayor because it will turn

into a partisan food fight. He said it was partisan from the start when the Mayor spoke a mistruth on social media. He clarified they went to a suburb of Paris, but the **Mayor's tweet included a picture of the Eiffel Tower. He said he is happy to answer any questions about their travel and that all information about their conference is publicly available.**

CM Coombs expressed concern about the resolution being partisan. She said it also involved social media bickering and attacking a Council **Member's spouse. She said** that through this resolution, the majority can decide whatever they want. She added that people make partisan votes that are not about merits.

Motion by Coffman, second by Gardner to call for the question.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Zvonek

Voting Nay: Marcano, Medina, Murillo, Sundberg

Motion by Coffman, second by Jurinsky to support the Coffman Amendment to R2022-118.

Voting Aye: Bergan, Gardner, Jurinsky, Lawson, Marcano, Sundberg, Zvonek

Voting Nay: Coombs, Medina, Murillo

CM Murillo expressed concern about colleagues being able to decide what is and isn't useful. She said that Council Members did not elect other Council Members so why should they decide how to use each other's role and budget. She said that they are adding another layer of bureaucracy and making it partisan and a popularity contest. She stated that she trusts her colleagues to spend their travel budget with discretion. CM Murillo mentioned that they are creating an uncomfortable situation wherein they can easily trade votes. She added that it is inappropriate for Council Members to have subjective opinions and decide what is and isn't valuable for different wards. She expressed opposition to the resolution even as amended. MPT said that vote trading is illegal. She added that she gives her word that she will be looking at international travel proposals objectively.

CM Lawson said she doesn't have a problem with making sure that all conferences are voted on and that relevant reasons are presented for each conference. She mentioned that Accelerate has lots of benefits and a breakdown of expenses for transparency can be provided to ensure accountability. She said that it is disingenuous to say that Council Members will be trading votes. CM Murillo said that she believes her colleagues would make decisions with the best faith, but that is not a guarantee. She said that trading votes are not allowed, but it does happen. She said that she thinks that the resolution will potentially make it worse.

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CM Murillo proposed an amendment adding objective criteria of what is a useful or valuable conference to ensure that votes are not simply based on opinion. It would clarify that the conference must meet the city stated goals.

Mayor Coffman said that Council Members will have the opportunity to put forward whatever criteria they think is valid for the trip. Therefore, the criteria are inherently there. He said that people will still make decisions based on whether they feel that the trip is valid. He added that the language is unnecessary. CM Murillo asked if they are making decisions based on how Council Members feel. MPT said no. CM Murillo clarified that she is adding objective criteria that are not explicitly stated. She stated **that it is Council's responsibility** to ensure that they are passing a well-thought-out policy.

CM Coombs suggested that they use the city's strategic plan to be the document used for the objective criteria. CM Murillo accepted this as a friendly amendment.

Mayor Coffman said that **he doesn't think that the trip to Paris was valid and that** there will always be a subjective element. He said that there will always be different attitudes in terms of international travel. The presentation as to why the Council Member will participate in the international conference will bring the objective reality and criteria. D. Brotzman said that a Council Member will articulate how their travel **will meet the criteria based on the goals in the city's strategic plan.** CM Marcano said that the amendment makes sense since conferences must tie back to what they are **trying to accomplish as a city.** He said that **he still doesn't think that his colleagues** should be able to decide what conferences to go to. He stressed that they are accountable to constituents and not the mayor.

MPT said that the language to put should be so that it directly applies to the city's strategic plan. CM Murillo said the direction would state that "... shall be prohibited unless such travel is approved by six council members/the mayor based on criteria **that it applies directly to the city's strategic plan.**" MPT stated that it further codifies what is implied in the resolution. She said that she is fine with it. CM Marcano asked if meeting the criteria is in lieu of having a council vote. CM Murillo said that she prefers not having a vote. However, if there is to be a vote, then it should be based on meeting the criteria.

CM Jurinsky said that **she doesn't understand the pushback on the** resolution since it ensures accountability and transparency. She stated that she is in full agreement with getting city staff out of the decision on making international travel. She added that part of the strategic plan should be attendance regarding missing committee or council meetings due to international conferences. CM Coombs said that accountability to the public is not the same as accountability to a highly partisan body. Accountability to the public is giving presentations and tying the conference to the strategic plan. Mayor Coffman said that the intent is clear even without the amendment. He stated that it was about the efficacy of going to Paris to learn things that one can learn at home.

Motion by Coffman, second by Zvonek to end debate and vote on the Murillo Amendment.

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Voting Aye: Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Motion by Murillo, second by Coombs to support the Murillo Amendment.

Voting Aye: Bergan, Coombs, Marcano, Medina, Murillo

Voting Nay: Coffman, Gardner, Jurinsky, Lawson, Sudberg, Zvonek

Motion by Gardner, second by Zvonek to end debate and vote on the resolution as amended.

Voting Aye: Coffman, Bergan, Gardner, Jurinsky, Lawson, Marcano, Medina, Sundberg, Zvonek

Voting Nay: Coombs, Murillo

Motion by Coffman, second by Zvonek to approve item 11h as amended.

Voting Aye: Bergan, Jurinsky, Lawson, Zvonek

Voting Nay: Coombs, Gardner, Marcano, Medina, Murillo, Sundberg

11.i. Rules of Order and Procedure Amendment: Council Dialog

R2022-119 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL REGARDING LIMITED COUNCIL DIALOG

Sponsor: Danielle Jurinsky, Council Member

Dan Brotzman, City Attorney

Council Member Jurinsky provided a summary of the item.

CM Coombs expressed her opposition and said it gives Council Members the last word toward the public despite already having the power of being up on the dais. MPT Bergan said this item went to the Rules Committee and discovered it was already a rule in which council members may ask the mayor to have a discussion following the public invited to be heard section of the agenda. She clarified that the resolution will only change the timing to the end of all public invited to be heard. CM Jurinsky restated it is already a rule. She clarified that Council Members could only correct something after all speakers have been heard rather than at any point during public

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invited to be heard, which is currently allowed. Mayor Coffman expressed support and said it will make it more organized.

CM Marcano expressed his opposition and restated they already have the last word at the end of meetings. He mentioned that former council members would use this to claim untruths and snip back at the public. He mentioned he does not like the implication of accusing people who testify of speaking untruths. He said council members may respond at the council report portion of the meeting. CM Jurinsky said it is already written in the rules that they can speak back to the public at any time after they have spoken. The resolution is to amend the rule and to hear all the testimonies first before being allowed to speak. CM Marcano clarified he wants to remove the rule because of instances of abuse in the past.

CM Murillo asked how rules are changed within the Rules Committee. She asked if the only way to change council rules is through a resolution. MPT clarified that the Rules Committee discusses any rules they would like to change. If the majority wants to move it forward, it moves forward as a resolution to change council rules. She added there is a prerogative of a council member to bypass the Rules Committee and just bring an item straight to the floor.

Motion by Jurinsky, second by Zvonek to approve item 11i.

Voting Aye: Bergan, Gardner, Jurinsky, Lawson, Sundberg, Zvonek

Voting Nay: Coombs, Marcano, Medina, Murillo

11.j. Purchase and Sale Agreement from the Union Ditch Company between SB Farms and the City of Aurora

R2022-120 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CONTRACT FOR PURCHASE OF UNION DITCH COMPANY STOCK FROM SB FARMS, INC

Alexandra Davis, Deputy Director of Water Resources, Aurora Water / Ian Best, Assistant City Attorney

Dawn Jewel, Aurora Water, provided a summary of the item.

CM Coombs asked how comparable \$13,000 per acre-foot is to what they are typically spending on water rights. D. Jewel said they are currently spending \$18,000 per acre-foot.

Motion by Coombs, second by Sundberg to approve item 11j.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.k. Motor Vehicle Theft and Related Offenses

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

R2022-121 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AUTHORIZING THE CITY OF AURORA TO IMPLEMENT A COMPREHENSIVE APPROACH TO COMBAT THE INCREASE IN MOTOR VEHICLE THEFT AND RELATED OFFENSES

Sponsor: Dustin Zvonek, Council Member

Pete Schulte, Public Safety Client Group Manager

Council heard public call-in person testimony on item 11k.

Council Member Zvonek and Pete Schulte provided a summary of the item.

CM Marcano said he supports elevating victims' voices and creating a victim crime fund. He asked if steeper sentences for failure to appear or mandatory minimum sentences reduce crime. He mentioned the Cato Institute, the American Legislative Exchange Council, American Civil Liberties Union, and the Marshall Project all agree that mandatory minimum policies do not deter anything but are only good politics. He mentioned they cost the public more resources to expand jail capacity, spend money on municipal courts, etc. He asked what the fiscal impact would be on the city. P. Schulte stated the courts are only getting back into regular business from COVID, and they have not been issuing the second offense of failure to appear (FTA).

CM Marcano said he is looking for more information than what is provided in the backup. He added that he wants to ensure people show up, but they are taking a **punitive approach and threatening people with FTAs, yet they still don't show up.**

CM Zvonek stated that he is more concerned about the cost of doing nothing than the cost of the ordinance and the plan. He is concerned for the victims. He stressed they have an obligation to ensure that taxpayer dollars make the community safe.

CM Coombs expressed support for the continual review of sentences and hopes that they extend it beyond motor vehicle theft and FTA, the impact of the sentencing, and the unintended consequences of the sentencing laws. She asked what the city is currently doing to address failures to appear. She mentioned **they don't have** systems in place to remind people of their court dates, but she agrees with addressing FTAs. P. Schulte said that a week before the pre-trial, **the defendant's** counsel can approach the court regarding any potential conflict to a court appearance.

CM Coombs asked how many cases are dismissed because witnesses and victims **don't show up versus defendants not showing up.** D. Wilson, Public Defender, said they have tracked data for a year and a half and that the prosecution dismisses charges due to lack of evidence or lack of witnesses 52% of the time.

MPT Bergan stressed that motor vehicle theft in Aurora is the highest in the nation. She said they do not babysit offenders and they need to be tougher on crime. She highlighted that without **vehicles, victims can't go to work and lose out on money.** She expressed her full support for the resolution. CM Coombs asked how they

address instances wherein defendants do not have counsel and are not there for the trial setting meetings. P. Schulte said that **if a person can't afford counsel, they will** be represented by a public defender.

CM Jurinsky said that the whole point of the ordinance is to start giving victims a voice, yet they are spending a lot of time talking about the persons who committed the crime. She expressed her opposition to giving them Uber vouchers. She added that they committed a crime, and they can walk to court. She stressed that the ordinance would make Aurora the toughest city in the state on crime. Mayor Coffman reiterated the number one issue for the city is motor vehicle theft and there are habitual motor vehicle thieves. He stated it is unfortunate that the state legislature weakened laws in terms of consequences.

CM Coombs said she does not oppose the ordinance nor oppose addressing motor **vehicle theft. She mentioned they don't have a texting program due to the paper** nature of the court. She said she hopes they can do those things in addition to reviewing sentences.

CM Marcano asked for clarification on Section 1(f). P. Schulte explained that CM Zvonek wanted language stating that Council is in support of overhauling and looking at procedures done by APD to combat crime.

CM Sundberg said there was an individual who stole 41 vehicles and parked them in his driveway. He asked what the likelihood is of using stolen vehicles in other crimes. Chief D. Oats said when there is a violent felony involved, it is becoming a trend that a stolen car is associated with their activity.

CM Coombs proposed an amendment to add the public defender to the list of individuals that will create a comprehensive plan. D. Brotzman clarified that the **Public Defender's Commission appoints the public defender, and they are an** independent body and Council does not direct the public defender. CM Zvonek explained that Section 1(a) talks about reviewing sentencing to see if it is working or **not. He stated he welcomes D. Wilson's input at the public safety meetings moving** forward. Mayor Coffman reiterated that City Council cannot direct the public defender.

CM Murillo said she is struggling with Section 3 since it may be encroaching on the FSIR process on taking positions on bills and it is appointing that job to the City Manager. CM Zvonek explained they can direct the City Manager to come up with a process and a proposal to bring forward to the General Assembly. He added that they need a statewide solution to motor vehicle theft. He mentioned he has had a conversation with CM Lawson to talk about what that could look like and bring it forward through the Public Safety Committee and to the full Council. CM Murillo said Section 3 is broad. She mentioned there are parts of the resolution that could be **beneficial, but she doesn't agree with Section 3. CM Zvonek said it was intentional** that they did not lay out specifics of the plan yet. He said that if both the resolution and ordinance pass, they will inform the type of penalties they would encourage the state legislature to consider. The section being vague allows for an opportunity to

have a conversation about specifics and recommendations at a later date. He said he assumes it would be increased penalties which would lower motor vehicle theft.

CM Marcano stated there are provisions to the resolution he likes, but some that he has issues with. He mentioned that Chief D. Oates said the goal is to improve public safety and the perception of public safety. He said those provisions do the latter but not the former. He stated the United States has more people in jail than any other country and is not safer for it. He expressed it is a failed national experiment and an expensive endeavor. He stated that addressing the inequality in society will reduce crime based on evidence-based approaches. Giving the state direction to increase penalties will not accomplish this. He added that people who have little to lose do not care about a penalty and there will always be someone else in a precarious situation that will lead them to harm the community. He, however, expressed support for the Victims Assistance Fund.

Mayor Coffman said that every day a habitual car thief is behind bars is a day of them not stealing a vehicle. MPT Bergan said she has spoken to APD about motor vehicle theft and expressed concern about repeat offenders. She expressed support for harsher penalties. CM Marcano said they agree that stealing cars is bad and illegal and they share a common goal of reducing crime and motor vehicle theft. He said what they disagree on is where the evidence directs them. He said this will cost citizens more public resources and not generate the wanted results. He explained there will always be someone else that will commit a crime because the underlying conditions in the community are not addressed. CM Zvonek said history and evidence suggest that CM Marcano is incorrect. He stated that **around 2004 or 2005, Aurora's** penalties became stricter and car theft went down. He believes that come October or November, there will be a decline in car theft because of the ordinance, the comprehensive plan, and the actions of the APD.

Motion by Jurinsky, second by Bergan to call for the question.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Motion by Zvonek, second by Jurinsky to approve item 11k.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.1. YVPP Community Prevention Funding Resolution - A1 Boxing

R2022-122 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - A1 Boxing Fitness Academy Outreach Program

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

DRAFT

Christina Amparan, Youth Violence Prevention Program Manager, provided a summary of the item.

Motion by Lawson, second by Murillo to approve item 11l.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.m. YVPP Community Prevention Funding Resolution - Aurora Housing Authority

R2022-123 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - Aurora Housing Authority

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

Motion by Bergan, second by Coombs to approve item 11m.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.n. YVPP Community Prevention Funding Resolution - Aurora Public Schools

R2022-124 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - Aurora Public Schools

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

Motion by Murillo, second by Medina to approve item 11n.

Voting Aye: Coombs, Marcano, Medina, Murillo

Voting Nay: Bergan, Gardner, Jurinsky, Lawson, Sundberg, Zvonek

11.o. YVPP Community Prevention Funding Resolution - Aurora Sister Cities

R2022-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - Aurora Sister Cities International

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

Mayor Pro Tem Bergan said she voted no since the city already funds Aurora Sister Cities.

DRAFT

Motion by Coombs, second by Marcano to approve item 11o.

Voting Aye: Mayor Coffman, Coombs, Gardner, Marcano, Medina, Murillo

Voting Nay: Bergan, Lawson, Jurinsky, Sundberg, Zvonek

11.p. YVPP Community Prevention Funding Resolution – Driven By Our Ambitions (DBOA)

R2022-126 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - Driven By Our Ambitions (DBOA)

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

Motion by Bergan, second by Lawson to approve item 11p.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

11.q. YVPP Community Prevention Funding Resolution - Denver Area Youth for Christ

R2022-127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - Denver Area Youth for Christ

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

CM Coombs pointed out that this resolution will use taxpayer dollars to support a religious organization that is already tax-exempt. MPT Bergan clarified that it is a nonprofit. C. Amparan confirmed this. MPT Bergan mentioned that it said Denver. She asked if it is broad-based around the cities of the greater metro area. C. Amparan said yes and added that they are currently working with several Aurora Public Schools and charter schools. CM Jurinsky agreed with CM Coombs that they have to be consistent in not funding churches. Mayor Pro Tem Bergan highlighted this was referred by the judicial detention.

Motion by Lawson, second by Medina to approve item 11q.

Voting Aye: Bergan, Coombs, Gardner, Lawson, Marcano, Murillo, Sundberg, Zvonek

Voting Nay: Jurinsky, Medina

11.r. YVPP Community Prevention Funding Resolution - Rise 5280

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

R2022-128 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - RISE 5280

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

Motion by Coombs, second by Murillo to approve item 11r.

Voting Aye: Bergan, Gardner, Jurinsky, Lawson, Sundberg, Zvonek

Voting Nay: Coombs, Marcano, Medina, Murillo

11.s. YVPP Community Prevention Funding Resolution - Rocky Mountain Welcome Center

R2022-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - Rocky Mountain Welcome Center

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia, Senior Assistant City Attorney

CM Medina abstained from voting because he sits on the Rocky Mountain Board.

MPT Bergan asked if they have a welcome center as part of the Office of International Affairs. R. Venegas clarified they do not have a welcome center. MPT Bergan said she thought that it was in the strategic plan received from the Office of International Affairs. R. Venegas clarified this is to support welcoming centers, but there is none yet stood up as part of the Office of International Immigrant Affairs. What will be created is a spinoff from the original welcome center iteration by the Aurora Public Schools. He highlighted that the Office of International Immigrant Affairs does work with Welcome Centers and nonprofits that provide services for immigrants and refugees. He mentioned that the Rocky Mountain Welcome Center is one they have worked with in the past.

Motion by Coombs, second by Lawson to approve item 11s.

Voting Aye: Bergan, Coombs, Gardner, Lawson, Marcano, Medina, Murillo Sundberg, Zvonek

Voting Nay: Jurinsky

11.t. YVPP Community Prevention Funding Resolution - Salvation Army

R2022-130 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING RECOMMENDATION - The Salvation Army Aurora Corps

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia,
Senior Assistant City Attorney

Motion by Bergan, second by Jurinsky to approve item 11t.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo
Sundberg, Zvonek

11.u. YVPP Community Prevention Funding Resolution - Struggle of Love

R2022-131 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING
RECOMMENDATION - Struggle of Love Foundation

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia,
Senior Assistant City Attorney

Motion by Medina, second by Murillo to approve item 11u.

Voting Aye: Coombs, Marcano, Medina, Murillo

Voting Nay: Bergan, Gardner, Jurinsky, Lawson, Sundberg, Zvonek

11.v. YVPP Community Prevention Funding Resolution - Urban Nature Impact

R2022-132 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, ADOPTING THE YOUTH VIOLENCE PREVENTION PROGRAM FUNDING
RECOMMENDATION - Urban Nature Impact

Christina Amparan, Youth Violence Prevention Program Manager / Angela Garcia,
Senior Assistant City Attorney

CM Jurinsky said that based on information from C. Amparan, the organization's nonprofit status is pending. However, when she reached out to the organization, they said they've been fully approved. C. Amparan clarified they've been fully approved and they're a registered business in Aurora. She clarified that the resolution would enable them to start programming and support them as a startup organization. CM Jurinsky said that C. Amparan mentioned to MPT that the organization does not have nonprofit status. C. Amparan said that organization has not worked within Aurora in the past and the resolution would provide start-up funding to support their programming.

MPT said the organization has a letter that gives them tax exemption status with the IRS, and she spoke to CM Gardner about it. She asked if an organization could have a tax exemption status without starting a nonprofit. C. Amparan said those are the first steps to take to become a nonprofit organization and those are things that the organization has already done to become a registered business within Aurora. MPT said she feels they are not yet ready to be a startup since their concept, although good, is not yet fully fleshed out. She asked C. Amparan for the panel discussion. C.

Amparan said the organization originally requested a larger lump sum and the panel had concerns about it being a startup organization and not having historical collaboration with other criminal justice organizations, schools, and key partners. In **addition, there were also concerns that they don't have the history or know-how** of doing intervention work.

CM Lawson asked if the \$7,500 would make them an established organization. She added that they are not yet fully established, and their ideas are not yet fleshed out. She asked if they were not going to be successful in providing measurements. C. Amparan explained that the organization requested intervention funding and YVPP is moving forward with the recommendation for them to receive prevention funding in partnership with another organization more focused on the startup of prevention efforts. MPT clarified she only asked if they were a nonprofit and C. Amparan said they were not yet established. C. Amparan clarified they are a registered nonprofit with all the documentation, but they are not operational. She added that they are currently not providing service to youth directly. She stated the funding would help them start providing service to youth in Aurora.

Motion by Medina, second by Murillo to approve item 11v.

Voting Aye: Bergan, Coombs, Jurinsky, Lawson, Marcano, Murillo, Sundberg, Zvonek

Voting Nay: Gardner, Medina

Mayor Coffman called for a brief recess of Council to allow staff to provide call-in instructions.

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

13.a. **Station 60 Infrastructure Site Plan**

A PUBLIC HEARING WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY AN ABUTTING PROPERTY OWNER OF THE PLANNING AND ZONING COMMISSION APPROVAL OF THE STATION 60 INFRASTRUCTURE SITE PLAN

Daniel Osoba, Planner II / Daniel L. Money, Senior Assistant City Attorney

Item 13a was continued to July 11, 2022.

14. **INTRODUCTION OF ORDINANCES**

14.a. **Amendment to the Unified Development Ordinance - Multifamily Building Length**

2022-32 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-3.3.2.H AND 146-4.8.5.D OF THE UNIFIED

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

DEVELOPMENT ORDINANCE (UDO) TO ADDRESS BUILDING LENGTH STANDARDS OF MULTIFAMILY BUILDINGS

Brandon Cammarata, Planning Manager / Daniel Money, Senior Assistant City Attorney

Mayor Coffman opened the public hearing.

Brandon Cammarata, Planning Manager, provided a summary of the item.

Mayor Coffman closed the public hearing.

CM Coombs mentioned that every time there is a request for a variance on this item in the UDO, it will get approved. She stated the 250-foot maximum length may not be meeting the building lengths that are being developed in the city.

Motion by Coombs, second by Marcano to approve item 14a.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14.b. Qualification of Elective Officers of the City

2022-33 FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE STATEWIDE GENERAL ELECTION COORDINATED IWTH A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022, A PROPOSAL TO AMEND ARTICLE 3-3 OF THE AURORA CHARTER TO CONFORM THE QUALIFICATIONS OF ELECTIVE OFFICERS OF THE CITY WITH THE PROVISIONS OF THE COLORADO CONSTITUTION

Sponsor: Angela Lawson, Council Member

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Kadee Rodriguez, City Clerk, provided a summary of the item.

CM Gardner asked what the approximate cost is of doing a special election. He mentioned that he recalled it being \$250,000. K. Rodriguez said she does not have the cost and will get back to CM Gardner. CM Gardner said it would be a special **election because it's not a regular municipal election**. He asked if there is a cost associated with placing the item on the ballot. K. Rodriguez said yes.

CM Gardner said that someone with a felony record can run for City Council, and they **don't necessarily need to do this item as a special election**. He asked if they could put it on the regular November 2023 ballot and not pay. D. Lathers said they need to put it forward this year because of a district order that they had to present it as a vote to the people. He added that they need to make it consistent with the constitution. CM Gardner asked what would happen if the voters voted no. He asked if the court

compelled them to put it on the ballot. D. Lathers said the court compelled them to do so. He mentioned that the court does recognize the possibility of it not passing.

Motion by Lawson, second by Coombs to approve item 14b.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14.c. Amusement Device License Repeal

2022-34 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING CHAPTER 10 OF THE AURORA CITY CODE AND, REPEALING THE REQUIREMENT FOR AMUSEMENT ENTERPRISE LICENSES, AMUSEMENT DEVICE DISTRIBUTOR'S LICENSES, AMUSEMENT DEVICE VENDOR'S LICENSES, AND AMENDING CHAPTER 26 RELATING TO SELF-SERVICE DEVICES

Sponsor: Curtis Gardner, Council Member

Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Senior Assistant City Attorney

CM Gardner provided a summary of the item.

Motion by Gardner, second by Jurinsky to approve item 14c.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14.d. Reducing Distance Restriction between Liquor Stores and Drugstores

2022-35 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 146-3.3.5.R OF THE CITY CODE PERTAINING TO DISTANCE RESTRICTIONS BETWEEN RETAIL LIQUOR STORES AND LIQUOR-LICENSED DRUGSTORES

Sponsor: Dustin Zvonek, Council Member

Trevor Vaughn, Manager of Licensing / Tim Joyce, Assistant City Attorney

CM Zvonek and Trevor Vaughn provided a summary of the item.

Motion by Zvonek, second by Jurinsky to approve item 14d.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14.e. 2022 Certificates of Participation (COPs) – Roadway Improvement Projects

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

2022-36 FOR AN ORDINANCE AUTHORIZING THE USE OF LEASE-PURCHASE FINANCING FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS PURSUANT TO THE TERMS OF A LEASE-PURCHASE AGREEMENT BY AND BETWEEN AURORA CAPITAL LEASING CORPORATION, AS LESSOR, AND THE CITY OF AURORA, COLORADO, AS LESSEE; AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY; AND RELATED MATTERS

Sponsor: Dustin Zvonek, Council Member

Teresa Sedmak, City Treasurer / Hanosky Hernandez, Senior Assistant City Attorney

CM Zvonek provided a summary of the item.

CM Coombs highlighted the importance of having roads that are safe to drive on and well maintained. She mentioned the situation is due to the unmitigated metro district-funded suburban sprawl. She added that she hopes they will look at different ways to develop that, improve quality of life, reduce sprawl, and become cognizant of the climate disaster. MPT Bergan said they have a large road maintenance deficit because of the 2008 recession and the council at the time did not fund all the road maintenance. Due to this, they ended up with a larger deficit year after year. She highlighted the importance of looking into the future and the impacts of decisions to cut the budget within the city. CM Marcano hopes they are repaving streets and adding traffic calming improvements and ensuring the environment does not facilitate or encourage the use of unsafe speeds.

MPT Bergan asked how soon they would be able to address residential roads. She mentioned she is getting major complaints from Saddle Rock North. Lynne Center said they could start construction on the paving program in the spring of 2023. MPT asked if they could do a mill and overlay in the spring of 2023. L. Center said they need time to get contracts out.

CM Marcano asked what the total cost factoring interest into the bonds would be. T. Sedmak said interest rates have moved up. If issued today, they are looking at a 4.25% interest rate which would be \$2.65 million a year over 20 years.

Motion by Zvonek, second by Bergan to approve item 14e.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14.f. Motor Vehicle Theft and Vehicle Parts Code Changes

2022-37 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS OF THE CITY CODE PERTAINING TO MANDATORY MINIMUM SENTENCES FOR CERTAIN OFFENSES IN THE AURORA MUNICIPAL CODE AND OTHER AMENDMENTS TO THE CITY CODE TO COMBAT THE INCREASE IN MOTOR VEHICLE THEFT AND RELATED OFFENSES

Sponsor: Dustin Zvonek, Council Member

Matthew Novak, Sergeant / Pete Schulte, Public Safety Client Group Manager

Council heard public call-in line testimony for item 14f.

CM Zvonek and Pete Schulte provided a summary of the item.

CM Coombs asked what percentage of motor vehicle thefts are currently heard in the municipal court. She asked if this would change and to what degree will the change be as a result of the proposed ordinance. P. Schulte clarified that the vast majority are filed in municipal court because there is faster justice for victims.

CM Marcano asked if they could reference state statute instead of a number, so they **don't have to keep updating it if there are changes. P. Schulte** said that it was in the mid-2000s that it was last changed, and it doesn't happen often.

CM Lawson asked if the ordinance is amenable to being changed if things are not working or if there are gaps throughout or before the sunset period. She mentioned that data must be collected and reported to the Public Safety Committee. CM Zvonek said it would take six votes to amend it. He stated he wants to watch the trends in motor vehicle theft to determine if they are lowering. If it is not, they must do something else. He mentioned it will incur costs but the cost of doing nothing outweighs the cost of taking action.

CM Coombs asked if the cases wherein crimes are committed using the stolen vehicle are heard in municipal court. P. Schulte said that felony offenses must be filed with **the District Attorney's Office in district court.** CM Coombs asked what the ordinance's impact will be on the time it will take to prosecute and the impact on other nonmotor vehicle cases given that more cases may go to trial due to the mandatory minimum sentence. P. Schulte said that if sentencing is consistent such that if you go to trial and are convicted, you go in front of the judge on an agreed plea bargain, you will get the first offense and get 90, 120, or 150 days from the court. CM Coombs asked if there is a risk that they would not meet the speedy trial obligations because of a significant number of cases going to trial. P. Schulte said there is a possibility that it would happen. However, it is unlikely due to the number of courts and judges available.

Motion by Zvonek, second by Sundberg to approve item 14f.

Voting Aye: Bergan, Gardner, Jurinsky, Lawson, Medina, Sundberg, Zvonek

Voting Nay: Coombs, Marcano, Murillo

14.g. **Photo Speed Enforcement**

2022-38 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 134-451 OF THE CITY CODE PERTAINING TO AUTOMATIC VEHICLE IDENTIFICATION CITATIONS

Megan Platt, Assistant City Attorney

Megan Platt, Assistant City Attorney, provided a summary of the item.

Motion by Bergan, second by Marcano to approve item 14g.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14.h. Ordinance Permitting Mobile Ice Cream Vehicles Within the City

2022-39 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 26-346 AND 26-347 AND REPEALING SECTION 26-348 TO ALLOW MOBILE ICE CREAM VEHICLES WITHIN THE CITY

Sponsor: Dustin Zvonek, Council Member

Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Sr. Assistant City Attorney

CM Zvonek and Trevor Vaughn provided a summary of the item.

CM Lawson asked if HOAs would need to approve ice cream trucks coming through HOA-regulated neighborhoods and private roads. T. Vaughn clarified that HOAs may regulate ice cream trucks on private roads. Mayor Pro Tem Bergan asked if the hours of operation are after 10 AM and before sunset. T. Vaughn confirmed this.

Motion by Zvonek, second by Gardner to approve item 14h.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

15. FINALIZING OF ORDINANCES

Ordinances on final reading which were introduced by unanimous vote of those present on the first reading may be taken under consideration and voted upon as a single item. Related ordinances may be acted upon as one item after the titles are read in series by the City Clerk. Any member of the Council may request an item to be considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Finalizing of Ordinances.

15.a. Aurora One Zoning Map Amendment

2022-31 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 15.4 ACRES OF LAND FROM AIRPORT DISTRICT (AD) TO MIXED-USE REGIONAL (MU-R), LOCATED ALONG STEPHEN D. HOGAN PKWY. AND WEST OF VALDAI ST (AURORA ONE ZONING MAP AMENDMENT)

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

DRAFT

Aja Tibbs, Senior Planner / Daniel L. Money, Senior Assistant City Attorney

Motion by Gardner, second by Marcano to approve item 15a.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

16. **PLANNING MATTERS**

17. **ANNEXATIONS**

18. **RECONSIDERATIONS AND CALL UPS**

19. **GENERAL BUSINESS**

19.a. **Consideration to Reappoint Four (4) Members to the Oil and Gas Advisory Board**

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Motion by Gardner, second by Bergan to reappoint Brad Pierce, Marc Cooper, Philip Holmes, and James Spehalski to the Oil and Gas Advisory Committee.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Marcano, Medina, Murillo, Sundberg, Zvonek

19.b. **Consideration to Reappoint One (1) Member to the Historic Preservation Commission**

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Mayor Pro Tem Bergan asked where Ward VIII is. She said that it might be a mistake.

Motion by Bergan, second by Coombs to reappoint Barbara Henk to the Historic Preservation Commission.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Marcano, Medina, Murillo, Sundberg, Zvonek

20. **REPORTS**

20.a. **Report by the Mayor**

None.

20.b. **Reports by the Council**

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

CM Lawson gave legislative updates and reported that she attended the Accelerate trip to D.C. She mentioned that she sits on the CML Executive Board and the Policy Committee and attended the conference **in Breckenridge. She was part of the Let's Talk from Conflict to Conversation** panel. She mentioned the CML Policy Committee Executive Board had an election of smaller, larger, and medium-sized cities. CM Lawson reported that she also attended an Executive Board Meeting.

CM Jurinsky announced that Aurora's First Responder Celebration Day will be on July 16th from 12 noon to 4 PM at the AMC Lawn Memorial.

CM Murillo announced the cancellation of her July Town Hall.

CM Sundberg reported that he attended CML. He commended APD and Major Crimes **Unit for their work on John Jaros' murder on I-70.**

CM Marcano announced that the next Ward IV meeting will be on July 14th at 6:30 PM at Colorado Early Colleges with Chief Oates as the guest speaker. They will talk about crime trends, strategies to improve response and department culture, strategies to rebuild public trust, strategies to improve the PAR program, and the strategies to search for a permanent chief.

CM Coombs reported she attended the CML conference and participated in the Breckenridge Fun Run. She stated she is participating in the Water Education Colorado Water Fluency Workshop which will have one in-person session in Gunnison during the second week of July. During the last DRCOG meeting, they discussed the Transportation Improvement Program (TIP) and how it will be impacted by the greenhouse gas reduction targets from the state legislature, and how the city will consider land use when planning and asking for TIP funds.

MPT Bergan reported she attended the Accelerate Colorado trip in D.C. to advocate for Colorado for federal policy issues. She also attended the Development Review Workshop and the procurement session. She recently attended the Community Spirit Award held at the Aurora Reservoir and nominated Jen Dubrow who was awarded. **She extended condolences to John Jaros' family and commended the APD detectives.**

Council Members Gardner, Medina, and Zvonek had no reports.

21. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.

DRAFT

MIKE COFFMAN, MAYOR

ATTEST:

KADEE RODRIGUEZ, CITY CLERK

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*



CITY OF AURORA

Council Agenda Item Continuation Page

Item Title: A PUBLIC HEARING WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY AN ABUTTING PROPERTY OWNER OF THE PLANNING AND ZONING COMMISSION APPROVAL OF THE STATION 60 INFRASTRUCTURE SITE PLAN

Item Initiator:

Staff Source: Daniel Osoba, Planner II

Legal Source: Daniel L. Money, Senior Assistant City Attorney

Outside Speaker: N/A

Date of Change: 7/6/2022

COUNCIL MEETING DATES:

Study Session: NA

Regular Meeting: 7/11/2022

ITEM SUMMARY *(Brief description of changes or updates with documents included.)*

This agenda item is a companion item with 8.a. Agenda item 12.a. appeal is being withdrawn by the appellant due to a settlement agreement between the appellant and the applicant. The item 12.a. appeal will be withdrawn accordingly during the 7/11/2022 Regular City Council Meeting.

Brady R. McShane
(303) 685-7405
mcshaneb@gtlaw.com

July 6, 2022

VIA EMAIL

Jim Twombly, City of Aurora City Manager
15151 E. Alameda Parkway
Aurora, CO 80012
Email: jtwombly@auroragov.org

Re: Withdrawal of Salud's Appeal of Planning and Zoning Commission's Major Site Plan Approval for the Station 60 Infrastructure Site Plan

Dean Mr. Twombly,

I am writing on behalf of Salud Family Health ("Salud"). On May 9, 2022, Salud appealed the City of Aurora Planning and Zoning Commission's Major Site Plan Approval for the Station 60 Infrastructure Site Plan (the "Appeal"). We are pleased to report that both Salud and QuikTrip (owner of the Station 60 property) have agreed to cooperate in the pursuit of a revised access plan and traffic signal location at E. Colfax Avenue (US 40) and Norfolk Street that will address Salud's previously-stated concerns. Accordingly, Salud hereby withdraws its Appeal and looks forward to working with the City of Aurora and Colorado Department of Transportation to process the approvals necessary to accommodate the desired revisions.

Sincerely,



Brady R. McShane
Shareholder

cc:

Dan Osoba, City of Aurora Planner II
John Santistevan, Salud
Michael Johnson, Salud
Craig Romrell, QuikTrip
Chris Viscardi, Kentro Group
Carolynne C. White, Brownstein Hyatt Farber Schreck, LLP

ACTIVE 66024494v1



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to AWARD A SINGLE SOURCE CONTRACT to Jacobs Engineering Group, Inc., Englewood, Colorado in the amount of \$248,743.00 for engineering services associated with Phase 2 of the Binney Water Purification Facility (WPF) Ultraviolet Advanced Oxidation Process

Item Initiator: Kelsey Baertschi, Project Engineer, Aurora Water

Staff Source/Legal Source: Elizabeth Carter, Principal Engineer, Aurora Water / David Lathers, Senior Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Elizabeth Carter, Principal Engineer, Aurora Water / David Lathers, Senior Assistant City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |

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

The award of a COMPETITIVELY SOLICITED CONTRACT to CH2M Hill Engineers, Inc., Englewood, Colorado, in the amount of \$294,462.00 for the improvement of the cleaning system for the Ultraviolet Advanced Oxidation Process at the Binney Water Purification Facility, was reported on the Weekly Report To Council dated June 26, 2017.

The award of an AMENDMENT TO A COMPETITIVELY SOLICITED CONTRACT to CH2M Hill Engineers, Inc., Englewood, Colorado in the amount of \$97,166.00 for design services for the Ultraviolet Advanced Oxidation Process at the Binney Water Purification Facility, was reported on the Weekly Report To Council dated May 29, 2018.

The award of a COMPETITIVELY BID CONTRACT to Velocity Constructors, Inc., Englewood, Colorado, in the amount of \$777,024.00 for the Ultraviolet Advanced Oxidation Process at the Binney Water Purification Facility Project, Project No. 5646A, was reported on the Weekly Report To Council dated September 3, 2019.

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

Background

The Ultraviolet Light / Advanced Oxidation Process (UV/AOP) treatment process at the Binney Water Purification Facility (WPF) is a critical treatment process designed to provide treatment of contaminants of emerging concern (e.g., personal care products, pharmaceutical compounds) and other contaminants that are present in the alluvial wells at the North Campus of the Prairie Waters System. The UV/AOP treatment process includes multiple UV reactors that include over 7,000 UV lamps. Since the plant was constructed, the automatic sleeve wiper system integral to the UV reactors has not been effective at cleaning the sleeves due to fouling and scaling, and operations conducts manual cleaning of the 7,000 UV bulbs to maintain treatment efficacy. The system operates under degraded conditions, however, the power consumption for each reactor goes up with a corresponding increase in bulb fouling, to make up for the difference in UV light. For many years, Maintenance staff have had challenges with keeping up with the additional maintenance demands and the poorly functioning automated wiper system has resulted in decreased UV/AOP treatment efficiency and a significant increase in operation and maintenance costs. In addition, the equipment vendor has an improved design for some components, further reducing the required maintenance efforts.

In 2014, a study evaluated options for adding a supplemental chemical clean-in-place (CIP) system. In 2017, Jacobs Engineering (formerly CH2M Hill) was selected through a competitive proposal evaluation process and designed Phase 1 of the CIP system. The CIP system mixes a batch of low pH acid solution and recirculates the solution through a single UV train over a 12 to 24-hour cleaning cycle. The CIP system fully removes scale buildup on the UV sleeves, improves the efficacy and operational efficiency of the treatment system, reduces the overall manual maintenance on the UV units, and reduces costs associated with replacing failed components. Operations conducted testing of the CIP system in 2021 and determined that the system is performing as designed and the system is ready to be expanded on the remaining South Train UV reactors, numbers 7, 9, 10, 11, and 12.

Proposed Award

Aurora Water is requesting approval of a single source award to Jacobs Engineering Group, Inc. (Jacobs) for design engineering services to complete Phase 2 of the UV/AOP CIP System design, which includes expanding the system to UV Train Nos. 7, 9, 10, 11, and 12. The design work will include preparation of construction documents to add the necessary piping, valving, and control/electrical wiring for the previously referenced UV trains. Most of the CIP system equipment (chemical supply, batch tank, recirculation pump, and control system) was installed during Phase 1; therefore, a minimal amount of design work is required for Phase 2. Previously developed drawings from Phase 1 will be updated, which will be limited to process mechanical, electrical, and instrumentation and control drawing updates. The scope of work also includes providing bid support, engineering services during construction, and programmable logic controller (PLC) programming and startup and commissioning. The specific details regarding the proposed scope of design engineering services and cost breakdowns are shown in Attachment Number Four (4) to this commentary. Once design is completed, the construction contract award will be competitively bid in the Fall/Winter of 2022 and brought forward for City Council approval at that time.

Since Jacobs completed the design of Phase 1 of the CIP system project, they have a unique understanding of the remaining design and construction observation efforts for this one of a kind cleaning system. Jacobs fully

understands what is required to finish the remaining design work for the project. Jacobs is the best-qualified firm and can perform the required engineering services more cost effectively than bringing in another firm. Soliciting proposals from other engineering firms would be impractical as a new firm would need additional time to study the project's requirements and would charge for design work already completed by Jacobs. As a result, staff has determined that a single source award to Jacobs for providing the additional engineering services is in the best interest of the City.

A proposal was requested from Jacobs for engineering services for Phase 2 of the UVAOP CIP system. Negotiations included detailed discussions regarding the specific scope of work, project schedule, and labor hours for both professional and administrative categories to complete these services. After negotiations were complete, the final amount agreed upon was \$248,743.00. This amount is within the approved budget for this project. The hourly rates proposed by Jacobs are within approximately 3% of their 2021 MESA VII hourly rates and are comparable to similar sized engineering firms. Therefore, the final negotiated hourly rates for the engineering services are considered to be fair and reasonable.

Recommendation

Aurora Water staff recommends the award of a SINGLE SOURCE CONTRACT to Jacobs Engineering Group, Inc., Englewood, Colorado in the amount of \$248,743.00 for engineering services associated with Phase 2 of the Binney Water Purification Facility (WPF) Ultraviolet Advanced Oxidation Process (UVAOP) Design.

QUESTIONS FOR COUNCIL

Does Council approve the award of a SINGLE SOURCE CONTRACT to Jacobs Engineering Group, Inc., Englewood, Colorado in the amount of \$248,743.00 for engineering services associated with Phase 2 of the Binney Water Purification Facility (WPF) Ultraviolet Advanced Oxidation Process (UVAOP) Design?

LEGAL COMMENTS

Colo. Const. Article 14, Section 18, Subsection 2(c) permits the City to contract with private persons, associations, or corporations for the provision of any legally authorized function, service, or facility within or without its boundaries. The City has all powers which are necessary, requisite, or proper for the government and administration of its local and municipal matters. (City Charter, Art. I, Sec. 1-3). Council has the power to prevent and enforce good government, general welfare, order, and security of the City and its inhabitants. (City Charter, Art. III, Sec. 3-9). Contracts of at least \$50,000.00 but less than \$2,000,000.00 shall be approved by City Council. (City Code Sec. 2-672). Purchase orders or contracts in any amount may be awarded without benefit of formal competitive bidding when standardization of parts, modules, accessories, or additions will maintain compatibility with existing furnishings or installations (City Code Sec. 2-674(7)). (Koumantakis)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Funding for this Single Source Contract will be from the Capital Improvement Program, Water Fund in the amount of \$248,743.00.

ORG: 52504 (Binney WPF Improvements)

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

AWARDS \$50,000.00 - \$2,000,000.00 subject to call-up and not based on lowest dollar basis (usually awards where qualifications rather than price dominate the process):

| COMPANY | DESCRIPTION OF AWARD | AWARD AMOUNT | BID / RESULTS |
|---|--|---------------------|--|
| <p>CH2M HILL ENGINEERS, INC. ENGLEWOOD, CO</p> <p>Dept: Water</p> | <p>Award a competitively solicited contract to CH2M Hill Engineers, Inc. in the amount of \$294,462.00 for the improvement of the cleaning system for the Ultraviolet Advanced Oxidation Process, which currently requires hand cleaning of 7,000 quartz sleeves, at the Binney Water Purification Facility (WPF). This award includes design services and engineering services during construction for the installation of a chemical clean-in-place system.</p> <p>These services were originally envisioned to be a task order under Water’s Master Engineering Services Agreement (MESA) V, and a Request for Proposals (RFP) was issued to the five pre-qualified MESA V firms in Category 1 – Water & Wastewater Treatment and Pumping Facilities. Three firms submitted proposals, which were evaluated based on the following criteria:</p> <ol style="list-style-type: none"> 1. Specialized experience and technical competence of key personnel; 2. Past performance and references; 3. Preliminary solutions presented; and 4. Overall impression of proposal. <p>Due to the nature of the services, price was not a consideration in the selection and was only negotiated with the selected firm.</p> <p>CH2M Hill Engineers, Inc. was selected as the top-ranked firm, and a detailed scope of work, project schedule and price proposal in the not-to-exceed amount of \$294,462.00 were negotiated. The hourly rates proposed are consistent with CH2M Hill’s MESA V contract. Therefore, the price proposal is considered to be fair and reasonable.</p> <p>During this selection process, CH2M Hill’s MESA V became unavailable due to the fact that it had reached its capacity of \$1,000,000.00 in task order awards. Due to the fact that the five pre-qualified firms were originally selected under an open solicitation process, resoliciting the services under a new open solicitation process would not likely yield a different outcome. Based on the above, Purchasing recommends the award be made to CH2M Hill Engineers, Inc. in the amount of \$294,462.00.</p> <p><i>This award is the result of an open solicitation where the City received at least 3 offers, and the price was negotiated with the top ranked firm on the basis of qualifications. 2-672-(a), (3), (a)</i></p> | <p>\$294,462.00</p> | <p>N/A</p> <p>Carollo Engineers</p> <p>CH2M Hill Engineers</p> <p>Mott MacDonald, LLC</p> |

CHANGE ORDERS and AMENDMENTS \$25,000.00 to \$99,999.99 subject to call-up where the cumulative total of all change orders or amendments to the contract does not exceed \$100,000.00:

| COMPANY/ DESCRIPTION OF CHANGE ORDER | CHANGE ORDER NUMBER | CHANGE ORDER AMOUNT | PREVIOUS CHANGE ORDERS | TOTAL TO DATE | AWARD NUMBER |
|--|---------------------------|---------------------------|------------------------------|---------------------|-----------------|
| <p>CH2M HILL ENGINEERS, INC.</p> <p>ENGLEWOOD, CO</p> <p>Amendment to an openly solicited contract for design services for the Binney WPF – UV / AOP Clean-In-Place Improvements Project. Amendment No. 1 was a time extension only and did not add any money.</p> <p>Operations staff are looking to monitor alarms and health and safety matters as well as automate the process once the operating procedure has been refined. For this a Remote Input/Out panel will need to be installed. This amendment will allow the consultant to design, fabricate, program, and test the panel and then provide the panel to the contractor for installation.</p> <p>Pricing was requested from the consultant, and it is in accordance with the original contract. Therefore, it is considered to be fair and reasonable.</p> <p><i>This Amendment is consistent with requirements of the City code 2-676 establishing criteria for awards of amendments.</i></p> <p>Dept: Water</p> | 2 | \$97,166.00 | \$0.00 | \$391,628.00 | 17P0868 |

AWARDS \$50,000.00 - \$2,000,000.00 subject to call-up for which at least three bids were received, the lowest responsive bidder was selected, and no bid protest was filed:

| COMPANY | DESCRIPTION OF AWARD | AWARD AMOUNT | BID / RESULTS |
|---|---|---------------------|---|
| <p>PCMG INC. HERNDON, VA Dept: IT</p> | <p>Extend a competitively bid contract for annual VMWare Virtual Server and Horizon Virtual Desktop Software Support through September 29, 2019. This represents the first of two possible extension periods for the contract.</p> <p>The vendor has submitted a proposal of \$64,553.91, which is a .01% increase over the 2018 price. Since the July 2019 Municipal Cost Index shows an increase of .91%, the vendor's proposal is deemed to be fair and reasonable.</p> <p><i>Purchases where a vendor offers to extend an existing contract under the same terms and conditions within current market pricing are authorized to be awarded through noncompetitive negotiations. 2-674-2</i></p> | <p>\$64,553.91</p> | <p>B-4442</p> |
| <p>VELOCITY CONSTRUCTORS, INC. ENGLEWOOD, CO Dept: Water</p> | <p>Award a competitively bid contract to Velocity Constructors, Inc. in the amount of \$777,024.00 for the Binney WPF: UV-AOP Improvements Project.</p> <p>The proposed award is within the appropriated budget that was set aside for this project. City staff has reviewed Velocity's bid for the project, verified references, and considers their overall bid to be fair and reasonable. The Invitation for Bid solicitation for this project required all bidders to submit a bid bond for guaranteeing their bid offers, and the proposed contract includes provisions for assessing liquidated damages to protect the City in the event the project is not completed on time.</p> <p>Additionally, a 5% contingency amount is requested to be approved for this project. The requested contingency is not reflected in the amount of the award cited above.</p> <p><i>This award is the result of a competitive bid where the City received at least 3 bids. This award meets all the conditions set by Code for administrative award. 2-672-(9), (3), (2)</i></p> | <p>\$777,024.00</p> | <p>5646A</p> <p>Velocity Constructors \$777,024.00</p> <p>J.R. Filanc Construction \$869,000.00</p> <p>RN Civil Construction \$899,750.00</p> |

9191 S Jamaica St, Englewood, CO 80112
720.286.0006

www.jacobs.com

| | | | |
|------------------|---|---------------------------|---|
| Subject | Attachment 1 – Scope and Fee | Project Name | Binney WPF Binney WPF: UV-AOP Improvements (Train Nos. 7, 9, 10, 11 and 12) |
| Attention | Kelsey Baertschi | City Project No. | |
| From | Bill Carter, P.E. | Jacobs Project No. | BPO00NBT |
| Date | April 15, 2022 | | |

Dear Kelsey,

Jacobs Engineering Group, Inc. (Jacobs) is pleased to present to Aurora Water (AW) this scope, schedule, and fee for Engineering and Construction Services for the Binney WPF: UV-AOP Improvements (Train Nos. 7, 9, 10, 11, 12) project. The UV-AOP improvement have been phased across multiple projects, with recent improvements completed in 2018 and 2019. This scope covers the next phase and provides chemical cleaning systems for UV train numbers 7, 9, 10, 11, and 12. The project will include the following items:

- Design Updates – updates to Contract Documents from previous phase to be specific scope required for adding cleaning systems for UV train numbers 7, 9, 10, 11, and 12.
- Bidding Assistance – assistance with preparation of bid documents and with bid clarifications and addenda items.
- Engineering Services During Construction (SDC) – submittal reviews, requests for information, work change directive evaluations, pay application reviews, and part time construction observation with special inspections
- Programming and Commissioning – on site programming and system testing, including the control system components and software functions. Jacobs will test each control system function on a loop-by-loop basis.
- Long term recommendations for upgrading the UVAOP system.

The detailed scope of work is provided herein as **Attachment 1**, the project milestone schedule is included as **Attachment 2**, the fee is presented as **Attachment 3**. QA/QC and project management activities will be continuous throughout the project. As always, your input and comments are welcome and valued, so please feel free to call or email Bill at 720-286-5143 or william.carter@jacobs.com.

Regards,

Jacobs Engineering Group Inc.



Bill Carter, PE
Project Manager



Wendy Christofferson, PE
Designated Manager

Attachment 1: Scope of Work

The following Scope of Work describes Jacobs' services for the Engineering and Construction Services for the Binney WPF: UV-AOP Improvements project. The project includes preparation of construction documents to add the necessary piping, valving, control, and electrical wiring for UV train numbers 9 through 12. Existing drawings from the previous phase will be updated to properly communicate scope required for integrating UV train numbers 7, 9, 10, 11, and 12. Unlike the previous phase of the project, this phase will not include structural, plumbing, or HVAC scope. Scope will be limited to process mechanical, electrical, and instrumentation and controls design updates.

In addition to preparation of updated construction documents, the following Scope of Work includes bidding assistance, SDC, Programming & Testing, Commissioning for UV train numbers 7 and 9-12 and a 10-Year Recommendations Technical Memorandum for the UVAOP system.

1. Project Management

Project management tasks will include:

- Prepare, implement, and monitor a project work plan throughout delivery of the project within budget and on schedule.
- Monitoring Jacobs' team performance for scope, budget, and schedule.
- Implement Jacobs' standard continuous quality control process. Major deliverables will be issued with a Quality Review Sign-off Sheet for each discipline involved in the design. A Quality Review Form (QRF) will be used to document client comments. Adjudicated QRF's will be provided to AW at with the bid set deliverable. Additionally, Jacobs will document key project decisions using a Decision Management Log.
- Resource-loaded schedule and monthly spending plan.
- Weekly email update addressing project progress.
- Review and coordination of deliverables.
- Office administration staff will support the project for accounting, clerical duties, contracting, and project controls. Only tasks specific to this project are included in the fee.
- During construction, Jacobs will prepare, implement, and monitor a project work plan for Jacobs' scope of services during the construction phase of the project. Jacobs will manage and coordinate discipline engineering team to provide the required technical input and observation of construction work throughout the construction of the project as outline in this Scope of Work.

Deliverables:

- Monthly progress reports/invoices to AW that provide a summary of progress to date, near-term upcoming activities, and documentation giving status on cost. Monthly status reports will be bullet-style format.
- During construction, reports/logs for any Site Visits/Observations Jacobs' performs. These reports/logs will be included with the monthly progress reports/invoices.

2. Design Updates

2.1 Kickoff Meeting

- Prepare for and hold a 1-hour project start-up/kick-off meeting with AW team members and up to 5 Jacobs team members. Topics will include:
 - Review the scope of work, budget, schedule, roles, communication channels, deliverables, and quality expectations.
 - Present and confirm design update concepts and objectives.

Deliverables: Meeting summary documenting discussion and decisions.

2.2 Pre-Final Design

- Pre-Final Construction Documents
 - Prepare updates to the existing drawings including deletion of entire sheets, selective deletion of information on sheets, as-builts from UV-AOP Chemical Cleaning System Project, dated August 2018 (previous phase), updates to existing versus new equipment depiction, and some new sections development to effectively capture orientation specific to UV train numbers 7, 9, 10, 11, and 12. The index of drawings from the previous phase with proposed updates for each sheet as it relates to this scope is included in the General Assumptions paragraph. The effort for each sheet was grouped into four categories: Delete, Update Names, Updates Minor, and Updates Major. A legend included with the Proposed Drawing Updates table in the General Assumptions paragraph describes example tasks for each category.
 - Prepare updates to the existing specifications including deletion of entire sections, selective deletion of sections, and minor updates required to align with the scope required for UV train numbers 7, 9, 10, 11, and 12. The specifications table of contents from the previous phase with proposed updates for each section as it relates to this scope is included in the General Assumptions paragraph. The effort for each specification section was grouped into four categories: Delete, Format Only, Updates Minor, and Updates Major. A legend included with the Proposed Specifications Updates table in the General Assumptions paragraph describes example tasks for each category.

Deliverables:

- Pre-Final Set - Drawings, Specifications, and Details
- Class 1 Opinion of Probable Cost

2.3 Bid Set

- Incorporate AW Pre-Final comments into drawings and specifications.
- Prepare Construction Documents (drawings, specifications, and details) for a single bid package including work for UV train numbers 7, 9, 10, 11, and 12.

Deliverables:

- Bid Set - Drawings, Specifications, and Details

3. Bidding Assistance

- AW will pre-qualify contractors through a statement of qualification solicitation process. AW will issue bid documents to interested pre-qualified prospective contractors.
- AW will arrange and conduct a pre-bid conference call with the pre-qualified prospective contractors. Jacobs will participate in the pre-bid conference call and answer questions that raise during the meeting. Jacobs will record questions and requests for additional information, and coordinate with AW on issuing responses and additional information via addendum. Up to 2 Jacobs team members will attend.
- Information Requests: AW will receive and answer bidders' questions and requests for additional information. Jacobs will support AW by preparing responses to technical questions and requests, which will be included in addenda prepared by AW. The attached fee assumes Jacobs will provide answers for up to 10 technical questions submitted by the prospective contractors. AW will answer contracting questions.
- Addenda: Jacobs will prepare information to be included in up to two (2) Addenda. Addenda shall be prepared by AW. AW shall distribute Addenda to the prospective contractors.
- AW will receive the contractor bids and prepare bid analysis/tabulation recommendation letter.
- Conformed Document Preparation: Jacobs will prepare and provide electronic copies of full size and half size drawings and specifications for distribution.

Deliverables:

- Answers to technical questions for inclusion in Addenda content, as required.
- Bid analysis/tabulation recommendation letter.
- Full Size and Half Size Conformed Drawings and Specifications in Adobe Acrobat (PDF) format.

4. Services During Construction (SDC)

The objective of this task is for the engineering design team to provide "office engineering" services during construction. These SDC include services to participate in meetings, review and respond to design and technical submittals, respond to requests for information or clarification, perform occasional site visits, and prepare as-built record drawings. Construction documentation will be processed through AW's EADocs document control system. The following services during construction are anticipated for the Project:

4.1 Construction Meetings

- Pre-Construction Meeting: Jacobs will attend and participate in the pre-construction meeting. Jacobs attendees included the Project Manager and up to a maximum of two (2) key design staff.
- Biweekly Progress Meetings: Jacobs will attend and participate in one (1) hour biweekly progress meetings throughout the course of the construction project. Jacobs attendees include the Project Manager or a key design staff member.

4.2 Submittals

- Submittal Schedule: Jacobs will obtain and review the Contractor proposed shop drawing and submittal schedule, which shall identify shop drawings, samples, and submittals required by the contract for construction, along with the anticipated dates for submission.
- Review Shop Drawings, Samples, and Submittals: Jacobs will review the Contractor's shop drawings, samples, and other submittals. Assumes up to thirty (30) submittals (including resubmittals) and a maximum of two (2) review cycles per submittal. The submittal tracking documentation will be through AW's EADocs document controls system. Jacobs' review of shop drawings, samples, and submittals shall be for general conformance with the design concept and general compliance with the requirements of the contract for construction. Such review shall not relieve the Contractor from its responsibility for performance in accordance with the contract for construction, nor is such review a guarantee that the work covered by the shop drawings, samples, and submittals is free of errors, inconsistencies, or omissions.
- Review Schedule: Jacobs will review the Contractor's construction schedule monthly and provide input on work sequencing to verify that it is consistent with the requirements of the contract for construction. The Contractor shall submit an updated schedule prior to the biweekly progress meetings and monthly as part of the pay applications.

Deliverables

- Review comments on Contractor's submittal schedule.
- Submittal responses summarized on a submittal response form with recommended disposition.
- Review comments on Contractor's construction schedules.

4.3 Requests for Information

- Jacobs will provide written responses for up to ten (10) Contractor's Request for Information or Clarification of the Contract Documents. The RFI tracking system to document RFI transactions, dispositions, and response times will be through AW's EADocs document controls system.

Deliverables

- Responses for up to 10 Contractor's RFIs.

4.4 Engineer Site Visits:

- Jacobs will perform a minimum of one (1) biweekly 4-hour onsite visit during the construction period. A single (1) engineer from the design team is assumed for each onsite visit. Jacobs will document their visit with a site visit observation log. These site visits are intended to supplement full time or part time inspection services during construction provided by AW.
- Jacobs will provide onsite observations of performance testing, up to four (4) hours per UV train (5 total trains).

Deliverables

- Site visit observation logs and associated photos provided as part of the monthly progress report.

4.5 General Consultation During Construction:

Provide, as requested, consultation to AW during construction for items such as:

- Minor variations in the work: Jacobs will consult with AW as needed, to advise on minor variations in the work (Field Orders) that do not involve an adjustment to the construction contract price and/or contract times, and that are consistent with the intent of the contract documents. Assumes up to two (2) Field Orders.
- Review of contractor's work Change Directives/Request for Quotations: Jacobs will assist in preparing work change directives/requests for quotation for contract revisions suggested by AW or the contractor during construction. Jacobs will review the cost provided by the contractor for fairness and make recommendations to the AW project manager on potential revisions. Assumes up to four (4) Contractor's Requested Changes for review.
- Design and engineering services to prepare drawings, specifications and other information for changes to the Contract Documents shall be considered as Additional Services and may entitle Jacobs to additional compensation for the design services.
- Review of monthly Pay Applications prepared by the Contractor. Jacobs will verify progress in pay application is appropriate for billing.

Deliverables

- Field Orders (up to 2)
- Comments on Change Directives/Request for Quotations (up to 4) that are prepared by AW.
- Comments on Contractor's monthly Pay Applications

4.6 Record Drawings

- At the completion of construction work, Jacobs shall receive record drawing information supplied by the Contractor. In accordance with the Contract Documents, the Contractor is required to maintain as-built drawings that reflect addendums, clarifications, RFIs, field orders, work change directives, and all other modifications to the drawings. After receipt of the Contractor's as-built drawings markups, Jacobs will incorporate the changed information on the drawings and publish a set of Record Drawings. Jacobs is not responsible for any errors or omissions in the information from others that are incorporated into the Record Drawings.
- Jacobs to provide list of assets and associated information for upload to INFOR by AW.

Deliverables

- One half size electronic set of the Record Drawings.
- One full size electronic set of the Record Drawings.

- List of assets and other required INFOR documentation for those assets in coordination with the contractor.

4.7 Project Closeout:

- Jacobs will assist AW in closing out the contract for construction. Jacobs will assist AW with inspections at substantial and final completion, in accordance with the contract for construction. Up to four (4) Jacobs team members will attend a 2-hour substantial completion "punch list" visit and a 2-hour final completion "punch list" onsite visit to identify and document closeout tasks for the Contractor. Jacobs will prepare the substantial completion "punch list".
- Jacobs will not participate in the warrantee walkthrough.

Deliverables

- Substantial completion "punch list".

5. Programming

Jacobs will update the I/O list showing physical and software tags for the improvements and will perform the PLC programming and update the HMI screen for the improvements.

5.1 Programming Workshop:

Up to two (2) Jacobs team members will attend a 4-hour workshop held by AW to review programming standards for software tagging and Programmable Logic Controller (PLC) / Human Machine Interface (HMI) programming. Aurora will provide sample programs of their standards to be used as templates. Jacobs will prepare a draft Control Narrative prior to this workshop.

Deliverables: Draft Control Narrative

5.2 I/O (Input/Output) List

I/O List—A minimum of eight (8) weeks prior to beginning programming, Jacobs will provide the draft I/O list and the control narrative approved by Operations for review and approval by the AW SCADA Group. Aurora Water will provide copies of the recently-updated control narrative, I/O (Input and Out) list. The approved I/O list will be provided to AW SCADA for review during construction, eight (8) weeks prior to the Factory Acceptance Test (see subtask 5.5).

Deliverables: I/O List

5.3 HMI and PLC Programming:

The PLC programming will be consistent with other PLCs at the Binney Water Purification Facility and will utilize Allen Bradley ControlLogix Factory Talk software. Aurora Water will provide copies of the recently-updated PLC program and HMI screen.

Using iFix software, the HMI screens will be updated to show the new equipment and setpoints. Jacobs will integrate the new screen into the existing SCADA system.

- PLC Programming and HMI Screens: Eight (8) weeks prior to the Factory Acceptance Test, Jacobs will provide the PLC program and HMI screens to the AW SCADA Group for approval.
- PLC Programming – Jacobs will provide four program updates for the PLCs (one per UV train).

Deliverables:

- PLC programs
- HMI screens

5.4 Programming Review Updates:

- HMI Draft Graphics Review Meeting – Jacobs will conduct a demonstration to show sample HMI graphics to AW SCADA Group and AW Operations for finalization. Any minor adjustment will be executed during system commissioning (Task 6).
- Jacobs will address review comments on I/O list, HMI Screens, and PLC Programming generated as part of subtasks 5.2 and 5.3 and the HMI Draft Graphics Review

Deliverables:

- Workshop minutes documenting discussion and decisions.
- Final update to control narrative generated as part of subtask 5.1.
- Final I/O, PLC Program, and HMI Screens that include comment resolutions generated as part of subtasks 5.2 and 5.3 and the HMI Draft Graphics Review

5.5 Factory Acceptance Testing (FAT)

Jacobs will attend and provide support to AW SCADA Group during factory acceptance testing (FAT) of the new system. Jacobs assumes that the testing will be accomplished in one work week (40 hours). Although the I&C Subcontractor has not been selected, it is assumed that FAT will take place within the Denver Metro area. Jacobs Lead Programmer will participate in the FAT.

- Factory Acceptance Test (FAT) Documentation – Jacobs will develop checklists to be used for the Factory Acceptance Test. The lists are as following:
 - Physical inspection of I&C equipment
 - Power Circuit and Uninterruptable Power Supply (UPS) Checklist
 - Panel & I/O Wiring Checklist
 - I/O (both hard and soft) Checklist
 - HMI Programming Checklist
 - Alarm Checklist
 - Functionality Checklist
 - Break Test Checklist

- Factory Acceptance Testing (FAT) – Jacobs will coordinate with the I&C Subcontractor(s) (selected by the Contractor) for testing. The following major factory tests activities will be led by AW SCADA Group:
 - Complete a physical inspection of the I&C equipment
 - Power Circuit and UPS Checkout - Energize each circuit breaker individually and confirm that each component powers up correctly. Validate functionality of UPS system.
 - Panel & I/O Wiring Checkout - Power up components in the project control panel and verify each is in working condition.
 - I/O Checkout - Simulate the signal for the I/O Checklist at the field terminal blocks and verify the signal to the PLC, and to the HMI and back. This will include I/O and associated alarms.
 - HMI Programming Checkout - Simulate the items on the HMI Programming Checklist and verify them with the AW SCADA Group.
 - Functionality Checkout – Simulate the items on the Functionality Checklist and verify them with the AW SCADA Group.
 - Break Test Checkout – Following the functionality checkout, break scenarios will be simulated to verify proper responses are achieved.
 - At the completion of the FAT, Jacobs, AW Operations, and AW SCADA Group will sign off on the checklists indicating satisfactory completion of the FAT.

Deliverables:

- Factory Acceptance Test (FAT) Documentation
- Factory Acceptance Test (FAT) Sign-Off

6. Commissioning

Once the Contractor has completed installation and conducted the I/O checkout, Jacobs will provide field integration and testing necessary to support the functionality of the system. The Site Acceptance Testing (SAT) will be conducted in coordination with the Contractor and AW's I&C and Operations staff.

- SAT Documentation – Jacobs will develop checklists to be used for the SAT as follows:
 - Physical inspection of I&C equipment
 - Power Circuit and Uninterruptable Power Supply (UPS) Checklist
 - Panel & I/O Wiring Checklist
 - I/O (both hard and soft) Checklist
 - HMI Programming Checklist
 - Alarm Checklist
 - Functionality Checklist

Jacobs will provide dedicated Instrumentation & Controls staff, for up to four (4) working days, to perform the SAT, including the control system components and software functions. Jacobs will test each control system function on a loop-by-loop basis. The Contractor will be responsible for establishing communications with the project control panel with oversight from the AW SCADA Group. This must be done prior I/O Wiring checkout.

6.1 Panel and I/O Wiring Checkout

Jacobs will assist the electrical installation contractor and other associated I&C Subcontractor(s) with testing of the field wiring termination for all PLC I/O, including testing of the control system installation, including addressing, communication, and data mapping for up to three (3) working days.

6.2 Site Acceptance Test (SAT)

Jacobs will perform the SAT with AW SCADA Group and I&C Subcontractor(s). During this period, Jacobs will be available for troubleshooting, correcting problems, and final adjustments to tuning for control loops. Jacobs will test the PLC I/O and software interfaces to confirm that the field equipment correctly responds to commands and provides the correct status feedback. This testing will confirm that the equipment and software are ready for additional software testing to confirm the automated monitoring and control functions. The SAT will confirm power phase rotation, equipment calibration, I/O wiring, and software addressing.

At the completion of the SAT, Jacobs, AW Operations and AW will sign off indicating satisfactory completion of the SAT. Jacobs assumes that the testing will be accomplished in four work days (32 hours) and will be conducted at the Binney Water Purification Facility. Jacobs Lead Programmer will participate in the SAT.

Deliverables:

- Site Acceptance Test (SAT) Sign-Off Forms listed above

7. UVAOP System 10-Year Recommendations

Independent of the cleaning system project, Jacobs will provide a recommended path forward for Binney's UVAOP system. Over the past 12 years of operation, parts have failed and have been scavenged from other reactors. Trojan has provided a quote for nearly \$500,000 of parts that will get eight of the reactors back to full operation. The remaining four reactors likely require significantly more upgrades (~\$250,000 per reactor) to get back to service. Jacobs will review the anticipated future flows, raw water sources (including direct potable reuse), and performance objectives of the UVAOP system and recommend a path forward for the next 10 years.

Deliverables:

- UVAOP System 10-Year Recommendations Technical Memorandum

8. Supplemental Services

Funds are requested for additional services, such as additional design and sub consulting tasks, to be provided by Jacobs up to the allocated budget amount of \$20,000 subject to written authorization. Supplemental Services shall be documented through completion of the standard Design Change Notice (DCN). Should requested services exceed the budget amount, the work will proceed upon changes to Jacobs' fee and/or schedule as mutually agreed to complete Project Management activities through final design and commissioning construction.

Examples of supplemental services may include:

- Design and engineering services to prepare drawings, specifications and other information for changes to the contract documents.
- Claims and Disputes from the contractor.

General Assumptions

- Work will be limited to updating existing drawings from the UV-AOP Chemical Cleaning System Project, dated August 2018 (previous phase) to capture the new scope. The following table shows the assumed scope for each sheet included in the previous phase:

Proposed Drawing Updates

| Drawing Number, NOTE 1 | Proposed Updates, NOTE 2 |
|------------------------|--------------------------|
| 01-G-1 | UPDATES MINOR |
| 01-G-2 | UPDATES MINOR |
| 01-G-10 | UPDATE NAMES |
| 01-G-12 | UPDATE NAMES |
| 01-G-14 | UPDATE NAMES |
| 01-G-15 | UPDATE NAMES |
| 01-G-22 | UPDATES MINOR |
| 01-G-24 | UPDATES MINOR |
| 01-G-25 | UPDATES MINOR |
| 01-G-30 | UPDATE NAMES |
| 01-G-31 | UPDATE NAMES |
| 01-G-32 | UPDATE NAMES |
| 01-G-33 | UPDATE NAMES |
| 01-G-34 | DELETE |
| 01-G-39 | UPDATE NAMES |
| 01-G-40 | UPDATES MINOR |
| 01-G-41 | UPDATES MINOR |
| 01-G-42 | UPDATES MINOR |
| 01-G-43 | UPDATE NAMES |
| 05-CY-11 | DELETE |
| 05-SM-7 | DELETE |
| 08-I-1 | DELETE |
| 08-I-7 | UPDATES MINOR |

| | |
|--|---------------|
| 08-I-7A | UPDATES MAJOR |
| 08-I-7B | UPDATES MAJOR |
| 08-I-7C | UPDATES MINOR |
| 08-I-7D | DELETE |
| 08-I-49A | DELETE |
| 08-I-49B | UPDATES MINOR |
| 08-I-49C | UPDATES MINOR |
| 08-I-49D | UPDATES MINOR |
| 08-I-49E | UPDATES MINOR |
| 08-I-50 | UPDATES MAJOR |
| 08-I-51 | UPDATES MAJOR |
| 08-I-51 | DELETE |
| 30-G-1 | UPDATES MINOR |
| 30-G-2 | DELETE |
| 30-S-1 | DELETE |
| 30-S-2 | DELETE |
| 30-S-8 | DELETE |
| 30-M-1 | UPDATES MINOR |
| 30-M-2 | UPDATES MINOR |
| 30-M-7X | UPDATES MINOR |
| 30-M-7X | UPDATES MAJOR |
| 30-M-8X | UPDATES MAJOR |
| 30-M-8 | UPDATES MAJOR |
| 30-M-9 | DELETE |
| 30-M-10 | DELETE |
| 30-M-11 | DELETE |
| 30-P-2 | DELETE |
| 30-P-4 | DELETE |
| 30-P-5 | DELETE |
| 30-E-1 | DELETE |
| 30-E-2 | UPDATES MAJOR |
| 30-E-3 | DELETE |
| 30-E-7 | DELETE |
| 30-E-10A | DELETE |
| 30-E-13 | UPDATES MINOR |
| 98-E-29 | DELETE |
| 98-E-36 | DELETE |
| 98-E-43 | DELETE |
| 98-E-46A | DELETE |
| <p>Notes:</p> <ol style="list-style-type: none"> From August 2018 Issue for Construction Set Legend for proposed updates designation: <ul style="list-style-type: none"> DELETE Brief engineering scope evaluation, remove sheet UPDATE NAMES Review drawing and update names in title block | |

| | |
|---------------|---|
| UPDATES MINOR | Update new vs existing screening, update names, selective deletion, update annotations, light as-builts |
| UPDATES MAJOR | As-builts, mirror/new sections, update new vs existing screening, engineer names |

- Work will be limited to updating existing specifications from the UV-AOP Chemical Cleaning System Project, dated August 2018 (previous phase) to capture the new scope. The following table shows the assumed scope for each specification section included in the previous phase:

Proposed Specification Updates

| Spec Section, NOTE 1 | Proposed Updates, NOTE 2 |
|----------------------|--------------------------|
| 01 00 00 | FORMAT ONLY |
| 01 11 00 | UPDATES MAJOR |
| 01 14 00 | UPDATES MINOR |
| 01 14 16 | FORMAT ONLY |
| 01 24 13 | DELETE |
| 01 26 00 | FORMAT ONLY |
| 01 29 76 | FORMAT ONLY |
| 01 31 13 | UPDATES MAJOR |
| 01 31 19 | FORMAT ONLY |
| 01 32 16 | FORMAT ONLY |
| 01 33 00 | FORMAT ONLY |
| 01 33 51 | UPDATES MINOR |
| 01 35 29 | FORMAT ONLY |
| 01 41 26 | FORMAT ONLY |
| 01 42 13 | FORMAT ONLY |
| 01 42 19 | FORMAT ONLY |
| 01 43 33 | FORMAT ONLY |
| 01 45 00 | FORMAT ONLY |
| 01 45 33 | UPDATES MINOR |
| 01 50 10 | UPDATES MINOR |
| 01 55 00 | FORMAT ONLY |
| 01 57 19 | FORMAT ONLY |
| 01 60 00 | FORMAT ONLY |
| 01 64 00 | UPDATES MINOR |
| 01 77 00 | FORMAT ONLY |
| 01 78 23 | FORMAT ONLY |
| 01 81 00 | UPDATES MINOR |
| 01 88 15 | UPDATES MINOR |
| 02 41 00 | UPDATES MAJOR |
| 03 10 00 | DELETE |
| 03 15 00 | DELETE |
| 03 21 00 | DELETE |

| | |
|--|--|
| 03 30 00 | DELETE |
| 03 39 00 | DELETE |
| 03 62 00 | DELETE |
| 03 63 00 | DELETE |
| 03 72 10 | DELETE |
| 05 50 00 | DELETE |
| 06 82 00 | DELETE |
| 09 90 00 | UPDATES MAJOR |
| 22 07 00 | DELETE |
| 22 30 00 | DELETE |
| 22 40 00 | DELETE |
| 26 05 02 | UPDATES MINOR |
| 26 05 04 | UPDATES MAJOR |
| 26 05 05 | UPDATES MINOR |
| 26 05 26 | UPDATES MINOR |
| 26 05 33 | UPDATES MINOR |
| 26 05 70 | DELETE |
| 26 08 00 | UPDATES MINOR |
| 26 20 00 | UPDATES MINOR |
| 26 27 26 | UPDATES MINOR |
| 26 29 23 | DELETE |
| 40 05 15 | UPDATES MINOR |
| 40 05 53 | FORMAT ONLY |
| 40 27 00 | UPDATES MAJOR |
| 40 27 01 | UPDATES MAJOR |
| 40 27 02 | UPDATES MAJOR |
| 40 80 01 | UPDATES MINOR |
| 40 90 00 | UPDATES MAJOR |
| 40 91 00 | UPDATES MAJOR |
| 43 40 02 | DELETE |
| 44 42 56.16 | DELETE |
| 44 42 56.18 | DELETE |
| Notes: | |
| 1. From August 2018 Issue for Construction Set | |
| 2. Legend for proposed updates designation: | |
| DELETE | Brief engineering scope evaluation, remove section |
| FORMAT ONLY | Change Header/Footer Only |
| UPDATES MINOR | Update references or names. Limited deletion of information. No technical updates. |
| UPDATES MAJOR | Technical edits or significant selective deletion |

- The attached fee schedule (Attachment 3) reflects Jacobs' understanding of the scope as defined herein. Should AW determine that services need to be added or deleted from this Scope of Work, a revised fee and scope will be negotiated to reflect only those services AW wishes to retain.

- Jacobs does not believe any permits are required for this work as it is an operations and maintenance driven improvement to an existing facility. If however a permit is required during construction for portions of the work, AW or the selected Contractor will obtain any necessary permits.
- AW will cover bonding, special permits, licenses, fees or permit processing fees, if required.
- Meetings will be held at AW facilities or via virtual conference calls using Microsoft Teams.
- Meeting summaries will be brief and capture key decisions and action items.
- Electronic copy in Adobe Acrobat PDF format of formal detailed design deliverables will be provided. Printing expenses are not included in the attached fee (Attachment 3).
- Sufficient power is assumed to be available from the existing source for new equipment and appurtenances.
- In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for the Project, Jacobs has no control over cost or price of labor and materials; unknown or latent conditions of existing equipment or structures that may affect operation or maintenance costs; competitive bidding procedures and market conditions; time or quality of performance by operating personnel or third parties; and other economic and operational factors that may materially affect the ultimate Project cost or schedule. Therefore, Jacobs makes no warranty that AW's actual Project costs, financial aspects, economic feasibility, or schedules will not vary from Jacobs's opinions, analyses, projections, or estimates.
- Jacobs will not be responsible for the means, methods, techniques, sequences, health or safety precautions, or procedures of the Contractor, nor shall Jacobs be responsible for the Contractor's failure to perform in accordance with the Contract Documents.
- The presence or duties of Jacob's personnel at a construction site, whether as onsite representatives or otherwise, do not make Jacobs or Jacob's personnel in any way responsible for those duties that belong to AW and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, and procedures necessary for coordinating and completing all portions of the construction work in accordance with the construction Contract Documents and any health or safety precautions required by such construction work.
- Recommendations by Jacobs to AW for periodic construction progress payments to the construction contractor(s) will be based on Jacobs's knowledge, information, and belief from selective sampling that the work has progressed to the point indicated. Such recommendations do not represent that continuous or detailed examinations have been made by Jacobs to ascertain that the construction contractor(s) have completed the work in exact accordance with the construction documents; that the final work will be acceptable in all respects; that Jacobs has made an examination to ascertain how or for what purpose the construction contractor(s) have used the moneys paid; that title to any of the work, materials, or equipment has passed to AW free and clear of liens, claims, security interests, or encumbrances; or that there are not other matters at issue between AW and the construction contractors that affect the amount that should be paid.

Attachment 2: Milestone Schedule

Attachment 2 shows an assumed design and construction schedule based on a notice to proceed of May 2, 2022. The actual construction schedule will be furnished by the Contractor. The assumed construction schedule in Attachment 2 serves as a basis for estimating the engineering services during construction fee.

Jacobs will work to complete the scoped services in a timely manner; however, it is agreed that the Jacobs cannot be responsible for delays occasioned by factors beyond Jacobs' control, or factors which would not reasonably have been foreseen at the time this amendment was executed.

Attachment 3: Compensation

The fee is summarized in Table 1. Payment for will be on a time & materials basis, based on Aurora MESA VII Labor rates through 12/31/2021 and 3% escalation year over year. The total estimated cost of services is shown in Attachment 3.

Table 1: Fee Summary

| Task | Fee |
|--|------------------|
| Tasks 1, 2 and 3: Project Management, Design Updates, and Bidding Assistance | \$101,114 |
| Tasks 4 and 6: SDCs & Commissioning | \$65,879 |
| Task 5: Programming | \$39,288 |
| Task 7: UVAOP System 10-Year Recommendations | \$22,462 |
| Task 8: Supplemental Services | \$20,000 |
| Total Fee | \$248,743 |
| | |
| Expense Type | Rate |
| Auto Mileage | Current IRS rate |
| Auto Rental | Actual |
| Other Travel | Actual |
| Equipment rental | Actual |

| | |
|-------------------------------------|--------------------|
| Postage/Freight | Actual |
| Subconsultants and Outside Services | Actual + 5% Markup |

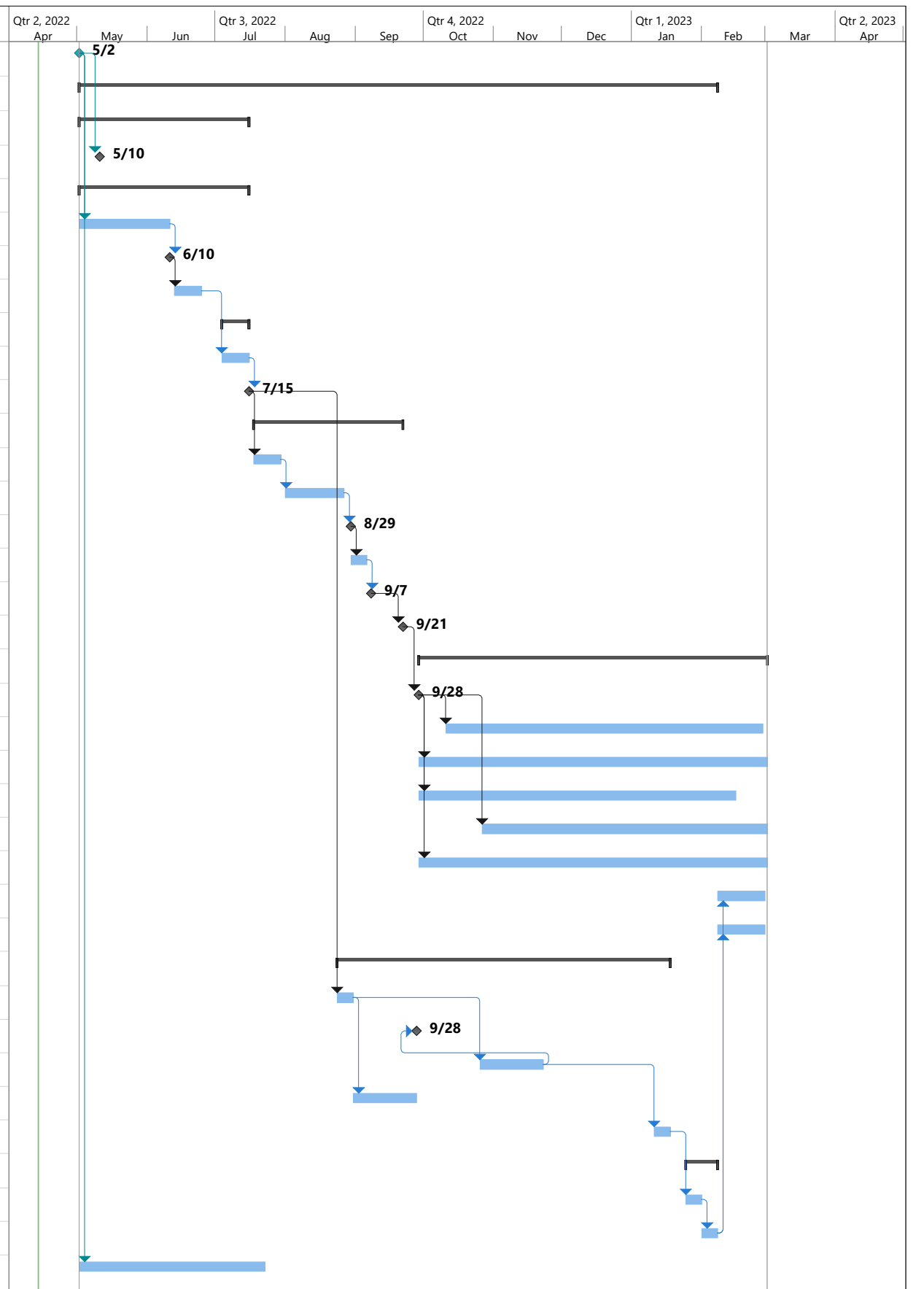
Table 2: Hourly Fee Schedule

| Classification | Rate Code ^a | Representative Personnel | 2022 Sole-Source Hourly Rate ^b |
|--|------------------------|--|---|
| Principal in Charge/Program Manager | 1 | | \$328 |
| Principal Project Manager / Principal Technologist | 2 | Bill Carter | \$282 |
| Sr. Project Manager/ Sr. Technologist / Senior QAQC | 3 | Stephanie Harrison, Liv Haugen | \$250 |
| Project Manager 3 / Project Engineer 3 | 4 | Tyler Nading, Jason Rysavy | \$223 |
| Project Manager 2 / Project Engineer 2/ Senior Engineer Specialist | 5 | Andy Williams, Craig VanHorn | \$197 |
| Project Manager 1 / Project Engineer 1 / Engineering Specialist / Technician 4 | 6 | Jeff Pitts | \$176 |
| Associate Engineer/Associate Planner/Technician 3 | 7 | Ranae Decker | \$154 |
| Staff Engineer 2/Planner 2/Technician 2/ Senior Survey | 8 | Hassaan Idrees, Devin Lott, Talia Assi | \$139 |
| Staff Engineer 1/Planner 1/Technician 1/ Survey Party Chief | 9 | | \$117 |
| Senior Office Administration/ Survey Instrument Person | 10 | Sandy Orren | \$107 |
| Office/Clerical/Accounting/Survey Field Technician | 11 | | \$96 |

(a) Rate codes are shown below each project role in Attachment 3.

(b) Rates include allowances for salary, payroll taxes, fringe benefits, overhead, and profit, but do not include allowances for direct expenses. These rates are effective through December 31, 2022 and are subject to 3% annual adjustments thereafter as shown in Attachment 3.

| ID | WBS | Task Name | Start | Finish | Predecessors | Duration | Qtr 2, 2022 | Qtr 3, 2022 | Qtr 4, 2022 | Qtr 1, 2023 | Qtr 2, 2023 | | | | | | | | | |
|----|-------|---|--------------|--------------|--------------|----------|-------------|-------------|-------------|-------------|-------------|-----|-----|-----|-----|-----|-----|-----|-----|--|
| | | | | | | | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | |
| 1 | 0 | Notice to Proceed | Mon 5/2/22 | Mon 5/2/22 | | 0 days | | | | | | | | | | | | | | |
| 2 | 1 | Project Management | Mon 5/2/22 | Tue 2/7/23 | | 202 days | | | | | | | | | | | | | | |
| 5 | 2 | Detail Design | Mon 5/2/22 | Fri 7/15/22 | | 55 days | | | | | | | | | | | | | | |
| 6 | 2.1 | Kickoff Meeting | Tue 5/10/22 | Tue 5/10/22 | 1FS+7 days | 0 days | | | | | | | | | | | | | | |
| 7 | 2.2 | Pre-Final Design | Mon 5/2/22 | Fri 7/15/22 | | 55 days | | | | | | | | | | | | | | |
| 8 | 2.2.1 | Pre-Final Design Development | Mon 5/2/22 | Fri 6/10/22 | 1 | 30 days | | | | | | | | | | | | | | |
| 9 | 2.2.2 | Pre-Final Design Delivery | Fri 6/10/22 | Fri 6/10/22 | 8 | 0 days | | | | | | | | | | | | | | |
| 10 | 2.2.3 | Aurora Water Pre-Final Design Review | Mon 6/13/22 | Fri 6/24/22 | 9 | 10 days | | | | | | | | | | | | | | |
| 11 | 2.3 | Bid Set | Mon 7/4/22 | Fri 7/15/22 | | 10 days | | | | | | | | | | | | | | |
| 12 | 2.3.1 | Bid Set Development | Mon 7/4/22 | Fri 7/15/22 | 10FS+5 days | 10 days | | | | | | | | | | | | | | |
| 13 | 2.3.2 | Bid Set Delivery | Fri 7/15/22 | Fri 7/15/22 | 12 | 0 days | | | | | | | | | | | | | | |
| 14 | 3 | Bidding Assistance | Mon 7/18/22 | Wed 9/21/22 | | 48 days | | | | | | | | | | | | | | |
| 15 | 3.1 | Construction RFP Preparation | Mon 7/18/22 | Fri 7/29/22 | 13 | 10 days | | | | | | | | | | | | | | |
| 16 | 3.2 | Construction Bidding | Mon 8/1/22 | Fri 8/26/22 | 15 | 20 days | | | | | | | | | | | | | | |
| 17 | 3.3 | Bid Opening | Mon 8/29/22 | Mon 8/29/22 | 16 | 1 day | | | | | | | | | | | | | | |
| 18 | 3.4 | Prepare Council Agenda | Tue 8/30/22 | Mon 9/5/22 | 17 | 5 days | | | | | | | | | | | | | | |
| 19 | 3.5 | Council 1st Reading | Wed 9/7/22 | Wed 9/7/22 | 18FS+2 days | 0 days | | | | | | | | | | | | | | |
| 20 | 3.6 | Council 2nd Reading | Wed 9/21/22 | Wed 9/21/22 | 19FS+10 days | 0 days | | | | | | | | | | | | | | |
| 21 | 4 | Services During Construction | Wed 9/28/22 | Wed 3/1/23 | | 110 days | | | | | | | | | | | | | | |
| 22 | 4.0 | Contractor NTP | Wed 9/28/22 | Wed 9/28/22 | 20FS+5 days | 0 days | | | | | | | | | | | | | | |
| 23 | 4.1 | Construction Meetings | Tue 10/11/22 | Mon 2/27/23 | 22FS+8 days | 100 days | | | | | | | | | | | | | | |
| 24 | 4.2 | Submittals | Thu 9/29/22 | Wed 3/1/23 | 22 | 110 days | | | | | | | | | | | | | | |
| 25 | 4.3 | Requests for Information | Thu 9/29/22 | Wed 2/15/23 | 22 | 100 days | | | | | | | | | | | | | | |
| 26 | 4.4 | Engineer Site Visits | Thu 10/27/22 | Wed 3/1/23 | 22FS+20 days | 90 days | | | | | | | | | | | | | | |
| 27 | 4.5 | General Consultation During Construction | Thu 9/29/22 | Wed 3/1/23 | 22 | 110 days | | | | | | | | | | | | | | |
| 28 | 4.6 | Record Drawings | Wed 2/8/23 | Tue 2/28/23 | 38 | 15 days | | | | | | | | | | | | | | |
| 29 | 4.7 | Project Closeout | Wed 2/8/23 | Tue 2/28/23 | 38 | 15 days | | | | | | | | | | | | | | |
| 30 | 5 | Programming | Wed 8/24/22 | Tue 1/17/23 | | 105 days | | | | | | | | | | | | | | |
| 31 | 5.1 | Programming Workshop | Wed 8/24/22 | Tue 8/30/22 | 13FS+27 days | 5 days | | | | | | | | | | | | | | |
| 32 | 5.2 | I/O List | Wed 9/28/22 | Wed 9/28/22 | 33FS-40 days | 0 days | | | | | | | | | | | | | | |
| 33 | 5.3 | HMI and PLC Programming | Wed 10/26/22 | Tue 11/22/22 | 31FS+40 days | 20 days | | | | | | | | | | | | | | |
| 34 | 5.4 | Programming Review Updates | Wed 8/31/22 | Tue 9/27/22 | 31 | 20 days | | | | | | | | | | | | | | |
| 35 | 5.5 | Factory Acceptance Testing (FAT) | Wed 1/11/23 | Tue 1/17/23 | 33FS+35 days | 5 days | | | | | | | | | | | | | | |
| 36 | 6 | Comissioning | Wed 1/25/23 | Tue 2/7/23 | | 10 days | | | | | | | | | | | | | | |
| 37 | 6.1 | Panel and I/O Wiring Checkout | Wed 1/25/23 | Tue 1/31/23 | 35FS+5 days | 5 days | | | | | | | | | | | | | | |
| 38 | 6.2 | Site Acceptance Testing (SAT) | Wed 2/1/23 | Tue 2/7/23 | 37 | 5 days | | | | | | | | | | | | | | |
| 39 | 7 | UVAOP System 10-Year Recommendations | Mon 5/2/22 | Fri 7/22/22 | 1 | 3 mons | | | | | | | | | | | | | | |



Project: Schedule
Date: Thu 4/14/22

| | | | | | | |
|-----------|-----------------|--------------------|-----------------------|----------------|--------------------|-----------------|
| Task | Summary | Inactive Milestone | Duration-only | Start-only | External Milestone | Manual Progress |
| Split | Project Summary | Inactive Summary | Manual Summary Rollup | Finish-only | Deadline | Progress |
| Milestone | Inactive Task | Manual Task | Manual Summary | External Tasks | Progress | |



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to AWARD A COMPETITIVELY BID CONTRACT to T&M Construction, LLC, Sedalia, Colorado in the amount of \$1,056,106.00 for the Smoky Hill and Buckley Intersection Improvement; Project 5878A.

Item Initiator: Kristin Chewiwi, Procurement Supervisor-Finance

Staff Source/Legal Source: Matt Kozakowski, Transportation Project Delivery Manger / Dave Lathers, Sr. Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 3.1--Develop and implement infrastructure maintenance and replacement plans

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Agenda Long Title: Consideration to AWARD A COMPETITIVELY BID CONTRACT to T&M Construction, LLC, Sedalia, Colorado in the amount of \$1,056,106.00 for the Smoky Hill and Buckley Intersection Improvement; Project 5878A

Staff Source/Legal Source: Matt Kozakowski, Transportation Project Delivery Manager / Dave Lathers, Senior Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

The Priority Projects Program was reviewed by the Transportation, Airports, and Public Works Committee on June 20 and November 8, 2017 and was presented to City Council at the August 21, 2017 Study Session. This item was also discussed at the Fall Workshop held September 30, 2017, where \$4.0M per year of unallocated marijuana tax revenues was identified as a source against which bonds could be issued to accelerate priority transportation projects.

Staff provided an overview of a number of unfunded transportation needs within the City that will help improve travel times, mitigate some congested locations, complete last mile station connections and provide safe, multi-modal routes for our citizens.

Additional updates, including ranking of projects, were presented to the Transportation, Airports, and Public Works Policy Committee on March 14, 2018. At the March 2018 City Council Winter Workshop, council approved moving forward with the list of projects what became known as the Transportation Priority Projects Program.

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

The Smoky Hill & Buckley Intersection Improvement project consists of performing work including but not limited to the following:

- Addition of double-left turn lanes from E. Smoky Hill Road onto S. Buckley Road in both directions;
- Addition of right-turn lane from southbound S. Buckley Road to E. Smoky Hill Road;
- Reconstructing the NW curb ramp;
- Signing and striping;
- Landscape and irrigation restoration; and
- Traffic signal modifications.

Construction is expected to be substantially complete on or before Q4 of 2022.

An Invitation for Bid (IFB) was publicly advertised through the Rocky Mountain E-Purchasing System on May 9, 2022. Bids were opened by Purchasing Services on June 1, 2022. Two (2) bids were received and the results are as follows:

| Name of Bidder | Base Bid |
|-----------------------|-----------------|
| T&M Construction, LLC | \$1,056,106.00 |
| Goodland Construction | \$1,301,067.00 |

The engineer's estimate for this project was \$900,000.00 to \$1,000,000.00 based on the opinion of probable cost provided by the engineer of record. The price from the above contractor is fair and reasonable taking into account the continued rising cost of materials, including those related to traffic signal components.

Council approval is requested when less than three bids are received during the competitive bid process.

Bid acceptance period expires on July 31, 2022.

Based on the above, staff recommends awarding a competitive bid contract to T&M Construction, LLC in the amount of \$1,056,106.00 for the Smoky Hill and Buckley Intersection Improvements; Project No.: 5878A.

QUESTIONS FOR COUNCIL

Does Council approve the award to T&M Construction, LLC in the amount of \$1,056,106.00 for the Smoky Hill and Buckley Intersection Improvements; Project No.: 5878A.

LEGAL COMMENTS

Awards worth \$50,000 or more require City Council approval if formal competitive bidding has not produced at least three responsive bids (City Code § 2-672(a)(3)(b)). (Rulla)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Funding for this contract will be allocated from the following ORG and ACCT for Transportation Priority Projects:

49699/68410 \$ 1,056,106.00

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A




BID TABULATION SHEET

Project Name: Smoky Hill & Buckley Intersection Improvements
 Project / Bid #: 5878A
 Engineer's Estimate: \$900,000 to \$1,000,000

Date: 6/1/2022 Time: 2:00 PM
 Project Manager: M. Cresto
 Opened by: K. Chewiwi KC

| No. | Name of Bidder | Addendum No. 1 | Bid Bond | Base Bid | Alternate Bid(s) | | | Total Alternate Amt. | Total Bid | Notes |
|-----|-----------------------|----------------|----------|-----------------|------------------|-----|-----|----------------------|-----------------|-------|
| | | | | | 1 | 2 | 3 | | | |
| 1 | Goodland Construction | Yes | Yes | \$ 1,301,067.00 | N/A | N/A | N/A | \$ - | \$ 1,301,067.00 | |
| 2 | T&M Construction | Yes | Yes | \$ 1,056,106.00 | N/A | N/A | N/A | \$ - | \$ 1,056,106.00 | |
| 3 | | | | | | | | \$ - | \$ - | |
| 4 | | | | | | | | \$ - | \$ - | |
| 5 | | | | | | | | \$ - | \$ - | |
| 6 | | | | | | | | \$ - | \$ - | |
| 7 | | | | | | | | \$ - | \$ - | |
| 8 | | | | | | | | \$ - | \$ - | |
| 9 | | | | | | | | \$ - | \$ - | |
| 10 | | | | | | | | \$ - | \$ - | |

Note: All bidding documents are subject to review and evaluation.

| | | | |
|---|---|---|-------------------------------------|
| CITY OF AURORA ENGINEER'S OPINION OF PROBABLE COST | | Project #19025 | |
| | |  | |
| Project Name | SMOKY HILL ROAD & BUCKLEY ROAD INTERSECTION | Date: | 03/04/22 |
| County of | ARAPAHOE | SMOKY HILL & BUCKLEY | P.E. Project code (SA#) |
| Type | INTERSECTION IMPROVEMENTS | Roadway Pavement | Asphalt |
| Prepared by | Stolfus & Associates, Inc. | Thickness in inches | Roadway: 3" SMA, 6" HMA, 16" ABC |

In providing opinions of probable construction cost, the Client understands that Stolfus & Associates Inc. has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinions of probable construction costs provided herein are to be made on the basis of our qualifications and experience. These costs do not reflect escalation for future costs. Stolfus & Associates, Inc. makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.

| | ITEM DESCRIPTION | UNIT | QUANTITY | UNIT COST | COST |
|-----|--|-------|----------|-----------|-----------|
| 10 | REMOVAL OF CONCRETE MEDIAN COVER MATERIAL | SY | 580 | \$35 | \$20,300 |
| 20 | REMOVAL OF SIDEWALK | SY | 390 | \$25 | \$9,750 |
| 30 | REMOVAL OF CURB AND GUTTER | LF | 1,660 | \$10 | \$16,600 |
| 40 | REMOVAL OF ASPHALT MAT | SY | 970 | \$22 | \$21,340 |
| 50 | REMOVAL OF LANDSCAPING | SY | 30 | \$25 | \$750 |
| 60 | REMOVAL OF PAVEMENT MARKINGS | SF | 1,150 | \$4 | \$4,600 |
| 70 | REMOVAL OF SIGN AND POST | EACH | 2 | \$120 | \$240 |
| 80 | REMOVAL OF SIGN | EACH | 2 | \$200 | \$400 |
| 90 | REMOVAL OF PULL BOX | EACH | 10 | \$400 | \$4,000 |
| 100 | REMOVAL OF TRAFFIC SIGNAL HEAD | EACH | 10 | \$300 | \$3,000 |
| 110 | REMOVAL OF TRAFFIC SIGNAL CONTROLLER | EACH | 1 | \$600 | \$600 |
| 120 | REMOVAL OF PEDESTAL POLE | EACH | 1 | \$800 | \$800 |
| 130 | REMOVAL OF PEDESTRIAN PUSH BUTTON | EACH | 6 | \$110 | \$660 |
| 140 | REMOVAL OF VIDEO DETECTION SYSTEM | LS | 1 | \$2,000 | \$2,000 |
| 150 | UNCLASSIFIED EXCAVATION | CY | 580 | \$50 | \$29,000 |
| 160 | RESET SIGN AND POST | EACH | 1 | \$300 | \$300 |
| 170 | RESET PULL BOX | EACH | 5 | \$600 | \$3,000 |
| 180 | FURNISH AND INSTALL GROUND SIGN | EACH | 4 | \$600 | \$2,400 |
| 190 | FURNISH AND INSTALL 2 INCH ELECTRICAL CONDUIT (BORED) | LF | 160 | \$20 | \$3,200 |
| 200 | FURNISH AND INSTALL 3 INCH ELECTRICAL CONDUIT (BORED) | LF | 715 | \$30 | \$21,450 |
| 210 | FURNISH AND INSTALL LARGE PULLBOX (SIGNAL) | EACH | 3 | \$2,400 | \$7,200 |
| 220 | FURNISH AND INSTALL INTERSECTION WIRING | LS | 1 | \$8,000 | \$8,000 |
| 230 | FURNISH AND INSTALL OVERHEAD REGULATORY SIGNAGE | EACH | 3 | \$400 | \$1,200 |
| 240 | TRAFFIC SIGNAL HEAD BACKPLATE | EACH | 7 | \$200 | \$1,400 |
| 250 | PEDESTRIAN SIGNAL FACE (16) (COUNTDOWN) | EACH | 2 | \$900 | \$1,800 |
| 260 | TRAFFIC SIGNAL FACE (12-12-12) | EACH | 12 | \$1,200 | \$14,400 |
| 270 | PEDESTRIAN PUSH BUTTON BOLLARD | EACH | 1 | \$2,400 | \$2,400 |
| 280 | ACCESSIBLE PEDESTRIAN SIGNAL PUSH BUTTON | EACH | 8 | \$500 | \$4,000 |
| 290 | INSTALL CITY FURNISHED OPERATIONAL MULTIMODAL DETECTION SYSTEM | EACH | 4 | \$1,400 | \$5,600 |
| 300 | INSTALL CITY FURNISHED TRAFFIC SIGNAL CONTROLLER AND MMU | EACH | 1 | \$2,400 | \$2,400 |
| 310 | FURNISH AND INSTALL PAVEMENT MARKINGS, THERMOPLASTIC MARKINGS WITH GLASS BEADS | SF | 1680 | \$8 | \$13,440 |
| 320 | FURNISH AND INSTALL PAVEMENT MARKINGS, THERMOPLASTIC MARKING (INLAID), CROSSWALK - STOP LINE | SF | 760 | \$13 | \$9,880 |
| 330 | FURNISH AND INSTALL PAVEMENT MARKINGS, THERMOPLASTIC MARKING (INLAID), ARROW, SYMBOL | EACH | 9 | \$300 | \$2,700 |
| 340 | UNIFORMED TRAFFIC CONTROL | HOURL | 16 | \$130 | \$2,080 |
| 350 | AGGREGATE BASE COURSE (CLASS 2) | CY | 950 | \$110 | \$104,500 |
| 360 | HOT MIX ASPHALT (GRADING S) (75) (PG 64-22) | TON | 700 | \$180 | \$126,000 |
| 370 | STONE MATRIX ASPHALT | TON | 350 | \$250 | \$87,500 |
| 380 | CONCRETE SIDEWALK | SY | 335 | \$85 | \$28,480 |
| 390 | CONCRETE CURB RAMP | SY | 20 | \$200 | \$4,000 |
| 400 | VERTICAL CURB AND GUTTER | LF | 420 | \$30 | \$12,600 |
| 410 | MEDIAN CURB AND GUTTER | LF | 230 | \$30 | \$6,900 |
| 420 | MEDIAN COVER MATERIAL (GRAVEL) | SY | 230 | \$12 | \$2,760 |
| 430 | MEDIAN COVER MATERIAL (PATTERNED CONCRETE) | SY | 17 | \$150 | \$2,520 |
| 440 | CONCRETE CLASS D | CY | 61 | \$1,200 | \$73,200 |
| 450 | REINFORCING STEEL | LB | 6430 | \$1.80 | \$11,580 |
| 460 | MOBILIZATION | LS | 1 | \$40,900 | \$40,900 |
| 470 | FORCE ACCOUNT: MINOR CONTRACT REVISIONS | F/A | 1 | \$68,100 | \$68,100 |
| 480 | FORCE ACCOUNT: CONSTRUCTION TRAFFIC CONTROL | F/A | 1 | \$68,100 | \$68,100 |

| Total Major Items (A) | | | | \$860,000 | (A) |
|---|------------------|------------------|------------------|------------------|------------|
| Item | Percent Range | Percent Selected | Costs \$ | | |
| Major Items (Above) | | | \$860,000 | | (A) |
| Erosion Control | 1 to 5% of (A) | 5% | \$43,000 | | (B) |
| Construction Surveying | 1 to 5% of (A) | 3% | \$26,000 | | (C) |
| Landscaping | 1 to 5% of (A) | 1% | \$9,000 | | (D) |
| TOTAL PROJECT OPINION OF PROBABLE COST | (A+B+C+D) | | \$940,000 | | (F) |

NOTE: DOES NOT INCLUDE RIGHT-OF-WAY ACQUISITION.



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Consideration to AWARD A COMPETITIVELY BID CONTRACT to Galls LLC, Denver, Colorado in the not-to-exceed amount of \$236,510.50 for uniforms for the Aurora Fire Department through October 31, 2023. |
| Item Initiator: Cyndi Winner – Procurement Agent - Finance |
| Staff Source/Legal Source: Mathew Wasserburger – Assist Dir Of Fire Mgmt Svcs - Fire /Dave Lathers, Senior Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 1.0--Assure a safe community for people |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Mathew Wasserburger, Assist Dir Of Fire Mgmt Svcs, Fire /Dave Lathers, Senior Assistant City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |

Minutes Attached

Minutes Not Available

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

Council approved the previous award for this requirement to Galls in the not-to-exceed amount of \$100,200.00 on December 21, 2020, Agenda Item #9i.

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

The Fire Department has an ongoing requirement to provide fire uniforms for fire personnel.

Invitation to Bid B-4658 was issued on May 25, 2022 and a total of two firms responded. The bid is for uniforms and related items (including name tapes, patches, flags and pins). The vendor is also responsible for attaching the name tapes, patches or flags to the garment.

The City received two responsive bids from Galls and Ryders Public Safety.

Galls LLC \$236,510.50

Ryders Public Safety \$257,782.60

The city's intent is to award these services to the lowest bidder who is Galls. Because the bid was openly solicited with the expectation of competition, the pricing is considered to be fair and reasonable.

City Council must approve all awards of at least \$50,000.00 when formal competitive solicitation procedures resulted in less than three bids.

Based on the above, staff is recommending the award of a competitively bid contract to Galls in the not-to-exceed amount of \$236,510.50 for fire uniforms through October 31, 2023.

QUESTIONS FOR COUNCIL

Does City Council approve the award of the competitively bid contract to Galls in the not-to-exceed amount of \$236,510.50 for fire uniforms?

LEGAL COMMENTS

Awards worth \$50,000 or more require City Council approval if formal competitive bidding has not produced at least three responsive bids (City Code § 2-672(a)(3)(b)). (Nulla)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Funding for uniforms will come from the respective budgets in the Aurora Fire Department and will be paid from General Operating Supplies.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

8.a. **RECONSIDERATION OF RESOLUTION R2020-24 - to Suspend Certain Council Rules** Kadee Rodriguez, City Clerk / Dan Brotzman, City Attorney

Motion by Gruber, second by Marcano, to approve item 8a.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

9. **CONSENT CALENDAR**

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

9.a. **Inmate Food Service**

Consideration to AWARD A SOLE SOURCE CONTRACT to Niquito's, Aurora, Colorado in the amount not-to-exceed \$85,000.00 for delivery of prepared food and other food items to the Aurora Detention Center through December 31, 2021.

Presenter: Zelda DeBoyes, Court Administrator/Detention - Court Administration
Attorney: Dave Lathers, Senior Assistant City Attorney

Motion by Marcano, second by Coombs, to approve items 9a.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

9.b. **Annual Fit Testing Services for Scott SCBA Face Mask Annual Fit Testing Services**
Consideration to AWARD A SOLE SOURCE CONTRACT to Scott Safety, Monroe, North Carolina in the amount not to exceed \$50,000.00 for fit testing as required for Scott Self Contained Breathing Apparatus (SCBA) through December 31, 2021.

Presenter: Renee Pettinato-Mosley, Risk Manager, HR Dept.
Attorney: Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Berzins, to approve items 9b.

Council Member Coombs asked staff to provide a brief update on the item with regards to Aurora firefighters sharing breathing apparatus previously and the remedy for that.

Mathew Wasserburger, Aurora Fire, did so, noting the firefighters were sharing the breathing apparatus while using their own masks and stated that has been remedied through CARES funding.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Motion by Berzins, second by Gruber, to approve items 9g.

Council Member Coombs asked staff to clarify this was a limited length contract and that the City was still in the process of securing a different vendor given the City's issues with the cameras remaining secure.

Jason Bachelor, Deputy City Manager, concurred.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

9.h. E.H. Wachs Valve Maintenance Truck System E.H. Wachs Valve Maintenance Truck System
Consideration to AWARD A SINGLE SOURCE CONTRACT to Intermountain Sales, Inc., Englewood, Colorado in the amount of \$114,066.53 for an E.H. Wachs custom service body with valve turner and vacuum excavation system.

Ron Forrest – Fleet Manager
Dave Lathers – Senior Assistant City Attorney

9.i. Fire Uniforms

Consideration to EXTEND A COMPETITIVELY BID CONTRACT for fire uniforms to Gall's, Denver, Colorado in the amount not-to-exceed \$100,200.00.

Mathew Wasserburger, Assistant Director of Fire Management Services – Fire/ Senior Assistant City Attorney Dave Lathers

9.j. Marijuana Security Services
Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Stone Security, Englewood, Colorado in the not-to-exceed amount of \$55,000.00 for inspection of security and surveillance equipment for the Marijuana Enforcement Division.

Robin Peterson, Manager of Marijuana Enforcement – Finance Department/ Senior Assistant City Attorney Dave Lathers

9.k. The People's Group

Consideration to award a sole source contract to The People's Group, Denver, Colorado in the amount of \$60,000.00 for events facility coordinator services for the People's Building through December 31, 2021.

Andrea Amonick, Development Svcs/Aura Mgr - Planning & Development Service/Senior Assistant City Attorney Dave Lathers

9.l. Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Liberty Waste Management, Englewood, Colorado for portable toilet rental services in the not-to-exceed amount of \$92,600.00 on an as required basis through November 30, 2021.

John Wesolowski, Manager of Parks & Forestry – Parks, Recreation and Open Space/Senior Assistant City Attorney Dave Lathers

Motion by Marcano, second by Coombs, to approve items 9h – 9l.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Roger Sherman provided call-in instructions for the benefit of the public.

Mayor Coffman called for a five-minute break.

10. **RESOLUTIONS**

10.a. Funding Recommendation for Jewell Apartments

R2020-164 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE AFFORDABLE HOUSING GAP FINANCING PROGRAM 2020 FUNDING RECOMMENDATION FOR COMMUNITY HOUSING DEVELOPMENT ASSOCIATION, INC.S JEWELL APARTMENTS

Jessica Prosser, Director of Neighborhood Services
Tim Joyce, Assistant Attorney

Motion by Marcano, second by Hiltz, to approve item 10a.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

10.b. Recommendation for Mile High Developments LLC's The Point Affordable Apartments

R2020-165 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE AFFORDABLE HOUSING GAP FINANCING PROGRAM 2020 FUNDING RECOMMENDATION FOR MILE HIGH DEVELOPMENT LLC'S THE POINT AFFORDABLE APARTMENTS

Jessica Prosser, Director of Neighborhood Services
Tim Joyce, Assistant Attorney

Motion by Marcano, second by Berzins, to approve item 10b.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

10.c. Recommendation for Various Projects by Elevation Community Land Trust

R2020-166 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Nicoletti Psychological Counseling |
| Item Initiator: Cyndi Winner – Procurement Agent - Finance |
| Staff Source/Legal Source: John Schneebeck - Manager Of Business Services - Police /Dave Lathers, Senior Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 1.7--Minimize injury, property losses, and death, while maintaining city govern. operations |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Nicoletti-Flater Associates, Lakewood, Colorado in the not to exceed amount of \$80,500.00 to provide psychological counseling services (secondary contractor) for the Aurora Police Dept. through July 31, 2023.

John Schneebeck, Manager Of Business Services, Police / Dave Lathers, Senior Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

Council approved the previous award for this requirement to Nicoletti Flater in the not-to-exceed amount of \$85,000.00 on May 10, 2021, Agenda Item #9b.

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

The Police Department (APD) requests approval to extend openly solicited contract for 2022-2023 psychological counseling services to include non-sworn employees and qualifying family member, fit for duty evaluation and training needed by officers. A requisition in the amount of \$80,500.00 has been submitted for the annual contract period.

Nicoletti-Flater Associates (secondary vendor) will primarily provide fit for duty evaluations, and some counseling along with J. Brower as the primary provider. Nicoletti-Flater has over 30 years of experience in providing evaluations, and their pricing reflects the quality of resources (nationally known) for these services. As counseling represents a smaller portion of services, fewer resources allow for a slightly lower hourly rate. The firm is also willing to provide the required services to APD staff 24 hours a day.

Pricing will remain the same as last year, **therefore, staff considers the vendor's proposal to be fair and reasonable.**

City Council approval is required for all procurements greater than \$50,000.00 when less than three proposals are received.

Based on the above information, staff recommends proceeding with an extension of a competitively bid contract to Nicoletti-Flater Associates, Lakewood, CO in the amount of \$80,500.00 to provide secondary counseling services for APD officers.

QUESTIONS FOR COUNCIL

Does City Council approve to extend a competitively bid contract to Nicoletti-Flater in the not to exceed amount of \$80,500.00 for psychological counseling and fit for duty evaluations for Police staff?

LEGAL COMMENTS

Awards worth \$50,000 or more require City Council approval if formal competitive bidding has not produced at least three responsive bids (City Code § 2-672(a)(3)(b)). (Rulla)

PUBLIC FINANCIAL IMPACT

- YES NO

If yes, explain: Funding is budgeted in the 2022 General Fund, Police Dept. and will be paid from:

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

Mayor Coffman asked if the issue had been formally adopted. Mayor Pro Tem Bergan answered no, noting it went through the Rules Committee and then to Council. Mayor Coffman stated it could be voted down and proceeded to sever the two items.

Mayor Coffman requested Item 11a be removed from the agenda and heard no objection. He then requested moving item 19a and 19b after Public Invited to be Heard, noting the majority rose and the amendment failed.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

9. **CONSENT CALENDAR**

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

- 9.a. Consideration to AMEND AND OPENLY SOLICITED CONTRACT with Jacobs, Englewood, Colorado in the amount of \$16,479.00 providing Cured In Place (CIPP) design services and added submittal reviews with the two phases of construction for the 2021 Water System Imp
- Dean Bedford, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney
- 9.b. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Nicoletti-Flater Associates, Lakewood, CO in the total amount of \$80,500.00 to provide psychological counseling services (secondary vendor) for the Aurora Police Dept. through April 2022. (R2081)
- Chief Vanessa Wilson, Aurora Police Dept. / Ian Best, Assistant City Attorney
- 9.c. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to J. Brower Psychological Services, Denver, CO in the total amount of \$269,500.00 to provide psychological counseling services (primary vendor) for the Aurora Police Dept. through April 2022. (R2081)
- Chief Vanessa Wilson, Aurora Police Dept /Ian Best, Assistant City Attorney
- 9.d. Consideration to AWARD A SOLE SOURCE CONTRACT to GE Digital LLC,

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

San Ramon, CA in the total amount of \$76,756.55 for the annual renewal of software maintenance on the Water Supervisory Control and Data Acquisition (SCADA) Information Management System thr

Marena Lertch, Manager of Water Service Operations / Ian Best, Assistant City Attorney

- 9.e. Consideration to AWARD A COMPETITIVELY BID CONTRACT to A-1 Chipseal Co., Denver, Colorado in the amount of \$1,950,995.28 for the 2021 Surface Treatment Program, Project No. 5818A

Tom McMinimee – Streets Operations Manager / Brian Rulla – Assistant City Attorney

- 9.f. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Albert Frei and Sons, Inc., Henderson, Colorado in the not-to-exceed amount of \$233,000.00 for the purchase of aggregate materials as required through March 31, 2022, Bid No. B-4580.

Tom McMinimee – Streets Operations Manager / Ian Best – Assistant City Attorney

- 9.g. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to Ground Engineering Consultants, Inc., Denver, Colorado in the amount not-to-exceed \$850,000.00 for Construction Management/Construction Inspection Services and Materials Testing for the period through

Tom McMinimee, Street Operations Manager / Ian Best, Assistant City Attorney

- 9.h. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Albert Frei and Sons, Inc., Henderson, Colorado in the not-to-exceed amount of \$233,000.00 for the purchase of aggregate materials as required through March 31, 2022, Bid No. B-4580.

Tom McMinimee – Streets Operations Manager / Ian Best – Assistant City Attorney

- 9.i. Consideration to AWARD CHANGE ORDER No. 1 to a competitively bid contract with TCC Corporation, Windsor, Colorado in the amount of \$157,172.73 for the Parklane Pool and Bathhouse Improvements Project, Project Number 5791A.

John Perkins – Senior Project Manager / Dave Lathers – Senior Assistant City Attorney

Motion by Marcano, second by Bergan, to approve items 9a – 9g and 9i.

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Council Member Berzins was unable to vote due to connectivity issues.

10. **RESOLUTIONS**

10.a. An Intergovernmental Agreement for Exchange (Trade) of Water

R2021-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR EXCHANGE OF WATER BETWEEN THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT, ACTING BY AND THROUGH ITS SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT ACTIVITY ENTERPRISE.

Alexandra Davis, Deputy Director Water Resources / Stephanie Neitzel, Assistant City Attorney

Motion by Gruber, second by Coombs, to approve item 10a.

Council Member Coombs requested a brief staff presentation for the benefit of the public.

Marshall Brown, General Manager, Aurora Water, did so.

Voting Aye: Bergan, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Council Member Berzins was unable to vote due to connectivity issues.

Council Member Marcano asked staff if a majority of Council agreed to suspend Council Rules to have someone else run a meeting if they disagreed with how the meeting was being run was allowed.

Daniel Brotzman, City Attorney, answered no, noting the Mayor was the presiding officer so he ran the meetings. He stated it could be handled piece by piece, however.

10.b. Council's Support to Work with the Metro Denver Homeless

R2021-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S PLEDGE TO WORK WITH THE METRO DENVER HOMELESS INITIATIVE ON BUILT FOR ZERO FOR REGIONAL COORDINATION TO REDUCE HOMELESSNESS.

Lana Dalton, Homelessness Program Manager / Tim Joyce, Assistant City Attorney

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to AWARD A SINGLE SOURCE CONTRACT to SWS VidmarLista, Pittsburgh, PA, in the not-to-exceed amount of \$135,440.00 for purchase and installation of a tire carousel for Fleet Services.

Item Initiator: Cyndi Winner – Procurement Agent - Finance

Staff Source/Legal Source: Ronnie Forrest – Fleet Manager – Public Works / Dave Lathers, Senior Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Ronnie Forrest, Fleet Manager, Public Works / Dave Lathers, Senior Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

N/A

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

The Fleet Division is requesting to purchase a Tire Carousel for the Central Facilities maintenance shop. For over 20 years, the shop has been using a pipe fabricated tire storage system (see attached pictures). The current system is not only outdated and inefficient but is unsafe, takes up an enormous amount of space and was not professionally engineered.

Tire carousels provide improved security, organization, inventory tracking electronically verses the current manual tracking system, saves on space and are professionally engineered to perform a specific function. The same vendor and system have been identified in the Southeast Aurora Maintenance facility build and will bring consistency of operations at both locations Tire carousels will add a significant improvement to our fleet safe tire replacement access for repairs of over 3,500 pieces of equipment. Utilizing the same carousel will create efficiencies in the training of technicians, repairs, parts availability, vendor customer support and overall operations.

The firm has proposed a 25% discount on pricing for the system. Therefore, the price is considered to be fair and reasonable.

Council approval is required for single source awards greater than \$50,000.00.

Based on the above, it is staff's recommendation to proceed with a single source award to SWS VidmarLista, Pittsburgh, PA, in the not-to-exceed amount of \$135,440.00 for purchase and installation of a tire carousel for Fleet Services.

QUESTIONS FOR COUNCIL

Does Council approve a single source award to SWS VidmarLista, Pittsburgh, PA, in the not-to-exceed amount of \$135,440.00 for purchase and installation of a tire carousel for Fleet Services.

LEGAL COMMENTS

Purchase orders and contracts worth \$50,000 or more not awarded pursuant to formal competitive bidding require City Council approval (City Code § 2-672(a)(3)(b)). (Rulla)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Funds are budgeted in the operating account: 49873-67600

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A







CITY OF AURORA

Council Agenda Commentary

| |
|--|
| Item Title: 2022-2023 GE Switchgear and Motor Control Centers Maintenance |
| Item Initiator: Jeff Lehmann, Sr. Procurement Agent, Finance |
| Staff Source/Legal Source: Marena Lertch, Manager of Water Service, Aurora Water / Dave Lathers, Senior Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated. |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Consideration to AWARD A SINGLE SOURCE CONTRACT to Integrated Power Services, Denver, Colorado in the not-to-exceed amount of \$100,000.00 for GE switchgear and Motor Control Centers maintenance and repair at various Water facilities as required through July 31, 2023

Marena Lertch, Manager of Water Service, Aurora Water / Dave Lathers, Senior Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

N/A

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

Aurora Water has an ongoing requirement for GE switchgear and Motor Control Centers maintenance and repair at various Treatment, Pumping, Source and Pressure Relief Valve (PRV) Facilities. Facilities supported include the Binney, Griswold, and Wemlinger Water Purification Facilities (WPF) and the Sand Creek Water Reuse Facility.

Water's Technical Operations Electrical Team relies on the factory authorized vendor for GE products/support given their expertise and access to troubleshooting guides, repairs, manuals, training, access to GE archives, and factory support as needed. On April 20, 2022, ABB Electrification Services notified the city that effective June of 2022, ABB, who previously acquired GE's hydro service business, has agreed to sell its U.S. and Canada hydro service business in Beloeil, Quebec and Denver, Colorado to Integrated Power Services (IPS). Thus, IPS is now the factory authorized vendor in Colorado for GE products/support.

Staff has confirmed that IPS's labor and part rates are the same rates that they would charge any other municipality in the state for any of the same labor and part requirements. Therefore, labor and part rates are considered to be fair and reasonable.

City Council approval is required for awards of \$50,000.00 or more without competition.

Based on the above, staff recommends proceeding with a single source contract IPS in the not-to-exceed amount of \$100,000.00 for GE switchgear and Motor Control Centers maintenance and repair at various Treatment, Pumping, Source and Pressure Relief Valve (PRV) Facilities as required by Aurora Water through July 31, 2023

QUESTIONS FOR COUNCIL

Does City Council approve the award of a single source contract to Integrated Power Systems, Denver, Colorado in the not-to-exceed amount of \$100,000.00 for GE switchgear and Motor Control Centers maintenance and repair at various Treatment, Pumping, Source and Pressure Relief Valve (PRV) Facilities as required by Aurora Water through July 31, 2023?

LEGAL COMMENTS

Purchase orders and contracts worth \$50,000 or more not awarded pursuant to formal competitive bidding require City Council approval (City Code § 2-672(a)(3)(b)). (Nulla)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Funding for this single source contract will be from the Water Fund operating budget in the not-to-exceed amount of \$100,000.00. Funds are appropriated annually as part of the budget development process, for water technical operations.

ORGS: Griswold WPF (52068), Binney (52078), Wemlinger (52023), Pumping Water/Sewer/Storm (52066,52065,52094), Sanitary Treatment-Sewer (52029), SOS Raw Water Reservoir Mgmt (52022)

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to AWARD A SOLE SOURCE CONTRACT to Hach Company, Loveland, Colorado in the not-to-exceed amount of \$312,540.00 for the purchase of water quality monitoring equipment and supplies for the Water Department as required through June 30, 2023.

Item Initiator: Jeff Lehmann, Sr. Procurement Agent, Finance

Staff Source/Legal Source: Bobby Oligo, Manager of Water Treatment, Aurora Water / Dave Lathers, Senior Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 3.4--Maintain a reliable water system

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Bobby Oligo, Manager of Water Treatment, Aurora Water / Dave Lathers, Senior Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval
- Forwarded Without Recommendation
- Recommendation Report Attached

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

City Council approved the previous award to Hach Company in the not-to-exceed amount of \$220,000.00 on July 26, 2021, Agenda Item 10.f.

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

The Water Department has an ongoing requirement for the purchase of replacement parts and equipment, routine maintenance, and supplies for Hach water quality monitoring equipment as required for testing in the **city's water treatment facilities, distribution system pump stations, and water quality laboratory**. This year's request includes an additional \$92,540.00 **over last year's amount** to accommodate current supply chain surcharges and elimination of previously honored discount on lab supplies and chemistries below retail; and, the purchase of ten (10) new TU5300sc Low Range Laser Turbidimeters and six (6) new SC200 Controllers for the Griswold and Wemlinger Water Purification Facilities.

The Water Department has utilized Hach instruments for over 25 years to analyze and monitor water quality as required by Drinking Water Regulations and by the Colorado Department of Public Health and Environment (CDPHE). HACH instruments are the industry standard and have been proven to be reliable and accurate in monitoring water quality parameters for regulatory compliance. These instruments provide continuous on-line monitoring and data that are essential to making appropriate data-driven decisions for treatment process control, and the instruments are linked to the Supervisory Control and Data Acquisition system (SCADA) to trigger preset alarm conditions.

All replacement parts and related supplies must be purchased from Hach to ensure the proper operation of the instruments. Standardization of the equipment allows the treatment facilities to collectively maintain compliance with water quality requirements and reduces costs for parts replacement. Utilizing the same instruments at all treatment and distribution facilities provides redundancy, sharing of spare parts, and common standard operating and maintenance procedures. Hach is a direct sales supplier and the sole provider of their products to the city.

Staff has confirmed that city's pricing for replacement equipment, supplies, and services is the same that Hach would charge any other customer in the industry. Therefore, the pricing is considered to be fair and reasonable.

City Council approval is required for awards of \$50,000.00 or more without competition.

Based on the above, staff recommends awarding a sole source contract to Hach Company of Loveland, Colorado in the not-to-exceed amount of \$312,540.00 for the purchase of water quality monitoring equipment and supplies as required by Water Department through June 30, 2023.

QUESTIONS FOR COUNCIL

Does City Council approve the sole source award to Hach Company in the not-to-exceed amount of \$312,540.00 for the purchase of water quality monitoring equipment and supplies for the Water Department as required through June 30, 2023?

LEGAL COMMENTS

Colo. Const. Article 14, Section 18, Subsection 2(c) permits the City to contract with private persons, associations, or corporations for the provision of any legally authorized function, service, or facility within or without its boundaries. The City has all powers which are necessary, requisite, or proper for the government and administration of its local and municipal matters. (City Charter, Art. I, Sec. 1-3). Council has the power to prevent and enforce good government, general welfare, order, and security of the City and its inhabitants. (City Charter, Art. III, Sec. 3-9). Contracts of at least \$50,000.00 but less than \$2,000,000.00 shall be approved by City Council. (City Code Sec. 2-672). Purchase orders or contracts in any amount may be awarded without benefit of formal competitive bidding when standardization of parts, modules, accessories, or additions will maintain compatibility with existing furnishings or installations (City Code Sec. 2-674(7)). (Koumantakis)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain:

Funding for this sole source contract will be from the Water and Wastewater Fund operating budgets in the not to exceed amount of \$312,540.00.

ORGS USED: Binney WPF (52078), Griswold WPF (52068), Pumping-Water/Sewer/Storm (52066/52065/52094), Quality Control-Water/Sewer (52020/52026), Sanitary Treatment (52029), SOS Raw Wtr Reservoir Mgmt (52022) and Wemlinger WPF (52023).

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

- 10.b. Consideration to AWARD A SOLE SOURCE CONTRACT to Intrado Life & Safety Solutions Corp., Longmont, Colorado in the amount of \$68,127.18 to upgrade the City's 911 answering system in the main and backup communication centers.

Scott Newman, Chief Information Officer / Ian Best, Assistant City Attorney

Motion by Gruber, second by Berzins, to approve Items 10a – 10b.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

- 10.c. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Lumin8 Transportation Technologies in the amount of \$384,420.00 for the 2021 Traffic Calming Device Installation Services Project; Project No. 21038

Christopher Stephan, Project Manager / Brian Rulla, Assistant City Attorney

Motion by Bergan, second by Coffman, to approve item 10c.

Christopher Stephan, Project Manager, provided a brief summary of the item.

Mayor Pro Tem Bergan stated her support of the item and asked why \$384k rather than the maximum was requested. She expressed her hope that Ward VI was included in the proposal. Mr. Stephan stated there were two items on the agenda that related to traffic calming, noting the speed cushions were \$285k and the \$384k, which was a little more than the typical \$500k, was requested in order to impact as many Council wards as possible.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

- 10.d. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with HDR Engineering, Denver, Colorado in the amount of \$36,600.00 for the Preliminary Engineering of Rampart Delivery System Capacity Expansion Project, Project No. R-1850.

Swirvine Nyirenda, Water Planning Services Manager / Ian Best, Assistant City Attorney

- 10.e. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Brannan Sand and Gravel Company in the amount of \$285,033.58 for the 2021 Speed Cushion Installation Services Project; Project No. 21039/5842A

Christopher Stephan, Project Manager / Brian Rulla, Assistant City Attorney

- 10.f. Consideration to AWARD A SOLE SOURCE CONTRACT to Hach Company, Loveland,

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Colorado in the not-to-exceed amount of \$220,000.00 for the purchase of water quality monitoring equipment and supplies for the Water Department as required through June 30, 2022.

Steve Sciba, Deputy Director of Operations / Ian Best, Assistant City Attorney

- 10.g. Consideration to AWARD A SOLE SOURCE CONTRACT to the Crime and Justice Institute (CJI), Boston, MA in the amount of \$61,689.00 to draft all new use of force policies for the Aurora Police Department (APD).

Jason Batchelor Deputy City Manager / Megan Platt, Asst. City Attorney, Ian Best Asst. City Attorney

- 10.h. Consideration to AWARD A SINGLE SOURCE CONTRACT to Canyon Systems, Inc., Golden, Colorado in the amount of \$63,953.00 for the purchase of Gorman-Rupp pump parts.

Mike Mills, Manager of Water Ops and Maint. / Ian Best, Assistant City Attorney

- 10.i. Consideration to AWARD A COMPETITIVELY BID CONTRACT to T-P Enterprises, Inc., Denver, Colorado in the not-to-exceed amount of \$132,500.00 for land management services for the Prairie Waters North Campus and Pump Station Facilities. (B-4508)

Steve Sciba, Deputy Director of Operations / Ian Best, Assistant City Attorney

- 10.j. Consideration to AWARD A SINGLE SOURCE CONTRACT to H&E Equipment Services, Henderson, Colorado in the amount of \$1,363,440.00 for the purchase of two (2) 2021 Emergency One Cyclone fire engines/pumpers.

Ron Forrest, Fleet Manager / Ian Best, Assistant City Attorney

Motion by Gruber, second by Berzins, to approve items 10d- 10j.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

Mayor Coffman called for a brief recess to allow staff to provide public call-in instructions.

(The meeting resumed)

11. **RESOLUTIONS**

- 11.a. Intergovernmental Agreement with CCWCD for Well Augmentation

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to J. Brower Psychological Services, Denver, CO in the total amount of \$269,500.00 to provide psychological counseling services (primary vendor) for the Aurora Police Dept. through June 30, 2023.

Item Initiator: Cyndi Winner – Procurement Agent - Finance

Staff Source/Legal Source: John Schneebeck - Manager of Business Services - Police /Dave Lathers, Senior Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 1.7--Minimize injury, property losses, and death, while maintaining city govern. operations

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

John Schneebeck, Manager of Business Services, Police / Dave Lathers, Senior Assistant City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

Council approved the previous award for this requirement to J Brower Psychological Services in the not-to-exceed amount of \$269,500.00 on May 10, 2021, Agenda Item #9c.

Council approved a change order to J Brower Psychological Services in the not-to-exceed amount of \$110,000.00 on November 22, 2021, Agenda Item #10j.

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

The Police Department (APD) requests approval to extend openly solicited contract for 2022-2023 psychological counseling services to include non-sworn employees and qualifying family member, fit for duty evaluation and training needed by officers. A requisition in the amount of \$269,500.00 has been submitted for the annual contract period.

J Brower Psychological Services will be the primary provider for counseling and training, and the secondary vendor Nicoletti-Flater Associates will provide fit for duty evaluations and limited counseling. Brower provides counseling services at two local offices for the convenience of sworn and non-sworn staff, and also provides services to the families of sworn victims. Historically, Brower has been selected by APD staff for the majority of counseling services, and their higher hourly rate reflects the greater resource levels required. Both firms have been willing to provide the required services to APD staff 24 hours a day.

Staff has confirmed pricing for the City of Aurora it is the same J Brower charges all metro agencies. **Therefore, staff considers the vendor's proposal to be fair and reasonable.**

City Council approval is required for all procurements greater than \$50,000.00 when less than three proposals are received.

Based on the above information, staff recommends proceeding with an extension a competitively bid contract to J Brower Psychological Services, Denver, CO in the amount of \$269,500.00 to provide counseling services for APD officers.

QUESTIONS FOR COUNCIL

Does City Council approve to extend a competitively bid contract to J Brower Psychological Services in the not to exceed amount of \$269,500.00 for psychological counseling and fit for duty evaluations for Police staff?

LEGAL COMMENTS

Awards worth \$50,000 or more require City Council approval if formal competitive bidding has not produced at least three responsive bids (City Code § 2-672(a)(3)(b)). (Rulla)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Funding is budgeted in the 2022 General Fund, Police Dept. and will be paid from:
Org 55269 (Employee Support Unit) and Acct 62200 (Services - Professional)

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

Mayor Coffman asked if the issue had been formally adopted. Mayor Pro Tem Bergan answered no, noting it went through the Rules Committee and then to Council. Mayor Coffman stated it could be voted down and proceeded to sever the two items.

Mayor Coffman requested Item 11a be removed from the agenda and heard no objection. He then requested moving item 19a and 19b after Public Invited to be Heard, noting the majority rose and the amendment failed.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

9. **CONSENT CALENDAR**

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

- 9.a. Consideration to AMEND AND OPENLY SOLICITED CONTRACT with Jacobs, Englewood, Colorado in the amount of \$16,479.00 providing Cured In Place (CIPP) design services and added submittal reviews with the two phases of construction for the 2021 Water System Imp
- Dean Bedford, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney
- 9.b. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Nicoletti-Flater Associates, Lakewood, CO in the total amount of \$80,500.00 to provide psychological counseling services (secondary vendor) for the Aurora Police Dept. through April 2022. (R2081)
- Chief Vanessa Wilson, Aurora Police Dept. / Ian Best, Assistant City Attorney
- 9.c. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to J. Brower Psychological Services, Denver, CO in the total amount of \$269,500.00 to provide psychological counseling services (primary vendor) for the Aurora Police Dept. through April 2022. (R2081)
- Chief Vanessa Wilson, Aurora Police Dept /Ian Best, Assistant City Attorney
- 9.d. Consideration to AWARD A SOLE SOURCE CONTRACT to GE Digital LLC,

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

San Ramon, CA in the total amount of \$76,756.55 for the annual renewal of software maintenance on the Water Supervisory Control and Data Acquisition (SCADA) Information Management System thr

Marena Lertch, Manager of Water Service Operations / Ian Best, Assistant City Attorney

- 9.e. Consideration to AWARD A COMPETITIVELY BID CONTRACT to A-1 Chipseal Co., Denver, Colorado in the amount of \$1,950,995.28 for the 2021 Surface Treatment Program, Project No. 5818A

Tom McMinimee – Streets Operations Manager / Brian Rulla – Assistant City Attorney

- 9.f. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Albert Frei and Sons, Inc., Henderson, Colorado in the not-to-exceed amount of \$233,000.00 for the purchase of aggregate materials as required through March 31, 2022, Bid No. B-4580.

Tom McMinimee – Streets Operations Manager / Ian Best – Assistant City Attorney

- 9.g. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to Ground Engineering Consultants, Inc., Denver, Colorado in the amount not-to-exceed \$850,000.00 for Construction Management/Construction Inspection Services and Materials Testing for the period through

Tom McMinimee, Street Operations Manager / Ian Best, Assistant City Attorney

- 9.h. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Albert Frei and Sons, Inc., Henderson, Colorado in the not-to-exceed amount of \$233,000.00 for the purchase of aggregate materials as required through March 31, 2022, Bid No. B-4580.

Tom McMinimee – Streets Operations Manager / Ian Best – Assistant City Attorney

- 9.i. Consideration to AWARD CHANGE ORDER No. 1 to a competitively bid contract with TCC Corporation, Windsor, Colorado in the amount of \$157,172.73 for the Parklane Pool and Bathhouse Improvements Project, Project Number 5791A.

John Perkins – Senior Project Manager / Dave Lathers – Senior Assistant City Attorney

Motion by Marcano, second by Bergan, to approve items 9a – 9g and 9i.

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Council Member Berzins was unable to vote due to connectivity issues.

10. **RESOLUTIONS**

10.a. An Intergovernmental Agreement for Exchange (Trade) of Water

R2021-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR EXCHANGE OF WATER BETWEEN THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT, ACTING BY AND THROUGH ITS SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT ACTIVITY ENTERPRISE.

Alexandra Davis, Deputy Director Water Resources / Stephanie Neitzel, Assistant City Attorney

Motion by Gruber, second by Coombs, to approve item 10a.

Council Member Coombs requested a brief staff presentation for the benefit of the public.

Marshall Brown, General Manager, Aurora Water, did so.

Voting Aye: Bergan, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Council Member Berzins was unable to vote due to connectivity issues.

Council Member Marcano asked staff if a majority of Council agreed to suspend Council Rules to have someone else run a meeting if they disagreed with how the meeting was being run was allowed.

Daniel Brotzman, City Attorney, answered no, noting the Mayor was the presiding officer so he ran the meetings. He stated it could be handled piece by piece, however.

10.b. Council's Support to Work with the Metro Denver Homeless

R2021-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S PLEDGE TO WORK WITH THE METRO DENVER HOMELESS INITIATIVE ON BUILT FOR ZERO FOR REGIONAL COORDINATION TO REDUCE HOMELESSNESS.

Lana Dalton, Homelessness Program Manager / Tim Joyce, Assistant City Attorney

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson
Marcano, Murillo

6.c. October 25, 2021, Meeting Minutes

Motion by Berzins, second by Bergan, to approve the minutes of the October 25, 2021, City Council meeting, as presented.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson
Marcano, Murillo

7. **PROCLAMATIONS OR CEREMONIES**

7.a. Small Business Saturday

Mayor Coffman read the proclamation declaring November 27, 2021 as Small Business Saturday.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

Council heard public call-in testimony on non-agenda related items.

9. **ADOPTION OF THE AGENDA**

Motion by Bergan, second by Berzins, to approve the agenda.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson,
Marcano, Murillo

10. **CONSENT CALENDAR**

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar

10.a. Consideration to AWARD A SINGLE SOURCE CONTRACT to Liberty Industrial Group, Inc., Arvada, Colorado in the amount of \$318,855.00 for the Binney Water Purification Facility Sodium Hydroxide Tank Rehabilitation (Phase 2) Project.

Elizabeth Carter, Principal Engineer, Aurora Water / Ian Best, Assistant City Attorney

◆ ***The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.***

10.h. Consideration to AWARD A SINGLE SOURCE CONTRACT to Accurate Legal Support Services, LLC, Littleton, Colorado in the not-to-exceed amount of \$88,600.00 for subpoena process services as required through December 31, 2022. (B-4630)

Julie Heckman, Deputy City Attorney / Ian Best, Assistant City Attorney

Motion by Bergan, second by Hiltz, to approve Items 10a – 10h.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

10.i. Consideration to AWARD A SOLE SOURCE CONTRACT to ZETX Inc., Chandler, AZ in the amount of \$239,986.58 to purchase two each Drive Test Scanner Suites for the Police RAVEN Task Force

Chief Vanessa Wilson, Police / Megan Platt, Asst. City Attorney

Acting Division Chief Mark Hildebrand, Aurora Police, provided a summary of the item.

Council Member Marcano asked staff to speak to the City's fiduciary responsibility in this regard. Acting Division Chief Hildebrand did so. Council Member Marcano stated his understanding the item made efforts more efficient but did not do anything the police could not already do.

Acting Division Chief Hildebrand concurred.

Council Member Coombs stated her understanding the item did not violate anyone's privacy rights and it did not secure anyone's data.

Acting Division Chief Hildebrand concurred.

Council Member Hiltz suggested a larger Data Governance policy should be created for the City going forward.

Motion by Marcano, second by Bergan, to approve item 10i.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

10.j. Consideration to AWARD CHANGE ORDER #1 TO AN OPENLY SOLICITED CONTRACT to J. Brower Psychological Services, Denver, CO in the total amount of \$110,000.00 to provide psychological counseling services for the Aurora Police Dept. through 5/31/2022. (R-2081)

Chief Vanessa Wilson, Police / Ian Best, Asst. City Attorney

Motion by Bergan, second by Hiltz, to approve item 10j.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

Mayor Coffman called for a brief recess of Council to allow staff to provide public call-in instructions.

11. **RESOLUTIONS**

11.a. Parkside at City Centre BID 2022 Operating Plan and Budget

R2021-128 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE PARKSIDE AT CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

Jennifer Orozco, Dev Project Mgr, PDS / Hans Hernandez Perez, Assistant City Attorney

Nancy Wishmeyer, Controller, provided a summary of items 11a – 11j.

Motion by Berzins, second by Gardner, to approve item 11a.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

11.b. Painted Prairie No. 1 BID 2022 Operating Plan and Budget

R2021-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER ONE

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

Motion by Gardner, second by Coombs, to approve item 11b.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

11.c. Painted Prairie No. 2 BID 2022 Operating Plan and Budget

R2021-130 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER TWO

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to AWARD A SINGLE SOURCE CONTRACT to Colorado Audio Video, Centennial, Colorado in the amount of \$71,142.04 for Emergency Operations Center audio and video upgrades.

Item Initiator: Jeff Lehmann, Sr. Procurement Agent, Finance

Staff Source/Legal Source: Scott Newman, CIO, IT / Dave Lathers, Senior Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 1.3--Provide a state-of-the-art Public Safety Comm Center and quality 911 services

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Consideration to AWARD A SINGLE SOURCE CONTRACT to Colorado Audio Video, Centennial, Colorado in the amount of \$71,142.04 for Emergency Operations Center audio and video upgrades.

Scott Newman, Chief Information Officer, IT / Dave Lathers, Senior Assistant City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |

Minutes Attached

Minutes Not Available

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

N/A

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

The Office of Emergency Management (OEM) has a need to replace the audio / visual equipment used throughout the Emergency Operations Center (EOC). The equipment within the EOC is over 5 years old, does not easily support Audio / Visual needs within the room, and does not support electronic collaboration with partners outside the room.

The OEM staff has collaborated with Information Technology staff to solicit a proposal from Colorado Audio Video. The firm was selected because they have previously installed equipment in multiple rooms inside the Police Headquarters building. During emergency operations, APD will establish a Department Operating Center, using several of those rooms inside Police HQ. During those same incidents, the staff working in the EOC need to actively collaborate with the DOC staff in real-time. For this reason, it is best to use the same type of equipment inside the EOC as is used within the DOC.

Because Colorado Audio Video installed the equipment within the Police DOC rooms and has expertise integrating multiple rooms together, staff is requesting a single source procurement as they consider Colorado Audio Video the best qualified to seamlessly and efficiently complete this upgrade given their intimate knowledge of existing equipment and the facility. In addition, using Colorado Audio Video will provide for a uniform installation of equipment, and will minimize training needs for the staff who use these rooms during emergency situations.

City Council approval is required for awards of \$50,000.00 or more without competition.

Based on the above, staff recommends awarding a single source contract to Colorado Audio Visual, Centennial, Colorado in the amount of \$71,142.04 for the Emergency Operations Center audio and video upgrades.

QUESTIONS FOR COUNCIL

Does City Council approve the award of a single source contract to Colorado Audio Visual in the amount of \$71,142.04 for the Emergency Operations Center audio and video upgrades?

LEGAL COMMENTS

Purchase orders and contracts worth \$50,000 or more not awarded pursuant to formal competitive bidding require City Council approval (City Code § 2-672(a)(3)(b)). (Nulla)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Funding for this procurement will be charged to the following org and acct:

Org: 25222 (GF CARES CRF 2021) Acct: 60210 (Hardware – Replacement)

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A



CITY OF AURORA

Council Agenda Item Continuation Page

| |
|--|
| Item Title: Photo Speed Enforcement Program Resolution Continuation |
| Item Initiator: Megan Platt, Assistant City Attorney |
| Staff Source: Lt. Carrigan Bennett, Aurora Police Department |
| Legal Source: Megan Platt, Assistant City Attorney |
| Outside Speaker: Scott Stewart, Conduent Incorporated |
| Date of Change: 6/13/2022 |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 6/27/2022

ITEM SUMMARY *(Brief description of changes or updates with documents included.)*

At the June 13, 2022 Study Session Meeting, Council approved moving the proposal for a one year pilot photo speed enforcement program in the city forward with a sole source contract with Conduent Incorporated. Council also requested that any surplus funds from the program after costs be spent on traffic calming measures. The Resolution is updated to reflect direction from Council.

RESOLUTION NO. R2022- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO,
EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF IMPLEMENTING A PHOTO
SPEED ENFORCEMENT ONE YEAR PILOT PROGRAM

WHEREAS, the Aurora Police Department and the city of Aurora have received numerous citizen complaints related to speeding and dangerous driving in the city and in residential neighborhoods and;

WHEREAS, in Aurora, there has been a 54% increase in traffic fatalities from 2019-2021 and this trend is continuing in 2022 and;

WHEREAS, the Aurora Police Department is experiencing staffing shortages along with a general increase in crime and;

WHEREAS, there are photo speed enforcement technologies such as those presented by Conduent Incorporated available to assist the city and police monitor speed in residential areas and school zones and automatically issue citations for speeding violations and;

WHEREAS, currently under A.M.C. 134-451, a sworn officer is required to review any ticket generated by an automated vehicle identification system before it is issued; however, C.R.S. 42-4-110.5 permits municipalities to enact ordinances around photo speed enforcement and to use civilian employees to review violations and;

WHEREAS, other cities in the metro area currently use similar technology to assist with speed enforcement and;

WHEREAS, on June 13, 2022, Council provided direction to city staff to develop a one-year photo radar pilot program via a sole source contract with Conduent Incorporated and update the Aurora Municipal Code to allow civilian employees to review photo speed violations in accordance with the provisions of C.R.S. 42-4-110.5.

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

Section 1. The Aurora City Council directs city staff and the Aurora Police Department to implement a one- year pilot program for photo speed enforcement in the City of Aurora via a sole source contract with Conduent Incorporated. Council directs city staff to cover program costs with revenue from the program and to designate any surplus funds generated by the program for traffic calming measures.

RESOLVED AND PASSED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PS
Megan Platt

Megan Platt, Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Photo Speed Enforcement Pilot Program (Resolution) |
| Item Initiator: Carrigan Bennett, Lieutenant |
| Staff Source/Legal Source: Carrigan Bennett, Lieutenant / Megan Platt, Assistant City Attorney |
| Outside Speaker: Scott Stewart, Senior Sales Executive of Conduent |
| Council Goal: 2012: 1.0--Assure a safe community for people |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 6/27/2022

ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Carrigan Bennett, Lieutenant / Megan Platt, Assistant City Attorney
Outside Presenter: Scott Stewart, Senior Sales Executive of Conduent
Estimated time: 30 Mins

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Public Safety, Courts & Civil Service

Policy Committee Date: 4/14/2022

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

Presented to the Public Safety Committee on April 14, 2022. They approved to move forward to Study Session for council consideration.

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

Conduent is a provider of advanced photo enforcement technology, among many other technology products. They will present a proposal for a 13 month pilot program using three vehicle based laser speed enforcement platforms. Speeding in residential areas is an ongoing concern for our residents and photo enforcement has been shown to be effective in reducing speed violations. Data collected during vehicle deployment is fully accessible through a dashboard so the city and department can analyze it. The department can set the violation speed that is targeted, for example 11 miles per hour over the posted limit. The technology proposed is very advanced and can include front and back photos of the vehicle and mechanisms to ensure that the correct vehicle is cited. Speed enforcement will be done in compliance with Colorado Revised Statutes and any applicable municipal ordinance.

During the first month, only warnings will be issued for violations and then citations will be issued for the remaining 12 months. The police department will need to provide three employees for operating the vehicles. The employees do not need to be sworn officers. Conduent provides all back office services including mailings, serving bills and collecting payment. They can provide assistance with a public education campaign for the launch of the program and can also provide expert witnesses for court if needed

QUESTIONS FOR COUNCIL

Does Council Approve to move this forward for consideration by Council at the next Study Session?

LEGAL COMMENTS

Section 7-4(f) of the Aurora City Charter mandates that the City Manager keep council apprised of the future needs of the City so that Council might exercise its mandate under Section 3-9 of the Aurora City Charter to preserve the general welfare, and order for the citizens. (Platt)

PUBLIC FINANCIAL IMPACT

- YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

- Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

Automated Photo Enforcement System

for City of Aurora, CO

Speed Presentation | April 14, 2022



Agenda

- Introductions
- Conduent Overview
- Current Challenges
- System Overview
- Success Cases
- Benefits
- Q&A

Conduent Overview

Publicly Traded

\$4.1B

Global Business

60K+

Employees

We operate in **24 countries** around the world with headquarters in New Jersey, US

Enabling Technology

Transportation Solutions



Curbside Management

- Citation & Permit Administration
- Enforcement
- Asset & Resource Management
- Business Intelligence & Data Analytics
- Curbside Demand Management



Public Safety

- Photo Enforcement
- Data Analytics
- Violations Processing



Road Usage Charging

- Tolling
- Urban Congestion Management
- Mileage-Based User



Transit

- Fare Collection
- Intelligent Mobility
- CAD/AVL

Digital Process Optimization

Mobility

Artificial Intelligence

Analytics

AR/VR

Automation

Transportation Solutions that Perform at Scale



24 countries

use Conduent Transportation solutions.



46%

of US electronic tolling systems are managed by Conduent Transportation.



48%

of US parking systems are managed by Conduent Transportation.



\$2.4 Billion

Electronic toll transactions are processed per year.



8.9 Million

people travel through Conduent Transportation toll systems daily.



1 out of 4

US public safety enforcement systems are implemented by Conduent Transportation

Current Challenges

Current Challenges

- “Massive increase” in speeding, dangerous driving and street racing
- PD staffing issues impacting proactive enforcement efforts
- Inundated with requests to increase speed enforcement
- Traditional law enforcement focusing on primary roadways
- Lack of resources to enforce neighborhoods and school zones

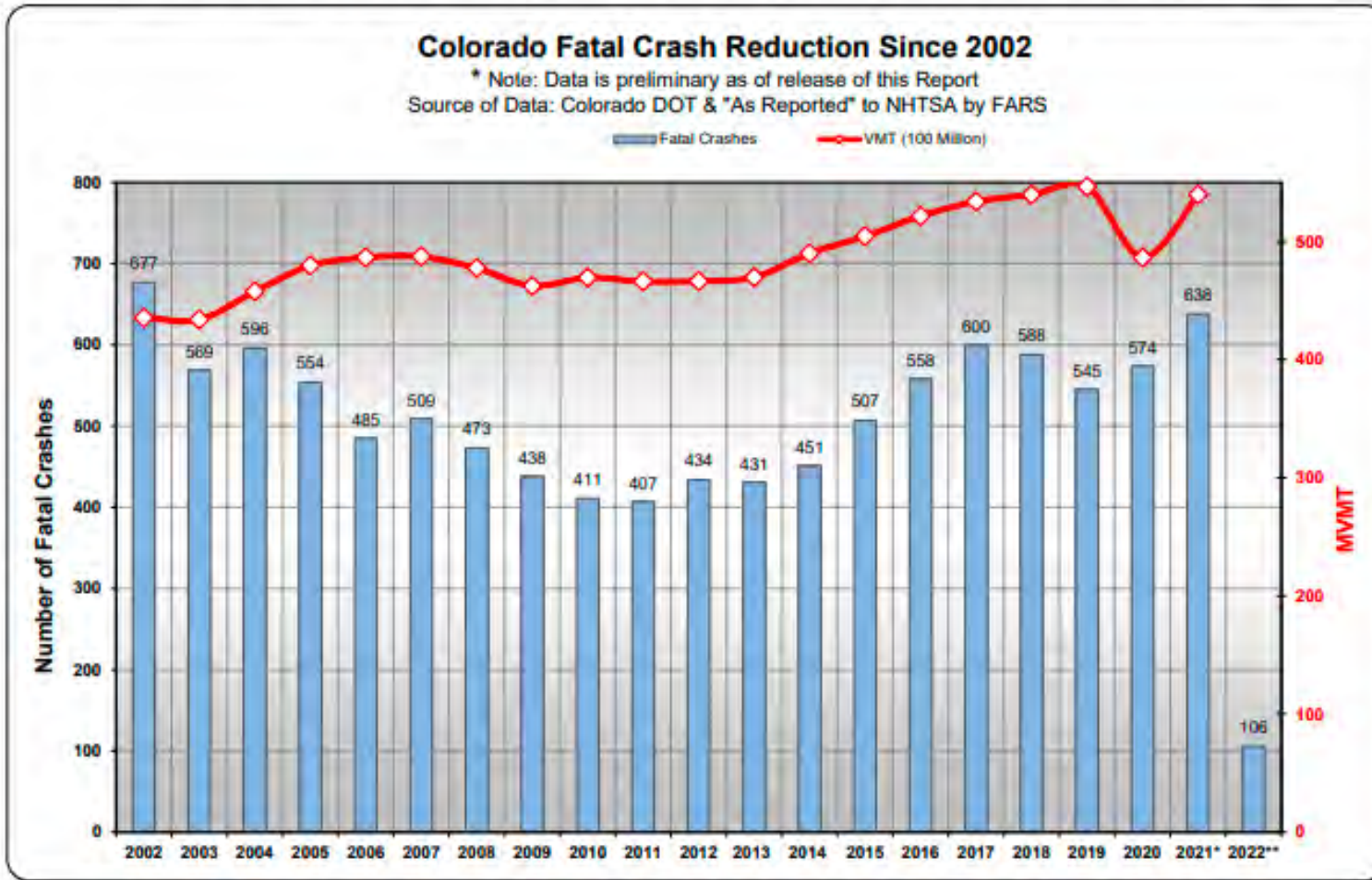


Dangers of Speeding

For more than two decades, speeding has been involved in approximately one-third of all motor vehicle fatalities. In 2019, speeding was a contributing factor in 26% of all traffic fatalities.

Colorado Fatality Data since 2002

Colorado Historical Fatal Crash Trends - Updated 4/1/2022



United States (2019-2020):
7.2% increase

Colorado (2019-2021):
15.7% increase

Arapahoe (2019-2021):
43% increase

Adams County (2019-2021):
5.7% decrease

City of Aurora - fatalities (2019-2021):
54% increase
(2019: 28; 2020: 35; 2021: 43)

System Overview

Vitronic POLISCAN Video



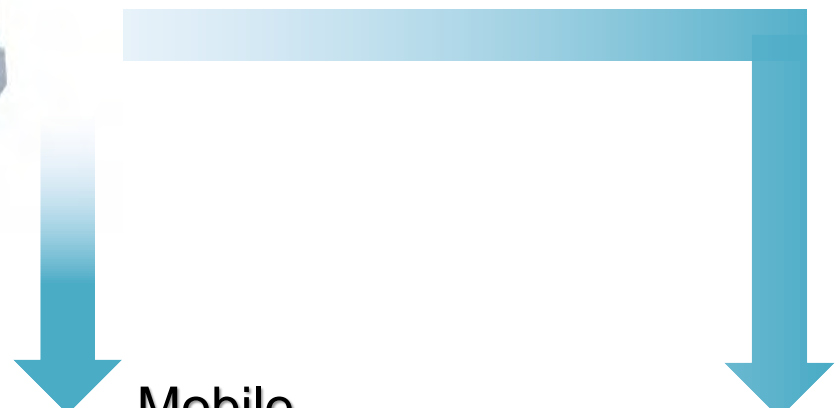
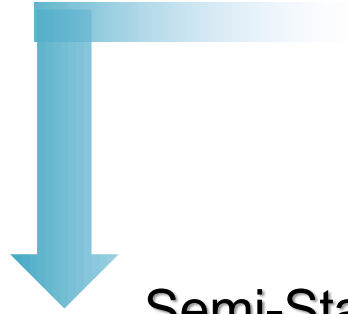
Vitronic POLISCAN Overview

POLISCAN FM1 System

- System design eliminates operator setup errors and enhances court confidence
- Highest capture rate with no false triggers
- Accurately enforce roadways with curves and on hills
- Inoperable outside of calibration period
- Fixed, mobile, and portable configurations available
- Scanning LIDAR is perfectly suited for high volume, high speed, congested highway traffic



POLISCAN FM1 – 100% Flexibility



Fixed



Semi-Stationary



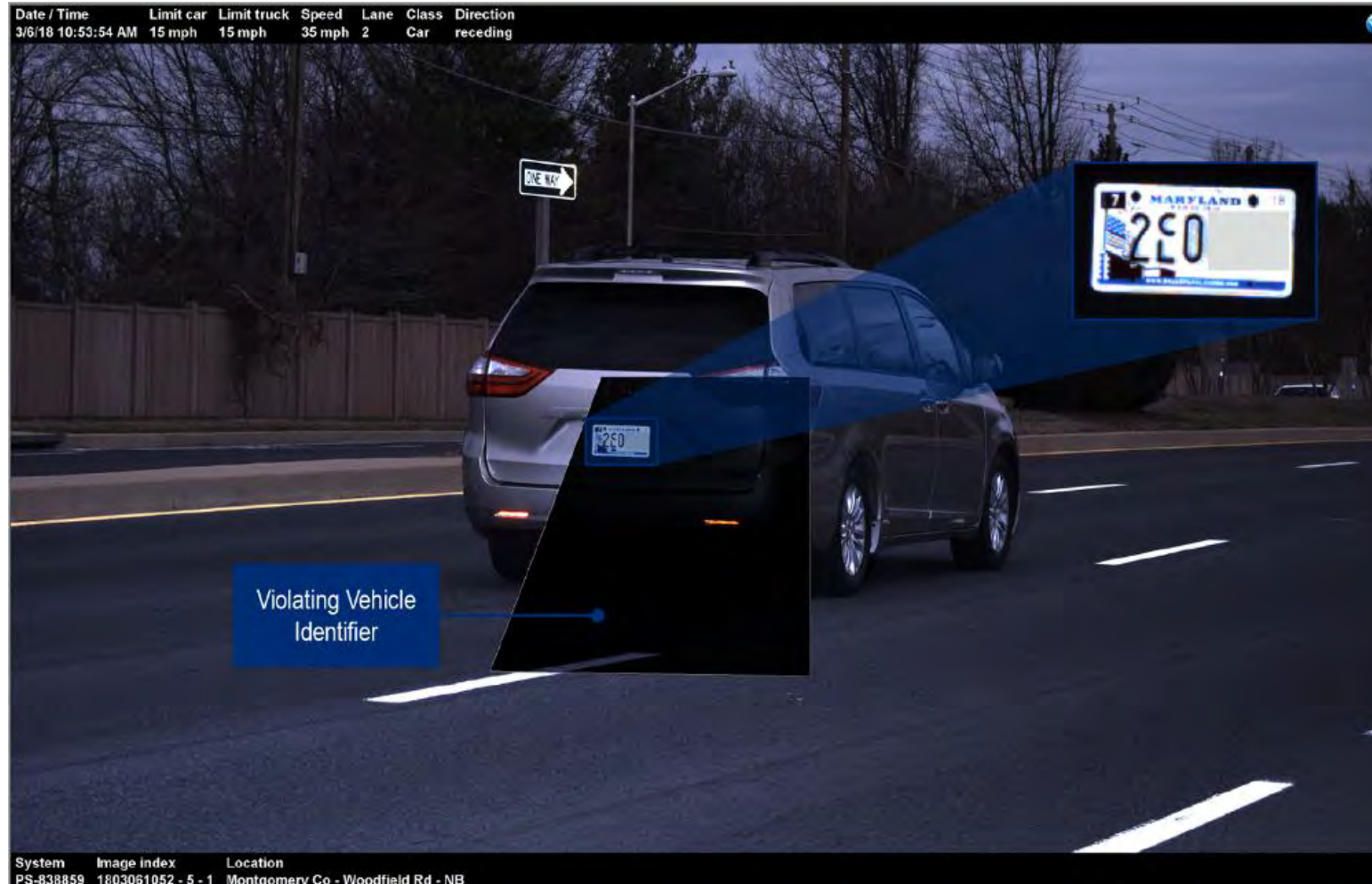
Mobile



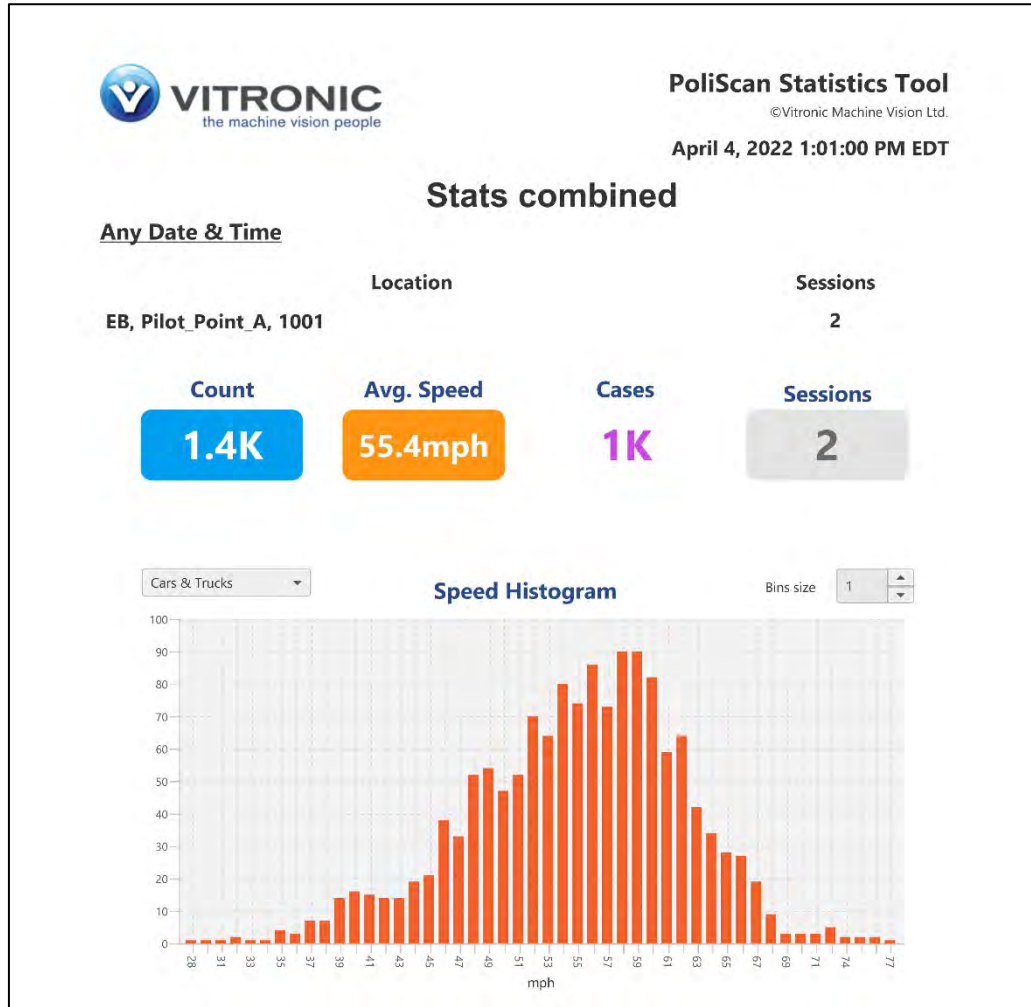
Portable



POLISCAN FM1 – Violation Image



Reporting & Dashboards



Client Summary Report By Location

All Locations
From 2/1/2021 to 1/31/2022

Location: 051621

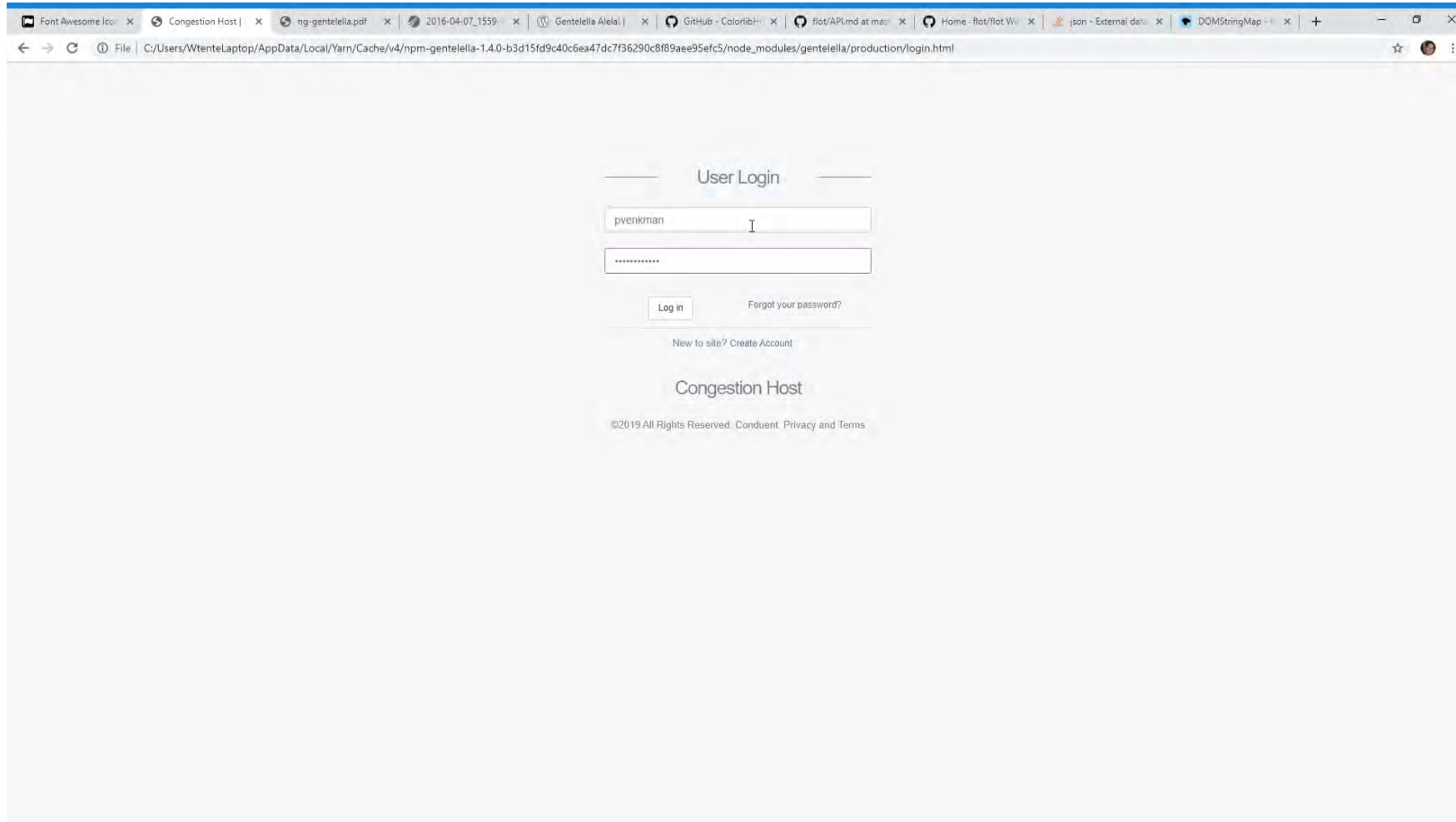
| | | |
|---|----------|---------|
| Days of Enforcement in Period | 31 | |
| Hours Enforced in Period | 1,602.38 | |
| Events | 7,884 | |
| Possible Violations / % of Events | 5,036 | 63.88 % |
| Violations Mailed / % of Possible Violations | 3,573 | 70.95 % |
| In Process / % of Possible Violations | 0 | 0.00 % |
| Conduent & Police Rejects / % of Possible Viola | 1,463 | 29.05 % |
| Non Violations / % of Events | 2,848 | 36.12 % |

| Conduent/Police Rejects (Controllable) | Count | % of Total Controllables |
|--|------------|--------------------------|
| Clarity of Plate - Conduent | 43 | 19.72% |
| Dark Environment - Conduent | 47 | 21.56% |
| Dark Environment - PD | 1 | .46% |
| DMV - Clarity of Plate - Conduent | 15 | 6.88% |
| Expired-Conduent - Conduent | 62 | 28.44% |
| Exposed - Flash - Conduent | 12 | 5.50% |
| Overlay Error - Conduent | 10 | 4.59% |
| Overlay Error - PD | 4 | 1.83% |
| Overlay not on Vehicle - Conduent | 17 | 7.80% |
| Overlay on Two Vehicles - PD | 4 | 1.83% |
| Picture bad - PD | 1 | .46% |
| Unclear Tag - Conduent | 1 | .46% |
| Unclear tag - PD | 1 | .46% |
| TOTAL: | 218 | |

| Conduent/Police Rejects (Uncontrollable) | Count | % of Total Uncontrollables |
|--|-------|----------------------------|
| Canada Plate - Conduent | 1 | .08% |
| Car Obstructed - Conduent | 202 | 16.22% |
| Car Obstructed - PD | 2 | .16% |
| Dealer Tag - Conduent | 12 | .96% |
| Diplomat "DP" Plate - Conduent | 2 | .16% |
| DMV - Dealer Tag - Conduent | 2 | .16% |
| DMV No Hit - Conduent | 20 | 1.61% |
| DMV No Hit - Conduent | 222 | 17.83% |
| Expired-PD - PD | 1 | .08% |

3/22/2022 11:28:31 AM | Print by: stan.scott | Page 1 of 54

Conduent Business Intelligence



Conduent's Offered Services and Experience

Ticket Processing

- Violations Processing
- Payment Processing
- Print and Mail Services
- Post Issuance Collections
- Court Scheduling and Interfacing
- Customer Service – In Person, Telephone, Automated ChatBot

Program Management

- Full Service Maintenance
- Complete Program Management
- Operator Staffing
- Public Awareness and Education
- Data Analytics



Success Cases

Success Cases

| Improvement Results - Maryland | |
|---|--|
| Over 7 Million citations have been issued since program inception | 7 out of every 100 drivers were exceeding the posted limit by 12 MPH or more |
| 90% reduction in vehicles exceeding the posted limit by 12 MPH or more, as of FY 2020 | 1 out of every 100 drivers received a citation in 2020 |

Denver Statistics

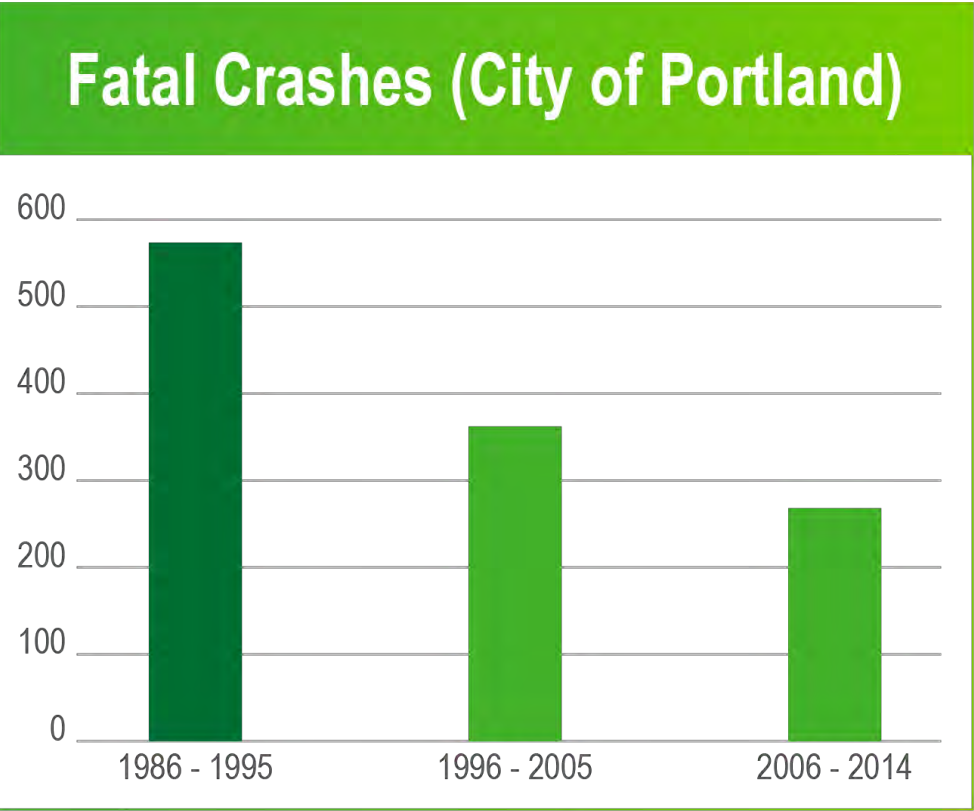
The presence of the the van for five consecutive days resulted in a


21% reduction in excessive speeding

(vehicles traveling 10+ MPH over the posted speed limit).

Benefits Gained

Benefits Gained



-  Proven reduction in crashes
-  Improved allocation of resources
-  Safe and impartial enforcement
-  Revenue positive outcomes

Dana Dickman, Safety Section Manager for PBOT: “Speed safety cameras have reduced top-end speeding (more than 10 mph above the speed limit) by 94%. Furthermore, the cameras have reduced all speeding by 71% on those corridors.”

Q&A



The proprietary contents of this presentation are intended solely for use in the procurement process and may not be disclosed except to persons who are involved in the evaluation of the proposal or award of the contract. The contents may not be duplicated, used, or disclosed in whole or in part for any purpose except the procurement process. Release of Conduent proprietary, confidential, and trade secret information would place Conduent at a serious and irreparable competitive disadvantage in future procurements by providing competitors with information that Conduent maintains strictly confidential and which is unavailable to any third-party except under restrictions contained in a nondisclosure agreement or protections that cover this information under applicable law. If a third-party makes a request for disclosure of any of the contents of this proposal, you are requested to notify Conduent immediately so that Conduent will have an opportunity to provide assistance in protecting the proprietary contents of this proposal from unauthorized disclosure.

RESOLUTION NO. R2022- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF IMPLEMENTING A PHOTO SPEED ENFORCEMENT PILOT PROGRAM

WHEREAS, the Aurora Police Department and the city of Aurora have received numerous citizen complaints related to speeding and dangerous driving in the city and in residential neighborhoods and;

WHEREAS, in Aurora, there has been a 54% increase in traffic fatalities from 2019-2021 and this trend is continuing in 2022 and;

WHEREAS, the Aurora Police Department is experiencing staffing shortages along with a general increase in crime and;

WHEREAS, there are photo speed enforcement technologies such as those presented by Conduent Incorporated available to assist the city and police monitor speed in residential areas and school zones and automatically issue citations for speeding violations and;

WHEREAS, currently under A.M.C. 134-451, a sworn officer is required to review any automatically generated tickets before it is issued and;

WHEREAS, other cities in the metro area currently use similar technology to assist with speed enforcement and;

WHEREAS, staff is seeking direction from Council based on the presentation by Conduent Incorporated and the Aurora Police Department at the Public Safety Committee on April 14, 2022 as to whether Council supports the implementation of a pilot photo speed enforcement program in the city.

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

Section 1. The Aurora City Council directs city staff and the Aurora Police Department to engage in a formal RFP process to develop a one-year pilot photo speed enforcement program in the city.

RESOLVED AND PASSED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Megan Platt ^{RLA}

Megan Platt, Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Grant Application for a Bureau of Reclamation for the North Campus Radial Collector Well. |
| Item Initiator: Melissa Toering, Business System Analyst II, Aurora Water |
| Staff Source/Legal Source: Jo Ann Giddings, Deputy Director of Business Services, Aurora Water / Rachel Allen, Manager of Client Services, City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated. |

COUNCIL MEETING DATES:

Study Session: NA

Regular Meeting: 7/11/2022

ITEM DETAILS:

Consideration of the City Council of the City of Aurora to APPROVE A RESOLUTION expressing the Aurora City Council's support of a Bureau of Reclamation grant for the North Campus Radial Collector Well – Drought Resiliency Initiative.

- No Waiver of reconsideration
- Jo Ann Giddings, Deputy Director of Business Services, Aurora Water / Rachel Allen, Manager of Client Services, City Attorney
- Sponsor: Council Member Angela Lawson
- No Outside Speaker
- 5 min. Presentation / 5 min. Discussion

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: NA

Action Taken/Follow-up: *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

N/A

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

Aurora Water is seeking a \$5 million grant from the Bureau of Reclamation’s WaterSMART drought resiliency program in support of the North Campus Radial Collector Well project. The project seeks to expand the Prairie Waters Project, which currently consists of 23 vertical wells along the South Platte River in Weld County. The current water yield from the wellfield is 8 to 10 million gallons per day (“MGD”). The radial well system would double the yield with each well producing 4 to 5 MGD.

The radial well system, which would be new to Colorado uses a series of horizontal wells built around a single large vertical collector well. The grant from the Bureau of Reclamation will allow Aurora Water to accelerate the construction of the 2nd radial well. The ability to access the water from the South Platte River basin allows Aurora to reuse its treated water and use its existing water rights to extinction. The investment also helps Aurora diversify its water portfolio and reduce any negative impacts from drought conditions in the Colorado and Arkansas River basin. The total duration of the project is roughly 36 months with completion expected in spring of 2026 with a Total Estimated Cost for the 2nd well at \$11,500,000.00

Aurora Water Portion: \$6,500,000.00

Bureau of Reclamation Portion: \$5,000,000.00

By seeking grant funding, Aurora Water will be able to significantly accelerate the planned expansion of the Prairie Water Project, increase water yield to meet growth needs and harden the system from future drought conditions.

Please note, support for the resolution does not bind Aurora Water to accept the funding should conditions change, or the federal requirements become onerous. The resolution allow staff to move forward with the submission of the grant application by June 15, 2022.

This resolution is a requirement for the grant award. This resolution must be approved and sent to the Bureau of Reclamation no later than July 14. Due to this timeline, Aurora Water is requesting this Resolution go directly to the regular Council meeting for approval.

QUESTIONS FOR COUNCIL

Does the City Council of the City of Aurora APPROVE A RESOLUTION expressing the Aurora City Council’s support of a Bureau of Reclamation grant for the North Campus Radial Collector Well – Drought Resiliency Initiative?

LEGAL COMMENTS

Council shall act only by ordinance, resolution or motion. All legislative enactments must be in the form of ordinances; all other actions, except as herein provided, may be in the form of resolutions or motions. (City Charter §5-1). (Allen)

PUBLIC FINANCIAL IMPACT

YES

NO

If yes, explain:

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A.

RESOLUTION NO. R2022- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT OF A BUREAU OF RECLAMATION GRANT FOR THE NORTH CAMPUS RADIAL COLLECTOR WELL – DROUGHT RESILIENCY INITIATIVE

WHEREAS, The City of Aurora and its Utility Enterprise, Aurora Water (“The City”) supports its WaterSMART Drought Response Program Drought Resiliency Project Grant application (“Application”) to the United States Bureau of Reclamation (“BOR”); and

WHEREAS, The grant will assist the City in constructing one of two radial collector wells at the North Campus Wellfield to increase the drought resiliency of the City’s water supply through the Department of the Interior, Bureau of Reclamation, Water Resources and Planning Office by authority of Section 9504(a) of the Secure Water Act, Subtitle F of Title IX of the Omnibus Public Land Management Act of 2009, Public Law (P.L.) 111-11 (42 United States Code (U.S.C.) 10364), as amended, and the Fish and Wildlife Coordination Act, 16 U.S.C. 661-666c, as delegated to Reclamation in Departmental Manual 255 DM 1.1B. to award funding through the WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2023; and

WHEREAS, The City of Aurora Water Department is seeking grant funding in the amount of \$5,000,000.00 with a non-federal fund match from the Water Fund to complete the North Campus Radial Collector Well - Drought Resiliency Initiative; and

WHEREAS, Aurora Water is seeking grant funding to build two radial well systems which will increase the overall water capacity by 8 to 10 MGD at the original Prairie Waters Project along a 1.5 mile stretch of the South Platte River that yields roughly 8 to 10 million gallons per day (“MGD”) of water capacity from 23 vertical wells; and

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

Section 1. City Council approves Aurora Water applying for a Bureau of Reclamation Grant for the North Campus Radial Collector Well – Drought Resilience Initiative between The City and BOR in a form not inconsistent with this Resolution.

Section 2. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

Section 3. This Resolution shall take effect immediately without reconsideration.

RESOLVED AND PASSED this ____ day of _____, 2022.

MIKE COFFMAN, Mayor


ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Rachel Allen

RACHEL ALLEN, Client Group Manager

Signature: 

Email: rallen@auroragov.org



North Campus Radial Collector Well Drought Resilience Initiative

Bureau of Reclamation
WaterSMART Drought Response Program Grant Application
Notice of Funding Opportunity No. R23A200005

June 15, 2022

Applicant:

Marshall P. Brown, General Manager
Aurora Water
City of Aurora, Colorado
15151 E. Alameda Parkway, Suite 3600
Aurora, CO 80012
mbrown@auroragov.org
(303) 739-7378

Project Manager:

Justin Montes
Project Manager
City of Aurora – Water
15151 E. Alameda Parkway
Aurora, CO 80012
jmontes@auroragov.org
(720) 859-4315

North Campus Radial Collector Well - Drought Resilience Initiative

Bureau of Reclamation
WaterSMART Drought Response Program Grant Application

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Aurora, CO 80012
mbrown@auroragov.org
(303)739.7378

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Justin Montes
Project Manager
City of Aurora - Water
15151 E. Alameda Parkway
Aurora, CO 80012
jmontes@auroragov.org
(720)859-4315

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Technical Proposal and Evaluation Criteria

This section presents the technical proposal and addresses the evaluation criteria for the proposed The North Campus Radial Collector Well - Drought Resilience Initiative Wellfield Expansion Project (Expansion Initiative).

Executive Summary

Project Summary

The City of Aurora Water Department (“Aurora Water”) is seeking grant funding to assist with the North Campus Radial Collector Well - Drought Resilience Initiative (“Initiative”). The City of Aurora, with a population of nearly 400,000 obtains water from several watersheds, reservoirs, and groundwater wells. Referred to as the Prairie Waters Project, it was originally constructed in 2010, is an innovative system to recapture and reuse water from the South Platte River Basin using a natural cleansing process and state of the art purification technology. The system reduces the impacts from drought conditions, offers a source of clean water to Aurora residents, and provides aquifer recharge to the River Basin. The project site currently includes 23 vertical groundwater wells along a 1.5 mile stretch of the South Platte River. These wells yield roughly 8 to 10 million gallons per day (“MGD”) of water capacity and has been a critical component to meeting our water needs in Aurora.

Aurora Water is seeking grant funding to build two additional radial well systems which will increase the overall water capacity by 8 to 10 MGD, doubling our current capacity and providing much needed additional water to our growing population and taking additional stress off existing water sources in the Colorado and Arkansas River basin. Notably, the well field will be included as part of the larger system of water recapture from upstream water treatment facilities and will increase water efficiency, water sustainability, and drought resiliency.

Time Frame

The expansion Initiative is currently at 60 percent design and will be ready for construction by March of 2023 subject to a competitive bidding process. Following the execution of the grant assistance agreement and the approval of the National Environmental Policy Act (NEPA) compliance, Aurora Water will incorporate the second radial well. The total duration of the project is roughly 36 months with completion expected in spring of 2026.

Applicant

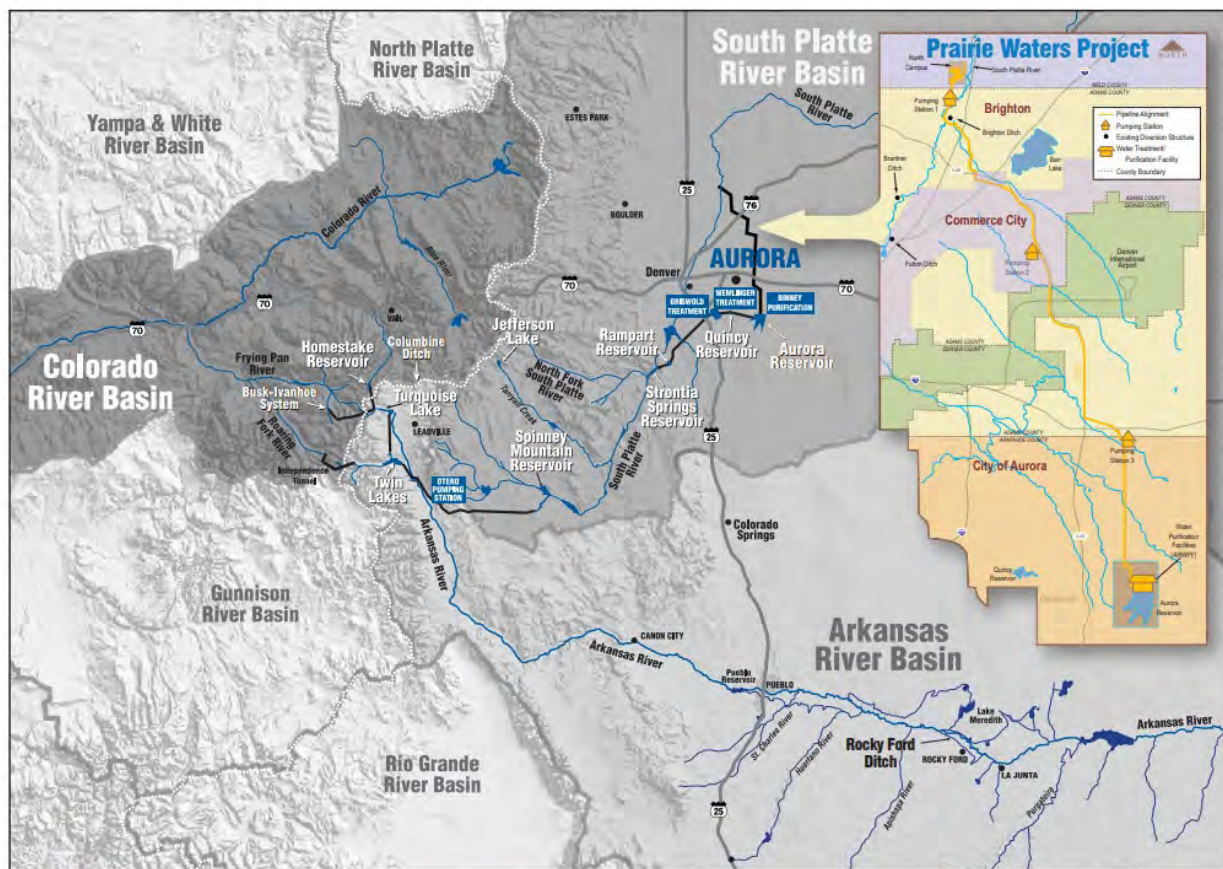
City of Aurora – Aurora Water
15151 E. Alameda Parkway
Aurora, CO 80012

Applicant Category

For purposes of the grant, City of Aurora is applying as a **Category A** applicant as local government organization with water delivery authority.

Project Location

Aurora is a home-rule city in the State of Colorado. Located mainly in Arapahoe County, Aurora's boundaries extend into both Adams, and Douglas counties. Aurora is 154 square miles located in the south-west portion of Colorado and is the 3rd largest city in the state. Under the U.S. Census, Aurora is located within the Denver-Aurora-Lakewood Metropolitan Statistical Area.



AURORA WATER ♦ Water Supply

— Aqueeducts, diversion tunnels, pipelines — Streams, canals, reservoirs
— Major roads, highways — Continental Divide

Technical Project Description

This section presents the technical aspects of the North Campus Radial Collector Well - Drought Resilience Initiative Wellfield Expansion project.

Background

The North Campus Radial Collector Well - Drought Resilience Initiative is a raw water collection and delivery system developed under the City's innovative Prairie Waters Project that was brought online in 2010. This state-of-the-art solution provided both a cost effective and sustainable way for the City to meet communities water needs in an arid location and was implemented after city staff realized that the City had a critical need for water sources following critical drought conditions. The Prairie Waters system was originally pilot tested in 2004, constructed started in 2007, and first water delivery was in 2010. The project system is currently yielding 10,000 Acre-feet of water per year with a maximum yield possible of 50,000 acre-feet of water per year. In general, the system works by capturing and delivering raw water from the alluvial well fields to a pretreatment and purification process and then pumping to the Binney Water Purification Facility.

The facility consists of two primary elements: the Riverbank Filtration (RBF) RBF Wellfield along the South Platte River and the nearby Aquifer Recharge and Recovery (ARR) sites. This project is a critical component of our Aurora Integrated Water Master Plan adopted in September 2017 and helps us provide water to our growing population along with providing sustainable and drought resilient water solutions to our community. Therefore, Aurora Water is proposing to expand the RBF system by building two radial well systems with the support of the federal grant dollars.

The process involves extracting alluvial water from the 23 vertical wells that are approximately 300 feet from the river using riverbank filtration (RBF), a natural purification process. The natural filtration removes nitrates and organic chemicals, then aquifer recharge provide time for travel and additional removal of chemicals with percolation through sand and gravel. The water is then pumped to three different pump stations and up almost 1000 feet through a series of treatments including chemical softening to reduce hardness, UV light to remove trace organics, and filtration to remove particulates and pathogens. Lastly, the water goes through a granular activated carbon treatment to improve taste, odor, and remove any trace organics. A process chart can be found on our [website](#). Once water is used, it is treated through our sanitary sewer process and injected back into the aquifer to go back through the treatment journey again.

Our treatment systems mean extra clean water that reduces and eliminates harmful chemicals and removes secondary drinking water contaminants that cause taste and odor issues. Our purification system was shown in a pilot study by CH2M HILL's treatment experts, independent scientists, Colorado School of Mines, the University of Colorado, and Colorado State University to significantly reduce organic carbons and nitrates and to be beneficial for the biological and sustainability of the river system ([UC Denver 2011](#)). This means that the process is not only good for Aurora residents health but river and ecological health.

The impacts of drought have far-reaching effects and new water resources are increasingly difficult to acquire and use. Therefore, this highly sustainable solution was built to expand with our population growth (greater than 20% since 2010 ([worldpopulationreview.com](#))). In addition, because we are using natural purification, we can recycle and reuse up to 95% of Aurora's Water and this natural filtration allows us to provide clean potable water to our residents.

The reason this works is that a majority of the City owned water rights are in the South Platte River Basin which allows use of the water to extinction. This means that each gallon of water used for washing and irrigation from homes and businesses is fully cleaned and returned to the South Platte River, where it is then recaptured through the Prairie Waters system. Also, any return flows that the City uses for irrigation via Aurora Water's Sand Creek Water Reclamation Facility and other treated water through the Metro Denver Wastewater facility are recaptured through the Prairie Waters System and recycled to extinction. In short, we are able to be recycled water over and over until it is completely gone, it does not have to be pushed downstream to other water users.

The Need

As part of a state water system that relies heavily on snow and rainfall from the mountains, the diversification of water sources is critical. Our mountain ranges continue to produce low snowpack and the reservoirs are not full to capacity (60% at the time of this report), making the Prairie Waters system a critical component to our water portfolio. While the vertical wells work as intended, the lack of uniform subsurface conditions in the sands and gravels near the river coupled with the ability to only screen along a portion of the shaft of the vertical well (10-15ft) as opposed to horizontally limit the capacity of this type of well.

Drought conditions have continued to cause wildfires in the mountains impacting the supply of water. In fact, many of the largest wildfires in Colorado history have occurred in the last few years. The wildfires continue to contaminate water with heavy metals, sediment, and volatile organics (like benzene). This occurrence has resulted in reduced

yields of potable water which are especially critical during drought years when wildfires occur. The City has implemented an aggressive Water Management Plan to help reduce water use during these low-yield periods and has had to declare State I, II, and III shortages over **X times over the past X years**. Ultimately, we know that it is critical to not only divert City resources to this expansion Initiative but also seek federal assistance in expanding our most sustainable source of water, the Prairie Waters system.

Aurora is a very diverse community located in three separate counties in Colorado. Our population of nearly 400,000 is comprised of 40% non-white residents. In addition, Aurora is considered the first in State for immigrant support and meets the definition in Section 1015 of the Cooperative Watershed Act as a community with a median household income that is less than 100 percent of the statewide annual median household income. This has significantly contributed to the population growth and means that it is important to provide a clean and sustainable water source to residents new to this country.

Therefore, our primary focus of the expansion Initiative is to increase the firm yield of the Aurora Water's water resource portfolio, especially in drought years, to achieve a higher standard of drought hardening, and protect water quality for our residents. Since completion of the initial project, the Aurora Water has dedicated resources to the Prairie Waters system to maximize operational advantages, to fully realize the value of existing assets and build drought resiliency. We have completed several studies with consultants and our local academic institutions and recently completed the *Prairie Waters System - North Campus Horizontal Well Pilot Project Phase 1 Horizontal Well Alternatives Analysis and Pilot Test Conceptual Design – January 2020*.

The study found that on average, each of the vertical wells produce 0.3 MGD as compared to 4 - 5 MGD from one radial collector well resulting in a recommendation to use radial collector wells to improve efficiency and to improve water quality. The radial collector well consists of horizontal wells that feed into the lateral well and increase area of collection across the aquifer. However, due to budget constraints the City has limited the scope to a single radial well. The use of the BOR grant would allow Aurora Water to build a two radial wells as envisioned by the study and provide increased water security to our community, essentially, we would double our current yield from the Prairie Waters System.

Project Details

As this expansion Initiative is a critical portion of our water portfolio, the project has been initially started and the project design and permitting are underway with the

intention of building a single radial well. The initial design was developed to include the cost of all materials, equipment, tools, labor, supplies, as well as site work to excavate and construct the well. The work also includes time to develop, and performance test the radial collector well.

Support from the BOR WaterSMART grant program would provide Aurora with the opportunity significantly accelerate its drought resiliency efforts and take advantage of construction efficiencies to build a second well. The wells would be configured nearly identically, and equipment will be standardized between the two wells to meet production requirements for a wide range of pressures and flows. The work for each radial collector well includes but is not limited to the following:

- Each radial well would include a 20-foot diameter concrete caisson to approximately 35-foot depth.
- Each well would also require horizontal drilling and installation of ten (10) radial screened laterals from the base of the concrete caisson into the optimum alluvial materials.
- Each of these laterals would be constructed with approximately 150 – 200 feet long stainless-steel pipe with a well screen, designed depending on the hydrogeology and geology.
- A pump station would be constructed vertically on top of the 20-foot diameter concrete caisson to both operate and protect the well. The pump station would be an approximately 2,500 square foot cement masonry unit and would be supported by twelve (12) drilled piers drilled down to bedrock.
- Each well would have four 100-Horsepower vertical turbine pumps installed along with the necessary electrical (three phase electrical services and emergency backup generator with 36hr day tank) and instrumentation equipment for operation and control of each pump station. The station would be connected to the City's existing Supervisory Control and Data Acquisition (SCADA) system.
- Yard piping will also be installed to tie into existing infrastructure and will be constructed of 24" to 36" diameter steel pipe. Yard piping will also include any other pipe appurtenances added to piping such as blow off valves, etc. and a passive cathodic protection system
- Site security will be design around each pump station including intrusion alarms.
- Well development and testing will be required, including an 8-hour step test and a 72-hour pump test.
- Civil/ Site improvements including earthwork, site access roads, perimeter fencing, yard piping, connection to existing systems, and buried electrical and communication conduits.

- Construction services including on-site coordination and inspection, attendance at weekly construction meetings, review of contractor shop drawings and requests for information, preparation of operations and maintenance manuals, and record drawings.

Aurora Water will also work with the Colorado Division of Water Resources, Colorado Department of Public Health and Environment, Weld County Colorado, and any other agencies to submit all of the required documentation and all permits per the regulatory requirements. Our team will also be required to contract with a Colorado Licensed and Certified, Colorado Division of Water Resources Water Well Driller and ensure the contractor provides OSHA Construction Safety certified Forman and an “Excavation Competent” staff.

Performance Measures

Aurora Water will require the contractor to conduct well development and testing will be required, including an 8-hour step test and a 72-hour pump test. Since this is an expansion of an existing system, operational wells will provide measures to compare and review. Pilot studies were completed prior to installation of existing wells and can also be used to help guide installation and design.

Once the installation of the new wells is complete, Aurora water will test the Radial Collector wells once operational. Performance will be measured by quantifying the volume of water collected and delivered from each of the two wells. As mentioned previously, estimates indicate an increase of 4 to 5 MGD for each of the two wells.

Evaluation Criteria

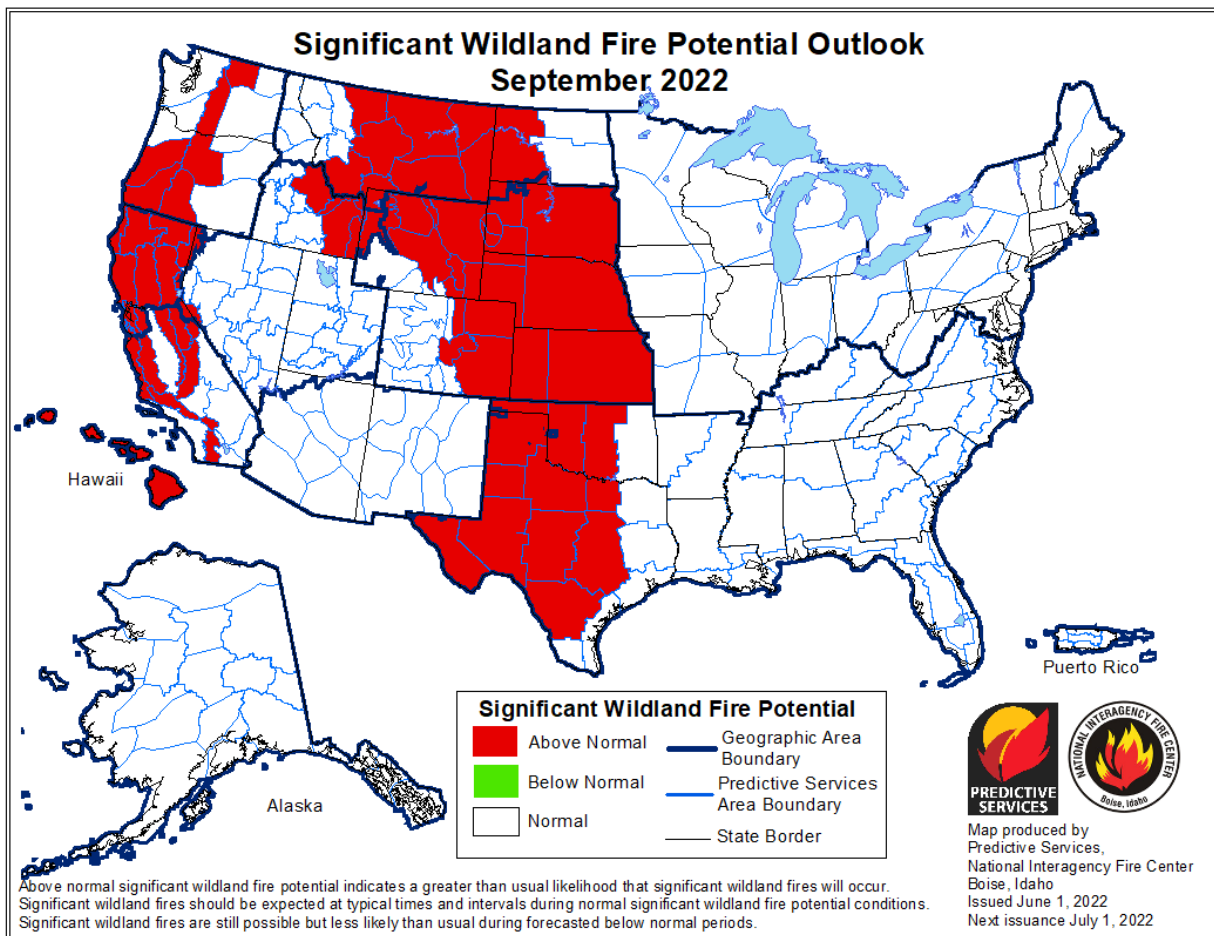
Evaluation Criterion A – Project Benefits (30 points)

How will the project build long-term resilience to drought? How many years will the project continue to provide benefits?

The Initiative will significantly improve Aurora Water’s resilience, sustainability, quality, and yields for water. It will also help to protect the community from both current and future drought events. Specifically:

- The Radial Well collectors will diversify Aurora Water’s existing water portfolio and reduce the dependency and need for water from the Colorado and Arkansas River Basin (heavily influenced by snowpack and rain), which has experienced severe drought conditions over the last two decades.

- The Radial Well collectors will provide security and drought resilience from mountain fire events that limit access to water resources and reduce water quality. According to the State of Colorado, Division of Fire Prevention and Control, four of the largest fires in the state’s history have occurred since 2018 and the area is considered above normal risk for significant wildfire potential (see map below)
- The Radial Well collectors will allow the Aurora Water to take advantage of existing water rights that are currently not being used due to the lack of additional water storage capacity at existing reservoirs.
- The Radial Well collects increase the ability of Aurora Water to use its water rights to extinction promoting greater indirect potable reuse.



Aurora water anticipates a 30-year lifespan for the radial well collectors with annual maintenance and upkeep as planned and budgeted by Aurora Water. The systems will be linked to the SCADA system to ensure 24/7 performance monitoring that includes a backup generator (with secondary containment protection) in the event of power loss.

Will the project make additional water supplies available?

Yes. Additional radial well system will increase the water supply by up to 10 MGD, which translates to roughly 10 percent increase to total system yield.

Further, Aurora Water helped create the Water Infrastructure Supply Efficiency partnership (“WISE”) in 2002. WISE is collaborative effort between the Denver Water and South Metro Water districts to share water excess water resources from the Prairie Waters project mainly during lower demand winter months. Through the collaborative effort under WISE, Aurora Water shares excess treated water to South Metro Water District which reduces their dependence on depleted groundwater resources. Additionally, Denver Water, another WISE partner can access the raw water during severe emergency or drought. This type of regional water sharing partnership reflects Aurora Water’s effort to support regional drought resiliency efforts.

If so, what is the estimated quantity of additional supply the project will provide and how was this estimate calculated? Provide this quantity in acre-feet per year as the average annual benefit over ten years (e.g., if the project captures flood flows in wet years, provide the average benefit over ten years including dry years).

The impact of the two new radial wells will provide roughly 11,201-acre feet of water annually and up to 112,014-acre feet over ten years. The estimate was calculated through a comprehensive engineering study commissioned by Aurora Water and completed in January of 2020 by Leonard Rice Engineering. The study recommended:

“.. LRE Team recommends a horizontal directionally drilled (HDD) well and radial collector well for pilot testing. We do not recommend angled wells or infiltration galleries because of higher unit cost/yield, construction challenges, and uncertainties.” (p. 23)

The relevant sections of the report are included in the appendix.

The study also developed a groundwater model to identify locations for the well to understand the relationship between the yield, proximity to the river and the hydraulic residence time. The model took into consideration historic water levels, existing geological conditions along with test wells to determine formulate the estimates..

What percentage of the total water supply does the additional water supply represent? How was this estimate calculated? Provide a qualitative description of the degree/significance of the benefits associated with the additional water supplies.

The Aurora Water system has a capacity of roughly 100 MGD and the supply from the new wells will increase capacity by 10 percent or 10 MGD. The investment will double the yield at the Prairie Waters system.

The radial well collector system also provides the opportunity to capture water rights that cannot currently be used due to storage limitations and increase water quality during drought years when wildfires are prevalent.

The new capacity from the two radial wells diversifies Aurora Water's raw water portfolio. This reduces the potential impacts with fire events that impact the Colorado and Arkansas River Basis supplies. In months with excess capacity, Aurora Water will be able to contribute additional water to the WISE regional partnership.

Will the project improve the management of water supplies? For example, will the project increase efficiency, increase operational flexibility, or facilitate water marketing (e.g., improve the ability to deliver water during drought or access other sources of supply)?

If so:

- How will the project increase efficiency or operational flexibility?*
- What is the estimated quantity of water that will be better managed as a result of this project? How was this estimate calculated? Provide this quantity in acre-feet per year as the average annual benefit over ten years (e.g., if the project captures flood flows in wet years, provide the average benefit over ten years including dry years).*
- What percentage of the total water supply does the water better managed represent? How was this estimate calculated?*
- Provide a qualitative description of the degree/significance of anticipated water management benefits.*
- Will the project make new information available to water managers? If so, what is that information and how will it improve water management?*

Yes. Aurora Water will be able to use existing infrastructure more efficiently and it will provide significant operational flexibility. Aurora Water has invested in both the transmission lines from the site and the Binney Water Treatment facility, which has excess capacity. The transmission line is 34 miles long and includes three pump stations. The original facility was built between 2007 and 2010 in excess of \$600 million. This means Aurora water do not need to build additional infrastructure to support this expansion.

Also, the radial well design, as a more efficient collection system, costs \$2.25 million per MGD as compared to a vertical well which costs \$5.5 million per MGD. Aurora Water's current water rights be used to extinction, which provides for an opportunity to reuse the water treated upstream at the Sand Creek Water Reclamation Facility and introduced back into the South Platte River Basis. The ability to recapture the water through the radial well system provide a substantial increase in drought resiliency.

While radial wells have been used successfully in other states, this will be the first of its kind in the state of Colorado. The use of the radial well system will help to inform other users on the operational efficiency and potential future use in Colorado.

Evaluation Criterion B – Drought Planning and Preparedness (20 points)

Provide a link to the applicable drought plan, and only attach relevant sections of the plan that are referenced in the application, as an appendix to your application. These pages will be included in the total page count for the application.

[South Platte Basin Implementation Plan](#)

[Aurora Water Management Plan](#)

Explain how the applicable plan addresses drought. Proposals that reference plans clearly intended to prepare for and address drought will receive more points under this criterion.

- *Does the drought plan contain drought focused elements including a system for drought monitoring, sector vulnerability assessments related to drought, prioritized mitigation actions, and response actions that correlate to different stages of drought?*
- *Explain whether the drought plan was developed with input from multiple stakeholders. Was the drought plan developed through a collaborative process?*
- *Does the drought plan include consideration of climate change impacts to water resources or drought?*

The [South Platte Basin Implementation plan](#) updated in January of 2022 is a collaborative effort initiated by the Colorado Water Conservation Board and is part of a larger effort that encompasses the eight watersheds in Colorado.

The Plan takes a holistic approach to the watershed that seeks to address all aspects of the water resource including water supply, water quality, existing constraints (mainly

existing water compacts and storage issues) as well as environmental and recreational needs. This approach addresses the need to get ahead of drought conditions by supporting conservation measures and other water projects that promote active reuse of water including the Prairie Waters facility.

A major recommendation from the plan is to:

Develop new, in-basin, multipurpose water storage and conveyance mechanisms, explore further integration of South Platte water supply systems to enhance yield and reliability, and develop methods to more effectively use groundwater. Encourage surface water and groundwater availability/hydrologic modeling to provide more detailed and reliable estimates of water availability. (South Platte Basin Implementation Plan, Recommendations Summary)

The Plan was developed by regional stakeholders that included water districts, the agricultural and recreation industry, elected officials, and other stakeholder groups. The focus is to promote collaboration between water users within the South Platte Basin and identifying goals, strategies and measurable outcomes that address current and future water needs in the region.

The plan acknowledges Climate Change as one of the major challenges facing the state and region. This includes taking into account the impacts from both drought and the prevalence of wildfires that negatively impact water supplies.

The Aurora Water Management Plan guides Aurora's local efforts to address drought conditions. The plan provides guidance on identifying drought conditions and empowers local leaders to take corrective actions including water restrictions and identifies water reduction goals based on the severity of the drought conditions.

Below is a chart that outlines the demand reduction recommendations based on drought conditions. Reductions include the restrictions on residential water, closing of car washes and other steps to reduce water demand.

| Water Availability Stage Conditions and Demand Reduction Recommendation | | | | |
|---|------------------------|----------------------|----------------------------|--------------------------------|
| Water Availability Stage | NORMAL | Stage I SEVERELY DRY | Stage II EXCEPTIONALLY DRY | Stage III EMERGENCY CONDITIONS |
| Trigger - Months of supply based on current demand | <i>Above 30 months</i> | <i>30-25 months</i> | <i>24-13</i> | <i>12 months or less</i> |
| Demand Reduction Goal (outdoor use only) | 0% | 20% | 50% | 100% |

Describe how your proposed drought resiliency project is supported by and existing drought plan.

- Does the drought plan identify the proposed project as a potential mitigation or response action?*
- Does the proposed project implement a goal or need identified in the drought plan?*
- How is the proposed project prioritized in the drought plan?*

The South Platte Basin Implementation plan acknowledges the Prairie Waters project as a regional achievement. The plan also recognizes and encourages efficiency improvements through water reclamation and recycling that will occur from the Initiative and the WISE collaborative partnership as an innovative response to regional water needs.

Specifically, the plan calls for the following goals:

- Goal #1 – Encourage Implementation of Projects
- Goal #4 – Maintain and Promote Reuse

In addition, the Prairie Waters project and the WISE program are called out under Goal #4 in part because the Initiative will expand the ability to capture reusable return flows in the South Platte River from Aurora’s Sand Creek Recycling Plant.

Evaluation Criterion C – Sustainability and Supplemental Benefits (15 points)

Climate Change: E.O. 14008 emphasizes the need to prioritize and take robust actions to reduce climate pollution, increase resilience to the impacts of climate change, protect public health, and conserve our lands, waters, oceans, and biodiversity. Examples in which proposed projects may contribute to climate change adaptation and resiliency, may include but are not limited to the following:

- *In addition to drought resiliency measures, does the proposed project include other natural hazard risk reductions for hazards such as wildfires or floods?*

By building additional capacity through the South Platte River Basin, the project will build resiliency from fire events that reduce water access and water quality. In recent years, the prevalence of fire events has increased substantially, which negatively impact existing sources of raw water.

- *Does the proposed project seek to reduce or mitigate climate pollutions such as air or water pollution?*

Yes. The biggest indirect benefit is the reduced need to source and transport water from sources on Colorado's western slope.

- *Does the proposed project have a conservation or management component that will promote healthy lands and soils or serve to protect water supplies and its associated uses?*

Indirectly, the Sand Creek and other treatment facilities replenish the river flow, which supports the natural habitat through the South Platte River basin.

Disadvantaged or Underserved Communities:

Aurora is a very diverse community. The population of nearly 400,000 is comprised of 40% non-white residents. In addition, Aurora is considered the first in state for immigrant and refugee support and the local workforce are comprised of almost 25% immigrants.

The City of Aurora meets the definition in Section 1015 of the Cooperative Watershed Act as a community with a median household income that is less than 100 percent of the statewide annual median household income. According to the most recent Census, Aurora has a median household income of \$66,723 as compared to the state of Colorado at \$75,231. (Source: US Census Bureau, American Community Survey).

Under the definition of low income or high and persistent poverty, 46 percent of the population is under 24 or 65 and older. In addition, 34 percent of the population earns less than \$50,000 per year and 10.5 percent of the population lives below poverty.

Aurora spans three counties over which our Median Housing value is \$322,200 which is less than the State at \$369,900. Approximately 46.1% of Aurora residents in renter-occupied units are paying gross rent that exceeds 35% or more of their income. Gross rent does not include additional housing costs such as utilities.

In addition, the City of Aurora has a demonstrated commitment to accepting and welcoming immigrants and refugees. Aurora has been ranked No. 1 overall in Colorado on the New American Economy Cities Index for its commitment to support its immigrant population. Aurora approved the “Immigrant Integration Plan,” that includes 12 stated goal areas including promoting healthy lifestyles and housing to the immigrant and refugee population.

Tribal Benefits

None.

Environmental Benefits

- *Increasing storage to augment stream flows during dry periods to protect endangered species*
- *Improving water quality or providing water for wildlife habitat areas*

Other Benefits

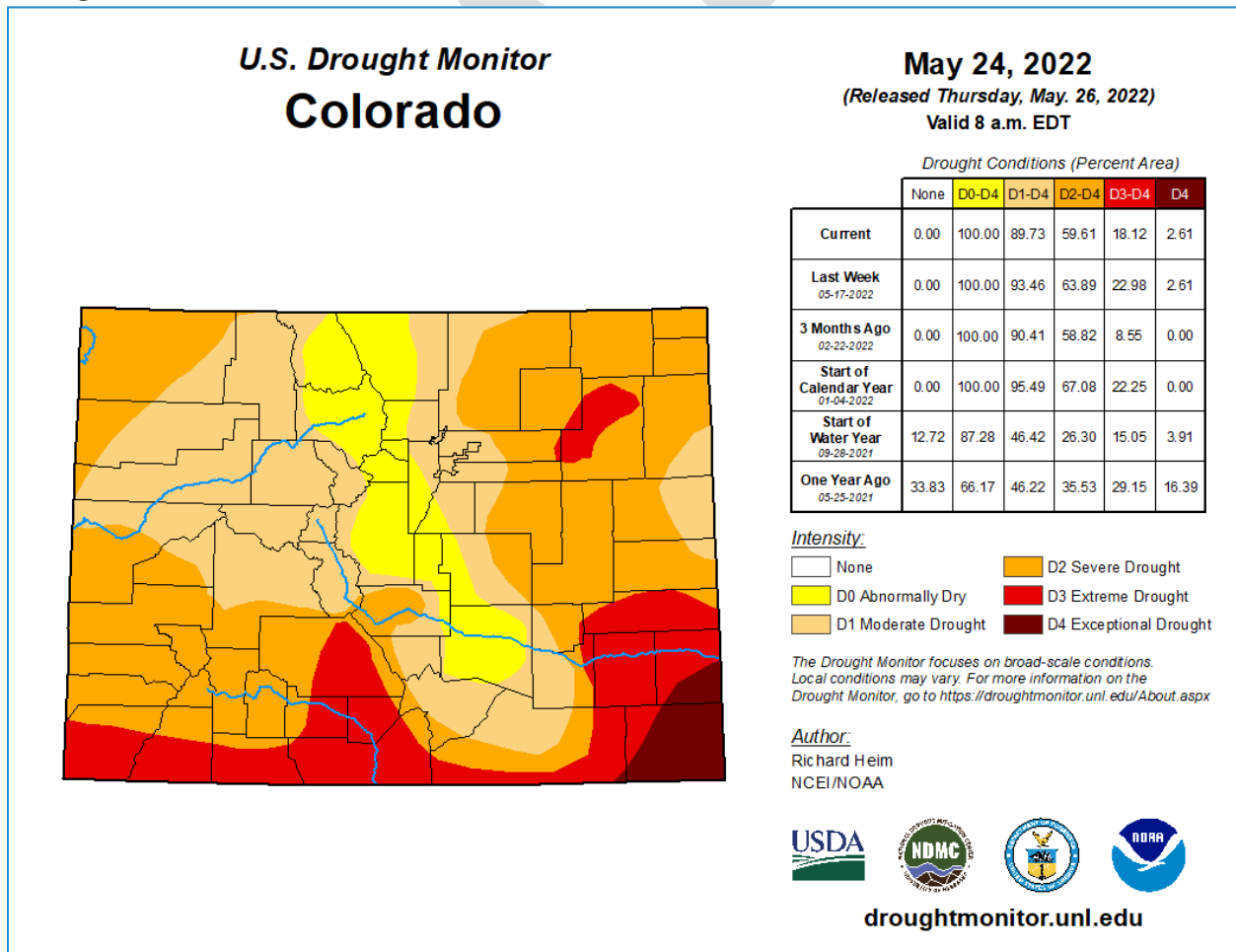
Yes. Aurora Water can use the water to extinction and take advantage of natural processes to maximize its water use.

Evaluation Criterion D—Severity of Actual or Potential Drought Impacts to be addressed by the Project (15 points)

What are the ongoing or potential drought impacts to specific sectors in the project area if no action is taken (e.g., impacts to agriculture, environment, hydropower, recreation and tourism, forestry), and how severe are those impacts? Impacts should be quantified and documented to the extent possible. For example, impacts could include, but are not limited to:

- Whether there are public health concerns or social concerns associated with current or potential drought conditions (e.g., water quality concerns including past or potential violations of drinking water standards, increased risk of wildfire, or past or potential shortages of drinking water supplies? Does the community have another water source available to them if their water service is interrupted?).
- Whether there are ongoing or potential environmental impacts (e.g., impacts to endangered, threatened or candidate species or habitat).
- Whether there are local or economic losses associated with current drought conditions that are ongoing, occurred in the past, or could occur in the future (e.g., business, agriculture, reduced real estate values).
- Whether there are other drought-related impacts not identified above (e.g., tensions over water that could result in a water-related crisis or conflict

Aurora serves over 400,000 residents in the growing Metro Denver region and is the third largest city in the state of Colorado. As of May 24, 2022, the region is currently experiencing drought conditions considered moderate to severe according to the U.S. Drought Monitor.



Aurora Water receives 50 percent of its water resources from the Colorado and Arkansas River basin, which have been prone to wildfire conditions and are experiencing additional severe drought conditions. According to the US drought monitor, “Since 2000, the Colorado River basin has been experiencing a historic, extended drought that has impacted regional water supply and other resources, such as hydropower, recreation, and ecological goods and services.”

Describe recent, existing, or potential drought conditions in the project area.

- *Is the project in an area that is currently suffering from drought, or which has recently suffered from drought? Please describe existing or recent drought conditions, including when and the period of time that the area has experienced drought conditions. Include information to describe the frequency, duration, and severity of current or recent droughts. Please provide supporting documentation, (e.g., Drought Monitor, droughtmonitor.unl.edu).*
- *Describe any projected increases to the severity or duration of drought in the project area resulting from changes to water supply availability and climate change. Provide support for your response (e.g., reference a recent climate informed analysis, if available).*

According to the most current drought monitor report, the City of Aurora (as indicated through Arapahoe County) is currently in Moderate Drought conditions with the outlook expected to continue. As recent as January of 2022, drought conditions were considered Extreme. Using Arapahoe County, which is where a majority of Aurora’s municipal boundaries lie, the entire county has been impacted by drought and April of 2022 was the driest on record.

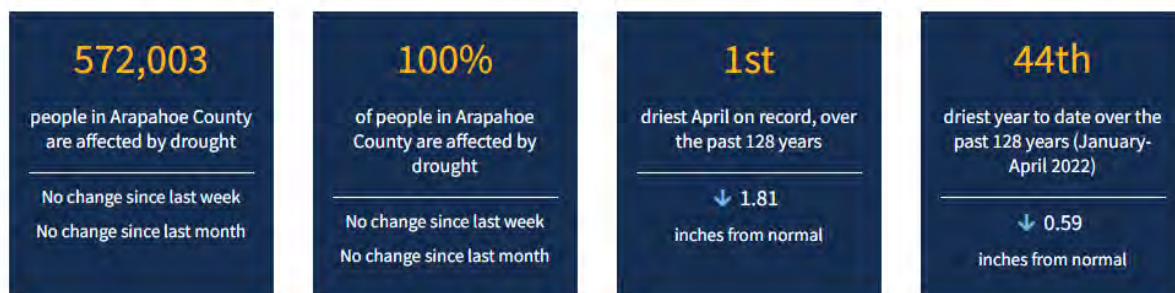
BY LOCATION | COUNTY

Drought Conditions for Arapahoe County

[Go To Colorado State Page](#)

Get notified when conditions change

[Sign Up for Alerts](#)



In 2021, lack of snowfall as winter progressed lead to Colorado’s front range

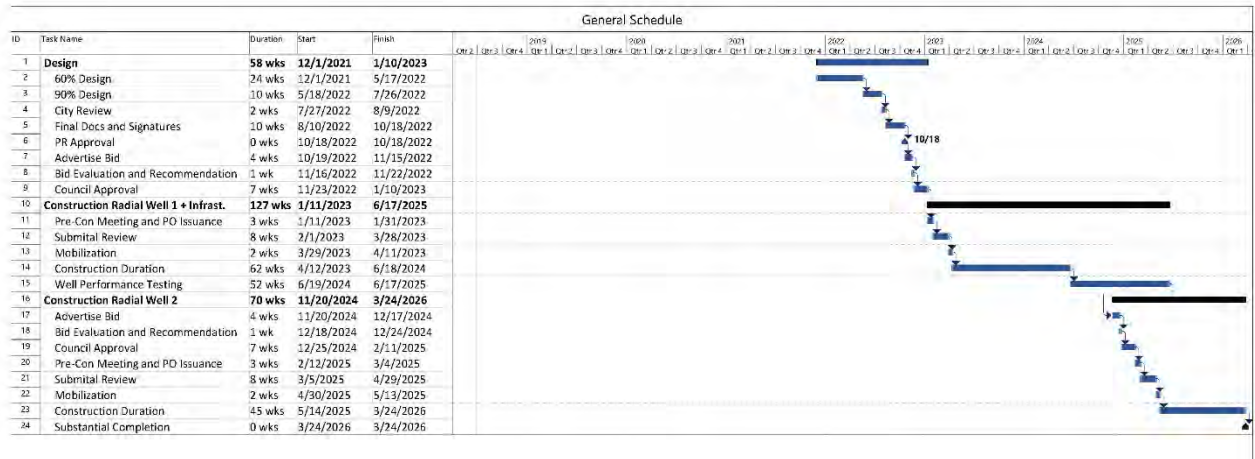
communities breaking records for the number of days without snow. On December 16th the National Weather Service reported that since July 1st, 2021, Denver area had been the warmest and driest since records began. Impacts of drought existed in the mountain regions as well where Aurora's water resources are the most plentiful. According to information from both the U.S. Department of the Interior and the National Oceanic and Atmospheric Administration, since 2000 the Upper Colorado River basin, where roughly 25% of the City's water originates, "has been experiencing an historic, extended drought that has impacted regional water supply."

Evaluation Criterion E—Project Implementation (10 points)

Applications that include a detailed project implementation plan (e.g., estimated project schedule that shows the stages and duration of the proposed work, including major tasks, milestones, and dates) will receive the most points under this criterion. Please also see Section C.3.3 regarding eligible lengths of projects for this NOFO.

- *Describe the implementation plan of the proposed project. Please include an estimated project schedule that shows the stages and duration of the proposed work, including major tasks, milestones, and dates. Milestones may include, but are not limited to, the following: design, environmental and cultural resources compliance, permitting, construction/installation.*
- *Describe any permits that will be required, along with the process for obtaining such permits.*
- *Identify and describe any engineering or design work performed specifically in support of the proposed project.*
- *Describe any new policies or administrative actions required to implement the project.*

The first radial well is at 60 percent design with 90 percent design expected by fall of 2022. Construction is estimated to begin in the first quarter of 2023. With approval of the grant and completion of the NEPA requirements, Aurora Water will initiate the final design for the second well and start the competitive bid process. We anticipate having most of the engineering work completed as part of first radial well.



The Initiative will require permits from Colorado Division of Water Resources, Colorado Department of Public Health and Environment, and Weld County Colorado, and submittal of all required documentation per the permit requirements. Aurora Water is required to contract with a well drilling contractor with Water Well Driller Colorado License from the Colorado Division of Water Resources and will need to ensure the contractor provides OSHA Construction Safety certified Forman and an “Excavation Competent” staff.

Aurora Water has engaged Carollo Engineers through a competitive bid process to assist with the engineering and design of the wells. After a study confirmed ideal subsurface conditions for placement, Carollo has been making strides towards the design and permitting requirements of these two radial collector wells. Design began in earnest in August 2021, was 30% complete in January 2022, and just reached 60% design in May 2022. We expect 90% design to be complete in August 2022. Carollo has subcontracted with LRE Engineering as the experts in geotechnical and water resource aspects of this project. The design includes:

- Site plans
- Tunneling methodologies for pipeline crossing
- Yard piping
- Civil design of pump stations
- Caisson/wet well design
- Radial pipeline locations and placement,
- All electrical including instruments and controls.

The Initiative will follow all purchasing and bidding requirements required by the City of Aurora and state of Colorado and managed by the Office of Purchasing Services. It is the stated mission of the Office of Purchasing Services to bring “best value” to the city of Aurora by acquiring quality goods, services and construction at a fair price through

contracts with commercial sources. The City also follows the Small Business Enterprise Program for contracts over \$250,000 that requires large businesses make a good faith effort to award no less than 10 percent of their subcontracting dollars to Small Business Enterprises and to document their effort. ([Small Business Enterprise Program](#))

Evaluation Criterion F—Nexus to Reclamation (10 points)

Describe the nexus between the proposed project and a Reclamation project or Reclamation activity. Please consider the following:

- *Does the applicant have a water service, repayment, or O&M contract with Reclamation?*
- *If the applicant is not a Reclamation contractor, does the applicant receive Reclamation water through a Reclamation contractor or by any other contractual means?*
- *Will the proposed work benefit a Reclamation project area or activity?*
- *Is the applicant a Tribe?*

Any relationship contract with BOR?

Project budget

Funding Plan and Letters of Commitment

The non-Federal share of the Project costs will be provided by the City of Aurora. The City will make its contribution to the cost share requirement through a monetary and in-kind contributions. The source of funding is the Aurora Water Fund, which is included in the City of Aurora’s approved Capital Budget. The Water Fund is an enterprise fund that provides for the acquisition, development and protection of water and water rights and the operation and maintenance of the water purification facilities and distribution system.

Budget proposal

The total project cost is **\$29,753,402**.

Table 1 – Total Project Cost Summary

| SOURCE | AMOUNT |
|---|--------------|
| Costs to be reimbursed with the requested federal funding | \$5,000,000 |
| Costs to be paid by the applicant | \$24,753,402 |

| | |
|------------------------------------|---------------------|
| Value of third-party contributions | \$0 |
| TOTAL PROJECT COST | \$29,753,402 |

Table 2 - Non-Federal and Federal Funding Sources Summary

| FUNDING SOURCES | AMOUNT |
|--|---------------------|
| Aurora Water Fund/Aurora Capital Budget | \$24,753,402 |
| REQUESTED RECLAMATION FUNDING | \$5,000,000 |

Table 3 – Detailed Budget Proposal

| BUDGET ITEM DESCRIPTION | | ESTIMATE |
|--------------------------------|-----------------------------------|-------------------|
| GENERAL CONDITIONS | Sitework and Demo | 1,507,920 |
| | Duration Equipment | 176,575 |
| | Sitework | 334,244 |
| | Yard Pipe | 1,535,764 |
| | Site Electrical | 512,067 |
| PUMP STATION (RCW -01) | Sitework and Demo | 122,959 |
| | Concrete | 3,498,607 |
| | Architectural | 300,654 |
| | Metals | 101,346 |
| | Process Equipment | 352,207 |
| | Process Pipe | 384,969 |
| | HVAC and Plumbing | 54,801 |
| | Electric/Instruments and Controls | 1,249,678 |
| PUMP STATION (RCW -02) | Sitework and Demo | 122,959 |
| | Concrete | 3,498,607 |
| | Architectural | 300,654 |
| | Metals | 101,346 |
| | Process Equipment | 352,207 |
| | Process Pipe | 384,969 |
| | HVAC and Plumbing | 54,801 |
| | Electric/Instruments and Controls | 1,249,551 |
| TUNNEL | Sitework and Demo | 5,306 |
| | Buried Pipe | 4,747,972 |
| Subtotal | | 20,950,163 |

| | | |
|---------------------------------|----------------------|-------------------|
| | | |
| Local Sales Tax | 5.6% | 287,386 |
| State Sales Tax | 2.9% | 148,825 |
| Escalation, Materials | 10.0% | 465,656 |
| Escalation, Labor | 3.5% | 93,743 |
| | Subtotal | 995,610 |
| | | |
| Builders Risk/General Liability | | 274,322 |
| General Contractor O&P | | 3,333,014 |
| Bonds | | 319,414 |
| Risk/Contingency (15%) | | 3,880,879 |
| | Subtotal | 7,807,629 |
| | | |
| | Project Total | 29,753,402 |

Budget Narrative

Aurora Water is proposing to build two radial wells as part of the Drought Resilience Initiative, with the second radial well being funded using Bureau of Reclamation funding. Initially, Aurora Water reduced the scope of the project to a single radial well based on available funding even though the preliminary engineering recommendations called for two radial wells based on available space and capacity.

The engineering plan indicates a potential total capacity of 32 MGD by the year 2035 with the possibility of expanding up to 50 MGD if additional land can be acquired for additional wells. With the opportunity for federal funding under the Bureau of Reclamation WaterSMART grant program, Aurora Water will be able to construct the second well resulting in an additional 5 MGD yield, which translates to roughly 5,600 acre feet annually.

Salaries and Wages

Aurora Water has designated Justin Montes as the project manager. Other key personal will include Melissa Toering as Grants Manager. Aurora Water maintains internal staff

for Capital Projects and is not seeking reimbursement for this expense through the grant funding, nor is it included in the project budget.

Travel

No travel costs are included in the budget.

Equipment

Equipment needs and cost will be subject to a competitive bid process but is expected to include four 100-Horsepower vertical turbine pumps.

Materials and Supplies

Materials will be purchased and provided by the contractor selected through a competitive bid process. Materials are expected to include concrete caissons, 24" to 36" diameter steel pipe, 2,500 square foot cement masonry unit, as well as security measures.

Contractual

Aurora Water will contract for the construction through a competitive bid process.

Construction

Aurora Water will initiate a competitive bid process and estimated costs include a contingency due to pricing volatility. The

Other Expenses

Due to ongoing pricing concerns, the project includes a 15 percent contingency and an escalation for future materials and labor costs.

Indirect Costs

Indirect costs are not included in the requested budget.

Total Costs

Included both wells, the total project cost is estimated at **\$29,753,402 million.**

Environmental and cultural resources compliance

Aurora Water will contract with a consultant to perform an Environmental and Cultural Resources survey for the project site. The following information will be updated with the results of the survey.

Will the proposed project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.

The project will involve earth-disturbing work that will involve digging two wells to a depth of 35 feet. Steps will be taken to minimize the impact of the work that may affect the air, water, or animal habitat in the project area. If weather conditions dictate that dust abatement is necessary during construction, dust suppression measures will be taken. Because the project is located on previously disturbed ground that is owned by Aurora Water, we anticipate minimal impact to the area.

Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?

No.

Are there wetlands or other surface waters inside the project boundaries that potentially fall under CWA jurisdiction as "Waters of the United States?" If so, please describe and estimate any impacts the proposed project may have.

No.

When was the water delivery system constructed?

The existing well network was built as part of the Prairie Waters project from 2007 through 2010.

Will the proposed project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.

No.

Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your

local Reclamation office or the State Historic Preservation Office can assist in answering this question.

No.

Are there any known archeological sites in the proposed project area?

No.

Will the proposed project have a disproportionately high and adverse effect on low income or minority populations?

No. The project site is not in proximity to any residential neighborhoods.

Will the proposed project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?

No.

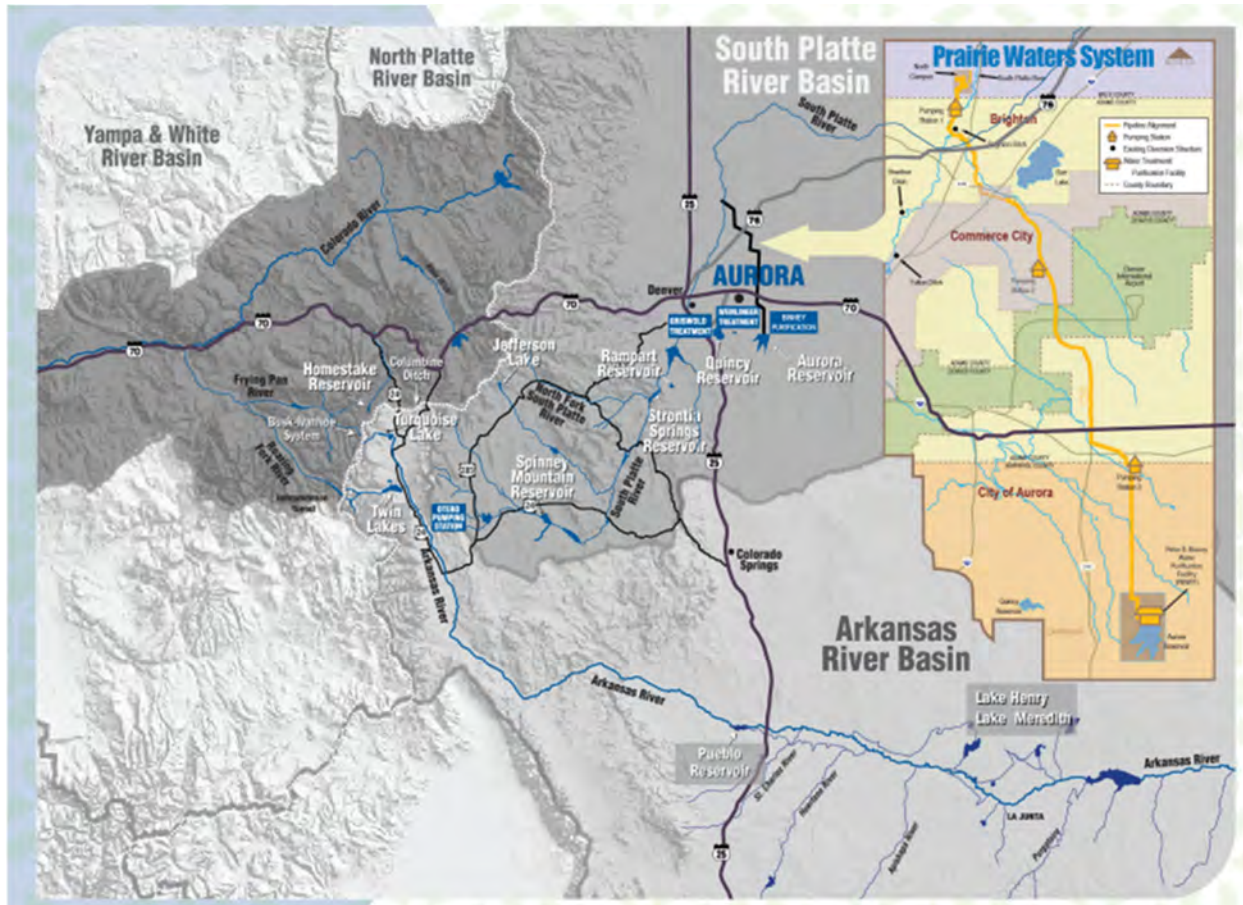
Will the proposed project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

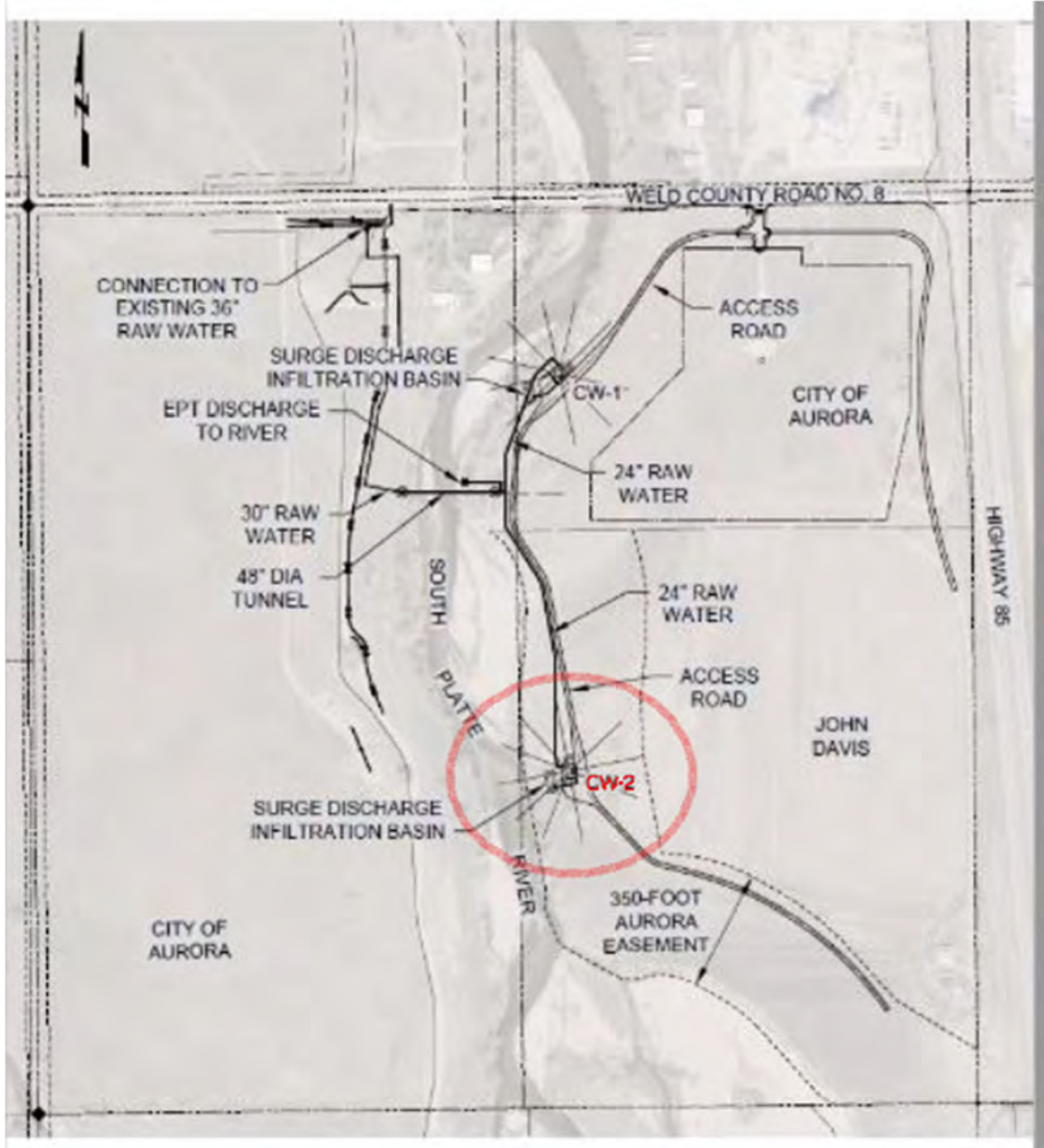
No. The site is actively maintained by Aurora Water and will continue to be maintained through the life of the project investment.

Required permits or approvals

See Appendix B from the LRE Study.

Relevant sections of existing drought contingency plan (if applicable)







CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: The Salvation Army Safe Outdoor Space Operational General Funds Agreement (Resolution) |
| Item Initiator: Jessica Prosser, Director of Housing and Community Services |
| Staff Source/Legal Source: Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 1.0--Assure a safe community for people |

COUNCIL MEETING DATES:

Study Session: 5/16/2022

Regular Meeting: 7/11/2022

ITEM DETAILS:

Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

On February 28, 2022 City Council passed A RESOLUTION EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO HAVE SUFFICIENT SHELTER OPTIONS FOR INDIVIDUALS AND FAMILIES IN AN UNAUTHORIZED CAMP. On May 16, 2022 during the Council Study Session Council asked staff to move forward with expanding the two current Safe Outdoor Space sites expanding shelter space with Pallet Shelters.

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

Since May 16, 2022, staff has been working with the current providers of the Safe Outdoor Space sites (SOS) to establish 30 additional Pallet shelters - 10 at Salvation Army and 20 at Restoration Christian Ministries. The additional shelters are planned to be installed in late July. The Salvation Army has been operating both sites and needs additional resources and staffing in order to increase capacity. This would include an additional 3 shelter staff and an additional case manager. The new agreement would go through December 31, 2022, so total additional operational costs are roughly \$600,000.

QUESTIONS FOR COUNCIL

Does Council wish to approve The Salvation Army Safe Outdoor Space Operational General Funds Agreement?

LEGAL COMMENTS

The City has all powers which are necessary, requisite, or proper for the government Colorado Constitution, Article XIV, Section 18, Subsection 2(c) permits the City to contract with private persons, associations, or corporations for the provision of any legally authorized function, service, or facility within or without its boundaries. and administration of its local and municipal matters. (City Charter, art. I, sec. 1-3). Council has the power to prevent and enforce good government, general welfare, order, and security of the City and its inhabitants. (City Charter, art. III, sec. 3-9). (TJoyce)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: \$600,000 are needed from General Funds.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

| | |
|---|--------------------|
| 8000 Professional Fees (1350) | \$1,107.66 |
| 0015-100-400-8009-01-0(Payroll Processing Fees | \$1,050.00 |
| 0015-100-400-8010-00-0(Other Professional Fees | \$57.66 |
| 8100 Supplies (1380) | \$92,631.89 |
| 0015-100-400-8103-01-0(Adult Program Supplies | \$11,995.31 |
| 0015-100-400-8106-01-0(Office Supplies | \$515.88 |
| 0015-100-400-8110-00-0(Kitchen & Dining Room Supplies | \$808.26 |
| 0015-100-400-8111-00-0(Miscellaneous Supplies (Flowers etc) | \$79.44 |
| 0015-100-400-8119-00-0(Purchased Meals - Central Kitchen | \$79,233.00 |
| 8200 Telecommunications (1440) | \$90.62 |
| 0015-100-400-8204-00-0(Cellular Telephones | \$90.62 |
| 8400 Occupancy (1500) | \$10,614.32 |
| 0015-100-400-8403-02-0(General Liability | \$9,294.32 |
| 0015-100-400-8413-00-0(Janitorial Supplies | \$1,320.00 |
| 8500 Equipment/Furnishings (1530) | \$44,067.64 |
| 0015-100-400-8501-00-0(Equipment - Rental & Leases | \$10,668.69 |
| 0015-100-400-8503-02-0(Furnishings & Equipment- Purchased | \$33,354.06 |
| 0015-100-400-8515-00-0(Computer Equipment Puchases | \$44.89 |
| 8600 Printing and Publications (1560) | \$238.30 |
| 0015-100-400-8608-00-0(Advertising & Public Information Charges | \$238.30 |
| 8700 Transportation/Meals (1590) | \$379.65 |
| 0015-100-400-8701-00-0(Local Meals | \$46.71 |
| 0015-100-400-8702-00-0(S.A. Vehicle - Operating Costs | \$332.94 |
| 8800 Conf/Councils/Special Meetings (1620) | \$1,180.62 |
| 0015-100-400-8804-00-0(Meeting - Food & Beverage Cost | \$180.62 |
| 0015-100-400-8806-00-0(Councils, Conferences & Institutes | \$1,000.00 |
| 8900 Specific Assistance To Individuals (1650) | \$542.97 |
| 0015-100-400-8906-05-0(Financial. Assist. - Reg. - Clothing | \$56.99 |
| 0015-100-400-8906-16-0(Finl Assist - Reg. - Other | \$485.98 |
| 89x9 GIK Specific Assistance To Individuals (1710) | \$11,975.00 |
| 0015-100-400-8909-01-0(Finl Assist - GIK - Food | \$656.00 |

| | |
|---|------------|
| 0015-100-400-8909-05-0(Finl Assist - GIK - Clothing | \$2,550.00 |
| 0015-100-400-8909-16-0(Finl Assist - GIK - Miscellaneous | \$7,395.00 |
| 0015-100-400-8919-01-0(Finl Assist - GIK - Seas.- Food | \$1,374.00 |

9400 Miscellaneous Expense (1830)

\$2,095.19

| | |
|--|------------|
| 0015-100-400-9470-00-0(Sexual Misconduct Assessment | \$2,095.19 |
|--|------------|

969? Indirect/Agency Support Service (1950)

\$42,572.87

| | |
|--|-------------|
| 0015-100-400-9692-00-0(Support Service to DHQ | \$42,572.87 |
|--|-------------|

\$2,900.00
 \$ 2,700.00
\$200.00

\$261,600.00
\$20,000.00
\$6,000.00
\$1,000.00
\$1,000.00
\$233,600.00

\$1,000.00
\$1,000.00

\$28,950.16
 \$ 27,950.16
\$1,000.00

\$22,000.00
\$10,000.00
\$10,000.00
\$2,000.00

\$500.00
\$500.00

\$2,000.00
\$2,000.00

\$3,500.00
\$1,000.00
\$2,500.00

\$2,000.00
\$1,000.00
\$1,000.00

\$0.00

| | |
|-----------------|-----------------------|
| Site costs: | \$459,619.07 |
| Staffing RCM | \$ 1,1 |
| Staffing Peoria | \$ 1,0 |
| TOTAL RCM: | \$1,594,841.70 |
| TOTAL Peoria: | \$1,534,751.47 |

\$3,466,775.17

337182



\$ **\$5,168.91**
5,168.91

\$130,000.00
\$130,000.00

Location:

Aurora SOS - 100-400

2023 Staffing Table

The Salvation Army - Intermountain Division

| Shelby Account Number | Position | Full Name | Next Anniversary Date (Raise Date) | Hourly or Salaried | Weeks per Year | UltiPro 4/27/2022 | | | | Benefit Costs | | | Rates and Assessments Costs | | | | Total Cost | | |
|--|--------------------------|------------------------------|------------------------------------|--------------------|----------------|--|----------------|---------------------------|----------------------|----------------------|---------------------|---------------------|-----------------------------|----------------------------|------------------------|------------------------|------------------|---------------------------|------|
| | | | | | | Current Wage | Hours per Week | Planned Sal/Wage per Hour | Gross Wages | Medical 7103 | Retirement 7104 | FICA 7201 | Worker's Comp 7203 | General Liability 8403-102 | Sexual Misconduct 9470 | UltiPro Fee Month 8009 | | Aurora Head Tax 7002/7003 | |
| Aurora SOS-Warehouse Location - 100-400 | | | | | | THQ Rates - Hard Coding Amounts | | | | 5.0% | \$811 | 10.000% | 7.650% | 3.170% | 4.115% | 0.761% | \$ 15.00 | \$ 2.00 | |
| 100-402-7002-00-000 | Assistant Director DMSS | McAdams, Matt | 10/01/2022 | Salaried | 52.0000 | 40.0000 | 10.0000 | \$ 42.00 | \$ 21,840.00 | \$ - | \$ 2,184.00 | \$ 1,670.76 | \$ 692.33 | \$ 898.72 | \$ 166.20 | \$ 180.00 | \$ 24.00 | \$ 27,656.01 | |
| 100-400-7003-00-000 | NCS Director | Vacant | 10/01/2022 | Salaried | 52.0000 | 32.4000 | 20.0000 | \$ 34.02 | \$ 35,380.80 | \$ - | \$ 3,538.08 | \$ 2,706.63 | \$ 1,121.57 | \$ 1,455.92 | \$ 269.25 | \$ 180.00 | \$ 24.00 | \$ 44,676.25 | |
| 100-402-7002-00-000 | Program Manager | Foote, Austin W. | 10/01/2022 | Salaried | 52.0000 | 27.0010 | 40.0000 | \$ 28.35 | \$ 58,970.18 | \$ 9,732.00 | \$ 5,897.02 | \$ 4,511.22 | \$ 1,869.35 | \$ 2,426.62 | \$ 448.76 | \$ 180.00 | \$ 24.00 | \$ 84,059.16 | |
| 100-400-7003-00-000 | Case Manager | Cisco, Thomas W. | 10/01/2022 | Hourly | 52.0000 | 22.0000 | 40.0000 | \$ 23.10 | \$ 48,048.00 | \$ 9,732.00 | \$ 4,804.80 | \$ 3,675.67 | \$ 1,523.12 | \$ 1,977.18 | \$ 365.65 | \$ 180.00 | \$ 24.00 | \$ 70,330.41 | |
| 100-400-7003-00-000 | Case Manager | Vallejos, Andrew L. | 10/01/2022 | Hourly | 52.0000 | 22.0000 | 40.0000 | \$ 23.10 | \$ 48,048.00 | \$ 9,732.00 | \$ 4,804.80 | \$ 3,675.67 | \$ 1,523.12 | \$ 1,977.18 | \$ 365.65 | \$ 180.00 | \$ 24.00 | \$ 70,330.41 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Ho, Phuong | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Horton, Toni K. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Parrack, James A. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Smith, Timothy J. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Gonzalez-Stubber, Phillip J. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Carter, Savieno C. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Florez, Nicole | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Hill, Tyrone T. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| | | | | | | | | | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | |
| | | | | | | | | | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Aurora SOS-Warehouse Location - 100-400 Totals: | | | | | | | | | \$ 736,446.98 | \$ 145,980.00 | \$ 73,644.70 | \$ 56,338.19 | \$ 23,345.37 | \$ 30,304.79 | \$ 5,604.36 | \$ 3,060.00 | \$ 408.00 | ##### | |
| WAGE SPLITS | | % SPLIT | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | |
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Location:

Aurora SOS - 100-400

2023 Staffing Table

The Salvation Army - Intermountain Division

| Shelby Account Number | Position | Full Name | Next Anniversary Date (Raise Date) | Hourly or Salaried | Weeks per Year | UltiPro 4/27/2022 | | | | Benefit Costs | | | Rates and Assessments Costs | | | | Total Cost | | |
|--|--------------------------|-----------------------------|------------------------------------|--------------------|----------------|--|----------------|---------------------------|----------------------|---------------------|---------------------|---------------------|-----------------------------|----------------------------|------------------------|------------------------|------------------|---------------------------|--|
| | | | | | | Current Wage | Hours per Week | Planned Sal/Wage per Hour | Gross Wages | Medical 7103 | Retirement 7104 | FICA 7201 | Worker's Comp 7203 | General Liability 8403-102 | Sexual Misconduct 9470 | UltiPro Fee Month 8009 | | Aurora Head Tax 7002/7003 | |
| | | | | | | THQ Rates - Hard Coding Amounts | | | | 5.0% | \$811 | 10.000% | 7.650% | 3.170% | 4.115% | 0.761% | \$ 15.00 | \$ 2.00 | |
| Aurora SOS-Warehouse Location - 100-400 | | | | | | | | | | | | | | | | | | | |
| 100-402-7002-00-000 | Program Manager | Fuller, Emily | 10/01/2022 | Salaried | 52.0000 | 26.0000 | 40.0000 | \$ 27.30 | \$ 56,784.00 | \$ 9,732.00 | \$ 5,678.40 | \$ 4,343.98 | \$ 1,800.05 | \$ 2,336.66 | \$ 432.13 | \$ 180.00 | \$ 24.00 | \$ 81,311.22 | |
| 100-400-7003-00-000 | Case Manager | Vacant | 10/01/2022 | Hourly | 52.0000 | 22.0000 | 40.0000 | \$ 23.10 | \$ 48,048.00 | \$ 9,732.00 | \$ 4,804.80 | \$ 3,675.67 | \$ 1,523.12 | \$ 1,977.18 | \$ 365.65 | \$ 180.00 | \$ 24.00 | \$ 70,330.41 | |
| 100-400-7003-00-000 | Case Manager | Vacant | 10/01/2022 | Hourly | 52.0000 | 22.0000 | 40.0000 | \$ 23.10 | \$ 48,048.00 | \$ 9,732.00 | \$ 4,804.80 | \$ 3,675.67 | \$ 1,523.12 | \$ 1,977.18 | \$ 365.65 | \$ 180.00 | \$ 24.00 | \$ 70,330.41 | |
| 100-400-7003-00-000 | Case Manager | Vallejos, Andrew L. | 10/01/2022 | Hourly | 52.0000 | 22.0000 | 40.0000 | \$ 23.10 | \$ 48,048.00 | \$ 9,732.00 | \$ 4,804.80 | \$ 3,675.67 | \$ 1,523.12 | \$ 1,977.18 | \$ 365.65 | \$ 180.00 | \$ 24.00 | \$ 70,330.41 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Ho, Phuong | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Horton, Toni K. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Parrack, James A. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Smith, Timothy J. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Gonzalez-Stuber, Phillip J. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Carter, Savieno C. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Florez, Nicole | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Hill, Tyrone T. | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| 100-400-7003-00-000 | Emergency Shelter Worker | Vacant | 10/01/2022 | Hourly | 52.0000 | 20.0000 | 40.0000 | \$ 21.00 | \$ 43,680.00 | \$ 9,732.00 | \$ 4,368.00 | \$ 3,341.52 | \$ 1,384.66 | \$ 1,797.43 | \$ 332.40 | \$ 180.00 | \$ 24.00 | \$ 64,840.01 | |
| | | | | | | | | | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | | |
| | | | | | | | | | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | |
| | | | | | | | | | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | | |
| Aurora SOS-Warehouse Location - 100-400 Totals: | | | | | | | | | \$ 768,768.00 | \$165,444.00 | \$ 76,876.80 | \$ 58,810.75 | \$24,369.95 | \$31,634.80 | \$ 5,850.32 | \$ 3,060.00 | \$ 408.00 | ##### | |
| WAGE SPLITS | | % SPLIT | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | WAGE SPLITS | | | |
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2022 GENERAL FUND FUNDING AGREEMENT
BETWEEN THE CITY OF AURORA, COLORADO, AND
THE SALVATION ARMY
FOR OPERATIONS OF THE AURORA SAFE OUTDOOR SPACES
AT SALVATION ARMY WAREHOUSE
AND AT RESTORATION CHRISTIAN MINISTRIES

This Agreement (the “Agreement”) is made and entered into by and between the City of Aurora, Colorado, (the “City”) located at 15151 E. Alameda Parkway, Aurora, Colorado 80012, and The Salvation Army – Aurora Corps / Intermountain Division, whose principal office street address is 805 Quari Court, Aurora, Colorado 80011 (the “Service Provider”). Individually referred to as a “Party,” collectively referred to as the “Parties.”

AGREEMENT

NOW THEREFORE, the City and the Service Provider hereby agree as follows:

1. Amount of City Funds. The City agrees to provide Service Provider, or successor in interest, with no more than \$600,000.00 in General Funds (“City Funds”) for services contemplated by this Agreement. Any City Funds not spent/disbursed by the Service Provider by December 31, 2022 will be returned to the City and remain in the possession of the City.

2. Term of Agreement and Time Period for Use of City Funds. The term will begin upon the execution of this Agreement and will end on December 31, 2022. This Agreement may not be renewed.

3. Compensation and Disbursement of funds.

A. The compensation to be paid Service Provider under this Agreement, as provided hereinafter, is intended to cover the entire cost of the professional services under this Agreement. The initial compensation of this Agreement shall not exceed six hundred thousand dollars and 00/100 (\$600,000.00) as more fully set forth in this Agreement. Service Provider agrees to cooperate fully with the City to keep the total compensation within this limit.

B. This Agreement is subject to annual appropriation by the Aurora City Council, and, in the absence of appropriated funds, the City may terminate this Agreement. The City has appropriated the money for this Agreement at least equal to the foregoing compensation for this work. The City may, from time to time and in its sole discretion, appropriate additional amounts to reflect extensions of this Agreement beyond the close of December 31, 2022 and additional and/or continuing scope(s) of work. Notwithstanding any other language in this Agreement, City shall issue no Change Order or other form of order or directive requiring additional compensable work that will cause the foregoing annual compensation to exceed the amount appropriated unless City gives Service Provider written assurance that City has made lawful appropriations to cover the costs of the additional work.

C. Nothing in this Agreement is a pledge of the City's credit, or a payment guarantee by the City to Service Provider. The obligation of the City to make payments hereunder shall constitute a currently budgeted expense of the City, and nothing contained herein shall constitute a mandatory liability, charge, or requirement of or against the City in any ensuing fiscal year beyond the then current fiscal year. This Agreement shall never constitute a general obligation or other indebtedness of the City, or a multiple fiscal year direct or indirect debt or other financial obligation whatsoever of the City within the meaning of the Constitution and laws of the State of Colorado or of the Charter and ordinances of the City. In the event of a default by the City of any of its obligations under this Agreement, the Contractor shall have no recourse against any revenues of the City. Notwithstanding any language herein to the contrary, nothing in this Agreement shall be construed as creating a lien against any revenues of the City.

D. Service Provider shall submit monthly invoices to be approved by the City's Homelessness Division Manager. Service Provider shall submit its monthly invoices no later than close of business on the fourteenth (14th) calendar day of the month after which the work was performed; provided, however, that if that day falls on a weekend or holiday, then monthly invoices shall be submitted no later than close of business on the next regular business day of the month. Upon submission of an approved Service Provider invoice, in the proper form, to the City, payment shall be issued. It is to be understood and agreed that the City may require up to thirty (30) days to process payment after date of receipt of invoicing.

4. Use of City Funds. Service Provider agrees that these funds shall be used to fund and support the services described in its Scope of Work which is attached to this Agreement as Exhibit A.

5. Interest Earned on City Funds. Service Provider agrees to use any interest earned on City Funds only to provide services consistent with the provisions and intent of this Agreement.

6. Administration and Implementation. Service Provider shall be responsible for the direct supervision, administration, and implementation of its Service Plan. The City shall not be liable or responsible for any cost overruns or have any duty or obligation to provide any additional funding to Service Provider if its Service Plan cannot be implemented with the amount of funds awarded by the City to Service Provider.

7. Site Visits. Upon 24 hours written notice to Service Provider, Service Provider agrees to allow the City to make site visits during the term of this Agreement.

8. Acknowledgement of City by the Service Provider. Service Provider agrees to acknowledge the City as a contributor in all publications, news releases and other publicity issued by Service Provider related to Service Provider's Service Plan and agrees to allow the City to do the same. Service Provider shall cooperate with the City in preparing public information pieces.

9. Record Keeping Requirements. Service Provider shall maintain a complete set of books and records documenting its use of the City Funds and its reporting requirements. The

City, or any of its duly authorized representatives, shall have reasonable access to any books, documents, papers, and records of Service Provider which are required by this Agreement and relevant to this Agreement for the purpose of making an audit or examination Service Provider's activities. Service Provider shall keep all books, documents, papers, and records which are pertinent to this Agreement for a minimum of three (3) years following its termination.

10. Termination of this Agreement.

a. Termination Due to Loss of Funding. The Parties hereto expressly recognize that Service Provider is to be paid, reimbursed, or otherwise compensated with City Funds provided by the City for the purpose of contracting for the services provided for consistent with the provisions and intent of this Agreement, therefore, Service Provider expressly understands and agrees that all its rights, demands and claims to compensation arising under this Agreement are contingent upon receipt of such funds from the City. Notwithstanding any other provision of this Agreement, the City's obligations under this Agreement are subject to annual appropriations by the City Council of the City. Any failure of a City Council to annually appropriate adequate monies to finance the City's obligation under this Agreement shall terminate this Agreement at such time as such then-existing appropriations are to be depleted. Notice shall be given promptly to the Service Provider of any failure to appropriate such adequate monies. This Agreement does not guarantee to Service Provider any additional or future monies except as expressly authorized herein.

b. Termination for Cause. If, through any reason, Service Provider fails or refuses to:

- (i) Provide any and all of the services described in the Scope of Work, **Exhibit A**, in a timely, lawful, and proper manner;
- (ii) Use the City Funds in accordance with the terms and conditions of this Agreement and its Scope of Work;
- (iii) Complete the work in accordance with all applicable laws and codes; or
- (iv) Submit the reports, books and records as required or if requested by the City.

Then Service Provider shall be in default under this Agreement and the City shall have the right to terminate this Agreement for cause, an event of default.

c. Event of Default. Service Provider shall be given written notice by the City's Homelessness Program Director, or other City representative, specifying the nature of the default and requesting Service Provider to correct the violation within thirty (30) days from the date of such notice (the "Cure Period"). In the event of a default by Service Provider the City, in its sole discretion, may cease making any payments of City Funds pursuant to this Agreement until such time the default specified in the written notice is remedied to the City's satisfaction.

Notwithstanding the above, Service Provider shall not be relieved of liability to the City for any damages sustained by the City by virtue of any default or breach of the Agreement by Service Provider, and the City may withhold any payments to Service Provider for the purpose of setoff until such time as the exact amount of damages due the City from Service Provider is determined.

d. Termination for Convenience.

(i) **Change in City Policy.** The City may terminate this Agreement at any time upon thirty (30) days' notice specifying the date thereof, provided Service Provider shall be compensated in accordance with this Agreement for all work performed up to the effective date of termination.

(ii) The City's total liability for termination of this Agreement shall not exceed the lesser of total amount of this Agreement or the total amount of funds which have been appropriated specifically for this Agreement.

(iii) Service Provider shall be entitled to reasonable incurred costs for terminating its activities under this Agreement, including those of its subcontractors, if this Agreement is terminated for the City's convenience, provided however, in no event shall the City's total liability to Service Provider exceed the total amount of funds which have been appropriated for this Agreement.

e. Effect of Termination.

(i) **Termination Costs.** After receipt of written notification that this Agreement has been terminated under this section, Service Provider shall incur no further costs other than reasonable termination costs associated with current activities.

(ii) **Ownership of Work Product.** In the event of termination, all finished and unfinished program deliverables prepared by Service Provider pursuant to this Agreement shall become the sole property of the City, provided Service Provider is compensated in accordance with this Agreement for all work performed in accordance with this Agreement up to the effective date of termination. Service Provider shall not be liable with respect to the City's subsequent use of any incomplete work product, provided Service Provider has notified the City in writing of the incomplete status of such work product.

(iii) **City's Right to Set-Off and other Remedies.** Termination shall not relieve Service Provider from liability to the City for damages sustained as the result of Service Provider's breach of this Agreement; and the City may withhold funds otherwise due under this Agreement in lieu of such damages, until such time as the exact amount of damages, if any, has been determined.

(iv) If this Agreement terminated for cause as provided in this section and it is subsequently determined that the City's termination of this Agreement for cause was improper, then the termination for cause shall be considered to be a termination for convenience and the procedures in this section related to a termination for convenience shall apply.

11. Remedies. Should Service Provider fail, for any reason, to cure an Event of Default within the Cure Period, the City shall have the right to terminate this Agreement forthwith and demand reimbursement from the Service Provider of: (i) all City Funds advanced under this Agreement that were expended by Service Provider in violation of this Agreement, which amount shall be determined on a pro-rata basis as of the date upon which such Event of Default is deemed to have first occurred; and (ii) any City Funds remaining unexpended and in

the possession of Service Provider as of the date of such termination. In addition, Service Provider shall be ineligible for any future City Funds unless and until such time as it is able to demonstrate to the satisfaction of the City that it has in place the personnel, facilities, and financial support necessary to provide the services as required by the City. The rights and remedies of the City as set forth in this Agreement shall not be exclusive and are in addition to any other rights or remedies provided by law.

12. Changes to the Scope of Work Service Provider agrees and understands that its Scope of Work may not be changed without the City's prior written approval. Any such changes shall be requested in writing and may not take effect until an amendment to this Agreement has been approved by both Parties.

13. No Waiver of Rights. A waiver by either Party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either Party.

14. Assignment. The qualifications of Service Provider are of particular importance to the City. It is because of those qualifications that the City has entered into this Agreement with Service Provider. Accordingly, Service Provider understands and agrees that this Agreement is not assignable by Service Provider or transferable by operation of law or otherwise without the prior written approval of the City.

15. Relationship of the Parties. Service Provider shall perform all duties and obligations under this Agreement as an independent contractor and shall not be deemed by virtue of this Agreement to have entered into any partnership, joint venture, employer/employee, or other relationship with the City.

16. No Third-Party Beneficiaries. Nothing in this Agreement shall give or allow any claim or right of action whatsoever by any third party, including, but not limited to, any agents or contractors of the Service Provider.

17. Severability. Should any one or more provisions of this Agreement be determined to be, illegal or unenforceable, all other provisions nevertheless shall remain effective; provided, however, the parties shall forthwith enter into good faith negotiations and proceed with due diligence to draft a provision that will achieve the original intent of the parties hereunder.

18. Amendments in Writing. Either Party is authorized to propose amendments to this Agreement. No amendment or modification shall be made to this Agreement unless it is in writing, agreed to by both Parties, and signed by both Parties

19. Insurance and Indemnification. Service Provider agrees and understands that they are to maintain and keep in force the appropriate insurance policies as specified in **Exhibit B**. Service Provider shall be responsible for any injury to persons or damage to property arising from negligent or otherwise wrongful acts, errors and omissions of Service Provider, its agents and employees in providing any goods and services contemplated by this Agreement. Service

Provider shall indemnify, defend and hold harmless the City, its elected and appointed officials, employees, agents and representatives from and against all claims, damages, liabilities, losses, and expenses, direct, indirect or consequential arising out of or resulting from the services contemplated in the Agreement.

20. Nondiscrimination. Service Provider shall not discriminate against any individual, employee, applicant for employment, or in its provision of services, on the basis of race, color, national origin, ancestry, age, sex (including gender identity, gender expression, sexual orientation, and pregnancy), religion, creed, or physical or mental disability.

21. Notices. Notices, as referred to in this Agreement, shall be sent to:

City:

City of Aurora, Colorado
Attn: Homelessness Program Manager
15151 East Alameda Parkway
Aurora, Colorado 80012

Service Provider:

The Salvation Army, Aurora Corp
Intermountain Division
Attn: Kristin Baluyot, Denver Metro Social Service Director
805 Quari Court
Aurora, Colorado 80011

22. Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado.

23. Extent of Agreement. This Agreement constitutes the entire agreement of the Parties hereto. This Agreement supersedes any former Agreement. The Parties agree that there have been no representations made regarding the subject matter hereof other than those, if any, contained herein, that this Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof, and further agree that the various promises and covenants contained herein are mutually agreed upon and are in consideration of one another.

24. Attorney Fees. If litigation is commenced by either Party concerning this Agreement, the prevailing Party shall be entitled to recover its reasonable attorney's fees and costs from the other Party.

25. Counterparts. This Agreement may be executed in multiple counterparts, each of which will be deemed to be an original and all of which taken together will constitute one and the same agreement.

26. Incorporation of Exhibits. Unless otherwise stated in this Agreement, any exhibits, applications, resolutions, or other documents referenced in this Agreement shall be incorporated by reference into this Agreement for all purposes.

27. Section Headings. The headings for any section of this Agreement are only for the convenience and reference of the parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.

28. Signatures. The signatories to this Agreement represent that they are fully authorized to execute this Agreement and bind their respective entities.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the City and the Service Provider have executed this Agreement as of the day and year first written above.

CITY: CITY OF AURORA, COLORADO

Roberto Venegas, Deputy City Manager

Jessica Prosser, Director of Housing and Community Services

RISK MANAGEMENT

Renee Pettinato Mosley

APPROVED AS TO FORM:



Tim Joyce, Assistant City Attorney

SERVICE PROVIDER: THE SALVATION ARMY, a California Corporation

Kristin Baluyot, Denver Metro Social Service Director

In Addition to Agreement:

Exhibit A
2022 General Funds
Scope of Work
The Salvation Army

Exhibit B
Insurance Requirements

Exhibit A
SCOPE OF WORK

Specific Program Activities

1. Pallet Shelter Use

A. Population to be Served

- a. People experiencing street homelessness whose campsite has been abated by the City of Aurora

B. Length of Stay and Terms

- a. People referred to the safe outdoor spaces from camp abatements, may stay between 14 and 30 days
- b. While staying in the Pallet shelters, residents must agree to engage in case management services
- c. Residents must also agree to abide by all SOS rules

C. Client Intake, Needs/Risk Assessment and Housing Plan Development

- a. Subrecipient is required to perform a client intake, needs/risk assessment in order to determine a housing plan.
- b. Navigator will conduct Needs/Risk Assessment, goal setting and monthly home visits are required.

D. Number of Households to be Served

- a. A maximum of 60 households can be served at one time, at most 2 individuals per unit. 20 at the Peoria St Site and 40 at the RCM Site.

E. All program participants must be entered into HMIS data system & VI-SPDAT completed if none exist or older than 2 years.

a).

2. Staffing Costs

A. Salary and Fringe Benefits

- a. Salary for 3 FTE Shelter Workers
- b. Salary for 1 FTE Case Manager
- c. Fringe Benefits for Case Manager and Shelter Workers
- d. Salary for 10 Hours Weekly of Assistance Director DMSS
- e. Salary for 20 Hours Weekly of NCS Director

b).

3. Operational Costs

A. Supplies

- a. Adult Program supplies
- b. Office supplies
- c. Kitchen/dining
- d. Rental/services
- e. Purchased Meals
- f. Telecoms

- g. Equipment/furnishings
- h. Computers
- i. Misc.
 - i. Sexual Misconduct Assessment

B. Direct Financial Assistance

- a. Vital Document Assistance
- b. Clothing/work related items

Exhibit B
INSURANCE REQUIREMENTS

The Contractor providing services under this agreement will be required to procure and maintain, at its own expense and without cost to the City of Aurora, until final acceptance by the City of all work covered by the Purchase Order or contract the following types of insurance. The policy limits required are to be considered minimum amounts:

Commercial General Liability Insurance. The Contractor shall maintain commercial general liability insurance covering all operations by or on behalf of the Contractor on a per occurrence basis against claims for bodily injury (including death) and property damage (including loss of use) and products and completed operations coverage for a period of one (1) year after completion of the Work. Coverage will include personal injury liability with employee and contractual exclusions deleted and a Waiver of Subrogation. The City, its elected and appointed officials, employees, agents and representatives shall be named as Additional Insureds by endorsement.

Minimum limits:

\$1,000,000 each occurrence

\$2,000,000 general aggregate

\$2,000,000 products and completed operations

Commercial Automobile Liability Insurance. The Contractor shall maintain commercial automobile insurance covering liability arising out of the operation of any vehicle (including owned, non-owned and hired vehicles) with minimum limits of \$1,000,000 combined single limit each accident.

Workers' Compensation and Employers Liability Insurance. The Contractor shall maintain Worker's Compensation Insurance with limits in accordance with the provisions of the Workers' Compensation Act, as amended, by the State of Colorado. Additionally, the Contractor shall maintain Employers' Liability Insurance with minimum limits of \$1,000,000 bodily injury for each accident, \$1,000,000 bodily injury by disease each employee and \$1,000,000 bodily injury disease aggregate.

Umbrella/Excess Liability Insurance. Contractor will maintain an Umbrella/Excess Liability insurance policy on an occurrence basis in excess of the general liability coverage specified above, with minimum limits of \$2,000,000 per occurrence. The coverage shall be as broad as the underlying general liability policy set forth above. The City, its elected and appointed officials, employees, agents, and representatives shall be named as Additional Insureds by endorsement.

Subcontractor's Insurance. It shall be the responsibility of the vendor/contractor to ensure that subcontractors maintain:

- a. Commercial General Liability insurance with minimum limits of \$1,000,000 per occurrence, \$2,000,000 general aggregate and shall name the City of Aurora as an additional insured; and
- b. Worker's Compensation Insurance with limits in accordance with the provisions of the Workers' Compensation Act, as amended, by the State of Colorado and;
- c. Employers Liability Insurance with minimum limits of \$500,000 bodily injury for each accident, \$500,000 bodily injury by disease each employee and \$500,000 bodily injury disease aggregate.

The Contractor is responsible for verifying that the subcontractor's insurance is in effect prior to commencement of work and throughout the time that the subcontractor performs work on the project. Any subcontractor who ceases to provide insurance coverage as set forth above must be removed from the project until such time that insurance coverage can be verified as in full force and effect.

Limits of Insurance. The total limits of general and excess liability insurance set forth above may be provided to the City using a combination of primary and excess liability insurance.

Additional Insured. The Contractor shall name the City of Aurora, its elected and appointed officials, employees, agents and representatives as additional insureds by endorsement for the Commercial General Liability, Auto Liability and Excess Liability insurance policies and the certificate of insurance will include this specific language along with a copy of the endorsement.

Certificates of Insurance. Upon the execution of this Agreement, the Contractor shall provide certificates of insurance to the City of Aurora demonstrating that the minimum coverages required herein are in effect. Contractor agrees that the required coverages will not be reduced, canceled, non-renewed or materially changed without Thirty (30) days prior written notice to the City. All certificates of insurance must be kept in force throughout the duration of the services. If any of Contractor's or its subcontractor's coverage is renewed at any time prior to completion of the services, the Contractor shall be responsible for obtaining updated insurance certificates for itself and such subcontractors from the respective insurance carriers and forwarding the replacement certificates to the City within five (5) days of the expiration date of any previously delivered certificate.

The minimum A.M. Best rating of each primary insurer shall be A- X and the minimum A.M. Best rating of each excess insurer shall be A- VIII. The Contractor shall provide copies of insurance policies to the City Risk Manager upon request.

Any of the minimum limits of insurance set out herein may be raised or lowered at the sole discretion of the Risk Manager for the City of Aurora in response to the particular circumstances giving rise to the contract.

Insurance Primary Not Contributory. The Contractor's policies will be primary and non-contributory with respect to any and all insurance policies purchased by the City.

Self-Insurance/Deductible. If the Contractor has any self-insured retentions or deductibles under any of the required policies, the Contractor must reflect these amounts on the Certificate(s) of Insurance. If requested, the Contractor will provide satisfactory evidence of financial responsibility for such obligations. In any event, Contractor will be solely responsible for any self-insured retentions deductibles.

RESOLUTION NO. R2022-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, TO FUND THE SALVATION ARMY WITH
GENERAL FUNDS FOR THEM TO OPERATE PALLET SHELTERS
AT THE RESTORATION CHRISTIAN MINISTRIES SAFE OUTDOOR
SPACE TO PROVIDE A SHELTER OPTIONS FOR THE HOMELESS

WHEREAS, The Salvation Army – Aurora Corps/Intermountain Division (“The Salvation Army”) operates a Safe Outdoor Space program; and

WHEREAS, the City’s Homelessness Division desires to provide more shelter options in the form of pallet shelters for the homeless; and

WHEREAS, The Salvation Army will operate a pallet shelter Safe Outdoor Space to provide services to the Homeless; and

WHEREAS, the City finds and determines that it is in the best interests of its citizens to enter into this funding agreement to provide The Salvation Army with no more than \$600,000.00 in General Funds for them to operate the pallet shelters at the Safe Outdoor Space at Restoration Christian Ministries to provide a safe shelter option for the homeless.

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

Section 1. The City Council approves making a General Fund commitment of no more than \$600,000.00 to The Salvation Army for them to operate the pallet shelters at the Restoration Christian Ministries Safe Outdoor Space to provide a safe shelter option for the homeless.

Section 2. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this ____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Tim Joyce gk
TIM JOYCE, Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: The Salvation Army Safe Outdoor Space Construction General Funds Agreement |
| Item Initiator: Jessica Prosser, Director of Housing and Community Services |
| Staff Source/Legal Source: Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 1.0--Assure a safe community for people |

COUNCIL MEETING DATES:

Study Session: 5/16/2022

Regular Meeting: 7/11/2022

ITEM DETAILS:

Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

On February 28, 2022, City Council passed A RESOLUTION EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO HAVE SUFFICIENT SHELTER OPTIONS FOR INDIVIDUALS AND FAMILIES IN AN UNAUTHORIZED CAMP. On May 16, 2022 during the Council Study Session, Council asked staff to move forward with expanding the two current Safe Outdoor Space sites expanding shelter space with Pallet Shelters.

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

Since May 16, 2022, staff has been working with the current providers of the Safe Outdoor Space sites (SOS) to establish 30 additional Pallet shelters - 10 at Salvation Army and 20 at Restoration Christian Ministries. The additional shelters are planned to be installed in late July. The Salvation Army has been operating both sites and needs additional resources and staffing in order to increase capacity. This would include an additional 3 shelter staff and an additional case manager. The new agreement would go through December 31, 2022, so total additional operational costs are roughly \$600,000.

QUESTIONS FOR COUNCIL

Does Council wish to approve The Salvation Army Safe Outdoor Space Construction General Funds Agreement?

LEGAL COMMENTS

The City has all powers which are necessary, requisite, or proper for the government Colorado Constitution, Article XIV, Section 18, Subsection 2(c) permits the City to contract with private persons, associations, or corporations for the provision of any legally authorized function, service, or facility within or without its boundaries. and administration of its local and municipal matters. (City Charter, art. I, sec. 1-3). Council has the power to prevent and enforce good government, general welfare, order, and security of the City and its inhabitants. (City Charter, art. III, sec. 3-9). (TJoyce)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: \$250,000 of General Funds is needed.

PRIVATE FISCAL IMPACT

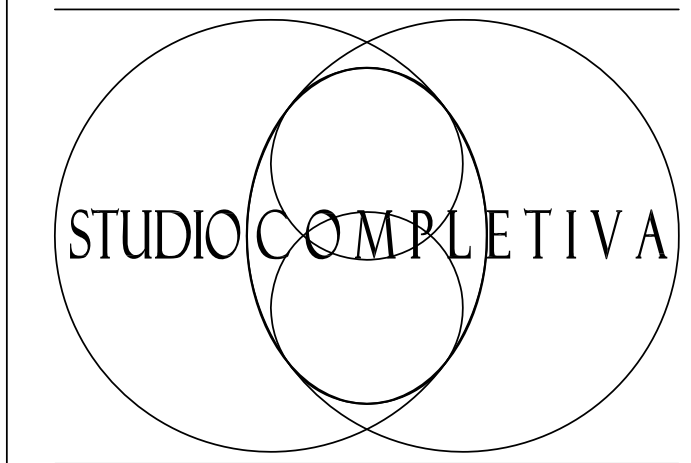
Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

THE SALVATION ARMY
EDS WAREHOUSE

11701 EAST 33RD AVENUE
AURORA, CO. 80010

1370 PENNSYLVANIA AVE.
DENVER, CO. 80203
PHONE: 303-861-4833



ARCHITECT/LANDSCAPE:
STUDIO COMPLETIVA
3275 WEST 14TH AVENUE, SUITE 201
DENVER, CO. 80204
PHONE: 303-477-9156
FAX: 720-440-8152

CIVIL:
WILSON & COMPANY
1675 BROADWAY, SUITE 200
DENVER, CO. 80202
PHONE: 303-297-2976
FAX: 303-297-2693

STRUCTURAL:
ESE
3300 LARIMER STREET
DENVER, CO. 80205
PHONE: 720-904-1234
FAX: 720-904-5678

MECHANICAL/PLUMBING/ELECTRICAL:
DMCE
5737 WEST 6TH AVENUE
LAKEWOOD, CO. 80214
PHONE: 303-421-3208
FAX: 303-421-3209

CODE:
COLORADO CODE
CONSULTING
4610 S. ULSTER ST. STE. 150
DENVER, CO. 80237
PHONE: 303-400-6564

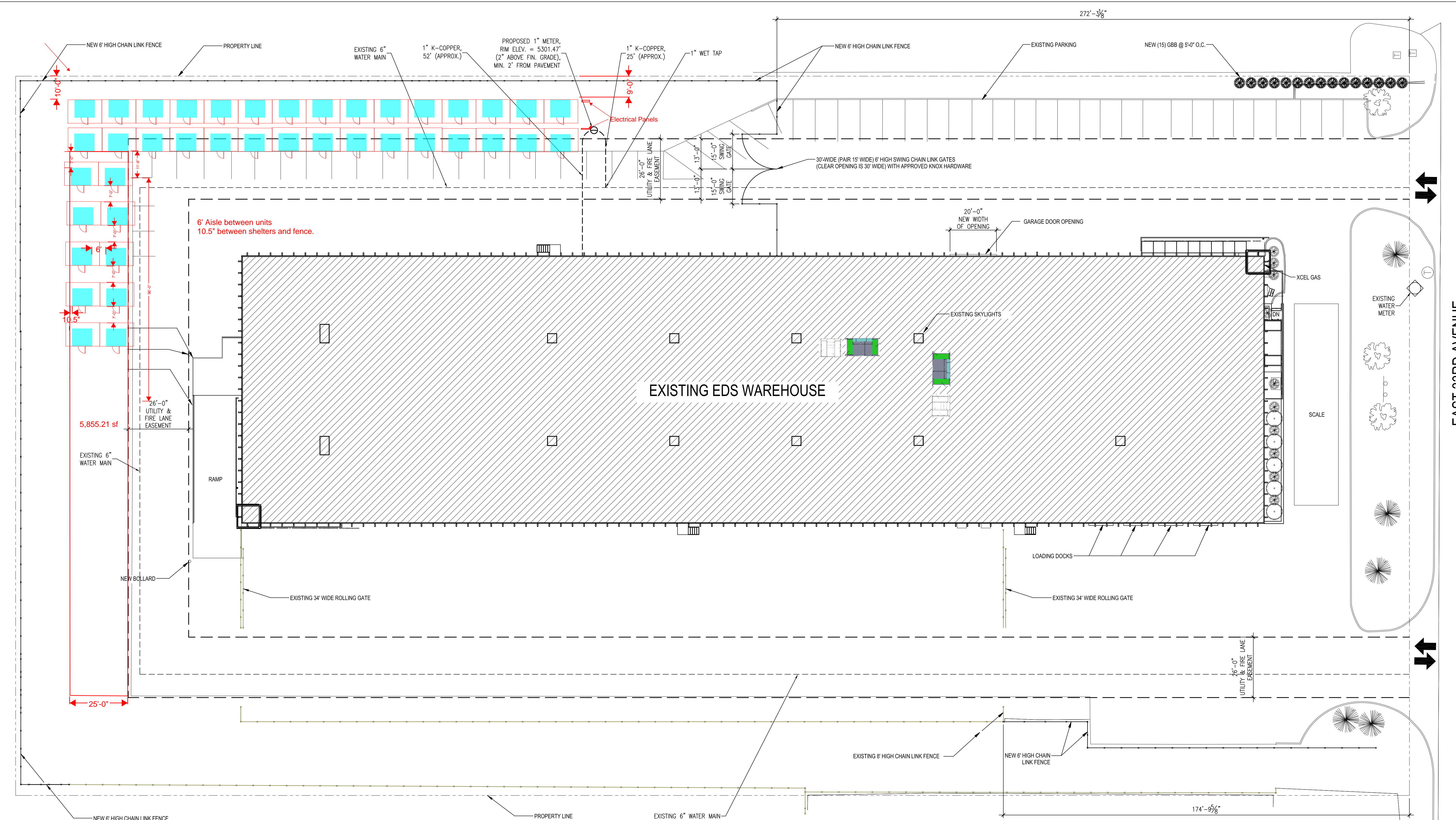
BID SET 04/14/2015

REVISION:

PROJECT NUMBER: 04/08/2015
DATE: 04/08/2015
DRAWN BY: DD
CHECKED BY: DD
APPROVED BY: YBC

SHEET TITLE: SITE PLAN

SHEET NUMBER:



WATER/UTILITY NOTES:

1. THE EXISTING 3/4" WATER SERVICE LINE TO BE CUT & PLUGGED AT THE MAIN, AND THE 3/4" METER RETURNED TO THE CITY OF AURORA.
2. CONTRACTOR RESPONSIBLE FOR LOCATING EXISTING METER & DISCONNECTING IT AS PER THE CITY OF AURORA.

FIXTURE UNIT TABLE

| FIXTURES | EXISTING | PROPOSED |
|------------------------|----------|----------|
| WATER CLOSET-TANK | 4 | 7 |
| URINAL-WASH DOWN | 1 | 1 |
| LAVATORY | 4 | 9 |
| MOP SERVICE BASIN | 1 | 1 |
| DRINKING FOUNTAIN EWC | 1 | 1 |
| KITCHEN SINK (W/DISP.) | 1 | 2 |
| CLOTHES WASHER | 0 | 1 |
| 3-BASIN SKULLERY SINK | 0 | 1 |
| SHOWER | 0 | 1 |
| REQUIRED METER SIZE | | 1" |

CITY OF AURORA STANDARD UTILITY NOTES:

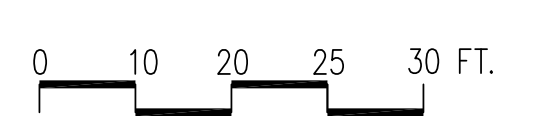
- 1) All materials, workmanship, construction details, and testing for the water line construction shall conform to Standards and Specifications Regarding Water, Sanitary Sewer and Storm Drainage Infrastructure, latest revision as set forth by the City of Aurora Water Department, latest revision.
- 2) All fire hydrants shall be located not less than three feet - six inches (3'-6") and not more than 8 feet from the back of curb to the Center of the hydrant and be unobstructed on the street side. Minimum clearance on all other sides shall be 5 feet. Fire hydrants must be grade staked in the field. Fire hydrants are not allowed in sidewalks.
- 3) All fire hydrants must be grade staked in the field whenever curb and gutter has not been installed.
- 4) All utility easements must remain unobstructed and fully accessible along their entire length for maintenance equipment.
- 5) Water main restraint shall be in accordance with Standards and Specifications Regarding Water, Sanitary Sewer and Storm Drainage Infrastructure, latest revision. Megalugs or Uni-Flange may be used in place of rods and clamps.
- 6) Water line valves are not allowed in cross pans.
- 7) All water meters, water service lines and sanitary sewer service lines are not allowed in or under driveways.
- 8) All sanitary service lines shall be tees off of mains. Wyes shall be used for lots at back of cul-de-sacs.
- 9) Water Pressure Zone 2, Zero (0) psi @ elevation 5630' static. A pressure reducing valve (PRV) is required when the pressure at the unit is greater than (80) psi. PRVs are not allowed in City of Aurora owned and maintained meter pits.
- 10) Adjust all manholes, fire hydrants, and valve boxes to grade per Aurora Water Standards and Specifications Regarding Water, Sanitary Sewer and Storm Sewer Infrastructure, latest revision, as necessary.
- 11) All fire lines and commercial water service lines require reduced pressure back flow assembly or double check valves as required by the City of Aurora Water Department. Contact Water Services at (303) 326-8114 or (303) 326-8129 for inspection prior to the issuance of a certificate of occupancy.
- 12) The contractor shall contact Aurora Water Engineering at (303) 739-7300 for inspection of any required grease traps or sand/oil interceptors prior to the issuance of the certificate of occupancy.
- 13) The contractor shall contact the Aurora Water Inspection Line at (303) 739-7385 at least 24 hours in advance of commencing construction of any wet utility to schedule inspections.
- 14) Total Building Surface Area = 50,000 S.F. Total Hard Surface = 84,078 S.F.

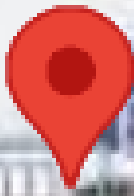
LEGEND

- EXISTING TREES
- EXISTING SHRUBS/BUSHES
- NEW BUSH: "GREEN BEAUTY" BOXWOOD (GBB): *Buxus microphylla japonica* SPACING: 5'-0"
- EXISTING WATER METER
- EXISTING STORM LINE
- EXISTING WATER MAIN
- NEW WATER TAP OFF MAIN
- EASEMENT/FIRE LANE



SITE PLAN
1" = 20'-0"





The Salvation
Army - Emergency
Ro

33rd Ave

E 33rd Ave

Google

E 33rd



2022 GENERAL FUND FUNDING AGREEMENT
BETWEEN THE CITY OF AURORA, COLORADO, AND
THE SALVATION ARMY
FOR PREPARATION OF THEIR SAFE OUTDOOR SPACE
FOR PALLET SHELTERS

This Agreement (the “Agreement”) is made and entered into by and between the City of Aurora, Colorado, (the “City”) located at 15151 E. Alameda Parkway, Aurora, Colorado 80012, and The Salvation Army – Aurora Corps / Intermountain Division, whose principal office street address is 805 Quari Court, Aurora, Colorado 80011 (the “Service Provider”). Individually referred to as a “Party,” collectively referred to as the “Parties.”

AGREEMENT

NOW THEREFORE, the City and the Service Provider hereby agree as follows:

1. Amount of City Funds. The City agrees to provide Service Provider, or successor in interest, with no more than \$250,000.00 in General Funds (“City Funds”) for services contemplated by this Agreement. Any City Funds not spent/dispursed by the Service Provider by December 31, 2022 will be returned to the City and remain in the possession of the City.
2. Term of Agreement and Time Period for Use of City Funds. The term will begin upon the execution of this Agreement and will end on December 31, 2022. This Agreement may not be renewed.
3. Disbursement of Funds. City Funds shall be made available to the Service Provider subject to the terms and conditions of this Agreement in a lump sum upon execution of this Agreement Service Provider shall document the use the City General funds. Any City Funds not spent/dispursed by December 31, 2022, as documented by Service Provider, will be returned to the City and remain in the possession of the City.
4. Use of City Funds. Service Provider agrees that these funds shall be used to fund and support the services described in its Scope of Work which is attached to this Agreement as **Exhibit A**.
5. Interest Earned on City Funds. Service Provider agrees to use any interest earned on City Funds only to provide services consistent with the provisions and intent of this Agreement.
6. Administration and Implementation. Service Provider shall be responsible for the direct supervision, administration, and implementation of its Service Plan. The City shall not be liable or responsible for any cost overruns or have any duty or obligation to provide any additional funding to Service Provider if its Service Plan cannot be implemented with the amount of funds awarded by the City to Service Provider.

7. Site Visits. Upon 24 hours written notice to Service Provider, Service Provider agrees to allow the City to make site visits during the term of this Agreement.

8. Acknowledgement of City by the Service Provider. Service Provider agrees to acknowledge the City as a contributor in all publications, news releases and other publicity issued by Service Provider related to Service Provider's Service Plan and agrees to allow the City to do the same. Service Provider shall cooperate with the City in preparing public information pieces.

9. Record Keeping Requirements. Service Provider shall maintain a complete set of books and records documenting its use of the City Funds and its reporting requirements. The City, or any of its duly authorized representatives, shall have reasonable access to any books, documents, papers, and records of Service Provider which are required by this Agreement and relevant to this Agreement for the purpose of making an audit or examination Service Provider's activities. Service Provider shall keep all books, documents, papers, and records which are pertinent to this Agreement for a minimum of three (3) years following its termination.

10. Termination of this Agreement.

a. Termination Due to Loss of Funding. The Parties hereto expressly recognize that Service Provider is to be paid, reimbursed, or otherwise compensated with City Funds provided by the City for the purpose of contracting for the services provided for consistent with the provisions and intent of this Agreement, therefore, Service Provider expressly understands and agrees that all its rights, demands and claims to compensation arising under this Agreement are contingent upon receipt of such funds from the City. Notwithstanding any other provision of this Agreement, the City's obligations under this Agreement are subject to annual appropriations by the City Council of the City. Any failure of a City Council to annually appropriate adequate monies to finance the City's obligation under this Agreement shall terminate this Agreement at such time as such then-existing appropriations are to be depleted. Notice shall be given promptly to the Service Provider of any failure to appropriate such adequate monies. This Agreement does not guarantee to Service Provider any additional or future monies except as expressly authorized herein.

b. Termination for Cause. If, through any reason, Service Provider fails or refuses to:

- (i) Provide any and all of the services described in the Scope of Work, **Exhibit A**, in a timely, lawful, and proper manner;
- (ii) Use the City Funds in accordance with the terms and conditions of this Agreement and its Scope of Work;
- (iii) Complete the work in accordance with all applicable laws and codes; or
- (iv) Submit the reports, books and records as required or if requested by the City.

Then Service Provider shall be in default under this Agreement and the City shall have the right to terminate this Agreement for cause, an event of default.

c. Event of Default. Service Provider shall be given written notice by the City's Homelessness Program Director, or other City representative, specifying the nature of the

default and requesting Service Provider to correct the violation within thirty (30) days from the date of such notice (the “Cure Period”). In the event of a default by Service Provider the City, in its sole discretion, may cease making any payments of City Funds pursuant to this Agreement until such time the default specified in the written notice is remedied to the City’s satisfaction.

Notwithstanding the above, Service Provider shall not be relieved of liability to the City for any damages sustained by the City by virtue of any default or breach of the Agreement by Service Provider, and the City may withhold any payments to Service Provider for the purpose of setoff until such time as the exact amount of damages due the City from Service Provider is determined.

d. Termination for Convenience.

(i) Change in City Policy. The City may terminate this Agreement at any time upon thirty (30) days’ notice specifying the date thereof, provided Service Provider shall be compensated in accordance with this Agreement for all work performed up to the effective date of termination.

(ii) The City’s total liability for termination of this Agreement shall not exceed the lesser of total amount of this Agreement or the total amount of funds which have been appropriated specifically for this Agreement.

(iii) Service Provider shall be entitled to reasonable incurred costs for terminating its activities under this Agreement, including those of its subcontractors, if this Agreement is terminated for the City’s convenience, provided however, in no event shall the City’s total liability to Service Provider exceed the total amount of funds which have been appropriated for this Agreement.

e. Effect of Termination.

(i) Termination Costs. After receipt of written notification that this Agreement has been terminated under this section, Service Provider shall incur no further costs other than reasonable termination costs associated with current activities.

(ii) Ownership of Work Product. In the event of termination, all finished and unfinished program deliverables prepared by Service Provider pursuant to this Agreement shall become the sole property of the City, provided Service Provider is compensated in accordance with this Agreement for all work performed in accordance with this Agreement up to the effective date of termination. Service Provider shall not be liable with respect to the City’s subsequent use of any incomplete work product, provided Service Provider has notified the City in writing of the incomplete status of such work product.

(iii) City’s Right to Set-Off and other Remedies. Termination shall not relieve Service Provider from liability to the City for damages sustained as the result of Service Provider’s breach of this Agreement; and the City may withhold funds otherwise due under this Agreement in lieu of such damages, until such time as the exact amount of damages, if any, has been determined.

(iv) If this Agreement terminated for cause as provided in this section and it is subsequently determined that the City's termination of this Agreement for cause was improper, then the termination for cause shall be considered to be a termination for convenience and the procedures in this section related to a termination for convenience shall apply.

11. Remedies. Should Service Provider fail, for any reason, to cure an Event of Default within the Cure Period, the City shall have the right to terminate this Agreement forthwith and demand reimbursement from the Service Provider of: (i) all City Funds advanced under this Agreement that were expended by Service Provider in violation of this Agreement, which amount shall be determined on a pro-rata basis as of the date upon which such Event of Default is deemed to have first occurred; and (ii) any City Funds remaining unexpended and in the possession of Service Provider as of the date of such termination. In addition, Service Provider shall be ineligible for any future City Funds unless and until such time as it is able to demonstrate to the satisfaction of the City that it has in place the personnel, facilities, and financial support necessary to provide the services as required by the City. The rights and remedies of the City as set forth in this Agreement shall not be exclusive and are in addition to any other rights or remedies provided by law.

12. Changes to the Scope of Work Service Provider agrees and understands that its Scope of Work may not be changed without the City's prior written approval. Any such changes shall be requested in writing and may not take effect until an amendment to this Agreement has been approved by both Parties.

13. No Waiver of Rights. A waiver by either Party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either Party.

14. Assignment. The qualifications of Service Provider are of particular importance to the City. It is because of those qualifications that the City has entered into this Agreement with Service Provider. Accordingly, Service Provider understands and agrees that this Agreement is not assignable by Service Provider or transferable by operation of law or otherwise without the prior written approval of the City.

15. Relationship of the Parties. Service Provider shall perform all duties and obligations under this Agreement as an independent contractor and shall not be deemed by virtue of this Agreement to have entered into any partnership, joint venture, employer/employee, or other relationship with the City.

16. No Third-Party Beneficiaries. Nothing in this Agreement shall give or allow any claim or right of action whatsoever by any third party, including, but not limited to, any agents or contractors of the Service Provider.

17. Severability. Should any one or more provisions of this Agreement be determined to be, illegal or unenforceable, all other provisions nevertheless shall remain effective; provided, however, the parties shall forthwith enter into good faith negotiations and proceed with due diligence to draft a provision that will achieve the original intent of the parties

hereunder.

18. Amendments in Writing. Either Party is authorized to propose amendments to this Agreement. No amendment or modification shall be made to this Agreement unless it is in writing, agreed to by both Parties, and signed by both Parties

19. Insurance and Indemnification. Service Provider agrees and understands that they are to maintain and keep in force the appropriate insurance policies as specified in **Exhibit B**. Service Provider shall be responsible for any injury to persons or damage to property arising from negligent or otherwise wrongful acts, errors and omissions of Service Provider, its agents and employees in providing any goods and services contemplated by this Agreement. Service Provider shall indemnify, defend and hold harmless the City, its elected and appointed officials, employees, agents and representatives from and against all claims, damages, liabilities, losses, and expenses, direct, indirect or consequential arising out of or resulting from the services contemplated in the Agreement.

20. Nondiscrimination. Service Provider shall not discriminate against any individual, employee, applicant for employment, or in its provision of services, on the basis of race, color, national origin, ancestry, age, sex (including gender identity, gender expression, sexual orientation, and pregnancy), religion, creed, or physical or mental disability.

21. Notices. Notices, as referred to in this Agreement, shall be sent to:

City:

City of Aurora, Colorado
Attn: Homelessness Program Manager
15151 East Alameda Parkway
Aurora, Colorado 80012

Service Provider:

The Salvation Army, Aurora Corp
Intermountain Division
Attn: Kristin Baluyot, Denver Metro Social Service Director
805 Quari Court
Aurora, Colorado 80011

22. Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado.

23. Extent of Agreement. This Agreement constitutes the entire agreement of the Parties hereto. This Agreement supersedes any former Agreement. The Parties agree that there have been no representations made regarding the subject matter hereof other than those, if any, contained herein, that this Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof, and further agree that the various promises and covenants contained herein are mutually agreed upon and are in consideration of one another.

24. Attorney Fees. If litigation is commenced by either Party concerning this Agreement, the prevailing Party shall be entitled to recover its reasonable attorney's fees and costs from the other Party.

25. Counterparts. This Agreement may be executed in multiple counterparts, each of which will be deemed to be an original and all of which taken together will constitute one and the same agreement.

26. Incorporation of Exhibits. Unless otherwise stated in this Agreement, any exhibits, applications, resolutions, or other documents referenced in this Agreement shall be incorporated by reference into this Agreement for all purposes.

27. Section Headings. The headings for any section of this Agreement are only for the convenience and reference of the parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.

28. Signatures. The signatories to this Agreement represent that they are fully authorized to execute this Agreement and bind their respective entities.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the City and the Service Provider have executed this Agreement as of the day and year first written above.

CITY: CITY OF AURORA, COLORADO

Roberto Venegas, Deputy City Manager

Jessica Prosser, Director of Housing and Community Services

RISK MANAGEMENT

Renee Pettinato Mosley

APPROVED AS TO FORM:



Tim Joyce, Assistant City Attorney

SERVICE PROVIDER: THE SALVATION ARMY, a California Corporation

Kristin Baluyot, Denver Metro Social Service Director

In Addition to Agreement:

Exhibit A
2022 General Funds
Scope of Work
The Salvation Army

Exhibit B
Insurance Requirements

EXHIBIT A – SCOPE OF WORK

SPECIFIC PROGRAM ACTIVITIES

- 1. One Time Construction Costs**
 - A. Building Site, Preparation, & Pouring Foundation**
 - i. Clear rocks, debris, and trees
 - ii. Level the site
 - iii. Pouring concrete
 - B. Electrical**
 - i. Install electrical
 - ii. Run electrical lines
 - iii. Covering electrical lines
 - C. Fencing/External**
 - i. Install additional privacy fencing
 - ii. Installing lighting for safety

Exhibit B
INSURANCE REQUIREMENTS

The Contractor providing services under this agreement will be required to procure and maintain, at its own expense and without cost to the City of Aurora, until final acceptance by the City of all work covered by the Purchase Order or contract the following types of insurance. The policy limits required are to be considered minimum amounts:

Commercial General Liability Insurance. The Contractor shall maintain commercial general liability insurance covering all operations by or on behalf of the Contractor on a per occurrence basis against claims for bodily injury (including death) and property damage (including loss of use) and products and completed operations coverage for a period of one (1) year after completion of the Work. Coverage will include personal injury liability with employee and contractual exclusions deleted and a Waiver of Subrogation. The City, its elected and appointed officials, employees, agents and representatives shall be named as Additional Insureds by endorsement.

Minimum limits:

\$1,000,000 each occurrence

\$2,000,000 general aggregate

\$2,000,000 products and completed operations

Commercial Automobile Liability Insurance. The Contractor shall maintain commercial automobile insurance covering liability arising out of the operation of any vehicle (including owned, non-owned and hired vehicles) with minimum limits of \$1,000,000 combined single limit each accident.

Workers' Compensation and Employers Liability Insurance. The Contractor shall maintain Worker's Compensation Insurance with limits in accordance with the provisions of the Workers' Compensation Act, as amended, by the State of Colorado. Additionally, the Contractor shall maintain Employers' Liability Insurance with minimum limits of \$1,000,000 bodily injury for each accident, \$1,000,000 bodily injury by disease each employee and \$1,000,000 bodily injury disease aggregate.

Umbrella/Excess Liability Insurance. Contractor will maintain an Umbrella/Excess Liability insurance policy on an occurrence basis in excess of the general liability coverage specified above, with minimum limits of \$2,000,000 per occurrence. The coverage shall be as broad as the underlying general liability policy set forth above. The City, its elected and appointed officials, employees, agents, and representatives shall be named as Additional Insureds by endorsement.

Subcontractor's Insurance. It shall be the responsibility of the vendor/contractor to ensure that subcontractors maintain:

- a. Commercial General Liability insurance with minimum limits of \$1,000,000 per occurrence, \$2,000,000 general aggregate and shall name the City of Aurora as an additional insured; and
- b. Worker's Compensation Insurance with limits in accordance with the provisions of the Workers' Compensation Act, as amended, by the State of Colorado and;
- c. Employers Liability Insurance with minimum limits of \$500,000 bodily injury for each accident, \$500,000 bodily injury by disease each employee and \$500,000 bodily injury disease aggregate.

The Contractor is responsible for verifying that the subcontractor's insurance is in effect prior to commencement of work and throughout the time that the subcontractor performs work on the project. Any subcontractor who ceases to provide insurance coverage as set forth above must be removed from the project until such time that insurance coverage can be verified as in full force and effect.

Limits of Insurance. The total limits of general and excess liability insurance set forth above may be provided to the City using a combination of primary and excess liability insurance.

Additional Insured. The Contractor shall name the City of Aurora, its elected and appointed officials, employees, agents and representatives as additional insureds by endorsement for the Commercial General Liability, Auto Liability and Excess Liability insurance policies and the certificate of insurance will include this specific language along with a copy of the endorsement.

Certificates of Insurance. Upon the execution of this Agreement, the Contractor shall provide certificates of insurance to the City of Aurora demonstrating that the minimum coverages required herein are in effect. Contractor agrees that the required coverages will not be reduced, canceled, non-renewed or materially changed without Thirty (30) days prior written notice to the City. All certificates of insurance must be kept in force throughout the duration of the services. If any of Contractor's or its subcontractor's coverage is renewed at any time prior to completion of the services, the Contractor shall be responsible for obtaining updated insurance certificates for itself and such subcontractors from the respective insurance carriers and forwarding the replacement certificates to the City within five (5) days of the expiration date of any previously delivered certificate.

The minimum A.M. Best rating of each primary insurer shall be A- X and the minimum A.M. Best rating of each excess insurer shall be A- VIII. The Contractor shall provide copies of insurance policies to the City Risk Manager upon request.

Any of the minimum limits of insurance set out herein may be raised or lowered at the sole discretion of the Risk Manager for the City of Aurora in response to the particular circumstances giving rise to the contract.

Insurance Primary Not Contributory. The Contractor's policies will be primary and non-contributory with respect to any and all insurance policies purchased by the City.

Self Insurance/Deductible. If the Contractor has any self-insured retentions or deductibles under any of the required policies, the Contractor must reflect these amounts on the Certificate(s) of Insurance. If requested, the Contractor will provide satisfactory evidence of financial responsibility for such obligations. In any event, Contractor will be solely responsible for any self-insured retentions deductibles.

RESOLUTION NO. R2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, TO FUND THE SALVATION ARMY WITH
GENERAL FUNDS TO PREPARE THEIR
SAFE OUTDOOR SPACE FOR PALLET SHELTERS
TO PROVIDE A SHELTER OPTIONS FOR THE HOMELESS

WHEREAS, The Salvation Army – Aurora Corps/Intermountain Division (“The Salvation Army”) operates a Safe Outdoor Space program; and

WHEREAS, the City’s Homelessness Division desires to provide more shelter options in the form of pallet shelters for the homeless; and

WHEREAS, The Salvation Army needs to prepare their Safe Outdoor Space to accommodate pallet shelters; and

WHEREAS, the City finds and determines that it is in the best interests of its citizens to enter into this funding agreement to provide The Salvation Army with no more than \$250,000.00 in General Funds for them to prepare their Safe Outdoor Space for pallet shelters to provide a safe shelter option for the homeless.

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

Section 1. The City Council approves making a General Fund commitment of no more than \$250,000.00 to The Salvation Army for them to prepare their Safe Outdoor Space for pallet shelters to provide a safe shelter option for the homeless.

Section 2. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this ____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Tim Joyce *gk*
TIM JOYCE, Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Restoration Christian Ministries Safe Outdoor Space Construction General Funds Agreement |
| Item Initiator: Jessica Prosser, Director of Housing and Community Services |
| Staff Source/Legal Source: Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 1.0--Assure a safe community for people |

COUNCIL MEETING DATES:

Study Session: 5/16/2022

Regular Meeting: 7/11/2022

ITEM DETAILS:

Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistance City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval
- Forwarded Without Recommendation
- Recommendation Report Attached
- Minutes Attached
- Minutes Not Available

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

On February 28, 2022, City Council passed A RESOLUTION EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO HAVE SUFFICIENT SHELTER OPTIONS FOR INDIVIDUALS AND FAMILIES IN AN UNAUTHORIZED CAMP. On May 16, 2022 during the Council Study Session Council asked staff to move forward with expanding the two current Safe Outdoor Space sites expanding shelter space with Pallet Shelters.

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

Since May 16, 2022, staff has been working with the current providers of the Safe Outdoor Space sites (SOS) to establish 30 additional Pallet shelters - 10 at Salvation Army and 20 at Restoration Christian Ministries. The additional shelters are planned to be installed in late July. The Salvation Army has been operating both sites and needs additional resources and staffing in order to increase capacity. This would include an additional 3 shelter staff and an additional case manager. The new agreement would go through December 31, 2022, so total additional operational costs are roughly \$600,000.

QUESTIONS FOR COUNCIL

Does Council wish to approve the Restoration Christian Ministries Safe Outdoor Space Construction General Funds Agreement?

LEGAL COMMENTS

The City has all powers which are necessary, requisite, or proper for the government Colorado Constitution, Article XIV, Section 18, Subsection 2(c) permits the City to contract with private persons, associations, or corporations for the provision of any legally authorized function, service, or facility within or without its boundaries. and administration of its local and municipal matters. (City Charter, art. I, sec. 1-3). Council has the power to prevent and enforce good government, general welfare, order, and security of the City and its inhabitants. (City Charter, art. III, sec. 3-9). (TJoyce)

PUBLIC FINANCIAL IMPACT

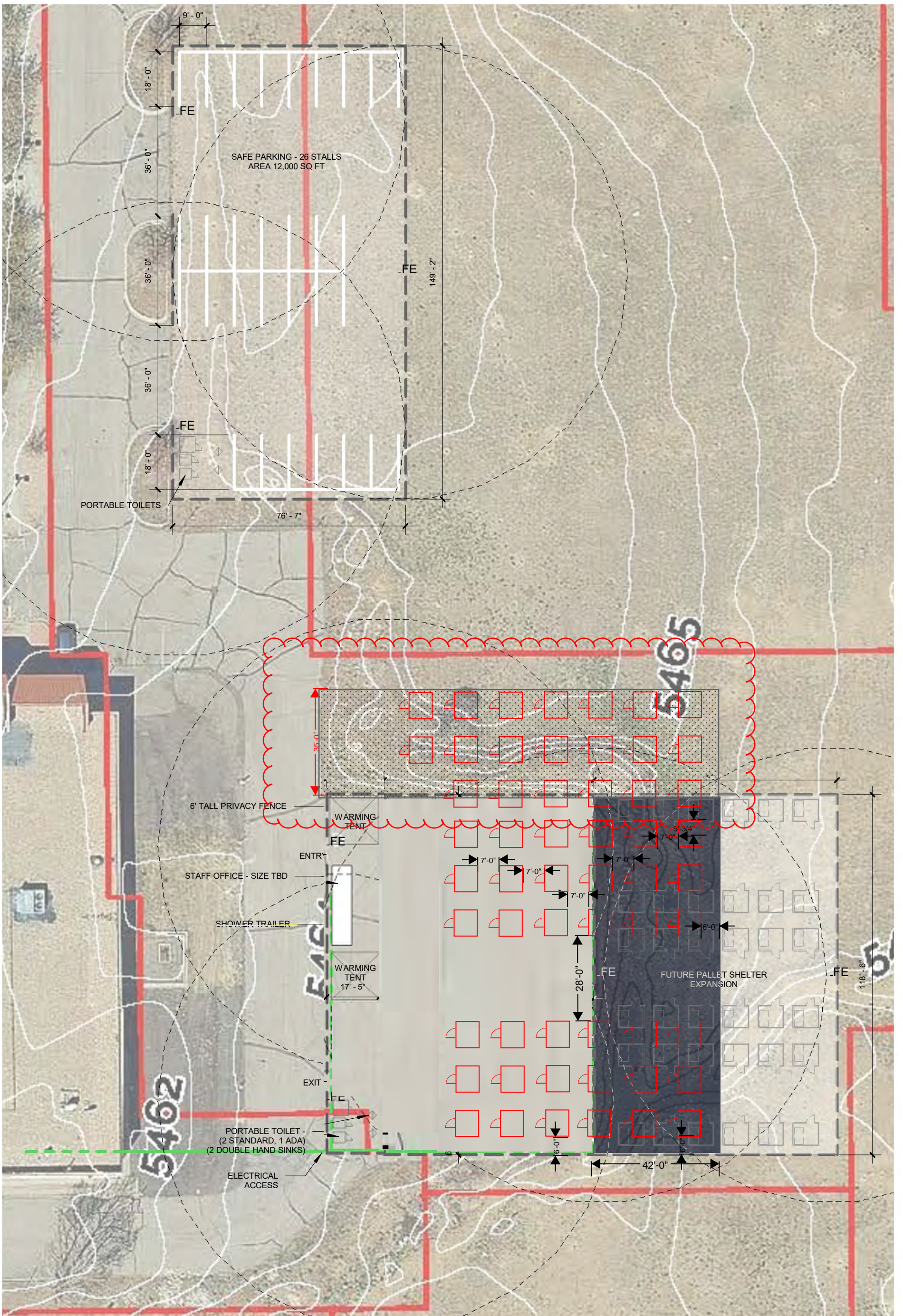
YES NO

If yes, explain: Yes, it will be roughly \$300,000 out of General Funds.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A



① SITE PLAN
1" = 30'-0"

RESTORATION CHRISTIAN MINISTRIES - SAFE OUTDOOR SPACE

12/2/2021 3:53:54 PM

NOTE: THIS IMAGE IS CONCEPTUAL AND SUBJECT TO CHANGE.



3264 Larimer St Unit D
Denver CO, 80205
Radian.org
720.708.5424



| | | | |
|--|------------|---|------------------------------|
| PROPOSAL SUBMITTED TO Emma King – City of Aurora | | TODAY'S DATE 06/21/22 | DATE OF PLANS/PAGE #'S NA |
| PHONE NUMBER 303-739-7908 | FAX NUMBER | JOB NAME Pallet Shelter Electrical Expansion | |
| ADDRESS, CITY, STATE, ZIP 15660 E. 6 th Avenue | | JOB LOCATION Aurora, CO, 80011 | |

We propose hereby to furnish material and labor necessary for the completion of:

Pallet Shelter Electrical Expansion for 20 Units

- Coordinate layout and temporary fencing.
- Electrical Design with stamped drawing. Permit cost not included.
- Prep and fine grade existing soil for new concrete slab. Grubbed soils to remain on site.
- Supply and install 4,620 sf 4” concrete slab on grade.
- Directional bore under existing road for new service feeders.
- Includes expedited electrical panel with a 3 week lead time. Current lead time on non-expedited panels is 54 weeks.
- Trenching and backfill of conduits for 20 new shelters.
- Wiring for 20 new shelters.
- Demo 24” wide concrete trench through existing asphalt for electrical conduit and pour back with concrete or asphalt.
- Supply and install service feeders from the MDP to new outdoor service.
- Supply and install 400 amp disconnect.
- Remove service from generator and hookup existing tents and office trailer to permanent service.
- No sales tax included.

Total: \$237,493.00

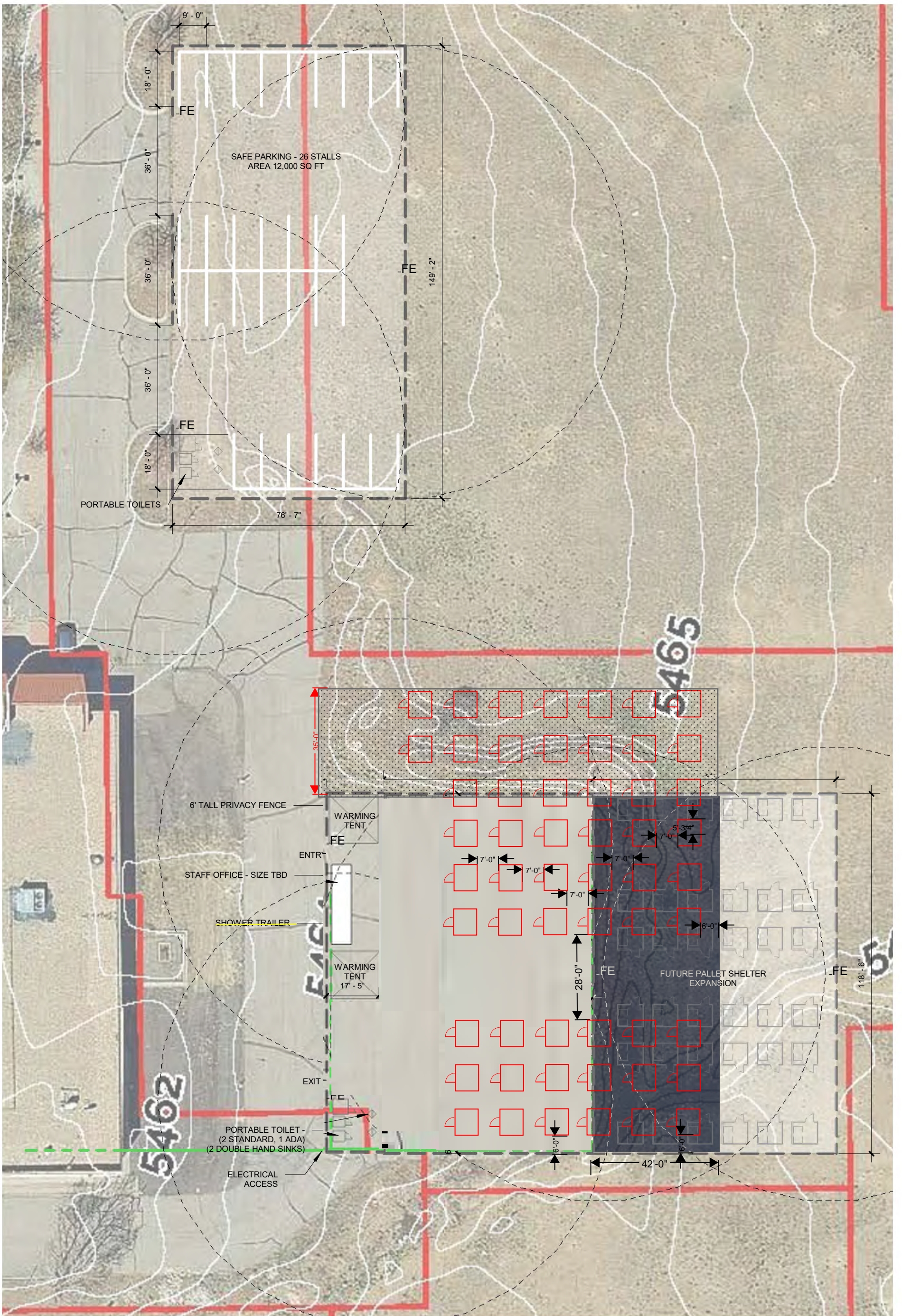
We propose hereby to furnish material and labor – complete in accordance with above specifications for the sum of:
 Two hundred thirty-seven thousand four hundred ninety three dollars. (\$ 237,493.00)

Payment as follows: _____

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen’s Compensation Insurance. If either party commences legal action to enforce its rights pursuant to this agreement, the prevailing party in said legal action shall be entitled to recover its reasonable attorney’s fees and costs of litigation relating to said legal action, as determined by a court of competent jurisdiction.

Authorized Signature _____ Note: this proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.
 Signature _____
 Signature _____
 Date of Acceptance _____



1 SITE PLAN
1" = 30'-0"

RESTORATION CHRISTIAN MINISTRIES - SAFE OUTDOOR SPACE

12/2/2021 3:53:54 PM

NOTE: THIS IMAGE IS CONCEPTUAL AND SUBJECT TO CHANGE.



3264 Larimer St Unit D
Denver CO, 80205
Radian.org
720.708.5424

RESOLUTION NO. R2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, TO FUND RESTORATION CHRISTIAN MINISTRIES WITH
GENERAL FUNDS TO PREPARE THEIR
SAFE OUTDOOR SPACE FOR PALLET SHELTERS
TO PROVIDE A SHELTER OPTIONS FOR THE HOMELESS

WHEREAS, Restoration Christian Ministries operates a Safe Outdoor Space program;
and

WHEREAS, the City's Homelessness Division desires to provide more shelter options in
the form of pallet shelters for the homeless; and

WHEREAS, Restoration Christian Ministries needs to prepare their Safe Outdoor Space
to accommodate pallet shelters; and

WHEREAS, the City finds and determines that it is in the best interests of its citizens to
enter into this funding agreement to provide Restoration Christian Ministries with no more than
\$300,000.00 in General Funds for them to prepare their Safe Outdoor Space for pallet shelters to
provide a safe shelter option for the homeless.

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

Section 1. The City Council approves making a General Fund commitment of no
more than \$300,000.00 to Restoration Christian Ministries for them to prepare their
Safe Outdoor Space for pallet shelters to provide a safe shelter option for the homeless.

Section 2. All resolutions or parts of resolutions of the City in conflict herewith are
hereby rescinded.

RESOLVED AND PASSED this ____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Tim Joyce gk
TIM JOYCE, Assistant City Attorney

2022 GENERAL FUND FUNDING AGREEMENT
BETWEEN THE CITY OF AURORA, COLORADO, AND
RESTORATION CHRISTIAN MINISTRIES
FOR PREPARATION OF THEIR SAFE OUTDOOR SPACE
FOR PALLET SHELTERS

This Agreement (the “Agreement”) is made and entered into by and between the City of Aurora, Colorado, (the “City”) located at 15151 E. Alameda Parkway, Aurora, Colorado 80012, and Restoration Christian Ministries, nonprofit organization located at 15400 East 5th Place, Aurora, Colorado 80011 (the “Service Provider”). Individually referred to as a “Party,” collectively referred to as the “Parties.”

AGREEMENT

NOW THEREFORE, the City and the Service Provider hereby agree as follows:

1. Amount of City Funds. The City agrees to provide Service Provider, or successor in interest, with no more than \$300,000.00 in General Funds (“City Funds”) for services contemplated by this Agreement. Any City Funds not spent/dispensed by the Service Provider by December 31, 2022 will be returned to the City and remain in the possession of the City.
2. Term of Agreement and Time Period for Use of City Funds. The term will begin upon the execution of this Agreement and will end on December 31, 2022. This Agreement may not be renewed.
3. Disbursement of Funds. City Funds shall be made available to the Service Provider subject to the terms and conditions of this Agreement in a lump sum upon execution of this Agreement Service Provider shall document the use the City General funds. Any City Funds not spent/dispensed by December 31, 2022, as documented by Service Provider, will be returned to the City and remain in the possession of the City.
4. Use of City Funds. Service Provider agrees that these funds shall be used to fund and support the services described in its Scope of Work which is attached to this Agreement as **Exhibit A**.
5. Interest Earned on City Funds. Service Provider agrees to use any interest earned on City Funds only to provide services consistent with the provisions and intent of this Agreement.
6. Administration and Implementation. Service Provider shall be responsible for the direct supervision, administration, and implementation of its Service Plan. The City shall not be liable or responsible for any cost overruns or have any duty or obligation to provide any additional funding to Service Provider if its Service Plan cannot be implemented with the amount of funds awarded by the City to Service Provider.

7. Site Visits. Upon 24 hours written notice to Service Provider, Service Provider agrees to allow the City to make site visits during the term of this Agreement.

8. Acknowledgement of City by the Service Provider. Service Provider agrees to acknowledge the City as a contributor in all publications, news releases and other publicity issued by Service Provider related to Service Provider's Service Plan and agrees to allow the City to do the same. Service Provider shall cooperate with the City in preparing public information pieces.

9. Record Keeping Requirements. Service Provider shall maintain a complete set of books and records documenting its use of the City Funds and its reporting requirements. The City, or any of its duly authorized representatives, shall have reasonable access to any books, documents, papers, and records of Service Provider which are required by this Agreement and relevant to this Agreement for the purpose of making an audit or examination Service Provider's activities. Service Provider shall keep all books, documents, papers, and records which are pertinent to this Agreement for a minimum of three (3) years following its termination.

10. Termination of this Agreement.

a. Termination Due to Loss of Funding. The Parties hereto expressly recognize that Service Provider is to be paid, reimbursed, or otherwise compensated with City Funds provided by the City for the purpose of contracting for the services provided for consistent with the provisions and intent of this Agreement, therefore, Service Provider expressly understands and agrees that all its rights, demands and claims to compensation arising under this Agreement are contingent upon receipt of such funds from the City. Notwithstanding any other provision of this Agreement, the City's obligations under this Agreement are subject to annual appropriations by the City Council of the City. Any failure of a City Council to annually appropriate adequate monies to finance the City's obligation under this Agreement shall terminate this Agreement at such time as such then-existing appropriations are to be depleted. Notice shall be given promptly to the Service Provider of any failure to appropriate such adequate monies. This Agreement does not guarantee to Service Provider any additional or future monies except as expressly authorized herein.

b. Termination for Cause. If, through any reason, Service Provider fails or refuses to:

- (i) Provide any and all of the services described in the Scope of Work, **Exhibit A**, in a timely, lawful, and proper manner;
- (ii) Use the City Funds in accordance with the terms and conditions of this Agreement and its Scope of Work;
- (iii) Complete the work in accordance with all applicable laws and codes; or
- (iv) Submit the reports, books and records as required or if requested by the City.

Then Service Provider shall be in default under this Agreement and the City shall have the right to terminate this Agreement for cause, an event of default.

c. Event of Default. Service Provider shall be given written notice by the City's Homelessness Program Director, or other City representative, specifying the nature of the

default and requesting Service Provider to correct the violation within thirty (30) days from the date of such notice (the “Cure Period”). In the event of a default by Service Provider the City, in its sole discretion, may cease making any payments of City Funds pursuant to this Agreement until such time the default specified in the written notice is remedied to the City’s satisfaction.

Notwithstanding the above, Service Provider shall not be relieved of liability to the City for any damages sustained by the City by virtue of any default or breach of the Agreement by Service Provider, and the City may withhold any payments to Service Provider for the purpose of setoff until such time as the exact amount of damages due the City from Service Provider is determined.

d. Termination for Convenience.

(i) Change in City Policy. The City may terminate this Agreement at any time upon thirty (30) days’ notice specifying the date thereof, provided Service Provider shall be compensated in accordance with this Agreement for all work performed up to the effective date of termination.

(ii) The City’s total liability for termination of this Agreement shall not exceed the lesser of total amount of this Agreement or the total amount of funds which have been appropriated specifically for this Agreement.

(iii) Service Provider shall be entitled to reasonable incurred costs for terminating its activities under this Agreement, including those of its subcontractors, if this Agreement is terminated for the City’s convenience, provided however, in no event shall the City’s total liability to Service Provider exceed the total amount of funds which have been appropriated for this Agreement.

e. Effect of Termination.

(i) Termination Costs. After receipt of written notification that this Agreement has been terminated under this section, Service Provider shall incur no further costs other than reasonable termination costs associated with current activities.

(ii) Ownership of Work Product. In the event of termination, all finished and unfinished program deliverables prepared by Service Provider pursuant to this Agreement shall become the sole property of the City, provided Service Provider is compensated in accordance with this Agreement for all work performed in accordance with this Agreement up to the effective date of termination. Service Provider shall not be liable with respect to the City’s subsequent use of any incomplete work product, provided Service Provider has notified the City in writing of the incomplete status of such work product.

(iii) City’s Right to Set-Off and other Remedies. Termination shall not relieve Service Provider from liability to the City for damages sustained as the result of Service Provider’s breach of this Agreement; and the City may withhold funds otherwise due under this Agreement in lieu of such damages, until such time as the exact amount of damages, if any, has been determined.

(iv) If this Agreement terminated for cause as provided in this section and it is subsequently determined that the City's termination of this Agreement for cause was improper, then the termination for cause shall be considered to be a termination for convenience and the procedures in this section related to a termination for convenience shall apply.

11. Remedies. Should Service Provider fail, for any reason, to cure an Event of Default within the Cure Period, the City shall have the right to terminate this Agreement forthwith and demand reimbursement from the Service Provider of: (i) all City Funds advanced under this Agreement that were expended by Service Provider in violation of this Agreement, which amount shall be determined on a pro-rata basis as of the date upon which such Event of Default is deemed to have first occurred; and (ii) any City Funds remaining unexpended and in the possession of Service Provider as of the date of such termination. In addition, Service Provider shall be ineligible for any future City Funds unless and until such time as it is able to demonstrate to the satisfaction of the City that it has in place the personnel, facilities, and financial support necessary to provide the services as required by the City. The rights and remedies of the City as set forth in this Agreement shall not be exclusive and are in addition to any other rights or remedies provided by law.

12. Changes to the Scope of Work Service Provider agrees and understands that its Scope of Work may not be changed without the City's prior written approval. Any such changes shall be requested in writing and may not take effect until an amendment to this Agreement has been approved by both Parties.

13. No Waiver of Rights. A waiver by either Party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either Party.

14. Assignment. The qualifications of Service Provider are of particular importance to the City. It is because of those qualifications that the City has entered into this Agreement with Service Provider. Accordingly, Service Provider understands and agrees that this Agreement is not assignable by Service Provider or transferable by operation of law or otherwise without the prior written approval of the City.

15. Relationship of the Parties. Service Provider shall perform all duties and obligations under this Agreement as an independent contractor and shall not be deemed by virtue of this Agreement to have entered into any partnership, joint venture, employer/employee, or other relationship with the City.

16. No Third-Party Beneficiaries. Nothing in this Agreement shall give or allow any claim or right of action whatsoever by any third party, including, but not limited to, any agents or contractors of the Service Provider.

17. Severability. Should any one or more provisions of this Agreement be determined to be, illegal or unenforceable, all other provisions nevertheless shall remain effective; provided, however, the parties shall forthwith enter into good faith negotiations and proceed with due diligence to draft a provision that will achieve the original intent of the parties

hereunder.

18. Amendments in Writing. Either Party is authorized to propose amendments to this Agreement. No amendment or modification shall be made to this Agreement unless it is in writing, agreed to by both Parties, and signed by both Parties

19. Insurance and Indemnification. Service Provider agrees and understands that they are to maintain and keep in force the appropriate insurance policies as specified in **Exhibit B.** Service Provider shall be responsible for any injury to persons or damage to property arising from negligent or otherwise wrongful acts, errors and omissions of Service Provider, its agents and employees in providing any goods and services contemplated by this Agreement. Service Provider shall indemnify, defend and hold harmless the City, its elected and appointed officials, employees, agents and representatives from and against all claims, damages, liabilities, losses, and expenses, direct, indirect or consequential arising out of or resulting from the services contemplated in the Agreement.

20. Nondiscrimination. Service Provider shall not discriminate against any individual, employee, applicant for employment, or in its provision of services, on the basis of race, color, national origin, ancestry, age, sex (including gender identity, gender expression, sexual orientation, and pregnancy), religion, creed, or physical or mental disability.

21. Notices. Notices, as referred to in this Agreement, shall be sent to:

City:

City of Aurora, Colorado
Attn: Homelessness Program Manager
15151 East Alameda Parkway
Aurora, Colorado 80012

Service Provider:

Restoration Christian Ministries
Attn: Brenda Joyce Taylor
15640 East 6th Avenue
Aurora, Colorado 80011

22. Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado.

23. Extent of Agreement. This Agreement constitutes the entire agreement of the Parties hereto. This Agreement supersedes any former Agreement. The Parties agree that there have been no representations made regarding the subject matter hereof other than those, if any, contained herein, that this Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof, and further agree that the various promises and covenants contained herein are mutually agreed upon and are in consideration of one another.

24. Attorney Fees. If litigation is commenced by either Party concerning this

Agreement, the prevailing Party shall be entitled to recover its reasonable attorney's fees and costs from the other Party.

25. Counterparts. This Agreement may be executed in multiple counterparts, each of which will be deemed to be an original and all of which taken together will constitute one and the same agreement.

26. Incorporation of Exhibits. Unless otherwise stated in this Agreement, any exhibits, applications, resolutions, or other documents referenced in this Agreement shall be incorporated by reference into this Agreement for all purposes.

27. Section Headings. The headings for any section of this Agreement are only for the convenience and reference of the parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.

28. Signatures. The signatories to this Agreement represent that they are fully authorized to execute this Agreement and bind their respective entities.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the City and the Service Provider have executed this Agreement as of the day and year first written above.

CITY: CITY OF AURORA, COLORADO


Roberto Venegas, Deputy City Manager

Jessica Prosser, Director of Housing and Community Services

RISK MANAGEMENT

Renee Pettinato Mosley

APPROVED AS TO FORM:



Tim Joyce, Assistant City Attorney

SERVICE PROVIDER: RESTORATION CHRISTIAN MINISTRIES

Brenda Joyce Taylor, CEO

In Addition to Agreement:

Exhibit A
2022 General Funds
Scope of Work
Restoration Christian Ministries

Exhibit B
Insurance Requirements

EXHIBIT A – SCOPE OF WORK

SPECIFIC PROGRAM ACTIVITIES

1. One Time Construction Costs

A. Building Site, Preparation, & Pouring Foundation

- i. Clear rocks, debris, and trees
- ii. Level the site
- iii. Pouring concrete

B. Electrical

- i. Install electrical
- ii. Run electrical lines
- iii. Covering electrical lines

C. Fencing/External

- i. Install additional privacy fencing
- ii. Installing lighting for safety

Exhibit B
INSURANCE REQUIREMENTS

The Contractor providing services under this agreement will be required to procure and maintain, at its own expense and without cost to the City of Aurora, until final acceptance by the City of all work covered by the Purchase Order or contract the following types of insurance. The policy limits required are to be considered minimum amounts:

Commercial General Liability Insurance. The Contractor shall maintain commercial general liability insurance covering all operations by or on behalf of the Contractor on a per occurrence basis against claims for bodily injury (including death) and property damage (including loss of use) and products and completed operations coverage for a period of one (1) year after completion of the Work. Coverage will include personal injury liability with employee and contractual exclusions deleted and a Waiver of Subrogation. The City, its elected and appointed officials, employees, agents and representatives shall be named as Additional Insureds by endorsement.

Minimum limits:

\$1,000,000 each occurrence

\$2,000,000 general aggregate

\$2,000,000 products and completed operations

Commercial Automobile Liability Insurance. The Contractor shall maintain commercial automobile insurance covering liability arising out of the operation of any vehicle (including owned, non-owned and hired vehicles) with minimum limits of \$1,000,000 combined single limit each accident.

Workers' Compensation and Employers Liability Insurance. The Contractor shall maintain Worker's Compensation Insurance with limits in accordance with the provisions of the Workers' Compensation Act, as amended, by the State of Colorado. Additionally, the Contractor shall maintain Employers' Liability Insurance with minimum limits of \$1,000,000 bodily injury for each accident, \$1,000,000 bodily injury by disease each employee and \$1,000,000 bodily injury disease aggregate.

Umbrella/Excess Liability Insurance. Contractor will maintain an Umbrella/Excess Liability insurance policy on an occurrence basis in excess of the general liability coverage specified above, with minimum limits of \$2,000,000 per occurrence. The coverage shall be as broad as the underlying general liability policy set forth above. The City, its elected and appointed officials, employees, agents, and representatives shall be named as Additional Insureds by endorsement.

Subcontractor's Insurance. It shall be the responsibility of the vendor/contractor to ensure that subcontractors maintain:

- a. Commercial General Liability insurance with minimum limits of \$1,000,000 per occurrence, \$2,000,000 general aggregate and shall name the City of Aurora as an additional insured; and
- b. Worker's Compensation Insurance with limits in accordance with the provisions of the Workers' Compensation Act, as amended, by the State of Colorado and;
- c. Employers Liability Insurance with minimum limits of \$500,000 bodily injury for each accident, \$500,000 bodily injury by disease each employee and \$500,000 bodily injury disease aggregate.

The Contractor is responsible for verifying that the subcontractor's insurance is in effect prior to commencement of work and throughout the time that the subcontractor performs work on the project. Any subcontractor who ceases to provide insurance coverage as set forth above must be removed from the project until such time that insurance coverage can be verified as in full force and effect.

Limits of Insurance. The total limits of general and excess liability insurance set forth above may be provided to the City using a combination of primary and excess liability insurance.

Additional Insured. The Contractor shall name the City of Aurora, its elected and appointed officials, employees, agents and representatives as additional insureds by endorsement for the Commercial General Liability, Auto Liability and Excess Liability insurance policies and the certificate of insurance will include this specific language along with a copy of the endorsement.

Certificates of Insurance. Upon the execution of this Agreement, the Contractor shall provide certificates of insurance to the City of Aurora demonstrating that the minimum coverages required herein are in effect. Contractor agrees that the required coverages will not be reduced, canceled, non-renewed or materially changed without Thirty (30) days prior written notice to the City. All certificates of insurance must be kept in force throughout the duration of the services. If any of Contractor's or its subcontractor's coverage is renewed at any time prior to completion of the services, the Contractor shall be responsible for obtaining updated insurance certificates for itself and such subcontractors from the respective insurance carriers and forwarding the replacement certificates to the City within five (5) days of the expiration date of any previously delivered certificate.

The minimum A.M. Best rating of each primary insurer shall be A- X and the minimum A.M. Best rating of each excess insurer shall be A- VIII. The Contractor shall provide copies of insurance policies to the City Risk Manager upon request.

Any of the minimum limits of insurance set out herein may be raised or lowered at the sole discretion of the Risk Manager for the City of Aurora in response to the particular circumstances giving rise to the contract.

Insurance Primary Not Contributory. The Contractor's policies will be primary and non-contributory with respect to any and all insurance policies purchased by the City.

Self Insurance/Deductible. If the Contractor has any self-insured retentions or deductibles under any of the required policies, the Contractor must reflect these amounts on the Certificate(s) of Insurance. If requested, the Contractor will provide satisfactory evidence of financial responsibility for such obligations. In any event, Contractor will be solely responsible for any self-insured retentions deductibles.



CITY OF AURORA

Council Agenda Commentary

| |
|--|
| Item Title: Colorado Science + Technology Park Urban Renewal Area Intergovernmental Agreements |
| Item Initiator: Andrea Amonick, Development Services/AURA Manager |
| Staff Source/Legal Source: Chad Argentar, Senior Development Project Manager / Rachel Allen, Client Services Manager |
| Outside Speaker: N/A |
| Council Goal: 2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban centers |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 7/11/2022

ITEM DETAILS:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF AGREEMENTS BY AND BETWEEN THE AURORA URBAN RENEWAL AUTHORITY, THE CITY OF AURORA, AND THE TAXING JURISDICTIONS OF RECORD WITHIN THE COLORADO SCIENCE + TECHNOLOGY PARK ("CSTP") URBAN RENEWAL AREA, REGARDING TAX INCREMENT REVENUES GENERATED IN A SECOND TAX INCREMENT FINANCING AREA

Andrea Amonick, Development Services, AURA Manager / Chad Argentar, Senior Development Project Manager / Rachel Allen, Client Services Manager
Estimated time: 25 minutes

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Housing, Neighborhood Services & Redevelopment

Action Taken/Follow-up: (Check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input checked="" type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input checked="" type="checkbox"/> Minutes Attached | <input checked="" type="checkbox"/> Minutes Not Available |

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

After the Fitzsimons Army Medical Garrison closed in 1999, the city created the Fitzsimons Urban Renewal Area, encompassing former base property north and south of Montview Boulevard. In 2008, the city carved 184 acres out of the mostly undeveloped northern half of the URA to create the new Colorado Science and Technology Park (CSTP) Urban Renewal Area (URA), simultaneously creating CSTP TIF Area #1 east of Scranton Parkway. During the CSTP URA's initial 12 years, most development occurred within the TIF Area since most of the land west of Scranton Parkway (the former Fitzsimons Golf Course) was still owned by the United States Army. Since the 2008 CSTP URA Plan was adopted, the city has adopted the Fitzsimons Station Area Plan (2016), adopted a completely redrafted comprehensive plan ("Aurora Places") (2018) and approved an updated CSTP General Development Plan (2016) to reflect market changes in bioscience office/research park developments. To date, over 1 million square feet of development has occurred within TIF Area 1, including office and lab space, residential townhomes and apartments, a hotel, retail and 2 schools.

Following the transfer of the golf course property from the U.S. Army to the Fitzsimons Redevelopment Authority in 2018, the golf course ceased operations and the FRA (aka the Fitzsimons Innovation Community (FIC)) began actively working on development of the 114-acre western portion of the URA. In anticipation of the need to create a second tax increment finance area (TIF Area 2) to support new development, the *Colorado Science and Technology Park – West Area Blight Study* was completed in June 2018 and the presence of blight factors in the URA's western half was reconfirmed again in 2020.

House Bill 15-1348 considers any new Tax Increment (TIF) Areas (or changes to existing TIF areas) to be substantive amendments to the Plan thus requiring a formal plan amendment approved at a public hearing. House Bill 15-1348 also requires approval or agreements with taxing entities regarding the sharing of incremental revenues within a proposed TIF prior to plan adoption or amendment. In accordance with House Bill 1348, AURA staff has drafted an amended urban renewal plan and has been working with the other taxing authorities to discuss and agree upon the incremental tax distribution set forth in the amended Plan. Mile High Flood District has approved by resolution to provide 100% of their property tax increment to AURA. One hundred percent (100%) of incremental city revenue within TIF Area 2 will also be pledged via adoption of the amended Plan if approved at the July 11th public hearing. In cases where AURA will not collect and retain 100% of tax increment from a taxing jurisdiction within the TIF, cooperative agreements must be entered into between the city, AURA and those taxing entities. AURA has negotiated and received signed copies of increment sharing agreements from Adams County, Aurora Public Schools and the CSTP Metropolitan District #2.

A separate Public Finance and Redevelopment Agreement with the Metro District is being negotiated to provide tax increment to support their bond financing for infrastructure development. AURA will also retain some increment to support community benefit and other redevelopment activity within the area. The specifics are outlined within the draft amended urban renewal plan.

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

The amendment to the Colorado Science and Technology Park (CSTP) Urban Renewal Plan (the "Plan") incorporates elements of new and updated plans for the area (taking Aurora Places, Fitzsimons Station Area Plan, CSTP and GDP into consideration) and creates a second Tax Increment Financing (TIF) Area. The primary purpose of TIF Area 2 is to support an estimated \$83 million in infrastructure costs plus an additional \$52 million in related debt service costs. This infrastructure will be constructed in four phases over a 10-year period to support the build out of over 4 million square feet of new development within TIF #2. TIF Area 2 is expected to support the creation of over 9,000 new, permanent jobs across all levels of educational attainment.

Following House Bill 15-1348, AURA negotiated tax increment sharing agreements with those taxing jurisdictions that wish to retain/receive some or all their property tax increment generated within the new TIF Area. Accordingly, AURA has negotiated agreements with Adams County, Aurora Public Schools (APS) and the Colorado Science and Technology Park Metro District #2. Both the County and APS has agreed to allow AURA to keep 70% of their incremental tax revenues to be used for the benefit of development within TIF Area 2. Additionally, the agreement with APS includes language regarding potential space for a future APS facility within TIF Area 2. The Metro District will be allowed to keep 100% of its increment for the benefit of development

within TIF Area 2 as well. These agreements are attached and will be fully executed, contingent upon approval by the city of the amended Urban Renewal Plan and approval by the AURA board, both on July 11, 2022.

QUESTIONS FOR COUNCIL

Does the City Council approve the agreements between the City, the Aurora Urban Renewal Authority and the respective additional taxing entities?

LEGAL COMMENTS

State Statute requires the approval of cooperation agreements in order for an urban renewal plan amendment to be approved. (C.R.S. 31-25-107(9.5)). (Allen)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Adams County and Aurora Public Schools would be contributing 70% of their incremental property tax revenues generated within TIF Area 2, potentially up to \$57 million and \$162 million respectively during the 25-year TIF period. The CSTP Metro District will contribute 100% of its incremental property tax revenues for the benefit of development within TIF Area # 2, approximating \$62 million during the 25-year TIF period.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: Approximately 3 million square feet of new taxable property with an estimated market value over \$1 billion will be developed within TIF Area 2.

RESOLUTION NO. R2022- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF AGREEMENTS BY AND BETWEEN THE AURORA URBAN RENEWAL AUTHORITY, THE CITY OF AURORA, AND THE TAXING JURISDICTIONS OF RECORD WITHIN THE COLORADO SCIENCE + TECHNOLOGY PARK ("CSTP") URBAN RENEWAL AREA, REGARDING TAX INCREMENT REVENUES GENERATED IN A SECOND TAX INCREMENT FINANCING AREA

WHEREAS, pursuant to the Colorado Urban Renewal Law, Section 31-25-101, et seq., C.R.S. (the "Act"), the City Council of the City formed the Authority by the adoption of Resolution No. 81-92; and

WHEREAS, pursuant to the Act, the City Council of the City is considering adoption of an amendment (the "Amendment") to the urban renewal plan known as the "Colorado Science + Technology Park Urban Renewal Plan" (the "Urban Renewal Plan"); and

WHEREAS, the District is a taxing entity whose boundary includes real property within the boundary of the Authority; and

WHEREAS, C.R.S. 31-25-107(9.5) requires approval of cooperation agreements in order for the Plan Amendment to be approved; and

WHEREAS, the Act authorizes, and the Urban Renewal Plan provides, for the use of tax increment financing by the Authority to assist with the development of projects contemplated by the Urban Renewal Plan and, with regard to property to be added to the Urban Renewal Plan by means of the Amendment, subject to approval of an agreement between the Authority, the City and the District to comply with the requirements of C.R.S. 31-25-107(9.5); and

WHEREAS, the Parties desire to enter into this Agreement consistent with the Act, and to satisfy the requirements of C.R.S. 31-25-107(9.5).

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

Section 1. The Intergovernmental Agreements between the Aurora Urban Renewal Authority, the City of Aurora, and Aurora Public Schools; the Aurora Urban Renewal Authority, the City of Aurora, and the Board of County Commissioners of Adams County; and the Aurora Urban Renewal Authority, the City of Aurora, and Colorado Science and Technology Park Metro District No. 2 regarding the sharing of incremental property tax revenue otherwise allocated to the special fund of the Authority pursuant to the Act and to comply with the requirements of C.R.S. Section 31-25-107(9.5), is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached Agreements in substantially the form presented at this meeting with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:



RACHEL ALLEN, Client Group Manager

**AGREEMENT BY AND BETWEEN THE AURORA URBAN RENEWAL AUTHORITY,
THE CITY OF AURORA, AND THE BOARD OF COUNTY COMMISSIONERS OF
ADAMS COUNTY**

This **AGREEMENT** (the "Agreement") is entered into by and among the **AURORA URBAN RENEWAL AUTHORITY** (the "Authority"), an urban renewal authority and body corporate and politic of the State of Colorado, the **CITY OF AURORA** ("City"), a home rule municipal corporation of the State of Colorado, and the **BOARD OF COUNTY COMMISSIONERS OF ADAMS COUNTY, COLORADO** (the "County"), a political subdivision of the State of Colorado (individually a "Party" and collectively the "Parties").

RECITALS

WHEREAS, pursuant to the Colorado Urban Renewal Law, Section 31-25-101, *et seq.*, C.R.S. (the "Act"), the City Council of the City formed the Authority by the adoption of Resolution No. 81-92.

WHEREAS, pursuant to the Act, the City Council of the City is considering adoption of an amendment to the urban renewal plan known as the Colorado Science + Technology Park Urban Renewal Plan;

WHEREAS, the County is a taxing entity whose boundary includes real property within the boundary of the Authority;

WHEREAS, the Act authorizes, and the Plan will provide, for the use of tax increment financing by the Authority to assist with the development of projects subject to approval of an agreement between the Authority and a property owner or developer; and

WHEREAS, the Parties desire to enter into this Agreement consistent with the Act, and to satisfy the requirements of C.R.S. 31-25-107(9.5).

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein, the mutual covenants and promises set forth herein, and other good and valuable consideration, the receipt of sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Purpose. The purpose of this Agreement is to memorialize the Agreement between the County, the City and the Authority regarding the sharing of incremental property tax revenue otherwise allocated to the special fund of the Authority pursuant to the Act.
2. Receipt of Impact Report and Urban Renewal Plan. The County acknowledges the City and the Authority have provided the County with an impact report titled: *Impact Report for Colorado Science + Technology Park (CSTP) Urban Renewal Plan – TIF Area #2* and a copy of the proposed Amendment to the Colorado Science + Technology Park Urban Renewal Plan.

3. County TIF Shareback. The Parties agree that the County shall retain for the benefit of the County thirty percent (30%) of the incremental property tax revenue derived from the County's mill levy within the second Tax Increment Finance Area (TIF # 2) of the Colorado Science + Technology Park Urban Renewal Plan Area (the "Plan Area") pursuant to C.R.S. § 31-25-107(9.5) (the "TIF Shareback"). The County hereby agrees that the TIF Shareback is reasonable based on the nature of the project, the nature and size of the revenues, and the benefits expected from the implementation of the Plan. Pursuant to this Agreement, the Authority may retain and expend in furtherance of the Plan, seventy percent (70%) of the incremental property tax revenue derived from the County's mill levy within TIF #2 of the Plan Area pursuant to C.R.S. § 31-25-107(9.5).

4. No Contest. The County, as an entity, will not formally or legally object to the adoption of the Plan amendment, the description of the Plan Area set forth therein or any urban renewal undertakings or activities within the Plan Area.

5. Term, Termination. The term of this Agreement shall commence on the date of mutual execution of this Agreement by the Parties and shall run for a term of 25 years following the formal adoption of a Plan Amendment unless terminated earlier due to the termination of the Plan.

6. Modification. This Agreement may not be amended, modified, or changed, in whole or in part without a written agreement executed by the Parties.

7. Assignment. No Party shall assign this Agreement or any interest hereunder in whole or in part, without the prior written consent of each of the other Parties. Any assignment attempted without the prior written consent of all Parties hereto, which consent shall not be unreasonably withheld, shall be deemed void, and of no force or effect.

8. Notices. Any notices or other communications required or permitted by this Agreement or by law to be served on, given to or delivered to any Party hereto, by any other Party shall be in writing and shall be deemed duly served, given, or delivered when personally delivered to the Party to whom it is addressed or in lieu of such personal service, upon receipt in the United States' mail, first-class postage prepaid, addressed as follows:

To the County:

Board of County Commissioners
4430 S. Adams County Parkway
5th Floor, Suite C5000A
Brighton, CO 80601

Adams County Attorney
4430 S. Adams County Parkway
5th Floor, Suite C5000B
Brighton, CO 80601

To the City:

To the Authority:

Any Party may change its address for the purpose of this Paragraph by giving written notice of such change to other Parties in the manner provided in this Paragraph.

9. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

10. Binding Agreement. This Agreement shall inure to and be binding on the administrator, successors, and permitted assigns of the Parties hereto.

11. Entire Agreement. This Agreement constitutes the complete and exclusive statement of the agreement of the Parties with respect to the subject matter of this Agreement and supersedes all prior oral and written proposals, negotiations, representations, promises, agreements, warranties or understandings concerning such subject matter.

12. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

13. Governmental Immunity. Nothing in this Agreement shall be construed as a waiver of the rights and privileges of the Parties pursuant to the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as the same may be amended from time to time.

14. Authority to Enter into Agreement. Each Party hereby confirms it is lawfully authorized to enter into this Agreement, has received legal counsel and advice as to the legal effect of this Agreement, and has taken all steps necessary to authorize the execution of the Agreement by the respective signatories below.

[The remainder of this page if left intentionally blank. Signature page follows.]

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement as of the day and year first above written.

CITY OF AURORA, a municipal corporation of the State of Colorado:

Mayor

ATTEST:

APPROVED AS TO FORM:

City Attorney

AURORA URBAN RENEWAL AUTHORITY: an urban renewal authority and body corporate and politic of the State of Colorado

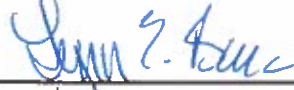
Chair

ATTEST:

APPROVED AS TO FORM:

Authority Attorney

**BOARD OF COUNTY
COMMISSIONERS, ADAMS COUNTY,**
political subdivision of the State of
Colorado:

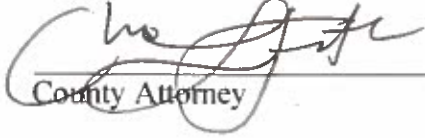


Chair

ATTEST:



APPROVED AS TO FORM:



County Attorney

**AGREEMENT BY AND BETWEEN THE AURORA URBAN RENEWAL AUTHORITY,
THE CITY OF AURORA, AND AURORA PUBLIC SCHOOLS**

This **AGREEMENT** (the "Agreement") is entered into by and among the **AURORA URBAN RENEWAL AUTHORITY** (the "Authority"), an urban renewal authority and body corporate and politic of the State of Colorado, the **CITY OF AURORA** ("City"), a home rule municipal corporation of the State of Colorado, and **AURORA PUBLIC SCHOOLS** ("APS"), a political subdivision of the State of Colorado (individually a "Party" and collectively the "Parties").

RECITALS

WHEREAS, pursuant to the Colorado Urban Renewal Law, Section 31-25-101, *et seq.*, C.R.S. (the "Act"), the City Council of the City formed the Authority by the adoption of Resolution No. 81-92.

WHEREAS, pursuant to the Act, the City Council of the City is considering adoption of an amendment to the urban renewal plan known as the Colorado Science + Technology Park Urban Renewal Plan;

WHEREAS, APS is a taxing entity whose boundary includes real property within the boundary of the Authority;

WHEREAS, the Act authorizes, and the Plan will provide, for the use of tax increment financing by the Authority to assist with the development of projects subject to approval of an agreement between the Authority and a property owner or developer; and

WHEREAS, the Parties desire to enter into this Agreement consistent with the Act, and to satisfy the requirements of C.R.S. 31-25-107(9.5).

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein, the mutual covenants and promises set forth herein, and other good and valuable consideration, the receipt of sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Purpose. The purpose of this Agreement is to memorialize the Agreement between APS, the City and the Authority regarding the sharing of incremental property tax revenue otherwise allocated to the special fund of the Authority pursuant to the Act.

2. Receipt of Impact Report and Urban Renewal Plan. APS acknowledges that the City and the Authority have provided APS with an impact report titled: *Impact Report for Colorado Science + Technology Park (CSTP) Urban Renewal Plan – TIF Area #2* and a copy of the proposed Amendment to the Colorado Science + Technology Park Urban Renewal Plan.

3. APS TIF Share Back. The Parties agree that AURA shall retain and remit to APS on an annual basis thirty percent (30%) of the incremental property tax revenue derived from APS's mill levy within the second Tax Increment Finance Area (TIF #2), from the Colorado Science

+ Technology Park Urban Renewal Plan Area (the "Plan Area") pursuant to C.R.S. § 31-25-107(9.5) (the "TIF Share Back"). APS hereby determines that by approval of this Agreement, it has determined that no negative impacts will be borne by APS through the implementation of the Plan and tax increment financing other than those impacts that are addressed by the TIF Share Back herein. APS therefore expressly waives its rights under C.R.S. § 31-25-107(9.5) to a sharing of any property tax increment generated within the Plan Area other than the TIF Share Back set forth in this Agreement. APS further agrees that this Agreement encompasses APS's participation in any incremental property tax allocation sharing by APS (above APS's share of property tax base), and that APS has received all notices associated therewith.

4. Further Negotiations. The Parties acknowledge that they seek to continue negotiations regarding the possibility of APS building or leasing space as part of the CSTP Urban Renewal Project, or other in-kind contributions as the Parties may agree to in the future. Nothing in this Agreement shall be construed as preventing or limiting the Parties' authority to modify the TIF Share Back to include all or a partial in-kind contribution in lieu of the TIF Share Back in the future. The Parties further agree that it is the purpose of TIF Area #2 to address the infrastructure needs of the area included within TIF #2. In addition, to the extent the Parties may agree on APS building or leasing space as part of the CSTP Urban Renewal Project, the Parties agree that APS shall not be responsible for any costs related to public improvements or other infrastructure improvements associated with, but outside of the area that may be constructed or leased by APS as set forth herein. Furthermore, the Authority will waive the payment in lieu of taxes required from Section 2.01(d) of the Public Finance and Redevelopment Agreement dated August 25, 2008 for any APS property within TIF Area #2, provided that such property does not exceed 20,000 square feet in building area.

5. No Contest. APS, as an entity, will not formally or legally object to the adoption of the amendment to the Plan, the description of the Plan Area set forth therein, or any urban renewal undertakings or activities within the Plan Area.

6. Term, Termination. The term of this Agreement shall commence on the date of mutual execution of this Agreement by the Parties, and shall run for a term of 25 years following the formal adoption of a Plan Amendment, unless terminated earlier due to the termination of the Plan, or otherwise modified as set forth herein.

7. Modification. This Agreement may not be amended, modified, or changed, in whole or in part without a written agreement executed by the Parties.

8. Assignment. No Party shall assign this Agreement or any interest hereunder in whole or in part, without the prior written consent of each of the other Parties. Any assignment attempted without the prior written consent of all Parties hereto, which consent shall not be unreasonably withheld, shall be deemed void, and of no force or effect.

9. Notices. Any notices or other communications required or permitted by this Agreement or by law to be served on, given to or delivered to any Party hereto, by any other Party shall be in writing and shall be deemed duly served, given, or delivered when personally delivered to the Party to whom it is addressed or in lieu of such personal service, upon receipt in the United States' mail, first-class postage prepaid, addressed as follows:

To APS: Aurora Public Schools
Educational Services Center 1
15701 E. 1st Ave.
Aurora, CO 80011
Attn: Josh Hensley, Planning Coordinator

To the City: City Attorney's Office
15151 East Alameda Parkway, Suite 5300
Aurora, CO 80012
Attn: Rachel Allen, Client Services Manager

To the Authority: Aurora Urban Renewal Authority
15151 East Alameda Parkway
Aurora, CO 80012
Attn: Andrea Amonick, AURA Manager

Any Party may change its address for the purpose of this Paragraph by giving written notice of such change to other Parties in the manner provided in this Paragraph.

10. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

11. Binding Agreement. This Agreement shall inure to and be binding on the administrator, successors, and permitted assigns of the Parties hereto.

12. Entire Agreement. This Agreement constitutes the complete and exclusive statement of the agreement of the Parties with respect to the subject matter of this Agreement and supersedes all prior oral and written proposals, negotiations, representations, promises, agreements, warranties or understandings concerning such subject matter.

13. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

14. Governmental Immunity. Nothing in this Agreement shall be construed as a waiver of the rights and privileges of the Parties pursuant to the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as the same may be amended from time to time.

15. Authority to Enter into Agreement. Each Party hereby confirms it is lawfully authorized to enter into this Agreement, has received legal counsel and advice as to the legal effect of this Agreement, and has taken all steps necessary to authorize the execution of the Agreement by the respective signatories below.

[The remainder of this page is left intentionally blank. Signature page follows.]

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement as of the day and year first above written.

CITY OF AURORA, a municipal corporation of the State of Colorado:

MIKE COFFMAN, Mayor

ATTEST:

APPROVED AS TO FORM:

City Attorney

AURORA URBAN RENEWAL AUTHORITY: an urban renewal authority and body corporate and politic of the State of Colorado

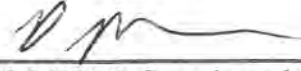
Chair

ATTEST:

APPROVED AS TO FORM:

Authority Attorney

AURORA PUBLIC SCHOOLS



RICO MUNN, Superintendent of Schools

ATTEST:

APPROVED AS TO FORM:



School District Attorney

**AGREEMENT BY AND BETWEEN THE AURORA URBAN RENEWAL AUTHORITY,
THE CITY OF AURORA, AND COLORADO SCIENCE AND TECHNOLOGY PARK
METROPOLITAN DISTRICT NO. 2**

This **AGREEMENT** (the "**Agreement**"), dated as of June 22, 2022 (the "Dated Date"), is entered into by and among the **AURORA URBAN RENEWAL AUTHORITY** (the "**Authority**"), an urban renewal authority and body corporate and politic of the State of Colorado, the **CITY OF AURORA** ("**City**"), a home rule municipal corporation of the State of Colorado, and **COLORADO SCIENCE AND TECHNOLOGY PARK METROPOLITAN DISTRICT NO. 2** (the "**District**"), a special district organized under Title 32 of the Colorado Revised Statutes (individually a "**Party**" and collectively the "**Parties**").

RECITALS

WHEREAS, pursuant to the Colorado Urban Renewal Law, Section 31-25-101, *et seq.*, C.R.S. (the "**Act**"), the City Council of the City formed the Authority by the adoption of Resolution No. 81-92;

WHEREAS, pursuant to the Act, the City Council of the City is considering adoption of an amendment (the "**Amendment**") to the urban renewal plan known as the "Colorado Science + Technology Park Urban Renewal Plan" (the "**Urban Renewal Plan**");

WHEREAS, the District is a taxing entity whose boundary includes real property within the boundary of the Authority;

WHEREAS, the Act authorizes, and the Urban Renewal Plan provides, for the use of tax increment financing by the Authority to assist with the development of projects contemplated by the Urban Renewal Plan and, with regard to property to be added to the Urban Renewal Plan by means of the Amendment, subject to approval of an agreement between the Authority, the City and the District to comply with the requirements of C.R.S. 31-25-107(9.5); and

WHEREAS, the Parties desire to enter into this Agreement consistent with the Act, and to satisfy the requirements of C.R.S. 31-25-107(9.5).

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein, the mutual covenants and promises set forth herein, and other good and valuable consideration, the receipt of sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Purpose. The purpose of this Agreement is to memorialize the Agreement between the District, the City and the Authority regarding the sharing of incremental property tax revenue otherwise allocated to the special fund of the Authority pursuant to the Act and to comply with the requirements of C.R.S. 31-25-107(9.5).

2. Receipt of Impact Report and Urban Renewal Plan. The District acknowledges that the City and the Authority have provided the District with an impact report titled: *Impact Report*

6/22/2022

for Colorado Science + Technology Park (CSTP) Urban Renewal Plan – TIF Area #2 and a copy of the proposed Amendment..

3. District Tax Levy Allocation.

a. The Authority agrees to remit to the District all of the increase in property tax revenues (“**District TIF Revenue**”) calculated, produced, and allocated to the Authority as a result of the levy of the District upon taxable property within the TIF Area #2 (as described in the Amendment) pursuant to and in accordance with § 31-25-107(9)(a)(II), C.R.S. of the Act and the rules and regulations of the Property Tax Administrator of the State of Colorado (the "**District Tax Levy Allocation**"); and

b. Commencing on the date of this Agreement and for the period of time that the provisions of the Urban Renew Plan authorizing the receipt by the Authority of District TIF Revenue are in effect pursuant to § 31-25-107(9)(a)(II), C.R.S., the Authority shall transfer to the District on or before August 1st of each year, all District TIF Revenue received during the previous calendar year (the "**TIF Remittance**"), provided that the District may only use such revenues in furtherance of the Plan.

4. Use of District Tax Levy Allocation. The District agrees to use TIF Revenues received pursuant to this Agreement in accordance with the statutory authority granted to the District under its Service Plan and §§ 32-1-101, *et seq.*, C.R.S., and specifically the TIF Revenues shall be applied to debt obligations of the District in furtherance of the Plan.

5. Agreement Confined to District Tax Levy Allocation Revenue. This Agreement applies only to the District Tax Levy Allocation revenues, as calculated, produced, collected and allocated to the Authority within TIF Area #2 in accordance with § 31-25-107(9)(a)(II), C.R.S. and the rules and regulations of the Property Tax Administrator of the State of Colorado, and does not include any other revenues of the City or the Authority. Nothing herein shall amend or modify any agreement among the District, the City or the Authority executed in connection with the Urban Renewal Plan as it existed prior to the adoption by the City of the Amendment.

6. No Contest. The District, as an entity, will not formally or legally object to the adoption of the Amendment to the Plan, the description of the Plan Area set forth therein, or any urban renewal undertakings or activities within the Plan Area.

7. Term, Termination. The term of this Agreement shall commence on the Dated Date, being the date of mutual execution of this Agreement by the Parties, and shall run for a term of 25 years following the formal adoption of a Plan Amendment, unless terminated earlier due to the termination of the Plan, or otherwise modified as set forth herein.

8. Modification. This Agreement may not be amended, modified, or changed, in whole or in part without a written agreement executed by the Parties.

9. Assignment. No Party shall assign this Agreement or any interest hereunder in whole or in part, without the prior written consent of each of the other Parties. Any assignment

attempted without the prior written consent of all Parties hereto, which consent shall not be unreasonably withheld, shall be deemed void, and of no force or effect.

10. Notices. Any notices or other communications required or permitted by this Agreement or by law to be served on, given to or delivered to any Party hereto, by any other Party shall be in writing and shall be deemed duly served, given, or delivered when personally delivered to the Party to whom it is addressed or in lieu of such personal service, upon receipt in the United States' mail, first-class postage prepaid, addressed as follows:

To the District: Colorado Science and Technology Park MD No. 2
8390 E. Crescent Parkway, Suite 300
Greenwood Village, CO 80111

To the City: City of Aurora
15151 E. Alameda Parkway
Aurora, CO 80012

To the Authority: Aurora Urban Renewal Authority
15151 E. Alameda Parkway
Aurora, CO 80012

Any Party may change its address for the purpose of this Paragraph by giving written notice of such change to other Parties in the manner provided in this Paragraph.

11. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

12. Binding Agreement. This Agreement shall inure to and be binding on the administrator, successors, and permitted assigns of the Parties hereto.

13. Entire Agreement. This Agreement constitutes the complete and exclusive statement of the agreement of the Parties with respect to the subject matter of this Agreement and supersedes all prior oral and written proposals, negotiations, representations, promises, agreements, warranties or understandings concerning such subject matter.

14. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

15. Governmental Immunity. Nothing in this Agreement shall be construed as a waiver of the rights and privileges of the Parties pursuant to the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as the same may be amended from time to time.

16. Authority to Enter into Agreement. Each Party hereby confirms it is lawfully authorized to enter into this Agreement, has received legal counsel and advice as to the legal effect of this Agreement, and has taken all steps necessary to authorize the execution of the Agreement by the respective signatories below.

[The remainder of this page is left intentionally blank. Signature page follows.]

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement as of the day and year first above written.

CITY OF AURORA, a municipal corporation of the State of Colorado:

Mayor

ATTEST:

APPROVED AS TO FORM:

City Attorney

AURORA URBAN RENEWAL AUTHORITY, an urban renewal authority and body corporate and politic of the State of Colorado:

Chair

ATTEST:

APPROVED AS TO FORM:

Authority Attorney

**COLORADO SCIENCE AND
TECHNOLOGY PARK
METROPOLITAN DISTRICT NO. 2:**

DocuSigned by:
Mike Komppa
D395F10A7EF0494...
Chair

ATTEST:

DocuSigned by:
Lyle Artz
5A5F6386EAF949A...

APPROVED AS TO FORM:

DocuSigned by:
[Signature]
A3D5F387D627442...
District Attorney

HOUSING, NEIGHBORHOOD SERVICES & REDEVELOPMENT POLICY COMMITTEE

June 2, 2022

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

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

WELCOME AND INTRODUCTIONS

Council Member Murillo welcomes everyone to the meeting.

MINUTES

May 5, 2022 minutes are approved.

ANNOUNCEMENTS

No announcements are made.

NEW ITEMS

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

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

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

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

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

Questions/Comments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Questions/Comments

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

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

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

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

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

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

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

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

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

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

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

Outcome – This item will move forward to Study Session.

Department of Local Affairs (DOLA) Grant Update

Summary of Issue and Discussion

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

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

Questions/Comments

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

Outcome – This item is informational only.

MISCELLANEOUS MATTERS FOR CONSIDERATION

Updates from Community Members

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

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

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

Meeting Adjourned: 12:14 p.m.

APPROVED: _____
Committee Chair, Crystal Murillo



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Intergovernmental Agreement between the United States Attorney’s Office for the District of Colorado and the City of Aurora, Colorado for the appointment of a Special Assistant to the United States Attorney |
| Item Initiator: Jason Batchelor, Deputy City Manager |
| Staff Source/Legal Source: Jason Batchelor, Deputy City Manager/Peter Schulte, Public Safety Client Group Manager |
| Outside Speaker: N/A |
| Council Goal: 2012: 1.0--Assure a safe community for people |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: N/A

ITEM DETAILS:

A Resolution of the City Council of the City of Aurora, Colorado expressing the Aurora City Council’s support for entering into an Intergovernmental Agreement between the United States Attorney for the District of Colorado and the City of Aurora for the appointment of a Special Assistant United States Attorney (SAUSA).

Jason Batchelor, Deputy City Manager/Peter Schulte, Public Safety Client Group Manager

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

-
- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

Recent changes in state law have impacted the ability for law enforcement to prosecute certain crimes, including Possession of a Weapon by Previous Offenders (POWPO) in state court. These offenses remain federal offenses and there is the ability for law enforcement to pursue federal prosecution of these cases.

City staff have held discussions with the US Attorney's Office about the ability for Aurora to pursue federal prosecution in serious cases. The US Attorney's Office would appoint a city employee as a Special Assistant to the US Attorney (SAUSA) and handle the increase caseload from pursuing prosecution of these cases in federal court rather than state court. This would require the City to add an additional FTE in the City Attorney's Office, who would then be detailed to work exclusively in the US Attorney's Office to handle these cases.

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

The attached Resolution would direct staff to enter into the Intergovernmental Agreement with the US Attorney for the District of Colorado for the appointment of a city employee as a Special Assistant to the US Attorney (SAUSA).

QUESTIONS FOR COUNCIL

Does Council approve the attached Resolution and Intergovernmental Agreement?

LEGAL COMMENTS

Section 10-12 of the City Charter authorizes the City Council of the City of Aurora, Colorado, by resolution, to enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment, or facilities, and for the furnishing or receiving of services.

PUBLIC FINANCIAL IMPACT

- YES NO

If yes, explain: Funding for the positions and IGA are not currently in the budget and will need to be included in the Fall Supplemental.

PRIVATE FISCAL IMPACT

- Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

INTERGOVERNMENTAL AGREEMENT
between
The United States Attorney's Office for the District of Colorado
and
The City of Aurora, Colorado

I. Purpose

This Intergovernmental Agreement (IGA) sets forth the agreement between the The City of Aurora, Colorado (Agency) and the United States Attorney's Office for the District of Colorado (USAO) regarding the appointment of a Special Assistant United States Attorney (SAUSA) or SAUSAs to the USAO, pursuant to 28 U.S.C. §§ 543 and 530C.

II. Appointment, Requirements, Agency as Employer, Expenses

A. The Executive Office for United States Attorneys (EOUSA) retains authority to appoint, extend, and terminate all non-federal attorneys. The USAO may submit a request to EOUSA that one or more attorneys (Attorney) from the Agency be appointed to serve as a SAUSA. The Attorney must meet the screening and vetting procedures required by the USAO and the Attorney must have and maintain a current background investigation that meets USAO and Department of Justice (DOJ) security requirements, including the reinvestigation requirements of 5 CFR § 731.106(d). If the Agency's background investigation does not meet USAO and DOJ requirements, or if the Attorney will be performing SAUSA duties that require a higher clearance level, the Agency will initiate and pay for an investigation at the required level.

B. In the SAUSA appointment document, as well as in any appointment renewal/extension documents, the Attorney shall agree to the terms set forth in this IGA, or such amended or modified IGA as exists at the time of renewal/extension.

C. At all times, during his/her SAUSA appointment, the Attorney shall be an active member of the bar of a jurisdiction of at least one State, territory, or the District of Columbia. The Attorney will provide the USAO with proof of active bar membership annually or upon request. The Attorney acknowledges that if he/she holds a public office, and is running for reelection as a political party candidate, he/she may not be designated, or continue his/her appointment as a SAUSA.

D. The USAO shall assist in filing the necessary paperwork with the District Court to allow the Attorney to appear in the federal court on behalf of the United States and obtain authorization for the Attorney to have access to the United States District Court complex if necessary.

E. The appointment is made on a non-reimbursable basis. At all times, the Attorney will remain the employee of the Agency. The USAO will not be responsible for providing any part of the Attorney's salary or benefits. The Agency warrants and represents that it is authorized, through its appropriated funds, to provide Attorney's funding.

F. The Agency will be responsible for all costs and expenses incurred by the Attorney, including travel and training expenses, unless otherwise agreed to in writing by the USAO. The USAO will be responsible for all costs/expenses incurred by the Attorney in performing his/her duties as a SAUSA, provided the Attorney obtains prior approval from the USAO for all such costs/expenses, consistent with the policies of the USAO. At its sole discretion, and provided that the Attorney is eligible under the Federal Government's Travel Program, the USAO may provide a government travel card to the Attorney for expenses incurred as a SAUSA.

III. Attorney's Role as a SAUSA

A. **Case Assignments.** The purpose of appointing Agency Attorneys as SAUSAs is to maximize the effectiveness of both USAO and Agency prosecutions, and to take advantage of situations in which prosecutions under the federal criminal statutes present unique benefits in terms of potential punishments, elements required to prove crimes, or subject's relationship to other pending or ongoing investigations or prosecutions. In performing his/her duties as a SAUSA, the Attorney will work on matters or cases that are cases in which the Agency is the originating agency and/or lead agency, or in which the Agency has a significant interest. For matters and cases where the Attorney is working under the direct supervision of USAO managers, the USAO managers will supervise the Attorney's work as a SAUSA. Otherwise, the Agency shall supervise the Attorney's work.

B. **Duty Station, Office Space.** The USAO will determine the extent to which the Attorney will need access to the USAO's physical space and/or IT Systems, if at all. If it is determined that the Attorney needs access to the USAO's physical space and/or IT Systems, the Attorney shall agree to all rules and regulations concerning DOJ space and IT Systems and will be provided with needed identification and Homeland Security Presidential Directive – 12 (HSPD-12) Personal Identity Verification (PIV) cards. If the Attorney has an HSPD-12 PIV card from the Agency, he/she will use this PIV card with the USAO Access Control System.

If the Attorney is to perform work as a SAUSA either part- or full-time in the USAO's physical space, the following provisions will apply:

1. The Agency shall set the Attorney's work schedule with the input of the USAO;
2. The USAO may provide office space and clerical support for the Attorney, as determined by the USAO; and
3. Unless otherwise agreed between the parties, the Agency shall be responsible for approving the Attorney's requests for leave according to its usual procedures and policies. The Agency will obtain input from the USAO ensuring the Attorney's work responsibilities as a SAUSA are considered. Notwithstanding the above, the processing of the Attorney's time and attendance, as well as pay and benefits, shall be the sole responsibility of the Agency.

C. **Evaluation of Attorney's Performance.** The Agency is responsible for evaluating the performance of the Attorney unless otherwise agreed by the parties. The USAO will provide input to the Agency concerning the Attorney's performance as a SAUSA. The Agency may provide a copy of the Attorney's performance evaluation(s) to the USAO for informational purposes.

D. **Compliance with Rules, Regulations, Policies.** In addition to remaining subject to the Agency's standards, policies, and procedures, the Attorney, for the duration of the appointment as a SAUSA, shall also be subject to and shall comply with, all rules, regulations, procedures, and policies of the DOJ, the Executive Office for United States Attorneys, and the USAO, including: those regarding the use of Information Technology and the protection of DOJ data; the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. § 2635 *et seq.*, as supplemented by 5 C.F.R. § 3801; federal conflict of interest laws 18 U.S.C. §§ 207, 208, and 209; laws restricting the disclosure of certain confidential governmental information, 18 U.S.C. § 1905; the Freedom of Information and Privacy Acts, 5 U.S.C. § 552 and § 522a; and political activity restrictions, 5 U.S.C. § 7321 *et seq.* Notwithstanding the above, Agency Attorneys are not subject to the prohibition against the compensated outside practice of law as described in the rules and regulations set forth above. The Attorney shall also adhere to the Federal Rules of Criminal/Civil Procedure and the local rules established by the courts in the district. The Attorney agrees that any confidential or non-public information (as defined by 5 C.F.R. § 2635.703(b)) gained during this assignment with the DOJ will be kept confidential. The confidentiality obligation shall continue indefinitely, beyond the term of the Attorney's appointment as a SAUSA.

E. **Conflicts of Interest.** For each case or matter the SAUSA handles in performing work as a SAUSA, he/she shall complete a GCO-1 Form, which the USAO shall supply. The parties recognize that there may be circumstances when the Attorney may have a conflict of interest in undertaking representation of the United States in a particular case. Upon perceiving the possibility of a conflict of interest in any assignment, the Attorney will consult his/her supervisor(s) at the Agency, and his/her USAO supervisor if he/she has one, the USAO's Ethics Advisor and Professional Responsibility Officers, EOUSA's General Counsel's Office, and/or the DOJ's Professional Responsibility Advisory Office, as appropriate.

F. **Training.** The Attorney shall attend all mandatory training as directed by the USAO. The Attorney shall also complete all DOJ professionalism and training requirements for Attorneys.

G. **Reporting Requirements.** If directed to do so by the USAO, the Attorney shall submit time records and satisfy case reporting requirements for his/her work performed as a SAUSA, utilizing the USAO's systems.

IV. Termination, Modification

This IGA, and the appointment of any Agency Attorney as a SAUSA, may be terminated at any time by either the Agency or the USAO. Said termination shall be made in writing. The termination of an Attorney's appointment as a SAUSA is not subject to review and the Attorney does not have administrative appeal rights relating to the termination of his/her SAUSA appointment.

This IGA may be amended at any time provided the amendment is in writing and signed by both the Agency and the USAO. Renewal/extension of a SAUSA appointment is at the sole discretion of the USAO and must be in writing.

V. Signatures

By signing this IGA, all signatories affirm that they have read this IGA and agree to its terms, restrictions, and limitations.

Cole Finegan
United States Attorney
District of Colorado

Date

Michael Coffman
Mayor
The City of Aurora, Colorado

Date

RESOLUTION NO. R 2022 – ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO,
APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED
STATES ATTORNEY’S OFFICE FOR THE DISTRICT OF COLORADO AND THE CITY
OF AURORA REGARDING THE APPOINTMENT OF A SPECIAL UNITED STATES
ATTORNEY

WHEREAS, the City of Aurora is currently experiencing a rise in violent crime and changing legislation at the state level is limiting prosecution of certain offenses in state court; and

WHEREAS, the City wishes to leverage federal partnerships and resources to charge offenders with federal crimes for conduct the State of Colorado has decriminalized or lessened the penalties; and

WHEREAS, appointing a Special Assistant United States Attorney (SAUSA) employed by the Aurora City Attorney’s Office will assist with identifying and prosecuting federal crimes that occur within the City of Aurora. The purpose of appointing an Assistant City Attorney as a SAUSA is to maximize the effectiveness of both the United States Attorney’s Office for the District of Colorado (USAO) and City prosecutions, and to take advantage of situations in which prosecutions under the federal criminal statutes present unique benefits in terms of potential punishments, elements required to prove crimes, or subject’s relationship to other pending or ongoing investigations or prosecutions; and

WHEREAS, this Intergovernmental Agreement (IGA) sets forth the agreement between the City of Aurora and the United States Attorney’s Office for the District of Colorado for the appointment of an Assistant City Attorney for the City of Aurora as a Special Assistant United States Attorney to the USAO, pursuant to 28 U.S.C. §§ 543 and 530C; and

WHEREAS, The United States Attorney’s Office and the City of Aurora are constitutionally and statutorily empowered pursuant to Colo. Const., Article XIV, §18 and Sections 29-1-201, et seq., C.R.S. to cooperate or contract via intergovernmental agreement with one another to provide functions, services or facilities authorized to each cooperating government; and

WHEREAS, Section 10-12 of the City Charter authorizes the City Council, by resolution, to enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment, or facilities, and for the furnishing or receiving of services.

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

Section 1. The Intergovernmental Agreement between the United States Attorney’s Office and the City of Aurora, Colorado regarding safety and security services is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement in substantially the form presented at this meeting with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:



PETER A. SCHULTE, Public Safety Group Client Manager



CITY OF AURORA

Council Agenda Commentary

| |
|--|
| Item Title: E 38th Ave and Helena St - Zoning Map Amendment |
| Item Initiator: Erik Gates, Planner 1 |
| Staff Source/Legal Source: Erik Gates, Planner 1 / Daniel L. Money, Senior Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban centers |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 5 ACRES MORE OR LESS AT THE SOUTHEAST CORNER OF EAST 38TH AVENUE AND HELENA STREET FROM RESIDENTIAL – RURAL DISTRICT (R-R) TO BUSINESS/TECH DISTRICT (I-I) AND AMENDING THE ZONING MAP ACCORDINGLY (EAST 38TH AVENUE & HELENA STREET ZONING MAP AMENDMENT)

Erik Gates, Planner 1 / Daniel L. Money, Senior Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

Policy Committee Date: 6/8/2022

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

The Planning and Zoning Commission heard the applicant's request for a Zoning Map Amendment in a public hearing on June 8, 2022 and voted unanimously (6-0) to recommend approval to City Council. The Planning Commission Meeting Summary is attached (see Exhibit F) and this details the discussion and Planning Commission action on this item.

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

The applicant, Modern Design Construction, is requesting approval of a Zoning Map Amendment to rezone the 5-acre subject site from Residential – Rural (R-R) to Business/Tech (I-1). The subject property is located within Subarea B, at the southeast corner of E 38th Ave and Helena St. The anticipated use for this property following a rezoning to I-1 would be Flex Office uses.

The subject site is surrounded by the R-R zone district to the north, east, and south; and the MU-C district to the west. Low-density residences occupy lots to the south and east, but the R-R zoned lot to the north and adjacent to I-70 is vacant. The property is located within the Industrial Hub Placetype within the Aurora Places Comprehensive Plan. The proposed I-1 zone district is a compatible zoning district with the designated placetype and permits compatible uses described within the comprehensive plan.

A specific use has not been officially proposed. Future development will require site plan approval and infrastructure improvements. Other zoning applications may be required depending on the request.

Nine adjacent property owners and two registered neighborhood organizations were notified of the application. No comments were received by Staff regarding the zoning map amendment application during Staff review. Therefore, no neighborhood meeting was held. Staff did receive a letter of concern following notification of the Planning and Zoning Commission hearing. The author of this letter was also heard during the Planning and Zoning Commission hearing.

QUESTIONS FOR COUNCIL

Does the City Council wish to approve the Zoning Map Amendment from the R-R District to the I-1 District?

LEGAL COMMENTS**INITIAL ZONING AND REZONE**

An application for initial zoning, rezoning, and changes to the Zoning Map for individual parcels or small areas shall only be recommended if the Planning Director and the Planning and Zoning Commission finds that the following criteria have been met, and shall only be approved if City Council, after a public hearing, finds that the following criteria have been met.

(1) The change to the Zoning Map is needed to correct an error (change in the character of surrounding

areas does not constitute an error in the map); or

(2) The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:

(a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district(s);

(b) The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed initial zoning or rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

(c) The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application. (City Code Sec. 146-5.4.1.C) (Money)

PUBLIC FINANCIAL IMPACT

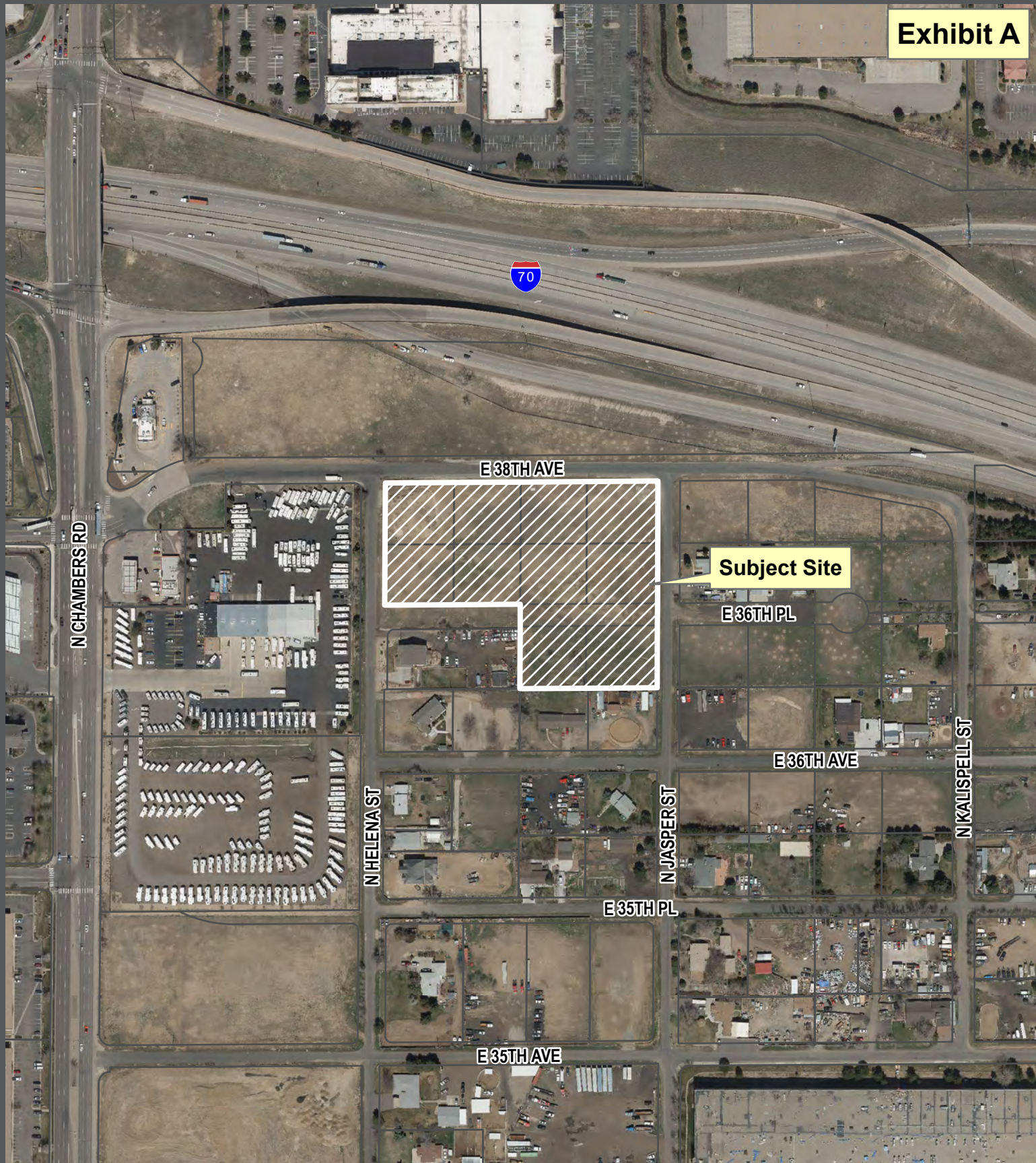
YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A



**E 38th Ave & N Helena St
Zoning Map Amendment**



*Aurora is
Worth Discovering!*



City of Aurora, Colorado

**Planning &
Development Services**

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7217
GIS@auroragov.org

Case Numbers: 1982-2015-00
Development Application: #2311-00

May 17, 2022

DESIGN **EDGE**

Erik Gates - Planner
 Planning and Development Services
 City of Aurora Planning Division
 15151 East Alameda Parkway, Suite 2300
 Aurora, CO 80012
 303-739-7132

RE: Zoning Map Amendment - 38th Avenue and Helena Street
Application Number – DA-2311-00,
Case Numbers – 1982-2015-00

Erik,

This letter shall serve as our letter of introduction for the project.

The proposed project is the rezoning of two parcels within the City of Aurora. The lots are located as Parcel 1 – Lots 1-8, Block 1, Peterson Subdivision and Parcel 2 – Lots 3-4, Block 4, Peterson Subdivision. The property is currently zoned R-R (Rural Residential District) and it is the intent to rezone to I-1 (Business Tech District). We believe this is consistent with city plans which indicate this site located within the “Industry Hub” placetype in Aurora Places.

We have included a schematic plan of a proposed option for both parcels. Parcel one is a series of office/flex industrial spaces that could be leased as small space or combined into larger spaces. Viewed as offices from the street with loading located internally will provide a desirable view from all streets and blend into the surrounding neighborhood and provide a transition from commercial uses along Chambers and buffer I-70 nicely. Parcel two is currently planned as a standalone flex office/industrial building that could be occupied by one or multiple tenants.

The goal of all projects would be to meet all standards within the newly proposed I-1 for setbacks, height, parking and other requirements of the city. In addition, we have incorporated items discussed at our pre-application meeting into the sketch plan. Those items include setback adjustments, site access adjustments, on site detention, and a few other clerical items.

In addition to the items indicated above, we are including some additional supporting documentation that was requested at the first round of comments provided by the City. Those are listed as Appendix “A” Letter of Introduction Supplement.

Architecture**Interior Design****Planning****Construction****Management**

Thank you for your time and consideration and we look forward to meeting soon to discuss this project in greater detail. If there is other information you require, please let me know and we will try and provide that to you in a timely manner.

Sincerely,



Andy Olree – Principal
 Design Edge, P.C.

Design Edge, P.C.
 482 South Broadway
 Suite 100
 Denver, CO 80209
 Tel: 303 260 7277
 Fax: 303 260 7282
 www.de-arch.com

Denver, CO
 Colorado Springs, CO

APPENDIX A

Letter of Introduction Supplement – 38th & Helena Rezoning Application

As part of our introduction letter, we wanted to take the opportunity to address the City of Aurora’s comments included in their feedback letter dated April 21, 2022. The content specifically relates to comment (2) which asked the applicant to address specific code criteria found in Section 146-5.4.1.C(3)(a)(ii) of the Unified Development Ordinance, namely:

1. The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district(s);
2. The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed initial zoning or rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and
3. The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.

Consistency with Spirit and Intent of the Comprehensive Plan

We conducted a thorough review of “Aurora Places,” the City’s comprehensive plan, to demonstrate the considerable support for the rezoning request from Rural-Residential to Industrial-1. The content below will outline pertinent sections of Aurora Places and highlight how they support our request.

Chapter 2 – A City in Transition

- Fiscal Health
 - *“Aurora is deeply dependent on local sales tax to support its budget. In the 2018 Adopted Budget, sales tax revenue is the largest operating source of revenue, contributing 55 percent of General Fund sources. This source of revenue is largely driven by population demographics the availability of disposable income of Aurora households. Consumer spending by daytime Aurora-based employees and spending by visitors to the city are other sales tax contributors” (pg. 14)*
 - *“The second largest revenue source is local property taxes, which comprises 11 percent of the General Fund revenue.” (pg. 15)*

Applicant Response

- The proposed rezoning to I-1 and subsequent development of an industrial flex/office park would help to improve Aurora’s fiscal health by creating new jobs where Aurora-based employees and products sold by associated business can help grow the City’s tax base. Furthermore, the development of this vacant parcel would increase the value of the land and the property tax revenue collected by the City.

Chapter 3 – Community Conversation

- A Strong Economy
 - *“The participants in the community conversation stressed the importance of economic growth for Aurora...According to participants, job creation and access to workforce*

APPENDIX A

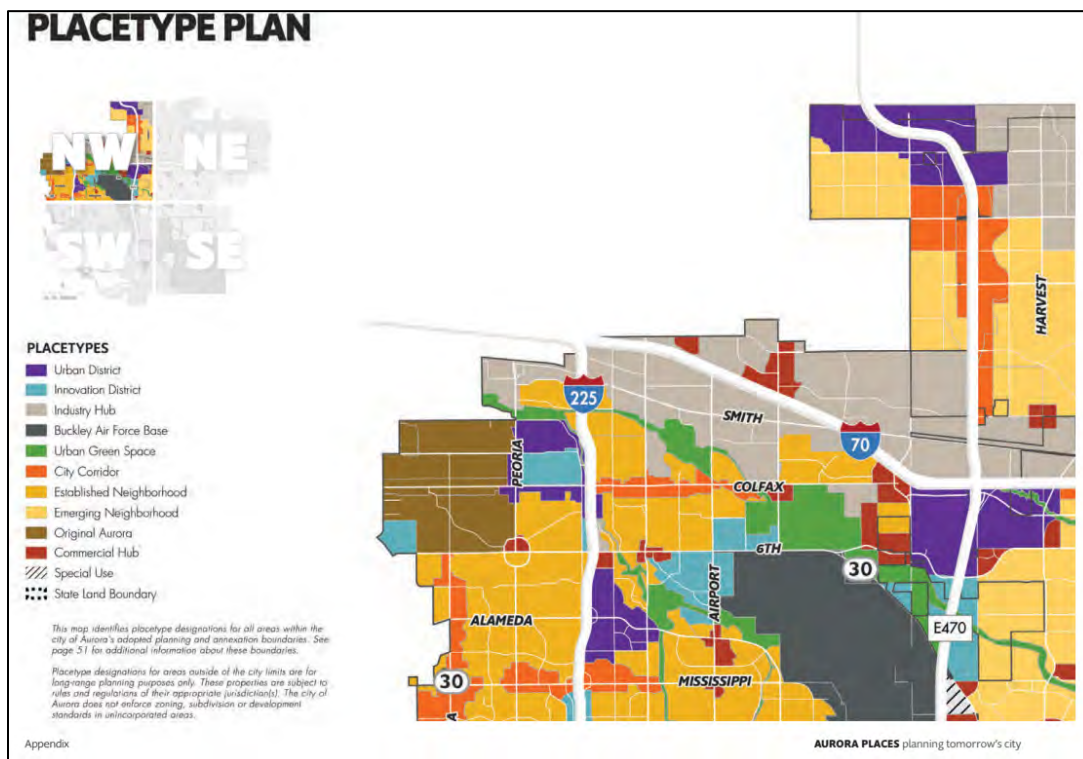
training resources are very important. There is a strong desire to improve support for small and local businesses.” (pg. 20)

Applicant Response

- Aurora prides itself, and as it should, on the community outreach conducted as part of the recent passage of Aurora Places. In their feedback, Aurora residents stressed the importance of economic growth and a strong focus on job creation and support for local businesses. The proposed rezoning to I-1 would allow for the development of small-scale commercial buildings which lends themselves to local businesses/employers rather than large corporate users. The I-1 would foster development on a currently vacant piece of land and support economic growth along the I-70 corridor which is exactly where this type of development should be located.

Chapter 4 – Placetypes

- Placed Based Approach
 - *“The placetypes provide a great deal of flexibility and potential for innovation. This place-based approach promotes the full potential of vacant and undeveloped properties by allowing them to draw on different types of land uses. The creation of places not only depends on the land uses but also on their specific design, functionality and access to infrastructure.” (pg. 24)*
- Placetype Plan



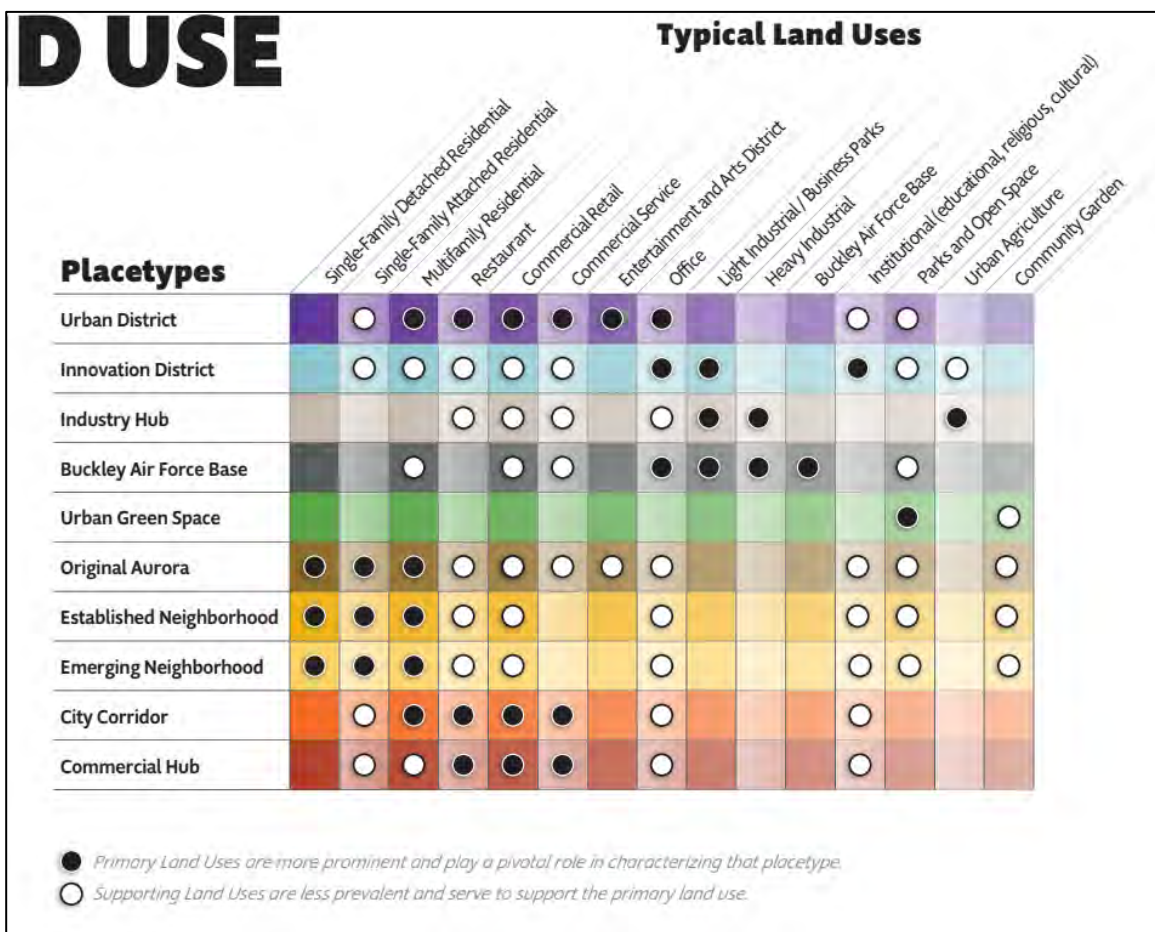
Applicant Response

- The property in question is situated comfortably within the Industry Hub placetype designation. The overarching placetype description on pg. 24 notes the city’s place-based approach “promotes the full potential of vacant and undeveloped properties...” The property in question

APPENDIX A

at 38th Ave and Helena St is a vacant, undeveloped parcel, and as such, has strong potential for a higher and better use.

- Placetypes and Land Use
 - *“Primary land uses are prominent and play a pivotal role in characterizing the placetype. Supporting land uses are less prevalent and strengthen the primary land uses.” (pg. 26)*
- Typical Land Uses
 - *“Light Industrial, Business Parks, and office space cover a wide range of uses that include storage, warehouse, research, light processing or assembly, office parks and others.” (pg. 27)*



Applicant Response

- The chart above depicts primary and supporting land uses within the Industry Hub placetype designation. The rezoning of the property to I-1 would allow for the development of a light industrial/business park which is a primary land use and plays a “pivotal role in characterizing that placetype.” The typical uses found within the Industry Hub zone district align closely with our planned use if the I-1 rezoning request is approved.

APPENDIX A

- Industry Hub
 - *“The Industry Hub includes areas typically dedicated to manufacturing, warehousing, distribution, fulfillment centers, freight operations and renewable energy enterprises. This placetype plays an important role in the city's employment base and economy, but can sometimes create outdoor activity and should be appropriately buffered from residential and commercial areas. It can generate high volumes of traffic from both its employees and associated truck traffic. Adjoining roadways should accommodate traffic without negatively impacting quieter placetypes or traffic on local streets serving residential areas4” (pg. 32)*
 - *“Locate Industrial Hubs near major highways. Configure a street grid sufficient to accommodate large industrial facilities and truck traffic.” (pg. 32)*

Applicant Response

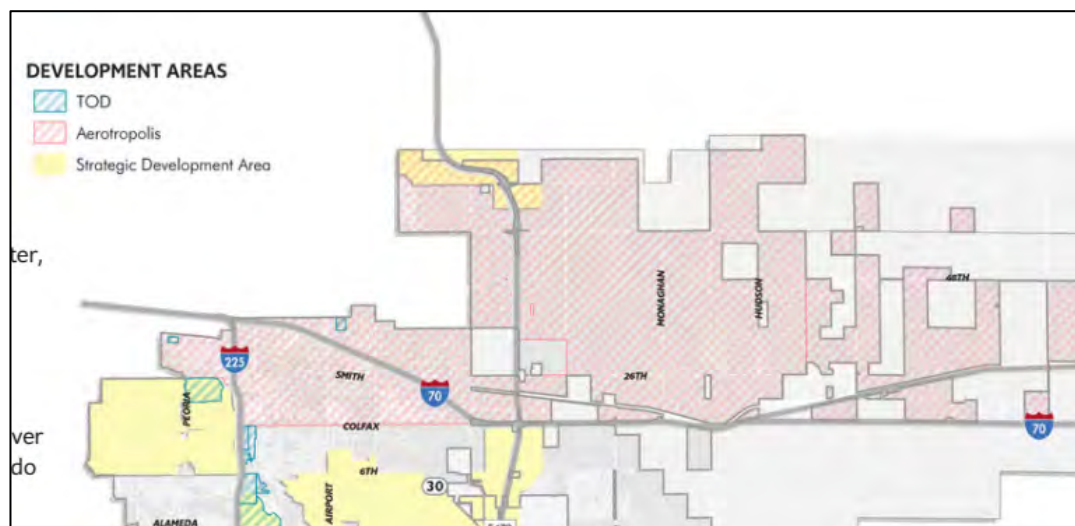
- The location of the proposed zoning on 38th Ave and Helena St. lends itself well to buffering from adjacent land uses and limiting traffic associated with development under the I-1 zoning. The site is adjacent to Chambers Rd. and I-70. Most traffic will access the site from 38th Ave off Chambers and then enter the property through curb cuts on 38th Ave and Helena St. Our preliminary site plan was intentionally crafted so that vehicular travel will predominantly remain to the west and avoid using roads within the area to the south and east of the property. The property is located adjacent to I-70 and we'll be reconnecting the street grid in the area (Helena to Jasper Streets) per staff's request. The construction of the new street will help buffer our property from the one to the south. Additional buffering will occur through building orientation and ample landscaping which will be further developed during the site development plan process.

Chapter 5 – Connecting Places

- Redevelopment and Reinvestment
 - *“Like many communities that developed substantially since the mid-20th century, Aurora's aging neighborhoods and commercial centers face a growing need for revitalization. Housing, commercial buildings, infrastructure and public facilities are aging and in need of repair or replacement to return those areas to a place of vibrancy and desirability. While most of this reinvestment will come from the private sector, the city has an active role to play in planning, initiating and supporting reinvestment in key areas and projects.” (pg. 57)*
 - *“Targeted Industries The city and its partners work to attract and expand key industries in order to broaden and deepen the diverse local economy. These businesses may be growth industries with a strong long-term outlook, complementary or support industries to existing job sectors, or emerging industries in which Aurora offers a competitive advantage. However, Aurora's employment is diverse, and opportunities in other sectors will be pursued as well. Targeted industries include: Advanced manufacturing, Aerospace and defense, Bioscience, Creative industries, Healthcare, Hospitality, Energy, Transportation and logistics.” (pg. 59)*

APPENDIX A

▪ Strategic Development Areas



▪ Aerotropolis

- *“An aerotropolis is a dynamic, urban place in which the layout, infrastructure, and economy center around the airports. An aerotropolis is more than any single development, it is largely characterized by a collection of transportation-linked businesses and supporting industrial and commercial development. However, appropriately-located residential, retail and restaurants will also be included.” (pg. 63)*

Applicant Response

- The Rural-Residential zoning located adjacent to Chambers Rd. and I-70 presents a unique opportunity for the City of Aurora to help promote revitalization and investment. Numerous properties in the area are undeveloped despite their visibility and immediate access off I-70. A zoning change in this area to I-1, and the city’s support for such a change, could help spark considerable reinvestment along a major economic corridor. Additionally, Aurora Plans identifies the subject site within the Aerotropolis development area that generally supports industrial and commercial development rather than residential uses.

Chapter 6 – Goals, Policies and Practices

▪ A Strong Economy

- *“Goals*
 - *Support a growing availability of job opportunities for people with a variety of skill levels and experience.*
 - *Achieve greater balance between the number of residents and jobs in Aurora. Continue to support the growth of primary employment to bolster the local economy.*
 - *Support locally grown businesses along with business startups and expansions.*
- *Recommended Practices*
 - *Work with the development community to encourage construction of high-quality office space in urban districts, innovation districts and other placetypes.*

APPENDIX A

- *Identify and reserve ideal locations for significant and strategic commercial and employment uses in Urban District, Innovation District, City Corridor, Commercial Hub and Industry Hub placetypes.*
- *Continue to use zoning designations to locate industry hubs, particularly along the I-70 corridor and in the Aerotropolis area, in large land areas well-suited for industrial and distribution operations.*
- *Take advantage of Aurora’s proximity to Denver International Airport for new economic opportunities. Focus on job creation and industrial development opportunities in those areas.*
- *Work with existing and potential businesses to support a vibrant local economy with increasing numbers and a diversity of high-quality, high-paying jobs at all skill levels, particularly at employment centers.” (pg. 88)*

Applicant Response

- Many of the goals and recommended practices above apply extremely well to this rezoning request. A rezoning to I-1 would help support greater commercial and employment uses within the Industry Hub placetype located adjacent to the I-70 corridor within the Aerotropolis area.

Consistency with the I-1 Intent Statement in the Unified Development Ordinance (UDO)

Aurora’s UDO provides the following intent statement for the I-1 zone district in 146-2.5.3 – “The purpose of the I-1 district is to provide employment centers with offices, office showrooms, light manufacturing, research and development operations, and a limited range of associated retail services, at a low- to medium scale with high building design quality in an integrated or campus-like setting.” The intent statement expressed in the UDO is consistent with Aurora Places and bolsters our rezoning request for I-1. If approved, the request will foster the development of an industrial flex/office park that will serve as an additional employment center in the area.

Ensuring Compatibility with Surrounding Development

The property’s location near Chambers and I-70 makes it optimal for the I-1 zone district and limits impacts to surrounding development. For starters, most of the ingress and egress from the property will occur on 38th Avenue and Helena Street as these will be the closest access points from those vehicles turning onto 38th from Chambers. Because the site is located closer to Chambers and west of the Rural-Residential zoning, traffic traveling beyond the property to the east will be minimal.

We have put together a high-level site plan that shows ample setbacks between future structures on the property and surrounding uses. It’s anticipated that an industrial flex/office park on the property would be one-story and commiserate with the height of other structures in the area. Future buffering from surrounding uses will be accomplished during the site plan process if the rezoning is approved. Per staff’s request, we have committed to reconnecting the street grid from Helena to Jasper Street. This new road, curb and gutter will provide an additional separation from the proposed use and the property to the south.

The I-1 zoning, and more intense commercial uses are common within the area. Industrially zoned properties are located to the south of 35th Avenue, just three short blocks away from the subject property while several Rural-Residential properties are adjacent to the Lazydays RV dealership.

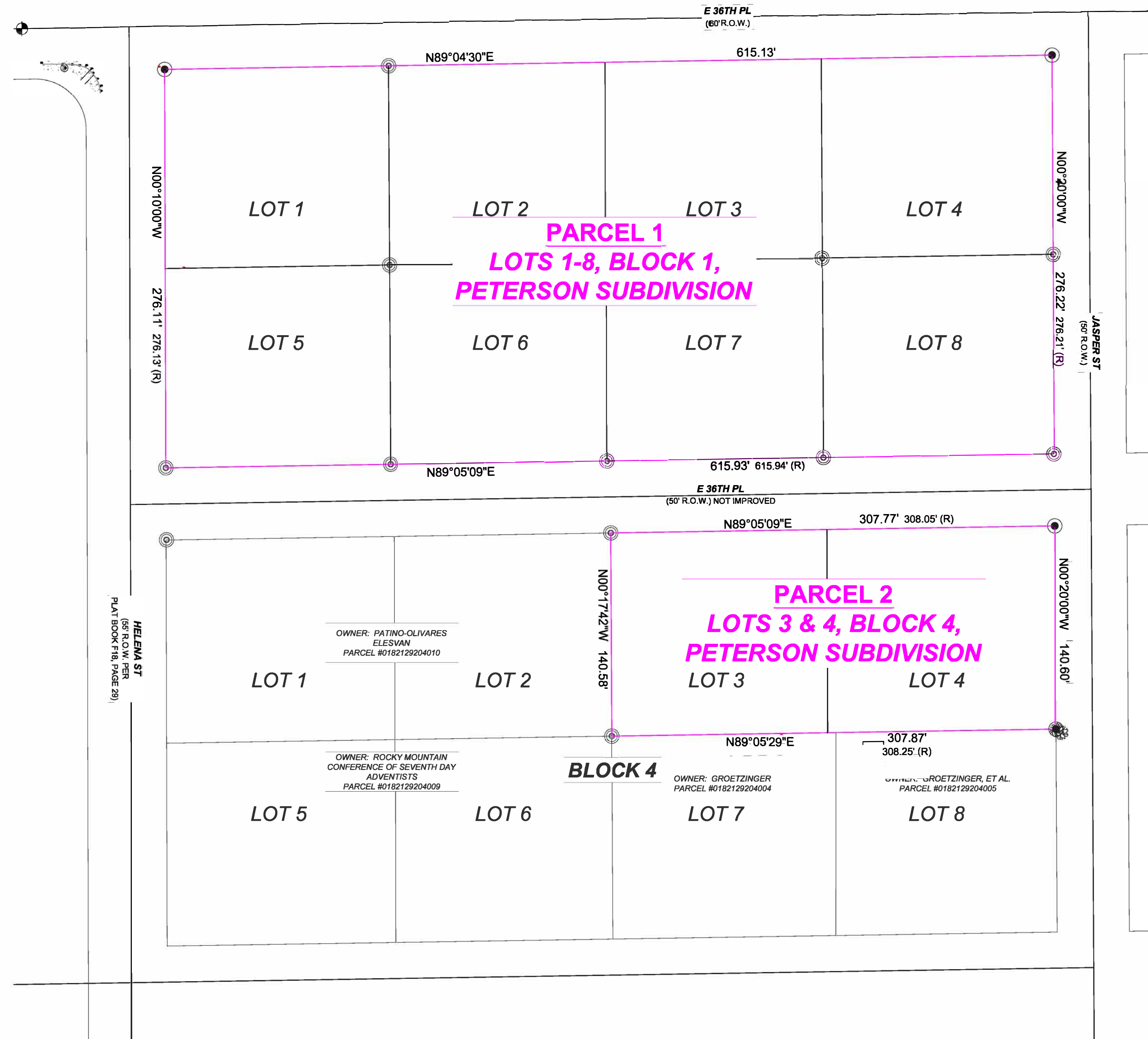
APPENDIX ALimit Dislocation of Tenants/Occupants of the Property

The property is undeveloped thus the rezoning request will not lead to the dislocation of any tenants or occupants from the site. Rather, if the rezoning is approved, the I-1 zoning will provide the opportunity for future small business to locate on the site and provide a positive economic benefit to the City of Aurora.

**EXHIBIT A
ZONE AMENDMENT MAP
A PART OF BLOCKS 1 AND 4, PETERSON SUBDIVISION,
LOCATED IN THE NORTHWEST 1/4 OF SECTION 29,
TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF AURORA, COUNTY OF ADAMS, STATE OF
COLORADO
VACANT LAND**



VICINITY MAP
SCALE: NTS



LAND DESCRIPTION

PARCEL 1:
LOTS 1 THROUGH 8, BLOCK 1,
PETERSON SUBDIVISION, CITY OF AURORA
COUNTY OF ADAMS,
STATE OF COLORADO.

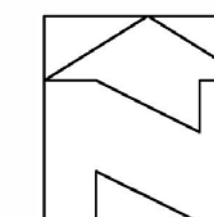
PARCEL 2:
LOTS 3 AND 4, BLOCK 4,
PETERSON SUBDIVISION, CITY OF AURORA
COUNTY OF ADAMS,
STATE OF COLORADO.

ZONING

PARCEL 1:
LOTS 1 THROUGH 8, BLOCK 1,
PETERSON SUBDIVISION, CITY OF AURORA
COUNTY OF ADAMS,
STATE OF COLORADO.
EXISTING ZONING DESIGNATION: RR, RURAL RESIDENTIAL DISTRICT
PROPOSED ZONING DESIGNATION: I-1: BUSINESS/TECH DISTRICT

PARCEL 2:
LOTS 3 AND 4, BLOCK 4,
PETERSON SUBDIVISION, CITY OF AURORA
COUNTY OF ADAMS,
STATE OF COLORADO.
EXISTING ZONING DESIGNATION: RR, RURAL RESIDENTIAL DISTRICT
PROPOSED ZONING DESIGNATION: I-1: BUSINESS/TECH DISTRICT

GORDON S. PAGE III
COLORADO P.L.S. 29048
FOR & ON BEHALF OF
GILLIANS LAND CONSULTANTS



SCALE: 1" = 500 US SURVEY FEET



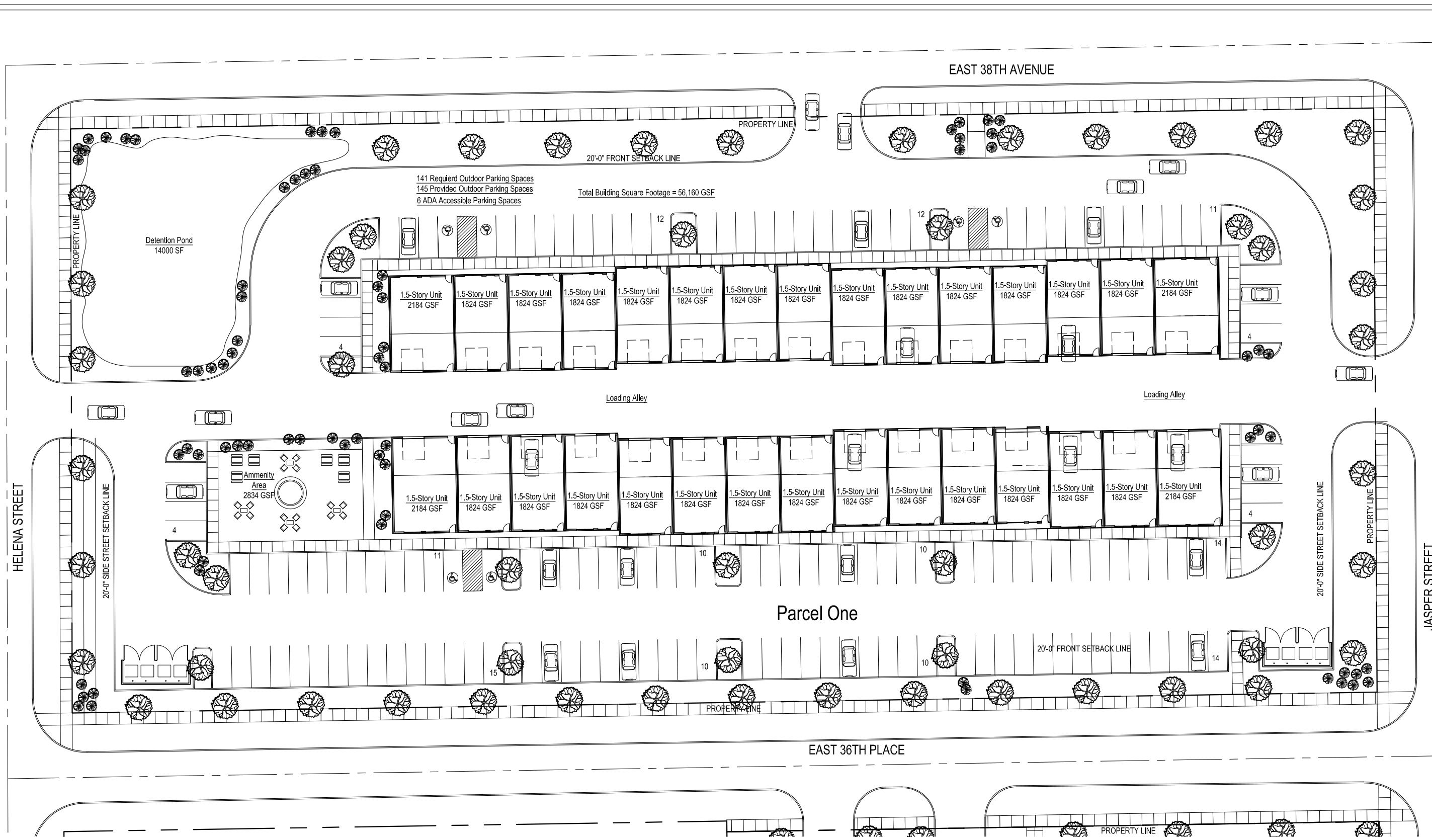
| NO | REVISION RECORD | DATE | BY |
|----|-----------------|------|----|
| 1 | NO | | |

**EXHIBIT A
ZONE LOT AMENDMENT MAP
COUNTY OF ADAMS, COLORADO**

CERTIFICATION



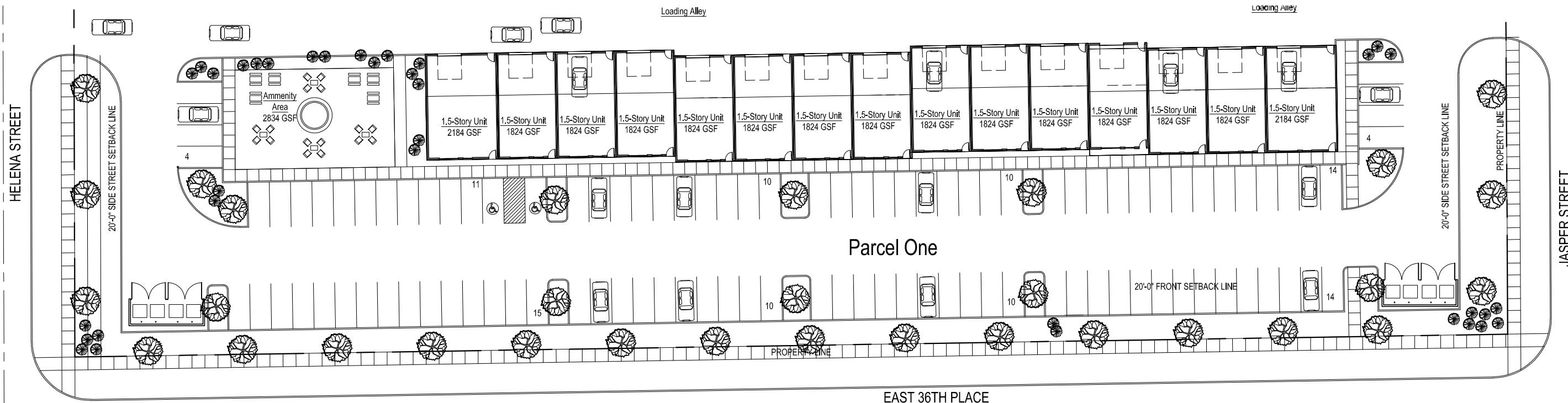
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DRAWN: GP
CHECKED: NA
FIELD: NA
ISSUE DATE: 3-10-2022
SCALE: 1"=50'
FILE: CAD



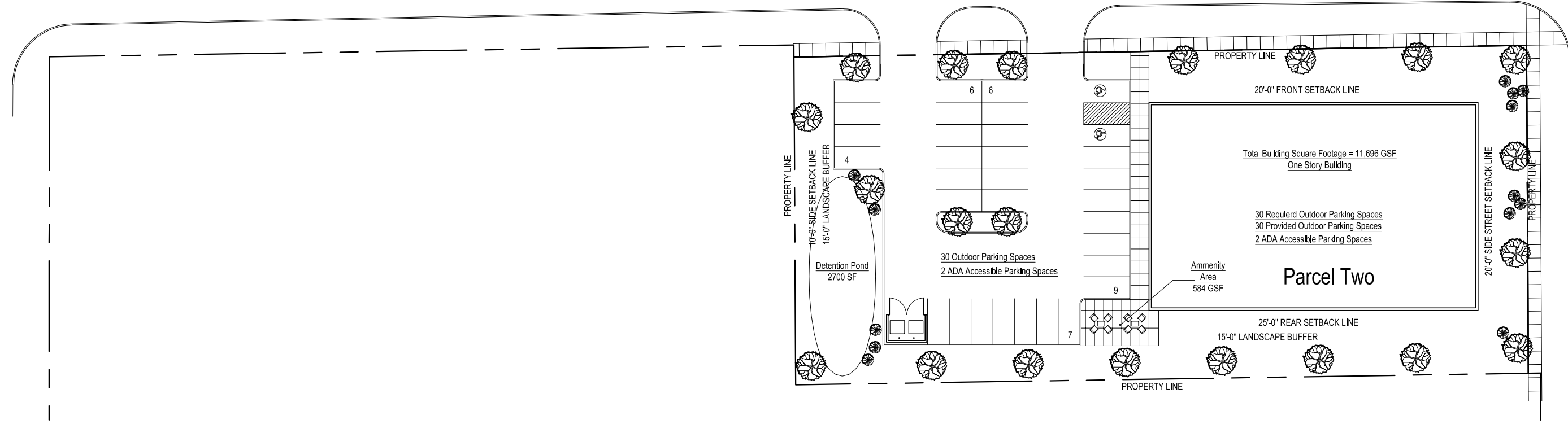
1 SITE PLAN
 1" = 30'-0"
 NORTH

38th and Helena Site Plan

5/17/22
 DESIGN EDGE
 architecture interior design



EAST 36TH PLACE



To: The Aurora Zoning Commission
From: Hillary Jorgensen and Josh Winkler
3560 Helena St, Aurora CO 80011

Re: Rezoning application for 38th and Helena (Application Number – DA-2311-00, Case Numbers – 1982-2015-00)

Applicants have requested that the plot of land on the corner of 38th and Helena be rezoned from Residential Rural to I-1. Our home is on Helena street and our driveway and front door are accessed from this residential street. We are opposed to this rezoning request for the following reasons:

Traffic and safety concerns: Both Helena and Jasper are residential streets. They were not built to handle commercial traffic and an industrial build will greatly increase traffic on both Helena and Jasper. In addition, Aurora municipal code requires two separate egress points for commercial properties. There is no way to add a second egress to the property in question without having at least one entrance/exit spill onto a residential street. The corner of Helena and 38th is already dangerous during high traffic times (morning and evening) due to reduced sightlines from the fence installed by Lazy Days RVs. That corner sees additional traffic and parking on the mornings when the food truck is present on 38th Ave. Adding any kind of commercial establishment to that corner will only increase traffic, including more commercial vehicles, and the risk of accidents. Even though 38th is not designated as a residential street, it is also not wide enough or properly striped to handle an influx of commercial traffic. This is a Residential Rural neighborhood without sidewalks and with horse riders and children walking and bicycling regularly.

Noise, light, and waste concerns: As previously mentioned, Helena and Jasper are residential streets. The rezoning of the property at 38th and Helena and any attendant development will increase noise, light spillage, and commercial waste in the neighborhood. People bought their homes on the same block where the property in question resides with the expectation that that property would continue to be residential. While Aurora's municipal code does have provisions to protect residential properties that abut commercial ones, those codes are imperfect in that they still do not prevent nuisance and decreased use and enjoyment of property by residents of the adjoining residential properties. The property between Helena and Chambers is commercial and they have installed very bright lights. They are fully compliant with municipal code, after we filed a complaint, but we still cannot use the front bedroom in our house at night without considerable light mitigation at our expense. The existence of a commercial property so close to our residence has diminished our full use and enjoyment of our residential property. In this case, however, we knew the property was commercial when we purchased the house. This is not the case with the parcel of land at 38th and Helena.

There is a property used as a church on the block with the proposed rezoning, that is an allowable use under current Residential Rural zoning. This only increases neighborhood traffic one morning each week, and that does not include any commercial vehicles.

Any kind of commercial development on the corner of 38th and Helena will also increase noise and waste. An I-1 designation allows for businesses ranging from a night club to a hospital to an office park and beyond. Since this is just a rezoning application, we have no way of knowing what kind of business will actually end up occupying that lot. An after hours club or a hospital would be extremely disruptive because of the noise and produce additional waste that should not be so close to a residential area. While the applicants have submitted a preliminary plan for an office park, there is no guarantee that an office park will end up being what is built on that lot.

I-1 vs MU-C: While we are opposed to any rezoning of the property from residential, we believe that if the property is going to be rezoned, a more appropriate designation would be MU-C. An industrial designation for the property will eliminate the possibility that this property could ever be used for residential purposes without another rezoning application. At a time when Aurora - and the entire metro area - is experiencing a severe housing shortage, it is short sighted to rezone this property in a way that would preclude it from ever being used for residential purposes.

Additionally, an MU-C district is designed to provide for the needs of the neighborhood, not those of industry. It would make far more sense to zone this property MU-C as it directly abuts a neighborhood. An MU-C designation also requires developers to think about access for not just cars, but also pedestrians, bikes and public transit. Peterson is a unique residential neighborhood that doesn't have a lot of the traditional neighborhood infrastructure that many other Aurora neighborhoods enjoy. An MU-C designation would force any future developer to consider the unique needs of neighborhood residents in any future development.

Property Value: Finally, we have serious concerns about what a potential industrial or commercial development could do to property values in this Residential Rural neighborhood. There are some businesses that may increase property values, but there are many, many allowed uses under both an I-1 and MU-C designation that would decrease property value for surrounding homes. As mentioned elsewhere in these comments, since this is just a rezoning application, there is no guarantee that the office park plans the applicants have submitted will eventually be what is developed on that lot. A large part of the applicant's case for an I-1 designation is built on using the property as an economic driver for the city, but the question must be asked: an economic driver for whom? Residents will likely not benefit in a real financial way from non residential development of this property and may even be harmed in the form of reduced property values.

The applicants make the claim that Aurora would collect more tax revenue from an industrial property than they currently do from the vacant property, however, unimproved land taxes are currently higher than for parcels of land zoned for industrial uses. Bringing additional business to the city also means nothing if workers do not have anywhere to live. It is meaningless to bring commercial development to the neighborhood if those who run and work at the business cannot afford to live in the city. The economic arguments that the applicant makes in their rezoning request are far more nuanced than the case made in the application suggests. There are plenty

of places in Aurora where businesses can be started (the office park on the west side of Chambers, directly across from the Peterson neighborhood, currently has several vacancies), but land for the building of single family homes is scarce.



Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022

Commissioners Present **Melvin Bush**
 Sonda Banka
 Robert Gaiser
 Becky Hogan
 Gayle Jetchick
 Garrett Walls
 Garrett Ahern

1. **Study Session - 5:00 p.m.**
 - 1.a **CSTP Urban Renewal Plan Amendment – Chad Argentar**
 - 1.b **General Discussion**

2. **Regular Meeting - Call to Order 6:14 p.m.**

3. **Roll Call**

4. **Pledge of Allegiance**
 ABSTAINED

5. **Approval of the Planning Commission Minutes**
 - 5.a **May 25, 2022 Draft Minutes**

A MOTION WAS MADE BY COMMISSIONER HOGAN AND SECONDED BY COMMISSIONER BANKA TO APPROVE THE MINUTES AS SUBMITTED.

MINUTES APPROVED UNANIMOUSLY

6. **Adoption of Agenda**
 - 6.a. A MOTION WAS MADE BY CHAIRMAN BUSH AND SECONDED BY COMMISSIONER BANKA.

MOVE TO APPROVE THE DRAFT AGENDA AS THE PERMANENT AGENDA. AGENDA ITEMS 7a-b WILL BE HEARD AT THIS MEETING ALL OTHER AGENDA ITEMS HAVE EITHER BEEN WITHDRAWN, ARE INACTIVE OR ARE BEING CONTINUED TO A LATER DATE.

MOTION PASSED UNANIMOUSLY.



Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022

7. General Business

7.a Horizon Uptown Phase 6 – Site Plan with Adjustment

The applicant, DR Horton, is requesting approval of a Site Plan for Horizon Uptown Phase 6, a 28.7-acre traditional neighborhood development organized around a highly connected street, open space, and pedestrian network. The site is in the western portion of the Horizon Uptown Master Plan and will contain 160 residences with a range of housing types and lot sizes, including alley-loaded single-family detached, alley-loaded duplexes, and green courts. A 5-acre detention pond is also proposed within this phase. The development is bounded by Picadilly Road to the west, 8th Avenue to the south, Riviera Court to the east, and 11th Avenue to the north. The site is within the Medium Density Residential (R-2) District and is designated as a Flexible Residential Lot Option neighborhood in the Master Plan, which offers additional lot size flexibility for the creation of diverse residential housing types in exchange for higher-quality design standards.

Along with the 160 single-family residences, an interconnected system of open spaces is proposed, with the focal points being two small urban parks that include gathering areas, playground equipment, public art, and open lawns. The Site Plan also features pedestrian paseos (passage ways) to create a well-connected open space network throughout the site to connect to the existing neighborhood park to the south and a future community park to the east. Detached sidewalks and street trees are also proposed and are integral to the walkable nature of Horizon Uptown. Infrastructure improvements for the development include both on and off-site utilities, roadway construction, storm water detention, and water quality.

The overall Master Plan for Horizon Uptown, a 503-acre development with a mix of residential, commercial, civic, and open space uses, was originally approved in 2007 and was amended most recently in 2019. The Master Plan estimates that 3,000 dwelling units (1,600 single-family homes and 1,400 multi-family apartments), 3.7 million square feet of retail and office uses, and 90 acres of parks and open spaces will be constructed in Horizon Uptown over the next 15-20 years. The subject application will be the sixth phase of development within Horizon Uptown. The first three phases are currently under construction.

One Site Plan adjustment is requested as part of the application for maximum green court length. More detailed information about the adjustment request is discussed later in the report. The Site Plan is consistent with the approval criteria in the UDO, and staff is supportive of the adjustment request.

Twenty-six adjacent property owners and seven registered neighborhood organizations were notified of the application. No comments were received from any interested parties, so a neighborhood meeting was not held.



Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022

Testimony Given at the Hearing:

Sarah Wile, Case Manager, gave a presentation of the item, including the staff recommendation.

Commissioner Hogan asked who will be maintaining the alleys and removing snow. Ms. Wile responded that the Horizon Uptown Metro District will be responsible for alley maintenance. Commissioner Hogan asked if the streets are also maintained by the metro district. Ms. Wile indicated that the streets are public streets and would be maintained by the city.

Commissioner Walls asked if the 6 turn lanes on Picadilly that are recommended for 2026 are included in the current plan. Ms. Wile responded that the traffic counts along Picadilly are not high enough to trigger the improvements yet. Because the warrants are not being met the applicant was not required to include those improvements with this application. Within the next few years the counts will increase, the warrants will be met, and then the applicant will submit a new application for the infrastructure and public improvements.

Steve Gomez, Traffic Engineer, Public Works, responded that by 2040 Picadilly will be widened. Commissioner Walls stated that according to the traffic study the 6 turn lanes should be added by 2026.

Mr. Gomez asked for clarification of which intersections were being referred to. Commissioner Walls explained the intersections being referenced by the traffic study. Mr. Gomez responded that yes there will be six turn lanes added when the counts are met.

Ms. Wile explained that the Picadilly Road improvements are not triggered by this development, but any new streets within the development that intersect with Picadilly Road will be designed to meet the Picadilly levels of service outlined within the traffic study. Commissioner Walls asked if the intersections of 11th and 10th will be included. Ms. Wile indicated that they will comply with the stop-controlled intersections to meet the level of service required outlined in the traffic study, but the actual improvements on Picadilly Road are not occurring at this time.

Commissioner Hogan asked if there was some adjacency to Picadilly Road but with tracts separating. Ms. Wile responded that was correct and added that the tracts are where the future right-of-way will be. Commissioner Hogan asked if the right-of-way is being dedicated via the tracts and if DR Horton is contributing to the improvements along Picadilly Road Ms. Wile responded that the right-of-way is not being dedicated yet; the tracts are there to reserve where the future right-of-way will be. The master developer is required to do improvements to Picadilly Road when they are triggered, and the responsibility to pay for that, DR Horton or the master developer, is a private agreement. This development is responsible for improving their half of Picadilly Road when the public improvement triggers occur.

Commissioner Hogan indicated that she was not clear on when the Picadilly Road improvements would occur, the timing seems a little unusual.



**Planning and Zoning Commission
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Riley Hillen, DR Horton, 9555 S Kingston Court, Englewood, CO, representing the applicant, explained the Picadilly improvements are per the plan for the larger Horizon development. This portion of the development does not trigger the greater improvements. The designs for the intersections of 10th and 11th will cause minimal improvements to be made when work on Picadilly begins at a future time. Design work for what Picadilly will be in the future has begun but when the improvements will be done is not certain at this time.

Mr. Hillen gave a presentation of the item. He stated that the applicant is excited to continue working through the Horizon development. He addressed the warranty question from the citizen and stated that they are actively working through issues. There has been a shortage of superintendents and warranty representatives, but the positions are now filled. The open tickets have been cut by 50% and meetings are held weekly to ensure issues are addressed in a timely fashion.

Commissioner Hogan asked if the detention pond is shared or specifically for this development. Mr. Hillen stated that it is his understanding that it is a temporary pond that will be expanded for future developments. Commission Hogan asked who is responsible for the maintenance of the detention pond. Mr. Hillen responded that the metro district will be responsible for maintenance.

Commissioner Hogan asked what kind of materials will be used to conserve water in the green courts and open spaces.

Kurt Moje, PCS Group, 200 Kalamath Street, Denver, CO, representing the applicant, explained that the city code will not allow more than 33% of the overall landscape to be classified as non-water conserving. The development currently sits at 15%. The fact that Kentucky Blue Grass does take up a lot of water has been taken into account. Commissioner Hogan thanked the developer for the actions to conserve the city's water resources.

Planning Commission Results

A MOTION WAS MADE BY COMMISSIONER JETCHICK AND SECONDED BY COMMISSIONER BANKA.

MOVE TO APPROVE WITH ONE CONDITION, THE SITE PLAN WITH ONE ADJUSTMENT FOR GREEN COURT LENGTH BECAUSE THE PROPOSAL COMPLIES WITH THE REQUIREMENTS OF SECTION 146-5.4.3.2.B OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. IT IS CONSISTENT WITH THE APPLICABLE UDO STANDARDS WITH THE EXCEPTION OF THE REQUESTED ADJUSTMENT, WHICH COMPLIES WITH THE APPROVAL CRITERIA IN SECTION 146-5.4.4.D;
2. IT ENHANCES THE EXISTING CITY INFRASTRUCTURE;
3. IT IMPROVES MULTI-MODAL CONNECTIVITY WITHIN THE DEVELOPMENT AND TO ADJACENT SITES;
4. IT IS COMPATIBLE WITH SURROUNDING LAND USES; AND
5. IT MITIGATES ANY ADVERSE IMPACTS TO THE SURROUNDING AREA.



**Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022**

APPROVAL TO BE SUBJECT TO THE FOLLOWING CONDITION:

1. RESOLUTION OF OUTSTANDING TECHNICAL ISSUES PRIOR TO RECORDATION OF THE SITE PLAN MYLARS AND ISSUANCE OF ANY BUILDING PERMITS.

Further Discussion:

No further discussion occurred.

MOTION PASSED UNANIMOUSLY.



**Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022**

7.b East 38th Avenue and Helena Street – Zoning Map Amendment

The applicant, Modern Design Construction, is requesting approval of a Zoning Map Amendment to rezone a vacant 5-acre site from Residential – Rural (R-R) to Business/Tech (I-1). The subject property is located within Subarea B, at the southeast corner of E 38th Ave and Helena St. The anticipated use for this property following a rezoning to I-1 would be flex office uses.

The property is located within the Industrial Hub Placetype within the Aurora Places Comprehensive Plan. The proposed I-1 zone district is a compatible zoning district with the designated placetype, permitting compatible uses described within the Comprehensive Plan.

A site plan proposal has not been made. Future development will require site plan approval and infrastructure improvements. Other zoning applications may be required depending on the request.

Nine adjacent property owners and two registered neighborhood organizations were notified of the application. No comments were received by staff regarding the zoning map amendment application during the review process. Therefore, no neighborhood meeting was held. Staff did receive a comment from a citizen and it was included in the backup materials

Testimony Given at the Hearing:

Erik Gates, Case Manager, gave a presentation of the item, including the staff recommendation.

Peter Wall, The Wall Group, LLC, 142 S Jackson Street, Denver, CO, representing the applicant, gave a presentation of the item.

Commissioner Jetchick asked if the parking will be on the north along 38th.

Mr. Wall responded parking will be on the north and the south.

Commissioner Hogan indicated that she is pleased to see office/flex being built again and is looking forward to seeing the site plan in the future.

Joshua Winkler, 3560 Helena Street, Aurora, CO, a citizen, spoke in opposition, citing concerns that the ultimate use of this property is not known, and the development could be incompatible with the surrounding residential neighborhood when it is ultimately developed.



Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022

Planning Commission Results

A MOTION WAS MADE BY COMMISSIONER GAISER AND SECONDED BY COMMISSIONER AHERN.

MOVE TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE ZONING MAP AMENDMENT TO REZONE THE SUBJECT PROPERTY FROM R-R (RURAL-RESIDENTIAL) TO I-1 (BUSINESS/TECH), BECAUSE THE PROPOSAL COMPLIES WITH THE CRITERIA IN SECTION 146-5.4.1.C.1.3 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

IT REMAINS CONSISTENT WITH THE SPIRIT AND INTENT OF THE COMPREHENSIVE PLAN;
THE ZONING MAP AMENDMENT DOES NOT IMPACT COMPATIBILITY WITH THE SURROUNDING AREAS OR USES; AND,
IT WILL NOT CREATE ANY DISLOCATIONS OF TENANTS OR OCCUPANTS OF THE PROPERTY.

Further Discussion:

Commissioner Ahern asked if this area falls under the placetype of "Industry Hub" in the Aurora Places Comprehensive Plan. Mr. Gates answered affirmatively.

MOTION PASSED UNANIMOUSLY.



**Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022**

8. Public Invited to be Heard

There was no public to comment.

9. Commissioner Comments/Miscellaneous Items of Business

Commissioner Hogan stated she concurs with the citizen who spoke regarding East 38th Avenue and Helena Street stating that in other jurisdictions; rezonings are tied to site plans. She further stated that if there is a site plan there is more objectivity. She asked if this should be a policy change for the city for future rezonings.

Brandon Cammarata, Planning Manager, identified that there often is a site plan with a rezone. However, it is the applicant's prerogative on how they want to submit the request. He further noted that with initial zonings rarely is a site plan submitted at the same time as the zoning request. He indicated that a policy change can be pursued.

Dan Money, Assistant City Attorney, explained that rezonings are never permanent, and the Planning and Zoning Commission only makes recommendations on rezonings to the City Council. There is always the concern about what will be ultimately built but there is also the risk that a site plan is submitted and is never built. He also explained the legislative process of initial zonings.

Jeannine Rustad, Director of Planning and Development Services, stated that the UDO will be going under a review in 2023 and this is a question that can be added to the list of needed changes.

10. Reports

10.a Report by Planning Division Manager

Brandon Cammarata, Planning Manager, reviewed the Administrative Decisions made over the past two weeks. Projects include Transport Colorado, Waterstone Site Plan No 4, and Horizon Uptown Phase 4.

He stated that the Aurora One rezones were approved by City Council and that the Council upheld the Planning Commission's decision regarding ALTA Addison. Station 60 appeal was postponed to June 27th per the appellant's request to give time for the applicant and appellant to work out an agreement.

In regard to green courts, Planning works closely with Aurora Water and both departments are on the same page regarding water conservation for the more densely populated projects.

Chair Bush noted that the Anshutz Campus uses water that is non-potable for grassy areas and flowerbeds. Mr. Cammarata stated that he does not know where the gray water source comes from for that purpose on the campus.

Commissioner Walls asked about tightening up the standards for greenbelts and turf in the future for water conservation purposes.



**Planning and Zoning Commission
DRAFT MINUTES
June 8, 2022**

Mr. Cammarata responded that he believes that those will be the next steps and ongoing conversations throughout the region.

Kristin Tanabe, Civil Engineer, Public Works, asked if the turf ordinance has been made available to the Planning Commission, she noted that it might be of benefit for the Commissioners to read and understand as developments come forward. Mr. Cammarata stated that the turf ordinance has not been adopted and there will probably be changes to the UDO to reciprocate that ordinance; he concurred that it could be made available to the Commission.

Commissioner Jetchick stated that the study session covered a good topic.

Commissioner Ahern asked if there has been thought given to the usage of reclaimed water.

A general discussion ensued.

10.b Report by City Attorney

Dan Money, Senior Assistant City Attorney, spoke regarding the one item that was turned down due to gentrification which was part of the study session topic.

11. Adjournment

Chairman Bush adjourned the meeting at 7:29 p.m. until Wednesday, June 22, 2022.



CITY OF AURORA

Late Submission Approval for Agenda Item

Item Title: A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 5 ACRES MORE OR LESS AT THE SOUTHEAST CORNER OF EAST 38TH AVENUE AND HELENA STREET FROM RESIDENTIAL – RURAL (R-R) TO BUSINESS/TECH (I-I) AND AMENDING THE ZONING MAP ACCORDINGLY (EAST 38TH AVENUE & HELENA STREET ZONING MAP AMENDMENT)

Item Initiator: Erik Gates, Planner 1

Staff Source/Legal Source: Erik Gates, Planner 1

Outside Speaker: N/A

Council Goal: 2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban centers

CRITERIA - PLEASE CONSIDER ITEM FOR LATE SUBMISSION FOR THE FOLLOWING REASON:

- There is a time-sensitive legal requirement that must be met and cannot be met by a future meeting date
- The delay will result in an adverse financial impact to the city
- The item is related to a disaster and must be addressed before the next available meeting

COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: N/A

Regular Meeting: 7/11/2022

EXPLANATION: *(Please provide a detailed explanation as to why the item falls into one or more of the above criteria and why it may not be set for a future meeting date.)*

All of the attachment and report materials for this item were posted on-time by the end of the workday on June 24th. The only reason it was submitted late was due to the Escribe system not giving me an option to start the workflow officially. This item was noticed for the July 11th City Council Hearing on the week of June 20th. As such, the applicant and interested adjacent property owners have been anticipating a hearing on this date. It should not be pushed back due to a system error when all of the required materials were present on the day the item was due.

I understand the agenda item will not be added to the agenda without submitting this completed form as an attachment in e-Scribe. The agenda item will not be added to the agenda if the workflow is not completed by the WORKFLOW COMPLETED date indicated on the agenda deadline calendar.

Erik Gates, Planner 1
Agenda Item Initiator Name

Jason P. Batchelor
Late Submission Approver Name

Erik Gates

Agenda Item Initiator Signature

6/27/2022

Date

Jason P. Batchelor

Late Submission Approver Signature

06/27/22

Date

ORDINANCE NO. 2022 - ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 5 ACRES, MORE OR LESS, AT THE SOUTHEAST CORNER OF EAST 38TH AVENUE AND HELENA STREET FROM RESIDENTIAL – RURAL DISTRICT (R-R) TO BUSINESS/TECH DISTRICT (I-I) AND AMENDING THE ZONING MAP ACCORDINGLY (EAST 38TH AVENUE AND HELENA STREET ZONING MAP AMENDMENT)

WHEREAS, the applicant has requested that 5 acres of land, more or less, located at the Southeast corner of East 38th Avenue and Helena Street be rezoned from Residential-Rural District (R-R) to Business/Tech District; and

WHEREAS, Section 146-5.4.1.C.3 of the City Code provides that all applications for the rezoning of property within the City of Aurora, Colorado (the “City”), shall be presented for a public hearing, both to the Planning and Zoning Commission, who shall render a recommendation to City Council, and to City Council for final decision; and

WHEREAS, on June 8, 2022, following a public hearing, the Planning and Zoning Commission voted to recommend the rezoning of the parcel.

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

Section 1. Based on the evidence presented at tonight’s public hearing, City Council finds and determines that: the rezoning is consistent with the spirit and intent of the Comprehensive Plan, is compatible with surrounding development, and would not result in a significant dislocation of tenants or occupants of the property.

Section 2. The parcel, as more particularly described in “Exhibit A” attached hereto and incorporated herein, is zoned Business/Tech District (I-I) and the zoning map is hereby amended in accordance with said zoning.

Section 3. All ordinances or parts of ordinances of the City in conflict herewith are expressly repealed.

Section 4. Pursuant to Section 5-5 of the City Charter, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ, AND ORDERED PUBLISHED this _____ day of _____, 2022.

PASSED AND ORDERED PUBLISHED BY REFERENCE this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

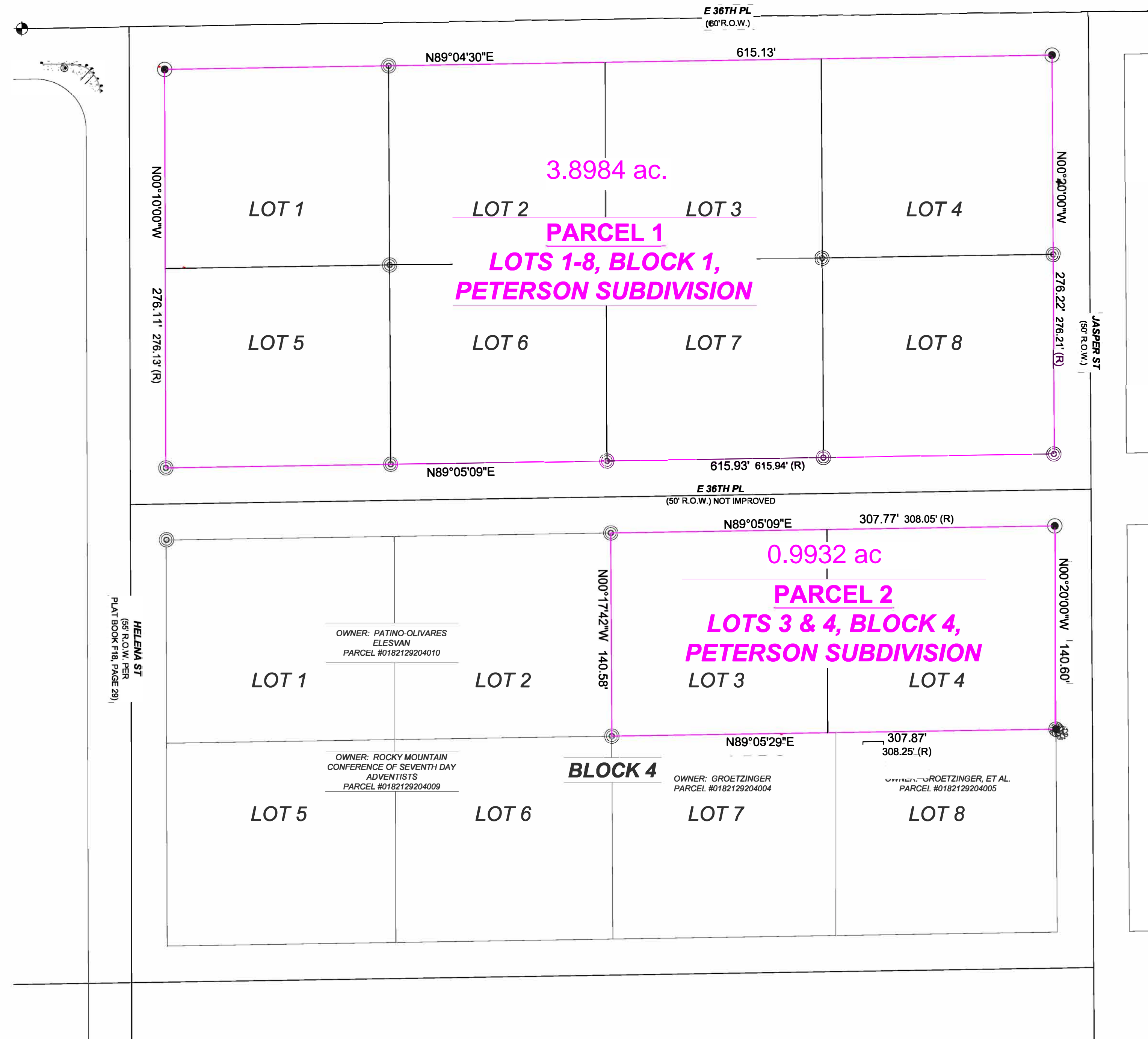
Daniel L Money RLA

DANIEL L. MONEY, Senior Assistant City Attorney

**EXHIBIT A
ZONE AMENDMENT MAP
A PART OF BLOCKS 1 AND 4, PETERSON SUBDIVISION,
LOCATED IN THE NORTHWEST 1/4 OF SECTION 29,
TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF AURORA, COUNTY OF ADAMS, STATE OF
COLORADO
VACANT LAND**



VICINITY MAP
SCALE: NTS



LAND DESCRIPTION

PARCEL 1:
 LOTS 1 THROUGH 8, BLOCK 1,
 PETERSON SUBDIVISION, CITY OF AURORA
 COUNTY OF ADAMS,
 STATE OF COLORADO.

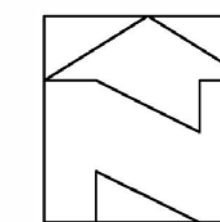
PARCEL 2:
 LOTS 3 AND 4, BLOCK 4,
 PETERSON SUBDIVISION, CITY OF AURORA
 COUNTY OF ADAMS,
 STATE OF COLORADO.

ZONING

PARCEL 1:
 LOTS 1 THROUGH 8, BLOCK 1,
 PETERSON SUBDIVISION, CITY OF AURORA
 COUNTY OF ADAMS,
 STATE OF COLORADO.
 EXISTING ZONING DESIGNATION: RR, RURAL RESIDENTIAL DISTRICT
 PROPOSED ZONING DESIGNATION: I-1: BUSINESS/TECH DISTRICT

PARCEL 2:
 LOTS 3 AND 4, BLOCK 4,
 PETERSON SUBDIVISION, CITY OF AURORA
 COUNTY OF ADAMS,
 STATE OF COLORADO.
 EXISTING ZONING DESIGNATION: RR, RURAL RESIDENTIAL DISTRICT
 PROPOSED ZONING DESIGNATION: I-1: BUSINESS/TECH DISTRICT

GORDON S. PAGE III
 COLORADO P.L.S. 29048
 FOR & ON BEHALF OF
 GILLIANS LAND CONSULTANTS



SCALE: 1" = 500 US SURVEY FEET



| NO. | REVISION RECORD | DATE | BY |
|-----|-----------------|------|----|
| 1 | NO | | |

**EXHIBIT A
ZONE LOT AMENDMENT MAP
COUNTY OF ADAMS, COLORADO**

CERTIFICATION



JOB NO: 21108
 DRAWN: GP
 CHECKED: NA
 FIELD: NA
 ISSUE DATE: 3-10-2022
 SCALE: 1"=50'
 FILE: CAD



CITY OF AURORA

Council Agenda Commentary

Item Title: A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE THREE PARCELS OF LAND TO AIRPORT DISTRICT (AD) AND MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) FOR APPROXIMATELY 242

Item Initiator: Aja Tibbs, Senior Planner

Staff Source/Legal Source: Aja Tibbs, Senior Planner; Daniel L. Money, Senior Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban centers

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE THREE PARCELS OF LAND TO AIRPORT DISTRICT (AD) AND MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) FOR APPROXIMATELY 242 ACRES OF LAND, LOCATED WEST OF E-470 AND ALONG THE 48TH AVENUE ALIGNMENT (WINDLER ZONING MAP AMENDMENT)
Aja Tibbs, Senior Planner / Daniel L. Money, Senior Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

Policy Committee Date: 6/22/2022

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

The Planning and Zoning Commission heard the applicant’s request for a Zoning Map Amendment in a public hearing on June 22, 2022 and voted unanimously (7-0) to recommend approval to City Council. The Planning Commission Meeting Summary is attached (see Exhibit D) and details the discussion and Planning Commission action on this items.

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

The applicant, GVP Windler, LLC, is requesting approval of a second Zoning Map Amendment to rezone three MU-A parcels to AD and R-2. This zoning request is only located in the parts of the Windler Master Plan which are west of E-470 and along the north and south sides of 48th Avenue. The proposed zone map amendment area is comprised of three parcels. The first parcel is approximately 111 acres located on the northwest corner of E-470 and 48th Avenue to be rezoned from MU-A to AD. The second parcel is approximately 35 acres located on the southwest corner of E-470 and 48th Avenue to also be rezoned from MU-A to AD. The third parcel is approximately 96 acres located west of the second parcel and on the southeast corner of Tibet Road and 48th Avenue to be rezoned from MU-A to R-2.



The purpose for this request is to allow conditional industrial uses, that are intended for the first and second parcels through the approved Windler Master Plan, to be permitted as “by-right” uses. The remaining third parcel is master planned for residential development, but would be limited to 50% residential uses, if it remained MU-A. Therefore, the applicant is requesting this parcel be rezoned to R-2 to be consistent with the other planned residential parcels located on the east side of E-470 within the Windler Master Plan.



Windler Master Plan Land Use Map (areas west of E-470)

The purpose and intent of each of the existing and proposed districts are as follows:

- The Mixed-Use Airport (MU-A) district is to enable the development of master planned developments that allow for a mix of uses, located and designed in accordance with the Comprehensive Plan, and that allow Aurora to leverage the economic opportunities created by Denver International Airport. A wide variety of attached and detached single-family, two-family and low to medium-density multi-family housing is permitted.
- The Airport District (AD) is intended to take advantage of the nearby regional and national transportation hubs and infrastructure, to expand employment opportunities created by the strategic location of these lands near the airports operating in or near Aurora, and to ensure that development is located and designed to be consistent with the continued efficient operation of those airports.
- The Medium Density Residential (R-2) district is to promote and preserve various types of medium density housing with adequate amounts of usable common space and amenities.

QUESTIONS FOR COUNCIL

Does the City Council wish to approve the Zoning Map Amendment 2 to rezone two parcels from MU-A to AD and the remaining parcel from MU-A to R-2?

LEGAL COMMENTS

An application for initial zoning, rezoning, and changes to the Zoning Map for individual parcels or small areas shall only be recommended if the Planning Director and the Planning and Zoning Commission finds that the following criteria have been met, and shall only be approved if City Council, after a public hearing, finds that the following criteria have been met.

(1) The change to the Zoning Map is needed to correct an error (change in the character of surrounding areas does not constitute an error in the map); or

(2) The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:

(a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district(s);

(b) The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed initial zoning or rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

(c) The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application. (City Code Sec. 146-5.4.1.C) (Money)

PUBLIC FINANCIAL IMPACT

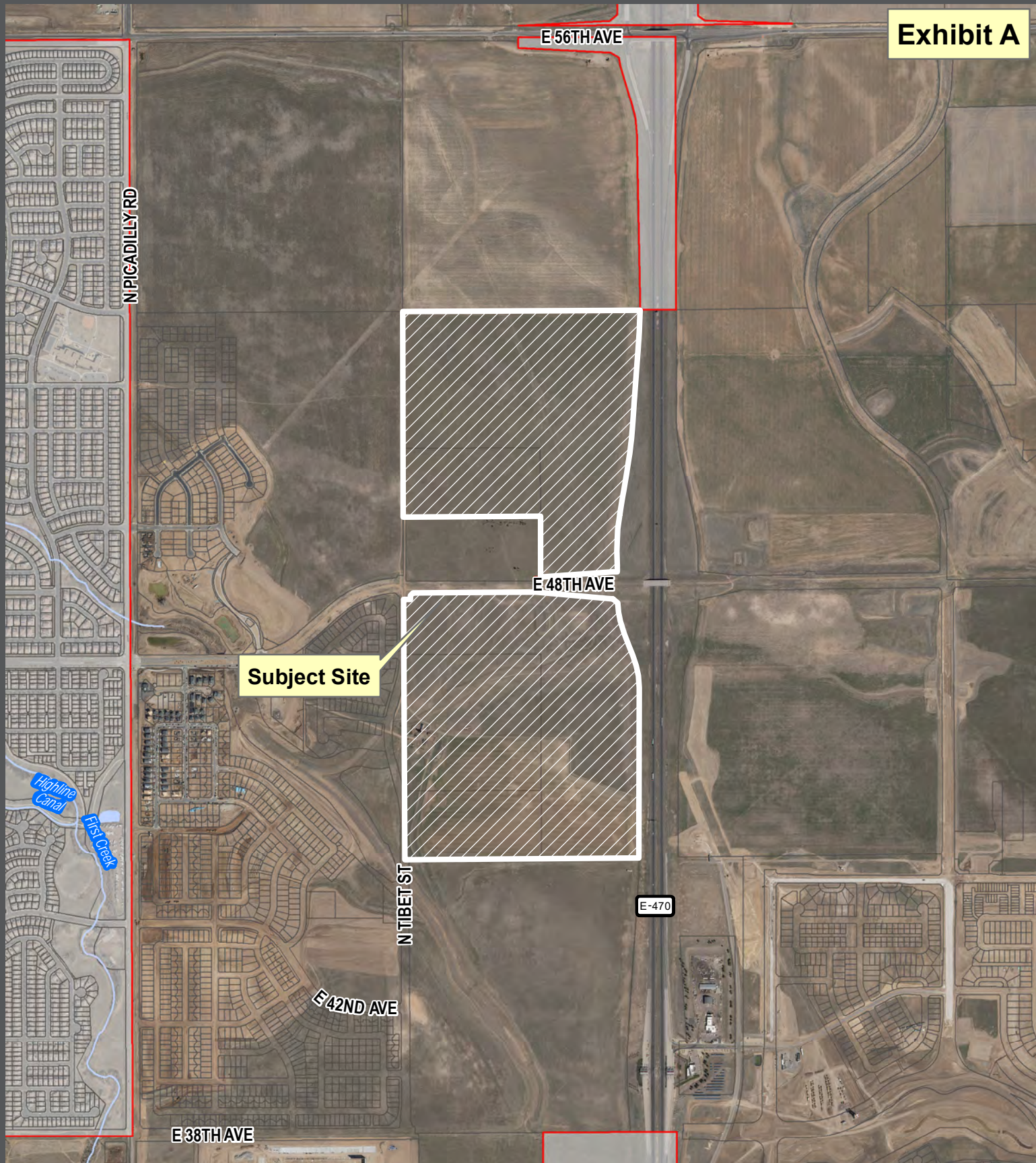
YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A



Subject Site

Windler Zoning Map Amendment 2



Aurora is Worth Discovering!



City of Aurora, Colorado

Planning & Development Services

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.733.2177
GIS@aurora.gov.org

Case Number: 2005-2017-02
Development Application: #1707-16

Windler – Rezoning Request and Justification

4.19.22

Introduction:

This is a formal request to rezone a portion of the “Windler” Master Plan. The requested zoning does not fundamentally change the uses which are already permitted under existing zoning, nor does it change what is envisioned under the just approved Windler Master Plan Amendment. Further, and most importantly, the requested rezoning does not change the expected outcome and built environment. This rezoning will ensure the investment of capital along this already established primary logistics/commercial corridor. Please see the attached Windler Look Book as a reference demonstrating the best in class, visionary master plan that is Windler.

This request refines what is already permitted under existing zoning, by adding clarity, predictability, certainty and giving longer term surety of outcomes in order to allow investors, owners, developers and corporate users of the property to be able to make responsible investment decisions on multi-hundred-million-dollar projects.

- This request is consistent with the Aurora Comprehensive Plan – “*Aurora Places*”.
- This request is compatible surrounding land uses.
- This request is consistent and compatible with the just adopted Windler Master Plan Amendment.
- This request is necessary as a result of changes in the market.
- This request is complimentary and supportive of the existing land uses in the corridor.

Current Zoning:

The subject parcel is currently zoned MU-A.

This zoning allows, and even causes a mix of commercial and residential uses with a limitation on how much can be residential. The Conditional commercial uses include Storage, Distribution, and Warehousing, Outdoor Storage, and Self-storage Facility.

Requested Zoning:

A combination of AD (Airport District) and R-2.

This zoning will allow a mix of commercial and residential uses with a limitation on how much can be residential. The Permitted commercial uses include Storage, Distribution, and Warehousing, Outdoor Storage, and Self-storage Facility..

Comparison:

The existing zoning, and the proposed zoning combination, result in the same permitted uses and built outcome. The difference is with the requested zoning, Storage, Distribution, and Warehousing, Outdoor

Storage, and Self-storage Facility uses are not “Conditional” uses, they are Permitted uses. Therefore, rather than a short 3–5-year vesting period, the use by right is vested permanently.

This is vitally important to be able to attract capital to invest in a multi-hundred-million-dollar project, and to agree to design standards that will be the highest in the region and best in class.

“A significant portion of investment will come from property owners, investors, and businesses working to stimulate real estate market forces.” (pg. 24, AP)

Description:

As described above, there is almost no difference in permitted uses, nor in likely built outcome between the existing zoning and the proposed zoning.

The requested zoning categories allow for precisely what the existing MU-A allows for, except it would permit the certainty and predictability of outcomes which is requisite for major investment in infrastructure and development. That investment provides for higher quality, earlier realization of property taxes for the City, maximizing the attributes of the site, and creation of hundreds of primary jobs.

The current zoning conditionally permits Storage, Distribution, and Warehousing, Outdoor Storage, and Self-storage Facility uses but they are uses which require conditional approval. Needing to have conditional approvals, which will not vest permanently, will prevent major financial investments in the site, and will result in slower development, less investment in infrastructure and less ability to invest in quality design and implementation.

The applicant has developed design standards that ensure the project is best in class. The design standards are the highest and most restrictive in the region and will promote a fantastic business park. Please reference pages 26-28 of the Architectural Design Standards and Guidelines in the approved Winder Master Plan. A copy of those standards is attached hereto.

Consistent with City Comprehensive Plan:

This request is consistent with the City’s Comprehensive Plan – “*Aurora Places*”, in fact the City’s Comprehensive Plan anticipated this very circumstance:

“The plan’s intent is to identify key areas of focus, define a vision for future growth and development, and provide guidance for city actions and investments over the next 10-20 years.” (pg.3, AP)

Fundamentally, this request is to allow a permitted, but conditional use, to be a permitted use without the conditions, so that investors, financiers and developers can make a 20 year investment, with certainty about permitted uses.

“The plan should serve as a foundation for zoning regulations, subdivision regulations, the official zoning map.....and other decisions guided by these regulations. Amendments to these regulations should be made as needed to support the long-term objectives of the plan.” (pg 3, AP)

Further Background:

The request is, specifically, to rezone a portion of the Windler Master Plan on the west side of E-470 (143 acres) from MU-A to Airport District (“AD”); and, to rezone the remaining portion of the Windler Master Plan that is west of E-470 from MU-A to R-2.

The resulting built environment, or built outcome, is expected to be exactly what it would be under the existing zoning, except it brings clarity, predictability and dependability for current investments in infrastructure and for investment by future users which is necessary in the current environment in order to attract investment and financing to achieve the vision of the Windler Master Plan.

Thus, deductively and by definition, if the requested rezoning permits and results in the same uses and same built environment that the current zoning permits, then the requested rezoning must be consistent with the City Comprehensive Plan, and the Windler Master Plan.

The most significant reason for the rezoning is that the proposed use, which is envisioned and required for 143 acres of the property west of E-470 deals with “logistics/distribution” uses. Storage, Distribution, and Warehousing, Outdoor Storage, and Self-storage Facility are a conditional permitted use under the current zoning but is a “Conditional” use, meaning it requires an Administrative approval, and that approval only “vests” for 3 years under City rules. For a master developer to develop the scale and quality of project, which is desired in this case, it will require an investment of well over \$200,000,000. Developers and investors are, understandably, not willing to make a commitment of over \$200,000,000 without more than a 3-year certainty in the right to use the property for their intended purpose. Those stakeholders need to know they have a certain and permanent, vested, use by right to build the logistic/distribution facilities envisioned for Windler.

This need for certainty of outcome is heightened by the fact that the Windler developer is imposing significantly enhanced design standards and requirements for significantly enhanced architecture and design. This will increase costs of construction and increase the need for a predictable use of the property.

Also, the Windler development team is embarking on investing approximately \$20,000,000 to widen the bridge and add ramps to the 48th Avenue/ E-470 Interchange bringing significant and important infrastructure to enhance the transportation infrastructure in the area. Certainty and predictability of outcome is necessary to make that kind of commitment as well.

“The plan should guide and assist in the evaluation of public and private development proposals and help ensure that proposed developments support the City’s long-term objectives.” (pg. 2, AP)

The requested zoning would encourage long-term investment in the City, higher quality design and development, and investment in key infrastructure as well as create long-term property tax revenue. These factors all support the City’s long-term objectives.

- The proposed plan for the 143 acre “Distribution/Logistics” portion of the property is primarily for a high design, high finish, “Best-in-Class” Storage, Distribution and Warehousing Park. The applicant has created design guidelines which call for higher design, higher finish, buildings and aesthetics than any similar project in the area. It will be a unique urban district and commercial project creating jobs, areas for innovation, and significant property taxes for the City. It will also promote investment

in the infrastructure desired by the City. The project will create a unique place, create primary jobs, and add a unique urban district. All these outcomes are consistent with the vision in *Aurora Places*.

“The plan emphasizes the importance of creating and improving the variety and types of places throughout the city. These placetypes include urban districts, neighborhoods, commercial and industrial areas and areas for innovation.” (pg. 2. AP)

“A strong economy Principle: A strong economy with active urban place is essential for the well-being of residents, businesses and the community.” (pg. 2. AP)

Again, the requested zoning adjustment meets the vision and goals of the City’s Comprehensive Plan. In this case, an amendment to the zoning map is needed to achieve the intent of the plan, Master Plan, and City objectives.

This request will further demonstrate the value, quality, benefits and justification for the rezoning, as well as compliance with the *Aurora Places* Comprehensive Plan plus the Windler Master Plan, including factors such as changes in circumstances, compatibility with surrounding land uses and correction of an error; but, fundamentally, the requested rezoning merely facilitates the implementation of uses which are already permitted under the existing zoning and which are compatible with the Windler Master Plan. Therefore, there should not be any debate over compatibility with *Aurora Places* or the Windler Master Plan.

Change in Circumstances:

There has been a change in circumstances from when the subject parcel was originally zoned.

WINDLER is an approximately 847-acre parcel of ground and master planned community that was envisioned originally in 2001 and first received land use approvals by the City of Aurora (“COA”) in 2003.

Since that time many things have occurred which warrant adjustments to the land use planning, Master Plan, and Zoning of the subject property:

- i) The subject property transitioned from a large parcel with common ownership into an array of parcels with disparate ownership.
- ii) A long period transpired wherein no “common vision” or master developer existed for the vision or development of the WINDLER Master Planned property.
- iii) Numerous changes occurred which affect land use economics and real estate demands in the WINDLER environs. Particularly the continued rapid evolution of this corridor into a world class logistics/distribution market.
- iv) Surrounding parcels have developed with unique use types and various regional infrastructure which affect the future and proper vision for nearby real estate.
- v) In 2018 the COA adopted a new comprehensive plan “*Aurora Places*” (“AP”). This plan was adopted to create a well-articulated vision for the COA and to guide the COA Planning Commission and City Council in making land use decisions.

- *“It is the foundation for decision-making and focuses on planning and connecting places”. (pg. 1 AP)*

- *It is designed to serve as a foundation for decision-making related to growth and development in Aurora.” (pg.2 AP)*

- vi) The COVID virus created a world-wide pandemic having enormous impact on economic forces and buyer behaviors. These forces have had a major effect on real estate and land use economics. Those forces have accelerated and increased already existing trends toward needing more distribution, logistics and fulfillment businesses and capacity. Pressure to “de-centralize office and work environments, and trends toward more “work at home” options are tremendous.
- vii) In 2021 the disparate ownership of the parcels formerly comprising the WINDLER Master Plan area were successfully re-assembled (lead by the vision and efforts of Alberta Development Partners) under one common ownership of a master developer allowing updated planning and a unified vision to be established and presented to the COA, and to bring the planning of the property into compliance with *Aurora Places* and its’ vision.
- viii) Transition in the best practices for residential real estate have evolved and emerged.
- ix) New typologies for residential real estate in Aurora were brought to bear and proven to be successful. New views on the benefits of more dense, more compact and more diverse residential development have been adopted.

Macro-economically a transformation in commercial real estate demand(s) nationwide occurred. Demand for traditional “bricks and mortar” retail experienced a major decline while the demand and need for logistics, distribution, warehouse and light industrial space to fulfill the demand created by the E-Commerce economy.

Traditional high rise office space demand and large-scale office space demand decreased significantly, as work at home and technology driven alternatives have given rise to wonderful alternatives to the old large format office space needs (this has been radically accelerated by the effects of COVID, with many companies and many individuals desiring work at home, or use small format and shared format office solutions).

Regionally, in Colorado, the realities of economic forces and demands created by the construction and incredibly successful operations of Denver International Airport have become known and are readily apparent:

- i) There is a huge demand for distribution, logistics, fulfillment and light industrial development.
- ii) There is demand for some hotel, retail and perhaps some small format office space.
- iii) There is demand for services such as restaurant and entertainment facilities.
- iv) There is significant demand for diverse housing products in a wide variety of types, densities, and price points.

In the immediate environs of WINDLER:

- i) The Porteos project has been very successful and is building out as a major distribution/logistics hub.
- ii) The Fulenwider property at 56th & E-470, immediately north of WINDLER is under construction for a data center that will encompass hundreds of acres and will include millions of square feet of industrial/data space.

- iii) The Aurora Highlands development has been created and serving much of the demand for traditional, lower density, front-loaded single-family housing product.

DIA, E-470 and proximity to I-70 create a reality where there is clearly a huge demand for distribution/logistics/fulfillment/warehouse and light industrial properties and businesses. That commercial growth along with DIA, Gaylord and Fitzsimmons also create a need for a vast amount of diverse and dense variety of housing across a broad spectrum of price points and product types.

All of the factors listed above demonstrate a need for updating the Windler Master Plan (which was recently approved) and adjusting zoning designations. The Aurora Places Comprehensive Plan speaks directly to this:

- *“The plan emphasizes the importance of creating and improving the variety and types of places throughout the city. These placetypes include urban districts, neighborhoods, commercial and industrial areas and areas for innovation”. (pg.2 AP)*

That is exactly what this request does. It complements the recently updated WINDLER Master Plan, brings the zoning and Master Plan into compliance with the current COA Comprehensive Plan and adjusts the vision to account for changes in market conditions, changes in economic factors and related growth in the nearby environs.

- *“The creation of places not only depends on the land uses but also on their specific design, functionality and access to infrastructure.” (pg.24 AP)*

It is appropriate, even necessary, to allow *Aurora Places* to warrant and guide the request for zoning adjustment and Master Plan update:

- *The plan should serve as a foundation for zoning regulations, subdivision regulations, the official zoning map.....and other decisions guided by these regulations. Amendments to these regulations should be made as needed to support the long-term objectives of the plan”. (pg.3 AP)*

Again, this request is not for the purpose of fundamentally changing the permitted underlying uses, it is to adopt a zoning code which allows for certainty and predictability which is required to provide the certainty to developers and investors.

Compliance with Master Plan

Aurora Places shows zoning designations for properties throughout the City, including the subject parcel. These areas are shown to indicate current zoning and to express a vision. But the Comprehensive Plan is not and was not intended to be a zoning document. Nor was it intended to live without adjustment or modification. In fact, quite the opposite. The Comprehensive Plan, on its face, anticipated changes, modifications and adjustments would be needed and should be made. *Aurora Places* and the zoning classifications it references were not intended to be static, inflexible, non-adaptive in nature. *Aurora Places* states in several places it is intended to allow for flexibility and response to real world, changing market conditions.

The requested rezoning does not change the use types or “Placetype” which is envisioned and shown on the *Aurora Places Plan*. The uses proposed under the requested zoning are the same as those permitted under the existing zoning.

Although the *Aurora Places Comprehensive Plan* envisioned and even anticipates more significant adaptations and alterations, it specifically envisions and permits the nature of request being made by this application:

- ***“This placetype map is intended to depict general locations of each placetype and not necessarily the land-use designation of specific parcels.” (pg. 25, A.P.)***

The requested zoning is clearly permitted given the statement above.

- ***“The plan emphasizes the importance of creating and improving the variety and types of places throughout the city. These placetypes include urban districts, neighborhoods, commercial and industrial areas and areas for innovation”. (pg. 2 AP)***

Approval of the requested zoning will serve to create and improve the variety and types of places throughout the City, particularly the logistics/distribution and innovation center.

- ***“The creation of places not only depends on the land uses but also on their specific design, functionality and access to infrastructure.” (pg. 24, AP)***

The requested zoning will allow the applicant to deliver a best-in-class commercial/industrial park as well as an outstanding mixed-use residential community, which will include a park (“1881”) which has already won awards for creativity and design! The design standards which have been created and submitted for the site are Best-in-Class and will help create the finest distribution/logistics park in the region. Again, not only permitted by and consistent with the *Comprehensive Plan*, but encouraged.

- ***“The plan should guide and assist in the evaluation of public and private development proposals and help ensure that proposed developments support the City’s long term objectives.” (pg. 3 AP)***

In other words, the *Aurora Comprehensive Plan* does not prohibit or even discourage zoning changes and adjustments, it actually anticipates and welcomes them. This request for rezoning should be viewed as more of an adjustment and clarification, warranted by market changes and conditions, rather than a significant rezoning

Airport District

The requested Airport District (“AD”) zoning classification in Aurora permits Distribution, Office, Retail and hospitality uses. That is the predominant zoning for the *Porteos* project which is contiguous to the northeast corner of *Windler*.

Although it is envisioned that the entire 143 acres on the west side of E-470 will be built out as high quality, high design distribution and logistics space, a zone classification which allows that use and also allows office, hotel and retail is appropriate adjacent to a freeway and situated between two interchanges. It is also appropriate given the property is in the immediate vicinity of many other major distribution/logistics parks and projects including:

- *Porteos*

- *Denali Logistics Park*
- *High Point*
- *Sun Empire*
- *Shamrock*
- *Amazon*
- *Majestic*

Compatible with Surrounding Uses

Given that the requested zoning is expected to result in virtually the same uses and built outcome as would occur under the existing zoning, it is therefore appropriate to conclude that on its face, the proposed zoning must be compatible as that is a test already applied to the current zoning. Clearly the proposed uses are compatible due to the following:

1. Immediately east of the Windler project is a new project known as the Sun Empire which is anticipated to be developed by Opus and will be a distribution/logistics park. That property is currently zoned Airport District.
2. Contiguous to the north east corner of Windler is the Porteos Project. It has been enormously successful project, being built out primarily as logistics/distribution and zoned AD, the zoning being requested for a portion of the subject property.
3. Immediately to the north of Windler on the east side of E-470, is the Denali logistics park being developed by Fulenwider. That project will be logistics/distribution and data in nature. In fact, a huge data center, to be developed by Microsoft was just announced immediately adjacent to Windler. The plan is for 3,000,000 square feet of data center along 56th Ave on a piece of property primarily zoned Airport District.
4. North of 56th, on the west side of E-470, Fulenwider owns ground zoned and planned for mixed use commercial including retail, office, hotel, distribution and logistics. That property is currently being rezoned to Airport District.
5. To the east of the subject property, across E-470, is land owned by this applicant. The uses planned for the property immediately adjacent to E-470 include distribution, logistics, retail, hotel, office and multi-family residential.
6. To the south and southwest of the subject parcel are the Shamrock distribution building, the Amazon distribution building and the Majestic logistics and distribution park.
7. In the general vicinity there are distribution buildings under construction and many more planned. A new Pepsi bottling plant is planned. A new hospital is in planning.

The subject parcel is:

- Adjacent to E-470, and major freeway currently undergoing expansion to 6-lanes.
- Adjacent to the 48th Avenue/E-470 Interchange slated for bridge expansion and addition of freeway ramps this year.

- The parcel is less than 5 miles from Denver International Airport, therefore totally in the influence area of DIA driven economic factors.
- A few miles from I-70 a major industrial corridor with influences reaching miles in both north and south directions from I-70.

Clearly, the requested zoning and resulting land use are consistent and compatible with surrounding land uses. They are also almost identical to the existing zoning.

Description of Vision

As mentioned above, the portion of the site that is proposed to be zoned Airport District, is envisioned to be a high design, Best-in-Class Storage, Distribution, and Warehousing park. The applicant/developer of Windler has created and submitted to the City design guidelines demonstrating commitment to a visionary project. The description above also indicates why this location is appropriate for the proposed uses given the proximity to E-470, I-70, DIA, and other distribution facilities.

On the portion that will be zoned R-2 the Windler team will bring best practices to bear, to create a mixed-use residential community, with an acclaimed park paying homage to the Windler homestead. The Windler team is implementing tools and practices which were honed as the same team developed Painted Prairie, in Aurora, the National Association of Homebuilders, National “Master Planned Community of the Year”. This will be a neighborhood of approximately 600 homes, in multiple product types and densities, creating a wonderful neighborhood next to a magnificent and unique park “1881”. Please refer to the attached Windler Look Book.

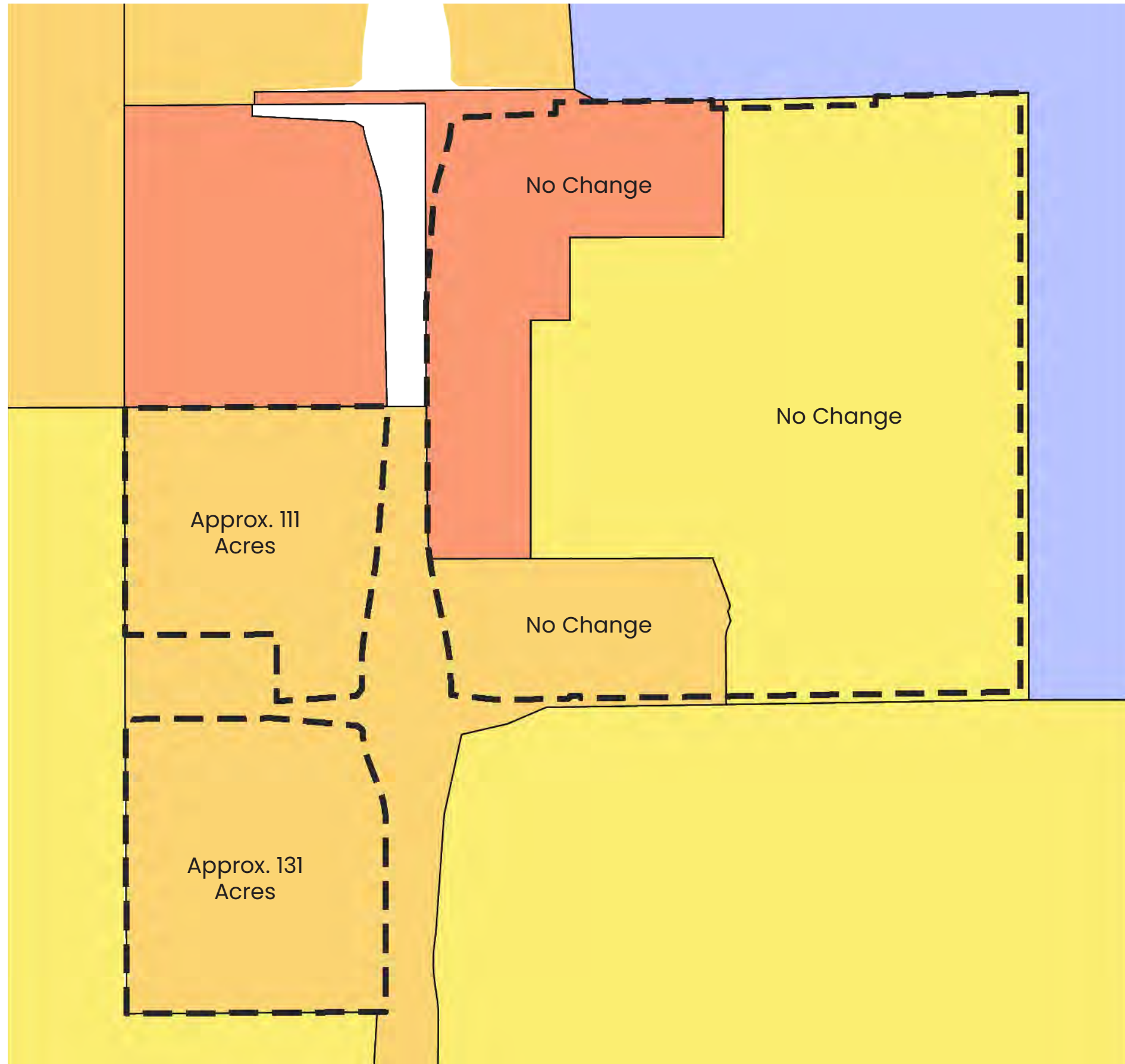
Summary

The outcome and built environment which will result from the requested zoning change will be the same as what the outcome and built environment would be from the existing zoning. The zoning change is needed fundamentally, and almost solely, to facilitate the certainty and dependability of use by right which is absolutely required for investors and developers to make the multi-hundred-million-dollar investment which is needed to bring the project, development, construction, operations management and marketing required to create a world class logistics park which will bring exactly the property taxes and jobs to Aurora that the City and The City Comprehensive Plan desire.






The requested combination of AD (Airport District) and R-2 zoning will allow for and result in virtually exactly the uses that the existing MU-A zoning allows. The difference is that the primary use envisioned for the commercial portion of the subject property is distribution/logistics, which is a permitted but conditional use under MU-A, it is a permitted use under AD zoning.

The requested zoning will provide the necessary clarity, certainty and dependability to ensure the execution of this best in class, market leading Storage, Distribution, and Warehousing Park.

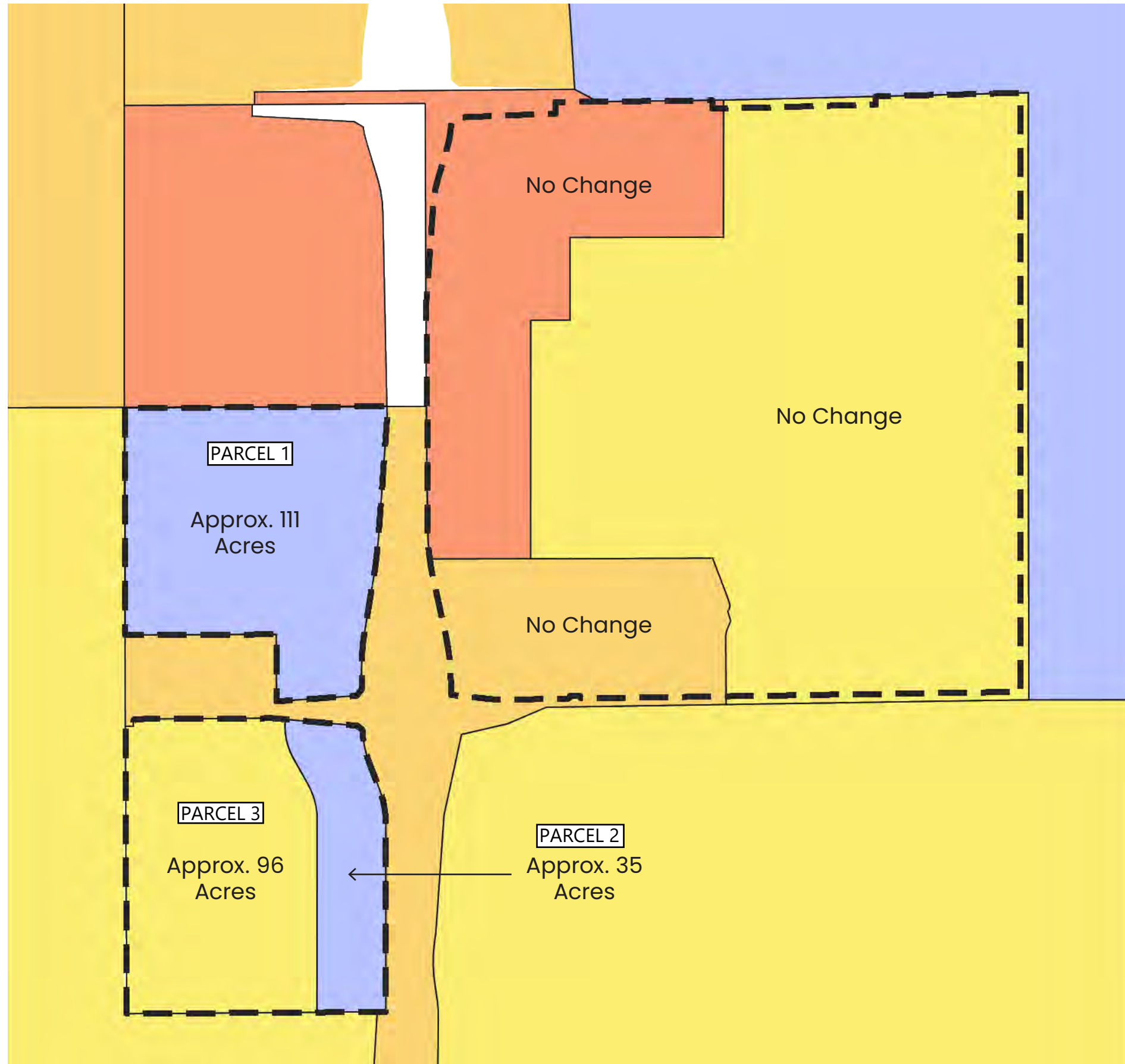
We appreciate your consideration of this request.








LEGEND

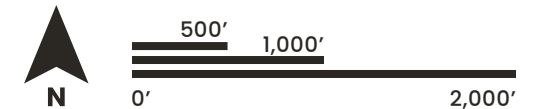
-  WINDLER Boundary
-  R-2 Zoning
-  MU-A Zoning
-  MU-R Zoning
-  AD Zoning





LEGEND

-  WINDLER Boundary
-  R-2 Zoning
-  MU-A Zoning
-  MU-R Zoning
-  AD Zoning



City of Aurora Planning Commission Case Report

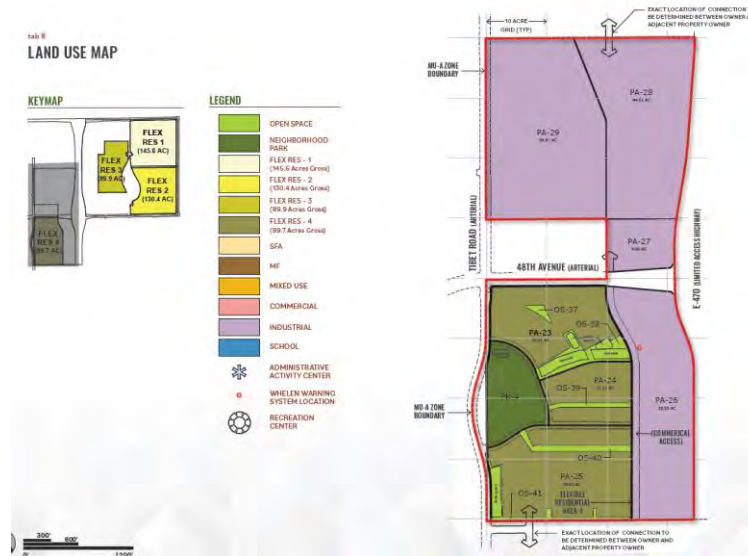
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|---|
| Project Title: Windler Zoning Map Amendment 2 |
| Date: June 22, 2022 |
| Development Application Number: DA-1707-16 |
| Case Number: 2005-2017-02 |
| Case Manager: Aja Tibbs |
| Applicant: GVP Windler, LLC |
| General Location: North and South of 48 th Avenue, West of E-470 |
| Ward: II |

Project Summary:

The applicant, GVP Windler, LLC, is requesting approval of a second Zoning Map Amendment to rezone three MU-A parcels to AD and R-2. The Windler Master Plan area is located west of E-470 on the north and south corners of 48th Avenue, as well as east of E-470 from 48th Avenue to 56th Avenue. However, the proposed zoning map amendment only impacts the zone district boundaries of the Windler site that is located west of E-470. The proposed zone map amendment area is comprised of three parcels. The first parcel is approximately 111 acres located on the northwest corner of E-470 and 48th Avenue to be rezoned from MU-A to AD. The second parcel is approximately 35 acres located on the southwest corner of E-470 and 48th Avenue to also be rezoned from MU-A to AD. The third parcel is approximately 96 acres, located west of the second parcel and on the southeast corner of Tibet Road and 48th Avenue to be rezoned from MU-A to R-2.



The purpose of this request is to allow conditional industrial uses, that are intended for the first and second parcels through the approved Windler Master Plan, to be permitted as “by-right” uses. The remaining third parcel is master-planned for residential development but would be limited to 50% residential uses if it remained MU-A. Therefore, the applicant is requesting this parcel be rezoned to R-2 to be consistent with the other planned residential parcels located on the east side of E-470 within the Windler Master Plan.



Windler Master Plan Land Use Map (areas west of E-470)

The purpose and intent of each of the existing and proposed districts are as follows:

- The Mixed-Use Airport (MU-A) district is to enable the development of master-planned developments that allow for a mix of uses, located and designed in accordance with the Comprehensive Plan, and that allow Aurora to leverage the economic opportunities created by Denver International Airport. A wide variety of attached and detached single-family, two-family, and low to medium-density multi-family housing is permitted.
- The Airport District (AD) is intended to take advantage of the nearby regional and national transportation hubs and infrastructure, to expand employment opportunities created by the strategic location of these lands near the airports operating in or near Aurora, and to ensure that development is located and designed to be consistent with the continued efficient operation of those airports.
- The Medium Density Residential (R-2) district is to promote and preserve various types of medium density housing with adequate amounts of usable common space and amenities.

Applicant's Request:

Zoning Map Amendment Approval to rezone two parcels from MU-A to AD and the remaining parcel from MU-A to R-2.

Community Comments:

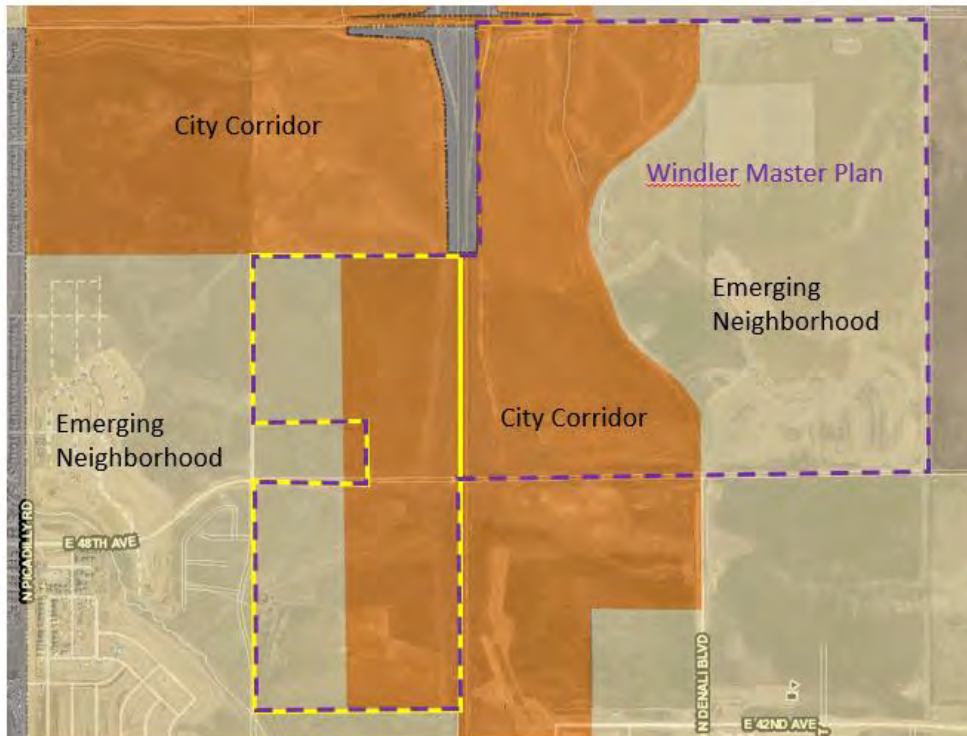
Five adjacent property owners and five registered neighborhood organizations were notified of the application. No comments were received by staff regarding the zoning map amendment application. Therefore, no neighborhood meeting was held. The staff has not received additional comments as a result of the Planning and Zoning Commission Public Hearing Notice and sign posting.

Major Issue Discussed During Development Review:

- Compliance with Comprehensive Plan
- Zoning Analysis
- Windler Master Plan for Industrial Uses

Results of Development Review:

Compliance with Comprehensive Plan. In Aurora Places, the land west of E-470 contains two placetypes; the City Corridor Placetype runs along E-470 for the eastern half of the subject parcels, and the western half of the subject parcels are designated as an emerging neighborhood placetype.



The City Corridor placetype is described as a placetype that will contribute to the economic and fiscal success of the city. Corridors are centered along the city's major roadways, home to a wide range of uses, including commercial, retail, institutional, service, and some residential. The primary land uses within the City Corridor are Multi-Family Residential, Restaurant, Commercial Retail, and Commercial Services.

The Emerging Neighborhood placetype is described as a predominantly residential area with a variety of unit types, including single-family detached, single-family attached, and multi-family. The placetype also supports service and office uses (which are designated Administrative Activity Centers) along major perimeter streets, which is also consistent with the R-2 zone district located in this area.

Light industrial uses that are permitted within the AD zone district are not listed as primary or supporting uses within the City Corridor placetype. However, the proposed storage, distribution, and warehousing uses will support the strong economy principle. *"According to participants (for the development of the Comprehensive Plan), job creation and access to workforce training resources are very important... There is also a need for unique urban places for employment together with housing, daycare, and locally grown businesses. Multiple modes of transportation should connect these urban places. Partnerships with institutions and the private sector will be critical for the economy, especially in relation to training and education."* (Pg. 20 of Aurora Places) The Windler Master Plan envisions a community that will provide both employment opportunities integrated with residential and commercial development.

Zoning Analysis. The purpose of the Mixed-Use Airport Zone District is to “enable the development of master-planned developments that allow for a mix of uses, located and designed in accordance with the Comprehensive Plan, and that will allow Aurora to leverage the economic opportunities created by Denver International Airport,” UDO Section 146-2.4.8.A. The approved Windler Master Plan for this area is intended to provide exactly that. However, the applicant believes that the most desired economic opportunity for this area has shifted to uses that are only conditionally permitted within the MU-A zone. Uses such as Storage, Distribution and Warehousing, Outdoor Storage, and Self-Storage are all desired for this project but listed as conditional uses within the current zone. The applicant would like more certainty in these types of uses prior to making a substantial investment in the infrastructure required and has requested that the industrial use areas be rezoned to Airport District. The purpose of the Airport District is also to leverage economic opportunities that arise from the nearby DIA, but it allows more industrial uses to be permitted (such as Storage, Distribution, Warehousing, Outdoor Storage, and Self-Storage) and limits residential development. A rezoning to Airport District will allow the desired uses to be permitted by-right for parcels 1 and 2.

With the rezoning of parcels 1 and 2 to AD, parcel 3 could remain as MU-A. The residential uses planned in this area would not change and are permitted, however, there is a regulation within MU-A that limits developments to no more than 50% residential uses. To keep the same mix of residential and industrial uses planned for this area, the applicant is requesting that this parcel be zoned to R-2. The R-2 zone district is also being used for other planned residential development within Windler Master Plan (on the east side of E-470) and this zoning district will provide cohesive and compatible regulation for the area and maintain the mix of uses originally intended with the MU-A zone district.

Windler Master Plan for Industrial Uses. The Windler Master Plan was approved, anticipating that industrial uses would be proposed within Parcels 1 and 2 (areas proposed to be rezoned to AD). To mitigate the potential impacts that industrial uses may have on adjacent residential uses (both within Windler and surrounding Windler), the master plan requires a substantial buffer with a wall and landscaped buffer area between areas with dissimilar uses. While the UDO does have some buffer requirements for dissimilar uses, the adopted Windler Master Plan will provide more than the minimum standards required by the code. An excerpt of these master plan standards has been attached for reference.



Summary of Staff Recommendation:

Zoning Map Amendment Approval to rezone two parcels from MU-A to AD and the remaining parcel from MU-A to R-2.

Detailed Case Analysis

Public Notification:

Legal notice appeared in the Aurora Sentinel on June 9, 2022. The applicant has submitted certificates of mailing verifying that public hearing notices were sent to adjacent property owners and registered neighborhood organizations. Two signs were posted on the site.

Community Referrals:

Referrals were provided to the following registered neighborhood organizations within one mile of the project: CLEAN, E-470 Neighbors, Majestic Commercenter, Master Homeowners Association for Green Valley Ranch, and 45th Place of Hawks Landing.

Conformance with Code Criteria:

1. Zoning Map Amendment Approval Criteria

Zoning Map Amendment approval criteria are found in Section 146-5.4.1.C.1.3 of the Unified Development Ordinance. An application for changes to the Zoning Map for individual parcels shall only be recommended if the Planning Director and the Planning and Zoning Commission finds that the following criteria have been met, and shall only be approved if City Council finds that the following criteria have been met:

1. *The change to the Zoning Map is needed to correct an error (change in the character of surrounding areas does not constitute an error in the map); or*
2. *The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:*
 - a. *The applicant has demonstrated that the proposed rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district;*
 - b. *The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through development conditions; and*
 - c. *The applicant demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.*

The proposed Zoning Map Amendment complies with the approval criteria for the following reasons:

- It supports partnership with private development to grow Aurora's economy and business integrated with emerging neighborhoods as outlined within the Comprehensive Plan;
- It is aligned with the adopted Windler Master Plan and its vision for a highly mixed-use and diverse community providing opportunities to work and live within the area;
- The zoning map amendment does not change the uses proposed within the Windler Master Plan that has been drafted to mitigate compatibility issues that might arise with surrounding development; and,
- It will not create any dislocations of tenants or occupants of the property.

Applicant Information:

Applicant/Owner: GVP Windler, LLC
Project Consultant: PCS Group

Exhibits:

| | |
|-----------|---|
| Exhibit A | Vicinity Map |
| Exhibit B | Applicant Request Letter |
| Exhibit C | Zoning Maps |
| Exhibit D | Legal Description and Exhibits |
| Exhibit E | Windler Master Plan (Land Use Map and Urban Design Standard Excerpts) |

Project Statistics

Land Use Analysis

| Item | Existing | Permitted / Required | Proposed |
|-------------|--|----------------------|---|
| Zoning | (MU-A) Mixed-Use Airport | N/A | (AD) Airport District, and R-2 (Medium Density Residential) |
| Land Use | Undeveloped / Vacant Planned for Mixed-Use | N/A | Mixed-Use Residential and Commercial Uses |
| Parcel Size | 242± acres | N/A | N/A |

Surrounding Properties

| Direction Actual Use | Zoning | Use |
|----------------------|--|---|
| North | (MU-R) Mixed-Use Regional | Vacant |
| East | (MU-R) Mixed-Use Regional and (MU-A) Mixed-Use Airport | Vacant – Planned Mixed-Use (Windler) and Residential (The Aurora Highlands) |
| West | (R-2) Residential - Medium Density Residential | Residential (Green Valley Ranch East) |
| South | (R-2) Residential - Medium Density | Residential (Green Valley Ranch East) |

Staff Recommendation:

Agenda Item 7b: Zoning Map Amendment

Recommend approval of the Zoning Map Amendment to rezone parcels 1 and 2 from MU-A to AD and parcel 3 from MU-A to R-2 to City Council because the proposal complies with the criteria in Section 146-5.4.1.C.1.3 of the Unified Development Ordinance for the following reasons:

- It supports partnership with private development to grow Aurora's economy and business integrated with emerging neighborhoods as outlined within the Comprehensive Plan;
- It is aligned with the adopted Windler Master Plan and its vision for a highly mixed-use and diverse community providing opportunities to work and live within the area;
- The zoning map amendment does not change the uses proposed within the Windler Master Plan that have been drafted to mitigate compatibility issues that might arise with surrounding development; and,
- It will not create any dislocations of tenants or occupants of the property.

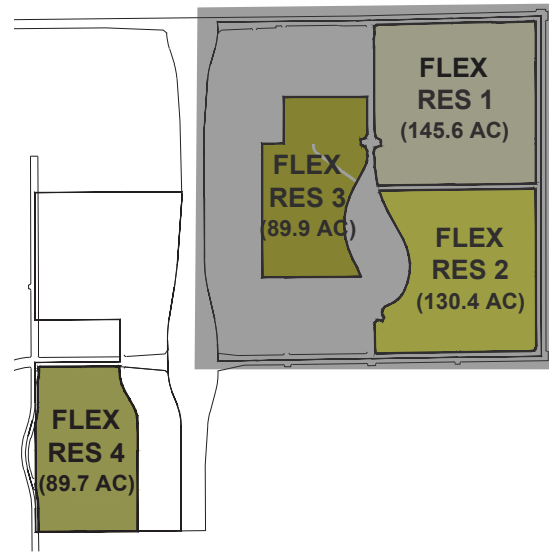
tab 8
LAND USE MAP AND MATRIX

WINDLER
MASTER PLAN

tab 8

LAND USE MAP

KEYMAP

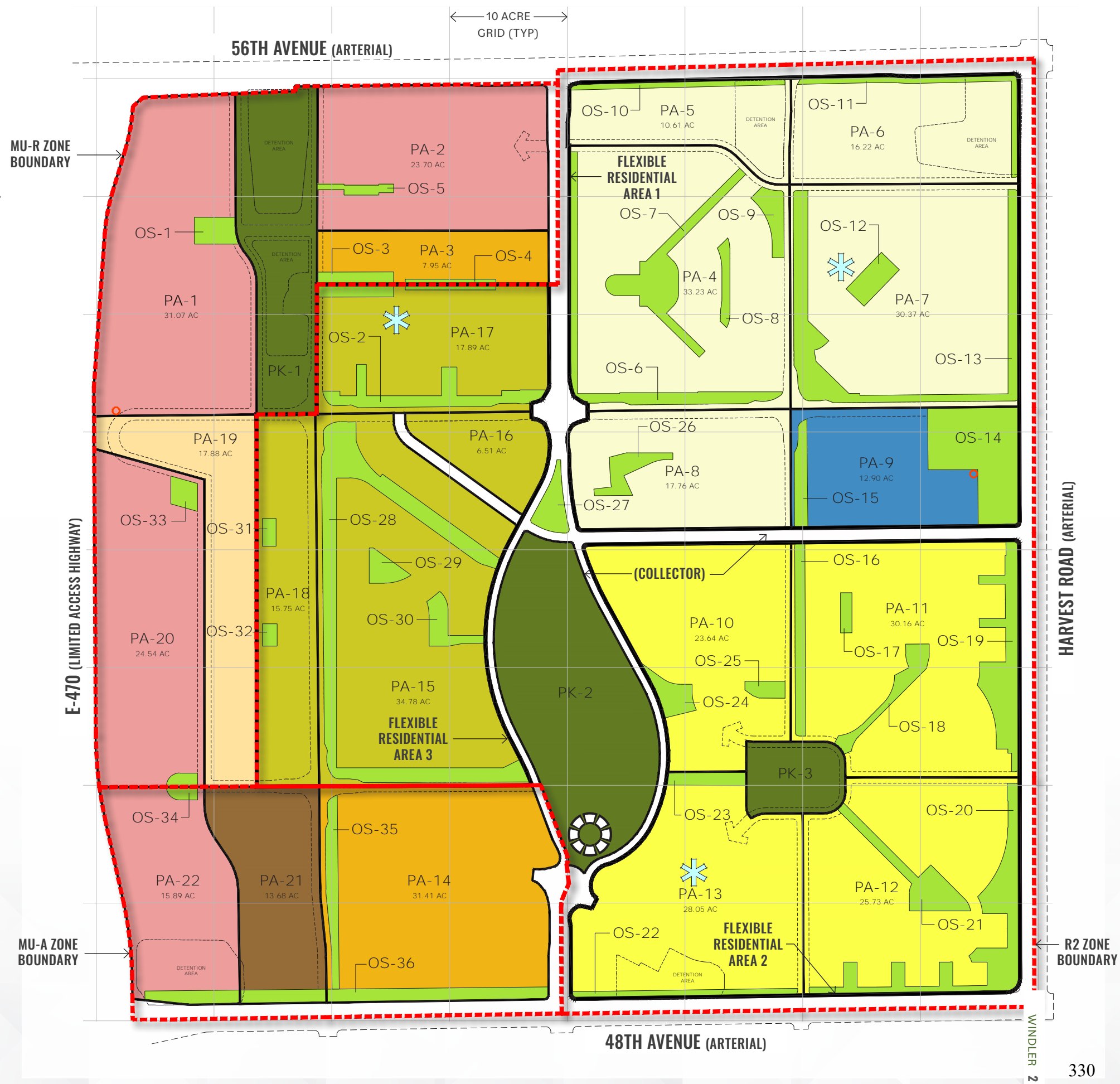
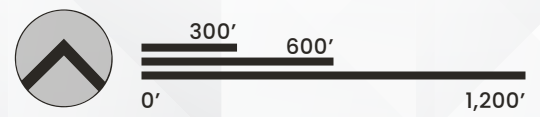


LEGEND

- OPEN SPACE
- NEIGHBORHOOD PARK
- FLEX RES - 1 (145.6 Acres Gross)
- FLEX RES - 2 (130.4 Acres Gross)
- FLEX RES - 3 (89.9 Acres Gross)
- FLEX RES - 4 (89.7 Acres Gross)
- SFA
- MF
- MIXED USE
- COMMERCIAL
- INDUSTRIAL
- SCHOOL
- ✳ ADMINISTRATIVE ACTIVITY CENTER
- WHELEN WARNING SYSTEM LOCATION
- ⊙ RECREATION CENTER

NOTES

Planning areas depicted for Open Space, Neighborhood Park and School are for acreage only. Final location, configuration, and shape will be determined at time of Site Plan.

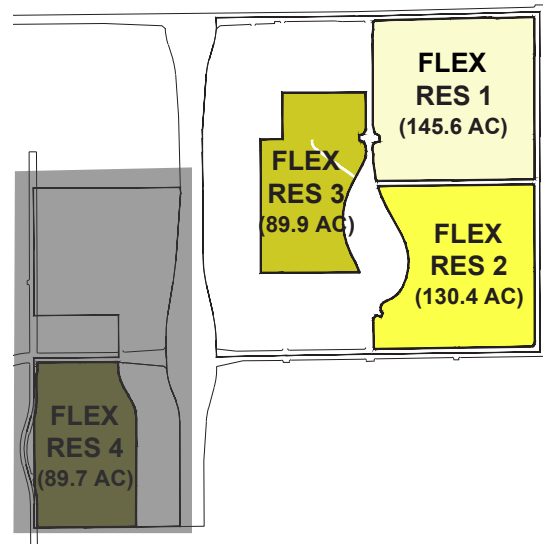


WINDLER 2

tab 8

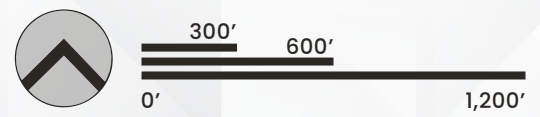
LAND USE MAP

KEYMAP





LEGEND

- OPEN SPACE
- NEIGHBORHOOD PARK
- FLEX RES - 1 (145.6 Acres Gross)
- FLEX RES - 2 (130.4 Acres Gross)
- FLEX RES - 3 (89.9 Acres Gross)
- FLEX RES - 4 (89.7 Acres Gross)
- SFA
- MF
- MIXED USE
- COMMERCIAL
- INDUSTRIAL
- SCHOOL
- * ADMINISTRATIVE ACTIVITY CENTER
- WHELEN WARNING SYSTEM LOCATION
- RECREATION CENTER



Overall Community Signature Fence Locations, Buffer Wall Location

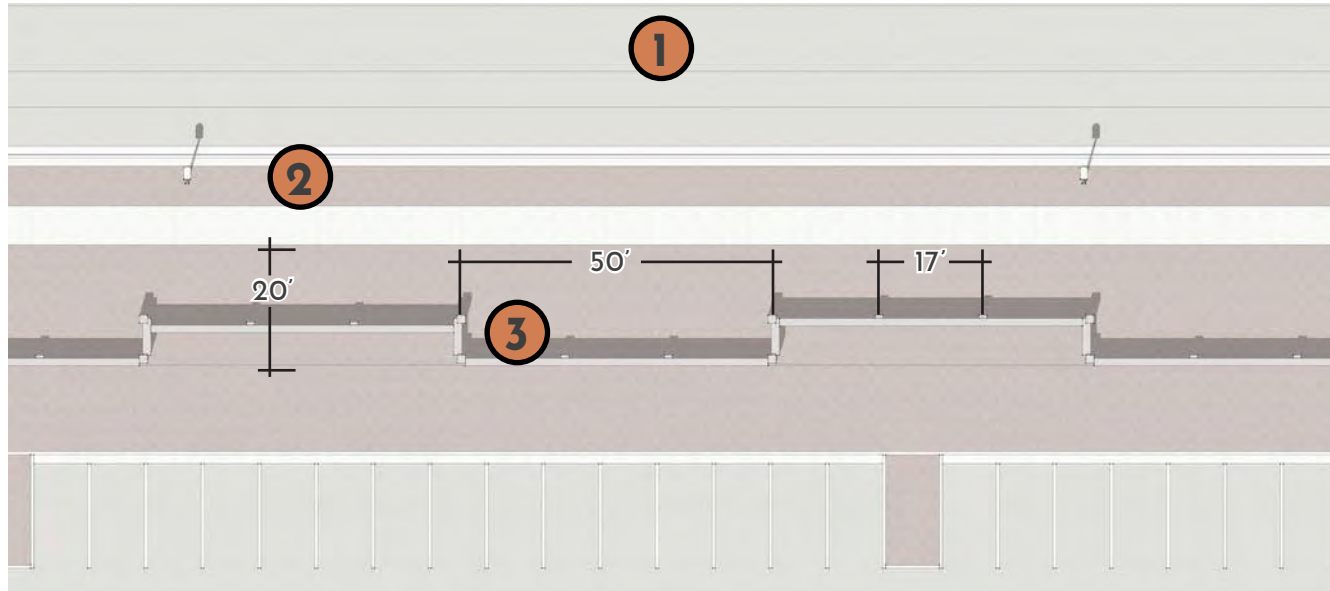
Legend

-  Signature Fence Locations
-  Brick Buffer Wall location



Landscape Design At Buffer Wall

WINDLER is proposing a minimum seven foot tall brick/masonry wall in a twenty foot easement adjacent to warehouse/industrial uses where those uses are across the street from residential uses. The wall incorporates a stagger of approximately seven feet, approximately every fifty feet to provide planting areas and break up the appearance of the wall. Columns are incorporated into the wall at approximately seventeen foot intervals.



- 1 Adjacent Collector or Arterial Road.
- 2 Typical ROW, curbside landscape.
- 3 Seven foot wall stagger to break up the wall and create areas for increased planting opportunities.



Buffer Wall with adjacent curbside planting - eye level view



Buffer Wall - Aerial View



Buffer Wall highlighting wall stagger with evergreen planting

ORDINANCE NO. 2022 - ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE THREE PARCELS OF LAND TO AIRPORT DISTRICT (AD) AND MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) FOR APPROXIMATELY 242 ACRES OF LAND, LOCATED WEST OF E-470 AND ALONG THE 48TH AVENUE ALIGNMENT (WINDLER ZONING MAP AMENDMENT)

WHEREAS, the applicant has requested that 242 acres of land, more or less, located west of E-470 and between 48th Avenue and 56th Avenue, County of Adams, State of Colorado, be rezoned from Mixed-Use Airport District (MU-A) to Airport District (AD) on two parcels and Medium Density Residential District (R-2) on the third parcel; and

WHEREAS, Section 146-5.4.1.C.3 of the City Code provides that all applications for the rezoning of property within the City of Aurora, Colorado (the “City”), shall be presented for a public hearing, both to the Planning and Zoning Commission, who shall render a recommendation to City Council, and to City Council for final decision; and

WHEREAS, on June 22, 2022, following a public hearing, the Planning and Zoning Commission voted to recommend the rezoning of the parcel.

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

Section 1. Based on the evidence presented at tonight’s public hearing, City Council finds and determines that: the rezonings are consistent with the spirit and intent of the Comprehensive Plan, are compatible with surrounding development, and would not result in a significant dislocation of tenants or occupants of the property.

Section 2. Parcels 1 and 2, as more particularly described in “Exhibits A” attached hereto and incorporated herein, are zoned Airport District (AD) and the zoning map is hereby amended in accordance with said zonings.

Section 3. Parcel 3, as more particularly described in “Exhibit A” attached hereto and incorporated herein, is zoned Medium Density Residential District (R-2) and the zoning map is hereby amended in accordance with said zoning.

Section 4. All ordinances or parts of ordinances of the City in conflict herewith are expressly repealed.

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

INTRODUCED, READ, AND ORDERED PUBLISHED this _____ day of _____, 2022.

PASSED AND ORDERED PUBLISHED BY REFERENCE this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Daniel L. Money RLA

DANIEL L. MONEY, Senior Assistant City Attorney

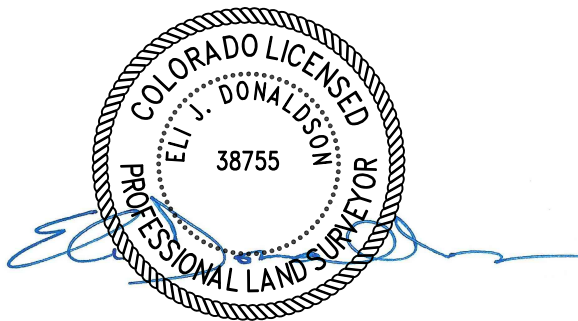
Parcel 1

ZONING MAP AMENDMENT - A portion of land which will have a zoning designation of: AD, located in the southeast quarter of Section 13, Township 3 South, Range 66 West of the 6th Principal Meridian, in the City of Aurora, County of Adams, State of Colorado and being more particularly described as follows:

Commence at the northeast corner of the southeast quarter of said Section 13, thence along the North line of said southeast quarter of Section 13, South 89°40'25" West, 347.56 feet to the POINT OF BEGINNING, said point also being a point on the westerly right of way line of the E-470 Parcel TK-114, as described within Records Book 5849, Page 596 of the public records of Adams County; thence leaving said North line, run along said westerly right of way line of E-470 the following eight courses; South 01°08'45" East, 96.75 feet; thence South 04°07'05" West, 1,049.33 feet to the point of curvature of a curve concave westerly, having a radius of 3,729.44 feet, a central angle of 005°20'41", a chord bearing of South 06°47'26" West and a chord distance of 347.77 feet; thence southerly along the arc of said curve 347.90 feet to the point of tangency; thence, South 09°27'47" West, 488.36 feet to the point of curvature of a curve concave easterly, having a radius of 1,999.86 feet, a central angle of 010°19'36", a chord bearing of South 04°17'58" West and a chord distance of 359.96 feet; thence southerly along the arc of said curve 360.45 feet to the point of tangency; thence, South 00°51'50" East, 141.69 feet; thence, South 36°31'28" West, 74.68 feet; thence, South 85°53'59" West, 703.02 feet to a point on the East line of LOT 1, BLOCK 1, of the WINDLER SUBDIVISION, as described by File 13, Map 130 of the public records of Adams County; thence leaving said westerly right of way line, run along the boundary line of said WINDLER SUBDIVISION the following two courses; North 00°07'08" West, 588.06 feet to the northeast corner of said LOT 1; thence, South 89°38'39" West, 1,323.22 feet to a point on the West line of said southeast quarter of Section 13; thence leaving said boundary line, run along said West line, North 00°07'08" West, 1,988.39 feet to the northwest corner of said southeast quarter of Section 13; thence along the aforementioned North line of the southeast quarter of Section 13, North 89°40'25" East, 2,293.94 feet to the POINT OF BEGINNING.

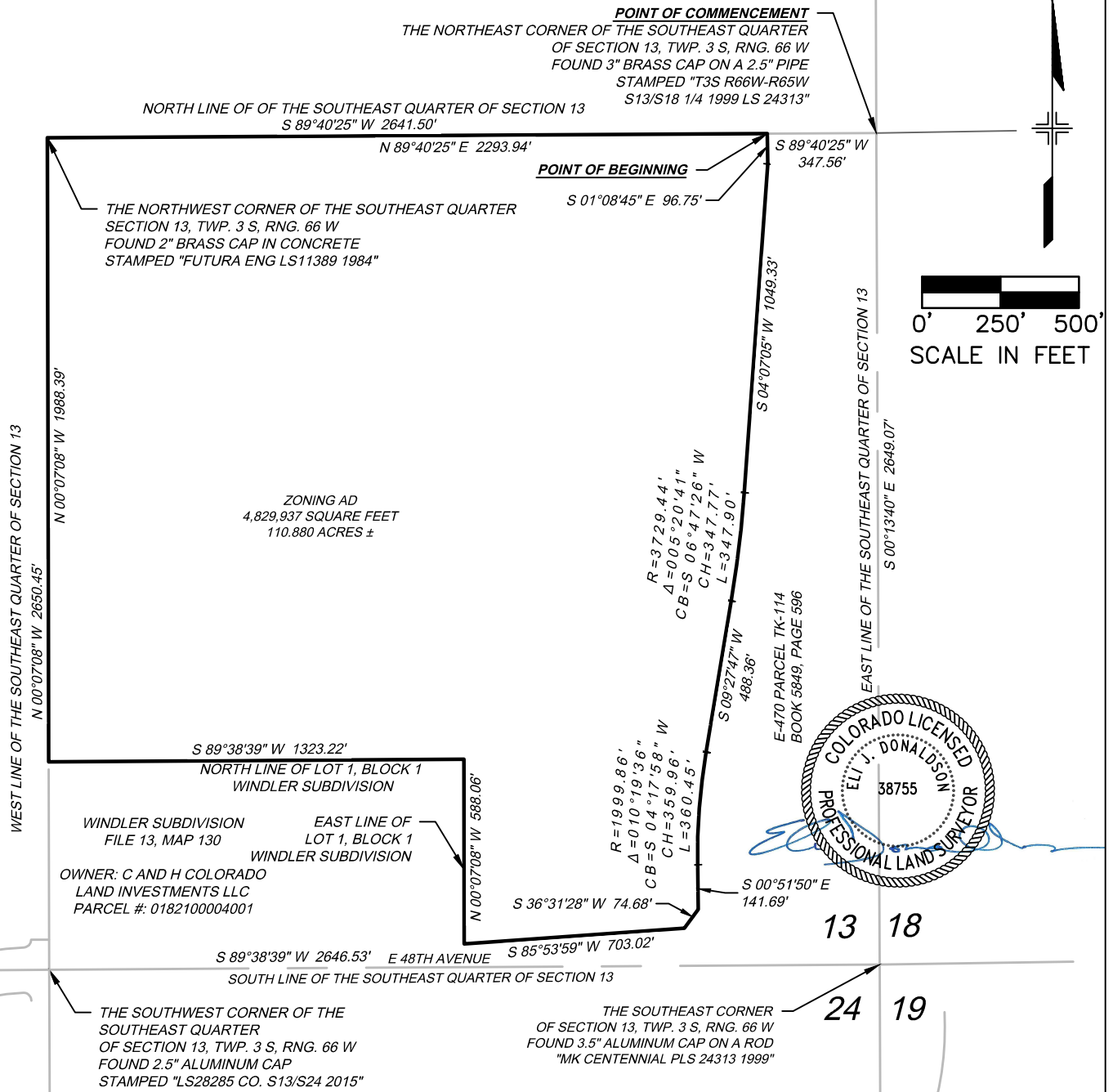
Said portion of land contains 4,829,937 Square Feet, which equates to 110.880 Acres, more or less.

The basis of bearings are grid and based within the Colorado Coordinate System of 1983, Central Zone. The bearing of the line between the northeast corner of the southeast quarter of Section 13, being a found 3" brass cap on a 2.5" pipe, stamped "TT3S R66W-R65W S13/S18 1/4 1999 LS 24313" and the northwest corner of the southeast quarter of Section 13, being a 2" brass cap in concrete, stamped "FUTURA ENG LS 11389 1984", is South 89°40'25" West, for 2,641.50 feet.



Eli Donaldson, PLS 38755
 OLSSON
 1525 Raleigh Street, Suite 400
 Denver, CO 80204

ILLUSTRATION FOR
EXHIBIT A



Sheet 2 of 2

BEARINGS ARE BASED ON THE NORTH LINE OF THE SE 1/4 OF SECTION 13, T3S, R66W, 6TH P.M., BEING S89°38'39" W
 THE ABOVE DESCRIBED PARCEL CONTAINS 4,829,937 SQUARE FEET (110.880 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 | | | ZONING MAP AMENDMENT – A portion of land which will have a zoning designation of: AD, located in the southeast quarter of Section 13, Township 3 South, Range 66 West of the 6th Principal Meridian, in the City of Aurora, County of Adams, State of Colorado |
| DRAWN BY: EJD/DMW | SCALE: 1" = 500' | R.O.W. FILE NUMBER N/A | |
| CHECKED BY: EJD | DATE: 04-13-2022 | JOB NUMBER: 021-02235 | |
| | | | |

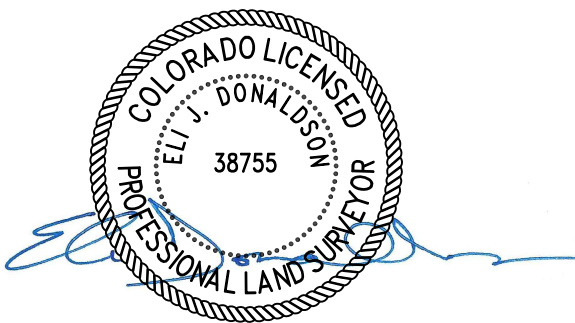
Parcel 2

ZONING MAP AMENDMENT - A portion of land which will have a zoning designation of: AD, located in the northeast quarter of Section 24, Township 3 South, Range 66 West of the 6th Principal Meridian, in the City of Aurora, County of Adams, State of Colorado and being more particularly described as follows:

Commence at the northeast corner of the northeast quarter of said Section 24; thence along the North line of said northeast quarter, South 89°38'39" West, 1,249.90 feet; thence leaving said North line, South 00°15'56" East, 82.96 feet to the POINT OF BEGINNING, also being a point on the westerly right of way line of the E-470 Parcel, TK-112, as described within Record Book 5849, Page 596 of the public records of Adams County; thence the following six courses along said westerly right of way line, South 84°54'15" East, 633.95 feet; thence, South 51°30'05" East, 58.63 feet to a point of non-tangency of a curve concave northeasterly, having a radius of 914.38 feet, a central angle of 019°07'39", a chord bearing of South 11°55'26" East and a chord distance of 303.84 feet; thence southeasterly along the arc of said curve 305.26 feet to the point of tangency; thence, South 21°29'16" East, 226.63 feet to the point of tangency of a curve concave southwesterly, having a radius of 851.97 feet, a central angle of 021°29'19", a chord bearing of South 10°44'37" East and a chord distance of 317.66 feet; thence southerly along the arc of said curve 319.53 feet to the point of tangency; thence, South 00°00'03" West, 1,646.70 feet to a point on the South line of said northeast quarter of Section 24; thence leaving said westerly right of way line, run along said South line, South 89°35'41" West, 602.84 feet; thence leaving said South line, North 00°05'21" East, 1,683.17 feet to a point of tangency of a curve concave westerly, having a radius of 640.00 feet, a central angle of 029°26'20", a chord bearing of North 14°37'49" West and a chord distance of 325.23 feet; thence northerly along the arc of said curve 328.84 feet to the point of tangency; thence, North 29°20'59" West, 260.71 feet to a point of tangency of a curve concave easterly, having a radius of 560.00 feet, a central angle of 029°05'03", a chord bearing of North 14°48'27" West and a chord distance of 281.22 feet; thence northerly along the arc of said curve 284.26 feet to the point of tangency; thence, North 00°15'56" West, 67.04 feet to the POINT OF BEGINNING.

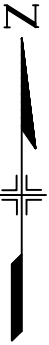
Said portion of land contains 1,548,832 Square Feet, which equates to 35.556 Acres, more or less.

The basis of bearings are grid and based within the Colorado Coordinate System of 1983, Central Zone. The bearing of the line between the northeast corner of the northeast quarter of Section 24, being a found 3.5" aluminum cap on a rod stamped "MK CENTENNIAL PLS 24313 1999" and the northwest corner of the northeast quarter of Section 24, being a found 2.5" aluminum cap stamped "LS28285 CO. S13/S24 2015" is South 89°38'39" West, for 2,646.53 feet.



*Eli Donaldson, PLS 38755
OLSSON
1525 Raleigh Street, Suite 400
Denver, CO 80204*

ILLUSTRATION FOR
EXHIBIT A



13 18
24 19

NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 24
S 89°38'39" W 2646.53' (BASIS OF BEARING)

E 48TH AVENUE

POINT OF BEGINNING

THE NORTHWEST CORNER OF THE
NORTHEAST QUARTER
OF SECTION 24, TWP. 3 S, RNG. 66 W
FOUND 2.5" ALUMINUM CAP
STAMPED "LS28285 CO. S13/S24 2015"

POINT OF COMMENCEMENT
THE NORTHEAST CORNER
OF SECTION 24, TWP. 3 S, RNG. 66 W
FOUND 3.5" ALUMINUM CAP ON A ROD
"MK CENTENNIAL PLS 24313 1999"

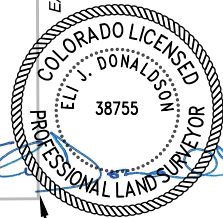
| LINE TABLE | | |
|------------|-------------|----------|
| LINE ID | DIRECTION | LENGTH |
| L1 | S89°38'39"W | 1249.90' |
| L2 | S00°15'56"E | 82.96' |
| L3 | S84°54'15"E | 633.95' |
| L4 | S51°30'05"E | 58.63' |
| L5 | S21°29'16"E | 226.63' |
| L6 | S00°00'03"W | 1646.70' |
| L7 | S89°35'41"W | 602.84' |
| L8 | N00°05'21"E | 1683.17' |
| L9 | N29°20'59"W | 260.71' |
| L10 | N00°15'56"W | 67.04' |

| CURVE TABLE | | | | | |
|-------------|---------|------------|---------------|---------|---------|
| # | RADIUS | DELTA | CHORD BEARING | CHORD | LENGTH |
| C1 | 914.38' | 019°07'39" | S11°55'26"E | 303.84' | 305.26' |
| C2 | 851.97' | 021°29'19" | S10°44'37"E | 317.66' | 319.53' |
| C3 | 640.00' | 029°26'20" | N14°37'49"W | 325.23' | 328.84' |
| C4 | 560.00' | 029°05'03" | N14°48'27"W | 281.22' | 284.26' |

ZONING AD
1,548,832 SQUARE FEET
35.556 ACRES ±

E-470 PARCEL TK-112
BOOK 5849, PAGE 596

N 00°14'06" W 2647.83'
EAST LINE OF THE NORTHEAST QUARTER OF SECTION 24



N 89°35'41" E 2644.76'
SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 24

THE SOUTHWEST CORNER
OF THE NORTHEAST QUARTER OF
SECTION 24, TWP. 3 S, RNG. 66 W
FOUND 2" BRASS CAP IN CONCRETE

THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER
OF SECTION 24, TWP. 3 S, RNG. 66 W
FOUND 3" BRASS CAP IN RANGE BOX
STAMPED "PLS 16846 S24/S19 R66W/R65W T35 1989"

Sheet 2 of 2

BEARINGS ARE BASED ON THE NORTH LINE OF THE NE 1/4 OF SECTION 24, T3S, R66W, 6TH P.M., BEING S89°38'39"W
THE ABOVE DESCRIBED PARCEL CONTAINS 1,548,832 SQUARE FEET (35.556 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

ZONING MAP AMENDMENT – A portion of land which will have a zoning designation of: AD, located in the northeast quarter of Section 24, Township 3 South, Range 66 West of the 6th Principal Meridian, in the City of Aurora, County of Adams, State of Colorado

| | | |
|----------------------|---------------------|---------------------------|
| DRAWN BY: EJD/DMW | SCALE: 1" = 500' | R.O.W. FILE NUMBER N/A |
| CHECKED BY: EJD | DATE: 04-13-2022 | JOB NUMBER: 021-02235 |

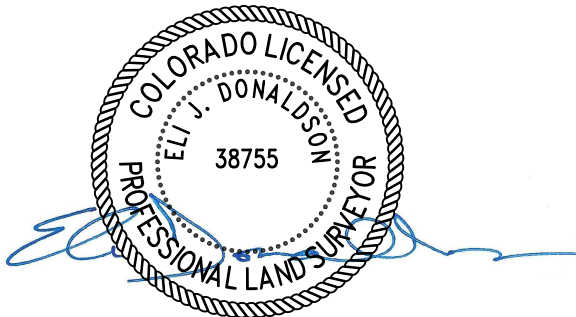
Parcel 3

ZONING MAP AMENDMENT - A portion of land which will have a zoning designation of: R-2, located in the northeast quarter of Section 24, Township 3 South, Range 66 West of the 6th Principal Meridian, in the City of Aurora, County of Adams, State of Colorado and being more particularly described as follows:

Commence at the northeast corner of the northeast quarter of said Section 24; thence along the North line of said northeast quarter, South 89° 38' 39" West, 2,646.53 feet to the northwest corner of said northeast quarter of Section 24; thence leaving said North line, run along the West line of said northeast quarter of Section 24, South 00° 16' 24" East, 135.06 feet to the POINT OF BEGINNING, also being a point on the southerly right of way line of East 48th Avenue as described within Reception Number 2007000085459 of the public records of Adams County; thence leaving said West line, run along said southerly right of way line the following four courses, North 89° 59' 56" East for 69.01 feet; thence, North 00° 16' 42" West for 38.18 feet to the point of curvature of a non-tangent curve to the right, having a radius of 25.00 feet, a central angle of 90° 41' 52", a chord bearing of North 44° 17' 40" East and a chord distance of 35.57 feet; thence along the arc of said curve 39.57 feet to the point of tangency; thence, North 89° 38' 39" East for 1187.79 feet to a point on the westerly right of way line of the E-470 Parcel, TK-112, as described within Record Book 5849, Page 596 of the public records of Adams County; thence leaving said southerly right of way line, run along said westerly right of way line, South 84° 54' 15" East for 115.36 feet; thence leaving said westerly right of way line, South 00° 15' 56" East for 67.04 feet to the point of curvature of a curve to the left, having a radius of 560.00 feet, a central angle of 29° 05' 03", a chord bearing of South 14° 48' 27" East and a chord distance of 281.22 feet; thence along the arc of said curve 284.26 feet to the point of tangency; thence, South 29° 20' 59" East for 260.71 feet to the point of curvature of a curve to the right, having a radius of 640.00 feet, a central angle of 29° 26' 20", a chord bearing of South 14° 37' 49" East and a chord distance of 325.23 feet; thence along the arc of said curve 328.84 feet to the point of tangency; thence, South 00° 05' 21" West for 1683.17 feet to a point on the South line of said northeast quarter of Section 24; thence along said South line, South 89° 35' 41" West for 1663.88 feet to the southwest corner of said northeast quarter of Section 24; thence leaving said South line, run along the aforementioned West line of said northeast quarter, North 00° 16' 24" West for 2515.04 feet to the POINT OF BEGINNING.

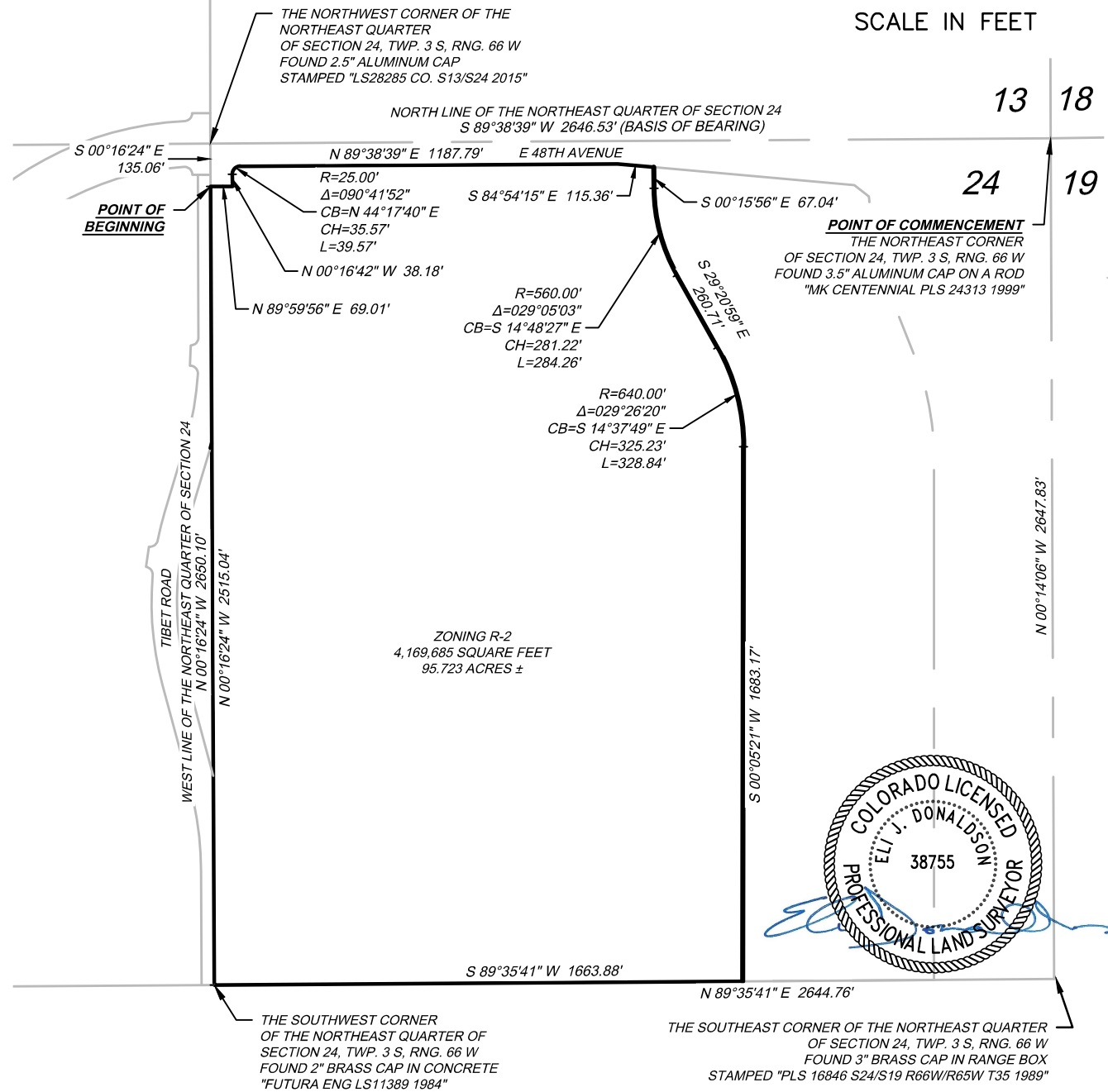
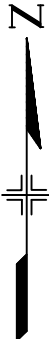
Said portion of land contains 4,169,685 Square Feet, which equates to 95.723 Acres, more or less.

The basis of bearings are grid and based within the Colorado Coordinate System of 1983, Central Zone. The bearing of the line between the northeast corner of the northeast quarter of Section 24, being a found 3.5" aluminum cap on a rod stamped "MK CENTENNIAL PLS 24313 1999" and the northwest corner of the northeast quarter of Section 24, being a found 2.5" aluminum cap stamped "LS28285 CO. S13/S24 2015" is South 89°38'39" West, for 2,646.53 feet.



*Eli Donaldson, PLS 38755
OLSSON
1525 Raleigh Street, Suite 400
Denver, CO 80204*

ILLUSTRATION FOR
EXHIBIT A



Sheet 2 of 2

BEARINGS ARE BASED ON THE NORTH LINE OF THE NE 1/4 OF SECTION 24, T3S, R66W, 6TH P.M., BEING S89°38'39" W
THE ABOVE DESCRIBED PARCEL CONTAINS 4,169,685 SQUARE FEET (95.723 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 | | | ZONING MAP AMENDMENT – A portion of land which will have a zoning designation of: R-2, located in the northeast quarter of Section 24, Township 3 South, Range 66 West of the 6th Principal Meridian, in the City of Aurora, County of Adams, State of Colorado |
| DRAWN BY: EJD/DMW | SCALE: 1" = 500' | R.O.W. FILE NUMBER N/A | |
| CHECKED BY: EJD | DATE: 04-13-2022 | JOB NUMBER: 021-02235 | |
| | | | |



CITY OF AURORA

Council Agenda Item Continuation Page

Item Title: A PUBLIC HEARING WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY AN ABUTTING PROPERTY OWNER OF THE PLANNING AND ZONING COMMISSION APPROVAL OF THE STATION 60 INFRASTRUCTURE SITE PLAN

Item Initiator:

Staff Source: Daniel Osoba, Planner II

Legal Source: Daniel L. Money, Senior Assistant City Attorney

Outside Speaker: N/A

Date of Change: 7/6/2022

COUNCIL MEETING DATES:

Study Session: NA

Regular Meeting: 7/11/2022

ITEM SUMMARY *(Brief description of changes or updates with documents included.)*

This agenda item is a companion item with 8.a. Agenda item 12.a. appeal is being withdrawn by the appellant due to a settlement agreement between the appellant and the applicant. The item 12.a. appeal will be withdrawn accordingly during the 7/11/2022 Regular City Council Meeting.

Brady R. McShane
(303) 685-7405
mcshaneb@gtlaw.com

July 6, 2022

VIA EMAIL

Jim Twombly, City of Aurora City Manager
15151 E. Alameda Parkway
Aurora, CO 80012
Email: jtwombly@auroragov.org

Re: Withdrawal of Salud's Appeal of Planning and Zoning Commission's Major Site Plan Approval for the Station 60 Infrastructure Site Plan

Dean Mr. Twombly,

I am writing on behalf of Salud Family Health ("Salud"). On May 9, 2022, Salud appealed the City of Aurora Planning and Zoning Commission's Major Site Plan Approval for the Station 60 Infrastructure Site Plan (the "Appeal"). We are pleased to report that both Salud and QuikTrip (owner of the Station 60 property) have agreed to cooperate in the pursuit of a revised access plan and traffic signal location at E. Colfax Avenue (US 40) and Norfolk Street that will address Salud's previously-stated concerns. Accordingly, Salud hereby withdraws its Appeal and looks forward to working with the City of Aurora and Colorado Department of Transportation to process the approvals necessary to accommodate the desired revisions.

Sincerely,



Brady R. McShane
Shareholder

cc:

Dan Osoba, City of Aurora Planner II
John Santistevan, Salud
Michael Johnson, Salud
Craig Romrell, QuikTrip
Chris Viscardi, Kentro Group
Carolynne C. White, Brownstein Hyatt Farber Schreck, LLP

ACTIVE 66024494v1



CITY OF AURORA

Council Agenda Commentary

| |
|--|
| Item Title: Station 60 Infrastructure Site Plan |
| Item Initiator: Daniel Osoba, Planner II |
| Staff Source/Legal Source: Daniel Osoba, Planner II / Daniel L. Money, Senior Assistant City Attorney |
| Outside Speaker: Stacey Weaks, Principal, Norris Design |
| Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated. |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 6/6/2022

ITEM DETAILS:

A PUBLIC HEARING WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY AN ABUTTING PROPERTY OWNER OF THE PLANNING AND ZONING COMMISSION APPROVAL OF THE STATION 60 INFRASTRUCTURE SITE PLAN
Daniel Osoba, Planner II / Daniel L. Money, Senior Assistant City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

Policy Committee Date: 4/27/2022

Action Taken/Follow-up: *(Check all that apply)*

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recommends Approved | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |

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

The Planning and Zoning Commission heard the applicant's request for approval of the Station 60 Infrastructure Site Plan at a public hearing on April 27, 2022 and voted (4-2) to approve the Infrastructure Site Plan. The Summary of Planning Commission Actions is attached as an exhibit which details the testimony, discussions, and Planning and Zoning Commission actions of this agenda item. A full audio and visual recording of the Planning and Zoning Commission meeting is available upon request.

The Infrastructure Site Plan was appealed by an abutting property owner on May 9, 2022 in accordance with Section 146-5.3.13.A Appeals to City Council. This section allows abutting property owners to appeal a Planning and Zoning Commission decision if a letter of appeal is submitted to the City Manager within 10 calendar days of the decision date that specifically identifies the code section or City regulation that was not applied correctly. The letter of appeal is attached as an exhibit.

To summarize, the appellant argues that the Commission failed to demonstrate that the Station 60 ISP meets the Criteria for Approval for a Major Site plan found in Section 146-5.4.3.B.2.c.i because the traffic signal as proposed at Norfolk St and E Colfax Avenue will create significant unmitigated traffic impacts on City streets, frustrate the **City's ability to establish a necessary and important multi-modal connection** with adjacent sites, and degrade other important existing multi-modal connections in the area. A Traffic Technical Report has been prepared by the appellant to demonstrate those items and is available within the letter of appeal as Exhibit 1. The appellant is **requesting City Council add a condition of approval to the Station 60 ISP "to shift the Norfolk Street intersection with E. Colfax Avenue approximately 40 to 50 feet to the east to permit a logical and necessary connection to the existing terminus of Norfolk Street south of 14th Avenue."** The appellant argues that the Station 60 ISP is not consistent with the the goals, policies, and practices designed to create complete street connections and transportation improvements found in Chapter 4, 5 and 6 of the Aurora Places Plan.

The appellant additionally cites Section 146-5.3.9 the Criteria for Review and Decision which states City Council may deny an application based on past performance of the applicant. Examples of past performance that may justify conditioning or denials of application include evidence of false or misleading statements in application materials or public hearings. The appellant argues that inaccurate and misleading information improperly **influenced the Commission's deliberation and decision because the applicant indicated that CDOT had approved the access permit for Norfolk St and E Colfax Avenue, when in fact CDOT had not approved the intersection as proposed.**

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

The applicant, QuikTrip Corporation, is requesting approval of an Infrastructure Site Plan (ISP) for private drives and detention ponds within the 24.1-acre Station 60 Master Plan development at the northwest corner of E Colfax Ave and S Airport Blvd. The Station 60 Master Plan was administratively approved on March 2, 2022 and proposes mixed-use and commercial areas along E Colfax Ave and multifamily residential at the rear of the property. The Infrastructure Site Plan is consistent with the master plan as proposed. The property is zoned MU-C Mixed-Use Corridor District and is within the City Corridor Placetype as identified in the Aurora Places Plan.

The ISP includes the primary roadway, utility and stormwater infrastructure needed to serve the full-build-out of the Station 60 development. Adjacent right-of-way improvements include detached sidewalks, curbside landscaping, and roadway and intersection improvements in conformance with the Master Traffic Impact Study and Public Improvement Plan within the Station 60 Master Plan. No adjustments have been requested with this application.

The applicant has coordinated the accesses onto E Colfax Ave with the Colorado Department of Transportation (CDOT) throughout the review process and has continued to do so after the Planning and Zoning Commission hearing. Norfolk St is an existing roadway along the western boundary of the Station 60 property that is proposed to be widened and include a signalized intersection at E Colfax Ave if signal warrants are met by future traffic volumes. Norfolk Street is not proposed to continue south of E Colfax Ave as shown in the Station 60 Master Plan

and proposed Infrastructure Site Plan. CDOT has issued the access permit for the access as proposed at Norfolk St and E Colfax Ave, which is pending final signatures.

QUESTIONS FOR COUNCIL

Does City Council wish to uphold the decision made by the Planning and Zoning Commission to approve the Station 60 Infrastructure Site Plan?

LEGAL COMMENTS

Unless otherwise specified by this UDO, any administratively approved development application, interpretation, or decision of the Planning Director concerning the administration of this UDO, or any decision of the Planning and Zoning Commission or the Historic Preservation Commission may be appealed to City Council. Appeals may be submitted by an affected applicant or by the owner of a property that is adjacent to the property that was the subject of the application. The notice of appeal must be filed with the City Manager within 10 calendar days after the decision, and shall specifically state the Section or the City regulation that has not been applied correctly.

If an appeal is filed under the criteria above, the City Council shall schedule a public hearing according to the procedures described in Section 146-5.3.8 (Public Hearings). The City Council shall review the appeal based on the standards and criteria in this UDO and the record of decision and shall act to uphold, modify, or overturn the decision as necessary to bring the decision into compliance with the standards and criteria of this UDO. (City Code Sec. 146-5.3.13.A)

Planning and Zoning Commission. The Planning and Zoning Commission shall conduct a public hearing on all development applications that are required to come before it. The Commission shall apply the criteria for review and approval as stated in this UDO when considering an application. At the conclusion of a public hearing, the Commission shall approve the application as presented, approve with conditions, deny the application, or make a recommendation to City Council, or may defer the matter at the request of the applicant. The Commission may postpone action on an item for one meeting on its own initiative to allow for the receipt of additional information. The Commission's decision becomes effective after the second City Council meeting following the notice of the Commission's decision on the application to City Council. (City Code Sec. 146-5.3.8)

A Major Site Plan shall be approved only if:

- a. The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.
- b. The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.
- c. Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.
- d. The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.
- e. The application is compatible with surrounding uses in terms of size, scale and building façade materials.

f. The application mitigates any adverse impacts on the surrounding area to the degree practicable. (City Code Sec. 146-5.4.3.B.2.C.i) (Money)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

Brady R. McShane
Tel 303.572.6500
mcshaneb@gtlaw.com

May 9, 2022

Via Email: jtwombly@auroragov.org

Jim Twombly, City of Aurora City Manager
15151 E. Alameda Parkway
Aurora, CO 80012

Re. Notice of Appeal of Planning and Zoning Commission’s Major Site Plan Approval
for the Station 60 Infrastructure Site Plan

Dear Mr. Twombly,

This law firm represents Salud Family Health (“Salud”), owner of the approximately 26 gross acre property located on the south side of E. Colfax Avenue (US Highway 40) (the “Aurora Center Property”) adjacent to the Station 60 project site. On behalf of Salud, we hereby appeal the Planning and Zoning Commission’s (“Commission”) Major Site Plan Approval for the Station 60 Infrastructure Site Plan (“Station 60 ISP”) issued on April 27, 2022.

I. SUMMARY OF APPEAL AND REQUEST

The Commission’s approval of the Station 60 ISP was based, in part, on misleading information presented at the hearing implying that the Colorado Department of Transportation (“CDOT”) had essentially approved the location and configuration of the proposed traffic signal at E. Colfax Avenue (US 40) and Norfolk Street when in fact it has not. Moreover, the Commission’s approval will forever foreclose the City’s only opportunity to connect Norfolk Street south across Colfax Avenue for a more complete street grid that addresses community circulation requirements over the long-term, and not just the request of a single project.

To this end, the traffic technical report prepared by Chris McGranahan, Traffic Engineer at LSC Transportation Consultants, demonstrates that the traffic signal location proposed by Station 60 at E. Colfax Avenue and Norfolk Street will: (i) create significant unmitigated traffic impacts on City streets, including in residential areas and school zones; (ii) frustrate the City’s ability to establish a necessary and important multi-modal connection with adjacent sites, neighborhoods, and urban centers at the intersection of E. Colfax Avenue and Norfolk Street; and (iii) degrade other important existing multi-modal connections in the area, including with respect to the important regional intersection at E. Colfax Avenue and Airport Road. (See **Exhibit 1**: LSC Traffic Technical Report.)

As such, and as more particularly described in this appeal below, the Commission failed to demonstrate that the Station 60 ISP meets the Criteria for Approval for a Major Site Plan, as required by Uniform Development Ordinance (“UDO”) Section 146-5.4.3.B.2.c.i. Moreover, the Commission’s approval is inconsistent with the City’s Comprehensive Plan goals, policies and practices designed to create complete street connections and transportation improvements.

Salud therefore respectfully requests that the City Council condition the Station 60 ISP Major Site Plan Approval to shift the Norfolk Street intersection with E. Colfax Avenue approximately 40 to 50 feet to the east to permit a logical and necessary connection to the existing terminus of Norfolk Street south of 14th Avenue. This connection would better serve future development on both sides of E. Colfax Avenue and reduce impacts to the regionally important intersection of E. Colfax Avenue/Airport Road and to the residential neighborhood, Laredo Elementary School, and Laredo Preschool southwest/west of the Aurora Center Property. In the alternative, the City Council should refer the item back to the Commission with direction for further study and/or reconsideration consistent with the above request.

II. BACKGROUND

A. Salud Filed a Pre-Application for the Aurora Center for Health, Wealth & Well-Being Master Plan in April 2021; Filing of a Final Master Plan Development Application is Imminent.

Salud filed a pre-application with the City for the development of the Aurora Center for Health, Wealth & Well-Being Master Plan (“Aurora Center Master Plan”) at the Aurora Center Property on April 15, 2021. With a singular mission to promote the safety, health, wealth, and overall well-being of Aurora residents, the Aurora Center Master Plan contemplates the development of approximately 325,275 square feet of Primary Care and Specialty medical center, mixed-use commercial, retail and office, affordable housing (approximately 160 units), and community park, garden, and urban farm uses on an approximately 26 gross acre site. (See **Exhibit 2**: Pre-Application.)

As part of this process, Salud has been actively engaged for over approximately three years with community members and City staff to envision how the development can best provide for the needs of the surrounding community. This process sourced inspiration and ideas for advancing health outcomes with community involvement, ensuring that additional spaces, amenities, and programs at the Center not only serve real community priorities but are also defined and shaped with the community.

The Aurora community urgently requires the facilities and services provided by the Aurora Center Master Plan. Importantly, Salud would have already filed its final Master Plan development application with the City but for the present Station 60 signal placement and access plan issue, which is a critical component of the Master Plan’s success.

B. The Proposed Station 60 Traffic Signal Improperly Aligns With Existing Self-Storage Buildings, Physically Preventing the Connection of Norfolk Street South Across Colfax Avenue.

Salud retained LSC Transportation Consultants to conduct a traffic study for the Aurora Center Master Plan since it will be required by both the City and CDOT. During the initial circulation planning meetings in February 2022, Salud first learned that Station 60 was proposing a traffic signal at the intersection of E. Colfax Avenue/Norfolk Street on the northwest corner of the Aurora Center Property as part of the Station 60 development. It was quickly determined, however, that the proposed location was infeasible.

Specifically, a portion of Norfolk Street is constructed adjacent to the southwest edge of the Aurora Center Property. These existing conditions suggest the original intent was to connect these two existing sections with future development of the Aurora Center Master Plan site to complete the street grid. Unfortunately, the self-storage facility was approved in 2002 without being required to dedicate half of Norfolk Street right-of-way, making the connection infeasible without shifting Norfolk Street east approximately 40 to 50 feet. (See **Exhibit 1, Figure 2b**: Norfolk Extension North Without 40'-50' Shift to East.)

As demonstrated in the LSC Traffic Report, and discussed in more detail in Section IV below, if this logical connection is not provided, the entirety of the 26 gross acre Aurora Center Master Plan will have no signalized access point along the entirety of its Colfax Avenue frontage. As a result, the proposed Station 60 access plan will needlessly force all future Aurora Center Master Plan trips requiring westbound access to E. Colfax Avenue either (i) east to Airport Road, significantly impacting the E. Colfax Avenue (US 40)/ Airport Road intersection, or (ii) through the existing residential neighborhood along Norfolk Street and E. 12th Avenue southwest of the Aurora Center Property and the Laredo Elementary School and Laredo Preschool school zones on Laredo Street. (See **Exhibit 1, Figure 2a**: Proposed Station 60 Option.)

C. The Station 60 Traffic Signal Location Will Permanently Foreclose the City's Only Opportunity to Connect Norfolk Street South Across E. Colfax Avenue to Address Long-Term Circulation Needs and Mitigate Traffic Impacts.

LSC Transportation Engineers further determined that, in order to avoid these deleterious traffic impacts, the Station 60 access plan to E. Colfax Avenue (US 40) should be revised to shift the planned traffic signal at Norfolk Street approximately 40 to 50 feet east to facilitate a through connection to Norfolk Street south of 14th Avenue and allow both properties to gain access to the proposed traffic signal. (See **Exhibit 1, Figure 2c**: Preferred Option.) Importantly, there are no other locations along E. Colfax Avenue (US 40), between Laredo Street and Airport Road, in which Salud could install a signal that is suitable for traffic signal control based on CDOT standards.

Allowing signalized access at Norfolk Street for westbound trips to/from E. Colfax Avenue will substantially reduce the Aurora Center Master Plan's future impacts to the E. Colfax Avenue (US 40)/Airport Road regional intersection and greatly reduce the future impacts to the residential

neighborhood along Norfolk Street and E. 12th Avenue southwest of the Aurora Center Property, and Laredo Elementary School and Laredo Preschool school zones on Laredo Street.

D. CDOT Has Not Approved the Signal Location Proposed by Station 60.

Immediately after learning of Station 60's plan for the signal, Salud reached out to City staff and Station 60 in March 2022 to work on a solution that allows full access to the planned signal. Ultimately, Station 60 informed Salud that the Station 60 project was too far along in the planning process, and thus, relocating the signal was not an option. (See **Exhibit 3**: Station 60 Correspondence.)

Salud then scheduled a virtual meeting with CDOT and City staff to discuss the conflict on Monday, April 18th – at this meeting, CDOT and City staff agreed to discuss further and revert back. Most recently, CDOT re-confirmed in an email on May 2, 2022 that CDOT has not completed its review or otherwise approved the signal and access plan; CDOT is continuing to work with Station 60 and the City on the proposed signal. (See **Exhibit 4**: CDOT Correspondence.)

III. SALUD HAS STANDING TO APPEAL THE COMMISSION DECISION.

In accordance with UDO Section 5.3.13(A), the Commission's decision may be appealed in writing to the City Council provided such appeal is received by the City Manager within ten calendar days of the Commission's decision.¹ Such appeal may be filed by any adjacent property owner and shall specifically state the grounds for appeal.² The City Council has the authority to overrule the decision of the Commission, or it may refer the item back to Commission with direction for study and/or reconsideration.

Salud's property is located adjacent to the Station 60 ISP project. In addition, Salud submitted written comments on the Station 60 ISP project for Commission consideration on April 22, 2022 and testified at the Commission public hearing on April 27, 2022.³ In both Salud's written comments and Commission testimony, Salud clearly described the above-conflict and need for a full access intersection that would accommodate both properties. Accordingly, Salud has standing to appeal the Commission's decision to the City Council and such appeal has been timely filed.

¹ The ten-day appeal period ends on Saturday, May 7th. In accordance with UDO Section 146-6.1.3, "[i]f a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or a holiday observed by the City." Thus, the last day to appeal to the City Council is Monday, May 9th.

² The UDO defines "Adjacent" as "[l]ots, parcels, or rights-of-way . . . that share all or part of a common lot line or are separated from each other only by a public street, water body, or public land." The Salud property is separated from the Station 60 project site only by E. Colfax Avenue; thus, Salud is an adjacent property owner that may appeal the Commission's decision.

³ Both of Salud's April 22, 2002 written comments and Salud's testimony at the Commission hearing are hereby incorporated by reference.

IV. THE COMMISSION’S DECISION FAILED TO COMPLY WITH LAW

In approving the Master Site Plan for the Station 60 ISD, the Commission failed to comply with the law, as described immediately below.

A. The Commission’s Approval of the Station 60 ISP Was Based, In Part, on Misleading Information Presented at the Hearing Implying That CDOT Had Essentially Approved the Location of the Proposed Traffic Signal at E. Colfax Avenue and Norfolk Street When in Fact It Has Not.

First, Station 60 representatives presented information to the Commission indicating the Station 60 access plan “meets” CDOT criteria and that CDOT’s approval was largely perfunctory and predetermined. This inaccurate and misleading information improperly influenced the Commission’s deliberation and decision on the matter. Under such circumstances, UDO Section 146-5.3.9 compels the City Council to condition or deny the Station 60 ISP accordingly. (See UDO Section 146-5.3.9 [“City Council may deny an application based on past performance of the applicant. Examples of past performance that may justify conditioning or denials of applications include but are not limited to: 1. *Evidence of false or misleading statements in application materials or public hearings.*” (emphasis added)].)

For example, in response to Commissioner Walls’ and Commissioner Hogan’s direct and repeated inquiries as to whether CDOT had approved the location of the subject signal and whether Station 60 has in its possession “written or other confirmation that where you are proposing the signal is where CDOT is requesting the signal” (Hogan, Transcript⁴ at 2:08:23), two Station 60 representatives replied on separate occasions that:

- “The submittals have been meeting the criteria for CDOT for access spacing and that is where the ISP has been designed to provide the proper access points and locations.” (Stacey Weaks, Transcript at 1:38:00.)
- “And again, I’m not the civil engineer, but I just want to be clear with how all of our experience is. Is the signal location that we’re referencing and showing in our plan and submitted to CDOT for approval is meeting CDOT’s criteria that location and the operation of that. Secondly, the spacing for the access drive to our site and the access drive for the distance away, uh, the spacing requirement, so I think what we’re proposing will meet and exceed what CDOT’s asking from us . . .” (Chris Viscarde [Kentro Group working with Quick Trip], Transcript at 2:09:30)

⁴ As used herein, “Transcript” refers to the City recording of the Commission hearing on April 27, 2022 which can be accessed at the following link: [Planning and Zoning Commission 04/27/2022 \(Study Session 5:00pm; Regular Meeting 6:10pm\)-20220428 0009-2](#) (password: 3jMt59ep).

Also, immediately following City traffic engineer Steve Gomez' testimony attempting to clarify that the subject signal and access still required CDOT's approval and that the project cannot move forward until that is agreed to by CDOT, Station 60 re-inserted themselves into the Commission's discussion to convince the Commission that CDOT had essentially approved the signal, stating:

- "CDOT approved a variance for the queuing of Norfolk. That is one of the criteria for the Norfolk intersection. We still have, yes, there are final approvals civil CDs for these improvements, but, in essence, those key milestones have been hit." (Stacey Weaks, Transcript at 2:36:13.)⁵

In fact, however, CDOT has not approved the signal location proposed by Station 60 and such approval is not perfunctory. Further, contrary to the statements made by Station 60, the proposed signal location and access plan do not meet CDOT criteria. This is why Station 60 requires design waivers from CDOT for signal spacing and insufficient storage length of the eastbound to northbound left-turn lane, which CDOT has not approved. (See Carlie Campuzano Testimony [City Traffic Manager], Transcript at 2:39:55.) Importantly, as described above, CDOT recently re-confirmed in an email to Salud on May 2, 2022 that CDOT has not completed its review or otherwise approved the signal and access plan, and that they are continuing to work with Station 60 and the City on the proposed signal. (See **Exhibit 4**: CDOT Correspondence.)

Second, the City Attorney's office further perpetuated the misinformation that CDOT had approved the signal location, and that the Aurora Center Master Plan was too speculative to seriously consider, representing to the Commission immediately prior to the vote that:

- "You have CDOT's seemingly okay with where this [the proposed signal location] is at . . ." (Transcript at 2:18:55);
- "You've gotta southern piece of dirt that somebody has dreams for, but has not submitted even an application yet, . . ." (Transcript at 2:18:59);
- "I think, uh, the project to the south sounds great. However, there hasn't been a Pre-app yet as has been described. . ." (Transcript at 2:21:20); and
- "If CDOT opposed this, CDOT's pretty vocal. Ya know, um, I would assume that CDOT would send something in writing saying we oppose this . . ." (Transcript at 2:21:54)
- "Now, if there were already two business there, if there were two master plans already there that were already developed, that might be different but if it's not a development that isn't even in pre app yet . . ."⁶

⁵ Note: Station 60's assertion was out of order, being provided after the close of the public hearing. Salud wanted to respond to Station 60's representation but was locked out from commenting by the Zoom webinar platform.

⁶ It should be noted that the City Attorney's office expressed a number of unwarranted and misguided assertions, assumptions, and opinions at the hearing in favor of the Station 60 ISP and the proposed signal location that unduly influenced the Commission's vote. (See e.g., Transcript at 2:18:13 – 2:22:48; 2:26:42 – 2:27:20; 2:27:43 – 2:32:11.) The City Attorney's office even went so far as to dissuade Commissioner Hogan from making a motion to condition the Station 60 ISP project to work out the signal location with Salud. (See Transcript at 2:27:43 – 2:32:11 ["And I guess I would you, you can make that motion. I would advise, um making a condition of one property owner talking

As previously demonstrated, CDOT has not approved the signal location proposed by Station 60 and such approval has not been predetermined. Moreover, contrary to the City Attorney's office representation to the Commission, Salud filed a pre-application with the City for the development of the Aurora Center Master Plan over one year ago. And regardless, whether it is the Aurora Center Master Plan or some other development, the 26 gross acre Aurora Center Property has inherent development potential that must be considered and accounted for in the City's long-term traffic and circulation planning.

Third, the City's traffic engineer misinformed the Commission by erroneously representing that approving the Station 60 ISP did not constitute the City's approval of the signal location and access plan, and that the City could revisit this at a later date.

- "Station 60 is basically for the internal roads . . . so there is still the opportunity to work on what's going to happen and Norfolk and Colfax . . . in terms of what that's going to look like . . . this, like I said, this ISP is more oriented toward what's internally happening within the Station 60 site." (Steve Gomez [City Traffic Engineer], Transcript at 1:31:46.)

Mr. Gomez' representation that approval of the Station 60 ISP does not constitute the City's approval of the proposed signal location and access plan is simply inaccurate. The Station 60 ISP specifically addresses, among other things, the planned signal location and access plan; thus, the Commission's approval of the Station 60 ISP constitutes the City's approval of the signal location and access plan. Stated differently, the Station 60 ISP does not require, and is not subject to, any further discretionary approvals from the City; thus, if CDOT issues its access permit, neither the Planning Commission nor the City Council will have another opportunity to reconsider its approval of the signal location and access plan after approval of this Major Site Plan.

Clearly, there was sufficient misinformation and resulting confusion at the Commission hearing which rendered this hearing and the Commission's decision inadmissible.

B. Approval of the Station 60 ISP Violates the UDO and is Otherwise Inconsistent With City's Comprehensive Plan.

UDO Section 5.4.3 states that the Planning Commission may approve a Major Site Plan only if the following findings can be made:

with another property owner since it just gets into uh negotiation grounds and government is then becoming the person or the entity I should say, making people negotiate to you know, if you drop your objection so forth you know, give us this, and we'll drop our objection blah blah blah, and it happens, but I always advise against forcing uh anybody to have to negotiate with uh another party. Now, if there were already two business there, if there were two master plans already there that were already developed, that might be different but if it's not a development that isn't even in pre app yet I, you know, I guess I would just advise caution again.".) These and other inappropriate comments unduly influenced and interfered with the Commission's independent evaluation, judgement and decision-making authority. Please be advised that this is not a complete recitation of the facts or our client's position on this matter and nothing herein shall be deemed a waiver of any right or remedies, at law or in equity.

- “(a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.”
- “(b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.”
- [(c) omitted as not relevant]
- “(d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.”
- [(e) omitted as not relevant]
- “(f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.” (UDO Section 146-5.4.3.B.2.c.i.)

(UDO Section 146-5.4.3.B.2.c.i; see also UDO Section 146-5.3.9 [“Where Section 146-5.4 of this UDO lists specific criteria for the approval of an application, the decision-maker identified in Table 146-5.2-1 may only approve the application if it finds that those criteria have been met.”].)

In approving the Station 60 ISP, the Commission failed to demonstrate that the Station 60 ISP meets the Criteria for Approval for a Major Site Plan. Moreover, the Commission’s approval is inconsistent with the City’s Comprehensive Plan goals, policies and practices designed to create complete street connections and transportation improvements.

1. The traffic technical report prepared by LSC Transportation Consultants demonstrates that the failure to connect Norfolk Street across E. Colfax Avenue to the south will create significant unmitigated traffic impacts on City streets, including in residential areas and school zones.

The traffic technical report prepared by Chris McGranahan, Traffic Engineer at LSC Transportation Consultants, made the following determinations:

- A self-storage facility was approved in 2002 without be required to dedicate half of Norfolk Street right-of-way, making the connection across E. Colfax Avenue infeasible without shifting Norfolk Street east approximately 40 to 50 feet;
- If this logical and necessary connection is not provided, the 26 gross acre Aurora Center Master Plan will have no signalized access point along the entirety of its Colfax Avenue frontage;

- As a result, the proposed Station 60 access plan will needlessly force all future Aurora Center Master Plan trips requiring westbound access to E. Colfax Avenue either (i) east to Airport Road, significantly impacting the E. Colfax Avenue (US 40)/Airport Road intersection, or (ii) through the existing residential neighborhood along Norfolk Street and E. 12th Avenue southwest of the Aurora Center Property, and the Laredo Elementary School and Laredo Preschool school zones on Laredo Street;
- In order to avoid these deleterious traffic impacts, the Station 60 access plan to E. Colfax Avenue (US 40) must be revised to shift the planned traffic signal at Norfolk Street approximately 40 to 50 feet east to facilitate a through connection to Norfolk Street south of 14th Avenue and allow both properties to gain access to the proposed traffic signal; and
- Allowing signalized access at Norfolk Street for westbound trips to/from E. Colfax Avenue will substantially reduce the Aurora Center Master Plan's future impacts to the E. Colfax Avenue (US 40)/Airport Road regional intersection and greatly reduce the future impacts to the residential neighborhood along Norfolk Street and E. 12th Avenue southwest of the Aurora Center Property, and the Laredo Elementary School and Laredo Preschool school zones on Laredo Street.

Thus, LSC concludes, the traffic signal location as proposed by Station 60 at E. Colfax Avenue and Norfolk Street will:

- Create significant unmitigated traffic impacts on City streets, including in residential areas and school zones;
- Frustrate the City's ability to establish a necessary and important multi-modal connection with adjacent sites, neighborhoods, and urban centers at the intersection of E. Colfax Avenue (US 40) and Norfolk Street; and
- Degrade other important existing multi-modal connections in the area, including with respect to the important regional intersection at E. Colfax Avenue and Airport Road. (See **Exhibit 1**: LSC Traffic Technical Report.)

Based on the above, and as more particularly demonstrated in the traffic technical report, the Commission could not, and thus, should not have found that the Station 60 ISP satisfied UDO Section 146-5.4.3.B.2.c.i Criteria of Approval b (because the Station 60 ISP results in inadequate street capacity and otherwise fails to mitigate the burdens on the street system), d (because the Station 60 ISP fails to improve or expand, and otherwise degrades, multi-modal connections with adjacent sites, neighborhoods, and urban centers), or f (because the Station 60 ISP fails to mitigate the resulting adverse traffic impacts on the surrounding area).

2. The Station 60 ISP is inconsistent with the Aurora Comprehensive Plan.

UDO Section 146-5.4.3.B.2.c.i (Criteria of Approval “a” above) requires the Commission to determine that the Station 60 ISP complies with the UDO and “other City regulations,” which would include the City of Aurora Comprehensive Plan. As demonstrated below, the Commission’s approval of the traffic signal at E. Colfax Avenue (US 40) and Norfolk Street as proposed by the Station 60 ISP is inconsistent with the City’s Comprehensive Plan goals, policies and practices designed to create complete street connections and transportation improvements.

| Adopted City Regulation: City of Aurora Comprehensive Plan | | | |
|--|---|--|--|
| Chapter | Section | Policy | Inconsistency |
| Chapter 4 - Comp Plan Placetype / City Corridor - Defining Features | City Corridor - Defining Features | Develop a road network along the City Corridor to provide quick and easy access to businesses for drivers, cyclists, transit riders and pedestrians. | Without the Norfolk Street connection to the south of Colfax, future visitors to the Aurora Center for Health, Wealth and Well-Being (ACHWWB) will not have a full-access movement from Colfax. The majority will have to access the site using Airport Blvd or through a residential neighborhood and school zone, which will result in congestion impacts and safety concerns at the regional intersection and through residential neighborhoods and school zones. |
| Chapter 5 - Connecting Places | Introduction | Places are physically connected by the streets, sidewalks, open space, waterways, rail, trails and utilities that serve them. Residents and visitors rely on a safe and convenient way to move throughout the community—from home, work and school to shopping, services and entertainment. Likewise, businesses need an effective mobility network to move both people and goods. | Without the Norfolk Street connection to the south of Colfax, residents and visitors will not have a convenient way to move throughout the community. This connection would provide a much improved and safer sidewalk condition to move throughout the community. |
| Chapter 5 - Connecting Places | Complete Streets | Complete streets enhance Aurora’s quality of life over the long-term with a well-balanced and connected transportation system that creates better economic value and connected, | Without the Norfolk Street connection to the south of Colfax, Aurora’s quality of life over the long-term will be diminished due to traffic having to take alternative routes through existing residential neighborhoods and through |

| Adopted City Regulation: City of Aurora Comprehensive Plan | | | |
|--|---|--|---|
| Chapter | Section | Policy | Inconsistency |
| | | mixed-use development patterns. It also improves public health and safety, equity and excellence in urban design and community characters. | school zones located on Laredo Street. The opportunity to create a connection to complete Norfolk Avenue will also create a better economic value for the ACHWWB, which would benefit the entirety of the Aurora Center Master Plan in having a full-access intersection at Colfax and Norfolk. |
| Chapter 6 - Goals, Policies & Practices | Recommended Practices - Connecting Places | Provide complete car, transit, pedestrian and bicycle connections between and within urban districts, as well as to residential neighborhoods, including gridded urban blocks, to promote better access to business and employment for both employers and employees. | Without the Norfolk Street connection to the south of Colfax, the City of Aurora is missing the opportunity to provide complete connections to promote better access to business and employment for both employers and employees. |
| Chapter 6 - Goals, Policies & Practices | Recommended Practices - An Integrated Transportation System | Promote transportation improvements that benefit diverse users, including families, the non-abled bodied and the elderly. | Connecting Norfolk Street to the south of Colfax would create a complete street and benefit diverse users in the area, including families, non-abled bodied, elderly and other the disadvantaged members of the Aurora community that the Aurora Center Master Plan will serve. |
| Chapter 6 - Goals, Policies & Practices | Recommended Practices - An Integrated Transportation System | Require that new development provides complete street connections with frequent connections to major streets. | Without the logical and necessary Norfolk Street connection to the south of Colfax, the proposed developments of Station 60 and ACHWWB would not provide a complete street connection and would miss the opportunity to provide a 4-way full-access intersection at Colfax Avenue, which is a major street. |

3. The single condition of approval required for the Station 60 ISP is impermissibly vague, ambiguous and unenforceable; accordingly, it does not and cannot bring the Station 60 ISP into compliance with the requirements of the UDO or Comprehensive Plan.

UDO Section 5.3.12 (B) authorizes the Commission to “impose conditions on the approval necessary to bring the application into compliance with the requirements of this UDO, other

adopted City regulations, or the specific review criteria for that type of application” According to City Planner, Daniel Osoba, the Commission’s approval of the Station 60 ISP is subject to the following condition: “Resolution of all outstanding technical issues prior to recordation of the Site Plan mylars and issuance of any building permits.” (Daniel Osoba [City Planner] Testimony, Transcript at 1:23:48.)

However, neither staff nor the staff report explain what the “technical issues” are that require subsequent resolution, nor how this condition would bring the Station 60 ISP into compliance with the UDO or the Comprehensive Plan. Simply put, this condition is too ambiguous and indeterminate to shape the project in any meaningful way, or otherwise be enforceable. Accordingly, the Commission could not make the determination that the condition of approval rendered Station 60 compliant with the UDO, including the Criteria for Approval, or Comprehensive Plan.

Based upon all of the foregoing, Salud respectfully requests that the City Council condition the Station 60 ISP Major Site Plan Approval to shift the Norfolk Street intersection with E. Colfax Avenue approximately 40 to 50 feet to the east to permit a logical and necessary connection to the existing terminus of Norfolk Street south of 14th Avenue. In the alternative, the City Council should refer the item back to the Commission with direction for further study and/or reconsideration consistent with the above request.

Sincerely,



Brady R. McShane
Shareholder

cc:

- Honorable Mayor Coffman and Members of the City Council
- Jason Batchelor, Deputy City Manager
- Daniel L. Brotzman, City Attorney
- Dan Osoba, City of Aurora Planner II
- John Santistevan, President/CEO, Salud
- Michael Johnson, General Counsel, Salud
- Doug Bach, Project Manager, Salud
- Christopher S. McGranahan, PE, PTOE, Principal, LSC Transportation Consultants, Inc.
- Thomas W. Beck, TW Beck Architects
- Eric Sakotas, Senior Planner, THK Associates, Inc.



May 9, 2022

Mr. John Santistevan
President/CEO
Salud Family Health Centers Administration
203 S. Rollie Avenue
Fort Lupton, CO 80621

Re: Salud Appeal of
Station 60 Decision
Aurora, CO
LSC #220010

Dear Mr. Santistevan:

In response to your request, LSC Transportation Consultants, Inc. has prepared this traffic technical memorandum to analyze the access plan and proposed future traffic signal location approved via the Aurora Planning Commission approval of the Station 60 ISP in Aurora, Colorado. The vicinity map in Figure 1 shows the location of both the Station 60 and Salud properties. A resume for Christopher S. McGranahan, PE, PTOE is attached to verify credentials.

REPORT CONTENTS

The report contains the following: the existing traffic volumes in the area of the two sites; a summary of the proposed Station 60 access plan to E. Colfax Avenue (US 40); a summary of an alternative access plan proposed by Salud that better serves future development on both sides of E. Colfax Avenue (US 40) and avoids unnecessary future impacts to the regionally important intersection of E. Colfax Avenue (US 40)/Airport Road and to the residential neighborhood, Laredo Elementary School, and the Laredo Child Development Center southwest or west of the Salud property.

LAND USE AND ACCESS

The proposed project by Salud on the 26-acre site is the Aurora Center Master Plan and will include the development of a primary care and specialty medical center, mixed-use commercial, retail, office, affordable housing, a community park, garden, and urban farm.

Figure 2a shows the proposed Station 60 access plan to E. Colfax Avenue (US 40). It proposes a traffic signal at the existing intersection of Norfolk Street and a right-in/right-out access between Norfolk Street and Airport Road. Figure 2b shows the currently proposed traffic signal location will prevent the Salud property from gaining access to the south leg of the intersection due to an existing Self Storage facility blocking access. There are no other locations along E. Colfax Avenue (US 40) between Laredo Street and Airport Road suitable for traffic signal control based on CDOT standards. The proposed traffic signal location at Norfolk Street will likely

require a design waiver from CDOT as it is located only a quarter mile from the existing traffic signals at Laredo Street and at Airport Road. CDOT standards would typically require half-mile spacing. The quarter mile spacing design waiver is expected to be approved by CDOT if a progression analysis shows the substandard spacing will not negatively affect east-west through traffic progression through the various traffic signals along the E. Colfax Avenue (US 40) corridor. A second design waiver will also likely be needed for a substandard length for the eastbound to northbound left-turn lane.

Figure 2c shows an alternative access plan proposed by Salud with the proposed signalized intersection at Norfolk Street shifted east by 40 to 50 feet to allow both large properties to gain access to the proposed traffic signal. Figure 2d shows how the Salud developer is prepared to shift Norfolk Street further into their property to facilitate this shift at the expense of losing developable land. This proposed shift would slightly reduce the spacing from Norfolk Street to Airport Road but facilitate a longer eastbound to northbound left-turn lane. These concepts are expanded on later in the analysis.

ROADWAY AND TRAFFIC CONDITIONS

Area Roadways

The major roadways in the site's vicinity are shown on Figure 1 and are described below:

- **E. Colfax Avenue (US 40)** is an east-west, four-lane US highway. It is classified by CDOT as R-A (regional Highway). The CDOT straight line diagram is attached for reference. The regional intersection with Airport Boulevard is signalized with auxiliary turn lanes and the local intersection with Norfolk Street is stop-sign controlled. The posted speed limit in the vicinity of the site transitions adjacent to the site with 45 mph to the west and 55 mph to the east.
- **Airport Road** is a north-south, six-lane major arterial roadway east of the site. The regional intersection with E. Colfax Avenue (US 40) is signalized with auxiliary turn lanes. The posted speed limit in the vicinity of the site is 40 mph.
- **Norfolk Street** is a north-south, two-lane local roadway that exists north of E. Colfax Avenue (US 40) and exists south of the site. A portion of Norfolk Street is constructed adjacent to the southwest edge of the Salud property. These existing conditions suggest the original intent was to connect these two existing sections with future development of the Salud site to complete the street grid. Unfortunately a self-storage facility was approved in 2002 without being required to dedicate half of Norfolk Street right-of-way making the connection very difficult if not impossible without shifting Norfolk Street east 40 to 50 feet. The intersection with E. Colfax Avenue (US 40) is stop-sign controlled. The posted speed limit in the vicinity of the site is 25 mph.

EXISTING TRAFFIC

Figure 3 shows the existing traffic volumes, lane geometry, and traffic controls in the site's vicinity on a typical weekday. The weekday peak-hour traffic volumes and daily traffic counts are from the attached traffic counts conducted by Counter Measures in January, 2022. This

figure shows Airport Road has more through traffic at E. Colfax Avenue (US 40) than E. Colfax Avenue (US 40) has crossing Airport Road.

TRIP GENERATION

Both the 25-acre Station 60 property and the 26-acre Salud property are expected to generate a considerable number of trips and would benefit from a traffic signal controlled access to E. Colfax Avenue (US 40) at Norfolk Street.

TRIP DISTRIBUTION

Figure 4 shows the estimated directional distribution of future 26-acre Salud property site-generated traffic volumes. The estimates were based on the location of the site with respect to the regional population, employment, and activity centers; and the site's proposed land use. These percentages show a considerable amount of Salud property trips will be oriented to/from the west on E. Colfax Avenue (US 40).

STATION 60 PROPOSAL IMPACTS TO REGIONAL INTERSECTION OF E. COLFAX AVENUE (US 40)/AIRPORT ROAD FROM SALUD PROPERTY WESTBOUND EGRESS TRIPS

Figure 5a shows how future Salud property traffic will impact the area when visitors/patrons leave the site and desire to head west on E. Colfax Avenue (US 40). Drivers will have two primary options if the Station 60 access plan is implemented.

The first is to exit east onto Airport Road at E. 14th Street which will likely be signalized over time. They then would head north on Airport Road and turn left or west onto E. Colfax Avenue (US 40) and then pass through the proposed traffic signal at Norfolk Street before arriving at the signalized intersection of E. Colfax Avenue (US 40)/Laredo Street. This requires drivers to pass through three signalized intersections (two of the three require a left-turn movement) before arriving at Laredo Street.

The other option is for drivers to drive south on Norfolk Street, west on E. 12th Avenue, and then north on Laredo Street before arriving at the signalized intersection of E. Colfax Avenue (US 40)/Laredo Street. This requires two right-turn movements (one is a free right and the other a right-turn from a stop-sign) that passes through a residential neighborhood, by Laredo Elementary School, and by the Laredo Child Development Center. This option will be very attractive, particularly during the heavy commuter peaks when traffic signal operations are under pressure.

Shifting the proposed traffic signal at Norfolk Street to the east as proposed by Salud would make the neighborhood cut-through route a less efficient option and thus unattractive for most trips. This option is shown in Figure 5b.

STATION 60 PROPOSAL IMPACT TO REGIONAL INTERSECTION OF E. COLFAX AVENUE (US 40)/AIRPORT ROAD FROM SALUD PROPERTY WESTBOUND PASSBY TRIPS TO/FROM E. COLFAX AVENUE (US 40)

Figure 6a shows all future westbound passby trips generated by the Salud property will be forced to make left-turn movements at Airport Road if the proposed Station 60 access plan is implemented. This will result in unnecessary local traffic impacts at a regional intersection.

Figure 6b shows how the Salud option will provide relief to the Airport Road intersection by providing a second location for westbound passby trips to/from E. Colfax Avenue (US 40).

ALTERNATIVE PLAN PROPOSED BY SALUD

Figure 7 shows the alternative access plan proposed by Salud. It shows how the Self-Storage property could retain right-in/right-out access to E. Colfax Avenue (US 40) or Norfolk Street enforced by a raised median on Norfolk Street, a full movement access to Norfolk Street at E. 14th Avenue, and connectivity to a future traffic signal at Airport Road/E. 14th Avenue. The access option directly to/from E. Colfax Avenue (US 40) will need to be coordinated with and approved by CDOT.

TRAFFIC SIGNAL CONTRIBUTIONS

The currently proposed traffic signal at E. Colfax Avenue (US 40)/Norfolk Street will partially be funded by Station 60 with a contribution requirement of 25 percent. Shifting the intersection east would allow access to the Salud property which would also contribute 25 percent. The current Station 60 proposal would not require a traffic signal contribution from the Salud property.

CONCLUSIONS

The proposed Station 60 access plan will result in future Salud property trips negatively impacting the regional intersection of E. Colfax Avenue (US 40)/Airport Road and the existing residential neighborhood along Norfolk Street and E. 12th Avenue southwest of the Salud property as well as Laredo Elementary School and the Laredo Child Development Center.

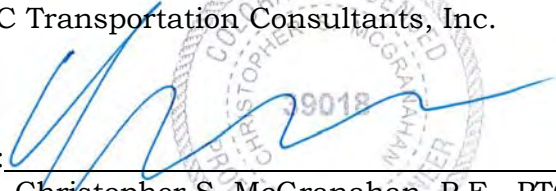
RECOMMENDATION

The Station 60 access plan to E. Colfax Avenue (US 40) should be revisited to consider shifting the planned traffic signal at Norfolk Street to the east to allow access to the large 26-acre Salud property. This will reduce the Salud property's future impacts to the E. Colfax Avenue (US 40)/Airport Road regional intersection and greatly reduce the future impacts to the residential neighborhood along Norfolk Street and E. 12th Avenue southwest of the Salud property as well as to Laredo Elementary School and the Laredo Child Development Center. It will also facilitate a longer eastbound to northbound left-turn lane from E. Colfax Avenue (US 40) to Norfolk Street reducing any potential length deficiencies per CDOT requirements. This consideration should also include how best to accommodate all three properties - Station 60, Salud property, and the existing self-storage facility. Figure 7 shows a potential solution proposed by Salud.

* * *

Respectfully submitted,

LSC Transportation Consultants, Inc.

By: 

Christopher S. McGranahan, P.E., PTOE

CSM/wc

5-9-22

Enclosures: Resume for Christopher S. McGranahan, PE, PTOE
Figures 1 - 7
CDOT SLD for E. Colfax Avenue (US 40)
Traffic Count Reports

W:\LSC\Projects\2022\220010-AuroraCommunityHealthCommons\Report\Salud Appeal of Station 60 Decision-050922.wpd



Christopher S. McGranahan, P.E., PTOE

Principal and President

Resume

Experience

- ▶ Principal and Denver Office Manager (2012 - present) - currently President
- ▶ Associate – LSC Transportation Consultants, Inc. (2007 - 2012)
- ▶ Senior Transportation Engineer – LSC Transportation Consultants, Inc. (2004 - 2006)
- ▶ Chief Traffic Operations Engineer – Farnsworth Group (1998-2003)
- ▶ Engineer Intern – Farnsworth & Wylie (1994-1998)

Mr. McGranahan joined the staff of LSC Transportation Consultants in January 2004 and is now a Principal and President of the firm and manager of the firm's Denver office. He has over 28 years of experience and has managed traffic engineering and transportation planning projects throughout the State of Colorado. Previously, he served as a Transportation and Traffic Operations Engineer with the Farnsworth Group's transportation section for nearly ten years. His technical responsibilities include preparation of traffic impact studies, transportation planning studies, parking studies, traffic calming studies, roundabout planning and design including fastest path analysis and design vehicle accommodation studies, travel demand management plans, access management plans, conceptual intersection layouts, signing and striping plans, traffic control plans, and traffic signal plans. Mr. McGranahan has significant experience providing technical representation and presentations at various council, board, neighborhood, planning, and zoning committee meetings. He also has extensive experience with the requirements of the Colorado Department of Transportation (CDOT) *State Highway Access Code* having completed projects and secured state highway access permits in various CDOT regions throughout the State.

Traffic studies have included but are not limited to the following land uses: medical office buildings/hospitals, banks, restaurants, convenience stores, universities/colleges/grade schools/middle schools/high schools, multipurpose community centers/arenas, casinos, single-family/high-density residential, Walmart and other big box anchored shopping centers, mixed-use new urbanism, transit-oriented design (TOD), park/recreation areas, government buildings, religious institutions, large annexation master plans, oil and gas well operations, corridor/access management studies for municipalities, and assistance with Municipal Transportation Plans.

Education

Bachelor of Science in Civil Engineering – Washington University (St. Louis, Missouri)

Professional Registration/Memberships

Professional Engineer – Colorado #39018
Professional Traffic Operations Engineer (PTOE) #866
Institute of Transportation Engineers

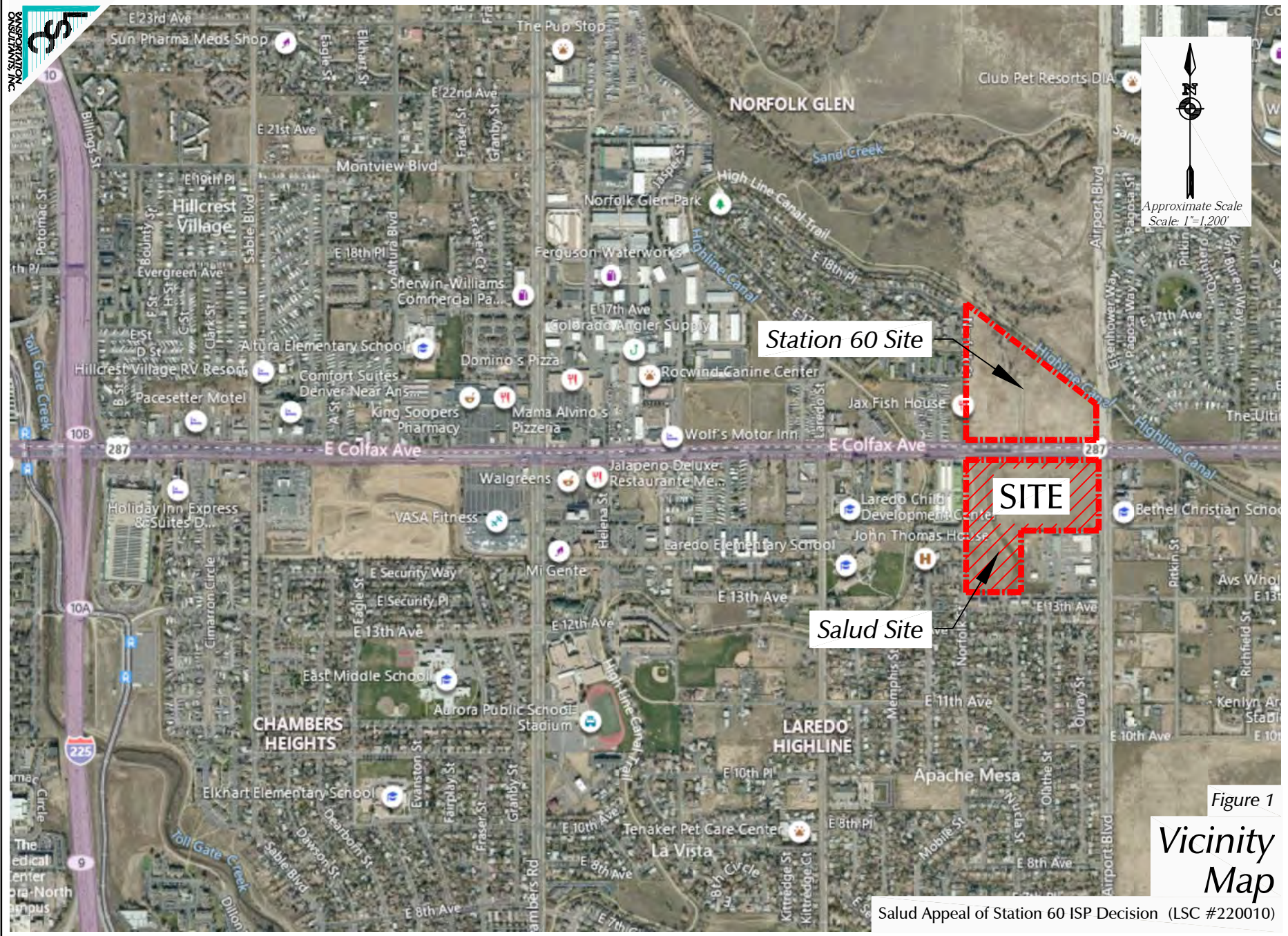
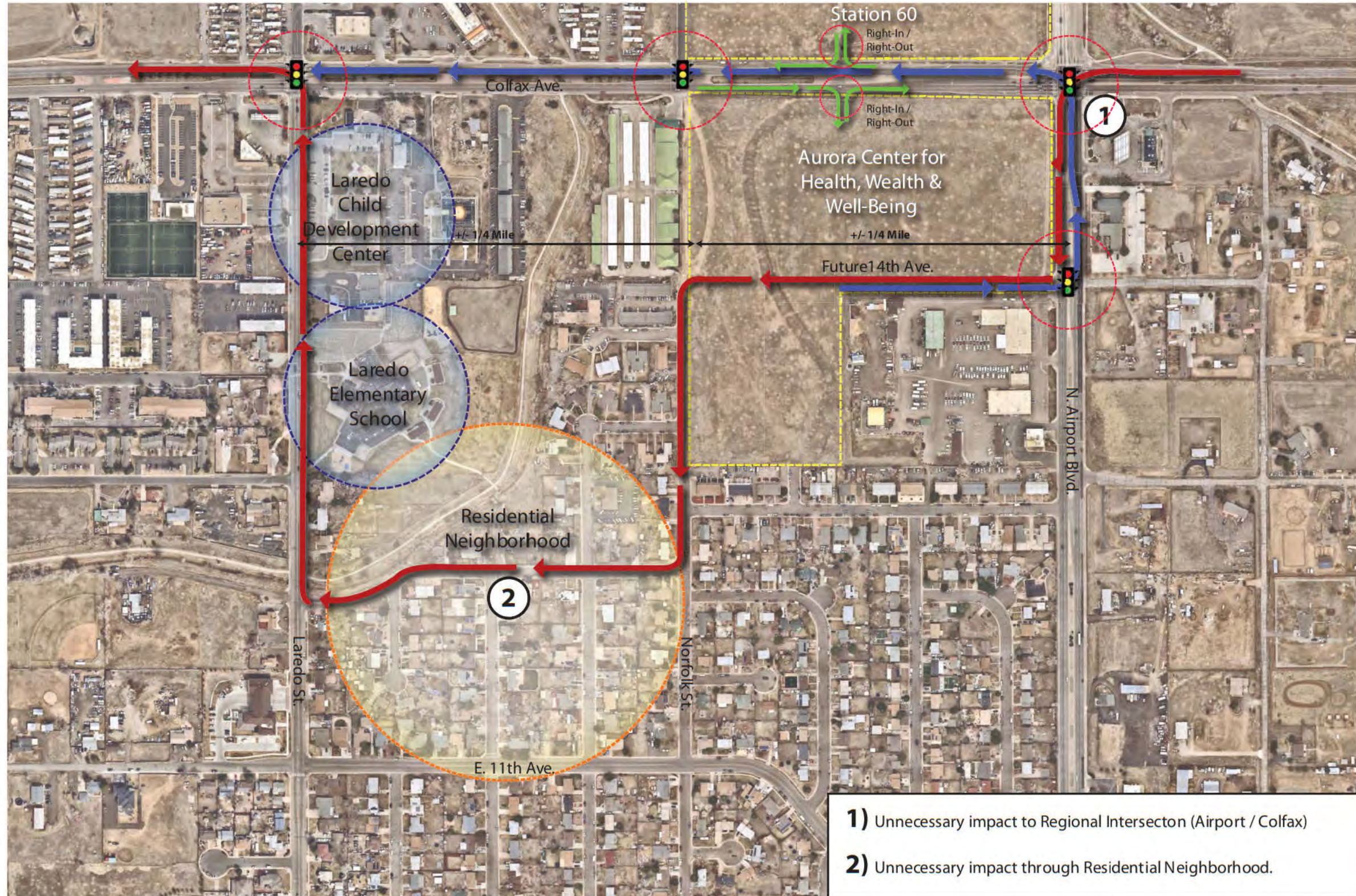


Figure 1
Vicinity Map

Salud Appeal of Station 60 ISP Decision (LSC #220010)



- 1)** Unnecessary impact to Regional Intersecton (Airport / Colfax)
- 2)** Unnecessary impact through Residential Neighborhood.



Figure 2a

**Proposed Station 60 Option -
Ingress/Egress to/from Colfax Avenue**

Salud Appeal of Station 60 ISP Decision (LSC #220010)

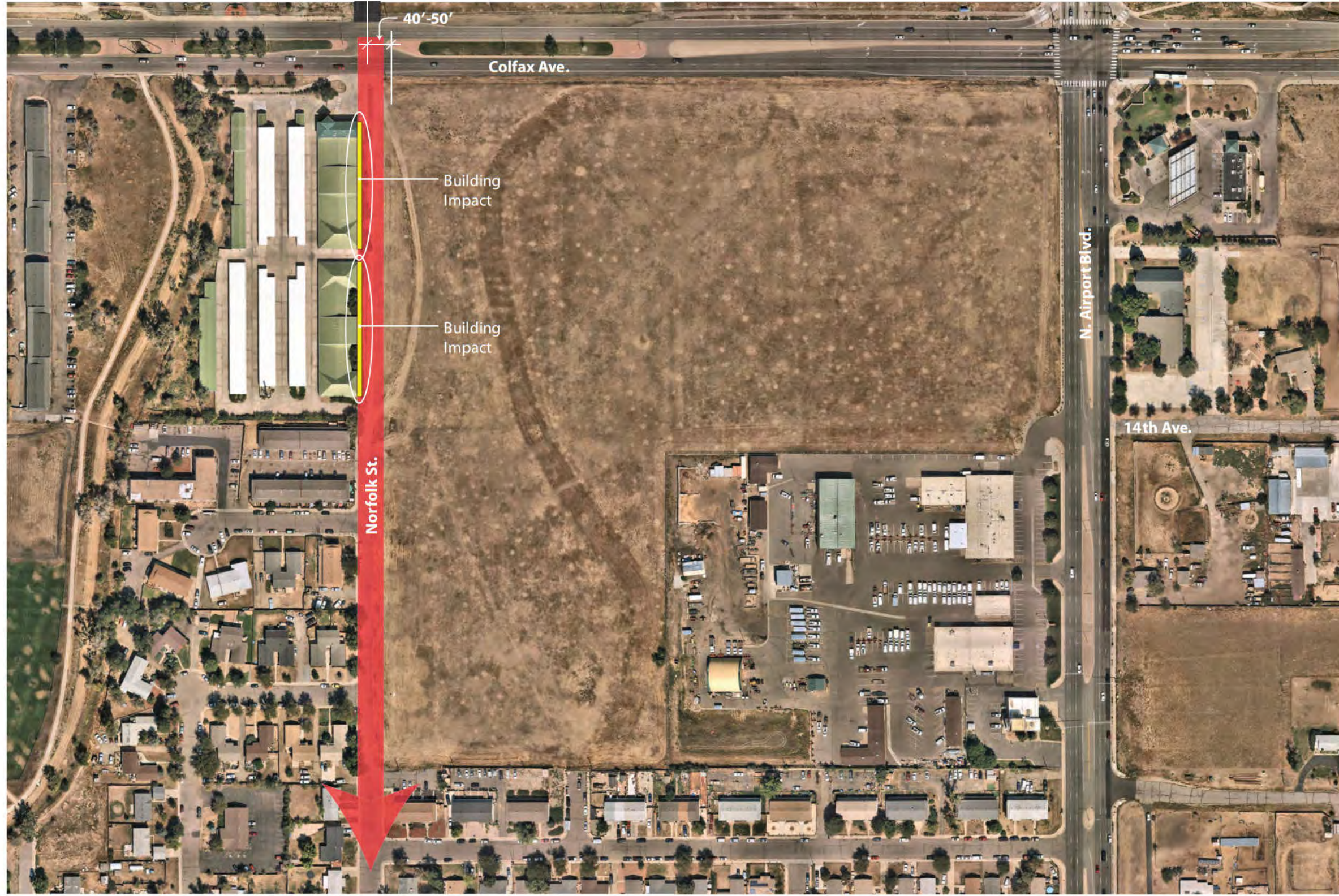
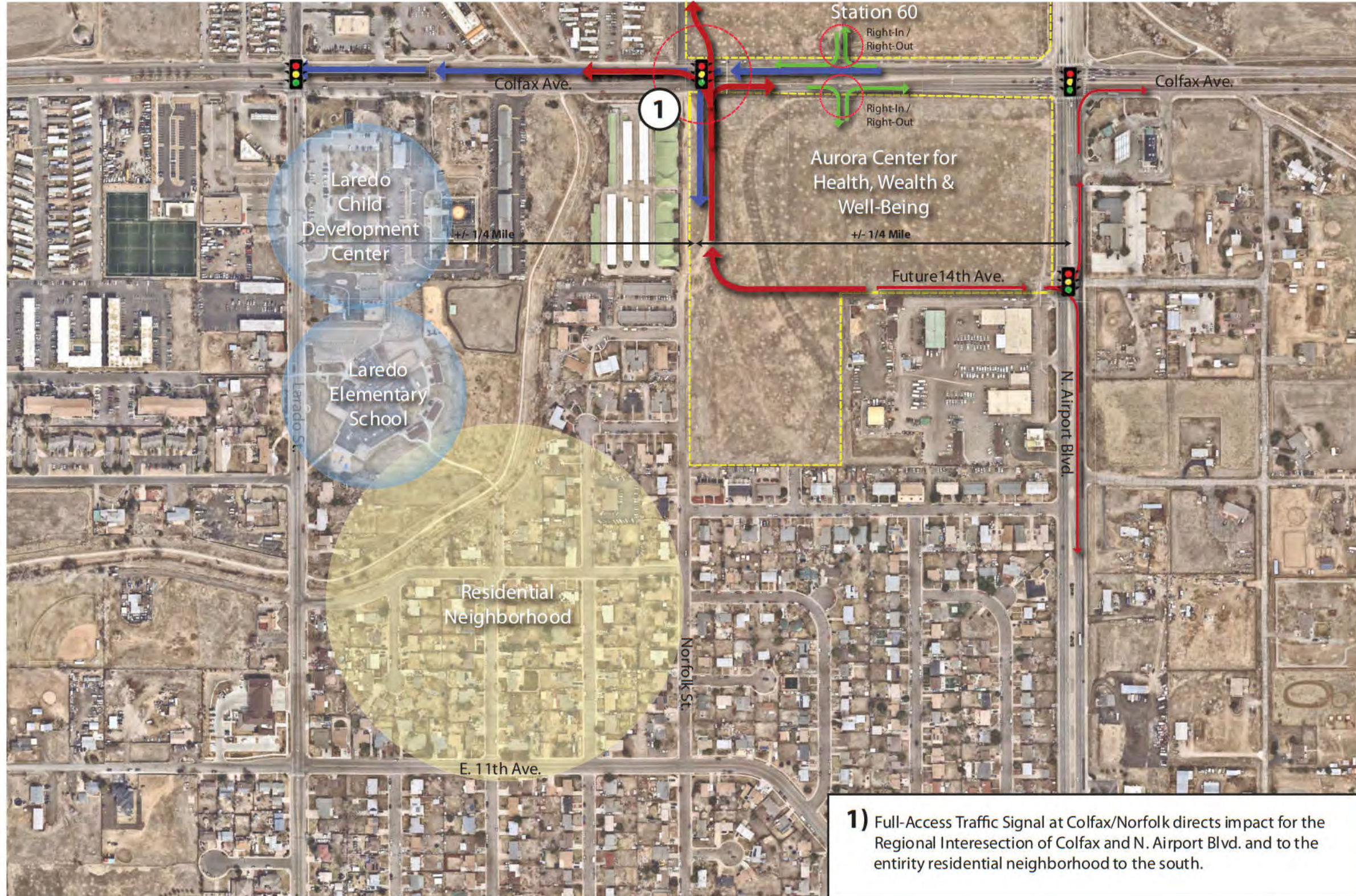


Figure 2b

*Aurora Center for Health, Wealth & Well-Being
Norfolk St. - Extension North without 40'-50' Shift to the East*

Salud Appeal of Station 60 ISP Decision (LSC #220010)



1) Full-Access Traffic Signal at Colfax/Norfolk directs impact for the Regional Intersection of Colfax and N. Airport Blvd. and to the entirety residential neighborhood to the south.



Figure 2c

*Preferred Option -
Ingress/Egress to/from Colfax Avenue*

Salud Appeal of Station 60 ISP Decision (LSC #220010)

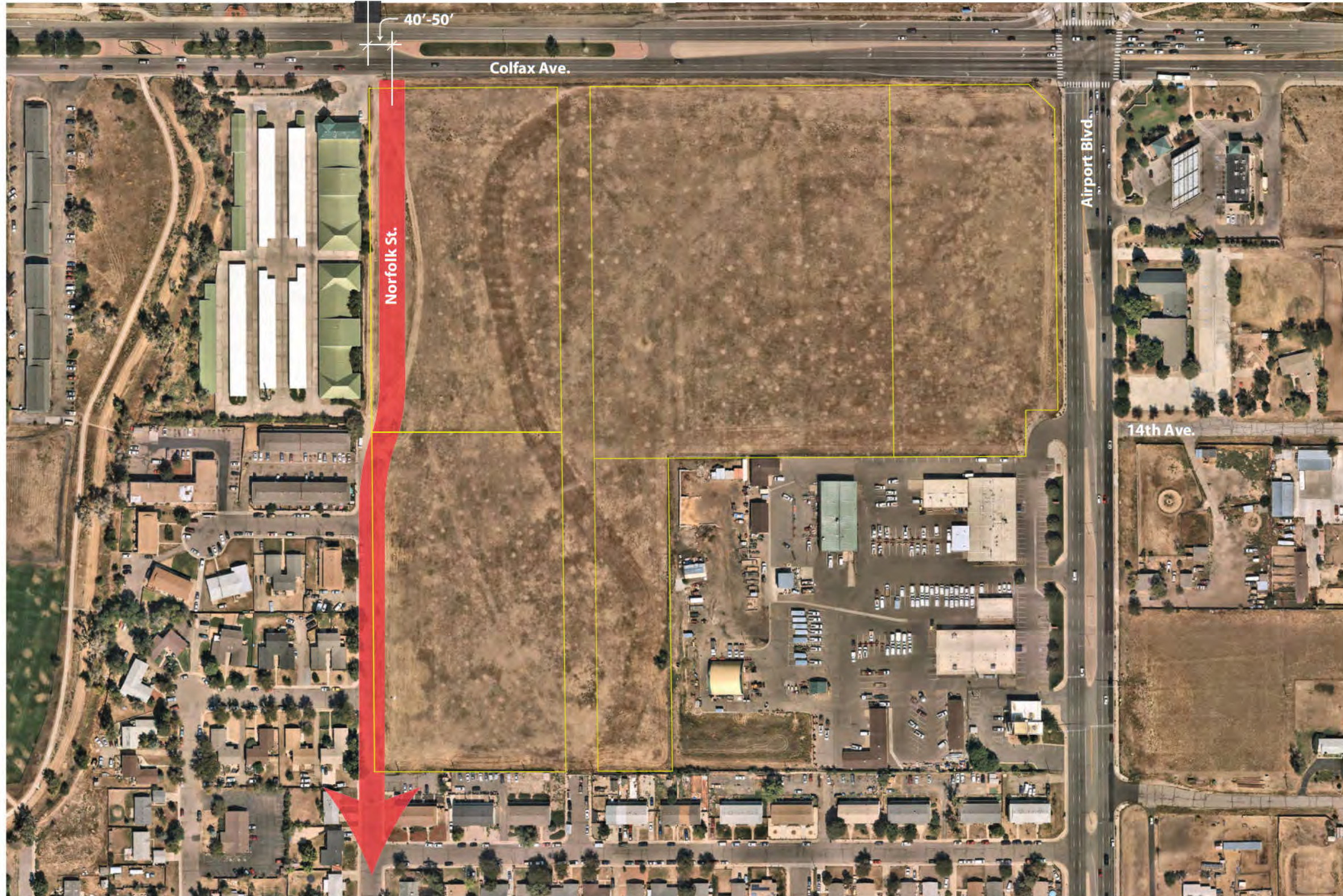
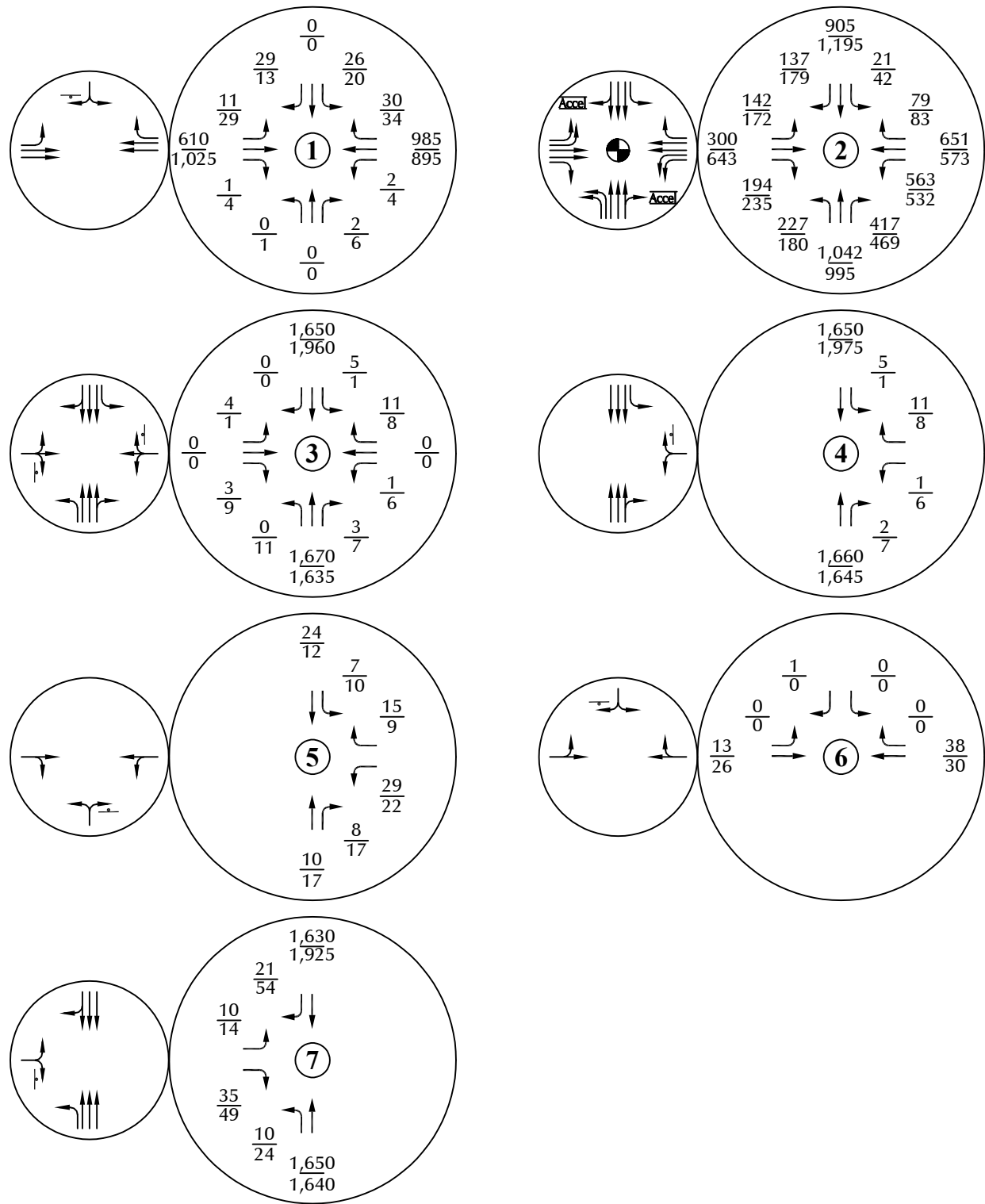


Figure 2d

*Aurora Center for Health, Wealth & Well-Being
Norfolk St. - Extension North with 40'-50' Shift to the East*

Salud Appeal of Station 60 ISP Decision (LSC #220010)



LEGEND:
 ↓ = Stop Sign
 ⦿ = Traffic Signal
 [40] = Speed Limit
 26 = AM Peak Hour Traffic
 35 = PM Peak Hour Traffic
 1,000 = Average Daily Traffic

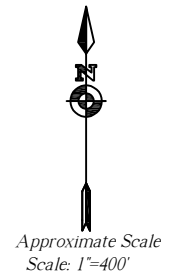


Figure 3
**Existing Traffic, Lane
 Geometry and Traffic Control**
 Salud Appeal of Station 60 ISP Decision (LSC #220010)

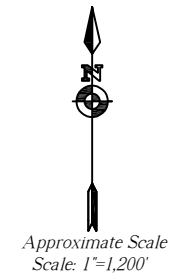
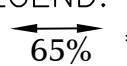
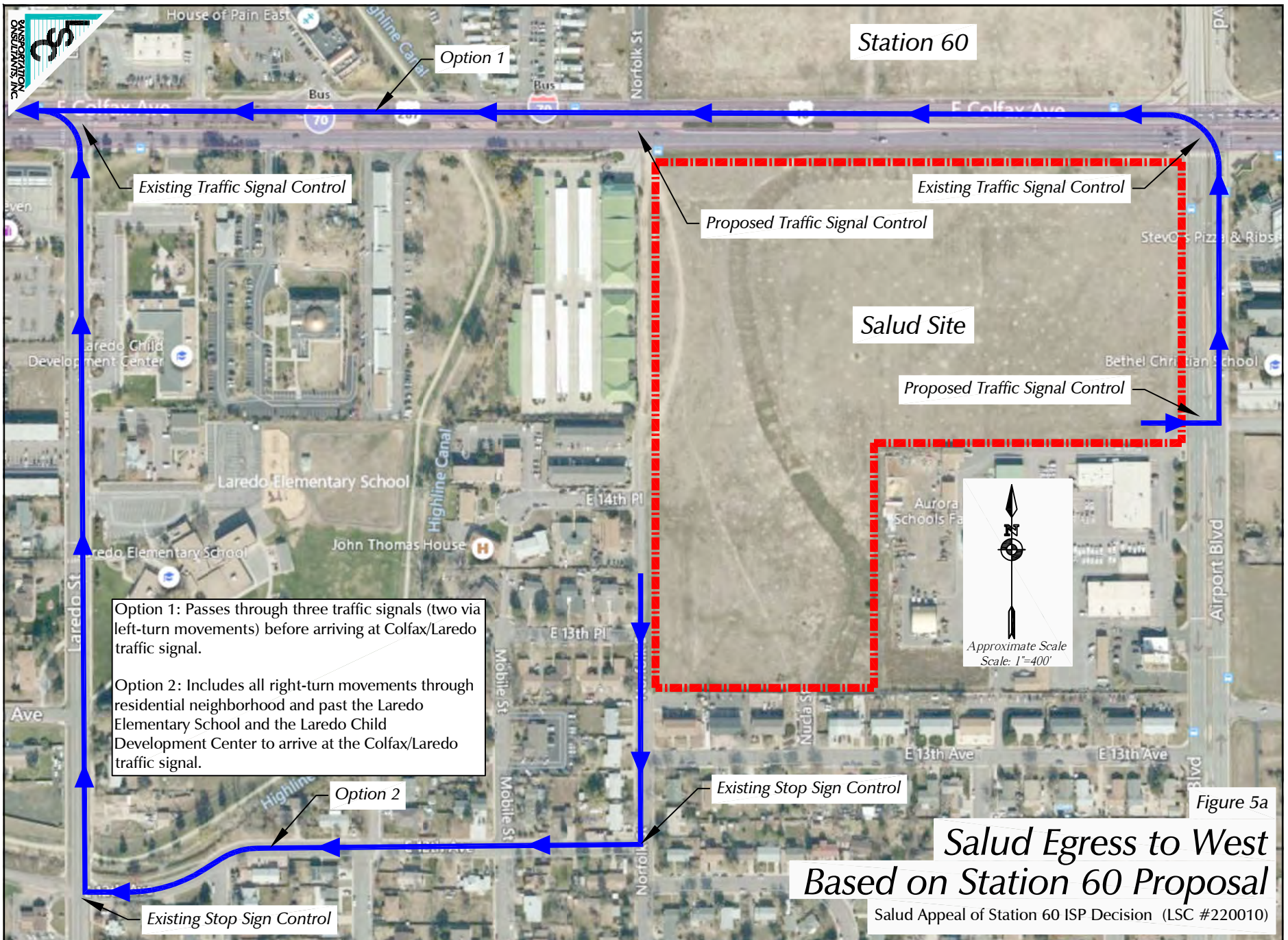


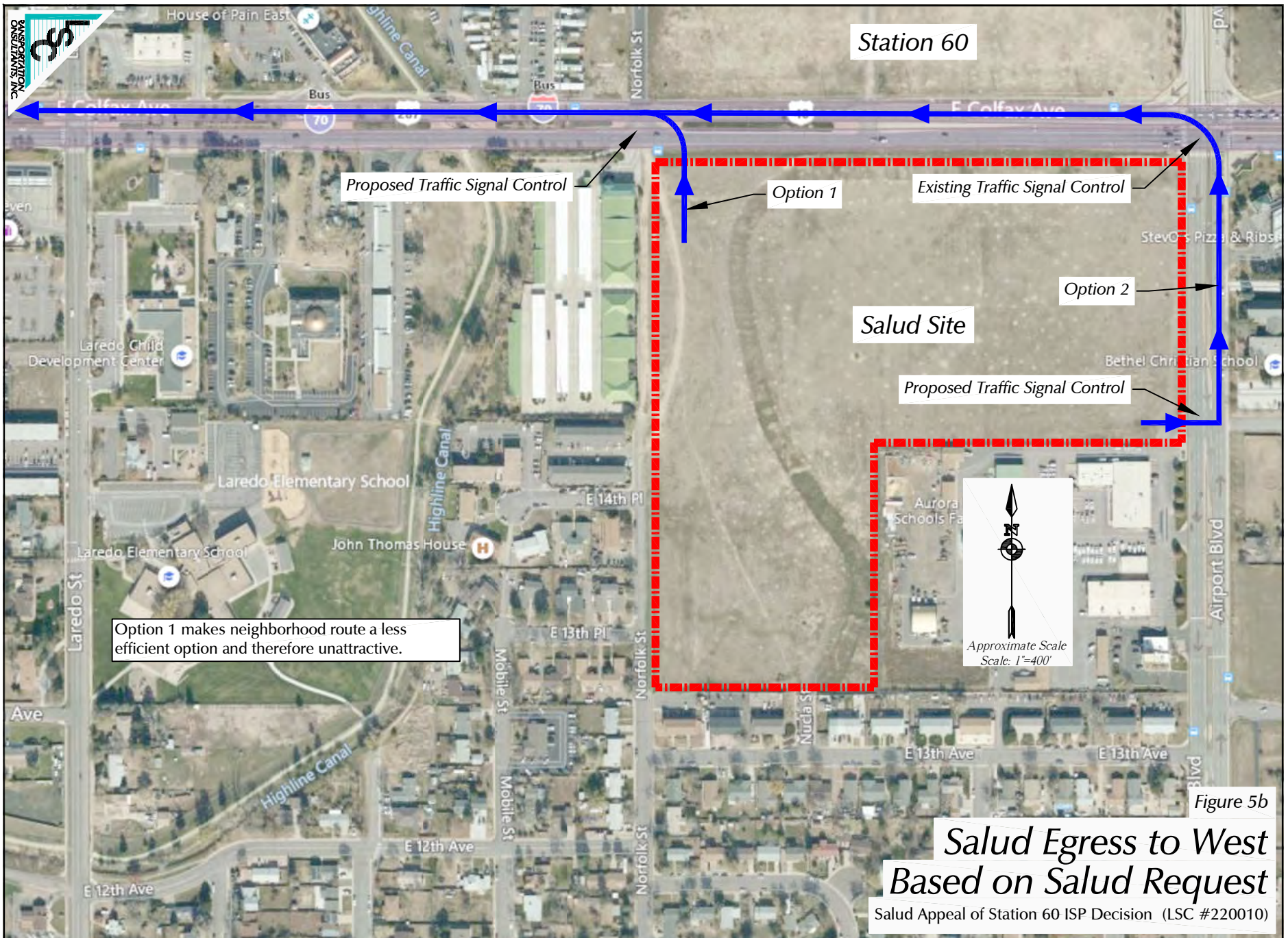
Figure 4

Directional Distribution of Salud Site-Generated Traffic

Salud Appeal of Station 60 ISP Decision (LSC #220010)

LEGEND:
 = Percent Directional Distribution







Station 60

Salud Site

Proposed Traffic Signal with No Access to Salud Property

Existing Traffic Signal Control at Regional Intersection

Note: Considerable impacts to regional intersection.



Figure 6a

Salud Westbound Passby Trips Based on Station 60 Proposal

Salud Appeal of Station 60 ISP Decision (LSC #220010)



Station 60

Proposed Traffic Signal Control at Local Access Intersection with Access to Salud Property

Salud Site

Note: Limits impacts to regional intersection.

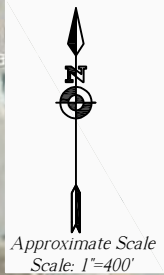
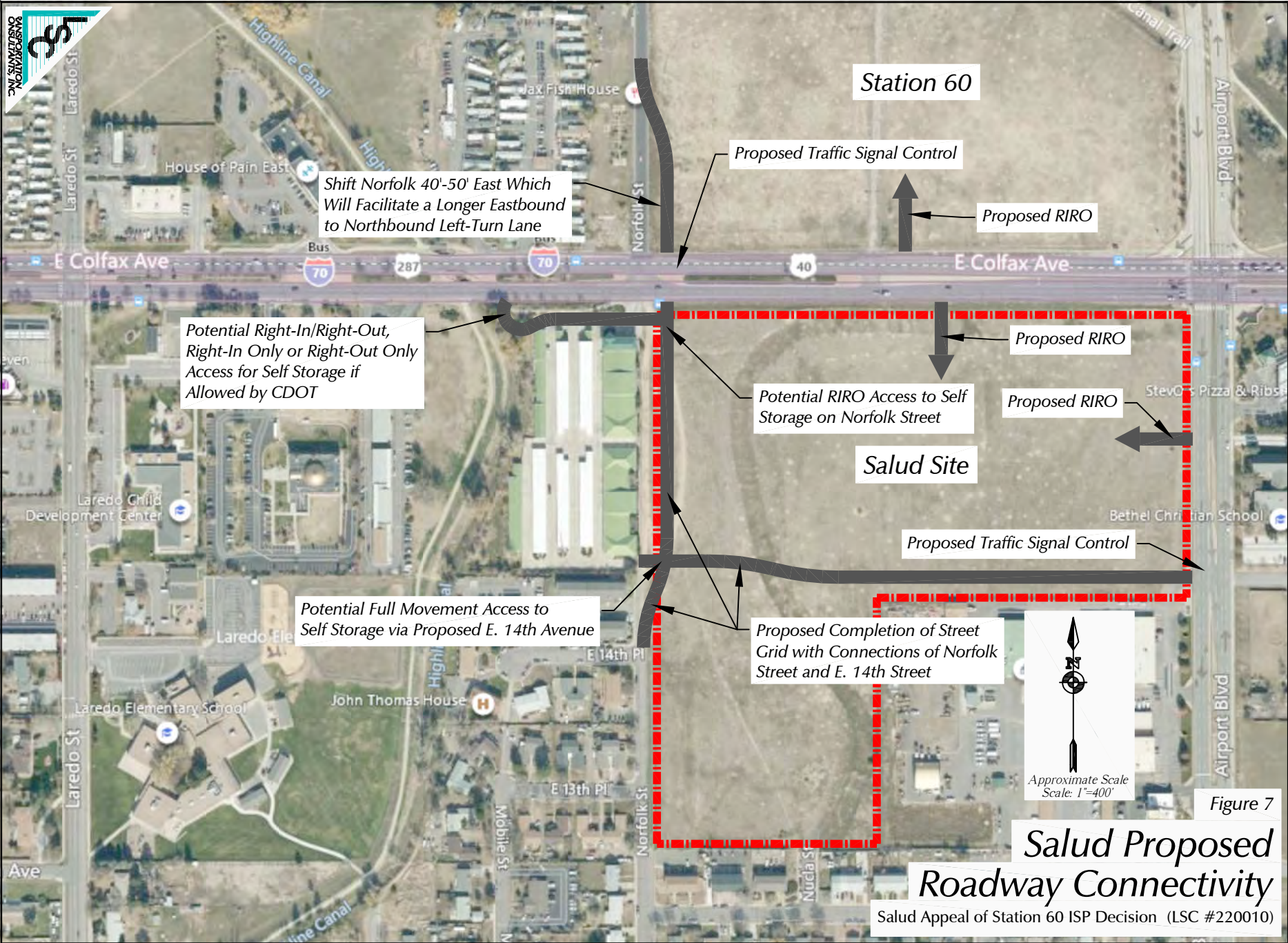


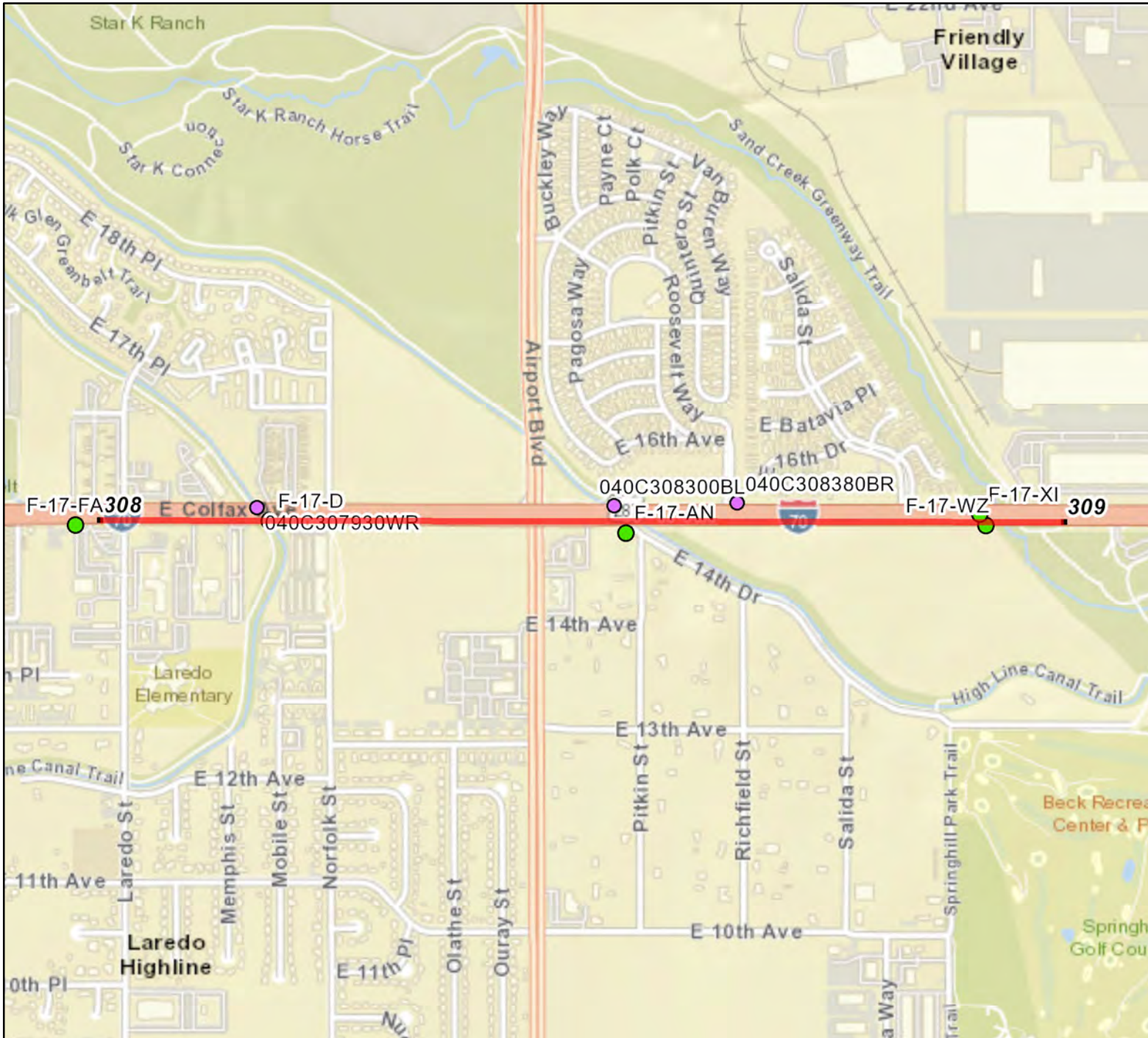
Figure 6b

Salud Westbound Passby Trips Based on Salud Request

Salud Appeal of Station 60 ISP Decision (LSC #220010)



Route 040C From 308 to 309



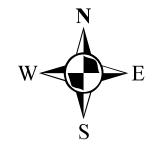
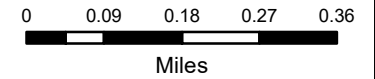
Legend

- Route
- Milepoint
- Structures**
- Major Structure
- Minor Structure

Created:

Date: 1/29/2022

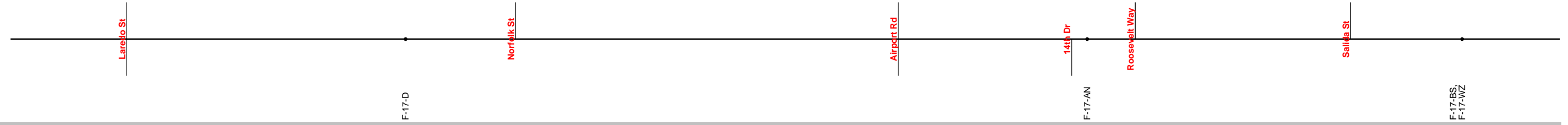
Time: 7:37:48 AM



The information contained in this map is based on the most currently available data and has been checked for accuracy. CDOT does not guarantee the accuracy of any information presented, is not liable in any respect for any errors or omissions, and is not responsible for determining "fitness for use".

Route 040C
From 308 To 309

- ◊ Ramps
- Overpass
- Underpass
- Structures



CLASSIFICATION

| | | |
|----------------|-----------------------|-----------------------------------|
| Access Control | R-A: Regional Highway | NR-A: Non-Rural Principal Highway |
|----------------|-----------------------|-----------------------------------|

SAFETY

| | | |
|---------------------|----|----|
| Primary Speed Limit | 45 | 55 |
|---------------------|----|----|

TRAFFIC

| | | | |
|-----------------------|-------|-------|-------|
| AADT | 21000 | 18000 | 22000 |
| DHV | 9.0 | 9.5 | 10.5 |
| Peak Truck Percentage | 0.18 | | 0.14 |
| Year 20 Factor | 1.09 | 1.10 | 1.15 |

It may appear that information is missing from the straight line diagram. If so, reduce the number of miles/page and re-submit the request.

COUNTER MEASURES INC.

1889 YORK STREET
DENVER. COLORADO
303-333-7409

N/S STREET: NORFOLK ST
E/W STREET: E. COLFAX AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : ECOLFNORFOLK
Site Code : 00000017
Start Date : 1/13/2022
Page No : 1

Groups Printed- VEHICLES

| Start Time | NORFOLK ST Southbound | | | | E. COLFAX AVE Westbound | | | | SELF STORAGE Northbound | | | | E. COLFAX AVE Eastbound | | | | Int. Total |
|-------------|--------------------------|------|-------|------|----------------------------|------|-------|------|----------------------------|------|-------|------|----------------------------|------|-------|------|---------------|
| | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | |
| Factor | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | |
| 06:30 AM | 7 | 1 | 4 | 0 | 0 | 0 | 2 | 0 | 0 | 7 | 1 | 0 | 3 | 0 | 0 | 0 | 25 |
| 06:45 AM | 4 | 0 | 9 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 20 |
| Total | 11 | 1 | 13 | 0 | 0 | 0 | 7 | 0 | 0 | 7 | 1 | 0 | 5 | 0 | 0 | 0 | 45 |
| 07:00 AM | 11 | 0 | 8 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 24 |
| 07:15 AM | 12 | 0 | 11 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 30 |
| 07:30 AM | 6 | 0 | 8 | 0 | 0 | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 26 |
| 07:45 AM | 4 | 0 | 3 | 0 | 0 | 0 | 9 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 21 |
| Total | 33 | 0 | 30 | 0 | 0 | 0 | 24 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | 0 | 0 | 101 |
| 08:00 AM | 9 | 0 | 7 | 0 | 2 | 0 | 5 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 25 |
| 08:15 AM | 7 | 0 | 11 | 0 | 0 | 0 | 8 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 29 |
| Total | 16 | 0 | 18 | 0 | 2 | 0 | 13 | 0 | 0 | 0 | 2 | 0 | 2 | 0 | 1 | 0 | 54 |
| 04:00 PM | 3 | 0 | 5 | 0 | 0 | 0 | 8 | 0 | 3 | 0 | 1 | 0 | 9 | 0 | 1 | 0 | 30 |
| 04:15 PM | 7 | 0 | 3 | 2 | 3 | 0 | 12 | 0 | 0 | 0 | 2 | 0 | 6 | 0 | 0 | 0 | 35 |
| 04:30 PM | 7 | 0 | 4 | 0 | 0 | 0 | 8 | 1 | 0 | 0 | 0 | 0 | 6 | 0 | 1 | 0 | 27 |
| 04:45 PM | 6 | 0 | 3 | 0 | 1 | 0 | 5 | 0 | 1 | 0 | 3 | 0 | 12 | 0 | 1 | 0 | 32 |
| Total | 23 | 0 | 15 | 2 | 4 | 0 | 33 | 1 | 4 | 0 | 6 | 0 | 33 | 0 | 3 | 0 | 124 |
| 05:00 PM | 0 | 0 | 3 | 1 | 0 | 0 | 9 | 2 | 0 | 0 | 1 | 0 | 5 | 0 | 2 | 0 | 23 |
| 05:15 PM | 6 | 0 | 9 | 0 | 0 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 0 | 33 |
| 05:30 PM | 4 | 0 | 5 | 0 | 0 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 1 | 0 | 20 |
| 05:45 PM | 5 | 0 | 4 | 1 | 0 | 0 | 7 | 0 | 0 | 0 | 1 | 0 | 14 | 0 | 0 | 0 | 32 |
| Total | 15 | 0 | 21 | 2 | 0 | 0 | 34 | 2 | 0 | 0 | 2 | 0 | 29 | 0 | 3 | 0 | 108 |
| Grand Total | 98 | 1 | 97 | 4 | 6 | 0 | 111 | 3 | 4 | 7 | 11 | 0 | 83 | 0 | 7 | 0 | 432 |
| Apprch % | 49.0 | 0.5 | 48.5 | 2.0 | 5.0 | 0.0 | 92.5 | 2.5 | 18.2 | 31.8 | 50.0 | 0.0 | 92.2 | 0.0 | 7.8 | 0.0 | |
| Total % | 22.7 | 0.2 | 22.5 | 0.9 | 1.4 | 0.0 | 25.7 | 0.7 | 0.9 | 1.6 | 2.5 | 0.0 | 19.2 | 0.0 | 1.6 | 0.0 | |

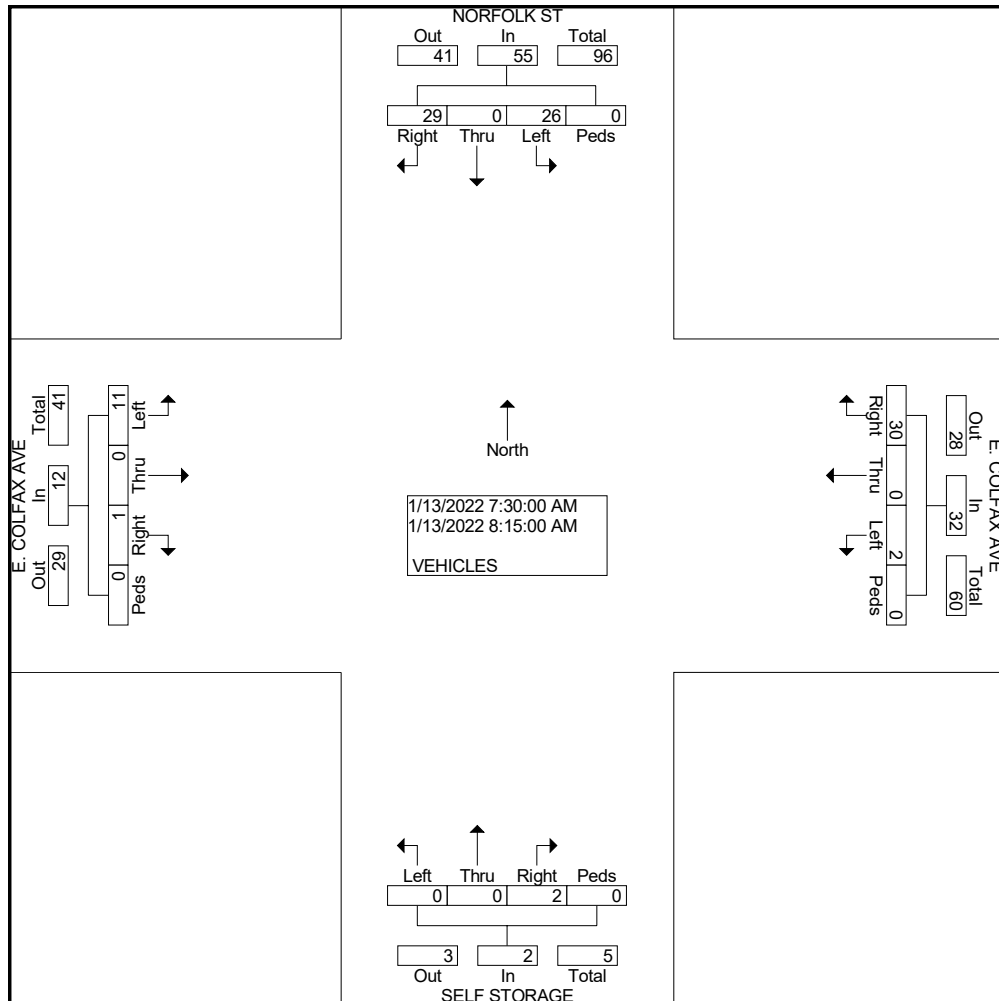
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: NORFOLK ST
E/W STREET: E. COLFAX AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : ECOLFNORFOLK
Site Code : 00000017
Start Date : 1/13/2022
Page No : 2

| Start Time | NORFOLK ST Southbound | | | | | E. COLFAX AVE Westbound | | | | | SELF STORAGE Northbound | | | | | E. COLFAX AVE Eastbound | | | | | Int. Total |
|---|-----------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 07:30 AM to 08:15 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersection | 07:30 AM | | | | | | | | | | | | | | | | | | | | |
| Volume | 26 | 0 | 29 | 0 | 55 | 2 | 0 | 30 | 0 | 32 | 0 | 0 | 2 | 0 | 2 | 11 | 0 | 1 | 0 | 12 | 101 |
| Percent | 47.3 | 0.0 | 52.7 | 0.0 | | 6.3 | 0.0 | 93.8 | 0.0 | | 0.0 | 0.0 | 100.0 | 0.0 | | 91.7 | 0.0 | 8.3 | 0.0 | | |
| 08:15 Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 7 | 0 | 11 | 0 | 18 | 0 | 0 | 8 | 0 | 8 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 1 | 0 | 2 | 29 |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 08:15 AM | | | | | 07:45 AM | | | | | 08:00 AM | | | | | 07:45 AM | | | | | |
| Peak Factor | 0.76 | | | | | 0.88 | | | | | 0.50 | | | | | 0.60 | | | | | 0 |



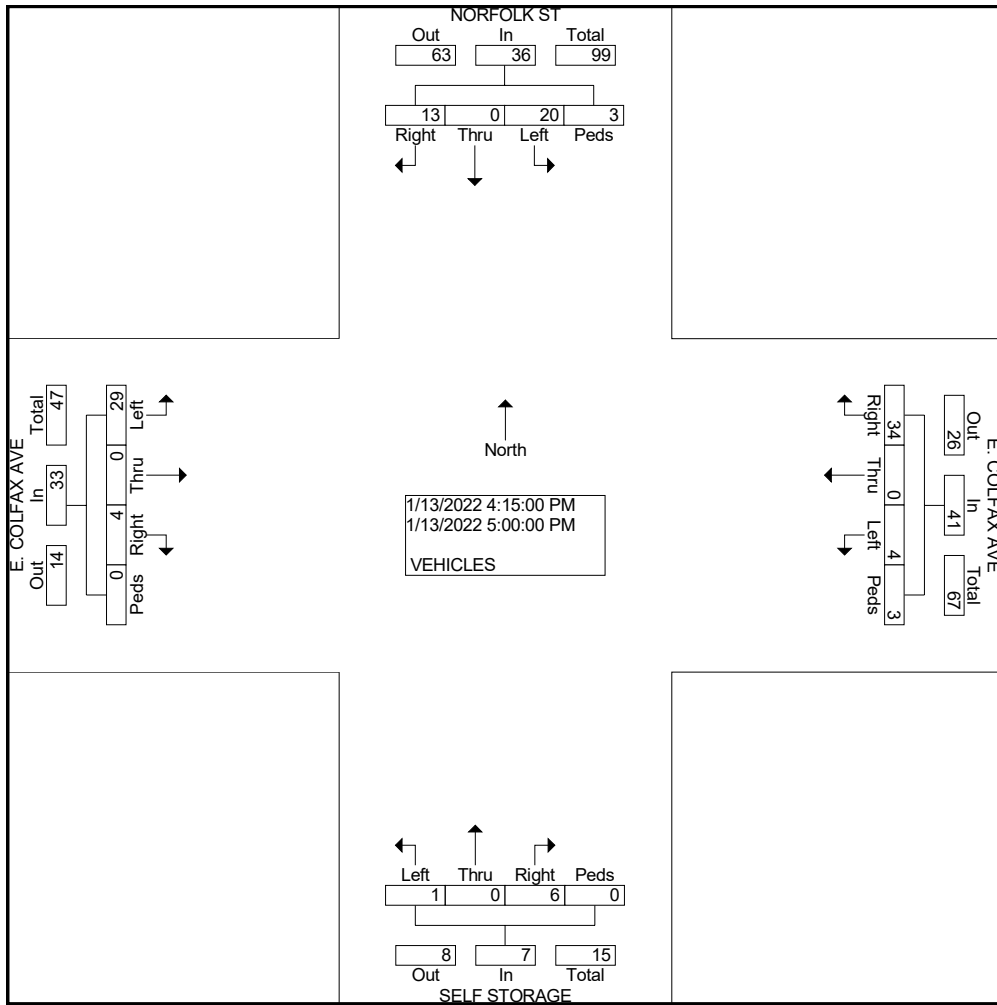
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: NORFOLK ST
E/W STREET: E. COLFAX AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : ECOLFNORFOLK
Site Code : 00000017
Start Date : 1/13/2022
Page No : 3

| Start Time | NORFOLK ST Southbound | | | | | E. COLFAX AVE Westbound | | | | | SELF STORAGE Northbound | | | | | E. COLFAX AVE Eastbound | | | | | Int. Total |
|---|-----------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 04:15 PM to 05:00 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersect on | 04:15 PM | | | | | | | | | | | | | | | | | | | | |
| Volume | 20 | 0 | 13 | 3 | 36 | 4 | 0 | 34 | 3 | 41 | 1 | 0 | 6 | 0 | 7 | 29 | 0 | 4 | 0 | 33 | 117 |
| Percent | 55.6 | 0.0 | 36.1 | 8.3 | | 9.8 | 0.0 | 82.9 | 7.3 | | 14.3 | 0.0 | 85.7 | 0.0 | | 87.9 | 0.0 | 12.1 | 0.0 | | |
| 04:15 Volume | 7 | 0 | 3 | 2 | 12 | 3 | 0 | 12 | 0 | 15 | 0 | 0 | 2 | 0 | 2 | 6 | 0 | 0 | 0 | 6 | 35 |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. | 04:15 PM | | | | | | | | | | | | | | | | | | | | |
| Volume | 7 | 0 | 3 | 2 | 12 | 3 | 0 | 12 | 0 | 15 | 1 | 0 | 3 | 0 | 4 | 12 | 0 | 1 | 0 | 13 | 0.836 |
| Peak Factor | 0.75 | | | | | 0.68 | | | | | 0.43 | | | | | 0.63 | | | | | 5 |



COUNTER MEASURES INC.

1889 YORK STREET
DENVER.COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE13THW
Site Code : 0000016
Start Date : 1/13/2022
Page No : 1

Groups Printed- VEHICLES

| Start Time | N. AIRPORT BLVD Southbound | | | | NO ACCESS Westbound | | | | N. AIRPORT BLVD Northbound | | | | E. 13TH AVE Eastbound | | | | Int. Total |
|-------------|-------------------------------|------|-------|------|------------------------|------|-------|------|-------------------------------|------|-------|------|--------------------------|------|-------|------|---------------|
| | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | |
| Factor | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| 06:30 AM | 0 | 0 | 5 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 3 | 0 | 4 | 0 | 2 | 0 | 16 |
| 06:45 AM | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 3 | 0 | 10 |
| Total | 0 | 0 | 8 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 3 | 0 | 8 | 0 | 5 | 0 | 26 |
| 07:00 AM | 1 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 7 |
| 07:15 AM | 1 | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 0 | 10 | 0 | 20 |
| 07:30 AM | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 4 | 0 | 13 | 0 | 25 |
| 07:45 AM | 0 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 2 | 0 | 5 | 0 | 17 |
| Total | 2 | 0 | 20 | 1 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 0 | 10 | 0 | 29 | 0 | 69 |
| 08:00 AM | 0 | 0 | 3 | 1 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 2 | 0 | 7 | 0 | 16 |
| 08:15 AM | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 6 | 0 | 8 | 0 | 18 |
| Total | 0 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 8 | 0 | 15 | 0 | 34 |
| 04:00 PM | 0 | 0 | 8 | 1 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 14 |
| 04:15 PM | 0 | 0 | 11 | 1 | 0 | 0 | 0 | 0 | 6 | 0 | 0 | 0 | 4 | 0 | 16 | 0 | 38 |
| 04:30 PM | 0 | 0 | 11 | 1 | 0 | 0 | 0 | 0 | 6 | 0 | 0 | 0 | 5 | 0 | 13 | 0 | 36 |
| 04:45 PM | 0 | 0 | 9 | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 0 | 1 | 0 | 8 | 0 | 25 |
| Total | 0 | 0 | 39 | 3 | 0 | 0 | 0 | 0 | 22 | 0 | 0 | 0 | 10 | 0 | 39 | 0 | 113 |
| 05:00 PM | 0 | 0 | 23 | 2 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 4 | 0 | 12 | 0 | 46 |
| 05:15 PM | 0 | 0 | 19 | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 0 | 4 | 1 | 19 | 0 | 50 |
| 05:30 PM | 0 | 0 | 18 | 2 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 2 | 0 | 11 | 0 | 38 |
| 05:45 PM | 0 | 0 | 16 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 4 | 0 | 17 | 0 | 42 |
| Total | 0 | 0 | 76 | 4 | 0 | 0 | 0 | 0 | 22 | 0 | 0 | 0 | 14 | 1 | 59 | 0 | 176 |
| Grand Total | 2 | 0 | 149 | 10 | 0 | 0 | 0 | 0 | 56 | 0 | 3 | 0 | 50 | 1 | 147 | 0 | 418 |
| Apprch % | 1.2 | 0.0 | 92.5 | 6.2 | 0.0 | 0.0 | 0.0 | 0.0 | 94.9 | 0.0 | 5.1 | 0.0 | 25.3 | 0.5 | 74.2 | 0.0 | |
| Total % | 0.5 | 0.0 | 35.6 | 2.4 | 0.0 | 0.0 | 0.0 | 0.0 | 13.4 | 0.0 | 0.7 | 0.0 | 12.0 | 0.2 | 35.2 | 0.0 | |

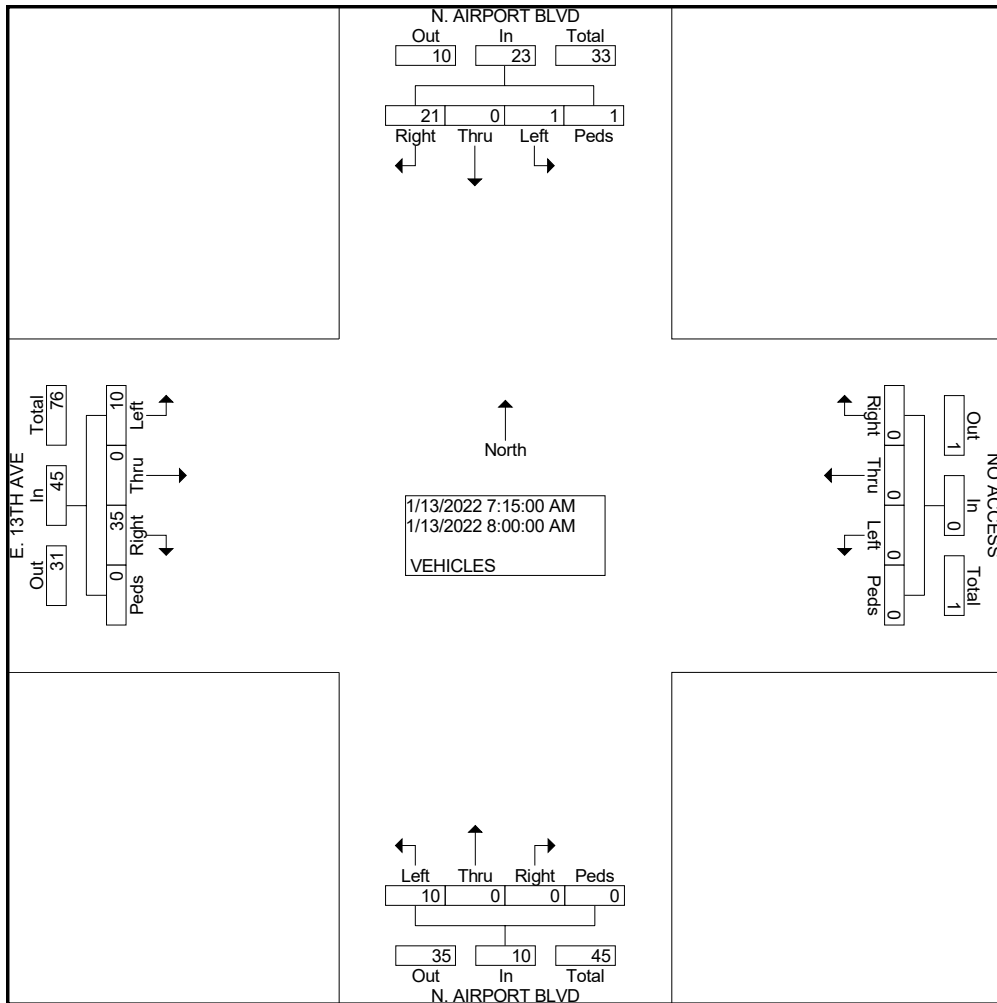
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE13THW
Site Code : 0000016
Start Date : 1/13/2022
Page No : 2

| Start Time | N. AIRPORT BLVD Southbound | | | | | NO ACCESS Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | E. 13TH AVE Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|---------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 07:15 AM to 08:00 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersection | 07:15 AM | | | | | | | | | | | | | | | | | | | | |
| Volume | 1 | 0 | 21 | 1 | 23 | 0 | 0 | 0 | 0 | 0 | 10 | 0 | 0 | 0 | 10 | 10 | 0 | 35 | 0 | 45 | 78 |
| Percent | 4.3 | 0.0 | 91.3 | 4.3 | | 0.0 | 0.0 | 0.0 | 0.0 | | 100.0 | 0.0 | 0.0 | 0.0 | | 22.2 | 0.0 | 77.8 | 0.0 | | |
| 07:30 Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 0 | 0 | 5 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 3 | 4 | 0 | 13 | 0 | 17 | 25 |
| 07:15 AM High Int. Volume | 1 | 0 | 6 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 3 | 4 | 0 | 13 | 0 | 17 | 0.780 |
| 07:15 AM Peak Factor | 0.82 | | | | | | | | | | 0.83 | | | | | 0.66 | | | | | 2 |



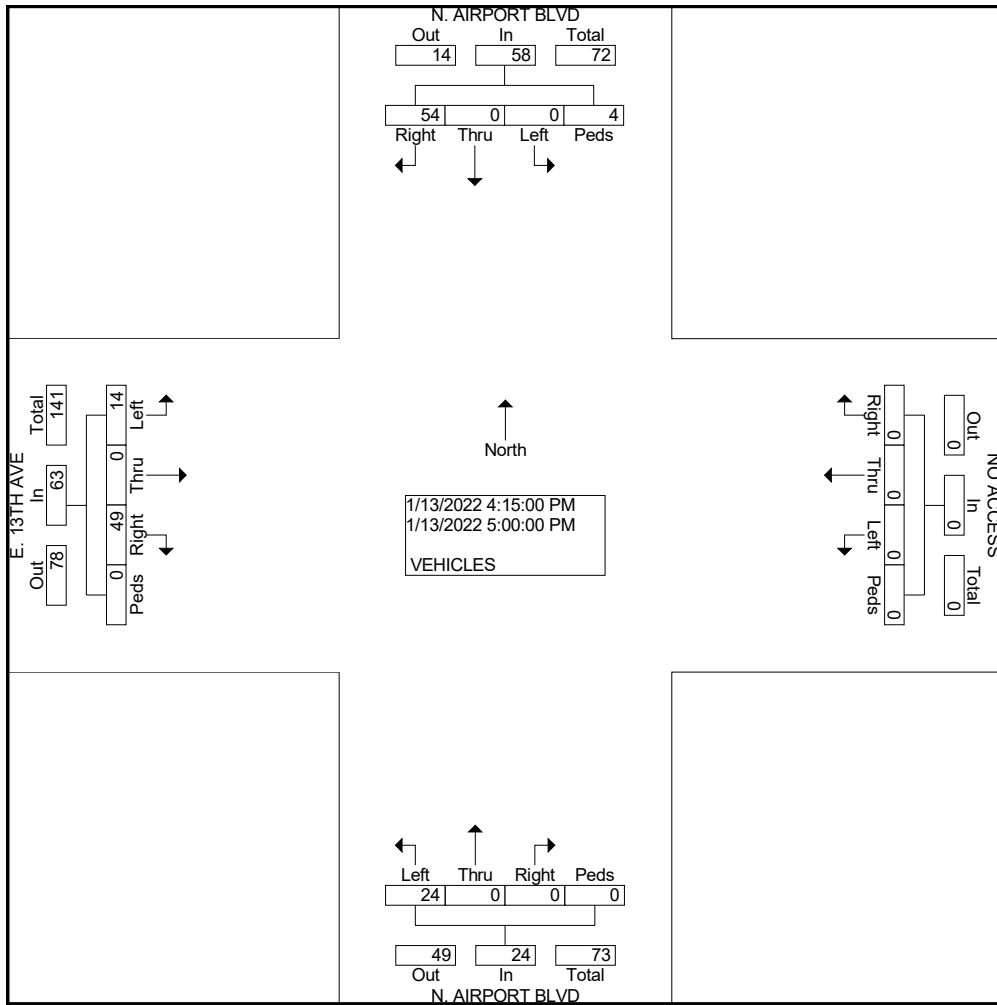
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE13THW
Site Code : 0000016
Start Date : 1/13/2022
Page No : 3

| Start Time | N. AIRPORT BLVD Southbound | | | | | NO ACCESS Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | E. 13TH AVE Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|---------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 04:15 PM to 05:00 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersect on | 04:15 PM | | | | | | | | | | | | | | | | | | | | |
| Volume | 0 | 0 | 54 | 4 | 58 | 0 | 0 | 0 | 0 | 0 | 24 | 0 | 0 | 0 | 24 | 14 | 0 | 49 | 0 | 63 | 145 |
| Percent | 0.0 | 0.0 | 93.1 | 6.9 | | 0.0 | 0.0 | 0.0 | 0.0 | | 100.0 | 0.0 | 0.0 | 0.0 | | 22.2 | 0.0 | 77.8 | 0.0 | | |
| 05:00 Volume | 0 | 0 | 23 | 2 | 25 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 5 | 4 | 0 | 12 | 0 | 16 | 46 |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. | 05:00 PM | | | | | | | | | | | | | | | | | | | | |
| Volume | 0 | 0 | 23 | 2 | 25 | 0 | 0 | 0 | 0 | 0 | 04:45 PM | | | | | 04:15 PM | | | | | |
| Peak Factor | 0.58 | | | | | | | | | | 0.85 | | | | | 0.78 | | | | | 0.788 |
| | 0 | | | | | | | | | | 7 | | | | | 8 | | | | | |



COUNTER MEASURES INC.

1889 YORK STREET
DENVER. COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE13TH
Site Code : 00000008
Start Date : 1/13/2022
Page No : 1

Groups Printed- VEHICLES

| Start Time | N. AIRPORT BLVD Southbound | | | | E. 13TH AVE Westbound | | | | N. AIRPORT BLVD Northbound | | | | NO ACCESS Eastbound | | | | Int. Total | |
|-------------|-------------------------------|------|-------|------|--------------------------|------|-------|------|-------------------------------|------|-------|------|------------------------|------|-------|------|---------------|----|
| | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | | |
| Factor | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | |
| 06:45 AM | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Total | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| 07:00 AM | 3 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| 07:15 AM | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| 07:30 AM | 2 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| 07:45 AM | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Total | 5 | 0 | 0 | 0 | 3 | 0 | 9 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 19 |
| 08:00 AM | 3 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 |
| 08:15 AM | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Total | 3 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| 04:00 PM | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| 04:15 PM | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 7 |
| 04:30 PM | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |
| 04:45 PM | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| Total | 8 | 0 | 0 | 0 | 3 | 0 | 5 | 0 | 0 | 0 | 8 | 2 | 0 | 0 | 0 | 0 | 0 | 26 |
| 05:00 PM | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 7 |
| 05:15 PM | 2 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| 05:30 PM | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 05:45 PM | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| Total | 3 | 0 | 0 | 0 | 6 | 0 | 5 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 16 |
| Grand Total | 21 | 0 | 0 | 0 | 12 | 0 | 24 | 0 | 0 | 0 | 11 | 3 | 0 | 0 | 0 | 0 | 0 | 71 |
| Apprch % | 100.0 | 0.0 | 0.0 | 0.0 | 33.3 | 0.0 | 66.7 | 0.0 | 0.0 | 0.0 | 78.6 | 21.4 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| Total % | 29.6 | 0.0 | 0.0 | 0.0 | 16.9 | 0.0 | 33.8 | 0.0 | 0.0 | 0.0 | 15.5 | 4.2 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |

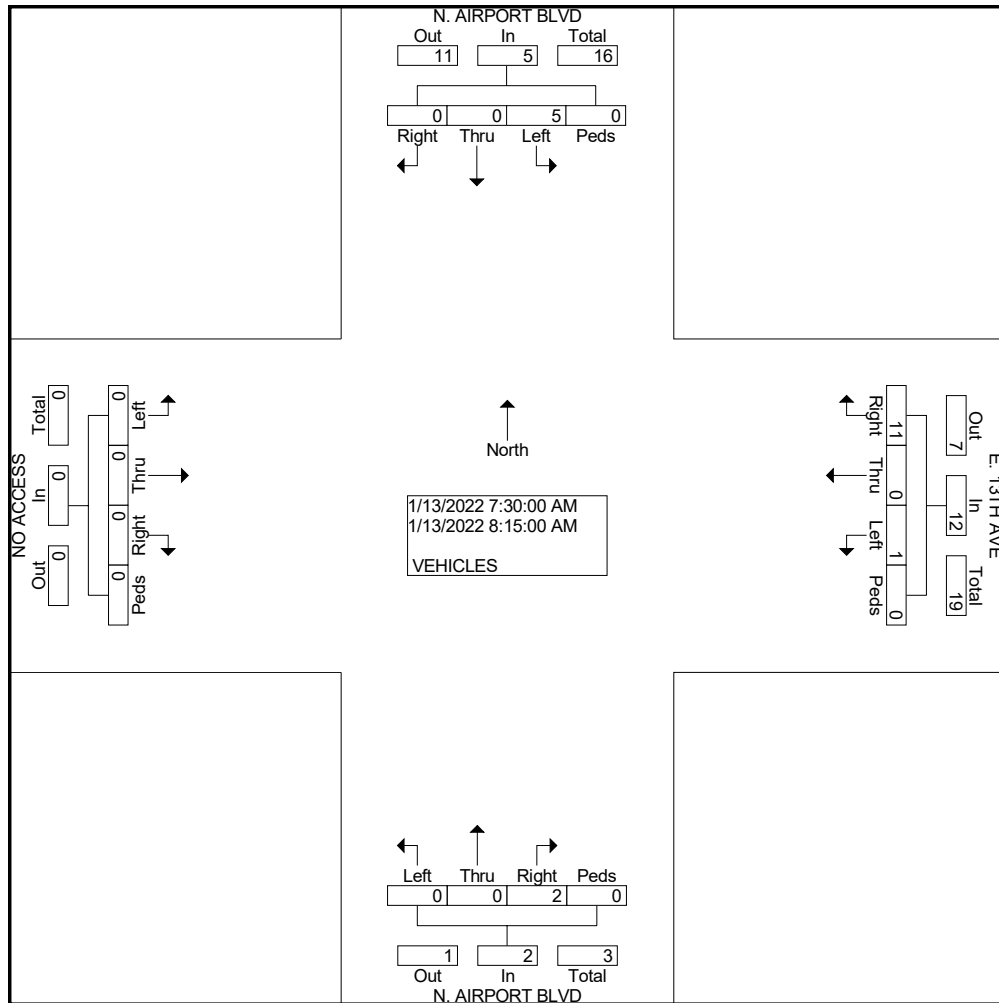
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE13TH
Site Code : 00000008
Start Date : 1/13/2022
Page No : 2

| Start Time | N. AIRPORT BLVD Southbound | | | | | E. 13TH AVE Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | NO ACCESS Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|---------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 07:30 AM to 08:15 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersect on | 07:30 AM | | | | | | | | | | | | | | | | | | | | |
| Volume | 5 | 0 | 0 | 0 | 5 | 1 | 0 | 11 | 0 | 12 | 0 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 19 |
| Percent | 100.0 | 0.0 | 0.0 | 0.0 | | 8.3 | 0.0 | 91.7 | 0.0 | | 0.0 | 0.0 | 100.0 | 0.0 | | 0.0 | 0.0 | 0.0 | 0.0 | | |
| 07:30 Volume | 2 | 0 | 0 | 0 | 2 | 0 | 0 | 4 | 0 | 4 | 0 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 8 |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 08:00 AM | | | | | 07:30 AM | | | | | 07:30 AM | | | | | | | | | | |
| Peak Factor | 0.41 | | | | | 0.75 | | | | | 0.25 | | | | | | | | | | 0.594 |



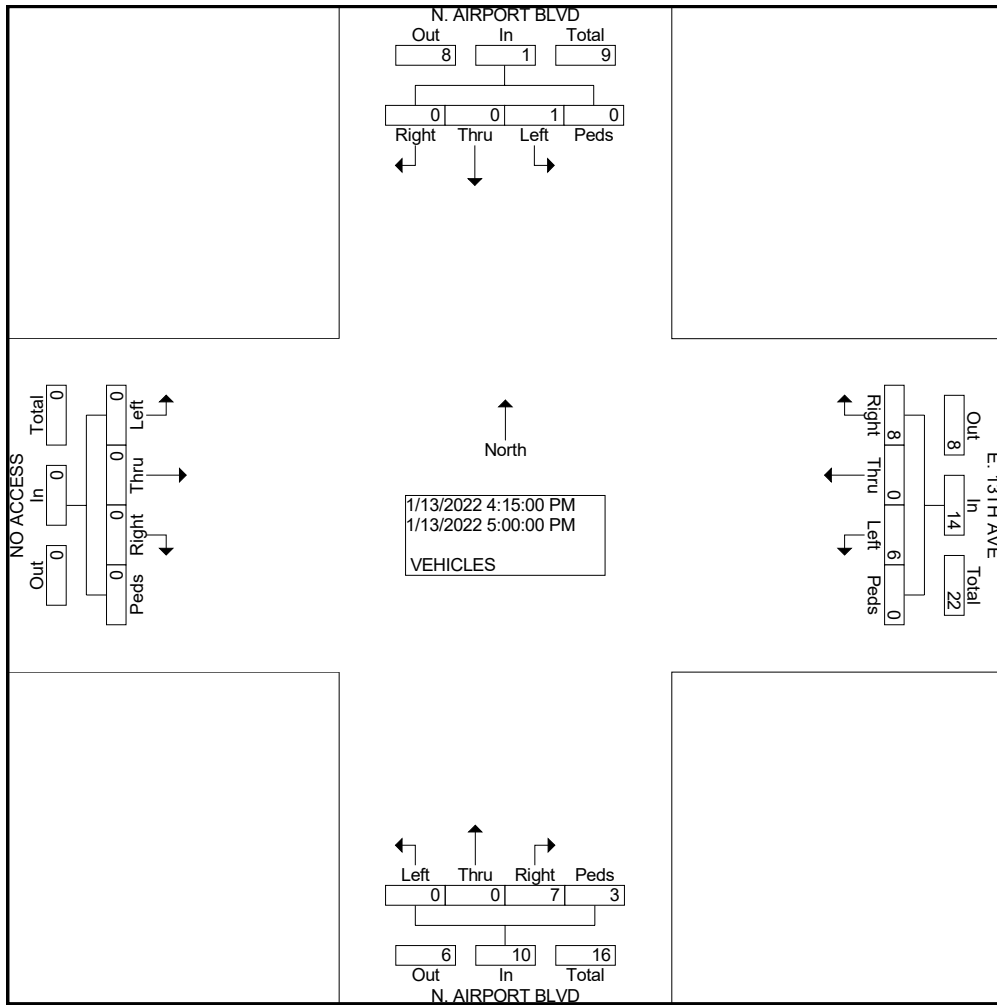
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE13TH
Site Code : 00000008
Start Date : 1/13/2022
Page No : 3

| Start Time | N. AIRPORT BLVD Southbound | | | | | E. 13TH AVE Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | NO ACCESS Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|---------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 04:15 PM to 05:00 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersect on | 04:15 PM | | | | | | | | | | | | | | | | | | | | |
| Volume | 1 | 0 | 0 | 0 | 1 | 6 | 0 | 8 | 0 | 14 | 0 | 0 | 7 | 3 | 10 | 0 | 0 | 0 | 0 | 0 | 25 |
| Percent | 100.0 | 0.0 | 0.0 | 0.0 | | 42.9 | 0.0 | 57.1 | 0.0 | | 0.0 | 0.0 | 70.0 | 30.0 | | 0.0 | 0.0 | 0.0 | 0.0 | | |
| 05:00 Volume | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 0 | 6 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 7 |
| Peak Factor | 0.893 | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 04:30 PM | | | | | 05:00 PM | | | | | 04:15 PM | | | | | | | | | | |
| Peak Factor | 0.25 | | | | | 0.58 | | | | | 0.62 | | | | | 0.5 | | | | | |



COUNTER MEASURES INC.

1889 YORK STREET
DENVER.COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 14TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE14TH
Site Code : 00000022
Start Date : 1/18/2022
Page No : 1

Groups Printed- VEHICLES

| Start Time | N. AIRPORT BLVD Southbound | | | | E. 14TH AVE Westbound | | | | N. AIRPORT BLVD Northbound | | | | E. 14TH AVE Eastbound | | | | Int. Total |
|-------------|-------------------------------|------|-------|------|--------------------------|------|-------|------|-------------------------------|------|-------|------|--------------------------|------|-------|------|---------------|
| | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | |
| Factor | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | |
| 06:30 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 2 |
| 06:45 AM | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 1 | 0 | 6 |
| Total | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 4 | 0 | 1 | 0 | 8 |
| 07:00 AM | 3 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 1 | 0 | 4 | 0 | 2 | 0 | 12 |
| 07:15 AM | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 6 |
| 07:30 AM | 2 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 2 | 0 | 2 | 0 | 1 | 0 | 11 |
| 07:45 AM | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 4 |
| Total | 5 | 0 | 0 | 0 | 3 | 0 | 9 | 0 | 0 | 0 | 3 | 0 | 10 | 0 | 3 | 0 | 33 |
| 08:00 AM | 3 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 0 | 10 |
| 08:15 AM | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 |
| Total | 3 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 2 | 0 | 12 |
| 04:00 PM | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 12 |
| 04:15 PM | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 3 | 0 | 2 | 2 | 0 | 0 | 2 | 0 | 12 |
| 04:30 PM | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 2 | 0 | 3 | 0 | 0 | 0 | 2 | 0 | 10 |
| 04:45 PM | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 3 | 0 | 2 | 0 | 1 | 0 | 3 | 0 | 12 |
| Total | 8 | 0 | 0 | 0 | 3 | 0 | 5 | 0 | 10 | 0 | 8 | 2 | 2 | 0 | 8 | 0 | 46 |
| 05:00 PM | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 0 | 3 | 0 | 0 | 1 | 0 | 0 | 2 | 0 | 12 |
| 05:15 PM | 2 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 8 |
| 05:30 PM | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 5 |
| 05:45 PM | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 6 |
| Total | 3 | 0 | 0 | 0 | 6 | 0 | 5 | 0 | 10 | 0 | 1 | 1 | 1 | 0 | 4 | 0 | 31 |
| Grand Total | 21 | 0 | 0 | 0 | 12 | 0 | 24 | 0 | 20 | 0 | 14 | 3 | 18 | 0 | 18 | 0 | 130 |
| Apprch % | 100.0 | 0.0 | 0.0 | 0.0 | 33.3 | 0.0 | 66.7 | 0.0 | 54.1 | 0.0 | 37.8 | 8.1 | 50.0 | 0.0 | 50.0 | 0.0 | |
| Total % | 16.2 | 0.0 | 0.0 | 0.0 | 9.2 | 0.0 | 18.5 | 0.0 | 15.4 | 0.0 | 10.8 | 2.3 | 13.8 | 0.0 | 13.8 | 0.0 | |

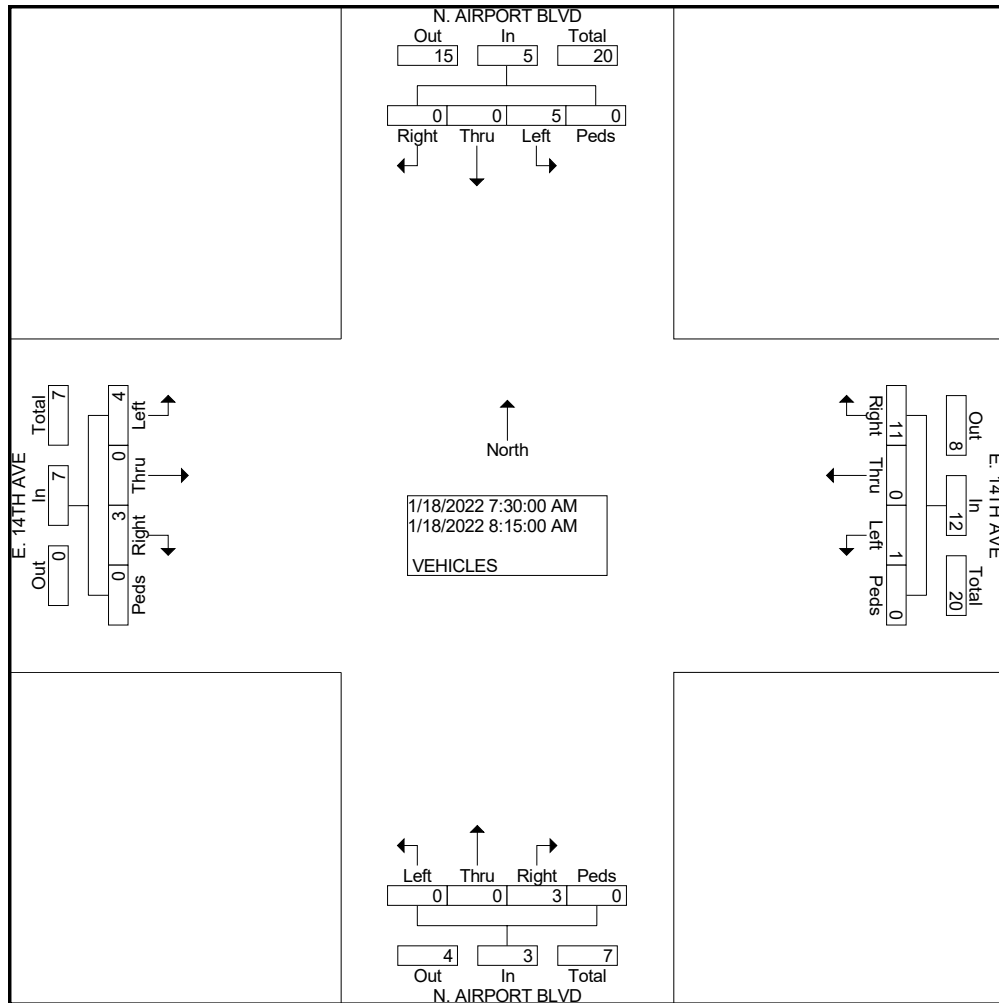
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 14TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE14TH
Site Code : 0000022
Start Date : 1/18/2022
Page No : 2

| Start Time | N. AIRPORT BLVD Southbound | | | | | E. 14TH AVE Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | E. 14TH AVE Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 07:30 AM to 08:15 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersection | 07:30 AM | | | | | | | | | | | | | | | | | | | | |
| Volume | 5 | 0 | 0 | 0 | 5 | 1 | 0 | 11 | 0 | 12 | 0 | 0 | 3 | 0 | 3 | 4 | 0 | 3 | 0 | 7 | 27 |
| Percent | 100.0 | 0.0 | 0.0 | 0.0 | | 8.3 | 0.0 | 91.7 | 0.0 | | 0.0 | 0.0 | 100.0 | 0.0 | | 57.1 | 0.0 | 42.9 | 0.0 | | |
| 07:30 Volume | 2 | 0 | 0 | 0 | 2 | 0 | 0 | 4 | 0 | 4 | 0 | 0 | 2 | 0 | 2 | 2 | 0 | 1 | 0 | 3 | 11 |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 08:00 AM | | | | | 07:30 AM | | | | | 07:30 AM | | | | | 07:30 AM | | | | | |
| Peak Factor | 0.41 | | | | | 0.75 | | | | | 0.37 | | | | | 0.58 | | | | | 3 |



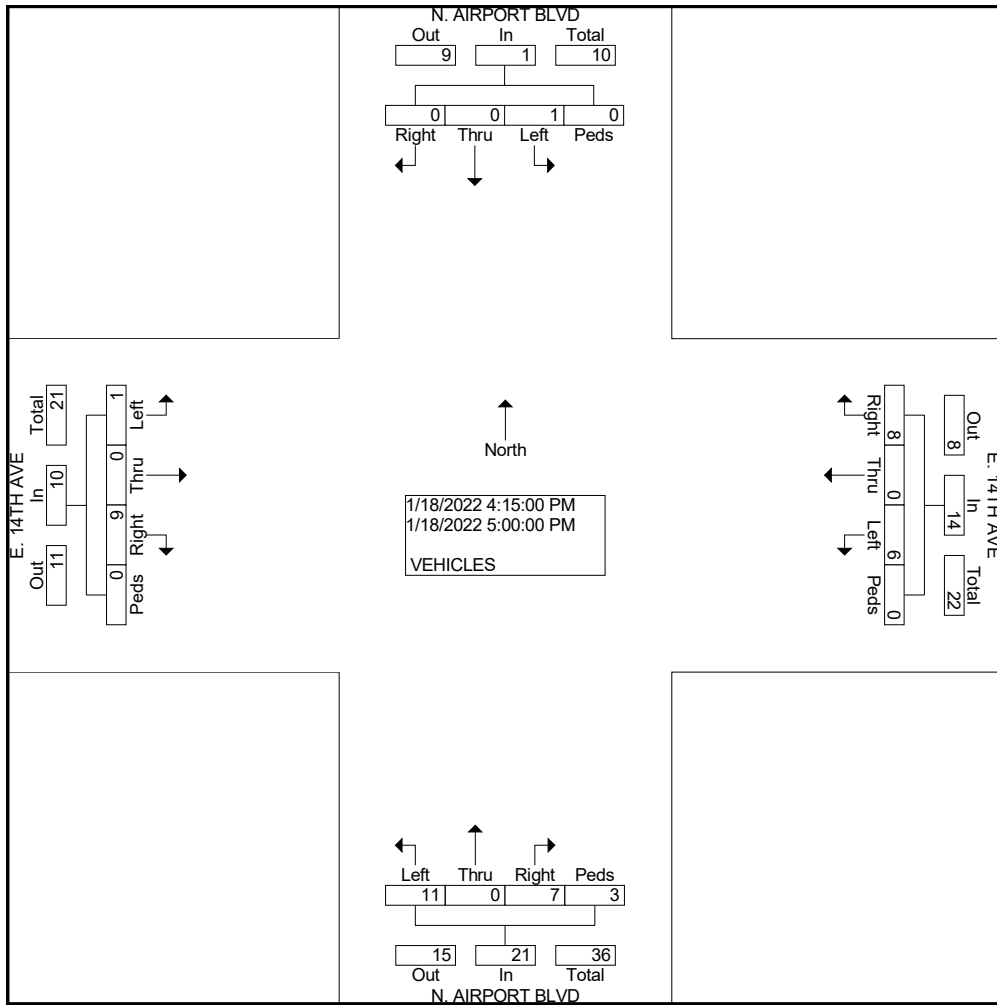
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. 14TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NAIRE14TH
Site Code : 0000022
Start Date : 1/18/2022
Page No : 3

| Start Time | N. AIRPORT BLVD Southbound | | | | | E. 14TH AVE Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | E. 14TH AVE Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 04:15 PM to 05:00 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersect on | 04:15 PM | | | | | | | | | | | | | | | | | | | | |
| Volume | 1 | 0 | 0 | 0 | 1 | 6 | 0 | 8 | 0 | 14 | 11 | 0 | 7 | 3 | 21 | 1 | 0 | 9 | 0 | 10 | 46 |
| Percent | 100.0 | 0.0 | 0.0 | 0.0 | | 42.9 | 0.0 | 57.1 | 0.0 | | 52.4 | 0.0 | 33.3 | 14.3 | | 10.0 | 0.0 | 90.0 | 0.0 | | |
| 05:00 Volume | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 0 | 6 | 3 | 0 | 0 | 1 | 4 | 0 | 0 | 2 | 0 | 2 | 12 |
| Peak Factor | 0.958 | | | | | | | | | | | | | | | | | | | | |
| High Int. | 04:30 PM | | | | | 05:00 PM | | | | | 04:15 PM | | | | | 04:45 PM | | | | | |
| Volume | 1 | 0 | 0 | 0 | 1 | 3 | 0 | 3 | 0 | 6 | 3 | 0 | 2 | 2 | 7 | 1 | 0 | 3 | 0 | 4 | |
| Peak Factor | 0.25 | | | | | 0.58 | | | | | 0.75 | | | | | 0.62 | | | | | 5 |



COUNTER MEASURES INC.

1889 YORK STREET
DENVER.COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. COLFAX AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : COLAIR226
Site Code : 00000020
Start Date : 1/26/2022
Page No : 1

Groups Printed- VEHICLES

| Start Time | N. AIRPORT BLVD Southbound | | | | E. COLFAX AVE Westbound | | | | N. AIRPORT BLVD Northbound | | | | E. COLFAX AVE Eastbound | | | | Int. Total |
|-------------|-------------------------------|------|-------|------|----------------------------|------|-------|------|-------------------------------|------|-------|------|----------------------------|------|-------|------|---------------|
| | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | |
| Factor | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | |
| 06:30 AM | 10 | 162 | 26 | 0 | 62 | 82 | 16 | 0 | 51 | 251 | 78 | 0 | 45 | 52 | 17 | 0 | 852 |
| 06:45 AM | 14 | 182 | 23 | 1 | 103 | 123 | 22 | 0 | 40 | 290 | 118 | 0 | 33 | 85 | 22 | 0 | 1056 |
| Total | 24 | 344 | 49 | 1 | 165 | 205 | 38 | 0 | 91 | 541 | 196 | 0 | 78 | 137 | 39 | 0 | 1908 |
| 07:00 AM | 8 | 185 | 27 | 0 | 95 | 102 | 10 | 0 | 39 | 223 | 85 | 0 | 43 | 86 | 41 | 0 | 944 |
| 07:15 AM | 9 | 248 | 34 | 4 | 115 | 162 | 21 | 0 | 57 | 296 | 113 | 0 | 36 | 69 | 33 | 0 | 1197 |
| 07:30 AM | 2 | 226 | 38 | 0 | 168 | 168 | 17 | 0 | 46 | 211 | 107 | 0 | 33 | 90 | 82 | 0 | 1188 |
| 07:45 AM | 6 | 259 | 28 | 0 | 129 | 141 | 21 | 0 | 59 | 281 | 101 | 0 | 43 | 63 | 46 | 0 | 1177 |
| Total | 25 | 918 | 127 | 4 | 507 | 573 | 69 | 0 | 201 | 1011 | 406 | 0 | 155 | 308 | 202 | 0 | 4506 |
| 08:00 AM | 4 | 172 | 37 | 0 | 151 | 180 | 20 | 0 | 65 | 254 | 96 | 0 | 30 | 78 | 33 | 0 | 1120 |
| 08:15 AM | 7 | 186 | 40 | 0 | 100 | 127 | 21 | 0 | 59 | 207 | 86 | 0 | 24 | 55 | 43 | 0 | 955 |
| Total | 11 | 358 | 77 | 0 | 251 | 307 | 41 | 0 | 124 | 461 | 182 | 0 | 54 | 133 | 76 | 0 | 2075 |
| 04:00 PM | 17 | 310 | 65 | 0 | 118 | 147 | 8 | 0 | 43 | 257 | 121 | 0 | 48 | 143 | 51 | 0 | 1328 |
| 04:15 PM | 8 | 195 | 45 | 0 | 84 | 119 | 16 | 0 | 49 | 259 | 93 | 0 | 51 | 147 | 57 | 0 | 1123 |
| 04:30 PM | 4 | 212 | 57 | 0 | 134 | 136 | 19 | 0 | 48 | 273 | 128 | 1 | 34 | 147 | 46 | 0 | 1239 |
| 04:45 PM | 4 | 273 | 51 | 0 | 148 | 151 | 21 | 0 | 44 | 238 | 111 | 0 | 39 | 148 | 67 | 0 | 1295 |
| Total | 33 | 990 | 218 | 0 | 484 | 553 | 64 | 0 | 184 | 1027 | 453 | 1 | 172 | 585 | 221 | 0 | 4985 |
| 05:00 PM | 5 | 363 | 49 | 0 | 134 | 133 | 18 | 0 | 59 | 252 | 105 | 1 | 41 | 154 | 56 | 0 | 1370 |
| 05:15 PM | 15 | 279 | 49 | 0 | 124 | 129 | 16 | 0 | 32 | 262 | 106 | 1 | 38 | 171 | 61 | 0 | 1283 |
| 05:30 PM | 18 | 280 | 30 | 0 | 126 | 160 | 28 | 0 | 45 | 243 | 147 | 0 | 54 | 170 | 51 | 0 | 1352 |
| 05:45 PM | 9 | 298 | 30 | 0 | 86 | 125 | 11 | 0 | 42 | 216 | 117 | 0 | 28 | 126 | 68 | 1 | 1157 |
| Total | 47 | 1220 | 158 | 0 | 470 | 547 | 73 | 0 | 178 | 973 | 475 | 2 | 161 | 621 | 236 | 1 | 5162 |
| Grand Total | 140 | 3830 | 629 | 5 | 1877 | 2185 | 285 | 0 | 778 | 4013 | 1712 | 3 | 620 | 1784 | 774 | 1 | 18636 |
| Apprch % | 3.0 | 83.2 | 13.7 | 0.1 | 43.2 | 50.3 | 6.6 | 0.0 | 12.0 | 61.7 | 26.3 | 0.0 | 19.5 | 56.1 | 24.3 | 0.0 | |
| Total % | 0.8 | 20.6 | 3.4 | 0.0 | 10.1 | 11.7 | 1.5 | 0.0 | 4.2 | 21.5 | 9.2 | 0.0 | 3.3 | 9.6 | 4.2 | 0.0 | |

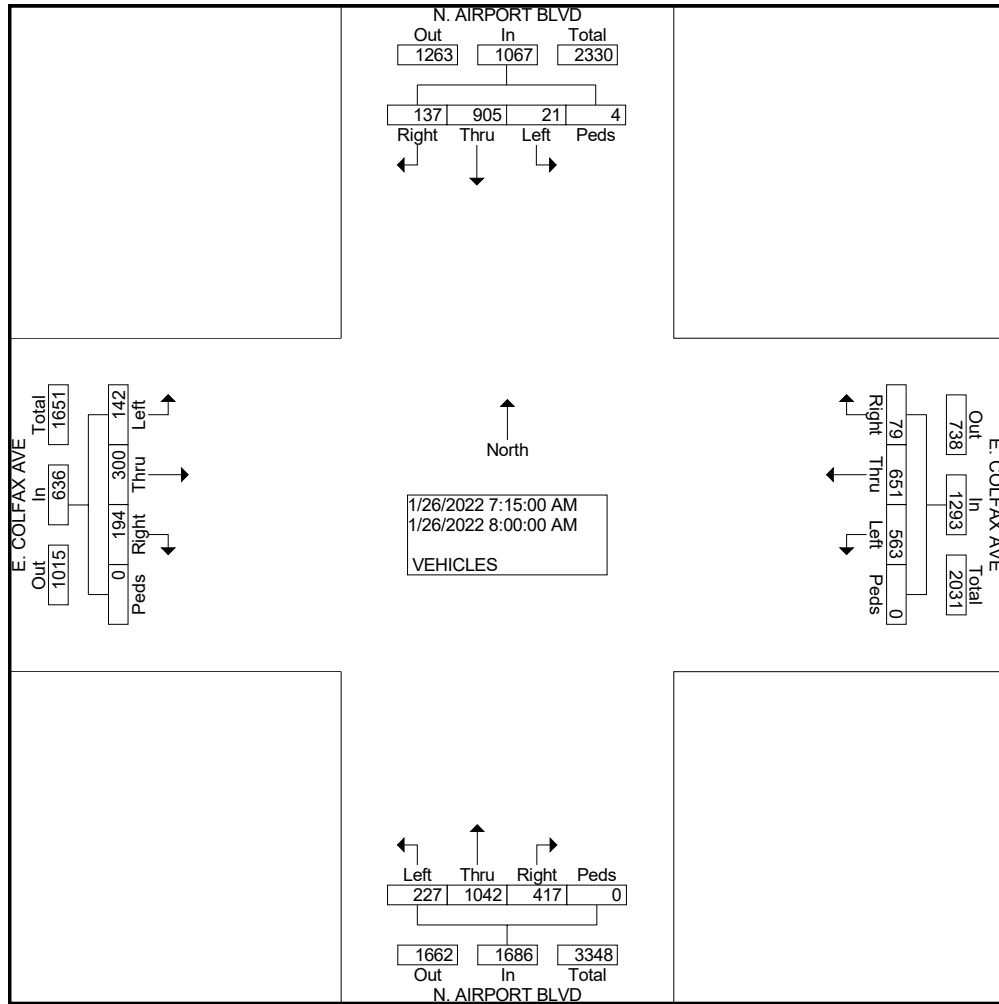
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. COLFAX AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : COLAIR226
Site Code : 00000020
Start Date : 1/26/2022
Page No : 2

| Start Time | N. AIRPORT BLVD Southbound | | | | | E. COLFAX AVE Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | E. COLFAX AVE Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 06:30 AM to 08:15 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersection | 07:15 AM | | | | | | | | | | | | | | | | | | | | |
| Volume | 21 | 905 | 137 | 4 | 1067 | 563 | 651 | 79 | 0 | 1293 | 227 | 1042 | 417 | 0 | 1686 | 142 | 300 | 194 | 0 | 636 | 4682 |
| Percent | 2.0 | 84.8 | 12.8 | 0.4 | | 43.5 | 50.3 | 6.1 | 0.0 | | 13.5 | 61.8 | 24.7 | 0.0 | | 22.3 | 47.2 | 30.5 | 0.0 | | |
| 07:15 Volume | 9 | 248 | 34 | 4 | 295 | 115 | 162 | 21 | 0 | 298 | 57 | 296 | 113 | 0 | 466 | 36 | 69 | 33 | 0 | 138 | 1197 |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 07:15 AM | | | | | 07:30 AM | | | | | 07:15 AM | | | | | 07:30 AM | | | | | |
| Peak Factor | 9 | 248 | 34 | 4 | 295 | 168 | 168 | 17 | 0 | 353 | 57 | 296 | 113 | 0 | 466 | 33 | 90 | 82 | 0 | 205 | 0.978 |
| Factor | 0.90 | | | | | 0.91 | | | | | 0.90 | | | | | 0.77 | | | | | |
| | 4 | | | | | 6 | | | | | 5 | | | | | 6 | | | | | |



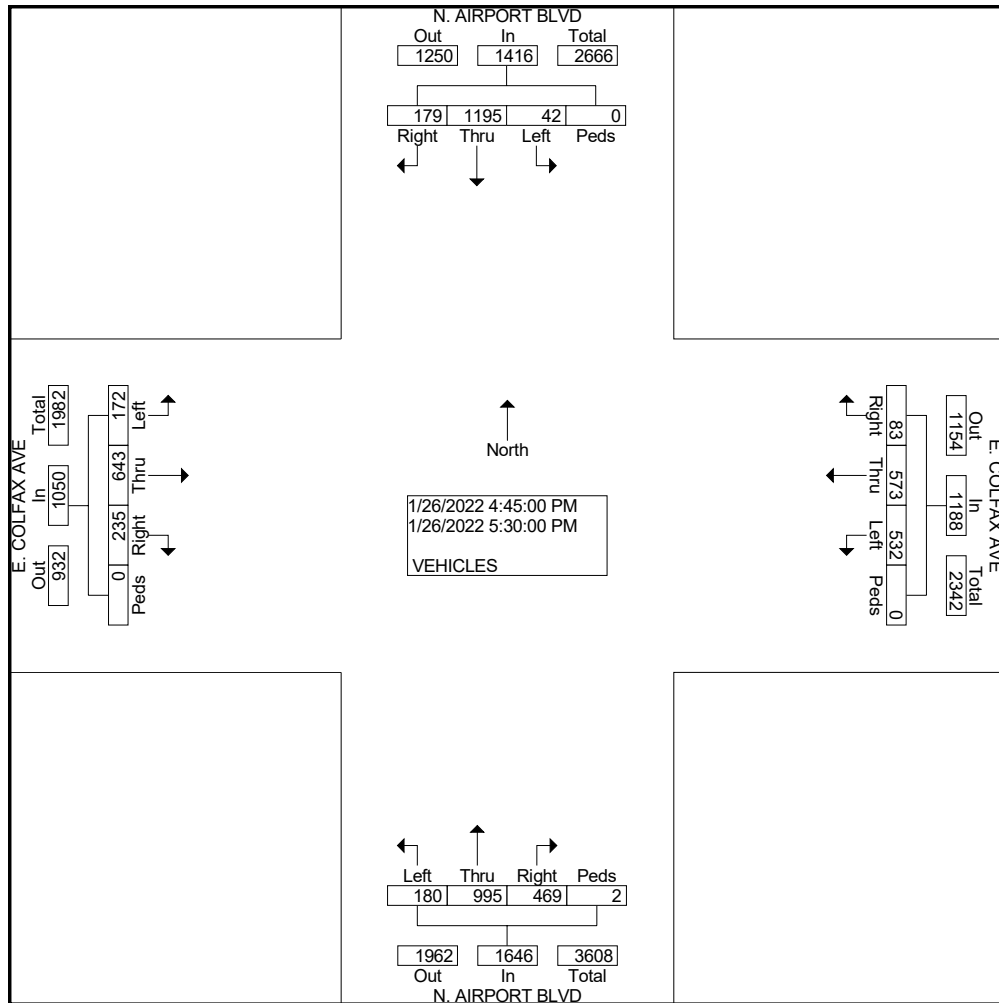
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. AIRPORT BLVD
E/W STREET: E. COLFAX AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : COLAIR226
Site Code : 0000020
Start Date : 1/26/2022
Page No : 3

| Start Time | N. AIRPORT BLVD Southbound | | | | | E. COLFAX AVE Westbound | | | | | N. AIRPORT BLVD Northbound | | | | | E. COLFAX AVE Eastbound | | | | | Int. Total |
|---|----------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|----------------------------|------|-------|------|------------|-------------------------|------|-------|------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersection | 04:45 PM | | | | | | | | | | | | | | | | | | | | |
| Volume | 42 | 1195 | 179 | 0 | 1416 | 532 | 573 | 83 | 0 | 1188 | 180 | 995 | 469 | 2 | 1646 | 172 | 643 | 235 | 0 | 1050 | 5300 |
| Percent | 3.0 | 84.4 | 12.6 | 0.0 | | 44.8 | 48.2 | 7.0 | 0.0 | | 10.9 | 60.4 | 28.5 | 0.1 | | 16.4 | 61.2 | 22.4 | 0.0 | | |
| 05:00 Volume | 5 | 363 | 49 | 0 | 417 | 134 | 133 | 18 | 0 | 285 | 59 | 252 | 105 | 1 | 417 | 41 | 154 | 56 | 0 | 251 | 1370 |
| Peak Factor | 0.967 | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 05:00 PM | | | | | 04:45 PM | | | | | 05:30 PM | | | | | 05:30 PM | | | | | |
| Peak Factor | 5 | 363 | 49 | 0 | 417 | 148 | 151 | 21 | 0 | 320 | 45 | 243 | 147 | 0 | 435 | 54 | 170 | 51 | 0 | 275 | 0.955 |
| | | | | | 0.849 | | | | | 0.928 | | | | | 0.946 | | | | | | 0.955 |



COUNTER MEASURES INC.

1889 YORK STREET
DENVER.COLORADO
303-333-7409

N/S STREET: N. NUCLA ST.
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NNUCE13TH
Site Code : 00000011
Start Date : 1/19/2022
Page No : 1

Groups Printed- VEHICLES

| Start Time | N. NUCLA ST. Southbound | | | | E. 13 TH AVE Westbound | | | | NO ACCESS Northbound | | | | E. 13TH AVE Eastbound | | | | Int. Total |
|-------------|----------------------------|------|-------|------|---------------------------|-------|-------|------|-------------------------|------|-------|------|--------------------------|-------|-------|------|---------------|
| | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | |
| Factor | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | |
| 06:30 AM | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 | 0 | 0 | 10 |
| 06:45 AM | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 8 |
| Total | 0 | 0 | 0 | 0 | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 0 | 0 | 18 |
| 07:00 AM | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 10 |
| 07:15 AM | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 19 |
| 07:30 AM | 0 | 0 | 1 | 0 | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 16 |
| 07:45 AM | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 10 |
| Total | 0 | 0 | 1 | 0 | 0 | 39 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 55 |
| 08:00 AM | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 17 |
| 08:15 AM | 0 | 0 | 0 | 0 | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 9 |
| Total | 0 | 0 | 0 | 0 | 0 | 21 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 26 |
| 04:00 PM | 0 | 0 | 0 | 0 | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 15 |
| 04:15 PM | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 0 | 0 | 12 |
| 04:30 PM | 0 | 0 | 0 | 0 | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 11 |
| 04:45 PM | 0 | 0 | 0 | 0 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 0 | 0 | 19 |
| Total | 0 | 0 | 0 | 0 | 0 | 31 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 26 | 0 | 0 | 57 |
| 05:00 PM | 0 | 0 | 0 | 0 | 0 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 14 |
| 05:15 PM | 0 | 0 | 0 | 0 | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 13 |
| 05:30 PM | 0 | 0 | 0 | 0 | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 15 |
| 05:45 PM | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 4 |
| Total | 0 | 0 | 0 | 0 | 0 | 25 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 21 | 0 | 0 | 46 |
| Grand Total | 0 | 0 | 1 | 0 | 0 | 124 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 77 | 0 | 0 | 202 |
| Apprch % | 0.0 | 0.0 | 100.0 | 0.0 | 0.0 | 100.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 100.0 | 0.0 | 0.0 | |
| Total % | 0.0 | 0.0 | 0.5 | 0.0 | 0.0 | 61.4 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 38.1 | 0.0 | 0.0 | |

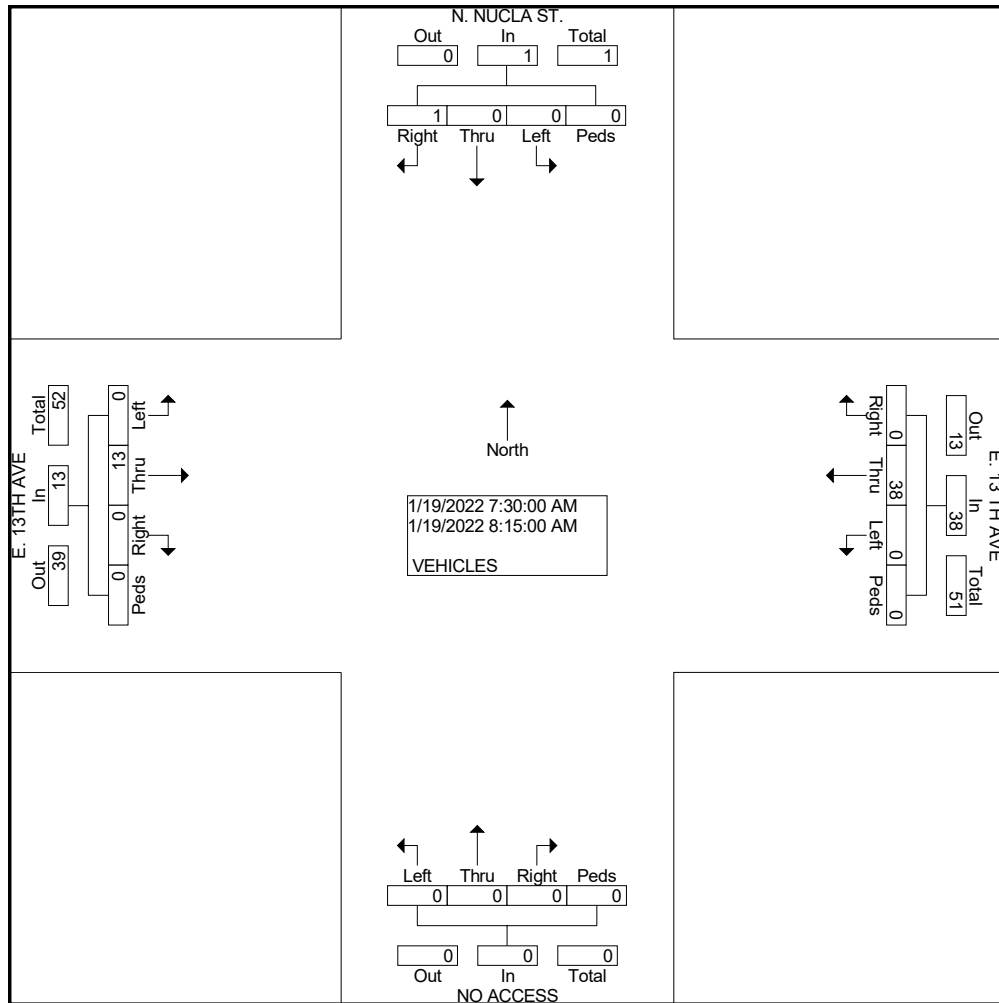
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. NUCLA ST.
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NNUCE13TH
Site Code : 0000011
Start Date : 1/19/2022
Page No : 2

| Start Time | N. NUCLA ST. Southbound | | | | | E. 13 TH AVE Westbound | | | | | NO ACCESS Northbound | | | | | E. 13TH AVE Eastbound | | | | | Int. Total |
|------------------|-------------------------|------|--------|-------|------------|------------------------|-------|--------|-------|------------|----------------------|------|--------|-------|------------|-----------------------|-------|--------|-------|------------|------------|
| | Left | Thru | Rig ht | Ped s | App. Total | Left | Thru | Rig ht | Ped s | App. Total | Left | Thru | Rig ht | Ped s | App. Total | Left | Thru | Rig ht | Ped s | App. Total | |
| Intersection | 07:30 AM | | | | | | | | | | | | | | | | | | | | |
| Volume | 0 | 0 | 1 | 0 | 1 | 0 | 38 | 0 | 0 | 38 | 0 | 0 | 0 | 0 | 0 | 0 | 13 | 0 | 0 | 13 | 52 |
| Percent | 0.0 | 0.0 | 100.0 | 0.0 | | 0.0 | 100.0 | 0.0 | 0.0 | | 0.0 | 0.0 | 0.0 | 0.0 | | 0.0 | 100.0 | 0.0 | 0.0 | | |
| 08:00 Volume | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 2 | 17 |
| Peak Factor | 0.765 | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 07:30 AM | | | | | 08:00 AM | | | | | 07:30 AM | | | | | | | | | | |
| Peak Factor | 0.25 | | | | | 0.63 | | | | | 0.65 | | | | | 0 | | | | | |



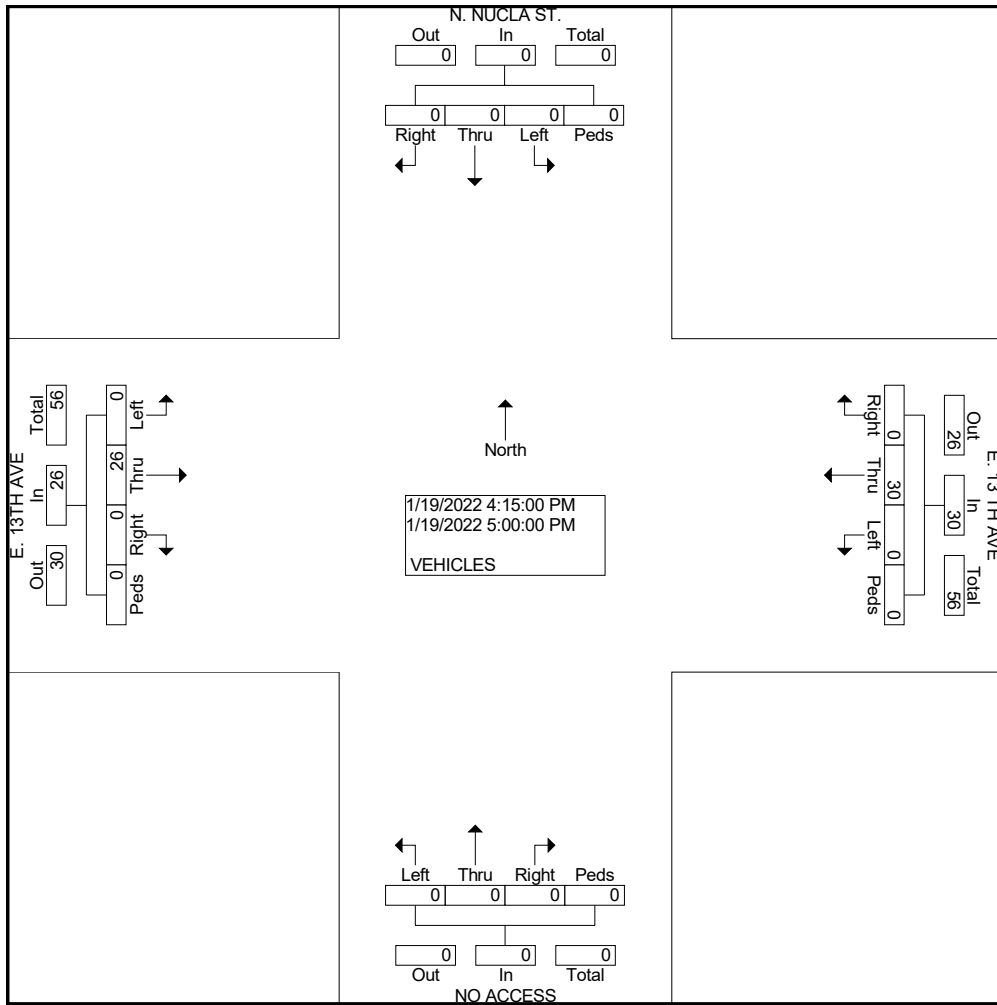
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: N. NUCLA ST.
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NNUCE13TH
Site Code : 0000011
Start Date : 1/19/2022
Page No : 3

| Start Time | N. NUCLA ST. Southbound | | | | | E. 13 TH AVE Westbound | | | | | NO ACCESS Northbound | | | | | E. 13TH AVE Eastbound | | | | | Int. Total | |
|---|-------------------------|------|-------|------|------------|------------------------|-------|-------|------|------------|----------------------|------|-------|------|------------|-----------------------|-------|-------|------|------------|------------|-------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | | |
| Peak Hour From 04:15 PM to 05:00 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | | |
| Intersection | 04:15 PM | | | | | | | | | | | | | | | | | | | | | |
| Volume | 0 | 0 | 0 | 0 | 0 | 0 | 30 | 0 | 0 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 26 | 0 | 0 | 26 | 56 | |
| Percent | 0.0 | 0.0 | 0.0 | 0.0 | | 0.0 | 100.0 | 0.0 | 0.0 | | 0.0 | 0.0 | 0.0 | 0.0 | | 0.0 | 100.0 | 0.0 | 0.0 | | | |
| 04:45 Volume | 0 | 0 | 0 | 0 | 0 | 0 | 11 | 0 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 0 | 0 | 8 | 19 | |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | | 0.737 |
| High Int. Volume | | | | | | 04:45 PM | | | | | 04:15 PM | | | | | | | | | | | |
| Peak Factor | | | | | | 0.68 | | | | | 0.81 | | | | | 0.81 | | | | | | |
| | | | | | | 2 | | | | | 3 | | | | | | | | | | | |



COUNTER MEASURES INC.

1889 YORK STREET
DENVER.COLORADO
303-333-7409

N/S STREET: NORFOLK ST.
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NORFE13TH
Site Code : 00000005
Start Date : 1/19/2022
Page No : 1

Groups Printed- VEHICLES

| Start Time | NORFOLK ST. Southbound | | | | E. 13TH AVE Westbound | | | | NORFOLK ST. Northbound | | | | NO ACCESS Eastbound | | | | Int. Total |
|-------------|---------------------------|------|-------|------|--------------------------|------|-------|------|---------------------------|------|-------|------|------------------------|------|-------|-------|---------------|
| | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | Left | Thru | Right | Peds | |
| Factor | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | |
| 06:30 AM | 1 | 3 | 0 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 10 |
| 06:45 AM | 1 | 6 | 0 | 0 | 4 | 1 | 1 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 16 |
| Total | 2 | 9 | 0 | 0 | 6 | 1 | 3 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 26 |
| 07:00 AM | 0 | 3 | 0 | 0 | 8 | 0 | 0 | 0 | 0 | 3 | 2 | 0 | 0 | 0 | 0 | 2 | 18 |
| 07:15 AM | 2 | 7 | 0 | 0 | 14 | 0 | 2 | 0 | 0 | 5 | 5 | 0 | 0 | 0 | 0 | 0 | 35 |
| 07:30 AM | 3 | 6 | 0 | 0 | 8 | 0 | 4 | 1 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 1 | 26 |
| 07:45 AM | 1 | 8 | 0 | 0 | 7 | 0 | 0 | 0 | 0 | 5 | 3 | 0 | 0 | 0 | 0 | 0 | 24 |
| Total | 6 | 24 | 0 | 0 | 37 | 0 | 6 | 1 | 0 | 14 | 12 | 0 | 0 | 0 | 0 | 3 | 103 |
| 08:00 AM | 1 | 6 | 0 | 0 | 11 | 1 | 7 | 0 | 0 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 31 |
| 08:15 AM | 2 | 4 | 0 | 0 | 3 | 0 | 4 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 15 |
| Total | 3 | 10 | 0 | 0 | 14 | 1 | 11 | 0 | 0 | 4 | 3 | 0 | 0 | 0 | 0 | 0 | 46 |
| 04:00 PM | 1 | 2 | 0 | 0 | 5 | 0 | 4 | 0 | 0 | 6 | 4 | 0 | 0 | 0 | 0 | 1 | 23 |
| 04:15 PM | 1 | 2 | 0 | 0 | 6 | 0 | 0 | 0 | 0 | 7 | 8 | 0 | 0 | 0 | 0 | 0 | 24 |
| 04:30 PM | 3 | 4 | 0 | 0 | 3 | 0 | 3 | 0 | 0 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 19 |
| 04:45 PM | 2 | 3 | 0 | 0 | 6 | 0 | 3 | 0 | 0 | 2 | 5 | 0 | 0 | 0 | 0 | 0 | 21 |
| Total | 7 | 11 | 0 | 0 | 20 | 0 | 10 | 0 | 0 | 19 | 19 | 0 | 0 | 0 | 0 | 1 | 87 |
| 05:00 PM | 4 | 3 | 0 | 0 | 7 | 0 | 3 | 0 | 0 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 23 |
| 05:15 PM | 3 | 6 | 0 | 0 | 3 | 0 | 2 | 0 | 0 | 8 | 5 | 0 | 0 | 0 | 0 | 0 | 27 |
| 05:30 PM | 3 | 6 | 0 | 0 | 3 | 0 | 3 | 0 | 0 | 5 | 5 | 0 | 0 | 0 | 0 | 0 | 25 |
| 05:45 PM | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 9 |
| Total | 10 | 15 | 0 | 0 | 16 | 0 | 8 | 0 | 0 | 21 | 14 | 0 | 0 | 0 | 0 | 0 | 84 |
| Grand Total | 28 | 69 | 0 | 0 | 93 | 2 | 38 | 1 | 0 | 59 | 52 | 0 | 0 | 0 | 0 | 4 | 346 |
| Apprch % | 28.9 | 71.1 | 0.0 | 0.0 | 69.4 | 1.5 | 28.4 | 0.7 | 0.0 | 53.2 | 46.8 | 0.0 | 0.0 | 0.0 | 0.0 | 100.0 | |
| Total % | 8.1 | 19.9 | 0.0 | 0.0 | 26.9 | 0.6 | 11.0 | 0.3 | 0.0 | 17.1 | 15.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1.2 | |

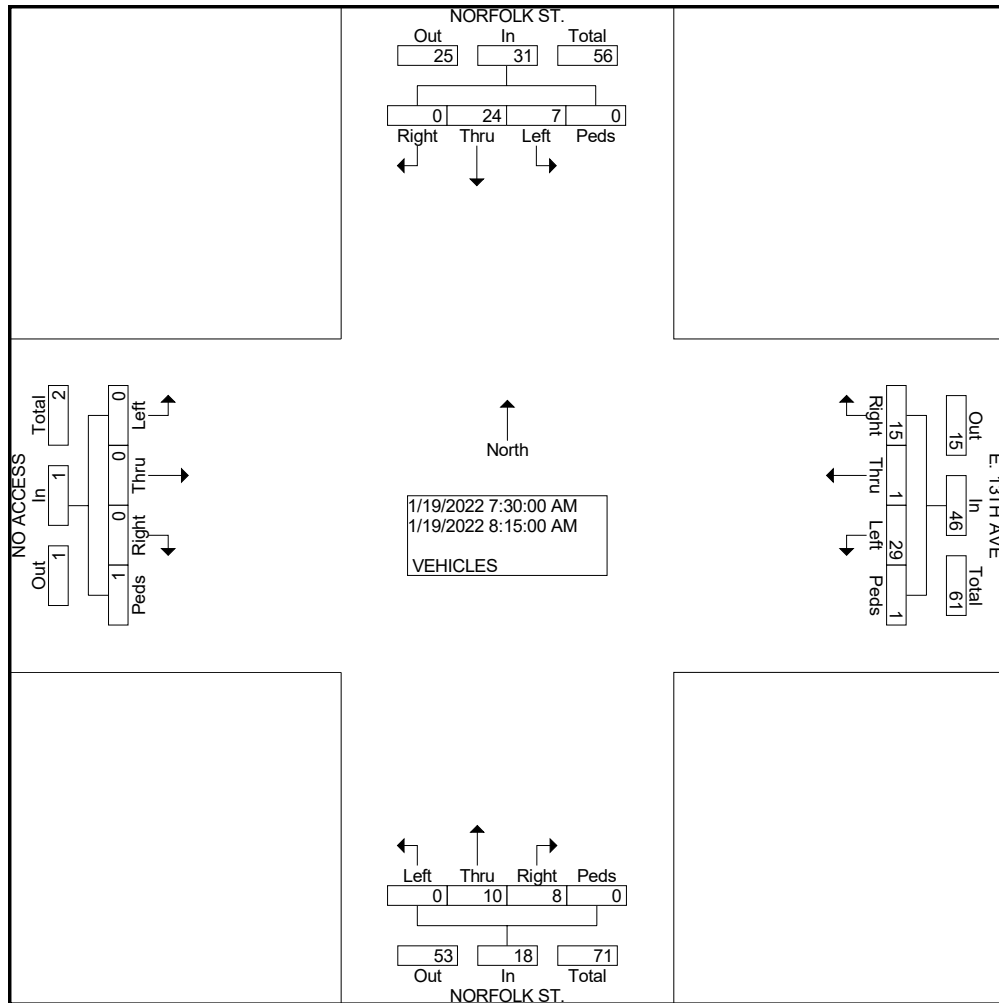
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: NORFOLK ST.
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NORFE13TH
Site Code : 00000005
Start Date : 1/19/2022
Page No : 2

| Start Time | NORFOLK ST. Southbound | | | | | E. 13TH AVE Westbound | | | | | NORFOLK ST. Northbound | | | | | NO ACCESS Eastbound | | | | | Int. Total |
|---|------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|------------------------|------|-------|------|------------|---------------------|------|-------|-------|------------|------------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | |
| Peak Hour From 07:30 AM to 08:15 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Intersection 07:30 AM | | | | | | | | | | | | | | | | | | | | | |
| Volume | 7 | 24 | 0 | 0 | 31 | 29 | 1 | 15 | 1 | 46 | 0 | 10 | 8 | 0 | 18 | 0 | 0 | 0 | 1 | 1 | 96 |
| Percent | 22.6 | 77.4 | 0.0 | 0.0 | | 63.0 | 2.2 | 32.6 | 2.2 | | 0.0 | 55.6 | 44.4 | 0.0 | | 0.0 | 0.0 | 0.0 | 100.0 | | |
| 08:00 Volume | 1 | 6 | 0 | 0 | 7 | 11 | 1 | 7 | 0 | 19 | 0 | 3 | 2 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 31 |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | |
| High Int. Volume | 07:30 AM | | | | | 08:00 AM | | | | | 07:45 AM | | | | | 07:30 AM | | | | | |
| Peak Factor | 0.86 | | | | | 0.60 | | | | | 0.56 | | | | | 0.25 | | | | | 0 |



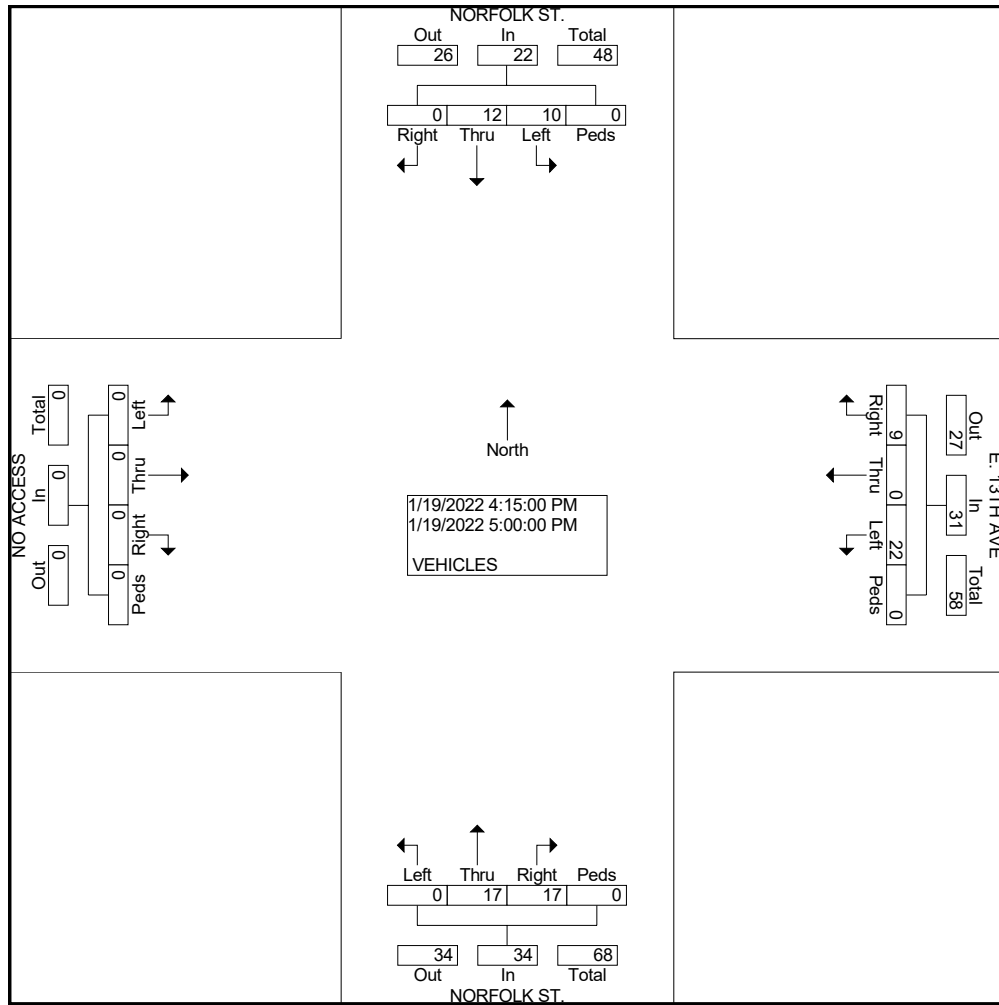
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: NORFOLK ST.
E/W STREET: E. 13TH AVE
CITY: AURORA
COUNTY: ARAPAHOE

File Name : NORFE13TH
Site Code : 00000005
Start Date : 1/19/2022
Page No : 3

| Start Time | NORFOLK ST. Southbound | | | | | E. 13TH AVE Westbound | | | | | NORFOLK ST. Northbound | | | | | NO ACCESS Eastbound | | | | | Int. Total | |
|---|------------------------|------|-------|------|------------|-----------------------|------|-------|------|------------|------------------------|------|-------|------|------------|---------------------|------|-------|------|------------|------------|-------|
| | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | Left | Thru | Right | Peds | App. Total | | |
| Peak Hour From 04:15 PM to 05:00 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | | |
| Intersect on | 04:15 PM | | | | | | | | | | | | | | | | | | | | | |
| Volume | 10 | 12 | 0 | 0 | 22 | 22 | 0 | 9 | 0 | 31 | 0 | 17 | 17 | 0 | 34 | 0 | 0 | 0 | 0 | 0 | 87 | |
| Percent | 45.5 | 54.5 | 0.0 | 0.0 | | 71.0 | 0.0 | 29.0 | 0.0 | | 0.0 | 50.0 | 50.0 | 0.0 | | 0.0 | 0.0 | 0.0 | 0.0 | | | |
| 04:15 Volume | 1 | 2 | 0 | 0 | 3 | 6 | 0 | 0 | 0 | 6 | 0 | 7 | 8 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 24 | |
| Peak Factor | | | | | | | | | | | | | | | | | | | | | | 0.906 |
| High Int. | 04:30 PM | | | | | | | | | | | | | | | | | | | | | |
| Volume | 3 | 4 | 0 | 0 | 7 | 05:00 PM | | | | | 04:15 PM | | | | | | | | | | | |
| Peak Factor | 0.78 | | | | | | | | | | 0.77 | | | | | 0.56 | | | | | | |
| | 6 | | | | | | | | | | 5 | | | | | 7 | | | | | | |



COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: COLFAX AVE E-O NORFOLK ST
 City: AURORA
 County: ARAPAHOE
 Direction: EAST WEST

Site Code: 221005
 Station ID: 221005

| Start Time | 11-Jan-22 Tue | EAST | WEST | | | | | | | Total |
|------------|------------------|-------------|------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 88 | 93 | | | | | | | 181 |
| 01:00 | | 47 | 52 | | | | | | | 99 |
| 02:00 | | 71 | 52 | | | | | | | 123 |
| 03:00 | | 88 | 100 | | | | | | | 188 |
| 04:00 | | 147 | 158 | | | | | | | 305 |
| 05:00 | | 277 | 330 | | | | | | | 607 |
| 06:00 | | 475 | 572 | | | | | | | 1047 |
| 07:00 | | 636 | 952 | | | | | | | 1588 |
| 08:00 | | 535 | 795 | | | | | | | 1330 |
| 09:00 | | 434 | 593 | | | | | | | 1027 |
| 10:00 | | 495 | 558 | | | | | | | 1053 |
| 11:00 | | 570 | 600 | | | | | | | 1170 |
| 12:00 PM | | 612 | 604 | | | | | | | 1216 |
| 01:00 | | 674 | 674 | | | | | | | 1348 |
| 02:00 | | 765 | 787 | | | | | | | 1552 |
| 03:00 | | 902 | 954 | | | | | | | 1856 |
| 04:00 | | 1032 | 930 | | | | | | | 1962 |
| 05:00 | | 952 | 864 | | | | | | | 1816 |
| 06:00 | | 690 | 610 | | | | | | | 1300 |
| 07:00 | | 469 | 481 | | | | | | | 950 |
| 08:00 | | 366 | 269 | | | | | | | 635 |
| 09:00 | | 296 | 249 | | | | | | | 545 |
| 10:00 | | 366 | 164 | | | | | | | 530 |
| 11:00 | | 268 | 136 | | | | | | | 404 |
| Total | | 11255 | 11577 | | | | | | | 22832 |
| Percent | | 49.3% | 50.7% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 636 | 952 | - | - | - | - | - | - | 1588 |
| PM Peak | - | 16:00 | 15:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1032 | 954 | - | - | - | - | - | - | 1962 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: COLFAX AVE E-O NORFOLK ST
 City: AURORA
 County: ARAPAHOE
 Direction: EAST WEST

Site Code: 221005
 Station ID: 221005

| Start Time | 12-Jan-22 Wed | EAST | WEST | | | | | | | Total |
|------------|------------------|-------------|------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 117 | 86 | | | | | | | 203 |
| 01:00 | | 104 | 52 | | | | | | | 156 |
| 02:00 | | 56 | 66 | | | | | | | 122 |
| 03:00 | | 86 | 86 | | | | | | | 172 |
| 04:00 | | 224 | 132 | | | | | | | 356 |
| 05:00 | | 250 | 328 | | | | | | | 578 |
| 06:00 | | 488 | 570 | | | | | | | 1058 |
| 07:00 | | 654 | 948 | | | | | | | 1602 |
| 08:00 | | 534 | 795 | | | | | | | 1329 |
| 09:00 | | 504 | 627 | | | | | | | 1131 |
| 10:00 | | 500 | 568 | | | | | | | 1068 |
| 11:00 | | 533 | 622 | | | | | | | 1155 |
| 12:00 PM | | 472 | 654 | | | | | | | 1126 |
| 01:00 | | 645 | 692 | | | | | | | 1337 |
| 02:00 | | 672 | 815 | | | | | | | 1487 |
| 03:00 | | 897 | 970 | | | | | | | 1867 |
| 04:00 | | 1016 | 852 | | | | | | | 1868 |
| 05:00 | | 987 | 880 | | | | | | | 1867 |
| 06:00 | | 694 | 634 | | | | | | | 1328 |
| 07:00 | | 588 | 417 | | | | | | | 1005 |
| 08:00 | | 636 | 306 | | | | | | | 942 |
| 09:00 | | 350 | 254 | | | | | | | 604 |
| 10:00 | | 272 | 193 | | | | | | | 465 |
| 11:00 | | 191 | 129 | | | | | | | 320 |
| Total | | 11470 | 11676 | | | | | | | 23146 |
| Percent | | 49.6% | 50.4% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 654 | 948 | - | - | - | - | - | - | 1602 |
| PM Peak | - | 16:00 | 15:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1016 | 970 | - | - | - | - | - | - | 1868 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: COLFAX AVE E-O NORFOLK ST
 City: AURORA
 County: ARAPAHOE
 Direction: EAST WEST

Site Code: 221005
 Station ID: 221005

| Start Time | 13-Jan-22 Thu | EAST | WEST | | | | | | | Total |
|-------------|------------------|------------|-------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 177 | 101 | | | | | | | 278 |
| 01:00 | | 122 | 62 | | | | | | | 184 |
| 02:00 | | 93 | 66 | | | | | | | 159 |
| 03:00 | | 90 | 82 | | | | | | | 172 |
| 04:00 | | 245 | 137 | | | | | | | 382 |
| 05:00 | | 108 | 327 | | | | | | | 435 |
| 06:00 | | 486 | 604 | | | | | | | 1090 |
| 07:00 | | 686 | 728 | | | | | | | 1414 |
| 08:00 | | 563 | 802 | | | | | | | 1365 |
| 09:00 | | 458 | 641 | | | | | | | 1099 |
| 10:00 | | 442 | 579 | | | | | | | 1021 |
| 11:00 | | 537 | 145 | | | | | | | 682 |
| 12:00 PM | | 610 | 642 | | | | | | | 1252 |
| 01:00 | | 625 | 666 | | | | | | | 1291 |
| 02:00 | | 808 | 814 | | | | | | | 1622 |
| 03:00 | | 4 | 7 | | | | | | | 11 |
| 04:00 | | * | * | | | | | | | * |
| 05:00 | | * | * | | | | | | | * |
| 06:00 | | * | * | | | | | | | * |
| 07:00 | | * | * | | | | | | | * |
| 08:00 | | * | * | | | | | | | * |
| 09:00 | | * | * | | | | | | | * |
| 10:00 | | * | * | | | | | | | * |
| 11:00 | | * | * | | | | | | | * |
| Total | | 6054 | 6403 | | | | | | | 12457 |
| Percent | | 48.6% | 51.4% | | | | | | | |
| AM Peak | - | 07:00 | 08:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 686 | 802 | - | - | - | - | - | - | 1414 |
| PM Peak | - | 14:00 | 14:00 | - | - | - | - | - | - | 14:00 |
| Vol. | - | 808 | 814 | - | - | - | - | - | - | 1622 |
| Grand Total | | 28779 | 29656 | | | | | | | 58435 |
| Percent | | 49.2% | 50.8% | | | | | | | |
| ADT | | ADT 14,521 | AADT 14,521 | | | | | | | |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: N. AIRPORT BLVD N-O 13TH ST
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221016
 Station ID: 221016

| Start Time | 11-Jan-22 Tue | NORTH | SOUTH | | | | | | | Total |
|------------|------------------|-------------|-------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 122 | 167 | | | | | | | 289 |
| 01:00 | | 95 | 103 | | | | | | | 198 |
| 02:00 | | 154 | 56 | | | | | | | 210 |
| 03:00 | | 258 | 54 | | | | | | | 312 |
| 04:00 | | 486 | 118 | | | | | | | 604 |
| 05:00 | | 1024 | 360 | | | | | | | 1384 |
| 06:00 | | 1361 | 646 | | | | | | | 2007 |
| 07:00 | | 1570 | 1114 | | | | | | | 2684 |
| 08:00 | | 1319 | 792 | | | | | | | 2111 |
| 09:00 | | 845 | 604 | | | | | | | 1449 |
| 10:00 | | 844 | 501 | | | | | | | 1345 |
| 11:00 | | 862 | 512 | | | | | | | 1374 |
| 12:00 PM | | 994 | 548 | | | | | | | 1542 |
| 01:00 | | 1032 | 524 | | | | | | | 1556 |
| 02:00 | | 1248 | 713 | | | | | | | 1961 |
| 03:00 | | 1542 | 894 | | | | | | | 2436 |
| 04:00 | | 1582 | 1103 | | | | | | | 2685 |
| 05:00 | | 1428 | 1192 | | | | | | | 2620 |
| 06:00 | | 1028 | 716 | | | | | | | 1744 |
| 07:00 | | 658 | 448 | | | | | | | 1106 |
| 08:00 | | 470 | 323 | | | | | | | 793 |
| 09:00 | | 391 | 352 | | | | | | | 743 |
| 10:00 | | 323 | 232 | | | | | | | 555 |
| 11:00 | | 204 | 208 | | | | | | | 412 |
| Total | | 19840 | 12280 | | | | | | | 32120 |
| Percent | | 61.8% | 38.2% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 1570 | 1114 | - | - | - | - | - | - | 2684 |
| PM Peak | - | 16:00 | 17:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1582 | 1192 | - | - | - | - | - | - | 2685 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: N. AIRPORT BLVD N-O 13TH ST
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221016
 Station ID: 221016

| Start Time | 12-Jan-22 Wed | NORTH | SOUTH | | | | | | | Total | |
|------------|------------------|-------------|-------------|---|---|---|---|---|---|-------------|-------|
| 12:00 AM | | 112 | 118 | | | | | | | 230 | |
| 01:00 | | 90 | 68 | | | | | | | 158 | |
| 02:00 | | 144 | 57 | | | | | | | 201 | |
| 03:00 | | 274 | 58 | | | | | | | 332 | |
| 04:00 | | 482 | 104 | | | | | | | 586 | |
| 05:00 | | 1004 | 370 | | | | | | | 1374 | |
| 06:00 | | 1346 | 654 | | | | | | | 2000 | |
| 07:00 | | 1610 | 1126 | | | | | | | 2736 | |
| 08:00 | | 1215 | 905 | | | | | | | 2120 | |
| 09:00 | | 816 | 618 | | | | | | | 1434 | |
| 10:00 | | 846 | 482 | | | | | | | 1328 | |
| 11:00 | | 861 | 518 | | | | | | | 1379 | |
| 12:00 PM | | 980 | 550 | | | | | | | 1530 | |
| 01:00 | | 1041 | 574 | | | | | | | 1615 | |
| 02:00 | | 1231 | 759 | | | | | | | 1990 | |
| 03:00 | | 1562 | 969 | | | | | | | 2531 | |
| 04:00 | | 1612 | 1120 | | | | | | | 2732 | |
| 05:00 | | 1438 | 1156 | | | | | | | 2594 | |
| 06:00 | | 1060 | 753 | | | | | | | 1813 | |
| 07:00 | | 707 | 532 | | | | | | | 1239 | |
| 08:00 | | 496 | 332 | | | | | | | 828 | |
| 09:00 | | 402 | 298 | | | | | | | 700 | |
| 10:00 | | 290 | 293 | | | | | | | 583 | |
| 11:00 | | 204 | 234 | | | | | | | 438 | |
| Total | | 19823 | 12648 | | | | | | | 32471 | |
| Percent | | 61.0% | 39.0% | | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | - | 07:00 |
| Vol. | - | 1610 | 1126 | - | - | - | - | - | - | - | 2736 |
| PM Peak | - | 16:00 | 17:00 | - | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1612 | 1156 | - | - | - | - | - | - | - | 2732 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: N. AIRPORT BLVD N-O 13TH ST
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221016
 Station ID: 221016

| Start Time | 13-Jan-22 Thu | NORTH | SOUTH | | | | | | | Total |
|-------------|---------------|-------------|-------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 110 | 137 | | | | | | | 247 |
| 01:00 | | 108 | 92 | | | | | | | 200 |
| 02:00 | | 166 | 62 | | | | | | | 228 |
| 03:00 | | 274 | 54 | | | | | | | 328 |
| 04:00 | | 486 | 132 | | | | | | | 618 |
| 05:00 | | 1038 | 312 | | | | | | | 1350 |
| 06:00 | | 1382 | 666 | | | | | | | 2048 |
| 07:00 | | 1604 | 1177 | | | | | | | 2781 |
| 08:00 | | 1186 | 878 | | | | | | | 2064 |
| 09:00 | | 858 | 520 | | | | | | | 1378 |
| 10:00 | | 918 | 408 | | | | | | | 1326 |
| 11:00 | | 858 | 424 | | | | | | | 1282 |
| 12:00 PM | | 991 | 384 | | | | | | | 1375 |
| 01:00 | | 1047 | 492 | | | | | | | 1539 |
| 02:00 | | 1280 | 710 | | | | | | | 1990 |
| 03:00 | | 1602 | 909 | | | | | | | 2511 |
| 04:00 | | 1641 | 987 | | | | | | | 2628 |
| 05:00 | | 1525 | 944 | | | | | | | 2469 |
| 06:00 | | 1041 | 648 | | | | | | | 1689 |
| 07:00 | | 688 | 409 | | | | | | | 1097 |
| 08:00 | | 555 | 300 | | | | | | | 855 |
| 09:00 | | 460 | 296 | | | | | | | 756 |
| 10:00 | | 326 | 254 | | | | | | | 580 |
| 11:00 | | 214 | 228 | | | | | | | 442 |
| Total | | 20358 | 11423 | | | | | | | 31781 |
| Percent | | 64.1% | 35.9% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 1604 | 1177 | - | - | - | - | - | - | 2781 |
| PM Peak | - | 16:00 | 16:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1641 | 987 | - | - | - | - | - | - | 2628 |
| Grand Total | | 60021 | 36351 | | | | | | | 96372 |
| Percent | | 62.3% | 37.7% | | | | | | | |
| ADT | | ADT 32,124 | AADT 32,124 | | | | | | | |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: N. AIRPORT BLVD S-O COLFAX AVE
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221014
 Station ID: 221014

| Start Time | 11-Jan-22 Tue | NORTH | SOUTH | | | | | | | Total |
|------------|------------------|-------------|-------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 126 | 224 | | | | | | | 350 |
| 01:00 | | 92 | 138 | | | | | | | 230 |
| 02:00 | | 156 | 84 | | | | | | | 240 |
| 03:00 | | 262 | 94 | | | | | | | 356 |
| 04:00 | | 489 | 150 | | | | | | | 639 |
| 05:00 | | 1026 | 468 | | | | | | | 1494 |
| 06:00 | | 1354 | 870 | | | | | | | 2224 |
| 07:00 | | 1548 | 1535 | | | | | | | 3083 |
| 08:00 | | 1316 | 1080 | | | | | | | 2396 |
| 09:00 | | 850 | 821 | | | | | | | 1671 |
| 10:00 | | 858 | 821 | | | | | | | 1679 |
| 11:00 | | 858 | 846 | | | | | | | 1704 |
| 12:00 PM | | 985 | 984 | | | | | | | 1969 |
| 01:00 | | 1017 | 999 | | | | | | | 2016 |
| 02:00 | | 1222 | 1374 | | | | | | | 2596 |
| 03:00 | | 1451 | 1742 | | | | | | | 3193 |
| 04:00 | | 1452 | 1930 | | | | | | | 3382 |
| 05:00 | | 1329 | 1860 | | | | | | | 3189 |
| 06:00 | | 1024 | 1068 | | | | | | | 2092 |
| 07:00 | | 644 | 660 | | | | | | | 1304 |
| 08:00 | | 470 | 468 | | | | | | | 938 |
| 09:00 | | 395 | 472 | | | | | | | 867 |
| 10:00 | | 325 | 356 | | | | | | | 681 |
| 11:00 | | 204 | 320 | | | | | | | 524 |
| Total | | 19453 | 19364 | | | | | | | 38817 |
| Percent | | 50.1% | 49.9% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 1548 | 1535 | - | - | - | - | - | - | 3083 |
| PM Peak | - | 16:00 | 16:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1452 | 1930 | - | - | - | - | - | - | 3382 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: N. AIRPORT BLVD S-O COLFAX AVE
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221014
 Station ID: 221014

| Start Time | 12-Jan-22 Wed | NORTH | SOUTH | | | | | | | Total |
|------------|------------------|-------------|-------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 112 | 197 | | | | | | | 309 |
| 01:00 | | 90 | 114 | | | | | | | 204 |
| 02:00 | | 146 | 84 | | | | | | | 230 |
| 03:00 | | 281 | 95 | | | | | | | 376 |
| 04:00 | | 480 | 142 | | | | | | | 622 |
| 05:00 | | 1012 | 460 | | | | | | | 1472 |
| 06:00 | | 1345 | 833 | | | | | | | 2178 |
| 07:00 | | 1581 | 1541 | | | | | | | 3122 |
| 08:00 | | 1210 | 1154 | | | | | | | 2364 |
| 09:00 | | 816 | 820 | | | | | | | 1636 |
| 10:00 | | 862 | 808 | | | | | | | 1670 |
| 11:00 | | 874 | 872 | | | | | | | 1746 |
| 12:00 PM | | 970 | 920 | | | | | | | 1890 |
| 01:00 | | 1026 | 1000 | | | | | | | 2026 |
| 02:00 | | 1202 | 1398 | | | | | | | 2600 |
| 03:00 | | 1483 | 1731 | | | | | | | 3214 |
| 04:00 | | 1504 | 1924 | | | | | | | 3428 |
| 05:00 | | 1384 | 1803 | | | | | | | 3187 |
| 06:00 | | 1034 | 1086 | | | | | | | 2120 |
| 07:00 | | 710 | 700 | | | | | | | 1410 |
| 08:00 | | 505 | 474 | | | | | | | 979 |
| 09:00 | | 407 | 456 | | | | | | | 863 |
| 10:00 | | 291 | 438 | | | | | | | 729 |
| 11:00 | | 202 | 354 | | | | | | | 556 |
| Total | | 19527 | 19404 | | | | | | | 38931 |
| Percent | | 50.2% | 49.8% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 1581 | 1541 | - | - | - | - | - | - | 3122 |
| PM Peak | - | 16:00 | 16:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1504 | 1924 | - | - | - | - | - | - | 3428 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: N. AIRPORT BLVD S-O COLFAX AVE
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221014
 Station ID: 221014

| Start Time | 13-Jan-22 Thu | NORTH | SOUTH | | | | | | | Total |
|-------------|------------------|-------------|-------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 112 | 216 | | | | | | | 328 |
| 01:00 | | 106 | 128 | | | | | | | 234 |
| 02:00 | | 171 | 90 | | | | | | | 261 |
| 03:00 | | 272 | 108 | | | | | | | 380 |
| 04:00 | | 499 | 170 | | | | | | | 669 |
| 05:00 | | 1038 | 436 | | | | | | | 1474 |
| 06:00 | | 1346 | 870 | | | | | | | 2216 |
| 07:00 | | 1570 | 1572 | | | | | | | 3142 |
| 08:00 | | 1191 | 1172 | | | | | | | 2363 |
| 09:00 | | 870 | 838 | | | | | | | 1708 |
| 10:00 | | 923 | 830 | | | | | | | 1753 |
| 11:00 | | 876 | 867 | | | | | | | 1743 |
| 12:00 PM | | 976 | 862 | | | | | | | 1838 |
| 01:00 | | 1053 | 1049 | | | | | | | 2102 |
| 02:00 | | 1266 | 1474 | | | | | | | 2740 |
| 03:00 | | 1528 | 1861 | | | | | | | 3389 |
| 04:00 | | 1501 | 1922 | | | | | | | 3423 |
| 05:00 | | 1439 | 1810 | | | | | | | 3249 |
| 06:00 | | 1032 | 1166 | | | | | | | 2198 |
| 07:00 | | 679 | 676 | | | | | | | 1355 |
| 08:00 | | 565 | 491 | | | | | | | 1056 |
| 09:00 | | 462 | 482 | | | | | | | 944 |
| 10:00 | | 328 | 399 | | | | | | | 727 |
| 11:00 | | 216 | 357 | | | | | | | 573 |
| Total | | 20019 | 19846 | | | | | | | 39865 |
| Percent | | 50.2% | 49.8% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 1570 | 1572 | - | - | - | - | - | - | 3142 |
| PM Peak | - | 15:00 | 16:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1528 | 1922 | - | - | - | - | - | - | 3423 |
| Grand Total | | 58999 | 58614 | | | | | | | 117613 |
| Percent | | 50.2% | 49.8% | | | | | | | |
| ADT | | ADT 39,204 | AADT 39,204 | | | | | | | |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: E. 14TH AVE E-O N. AIRPORT BLVD
 City: AURORA
 County: ARAPAHOE
 Direction: EAST/WEST

Site Code: 221007
 Station ID: 221007

| Start Time | 11-Jan-22 Tue | EAST | WEST | | | | | | | Total |
|------------|------------------|-------|-------|---|---|---|---|---|---|-------|
| 12:00 AM | | 0 | 0 | | | | | | | 0 |
| 01:00 | | 0 | 0 | | | | | | | 0 |
| 02:00 | | 0 | 0 | | | | | | | 0 |
| 03:00 | | 0 | 1 | | | | | | | 1 |
| 04:00 | | 0 | 0 | | | | | | | 0 |
| 05:00 | | 0 | 0 | | | | | | | 0 |
| 06:00 | | 2 | 1 | | | | | | | 3 |
| 07:00 | | 2 | 6 | | | | | | | 8 |
| 08:00 | | 7 | 7 | | | | | | | 14 |
| 09:00 | | 2 | 1 | | | | | | | 3 |
| 10:00 | | 5 | 1 | | | | | | | 6 |
| 11:00 | | 1 | 3 | | | | | | | 4 |
| 12:00 PM | | 5 | 1 | | | | | | | 6 |
| 01:00 | | 1 | 1 | | | | | | | 2 |
| 02:00 | | 2 | 2 | | | | | | | 4 |
| 03:00 | | 2 | 1 | | | | | | | 3 |
| 04:00 | | 4 | 1 | | | | | | | 5 |
| 05:00 | | 6 | 3 | | | | | | | 9 |
| 06:00 | | 5 | 2 | | | | | | | 7 |
| 07:00 | | 2 | 0 | | | | | | | 2 |
| 08:00 | | 2 | 2 | | | | | | | 4 |
| 09:00 | | 0 | 0 | | | | | | | 0 |
| 10:00 | | 0 | 1 | | | | | | | 1 |
| 11:00 | | 0 | 0 | | | | | | | 0 |
| Total | | 48 | 34 | | | | | | | 82 |
| Percent | | 58.5% | 41.5% | | | | | | | |
| AM Peak | - | 08:00 | 08:00 | - | - | - | - | - | - | 08:00 |
| Vol. | - | 7 | 7 | - | - | - | - | - | - | 14 |
| PM Peak | - | 17:00 | 17:00 | - | - | - | - | - | - | 17:00 |
| Vol. | - | 6 | 3 | - | - | - | - | - | - | 9 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: E. 14TH AVE E-O N. AIRPORT BLVD
 City: AURORA
 County: ARAPAHOE
 Direction: EAST/WEST

Site Code: 221007
 Station ID: 221007

| Start Time | 12-Jan-22 Wed | EAST | WEST | | | | | | | Total |
|------------|------------------|-------|-------|---|---|---|---|---|---|-------|
| 12:00 AM | | 1 | 1 | | | | | | | 2 |
| 01:00 | | 0 | 0 | | | | | | | 0 |
| 02:00 | | 0 | 0 | | | | | | | 0 |
| 03:00 | | 0 | 2 | | | | | | | 2 |
| 04:00 | | 0 | 0 | | | | | | | 0 |
| 05:00 | | 1 | 0 | | | | | | | 1 |
| 06:00 | | 0 | 2 | | | | | | | 2 |
| 07:00 | | 3 | 5 | | | | | | | 8 |
| 08:00 | | 2 | 0 | | | | | | | 2 |
| 09:00 | | 2 | 1 | | | | | | | 3 |
| 10:00 | | 0 | 1 | | | | | | | 1 |
| 11:00 | | 8 | 4 | | | | | | | 12 |
| 12:00 PM | | 1 | 1 | | | | | | | 2 |
| 01:00 | | 2 | 1 | | | | | | | 3 |
| 02:00 | | 6 | 4 | | | | | | | 10 |
| 03:00 | | 2 | 2 | | | | | | | 4 |
| 04:00 | | 3 | 2 | | | | | | | 5 |
| 05:00 | | 7 | 3 | | | | | | | 10 |
| 06:00 | | 7 | 5 | | | | | | | 12 |
| 07:00 | | 4 | 3 | | | | | | | 7 |
| 08:00 | | 2 | 1 | | | | | | | 3 |
| 09:00 | | 1 | 0 | | | | | | | 1 |
| 10:00 | | 1 | 0 | | | | | | | 1 |
| 11:00 | | 1 | 0 | | | | | | | 1 |
| Total | | 54 | 38 | | | | | | | 92 |
| Percent | | 58.7% | 41.3% | | | | | | | |
| AM Peak | - | 11:00 | 07:00 | - | - | - | - | - | - | 11:00 |
| Vol. | - | 8 | 5 | - | - | - | - | - | - | 12 |
| PM Peak | - | 17:00 | 18:00 | - | - | - | - | - | - | 18:00 |
| Vol. | - | 7 | 5 | - | - | - | - | - | - | 12 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: E. 14TH AVE E-O N. AIRPORT BLVD
 City: AURORA
 County: ARAPAHOE
 Direction: EAST/WEST

Site Code: 221007
 Station ID: 221007

| Start Time | 13-Jan-22 Thu | EAST | WEST | | | | | | | Total |
|-------------|------------------|--------|-------|---|---|---|---|---|---|---------|
| 12:00 AM | | 0 | 0 | | | | | | | 0 |
| 01:00 | | 0 | 0 | | | | | | | 0 |
| 02:00 | | 0 | 0 | | | | | | | 0 |
| 03:00 | | 0 | 1 | | | | | | | 1 |
| 04:00 | | 0 | 1 | | | | | | | 1 |
| 05:00 | | 1 | 1 | | | | | | | 2 |
| 06:00 | | 2 | 0 | | | | | | | 2 |
| 07:00 | | 1 | 5 | | | | | | | 6 |
| 08:00 | | 4 | 2 | | | | | | | 6 |
| 09:00 | | 1 | 2 | | | | | | | 3 |
| 10:00 | | 3 | 2 | | | | | | | 5 |
| 11:00 | | 1 | 2 | | | | | | | 3 |
| 12:00 PM | | 8 | 4 | | | | | | | 12 |
| 01:00 | | 4 | 2 | | | | | | | 6 |
| 02:00 | | 2 | 2 | | | | | | | 4 |
| 03:00 | | 2 | 2 | | | | | | | 4 |
| 04:00 | | 1 | 1 | | | | | | | 2 |
| 05:00 | | 1 | 1 | | | | | | | 2 |
| 06:00 | | 2 | 2 | | | | | | | 4 |
| 07:00 | | 3 | 1 | | | | | | | 4 |
| 08:00 | | 1 | 1 | | | | | | | 2 |
| 09:00 | | 0 | 0 | | | | | | | 0 |
| 10:00 | | 0 | 0 | | | | | | | 0 |
| 11:00 | | 0 | 0 | | | | | | | 0 |
| Total | | 37 | 32 | | | | | | | 69 |
| Percent | | 53.6% | 46.4% | | | | | | | |
| AM Peak | - | 08:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 4 | 5 | - | - | - | - | - | - | 6 |
| PM Peak | - | 12:00 | 12:00 | - | - | - | - | - | - | 12:00 |
| Vol. | - | 8 | 4 | - | - | - | - | - | - | 12 |
| Grand Total | | 139 | 104 | | | | | | | 243 |
| Percent | | 57.2% | 42.8% | | | | | | | |
| ADT | | ADT 81 | | | | | | | | AADT 81 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: COLFAX AVE W-O NORFOLK ST
 City: AURORA
 County: ARAPAHOE
 Direction: EAST/WEST

Site Code: 221020
 Station ID: 221020

| Start Time | 11-Jan-22 Tue | EAST | WEST | | | | | | | Total |
|------------|------------------|-------------|------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 94 | 90 | | | | | | | 184 |
| 01:00 | | 47 | 46 | | | | | | | 93 |
| 02:00 | | 65 | 50 | | | | | | | 115 |
| 03:00 | | 82 | 89 | | | | | | | 171 |
| 04:00 | | 139 | 150 | | | | | | | 289 |
| 05:00 | | 266 | 339 | | | | | | | 605 |
| 06:00 | | 470 | 561 | | | | | | | 1031 |
| 07:00 | | 622 | 940 | | | | | | | 1562 |
| 08:00 | | 562 | 823 | | | | | | | 1385 |
| 09:00 | | 442 | 617 | | | | | | | 1059 |
| 10:00 | | 499 | 556 | | | | | | | 1055 |
| 11:00 | | 585 | 608 | | | | | | | 1193 |
| 12:00 PM | | 654 | 626 | | | | | | | 1280 |
| 01:00 | | 682 | 670 | | | | | | | 1352 |
| 02:00 | | 768 | 776 | | | | | | | 1544 |
| 03:00 | | 926 | 935 | | | | | | | 1861 |
| 04:00 | | 1074 | 916 | | | | | | | 1990 |
| 05:00 | | 1027 | 851 | | | | | | | 1878 |
| 06:00 | | 732 | 610 | | | | | | | 1342 |
| 07:00 | | 488 | 480 | | | | | | | 968 |
| 08:00 | | 374 | 266 | | | | | | | 640 |
| 09:00 | | 313 | 238 | | | | | | | 551 |
| 10:00 | | 374 | 156 | | | | | | | 530 |
| 11:00 | | 280 | 126 | | | | | | | 406 |
| Total | | 11565 | 11519 | | | | | | | 23084 |
| Percent | | 50.1% | 49.9% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 622 | 940 | - | - | - | - | - | - | 1562 |
| PM Peak | - | 16:00 | 15:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1074 | 935 | - | - | - | - | - | - | 1990 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: COLFAX AVE W-O NORFOLK ST
 City: AURORA
 County: ARAPAHOE
 Direction: EAST/WEST

Site Code: 221020
 Station ID: 221020

| Start Time | 12-Jan-22 Wed | EAST | WEST | | | | | | | Total |
|------------|------------------|-------------|------------|---|---|---|---|---|---|-------------|
| 12:00 AM | | 114 | 85 | | | | | | | 199 |
| 01:00 | | 110 | 47 | | | | | | | 157 |
| 02:00 | | 54 | 60 | | | | | | | 114 |
| 03:00 | | 87 | 83 | | | | | | | 170 |
| 04:00 | | 216 | 120 | | | | | | | 336 |
| 05:00 | | 240 | 328 | | | | | | | 568 |
| 06:00 | | 476 | 570 | | | | | | | 1046 |
| 07:00 | | 668 | 924 | | | | | | | 1592 |
| 08:00 | | 547 | 794 | | | | | | | 1341 |
| 09:00 | | 504 | 648 | | | | | | | 1152 |
| 10:00 | | 514 | 566 | | | | | | | 1080 |
| 11:00 | | 548 | 618 | | | | | | | 1166 |
| 12:00 PM | | 682 | 666 | | | | | | | 1348 |
| 01:00 | | 648 | 682 | | | | | | | 1330 |
| 02:00 | | 780 | 801 | | | | | | | 1581 |
| 03:00 | | 956 | 964 | | | | | | | 1920 |
| 04:00 | | 1086 | 849 | | | | | | | 1935 |
| 05:00 | | 940 | 873 | | | | | | | 1813 |
| 06:00 | | 744 | 632 | | | | | | | 1376 |
| 07:00 | | 557 | 410 | | | | | | | 967 |
| 08:00 | | 362 | 310 | | | | | | | 672 |
| 09:00 | | 273 | 247 | | | | | | | 520 |
| 10:00 | | 196 | 184 | | | | | | | 380 |
| 11:00 | | 154 | 128 | | | | | | | 282 |
| Total | | 11456 | 11589 | | | | | | | 23045 |
| Percent | | 49.7% | 50.3% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 668 | 924 | - | - | - | - | - | - | 1592 |
| PM Peak | - | 16:00 | 15:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1086 | 964 | - | - | - | - | - | - | 1935 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: COLFAX AVE W-O NORFOLK ST
 City: AURORA
 County: ARAPAHOE
 Direction: EAST/WEST

Site Code: 221020
 Station ID: 221020

| Start Time | 13-Jan-22 Thu | EAST | WEST | Total | | | | | | |
|-------------|------------------|-------------|-------------|-------------|---|---|---|---|---|-------|
| 12:00 AM | | 93 | 98 | 191 | | | | | | |
| 01:00 | | 64 | 61 | 125 | | | | | | |
| 02:00 | | 70 | 60 | 130 | | | | | | |
| 03:00 | | 72 | 76 | 148 | | | | | | |
| 04:00 | | 143 | 133 | 276 | | | | | | |
| 05:00 | | 266 | 323 | 589 | | | | | | |
| 06:00 | | 480 | 601 | 1081 | | | | | | |
| 07:00 | | 668 | 772 | 1440 | | | | | | |
| 08:00 | | 576 | 794 | 1370 | | | | | | |
| 09:00 | | 477 | 648 | 1125 | | | | | | |
| 10:00 | | 457 | 566 | 1023 | | | | | | |
| 11:00 | | 555 | 618 | 1173 | | | | | | |
| 12:00 PM | | 637 | 666 | 1303 | | | | | | |
| 01:00 | | 676 | 682 | 1358 | | | | | | |
| 02:00 | | 761 | 801 | 1562 | | | | | | |
| 03:00 | | 970 | 964 | 1934 | | | | | | |
| 04:00 | | 1108 | 849 | 1957 | | | | | | |
| 05:00 | | 996 | 873 | 1869 | | | | | | |
| 06:00 | | 726 | 632 | 1358 | | | | | | |
| 07:00 | | 474 | 410 | 884 | | | | | | |
| 08:00 | | 390 | 310 | 700 | | | | | | |
| 09:00 | | 314 | 247 | 561 | | | | | | |
| 10:00 | | 218 | 184 | 402 | | | | | | |
| 11:00 | | 132 | 128 | 260 | | | | | | |
| Total | | 11323 | 11496 | 22819 | | | | | | |
| Percent | | 49.6% | 50.4% | | | | | | | |
| AM Peak | - | 07:00 | 08:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 668 | 794 | - | - | - | - | - | - | 1440 |
| PM Peak | - | 16:00 | 15:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 1108 | 964 | - | - | - | - | - | - | 1957 |
| Grand Total | | 34344 | 34604 | | | | | | | 68948 |
| Percent | | 49.8% | 50.2% | | | | | | | |
| ADT | | ADT 22,983 | AADT 22,983 | | | | | | | |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: NORFOLK ST. N-O COLFAX AVE
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221018
 Station ID: 221018

| Start Time | 11-Jan-22 Tue | NORTH | SOUTH | | | | | | | Total |
|------------|------------------|-----------|-----------|---|---|---|---|---|---|-----------|
| 12:00 AM | | 8 | 3 | | | | | | | 11 |
| 01:00 | | 3 | 2 | | | | | | | 5 |
| 02:00 | | 3 | 6 | | | | | | | 9 |
| 03:00 | | 7 | 6 | | | | | | | 13 |
| 04:00 | | 7 | 15 | | | | | | | 22 |
| 05:00 | | 3 | 23 | | | | | | | 26 |
| 06:00 | | 12 | 26 | | | | | | | 38 |
| 07:00 | | 35 | 53 | | | | | | | 88 |
| 08:00 | | 29 | 51 | | | | | | | 80 |
| 09:00 | | 14 | 28 | | | | | | | 42 |
| 10:00 | | 16 | 19 | | | | | | | 35 |
| 11:00 | | 22 | 35 | | | | | | | 57 |
| 12:00 PM | | 25 | 29 | | | | | | | 54 |
| 01:00 | | 29 | 44 | | | | | | | 73 |
| 02:00 | | 48 | 48 | | | | | | | 96 |
| 03:00 | | 47 | 40 | | | | | | | 87 |
| 04:00 | | 56 | 41 | | | | | | | 97 |
| 05:00 | | 59 | 35 | | | | | | | 94 |
| 06:00 | | 36 | 25 | | | | | | | 61 |
| 07:00 | | 25 | 31 | | | | | | | 56 |
| 08:00 | | 18 | 17 | | | | | | | 35 |
| 09:00 | | 18 | 15 | | | | | | | 33 |
| 10:00 | | 13 | 14 | | | | | | | 27 |
| 11:00 | | 9 | 6 | | | | | | | 15 |
| Total | | 542 | 612 | | | | | | | 1154 |
| Percent | | 47.0% | 53.0% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 35 | 53 | - | - | - | - | - | - | 88 |
| PM Peak | - | 17:00 | 14:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 59 | 48 | - | - | - | - | - | - | 97 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: NORFOLK ST. N-O COLFAX AVE
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221018
 Station ID: 221018

| Start Time | 12-Jan-22 Wed | NORTH | SOUTH | | | | | | | Total |
|------------|------------------|-----------|-----------|---|---|---|---|---|---|------------|
| 12:00 AM | | 6 | 5 | | | | | | | 11 |
| 01:00 | | 5 | 4 | | | | | | | 9 |
| 02:00 | | 4 | 6 | | | | | | | 10 |
| 03:00 | | 6 | 4 | | | | | | | 10 |
| 04:00 | | 4 | 12 | | | | | | | 16 |
| 05:00 | | 5 | 20 | | | | | | | 25 |
| 06:00 | | 12 | 33 | | | | | | | 45 |
| 07:00 | | 41 | 56 | | | | | | | 97 |
| 08:00 | | 34 | 40 | | | | | | | 74 |
| 09:00 | | 17 | 24 | | | | | | | 41 |
| 10:00 | | 19 | 26 | | | | | | | 45 |
| 11:00 | | 34 | 34 | | | | | | | 68 |
| 12:00 PM | | 23 | 31 | | | | | | | 54 |
| 01:00 | | 31 | 27 | | | | | | | 58 |
| 02:00 | | 38 | 53 | | | | | | | 91 |
| 03:00 | | 43 | 47 | | | | | | | 90 |
| 04:00 | | 73 | 42 | | | | | | | 115 |
| 05:00 | | 48 | 46 | | | | | | | 94 |
| 06:00 | | 48 | 40 | | | | | | | 88 |
| 07:00 | | 43 | 32 | | | | | | | 75 |
| 08:00 | | 24 | 26 | | | | | | | 50 |
| 09:00 | | 16 | 15 | | | | | | | 31 |
| 10:00 | | 16 | 13 | | | | | | | 29 |
| 11:00 | | 11 | 8 | | | | | | | 19 |
| Total | | 601 | 644 | | | | | | | 1245 |
| Percent | | 48.3% | 51.7% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 41 | 56 | - | - | - | - | - | - | 97 |
| PM Peak | - | 16:00 | 14:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 73 | 53 | - | - | - | - | - | - | 115 |

COUNTER MEASURES INC.
1889 YORK STREET
DENVER, COLORADO 80206
303-333-7409

Location: NORFOLK ST. N-O COLFAX AVE
 City: AURORA
 County: ARAPAHOE
 Direction: NORTH/SOUTH

Site Code: 221018
 Station ID: 221018

| Start Time | 13-Jan-22 Thu | NORTH | SOUTH | | | | | | | Total |
|-------------|---------------|-----------|------------|---|---|---|---|---|---|------------|
| 12:00 AM | | 11 | 4 | | | | | | | 15 |
| 01:00 | | 4 | 2 | | | | | | | 6 |
| 02:00 | | 4 | 5 | | | | | | | 9 |
| 03:00 | | 8 | 6 | | | | | | | 14 |
| 04:00 | | 3 | 11 | | | | | | | 14 |
| 05:00 | | 6 | 20 | | | | | | | 26 |
| 06:00 | | 13 | 36 | | | | | | | 49 |
| 07:00 | | 35 | 63 | | | | | | | 98 |
| 08:00 | | 28 | 41 | | | | | | | 69 |
| 09:00 | | 14 | 20 | | | | | | | 34 |
| 10:00 | | 20 | 23 | | | | | | | 43 |
| 11:00 | | 21 | 29 | | | | | | | 50 |
| 12:00 PM | | 33 | 33 | | | | | | | 66 |
| 01:00 | | 33 | 28 | | | | | | | 61 |
| 02:00 | | 35 | 41 | | | | | | | 76 |
| 03:00 | | 52 | 40 | | | | | | | 92 |
| 04:00 | | 67 | 40 | | | | | | | 107 |
| 05:00 | | 62 | 32 | | | | | | | 94 |
| 06:00 | | 39 | 35 | | | | | | | 74 |
| 07:00 | | 31 | 26 | | | | | | | 57 |
| 08:00 | | 22 | 22 | | | | | | | 44 |
| 09:00 | | 22 | 21 | | | | | | | 43 |
| 10:00 | | 12 | 10 | | | | | | | 22 |
| 11:00 | | 7 | 5 | | | | | | | 12 |
| Total | | 582 | 593 | | | | | | | 1175 |
| Percent | | 49.5% | 50.5% | | | | | | | |
| AM Peak | - | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 |
| Vol. | - | 35 | 63 | - | - | - | - | - | - | 98 |
| PM Peak | - | 16:00 | 14:00 | - | - | - | - | - | - | 16:00 |
| Vol. | - | 67 | 41 | - | - | - | - | - | - | 107 |
| Grand Total | | 1725 | 1849 | | | | | | | 3574 |
| Percent | | 48.3% | 51.7% | | | | | | | |
| ADT | | ADT 1,191 | AADT 1,191 | | | | | | | |



April 29, 2021

Frances Vernon - Frances.Vernon@CUAnschutz.edu
CU Anschutz

Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held April 15, 2021

Dear Ms. Vernon:

Thank you for considering the City of Aurora for the Aurora Community Health Commons project. As your Project Manager, I remain available as a resource as you initiate the review and approval process in the city.

Attached to this letter are the formal Staff Comments from your Pre-Application Meeting with the Development Review Team. I have taken the opportunity to highlight a few key issues below that may require further consideration prior to a formal submittal of your Development Application. These, as well as those on the attached pages, will need to be addressed either before or during the development review process.

Key Issues:

► **Zoning Map Amendment:** As discussed in the meeting, this project as proposed will require a Zoning Map Amendment because the single-family, attached townhomes are not a permitted use within the R-R zone district, and the standalone greenhouse is not a permitted use within R-3 zoning. Planning staff recommend rezoning the entire property, except for the area currently zoned APZ as this designation may not be rezoned, to MU-C as the various mixed uses proposed by this project are all permitted in MU-C zoning.

► **Master Plan:** A Master Plan will be required to guide development in the area and provide for similar site design, architectural vocabulary and theme across the site. Information regarding this application and the other required application types (Zoning Map Amendment, Subdivision Plat, Street Vacation, etc.) may be found in the Planning comments beginning on page five. This is also where you'll find information on review timelines and approval processes.

► **Nucla Street Alignment:** Nucla Street needs to extend north from 13th Avenue to 14th Place. North of 14th Place, the alignment of Nucla Street may jog over to align with the median break in Colfax Avenue, and Traffic Engineering supports this realignment. Contact the city once a proposed street network and buildings are more clearly designed for a follow up meeting, if needed.

► **Parks and Open Space:** Beginning on page 13, the Parks, Recreation and Open Space (PROS) department offers comments regarding connectivity to the High Line Canal trail, an explanation of required land dedication as well as information regarding the required Pocket Park amenity.

- ▶ **Aurora Water Utilities:** A Master Utility Study (MUS) is required for this proposal and shall be submitted to Aurora Water concurrently with the Master Plan. There is water main to serve this site in Colfax Avenue and sanitary sewer in Airport Boulevard.
- ▶ **Traffic Analysis:** Traffic Engineering has several important comments beginning on page 15 including required Traffic Signal Escrow, recommended early coordination with CDOT for work in the Colfax Avenue Right-of-Way, the potential for a new left-turn bay, the requirement for a Master Traffic Impact Study and additional comments to guide street network connectivity in this development.
- ▶ **Drainage:** A Preliminary Drainage Report is required in lieu of a Master Drainage Study and shall be submitted with the Master Plan. Site plans will not be permitted to come in for review until the Master Utility Study, Master Traffic Impact Study, and Preliminary Drainage Report are ready for approval. Detention and water quality are required. Also, this proposal will be referred to Mile High Flood District (MHFD) for review. The city recommends early coordination with this external agency.
- ▶ **Public Improvements:** A Public Improvement Plan (PIP) and supporting narrative are required with the Master Plan submittal. Details regarding various public improvements triggered by this proposal are on page 19.
- ▶ **Emergency Access:** The presentation by the applicant included a proposal to vacate Nucla Street. This potentially represents a conflict with the 2015 IFC, Appendix D, Section D106.3. This section states: ‘where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.’ If the proposal moves forward to vacate or re-align Nucla Street, please coordinate with Life Safety staff early in the design phase to ensure compliance with this standard.
- ▶ **Subdivision Plat:** A Subdivision Replat is required to establish the new lots. Right-of-Way (ROW) and easements may be dedicated via the plat. Real Property comments on page 26 further detail these requirements.

The comments reflect information provided on your submittal materials as well as the discussion within the meeting and are meant to provide general direction to you in the preparation of the actual submittals. If the plans change significantly for the project, another pre-application meeting would be advised.

Again, thank you for attending the Pre-Application Meeting with our Development Review Team; I trust the meeting was helpful. If you have any questions or require additional information, please do not hesitate to contact me at 303.739.7585 or lrickhof@auroragov.org.

Sincerely,



Laura Rickhoff
Project Manager

- cc: John Loughrey - jloughrey@rrengineers.com
 Doug Dunkin - ddunkin@rrengineers.com
 Kimberly Spiering - kimberly.spiering@ucdenver.edu
 Kevin Petty - kpetty@goldcrownmgmt.com
 Anne Fuhlbrigge - Anne.Fuhlbrigge@cuanschutz.edu



City of Aurora

Development Process

While the development process is described in more detail in the [Development Handbook](#), the following information will help you gain a quick understanding of your next steps in the process and understand the formatting of the attached staff comments:

Step I - Planning Phase

- The application is submitted to the Planning Department.
- The Planning Department refers the plan to other city departments for comment.
- Neighborhood meeting(s) are scheduled as necessary.
- The Master Plan, Zoning Map Amendments, Street Vacation and any future Site Plans are approved at a public hearing. See page five for details.
- A Subdivision Plat is approved administratively during the same time line.

Step II - Construction Document Phase

Civil Engineering Plans: This generally includes grading, storm drainage, stormwater management plan, public utilities, and street construction plans.

- A preliminary drainage report and plan are a part of the site plan submittal (Step I above). Final drainage plans are included in the civil engineering plans package.
- A pre-submittal meeting with Public Works Engineering is required prior to electronic submittal of final civil plans for review. This review is separate from the Planning Phase review above and requires a per-sheet review fee at the time of submittal.

Building Plans: (construction plans for structures)

- Usually reviewed after Planning decision is made.

All data submitted in AutoCAD 13 or higher as part of this project should be in conformance with the City of Aurora CAD Data Submittal Standard. The standards and template can be found here: [CAD Data Submittal Standard](#)

Step III - Construction Phase

Building/Civil Permits:

- **Stormwater Quality Discharge** permits must be issued prior to any site work (Aurora Water).
- **Public Improvement permits** can be issued after civil plan approvals.
- **Building permits** are issued only after Steps I & II are complete (site plan/civil plan), and building plans are approved.

Inspections: Certificate of Occupancy (CO) is granted once all work and inspections are complete.

STAFF COMMENTS - PRE-APPLICATION MEETING

Purpose of the Pre-Application Notes

These comments summarize the city's land use ordinances, policies, design standards, and code requirements that apply to your project. They are based on the material you have supplied us and will alert you to key issues involved in your project. They are not intended to provide a complete review of your proposal. Several electronic links have been included within the body of these comments, some specific to your project and some more general in nature. Note that these comments are valid for a period of six months.

Please do not hesitate to contact **Laura Rickhoff, ODA Project Manager**, who assembled these notes.

Contact Information

Below is a list of City of Aurora Departments/Divisions that were represented at the meeting and contact information for the individual City Staff members present.

City Manager's Office

Office of Development Assistance
Laura Rickhoff
303.739.7585
lrickhof@auroragov.org

Justin Andrews
303.739.7597
jpandrew@auroragov.org

Planning

Zoning and Plan Review
Todd Hager
303.739.7112
thager@auroragov.org

Landscape Design
Kelly Bish, RLA, LEED AP
303.739.7189
kbish@auroragov.org

Parks, Recreation & Open Space

Planning Design and Construction
Not represented at meeting
Michelle Teller
303.739.7437
mteller@auroragov.org

Aurora Water

Nina Khanzadeh
303.739.7490
nkhanzad@auroragov.org

Public Works

Traffic Division
Brianna Medema
303.739.7336
bmedema@auroragov.org

Drainage and Public Improvements
Engineering Division
Kristin Tanabe
303.739.7306
ktanabe@auroragov.org

Life Safety and Building Division
Mike Dean
303.739.7447
mdean@auroragov.org

Real Property Division
Andy Niquette
303.739.7325
aniquett@auroragov.org

Housing and Community Services

Neighborhood Support
Scott Campbell
303.739.7441
scampbel@auroragov.org

Oil and Gas Division

Colin Brown
303.739.6824
cbrown@auroragov.org

STEP I – PLANNING PHASE

Planning and Development Services Department

The Planning comments are numbered. When submitting an application, please include a letter of introduction responding to each of the numbered comments, including key issues from other departments.

Key Issues:

- ▶ Rezone to allow for single-family attached, townhome residential development and the greenhouse as proposed (currently R-R and R-3 Districts)
- ▶ Master Plan
- ▶ Connectivity
- ▶ Street Network Alignment

Project Overview:

- Zoning: MU-C (Mixed Use – Corridor District), R-3 (Medium Density Multi-Family Residential District), R-R (Rural District), & APZ (Accident Potential Zone District)
- Character Area: Subarea A
- Proposed Use: Mixed Use
- Permitted Use: No. Not until all properties are zoned MU-C (suggested).

Type of Application:

- Zoning Map Amendment
- Master Plan
- Subdivision Plat
- [Street/Plat Vacations \(Potentially based on Nucla St final location\)](#)
- Site Plan

Procedures:

- A Summary Table of Procedures can be found in Section 146-5.2, Table 5.2-1.
- The Rezone and Master Plan should be submitted concurrently. The Master Plan application will require approval in a public hearing before the Planning and Zoning Commission. The Zoning Map Amendment will require a recommendation from Planning and Zoning Commission to the City Council who has final approval authority. The applications will be reviewed in a 17-18-week timeframe and will be processed electronically through our development review website. Any future Site Plans will require approval in a public hearing with the Planning and Zoning Commission. The application(s) will be reviewed in a 12-13-week timeframe. A Street Vacation, if applicable, will be reviewed and approved by the City Council. A Subdivision Plat can be reviewed administratively.

Important Links:

- [Unified Development Ordinance \(UDO\)](#)
- [Aurora Places Comprehensive Plan](#)
- [CAD Data Submittal Standard](#)
- [Landscape Reference Manual](#)
- [Development Review Website](#)
- [Online Application and Plan Submittal Guide](#)
- [Transportation Studies & Plans](#)

**Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held
April 15, 2021**

- [Pre-Submittal Checklist](#)
- [Forms and Applications](#)
- [Aurora Map Gallery](#)
- [Arapahoe County Assessor Map](#)
- [Site Plan Manual](#)
- [Subdivision Plat Manual](#)
- [Subdivision Plat Checklist](#)
- [FDP/Master Plan Manual](#)

Standards and Issues:

1. Zoning and Placetype

1A. Zoning

Planning staff is recommending the entire site be rezoned to MU-C as it permits all the proposed uses. The only portion that cannot be rezoned is the APZ zoned area. As proposed, a detention pond is planned, which is permitted. The purpose of the MU-C district is to provide retail goods and services to satisfy the household and personal needs of the residents of nearby residential neighborhoods, those traveling on adjacent collector and arterial corridors, and to allow for higher intensity general business and service activities. The MU-C district should be located and designed to allow for access by pedestrians, bicyclists, and public transportation, in addition to automobiles. In Subareas A and B, the MU-C district is intended to promote sustainable infill redevelopment of older commercial sites, while mitigating the impacts of redevelopment on surrounding areas.

A rezoning will need to occur to permit the proposed uses because not all the current zoning districts on the properties allow for all the proposed uses including single-family attached townhomes. A separate zoning inquiry letter will be supplied which will indicate a response from staff to the zoning request.

The rezoning request will need to demonstrate how the proposal complies with rezoning approval criteria in Section 5.4.1.3.a of the UDO, namely its consistency with the Comprehensive Plan and other applicable plans, compatibility with surrounding land uses, and demonstration that any negative impacts are outweighed by other public benefits.

1B. Overlay Districts

Avigation Easements

Because the southern the site is within the Airport Influence District surrounding Buckley Air Force Base an avigation easement with the city and the airport shall be conveyed by the person subdividing lands or initiating construction of any structure on already subdivided lands. Such avigation easement shall be an easement for right-of-way for unobstructed passage of aircraft above the property and shall waive any right of cause of action against the city of associated airport arising from noise, vibrations, fumes, dust, fuel particles, and other effects caused by aircraft and airport operations. The avigation easement shall be in a form approved by the city and shall be recorded in the office of Clerk and Recorder for the county where the property is located before permit or plat approval is granted. The avigation easement form can be found [here](#). Please contact Karen Hancock at 303-739-7107 or khancock@auroragov.org with any questions you may have.

1C. Placetypes

Established Neighborhood

The site has two Placetypes, the Established Neighborhood Placetype and the City Corridor Placetype. The planned uses are consistent with the existing placetypes and no Comprehensive Plan Amendment will be required.

The Established Neighborhood placetype is characterized by predominantly residential areas with a variety of unit types, including single-family detached and attached, and multifamily, typically constructed between 1950 and 1990. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern. Although primarily a residential area, this placetype may also support limited retail, service and office uses located at intersections or along major perimeter streets.

Established Neighborhood primary land uses include: single-family detached and attached and multifamily residential of various densities, along with schools, parks and religious institutions. Supporting uses can include appropriately-scaled and located restaurants, retail, commercial services, community gardens and other neighborhood-serving gathering places.

City Corridor

The City Corridor placetype that will contribute to the economic and fiscal success of the city. Corridors are centered along the city's major roadways, home to a wide range of uses, including commercial, retail, institutional, service and some residential. This placetype is generally auto-oriented, but should also accommodate pedestrians, bicyclists and transit service. City Corridors should include amenities such as sidewalks, crosswalks, benches, pedestrian-scale lighting and landscaping that make it easy for pedestrians to safely and comfortably navigate the area.

Green space is typically limited within this placetype, but outdoor gathering areas—like pocket parks, common greens and plazas—are appropriate to enhance the experience. Integration of these amenities varies among the City Corridors throughout Aurora making each one unique. The focus of the City Corridor placetype is commercial activity, and as such, its primary uses are restaurants, retail, office and commercial services. Multifamily residential and institutional uses are secondary uses and allow for the development of mixed-use projects. Single-family attached residential is another potential secondary use, appropriate in areas not prioritized for commercial development.

1D. Master Plan

A Master Plan will be required in order to guide development in the area and provide for a similar site design and architectural vocabulary and theme across the site. The Master Plan will provide guidance for the design and development of the property and will ensure predictability when each Site Plan is reviewed. The master developer is responsible for managing the development and disposition of sites from planning refinement to final buildout, overseeing site preparation and shared infrastructure development, design review, maintenance, and asset management.

The required Letter of Introduction should address how the project meets the Master Plan criteria for approval. A Master Plan shall only be recommended for approval if:

- It is consistent with the Comprehensive Plan, the purpose statement for the zone district(s) where the property is located, the use regulations in Article 146-3 for the zone district(s), and all other adopted plans and policies of the City Council;

**Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held
April 15, 2021**

- It identifies a Master Developer and Master Plan that will foster future development of the property which complies with all applicable standards;
- It will result in a coordinated system of streets, trails, sidewalks, open spaces, and infrastructure systems that are integrated into the surrounding area and does not create significant adverse impacts on the surrounding area; and
- It will improve or expand multi-modal with park and open space connections to adjacent sites, neighborhoods, and urban centers.

As outlined in the Master Plan (FDP) Manual, the submittal must include all tabs (Tab 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12), a Public Improvements Plan, a Master Utility Study, and Master Drainage Report, and a Master Traffic Impact Study with the first submittal. Detailed justification must be provided for any adjustment requests and shall be mitigated through enhanced design standards and other measures.

2. Land Use

2A. Proposed Land Use

The proposed land uses of mixed use, retail, affordable housing, community center, clinical services, and pharmacy are permitted in the MU-C District. However, the single family attached townhomes use is not a permitted use within the existing R-R District and the green house use is not a permitted use within the existing R-3 District. Rezoning all properties to MU-C (with the exception of the APZ District portion of the site) would allow all the proposed uses.

3. Development Standards

3A. Dimensional Standards

Detailed dimensional standards for all proposed uses are included in Section 146-4.2 (Table 4.2-2). Please also review the use-specific standards in Section 146-3.3.2 (Residential) and Section 146-3.3.5 (Commercial).

3B. Subdivision Standards

In Subarea A, the length and width of new blocks created through subdivision shall be within 25 percent of the typical length and width of blocks nearest adjacent subdivided land, shall not exceed 330 feet in width and 660 feet in length, to the maximum extent practicable in light of topographic conditions.

In all Subareas, each block shall be bordered by public or private streets meeting the requirements of Section 146-4.5 (Access and Connectivity) and with all applicable Aurora Roadway Design and Construction Specifications, or by private common space or dedicated park land or open space at least 30 feet in width with a sidewalk connecting one street to another.

3C. Common Space and Amenities

For the proposed residential portion of the development, illustrate the community open space and show how it will relate to the buildings, how it will be activated to allow for increased community interaction, the type of proposed amenities, play spaces and connectivity to the amenity from all portions of the development. A minimum of 20% common open space should be provided. To count toward the 20% open space requirement the space needs to be usable for residents and guests. This may include open green spaces that can be used for recreational activities and gathering space. Outdoor playgrounds, pools and athletic courts may also count toward the 20%. Outdoor courtyards, plazas and similar common areas may also count toward the 20%. A significant portion of the required useable space should be consolidated into a single area. When

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utilizing plaza and courtyard space please incorporate decorative concrete treatments, pedestrian scaled lighting, site furniture, shade features and landscape amenities such as tree openings, seat walls and raised planters.

For the proposed commercial portions of the site, the Master Plan should identify open space tracts within the proposed development. An outdoor amenity area for use by employees and customers should be provided in reasonable proximity to the buildings. Pedestrian access should be provided into and around the property, to trail corridors and between individual sites and/or buildings. Accessible routes will be required between parking areas, buildings and to the public right-of-way. Consideration should be taken to ensure adequate connectivity and accessible route(s).

3D. Access and Connectivity

All properties shall provide an interconnected system of sidewalks that directly connect all lots to and within commercial centers, employment areas, designated parks and open spaces, and other uses. All lots shall include or directly abut a sidewalk.

The existing Nucla Street needs to extend north from 13th Avenue to 14th Place. North of 14th Place, the alignment of Nucla Street may jog over to align with the median break in Colfax Avenue.

In Tab 10 (Urban Design Standards), provide an illustrative street network plan with your that generally identifies the location of all streets (including locals). The purpose of this conceptual plan is to ensure that there is adequate connectivity within and between each Planning Area in the development, as well as to adjacent areas. Please note that improved connectivity and smaller blocks will be required within the commercial and multi-family areas.

Contact the City once a proposed street network and buildings are more clearly designed for a follow up meeting, if needed.

3E. Parking, Loading, and Stacking

Off-street parking is required by Section 146-4.6. Bicycle spaces must comply with Section 146-4.6.3.F.2 including providing a design that includes 2 points of contact with each bicycle. Each inverted “U” rack counts as two bicycle parking spaces. Place any bicycle parking in a convenient, paved, and well-lit location.

Section 146-4.6.5 details requirements for the design and placement of parking areas. Generally, parking areas should be located and designed to provide for adequate vehicle circulation, safe pedestrian connections, screening from adjacent sites and streets, and to avoid abutting significant stretches of adjacent streets.

Master Plan requirements. Urban Design standards are required that address landscaping, parking lot design, signage, entry monuments, street furniture, and lighting among others.

The expectation is that all townhomes are rear loaded from an alley. In general, all parking lots for multifamily and commercial uses should be located behind or to the side of the primary building frontage to minimize visibility from streets and public areas.

3F. Landscape, Water Conservation, Stormwater Management

The Mater Plan (MP) shall include design standards that address the overall landscape and aesthetic requirements for the entire development. Design standards shall meet the Unified

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Development Ordinance (UDO) but typically go above and beyond these minimum standards and address any unique circumstances that may require special design considerations such as steep slopes, trail connections, internal pedestrian circulation, buffers and setbacks etc. Please consider an aesthetic theme that is carried throughout the development by way of landscaping, paving, pedestrian plazas/spaces as well as public art that helps unify the development and create a sense of place. Once the applicant has an approved MP, all future site plan submittals will be reviewed against the adopted standards as well as the UDO for regulatory compliance.

While not an all-inclusive list, the MP should at a minimum address the following:

- *Streetscapes*: Hierarchy of streetscape aesthetic treatments for internal vs. external streets. Will there be urban conditions with 16' attached sidewalks, tree openings for street trees and understory plantings versus detached sidewalks with curbside landscapes? Tree spacing shall meet current city standards, but alternative design options can be proposed that exceed current code requirements. Address the types of street furnishings such as benches, trash receptacles, planters, signage, banners, lighting etc. in terms of their style and use throughout the development.
- *Public gathering spaces*: Incorporate design standards for any proposed plaza spaces associated with retail and/or commercial areas of the development and the integration of pedestrian public spaces associated with residential development. Amenity spaces might be located between building entrances and the street. For residential units, spaces should be centrally located to the site. How will the interconnection of public spaces with walkways and trails be designed?
- *Views*: How is building placement oriented to address what people see when looking into the development from the external streets surrounding the site? What views if any, are highlighted or captured from within the development looking out? Amenity spaces, buildings, public art as well as principal entrances are encouraged to be located to create interesting views from the street and from within the site.
- *Public Art*: Does the public art component theme get carried throughout the development within the architecture or public accoutrements? Is there only one larger public art piece provided in a central location? Public art can act as a gateway entrance into the site or building and can serve multiple purposes if designed and sited properly.
- *Landscaping*: The MP should address the streetscape including street frontage buffers that detail proposed widths, berming, plant quantities and plant types. Street buffers should reflect the hierarchy of the street in addition to the proposed land development associated with that frontage. The MP should include landscape design standards for screening of loading areas, detention basin landscaping, building perimeters, parking lot landscaping, non-street frontage buffers and enhanced site entrances. The proposed landscape standards should meet the current UDO, but where landscape standards are missing or silent, they shall defer to the requirements found within the UDO.
- *Entry Monumentation*: Will there be any unique entry monuments associated with the development?
- *The primary through corridors*: Will there be multiple primary entrances into the development and how will they be treated aesthetically with landscape, monumentation/signage, hardscape etc.?

– *Hardscapes*: How do hardscape materials, patterns and colors relate to the public areas within the development? Where are they used relative to traditional concrete?

3G. *Building Design Standards*

Section 146-4.8 of the UDO contains specific standards for the design of buildings. These standards include requirements for building orientation and spacing, breaking up the massing of building facades with articulation elements, four-sided building design, and permitted materials, among other things.

For commercial buildings, code requires that you incorporate material changes and architectural features such as glazing, textured surfaces, projections, color, overhangs, and changes in parapet

Table 4.8-1
Building Design Standards Applicability by Building Type
 Adjustments for Affordable Housing Structures appear in Sections 146-4.8.5 and 146-4.8.6

| Standard | Single-family detached or two-family dwellings | Single-family attached | Multifamily buildings | Single-story non-residential buildings | Multi-story mixed-use or non-residential buildings | Large-scale retail large format-over 75,000 sq. ft. gfa. |
|--|--|------------------------|-----------------------|--|--|--|
| General building design standards | | | | | | |
| Design variety | ✓ | | | | | |
| Distribution of masonry and architectural features | ✓ | | | | | |
| Windows | ✓ | | | | | |
| Building orientation and spacing | | | ✓ | ✓ | ✓ | ✓ |
| Massing and articulation | | | | | | |
| Horizontal articulation | | ✓ | ✓ | ✓ | ✓ | ✓ |
| Vertical articulation | ✓ | | ✓ | ✓ | ✓ | ✓ [1] |
| Maximum building length | | | ✓ | ✓ | ✓ | |
| Building materials | | | | | | |
| Primary building materials | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Masonry standards | | ✓ | ✓ | | | |
| Four-sided building design | | | | | | |
| Facade character elements | | | ✓ | ✓ | ✓ | ✓ |
| Entry design | | | ✓ | ✓ | ✓ | ✓ |
| Roof design | | | | | | |
| Roof materials | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Roof form | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Screening of mechanical equipment | | | | | | |
| Rooftop equipment | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Ground-mounted equipment | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Garbage storage areas | | | ✓ | ✓ | ✓ | ✓ |

Notes:
 [1] Only applies when more than two stories or over 30 feet tall.

height to improve the façade and create an inviting and attractive street presence. Buildings must be designed to create a clear base, middle, and cap, with specific instructions and tips for how this can be achieved in Section 146-4.8.5.C. Ground floor designs should support a pedestrian-friendly environment, provide visual interest, and help to create an atmosphere that promotes foot traffic. Code also requires that you use changes in the wall planes, both horizontally and vertically, at specific intervals and provide a variety of durable materials to create visually interesting buildings. Architectural details shall be continued on all four sides of the buildings to prevent the back of house appearance. See the table above for applicable building design standards and ensure that the building elevations meet all applicable requirements.

For residential buildings, please refer to the table above and the building design guidelines in the UDO for design requirements and guidance.

3H. *Exterior Lighting*

Standards for exterior lighting are found in Section 146-4.9. Show typical details of lighting on the plan and on building elevations.

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3I. *Signs*

Section 146-4.10 governs signage standards. Please review this section for complete details. Show the location of any monument signs on the plans and indicate the location of wall-mounted signs on the building elevations.

4. Adjustments

Section 146-5.4.4 details the definitions, applicability, procedures, and criteria of approval for all adjustments to development standards. If any adjustments are requested, they must clearly be listed and justified in the Letter of Introduction. They must also be listed on the cover sheet of the Site Plan and any other sheets on which they are applicable. Approvals of adjustment requests are not guaranteed. Adjustment requests should identify the reason for the adjustment, efforts to minimize the adjustment, and design elements proposed to mitigate the standards proposed for reduction. Typically, mitigation techniques should go *above and beyond* requirements from other code sections. If an adjustment does not meet the limits for administrative approval under Section 146-5.4.4.F, then the adjustment will require approval from the Planning and Zoning Commission.

5. Submittal Reminders

5A. *CAD Data Submittal Standards*

The city has developed [CAD Data Submittal Standards](#) for internal and external use to streamline the process of importing AutoCAD information into the City's Enterprise GIS. A digital submission meeting the CAD Data Submittal Standards is required before final mylars can be routed for signatures or recorded for all applications. Please review these standards and ensure that files are in the correct format to avoid future delays.

5B. *PDF Requirements*

The application will be uploaded through the city's development review website as separate PDFs. Please ensure that all AutoCAD SHX text items are removed from the "Comment" section during the PDF creation process and that the sheets are flattened to reduce ability to select items. PDFs will be rejected during pre-acceptance reviews if they do not comply with this requirement, which could result in delays.

5C. *Mineral Rights Notification*

Please fill out the [Mineral Rights Affidavit](#) and supply this document to your Case Manager with the application submittal.

Pre-Submittal Meeting:

Contact the assigned Case Manager to schedule a pre-submittal meeting at least one week prior to submitting an application. At the pre-submittal meeting, staff will review the submittal requirements, discuss the review timeline, provide a fee estimate, and review the process for uploading files and inputting adjacent property owners.

Please note that a separate pre-submittal meeting is required with Real Property for the Subdivision Plat prior to application submittal. Please contact Real Property directly to schedule this meeting.

Community Participation:

Please work proactively with registered neighborhood organizations and adjacent property owners. Registered neighborhood organizations within a one-mile radius and adjacent property owners will formally be notified of the application when a submittal has been made to the Planning and Development Services Department.

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Neighborhood Services Liaison:

- Scott Campbell is the neighborhood liaison for the project. He has put together a report attached to these notes listing the registered neighborhood organizations within one-mile of your proposed project and can assist in scheduling and facilitating meetings with community members. Please work with the organizations that express interest in your project to address comments and mitigate concerns
- All meetings with registered neighborhood organizations should also include the Planning and Development Services Department Case Manager so that questions concerning the UDO and procedures can be properly addressed. The Case Manager will record any project-related commitments that are made to the community at these meetings.
- Additional information about the Neighborhood Liaison Program can be found on the [Housing and Community Services](#) page of the city website.

Oil and Gas Development

We have reviewed the area of your development. There are no known plugged and abandoned (P&A) wells within your site and no existing or planned oil and gas surface facilities on your site.

There may be existing underground pipelines in rights-of-way. There is an existing pipeline and easement, operated by Magellan Pipeline Company, along the eastern edge of your development area. If you have questions or concerns about this, the Oil & Gas Division can assist with providing additional information.

Should you have any questions about oil and gas development, please reach out to Jeffrey Moore, Manager of the Oil & Gas Division.

Parks, Recreation & Open Space Department (PROS)

Project Characterization

Based on your proposal, the following information has relevance to the determination of PROS' requirements for this project:

- Your proposal includes new residential in a larger mixed-use space which triggers park and open space requirements.
- Please note that PROS does maintain all medians along Colfax. Should there be any modifications proposed, coordination with PROS will be required.

High Line Connectivity

Your site is within access to the High Line Canal regional trail system which is a great amenity to all future residents and users of your site. In order to create connectivity, please be sure that there are clear connections between all buildings on your site up to your future sidewalk along Colfax. As Public Works and Planning will be requiring a sidewalk along Colfax, this will be the key access for future users getting to either the west or east portion of the regional trail.

Land Dedication

To ensure that adequate park land and open space areas are available to meet the needs of the population introduced into the city by the new dwelling units, Section 147-48(b) of City Code specifies that land shall either be dedicated on-site within the project's limits or a cash payment in-lieu of land dedication shall be paid. The required dedication acreage is computed by applying the following standards to the projected population for the project:

- 3.0 acres for neighborhood park purposes per 1,000 persons

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- 1.1 acres for community park purposes per 1,000 persons
- 7.8 acres for open space purposes per 1,000 persons

It was unclear how many units are proposed at this time. With your submittal, please clearly state the number and type of units so that the park and open space land dedication may be accurately calculated.

Pocket Park

Your proposed site falls within an area that is within a neighborhood park service radius. In order to provide service to the new residents and meet some open space land dedication on site, please provide a pocket park on site which is publicly accessible, provides a ¼ mile service radius and meets the following criteria:

- 0.5-acre minimum size. *Note that only parks greater than 5 acres will be owned/maintained by the City; this will need to be owned by the HOA or associated Metro District.*
- Includes the following site programming:
 - Landscaping, benches, security lighting, trash receptacles, dog waste pick up stations
 - An open turf play field for informal play
 - At least one of the following to meet the intent of neighborhood park space: a playground, court or garden

Cash in Lieu Payment

Given the small overall acreage of park land impact generated by the population increase and the fact that the subject development is not conducive to on-site dedication due to minimum park size criteria, the land dedication shall be satisfied by a cash-in-lieu payment prior to subdivision plat/replat. The acreage provided for the pocket park will reduce the open space land dedication requirements. The amount of the payment is computed by multiplying the dedication acreage by the estimated market value for the land.

Park Development Fees

In accordance with Section 146-306 of City Code, Park Development Fees shall be collected by the city to cover the cost of constructing new park facilities to serve the needs of the projected population. These fees apply to the project because park facilities are not proposed to be provided on-site. Fees are based on the park land dedication acreages and an annual cost per acre for construction of park facilities. The fees, which are computed and collected on a per-unit basis, shall be paid at time of building permit issuance.

Aurora Water

Aurora Water will receive a referral of the Site Plan and Subdivision Plat for review and comment. Please respond to all Water Department comments with your initial submittal.

Key Issues:

- ▶ SWMP Plans and Permit Required
- ▶ Sanitary connection available in Airport Boulevard
- ▶ Water quality and detention required
- ▶ Backflow preventers required all on water service, irrigation, and fire suppression lines
- ▶ A Master Utility Study (MUS) will be required for this site
- ▶ Townhomes are to be individually metered
- ▶ Each unit is required to be individually served water and sewer connections.
- ▶ Fixture unit tables are required for the water meter sizing. A ¾” commercial water meter will be the minimum size required. No service taps are permitted on water mains larger than 16”.
- ▶ Water meters require a pocket easement and must be installed in a landscaped area.

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- ▶ A [domestic allocation agreement](#) will be required for connections 2” and larger.

Utility Services Available:

- Water service may be provided from the 16" DIP in Colfax Avenue.
- Sanitary sewer service may be provided from the 10” PVC in Airport Boulevard.
- The project is located on Map Page 05K.

Utility Service Requirements:

- A Site Plan is required for this project and must show existing and proposed utilities including:
 - Public/Private Mains
 - Service Lines
 - Water Meters
 - Fire Suppression Lines
 - Fire Hydrants necessary to service your development
 - Grease Interceptors are required for commercial kitchens
 - Sand/Oil Interceptors are required for vehicle maintenance facilities
 - All utility connections in the arterial roadway are required to be bores.
- General utility design criteria can be found in Section 5 of the [Standards and Specifications Regarding Water, Sanitary Sewer and Storm Drainage Infrastructure](#) (Utility Manual).

Utility Development Fees:

- A partial Storm Drainage Development fee is required prior to the recording of the Subdivision Plat or at the time of building permit approval if a Plat is not required. Additional Storm Drainage fees may be charged and are based on the amount of impervious surface created by this project.
- The Water Transmission Development Fee and the Sanitary Sewer Interceptor Fee have been combined into the water connection fee and are required to be paid after issuance of building permit and prior to issuance of the Certificate of Occupancy.
- For a full listing of Utility Fees, please see the [Aurora Water Fee Schedules](#).

Public Works Department

Traffic Engineering will receive a referral of the Site Plan, Subdivision Plat, and Civils for review and comment.

Key Issues:

- ▶ A Master Traffic Impact Study will be required with this development. See below for additional information.
- ▶ Traffic Signal Escrow will be required with this development. This would apply to all future traffic signal locations.
- ▶ Coordinate with CDOT, the development to the north and the City on whether Norfolk Street or Nucla Street would be the future signalized location. Based on intersection spacing only one location is appropriate for future signalization.
- ▶ Ensure roadway network meets the Unified Development Ordinance (UDO) and Roadway Manual requirements (extension of Nucla Street to connect to 13th Avenue appears missing on submittal).

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- ▶ Applicant shall install two 2" conduits and pull boxes to be owned/maintained by the City of Aurora, for future fiber optic interconnect of traffic signals along arterial roadways.
 - Conduit
 - Conduit material shall be Schedule 80 HDPE (or similar).
 - A # 14 AWG stranded copper conductor shall be installed for city underground locating purposes.
 - A nylon pull tape with a minimum 1,250 lb tensile strength shall be installed in all new conduit.
 - Pull Box
 - Pull boxes shall be 30"x48"x24", with two-piece interlocking lids.
 - City conduit shall be installed into City Pull Boxes.
- ▶ Colfax Avenue is a state highway. Approval and access permits will need to be obtained from the Colorado Department of Transportation (CDOT). Please contact *Marilyn Cross* at CDOT, phone number 303.512.4266. Developers/applicants are encouraged to contact CDOT early on in the review process to determine the feasibility of the proposed access and any specific CDOT requirements. In order to insure CDOT will allow access as shown, provide a letter from CDOT indicating they have reviewed the proposed access(es). **This letter must be received 10 days prior to the Planning Commission hearing.**
 - Construction should only occur after obtaining the State Highway Access permits and the Notice to Proceed from CDOT. State Highway Access permitting is a two-step process. First obtaining the access permit and then obtaining the Notice to Proceed with the construction documents, Certificate of Insurance, and Traffic Control Plan. Having approval from Aurora for construction of the store did not mean you had approval for construction of the accesses in the State Highway right-of-way.
- Show all adjacent and opposing access points on the Site Plan.
 - Align access points to Airport Boulevard to existing access points on east.
 - Shifting Nucla Street to existing median break is supported by Traffic Engineering.
- Label the access movements on the Site Plan.
- Objects and structures shall not impede vision within the sight triangles. Landscaping shall be restricted to less than 26-inches in the sight triangles. Show sight triangles on the site plan and landscaping plan at all access points in accordance with [City of Aurora Standard Traffic Detail TE-13](#). In addition, street trees shall be set back from Stop signs and other Regulatory signs as detailed in [City of Aurora Standard Traffic Detail TE-13.3](#).
Add the following note landscape plans: 'All proposed landscaping within the sight triangle shall be in compliance with COA Roadway Specifications, Section 4.04.2.10'
- Homes and drives are allowed to front collector streets if the average daily traffic volume is less than 4,000 and certain mitigation measures are provided. Indicate the mitigation measures on the Site Plan. See Section 4.04.2.02.4 of the *Roadway Design & Construction Specifications*, October 2016 edition.
- Homes are allowed to front a local street within 75-feet of an arterial street if the average daily traffic volume is less than 2,000 and certain mitigation measures are provided. Indicate the mitigation measures on the Site Plan/Contextual Site Plan. See Section 4.07.7.02.5.04 of the *Roadway Design & Construction Specifications*, October 2016 edition.

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- The developer maybe required to construct a left turn bay on Airport Boulevard. Coordinate with the Parks' Department for relocating/removing median landscaping.
- Right turn lanes for major intersections shall consider alternative geometric configurations (standard geometry for channelized right turn lanes with acceleration lane, compound curves for channelized right turn lanes without acceleration lanes).
- Show existing stop signs and street name signs or the installation of new stop signs and street name signs by developer at the site access points onto public streets. Add the following not to the Site Plan:
 - The developer is responsible for signing and striping all public streets. The developer is required to place traffic control, street name, and guide signs on all public streets and private streets approaching an intersection with a public street. Signs shall be furnished and installed per the most current editions of The Manual on Uniform Traffic Control Devices (MUTCD) and City Standards and shown on the signing and striping plan for the development.
- Show the installation, by developer, "Right Turn Only"/"Do Not Enter" signs at limited movement locaiton(s). Signs shall be installed per the most current editions of The Manual on Uniform Traffic Control Devices (MUTCD) and City Standards.

ROW/Plat:

- Designate a Public Access Easement along private roads and shared access points.
- A private cross-access agreement is recommended for maintenance and snow removal. The developer is responsible for establishing this agreement with the adjacent property owner.
- ROW dedication may be required along Colfax Ave or Airport Blvd pending results of the Master Traffic Impact Study.
- A traffic signal easement shall be required at all existing and future signalized intersections to accommodate the proposed traffic signal pole, underground conduits, pull boxes and signal control cabinet.

Traffic Signal Easements:

- Multiple intersection(s) are a potential candidate for a future traffic signal if and when signal warrants are met. As an adjacent land owner/developer, you must participate in the cost of the traffic signal installation. Add the following note to the Site Plan:
 - **(Applicant/owner name, address, phone)** shall be responsible for payment of _____25%/50%/100% of the traffic signalization costs for the intersection of _____ and _____, if and when traffic signal warrants are satisfied. Traffic signal warrants to consider shall be as described in the most recently adopted version of Manual on Uniform Traffic Control Devices, as of the date or dates of any such warrant studies. For warrant purposes, the minor street approach traffic shall typically be comprised of all through and left-turn movement and 50% of right turn movements unless otherwise determined by the traffic engineer. **Pursuant to 147-37.5 of city code, the percentage of the traffic signalization costs identified above shall be paid to**

the city by the applicant / owner, to be held in escrow for such purpose, prior to the issuance of a building permit for the related development or as otherwise required by city code. The percentage above will be applied to the entire traffic signalization cost as estimated at the time of the escrow deposit to calculate specific dollar funding requirement.

Master Traffic Impact Study:

- A Traffic Impact Study will be required for this site which will include addressing the following specific items:
 - 1) Existing, buildout and 2040 average daily traffic counts.
 - a) The City can provide some historic count data, but the City has also taken pre-post COVID19 count data that can support scaling of counts taken during this time. Coordinate, via email, with Brianna Medema on this item.
 - b) Coordinate with the City and adjacent developer for potential volumes to the north
 - 2) Include detailed analysis of (see TIS Guidelines, including aux lane analysis):
 - a) All site access points to Colfax Avenue & Airport Boulevard
 - b) Interior intersections
 - 3) Signal Warrant Analyses of Norfolk Street & Colfax Avenue, Nucla Street & Colfax Avenue, 14th Avenue & Airport Boulevard, – Warrant 1,2,3 all to be included (collect 72 hr tube counts for analysis)
 - 4) If a traffic signal or multiway stop warrant is met at an intersection, then a roundabout shall also be considered at the intersection.
 - 5) Analysis of pedestrian connectivity, trail system and sidewalks.
 - 6) Discussion of the application of elements from the Traffic Calming Toolbox and countermeasures applicable from the FHA Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations (July 2018) to address any concerns for speeding, pedestrian crossings, etc. Techniques in the Traffic Calming Toolbox include: Advanced Yield Lines, Enhanced Crosswalk, High-Visibility Signs and Markings, In-Street Pedestrian Crossing Signs, Enhanced Pedestrian Crossing Sign Devices (HAWK or RFB), Mid-Block Lane Narrowing, Curb Extension, Angled Parking, Pedestrian Safety Island, Staggered Pedestrian Safety Island, Lane Narrowing, Mini Roundabout, Speed Cushions and Chicane. Details of Enhanced Crosswalk, compact roundabout, speed cushions and chicane may be made available if requested.

The Traffic Study shall be prepared in accordance with the [City of Aurora Traffic Impact Study Guidelines](#).

Submitting the Traffic Study:

- The Traffic Study shall be sent directly to *Brianna Medema* at bmedema@auroragov.org as soon as possible.
 - The Traffic Study shall also be uploaded with the rest of the submittal.
 - Previously approved Traffic Impact Studies/Letters are available through this [link](#).
- Based on our review of the Traffic Impact Study, additional improvements may be required.

Engineering Division

The Engineering Division reviews the drainage and public improvement components of your project plans. Engineering reviews referrals of the Site Plan and Subdivision Plat from the Planning Department.

Key Issues:

- ▶ A Public Improvement Plan (PIP) shall be included with the master plan. The PIP shall illustrate public improvements required as each planning area is developed. A narrative supporting the exhibit(s) shall be included.
- ▶ Public improvements required for this development are as follows:
 - Colfax Avenue – An additional through lane, curb and gutter, a 10’ detached sidewalk. Improvements shall be coordinated with CDOT
 - Airport Boulevard – 10’ detached sidewalk
 - Norfolk Street – extend improvements to the north, provide additional right of way dedication, street lights
 - Nucla Street – Local Type 3 section shall be utilized, realignment may require additional coordination with staff, connection to 13th Avenue is required, street lights
 - 14th Avenue – Local Type 3 section, right of way dedication, street lights
- ▶ A preliminary drainage report shall be submitted with the master plan in lieu of a master drainage study. On-site detention and water quality is required. A preliminary drainage report shall be submitted with each site plan in conformance with the previously approved report.
- ▶ Site plan submittals shall not be made until the master documents are ready to be approved.
- ▶ Previously approved plans and reports can be found on the City’s website. Instructions can be found here: [Getting to Engineering Documents Online](#). Older documents can be provided upon request.
- ▶ This application will be referred to Mile High Flood District (MHFD) for review and comment. It is advised that coordination with MHFD is started as soon as possible.

Improvements:

Sections and details referenced in the Improvements section refer to the City’s [Roadway Design and Construction Specifications \(Roadway Manual\)](#).

- Typical roadway sections are specified in the City Code and summarized in Section 4.08 with details shown in the Standard Detail S1.
- Mountable curb and gutter shall be used on all Type 1 and 2 streets. All other streets, including those within the Urban Centers and TODs shall use 6” vertical curb and gutter.
- Curb ramps must be shown (located) on the plans at all curb returns, “T” intersections, residential mail kiosks or clustered mailboxes, and any other location of public necessity. Refer to Standard Detail S9. Any street grades in excess of three percent will require detailed grading of the curb ramps.
- Flared curb cuts, Standard Detail S7.4, are not permitted for commercial/industrial or residential driveways where traffic movements would be substantial. When the number of parking spaces exceeds 20, curb returns are required, and the curb return radii shall be labeled on the plan.
- Pedestrian Bicycle Railings will be required at and continuous along vertical separations of 30 inches, or greater, or on slopes greater than or equal to 3:1 adjacent to pedestrian areas. See Standard Detail S18.

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- Retaining walls shown on plans shall indicate material type and a height range or indicate a maximum height. Where appropriate, guard or hand rails may be required.
- The maximum private access drive slope may be 4% (non-residential) when sloping down toward the public street and up to 6% maximum when sloping up toward the public street.
- If gates are incorporated into the design of the development, they are required to be setback from the street flow line a minimum of 35-feet or one truck length, whichever is greater.
- Street lights are required along adjacent roadways. Please refer to the Draft Lighting Standards for street light spacing, location, wattage, etc., information. Street lights along public right-of-way shall become City owned and maintained once they have been installed and the final acceptance letter for the lights has been issued. Street light locations shown on the site plan are conceptual. The street lighting plan shall be included with the Civil Plan submittal and will determine final street light locations based on a photometric analysis.

ROW/Easements/Plat:

- ROW dedication is required for public streets.
- The dedication of a 25-foot lot corner radius is required at the intersection of arterial roadways, a 20-foot lot corner radius is required at the intersection of collector roadways, and a 15-foot lot corner radius is required at the intersection of local roadways.
- Please coordinate with the Real Property Division of Public Works for the dedication of any required easements. If a plat will be prepared for this development, the plat can cover the required easements.
 - Sidewalk easements may be required for new sidewalk installed.
 - A drainage easement shall be required for any detention/water quality facilities on site. This drainage easement shall tie to a public way.
 - Utility easements shall be required for any proposed water/sanitary sewer/public storm sewer located outside of public right-of-way.
 - Public access/fire lane easement shall be required for fire lanes outside of public right-of-way. Please coordinate with Life Safety for their alignment.

Drainage:

Drainage design standards can be found in the City's ["Storm Drainage Design and Technical Criteria"](#).

- Per Section [138-367](#) of the Aurora Municipal Code, a Preliminary Drainage plan and report is required prior to Site Plan or Plat approval. A Preliminary Drainage Plan and Report shall be submitted at the time of Planning Department application submittal. A review fee shall be paid to the City prior to acceptance of the preliminary drainage report. The site plan will not be approved until the preliminary drainage report is approved. Full spectrum detention is required for this project.
- The engineer is responsible for researching and determining if there has been a study by Mile High Flood District (MHFD) proposing improvements within or adjacent to said development. Any such improvements may be required to be constructed with the subject development. Coordination with MHFD and the City shall be initiated in such case at the master plan level or as soon as determined with any proposed development.

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- Under the provisions of Colorado Revised Statute 37-92-602(8), any detention or infiltration facility that becomes operational after August 5, 2015, is required to notify downstream water rights holders prior to operation. Mile High Flood District (MHFD) has created a spreadsheet form (called *SDI Design Data*) for determining compliance with the statute and a web portal that will send a weekly e-mail notification to downstream water rights holders, satisfying the notification requirements. The developer will be responsible for having a professional engineer, licensed in the State of Colorado, complete the *SDI Design Data* and uploading to the web portal. Public Works Engineering will verify the information matches the final drainage report. Notification must be made before Civil Plans will be approved or Stormwater Permits will be issued.
- Detention of storm drainage is required for this site and shall be incorporated on the site, unless other accommodations are approved by the City Engineer.
- Release rate for the detention pond shall be based upon the [“Storm Drainage Design and Technical Criteria”](#) Manual, latest revision.
- Storm water from concentrated points of discharge from a minor storm event shall not be allowed to flow over sidewalks but shall drain to the roadway by the use of sidewalk chase sections. Sidewalk chase sections shall not be located within a curb cut, driveway, curb ramp, or curb return.
- A public storm sewer system appears to be located near this site. Please have your Engineer or Surveyor verify and tie your site drainage into it.
- Extend storm sewer through the site, including inlets, pipes, manholes, etc., as needed.

Fire/Life Safety Comments - Building Division

The Building Division will receive a referral of the Site Plan and Subdivision Plat for review and comment. They will review these documents for Life Safety (Fire Code) and Building Code issues.

Addressing Requirements:

All buildings or structures, except accessory buildings, shall display the proper building number in the manner provided in this article. It shall be the responsibility of the owner, occupant or any person obtaining a building permit to place such number in the manner provided in the Aurora City Code of Ordinance, Chapter 126 - Article VII - Numbering of Buildings.

Adopted Codes by the City of Aurora – Setbacks:

The site plan and civil plans must reflect the setback requirements of the 2015 International Building and Fire Code for placement of the structure(s) in relation to adjacent buildings, property lines, public ways, accessible walkways, etc. To view the 2015 International Codes please utilize the following hyperlink; [ICC Codes Online](#).

- The Aurora Building Division currently utilizes the adopted 2015 International Codes Series except for the 2017 NEC. Our next code adoption cycle will be for the 2021 International Code Series.
- Show any new lot lines and distance to proposed exterior walls on the site plan.

Civil Plans:

Based on the discussion within the pre-application meeting the following information must be reflected within the Civil Plan package submitted to Public Works Department.

- [Alternative Fire Lane Surfacing Material](#)

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- [Alternative Fire Lane Surface Signs](#)
- [Combined Fire Lane and Pedestrian Sidewalks](#)
- [Dead-End Fire Lane Detail](#)
- [Fire Lane Sign Detail](#)
 - The developer of the site will be required to install fire lane signs in areas where the site abuts an existing fire lane easement that is currently without adequate signage.
- [Gated Entry for Fire Department Access utilizing a 4' Manway Gate](#)
- [Grading Plan](#)
- [Handicap Accessible Parking Signs](#)
- [Sign Package](#)
- [Signature Block](#)
- [Street Standards and Street Section Details](#)

Emergency Responder Radio Coverage:

The 2015 International Fire Code requires all buildings to be assessed for adequate emergency responder radio coverage.

- The 2015 International Fire Code (IFC), requires all buildings to be assessed for adequate Emergency Responder Radio Coverage (ERRC). At the time the structure is at final frame and final electrical inspections, the general contractor (GC) will be required to hire an approved and qualified independent 3rd party to assess the radio frequency levels within the structure. Once completed, the 3rd party will provide the results of the test to both the GC and the Aurora Building Division as to whether the structure passed or failed the preliminary radio surveillance. A structure that has passed this surveillance requires no further action by the GC. A failed radio surveillance will require a licensed contractor to submit plans to the aurora building division to obtain a building permit for the installation of an ERRC system prior to installation. This assessment and installation is at the owner or developers expense. Future interior or exterior modifications to the structure after the original Certificate of Occupancy is issued will require a reassessment for adequate radio frequency coverage.

Fire Department Access:

Based on the information presented so far, the type(s) of fire apparatus access road(s) needed for this particular site is:

- [Fire Lane Easement](#)
 - The presentation by the applicant included a proposal to vacate Nucla Street. This potentially represents a conflict with the 2015 IFC, Appendix D, Section D106.3. This section states: 'where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.'
 - Buildings less than 30' in height require only a 23' wide fire lane easement with 29' inside and 52' outside turning radii. Building greater than 30' in height require a 26' wide fire lane easement with a 26' inside and 49' outside turning radii.
 - Buildings greater than 30' in height are regulated by the 2015 IFC Section D105 and require a both a 26' Fire Lane Easement and two points of emergency access. Typically, the 26' fire lane easement is located on the front main entry side of the structure within a minimum of 15' and a maximum of 30' from the exterior wall of the building. Structures greater than 30' in height also require a second point of emergency access.

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Fire Hydrants:

The number and spacing of fire hydrants are determined using the 2015 IFC, to include Appendix B & C. As indicated in the previously stated code sections, fire hydrant coverage requirements include both internal site areas and abutting public street systems.

Fire Sprinkled Structures:

The requirements for the installation of a fire sprinkler system are provided within the Chapter 9 of the 2015 IFC and IBC.

General Comments:

- Our jurisdiction has amended the IFC through a city ordinance that removes the requirement for fire sprinkling R-3 Single-Family residences. During the pre-application meeting it was stated that these units would be IRC R-3 Occupancy. If this is changed to IBC R-2 occupancy, then a fire sprinkler system will be required for these units.
- 2015 IFC, Section 903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:
 - The fire area exceeds 5,000 square feet (464 m²).
 - The fire area has an occupant load of 100 or more.
 - The fire area is located on a floor other than a level of exit discharge serving such occupancies.
- 2015 IFC, Section 903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:
 - The fire area exceeds 12,000 square feet (1115 m²).
 - The fire area has an occupant load of 300 or more.
 - The fire area is located on a floor other than a level of exit discharge serving such occupancies.
- 2015 IFC, Section 903.2.2 Group B ambulatory health care facilities. An automatic sprinkler system shall be installed throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exists at any time:
 - Four or more care recipients are incapable of self-preservation.
 - One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.
- 2015 IFC, Section 903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:
 - A Group M fire area exceeds 12,000 square feet (1115 m²).
 - A Group M fire area is located more than three stories above grade plane.
 - The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
- 2015 IFC, Section 903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.
 - Exception: An automatic sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.3 shall be allowed in Group I-1 facilities.
- 2015 IFC, Section 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

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Gated Entry:

The installation of any gating system will require a City of Aurora licensed contractor to obtain a building permit through the Aurora Building Division prior to the start of any work. This would be considered a structural, life safety and electrical review within the Building Division that is conducted on behalf of the Fire Chief.

- If a gating system is to be installed at a site access point, it must be set back from the flow line of the street at least 35 feet or one design vehicle length, whichever is larger, and be approved by the City of Aurora's Fire and Life Safety department. Gating systems located within close proximity to public right-of-way (ROW) may also be assessed by the City of Aurora Traffic Manager or designee and could require a traffic analysis to determine the appropriate distance of gating system to said flow line of ROW. Where a gating system crosses a dedicated or designated fire access roadway please reference the Security Gates section of the latest edition of the International Fire Code (IFC). The installation of security gates across a fire apparatus access road shall be approved by the Fire Chief (designated Fire Chiefs representative).
- A separate building permit is required for the installation of any gating system that may obstruct fire department access to the internal areas of a site. Prior to construction please submit plans and specifications of your proposed gating system to the Aurora Building Division. If you have any questions, please contact a Fire/Life Safety representative by calling 303-739-7420.

Accessibility Requirements:

The City of Aurora reviews accessibility requirements based on 2015 IBC, Chapter 11, the 2009 ICC/ANSI A117.1 and the 2003 Colorado State [House Bill 03-1221](#), Article 5, Standards for Accessible Housing.

- [Residential](#)
- Please show the location of all mail kiosks proposed within this site. Public Works will require a curb ramp to access the mail kiosks from the adjacent urban streets. A detail will be needed of the mail kiosk layout that includes the mailboxes, sidewalk, street and curb that reflect the way these elements will meet the accessibility requirements of the ADA, USPS, ICC A117.1, 2009 edition.

The City of Aurora reviews accessibility requirements based on 2015 IBC, Chapter 11 and the 2009 ICC/ANSI A117.1

- [Residential](#)
- The site plan and the civil plans must reflect the location of outside mail kiosk. A detail of the types of mail kiosks must be included along with a drawing showing how the residents will access their mail box, how the postal service will load the mail boxes, along with curb ramp and sidewalks abutting the mail kiosks.

The City of Aurora reviews accessibility requirements based on 2015 IBC, Chapter 11, the 2009 ICC/ANSI A117.1.

- [Commercial](#)

Knox Hardware:

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an accessible location.

Legend:

The cover sheet must include a "Site Plan Legend" reflecting both existing and/or proposed site elements that are existing or proposed within site.

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Phasing Plans:

A phasing plan must be provided with the Planning Departments Site Plan and the Public Works Departments Civil Plans submittals.

Photometric Plan:

- Add the following note to the Photometric Site Plan:
ILLUMINATION WITHIN THE SITE MUST COMPLY WITH THE 2015 INTERNATIONAL BUILDING CODE REQUIREMENT FROM SECTION 1006 - MEANS OF EGRESS ILLUMINATION. SECTION 1006. ILLUMINATION REQUIRED: THE MEANS OF EGRESS, INCLUDING THE EXIT DISCHARGE, SHALL BE ILLUMINATED AT ALL TIMES THE BUILDING IS OCCUPIED. SECTION 1006.2 ILLUMINATION LEVEL. THE MEANS OF EGRESS ILLUMINATION LEVEL SHALL NOT BE LESS THAN 1 FOOT-CANDLE (11 LUX) AT THE FLOOR LEVEL AND CONTINUING TO THE "PUBLIC WAY".
- Add the “accessible route” (heavy dashed line) to the photometric plan and verify minimum 1 foot-candle of illumination along its entire length.

Site Plan, Civil Plan, Framework and General Development Plan, and Plat Notes:

The notes being provided below must be included on the cover sheet of the indicated submittal type.

- [\(Plat Note\) If Plat does not contain a Dedicated Fire Lane Easement](#)
- [\(Plat Note\) If Plat Contains Fire Lane Easement](#)
- [\(Site Plan Note\) Access Control Gate or Barrier Systems](#)
- [\(Site Plan Note\) Accessibility Note for Commercial Projects](#)
- [\(Site Plan Note\) Accessibility Note for Multi-Family Projects Built under the 2015 IBC/IRC and HB-1221](#)
- [\(Site Plan Note\) Addressing](#)
- [\(Site Plan Note\) Alternative Fire Lane Surfacing Materials.](#)
- [\(Site Plan Note\) Americans with Disabilities Act](#)
- [\(Site Plan Note\) Emergency Ingress and Egress](#)
- [\(Site Plan Note\) Emergency Responder Radio Coverage](#)
- [\(Site Plan Note\) Fire Lane Easements](#)
- [\(Site Plan Note\) Fire Lane Signs](#)

Site Plan Data Block:

The site plan must include a “Data Block” on the cover sheet that reflects all items indicated within the “link” that apply to your project.

Special Design Considerations:

Based on the information presented in the pre-application meeting, these additional Life Safety criteria must be shown on the site plan, plat and civil plans.

- [Abutting Fire Lane or Public Access Easement to Property](#)
 - If an existing fire lane or public street has to be removed or relocated for any reason, the roadway must be replaced using the current specifications of the Public Works Department.
- [Access to within 150 feet of Each Structure](#)
 - The fire code official is authorized to increase the dimension of 150 feet reach requirement where the building is fire sprinkled in accordance with the 2015 IFC, Section 503.1.1 where allowed by code. If granted approval, a fire sprinkled structure may utilize a 200-foot reach criterion in place of the 150-foot standard requirement.

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- Where fire hydrants and fire department connections are provided adjacent to vehicular access drive aisles, they will need to be dedicated as fire lane easements in order to provide emergency access to them.
- [Access Road Width with a Hydrant](#)
- [Aerial Fire Apparatus Access Roads](#)
- [Fire Apparatus Access Road Specifications](#)
 - If an existing fire lane or public roadway has to be removed or relocated for any reason, the portion replaced must follow the current specifications of the Public Works Department.
- [Combined Fire Lane, Public Access and Utility Easements](#)
- [Construction of Fire Lane Easements and Emergency Access Easement](#)
- [Cul-De-Sac's](#)
- [Dead-end Fire Apparatus Access Roadways](#)
- [Dead-End Public Streets](#)
- [Encroachment into Emergency Access or Fire Lane Easements are Prohibited](#)
- [Grade](#)
- [Labeling of Easements on the Site Plan, Plat and Civil Plans](#)
- [License Agreement](#)
 - Construction of fire lanes using alternative surfacing materials other than asphalt and concrete and/or installations of gating systems crossing a dedicated fire lane easement will require a license agreement though Real Property.
- [No Parking is allowed within a Fire Lane Easement](#)
- [Private Streets Constructed to Public Street Standards](#)
- [Pocket Utility Easements for Fire Hydrants](#)
- [Public Street Systems Adjacent to Site](#)
- [Remoteness](#)
- [Speed Bumps](#)
- [Snow Removal Storage Areas](#)
- [Two points of Emergency Access](#)
- [Width and Turning Radius](#)

Trash Enclosure:

Per the 2015 International Fire Code, Section 304.3.3, dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings, or combustible roof eave lines.

Real Property Division

The Real Property Division reviews the Site Plan and processes Subdivision Plats, Easements, and License Agreements that may be necessary for development of property.

Key Issues:

- ▶ A Subdivision Replat is required to establish new lots.
- ▶ Right-of-Way (ROW) and easements can be dedicated by the Plat. A shift of Nucla Street would require a Street Vacation (via Planning Department application, as previously mentioned in these notes)
- ▶ Offsite easements are to be dedicated by separate document.

Subdivision Plats:

- The property is currently platted; however, due to your proposed use, it will need to be resubdivided (replatted) at this time in order to obtain a building permit. Plats must be prepared using City of Aurora

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specifications provided in the most current [Subdivision Plat Checklist](#). Plat reviews may run concurrently with your other Planning Dept. submittals.

- A **pre-submittal meeting** with Real Property is required on all plat submittals so our team may verify that basic elements have been addressed before they are submitted to Planning. This 30-minute meeting is for the 1st submittal of plats only and is by appointment only. Call *Darren Akrie* at 303.739.7300 to schedule your appointment. The person preparing the plat and your project manager should attend the meeting. Please bring two sets of the plat.

Site Plans:

A Site Plan will be required by the Planning Department. Real Property has items that need to appear on that site plan above and beyond what other departments may require. These items are listed on the Real Property [Subdivision Plat Checklist](#).

Separate Documents:

- A separate document refers to a process to describe and record an encumbrance (easement, license etc.) or release of such on property when a subdivision plat already exists. The document usually consists of a legal description and drawing. Each are reviewed and approved by the city, signed by the property owner as well as the appropriate city officials and recorded with the county.
- During the pre-application meeting no requirement for separate documents were specifically identified for your site as proposed. However, review of your actual Site Plan when submitted may identify additional conditions which will require a separate document. Following are the links to additional information if needed later in your formal review process:
 - [Dedications Packet](#)
 - [Easement Release](#)
 - [Revocable License Packet](#)
 - [License Agreement Packet](#)
- **Offsite easement dedications** may be required to make your project work. It's up to the developer to obtain these easements for the city, pay compensation, etc. Dedication documents must be prepared using Real Property specifications which can be found in the [Dedications Packet](#). Once complete and accurate easement dedication information is submitted to Real Property, it takes **about 8-10 weeks** to complete the process. They must be complete and ready to record before Real Property will record the Plat and/or Site Plan.
- You may have items that encroach into city-owned property or easements (i.e. retaining walls, medians, stairs, etc.). If allowed, these types of encroachments require a **License Agreement**. Requirements can be found in the [License Agreement Packet](#). It takes **8-10 weeks** to complete the process after submittal. The License Agreement must be completed before the Site Plan is recorded.
- As shown in your proposed plans, there is an existing street right-of-way that needs to be vacated. **Street vacations** must go to City Council via ordinance. The process begins with the owner making application to the Planning Department. As part of that application, Real Property will need a legal description and exhibit for the portion of the street being vacated prepared to our specifications. The specifications on how to prepare the legal description and exhibit are available in the [Dedications Packet](#).

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- Real Property may require a Monumented Field Survey, but we are unable to determine that until we make our first review.
- If a requirement for new street lighting is identified during the review process, this may be an opportunity to partner with cell carrier providers. New technology allows these providers to incorporate their technology with street lighting. These carriers are willing to take on the cost of purchasing and installing a light with qualifying projects. Please contact *Leslie Gaylord* at 303.739.7901 for additional details and contact information.

STEP II – CONSTRUCTION DOCUMENT PHASE

The Construction Document Phase is when Engineering and Building plans are reviewed against City Codes for compliance. It is an administrative process and usually occurs after Planning Commission or Planning Director decisions. Permits are issued from these documents.

Civil Engineering Plans

- Civil Construction Plans are required for your project as proposed and shall be submitted electronically.
- Use of the Batch Standards Checker Tool is requested for this project.
- Civil Engineering Plan Review (*see links below for additional information*):
 - [Process](#)
 - [Review Schedule](#)
 - [Fees](#)

Prior to submittal of the electronic Civil Construction Plans, the civil consultant must schedule a pre-submittal meeting with Christopher Eravelly at 303.739.7457. One paper set of Civil Plans and Reports is required for this pre-submittal review. Also bring a copy of the pre-application meeting notes and a copy of the submitted site plan, including the landscape plan. At this meeting the Civil Plans shall be reviewed for completeness. A [checklist](#) is used to ascertain completeness. The engineer shall fill out the checklist and bring it to the pre-submittal meeting. A pre-submittal meeting will not be scheduled until there are no outstanding comments remaining on the preliminary drainage report/letter.

- Civil Construction Document Plan Set generally includes the following plans:
 - Stormwater Management Plan
 - Final Drainage Plan/Report
 - Final Grading Plan
 - Utility Plan and Profiles
 - Street Plan and Profiles
 - Signing and Striping Plan
 - Street Lighting Plan
- *Phasing shown on the Site Plan shall also be represented on the Civil Plan drawings.*

[Aurora Water](#)

General Requirements:

- Utility Plans will be required with the Civil Engineering Plans:
 - Utility Plans shall be prepared in accordance with the Utility Manual
 - Utility Plans must be approved prior to obtaining building permits
 - Utility Plans must include:
 - Fixture Unit Table and Meter Sizing Tables
 - Water Service and Water Meter locations
 - Sanitary Sewer Service Lines
 - Resistivity Tests for any public water mains installation per Section 20 of the Utility Manual.

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- Cross Connection Control Devices are required for:
 - o Fire Service Lines
 - o Commercial and Domestic Water Service Lines.
 - o These devices are required to be located within the building or within a heated and drained vault after the water meter.

Construction Stormwater Quality Requirements:

- A Stormwater Quality Discharge Permit and Stormwater Management Plan and Report may be required for this project if an acre or more of disturbance is anticipated (which includes equipment and material storage areas). See the latest revision of the [City of Aurora SWMP Manual](#) for more detailed requirements. A [CDPS](#) permit may be required by the State Health Department if a City of Aurora Stormwater Quality Discharge Permit is required.
- CAD Data Submittal Standard: The City of Aurora has developed a CAD Data Submittal Standard for internal and external use to streamline the process of importing AutoCAD information into the City's Enterprise GIS. Digital Submission meeting the CAD Data Submittal Standard are required by consultants on development projects when submitting to the City for signature sets and on capital projects funded by the City. Details of the CAD Data Submittal Standard can be found on the [CAD Standards](#) web page.

Public Works Department

Construction documents should reflect all approved Access, Right of Way, Easements, and Public Improvements that were included and approved on the Site Plan and Plat for your project.

Traffic Division

- Construction Documents should reflect all approved accesses, and laneage, and right of way and easement dedications.
- The Construction Documents shall include Signing and Striping Plan, a Traffic Signalization Plan (if warranted for build year), and Traffic Control Plans. If lane closures are required per the Traffic Control Plans, occupancy fees will apply. The calculation for these fees are available on the City's website or in the Development Handbook.
- Critical Traffic Control Areas, as identified by the Traffic Manager during Civil Plan review, are circumstances that develop resulting from temporary modifications to the roadway network. Critical Traffic Control Areas can include, but are not limited to:
 - lane closures resulting in reduction in vehicles capacity greater than 50%,
 - proximity to intersections, access drives, rail lines,
 - locations with higher multimodal movements, or
 - other special circumstances

When identified, the contractor shall submit Traffic Control Plans (TCPs) to the City through the Public Improvement Permit Application process for the City's review as soon as possible or a minimum of four weeks in advance of construction. In addition, as part of the Public Improvement Permit and TCP, the contractor may be required to provide advance notice (minimum two weeks) to nearby impacted users. Notifications by the contractor may be required to neighboring residences, businesses, or impacted operations of emergency response entities (law enforcement, fire, and medical), transit, delivery companies, etc., as determined by the Traffic Manager at time of the TCP review.

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- Place a note on the Construction Site Plan or Grading Plan indicating all construction vehicles (including construction workers' vehicles) shall access the site from Colfax Avenue or Airport Boulevard, and not through the adjacent residential neighborhood(s).

Engineering Division

General Requirements:

- All new developments and redevelopments are required to develop and implement a permanent condition Stormwater Management Plan (SWMP) in conjunction with the overall drainage plan for the site. The SWQCP shall be included in and become part of the preliminary and final drainage reports. The SWQCP shall discuss and propose the solutions to permanently enhance the quality of stormwater runoff through the site.
- The SWMP shall be developed by applying the permanent water quality “best management practices” described in Volume 3 of the USDCM. The SWMP shall be shown in a separate section of the drainage report. Proposed permanent stormwater quality enhancement facilities shall be sized and located on the drainage map (see section 2.42, [“Storm Drainage Design and Technical Criteria”](#) manual). The development community is encouraged to use multiple BMPs in creative and non-traditional site design to achieve the water quality objectives.
- A drainage easement is required for stormwater quality detention ponds. This easement shall connect to an access easement that ties to public right of way for access to the facilities. These easements shall be executed prior to the approval of the Civil Plans.
- An Inspection and Maintenance Plan (I and M Plan) shall be developed concurrently with the design of the permanent BMP's and submitted with the final drainage plan and report for approval. See the 2010 [Storm Drainage Design & Technical Criteria](#) manual's appendices for direction on preparing an I and M Plan, including the Maintenance Agreement. A signed Maintenance Agreement shall be submitted to the Water Department prior to issuance of a certificate of occupancy, or if no CO, then prior to approval of the Civil plans.
- The civil plans will not be approved until the preliminary drainage report is approved and the plat is ready for recordation.

Roadway Design and Construction Specifications:

- Roadway construction shall conform to the [“City's Roadway Design and Construction Specifications”](#) latest edition. The City considers the burden on you (the developer) for not only your front footage, but also to construct all needed offsite transitions to match the existing roadway(s).
- This project is required to widen an existing street. Per [Section 4.05.10](#) cores of the existing pavement are required. If the cores indicate the existing pavement is not adequate then, this project is responsible for the removal and replacement of the existing pavement with a properly designed pavement section. A minimum of 24-feet of pavement or one-half of the street section, whichever is more, is required. Any construction beyond the street centerline in order to match existing grades to make a safe, drivable surface will also be this project's responsibility.
- All road cuts or other roadway disturbances within the City of Aurora's public right-of-way shall be repaired and restored according to the standards specified in Section 36 of the City's Roadway Design and Construction Specifications, and any other requirements specified elsewhere. If more than 500

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square feet of existing roadway is disturbed within one block, the construction area shall be milled and overlaid prior to the issuance of the Certificate of Occupancy.

- Fire lanes. All primary fire lanes shall be constructed to an improved pavement surface (concrete, asphalt, or pavers). Secondary accesses in landscaping and other areas, need to be designed in accordance with the City's adopted Fire Code requirements, but may be permitted to utilize other materials and options. The proposed secondary access materials shall be approved by both Life Safety (Fire Marshal) and the City Engineer.

Building Plans

Building Division Comments:

Building Plan Review

- [Process](#)
- [Review Schedule](#)
- [Fees](#)

The comments made during the meeting address large-scale issues. We strongly recommend that a code consultation meeting be scheduled to discuss more detailed concerns.

During the development review process, you will not need to submit any documentation to the Fire Department for review. The Life Safety group within the Aurora Building Division conducts all site development and construction plan reviews on behalf of the Aurora Fire Department.

The links below contain additional information and requirements for completion, submittal, and permitting of your building plans.

Permit Types:

- Based on the information provided during the pre-application meeting, the Building Division would classify your proposed scope of work under the following permit type.
 - [Commercial Permits](#)
 - [Limited Plan Permits](#)
 - [Master Multi-Family or Multi-Family Permits](#)
 - [Single Family Residential or Master Plan Single Family Permits](#)
 - [Tenant Finish Permits](#)

Additional Building Construction Plan Checklists: Based on the information provided, you may also need the following Checklists:

- [Modular, Construction Trailer, Mobile Home Modular School Checklist](#)

Fire (click on this [link](#) to find checklist below)

- Fire Alarm
- Fire Sprinkler & Standpipe Systems
- Gating Systems across Fire Apparatus Roads
- Knox Box
- Knox Box Rapid Entry
- Wet and Dry Chemical Hood Suppression Systems

Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held April 15, 2021

- Separate (standalone) plan submittals, approvals and permits for fire protection systems can include, but are not limited to:
 - Automatic Fire-Extinguishing System and Standpipes
 - Emergency Responder Radio Coverage Systems
 - Fire Alarm and Detection Systems and related equipment

Key Issue:

- ▶ It is recommended that a preliminary meeting be scheduled with your design team and the Aurora Building Division prior to formal submittal of building construction plans. This meeting gives both the applicant and city staff the ability to clarify online submittals requirements, code requirements and interpretations to ensure mutual compliance with our currently adopted codes.

Accessibility:

The City of Aurora enforces handicapped accessibility requirements based on 2015 IBC, Chapter 11, and the 2009 ICC 117.1.

Adopted Codes by the City of Aurora:

This “link” will provide a current listing of all adopted building codes and ordinances utilized by the Aurora Building Division. To view the 2015 International Codes please utilize the following hyperlink; [ICC Codes Online](#)

- The Aurora Building Division currently utilizes the adopted 2015 International Codes Series except for the 2017 NEC. Our next code adoption cycle will be for the 2021 International Code Series.
- If your architect would like to set up a preliminary building construction plan submittal meeting please contact our Plans Examiner Manager Jose Rodriguez (jrodrig@auroragov.org).

Building Division General Comments:

The function of the Building Division in the development process involves assistance with building code questions. This “link” will provide answers to the most typical initial questions concerning the role of the Building Division.

Checklist for Plan Review Submittals:

The Aurora Building Division has established a number of checklists that reflect specific construction plan submittal and permit requirements. A copy of these checklists can be obtained through the City of Aurora website or by clicking on the link provided here.

General Fire Protection System Requirements:

Based on the information provided during the Pre-Application meeting the following fire protection systems are likely to be required for this structure:

- **Commercial Cooking Hood Suppression System** - 2015 IFC, Section 904.
- **Fire Alarm and Detection System** – 2015 IFC, Section 907.
- **Fire Sprinkler System** - 2015 IFC, Section 903.
- **Standpipe System** – 2015 IFC, Section 905.

Geographic Design Criteria:

New construction must adhere to the climatic and geographic design criteria provided using the hyperlink above.

Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held April 15, 2021

Occupancy Specific Building Code Requirements:

Based on the information provided, your building occupancy or occupancies are as follows.

- A-2 Occupancy - Assembly uses intended for food and/or drink consumption.
- A-3 Occupancy - Assembly uses intended for worship, recreation or amusement, and other assembly uses not classified elsewhere in Group A.
- B Occupancy - A building or structure or portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Building or tenant space used for assembly purposes by fewer than 50 persons may be considered a Group B occupancy.
- M Occupancy - Buildings and structures, or portions thereof, for the display and sale of merchandise. Involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public.
- R-2 Occupancy - Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature.
- R-3 IRC Occupancy - Residential occupancies shall include buildings arranged for occupancy as Residential Care/Assisted Living Facilities including more than five but not more than 16 occupants, excluding staff. Group R-4 shall meet construction requirements for Group R-3 or shall comply with the IRC.

Multi-Family Master Plans:

A master plan can be submitted for identical multi-family structures in place of separate submittals for different addresses.

Single-Family Master Plans:

Master plans can be used for each identical townhouse type. Please utilize our [IRC ONE AND TWO FAMILY RESIDENTIAL](#) checklist.

Townhouses:

- Townhomes are considered single-family one and/or two-family dwellings by the International Residential Code (IRC) and designated as Group R-3 occupancies. As such, R-3 occupancies are to be served by individual utilities where the individual home owner has sole control of the shut off and main circuit breaker for their property. Ganged Meters for Gas and electric are not allowed in the City of Aurora for IRC R-3 townhouses. Where ganged meters are intended, the townhouses will be designated as International Building Code (IBC) group R-2 occupancies requiring residential fire sprinkler installations. The site plan and civil plan utility sheets must show service entrances for all utilities in order to define occupancy designation for the structures.

Request for Modification or Alternative Material:

Per the 2015 IFC, Section 104.10 and 104.10.1, whenever there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have the authority to grant modifications for individual cases, provided the fire code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements.

Structures Built over or up to a Property or Lot Line:

If a property line is defined by a recorded subdivision map, the International Building Code requires that buildings on both sides of that property line be structurally independent with individual fire-resistive protection based on the distance to property line.

**Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held
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1. A replat of the site will be required to remove the existing property lines to establish one lot and block for the new structures being proposed.

Tri-County Health Department:

All applicants submitting construction plans for retail food establishments, daycare centers, preschool programs, group homes, fountain water attractions, and public swimming pools are also responsible for meeting the separate requirements of the Tri-County Health Department.

Real Property Division

Reminder – Prior to building plans submittal, processing of any/all required separate documents should be started so that this process does not interfere with permit issuance.

STEP III – CONSTRUCTION PHASE

Before any construction may commence, a contractor licensed in the City of Aurora must be issued the appropriate **permits** for all work to be performed. [Licensing](#) information is available on the City's website.

Aurora Water

Utility Connection Fees:

- Water Service Connection Fee
- Metro Sanitary Sewer Connection Fee
- Sanitary Sewer Connection Fee

Fees may only be paid after issuance of building permit and must be paid prior to issuance of the Certificate of Occupancy. This is required for new services and when meter sizes are upsized.

- Wet Tap Fees:
 - Apply when making connections to existing water mains for water line extensions, fire hydrant lines, and fire service lines.
- For a full listing of Utility Fees, please see the [Aurora Water Fee Schedule](#).

Public Works Department

Engineering Division

- A geotechnical and pavement design report is not required for paving of new or existing private parking lots, fire lanes, driveways, and private streets (other than TODs and Urban Centers). The civil plans shall have the default pavement thickness, obtained from the Roadway Manual, labeled on the plans and a note indicating the type of soils within the project, unless the developer submits a pavement design for review and approval. A paving permit for this private infrastructure is **not** required. **A Private Development Pavement certification shall be required to be submitted prior to issuing a Certificate of Occupancy.** See [Section 5.01.2.02](#) for more information. The developer/contractor is responsible for the required testing, backfill, and compaction for all wet utilities prior to paving. It is the developer/contractor's risk to begin paving without the initial acceptance of the wet utilities.

Public streets are required to have geotechnical and pavement design reports approved before a paving permit will be issued. Please note the requirement for composite pavement sections in Section 5.00. Also, streets are required to have French drains (for concrete pavements and bituminous composite pavement sections) at the back of curb at low points in the streets and be extended 100-feet on both sides of the low point, unless the geotechnical pavement design report indicates the presence of high ground water. Then, the French drains shall be extended in accordance with the recommendations of the pavement design report.

- A new Certificate of Occupancy needs to be issued for this site. Aurora City Code requires all public improvements (see definition below) be completed, escrowed for, a deferral granted, or have a Public Improvement Plan (PIP), indicating when the improvements will be installed, in place prior to issuance of the Certificate of Occupancy.

**Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held
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- Public improvements shall mean and include, but not by way of limitation, the construction, reconstruction, and improvement of the following:
 - local streets
 - fire lanes
 - curbs, gutters, curb ramps, and sidewalks
 - sanitary sewer mains, including laterals to each lot line
 - storm drainage
 - detention and water quality facilities, including necessary structures
 - street lighting
 - water mains, hydrants and valves
 - tree plantings and landscaping
 - repairs and replacements thereof necessitated by construction activity pursuant to issuance of a City of Aurora certificate of occupancy.

Building Division

Key Issues:

- ▶ Once the building permit is issued it is recommended that the General Contractor (GC) schedule a pre-construction meeting through the Office of Development Assistance Project Manager. The meeting will consist of the Public Improvement Supervisor, Building Division Inspector Supervisors, and a Fire/Life Safety Supervisor. These meetings are highly beneficial to both the GC and city staff in addressing inspection requirements that assist in obtaining a TCO or CO in a timely manner.
- ▶ The Aurora Building Division currently utilizes the adopted 2015 International Codes Series except for the 2017 NEC. Our next code adoption cycle will be for the 2021 International Code Series.
- ▶ If your architect would like to set up a preliminary building construction plan submittal meeting please contact our Plans Examiner Manager Jose Rodriguez (jrodrig@auroragov.org).

Construction Permits:

Please click on the link provided for a listing of required construction permits.

Fire Safety during Construction, Alteration or Demolition of a Building:

Utilize the requirements of the 2015 IFC, Chapter 33 for both construction and demolition of any structure within your site. To obtain a full copy for fire department access and water supplies to a construction site, please call the Building Department at 303.739.7420.

Access Roadways during Construction:

Please click on the “link” provided for requirements for fire department access during construction.

**Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held
April 15, 2021**



Pre-Application Conference

Neighborhood Liaisons
Housing and Community Services
15151 E Alameda Parkway
Aurora, Colorado 80012
Phone: 303-739-7280
Fax: 303-739-7191
www.auroragov.org

To: Frances Vernon
From: Scott Campbell
Date: April 15, 2021
Subject: Aurora Community Health Commons
Location: 16800 E Colfax Ave

Listed below are the neighborhood associations that are currently registered with the Neighborhood Liaisons within one mile of your proposed project. Once your application has been formally submitted each Neighborhood Organization will receive a copy of your application along with a comment card to be returned to the Planning Department. The comment card allows neighborhood organizations to share their concerns about the application prior to Planning Commission. Since the neighborhood list is updated frequently, it is recommended if you submit your application to the Planning Department any time after 30 days of today's date, you should obtain a new, current list. Your Planning Case Manager will have an updated list available at your presubmittal meeting.

As an applicant for a proposed development or use approval in the City of Aurora, you are strongly encouraged, but not required, to set up a neighborhood meeting with these representatives as soon as possible, but no later than 21 days prior to your scheduled public hearing. The purpose of this meeting is to explain your proposed development or use approval, and if necessary, to work with neighborhood representatives to address their concerns. Your assigned Neighborhood Liaison will assist you in scheduling and mediating the meeting at your request. The liaison will also provide you with an updated and accurate neighborhood association mailing list prior to the meeting. Adjacent property owner address information is available on the Adams and Arapahoe County web sites at www.co.arapahoe.co.us and www.co.adams.co.us. It is the applicant's responsibility to mail and/or e-mail a letter of invitation to all neighborhoods and adjacent property owners at least 10 days prior to the meeting. A sample letter of invitation is included in this packet. The assigned Planning Case Manager will attend the meeting to note any agreements made by the applicant, and will include those agreements in their presentation at public hearings. You may anticipate being asked at public hearings if you have met with nearby neighborhoods and the result of such meetings.

As the Neighborhood Liaison for this area, I am available to assist you in communicating with the neighborhood listed below. For assistance or to set up a neighborhood meeting, please contact me at 303-739-7280.

The neighborhoods within 5280 feet of your proposed developments are:

**Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held
April 15, 2021**

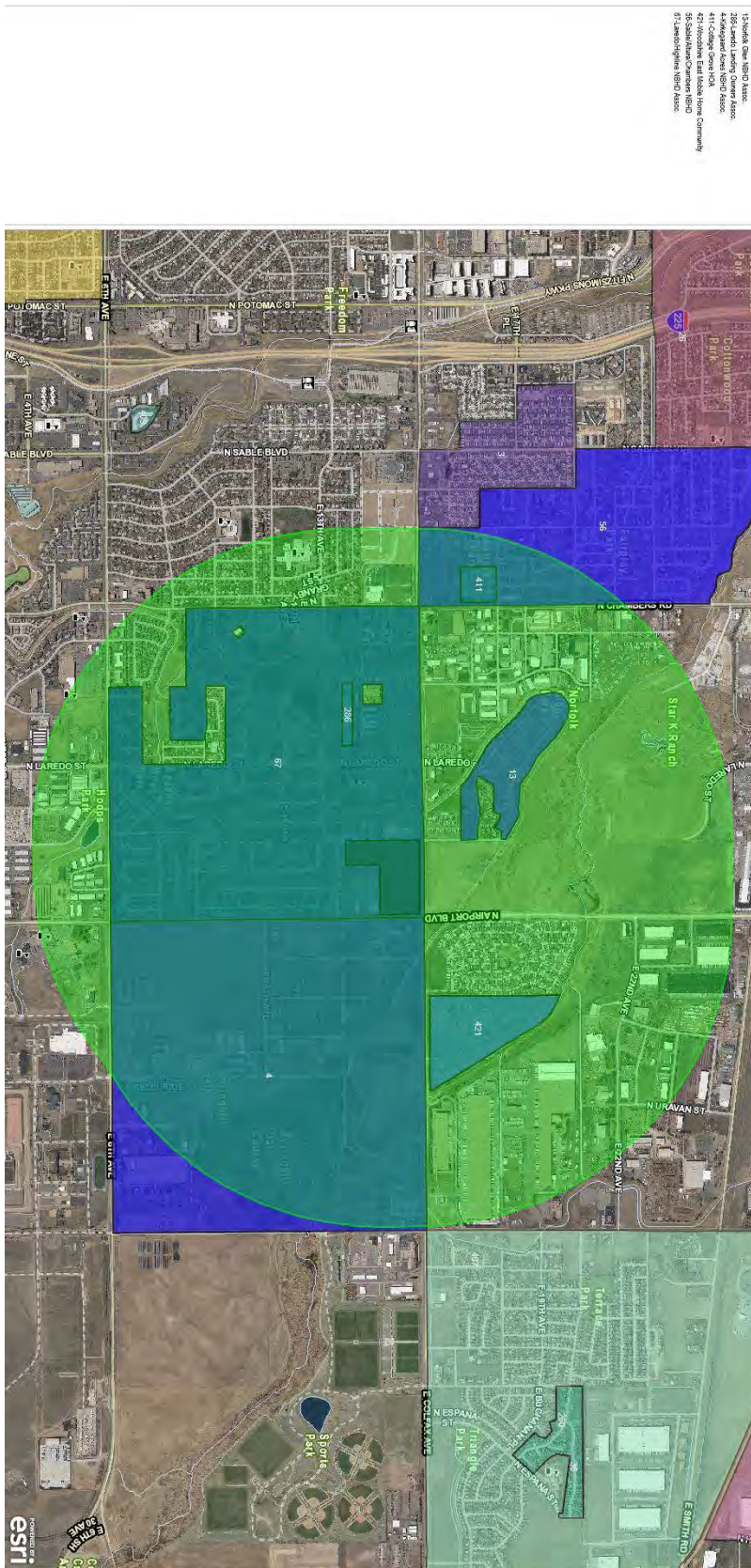


List of Neighborhood Associations

Location: 16800 E Colfax Ave

| Record Id | HOA # | Organization | Contact | Phone |
|----------------------|--------------|--------------------------------------|--|----------------------------------|
| 15-923278-000-00-NA | 411 | Cottage Grove Homeowners Association | KATIE BARKER 1224 WADSWORTH BLVD LAKEWOOD CO 80214 KATIE@CMSINCORP.NET | (720) 377-0100 |
| 03-111479-000-00-NA | 4 | KIRKEGAARD ACRES | KENT MAJOR 1156 RICHFIELD ST AURORA CO 80011 MAJORPIPETESTING@GMAIL.COM | (303) 324-5818 (303) 343-6613 |
| 03-111754-000-00-NA | 286 | LAREDO LANDING | NATASHA HENRICKS 4950 S YOSEMITE ST, F2-506 GREENWOOD VILLAGE CO 80111 NATASHA@SAMMGT.COM | (303) 459-4919 |
| 03-111553-000-00-NA | 67 | LAREDO/HIGHLINE | DON GROVER 1188 MOBILE ST AURORA 80011 grovergdpa@gmail.com | (303) 367-8057 |
| 03-112878-000-00-NA | 13 | NORFOLK GLEN | SHERRY STUMBAUGH 15804 E 17TH PL AURORA CO 80011 SSTUMBAUGH@FBX.COM | (123) 456-7890 (303) 364-4478 |
| 03-113505-000-00-NA | 56 | SABLE ALTURA CHAMBERS NBHD | DIANE BRAKE 3090 S DAHLIA ST DENVER CO 80222 BRAKEPLACE@CENTURYLINK.NET | (303) 758-3311 (303) 344-8226 |
| 17-1260578-000-00-NA | 421 | WOODSHIRE EAST MOBILE HOME COMMUNITY | MICHAEL GRADISAR 1896 SALIDA ST AURORA CO 80011 MEGRADISAR@AOL.COM | (303) 919-0925 |

Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held April 15, 2021



1532099 Aurora Health Commons
206 Laredo Landing Drive, Aurora, CO 80012
441 College Drive, Aurora, CO 80012
411 College Drive, Aurora, CO 80012
5533 Aurora Avenue, Aurora, CO 80012
5712 Aurora Avenue, Aurora, CO 80012



March 17, 2022

John Santistevan - jsantistevan@saludclinic.org
Salud Family Health Centers
203 S Rollie Avenue
Fort Lupton, CO 80621

Re: Aurora Community Health Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022

Dear Mr. Santistevan:

I would like to take this opportunity to thank you for considering the City of Aurora for the Aurora Community Health Commons Master Plan project. As your assigned Project Manager, I remain available as a resource as you initiate the review and approval process in the city.

Attached to this letter are the formal Staff Comments from your Pre-Application Meeting with the Development Review Team. I have taken the opportunity to highlight a few key issues below that may require further consideration prior to a formal submittal of your Development Application. These, as well as those on the attached pages, will need to be addressed either before or during the development review process.

Key Issues:

- ▶ **Initial Process:** The project as proposed requires the submittal of a zoning map amendment (rezone), concurrently with the submittal of a master plan and master engineering studies for utilities, drainage and traffic. The master plan and studies should be substantially reviewed with no significant comments remaining prior to the submittal of future site plans. The initial Planning process is covered in further detail on page five while more detail on the required contents of the master plan are covered beginning on page seven.
- ▶ **Development Standards:** Please review detailed development standards beginning on page eight for information regarding common space and amenities, street network and pedestrian connectivity and landscaping requirements.
- ▶ **Park Land Dedication:** Your proposal includes new residential in a larger mixed-use space which triggers park and open space requirements. It was unclear how many units are proposed at this time. With your submittal, please clearly state the number and type of units so that the park and open space land dedication may be accurately calculated.

► **Pocket Park:** Your proposed site falls outside an area that is within a neighborhood park service radius. To provide service to the new residents and meet some open space land dedication on site, provide a pocket park on site which is publicly accessible, provides a ¼ mile service radius and meets the criteria outlined on page 14.

► **High Line Canal Access:** Your site is within access to the High Line Canal regional trail system which is a great amenity to all future residents and users of your site. To create connectivity, please be sure that there are clear connections between all buildings on your site up to your future sidewalk along Colfax Avenue.

► **Public Improvements:** A Public Improvement Plan (PIP) shall be submitted with the master plan. The PIP includes a narrative description of the required planning areas as developed independently. The improvements include roadways, utilities and storm infrastructure. Exhibits shall be included to support the narrative. Please find a list of required public improvements on page 19.

Please continue to work with city staff and potentially the Station 60 project to the north of your site on the Colfax and Norfolk intersection, as applicable. At a minimum, the eastern portion of the Norfolk right-of-way shall be completed to the eastern extension of 14th Avenue. There are additional comments from the Traffic Division beginning on page 16.

► **Nucla Street Alignment:** As shown in your proposed plans, there is an existing street right-of-way that needs to be vacated and re-dedicated in a new alignment. Street vacations must go to City Council via ordinance. The process begins with the owner making application to the Planning Department. As part of that application, Real Property will need a legal description and exhibit for the portion of the street being vacated prepared to our specifications. The specifications on how to prepare the legal description and exhibit are available in the [Dedications Packet](#).

The comments reflect information provided on your submittal materials as well as the discussion within the meeting and are meant to provide general direction to you in the preparation of the actual submittals. If the plans change significantly for the project, another pre-application meeting would be advised. Again, thank you for attending the Pre-Application Meeting with our Development Review Team; I trust the meeting was helpful. If you have any questions or require additional information, please do not hesitate to contact me at 303.739.7585 or lrickhof@auroragov.org.

Sincerely,



Laura Rickhoff
Project Manager

CC: Eric Sakotas - esakotas@thkassoc.com



City of Aurora

Development Process

While the development process is described in more detail in the [Development Handbook](#), the following information will help you gain a quick understanding of your next steps in the process and understand the formatting of the attached staff comments:

Step I - Planning Phase

- The application is submitted to the Planning Department.
- The Planning Department refers the plan to other city departments for comment.
- Neighborhood meeting(s) are scheduled as necessary.
- The Master Plan application will require approval in a public hearing before the Planning and Zoning Commission. The Zoning Map Amendment will require a recommendation from Planning and Zoning Commission to the City Council who has final approval authority.
- Future Site Plans will require approval in a public hearing before the Planning and Zoning Commission.
- Future Subdivision Plats are approved administratively, along the same timeline as the Site Plans.

Step II - Construction Document Phase

Civil Engineering Plans: This generally includes grading, storm drainage, stormwater management plan, public utilities, and street construction plans.

- Master engineering studies (Utility, Drainage, Traffic) are required with the Master Plan. Preliminary drainage reports and plans are a part of site plan submittals. Final drainage plans are included in the civil engineering plans package.
- A pre-submittal meeting with Public Works Engineering is required prior to electronic submittal of final civil plans for review. This review is separate from the Planning Phase review above and requires a per-sheet review fee at the time of submittal.

Building Plans: (construction plans for structures)

- Usually reviewed after Planning decision is made.

All data submitted in AutoCAD 13 or higher as part of this project should be in conformance with the City of Aurora CAD Data Submittal Standard. The standards and template can be found here: [CAD Data Submittal Standard](#)

Step III - Construction Phase

Building/Civil Permits:

- **Stormwater Quality Discharge** permits must be issued prior to any site work (Aurora Water).
- **Public Improvement permits** can be issued after civil plan approvals.
- **Building permits** are issued only after Steps I & II are complete (site plan/civil plan), and building plans are approved.

Inspections: Certificate of Occupancy (CO) is granted once all work and inspections are complete.

STAFF COMMENTS - PRE-APPLICATION MEETING

Purpose of the Pre-Application Notes

These comments summarize the city's land use ordinances, policies, design standards, and code requirements that apply to your project. They are based on the material you have supplied us and will alert you to key issues involved in your project. They are not intended to provide a complete review of your proposal. Several electronic links have been included within the body of these comments, some specific to your project and some more general in nature. Note that these comments are valid for a period of six months.

Please do not hesitate to contact **Laura Rickhoff, ODA Project Manager**, who assembled these notes.

Contact Information

Below is a list of City of Aurora Departments/Divisions that were represented at the meeting and contact information for the individual City Staff members present.

City Manager's Office

Office of Development Assistance
Laura Rickhoff
303.739.7585
lrickhof@auroragov.org

Thelma Gutierrez
303.739.7352
tgutierr@auroraogov.org

Planning

Zoning and Plan Review
Liz Fuselier
303.739.7450
efuselie@auroragov.org

Landscape Design
Kelly Bish, RLA, LEED AP
303.739.7189
kbish@auroragov.org

Parks, Recreation & Open Space

Planning Design and Construction
Alex Grimsman
303.739.7154
agrimisma@auroragov.org

Aurora Water

Daniel Pershing
303.739.7646
ddpershi@auroragov.org

Public Works

Traffic Division
Steve Gomez
303.739.7336
segomez@auroragov.org

Drainage and Public Improvements
Engineering Division
Kristin Tanabe
303.739.7306
ktanabe@auroragov.org

Life Safety and Building Division
Mike Dean
303.739.7447
mdean@auroragov.org

Real Property Division
Darren Akrie
303.739.7331
dakrie@auroragov.org

Housing and Community Services

Community Engagement
Meg Allen
303.739.7441
mkallen@auroragov.org

Aurora Public Schools

Joshua Hensley
303.365.7812 x28463
jdhensley@aurorak12.org

Oil and Gas Division

Colin Brown
303.739.6824
cmbrown@auroragov.org

STEP I – PLANNING PHASE

Planning and Development Services Department

The Planning comments are numbered. When submitting an application, please include a letter of introduction responding to each of the numbered comments, including key issues from other departments.

Key Issues:

- ▶ Zoning Map Amendment Approval (Rezone)
- ▶ Master Plan Approval
- ▶ Provide Internal Site Access and Connectivity
- ▶ Provide Street Activation

Project Overview:

- Zoning: MU-C (Mixed-Use Commercial)
 - R-R (Residential Rural)
 - R-3 (Medium-Density Multi-Family Residential)
 - APZ (Accident Potential Zone)
- Character Area: Subarea A
- Proposed Use: Health Clinic, Affordable Housing, Multi-Use Commercial Building
- Permitted Uses: Yes

Type of Application:

- Zoning Map Amendment
- Master Plan
- Street Vacation
- Site Plan (future)
- Subdivision Plat (future)

Procedures:

- A Summary Table of Procedures can be found in Section 146-5.2, Table 5.2-1.

The Rezone and Master Plan should be submitted concurrently. The Master Plan application will require approval in a public hearing before the Planning and Zoning Commission. The Zoning Map Amendment will require a recommendation from Planning and Zoning Commission to the City Council who has final approval authority. The applications will be reviewed in a 17-18-week timeframe and will be processed electronically through our development review website. Any future Site Plans will require approval in a public hearing with the Planning and Zoning Commission. The application(s) will be reviewed in a 12-13-week timeframe.

Important Links:

- [Unified Development Ordinance \(UDO\)](#)
- [Aurora Places Comprehensive Plan](#)
- [CAD Data Submittal Standard](#)
- [Landscape Reference Manual](#)
- [Development Review Website](#)
- [Online Application and Plan Submittal Guide](#)

Re: Aurora Community Health Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022

- [Transportation Studies & Plans](#)
- [Pre-Submittal Checklist](#)
- [Forms and Applications](#)
- [Aurora Map Gallery](#)
- [Arapahoe County Assessor Map](#)
- [Site Plan Manual](#)
- [Subdivision Plat Manual](#)
- [Subdivision Plat Checklist](#)
- [Master Plan Manual](#)

Standards and Issues:

1. Zoning and Placetype

1A. Zoning

The intent of the MU-C zone district is to provide retail goods and services to satisfy the household and personal needs of the residents of nearby residential neighborhoods, those traveling on adjacent collector and arterial corridors, and to allow for higher intensity general business and service activities. The MU-C district should be located and designed to allow for access by pedestrians, bicyclists, and public transportation, in addition to automobiles and is intended to promote sustainable infill redevelopment of older commercial sites, while mitigating the impacts of redevelopment on surrounding areas.

The intent of the R-R zone district is to allow very low density, single-family residences and limited agricultural uses within a rural environment. This district is intended to prohibit most commercial activities and permitted home occupations that are unrelated to agricultural or rural activities.

The intent of the R-3 district is to promote and preserve development of medium-density single-family and multifamily housing near collector streets and public transit facilities. Uses in this district include a diverse range of housing types ranging from single-family and two-family residences to medium-density multifamily housing and limited lodging and rooming facilities.

The purpose of the APZ district is to require development around military airport facilities to comply with the regulations of the U.S. Department of Defense, and any other applicable aviation regulations, regarding land uses, building heights, and other factors, to protect the public from hazard impacts of airport operations, minimize exposure to crash hazards generated by military airport operations, promote sound land use planning and zoning practices, and encourage future development compatible with the continued operation of military airports.

1B. Proposed Zoning

A zoning inquiry (Application #1602497), requesting guidance to change from R-R zoning to R-3 zoning, has been submitted by the applicant resulting in a “neutral” response from the planning and development review department. There is an expectation that a rezone (Zoning Map Amendment) request will accompany the Master Plan application.

1C. Overlay Districts

Avigation Easements

Because the property is within the Airport Influence District surrounding Buckley Air Force Base an avigation easement with the city and the airport shall be conveyed by the person subdividing lands or initiating construction of any structure on already subdivided lands. Such avigation easement shall be an easement for right-of-way for unobstructed passage of aircraft above the property and shall waive any right of cause of action against the city of associated airport arising

Re: Aurora Community Heath Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022

from noise, vibrations, fumes, dust, fuel particles, and other effects caused by aircraft and airport operations. The avigation easement shall be in a form approved by the city and shall be recorded in the office of Clerk and Recorder for the county where the property is located before permit or plat approval is granted. The avigation easement form can be found [here](#). Please contact Karen Hancock at 303-739-7107 or khancock@auroragov.org with any questions you may have.

1D. Placetype

The subject property is within the City Corridor placetype. This placetype will contribute to the economic and fiscal success of the city and are centered along the city's major roadways, home to a wide range of uses, including commercial, retail, institutional, service and some residential. This placetype is generally auto oriented, but should also accommodate pedestrians, bicyclists and transit service. City Corridors should include amenities such as sidewalks, crosswalks, benches, pedestrian-scale lighting and landscaping that make it easy for pedestrians to safely and comfortably navigate the area.

The subject property also falls within the Established Neighborhood placetype. The Established Neighborhood placetype is characterized by predominantly residential areas with a variety of unit types, including single-family detached and attached, and multifamily development. this placetype may also support limited retail, service and office uses located at intersections or along major perimeter streets.

1E. Master Plan

A Master Plan is an overall plan that describes development and design features on a large piece of land and includes approximate locations of buildings, potential uses, streets, and other features. It is intended to ensure that planning of the area is coordinated and comprehensive and provides for an efficiency of design, infrastructure and circulation on a larger, multi-lot scale. By planning generally where buildings, streets, entrances, walkways, parking and other features will go before small portions of the land area are developed, well-planned development will occur.

The Master Plan shall address:

1. General arrangement of uses, planning areas, parking areas, infrastructure and drainage;
2. Appropriate vehicular, bicycle and pedestrian circulation systems (including trails) with shared entryways from streets and shared connections to sidewalks, parking areas and uses;
3. Design standards, including urban design, landscape design and architecture; and
4. Phasing of development and associated infrastructure.

As outlined in the Master Plan Manual, the submittal must include all tabs (Tab 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12), a Public Improvements Plan, a Master Utility Study, and Master Drainage Report, and a Master Traffic Impact Study with the first submittal. Detailed justification must be provided for any adjustment requests and shall be mitigated through enhanced design standards and other measures.

The required Letter of Introduction should address how the project meets the Master Plan criteria for approval.

1F. Public Improvements Plan

A Public Improvements Plan (PIP) will be required and should address all public improvements including streets, utilities, drainage, and dedicated parks and open space. The PIP should not only include a sheet in the plan set, but also a narrative that addresses utilities, roads, parks, and drainage. Stormwater management shall be designed to integrate with required outdoor common areas and

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open space areas, green space and landscaped areas to promote the use of natural systems to manage stormwater and to reduce the cost of construction and maintenance of pipes, culverts, and other hard infrastructure to the maximum extent practicable. Open space shall be integrated into and throughout the development, connected with one another through pedestrian and bicycle circulation as well as connections to regional city trails.

2. Development Standards

2A. Dimensional Standards

Refer to Section 146-4.2 (Table 4.2-2 and the Dimensional Standards Summary Tables for the detailed dimensional requirements of each zone district. Please also review the use-specific standards in Section 146-3.3.2 (Residential) and Section 146-3.3.5 (Commercial).

2B. Subdivision Standards

In Subarea A, the length and width of new blocks created through subdivision shall be within 25 percent of the typical length and width of blocks nearest adjacent subdivided land, shall not exceed 330 feet in width and 660 feet in length, to the maximum extent practicable in light of topographic conditions.

In all Subareas, each block shall be bordered by public or private streets meeting the requirements of Section 146-4.5 (Access and Connectivity) and with all applicable Aurora Roadway Design and Construction Specifications, or by private common space or dedicated park land or open space at least 30 feet in width with a sidewalk connecting one street to another.

Multiple buildings on a site shall be arranged to promote multi-modal connectivity, provide visual interest to pedestrians, activate public spaces, and facilitate social interaction. Buildings shall be arranged to provide ample light and air into interior and exterior spaces. If the project will be platted in phases, each phase should prevent any remainder parcels which are undevelopable or unplanned. The PIP and Master Plan should clearly identify how infrastructure and amenity access will be available to all phases of development.

2C. Common Space and Amenities

We appreciated the inclusion of dedicated common open spaces. The MU-C zone district does discuss the dedication of parks and open space when residential uses are present. Please coordinate with PROS relating to dedication requirements.

Staff supports identifying approaches in the master plan to prioritize areas of the development as higher use pedestrian areas with active street frontages and mixed-use buildings fronting onto streets. In addition, staff supports clarifying expectations of improvements to perimeter streets that improve pedestrian safety and comfort. Development patterns along perimeter streets should include buildings along the street with parking and circulation internal to the site.

For the proposed multifamily residential portion of the development, individual site plans will require onsite usable outdoor space related to the buildings. A minimum of 20% common open space should be provided. To count toward the 20% open space requirement the space needs to be usable for residents and guests. This may include open green spaces that can be used for recreational activities and gathering space. Outdoor playgrounds, pools and athletic courts may also count toward the 20%. Outdoor courtyards, plazas and similar common areas may also count toward the 20%. A significant portion of the required useable space should be consolidated into a single area. When Re: Aurora Community Health Commons (#1532099)/Pre-Application Meeting held April 15, 2021 9 utilizing plaza and courtyard space please incorporate decorative concrete treatments,

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pedestrian scaled lighting, site furniture, shade features and landscape amenities such as tree openings, seat walls and raised planters.

For the proposed commercial portions of the site, individual site plans must show building entrances opening directly onto a street sidewalk or a plaza or courtyard space. Pedestrian access should be provided into and around the property, to trail corridors, and between individual sites and/or buildings. Accessible routes will be required between parking areas, buildings, and the public right-of-way. Consideration should be taken to ensure adequate connectivity and accessible route(s).

2D. Access and Connectivity

All properties shall provide an interconnected system of sidewalks that directly connect all lots to and within commercial centers, employment areas, designated parks and open spaces, and other uses. All lots shall include or directly abut a sidewalk.

The existing Nucla Street needs to extend north from 13th Avenue to 14th Place. North of 14th Place, the alignment of Nucla Street may jog over to align with the median break in Colfax Avenue.

In the Urban Design Standards, provide an illustrative street network plan with your that generally identifies the location of all streets (including locals). The purpose of this conceptual plan is to ensure that there is adequate connectivity within and between each Planning Area in the development, as well as to adjacent areas. Please note that improved connectivity and smaller blocks will be required within the commercial and multi-family areas.

On-site pedestrian and bicycle circulation system shall be designed to provide or allow for direct connections to major pedestrian and bicycle destinations, including trails, parks, schools, and transit stops that are located within or adjacent to the development.

The expectation is for all streets to include a detached sidewalk with curbside landscaping and street trees located between the back of the curb and the sidewalk.

2E. Parking, Loading, and Stacking

Off-street parking is required by Section 146-4.6. Per Section 146-4.6.3, Table 4.6-1, multi-family (affordable) is required to provide .85 parking space per dwelling unit, plus 1 parking space per 5 units of guest parking, and commercial/office/medical uses are required to provide 2.5 parking spaces per 1,000 square feet of gross floor area. Where a mix of uses creates staggered peak periods of parking demand, shared parking solutions are recommended in order to reduce the total amount of parking provided on site.

Parking alternatives listed in Section 146-4.6.4 may reduce parking requirements. In addition to vehicle parking, the development is required to provide bicycle parking spaces. Bicycle spaces must comply with Section 146-4.6.3.F.2, including providing a design that includes 2 points of contact with each bicycle. Each inverted "U" rack counts as two bicycle parking spaces. Place any bicycle parking in a convenient, paved, and well-lit location.

Section 146-4.6.5 details requirements for the design and placement of parking areas. Generally, parking areas should be located and designed to provide for adequate vehicle circulation, safe pedestrian connections, screening from adjacent sites and streets, and to avoid abutting significant stretches of adjacent streets.

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No more than 25 percent of the lot frontage on arterial or collector streets to a depth of 60 feet shall be occupied by surface parking. The remaining 75 percent of the lot frontage on arterial or collector streets shall be occupied by a structure, and no surface parking shall be located between that building and the street. Required parking space(s) associated with any multifamily residential building shall not be located more than 330 feet from an entrance to that building and shall have a direct pedestrian connection to the building's entrance or entrances.

Off-street parking facilities shall be located to the rear of the primary building, within the principal building, within a garage structure, or entirely below grade.

2F. Landscape, Water Conservation, Stormwater Management

The Aurora Community Health Commons Master Plan (MP) shall include design standards that address the overall landscape and aesthetic requirements for the entire development. Design standards shall meet the Unified Development Ordinance(UDO) but typically go above and beyond these minimum standards and address any unique circumstances that may require special design considerations such as steep slopes, trail connections, buffers and setbacks etc. Please consider an aesthetic theme that is carried throughout the development byway of landscaping, paving and public art. Once the applicant has an approved MP, all future site plan submittals will be reviewed against the adopted standards as well as the UDO for regulatory compliance.

While not an all-inclusive list, the MP should at a minimum address the following:

- *Streetscapes:* Hierarchy of streetscape aesthetic treatments for internal vs. external streets. Tree spacing shall meet current city standards, but alternative design options can be proposed that exceed current code requirements. Address any proposed street furnishings such as benches, trash receptacles, planters, signage, banners, lighting etc. in terms of their style and use throughout the development.
- *Public gathering spaces:* Incorporate design standards for any proposed pedestrian spaces associated with the development and the integration of any amenities such as benches, lighting, trash receptacles etc. How will the interconnection of pedestrian spaces with walkways and trails be designed?
- *Views:* How is building placement oriented to address what people see when looking into the development from the external streets surrounding the site? What views if any, are highlighted or captured from within the development looking out? Amenity spaces, buildings, public art as well as principal entrances are encouraged to be located to create interesting views from the street and from within the site.
- *Public Art:* Does the public art component theme get carried throughout the development within the architecture or public accommodations? Is there only one larger public art piece provided in a central location? Public art can act as a gateway entrance into the site or building and can serve multiple purposes if designed and sited properly.
- *Landscaping:* The MP should address the streetscape including street frontage buffers that detail proposed widths, berming, plant quantities and plant types. Street buffers should reflect the hierarchy of the street in addition to the proposed land development associated with that frontage. The MP should include landscape design standards for screening of detention basin landscaping, building perimeters, parking lot landscaping, non-street frontage buffers and enhanced site entrances. The proposed landscape standards should meet the current UDO, but where landscape standards are missing or silent, they shall defer to the

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requirements found within the UDO.

- *Entry Monumentation:* Will there be any unique entry monuments associated with the development?
- *The primary through corridors:* Will there be multiple primary entrances into the development and how will they be treated aesthetically with landscape, monumentation/signage, hardscape etc.?
- *Hardscapes:* How do hardscape materials, patterns and colors relate to the public areas within the development? Where are they used relative to traditional concrete?

2G. Building Design Standards

Section 146-4.8 of the UDO contains specific standards for the design of buildings. These standards include requirements for building orientation and spacing, breaking up the massing of building facades with articulation elements, four-sided building design, and permitted materials, among other things.

Code requires that you incorporate material changes and architectural features such as glazing, textured surfaces, projections, color, overhangs, and changes in parapet height to improve the

Table 4.8-1
Building Design Standards Applicability by Building Type
 Adjustments for Affordable Housing Structures appear in Sections 146-4.8.5 and 146-4.8.6

| Standard | Single-family detached or two-family dwellings | Single-family attached | Multifamily buildings | Single-story non-residential buildings | Multi-story mixed-use or non-residential buildings | Large-scale retail large format-over 75,000 sq. ft. gfa. |
|--|--|------------------------|-----------------------|--|--|--|
| General building design standards | | | | | | |
| Design variety | ✓ | | | | | |
| Distribution of masonry and architectural features | ✓ | | | | | |
| Windows | ✓ | | | | | |
| Building orientation and spacing | | | ✓ | ✓ | ✓ | ✓ |
| Massing and articulation | | | | | | |
| Horizontal articulation | | ✓ | ✓ | ✓ | ✓ | ✓ |
| Vertical articulation | ✓ | | ✓ | ✓ | ✓ | ✓ [1] |
| Maximum building length | | | ✓ | ✓ | ✓ | |
| Building materials | | | | | | |
| Primary building materials | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Masonry standards | | ✓ | ✓ | | | |
| Four-sided building design | | | | | | |
| Facade character elements | | | ✓ | ✓ | ✓ | ✓ |
| Entry design | | | ✓ | ✓ | ✓ | ✓ |
| Roof design | | | | | | |
| Roof materials | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Roof form | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Screening of mechanical equipment | | | | | | |
| Rooftop equipment | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Ground-mounted equipment | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Garbage storage areas | | | ✓ | ✓ | ✓ | ✓ |

Notes:
 [1] Only applies when more than two stories or over 30 feet tall.

façade and create an inviting and attractive street presence. Buildings must be designed to create a clear base, middle, and cap, with specific instructions and tips for how this can be achieved in Section 146-4.8.5.C. Ground floor designs should support a pedestrian-friendly environment, provide visual interest, and help to create an atmosphere that promotes foot traffic. Code also requires that you use changes in the wall planes, both horizontally and vertically, at specific intervals and provide a variety of durable materials to create visually interesting buildings. Architectural details shall be continued on all four sides of the buildings to prevent the back of house appearance. See the table above for applicable building design standards and ensure that the building elevations meet all applicable requirements.

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2H. Exterior Lighting

Standards for exterior lighting are found in Section 146-4.9. Show typical details of lighting on the plan and on building elevations and any proposed standards in the master plan design standards.

2I. Signs

Section 146-4.10 governs signage standards. Please review this section for complete details. Show the location of any monument signs on the plans and indicate the location of wall-mounted signs on the building elevations. Add any proposed standards in the master plan design standards.

3. Adjustments

Section 146-5.4.4 details the definitions, applicability, procedures, and criteria of approval for all adjustments to development standards. If any adjustments are requested, they must clearly be listed and justified in the Letter of Introduction. They must also be listed on the cover sheet of the Site Plan and any other sheets on which they are applicable. Approvals of adjustment requests are not guaranteed. Adjustment requests should identify the reason for the adjustment, efforts to minimize the adjustment, and design elements proposed to mitigate the standards proposed for reduction. Typically, mitigation techniques should go *above and beyond* requirements from other code sections. If an adjustment does not meet the limits for administrative approval under Section 146-5.4.4.F, then the adjustment will require approval from the Planning and Zoning Commission.

4. Submittal Reminders

4A. CAD Data Submittal Standards

The city has developed [CAD Data Submittal Standards](#) for internal and external use to streamline the process of importing AutoCAD information into the City's Enterprise GIS. A digital submission meeting the CAD Data Submittal Standards is required before final mylars can be routed for signatures or recorded for all applications. Please review these standards and ensure that files are in the correct format to avoid future delays.

4B. PDF Requirements

The application will be uploaded through the city's development review website as separate PDFs. Please ensure that all AutoCAD SHX text items are removed from the "Comment" section during the PDF creation process and that the sheets are flattened to reduce ability to select items. PDFs will be rejected during pre-acceptance reviews if they do not comply with this requirement, which could result in delays.

4C. Mineral Rights Notification

Please fill out the [Mineral Rights Affidavit](#) and supply this document to your Case Manager with the application submittal.

Pre-Submittal Meeting:

Contact the assigned Case Manager to schedule a pre-submittal meeting at least one week prior to submitting an application. At the pre-submittal meeting, staff will review the submittal requirements, discuss the review timeline, provide a fee estimate, and review the process for uploading files and inputting adjacent property owners.

Please note that a separate pre-submittal meeting is required with Real Property for the Subdivision Plat prior to application submittal. Please contact Real Property directly to schedule this meeting.

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Community Participation:

Please work proactively with registered neighborhood organizations and adjacent property owners. Registered neighborhood organizations within a one-mile radius and adjacent property owners will formally be notified of the application when a submittal has been made to the Planning and Development Services Department.

Neighborhood Services Liaison:

- Meg Allen is the neighborhood liaison for the project. She has put together a report attached to these notes listing the registered neighborhood organizations within one-mile of your proposed project and can assist in scheduling and facilitating meetings with community members. Please work with the organizations that express interest in your project to address comments and mitigate concerns
- All meetings with registered neighborhood organizations should also include the Planning and Development Services Department Case Manager so that questions concerning the UDO and procedures can be properly addressed. The Case Manager will record any project-related commitments that are made to the community at these meetings.
- Additional information about the Neighborhood Liaison Program can be found on the [Housing and Community Services](#) page of the city website.

Oil and Gas Development

We have reviewed the area of your development. There are no known plugged and abandoned (P&A) wells within your site and no existing or planned oil and gas surface facilities on your site at this time.

There may be existing underground pipelines in rights-of-way. If you have questions or concerns about this, the Oil & Gas Division can assist with providing additional information.

Should you have any questions about oil and gas development, please reach out to Jeffrey Moore, Manager of the Oil & Gas Division.

Parks, Recreation & Open Space Department (PROS)

Project Characterization:

Based on your proposal, the following information has relevance to the determination of PROS' requirements for this project:

- Your proposal includes new residential in a larger mixed-use space which triggers park and open space requirements.
- Please note that PROS does maintain all medians along Colfax. Should there be any modifications proposed, coordination with PROS will be required.

High Line Connectivity:

Your site is within access to the High Line Canal regional trail system which is a great amenity to all future residents and users of your site. In order to create connectivity, please be sure that there are clear connections between all buildings on your site up to your future sidewalk along Colfax Avenue. As Public Works and Planning will be requiring a sidewalk along Colfax Avenue, this will be the key access for future users getting to either the west or east portion of the regional trail.

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Land Dedication:

To ensure that adequate park land and open space areas are available to meet the needs of the population introduced into the city by the new dwelling units, Section 147-48(b) of City Code specifies that land shall either be dedicated on-site within the project's limits or a cash payment in-lieu of land dedication shall be paid. The required dedication acreage is computed by applying the following standards to the projected population for the project:

- 3.0 acres for neighborhood park purposes per 1,000 persons
- 1.1 acres for community park purposes per 1,000 persons
- 7.8 acres for open space purposes per 1,000 persons

It was unclear how many units are proposed at this time. With your submittal, please clearly state the number and type of units so that the park and open space land dedication may be accurately calculated.

Pocket Park:

Your proposed site falls outside an area that is within a neighborhood park service radius. In order to provide service to the new residents and meet some open space land dedication on site, please provide a pocket park on site which is publicly accessible, provides a ¼ mile service radius and meets the following criteria:

- 0.5-acre minimum size. Note that only parks greater than 5 acres will be owned/maintained by the City; this will need to be owned by the HOA or associated Metro District.
- Includes the following site programming:
 - Landscaping, benches, security lighting, trash receptacles, dog waste pick up stations
 - An open turf play field for informal play
 - At least one of the following to meet the intent of neighborhood park space: a playground, court or garden.

Cash in Lieu Payment:

Given the small overall acreage of park land impact generated by the population increase and the fact that the subject development is not conducive to on-site dedication due to minimum park size criteria, the land dedication shall be satisfied by a cash-in-lieu payment prior to subdivision plat/replat. The acreage provided for the pocket park will reduce the open space land dedication requirements. The amount of the payment is computed by multiplying the dedication acreage by the estimated market value for the land.

Park Development Fees:

In accordance with Section 146-306 of City Code, Park Development Fees shall be collected by the city to cover the cost of constructing new park facilities to serve the needs of the projected population. These fees apply to the project because park facilities are not proposed to be provided on-site. Fees are based on the park land dedication acreages and an annual cost per acre for construction of park facilities. The fees, which are computed and collected on a per-unit basis, shall be paid at time of building permit issuance.

Aurora Public Schools

In accordance with Section 4.3.18 of the Unified Development Ordinance, a school land dedication is required for all new residential development in the City. The size of the dedication obligation will depend on the final number and types of residential units approved. Aurora Public Schools will likely accept cash-in-lieu of land for any obligation valued at market value of zoned land with infrastructure in place. Cash-in-lieu is due prior to plat approval.

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Aurora Water

Aurora Water will receive a referral of the Site Plan and Subdivision Plat for review and comment. Please respond to all Water Department comments with your initial submittal.

Key Issues:

- ▶ A Master Utility Study (MUS) will need to be submitted to determine how this site is to be served with water and sanitary.
- ▶ The Public Improvement Plan (PIP) will require analysis of how each planning area will be served with water and sanitary. Water requires a looped supply with two points of connection and a sanitary outfall for each planning area.
- ▶ A [domestic allocation agreement](#) will be required for connections 2” and larger.

Utility Services Available:

- Water service may be provided per an approved MUS.
- Sanitary sewer service may be provided per an approved MUS.
- The project is located on Map Page 05K.

Utility Service Requirements:

- A Site Plan is required for this project and must show existing and proposed utilities including:
 - Public/Private Mains
 - Service Lines
 - Water Meters
 - Fire Suppression Lines
 - Fire Hydrants necessary to service your development
 - Grease Interceptors are required for commercial kitchens
 - All utility connections in the arterial roadway are required to be bores.
- General utility design criteria can be found in Section 5 of the [Standards and Specifications Regarding Water, Sanitary Sewer and Storm Drainage Infrastructure](#) (Utility Manual).

Utility Development Fees:

- A partial Storm Drainage Development fee is required prior to the recording of the Subdivision Plat or at the time of building permit approval if a Plat is not required. Additional Storm Drainage fees may be charged and are based on the amount of impervious surface created by this project.
- The Water Transmission Development Fee and the Sanitary Sewer Interceptor Fee have been combined into the water connection fee and are required to be paid after issuance of building permit and prior to issuance of the Certificate of Occupancy.
- For a full listing of Utility Fees, please see the [Aurora Water Fee Schedules](#).
- Commercial users with meters one and one-half inches and smaller with landscaped areas not served by a separate irrigation system shall be charged an outdoor fee based upon the total landscaped area.

Public Works Department

Traffic Engineering will receive a referral of the Site Plan, Subdivision Plat, and Civils for review and comment.

Key Issues:

- ▶ A Master Traffic Impact Study (MTIS) will be required for this development. See below for additional information.
 - If an interim roadway/access network is proposed, a traffic analysis for this condition would be required.
- ▶ Traffic Signal Escrow will be required with this development. This would apply to all future traffic signal locations, except for the signal at Norfolk Street and Colfax Avenue in the event that such signal does not provide connectivity to the site. See below for additional information.
- ▶ Ensure roadway network meets the Unified Development Ordinance (UDO) and Roadway Manual Requirements.
- ▶ Site access shall be spaced a minimum 300' CL-CL along Colfax Avenue and Airport Boulevard, including throat depth to internal intersections. Access on to Colfax Avenue requires CDOT coordination.
- ▶ Applicant shall install two 2" conduits and pull boxes to be owned/maintained by the City of Aurora, for future fiber optic interconnect of traffic signals along arterial roadways (Airport Boulevard and Colfax Avenue).
 - Conduit
 - Conduit material shall be Schedule 80 HDPE (or similar).
 - A # 14 AWG stranded copper conductor shall be installed for city underground locating purposes.
 - A nylon pull tape with a minimum 1,250 lb. tensile strength shall be installed in all new conduit.
 - Pull Box
 - Pull boxes shall be 30"x48"x24", with two-piece interlocking lids.
 - City conduit shall be installed into City Pull Boxes.
- Colfax Avenue is a state highway. Approval and access permits will need to be obtained from the Colorado Department of Transportation (CDOT). Please contact *Steve Loeffler* at CDOT, phone number 303.757.9891. Developers/applicants are encouraged to contact CDOT early on in the review process to determine the feasibility of the proposed access and any specific CDOT requirements. In order to insure CDOT will allow access as shown, provide a letter from CDOT indicating they have reviewed the proposed access(es). **This letter must be received 10 days prior to the Planning Commission hearing.**
 - Construction should only occur after obtaining the State Highway Access permits and the Notice to Proceed from CDOT. State Highway Access permitting is a two-step process. First obtaining the access permit and then obtaining the Notice to Proceed with the construction documents, Certificate of Insurance, and Traffic Control Plan. Having approval from Aurora for construction of the store did not mean you had approval for construction of the accesses in the State Highway right-of-way.
- Show all adjacent and opposing access points on the Site Plan.
- Label the access movements on the Site Plan.
- Objects and structures shall not impede vision within the sight triangles. Show sight triangles on the site plan and landscaping plan at all access points in accordance with [City of Aurora Standard Traffic](#)

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[Detail TE-13](#). In addition, street trees shall be set back from Stop signs and other Regulatory signs as detailed in [City of Aurora Standard Traffic Detail TE-13.3](#).

Add the following note landscape plans: 'All proposed landscaping within the sight triangle shall be in compliance with COA Roadway Specifications, Section 4.04.2.10'

- Show existing stop signs and street name signs or the installation of new stop signs and street name signs by developer at the site access points onto public streets. Add the following not to the Site Plan:
 - The developer is responsible for signing and striping all public streets. The developer is required to place traffic control, street name, and guide signs on all public streets and private streets approaching an intersection with a public street. Signs shall be furnished and installed per the most current editions of The Manual on Uniform Traffic Control Devices (MUTCD) and City Standards and shown on the signing and striping plan for the development.
- Homes and drives are allowed to front on collector streets if the average daily traffic volume is less than 4,000 and certain mitigation measures are provided. Indicate the mitigation measures on the Site Plan. See Section 4.04.2.02.4 of the *Roadway Design & Construction Specifications*, October 2016 edition.
- Homes are allowed to front a local street within 75-feet of an arterial street if the average daily traffic volume is less than 2,000 and certain mitigation measures are provided. Indicate the mitigation measures on the Site Plan/Contextual Site Plan. See Section 4.07.7.02.5.04 of the *Roadway Design & Construction Specifications*, October 2016 edition.

ROW/Plat:

- Designate a Public Access Easement along private drives and shared access points.
- A private cross-access agreement is recommended for maintenance and snow removal. The developer is responsible for establishing this agreement with the adjacent property owner.
- ROW dedication may be required along Colfax Avenue or Airport Boulevard pending results of the Master Traffic Impact Study.
- A traffic signal easement shall be required at all existing and future signalized intersections to accommodate the proposed traffic signal pole, underground conduits, pull boxes and signal control cabinet.

Improvements:

- Right turn lanes for major intersections shall consider alternative geometric configurations (standard geometry for channelized right turn lanes with acceleration lane, compound curves for channelized right turn lanes without acceleration lanes).

Traffic Signal Escrow:

- Multiple intersections are potential candidates for a future traffic signal if and when signal warrants are met. As an adjacent land owner/developer, you must participate in the cost of the traffic signal installation. Add the following note to the Site Plan:
 - **(Applicant/owner name, address, phone)** shall be responsible for payment of 25%/50%/100% of the traffic signalization costs for the intersection of _____ and _____, if and when

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traffic signal warrants are satisfied. Traffic signal warrants to consider shall be as described in the most recently adopted version of Manual on Uniform Traffic Control Devices, as of the date or dates of any such warrant studies. For warrant purposes, the minor street approach traffic shall typically be comprised of all through and left-turn movement and 50% of right turn movements unless otherwise determined by the traffic engineer. **Pursuant to 147-37.5 of city code, the percentage of the traffic signalization costs identified above shall be paid to the city by the applicant / owner, to be held in escrow for such purpose, prior to the issuance of a building permit for the related development or as otherwise required by city code.** The percentage above will be applied to the entire traffic signalization cost as estimated at the time of the escrow deposit to calculate specific dollar funding requirement.

Traffic Impact Study:

- A Traffic Impact Study will be required for this site which will include addressing the following specific items:
 - 1) Existing, buildout and 2040 average daily traffic counts.
 - 2) Trip Generation from the site.
 - 3) Site Circulation Plan and interior intersection control
 - 4) Include detailed analysis of:
 - a) All site access points to Colfax Avenue and Airport Boulevard
 - b) Internal collector/collector or higher classified intersections
 - c) Intersection of Colfax Avenue at Airport Boulevard
 - d) Vehicle queuing at site accesses and intersections
 - 5) Interior roadway ADT & classification
 - 6) Signal Warrant Analyses of multiple intersections pending TIS– Warrant 1,2,3 all to be included (collect 72 hr. tube counts for analysis)
 - 7) If a traffic signal or multiway stop warrant is met at an intersection, then a roundabout shall also be considered at the intersection.
 - 8) Analysis of pedestrian connectivity, including vehicle/pedestrian crossing of trails. Enhancements will be required and any concerns with sight distance need to be addressed
 - 9) Discussion of the application of elements from the Traffic Calming Toolbox and countermeasures applicable from the FHWA Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations (July 2018) to address any concerns for speeding, pedestrian crossings, etc. Techniques in the Traffic Calming Toolbox include: Advanced Yield Lines, Enhanced Crosswalk, High-Visibility Signs and Markings, In-Street Pedestrian Crossing Signs, Enhanced Pedestrian Crossing Sign Devices (HAWK or RRFB), Mid-Block Lane Narrowing, Curb Extension, Angled Parking, Pedestrian Safety Island, Staggered Pedestrian Safety Island, Lane Narrowing, Mini Roundabout, Speed Cushions and Chicane. Details of Enhanced Crosswalk, compact roundabout, speed cushions and chicane may be made available if requested.

The Traffic Study shall be prepared in accordance with the [City of Aurora Traffic Impact Study Guidelines](#).

Submitting the Traffic Study:

- The Traffic Study shall be sent directly to *Steve Gomez* at segomez@auroragov.org as soon as possible.
- The Traffic Study shall also be uploaded with the rest of the submittal.
- Previously approved Traffic Impact Studies/Letters are available through this [link](#).

Based on our review of the Traffic Impact Study, additional improvements may be required.

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Engineering Division

The Engineering Division reviews the drainage and public improvement components of your project plans. Engineering reviews referrals of the Site Plan and Subdivision Plat from the Planning Department.

Key Issues:

- ▶ A Public Improvement Plan (PIP) shall be submitted with the master plan. The PIP includes a narrative description of the required planning areas as developed independently. The improvements include roadways, utilities and storm infrastructure. Exhibits shall be included to support the narrative.
- ▶ The following are improvements required for this development, pending additional needs based on traffic analysis:
 - Colfax Avenue – an additional through lane, curb and gutter, 10’ detached sidewalk. Improvements shall be coordinated with CDOT.
 - Airport Boulevard – a 10’ detached sidewalk
 - Norfolk Street – extend improvements to the eastern half of the roadway to the north. This includes additional right of way dedication, paving, curb and gutter, 5.5’ detached sidewalk and street lights.
 - Nucla Street – Utilize the Local Type 3 section, the connection to 13th Avenue is required, the existing right of way and new dedication of right of way required for roadway shift.
 - 14th Avenue – Utilize the Local Type 3 section, right of way dedication
- ▶ A master drainage study shall be submitted with the master plan. Detention and water quality/EURV shall be provided.
- ▶ This application will be referred to Mile High Flood District (MHFD) for review and comment.
- ▶ A preliminary drainage report shall be submitted with each site plan. Detention and water quality/EURV shall be in conformance with the master drainage study.
- ▶ Previously approved plans and reports can be found on the City’s website. Instructions can be found here: [Getting to Engineering Documents Online](#). Older documents can be provided upon request.

The following applies to site plan submittals

Improvements:

Sections and details referenced in the Improvements section refer to the City’s [Roadway Design and Construction Specifications \(Roadway Manual\)](#).

- Typical roadway sections are specified in the City Code and summarized in Section 4.08 with details shown in the Standard Detail S1.
- Curb ramps must be shown (located) on the plans at all curb returns, “T” intersections, residential mail kiosks or clustered mailboxes, and any other location of public necessity. Detailed grading of the curb ramps shall be included in the civil plans.
- Flared curb cuts, Standard Detail S7.4, are not permitted for commercial/industrial or residential driveways where traffic movements would be substantial. When the number of parking spaces exceeds 20, curb returns are required, and the curb return radii shall be labeled on the plan.
- Pedestrian Bicycle Railings will be required at and continuous along vertical separations of 30 inches, or greater, or on slopes greater than or equal to 3:1 adjacent to pedestrian areas. See Standard Detail S18.
- Retaining walls shown on plans shall indicate material type and a height range or indicate a maximum height. Where appropriate, guard or hand rails may be required.

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- The maximum private access drive slope may be 4% (non-residential) when sloping down toward the public street and up to 6% maximum when sloping up toward the public street.
- If gates are incorporated into the design of the development, they are required to be setback from the street flow line a minimum of 35-feet or one truck length, whichever is greater.
- Street lights are required along adjacent roadways. Please refer to the Draft Lighting Standards for street light spacing, location, wattage, etc., information. Street lights along public right-of-way shall become City owned and maintained once they have been installed and the final acceptance letter for the lights has been issued. Street light locations shown on the site plan are conceptual. The street lighting plan shall be included with the Civil Plan submittal and will determine final street light locations based on a photometric analysis.

ROW/Easements/Plat:

- ROW dedication is required for Norfolk Street and 14th Avenue. Additional right of way may be required on perimeter streets if additional turn lanes or auxiliary lanes are required.
- The dedication of a 25-foot lot corner radius is required at the intersection of Nucla Street and Colfax Avenue and 14th Avenue and Airport Boulevard. A 15-foot lot corner radius is required at the intersection of Nucla Street and 14th Avenue.
- Please coordinate with the Real Property Division of Public Works for the dedication of any required easements. If a plat will be prepared for this development, the plat can cover the required easements.
 - Sidewalk easements may be required for new sidewalk installed.
 - A drainage easement shall be required for any detention/water quality facilities on site. This drainage easement shall tie to a public way.
 - Utility easements shall be required for any proposed water/sanitary sewer/public storm sewer located outside of public right-of-way.
 - Public access/fire lane easement shall be required for fire lanes outside of public right-of-way. Please coordinate with Life Safety for their alignment.

Drainage:

Drainage design standards can be found in the City's ["Storm Drainage Design and Technical Criteria"](#).

- Per Section [138-367](#) of the Aurora Municipal Code, a Preliminary Drainage plan and report is required prior to Site Plan or Plat approval. A Preliminary Drainage Plan and Report shall be submitted at the time of Planning Department application submittal. A review fee shall be paid to the City prior to acceptance of the preliminary drainage report. The site plan will not be approved until the preliminary drainage report is approved.
- The engineer is responsible for researching and determining if there has been a study by Mile High Flood District (MHFD) proposing improvements within or adjacent to said development. Any such improvements may be required to be constructed with the subject development. Coordination with MHFD and the City shall be initiated in such case at the master plan level or as soon as determined with any proposed development.
- Under the provisions of Colorado Revised Statute 37-92-602(8), any detention or infiltration facility that becomes operational after August 5, 2015, is required to notify downstream water rights holders prior to operation. Mile High Flood District (MHFD) has created a spreadsheet form (called *SDI*

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Design Data) for determining compliance with the statute and a web portal that will send a weekly e-mail notification to downstream water rights holders, satisfying the notification requirements. The developer will be responsible for having a professional engineer, licensed in the State of Colorado, complete the *SDI Design Data* and uploading to the web portal. Public Works Engineering will verify the information matches the final drainage report. Notification must be made before Civil Plans will be approved or Stormwater Permits will be issued.

- Detention of storm drainage is required for this site and shall be incorporated on the site, unless other accommodations are approved by the City Engineer.
- Per City of Aurora Storm Drainage Design and Technical Criteria Section 3.61, underground detention may be used only as a last resort and must be approved by the City Engineer, when all other alternatives are exhausted. If a development chooses to propose underground detention, they are doing so at-risk of significant redesign if the underground detention is not approved. A variance, with supporting documentation, in the preliminary drainage report for underground detention will be evaluated on a case by case basis.
- Release rate for the detention pond shall be based upon the [“Storm Drainage Design and Technical Criteria”](#) Manual, latest revision.
- Storm water from concentrated points of discharge from a minor storm event shall not be allowed to flow over sidewalks but shall drain to the roadway by the use of sidewalk chase sections. Sidewalk chase sections shall not be located within a curb cut, driveway, curb ramp, or curb return.
- A public storm sewer system appears to be located near this site. Please have your Engineer or Surveyor verify and tie your site drainage into it.
- Extend storm sewer through the site, including inlets, pipes, manholes, etc., as needed.

Fire/Life Safety Comments - Building Division

The Building Division will receive a referral of the Site Plan and Subdivision Plat for review and comment. They will review these documents for Life Safety (Fire Code) and Building Code issues.

Key Issues:

- ▶ At this initial phase of the development process the Fire/Life Safety comments will be focused on forthcoming ISP, PIP and master plan submittals. The focus of our review will be the establishment of two points of emergency access, off-site infrastructure, internal site connectivity and a looped water supply to the overall site. To assist your team, I am providing my standard comments that address site plan and civil plan submittals.
- ▶ The Aurora Building Division currently utilizes the adopted 2015 International Codes Series except for the 2020 NEC. Our next code adoption cycle will be for the 2021 International Code Series, along with the 2020 NEC as of January 8, 2022. A 9-month grace period will be allowed after the formal adoption of the 2021 ICC codes to utilize the 2015 ICC codes until October 31, 2022.

Addressing Requirements:

All buildings or structures, except accessory buildings, shall display the proper building number in the manner provided in this article. It shall be the responsibility of the owner, occupant or any person obtaining a building permit to place such number in the manner provided in the Aurora City Code of Ordinance, Chapter 126 - Article VII - Numbering of Buildings.

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Adopted Codes by the City of Aurora – Setbacks:

The site plan and civil plans must reflect the setback requirements of the 2015/2021 International Building and Fire Code for placement of the structure(s) in relation to adjacent buildings, property lines, public ways, accessible walkways, etc. To view the 2015/2021 International Codes please utilize the following hyperlink: [ICC Codes Online](#).

- Show the distance of new or existing lot lines to proposed exterior walls of structures on the site plan.

Civil Plans:

Based on the discussion within the pre-application meeting the following information must be reflected within the Civil Plan package submitted to Public Works Department.

- [Alternative Fire Lane Surfacing Material](#)
- [Alternative Fire Lane Surface Signs](#)
- [Combined Fire Lane and Pedestrian Sidewalks](#)
- [Dead-End Fire Lane Detail](#)
- [Fire Lane Sign Detail](#)
- [Gated Entry for Fire Department Access utilizing a 4' Manway Gate](#)
- [Grading Plan](#)
- [Handicap Accessible Parking Signs](#)
- [Sign Package](#)
- [Signature Block](#)
- [Street Standards and Street Section Details](#)

Emergency Responder Radio Coverage:

The 2015/2021 International Fire Code requires all buildings to be assessed for adequate emergency responder radio coverage.

- The 2015/2021 International Fire Code (IFC), requires all buildings to be assessed for adequate Emergency Responder Radio Coverage (ERRC). At the time the structure is at final frame and final electrical inspections, the general contractor (GC) will be required to hire an approved and qualified independent 3rd party to assess the radio frequency levels within the structure. Once completed, the 3rd party will provide the results of the test to both the GC and the Aurora Building Division as to whether the structure passed or failed the preliminary radio surveillance. A structure that has passed this surveillance requires no further action by the GC. A failed radio surveillance will require a licensed contractor to submit plans to the aurora building division to obtain a building permit for the installation of an ERRC system prior to installation. This assessment and installation is at the owner or developers expense. Future interior or exterior modifications to the structure after the original Certificate of Occupancy is issued will require a reassessment for adequate radio frequency coverage.
- Core and shells structures will not require this assessment, but the tenant finish that follows and prior to issuance of the certificate of occupancy will be required to conduct this assessment, install a system where needed.

Fire Department Access:

Based on the information presented so far, the type(s) of fire apparatus access road(s) needed for this particular site is:

- [Fire Lane Easement](#)
 - Buildings less than 30' in height require only a 23' wide fire lane easement with 29' inside and 52' outside turning radii. Building greater than 30' in height require a 26' wide fire lane easement with a 26' inside and 49' outside turning radii.

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- Buildings greater than 30' in height are regulated by the 2015/2021 IFC Section D105 and require a both a 26' Fire Lane Easement and two points of emergency access. Typically, the 26' fire lane easement is located on the front main entry side of the structure within a minimum of 15' and a maximum of 30' from the exterior wall of the building. Structures greater than 30' in height also require a second point of emergency access.
- The first phase of construction must include two points of emergency access and a looped water supply to support on site fire hydrants and fire service lines.
- **Public Street Adjacent to Site**
 - Structures greater than 30' in height and adjacent to a public street must provide a 26' wide fire area capable of accommodating aerial fire apparatus (ladder trucks). The intent is to establish a fire apparatus parking area no greater than 30' and no less than 15' from the exterior wall of the structure. This fire apparatus area must be posted as "No Parking-Tow Away Zone" to ensure availability for fire apparatus.

Fire Hydrants:

The number and spacing of fire hydrants are determined using the 2015/2021 IFC, Appendix B & C. As indicated in the previously stated code sections, fire hydrant coverage requirements include both internal site areas and abutting public street systems.

Fire Sprinkled Structures:

The requirements for the installation of a fire sprinkler system are provided within the Chapter 9 of the 2015/2021 IFC and IBC.

Gated Entry:

The installation of any gating system will require a City of Aurora licensed contractor to obtain a building permit through the Aurora Building Division prior to the start of any work. This would be considered a structural, life safety and electrical review within the Building Division that is conducted on behalf of the Fire Chief.

- If a gating system is to be installed at a site access point, it must be set back from the flow line of the street at least 35 feet or one design vehicle length, whichever is larger, and be approved by the City of Aurora's Fire and Life Safety department. Gating systems located within close proximity to public right-of-way (ROW) may also be assessed by the City of Aurora Traffic Manager or designee and could require a traffic analysis to determine the appropriate distance of gating system to said flow line of ROW. Where a gating system crosses a dedicated or designated fire access roadway please reference the Security Gates section of the latest edition of the International Fire Code (IFC). The installation of security gates across a fire apparatus access road shall be approved by the Fire Chief (designated Fire Chiefs representative).
- A separate building permit is required for the installation of any gating system that may obstruct fire department access to the internal areas of a site. Prior to construction please submit plans and specifications of your proposed gating system to the Aurora Building Division. If you have any questions, please contact a Fire/Life Safety representative by calling 303-739-7420.

Accessibility Requirements:

The City of Aurora reviews accessibility requirements based on 2015/2021 IBC, Chapter 11, the 2009/2017 ICC/ANSI A117.1 and the 2003 Colorado State [House Bill 03-1221](#), Article 5, Standards for Accessible Housing.

- **Residential**
- Please show the location of all mail kiosks proposed within this site. Public Works will require a curb ramp to access the mail kiosks from the adjacent urban streets. A detail will be needed of the mail kiosk layout that includes the mailboxes, sidewalk, street and curb that reflect the way these

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elements will meet the accessibility requirements of the ADA, USPS, ICC A117.1, 2009/2017 edition.

The City of Aurora reviews accessibility requirements based on 2015/2021 IBC, Chapter 11, the 2009/2017 ICC/ANSI A117.1.

- [Commercial](#)

Knox Hardware:

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for lifesaving of fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an accessible location.

Legend:

The cover sheet must include a "Site Plan Legend" reflecting both existing and/or proposed site elements that are existing or proposed within site.

Motor Fuel Dispensing Sites: (Advisory Comment to address building occupancy classifications for R-4, E and I groups.

Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor-vehicle fuel-dispensing facilities and repair garages must reflect the specific elements within the site plan submittal.

- Show and label locations of underground fuel storage tanks with gallon size and type of fuel being stored.

Phasing Plans:

A phasing plan must be provided with the Planning Departments Site Plan and the Public Works Departments Civil Plans submittals.

Photometric Plan:

- Add the following note to the Photometric Site Plan:
ILLUMINATION WITHIN THE SITE MUST COMPLY WITH THE 2015/2021 INTERNATIONAL BUILDING CODE REQUIREMENT FROM SECTION 1006 - MEANS OF EGRESS ILLUMINATION. SECTION 1006. ILLUMINATION REQUIRED: THE MEANS OF EGRESS, INCLUDING THE EXIT DISCHARGE, SHALL BE ILLUMINATED AT ALL TIMES THE BUILDING IS OCCUPIED. SECTION 1006.2 ILLUMINATION LEVEL. THE MEANS OF EGRESS ILLUMINATION LEVEL SHALL NOT BE LESS THAN 1 FOOT-CANDLE (11 LUX) AT THE FLOOR LEVEL AND CONTINUING TO THE "PUBLIC WAY".
- Add the "accessible route" (heavy dashed line) to the photometric plan and verify minimum 1 foot-candle of illumination along its entire length.

Site Plan, Civil Plan, Framework and General Development Plan, and Plat Notes:

The notes being provided below must be included on the cover sheet of the indicated submittal type.

- [\(Plat Note\) If Plat does not contain a Dedicated Fire Lane Easement](#)
- [\(Plat Note\) If Plat Contains Fire Lane Easement](#)
- [\(Site Plan Note\) Access Control Gate or Barrier Systems](#)
- [\(Site Plan Note\) Accessibility Note for Commercial Projects](#)
- [\(Site Plan Note\) Accessibility Note for Multi-Family Projects Built under the 2015 IBC/IRC and HB-1221 \(2015/2021\)](#)
- [\(Site Plan Note\) Addressing](#)
- [\(Site Plan Note\) Aircraft Noise Reduction \(LDN\)](#)

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- This area is within a noise mitigation area. [Sec. 22-425](#)
- [\(Site Plan Note\) Americans with Disabilities Act](#)
- [\(Site Plan Note\) Emergency Ingress and Egress](#)
- [\(Site Plan Note\) Emergency Responder Radio Coverage](#)
- [\(Site Plan Note\) Fire Lane Easements](#)
- [\(Site Plan Note\) Fire Lane Signs](#)

Site Plan Data Block:

The site plan must include a “Data Block” on the cover sheet that reflects all items indicated within the “link” that apply to your project.

Special Design Considerations:

Based on the information presented in the pre-application meeting, these additional Life Safety criteria must be shown on the site plan, plat and civil plans.

- [Abutting Fire Lane or Public Access Easement to Property](#)
 - If an existing fire lane or public street has to be removed or relocated for any reason, the roadway must be replaced using the current specifications of the Public Works Department.
- [Access to within 150 feet of Each Structure](#)
 - The fire code official is authorized to increase the dimension of 150 feet reach requirement where the building is fire sprinkled in accordance with the 2015/2021 IFC, Section 503.1.1 where allowed by code. If granted approval, a fire sprinkled structure may utilize 200-foot reach criteria in place of the 150-foot standard requirement.
 - Where fire hydrants and fire department connections are provided adjacent to vehicular access drive aisles, they will need to be dedicated as fire lane easements in order to provide emergency access to them.
- [Access Road Width with a Hydrant](#)
- [Aerial Fire Apparatus Access Roads](#)
- [Alternative Fire Lane Surfaces](#)
 - Alternative fire lane surfaces other than asphalt or concrete will require a license agreement through Real Property within Public Works.
- [Fire Apparatus Access Road Specifications](#)
 - If an existing fire lane or public roadway has to be removed or relocated for any reason, the portion replaced must follow the current specifications of the Public Works Department.
- [Combined Fire Lane, Public Access and Utility Easements](#)
- [Construction of Fire Lane Easements and Emergency Access Easement](#)
- [Cul-De-Sac's](#)
- [Dead-end Fire Apparatus Access Roadways](#)
- [Dead-End Public Streets](#)
- [Encroachment into Emergency Access or Fire Lane Easements are Prohibited](#)
- [Grade](#)
- [Labeling of Easements on the Site Plan, Plat and Civil Plans](#)
- [License Agreement](#)
 - Construction of fire lanes using alternative surfacing materials other than asphalt and concrete and/or installations of gating systems crossing a dedicated fire lane easement will require a license agreement through Real Property.
- [No Parking is allowed within a Fire Lane Easement](#)
- [Private Streets Constructed to Public Street Standards](#)
- [Pocket Utility Easements for Fire Hydrants](#)
- [Public Street Systems Adjacent to Site](#)

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- [Remoteness](#)
- [Speed Bumps](#)
- [Snow Removal Storage Areas](#)
- [Two points of Emergency Access](#)
- [Width and Turning Radius](#)

Trash Enclosure:

Per the 2015/2021 International Fire Code, Section 304.3.3, dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings, or combustible roof eave lines.

Real Property Division

The Real Property Division reviews the Site Plan and processes Subdivision Plats, Easements, and License Agreements that may be necessary for development of property.

Subdivision Plats:

- The property has never been platted and shall be subdivided at this time in order to obtain a building permit. Plats must be prepared using City of Aurora specifications provided in our most current [Subdivision Plat Checklist](#). Plat review may run concurrently with your other Planning Department submittals.
- A **pre-submittal meeting** with Real Property is required on all plat submittals so our team may verify that basic elements have been addressed before they are submitted to Planning. This 30-minute meeting is for the 1st submittal of plats only and is by appointment only. Call *Darren Akrie* at 303.739.7300 to schedule your appointment. The person preparing the plat and your project manager should attend the meeting. Please bring two sets of the plat.

Site Plans:

A Site Plan will be required by the Planning Department. Real Property has items that need to appear on that site plan above and beyond what other departments may require. These items are listed on the Real Property [Subdivision Plat Checklist](#).

Separate Documents:

- During the pre-application meeting no requirement for separate documents were specifically identified for your site as proposed. However, review of your actual Site Plan when submitted may identify additional conditions which will require a separate document. Following are the links to additional information if needed later in your formal review process:
 - [Dedications Packet](#)
 - [Easement Release](#)
 - [License Agreement Packet](#)
- **Offsite easement dedications** may be required to make your project work. It's up to the developer to obtain these easements for the city, pay compensation, etc. Dedication documents must be prepared using Real Property specifications which can be found in the [Dedications Packet](#). Once complete and accurate easement dedication information is submitted to Real Property, it takes **about 8-10 weeks** to complete the process. They must be complete and ready to record before Real Property will record the Plat and/or Site Plan.

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- If there are existing easements that are no longer needed, the city will require the developer to make application to the city to release those easements. Easement release documents must be prepared using Real Property specifications and are available in the [Easement Release Packet](#). Once complete and accurate easement release information is submitted to Real Property, it takes about **8 weeks** to complete the process. They must be complete and ready to record before Real Property will record the Plat and/or Site Plan.
- No portion of any roofed structure may encroach into any easement. However you may have items that encroach into city-owned property or easements (i.e. retaining walls, medians, stairs, etc.). If allowed, these types of encroachments require a **License Agreement**. Requirements can be found in the [License Agreement Packet](#). It takes **8 weeks** to complete the process after submittal. The License Agreement must be completed before the Site Plan is recorded.
- As shown in your proposed plans, there is an existing street right-of-way that needs to be vacated. **Street vacations** must go to City Council via ordinance. The process begins with the owner making application to the Planning Department. As part of that application, Real Property will need a legal description and exhibit for the portion of the street being vacated prepared to our specifications. The specifications on how to prepare the legal description and exhibit are available in the [Dedications Packet](#).
- If a requirement for new street lighting is identified during the review process, this may be an opportunity to partner with cell carrier providers. New technology allows these providers to incorporate their technology with street lighting. These carriers are willing to take on the cost of purchasing and installing a light with qualifying projects. Please contact *Leslie Gaylord* at 303.739.7901 for additional details and contact information.

STEP II – CONSTRUCTION DOCUMENT PHASE

The Construction Document Phase is when Engineering and Building plans are reviewed against City Codes for compliance. It is an administrative process and usually occurs after Planning Commission or Planning Director decisions. Permits are issued from these documents.

Civil Engineering Plans

- Civil Construction Plans are required for your project as proposed and shall be submitted electronically.
- Use of the Batch Standards Checker Tool is requested for this project.
- Civil Engineering Plan Review (*see links below for additional information*):
 - [Process](#)
 - [Review Schedule](#)
 - [Fees](#)

Prior to submittal of the electronic Civil Construction Plans, the civil consultant must schedule a pre-submittal meeting with Christopher Eravelly at 303.739.7457 or ceravell@auroragov.org. Civil Plans and Reports are required for this pre-submittal review. Also copy of the pre-application meeting notes is required and a copy of the submitted site plan, including the landscape plan. At this meeting the Civil Plans shall be reviewed for completeness. A [checklist](#) is used to ascertain completeness. The engineer shall fill out the checklist and submit it for the pre-submittal meeting. A pre-submittal meeting will not be scheduled until there are no outstanding comments remaining on the preliminary drainage report/letter.

- Civil Construction Document Plan Set generally includes the following plans:
 - Stormwater Management Plan
 - Final Drainage Plan/Report
 - Final Grading Plan
 - Utility Plan and Profiles
 - Street Plan and Profiles
 - Signing and Striping Plan
 - Street Lighting Plan
- *Phasing shown on the Site Plan shall also be represented on the Civil Plan drawings.*

[Aurora Water](#)

General Requirements:

- Utility Plans will be required with the Civil Engineering Plans:
 - Utility Plans shall be prepared in accordance with the Utility Manual
 - Utility Plans must be approved prior to obtaining building permits
 - Utility Plans must include:
 - Fixture Unit Table and Meter Sizing Tables
 - Water Service and Water Meter locations

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- Sanitary Sewer Service Lines
- Resistivity Tests for any public water mains installation per Section 20 of the Utility Manual.
- Cross Connection Control Devices are required for:
 - Fire Service Lines
 - Commercial and Domestic Water Service Lines.
 - These devices are required to be located within the building or within a heated and drained vault after the water meter.

Construction Stormwater Quality Requirements:

- A Stormwater Quality Discharge Permit and Stormwater Management Plan and Report will be required for this project. See the latest revision of the City of Aurora [Rules and Regulations Regarding Stormwater Discharges Associated with Construction Activities](#) Manual (SWMP Manual) for more detailed requirements. A [Colorado Discharge Permit System \(CDPS\)](#) (CDPS) permit may be required by the State Health Department if a City of Aurora Stormwater Quality Discharge Permit is required.
- CAD Data Submittal Standard: The City of Aurora has developed a CAD Data Submittal Standard for internal and external use to streamline the process of importing AutoCAD information into the city's Enterprise GIS. Digital Submission meeting the CAD Data Submittal Standard are required by consultants on development projects when submitting to the city for signature sets and on capital projects funded by the city. Details of the CAD Data Submittal Standard can be found on the [CAD Standards](#) web page.

Public Works Department

Construction documents should reflect all approved Access, Right of Way, Easements, and Public Improvements that were included and approved on the Site Plan and Plat for your project.

Engineering Division

General Requirements:

- All new developments and redevelopments are required to develop and implement a permanent condition Stormwater Management Plan (SWMP) in conjunction with the overall drainage plan for the site. The SWQCP shall be included in and become part of the preliminary and final drainage reports. The SWQCP shall discuss and propose the solutions to permanently enhance the quality of stormwater runoff through the site.
- The SWMP shall be developed by applying the permanent water quality “best management practices” described in Volume 3 of the USDCM. The SWMP shall be shown in a separate section of the drainage report. Proposed permanent stormwater quality enhancement facilities shall be sized and located on the drainage map (see section 2.42, [“Storm Drainage Design and Technical Criteria”](#) manual). The development community is encouraged to use multiple BMPs in creative and non-traditional site design to achieve the water quality objectives.
- A drainage easement is required for stormwater quality detention ponds. This easement shall connect to an access easement that ties to public right of way for access to the facilities. These easements shall be executed prior to the approval of the Civil Plans.
- An Inspection and Maintenance Plan (I and M Plan) shall be developed concurrently with the design of the permanent BMP’s and submitted with the final drainage plan and report for approval. Refer to Section 5.09 of the [Water, Sanitary Sewer, and Storm Drainage Infrastructure Standards and Specifications](#) as well as the 2010 [Storm Drainage Design & Technical Criteria](#) manual’s appendices

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for direction on preparing an I and M Plan, including the Maintenance Agreement. A signed Maintenance Agreement shall be submitted with the signature set of civil plans and must be approved prior to approval of the Civil plans.

- The civil plans will not be approved until the preliminary drainage report/letter is approved and the plat is ready for recordation.

Roadway Design and Construction Specifications:

- Roadway construction shall conform to the “[City’s Roadway Design and Construction Specifications](#)” latest edition. The City considers the burden on you (the developer) for not only your front footage, but also to construct all needed offsite transitions to match the existing roadway(s).
- This project is required to widen an existing street. Per [Section 4.05.10](#) cores of the existing pavement are required. If the cores indicate the existing pavement is not adequate then, this project is responsible for the removal and replacement of the existing pavement with a properly designed pavement section. A minimum of 24-feet of pavement or one-half of the street section, whichever is more, is required. Any construction beyond the street centerline in order to match existing grades to make a safe, drivable surface will also be this project’s responsibility.
- All road cuts or other roadway disturbances within the City of Aurora’s public right-of-way shall be repaired and restored according to the standards specified in Section 36 of the City’s Roadway Design and Construction Specifications, and any other requirements specified elsewhere. If more than 500 square feet of existing roadway is disturbed within one block, the construction area shall be milled and overlaid prior to the issuance of the Certificate of Occupancy.
- Fire lanes. All primary fire lanes shall be constructed to an improved pavement surface (concrete, asphalt, or pavers). Secondary accesses in landscaping and other areas, need to be designed in accordance with the City’s adopted Fire Code requirements, but may be permitted to utilize other materials and options. The proposed secondary access materials shall be approved by both Life Safety (Fire Marshal) and the City Engineer.

Building Plans

Building Division Comments:

Building Plan Review

- [Process](#)
- [Review Schedule](#)
- [Fees](#)

The comments made during the meeting address large-scale issues. We strongly recommend that a code consultation meeting be scheduled to discuss more detailed concerns.

During the development review process, you will not need to submit any documentation to the Fire Department for review. The Life Safety group within the Aurora Building Division conducts all site development and construction plan reviews on behalf of the Aurora Fire Department.

The links below contain additional information and requirements for completion, submittal, and permitting of your building plans.

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Permit Types:

- Based on the information provided during the pre-application meeting, the Building Division would classify your proposed scope of work under the following permit type.
 - [Commercial Permits](#)
 - [Counter Permits](#)
 - [Demolition Permit](#)
 - [Limited Plan Permits](#)
 - [Master Multi-Family or Multi-Family Permits](#)
 - [Single Family Residential or Master Plan Single Family Permits](#)
 - [Tenant Finish Permits](#)

Additional Building Construction Plan Checklists: Based on the information provided, you may also need the following Checklists:

- Aurora Public & Cherry Creek Public Schools
- [Maximum Occupant Load Sign](#)
- Modular, Construction Trailer, Mobile Home
- Modular School Checklist
- [Solar Photovoltaic Systems Commercial](#)
- [Solar Photovoltaic and Wind Turbine Systems Residential](#)

Fire (click on this [link](#) to find checklist below)

- Fire Alarm
 - Remote Annunciators Alarm Panel for Multi-Family Complexes
 - Fire Sprinkler & Standpipe Systems
 - Gating Systems across Fire Apparatus Roads
 - [Hazardous Materials Storage](#)
 - [High Piled Combustible Storage Checklist](#)
 - Knox Box
 - Knox Box Rapid Entry
 - Portable LP-Gas Exchange Cage Checklist
 - Wet and Dry Chemical Hood Suppression Systems
 - Underground and Above Ground Fuel Storage Systems requires a permit through both the City Aurora Building Division and Division of Oil and Public Safety.
 - o [State of Colorado Division of Oil and Public Safety](#)
 - o [Petroleum Storage Tank regulations](#)
- Separate (standalone) plan submittals, approvals and permits for fire protection systems can include, but are not limited to:
 - Above-Ground Fuel Storage Systems
 - Automatic Fire-Extinguishing System and Standpipes
 - Emergency Responder Radio Coverage Systems
 - Fire Alarm and Detection Systems and related equipment
 - LP-Gas (Liquid Propane)
 - Hazardous Materials
 - o Where work is related to new construction, alteration, or an addition to an existing building the Hazardous Materials Inventory Statement (HMIS) must be submitted with the construction drawings. This information is imperative to accurately determine the occupancy classification of the structure or space.
 - High-Piled Combustible Storage and Racking Systems
 - o Where work is related to new construction, alteration, or an addition to an existing building these storage systems can be submitted with the construction drawings.

Re: Aurora Community Health Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022

- Underground Fuel Storage Systems
 - o Underground Fuel Storage Systems (and dispensing equipment) associated to the construction of a fuel dispensing station can be submitted with the construction drawings for the C-Store.
- The following types of IFC plan reviews and permits must be included with the building construction documents for the overall project. These systems include, but are not limited to:
 - Battery Systems (Un-Interrupted Power Supply Systems)
 - Compressed Gases
 - Cryogenic Fluids
 - Dry-cleaning Plants
 - Explosives
 - Fire Pumps and Related Equipment
 - Flammable and Combustible Liquids
 - Hazardous Materials
 - High-Piled Combustible Storage and Racking Systems
 - Industrial Ovens
 - Magnesium
 - Pyroxylin Storage
 - Spraying and Dipping Operations
 - Temporary Membrane Structures and Tents
 - Underground and Aboveground Fuel Storage Systems
 - o Separate permits are required for the installation of underground and aboveground fuel storage tanks through the City Aurora Building Division and Division of Oil and Public Safety.
[State of Colorado Division of Oil and Public Safety](#)
[Petroleum Storage Tank regulations](#)

Key Issues:

- ▶ If your architect would like to set up a preliminary building construction plan submittal meeting please contact our Plans Examiner Manager Jose Rodriguez (jrodrig@auroragov.org).
- ▶ On January 8, 2022 the 2021 versions of the International Codes became effective in the City of Aurora. Applicants who wish to build their projects to the requirements found in the 2021 codes are allowed to do so and should notify Building Division staff at time of permit submittal of this decision.
- ▶ The construction industry is experiencing unprecedented supply chain issues which has not only affected costs, but also inventory and delivery timelines. Due to nationwide shortages of various building materials, the City of Aurora is extending the deadline by which all submittals will be reviewed for compliance with the 2021 codes until October 31, 2022. As this date draws closer, we will provide updates on any changes to this deadline.
- ▶ In determining which code series to utilize (2015 or 2021) please be aware that once chosen, only that code series can be utilized throughout the plan review and inspection processes.

Accessibility:

The City of Aurora enforces handicapped accessibility requirements based on 2015/2021 IBC, Chapter 11, and the 2009/2017 ICC 117.1.

Adopted Codes by the City of Aurora:

This “link” will provide a current listing of all adopted building codes and ordinances utilized by the Aurora Building Division. To view the 2015/2021 International Codes please utilize the following hyperlink; [ICC Codes Online](#)

Building Division General Comments:

Re: Aurora Community Health Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022

The function of the Building Division in the development process involves assistance with building code questions. This “link” will provide answers to the most typical initial questions concerning the role of the Building Division.

[Checklist for Plan Review Submittals:](#)

The Aurora Building Division has established a number of checklists that reflect specific construction plan submittal and permit requirements. A copy of these checklists can be obtained through the City of Aurora website or by clicking on the link provided here.

[Day-Night Sound Level \(LDN or DNL\):](#)

C.O.A Building and Zoning Code, Section 22-425 through 22-434 provides three methods for residential and commercial building design/construction to comply with the aircraft noise reduction criteria of this Code.

[General Fire Protection System Requirements:](#)

Based on the information provided during the Pre-Application meeting the following fire protection systems are likely to be required for this structure:

- **Commercial Cooking Hood Suppression System** – 2015/2021 IFC, Section 904.
- **Fire Alarm and Detection System** – 2015/2021 IFC, Section 907.
- **Fire Sprinkler System** – 2015/2021 IFC, Section 903.
- **Standpipe System** – 2015/2021 IFC, Section 905.

[Geographic Design Criteria:](#)

New construction must adhere to the climatic and geographic design criteria provided using the hyperlink above.

[Occupancy Specific Building Code Requirements:](#)

Based on the information provided, your building occupancy or occupancies are as follows.

- A-2 Occupancy - Assembly uses intended for food and/or drink consumption.
- A-3 Occupancy - Assembly uses intended for worship, recreation or amusement, and other assembly uses not classified elsewhere in Group A.
- B Occupancy - A building or structure or portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Building or tenant space used for assembly purposes by fewer than 50 persons may be considered a Group B occupancy.
- M Occupancy - Buildings and structures, or portions thereof, for the display and sale of merchandise. Involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public.
- R-2 Occupancy - Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature.

[Multi-Family Master Plans:](#)

A master plan can be submitted for identical multi-family structures in place of separate submittals for different addresses.

[Request for Modification or Alternative Material:](#)

Per the 2015/2021 IFC, Section 104.10 and 104.10.1, whenever there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have the authority to grant modifications for individual cases, provided the fire code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements.

**Re: Aurora Community Health Commons Master Plan (#1607998)/Pre-Application Meeting held
March 03, 2022**

Structures Built over or up to a Property or Lot Line:

If a property line is defined by a recorded subdivision map, the International Building Code requires that buildings on both sides of that property line be structurally independent with individual fire-resistive protection based on the distance to property line.

1. A replat of the site will be required to remove the existing property lines to establish one lot and block for the new structures being proposed.

Tri-County Health Department:

All applicants submitting construction plans for retail food establishments, daycare centers, preschool programs, group homes, fountain water attractions, and public swimming pools are also responsible for meeting the separate requirements of the Tri-County Health Department.

Real Property Division

Reminder – Prior to building plans submittal, processing of any/all required separate documents should be started so that this process does not interfere with permit issuance.

STEP III – CONSTRUCTION PHASE

Before any construction may commence, a contractor licensed in the City of Aurora must be issued the appropriate **permits** for all work to be performed. [Licensing](#) information is available on the city's website.

Aurora Water

Utility Connection Fees:

- Water Service Connection Fee
- Metro Sanitary Sewer Connection Fee
- Sanitary Sewer Connection Fee

Fees may only be paid after issuance of building permit and must be paid prior to issuance of the Certificate of Occupancy. This is required for new services and when meter sizes are upsized.

- Wet Tap Fees:
 - Apply when making connections to existing water mains for water line extensions, fire hydrant lines, and fire service lines.
- Irrigation Water Meter Fees:
 - Will be calculated in accordance with the City Ordinance for irrigated common areas in Single-Family Detached and Commercial areas.
 - The Landscape Plan must identify the “NON-WATER CONSERVING” and “WATER CONSERVING” areas used for the meter fee calculations.
- For a full listing of Utility Fees, please see the [Aurora Water Fee Schedule](#).

Public Works Department

Engineering Division

- A geotechnical and pavement design report is not required for paving of new or existing private parking lots, fire lanes, driveways, and private streets (other than TODs and Urban Centers). The civil plans shall have the default pavement thickness, obtained from the Roadway Manual, labeled on the plans and a note indicating the type of soils within the project, unless the developer submits a pavement design for review and approval. A paving permit for this private infrastructure is **not** required. **A Private Development Pavement certification shall be required to be submitted prior to issuing a Certificate of Occupancy.** See [Section 5.01.2.02](#) for more information. The developer/contractor is responsible for the required testing, backfill, and compaction for all wet utilities prior to paving. It is the developer/contractor's risk to begin paving without the initial acceptance of the wet utilities.

Public streets are required to have geotechnical and pavement design reports approved before a paving permit will be issued. Please note the requirement for composite pavement sections in Section 5.00. Also, streets are required to have French drains (for concrete pavements and bituminous composite pavement sections) at the back of curb at low points in the streets and be extended 100-feet on both sides of the low point, unless the geotechnical pavement design report indicates the presence of high

Re: Aurora Community Heath Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022

ground water. Then, the French drains shall be extended in accordance with the recommendations of the pavement design report.

- A new Certificate of Occupancy needs to be issued for this site. Aurora City Code requires all public improvements (see definition below) be completed, escrowed for, a deferral granted, or have a Public Improvement Plan (PIP), indicating when the improvements will be installed, in place prior to issuance of the Certificate of Occupancy.
- Public improvements shall mean and include, but not by way of limitation, the construction, reconstruction, and improvement of the following:
 - local streets
 - one-half of all streets abutting subdivided or platted land, including any required offsite transitions back to existing street sections
 - fire lanes
 - curbs, gutters, curb ramps, and sidewalks
 - monuments and range boxes
 - sanitary sewer mains, including laterals to each lot line
 - storm drainage
 - detention and water quality facilities, including necessary structures
 - street lighting
 - water mains, hydrants and valves
 - tree plantings and landscaping
 - repairs and replacements thereof necessitated by construction activity pursuant to issuance of a City of Aurora certificate of occupancy.

Building Division

Key Issue:

- ▶ Once the building permit is issued it is recommended that the General Contractor (GC) schedule a pre-construction meeting through the Office of Development Assistance Project Manager. The meeting will consist of the Public Improvement Supervisor, Building Division Inspector Supervisors, and a Fire/Life Safety Supervisor. These meeting are highly beneficial to both the GC and city staff in addressing inspection requirements that assist in obtaining a TCO or CO in a timely manner.

Construction Permits:

Please click on the link provided for a listing of required construction permits.

Fire Safety during Construction, Alteration or Demolition of a Building:

Utilize the requirements of the 2015/2021 IFC, Chapter 33 for both construction and demolition of any structure within your site. To obtain a full copy for fire department access and water supplies to a construction site, please call the Building Department at 303.739.7420.

Access Roadways during Construction:

Please click on the “link” provided for requirements for fire department access during construction.

Re: Aurora Community Health Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022



Pre-Application Conference

Community Engagement Coordinators
Housing and Community Services
15151 E Alameda Parkway
Aurora, Colorado 80012
Phone: 303-739-7280
Fax: 303-739-7191
www.auroragov.org

To: John Santistevan
From: Meg Allen
Date: March 3, 2022
Subject: Aurora Community Health Commons Master Plan
Location: SWC of Colfax and N Airport Blvd

Listed below are the registered neighborhood groups that are currently registered with the Community Engagement Division within one mile of your proposed project. Once your application has been formally submitted each registered neighborhood group will receive a referral memo with information about the project and a link to view project documents. Registered neighborhood groups will have the opportunity to provide comments on the application at this time.

A neighborhood meeting is required by UDO Section 146-5.3.1 if a registered neighborhood group requests a meeting, the city receives a significant number of comments, or the Planning Director determines that one is warranted. Your Planning Case Manager will let you know after the first round of review if a neighborhood meeting is required. The purpose of this meeting is to explain your proposed development or use approval, and if necessary, to work with neighborhood representatives to address their concerns.

Your assigned Community Engagement Coordinator will assist you in scheduling and mediating the meeting at your request. The Coordinator will also provide you with an updated registered neighborhood group mailing list, invitation, and agenda prior to the meeting. Adjacent property owners' address information is available on the Adams, Douglas, and Arapahoe County websites at www.co.arapahoe.co.us, www.douglas.co.us, and www.co.adams.co.us. It is the applicant's responsibility to mail and/or e-mail a letter of invitation to all neighborhoods and adjacent property owners at least 10 days prior to the meeting.

The assigned Planning Case Manager will attend the meeting to note any agreements made by the applicant and will include those agreements in their presentation at public hearings. You may anticipate being asked at public hearings if you have met with nearby registered neighborhood groups and the result of such meetings.

As the Community Engagement Coordinator for this area, I am available to assist you in communicating with the registered neighborhood groups listed below. For assistance or to set up a neighborhood meeting, please contact me at 303-739-7280.

The neighborhoods within 5280 feet of your proposed developments are:

Re: Aurora Community Health Commons Master Plan (#1607998)/Pre-Application Meeting held March 03, 2022



List of Neighborhood Associations

Location: SWC of Colfax and N

| Record Id | HOA # | Organization | Contact | Phone |
|----------------------|-------|--------------------------------------|--|----------------------------------|
| 21-000005-NAM | 444 | CLEAN | CLEAN 71 Algonquian St AURORA CO 80018 bonzorader@gmail.com | (720) 366-8686 |
| 15-923278-000-00-NA | 411 | Cottage Grove Homeowners Association | KATIE BARKER 1224 WADSWORTH BLVD LAKEWOOD CO 80214 KATIE@CMSINCORP.NET | (720) 377-0100 |
| 03-111479-000-00-NA | 4 | KIRKEGAARD ACRES | KENT MAJOR 1156 RICHFIELD ST AURORA CO 80011 MAJORPIPETESTING@GMAIL.COM | (303) 324-5818 (303) 343-6613 |
| 03-111754-000-00-NA | 286 | LAREDO LANDING | NATASHA HENRICKS 4950 S YOSEMITE ST, F2-506 GREENWOOD VILLAGE CO 80111 NATASHA@SAMMGT.COM | (303) 459-4919 |
| 03-111553-000-00-NA | 67 | LAREDO/HIGHLINE | DON GROVER 1188 MOBILE ST AURORA 80011 grovergdpa@gmail.com | (303) 367-8057 |
| 03-112878-000-00-NA | 13 | NORFOLK GLEN | SHERRY STUMBAUGH 15804 E 17TH PL AURORA CO 80011 SSTUMBAUGH@FBX.COM | (123) 456-7890 (303) 364-4478 |
| 03-113505-000-00-NA | 56 | SABLE ALTURA CHAMBERS NBHD | DIANE BRAKE 3090 S DAHLIA ST DENVER CO 80222 BRAKEPLACE@CENTURYLINK.NET | (303) 758-3311 (303) 344-8226 |
| 17-1260578-000-00-NA | 421 | WOODSHIRE EAST MOBILE HOME COMMUNITY | MICHAEL GRADISAR 1896 SALIDA ST AURORA CO 80011 MEGRADISAR@AOL.COM | (303) 919-0925 |

From: [Doug Bach](#)
To: [McShane, Brady R. \(Shld-DEN-LDZ-RE\)](#)
Cc: [Michael Johnson](#)
Subject: Fwd: [External] Norfolk / Colfax Access Coordination (Station 60 Master Plan)
Date: Monday, May 9, 2022 10:35:53 AM
Attachments: [image001.png](#)

EXTERNAL TO GT

----- Forwarded message -----

From: ERIC SAKOTAS <esakotas@thkassoc.com>
Date: Mon, Mar 28, 2022 at 3:13 PM
Subject: Fwd: [External] Norfolk / Colfax Access Coordination (Station 60 Master Plan)
To: Doug Bach <doug.m.bach@gmail.com>, <JSantistevan@saludclinic.org>, Thomas W. Beck <thomas@twbeckarchitects.com>, <csmcgranahan@lsctrans.com>

Team:

Please see the response from Jessica below.

Thanks,

Eric Sakotas

----- Forwarded message -----

From: Glavas, Jessica <jglavas@quiktrip.com>
Date: Mon, Mar 28, 2022 at 3:06 PM
Subject: RE: [External] Norfolk / Colfax Access Coordination (Station 60 Master Plan)
To: ERIC SAKOTAS <esakotas@thkassoc.com>, Madrid, Shelby <Shelby.Madrid@kimley-horn.com>

Eric,

Thanks for reaching out.

Unfortunately, this request is coming at an extremely inopportune time for our development. We are in the middle of obtaining approval for our infrastructure plans and subdivision plat. We have over a year and a half of work and hundreds of thousands of dollars already in to this site. I do not see a way that we can accommodate this change.

I'm sorry I can't be more help.

Thanks,



Jessica Glavas | Real Estate Project Manager

O. (303) 248.0435 | C. (918) 697.7167 | F. (918) 994.3684

QuikTrip Corporation | 12000 Washington St, Ste 175, Thornton, CO 80241

Email. jglavas@quiktrip.com

From: ERIC SAKOTAS <esakotas@thkassoc.com>

Sent: Thursday, March 24, 2022 2:02 PM

To: Glavas, Jessica <jglavas@quiktrip.com>; Madrid, Shelby <Shelby.Madrid@kimley-horn.com>

Subject: [External] Norfolk / Colfax Access Coordination (Station 60 Master Plan)



Jessica & Shelby:

My name is Eric Sakotas and I work with THK Associates. THK is working with TW Beck Architects and others on a Master Plan submission for the Aurora Campus for Health, Wellness & Well-Being, which is located south of your Station 60 project.

We recently had a Pre-App meeting with the City of Aurora. During our meeting site access was discussed in regards to the extension of Norfolk St to the north to intersect with Colfax Ave. It is our understanding that there will be a traffic signal warranted at this intersection which was identified in your TIS.

We are requesting a meeting with you and your team to see if we could possibly coordinate the access in order to create a configuration where the intersections will actually align at the

proposed signal. In order for this configuration to work, it would require a 40'-50' shift to the east so it would not impact the self storage site south of Colfax. We have included an exhibit (PDF) that shows the proposed alignment.

Please let us know if you are available for a virtual meeting to see if we can work something out. We have time available next Monday, March 28 anytime between 10:00 AM and 4:00 PM.

Thank you and we look forward to hearing from you.

--

Eric S. Sakotas

Senior Planner



THK Associates, Inc

2953 S Peoria St, Suite 101

Aurora, Co 80014

O. (720) 454-2780

C. (303) 809-2866

--

Eric S. Sakotas

Senior Planner



THK Associates, Inc
2953 S Peoria St, Suite 101
Aurora, Co 80014
O. (720) 454-2780
C. (303) 809-2866

From: [Doug Bach](#)
To: [McShane, Brady R. \(Shld-DEN-LDZ-RE\)](#); [Michael Johnson](#)
Subject: Fwd: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora
Date: Monday, May 2, 2022 3:43:10 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

EXTERNAL TO GT

FYI.. do not know if you received... Doug

----- Forwarded message -----

From: **Loeffler - CDOT, Steven** <steven.loeffler@state.co.us>
Date: Mon, May 2, 2022 at 2:25 PM
Subject: Re: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora
To: Chris McGranahan <csmcgranahan@lsctrans.com>
Cc: marilyn.cross <marilyn.cross@state.co.us>, ERIC SAKOTAS <esakotas@thkassoc.com>, Doug Bach <doug.m.bach@gmail.com>, <JSantistevan@saludclinic.org>, Thomas W. Beck <thomas@twbeckarchitects.com>, <dwatkins@osborn-eng.com>, Waltraud Carter <lsc@lscdenver.com>, Kirk Allen <kirk.allen@state.co.us>

Chris,

We are continuing discussions with the Station 60 group, Aurora and CDOT Traffic. A follow up meeting for that group is tentative for the end of this week or early next week.

One question that has come up is the status of the StorQuest Self Storage. Have any discussions been made with that ownership regarding options for access?

Thanks,

Steve Loeffler

Permits Unit- Region 1



P 303.757.9891 | F 303.757.9053
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org



On Thu, Apr 28, 2022 at 2:22 PM Chris McGranahan <csmcgranahan@lsctrans.com> wrote:

Steve,

I am following up to see the status of your coordination with the City.

We are hopeful that when you speak with the City it will become clear the intersection of Colfax with Norfolk, if signalized, should be shifted slightly east so that both sides of Colfax can be served by a traffic signal at this location. A shift to the east of 40'-50' would also allow the eastbound to northbound left-turn lane on Colfax to be longer than currently planned.

Thank you,

Christopher S. McGranahan, PE, PTOE

Principal

LSC Transportation Consultants, Inc.

1889 York Street

Denver, CO 80206

303-333-1105

csmcgranahan@lsctrans.com

lsctrans.com

From: Loeffler - CDOT, Steven <steven.loeffler@state.co.us>

Sent: Monday, April 25, 2022 1:35 PM

To: Chris McGranahan <csmcgranahan@lsctrans.com>

Cc: marilyn.cross <marilyn.cross@state.co.us>; ERIC SAKOTAS

<esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>;

JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>;

dwatkins@osborn-eng.com; Waltraud Carter <lsc@lscdenver.com>; Kirk Allen

<kirk.allen@state.co.us>

Subject: Re: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

Chris,

My apologies on the delay in getting back with you. We just got Kirk back to the office today. We still need to discuss this and circle back with Aurora. We won't be able to offer anything until that takes place.

Steve Loeffler

Permits Unit- Region 1



P 303.757.9891 | F 303.757.9053

2829 W. Howard Pl. 2nd Floor, Denver, CO 80204

steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org



On Mon, Apr 25, 2022 at 8:46 AM Chris McGranahan <csmcgranahan@lsctrans.com> wrote:

Steve,

I am following up to see if you have had a chance to discuss with the City considering the Station 60 hearing is this Wednesday night. Our project team asked if it were possible for you or another CDOT representative be available for the hearing. If this is not possible can you provide any statements we can use when discussing the access permit application details and status?

Thank you,

Christopher S. McGranahan, PE, PTOE

Principal

LSC Transportation Consultants, Inc.

1889 York Street

Denver, CO 80206

303-333-1105

csmcgranahan@lsctrans.com

lsctrans.com

From: Loeffler - CDOT, Steven <steven.loeffler@state.co.us>
Sent: Wednesday, April 6, 2022 12:31 PM
To: Chris McGranahan <csmcgranahan@lsctrans.com>
Cc: Rickhoff, Laura <lrickhof@auroragov.org>; Gomez, Steven <segomez@auroragov.org>; marilyn.cross <marilyn.cross@state.co.us>; ERIC SAKOTAS <esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>; JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>; dwatkins@osborn-eng.com; Waltraud Carter <lsc@lscdenver.com>
Subject: Re: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

All,

1pm on the 18th works for most of our group. Please include the following in the invitation:

steven.loeffler@state.co.us

richard.solomon@state.co.us

jason.igo@state.co.us

eric.loya@state.co.us

telecia.mccline@state.co.us

Kirk.allen@state.co.us

Thank you,

Steve Loeffler

Permits Unit- Region 1



P 303.757.9891 | F 303.757.9053

2829 W. Howard Pl. 2nd Floor, Denver, CO 80204

steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

On Wed, Apr 6, 2022 at 12:05 PM Chris McGranahan <csmcgranahan@lsctrans.com> wrote:

Laura,

That works for me – hopefully it works for CDOT.

Thanks for jumping in.

Christopher S. McGranahan, PE, PTOE

Principal

LSC Transportation Consultants, Inc.

1889 York Street

Denver, CO 80206

303-333-1105

csmcgranahan@lsctrans.com

lsctrans.com

From: Rickhoff, Laura <lrickhof@auroragov.org>
Sent: Wednesday, April 6, 2022 12:01 PM
To: Chris McGranahan <csmcgranahan@lsctrans.com>
Cc: steven.loeffler@state.co.us; Gomez, Steven <segomez@auroragov.org>; marilyn.cross <marilyn.cross@state.co.us>; ERIC SAKOTAS <esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>; JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>; dwatkins@osborn-eng.com; lsc@lscdenver.com
Subject: RE: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

Chris,

How about 1pm on the 18th?

Laura Rickhoff

Project Manager

Office of Development Assistance | City of Aurora

office 303.739.7585



[Facebook](#) | [Twitter](#) | [Instagram](#) | [Nextdoor](#) | [AuroraTV.org](#)

From: Chris McGranahan <csmcgranahan@lsctrans.com>
Sent: Wednesday, April 6, 2022 11:57 AM
To: Rickhoff, Laura <lrickhof@auroragov.org>
Cc: steven.loeffler@state.co.us; Gomez, Steven <segomez@auroragov.org>; marilyn.cross <marilyn.cross@state.co.us>; ERIC SAKOTAS <esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>; JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>; dwatkins@osborn-eng.com; lsc@lscdenver.com
Subject: RE: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

Laura,

That time didn't work for CDOT per an earlier response from Marilyn.

Here are the times Marilyn gave in her response:

~~Friday, April 8: 12-1pm~~

~~Monday, April 11: 10-12, 1-4pm~~

Tuesday: April 12: 10-11am, ~~12-1pm~~

Wednesday, April 13: 10-12am

~~Thursday, April 14: Not Available~~

Friday, April 15: 10-12pm

If none of the times next Tuesday, Wednesday or Friday work for the Aurora team we may need to look out to the follow week.

Thank you,

Christopher S. McGranahan, PE, PTOE

Principal

LSC Transportation Consultants, Inc.

1889 York Street

Denver, CO 80206

303-333-1105

csmcgranahan@lsctrans.com

lsctrans.com

From: Rickhoff, Laura <rickhof@auroragov.org>

Sent: Wednesday, April 6, 2022 11:48 AM

To: csmcgranahan@lsctrans.com

Cc: steven.loeffler@state.co.us; Gomez, Steven <segomez@auroragov.org>;

marilyn.cross <marilyn.cross@state.co.us>; ERIC SAKOTAS

<esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>;

JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>;

dwatkins@osborn-eng.com; lsc@lscdenver.com

Subject: FW: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

Chris,

I can assist with scheduling. The only time our staff team has available is next week on Monday, 4/11, at 1pm.

Does that time work for this team?

Also, Chris, do you have a proposal for the intersection alignment we can look at for the meeting?

Laura Rickhoff

Project Manager

Office of Development Assistance | City of Aurora

office 303.739.7585



[Facebook](#) | [Twitter](#) | [Instagram](#) | [Nextdoor](#) | [AuroraTV.org](#)

From: Gomez, Steven

Sent: Wednesday, April 6, 2022 7:51 AM

To: Osoba, Daniel "Dan" <dosoba@auroragov.org>; Fuselier, Liz <efuselie@auroragov.org>; Rickhoff, Laura <lrickhof@auroragov.org>

Cc: Harline, Carl <charline@auroragov.org>; Campuzano, Carlie <ccampuza@auroragov.org>

Subject: FW: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

You all should probably attend. Dan do you want to coordinate/schedule the meeting?

Steve Gomez, P.E., PTOE

Senior Engineer – Traffic | City of Aurora

office 303.739.7300 | email segomez@auroragov.org



[Facebook](#) | [Twitter](#) | [Instagram](#) | [Nextdoor](#) | [AuroraTV.org](#)

From: Chris McGranahan <csmcgranahan@lscetrans.com>
Sent: Tuesday, April 5, 2022 2:53 PM
To: Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; Campuzano, Carlie <ccampuza@auroragov.org>; Gomez, Steven <segomez@auroragov.org>
Cc: marilyn.cross <marilyn.cross@state.co.us>; ERIC SAKOTAS <esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>; JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>; dwatkins@osborn-eng.com; Waltraud Carter <lsc@lscdenver.com>
Subject: RE: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

Steve, Carlie and Steve,

Our team would like to request a virtual meeting with CDOT and the City to discuss shifting the existing Norfolk Street intersection on Colfax slightly east to allow our project to gain access to the proposed traffic signal at Colfax/Norfolk.

Our teams availability is as follows:

Friday, April 8: 12-1pm

Monday, April 11: 10-12, 1-4pm

Tuesday: April 12: 10-11am, 12-1pm

Wednesday, April 13: 10-12am

Thursday, April 14: Not Available

Friday, April 15: 10-12pm

Let us know what works for CDOT and the City and we will get a virtual meeting on the calendar.

Thank you,

Christopher S. McGranahan, PE, PTOE

Principal

LSC Transportation Consultants, Inc.

1889 York Street

Denver, CO 80206

303-333-1105

csmcgranahan@lsctrans.com

lsctrans.com

From: Loeffler - CDOT, Steven <steven.loeffler@state.co.us>
Sent: Tuesday, April 5, 2022 8:59 AM
To: Chris McGranahan <csmcgranahan@lsctrans.com>
Cc: Cross - CDOT, Marilyn <marilyn.cross@state.co.us>; ERIC SAKOTAS <esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>; JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>; dwatkins@osborn-eng.com; Waltraud Carter <lsc@lscdenver.com>; Gomez, Steven <segomez@auroragov.org>; Campuzano, Carlie <ccampuza@auroragov.org>
Subject: Re: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

Chris,

I have added Steve Gomez and Carlie Campuzano with Aurora on this email string.

In answer to your question regarding permitting with the Station 60 development, we have been working on an access permit for the Norfolk Street intersection with Colfax for a few months now. We have had some challenges due to needing design waivers approved. A permit has not been issued at this time.

We do see the benefit of having Norfolk Street aligned from the North and South. We would be glad to meet to discuss.

Thank you,

Steve Loeffler

Permits Unit- Region 1

P 303.757.9891 | F 303.757.9053

2829 W. Howard Pl. 2nd Floor, Denver, CO 80204

steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

On Fri, Apr 1, 2022 at 12:56 PM Chris McGranahan <csmcgranahan@lsctrans.com> wrote:

Steve,

Thanks for the quick response and have a great weekend.

Christopher S. McGranahan, PE, PTOE

Principal

LSC Transportation Consultants, Inc.

1889 York Street

Denver, CO 80206

303-333-1105

csmcgranahan@lsctrans.com

lsctrans.com

From: Loeffler - CDOT, Steven <steven.loeffler@state.co.us>
Sent: Friday, April 1, 2022 12:23 PM
To: Chris McGranahan <csmcgranahan@lsctrans.com>
Cc: Cross - CDOT, Marilyn <marilyn.cross@state.co.us>; ERIC SAKOTAS <esakotas@thkassoc.com>; Doug Bach <doug.m.bach@gmail.com>; JSantistevan@saludclinic.org; Thomas W. Beck <thomas@twbeckarchitects.com>; dwatkins@osborn-eng.com; Waltraud Carter <lsc@lscdenver.com>
Subject: Re: Aurora Center / Salud - Updated Access Exhibits - access issue on Colfax in Aurora

Chris,

I need to reach out to Aurora and discuss internally. I will be in touch.

Thanks,

Steve Loeffler
Permits Unit- Region 1

P 303.757.9891 | F 303.757.9053

2829 W. Howard Pl. 2nd Floor, Denver, CO 80204

steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

On Thu, Mar 31, 2022 at 5:02 PM Chris McGranahan

<csmegranahan@lsctrans.com> wrote:

Steve and Marilyn,

Please find attached a PDF which includes two site graphics for the proposed Aurora Center for Health, Wealth & Well Being in the City of Aurora. All of the people copied on this email are members of our project team or ownership.

The site is located on the south side of Colfax just west of Airport in the City of Aurora. The proposed Station 60 development is to the north of Colfax and is much further along in the review process with the City of Aurora. Once we had a chance to review the existing conditions we found an issue with the Norfolk intersection with Colfax which is on the west side of our graphic. The south site of the intersection serves a self-storage property that has buildings up against their property line with our site. We had hoped the City would have required Station 60 to shift Norfolk 40'-50' east to allow our proposed project to construct the south leg and extend it south considering traffic signal control is planned based on the Station 60 traffic study.

We have had a few discussions/meetings with City staff and they haven't seemed willing to have Station 60 amend their plans to allow the north/south alignment as shown in our first graphic. The second graphic shows a conceptual access plan to the existing self-storage property with a RIRO near Colfax with full movement at proposed 14th Street. Someone from our team then contacted the Station 60 team only to hear they are not willing to voluntarily amend their plan. If their plan stays as is we will only have RIRO access to Colfax between Norfolk and Airport plus RIRO to Airport and signalized access to Airport at 14th (future signal). Obviously our team would like signalized access to Colfax at Norfolk and we think that would be best for connectivity and distributing trips.

Can you let us know where Station 60 is in the State Highway Access permit process? If they haven't been offered a permit we would like to see if you agree with our team that it would be preferable to shift Norfolk east 40'-50' to allow the south leg to extend into our site and connect further south. If you do we would like to request a virtual meeting with CDOT and the City to strategize on the best path forward. Depending on how things go we could eventually bring Station 60 and the Self-Storage groups into the discussion.

Feel free to respond with questions or comments.

Thank you,

Christopher S. McGranahan, PE, PTOE

Principal

LSC Transportation Consultants, Inc.

1889 York Street

Denver, CO 80206

303-333-1105

csmcgranahan@lsctrans.com

lsctrans.com

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: STATION 60

Planning Commission Hearing Date: April 27, 2022

City Council Meeting Date: June 6, 2022

Ward: II

Project Type: Infrastructure Site Plan

DA Number: DA-2274-01

Case Number(s): 2021-6057-00

Location: QS:04K - Northwest Corner of E Colfax Avenue and Airport Boulevard

Case Manager: Dan Osoba

Description:

The applicant, QuikTrip Corporation, is requesting approval of an Infrastructure Site Plan (ISP) for private drives and detention ponds within the 24.1-acre Station 60 Master Plan development. The Station 60 Master Plan includes mixed-use and commercial areas along E Colfax Ave and multifamily residential at the rear of the property. There are two private drives and two detention ponds proposed along with adjacent right-of-way improvements on Airport Blvd, Colfax Avenue and Norfolk Street. The property is zoned MU-C Mixed-Use Corridor District and is within the City Corridor Placetype as identified in the Aurora Places Plan.

The ISP includes the primary roadway, utility and stormwater infrastructure needed to serve the full-build-out of the Station 60 development. Adjacent right-of-way improvements include detached sidewalks, curbside landscaping, and roadway improvements per the Master Traffic Impact Study and Public Improvement Plan for Station 60. No adjustments have been requested with this application

Thirty-two (32) adjacent property owners and eight registered neighborhood organizations were notified of the application. No comments were received, and a neighborhood meeting was not held.

Testimony Given at the Hearing:

Dan Osoba, Case Manager, gave a presentation of the item, including staff recommendations.

Commissioners Walls asked the City of Aurora Traffic Engineer, Steve Gomez, if a traffic study was included with the application as it relates to the intersection of Norfolk Street and E Colfax Avenue.

Steven Gomez indicated that the overall development has included a Master Traffic Impact Study for the whole of Station 60 and this ISP has included an update to the Master Traffic Impact Study to reflect what was shown on the plans for the ISP. Mr. Gomez indicated that Traffic Engineering has reviewed the Master Traffic Impact Study update, but not fully approved the changes.

Commissioner Hogan indicated there was an issue with the current configuration of the intersection of Norfolk St and E Colfax Ave and was concerned that the access would negatively impact both the northern and southern developments.

Steven Gomez indicated that CDOT was a referral on the Station 60 ISP application and the applicant is requesting a waiver in regard to the turn lane requirements on Colfax Ave. CDOT is reviewing the access permit and staff is working with them to figure out what the configuration of that intersection should be. Staff is coordinating between both property owners and CDOT to figure out what would work best and what is feasible for that intersection.

Chairman Bush asked what assurances there are in making sure that both sides of the intersection are accommodated and aligned?

Mr. Gomez indicated that staff is fully committed to working with each of the property owners as well as CDOT to provide the best access configuration and location for CDOT, the City, and both the developments.

Commissioner Walls stated that he is concerned that the approval of the ISP is before the Planning and Zoning Commission now and the issue of the intersection has not been resolved to this point.

Commissioner Hogan asked how close are the two projects from approval?

Mr. Osoba indicated that Station 60 has a development application in review for the Master Plan, which has been administratively approved, but not recorded, and an Infrastructure Site Plan, which is the subject of this public hearing. The property to the south does not have a development application in review. Most of the conversation with the southern property owner has been conceptual to find the best alignment.

Stacey Weaks, Norris Design, 1101 Bannock Street, Denver, CO, representing the applicant, gave a presentation on the application, specifically as it relates to the issue of the intersection of Norfolk St and Colfax Ave.

Coy Williams, Kimley-Horn, 4582 S Ulster Street, Denver, CO, provided additional background on the intersection and access permit progress with CDOT.

Jeff Planck, Kimley-Horn, 4582 S Ulster Street Denver, CO, representing the applicant, also spoke to provide information regarding the access at Norfolk St and Colfax Avenue.

Chris McGanahan, LSC Transportation Consultants, 1889 York Street, Denver, CO, had no issues with the ISP except for the access at Norfolk Street not aligning to provide a connection to the southern property.

Eric Nelson, 1445 Dayton Street, Aurora, CO, a citizen, had concerns with traffic and pedestrian safety. The applicant should work with the parents of the local school and the canal.

John Santisteven, 562 S Sable Boulevard, Aurora, CO, a citizen and property owner of the 27 acres to the south, said the ISP was a good project, but had an issue with the Norfolk access. He explained how the property may be developed and there will be a lot of traffic with the only signalization being on Airport for the future development at the southwest corner of Airport and Colfax. Norfolk needs to be aligned so that there is better access for everyone. Norfolk should be a full access intersection that both properties can have access to.

Lea Stead, 1126 E 13th Street, Aurora, CO, a citizen, indicated the intersection to be dangerous without a street crossing. Laredo School in the neighborhood so it is needed to have Colfax Avenue be pedestrian safe. This intersection needs to be signalized. This will be one of the largest intersections in the city. We need to make sure that there is access to the Highline Canal. The applicant must work with parents because of the school and the canal.

Maisha Fields, 14590 E 2nd Avenue Apt B-301, Aurora, CO, a citizen, had concerns with traffic and safety. A survey was taken of 1600 residents in the area and they found people want to have more access to open space areas like the Highline Canal.

Nyrema Pollard, 1190 Sable Boulevard, Aurora, CO, a citizen, had concerns with traffic and access to the canal.

Sean Moore, 1390 Dayton Street, Aurora, CO, a citizen, indicated the importance of safety and importance of civil engagement and community involvement. The access at Norfolk was cited as a concern and the community is concerned about it.

Commissioner Hogan state that she was hoping that these concerns have been heard before by the applicant and agents. She asked them to consider another conversation and perhaps the item should be continued until the access and traffic concerns can be resolved.

Stacey Weaks indicated that they take all planning work seriously. They have had the opportunity to work on the project for 1 ½ years at this point and the concerns being voiced this evening have not been brought up until a couple weeks prior to this public hearing. This will be a lighted intersection with pedestrian crossings. There are access points via Laredo and other points to the Highline Canal which will be safe. A formal notice was done for this meeting and no comments were received except from the southern property owner.

Commissioner Hogan asked if there was written confirmation from CDOT regarding the signal.

Chris Viscardi, Kentro Group, 1509 York Street, Suite 201, Denver, CO, representing the applicant, provided additional project details for the whole of Station 60. Kentro Group is developing the northern side of Station 60 and has been approved by CHFA and the site plan is in review with the city. The goal is to be breaking ground in August for 216-units with housing credits. The signal location shown in the plan is meeting CDOT criteria and what is being proposed will meet what CDOT is requiring.

Jessica Glavas, Quiktrip Corporation, 12000 Washington Street, Suite 175, Thornton, CO, the applicant for this ISP, provided additional details regarding the development of Station 60 and timing of improvements.

Commissioner Walls asked about the Colfax and Norfolk crosswalk and if is one being planned for north and south?

Mr. Williams answered that a crosswalk is being planned for north / south and east / west. He explained CDOTs spacing for access along Colfax Avenue and provided information that the applicant is including detached sidewalks for pedestrian safety.

Commissioner Jetchick asked for clarification if the light at the intersection is not approved, will it hold up the tax credit.

Commissioner Gaiser indicated that he knows how critical is to get the project approved in regard to CHFA, he asked What is the timing for getting the credits.

Mr. Viscardi answered that the timing is critical for the site plan, if the ISP is not approved then the applicant cannot break ground and the approval of the site plan will be delayed. The applicant needs to demonstrate the notice to proceed so credits can be obtained. The signal is critical to the whole site.

Commissioner Gaiser indicated that it takes 2 to 3 years to get funding from CHFA and if it is missed you lose out and cannot apply again for several years. If Norfolk was realigned, what would be done with the rest of the land to the west of Norfolk; would that be considered a taking of property.

Dan Money, Assistant Senior City Attorney, indicated that the private property owner cannot take another property and that would not constitute a taking. He recommended that the Commissioner to get back on track and make a decision based on the criteria and code.

Brandon Cammarata, Planning Manager, indicated to the Commission that the ISP before them includes the alignment of the streets on the north side. He explained, per the UDO, the decisions the Commission could make include a decision to deny, approve, or continue the application based on the criteria for approval.

Planning Commission Results

Agenda Item 7f – Infrastructure Site Plan for Private Drives and Detention Ponds

A motion was made by Commissioner Gaiser and seconded by Commissioner Banka.

Move to approve, with one condition, the Infrastructure Site Plan because the proposal complies with the requirements of Section 146-5.4.3.2.B of the Unified Development Ordinance for the following reasons:

1. It is consistent with the applicable UDO standards.
2. It enhances and improves the existing city infrastructure.
3. It improves multi-modal connectivity within the development and to adjacent sites.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the Site Plan mylars and issuance of any building permits.

Further Discussion:

Commissioner Walls indicated that the criteria includes mitigating adverse impacts and it doesn't matter what happened in the past on the self-storage property to the south. The Planning Commission needs to have the foresight for problems that will happen in the future. He likes the project but has issue with the ISP and access configuration. Funding cannot be a consideration in the decision.

Commissioner Hogan asked Mr. Money if the Planning Commission has the ability to approve with additional conditions. Mr. Money answered yes, the Commission may add additional conditions of approval.

Commissioner Hogan wanted to add a condition that parties get together to try to resolve the issues voiced tonight and more thought be given to the access. She proposed to give the parties four weeks to resolve the issues.

Commissioner Bush asked if their mutual agreement was to be absolute? If nothing happens during the time period of the condition of approval, then what happens?

Mr. Money recommended that a motion should not be made to make opposing parties negotiate.

Commissioner Walls indicated that Mr. Gomez brought up items that are still pending. He asked for clarification.

Mr. Gomez indicated that the Traffic Impact Study (TIS) is in the review process and only has had one review, not sure when the next submittal will come in. There was a subsequent submittal of the TIS; however, Traffic Engineering had not fully reviewed that document yet.

Commissioner Gaiser asked if CDOT would complete their review within four weeks.

Mr. Gomez indicated that he cannot speak for CDOT they are reviewing the access permit and if it meets their requirements.

Commissioner Gaiser indicated that the Commission has to deal with facts of the case and not what might be.

Commissioner Hogan asked if the development cannot go through until CDOT has approved. Mr. Gomez answered in the affirmative.

Stacey Weaks provided clarification that ISP has been reviewed twice and is currently in technical review. CDOT has approved the queuing at Norfolk and key milestones have been hit regarding to the review of the project. The development team is ready to submit Civil CDs once the drainage is approved.

Mr. Money asked if this application is continued for more information would anything come from CDOT that would help.

Carlie Campuzano, Traffic Manager, lots of history on this site. The application and traffic study meets all City requirements. She explained processes with the city and CDOT and how there would be no guarantee from CDOT that there will be a signal at this location.

Action Taken: Approved with a Condition

Votes for the Infrastructure Site Plan: 4

Votes against the Infrastructure Site Plan: 2 (Hogan and Walls)

Absent: None

Abstaining: 1 (Ahern)

Filed: K:\\$DA\2274-01sps.rtf

City of Aurora
Planning and Zoning Commission Case Report

Station 60 – Infrastructure Site Plan
Development Application Number: DA-2274-01
Case Manager: Dan Osoba

April 27, 2022

Project Summary:

The applicant, QuikTrip Corporation, is requesting approval of an Infrastructure Site Plan (ISP) for private drives and detention ponds within the 24.1-acre Station 60 Master Plan development. The Station 60 Master Plan includes mixed-use and commercial areas along E Colfax Ave and multifamily residential at the rear of the property. There are two private drives and two detention ponds proposed along with adjacent right-of-way improvements on Airport Blvd, Colfax Avenue, and Norfolk Street. The property is zoned MU-C Mixed-Use Corridor District and is within the City Corridor Placetype as identified in the Aurora Places Plan.

The ISP includes the primary roadway, utility and stormwater infrastructure needed to serve the full-build-out of the Station 60 development. Adjacent right-of-way improvements include detached sidewalks, curbside landscaping, and roadway improvements per the Master Traffic Impact Study and Public Improvement Plan for Station 60. No adjustments have been requested with this application.

Applicant's Request:

Infrastructure Site Plan Approval

Community Comments:

Thirty-two (32) adjacent property owners and eight registered neighborhood organizations were notified of the application. No comments were received, and a neighborhood meeting was not held.

Major Issues Discussed During Development Review:

- Consistency with Station 60 Master Plan
- Right-of-Way Improvements

Results of Development Review:

Consistency with Station 60 Master Plan. The proposed ISP shows private drives, stormwater and utility improvements consistent to the locations shown in the Station 60 Master Plan. The Station 60 Master Plan has been administratively approved, but not recorded. The applicant will be submitting technical revisions to the plan to resolve outstanding comments prior to recordation. Planning Area 4 and 5 are designated detention near the intersection of the east/west private drive and Airport Blvd. It should be noted that the applicant has shifted PA-5 west to provide better frontage along E Airport Blvd and will be reflecting that change in subsequent a technical submittal of the Master Plan. Additional site amenities are proposed along the private drives including trash receptacles, park benches and bicycle racks.

Public Improvements. The Public Improvement Plan within the Station 60 Master Plan shows adjacent right-of-way improvements for Airport Blvd, Colfax Ave and Norfolk St. The improvements on the west side of Airport Blvd include expanding the sidewalk to meet 10-foot detached standards, curbside landscaping and a right-in/right-out access. The improvements on Colfax Ave include an eastbound dual left and single left turn lane extension, right-of-way dedication, 10-foot detached sidewalk, curbside landscaping, pedestrian connection to an existing bus stop, a right-in/right-out

access, and full access with signal at Norfolk Street. All improvements on Colfax Avenue are being coordinated with the Colorado Department of Transportation (CDOT). Norfolk Street improvements include 15-foot right-of-way dedication, detached 5.5-foot sidewalk and curbside landscaping. All improvements are consistent with City of Aurora and Station 60 Master Plan.

Summary of Staff Recommendation:

Approval of the Infrastructure Site Plan with one condition. See last page for summary.

Detailed Case Analysis

Public Notification:

Legal notice appeared in the Aurora Sentinel on April 7, 2022. The applicant has submitted verification of certified public hearing notices to adjacent property owners and registered neighborhood organizations and proof of on-site public hearing sign posting.

Community Referrals:

Referrals were provided to the following registered neighborhood organizations within one mile of the project: CLEAN, Kirkegaard Acres, Norfolk Glen, Sable Altura Chambers Neighborhood, Cottage Grove HOA, Woodshire East Mobile Home Community, Laredo Landing, and Laredo/Highline.

Conformance with Code Criteria:

1. Major Site Plan Approval Criteria

Major Site Plan approval criteria are found in Section 146-5.4.3.2.B of the Unified Development Ordinance:

1. *The application complies with the applicable standards in the UDO, other adopted city regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;*
2. *The city's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable;*
3. *Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable;*
4. *The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers;*
5. *The application is compatible with surrounding uses in terms of size, scale and building façade materials; and*
6. *The application mitigates any adverse impacts on the surrounding area to the degree practicable.*

The proposed Infrastructure Site Plan complies with the approval criteria for the following reasons:

- It is consistent with the applicable UDO standards;
- It enhances and improves the existing city infrastructure; and,
- It improves multi-modal connectivity within the development and to adjacent sites.

Meeting Date: April 27, 2022
Case Number: 2021-6057-00
Computer File #: K:\\$DA\2274-01pcr.rtf

Agenda Item: 7f

Applicant Information:

Applicant: QuikTrip Corporation, Jessica Glavas
Owner: QuikTrip Corporation
Project Manager: Kimley-Horn, Shelby Madrid

Exhibits:

Exhibit A Vicinity Map
Exhibit B Letter of Introduction
Exhibit C Infrastructure Site Plan
Exhibit D Station 60 Master Plan

Project Statistics

Land Use Analysis

| Item | Existing | Permitted / Required | Proposed |
|---------------------|-------------------------|----------------------|---|
| Zoning | MU-C Mixed-Use Corridor | N/A | No Change |
| Land Use | Vacant | N/A | Infrastructure for commercial and mixed-use |
| Parcel Size | 24.63-acres | N/A | 24.1-acres Reduced Size per ROW Dedication |
| Number of Buildings | N/A | N/A | N/A |
| % Building Coverage | Vacant | N/A | N/A |
| % Landscape Area | 100% | N/A | ~89.9% |
| % Hard Surface Area | 0% | N/A | ~11.1% |

Surrounding Properties

| Direction | Zoning | Use |
|-----------|---|---|
| North | POS Parks and Open Space District | Highline Canal and Star K Ranch |
| East | MU-C Mixed-Use Corridor District & R-MH Residential Manufactured Housing District | Vacant and Friendly Village Manufacture Housing Park |
| West | MU-C Mixed-Use Corridor District & R-2 Medium Density District | Manufactured Housing, Laredo House Apartments, and Norfolk Glen HOA |
| South | MU-C Mixed-Use Corridor District | Vacant |

Staff Recommendation:

Agenda Item 7f: Infrastructure Site Plan

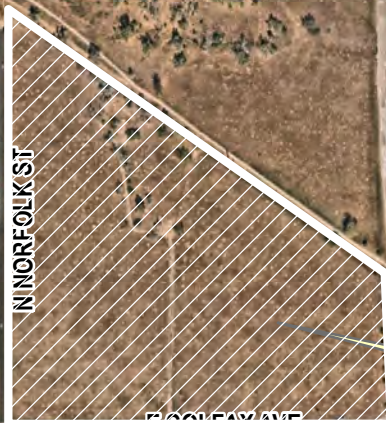
Approve, with one condition, the Infrastructure Site Plan because the proposal complies with the requirements of Section 146-5.4.3.2.B for the following reasons:

- It is consistent with the applicable UDO standards;
- It enhances and improves the existing city infrastructure; and,
- It improves multi-modal connectivity within the development and to adjacent sites.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the Site Plan mylars and issuance of any building permits.

Exhibit A



Subject Site



Station 60 Master Plan



Aurora is Worth Discovering!



Planning & Development Services

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.757.2177
GIS@aurora.gov

Case Numbers: 2021-7004-00
Development Application: #2074-00

City of Aurora, Colorado



November 23, 2021

City of Aurora
Office of Development Assistance
15151 E. Alameda Parkway, Suite 5200
Aurora, CO 80012

Re: **Station 60 Infrastructure Site Plan Letter of Intent**
Northwest Corner of Colfax Ave and Airport Blvd in Aurora, Colorado

To Whom It May Concern,

Kimley-Horn and Associates, Inc. is pleased to be submitting the Infrastructure Site Plan Package for the above-referenced project on behalf of QuikTrip Corporation (the "Site Developer"). General project information and anticipated scope of work related to the site improvements is further summarized below.

GENERAL PROJECT INFORMATION

As communities grow, so do their needs. In the 1880's, the High Line Canal was built to bring water and irrigation to a developing community. In the 1890's trolleys provided a way to get from one side of an expanding neighborhood to the other efficiently. And now, Station 60 provides a place of connection, activity and opportunity for the residents of East Aurora and the surrounding area as the growth continues to warrant new community considerations. Between mile markers 60 and 61 on the High Line Canal lies this new connected hub, Station 60. The development will offer a place to gather, grab a bite to eat or propel you to your next adventure.

Station 60 is approximately 23.8 total acres and zoned Mixed Use-Corridor District (MU-C) in Subarea A. The site is located at the northwest corner of Colfax Avenue and Airport Boulevard and has direct access to both E. Colfax Avenue, N. Airport Boulevard and Norfolk Street via Colfax Avenue. The master plan currently under review proposes both commercial and residential uses.

The Infrastructure Site Plan (ISP) and Subdivision Plat included with this submission will set the groundwork for the future commercial and residential development of the Station 60 Site. The ISP includes the primary roadway, utility and stormwater infrastructure needed to serve the full build-out of the development. The ISP also includes the public roadway improvements adjacent to the Site, consistent with the current Station 60 Master Traffic Study that is currently under review. Also consistent with the Station 60 Master Plan, landscaping and irrigation is proposed along the internal roadway spines and along the property frontages, meeting the City criteria.

We hope this Letter of Intent assists in your review of the Infrastructure Site Plan submittal. We are excited to work with the City on this amazing project and look forward to delivering a project that the City and this project team are extremely proud of.

If you have any questions or comments during your review, please do not hesitate to contact me at 303-228-2327 or shelby.madrid@kimley-horn.com.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

Shelby Madrid, PE,

CITY OF AURORA SITE PLAN NOTES:

1. THE DEVELOPER, HIS SUCCESSORS AND ASSIGNS, INCLUDING THE HOMEOWNERS OR MERCHANTS ASSOCIATION SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL FIRE LANE SIGNS.
2. ALL BUILDING ADDRESS NUMBERS SHALL COMPLY WITH THE AURORA CITY CODE, ARTICLE VII – NUMBERING OF BUILDINGS.
3. THE APPLICANT HAS THE OBLIGATION TO COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE AMERICAN WITH DISABILITIES ACT.
4. ACCESSIBLE EXTERIOR ROUTES SHALL BE PROVIDED FROM PUBLIC TRANSPORTATION STOPS, ACCESSIBLE PARKING AND ACCESSIBLE PASSENGER LOADING ZONES AND PUBLIC SIDEWALKS TO 60% OF THE ACCESSIBLE BUILDING ENTRANCE THEY SERVE. THE ACCESSIBLE ROUTE BETWEEN ACCESSIBLE PARKING AND ACCESSIBLE BUILDING ENTRANCES SHALL BE THE MOST PRACTICAL DIRECT ROUTE. THE ACCESSIBLE ROUTE MUST BE LOCATED WITHIN A SIDEWALK. NO SLOPE ALONG THIS ROUTE MAY EXCEED 1:20 WITHOUT PROVIDING A RAMP WITH A MAXIMUM SLOPE OF 1:12 AND HANDRAILS. CROSSWALKS ALONG THIS ROUTE SHALL BE WIDE ENOUGH TO WHOLLY CONTAIN THE CURB RAMP WITH A MINIMUM WIDTH OF 36" AND SHALL BE PAINTED WITH WHITE STRIPES. THE CITY OF AURORA ENFORCES HANDICAPPED ACCESSIBILITY REQUIREMENTS BASED ON THE 2009 INTERNATIONAL BUILDING CODE, CHAPTER 11, AND THE AMERICAN NATIONAL STANDARDS INSTITUTE (ICC/ANSI) A117-2003.
5. PER ARTICLE XI, C.O.A. BUILDING AND ZONING CODE, SECTIONS 22-425 THROUGH 22-434, AN ACOUSTIC ANALYSIS, PREPARED BY AN ACOUSTIC EXPERT THAT WILL IDENTIFY BUILDING DESIGN FEATURES NECESSARY TO ACCOMPLISH EXTERIOR NOISE REDUCTION TO ACHIEVE INTERIOR NOISE LEVELS NOT EXCEEDING _____ (LDN VALUE TO BE DETERMINED FOR EACH PROJECT) UNDER WORSE-CASE NOISE CONDITIONS.
6. EASEMENTS CONSTRUCTED WITHIN THIS SITE USING ALTERNATIVE SURFACING MATERIALS SUCH AS, BUT NOT LIMITED TO; GRASSPAVE, GRASS CRETE, RITTER RINGS, INVISIBLE STRUCTURES UTILIZED ONLY FOR EMERGENCY VEHICLE ACCESS USE. THIS AGREEMENT WILL INCLUDE SNOW REMOVAL TO ENSURE EMERGENCY ACCESS IS AVAILABLE AT ALL TIMES. IF THE ABOVE CONDITIONS ARE NOT MET, THE OWNERS, HIS SUCCESSORS AND ASSIGNS SHALL BE REQUIRED BY ORDER NOTICE FROM THE AURORA FIRE DEPARTMENT TO REMOVE THE INVISIBLE STRUCTURE AND REPLACE IT WITH AN ASPHALT OR CONCRETE ROAD SURFACE THAT MEETS THE CONSTRUCTION REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT FIRE LANE STANDARDS AND BE SHOWN IN DETAIL WITHIN THE CIVIL PLANS.
7. EMERGENCY INGRESS AND EGRESS – RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON AND THROUGH ANY AND ALL PRIVATE ROADS AND WAYS NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY, AND THE SAME ARE HEREBY DESIGNATED AS "SERVICE/EMERGENCY AND UTILITY EASEMENTS" AND SHALL BE POSTED "NO PARKING -FIRE LANE".
8. THE 2009 INTERNATIONAL FIRE CODE, APPENDIX J AND CITY OF AURORA CODE, CHAPTER 66-38 FIRE PREVENTION REGULATIONS, REQUIRE ALL BUILDINGS TO BE ASSESSED FOR ADEQUATE EMERGENCY RESPONDER RADIO COVERAGE. AT THE TIME THE STRUCTURE IS AT FINAL FRAME AND FINAL ELECTRICAL INSPECTIONS. THE GENERAL CONTRACTOR (GC) WILL BE NOTIFIED BY A BUILDING DIVISION LIFE SAFETY INSPECTOR AS TO WHETHER THE STRUCTURE HAS PASSED OR FAILED THE PRELIMINARY RADIO SURVEILLANCE. A STRUCTURE THAT HAS PASSED THIS SURVEILLANCE REQUIRES NO FURTHER ACTION BY THE GC. A FAILED RADIO SURVEILLANCE WILL REQUIRE AN INDEPENDENT THIRD PARTY RADIO STUDY FOR THE ENTIRE BUILDING AT THE OWNER OR DEVELOPERS EXPENSE. WHERE AN EMERGENCY RESPONDER RADIO COVERAGE SYSTEM IS REQUIRED, A DESIGNATED CONTRACTOR SHALL SUBMIT PLANS TO THE BUILDING DIVISION TO OBTAIN A BUILDING PERMIT PRIOR TO INSTALLATION.
9. RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON AND THROUGH ANY AND ALL PRIVATE ROADS AND WAYS NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY. THE UNDERSIGNED DOES HEREBY COVENANT AND AGREE THAT THEY SHALL CONSTRUCT UPON THE FIRE LANE CORRIDORS, AS DESIGNATED AND SHOWN HERE ON, A HARD SURFACE IN ACCORDANCE WITH THE CITY OF AURORA'S PAVING STANDARDS FOR FIRE LANE EASEMENTS, AND THAT THEY SHALL MAINTAIN THE SAME IN A STATE OF GOOD REPAIR AT ALL TIMES AND KEEP THE SAME FREE AND CLEAR OF ANY STRUCTURES, LANDSCAPING MATERIAL, SNOW OR OTHER OBSTRUCTIONS. THE MAINTENANCE OF PAVING ON THE FIRE LANE CORRIDOR(S) IS THE RESPONSIBILITY OF THE OWNER, AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG SUCH FIRE LANE CORRIDORS STATING "FIRE LANE, NO PARKING." THE LOCAL LAW ENFORCEMENT AGENCY(S) IS HEREBY AUTHORIZED TO ENFORCE PARKING REGULATIONS WITHIN THE FIRE LANE CORRIDORS.
10. RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON AND THROUGH ANY AND ALL PRIVATE ROADS AND WAYS NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY. THE UNDERSIGNED DOES HEREBY COVENANT AND AGREE THAT THEY SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HERE ON, A HARD SURFACE IN ACCORDANCE WITH THE CITY OF AURORA'S PAVING STANDARDS FOR FIRE LANE EASEMENTS, AND THAT THEY SHALL MAINTAIN THE SAME IN A STATE OF GOOD REPAIR AT ALL TIMES AND KEEP THE SAME FREE AND CLEAR OF ANY STRUCTURES, FENCES, LANDSCAPE MATERIALS, SNOW OR OTHER OBSTRUCTIONS. THE MAINTENANCE OF PAVING ON THE FIRE LANE EASEMENT(S) IS THE RESPONSIBILITY OF THE OWNER, AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG SUCH FIRE LANE EASEMENTS, STATING "FIRE LANE, NO PARKING." THE LOCAL LAW ENFORCEMENT AGENCY(S) IS HEREBY AUTHORIZED TO ENFORCE PARKING REGULATIONS WITHIN THE FIRE LANE EASEMENTS, AND TO CAUSE SUCH EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY APPARATUS USE.
11. THE FIRE LANE EASEMENT CANNOT BE OBSTRUCTED BY PARKED VEHICLES AT ANY TIME. THIS SITE HAS BEEN GIVEN APPROVAL TO CONDUCT THE LOADING AND UNLOADING OF STORE MERCHANDISE ONLY DURING THE HOURS THE STORE IS CLOSED AND ONLY IN THE PARKING AREAS LOCATED OUTSIDE OF THE FIRE LANE EASEMENTS WITHIN THIS SITE.
12. RIGHT OF WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON AND THROUGH ANY AND ALL PRIVATE ROADS AND WAYS NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY, AND THE SAME ARE HEREBY DESIGNATED AS "SERVICE/EMERGENCY AND UTILITY EASEMENTS AND SHALL BE POSTED "NO PARKING -FIRE LANE".
13. THE DEVELOPER, HIS SUCCESSORS AND ASSIGNS SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF FIRE LANE EASEMENTS CONSTRUCTED WITHIN THIS SITE USING ALTERNATIVE SURFACING MATERIALS SUCH AS, BUT NOT LIMITED TO; GRASSPAVE, GRASS CRETE, RITTER RINGS, INVISIBLE STRUCTURES UTILIZED ONLY FOR EMERGENCY VEHICLE ACCESS USE. THIS AGREEMENT WILL INCLUDE SNOW REMOVAL TO ENSURE EMERGENCY ACCESS IS AVAILABLE AT ALL TIMES. IF THE ABOVE CONDITIONS ARE NOT MET, THE OWNERS, HIS SUCCESSORS AND ASSIGNS SHALL BE REQUIRED BY ORDER NOTICE FROM THE AURORA FIRE DEPARTMENT TO REMOVE THE INVISIBLE STRUCTURE AND REPLACE IT WITH AN ASPHALT OR CONCRETE ROAD SURFACE THAT MEETS THE CONSTRUCTION REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT FIRE LANE STANDARDS AND BE SHOWN IN DETAIL WITHIN THE CIVIL PLANS.
14. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS AND SHOWN ON THE SIGNING AND STRIPING PLAN FOR THE DEVELOPMENT.
15. ALL CROSSINGS OR ENCROACHMENTS INTO EASEMENTS AND RIGHTS-OF-WAY OWNED BY THE CITY OF AURORA ("CITY") IDENTIFIED AS BEING PRIVATELY-OWNED AND MAINTAINED HEREIN ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO CITY'S USE AND OCCUPANCY OF SAID EASEMENTS OR RIGHTS-OF-WAY. THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, FURTHER AGREES TO REMOVE, REPAIR, REPLACE, RELOCATE, MODIFY, OR OTHERWISE ADJUST SAID CROSSINGS OR ENCROACHMENTS UPON REQUEST FROM THE CITY AND AT NO EXPENSE TO THE CITY. THE CITY RESERVES THE RIGHT TO MAKE FULL USE OF THE EASEMENTS AND RIGHTS-OF-WAY AS MAY BE NECESSARY OR CONVENIENT AND THE CITY RETAINS ALL RIGHTS TO OPERATE, MAINTAIN, INSTALL, REPAIR, REMOVE OR RELOCATE ANY CITY FACILITIES LOCATED WITHIN SAID EASEMENTS AND RIGHTS-OF-WAY AT ANY TIME AND IN SUCH A MANNER AS IT DEEMS NECESSARY OR CONVENIENT.
16. ARCHITECTURAL FEATURES (I.E. BAY WINDOWS, FIREPLACES, ROOF OVERHANG, GUTTERS, EAVES, FOUNDATION, FOOTINGS, CANTILEVERED WALLS, ETC.) ARE NOT ALLOWED TO ENCROACH INTO ANY EASEMENT OR FIRE LANE.
17. IN LOCATIONS WHERE UTILITY EASEMENTS OVERLAP DRAINAGE EASEMENTS, ONLY SUBSURFACE UTILITIES SHALL BE PERMITTED WITHIN THE PORTION OF THE UTILITY EASEMENT THAT OVERLAPS THE DRAINAGE EASEMENT. INSTALLATION OF ABOVE GROUND UTILITIES WITHIN A DRAINAGE EASEMENT REQUIRES PRIOR WRITTEN APPROVAL BY THE CITY ENGINEER.
18. THE STREETLIGHT OR PEDESTRIAN LIGHT INSTALLATION WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE DESIGNED, FUNDED, AND CONSTRUCTED BY THE DEVELOPER/OWNER. OWNERSHIP AND MAINTENANCE OF THE STREET/PEDESTRIAN LIGHTS SHALL BE THE RESPONSIBILITY OF THE CITY OF AURORA ONCE THEY HAVE BEEN ACCEPTED. STREET LIGHT AND/OR PEDESTRIAN PHOTOMETRIC PLANS SHALL BE PREPARED AND SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL AND SHALL BECOME A PART OF THE APPROVED CIVIL CONSTRUCTION PLANS FOR THE PROJECT. AN ELECTRICAL PLAN SHOWING SITE LOCATION OF LIGHTS, ELECTRICAL ONE LINE AND GROUNDING DETAILS SHALL BE SUBMITTING TO THE PERMIT CENTER FOR REVIEW BY THE BUILDING DEPARTMENT. THE OWNER IS RESPONSIBLE FOR OBTAINING AN ADDRESS FOR THE METER(S) FROM THE PLANNING DEPARTMENT. A BUILDING PERMIT FOR THE METER AND A PUBLIC INSPECTIONS PERMIT FOR THE STREET LIGHTS ARE REQUIRED. CERTIFICATE OF OCCUPANCIES WILL NOT BE ISSUED UNTIL THE STREET AND/OR PEDESTRIAN LIGHTING PLANS ARE APPROVED, CONSTRUCTED, AND INITIALLY ACCEPTED.
19. OWNER SHALL BE RESPONSIBLE FOR PAYMENT OF 25% OF THE TRAFFIC SIGNALIZATION COSTS FOR THE INTERSECTION OF COLFAX AVENUE AND NORFOLK STREET, IF AND WHEN TRAFFIC SIGNAL WARRANTS ARE SATISFIED. TRAFFIC SIGNAL WARRANTS TO CONSIDER SHALL BE AS DESCRIBED IN THE MOST RECENTLY ADOPTED VERSION OF MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AS OF THE DATE OR DATES OF ANY SUCH WARRANT STUDIES. FOR WARRANT PURPOSES, THE MINOR STREET APPROACH TRAFFIC SHALL TYPICALLY BE COMPRISED OF ALL THROUGH AND LEFT-TURN MOVEMENT AND 50% OF RIGHT TURN MOVEMENTS UNLESS OTHERWISE DETERMINED BY THE TRAFFIC ENGINEER. PURSUANT TO 147-37.5 OF CITY CODE, THE PERCENTAGE OF THE TRAFFIC SIGNALIZATION COSTS IDENTIFIED ABOVE SHALL BE PAID TO THE CITY BY THE APPLICANT / OWNER, TO BE HELD IN ESCROW FOR SUCH PURPOSE, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE RELATED DEVELOPMENT OR AS OTHERWISE REQUIRED BY CITY CODE. THE PERCENTAGE ABOVE WILL BE APPLIED TO THE ENTIRE TRAFFIC SIGNALIZATION COST AS ESTIMATED AT THE TIME OF THE ESCROW DEPOSIT TO CALCULATE SPECIFIC DOLLAR FUNDING REQUIREMENT.

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STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN

DATE: 03/29/2022
DESIGNED BY: SAM
DRAWN BY: DEK
CHECKED BY: SAM

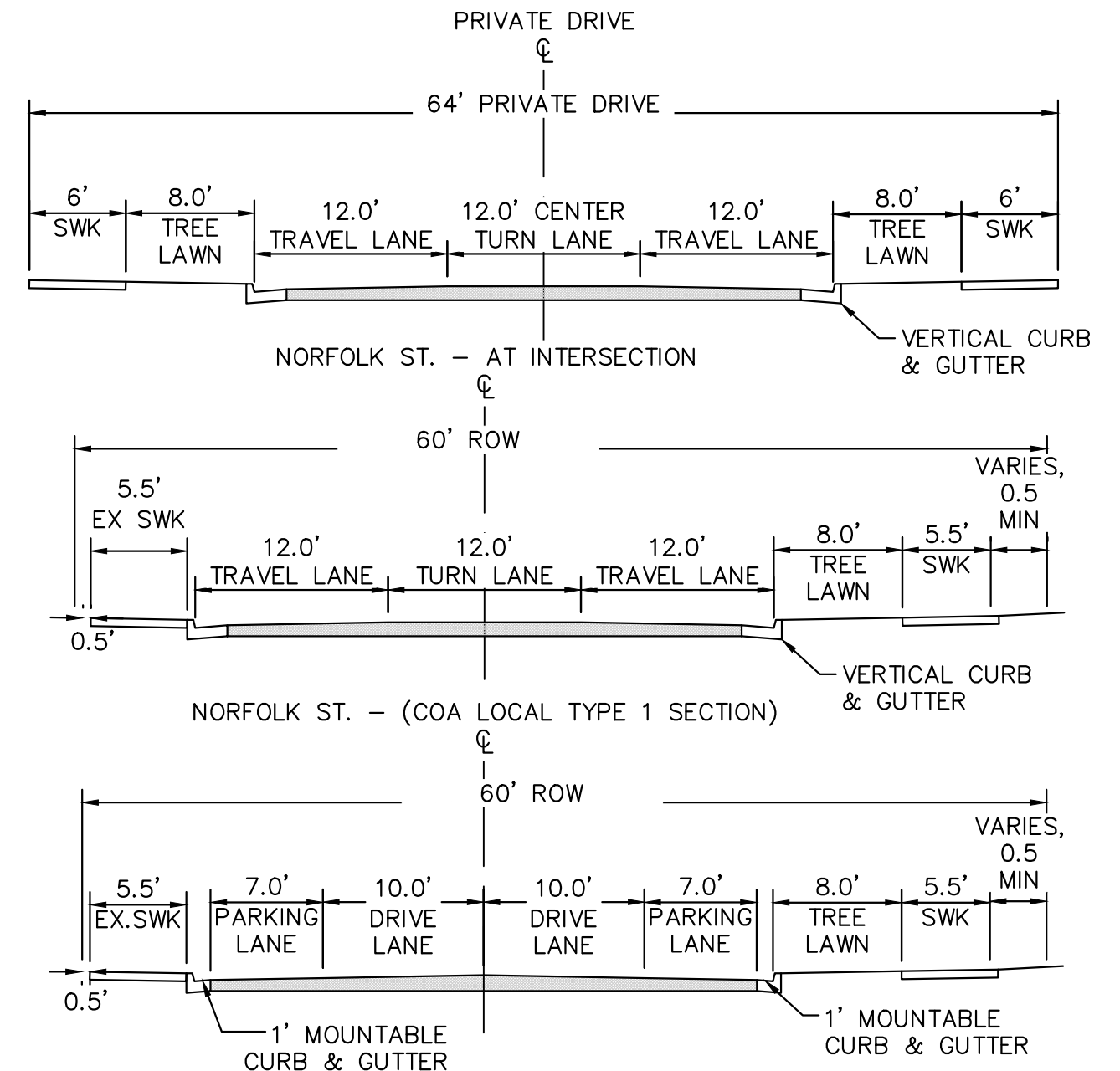
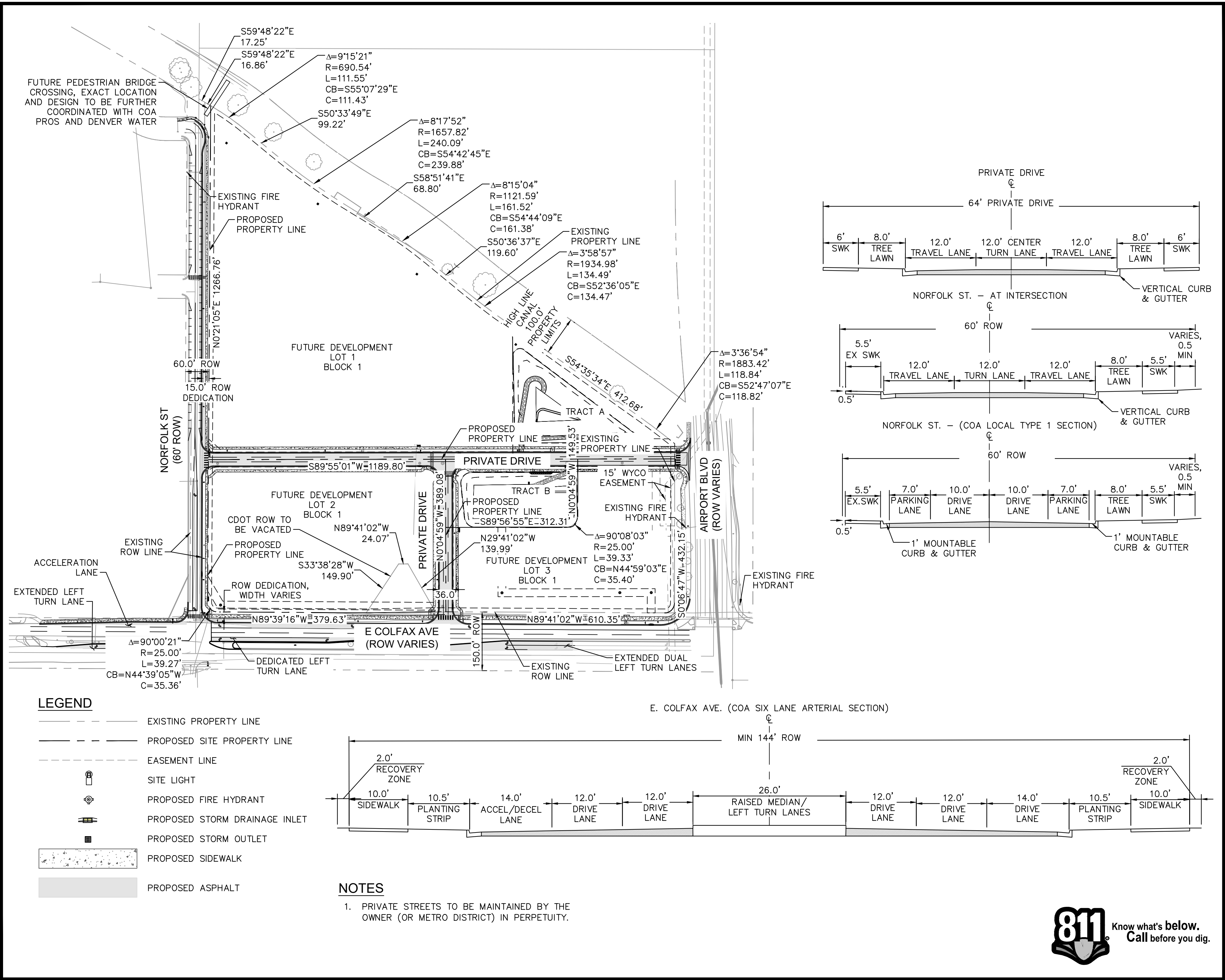
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STATION 60
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INFRASTRUCTURE SITE PLAN
OVERALL SITE PLAN

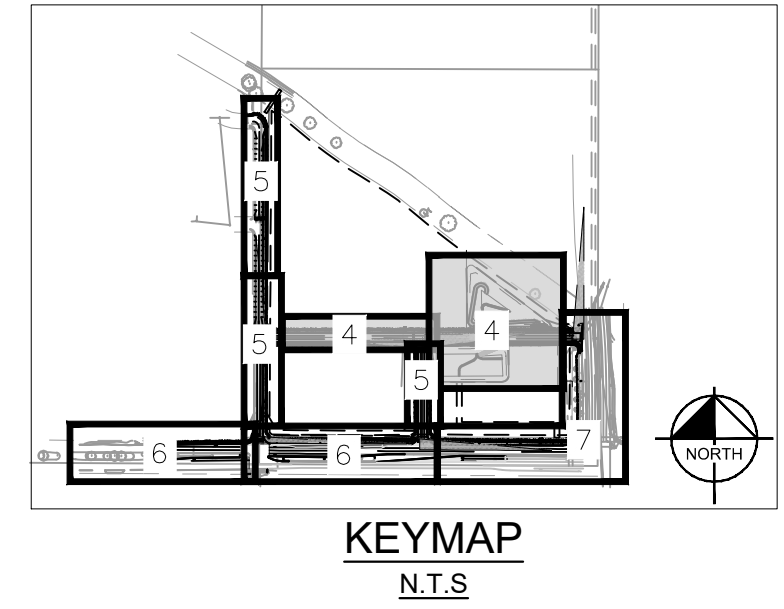
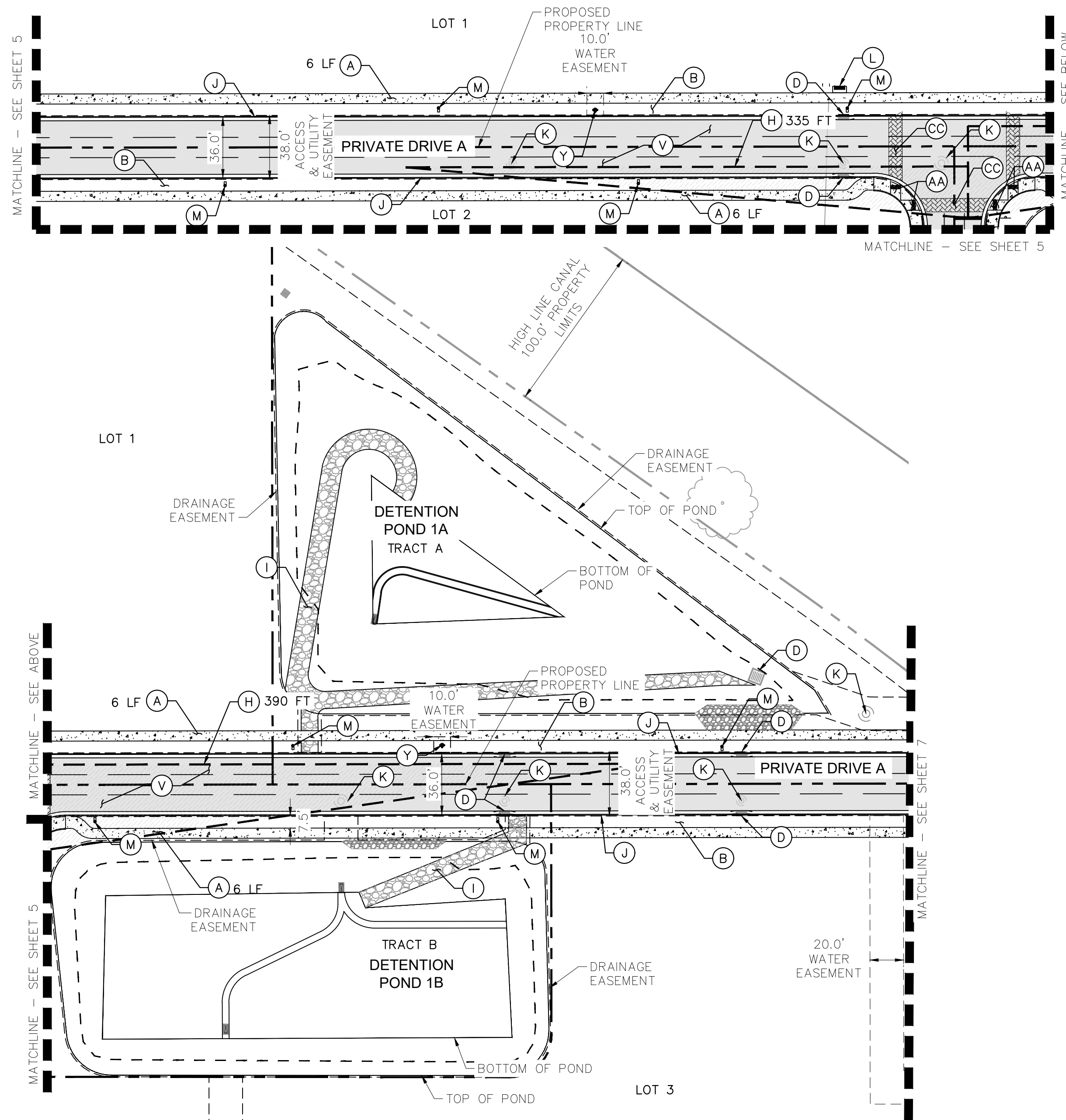
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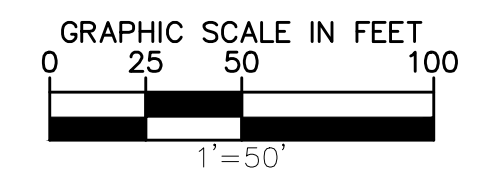
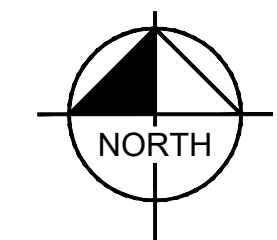
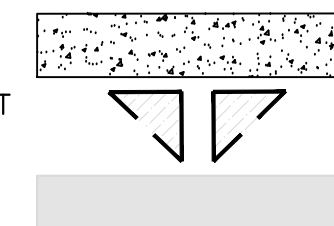
- (A) PROPOSED SIDEWALK, WIDTH PER PLAN
- (B) LANDSCAPE TREE LAWN (REFER TO LANDSCAPE PLANS)
- (C) EXISTING FIRE HYDRANT ASSEMBLY
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- (CC) STAMPED AND COLORED ASPHALT PEDESTRIAN CROSSING
- (EE) RELOCATED SPEED LIMIT SIGNAGE
- (FF) 15 FT X 8 FT BUS STOP PAD

NOTE:

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- PUBLIC IMPROVEMENTS MUST BE COMPLETED AND ACCEPTED PRIOR TO THE COMMENCEMENT OF BUSINESS OPERATIONS.
- PROPOSED PUBLIC STREET LIGHT LOCATIONS ARE CONCEPTUAL. FINAL PUBLIC STREET LIGHT LOCATIONS WILL BE DETERMINED BY PHOTOMETRIC ANALYSIS SUBMITTED WITH STREET LIGHTING PLANS IN THE CIVIL SUBMITTAL.

LEGEND

- PROPOSED SITE PROPERTY LINE
- EXISTING PROPERTY LINE
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- ☐ SITE LIGHT
- ☉ PROPOSED FIRE HYDRANT
- ☒ PROPOSED STORM DRAINAGE INLET
- ☒ PROPOSED STORM OUTLET



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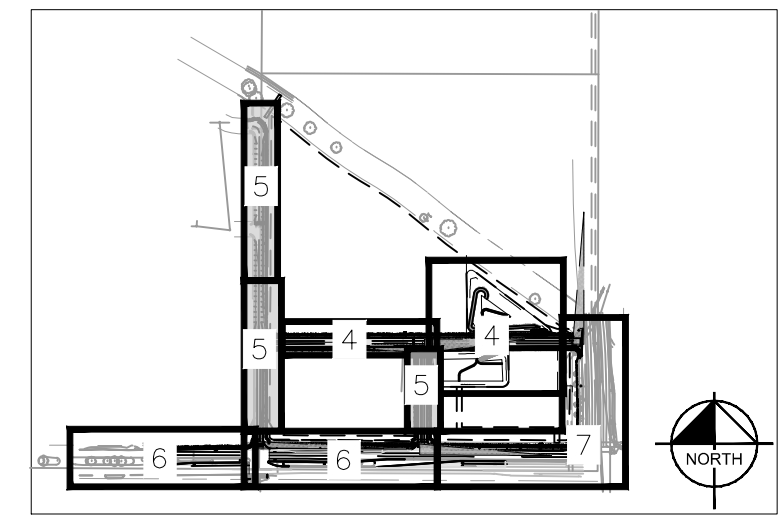
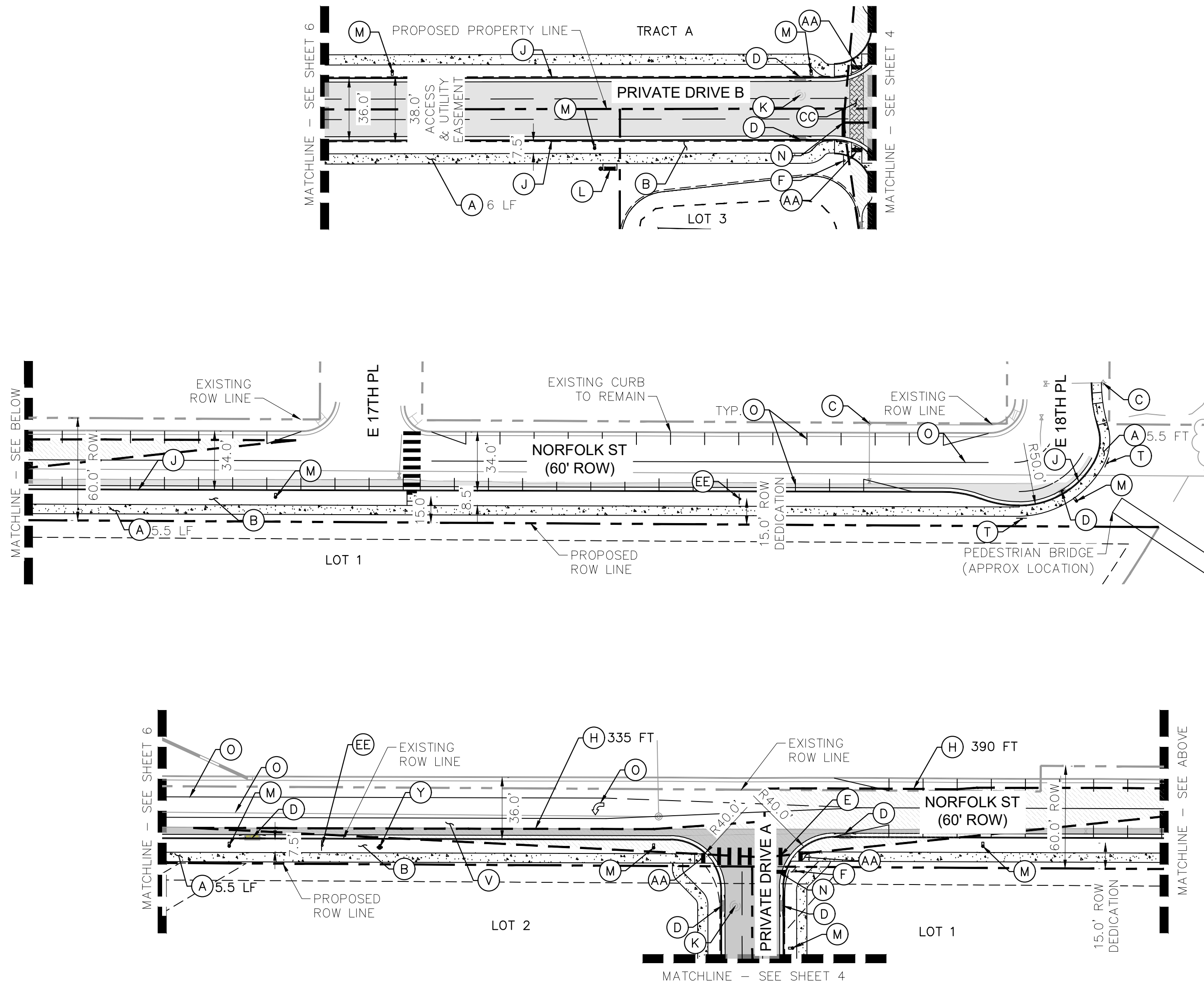
STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
DETAILED SITE PLAN

DATE: 03/29/2022
DESIGNED BY: SAM
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FILE NO. 096888020_SP_DETAILED
PROJECT NO. 096888020
SHEET NO. 4

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SITE KEYNOTES

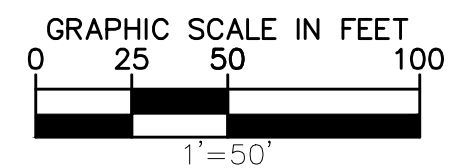
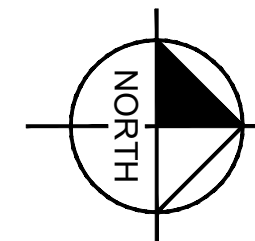
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- ▨ PROPOSED ASPHALT



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DETAILED SITE PLAN

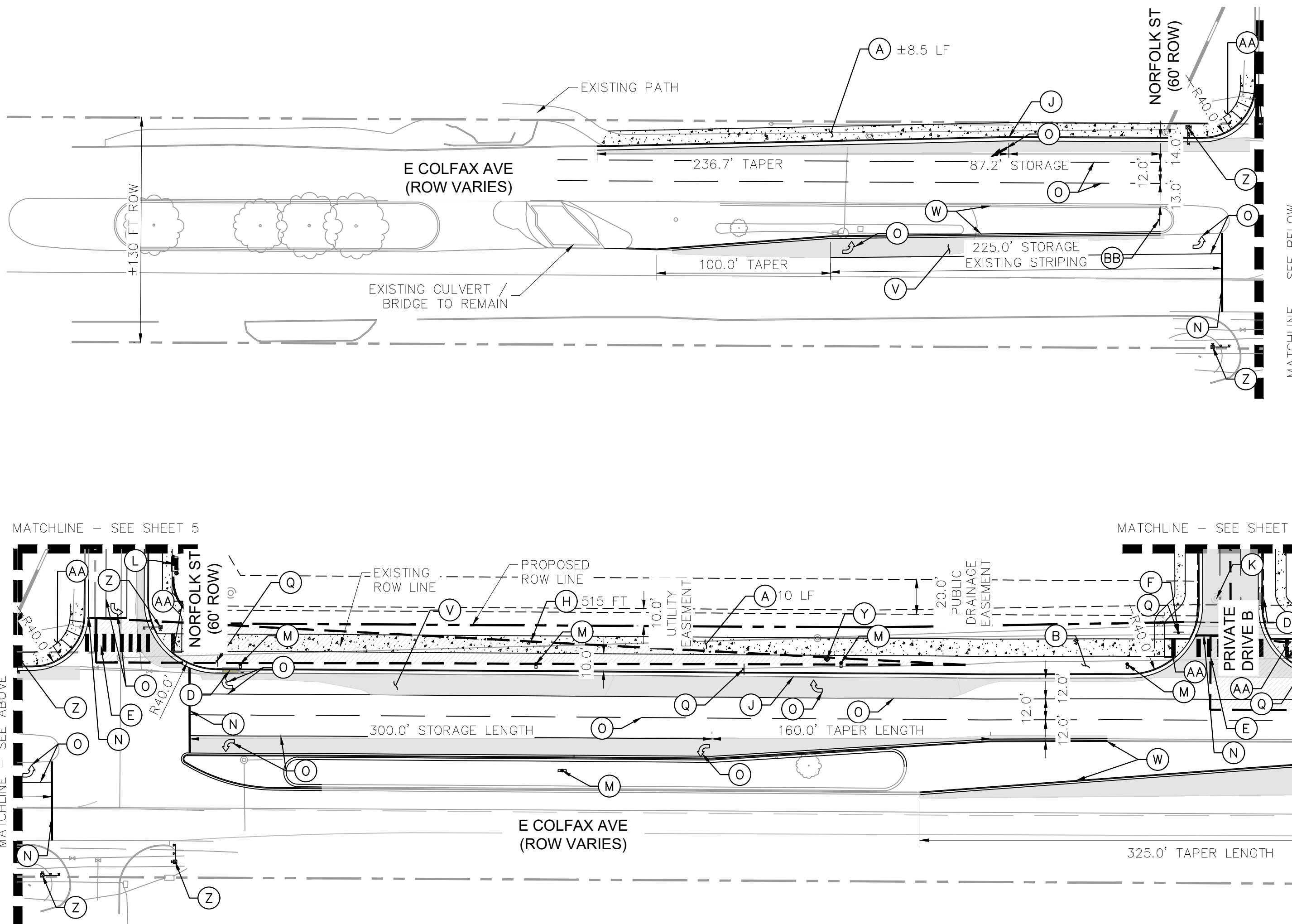
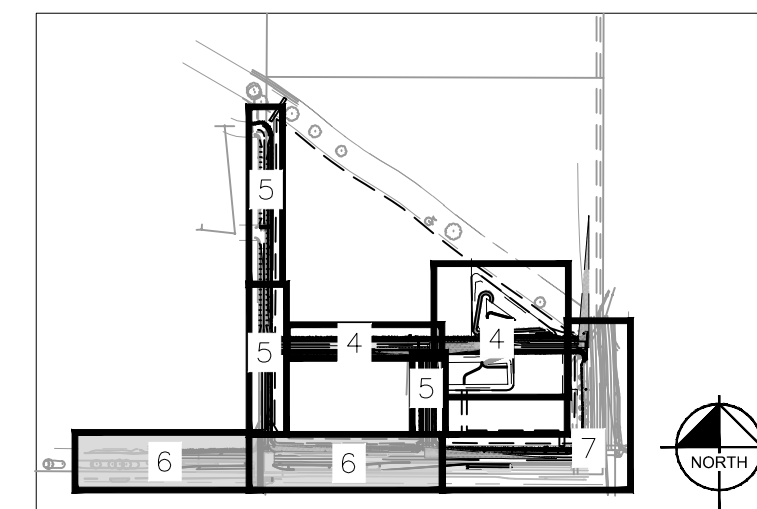
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FILE NO. 096888020_SP_DETAILED
PROJECT NO. 096888020
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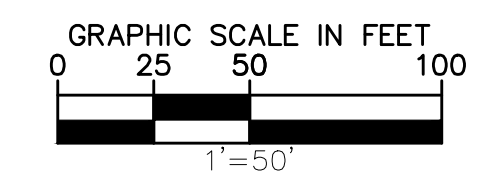
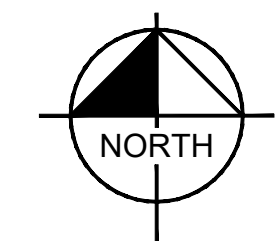
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LEGEND

- PROPOSED SITE PROPERTY LINE
- - - EXISTING PROPERTY LINE
- - - EASEMENT LINE
- ☐ SITE LIGHT
- ☉ PROPOSED FIRE HYDRANT
- ☐ PROPOSED STORM DRAINAGE INLET
- ☐ PROPOSED STORM OUTLET
- ☐ PROPOSED SIDEWALK
- ☐ SIGHT TRIANGLES
- ☐ PROPOSED ASPHALT



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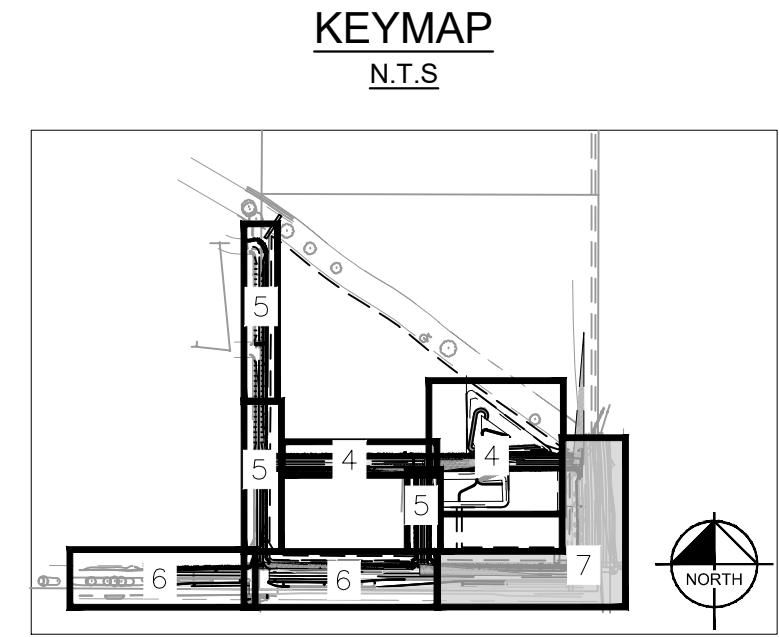
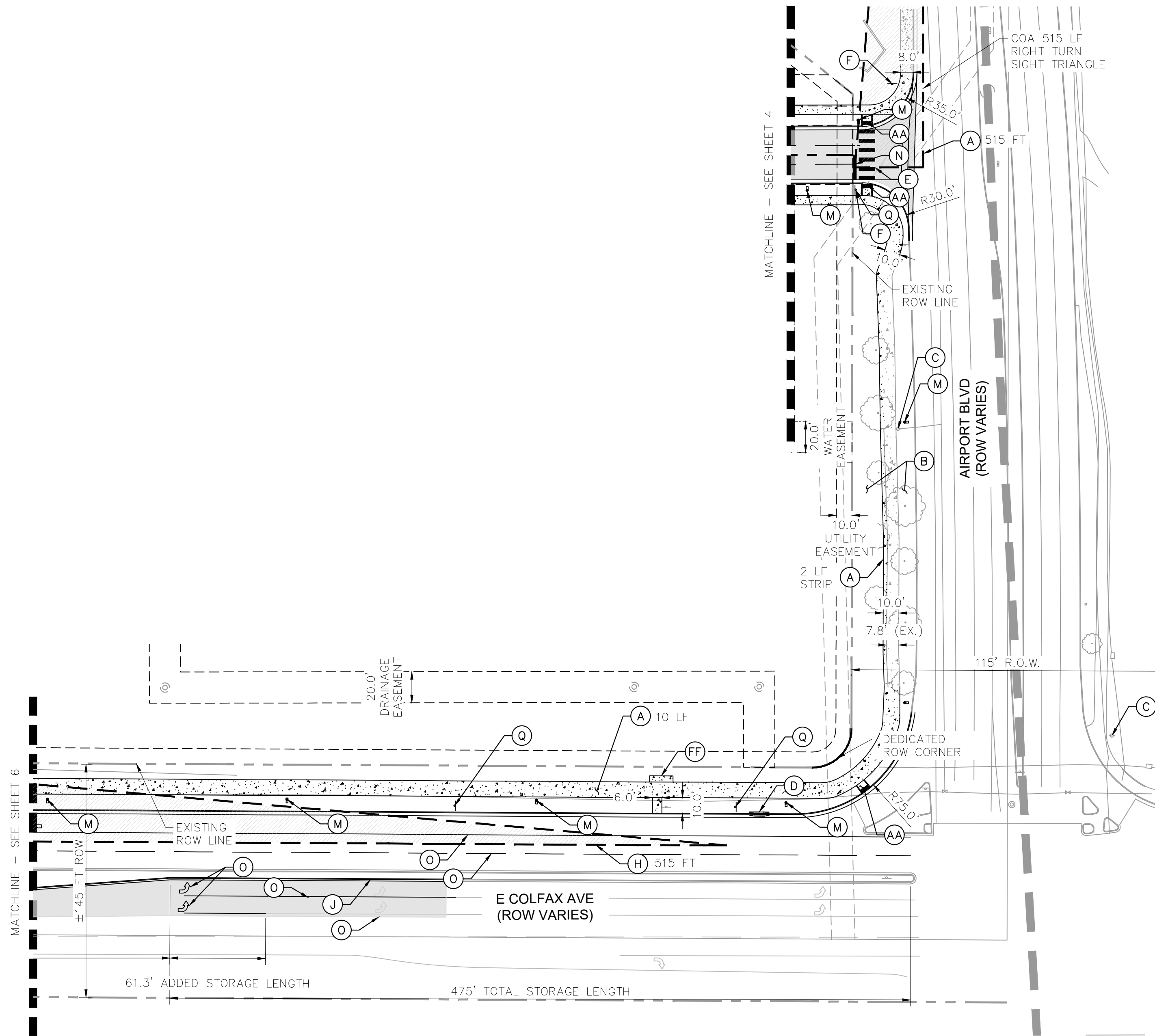
STATION 60
E COLFAX AVE & N AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
DETAILED SITE PLAN

DATE: 03/29/2022
DESIGNED BY: SAM
DRAWN BY: DEK
CHECKED BY: SAM

FILE NO. 096888020_SP_DETAILED
PROJECT NO. 096888020
SHEET NO. 6

| NO. | REVISION | BY | DATE | APPR |
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SITE KEYNOTES

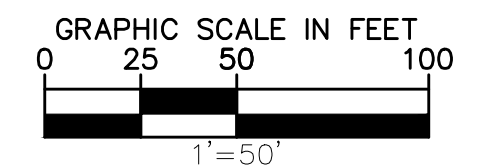
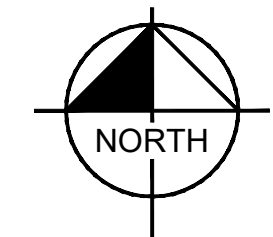
- (A) PROPOSED SIDEWALK, WIDTH PER PLAN
- (B) LANDSCAPE TREE LAWN (REFER TO LANDSCAPE PLANS)
- (C) EXISTING FIRE HYDRANT ASSEMBLY
- (D) STORM INLET (REFER TO GRADING PLAN)
- (E) CROSSWALK, PER COA STD DTL TE-12
- (F) STOP SIGN
- (H) SIGHT TRIANGLE PER COA STD DTL TE-12, LENGTH PER PLAN
- (I) POND MAINTENANCE ACCESS ROAD
- (J) CONCRETE CURB & GUTTER
- (K) STORM SEWER MANHOLE
- (L) PEDESTRIAN AMENITY (PER LANDSCAPE PLANS)
- (M) STREET LIGHT
- (N) STOP BAR, PER COA STD DTL 12.3
- (O) ROADWAY STRIPING
- (Q) RIGHT TURN ONLY SIGNAGE
- (T) NO PARKING SIGNAGE
- (V) PAVEMENT – MATERIAL TO BE DETERMINED IN FINAL CONSTRUCTION DOCUMENTS
- (W) ROADWAY MEDIAN WITH CONCRETE CURB AND GUTTER
- (Y) PROPOSED FIRE HYDRANT AND BOLLARD ASSEMBLY
- (Z) PROPOSED SIGNAL POLE
- (AA) PROPOSED CURB RAMP
- (BB) OBJECT MARKER, KEEP RIGHT SIGN
- (CC) STAMPED AND COLORED ASPHALT PEDESTRIAN CROSSING
- (EE) RELOCATED SPEED LIMIT SIGNAGE
- (FF) 15 FT X 8 FT BUS STOP PAD

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LEGEND

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- - - EXISTING PROPERTY LINE
- - - EASEMENT LINE
- ⊙ SITE LIGHT
- ⊙ PROPOSED FIRE HYDRANT
- ⊙ PROPOSED STORM DRAINAGE INLET
- ⊙ PROPOSED STORM OUTLET
- ▨ PROPOSED SIDEWALK
- ▨ SIGHT TRIANGLES
- ▨ PROPOSED ASPHALT



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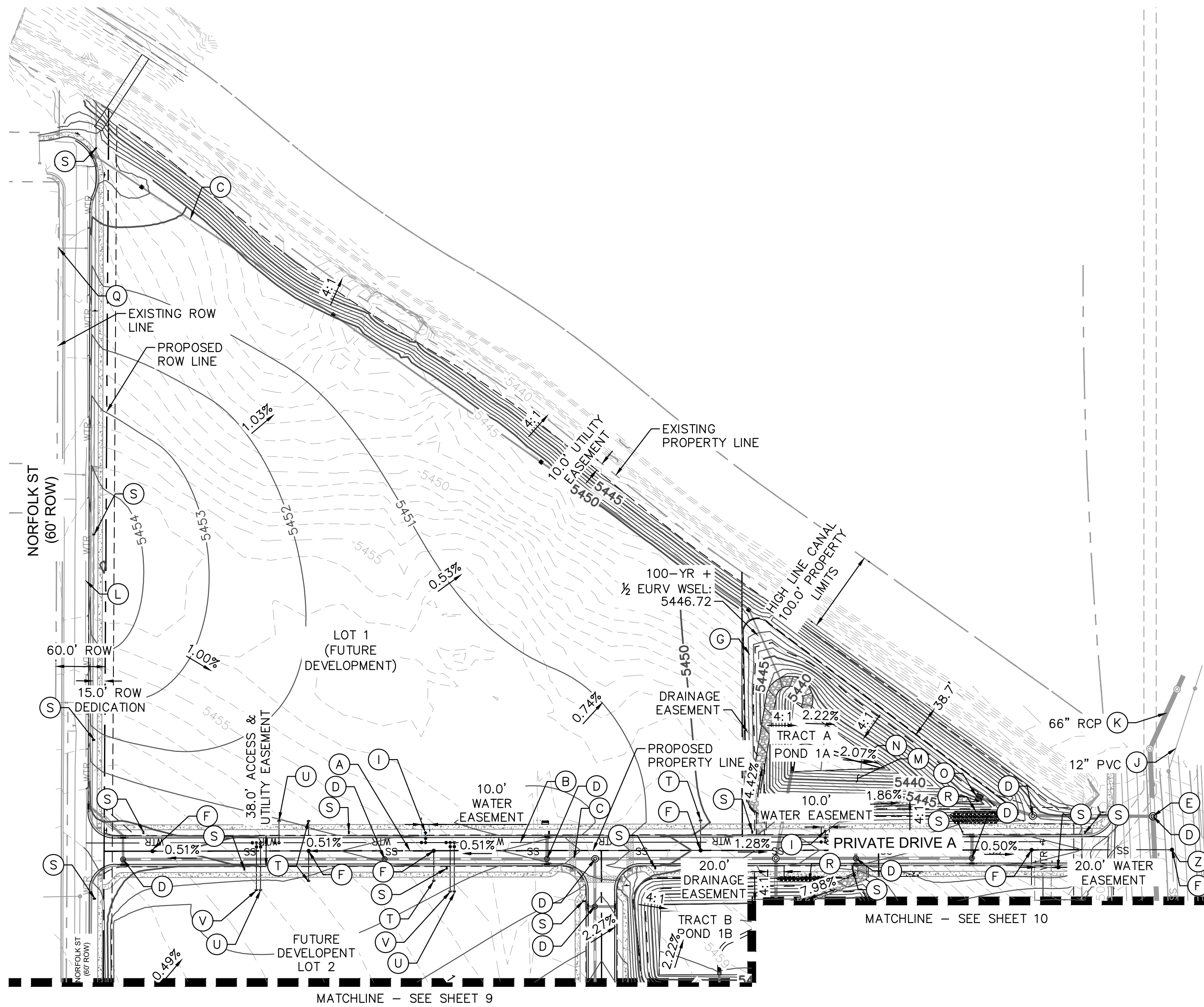
STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
DETAILED SITE PLAN

DATE: 03/29/2022
DESIGNED BY: SAM
DRAWN BY: DEK
CHECKED BY: SAM

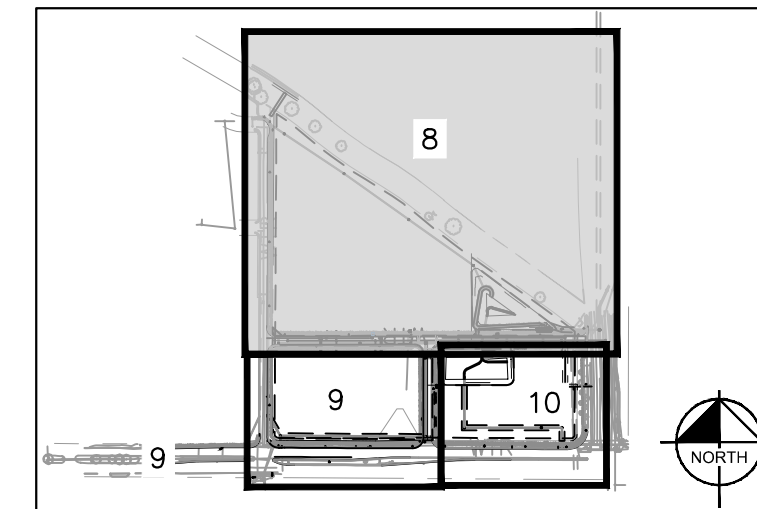
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PROJECT NO. 096888020
SHEET NO. 7

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KEYMAP
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SITE IMPROVEMENTS

- (A) PROPOSED SANITARY SEWER MAIN
- (B) PROPOSED WATER MAIN
- (C) PROPOSED PUBLIC STORM LINE
- (D) PROPOSED PUBLIC STORM SEWER MANHOLE
- (E) PROPOSED STORM CONNECTION POINT
- (F) PROPOSED SANITARY SEWER MANHOLE
- (G) PRIVATE DETENTION POND, SEE NOTE 4
- (I) PROPOSED FIRE HYDRANT
- (J) EXISTING SANITARY SEWER LINE, SIZE PER PLAN
- (K) EXISTING STORM LINE, SIZE PER PLAN
- (L) EXISTING WATER LINE, SIZE PER PLAN
- (M) POND MAINTENANCE ACCESS
- (N) TRICKLE CHANNEL
- (O) POND OUTLET STRUCTURE
- (P) CONNECTION TO EXISTING WATER MAIN
- (Q) EXISTING FIRE HYDRANT
- (R) POND EMERGENCY SPILLWAY
- (S) PROPOSED SITE LIGHT
- (T) PROPOSED SANITARY SEWER SERVICE STUB
- (U) PROPOSED WATER SERVICE STUB, VALVE, AND TEMP BLOW OFF PER AURORA WATER STANDARDS
- (V) PROPOSED PRIVATE FIRE SERVICE STUB
- (Z) PROPOSED SANITARY SEWER CONNECTION TO EXISTING SANITARY MAIN

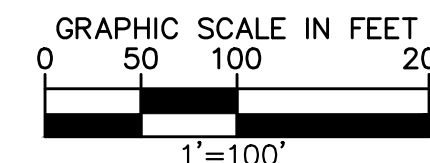
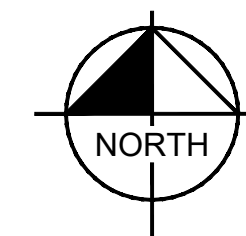
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6. ALL PUBLIC STORM DRAINS ARE TO BE ENCOMPASSED IN PUBLIC DRAINAGE EASEMENTS UNLESS OTHERWISE INDICATED AS PRIVATE
7. ALL WATER SERVICES, FIRE SUPPRESSION LINES, AND IRRIGATION LINES REQUIRE BACKFLOW PREVENTERS

LEGEND

- SITE PROPERTY LINE
- WTR — PROPOSED WATER LINE
- SS — PROPOSED SSWR LINE
- PROPOSED STORM SEWER
- 5500 — PROPOSED CONTOUR
- 5501 — EXISTING CONTOUR

- PROPOSED SITE LIGHT
- PROPOSED STORM DRAINAGE INLET
- PROPOSED STORM OUTLET
- PROPOSED FIRE HYDRANT



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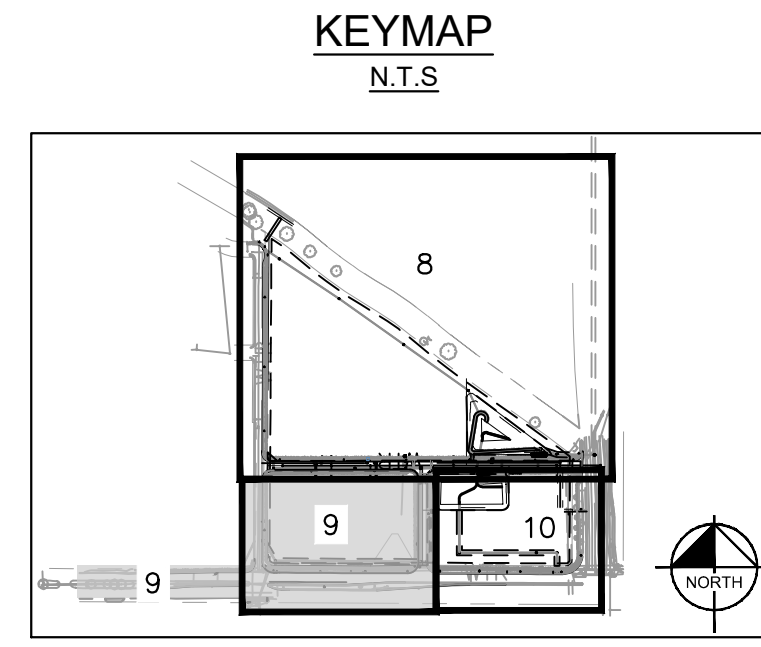
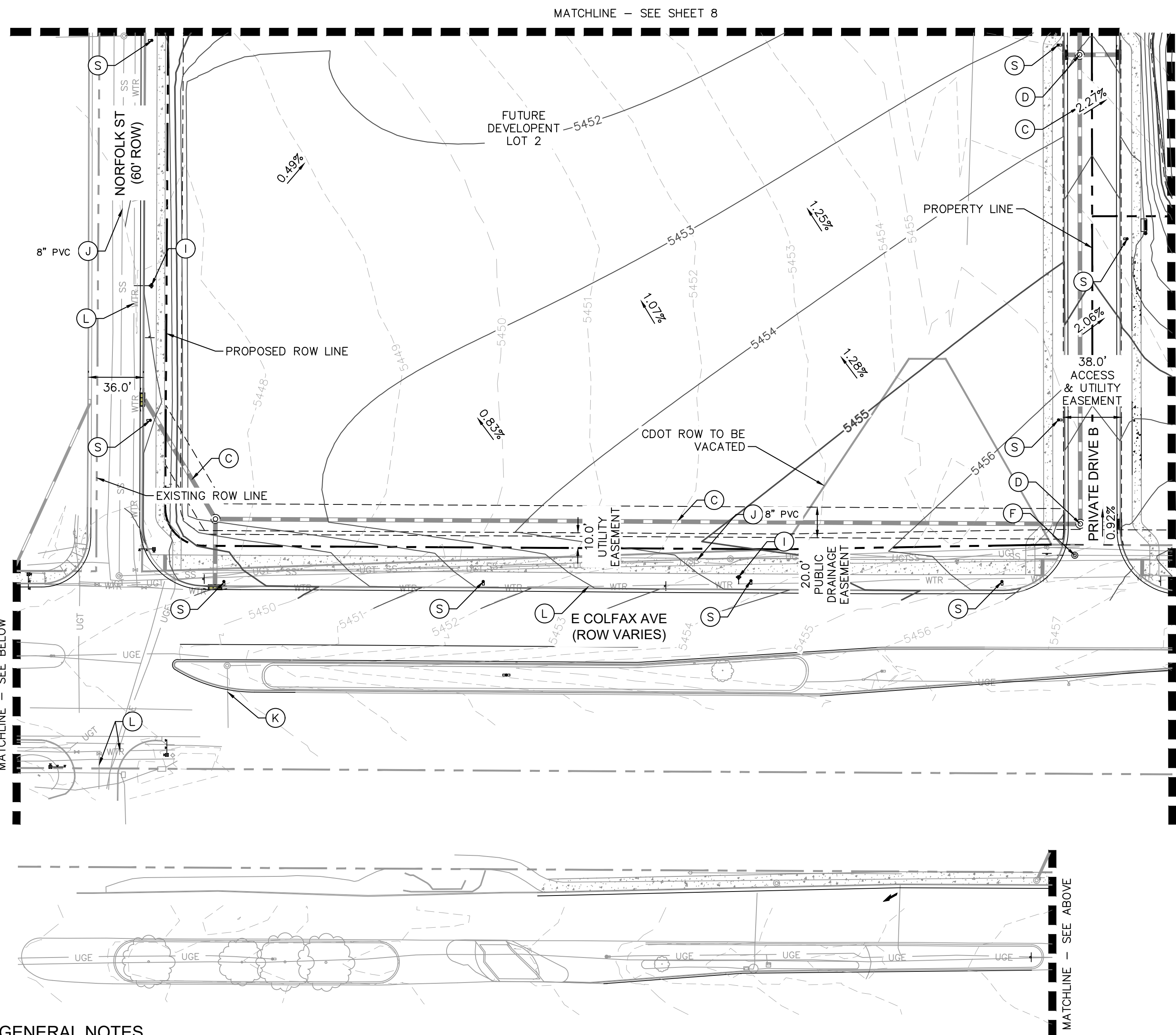
STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
GRADING & UTILITY PLAN

DATE: 03/29/2022
DESIGNED BY: SAM
DRAWN BY: DEK
CHECKED BY: SAM

FILE NO: 096888020_GD&UT
PROJECT NO: 096888020
SHEET NO. 8

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- SITE IMPROVEMENTS**
- (A) PROPOSED SANITARY SEWER MAIN
 - (B) PROPOSED WATER MAIN
 - (C) PROPOSED PUBLIC STORM LINE
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 - (U) PROPOSED WATER SERVICE STUB, VALVE, AND T BLOW OFF PER AURORA WATER STANDARDS
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 - (Z) PROPOSED SANITARY SEWER CONNECTION TO EXISTING SANITARY MAIN

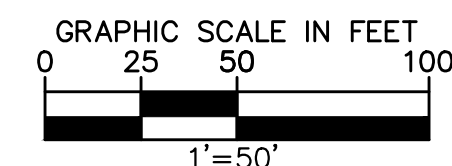
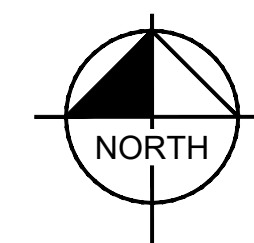
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- PROPOSED SITE LIGHT
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- PROPOSED STORM OUTLET
- PROPOSED FIRE HYDRANT



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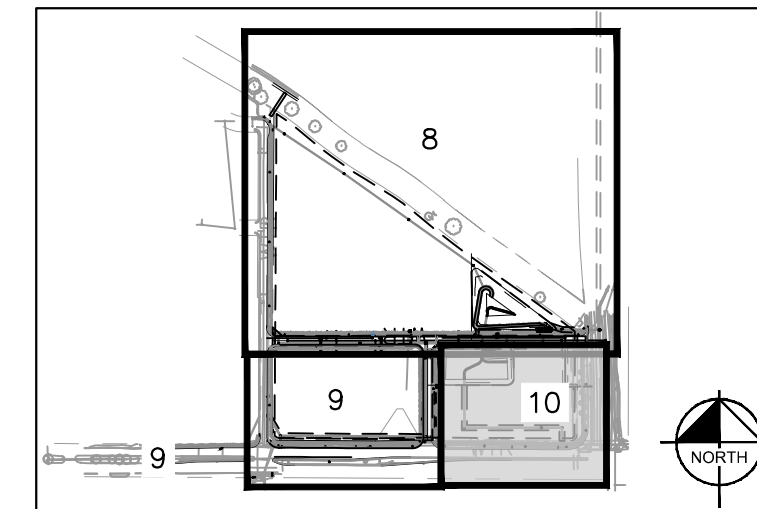
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STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
GRADING & UTILITY PLAN

| | |
|--------------|-----------------|
| DATE: | 03/29/2022 |
| DESIGNED BY: | SAM |
| DRAWN BY: | DEK |
| CHECKED BY: | SAM |
| FILE NO. | 096888020_GD&UT |
| PROJECT NO. | 096888020 |
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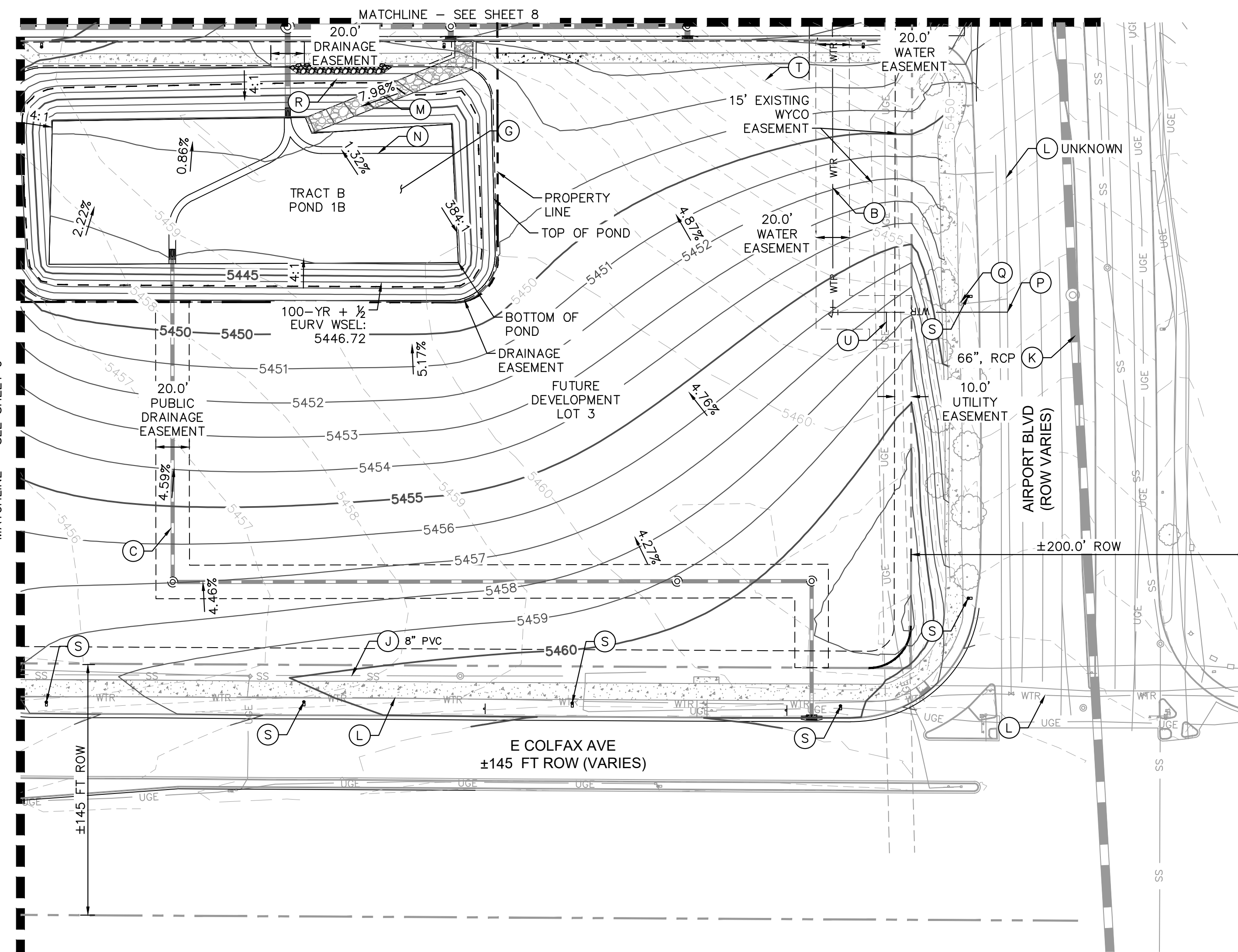
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KEYMAP
N.T.S.



SITE IMPROVEMENTS

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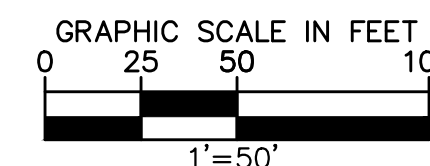
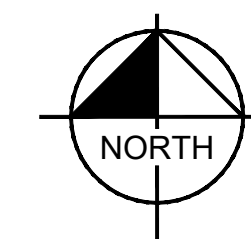


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MATCHLINE - SEE SHEET 9

MATCHLINE - SEE SHEET 8

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STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
GRADING & UTILITY PLAN

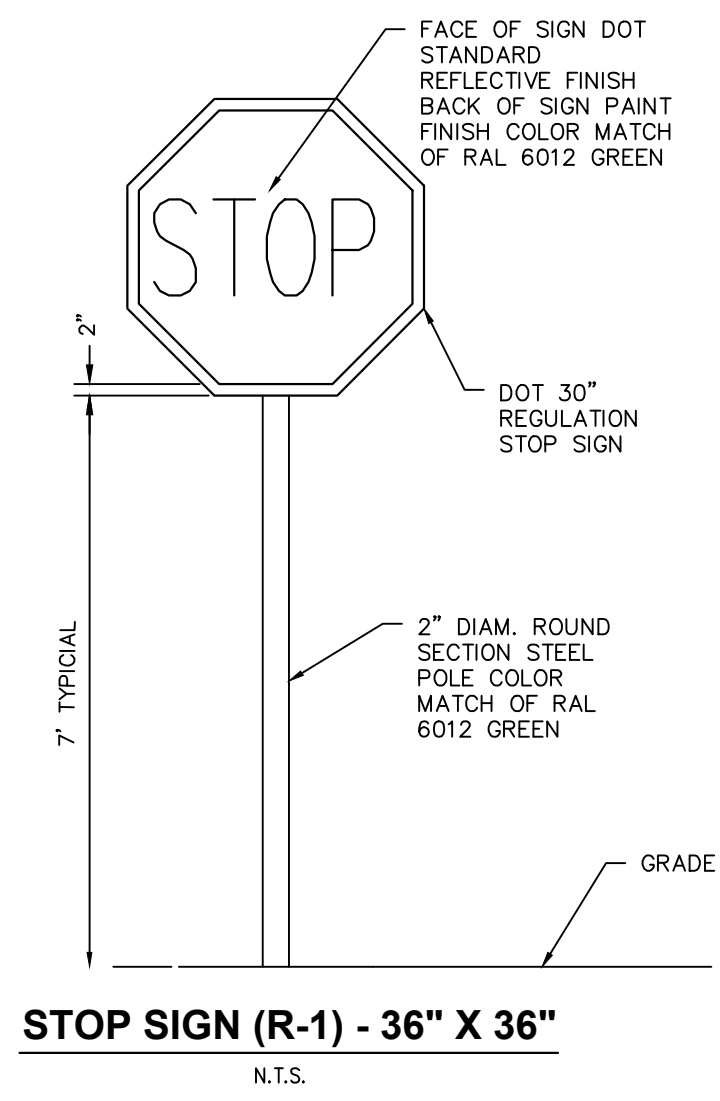
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DESIGNED BY: SAM
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FILE NO.
096888020_GD&UT
PROJECT NO.
096888020

SHEET NO.
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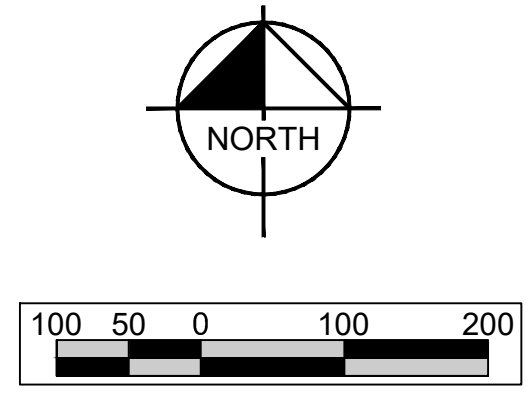
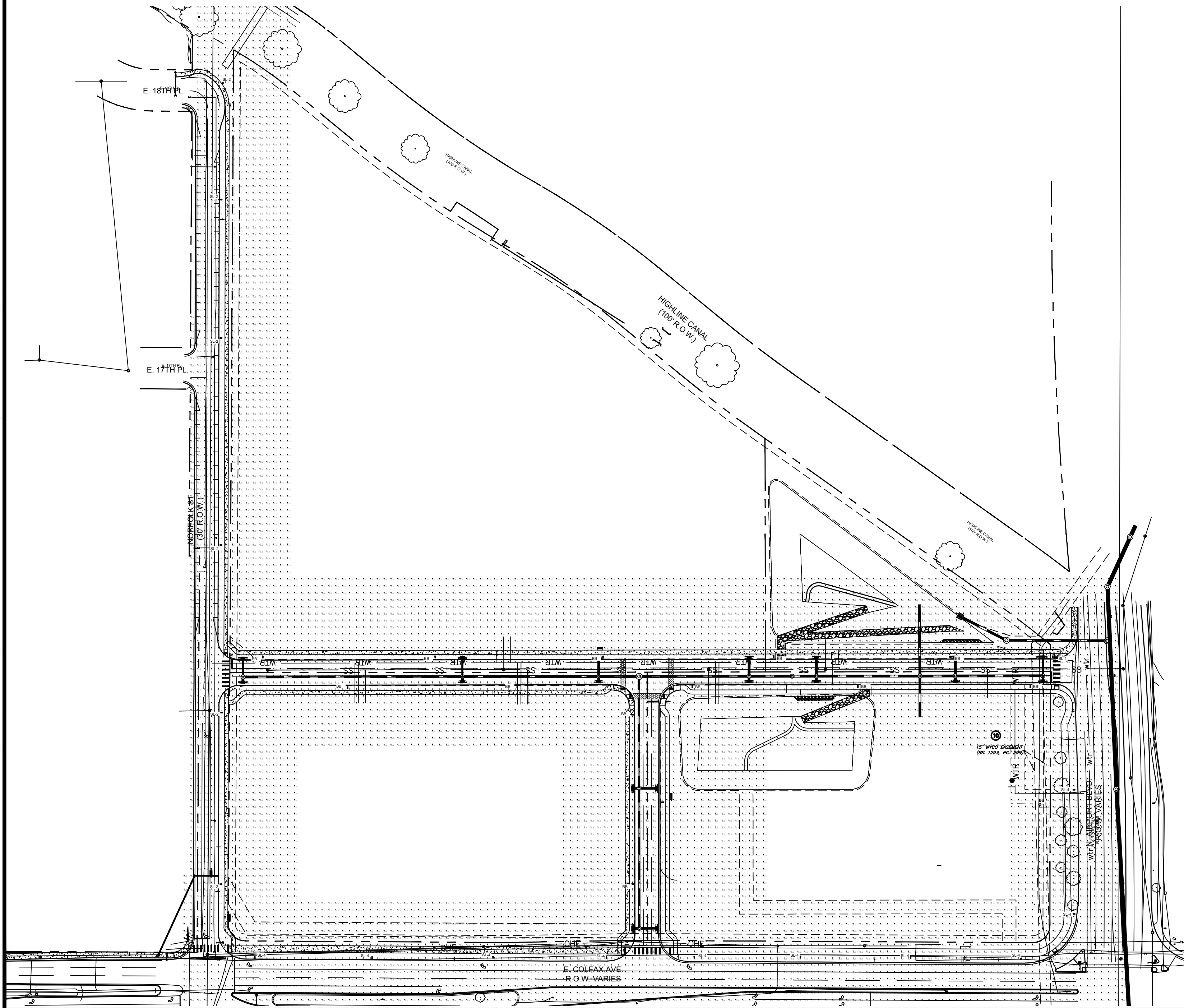
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| FILE NO. 096888020_DT | DATE: 03/29/2022 | DESIGNED BY: SAM | STATION 60 E. COLFAX AVE & N. AIRPORT BLVD INFRASTRUCTURE SITE PLAN SITE DETAILS SHEET | © KIMLEY-HORN AND ASSOCIATES, INC. 4580 S. THURMOND STREET, SUITE 500 DENVER, COLORADO 80237 (303) 228-2300 | |
| PROJECT NO. 096888020 | DRAWN BY: DEK | CHECKED BY: SAM | | | |
| SHEET NO. 11 | NO. | REVISION | | | BY |

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| LUMINAIRE SCHEDULE | | | | | | | | |
|--------------------|-------|-----|-------------|-----------------|-----------------|------|-----------------------|-------------|
| SYMBOL | LABEL | QTY | ARRANGEMENT | MOUNTING HEIGHT | LUMENS PER LAMP | LLF | DESCRIPTION | TOTAL WATTS |
| ☐ | SL-2 | 06 | SINGLE | 25' | 10,500 | 1.00 | CA17L-32L-900-NW-G3-2 | 89.7 |
| ☐ | SL-4 | 11 | SINGLE | 30' | 21,600 | 1.00 | CA22L-96L-560-NW-G3-2 | 160.4 |
| ☐ | BB | 13 | SINGLE | 20' | 8,306 | 0.90 | GAN-SA1D-740-U-T3R | 67 |



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STATION 60
 E. COLFAX AVE & N. AIRPORT BLVD
 INFRASTRUCTURE SITE PLAN
 PHOTOMETRIC

DATE: 03/29/2022
 DESIGNED BY: SAM
 DRAWN BY: DEK
 CHECKED BY: SAM

FILE NO. 096888020_DT
 PROJECT NO. 096888020
 SHEET NO. 12

| NO. | REVISION | BY | DATE | APPR |
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GARDCO
by **Signify**

Site & Area

Form 10 LED

Round arm mount

Ordering guide example: CA17L-32L-450-NW-G3-ARI-2-120-BK

| Profile | Number of LEDs | Date Current | LED Color Temperature | Mounting | Type | Voltage | Controls | Electrical | Luminaire | Finish |
|---|----------------|--------------|---|--|-------------|-------------|--------------------------------|--|--|---|
| CA17L 17" Cylindrical Luminaire LED | 32L 32 LEDs | 450 450mA | NW-G3 Neutral White 4000K, 70CR Generation 3 | ARI Arm Mounts for 3'-4 1/2" round pole | 2 Type 2 | 120 120V | DD 0-10V Dimming Driver | FP1 Single (00, 277, 347VAC) | HIS Internal House Side Shield | BRA Bronze Anodized |
| MA17L 17" Semi-Spherical Luminaire LED | 48L 48 LEDs | 700 700mA | WW-G3 Warm White 3000K, 70CR Generation 3 | ARI for 4 1/2" round pole | 4 Type 4 | 240 240V | UNV Universal Input Voltage | FP2 Double (008, 240, 480VAC) | NA Natural Anodized | BLA Black Anodized |
| CA22L 22" Cylindrical Luminaire LED | 48L 48 LEDs | 900 900mA | WW-G3 Warm White 3000K, 70CR Generation 3 | ARI for square pole | 5 Type 5 | 277 277V | UNV Universal Input Voltage | FP3 Canadian Double Pole (008, 240, 480VAC) | BK Black paint | BZ Bronze paint |
| MA22L 22" Semi-Spherical Luminaire LED | 96L 96 LEDs | 560 560mA | CW-G3 Cool White 5700K, 70CR Generation 3 | WM1 with arm | 3 Type 3 | 347 347V | UNV Universal Input Voltage | FP1 Single (00, 277, 347VAC) | WH White paint | MGY Medium Gray paint |
| | | | | WM2 without arm | | | | FP2 Double (008, 240, 480VAC) | RAL Specify optional color (see RAL 7024) | CC Custom color (Must supply color chip for required factory source) |
| | | | | MA Mounts to a 2-3/8" O.D. mast arm | | | | FP3 Canadian Double Pole (008, 240, 480VAC) | SP1 Standard 10KVA | SP2 Increased 20KVA |

Retrofit kit ordering guide

| Profile | Number of LEDs | Date Current | LED Color Temperature | Mounting | Type | Voltage | Controls | Electrical |
|---|----------------|--------------|---|--|-------------|-------------|--------------------------------|------------------------|
| CA/MA17L-RK 17" Cylindrical or Semi-Spherical Retrofit Kit | 32L 32 LEDs | 450 450mA | NW-G3 Neutral White 4000K, 70CR Generation 3 | ARI Arm Mounts for 3'-4 1/2" round pole | 2 Type 2 | 120 120V | DD 0-10V Dimming Driver | SP1 Standard 10KVA |
| CA/MA22L-RK 22" Cylindrical or Semi-Spherical Retrofit Kit | 48L 48 LEDs | 900 900mA | WW-G3 Warm White 3000K, 70CR Generation 3 | ARI for square pole | 5 Type 5 | 277 277V | UNV Universal Input Voltage | SP2 Increased 20KVA |

Form_10_CA_MA_LED 02/20 page 1 of 3

CA/MA17L & CA/MA22L Form 10 LED luminaires

Site & Area - Round Arm Mount

Accessories (order separately)

Pole top fitters (one per pole):

PTF3-(F) Pole top fitter fits 2 3/8"-2 1/2" OD x 4" depth tenon with 1, 2, 3 or 4 luminaires at 90°. Requires ARI.

PTF3-(F) Pole top fitter fits 3-3 1/2" OD x 6" depth tenon with 1, 2, 3 or 4 luminaires at 90°. Requires AR2.

PTF4-(F) Pole top fitter fits 3 1/2"-4" OD x 6" depth tenon with 1, 2, 3 or 4 luminaires at 90°. Requires AR2.

(F) Specify finish

Dimensions and EPA

MA style

| Size | A | B | C | D | EPA's Single | EPA's Twin | EPA's Quad | Weight |
|------|-----|-----|----|----|--------------|------------|------------|--------|
| MA17 | 17" | 11" | 5" | 5" | 81' | 1.61' | 2.36' | 27lbs. |
| MA22 | 22" | 14" | 7" | 5" | 138' | 2.78' | 3.71' | 40lbs. |

CA style

| Size | A | B | C | D | EPA's Single | EPA's Twin | EPA's Quad | Weight |
|------|-----|-----|----|----|--------------|------------|------------|----------|
| CA17 | 17" | 11" | 5" | 5" | 31' | 1.54' | 2.31' | 12.25kg. |
| CA22 | 22" | 14" | 7" | 5" | 124' | 2.48' | 3.31' | 19.05kg. |

LED Wattage and Lumen Values Form 10 CA/MA17L

| Order Code | LED Qty | System Current (mA) | System Temp (°K) | Ave System Watts (W) | Type 2 | | | Type 3 | | | Type 4 | | | Type 5 | | |
|--------------------------|---------|---------------------|------------------|----------------------|--------------|------------|-----------------|--------------|------------|-----------------|--------------|------------|-----------------|--------------|------------|-----------------|
| | | | | | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) |
| CA/MA17L-32L-450-NW-G3-x | 32 | 450 | 4000 | 44 | 5887 | B1-U0-G1 | 133 | 5642 | B1-U0-G1 | 127 | 5827 | B1-U0-G1 | 131 | 5758 | B3-U0-G1 | 130 |
| CA/MA17L-32L-900-NW-G3-x | 32 | 900 | 4000 | 90 | 10450 | B2-U0-G2 | 116 | 10015 | B2-U0-G2 | 112 | 10344 | B2-U0-G2 | 115 | 10221 | B4-U0-G2 | 114 |
| CA/MA17L-48L-700-NW-G3-x | 48 | 700 | 4000 | 103 | 12822 | B2-U0-G2 | 124 | 12288 | B2-U0-G2 | 119 | 12692 | B2-U0-G2 | 123 | 12541 | B4-U0-G2 | 122 |

LED Wattage and Lumen Values Form 10 CA/MA17L with Internal House Side Shield

| Order Code | LED Qty | System Current (mA) | System Temp (°K) | Ave System Watts (W) | Type 2-HIS | | | Type 3-HIS | | | Type 4-HIS | | |
|------------------------------|---------|---------------------|------------------|----------------------|--------------|------------|-----------------|--------------|------------|-----------------|--------------|------------|-----------------|
| | | | | | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) |
| CA/MA17L-32L-450-NW-G3-x-HIS | 32 | 450 | 4000 | 44 | 4910 | B1-U0-G1 | 111 | 4627 | B1-U0-G1 | 104 | 4444 | B1-U0-G1 | 100 |
| CA/MA17L-32L-900-NW-G3-x-HIS | 32 | 900 | 4000 | 90 | 8717 | B1-U0-G2 | 97 | 8214 | B1-U0-G2 | 92 | 7889 | B1-U0-G2 | 88 |
| CA/MA17L-48L-700-NW-G3-x-HIS | 48 | 700 | 4000 | 103 | 10695 | B1-U0-G2 | 104 | 10078 | B1-U0-G2 | 98 | 9679 | B1-U0-G2 | 94 |

LED Wattage and Lumen Values Form 10 CA/MA22L

| Order Code | LED Qty | System Current (mA) | System Temp (°K) | Ave System Watts (W) | Type 2 | | | Type 3 | | | Type 4 | | | Type 5 | | |
|------------------------------|---------|---------------------|------------------|----------------------|--------------|------------|-----------------|--------------|------------|-----------------|--------------|------------|-----------------|--------------|------------|-----------------|
| | | | | | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) |
| CA/MA22L-48L-900-NW-G3-x-HIS | 48 | 900 | 4000 | 135 | 16054 | B3-U0-G3 | 119 | 16001 | B2-U0-G2 | 116 | 15889 | B2-U0-G2 | 116 | 15981 | B4-U0-G3 | 118 |
| CA/MA22L-96L-560-NW-G3-x | 96 | 560 | 4000 | 160 | 21957 | B3-U0-G3 | 135 | 20843 | B3-U0-G3 | 130 | 21096 | B3-U0-G3 | 132 | 21489 | B5-U0-G3 | 134 |
| CA/MA22L-96L-650-NW-G3-x | 96 | 650 | 4000 | 186 | 24474 | B3-U0-G3 | 131 | 23631 | B3-U0-G3 | 127 | 23918 | B3-U0-G3 | 128 | 24363 | B5-U0-G3 | 131 |

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CA/MA17L & CA/MA22L Form 10 LED luminaires

Site & Area - Round Arm Mount

LED Wattage and Lumen Values Form 10 CA/MA22L with Internal House Side Shield

| Order Code | LED Qty | System Current (mA) | System Temp (°K) | Ave System Watts (W) | Type 2-HIS | | | Type 3-HIS | | | Type 4-HIS | | |
|------------------------------|---------|---------------------|------------------|----------------------|--------------|------------|-----------------|--------------|------------|-----------------|--------------|------------|-----------------|
| | | | | | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) | Lumen Output | BUG Rating | Efficacy (lm/W) |
| CA/MA22L-48L-900-NW-G3-x-HIS | 48 | 900 | 4000 | 135 | 17272 | B1-U0-G2 | 89 | 12041 | B1-U0-G2 | 84 | 11590 | B1-U0-G2 | 80 |
| CA/MA22L-96L-560-NW-G3-x-HIS | 96 | 560 | 4000 | 160 | 17174 | B2-U0-G2 | 100 | 16190 | B1-U0-G3 | 95 | 15584 | B1-U0-G2 | 91 |
| CA/MA22L-96L-650-NW-G3-x-HIS | 96 | 650 | 4000 | 186 | 19471 | B2-U0-G2 | 98 | 18356 | B2-U0-G3 | 92 | 17668 | B1-U0-G3 | 89 |

Values from photometric tests performed in accordance with IESNA LM-79 and are representative of the configurations shown. Actual performance may vary due to installation and environmental variables. LED and driver tolerances, and field measurement considerations, it is highly recommended to confirm performance with a photometric source.

NOTE: Some data may be scaled based on tests of similar (but not identical) luminaires. Contact factory for configurations not shown.

Specifications

General Description
The Gardco Form 10 LED round products are cutoff luminaires featuring LED arrays. Form 10 LED round luminaires provide performance excellence and advanced Gardco LED thermal management technology. High performance Class 1 LED systems offer the potential for energy savings up to 50% when compared to HID systems.

Arm
Extruded aluminum arm is secured to prewired LED driver assembly. Assembly is suitable for mounting to pole without requiring access to luminaire. Internal extruded channels capture the rods for proper luminaire to pole alignment.

Lens
One piece, diecast aluminum door frame retains the optically clear, heat and impact resistant tempered flat glass, in a sealed manner using hollow section, high compliance, memory retentive extruded silicone rubber. Concealed stainless steel hinge and two (2) fasteners secure lens assembly to luminaire.

Thermal Management
Form 10 LED round luminaires utilize extruded aluminum integral thermal radiation fins to provide the excellent thermal management so critical to long LED system life.

LED Optical System
LED arrays are set to achieve IES Type II, Type III, Type IV and Type V distributions. Individual LED arrays are replaceable. Optical systems are field rotatable. Luminaires feature high performance Class 1 LED systems.

Electrical
Luminaires include a complete prewired LED driver assembly, provided as part of the optical assembly. Luminaires include an LED driver that accepts 120V through 277V, or 347V through 480V, 50Hz to 60Hz, input. Driver output is based on the LED wattage selected. Component-to-component wiring within the luminaire will carry no more than 80% of rated current and is listed by UL for use at 600 VAC at 302°F / 150°C or higher. Plug disconnects are listed by UL for use at 600 VAC, 15A or higher. Power factor is not less than 90%. Luminaires consume 0.0 watts in the off state. Surge protector 10KA standard per ANSI/IEEE C62.41.2 or 20KA optional.

Finish
Anodized housings are created with an Aluminum Association Architectural Class I anodizing process to achieve a bronze, black or natural aluminum finish. Painted units are finished with hardcoat, fade resistant, electrostatically applied TGIC polyester powdercoat or polyurethane.

Labels
UL/cUL listed to the UL 1598 standard, suitable for Wet Locations. Suitable for use in ambients from -40° to 40°C (-40° to 104°F). The quality systems of this facility have been registered by UL to the ISO 9001 series standards. Most Form 10 configurations are DesignLights Consortium® qualified. Consult DLC Qualified Products list for more details.

Limited Warranty
5 year limited warranty. See signify.com/ outdoorluminaires for complete details and exclusions.

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Signify North America Corp.
200 Franklin Square Drive
Bloomington, NJ 08872
Tel: 800-498-2239

Signify Canada Ltd.
2281 Highway 7 East, Markham, ON
Canada L3R 9V3
Tel: 800-368-9200

www.signify.com

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|-----------|--------------|--------------|-----------|----------|
| | | | | |
| DATE: | 03/29/2022 | DESIGNED BY: | SAM | REVISION |
| | | DRAWN BY: | DEK | BY |
| | | CHECKED BY: | SAM | DATE |
| FILE NO: | 096888020_DT | PROJECT NO: | 096888020 | NO. |
| SHEET NO. | 13 | | | APPR |

STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
SITE LIGHTING DETAILS

Kimley-Horn & Associates, Inc.
4480 E. Highways 103 & 169
Denver, Colorado 80237 (303) 228-2300



CITY OF AURORA NOTES

1. ALL LANDSCAPED AREAS ARE TO RECEIVE ORGANIC SOIL PREPARATION AT 4 CU.YRDS/1,000SF.
2. REFER TO CIVIL PLAN FOR LIGHTING TYPES.
3. THE SURFACE MATERIAL OF WALKS ARE TO BE BRUSHED, GREY CONCRETE.
4. ALL UTILITY EASEMENTS SHALL REMAIN UNOBSTRUCTED AND FULLY ACCESSIBLE ALONG THEIR ENTIRE LENGTH FOR THE MAINTENANCE EQUIPMENT ENTRY.
5. THE OWNER/DEVELOPER, HIS SUCCESSORS AND ASSIGNS, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL LANDSCAPING MATERIALS SHOWN OR INDICATED ON THE APPROVED SITE PLAN OR LANDSCAPE PLAN ON FILE IN THE PLANNING DEPARTMENT. ALL LANDSCAPING WILL BE INSTALLED AS DELINEATED ON THE PLAN.
6. ALL LANDSCAPED AREAS AND PLANT MATERIAL, EXCEPT FOR NON-IRRIGATED NATIVE, RESTORATIVE AND DRYLAND GRASS AREAS THAT COMPLY WITH REQUIREMENTS FOUND IN SEC. 146-4.7.3.C MUST BE WATERED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. IRRIGATION SYSTEM DESIGN, INSTALLATION, OPERATION AND MAINTENANCE SHALL CONFORM TO REQUIREMENTS FOUND IN THE CITY OF AURORA IRRIGATION ORDINANCE.
7. LANDSCAPE MATERIAL PLACEMENT SHALL NOT BE PLACED OR KEPT NEAR FIRE HYDRANTS, FIRE DEPARTMENT INLET CONNECTIONS OR FIRE PROTECTION CONTROL VALVES IN A MANNER THAT WOULD PREVENT SUCH EQUIPMENT OR FIRE HYDRANTS FROM BEING IMMEDIATELY DISCERNABLE. THE FIRE DEPARTMENT SHALL NOT BE DETERRED OR HINDERED FROM GAINING IMMEDIATE ACCESS TO FIRE PROTECTION EQUIPMENT OR HYDRANTS.
8. A 5-FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS.
9. LANDSCAPING MATERIAL SHOWN WITHIN THE SITE PLAN CANNOT ENCROACH INTO ROADWAYS THAT ARE DEDICATED (OR DESIGNATED) AS FIRE LANE EASEMENTS (OR CORRIDORS).
10. TREES MAY NOT BE PLACED WITHIN 8' OF ANY PUBLIC UTILITY.
11. SHRUB BEDS SHALL BE MULCHED WITH 3" DEPTH OF 1.5" MULTI-COLOR LOCAL RIVER ROCK. FOR AREAS SPECIFIED AS COBBLE, USE 4-6" MULTI-COLOR LOCAL RIVER ROCK COBBLE. WEED BARRIER IS REQUIRED UNDER COBBLE AND RIVER ROCK MULCH.
12. OBJECTS AND STRUCTURES SHALL NOT IMPEDE VISION WITHIN THESE SIGHT TRIANGLES. LANDSCAPING SHALL BE RESTRICTED TO LESS THAN 26-INCHES IN THE SIGHT TRIANGLES. SHOW SIGHT TRIANGLES ON THE SITE PLAN AND LANDSCAPING PLAN AT ALL ACCESS POINTS IN ACCORDANCE WITH CITY OF AURORA STANDARD TRAFFIC DETAIL TE-13 IN ADDITION, STREET TREES SHALL BE SET BACK FROM STOP SIGNS AND OTHER REGULATORY SIGNS AS DETAILED IN CITY OF AURORA STANDARD TRAFFIC DETAIL TE-13.3. ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10'
13. ALL CROSSINGS OR ENCROACHMENTS INTO EASEMENTS AND RIGHTS-OF-WAY OWNED BY THE CITY OF AURORA ("CITY") IDENTIFIED AS BEING PRIVATELY-OWNED AND MAINTAINED HEREIN ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO CITY'S USE AND OCCUPANCY OF SAID EASEMENTS OR RIGHTS-OF-WAY. THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, FURTHER AGREES TO REMOVE, REPAIR, REPLACE, RELOCATE, MODIFY, OR OTHERWISE ADJUST SAID CROSSINGS OR ENCROACHMENTS UPON REQUEST FROM THE CITY AND AT NO EXPENSE TO THE CITY. THE CITY RESERVES THE RIGHT TO MAKE FULL USE OF THE EASEMENTS AND RIGHTS-OF-WAY AS MAY BE NECESSARY OR CONVENIENT AND THE CITY RETAINS ALL RIGHTS TO OPERATE, MAINTAIN, INSTALL, REPAIR, REMOVE OR RELOCATE ANY CITY FACILITIES LOCATED WITHIN SAID EASEMENTS AND RIGHTS-OF-WAY AT ANY TIME AND IN SUCH A MANNER AS IT DEEMS NECESSARY OR CONVENIENT.
14. ARCHITECTURAL FEATURES (I.E. BAY WINDOWS, FIREPLACES, ROOF OVERHANG, GUTTERS, EAVES, FOUNDATION, FOOTINGS, CANTILEVERED WALLS, ETC.) ARE NOT ALLOWED TO ENCROACH INTO ANY EASEMENT OR FIRE LANE.
15. ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10.

SHEET INDEX

| | |
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| L-1.00 | LANDSCAPE NOTES & TABLES |
| L-1.01 | MATERIAL SCHEDULE |
| L-2.00 | OVERALL LANDSCAPE PLAN |
| L-2.01 | LANDSCAPE PLAN ENLARGEMENT 1 |
| L-2.02 | LANDSCAPE PLAN ENLARGEMENT 2 |
| L-2.03 | LANDSCAPE PLAN ENLARGEMENT 3 |
| L-2.04 | LANDSCAPE PLAN ENLARGEMENT 4 |
| L-3.00 | LANDSCAPE DETAILS |
| L-3.01 | LANDSCAPE DETAILS |
| L-4.00 | TREE PRESERVATION |

STANDARD RIGHTS-OF-WAY STREET TREE TABLE

| Standard Rights-of-Way Street Tree Table | | | |
|--|-------------|----------------|----------------|
| Street Tree Description | Length (LF) | Trees Required | Trees Provided |
| NORTH SIDE OF EAST/WEST PRIVATE STREET (1 Tree / 35 LF) | 941 | 27 | 27 |
| SOUTH SIDE OF EAST/WEST PRIVATE STREET (1 Tree / 35 LF) | 855 | 24 | 26 |
| WEST SIDE OF NORTH/SOUTH PRIVATE STREET (1 Tree / 35 LF) | 331 | 9 | 9 |
| EAST SIDE OF NORTH/SOUTH PRIVATE STREET (1 Tree / 35 LF) | 108 | 3 | 3 |
| NORFOLK STREET (EAST SIDE ONLY) (1 Tree / 35 LF) | 1,139 | 33 | 34 |
| EAST COLFAX STREET (NORTH SIDE ONLY) (1 Tree / 35 LF) | 978 | 28 | 29 |
| Totals: | | 124 | 128 |

NOTES:
1.) Distances measured between tangent points, intersecting drives, sidewalk, and utilities are excluded.

CURBSIDE LANDSCAPE DATA TABLE

| Curbside Landscape Data Table | | | |
|---|-------------|-----------------|-----------------|
| Street Tree Description | Length (LF) | Shrubs Required | Shrubs Provided |
| NORTH SIDE OF EAST/WEST PRIVATE STREET (0.025 Shrubs / 1 Square Foot of Tree Lawn) | 7,058 | 176 | 195 |
| SOUTH SIDE OF EAST/WEST PRIVATE STREET (0.025 Shrubs / 1 Square Foot of Tree Lawn) | 6,413 | 160 | 199 |
| WEST SIDE OF NORTH/SOUTH PRIVATE STREET (0.025 Shrubs / 1 Square Foot of Tree Lawn) | 2,141 | 54 | 83 |
| EAST SIDE OF NORTH/SOUTH PRIVATE STREET (0.025 Shrubs / 1 Square Foot of Tree Lawn) | 810 | 20 | 41 |
| NORFOLK STREET (EAST SIDE ONLY) (0.025 Shrubs / 1 Square Foot of Tree Lawn) | 8,540 | 214 | 254 |
| EAST COLFAX STREET (NORTH SIDE ONLY) (0.025 Shrubs / 1 Square Foot of Tree Lawn) | 9,343 | 234 | 292 |
| Totals: | | 858 | 1065 |

NOTES:
1.) Distances measured between tangent points, intersecting drives, sidewalk, and utilities are excluded.
2.) All Trees will be a minimum of 2.5" Caliper and Shrubs a Minimum of Container #5 Size, or 3 x Container #1 per Shrub Quantity show in table for Ornamental Grasses.

DETENTION POND LANDSCAPE TABLE

| Detention Pond Landscape Table | | | | | | |
|--------------------------------|--|-----------|----------------|----------------|-----------------|-----------------|
| Area (POND) | Description | Area (SF) | Trees Required | Trees Provided | Shrubs Required | Shrubs Provided |
| A | DETENTION POND (1 Tree and 10 shrubs per 4,000 SF) | 8,870 | 2 | 7 | 9 | 34 |
| B | DETENTION POND (1 Tree and 10 shrubs per 4,000 SF) | 7,340 | 4 | 5 | 16 | 16 |
| | Totals: | 16,210 | 6 | 12 | 25 | 50 |

NOTES:
1.) Calculated to reflect 1 tree and 10 shrubs per 4,000 SF above the 100 year water surface elevation of the ponds.
2.) All Trees will be a minimum of 2.5" Caliper and Shrubs a Minimum of Container #5 Size, or 3 x Container #1 per Shrub Quantity show in table for Ornamental Grasses.

Kimley»Horn
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4682 South University Blvd., Suite 500
Denver, Colorado 80237 (303) 228-2300

STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
LANDSCAPE NOTES & TABLES

DATE: 03/10/2022
DESIGNED BY: CR
DRAWN BY: CR
CHECKED BY: SW

FILE NO. PLAN-STATION 60-ISP-LAND PROJECT NO. 096888020 SHEET NO.

L-1.00

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DA-2274-00



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MATERIAL SCHEDULE

| QTY. | ITEM | DESCRIPTION | PROVIDER | SIZE / DIMENSIONS | COLOR / FINISH / MODEL | NOTES |
|------|------|-------------|--|-------------------|-----------------------------------|--|
| | A | ROCK MULCH | PIONEER SAND AND GRAVEL www.pioneersand.com OR APPROVED EQUAL | 3" DEPTH | 1.5" MULTI-COLOR LOCAL RIVER ROCK | INSTALL AT 3" DEPTH PER GENERAL LANDSCAPE NOTES. SEE PLANS FOR LOCATION. |
| | B | COBBLE | PIONEER SAND AND GRAVEL www.pioneersand.com OR APPROVED EQUAL | 3" DEPTH | 4-6" MULTI-COLOR LOCAL RIVER ROCK | INSTALL AT 3" DEPTH PER GENERAL LANDSCAPE NOTES. INSTALL TO ENSURE COMPLETE COVERAGE OF WEED FABRIC BELOW, DO NOT UNNECESSARILY MOUND. SEE PLANS FOR LOCATION. |

AMENITY SCHEDULE

| QTY. | ITEM | DESCRIPTION | PROVIDER | SIZE / DIMENSIONS | COLOR / FINISH / MODEL | NOTES |
|------|------|------------------|--|--------------------------|--|---|
| 3 | | BENCH | SITE PIECES https://www.sitepieces.com/ OR APPROVED EQUAL | 72" X 27" X 38.5" | MONOLINE BENCH (ML-BENCH-72), FINISH CANYON | INSTALL PER MANUFACTURERS SPECIFICATIONS. SEE PLANS FOR LOCATION. |
| 4 | | BIKE RACK | SITE PIECES https://www.sitepieces.com/ OR APPROVED EQUAL | 26" BASE X 3" X 36"H | MONOLINE DUO (ML-DUO-26), FINISH CANYON | INSTALL PER MANUFACTURERS SPECIFICATIONS. SEE PLANS FOR LOCATION. |
| 3 | | TRASH RECEPTACLE | SITE PIECES https://www.sitepieces.com/ OR APPROVED EQUAL | 27" X 14" X 42" (36 GAL) | MONOLINE LITTER BIN (ML-LGLITTER), FINISH CANYON | INSTALL PER MANUFACTURERS SPECIFICATIONS. SEE PLANS FOR LOCATION. |

NON-IRRIGATED WETLAND SEED

| COMMON NAME | SCIENTIFIC NAME | % OF TOTAL | PLS PER ACRE |
|---------------------------|------------------------------|------------|------------------|
| REED CANARY GRASS | PHALARIS ARUNDINACEA | 45% | 4.5 LBS |
| IMPROVED MEADOWS BROME | BROMUS BIEBERSTEINII | 25% | 2.5 LBS |
| GARRISON CREEPING FOXTAIL | ALOPECURUS ARUNDINACEUS POIR | 25% | 2.5 LBS |
| CLIMAX TIMOTHY | PHLEUM PRATENSE | 5% | 0.5 LBS |
| TOTAL | | 100% | 10.0 LBS DRILLED |

PLANT SCHEDULE

| DECIDUOUS TREES | QTY | BOTANICAL NAME | COMMON NAME | ROOT | SIZE |
|--------------------|-----|--|----------------------------------|-------|-----------|
| CA SP | 23 | CATALPA SPECIOSA | NORTHERN CATALPA | B & B | 2.5" CAL. |
| CE OC | 31 | CELTIS OCCIDENTALIS | COMMON HACKBERRY | B & B | 2.5" CAL. |
| GL SH | 12 | GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER' TM | SHADEMASTER LOCUST | B & B | 2.5" CAL. |
| GY DI | 25 | GYMNOCLADUS DIOICA 'ESPRESSO' | KENTUCKY COFFEETREE | B & B | 2.5" CAL. |
| PO AC | 4 | POPULUS X ACUMINATA | LANCELEAF POPLAR | B & B | 2.5" CAL. |
| QU MA | 6 | QUERCUS MACROCARPA | BURR OAK | B & B | 2.5" CAL. |
| QU MU | 12 | QUERCUS MUEHLENBERGII | CHINKAPIN OAK | B & B | 2.5" CAL. |
| QU RO | 14 | QUERCUS ROBUR | ENGLISH OAK | B & B | 2.5" CAL. |
| QU RP | 4 | QUERCUS ROBUR 'REGAL PRINCE' | REGAL PRINCE ENGLISH OAK | B & B | 2.5" CAL. |
| UL PR | 19 | ULMUS AMERICANA 'PRINCETON' | AMERICAN ELM | B & B | 2.5" CAL. |
| EVERGREEN TREES | QTY | BOTANICAL NAME | COMMON NAME | ROOT | SIZE |
| PI ED | 7 | PINUS EDULIS | PINON PINE | B & B | 6' HEIGHT |
| DECIDUOUS SHRUBS | QTY | BOTANICAL NAME | COMMON NAME | ROOT | SIZE |
| CO AF | 55 | CORNUS SERICEA 'ARCTIC FIRE' | ARCTIC FIRE DOGWOOD | CONT. | #5 |
| PE LS | 223 | PEROVSKIA ATRIPLICIFOLIA 'LITTLE SPIRE' TM | LITTLE SPIRE RUSSIAN SAGE | CONT. | #5 |
| RH GR | 75 | RHUS AROMATICA 'GRO-LOW' | GRO-LOW FRAGRANT SUMAC | CONT. | #5 |
| RH AU | 56 | RHUS TRILOBATA 'AUTUMN AMBER' | AUTUMN AMBER SUMAC | CONT. | #5 |
| RO KN | 80 | ROSA X 'RADRAZZ' TM | KNOCK OUT SHRUB ROSE | CONT. | #5 |
| SA PU | 24 | SALIX PURPUREA 'NANA' | DWARF ARCTIC WILLOW | CONT. | #5 |
| EVERGREEN SHRUBS | QTY | BOTANICAL NAME | COMMON NAME | ROOT | SIZE |
| AR PA | 54 | ARCTOSTAPHYLOS X COLORADOENSIS 'PANCHITO' | PANCHITO MANZANITA | CONT. | #5 |
| JU BL | 69 | JUNIPERUS HORIZONTALIS 'BLUE CHIP' | BLUE CHIP JUNIPER | CONT. | #5 |
| JU BU | 46 | JUNIPERUS SABINA 'BUFFALO' | BUFFALO JUNIPER | CONT. | #5 |
| ORNAMENTAL GRASSES | QTY | BOTANICAL NAME | COMMON NAME | ROOT | SIZE |
| BO BA | 349 | BOUTELOUA GRACILIS 'BLONDE AMBITION' | BLOND AMBITION BLUE GRAMA GRASS | CONT. | #1 |
| CA KF | 245 | CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' | KARL FOERSTER FEATHER REED GRASS | CONT. | #5 |
| PA HM | 176 | PANICUM VIRGATUM 'HEAVY METAL' | BLUE SWITCH GRASS | CONT. | #1 |
| PE BU | 489 | PENNISETUM ALOPECUROIDES 'LITTLE BUNNY' | LITTLE BUNNY FOUNTAIN GRASS | CONT. | #1 |

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DA-2274-00



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4582 South University Street, Suite 500
Denver, Colorado 80237 (303) 228-2300

STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
MATERIAL SCHEDULE

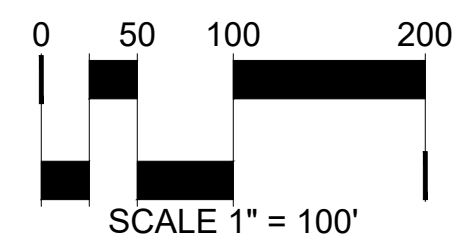
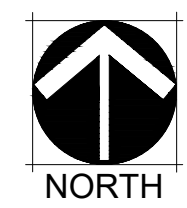
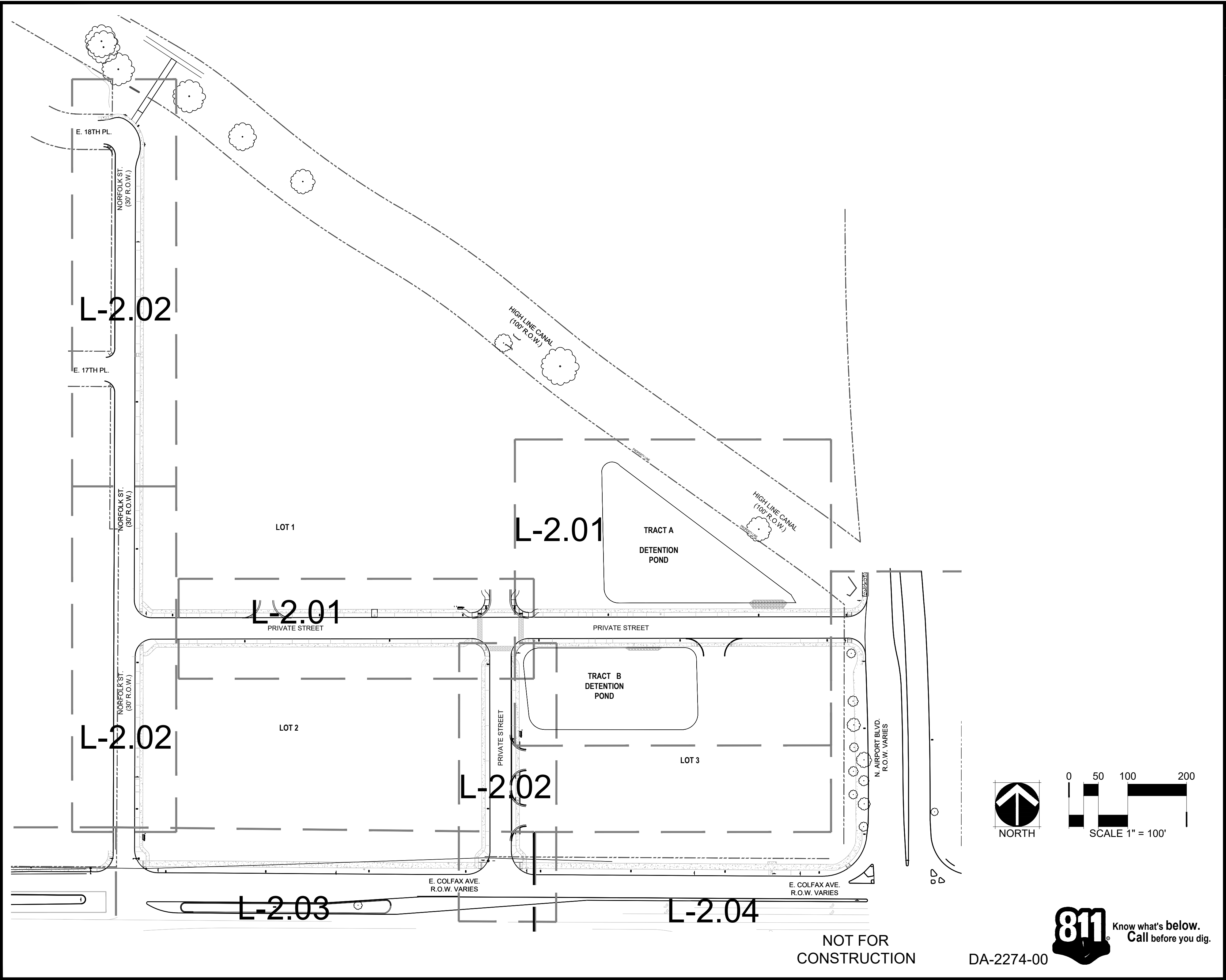
DATE: 03/10/2022
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FILE NO. PLAN-STATION
60-ISP-LAND
PROJECT NO. 096888020
SHEET NO.

L-1.01

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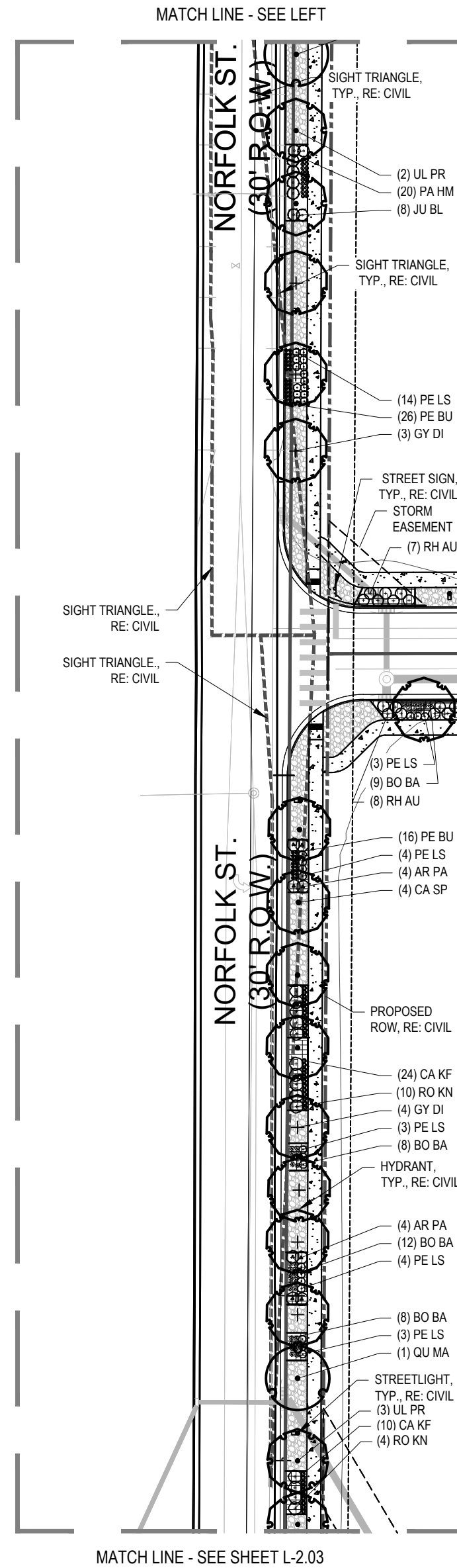
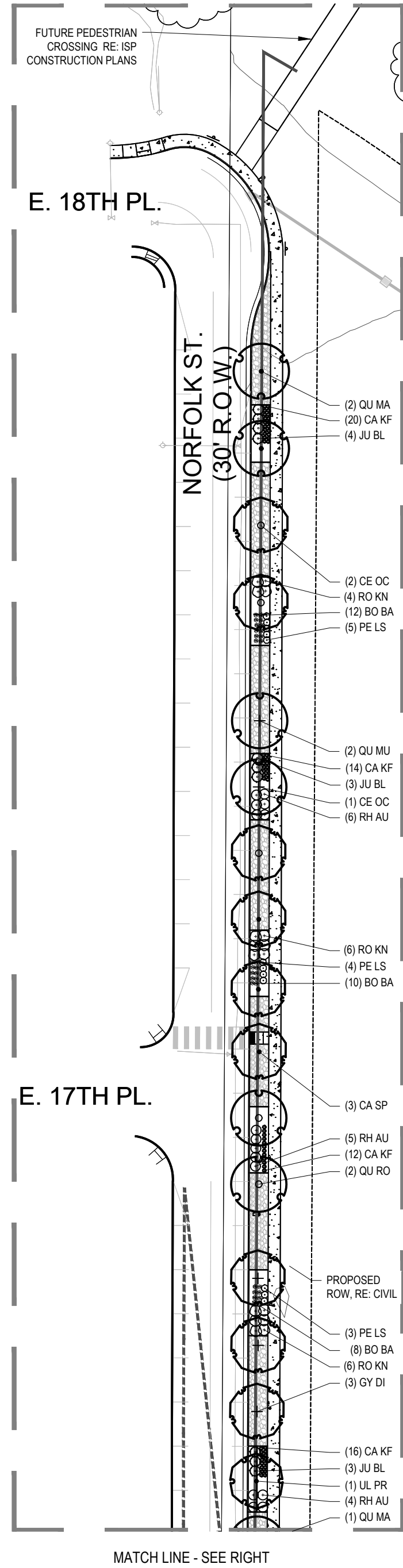
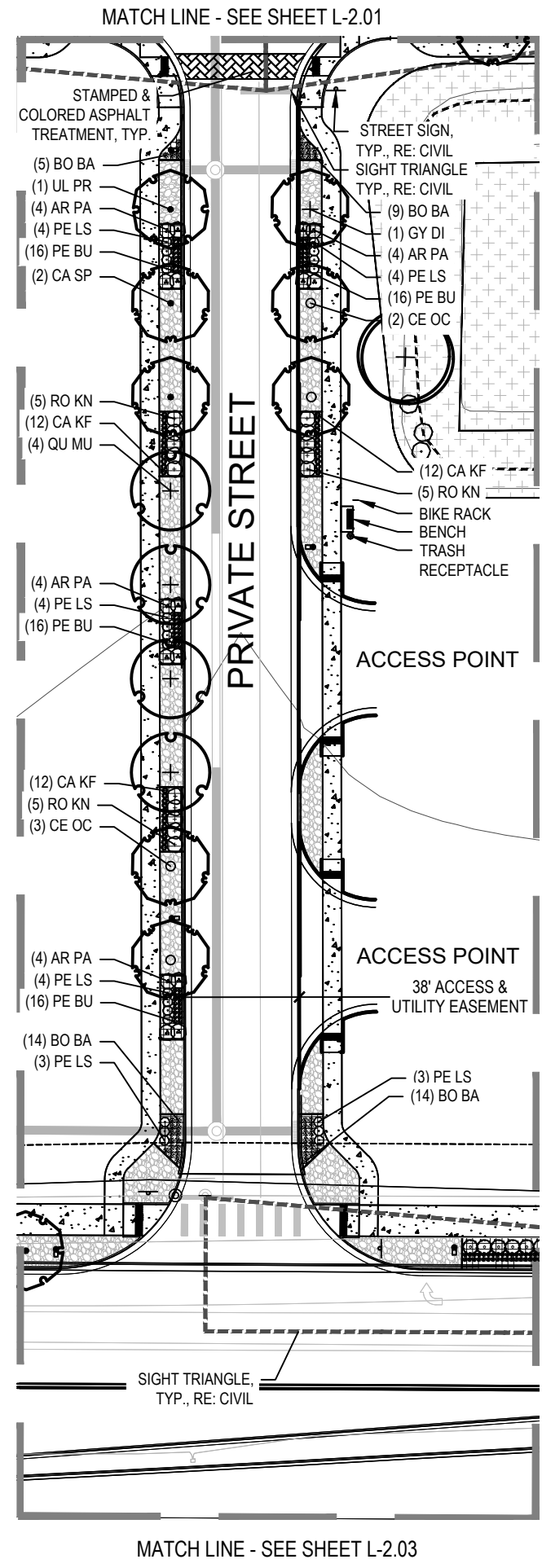
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STATION 60
 E. COLFAX AVE & N. AIRPORT BLVD
 INFRASTRUCTURE SITE PLAN
 OVERALL LANDSCAPE PLAN

DATE: 03/10/2022
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FILE NO. PLAN-STATION 60-ISP-LAND
 PROJECT NO. 096888020
 SHEET NO. L-2.00

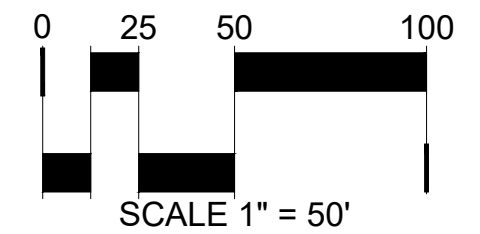
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LEGEND

- STREET TREE
- DECIDUOUS SHRUBS
- EVERGREEN SHRUBS
- ORNAMENTAL GRASSES
- 1-1/2" LOCAL RIVER ROCK MULCH
- 6"-12" LOCAL RIVER COBBLE
- NON-IRRIGATED WETLANDS MIX
- MATCH LINE
- STREET LIGHT

NOTES:
1. ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10



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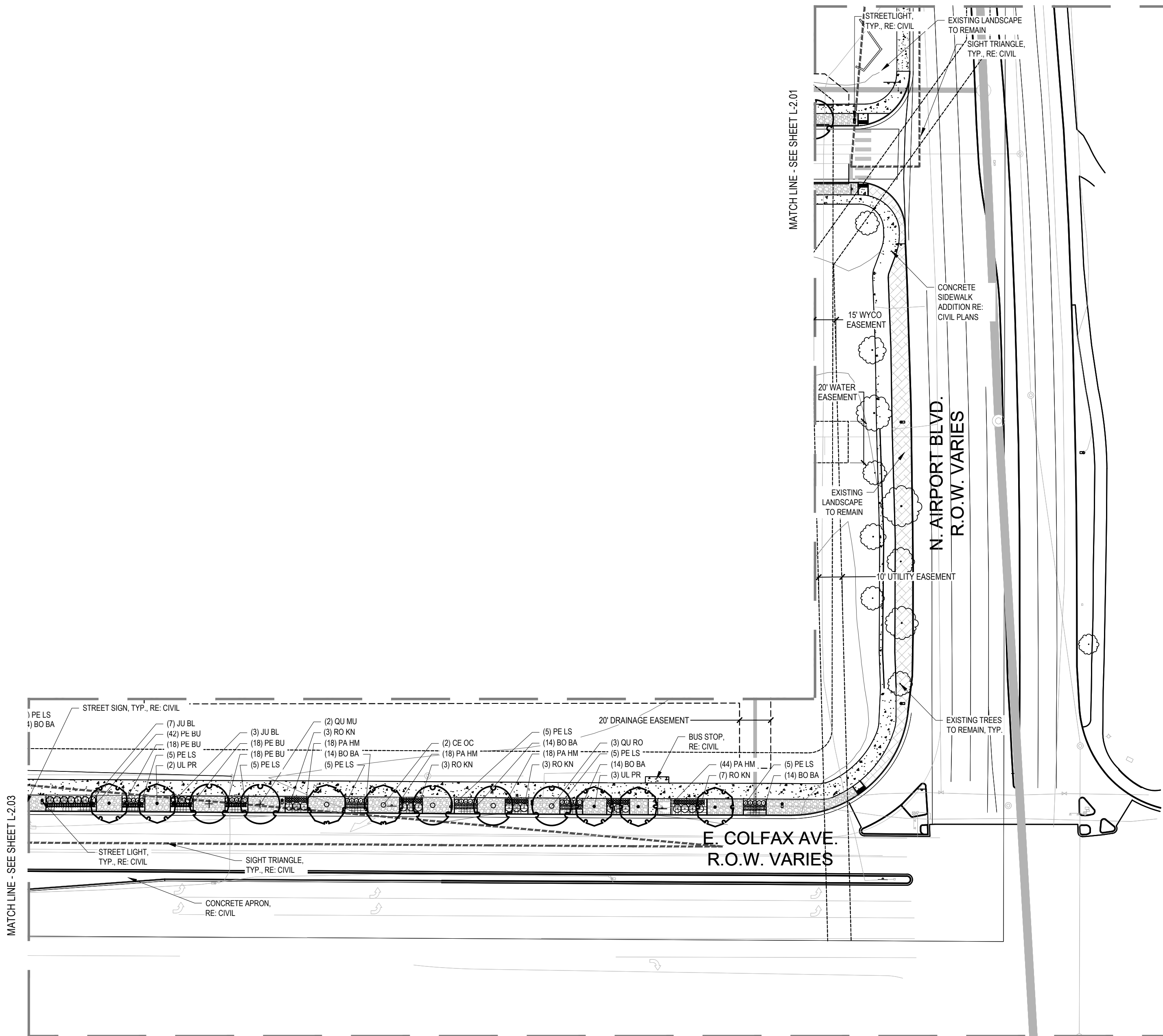
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STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
LANDSCAPE ENLARGEMENT 2

DATE: 03/10/2022
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FILE NO. PLAN-STATION 60-ISP-LAND
PROJECT NO. 096888020
SHEET NO. L-2.02

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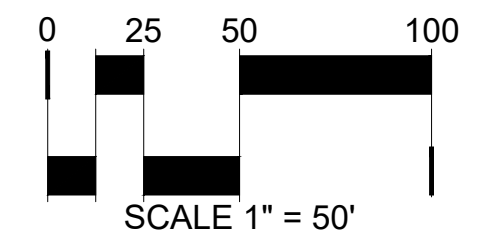


LEGEND

- STREET TREE
- DECIDUOUS SHRUBS
- EVERGREEN SHRUBS
- ORNAMENTAL GRASSES
- 1-1/2" LOCAL RIVER ROCK MULCH
- 6"-12" LOCAL RIVER COBBLE
- NON-IRRIGATED WETLANDS MIX
- MATCH LINE
- STREET LIGHT

NOTES:

1. ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10



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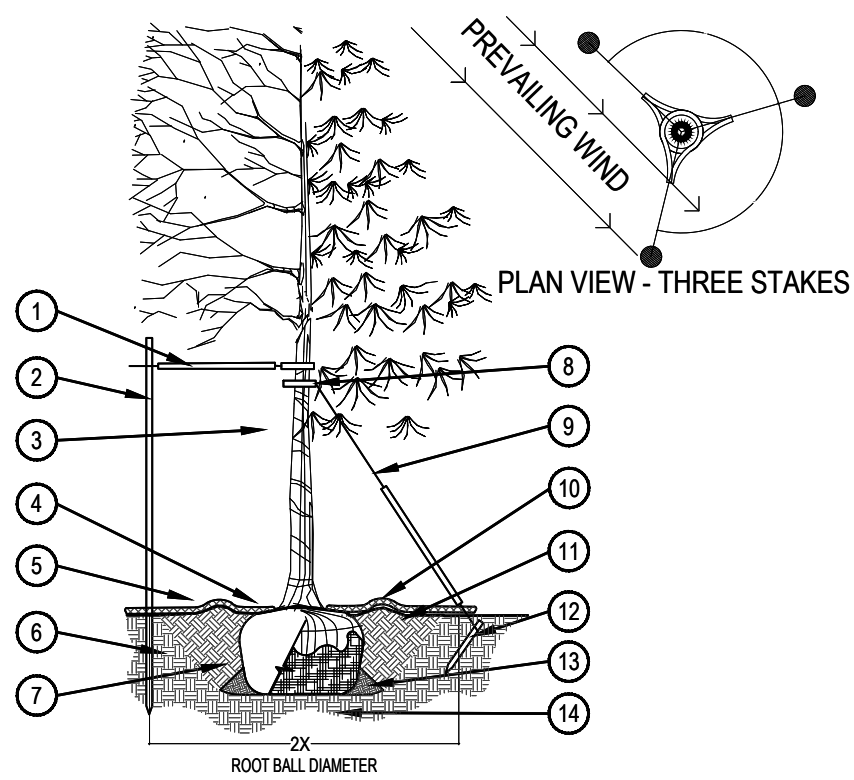
STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
LANDSCAPE ENLARGEMENT 4

DATE: 03/10/2022
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FILE NO. PLAN-STATION
60-ISP-LAND
PROJECT NO. 096888020
SHEET NO.

L-2.04

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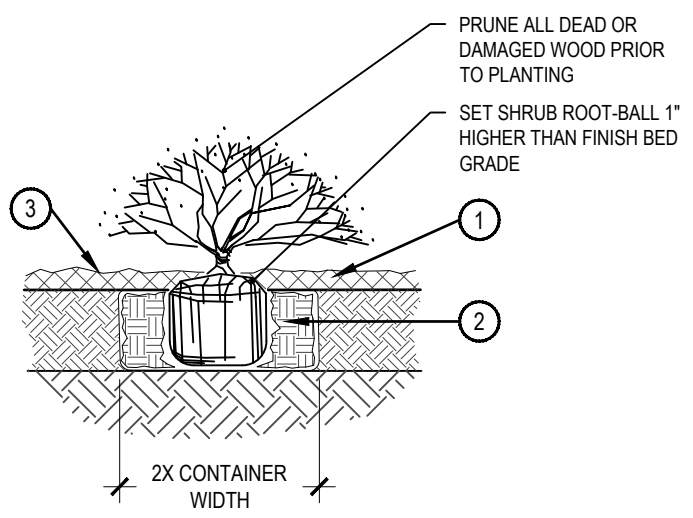


- PRUNING NOTES:**
- ALL PRUNING SHALL COMPLY WITH ANSI A300 STANDARDS.
 - DO NOT HEAVILY PRUNE THE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS AND BROKEN BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED. HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.
- STAKING NOTES:**
- STAKE TREES PER FOLLOWING SCHEDULE, THEN REMOVE AT END OF FIRST GROWING SEASON.
 - 1-1/2" CALIPER SIZE - MIN. 1 STAKE ON SIDE OF PREVAILING WIND (GENERALLY N.W. SIDE)
 - 1-1/2" - 3" CALIPER SIZE - MIN. 2 STAKES - ONE ON N.W. SIDE, ONE ON S.W. SIDE (OR PREVAILING WIND SIDE AND 180° FROM THAT SIDE)
 - 3" CALIPER SIZE AND LARGER - 3 STAKES PER DIAGRAM
 - WIRE OR CABLE SHALL BE MIN. 12 GAUGE, TIGHTEN WIRE OR CABLE ONLY ENOUGH TO KEEP FROM SLIPPING. ALLOW FOR SOME TRUNK MOVEMENT. NYLON STRAPS SHALL BE LONG ENOUGH TO ACCOMMODATE 1-1/2" OF GROWTH AND BUFFER ALL BRANCHES FROM WIRE.

- PLACE MIN. 1/2" PVC PIPE AROUND EACH WIRE. EXPOSED WIRE SHALL BE MAX. 2" EACH SIDE
- 6 FT. UNTREATED WOOD POST (MIN. 1.5" DIAMETER). ALL SHALL BE DRIVEN OUTSIDE ROOTBALL AND IN UNDISTURBED SOIL.
- TREE WRAP TO BE INSTALLED ONLY FROM OCTOBER 1 THROUGH APRIL 30. (DECIDUOUS ONLY)
- PLANT TREE SO THAT FIRST ORDER MAJOR ROOT IS 1"-2" ABOVE FINAL GRADE.
- 3" DEEP MULCH RING PLACED A MINIMUM OF 4 FT. IN DIAMETER. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK (FINISHED GRADE REFERENCES TOP OF MULCH).
- 1:1 SLOPE ON SIDES OF PLANTING HOLE.
- REMOVE ALL TWINE, ROPE, BURLAP AND WIRE FROM ENTIRE ROOT BALL AND TRUNK
- GROMMETED NYLON STRAPS
- GALVANIZED WIRE, MIN. 12 GAUGE CABLE - TWIST WIRE ONLY TO KEEP FROM SLIPPING.
- 4-6" HIGH WATER SAUCER IN NON-TURF AREAS.
- BACKFILL WITH BLEND OF EXISTING SOIL AND A MAXIMUM 20% (BY VOLUME) ORGANIC MATERIAL. WATER THOROUGHLY WHEN BACKFILLING
- 2 FT. STEEL T-POST. ALL SHALL BE DRIVEN BELOW GRADE AND OUTSIDE ROOTBALL IN UNDISTURBED SOIL.
- PLACE SOIL AROUND ROOT BALL FIRMLY. DO NOT COMPACT OR TAMP. SETTLE SOIL WITH WATER TO FILL ALL AIR POCKETS.
- PLACE ROOT BALL ON UNDISTURBED SOIL TO PREVENT SETTLEMENT.

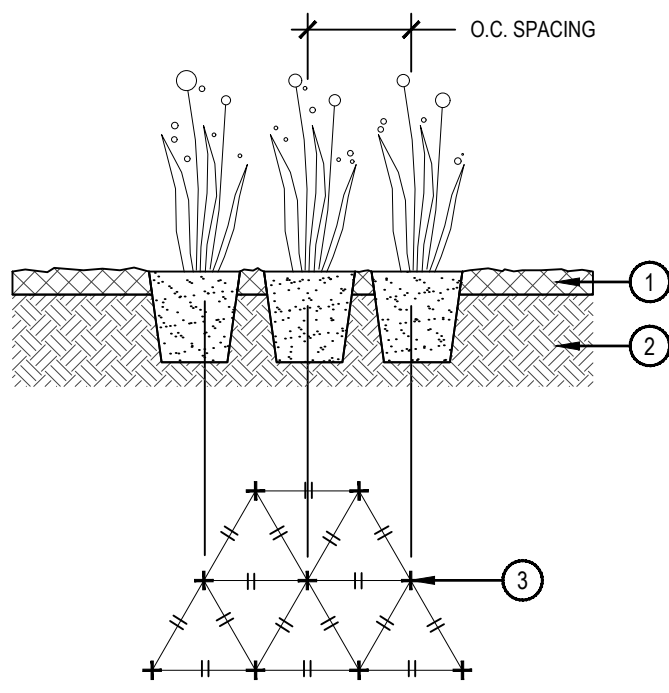
1 TREE PLANTING DETAIL

SCALE: 3/16" = 1'-0"



- SPECIFIED MULCH
- AMENDED SOIL IN PLANTING BED PER SPECIFICATIONS. TILL SOIL TO A DEPTH OF EIGHT INCHES.
- FINISH GRADE (TOP OF MULCH)

- NOTE:**
- BROKEN OR CRUMBLING ROOT-BALLS WILL BE REJECTED. CARE SHOULD BE TAKEN NOT TO DAMAGE THE SHRUB OR ROOT-BALL WHEN REMOVING IT FROM ITS CONTAINER
 - ALL JUNIPERS SHOULD BE PLANTED SO THE TOP OF THE ROOT-BALL OCCURS ABOVE THE FINISH GRADE OF THE MULCH LAYER
 - DIG PLANT PIT TWICE AS WIDE AND HIGH AS THE CONTAINER

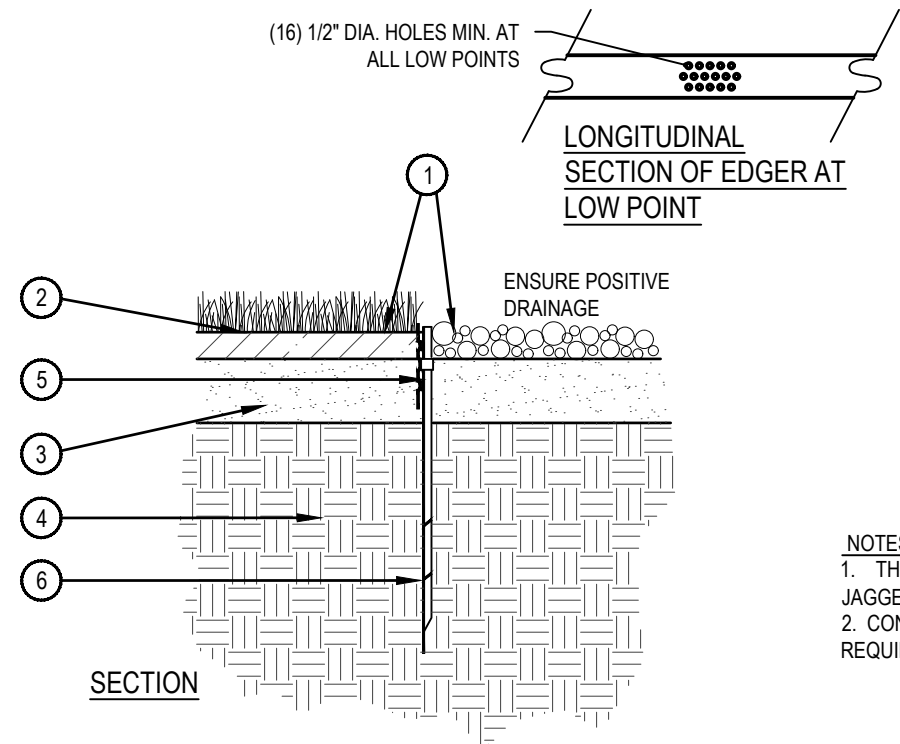


- SPECIFIED MULCH
- AMENDED PLANTING BED TILLED TO A DEPTH OF 6"
- CENTER OF PLANT

WHEN PLANTED ON A CURVE ORIENT ROWS TO FOLLOW THE LONG AXIS OF AREAS WHERE PLANTS ARE MASSED.

2 SHRUB PLANTING

SCALE: 1-1/2" = 1'-0"



- FINISHED GRADE - TOP OF SOD THATCH LAYER AND TOP OF MULCH OR CRUSHER FINES SHALL BE FLUSH WITH TOP OF EDGER
- TURF THATCH
- AMENDED SOIL PER SPECIFICATIONS
- SUBGRADE
- ROLLED TOP STEEL EDGER - DRILL (16) 1/2" DIA. HOLES 1" O.C. MIN. AT ALL LOW POINTS OR POORLY DRAINING AREAS IN ORDER TO ENSURE ADEQUATE DRAINAGE
- EDGER STAKE

- NOTES:**
- THERE SHALL BE NO EXPOSED SHARP / JAGGED EDGES.
 - CONTRACTOR SHALL INSTALL STAKES AS REQUIRED BY THE MANUFACTURER.

4 STEEL EDGER DETAIL

SCALE: 1" = 1'-0"

3 PERENNIAL PLANT LAYOUT

SCALE: 1" = 1'-0"

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STATION 60
 E. COLFAX AVE & N. AIRPORT BLVD
 INFRASTRUCTURE SITE PLAN
 LANDSCAPE DETAILS

DATE: 03/10/2022
 DESIGNED BY: CR
 DRAWN BY: CR
 CHECKED BY: SW

FILE NO. PLAN-STATION 60-ISP-LAND
 PROJECT NO. 096888020
 SHEET NO. L-3.00

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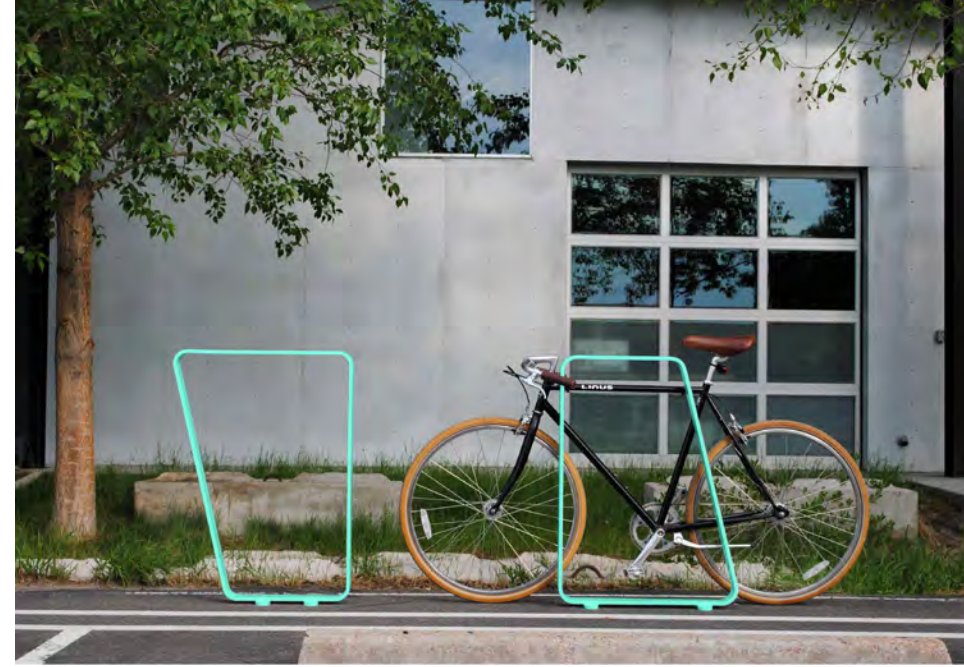
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- ① MANUFACTURER: SITE PIECES
- ② MODEL: MONOLINE BENCH
- ③ MOUNT: SURFACE
- ④ FINISH: BLACK

1 BENCH

SCALE: N.T.S.



- ① MANUFACTURER: SITE PIECES
- ② MODEL: MONOLINE DUO
- ③ MOUNT: IN-GROUND
- ④ FINISH: BLACK

2 BIKE RACK

SCALE: N.T.S.



- ① MANUFACTURER: SITE PIECES
- ② MODEL: MONOLINE LITTER AND RECYCLING BIN
- ③ MOUNT: SURFACE
- ④ FINISH: GRAY

3 TRASH AND RECYCLING

SCALE: N.T.S.

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STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
LANDSCAPE DETAILS

| | |
|--------------|------------|
| DATE: | 03/10/2022 |
| DESIGNED BY: | CR |
| DRAWN BY: | CR |
| CHECKED BY: | SW |

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| FILE NO. | PLAN-STATION |
| 60-ISP-LAND | |
| PROJECT NO. | 096888020 |
| SHEET NO. | |

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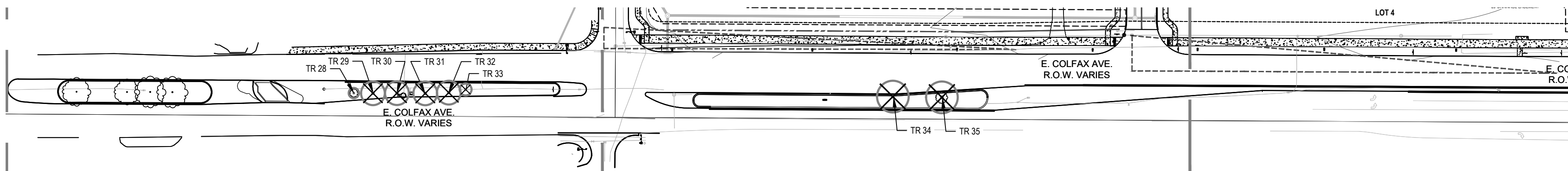
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Know what's below.
Call before you dig.

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TREE INVENTORY

| Tree # | Species | Size dbh in. | Sq. in. | Unit cost | BTC * | Species rating | Condition points | Condition rating | Location rating | Mitigation inches | Appraised value | Issues, concerns and comments |
|---|---------------|--------------|---------|-----------|-------|----------------|------------------|------------------|-----------------|--------------------------|------------------------|---|
| Along East Colfax from West to East. | | | | | | | | | | | | |
| 28 | Norway maple | 6.0 | 28.26 | 78.41 | 2216 | 75% | 20 | 63% | 60% | 3.8 | \$ 623 | Major sunscald wound ground to first branch @ 6'. Fair vigor, 5% crown dieback. |
| 29 | Green Ash | 13.0 | 132.67 | 67.21 | 8916 | 35% | 23 | 72% | 60% | 9.3 | \$ 1,346 | Trunk wound SE side Lilac/zah borer in trunk and branches. 5% dieback, good vigor. |
| 30 | Green Ash | 13.0 | 132.67 | 67.21 | 8916 | 35% | 23 | 72% | 60% | 9.3 | \$ 1,346 | Solid trunk, Lilac/ash borer. Crowded canopy, suckers on stems, 10% dieback. |
| 31 | Green Ash | 13.0 | 132.67 | 67.21 | 8916 | 35% | 20 | 63% | 60% | 8.1 | \$ 1,170 | Big trunk wound, sunscald, Lilac/ash borer. Co-dominant top, crowded canopy, low vigor. |
| 32 | Green Ash | 14.0 | 153.86 | 67.21 | 10341 | 35% | 20 | 63% | 60% | 8.8 | \$ 1,357 | Trunk sound south side, ground to 6' about 3" wide. Lilac/ash borer, crowded canopy. |
| 33 | Green Ash | 13.0 | 132.67 | 67.21 | 8916 | 35% | 0 | 0% | 60% | 0.0 | \$ - | Stump |
| 34 | Green Ash | 13.0 | 132.67 | 67.21 | 8916 | 35% | 23 | 72% | 60% | 9.3 | \$ 1,346 | Surface roots with mechanical damage. Solid trunk, low branching, multi-stem at 8'. |
| 35 | Freeman maple | 8.0 | 50.24 | 78.41 | 3939 | 70% | 12 | 38% | 60% | 3.0 | \$ 620 | Split trunk, 1/2 of bark lost south side. Wood borers, > 50% dieback. |
| * BTC - Basic Tree Cost = Unit cost * Sq. inches | | | | | | | | | | | | |
| Totals | | | | | | | | | | 51.7 | \$ 7,809 | |
| | | | | | | | | | | Mitigation inches | Appraised value | |

NOTES:

- ALL TREES ON SITE ARE TO BE REMOVED. THE ABOVE TREES REQUIRING MITIGATION ARE 4-INCHES IN CALIPER OR LARGER MEASURED AT BREAST HEIGHT.
- TREE INVENTORY AND ASSESSMENT PREPARED BY SCOTT GRIMES, CONSULTING ARBORIST, WITH COLORADO TREE CONSULTANTS ON FEBRUARY 2, 2022.

TREE MITIGATION LEGEND

- EXISTING EVERGREEN TREE TO BE REMOVED
- EXISTING DECIDUOUS TREE TO BE REMOVED
- EXISTING EVERGREEN TREE TO BE REMAIN
- EXISTING DECIDUOUS TREE TO BE REMAIN
- - - - - PROPERTY LINE
- ==== LIMIT-OF-WORK
- ==== 50' BUFFER LINE
- ==== TREE PROTECTION FENCE
- ==== PROPOSED CONTOURS
- ==== EXISTING CONTOURS

CITY OF AURORA APPROVALS

THIS TREE PROTECTION PLAN IS APPROVED IN ACCORDANCE WITH THE CITY OF AURORA BLACK FOREST ORDINANCE

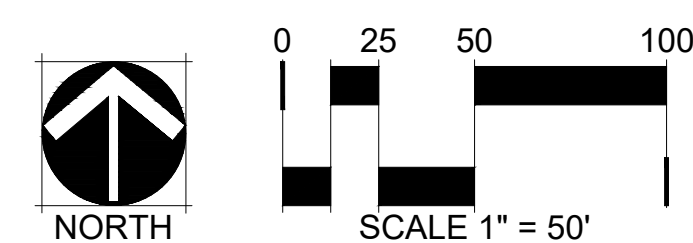
DATE: _____ FORESTRY DIVISION: _____

RECORDER'S CERTIFICATE ACCEPTED FOR FILING IN THE CLERK AND RECORDER OF _____ COLORADO, AT _____ O'CLOCK ___M, THIS _____ DAY OF _____ AD, _____.

CLERK AND RECORDER: _____
DEPUTY: _____

NOTES:

- IN AREAS WHERE GRADING IS SHOWN WITHIN TREE PROTECTION FENCING ALL GRADING SHALL BE PERFORMED BY HAND. NO GRADING IS ALLOWED IN THESE AREAS PRIOR TO AND ON-SITE PRE-CONSTRUCTION MEETING WITH AURORA FORESTRY.
- NO SITE IMPROVEMENTS ARE ALLOWED WITHIN THE LIMITS OF THE TREE PROTECTION FENCING OTHER THAN HAND GRADING.
- BURLAP, OR OTHER ACCEPTABLE WATER MOISTENED COVERINGS, NEEDS TO BE ADDED TO THE BASE OF ANY EXPOSED SOIL BELOW ANY TREE THAT IS WITHIN THE LIMITS OF WALL CONSTRUCTION. COVERING TO BE MOISTENED WITH WATER UNTIL GRADING IS COMPLETED BEHIND WALLS (TYP).



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STATION 60
E. COLFAX AVE & N. AIRPORT BLVD
INFRASTRUCTURE SITE PLAN
TREE PRESERVATION

DATE: 03/10/2022
DESIGNED BY: CR
DRAWN BY: CR
CHECKED BY: SW

FILE NO. PLAN-STATION 60-ISP-LAND
PROJECT NO. 096888020
SHEET NO.

L-4.00

STANDARD NOTES:

- TRAFFIC SIGNAL COSTS. OWNER AND/OR DEVELOPERS ARE RESPONSIBLE FOR 100 PERCENT OF SIGNAL COSTS FOR INTERIOR INTERSECTIONS. THE COST OF SIGNALS AT PERIMETER INTERSECTIONS WILL BE PRORATED 25% FOR A CORNER OF A 4 LEG INTERSECTION, 50% FOR A CORNER ON A T INTERSECTION. SIGNAL LOCATIONS AND COST SHARING WILL BE DETERMINED AT CONTEXTUAL SITE PLAN.
- STREET LIGHTS. STREETLIGHTS MUST BE CONSTRUCTED ALONG ALL PUBLIC STREETS AS REQUIRED BY CITY CODE SECTION 126-236.
- ARCHAEOLOGICAL FINDS. THE OWNER, DEVELOPER AND/OR CONTRACTORS WILL NOTIFY THE CITY IF ARCHAEOLOGICAL ARTIFACTS ARE UNCOVERED DURING CONSTRUCTION.
- PARKS. NEIGHBORHOOD PARK SITES SHALL NOT EXCEED 3 PERCENT MAXIMUM FINISHED GRADES.
- RESIDENTIAL DENSITY REDUCTIONS. THE DEVELOPER HAS THE RIGHT TO BUILD AT A LOWER RESIDENTIAL DENSITY IN ANY MAP AREA PROVIDED THE CITY HAS DETERMINED THAT THE USE IS PERMITTED AND COMPATIBLE WITH SURROUNDING LAND USES. A FINDING OF COMPATIBILITY WILL BE DETERMINED AT THE TIME OF PRELIMINARY PLAT OR SITE PLAN REVIEW. THIS REDUCTION SHALL BE CONSIDERED AN ADMINISTRATIVE MASTER PLAN AMENDMENT.
- MASTER DRAINAGE PLAN. NO SUBDIVISION SHALL BE APPROVED PRIOR TO THE CITY'S APPROVAL OF THE MASTER DRAINAGE PLAN. IN THE EVENT OF ANY PLAN CONFLICTS WITH THE MASTER PLAN, INCLUDING, BUT NOT LIMITED TO, THE SIZE, LOCATION AND REGIONAL DETENTION PONDS AND/OR DRAINAGE WAY LOCATIONS, CROSS SECTIONS AND WIDTHS, THE MASTER DRAINAGE PLAN, AS APPROVED BY THE CITY, SHALL GOVERN. DRAINAGE PONDS DROP STRUCTURES AND OTHER FACILITIES ARE SUBJECT TO PRELIMINARY PLAT OR SITE PLAN REVIEW.
- 404 PERMIT. THE DEVELOPER IS RESPONSIBLE TO COMPLY WITH ANY REQUIREMENTS OF THE ARMY CORPS OF ENGINEERS (IF ANY) WITH REGARDS TO 404 PERMITTING AND WETLANDS MITIGATION.
- EMERGENCY ACCESS. THE DEVELOPER SHALL PROVIDE TWO POINTS OF PAVED EMERGENCY ACCESS AND A LOOPED WATER SUPPLY TO EACH PHASE OF THE DEVELOPMENT AS APPROVED BY THE CITY. THE DEVELOPER SHALL PROVIDE EMERGENCY CROSSINGS THAT MEET ALL CITY STANDARDS. THE DEVELOPER/APPLICANT IS REQUIRED TO PROVIDE ALL OFFSITE ROADWAYS NECESSARY TO PROVIDE THE TWO DISTINCT POINTS OF ACCESS TO THE OVERALL SITE.
- THE MASTER UTILITY STUDY, MASTER DRAINAGE STUDY AND MASTER TRANSPORTATION STUDY ARE INCORPORATED AS A PART OF THE MASTER PLAN. FINAL APPROVAL OF THESE DOCUMENTS IS REQUIRED BEFORE ACCEPTANCE OF AN APPLICATION FOR THE FIRST WITHIN THE PROJECT.
- LANDSCAPING STANDARDS. UNLESS OTHERWISE NOTED HEREIN IN AN ADJUSTMENT, THE LANDSCAPING STANDARDS OUTLINED IN THE UDO APPLY TO THIS MASTER PLAN. WHERE THE STANDARDS OUTLINED IN THE UDO WITH STANDARDS WITHIN THIS MASTER PLAN, THE MORE RESTRICTIVE SHALL APPLY.
- FUTURE AMENDMENTS. ANY FUTURE AMENDMENTS TO ARCHITECTURE, LANDSCAPE ARCHITECTURE AND OTHER URBAN DESIGN STANDARDS AND RELATED DRAWINGS MUST DEMONSTRATE AN EQUAL OR BETTER QUALITY THAN THE APPROVED MASTER PLAN STANDARDS.
- MASTER PLAN ADJUSTMENTS. EXCEPT FOR ANY ADJUSTMENTS LISTED BELOW, THIS MASTER PLAN WILL BE INTERPRETED TO MEAN THAT ALL STANDARDS CONTAINED IN THE MASTER PLAN WILL MEET OR EXCEED ALL CITY CODE REQUIREMENTS.
- DESIGN STANDARDS. AN MASTER PLAN AMENDMENT AS PER THE REQUIREMENTS OF SECTIONS 3.9, 3.12, 3.13 AND 3.14 OF THE MASTER PLAN MANUAL WILL BE REQUIRED TO BE SUBMITTED EITHER WITH THE APPLICATION FOR THE MASTER PLAN OR AS AN AMENDMENT TO THE MASTER PLAN TO BE SUBMITTED WITH THE APPLICATION FOR THE FIRST PRELIMINARY PLAT OR SITE PLAN IN THE DEVELOPMENT.
- MAJOR ARTERIAL MEDIANS TO BE PUBLICLY MAINTAINED SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH P& OSD PUBLIC MEDIAN STANDARDS.
- COLFAX AVENUE IS A STATE HIGHWAY. APPROVAL AND ACCESS PERMITS WILL NEED TO BE OBTAINED FROM THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT).

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BASIS OF BEARINGS:

THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MONUMENTED AT THE NORTH END BY A 3 INCH BRASS CAP STAMPED "LS 16419 1989" IN A RANGE BOX, AND AT THE SOUTH END BY A 3 INCH BRASS CAP STAMPED "LS 16419 1991" IN A RANGE BOX AND BEING ASSUMED TO BEAR SOUTH 00 DEGREES 06 MINUTES 46 SECONDS WEST.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 89 DEGREES 40 MINUTES 46 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 100.40 FEET;

THENCE NORTH 00 DEGREES 19 MINUTES 14 SECONDS EAST, A DISTANCE OF 110.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF COLFAX AVENUE AS DESCRIBED IN BOOK 475 AT PAGE 221 OF THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY OF COLFAX AVENUE THE FOLLOWING FIVE (5) COURSES:

- NORTH 89 DEGREES 40 MINUTES 46 SECONDS WEST, A DISTANCE OF 610.20 FEET;
- NORTH 29 DEGREES 40 MINUTES 46 SECONDS WEST, A DISTANCE OF 140.00 FEET;
- NORTH 89 DEGREES 40 MINUTES 46 SECONDS WEST, A DISTANCE OF 24.00 FEET;
- SOUTH 33 DEGREES 38 MINUTES 44 SECONDS WEST, A DISTANCE OF 149.90 FEET;
- SOUTH 88 DEGREES 01 MINUTE 14 SECONDS WEST, A DISTANCE OF 420.11 FEET TO A POINT ON THE EASTERLY LINE OF THAT PARCEL OF LAND AS DESCRIBED IN DEED RECORDED SEPTEMBER 17, 1953 IN BOOK 475 AT PAGE 345 OF THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER; THENCE ALONG SAID EASTERLY LINE NORTH 00 DEGREES 21 MINUTES 00 SECONDS EAST, 15.00 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 1317.46 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF THE HIGH LINE CANAL; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY OF THE HIGH LINE CANAL THE FOLLOWING TEN (10) COURSES:
- SOUTH 59 DEGREES 44 MINUTES 49 SECONDS EAST, A DISTANCE OF 16.74 FEET;
- ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 09 DEGREES 11 MINUTES 51 SECONDS, A RADIUS OF 690.54 FEET, AND AN ARC LENGTH OF 110.85 FEET, THE CHORD OF WHICH BEARS SOUTH 55 DEGREES 06 MINUTES 27 SECONDS EAST, A DISTANCE OF 110.73 FEET;
- SOUTH 50 DEGREES 15 MINUTES 07 SECONDS EAST, A DISTANCE OF 99.22 FEET;
- ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 08 DEGREES 19 MINUTES 15 SECONDS, A RADIUS OF 1,657.82 FEET, AND AN ARC LENGTH OF 240.76 FEET, THE CHORD OF WHICH BEARS SOUTH 54 DEGREES 43 MINUTES 50 SECONDS EAST, A DISTANCE OF 240.55 FEET;
- SOUTH 58 DEGREES 54 MINUTES 17 SECONDS EAST, A DISTANCE OF 68.72 FEET;
- ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 08 DEGREES 14 MINUTES 55 SECONDS, A RADIUS OF 1,121.598 FEET, AND AN ARC LENGTH OF 161.47 FEET, THE CHORD OF WHICH BEARS SOUTH 54 DEGREES 43 MINUTES 50 SECONDS EAST, A DISTANCE OF 161.33 FEET;
- SOUTH 50 DEGREES 37 MINUTES 19 SECONDS EAST, A DISTANCE OF 119.87 FEET;
- ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 58 MINUTES 31 SECONDS, A RADIUS OF 1,934.98 FEET, AND AN ARC LENGTH OF 134.26 FEET, THE CHORD OF WHICH BEARS SOUTH 52 DEGREES 39 MINUTES 18 SECONDS EAST, A DISTANCE OF 134.23 FEET;
- SOUTH 54 DEGREES 36 MINUTES 39 SECONDS EAST, A DISTANCE OF 412.66 FEET;
- ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 03 DEGREES 37 MINUTES 10 SECONDS, A RADIUS OF 1,883.42 FEET, AND AN ARC LENGTH OF 118.98 FEET, THE CHORD OF WHICH BEARS SOUTH 52 DEGREES 50 MINUTES 30 SECONDS EAST, A DISTANCE OF 118.96 FEET TO THE WESTERLY RIGHT-OF-WAY OF AIRPORT BOULEVARD AS DESCRIBED IN DEED RECORDED JANUARY 26, 1984 IN BOOK 2834 AT PAGE 215 OF THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF AIRPORT BOULEVARD, SOUTH 00 DEGREES 06 MINUTES 46 SECONDS, WEST, A DISTANCE OF 432.39 FEET TO THE POINT OF BEGINNING.

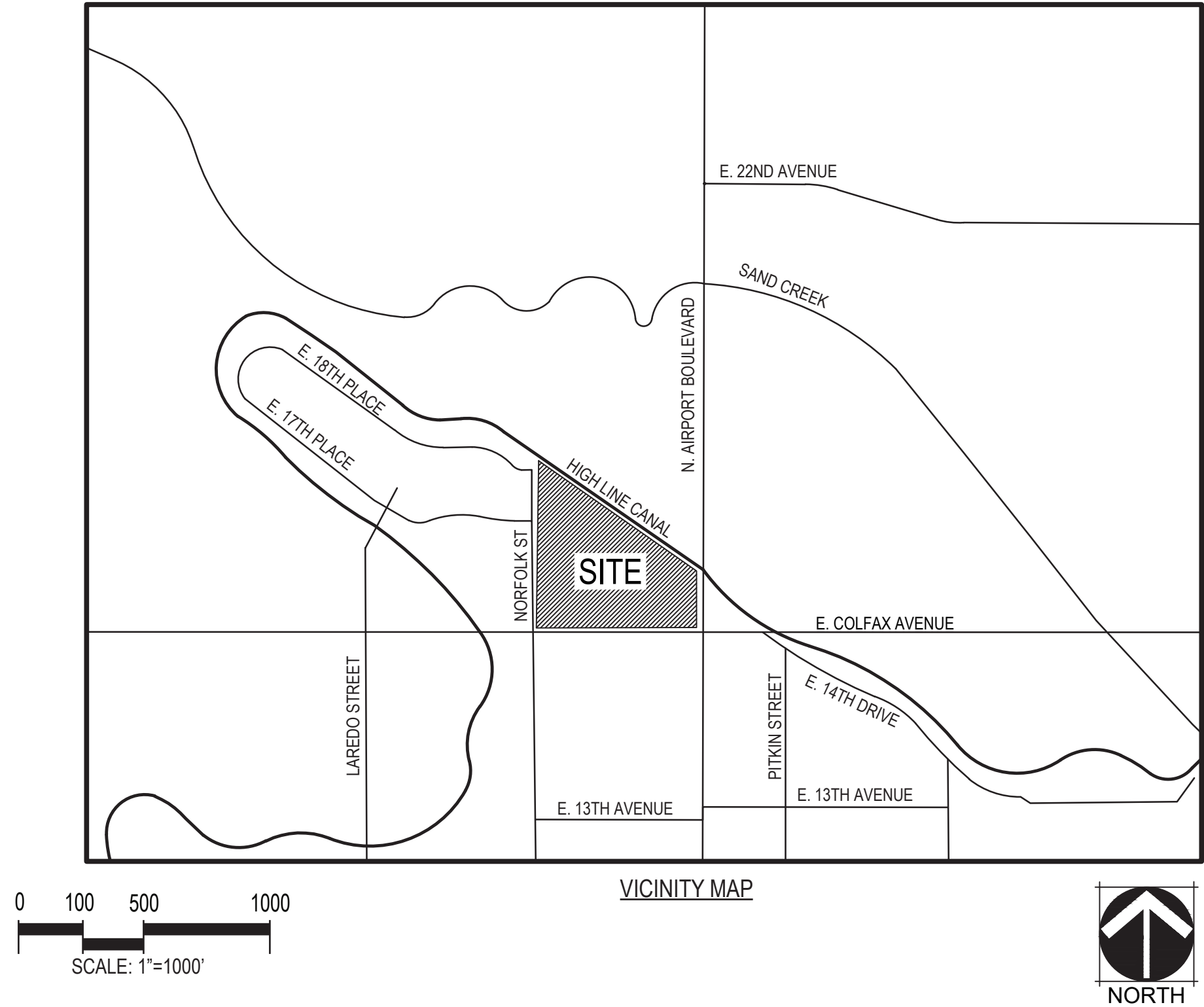
SUBJECT PROPERTY IS REFERRED TO AS "TROLLEY STATION" AND FURTHER DESCRIBED AS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL

STATION 60

MASTER PLAN

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO,



MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BASIS OF BEARINGS: THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M. BEING MONUMENTED AT THE NORTH END BY A 3" BRASS CAP STAMPED "LS 23527" AND AT THE SOUTH END BY A 3" BRASS CAP STAMPED "LS 16419", SAID LINE BEARING N00°30'59"W AS REFERENCED TO COLORADO STATE PLANE, CENTRAL ZONE. COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32;

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, S89°41'41"W, A DISTANCE OF 100.00 FEET;

THENCE ON THE EXTENSION OF THE WESTERLY RIGHT-OF-WAY LINE OF NORTH AIRPORT BOULEVARD, N00°30'59"W, A DISTANCE OF 110.00 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST COLFAX AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING FIVE (5) COURSES:

- S89°41'41"W, A DISTANCE OF 610.35 FEET;
- N30°18'19"W, A DISTANCE OF 139.99 FEET;
- S89°41'41"W, A DISTANCE OF 24.07 FEET;
- S33°01'11"W, A DISTANCE OF 149.90 FEET;
- S87°23'41"W, A DISTANCE OF 419.89 FEET, TO A POINT ON THE EASTERLY LINE OF THAT PROPERTY DESCRIBED IN BOOK 475 AT PAGE 345 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER; THENCE ON SAID EASTERLY LINE, N00°16'33"W, A DISTANCE OF 1317.46 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE HIGH LINE CANAL; THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES:
- S60°22'22"E, A DISTANCE OF 16.74 FEET TO A POINT OF NON-TANGENT CURVE;
- ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S29°40'05"W, HAVING A RADIUS OF 690.54 FEET, A CENTRAL ANGLE OF 09°11'51" AND AN ARC LENGTH OF 110.85 FEET, TO A POINT OF NON-TANGENT;
- THENCE S50°52'40"E, A DISTANCE OF 99.22 FEET TO A POINT OF NON-TANGENT CURVE;
- ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N38°45'33"E, HAVING A RADIUS OF 1657.82 FEET, A CENTRAL ANGLE OF 08°19'15" AND AN ARC LENGTH OF 240.76 FEET, TO A POINT OF NON-TANGENT;
- S59°31'50"E, A DISTANCE OF 68.72 FEET TO A POINT OF NON-TANGENT CURVE;
- ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S30°31'10"W, HAVING A RADIUS OF 1121.60 FEET, A CENTRAL ANGLE OF 08°14'55" AND AN ARC LENGTH OF 161.47 FEET, TO A POINT OF NON-TANGENT;
- S55°14'12"E, A DISTANCE OF 412.66 FEET TO A POINT OF NON-TANGENT CURVE;
- ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S34°43'22"W, HAVING A RADIUS OF 1883.42 FEET, A CENTRAL ANGLE OF 03°37'05" AND AN ARC LENGTH OF 118.94 FEET, TO A POINT OF NON-TANGENT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH AIRPORT BOULEVARD; THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, S00°30'59"E, A DISTANCE OF 432.42 FEET TO THE POINT OF BEGINNING.
- S51°14'52"E, A DISTANCE OF 119.87 FEET TO A POINT OF NON-TANGENT CURVE;
- ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N38°42'25"E, HAVING A RADIUS OF 1934.98 FEET, A CENTRAL ANGLE OF 03°58'31" AND AN ARC LENGTH OF 134.25 FEET, TO A POINT OF NON-TANGENT;
- S55°14'12"E, A DISTANCE OF 412.66 FEET TO A POINT OF NON-TANGENT CURVE;
- ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S34°43'22"W, HAVING A RADIUS OF 1883.42 FEET, A CENTRAL ANGLE OF 03°37'05" AND AN ARC LENGTH OF 118.94 FEET, TO A POINT OF NON-TANGENT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH AIRPORT BOULEVARD; THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE S00°30'59"E, A DISTANCE OF 432.42 FEET TO THE POINT OF BEGINNING.

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| 3. TAB - 3 ZONING MAP | 19. TAB - 13 PIP PLANNING AREA 2 EXHIBIT |
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| 5. TAB - 4 NATURAL FEATURES MAP | 21. TAB - 13 PIP PLANNING AREA 4 EXHIBIT |
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| 16. TAB - 12 ARCHITECTURAL STANDARDS | |

AMENDMENT TRACKING



SIGNATURE BLOCK:

THIS MASTER PLAN AND ANY AMENDMENTS HERETO, UPON APPROVAL BY THE CITY OF AURORA AND RECORDING, SHALL BE BINDING UPON THE APPLICANTS THEREFORE, THEIR SUCCESSORS AND ASSIGNS. THIS PLAN SHALL LIMIT AND CONTROL THE ISSUANCE AND VALIDITY OF BUILDING PERMITS, AND SHALL RESTRICT AND LIMIT THE CONSTRUCTION, LOCATION, USE, OCCUPANCY AND OPERATION OF ALL LAND AND STRUCTURES WITHIN THIS PLAN TO ALL CONDITIONS, REQUIREMENTS, LOCATIONS AND LIMITATIONS SET FORTH HEREIN. ABANDONMENT, WITHDRAWAL OR AMENDMENT OF THIS PLAN MAY BE PERMITTED ONLY UPON APPROVAL OF THE CITY OF AURORA.

IN WITNESS THEREOF,: QUIKTRIP HAS CAUSED THESE PRESENTS TO BE
(CORPORATION, COMPANY OR INDIVIDUAL)

EXECUTED THIS _____ DAY OF _____ AD. 20____,

BY: _____ CORPORATE SEAL
(PRINCIPALS OR OWNERS)

STATE OF COLORADO)
) SS
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____ AD 20____,

BY: _____
(PRINCIPALS OR OWNERS)

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

NOTARY BUSINESS ADDRESS

CITY OF AURORA APPROVALS:

CITY ATTORNEY: _____ DATE: _____

PLANNING DIRECTOR: _____ DATE: _____

ATTEST: _____ DATE: _____

DATA BASE APPROVAL DATE : _____

RECORDER'S CERTIFICATION:

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO AT _____ O'CLOCK _____M. THIS _____ DAY OF _____, 20____ A.D.

CLERK AND RECORDER

DEPUTY

APPLICANT/DEVELOPER:
QUIKTRIP CORPORATION
5725 FOXRIDGE DRIVE
MISSION, KS 66202-2401
913-905-2026



PLANNER/LANDSCAPE ARCHITECT:
NORRIS DESIGN
1101 BANNOCK ST.
DENVER, CO 80204
303-892-1166



APPLICANT/DEVELOPER:
KENTRO GROUP
1509 YORK STREET, SUITE 201
DENVER, CO 80206
303-219-0903



CIVIL/TRAFFIC ENGINEER:
KIMLEY HORN
4582 S. ULSTER ST, SUITE 1500
DENVER, CO 80202
303-228-2300



STATION 60
COLFAX AVENUE AND AIRPORT BOULEVARD
AURORA, COLORADO

OWNER:
QUIKTRIP CORPORATION
4705 S. 129TH EAST AVE
TULSA, OK 74134-7005
913-905-2026






DATE:
06/10/2021 - SUBMITTAL 1
09/14/2021 - SUBMITTAL 2
11/19/2021 - SUBMITTAL 3

SHEET TITLE:
COVER SHEET

TAB 3 - CONTEXT MAP



LEGEND

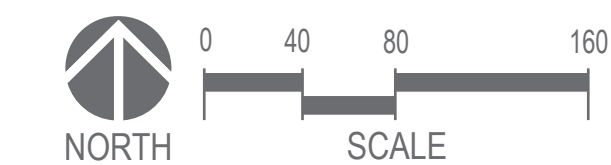
-  1/4 MILE DISTANCE
-  1/2 MILE DISTANCE
-  HIGH LINE CANAL TRAIL
-  RTD TRANSIT STOPS
15 169 153 169L
-  HIGH LINE CANAL TRAIL CONNECTION

STATION 60
COLFAX AVENUE AND AIRPORT BOULEVARD
AURORA, COLORADO

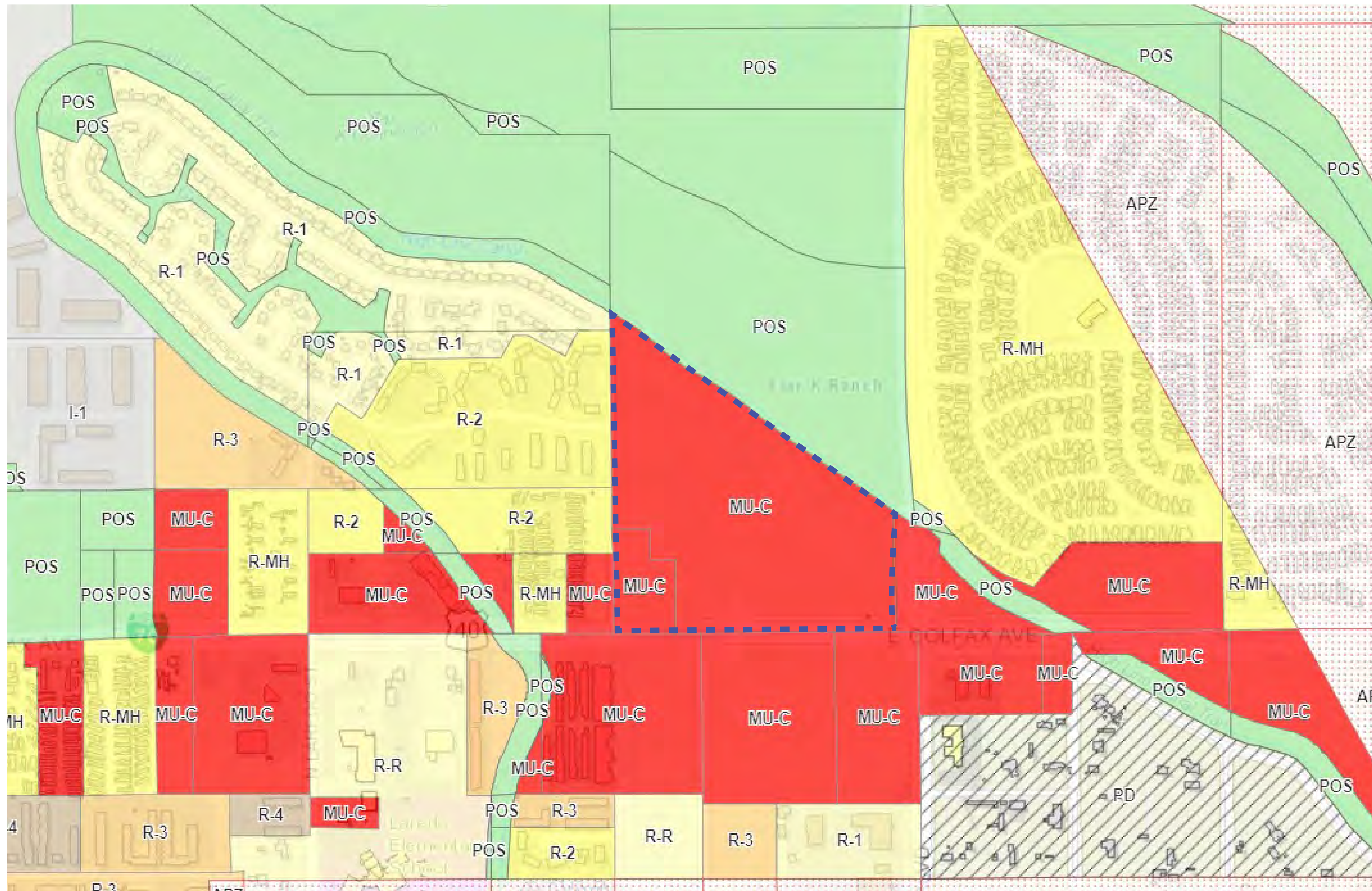
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SHEET TITLE:
CONTEXT
MAP



TAB 3 - ZONING MAP



ZONING

- R-1 LOW-DENSITY SINGLE-FAMILY RESIDENTIAL
- R-2 MEDIUM-DENSITY FAMILY RESIDENTIAL
- R-MH MANUFACTURED HOME PARK RESIDENTIAL DISTRICT
- R-3 MEDIUM-DENSITY MULTIFAMILY RESIDENTIAL
- POS PARKS AND OPEN SPACE
- MU-C MIXED-USE CORRIDOR DISTRICT
- APZ ACCIDENTAL POTENTIAL ZONE II NORTH
- SITE

STATION 60
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SHEET TITLE:
ZONING
MAP



SOURCE: CITY OF AURORA ZONING MAP, 2021

TAB 4 - SITE ANALYSIS NARRATIVE AND EXISTING CONDITIONS MAP

STATION 60
 COLFAX AVENUE AND AIRPORT BOULEVARD
 AURORA, COLORADO

OWNER:
 QUIKTRIP CORPORATION
 4705 S. 129TH EAST AVE
 TULSA, OK 74134-7005
 913-905-2026

DATE:
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 09/14/2021 - SUBMITTAL 2
 11/19/2021 - SUBMITTAL 3

SHEET TITLE:
 SITE ANALYSIS
 NARRATIVE & EXISTING
 CONDITIONS MAP

| Slopes Table | | | | |
|--------------|---------------|---------------|-----------|--------------|
| Number | Minimum Slope | Maximum Slope | Area | Color |
| 1 | 0.00% | 5.00% | 980761.82 | Light Green |
| 2 | 5.00% | 8.00% | 225158.26 | Medium Green |
| 3 | 8.00% | 12.00% | 115357.30 | Yellow-Green |
| 4 | 12.00% | 25.00% | 42081.66 | Yellow |

SITE ANALYSIS NARRATIVE

- GENERAL SITE CHARACTER**
 THE STATION 60 SITE IS LOCATED EAST OF I-225 ON THE NORTHWEST CORNER OF EAST COLFAX AVENUE AND NORTH AIRPORT BOULEVARD. THE APPROXIMATELY +/-24-ACRE SITE IS NEIGHBORING RESIDENTIAL UNITS AS WELL AS OTHER UNDEVELOPED LAND. THE MOST IMPORTANT AND DISTINGUISHING FEATURES ARE THE MAJOR ACCESS OFF OF E. COLFAX AVE (SH-40) AND THE HIGH LINE CANAL THAT RUNS ALONG THE NORTHEAST BORDER OF THE PROPERTY.
- SITE ASSETS**
 THE MOST IMPORTANT PHYSICAL ASSETS AND POTENTIAL AMENITIES ARE GUIDED BY THE SITE LOCATION, NATURAL FEATURES, AND ACCESS RELATIVE TO MAJOR ROADS. THE SITE IS SURROUNDED BY RESIDENTIAL DEVELOPMENT AS WELL AS A FEW VACANT LOTS TO BE DEVELOPED IN THE FUTURE. THESE RESIDENTIAL DEVELOPMENTS WILL BE DRAWN TO STATION 60 DUE TO ITS CONVENIENCE. THE HIGH LINE CANAL IS ADJACENT TO THE PROPERTY PROVIDING PEDESTRIAN ACCESS TO THE SITE AND NEIGHBORING COMMUNITIES. THE MAJOR ACCESS FROM E. COLFAX AVE (SH-40) AND AIRPORT BLVD WILL PROVIDE CONVIENENT VEHICULAR ACCESS INTO THE PROPERTY.
- SITE RESTRICTIONS**
 THE EXISTING MEDIANS IN BOTH N. AIRPORT BLVD. AND E. COLFAX AVE. PREVENT FULL ACCESS MOVEMENTS ON THE EAST AND SOUTH SIDE OF THE SITE RESPECTIVELY. BOTH ACCESSES WILL REQUIRE A RIGHT-IN-RIGHT-OUT MOVEMENT. THE HIGH LINE CANAL AND E. COLFAX AVE (SH-40) BOTH REQUIRE SETBACKS FOR THE SITE. THE EXISTING STORM SEWER INFRASTRUCTURE AT THE SOUTHWEST CORNER OF THE SITE IS SHALLOW AND DISCHARGES DIRECTLY TO THE HIGH LINE CANAL, LIMITING THE SITE TO UTILIZE THE EXISTING STORM SEWER WITHIN AIRPORT BLVD ALONG THE EAST BOUNDARY OF THE PROJECT.
- DESIGN RESPONSE TO SITE ASSETS**
 THE PROPOSED DEVELOPMENT UTILIZES AN ACCESS OFF E. COLFAX AVE (SH-40), WHICH PROVIDES EASE OF ACCESS TO THE SITE AND HIGH VISIBILTY FOR THE MARKETABILITY OF COMMERCIAL USES. THE PROPERTY WILL CONNECT TO THE HIGH LINE CANAL IMPROVING CONNECTIVITY IN THE AREA. THE VIEW CORRIDORS ALONG BOTH ROADWAYS (AIRPORT BLVD AND COLFAX AVE) WILL BE MAINTAINED AS PART OF THE STREETSCAPE IMPROVEMENTS.
- DESIGN RESPONSE TO SITE CHALLENGES**
 AS NOTED PREVIOUSLY, THE MAIN CHALLENGE IS THE LIMITATION OF EXISTING STORM INFRASTRUCTURE AND EXISTING MEDIANS IN N. AIRPORT BOULEVARD AND E. COLFAX AVE. THE SITE WILL INSTALL DETENTION BASINS ALONG THE EXISTING HIGH LINE CANAL AND DISCHARGE TO THE EXISTING MAIN WITHIN AIRPORT BLVD. THE ACCESSES ALONG N. AIRPORT BLVD. AND E. COLFAX AVE. WILL BECOME RIGHT-IN-RIGHT-OUT ONLY TO AS REQUIRED BY THE CITY AND CDOT.
- DEVELOPMENT IMPACTS ON EXISTING SITE CONDITIONS**
 THE SURROUNDING PARCELS ARE A MIX OF UNDEVELOPED AND VACANT AS WELL AS RESIDENTIAL UNITS ON THE EAST AND WEST OF THE SITE. THE PROPOSED RESIDENTIAL DEVELOPMENT IS COMPATIBLE TO THE EXISITING MIX OF USES IN THE AREA. THESE RESIDENTIAL UNITS WILL HAVE CONVIENENT ACCESS TO THE COMMERCIAL USES AT STATION 60.



TAB 4 - NATURAL FEATURES MAP



- LEGEND:**
- PROPERTY BOUNDARY
 - - - EXISTING TOPOGRAPHY (1' CONTOUR INTERVALS)
 - ★ HIGH POINT
 - RIDGE LINE
 - ∩ VIEW CORRIDOR

STATION 60
 COLFAX AVENUE AND AIRPORT BOULEVARD
 AURORA, COLORADO

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 11/19/2021 - SUBMITTAL 3

SHEET TITLE:
 NATURAL FEATURES
 MAP



TAB 6 - MASTER PLAN NARRATIVE

1. GENERAL DESCRIPTION OF THE MASTER PLAN

BRIEFLY DESCRIBE THE GENERAL CHARACTER OF YOUR PROPOSED MASTER PLAN. WHAT WILL BE THE PREDOMINANT LAND USES? WHAT MARKET SEGMENT IS THE PROPOSED DEVELOPMENT DESIGNED TO SERVE?

THE GENERAL CHARACTER OF THE PROPOSED DEVELOPMENT WILL INCLUDE A MIX OF USES THAT RANGE FROM COMMERCIAL TO MULTIFAMILY RESIDENTIAL (AFFORDABLE HOUSING) USES TO STRENGTHEN THE COMMERCIAL AND RESIDENTIAL SECTORS OF THE CITY OF AURORA.

2. DEFINING CHARACTER OF THE MASTER PLAN

DESCRIBE HOW YOUR PROPOSED MASTER PLAN WILL CREATE A UNIQUE COMMUNITY WITH A DEFINABLE CHARACTER AND SPECIAL “SENSE OF PLACE”. WHAT FACILITIES, AMENITIES AND SPECIAL DESIGN FEATURES WILL SET IT APART IN THE MARKETPLACE FROM SIMILAR DEVELOPMENTS IN YOUR AREA?

THE PROPOSED MASTER PLAN INTENDS TO CREATE A UNIQUE MIX OF USES TO PROPERLY SERVE THE RESIDENTS OF THE SURROUNDING NEIGHBORHOODS VIA RETAIL SERVICES AND JOB OPPORTUNITIES IN ADDITION TO ADDITIONAL HOUSING OPTIONS IN THE NEIGHBORHOOD. THE MASTER PLAN WILL SERVE AS A CATALYST FOR FURTHER DEVELOPMENT IN THE SURROUNDING AREAS IN ORDER TO ACCOMMODATE ADDITIONAL USERS AND SERVICES FOR THE RESIDENTS OF THE SURROUNDING AREA, CLOSING THE GAP IN THE LACK OF SERVICES CURRENTLY AVAILABLE IN THE AREA.

3. ZONING CONFORMANCE.

DOES THE MASTER PLAN ACCURATELY REFLECT ADOPTED ZONE DISTRICT BOUNDARIES?

YES, THE MASTER PLAN ACCURATELY REFLECTS THE ADOPTED ZONING FOR THE DISTRICT BOUNDARIES

4. POTENTIAL REGULATORY CONFLICTS.

ARE THERE ANY EXISTING OR POTENTIAL CONFLICTS BETWEEN MASTER PLAN DESIGN ORDINANCE REQUIREMENTS AND THE TERMS OF ANY EXISTING ANNEXATION AGREEMENTS OR AGREEMENTS WITH OTHER JURISDICTIONS OR INTEREST GROUPS? IF SO WHAT ARE THEY AND HOW YOU PROPOSE TO RESOLVE THEM?

NONE AT THIS TIME.

5. ADJUSTMENTS:

DOES YOUR CURRENT DESIGN REQUIRE ANY ORDINANCE ADJUSTMENTS IN ORDER TO BE APPROVED? IF SO, LIST EACH PROPOSED ADJUSTMENT, AND ANSWER THE FOLLOWING QUESTIONS FOR EACH. (IF NO MASTER PLAN ADJUSTMENTS ARE LISTED AND APPROVED, WE WILL ALWAYS INTERPRET THE FINAL MASTER PLAN DOCUMENT TO MEAN THAT ALL CITY CODE REQUIREMENTS WILL BE MET OR EXCEEDED.)• WHAT ARE THE SPECIFIC SITE-RELATED CHARACTERISTICS OF YOUR SITE THAT HAVE LED TO THE ADJUSTMENT REQUEST? (DO NOT INCLUDE SELF-IMPOSED HARDSHIPS OR CONSTRAINTS AS A JUSTIFICATION. FINANCIAL CONSTRAINTS MAY BE CONSIDERED, BUT ONLY AS THEY RELATE TO UNUSUAL SITE CONDITIONS. DO NOT SIMPLY RESPOND THAT MEETING ALL DEVELOPMENT STANDARDS WOULD BE TOO COSTLY.) WHAT DESIGN ALTERNATIVES HAVE YOU CONSIDERED TO AVOID THE ADJUSTMENT? WHY WEREN'T THESE ALTERNATIVES CHOSEN? WHAT MEASURES HAVE BEEN TAKEN TO REDUCE THE SEVERITY OR EXTENT OF THE PROPOSED ADJUSTMENT? WHAT COMPENSATING INCREASES IN DESIGN STANDARDS HAVE YOU PROPOSED TO MITIGATE THE ADJUSTMENT'S IMPACT?

TWO ADJUSTMENTS ARE REQUESTED FOR THIS DEVELOPMENT.

- 1. WE ARE REQUESTING A REDUCED STREETScape BUFFER FOR THE INTERIOR PRIVATE STREETS TO CREATE AN URBAN FRAMEWORK IN CONFORMANCE WITH SUBAREA A. WE REQUEST A 10' LANDSCAPE BUFFER FOR THE INTERIOR PRIVATE STREETS.*
- 2. WE REQUEST THE BUILDING LENGTH BE ALLOWED TO BE A MAXIMUM OF 250' FOR THE AFFORDABLE HOUSING BUILDINGS. THIS IS SIMILAR TO THE ALLOWANCE IN SUBAREA B AND C. THE BUILDING LENGTH ACCOMMODATES THE 3 STORY FORMAT FOR THE AFFORDABLE HOUSING BUILDINGS AND IS COMPATIBLE WITH THE EXISTING SUBURBAN MULTIFAMILY RESIDENTIAL ADJACENT TO THE PROPERTY.*

6. REQUIRED CITY FACILITIES:

WHAT ADDITIONAL CITY FACILITIES OR SERVICES WILL THE CITY OF AURORA HAVE TO PROVIDE IN ORDER FOR YOUR MASTER PLAN TO BE IMPLEMENTED? WHAT POLICE, FIRE, AND RECREATION FACILITIES ARE REQUIRED AND WHERE ARE THEY LOCATED (INSIDE OR OUTSIDE YOUR MASTER PLAN BOUNDARY.) TO WHAT EXTENT WILL YOUR DEVELOPMENT PLAN HELP TO FUND OR CONSTRUCT THESE FACILITIES?

NONE.

7. VEHICULAR CIRCULATION.

DO YOUR PROPOSED ARTERIAL AND COLLECTOR ROADWAYS ALIGN WITH THE ARTERIALS AND COLLECTORS OF ADJACENT PROPERTIES? DO YOUR ROADWAY CROSS SECTIONS MATCH ADJACENT CROSS SECTIONS? IF NOT, EXPLAIN WHY.

THE DEVELOPMENT WILL COMPLETE THE REMAINING ROW FOR NORFOLK STREET AND IMPROVE THE CROSS SECTION FOR A SEGMENT OF COLFAX AVENUE. THE INTERNAL PRIVATE STREETS ALIGN WITH THE ADJACENT ARTERIALS AND COLLECTOR STREETS.

8. PEDESTRIAN CIRCULATION.

DO OFF-STREET TRAILS ON YOUR SITE CONNECT WITH CONNECT WITH THOSE ON ADJACENT PROPERTIES. DO YOUR CROSS SECTIONS MATCH ADJACENT CROSS SECTIONS? IF NOT, EXPLAIN WHY.

CURRENT PEDESTRIAN CIRCULATION HAS A FEW CONNECTIONS TO THE HIGH LINE CANAL TRAIL IN THE AREA. THE APPLICANT IS WORKING WITH THE CITY AND CONSERVANCY ENHANCE CONNECTIVITY IN THE AREA THAT WILL PROVIDE ACCESS TO THE TRAIL AND SITE, PROVIDING A PEDESTRIAN CONNECTIONS NORTH OF NORFOLK STREET.

9. PROTECTION OF NATURAL FEATURES, RESOURCES AND SENSITIVE AREAS.

DESCRIBE HOW THE DEVELOPMENT WILL BE DESIGNED TO PROTECT, USE OR ENHANCE NATURAL RESOURCES AND FEATURES. IN PARTICULAR, DESCRIBE HOW THE DESIGN OF THE DEVELOPMENT WILL RESPOND TO:• WATER FEATURES, SUCH AS FLOODPLAINS, STREAMS, AND ARROYOS. • ADJACENT PARKS AND PUBLIC OPEN SPACE• HISTORIC OR ARCHAEOLOGICAL SITES• SIGNIFICANT VIEWS OF THE FRONT RANGE AND VIEWS FROM PUBLIC PARKS AND I-70 AND E-470 AND OTHER COLLECTOR AND ARTERIAL STREETS RIPARIAN WILDLIFE HABITAT THE APPROXIMATE TOPOGRAPHIC FORM OF MAJOR RIDGELINES AND SWALES NATURAL OR GEOLOGIC HAZARD AREAS, INCLUDING UNSTABLE SLOPES AND EXPANSIVE SOILS OTHER NATURAL FEATURES SUCH AS BLUFFS, RIDGES, STEEP SLOPES, STANDS OF MATURE TREES, ROCK OUTCROPPINGS, OR WETLANDS.

THE MASTER PLAN INTENDS TO PROTECT AND ENHANCE NATURAL RESOURCES IN THE AREA THROUGH A 25-FEET LANDSCAPING BUFFER ALONG THE NORTH SIDE OF THE SITE IN ORDER TO PROVIDE CONCEALMENT FOR RESIDENTS THAT USE THE HIGH LINE CANAL TRAIL IN ADDITION TO THE OVERALL LANDSCAPE REQUIREMENT THAT WILL GUIDE DEVELOPMENT.

10. NEIGHBORHOOD CONCEPT:

BRIEFLY DESCRIBE THE LOCATION OF YOUR INDIVIDUAL NEIGHBORHOODS. HOW HAVE YOU DEFINED THE BOUNDARIES FOR EACH NEIGHBORHOOD? HOW ARE THE ARCHITECTURAL STYLES AND OTHER DESIGN FEATURES DISTRIBUTED AMONG THE NEIGHBORHOODS? ARE THERE ANY STYLES OR OTHER DESIGN STANDARDS THAT ARE RESTRICTED TO SPECIFIC AREAS? ALSO FILL OUT URBAN DESIGN FORM F-2 TO MORE FULLY DESCRIBE THE SPECIAL STANDARDS AND CHARACTER OF EACH NEIGHBORHOOD.

PLEASE SEE FORM F-2 IN MASTER PLAN FOR FURTHER INFORMATION.

11. BLACK FOREST ORDINANCE

IS THE BLACK FOREST ORDINANCE APPLICABLE TO YOUR SITE? IF SO WHERE DO THE IMPACTED AREAS SHOW ON YOUR EXHIBITS, AND HOW WILL THE REQUIREMENTS OF THE ORDINANCE BE CARRIED OUT?

N/A

12. STEEP SLOPE STANDARDS

DOES YOUR DEVELOPMENT PLAN INCLUDE BUILDING ON AREAS WITH AN EXISTING SLOPE OF 6% OR GREATER? IF SO, WHAT STANDARDS AND DESIGN STRATEGIES HAVE YOU ADOPTED TO DEAL WITH DRAINAGE AND AESTHETIC ISSUES? HAVE YOU REVIEWED AND CONSIDERED OUR RECOMMENDED STEEP SLOPE DESIGN GUIDELINES? IF NOT, WHY?

NOT APPLICABLE. THERE ARE NO SLOPES THAT ARE 6% OR GREATER THROUGHOUT THE SITE

13. CONSULTATIONS WITH OUTSIDE JURISDICTIONS AND AGENCIES.

HAVE YOU CONSULTED WITH REPRESENTATIVES OF YOUR LOCAL SCHOOL DISTRICT, THE COLORADO DIVISION OF WILDLIFE, THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, OR OTHER APPLICABLE LOCAL, STATE OR FEDERAL AGENCIES? IF SO, LIST THE DATES, CONTACT PERSON, AND RESULTS OF YOUR DISCUSSIONS. INCLUDE ANY LETTERS YOU'VE RECEIVED FROM THESE AGENCIES AS AN APPENDIX TO YOUR APPLICATION.

NOT AT THIS TIME.

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SHEET TITLE:
NATURAL FEATURES
MAP

TAB 8 - LAND USE PLAN



LEGEND

- PRIMARY STREET
- PLANNING AREA BOUNDARY
- PROPOSED DETACHED SIDEWALK
- PROPOSED SPECIAL BUFFER (25')
- HIGH LINE CANAL TRAIL
- EXISTING DETACHED SIDEWALK
- ACCESS POINTS
- INTERNAL ACCESS POINTS
- COMMUNITY ASSET AREA
- TRAIL CONNECTION
- TRANSIT STOP

PROJECT DESCRIPTION

STATION 60 IS APPROXIMATELY 24 TOTAL ACRES AND ZONED MIXED USE-CORRIDOR DISTRICT (MU-C) IN SUBAREA A. THE SITE IS LOCATED AT THE NORTHWEST CORNER OF COLFAX AVENUE AND AIRPORT ROAD AND HAS DIRECT ACCESS TO BOTH E. COLFAX AVENUE, N. AIRPORT BOULEVARD AND NORFOLK STREET VIA COLFAX AVENUE. THE CONCEPTUAL SITE PLAN PROPOSES 8.65 AC OF COMMERCIAL FOR THE SOUTHERN PARCELS AND 11.16 AC OF RESIDENTIAL MULTIFAMILY PLANNED TO BE AFFORDABLE HOUSING IN THE NORTHERN PARCEL.

STATION 60 WILL BE ANCHORED BY A QUIKTRIP ON THE EASTERN COMMERCIAL PARCEL. COMMERCIAL USES ARE PROPOSED FOR THE PARCELS NORTH AND WEST OF THE QUIKTRIP MAY INCLUDE RETAIL AND FAST FOOD USES. THE NORTHERN PARCEL PROPOSES RESIDENTIAL PLANNED TO BE AFFORDABLE HOUSING. ACCESS IS PROVIDED FROM AN INTERNAL PRIVATE STREET WITH ACCESS TO N. AIRPORT BOULEVARD AND NORFOLK STREET AND A SECONDARY ACCESS ON NORFOLK STREET. THE HIGH LINE CANAL AND TRAIL IS LOCATED ALONG THE NORTHERN PROPERTY LINE OF THE SITE WHICH WILL INTEGRATE THE REQUIRED SPECIAL LANDSCAPE BUFFER. A FUTURE TRAIL CONNECTION TO THE HIGH LINE CANAL TRAIL IS PLANNED NORTH OF NORFOLK STREET, JUST WEST OF THE NORTH CORNER OF THE PA-1 TO PROVIDE DIRECT ACCESS TO THE HIGH LINE CANAL TRAIL.

| FORM D: MP LAND USE MAP MATRIX ZONE | | | | | | | |
|---|-----------------------------|--------------------------------------|-----------------------------|---------------------|--|---|--|
| A. LAND USE ITEM | B. PLANNING AREA MAP NUMBER | C. MAP AREA CODE | D. GROSS LAND AREA IN ACRES | E. LAND USE FORMULA | F. MAXIMUM POTENTIAL DENSITY BY CODE (IN DU'S OR SF) | G. ACTUAL PROPOSED MAXIMUM DENSITY (IN DU'S OR SF) | H. PHASING, DETAILS AND COMMENTS (INCLUDE PHASE NUMBER OR TRIGGERING EVENT) |
| 1. FLOOD PLAIN AREAS | | | N/A | | | | |
| 2. REQUIRED LAND DEDICATION AREAS FOR PARKS, SCHOOLS, FIRE STATIONS, POLICE STATIONS, LIBRARIES | | | N/A | | | 0.59 AC OF COMMUNITY PARK 1.62 AC OF NEIGHBORHOOD PARK | APPLICANT WILL MAKE A CASH-IN-LIEU PAYMENT TO THE CITY AT THE TIME OF FIRST SUBDIVISION PLATTING |
| DEVELOPMENT AREAS SUBZONES: | PA-1 | MF-MED RESIDENTIAL | +/- 11.00 | N/A | N/A | 216 DU 4.21 AC OF OPEN SPACE | PHASE 1 |
| | PA-2 | COMMERCIAL | +/- 4.02 | | | | PHASE 1 |
| | PA-3 | | +/- 5.01 | | | | PHASE 2 |
| | PA-4 | | +/- 1.39 | | | | PHASE 1 |
| | PA-5 | STORM WATER TREATMENT AND OPEN SPACE | +/- 0.83 | | | | PHASE 1 |
| | | PUBLIC & PRIVATE ROW | 1.85 | | | | PHASE 1 |
| 4. TOTAL MAP ACREAGE (TOTAL FIGURES ABOVE) | | | 24.1 | | | | |
| 5. LESS 1/2 OF PERIMETER STREETS NOT OWNED BY APPLICANT | | | 43 AC | | | | |
| 6. APPLICANT'S ACREAGE LISTED IN APPLICATION (LINE 4 MINUS LINE 5) | | | 23.67 AC | | | | |
| 7. TOTAL FLOOD PLAIN ACREAGE | | | N/A | | | | |
| 8. TOTAL ADJUSTED GROSS MP ACREAGE (LINE 4 MINUS LINE 7) | | | 23.67 AC | | | | |

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SHEET TITLE:
 LAND USE PLAN

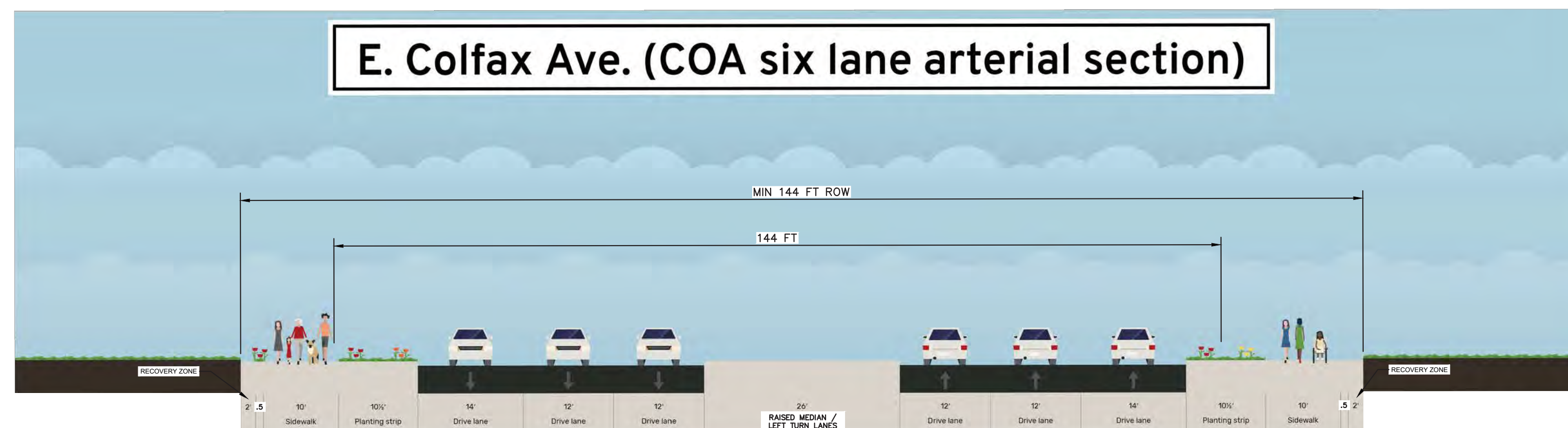
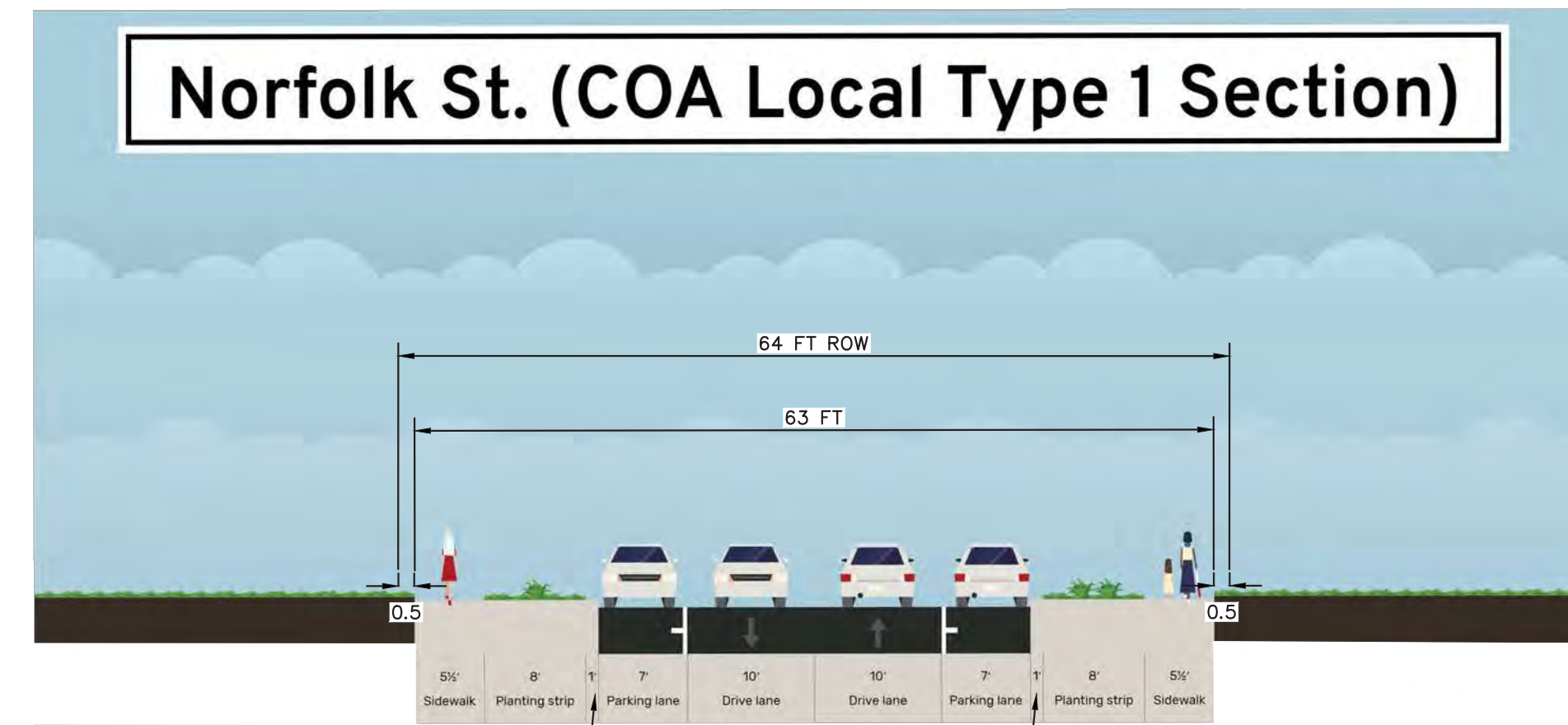
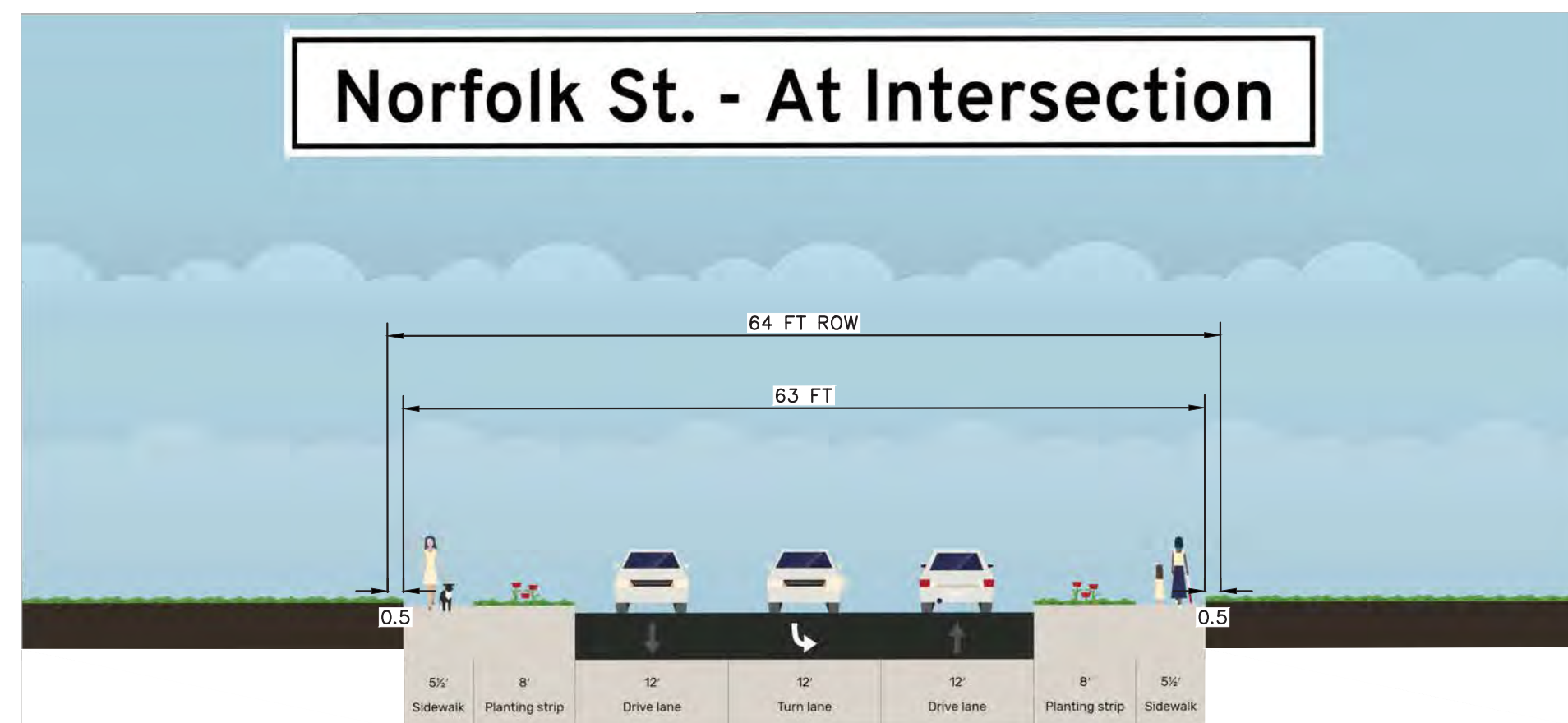
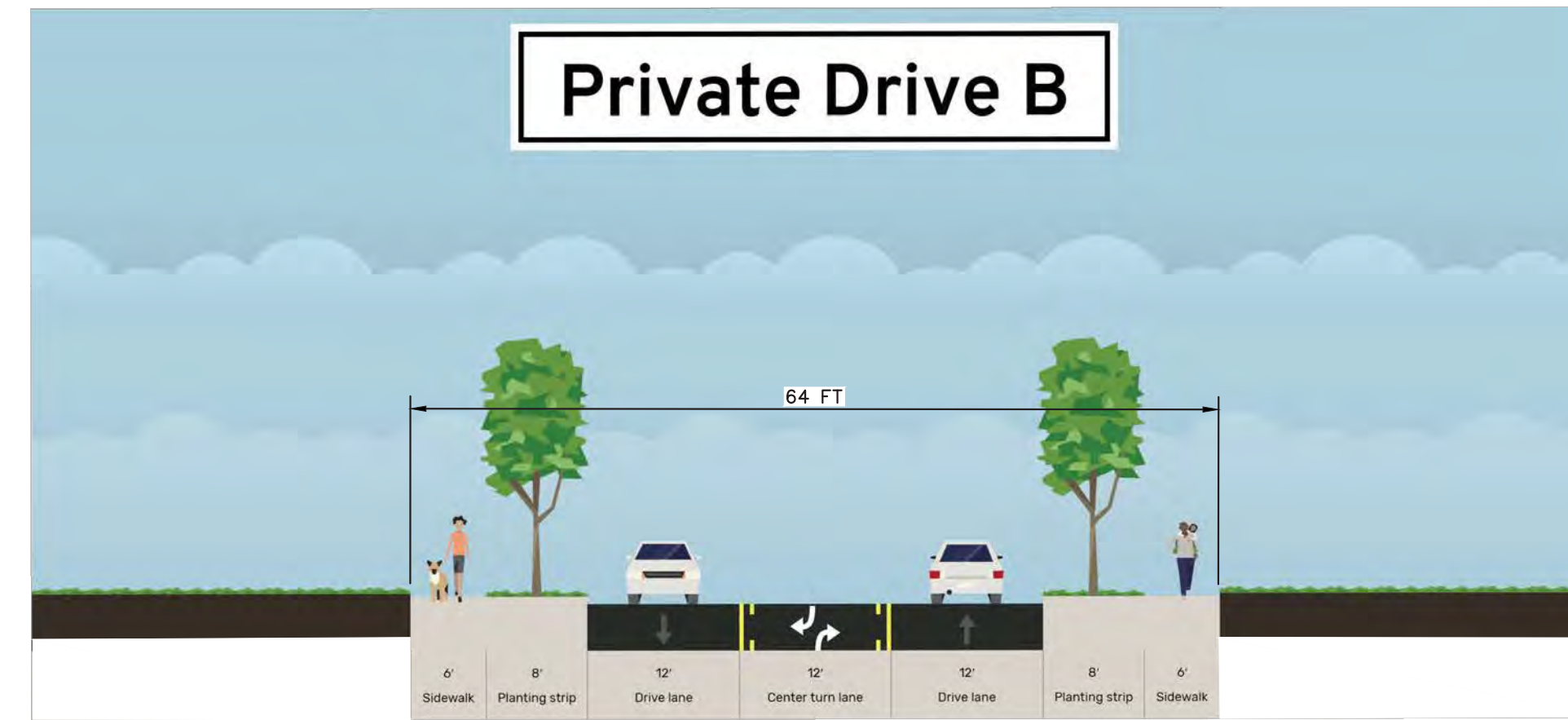
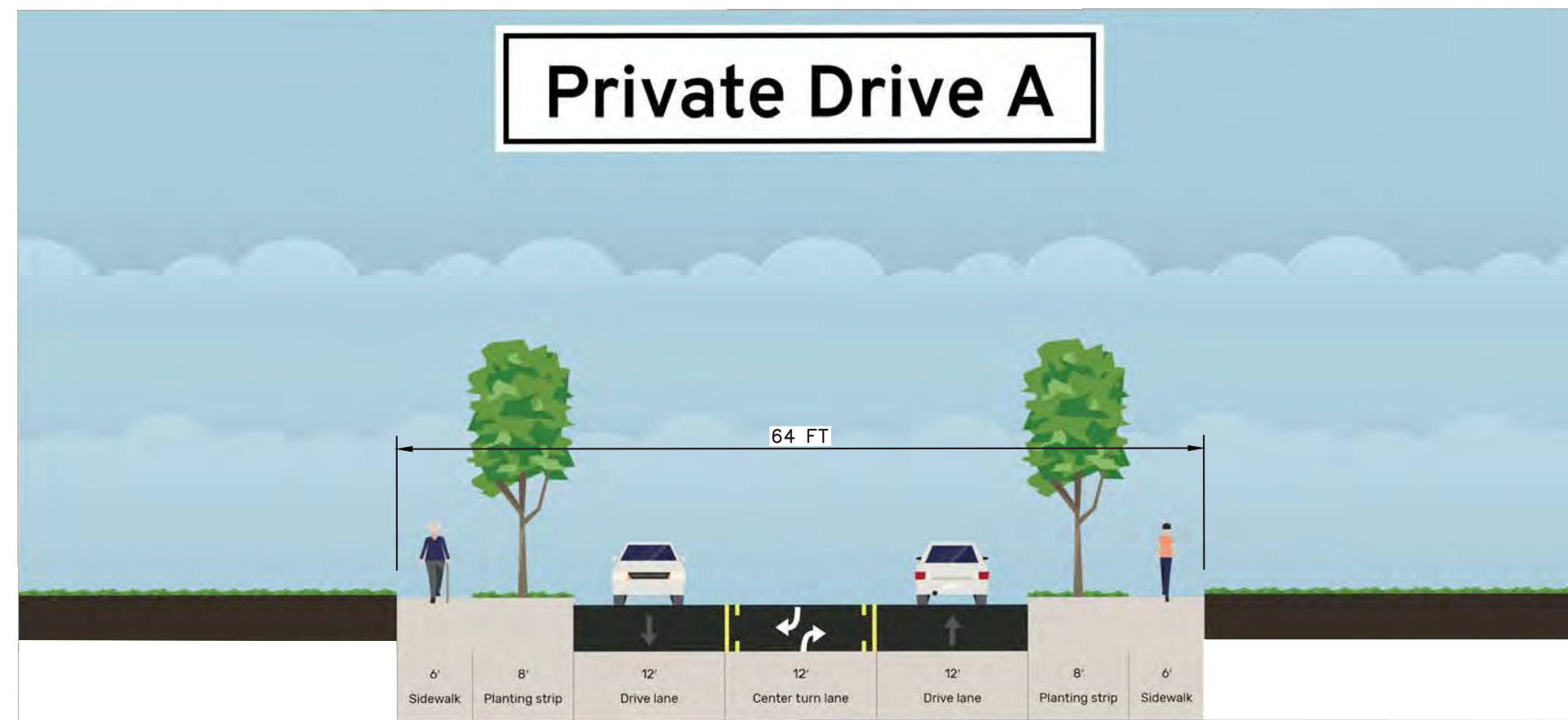
TAB 8 - STREET HIERARCHY

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SHEET TITLE:
 STREET
 HIERARCHY



TAB 9 - OPEN SPACE



NOTES
 (1) TRAFFIC SIGNAL ESCROW APPLIES TO THIS LOCATION
 (2) CLOSEST ACCESS TO HIGH LINE CANAL TRAIL FROM THIS POINT : 1/3 MILE

LEGEND

- PRIMARY STREET
- PEDESTRIAN CIRCULATION
- 25' LANDSCAPE BUFFER
- HIGH LINE CANAL TRAIL
- FUTURE HIGH LINE CANAL TRAIL CONNECTION
- ACCESS POINTS
- INTERNAL ACCESS POINTS
- WATER QUALITY / DETENTION
- COMMUNITY ASSET AREA
- TRANSIT STOP

FORM J: PARKS, RECREATION, AND OPEN SPACE MATRIX

| A. PLANNING AREA DESIGNATION (OR FEATURE IN AN AREA) | B. DESCRIPTION AND INVENTORY OF FACILITIES | C. TOTAL ACREAGE | D. PARKS DEPT. CREDITED ACREAGE | E. FINAL OWNERSHIP AND FACILITY FUNDING | F. TRIGGER FOR EACH PHASE |
|--|--|------------------|---------------------------------|--|---|
| PA-1 | COMMUNITY ASSET AREA (BENCH, TRASH RECEPTACLE AND PASSIVE LANDSCAPE) | 0.5 AC | 0.5 AC | PRIVATE, METRO DISTRICT OR HOA | COMPLETION OF PA-1 |
| PA-1 | HIGH LINE TRAIL CONNECTION LOCATED AT NORFOLK STREET CROSSING TO THE HIGH LINE CANAL | TBD | TBD | PROS OWNERSHIP AND MAINTENANCE; CONSTRUCTED BY DEVELOPER | COMPLETION OF PA-1 |
| PA-1 | OPEN SPACE | MAX 4.2 AC | TBD | PRIVATE, METRO DISTRICT OR HOA | PROVIDED ON-SITE OR IN-LIEU FEE AT THE COMPLETION OF PA-1 |
| PA-4 | WATER QUALITY/ DETENTION/ PASSIVE OPEN SPACE (BENCH, TRASH RECEPTACLE AND LANDSCAPE) | 1.39 AC | NA | PRIVATE | CONCURRENT WITH PA-1 AND PA-2 |
| PA-5 | WATER QUALITY/ DETENTION/ PASSIVE OPEN SPACE (BENCH, TRASH RECEPTACLE AND LANDSCAPE) | 0.83 AC | NA | PRIVATE | CONCURRENT WITH PA-1 AND PA-2 |

Director of Parks, Recreation, and Open Space

DATE: _____ SIGNATURE: _____

NOTES:

1. COMMUNITY PARK AND NEIGHBORHOOD PARK DEDICATIONS ARE TO BE MADE THROUGH CASH-IN-LIEU
2. DETENTION AREA WHICH DO NOT DRAIN WITHIN 24 HOURS HAVE NOT BEEN INCLUDED IN TOTAL CREDITED ACREAGE
3. TRAIL CONNECTION MAY BE A PEDESTRIAN BRIDGE, LOW WATER CROSSING OR OTHER CONNECTION DESIGN.
 - THE MATERIAL AND DESIGN WILL MEET ALL OF PROS STANDARDS.
 - THIS WILL NEED TO BE WITHIN A TRACT DEDICATED TO THE CITY THAT INCLUDES JUST THE BRIDGE. CLEAR ACCESS OR AN ON-SITE PUBLIC ACCESS EASEMENT MAY NEED TO BE PROVIDED TO ENSURE THAT PROS CAN ACCESS THIS FEATURE FOR MAINTENANCE.
 - TRAIL CONNECTION DETAILS TO BE PROVIDED AT TIME OF THE SITE PLAN.

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SHEET TITLE:
 OPEN SPACE &
 CIRCULATION PLAN

TAB 10 - URBAN DESIGN STANDARDS

| FORM F-1: URBAN DESIGN MATRIX | | |
|---|--|---|
| SPECIAL URBAN DESIGN FEATURE | BRIEF DESCRIPTION OF THE FEATURE | LOCATION OF THE STANDARDS IN APPLICATION PACKAGE |
| 1. ENTRY MONUMENT | <p>ENTRY SIGNAGE WILL BE DEVELOPED TO COMPLEMENT THE ARCHITECTURAL CHARACTER FOUND IN THE FRONT RANGE AND MOUNTAIN WEST AS A UNIFYING IDENTIFICATION ELEMENT FOR STATION 60. ENTRY SIGNAGE WILL INTEGRATE A CONSISTENT DESIGN STYLE AND MATERIAL USAGE FOR THE SIGNAGE BASES. ENTRY SIGNAGE WILL BE LOCATED AT KEY ENTRIES AND CORNERS ALONG AIRPORT BOULEVARD AND COLFAX AVENUE. ALL SIGNAGE MUST COMPLY WITH SIGHT TRIANGLE CRITERIA PER THE COA UDO.</p> <p><i>MATERIALS:</i> SIGNAGE AND MONUMENTATION WILL INTEGRATE MATERIALS SUCH AS STONE, STONE VENEER, INTEGRALLY COLORED MASONRY UNITS, CAST-IN-PLACE CONCRETE, PRECAST COLUMN CAPS, METAL ACCENTS, AND METAL PROJECT IDENTITY SIGN / LOGO. NATIONAL BRAND STANDARDS WILL BE PERMITTED BUT MUST COMPLY WITH UDO STANDARDS.</p> | SEE FIGURE G: ENTRY SIGNAGE ON PAGE 11 OF THIS MASTER PLAN |
| 2. RETAINING WALLS | <p>THE SITE TOPOGRAPHY IS GENERALLY FLAT. RETAINING WALLS, WHERE REQUIRED, WILL BE DESIGNED TO ACHIEVE AESTHETIC AND FUNCTIONAL PURPOSES. RETAINING WALL ALIGNMENTS WILL COMPLEMENT THE ASSOCIATED ARCHITECTURAL TREATMENTS AND ALLOW FOR CLUSTERED FOREGROUND PLANTINGS TO BE INCORPORATED. THE FINAL DESIGN AND COMMITMENT TO THE ABOVEMENTIONED ELEMENTS WILL BE SUBJECT TO THE DETAILED DESIGN DEVELOPMENT DURING THE SITE PLAN PHASE OF THE PROJECT.</p> <p><i>MATERIALS:</i> RETAINING WALLS SHALL BE CONSTRUCTED OF DECORATIVE MODULAR CONCRETE WALL BLOCKS, INTEGRALLY COLORED MASONRY UNITS, CAST-IN-PLACE CONCRETE OR DRY STACK STONE DEPENDING ON LOCATION. RAILING IS REQUIRED ON ALL RETAINING WALLS GREATER THAN 30".</p> | SEE FIGURES K AND P: RETAINING WALL EXAMPLE ON PAGE 11 OF THIS MASTER PLAN |
| 3. FENCE AND PRIVACY WALLS | <p>FENCING AND WALLS WILL BE OPTIONAL AND GENERALLY KEPT TO A MINIMUM. WASTE COLLECTION AND SERVICE AREAS WILL BE SCREENED AS REQUIRED BY THE CITY. ALL FENCING AND WALLS MUST COMPLY WITH SIGHT TRIANGLE CRITERIA PER THE COA UDO.</p> <p><i>MATERIALS:</i> FENCING SHALL BE CONSTRUCTED OF NATURAL WOOD, COMPOSITE PRODUCTS OR METAL AND INCLUDE MASONRY COLUMNS ALONG COLLECTORS / ARTERIALS. MASONRY WALLS AND MASONRY COLUMNS SHALL BE CONSTRUCTED OF NATURAL OR CULTURED STONE, STUCCO, PRECAST CONCRETE, CAST-IN-PLACE CONCRETE, INTEGRALLY COLORED MASONRY UNITS OR DECORATIVE MODULAR MASONRY WALL BLOCK.</p> | SEE FIGURE M: PRIVACY FENCE - RESIDENTIAL ON PAGE 11 OF THIS MASTER PLAN |
| 4. LIGHTING STANDARDS | <p>STREET LIGHTS IN PUBLIC ROW MUST MEET COA DRAFT LIGHTING STANDARDS FOR BOTH LUMINANCE AND FIXTURES. STREET LIGHTS ON PRIVATE STREETS SHALL MEET THE COA LIGHTING STANDARD BASED ON PHOTOMETRIC ANALYSIS.</p> <p>PEDESTRIAN, VEHICULAR AND ACCENT LIGHTING - PEDESTRIAN, VEHICULAR AND ACCENT LIGHT FIXTURES WILL BE INTEGRATED TO ENHANCE THE OVERALL USER EXPERIENCE. LIGHTING SHALL BE PROVIDED IN ACCORDANCE WITH CITY OF AURORA STANDARDS.</p> | SEE FIGURE L: COMMERCIAL LIGHTING EXAMPLE ON PAGE 11 OF THIS MASTER PLAN |
| 5. PAVING STANDARDS | COLORED CONCRETE PAVING SHALL OCCUR AT KEY LOCATIONS SUCH AS ENTRIES TO COMMERCIAL/RETAIL BUILDINGS AND KEY PEDESTRIAN AREAS IN THE COMMERCIAL/RETAIL AREAS. A LICENSE AGREEMENT IS REQUIRED FOR ANY SPECIAL PAVING IN PUBLIC ROW AND UTILITY EASEMENTS. | SEE FIGURE J: SITE PAVING EXAMPLE ON PAGE 11 OF THIS MASTER PLAN |
| 6. STREET FURNITURE | <p>CONTEMPORARY STYLE SITE FURNISHINGS WILL BE INCORPORATED THROUGHOUT STATION 60. DISTINCTIVE BENCHES, TRASH RECEPTACLES AND BIKE RACK DESIGNS WILL BE SIMILAR TO REPRESENTATIVE IMAGES FOR THE PROJECT. SITE FURNISHINGS WILL BE USED IN SPECIAL AREAS AS APPROPRIATE TO CREATE CONTINUITY IN THE OVERALL CHARACTER. SPECIAL AREAS INCLUDE THE COMMUNITY ASSET AREA IN THE NORTHERN PLANNING AREA, ADJACENT TO THE TRAIL CONNECTION. SITE FURNISHINGS ARE NOT ALLOWED IN SIGHT TRIANGLE ZONES.</p> <p><i>MATERIALS:</i> CONTEMPORARY METAL TRASH RECEPTACLES AND BENCHES, DECORATIVE CAST IRON TREE GRATES AND GUARDS AND BIKE RACKS COMPRISING OF CAST STEEL AND ALUMINUM.</p> | SEE PAGE 10 OF THIS MASTER PLAN FOR SITE FURNISHINGS |
| 7. SIGNAGE | FREESTANDING AND WALL MOUNTED SIGNAGE ALIGNING WITH THE TENANT'S BRANDED SIGN SYSTEM WILL OCCUR IN EACH PLANNING AREA WHILE BEING IN CONFORMANCE WITH THE CITY REQUIREMENTS. TENANT IDENTIFICATION SIGNAGE MAY BE LOCATED AT THE KEY ACCESS LOCATION ALONG AIRPORT BOULEVARD AND COLFAX AVENUE. WAYFINDING SIGNAGE MAY BE USED FOR DIRECTIONAL PURPOSES THROUGHOUT THE DEVELOPMENT. THIS SYSTEM WILL CONSIST OF SIGN FORMS AND MATERIALS THAT COMPLEMENT THE MATERIALS, COLORS AND IMAGERY AESTHETICS OF THE PROJECT. | SEE FIGURE H AND I COMMERCIAL SIGNAGE EXAMPLES ON PAGE 11 OF THIS MASTER PLAN |
| 8. SPECIAL NEIGHBORHOOD CONCEPTS | <p>STATION 60 WILL INTEGRATE THE FOLLOWING SPECIAL FEATURES:</p> <ul style="list-style-type: none"> * THE DEVELOPMENT WILL CONSTRUCT A NEW PEDESTRIAN CROSSING (BRIDGE, LOW WATER CROSSING OR OTHER CROSSING TYPE) AT NORFOLK STREET ADJACENT TO THE NORTHWEST CORNER OF PLANNING AREA 1 THAT WILL CONNECT TO THE HIGH LINE CANAL REGIONAL TRAIL. * A COMMUNITY ASSET AREA AT THE NORTHWEST CORNER OF THE SITE THAT WILL INCLUDE BENCHES, TRASH RECEPTACLES, WAYFINDING SIGNAGE, LANDSCAPE AREA, PET AND BIKE STATION WILL BE INSTALLED TO CONNECT THE SITE TO THE FUTURE PEDESTRIAN CONNECTION TO THE HIGH LINE CANAL REGIONAL TRAIL. | SEE FIGURE N FOR THE TRAIL CONNECTION AREA ON PAGE 11 OF THIS MASTER PLAN |
| 9. SPECIAL FACILITIES AND STRUCTURES SUCH AS CLUBHOUSES AND OTHER RECREATIONAL FACILITIES | <p>STATION 60 WILL INTEGRATE THE FOLLOWING SPECIAL FEATURES:</p> <ul style="list-style-type: none"> * A POOL AND GATHERING SPACE WILL BE PROVIDED AS AN AMENITY TO THE RESIDENTS IN THE MULTIFAMILY PLANNING AREA (PA-1). * A COMMUNITY ASSET AREA AT THE NORTHWEST CORNER OF THE SITE ALONG NORFOLK STREET WILL BE INSTALLED AND IT WILL INCLUDE BENCHES, TRASH RECEPTACLE, WAYFINDING SIGNAGE, LANDSCAPE AREA, PET AND BIKE STATION. THIS AREA WILL CONNECT THE SITE TO THE FUTURE PEDESTRIAN CONNECTION TO THE HIGH LINE CANAL REGIONAL TRAIL. | SEE FIGURE O FOR THE COMMUNITY ASSET AREA EXAMPLES ON PAGE 11 OF THIS MASTER PLAN |
| 10. OTHER | N/A | |



FIGURE A: PLANTERS



FIGURE B: TRASH RECEPTACLE



FIGURE C: TREE GUARD



FIGURE D: BICYCLE RACK



FIGURE E: BENCH



FIGURE F: TABLE CHAIR

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SHEET TITLE:
 URBAN DESIGN STANDARDS

TAB 10 - URBAN DESIGN STANDARDS EXHIBIT



FIGURE G: ENTRY SIGNAGE



FIGURE H: COMMERCIAL SIGNAGE



FIGURE I: COMMERCIAL SIGNAGE

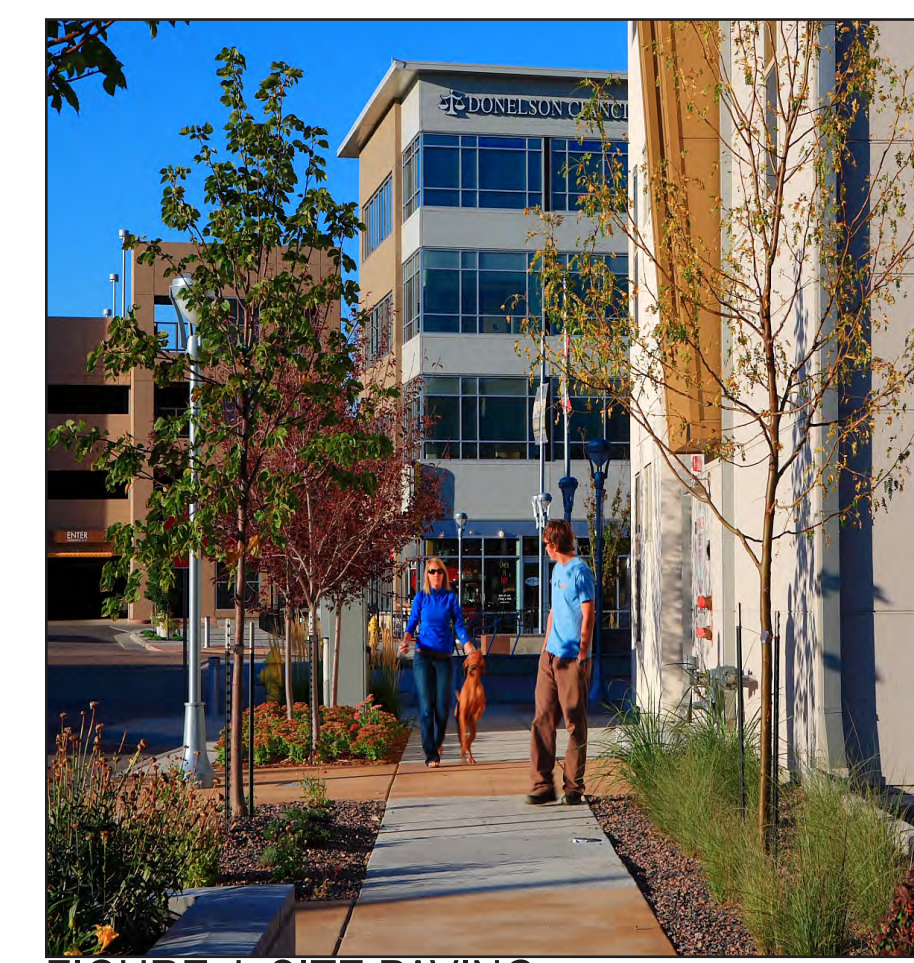


FIGURE J: SITE PAVING

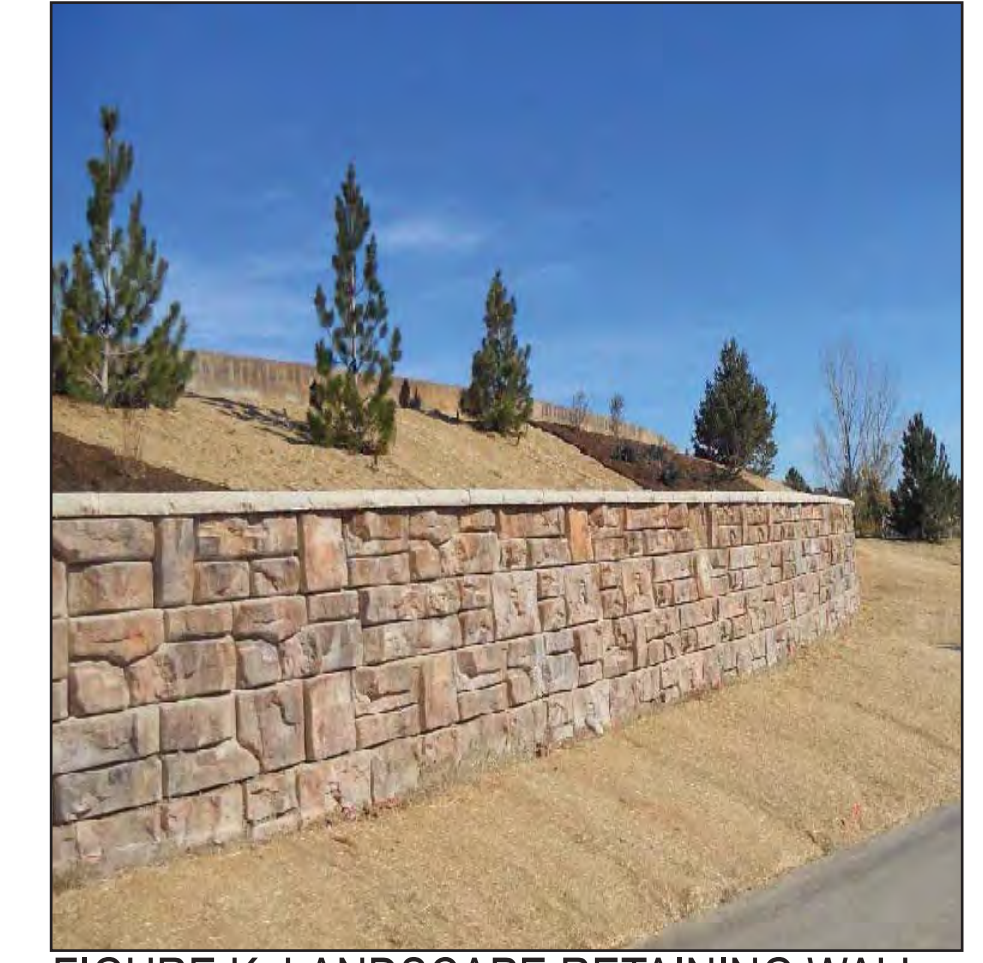


FIGURE K: LANDSCAPE RETAINING WALL



FIGURE L: LIGHTING



FIGURE M: PRIVACY FENCE -RESIDENTIAL



FIGURE N: COMMUNITY ASSET AREA

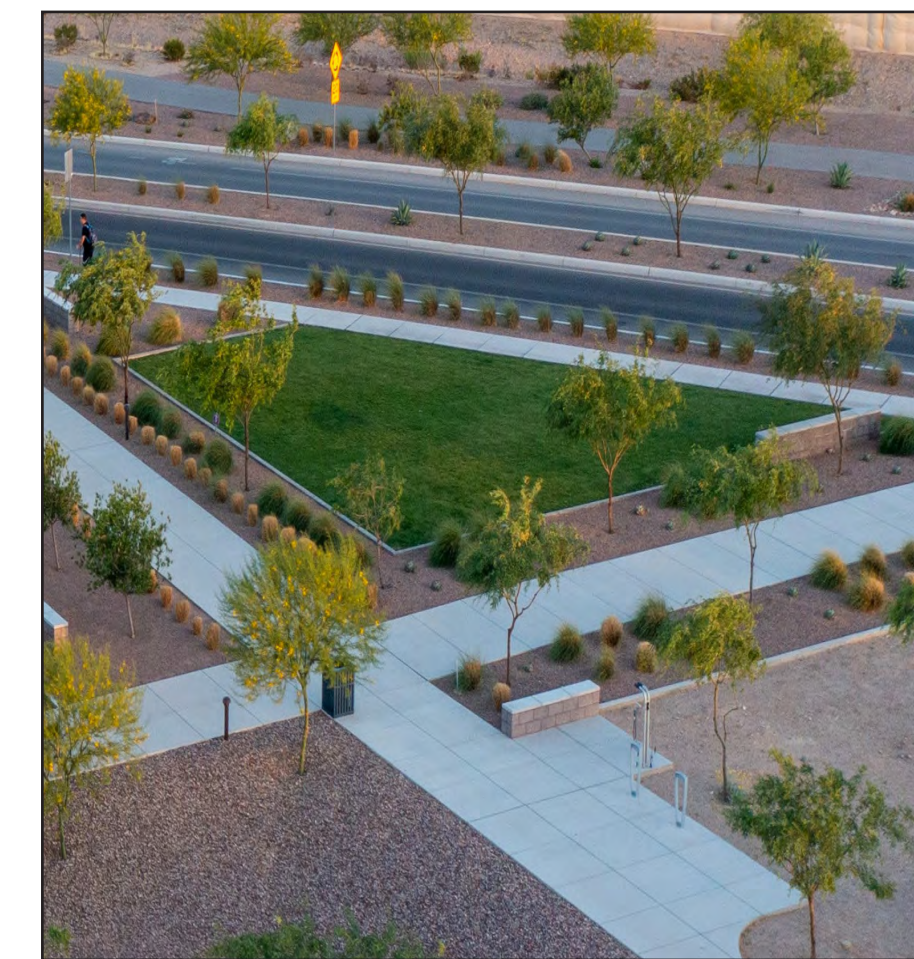


FIGURE O: COMMUNITY ASSET AREA

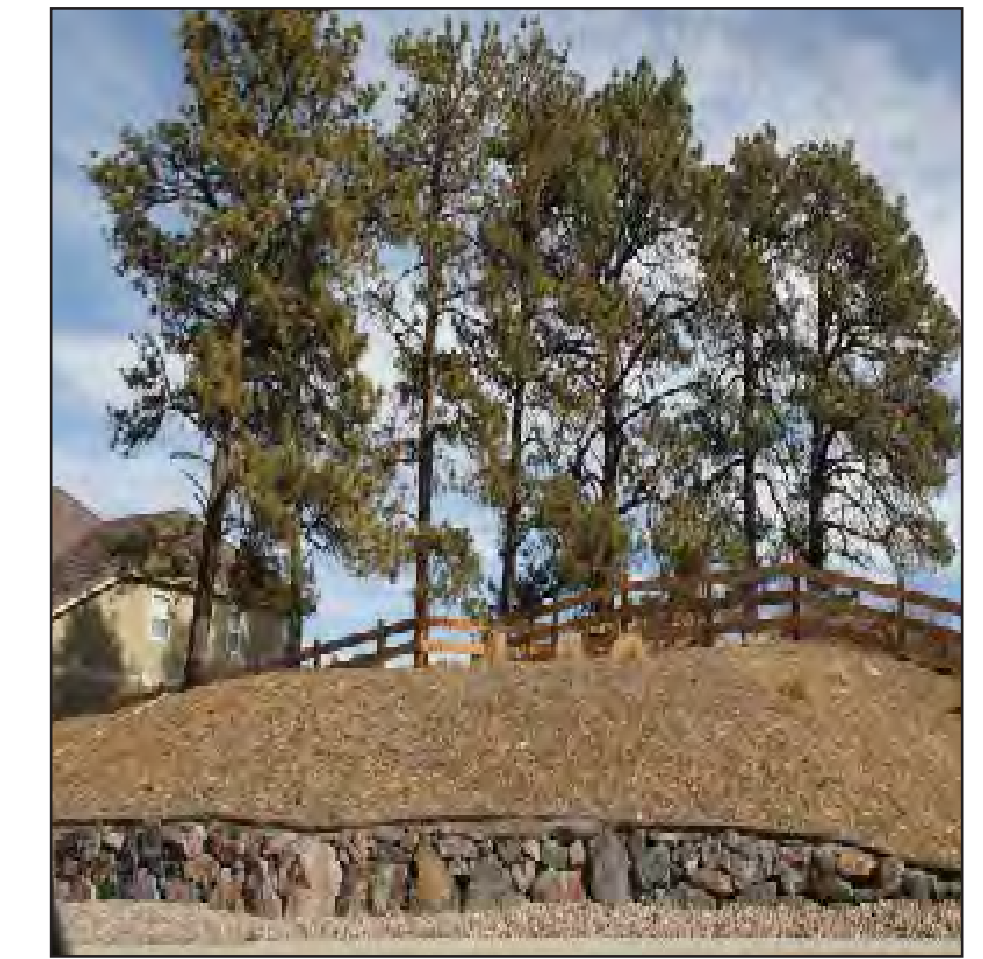


FIGURE P: LANDSCAPE RETAINING WALL

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SHEET TITLE:
URBAN DESIGN
STANDARDS

TAB 11 - LANDSCAPE STANDARDS

LANDSCAPE

THE LANDSCAPE FOR STATION 60 WILL ESTABLISH AN URBAN CONTEXT ORGANIZED BY A COHESIVE THEME AND CHARACTER THROUGHOUT THE PROPERTY. PLANT MATERIAL WILL BE BASED ON THE CITY OF AURORA APPROVED PLANT LIST AND CONTAIN A VARIETY OF SPECIES THAT WILL THRIVE IN AN URBAN SETTING AND PROVIDE YEAR-ROUND INTEREST. ALL PROPOSED LANDSCAPE SHALL ADHERE TO THE CITY OF AURORA LANDSCAPE UNIFIED DEVELOPMENT ORDINANCE (UDO) AND RELATED LANDSCAPING REQUIREMENTS UNLESS AN ADJUSTMENT IS REQUESTED.

THE LANDSCAPE WILL BRING THE SITE TOGETHER WITH ELEMENTS TO COMPLIMENT COMMERCIAL AND RESIDENTIAL USES. THE LANDSCAPE PLANT PALETTE WILL CONSIST OF PLANT MATERIAL WITH A VARIETY OF COLORS, TEXTURES AND FORMS THAT WILL PROVIDE AN ATTRACTIVE, MULTI-SEASON LANDSCAPE THAT IS DURABLE AND EASY TO MAINTAIN. THE LANDSCAPE WILL RESPOND TO THE SITE ARCHITECTURE, OPEN SPACES AND TECHNICAL FEATURES SUCH AS PARKING, UTILITIES, SIGNAGE AND SIGHT LINES. THE LANDSCAPE WILL ACCENTUATE GATHERING AREAS, ENTRY AREAS AND HIGHLIGHT KEY VIEWS THROUGHOUT THE SITE.

STREETSCAPE

INTENT

- TO CREATE AN ATTRACTIVE AND VIBRANT URBAN STREETSCAPE EDGE AND CENTRAL CORRIDOR TO THE DEVELOPMENT WHILE ACCOMMODATING VEHICULAR AND PEDESTRIAN CIRCULATION THROUGHOUT THE SITE
- TO PROVIDE A SAFE, CONVENIENT AND COMFORTABLE CIRCULATION SYSTEM INTERNAL TO THE SITE THAT WILL ENHANCE THE SITE.

DESIGN GUIDELINES

- CLEAR PEDESTRIAN PATHS SHALL BE INTEGRATED INTO THE STREETSCAPE IN ORDER TO CREATE A CONTINUOUS AND ACCESSIBLE WALKWAY FOR SAFETY AND CONVENIENCE.
- STREET TREE SPECIES SHALL BE SELECTED AND PLANTED SO AS TO CREATE A RHYTHM ALONG THE STREET WHILE MAINTAINING SPECIES DIVERSITY AND MULTI-SEASON INTEREST. TREES MAY BE ACCENTED BY LANDSCAPE LIGHTING IN KEY AREAS.
- ALL TREES WITHIN THE STREETSCAPE SHALL BE DECIDUOUS TREES SELECTED FOR TOLERANCE TO URBAN CONDITIONS AND ATTRACTIVE FEATURES. TREES SHALL BE LOCATED IN OPEN PLANTING BEDS, RAISED PLANTERS OR CURBSIDE LANDSCAPING AND SPACED A MAXIMUM OF 35' ON CENTER (O.C.). TREES SHALL BE A MINIMUM OF 2.5" CALIPER AT THE TIME OF INSTALLATION.
- HARDSCAPE MATERIALS AND PAVING PATTERNS WITHIN THE STREETSCAPE SHALL BE CONSISTENT AND RELATE TO THE SURROUNDING ARCHITECTURAL PATTERNS AND TEXTURES. THESE MATERIALS INCLUDE COLORED CONCRETE, STAMPED CONCRETE AND/OR PAVERS.
- SITE AMENITIES, INCLUDING BENCHES, BICYCLE PARKING, AND TRASH RECEPTACLES, SHALL BE LOCATED AT INTERVALS ALONG THE STREETSCAPE AND IN KEY AREAS TO ENCOURAGE STREETSCAPE ACTIVATION.
- PEDESTRIAN AND STREET LIGHTING FIXTURES SHALL BE INCORPORATED TO ENHANCE THE PEDESTRIAN EXPERIENCE AND CREATE A SAFE AND WELCOMING ENVIRONMENT. LED LIGHTING WITH A FIXTURE AND POLE STYLE THAT RELATES TO THE PROJECT'S ARCHITECTURE AND SITE FURNISHINGS SHALL BE INCORPORATED IN THE PROPOSED DEVELOPMENT.
- ALL SERVICE AREAS, TRASH BINS, DELIVERY AREAS AND MECHANICAL EQUIPMENT SHALL BE SCREENED FROM THE PUBLIC RIGHT-OF-WAY.
- ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10.

PARKING

INTENT

- TO CREATE EFFICIENT SURFACE PARKING LOTS WITH WELL-IDENTIFIED ACCESS AND MINIMAL VISUAL IMPACT TO THE SURROUNDING SITE AND NEIGHBORHOOD.

DESIGN GUIDELINES

- PARKING LOTS ADJACENT TO BUILDINGS MUST PROVIDE A MINIMUM 5' OF UNOBSTRUCTED WALKING AREA, BUT SHOULD MEET THE URBAN STREETSCAPE EDGE CROSS SECTIONS FOR SIDEWALKS
- ALL OFF-STREET PARKING WILL HAVE LANDSCAPE AND REQUIRED SCREENING PER THE CURRENT UDO STANDARDS FROM PUBLIC VIEW AND ADJACENT USES, WHERE APPLICABLE.

| FORM G: LANDSCAPE STANDARDS MATRIX | | |
|---|--|---|
| LANDSCAPE ITEM | BRIEF DESCRIPTION OF THE FEATURES | LOCATION OF THE STANDARDS IN THE APPLICATION PACKAGE |
| 1. OVERALL LANDSCAPE CONCEPT AND PALETTE OF PLANT MATERIALS USED TO CARRY IT OUT. | <p>THE LANDSCAPE FOR STATION 60 SHALL BE OF A COHESIVE THEME AND CHARACTER THROUGHOUT THE SITE. SELECTION OF PLANT MATERIAL WILL BE BASED ON THE CITY OF AURORA APPROVED PLANT LIST AND CONTAIN A VARIETY OF SPECIES THAT WILL THRIVE IN AN URBAN SETTING AND PROVIDE YEAR-ROUND INTEREST. ALL PROPOSED LANDSCAPE SHALL ADHERE TO THE CITY OF AURORA UDO AND RELATED LANDSCAPING REQUIREMENTS UNLESS AN ADJUSTMENT IS REQUESTED.</p> <p>THE LANDSCAPE TREATMENT WILL ACT AS A COHESIVE ELEMENT THAT TIES THE SITE TOGETHER. THE LANDSCAPE PLANT PALETTE WILL CONSIST OF PLANT MATERIAL WITH A VARIETY OF COLORS, TEXTURES AND FORMS THAT WILL PROVIDE AN ATTRACTIVE, MULTI-SEASON LANDSCAPE THAT IS DURABLE AND EASY TO MAINTAIN. THE LANDSCAPE WILL RESPOND TO THE SITE ARCHITECTURE, OPEN SPACES AND TECHNICAL FEATURES SUCH AS PARKING, UTILITIES, SIGNAGE AND SIGHT LINES. THE LANDSCAPE WILL ACCENTUATE GATHERING AREAS, ENTRY AREAS AND HIGHLIGHT KEY VIEWS THROUGHOUT THE SITE.</p> | SEE PAGE 13 LANDSCAPE STANDARD EXHIBITS FOR EXAMPLES OF PROPOSED LANDSCAPE AROUND THE SITE FOR BOTH THE COMMERCIAL AND THE RESIDENTIAL PLANNING AREAS OF THIS MASTER PLAN |
| 2. LANDSCAPE DESIGN AT ENTRY MONUMENTATION AND KEY ENTRY POINTS | LANDSCAPING FOR ENTRY MONUMENTATION AND KEY ENTRY POINTS SHALL MEET APPLICABLE CITY STANDARDS. PLANT MATERIAL SHALL BE CONSISTENT WITH THE REST OF THE DEVELOPMENT. | SEE FIGURE D: COMMERCIAL LANDSCAPE ENTRANCE ON PAGE 13 OF THE LANDSCAPE STANDARD EXHIBITS. |
| 3. LANDSCAPE STANDARDS ALONG E-470 | NA. | N/A |
| 4. LANDSCAPE STANDARDS ALONG ARTERIAL AND COLLECTOR ROADS | ALL LANDSCAPING STANDARDS WILL CONFORM TO DESIGN STANDARDS FOR THE CITY OF AURORA LANDSCAPE STANDARDS. | SEE PAGE 13 LANDSCAPE STANDARD EXHIBITS FOR EXAMPLES OF PROPOSED LANDSCAPE AROUND THE SITE FOR BOTH THE COMMERCIAL AND THE LIGHT INDUSTRIAL SITES OF THIS MASTER PLAN |
| 5. LANDSCAPE STANDARDS ALONG LOCAL ROADWAYS | ROADWAY LANDSCAPING SHALL MEET APPLICABLE CITY STANDARDS. WE REQUEST A 10' LANDSCAPE BUFFER ADJUSTMENT ALONG PRIVATE STREETS TO CREATE A URBAN STREETSCAPE FORM. | SEE PAGE 13 LANDSCAPE STANDARD EXHIBITS FOR EXAMPLES OF PROPOSED LANDSCAPE AROUND THE SITE FOR BOTH THE COMMERCIAL AND RESIDENTIAL PLANNING AREAS OF THIS MASTER PLAN |
| 6. LANDSCAPE STANDARDS IN COMMERCIAL AND PUBLIC GATHERING AREAS. (TREE GRATES & PROTECTORS, PLANTERS, FLOWER BEDS, SCREENING AT PARKING LOTS, ETC.) | BUILDING PERIMETER LANDSCAPING SHALL MEET APPLICABLE CITY STANDARDS. | SEE FIGURE A: PLANTERS AND FIGURE C: TREE GUARD ON PAGE 10 OF THIS MASTER PLAN |
| 7. LANDSCAPE STANDARDS AT DETENTION/RETENTION PONDS AND WATER FEATURES | LANDSCAPING OF DETENTION/RETENTION PONDS SHALL MEET APPLICABLE CITY STANDARDS. | SEE FIGURE A: COMMERCIAL PLANTERS ON PAGE 12 FOR EXAMPLES OF PLANTERS ALONG DETENTION / RETENTION PONDS. |
| 8. LANDSCAPE BUFFERS AT PARKS, OPEN SPACE, AND DRAINAGE | LANDSCAPING OF LANDSCAPE BUFFERS AT PARKS, OPEN SPACE AND DRAINAGE AREAS SHALL MEET APPLICABLE CITY STANDARDS. | REFER TO THE OPEN SPACE EXHIBIT ON SHEET 9 FOR THE SPECIAL LANDSCAPE BUFFER |
| 9. SPECIAL STANDARDS AT RESIDENTIAL LOTS. (IF RESIDENTIAL BACKYARDS BORDER OPEN SPACE OR PARKS, INDICATE SPECIAL STANDARDS.) | NA. | N/A |
| 10. LANDSCAPE INTEGRATION AT RETAINING WALLS | PLANTING AT RETAINING WALLS WILL CONSIST MAINLY OF SHRUB OR PERENNIAL BEDS WITH NATIVE GRASS STANDS. WHERE RETAINING REQUIREMENTS EXCEED 4 FEET IN HEIGHT, WALLS WILL BE SEPARATED INTO MULTIPLE TERRACES WITH A MINIMUM PLANTING ZONE OF 5 FEET BETWEEN WALLS WHERE APPROPRIATE. | SEE FIGURE K & P: RETAINING WALL EXAMPLE ON PAGE 11 OF THIS MASTER PLAN |
| 11. LANDSCAPE STANDARDS AT SPECIAL FACILITIES | LANDSCAPE STANDARDS WILL MEET APPROPRIATE CITY STANDARDS. SPECIAL FACILITIES INCLUDE THE COMMUNITY ASSET AREA AND THE ON-SITE OUTDOOR AREA. | SEE FIGURE N & O FOR THE COMMUNITY ASSET AREA EXAMPLES ON PAGE 11 OF THIS MASTER PLAN |
| 12. BUFFER AND SETBACK EXEMPTIONS FOR TRADITIONAL STREET FRONTAGES | NA. | N/A |

NOTES:
THE DESIGN STANDARDS LISTED IN THIS MATRIX IMPLEMENT THE DESIGN THEMES OF THE MASTER PLAN AND ARE INTENDED TO MEET AND/OR EXCEED THE CURRENT STANDARDS PROVIDED BY THE UNIFIED DEVELOPMENT ORDINANCE. ALL THE PHOTOS AND ILLUSTRATIONS REFERENCED BY THIS MATRIX ARE REPRESENTATIVE OF THE LEVEL OF DESIGN QUALITY REQUIRED BY THIS MASTER PLAN. FINAL DESIGNS TO BE SUBMITTED AT THE SITE PLAN LEVEL WILL NOT NECESSARILY DUPLICATE THE EXACT ILLUSTRATIONS, BUT WILL CONTAIN THE SAME THEMES AS SHOWN, AND WILL BE AT THE SAME OR HIGHER LEVEL OF DESIGN QUALITY AND DETAIL.

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TAB 11 - LANDSCAPE STANDARDS EXHIBIT



FIGURE A: COMMERCIAL PLANTERS



FIGURE B: COMMERCIAL WALKWAY

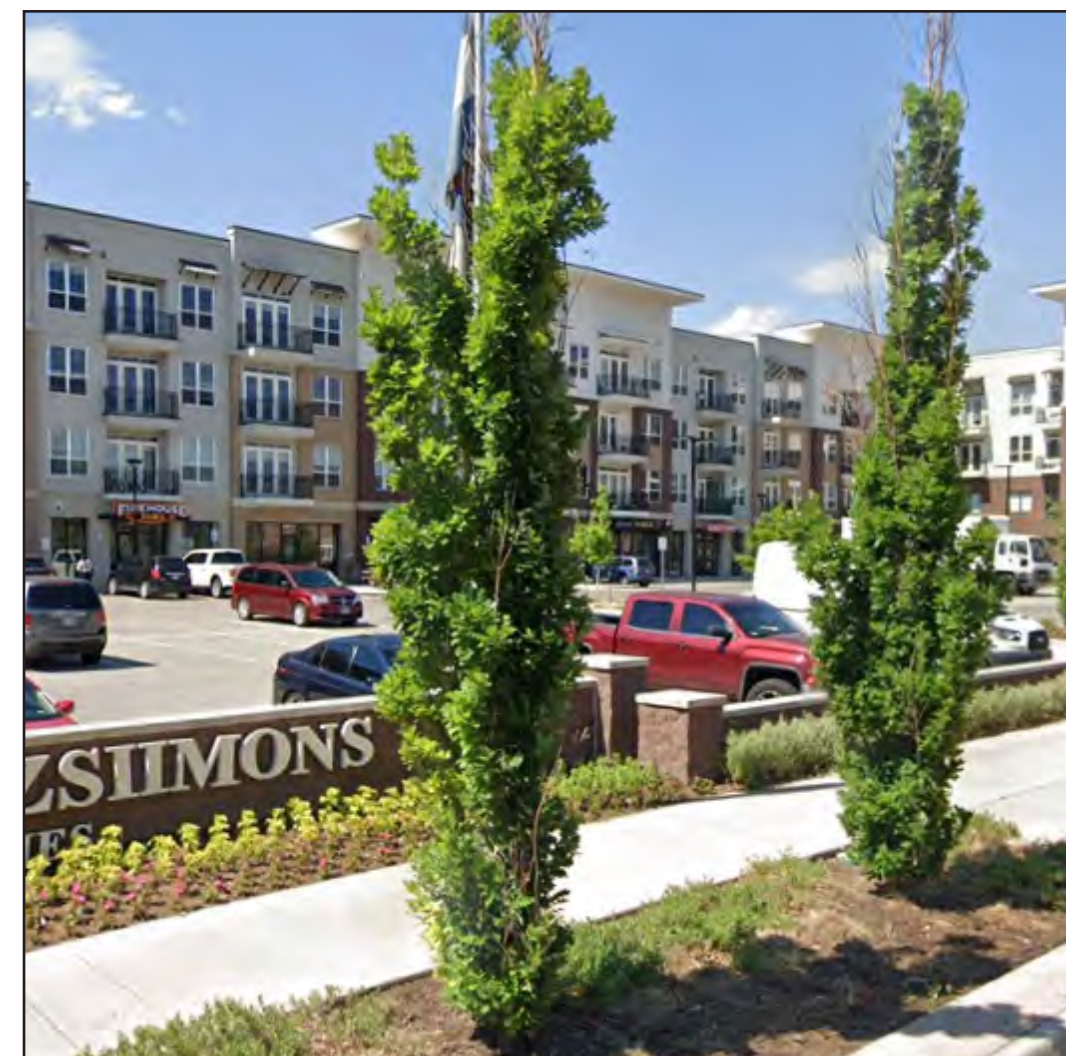


FIGURE C: COMMERCIAL PARKING LANDSCAPE



FIGURE D: COMMERCIAL LANDSCAPE ENTRANCE



FIGURE E: RESIDENTIAL LANDSCAPE BUFFER



FIGURE F: MULTIFAMILY ENTRANCE

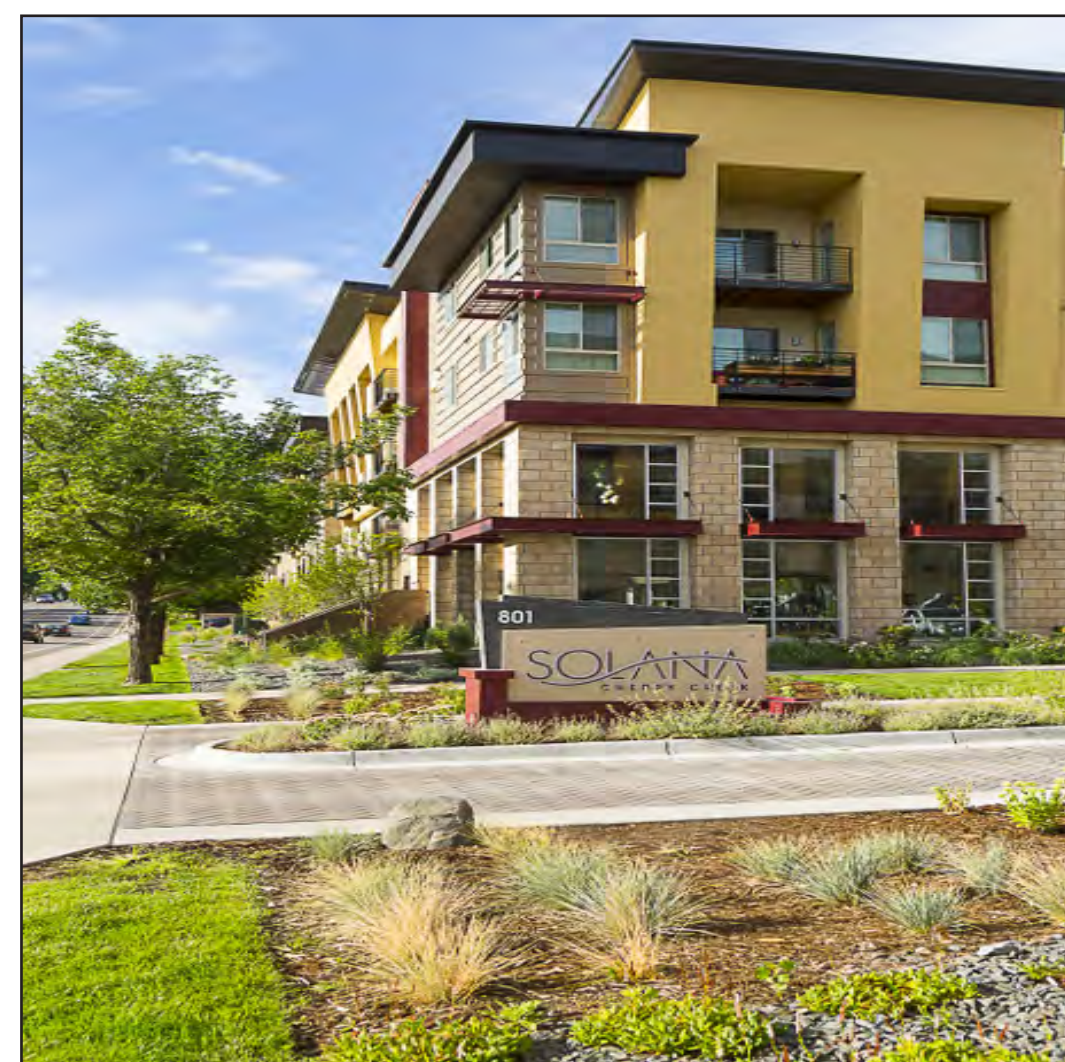


FIGURE G: RESIDENTIAL PERIMETER

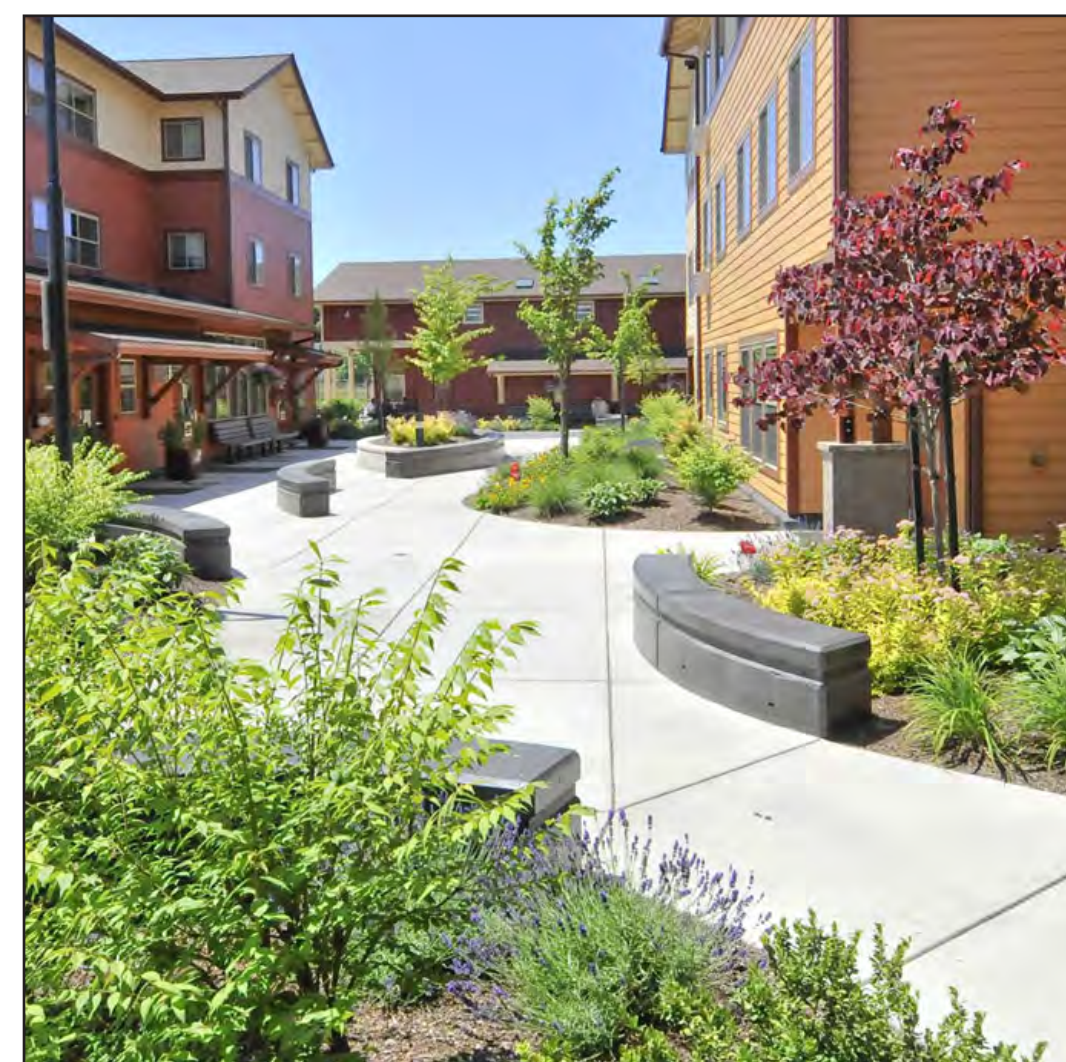


FIGURE H: RESIDENTIAL WALKWAY

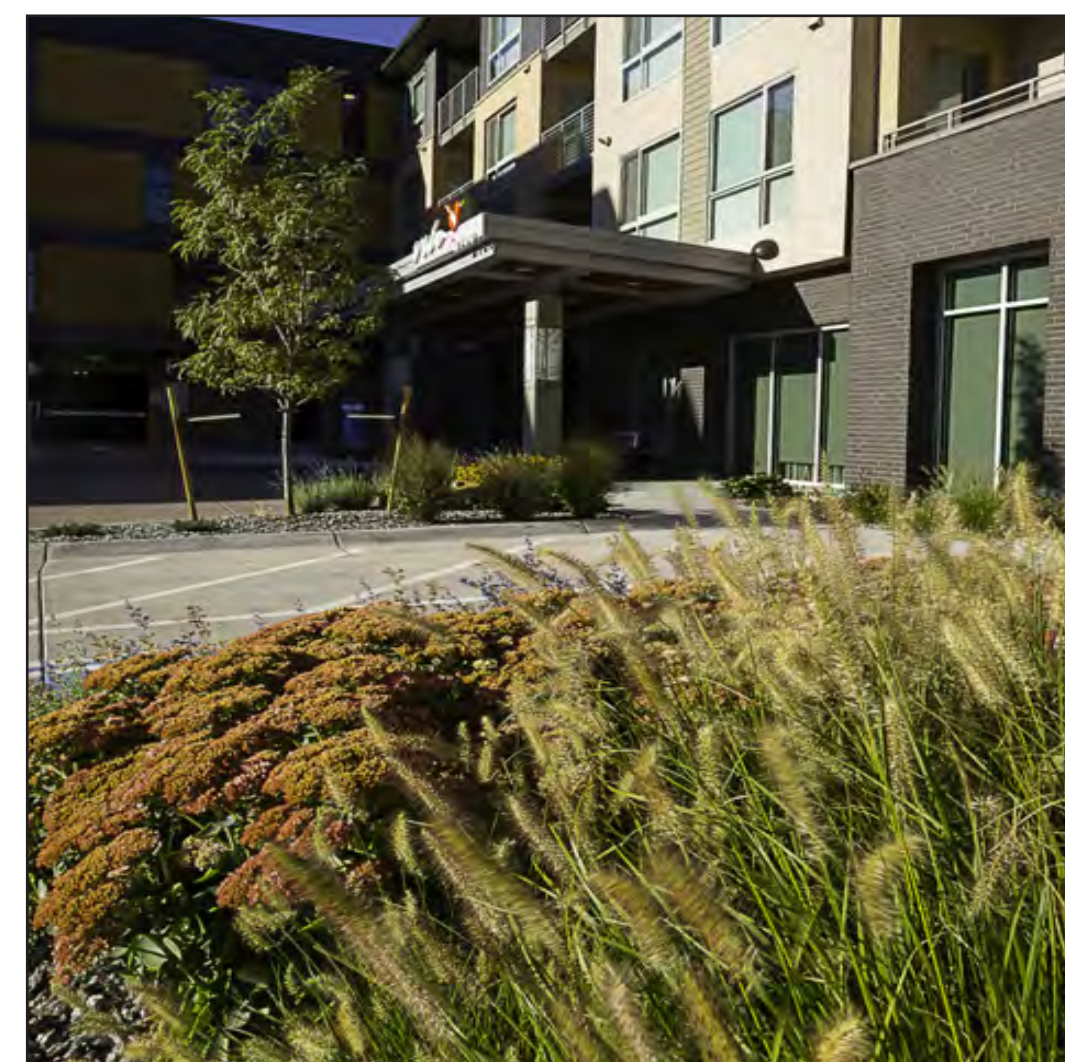


FIGURE I: RESIDENTIAL LANDSCAPE



FIGURE J: URBAN STREETSCAPE
RESIDENTIAL

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TAB 12 - COMMERCIAL AND RESIDENTIAL DESIGN

ARCHITECTURE

STATION 60 IS PROPOSED TO BE A MIXED-USE DEVELOPMENT CONSISTING OF RETAIL, COMMERCIAL, AND MULTIFAMILY AFFORDABLE HOUSING RESIDENTIAL USES. THESE DESIGN GUIDELINES OUTLINE THE ELEMENTS THAT SHALL BE THE BASIS FOR INDIVIDUAL BUILDING DESIGN THROUGHOUT STATION 60 IN ORDER TO ENSURE CONSISTENCY OF QUALITY AND CHARACTER THROUGHOUT THE DEVELOPMENT. THE GUIDELINES ARE INTENDED TO PROMOTE CONSISTENCY AND A SENSE OF PLACE WHILE BEING FLEXIBLE ENOUGH TO ALLOW ENOUGH DIVERSITY AND VARIETY TO CREATE A VIBRANT, UNIQUE BUILT ENVIRONMENT. ALL DEVELOPMENT WITHIN STATION 60 SHALL CONFORM TO THE GUIDELINES SET FORTH IN THE CITY OF AURORA UDO.

INTENT

THE INTENT OF THESE GUIDELINES IS TO COMMUNICATE HOW THE DIFFERENT GOVERNING STANDARDS HAVE BEEN ADDRESSED AND INTEGRATED INTO THE DESIGN FABRIC OF THIS DEVELOPMENT:

- TO ENHANCE THE MIXTURE OF LAND USES
- TO PROVIDE VISUAL INTEREST ALONG ALL STREETS AND AN ENHANCED PEDESTRIAN EXPERIENCE THROUGH A COMPLEMENTARY USE OF BUILDING, STREETScape AND LANDSCAPE MATERIALS UNIFIED BY A CONTEMPORARY DESIGN VOCABULARY
- TO SUPPORT COMFORTABLE PUBLIC SPACES WITH APPROPRIATELY SCALED BUILDINGS AND STREETS
- TO SCREEN ALL ROOFTOP EQUIPMENT AND GROUND FLOOR SERVICES, SUCH AS TRASH STORAGE AND UTILITIES, FROM HIGHLY VISIBLE RIGHTS-OF-WAY TO PREVENT VISUAL CLUTTER
- AFFORDABLE HOUSING ALLOWS FOR THE COLLECTION OF CODE ALTERNATIVES PER THE UDO.

GENERAL GUIDELINES

- ECO-FRIENDLY, HIGHLY-DURABLE BUILDING MATERIALS THAT ARE APPROPRIATE FOR THE LOCAL CLIMATE AND REDUCE ENERGY CONSUMPTION WILL BE USED WHEN POSSIBLE
- EACH BUILDING MASS WILL HAVE A PREDOMINANT MATERIALITY WHILE INCORPORATING COMPLEMENTARY SURFACES, FORMS AND COLORS WITHIN THE OVERALL BUILDING MASS AND ALONG EACH FAÇADE
- THE SITE AND BUILDING DESIGN SHOULD ACTIVATE STREETS AND PEDESTRIAN ZONES BY EMPLOYING PEDESTRIAN SCALE DESIGN FOR SAFE CIRCULATION AND INVITING PUBLIC SPACES LIKE PARKS AND PLAZAS.
- BUILDING DESIGN, INCLUDING ARTICULATION AND MATERIALS SHALL CONTINUE ON ALL SIDES, INCLUDING AREAS DEEMED "BACK OF HOUSE"; TRANSITIONS BETWEEN MATERIALS WILL OCCUR AT A PLANAR CHANGE OR OFFSET

SCREENING

MECHANICAL SYSTEMS SCREENING

- SCREENING OF ROOFTOP BUILDING SYSTEMS IS INTEGRAL TO THE BUILDING ARCHITECTURE IN TERMS OF FORM AND MATERIAL.
- ALL MECHANICAL AND ELECTRICAL SYSTEMS WILL BE SCREENED FROM VIEW OF SURROUNDING PUBLIC RIGHT-OF-WAYS.

TRASH & RECYCLING

- EXTERIOR TRASH DUMPSTERS WHERE REQUIRED WILL BE LOCATED WITHIN WALLED AND GATED ENCLOSURES AND PLACED ON A CONCRETE SLAB AND FULLY SCREENED FROM VIEW. THE ENCLOSURE WILL INCORPORATE THE SAME FINISH MATERIALS AS ADJACENT ARCHITECTURE. THE ENCLOSURE WILL BE SECURABLE AND 7' HIGH. THE ENCLOSURES WILL BE SURROUNDED BY A RAISED CONCRETE CURB OR PLANTING AREA SUFFICIENT IN WIDTH TO PROTECT THEM FROM VEHICLE CONTACT.

COLOR

THE FOCUS OF THE BUILDING SHOULD BE NATURAL IN TONE AND TEXTURE WITH THE USE OF COLOR TO HIGHLIGHT FORMS AND CREATE VISUAL APPEAL. HIGHLY SATURATED OR FLUORESCENT COLORS ARE ONLY ALLOWED AS ACCENTS AND ARE ENCOURAGED TO RELATE TO THE PROJECT COMMERCIAL AND RESIDENTIAL IMAGE ON SHEET 16.

| FORM H: ARCHITECTURAL DESIGN STANDARDS MATRIX | | | |
|---|------------------------------------|--|---|
| LAND USE | ARCHITECTURAL DESIGN STANDARDS | BRIEF DESCRIPTION OF THE FEATURE | LOCATION OF THE STANDARDS IN APPLICATION PACKAGE |
| COMMERCIAL DESIGN | COMMERCIAL MATERIALS PALETTE | MATERIALS ARE ORGANIZED IN PRIMARY AND SECONDARY MATERIALS PER FAÇADE LOCATION. PRIMARY MATERIALS MAY BE USED WITHOUT LIMITS INCLUDING: BRICK, STONE, STUCCO, CAST STONE, CERAMIC, TILE, AND GLASS. EIFS, STEEL OR OTHER METAL MATERIAL MAY BE UTILIZED AS AN ACCENT MATERIAL. BUILDING MATERIALS WILL COMPLY WITH COA STANDARDS. | SEE FIGURE E: COMMERCIAL MATERIALS PALETTE ON PAGE 16 OF THIS MASTER PLAN |
| | COMMERCIAL COLOR PALETTE | COLOR PALETTE TO INCLUDE EARTH TONES, INDIGENOUS TO THE REGION RESULTING IN A COHESIVE UNIFIED THEME THROUGHOUT THE DEVELOPMENT. BRIGHT OR FLUORESCENT COLORS SHALL BE USED AS A SECONDARY COLOR ONLY AND MAY NOT EXCEED 10% OF EACH FAÇADE. | SEE FIGURE C: COMMERCIAL COLOR PALETTE ON PAGE 16 OF THIS MASTER PLAN |
| | COMMERCIAL ARCHITECTURAL STYLES | THE INTENT FOR THE STYLE IS A CONTEMPORARY DESIGN WITH MID-MODERN INFLUENCES. THE ARCHITECTURE SHALL MATCH THE LANDSCAPE IN ITS RECLINED AND CRISP EDGES FOR A BALANCED COLLECTION OF GEOMETRIC FORMS. ELEMENTS OF THE DESIGN THEME THAT WILL BRING COHESION TO THE OVERALL DEVELOPMENT INCLUDES THE USE OF NATURAL MATERIALS. | SEE FIGURE B: COMMERCIAL FAÇADE ON PAGE 16 OF THIS MASTER PLAN |
| | COMMERCIAL ARCHITECTURAL FEATURES | RETAIL ARCHITECTURAL FEATURES SHALL CREATE A VARIETY OF VISUAL CALIBER THROUGH THE USE OF MATERIALS, DETAILS, AND LASTING FINISHES. BUILDINGS SHALL RELATE TO THE HUMAN SCALE THROUGH THE USE OF DETAILED QUALITY MATERIALS. FEATURES MAY INCLUDE HIGHLIGHTING ENTRIES TO BUILDINGS WITH ARCHITECTURAL TREATMENTS, VARIED HEIGHTS IN PARAPETS, MATERIAL CHANGES AT CHANGES IN PLANE, FALSE WINDOWS AND DOOR OPENINGS WHEN THE BUILDING USE WARRANTS. | SEE FIGURE C: COMMERCIAL CORNER ON PAGE 16 OF THIS MASTER PLAN |
| RESIDENTIAL DESIGN | RESIDENTIAL MATERIALS PALETTE | MATERIALS ARE ORGANIZED IN PRIMARY AND SECONDARY MATERIALS PER FAÇADE LOCATION. PRIMARY MATERIALS MAY BE USED WITHOUT LIMITS INCLUDING: BRICK, STONE, STUCCO, CAST STONE, CERAMIC, TILE, CEMENTITIOUS FIBER CLAPBOARD AND PANEL SIDING AND GLASS. STEEL, EIFS, OR OTHER METAL MATERIAL MAY BE UTILIZED AS AN ACCENT. BUILDING MATERIALS WILL COMPLY WITH COA STANDARDS. | SEE FIGURE H: RESIDENTIAL MATERIAL PALETTE ON PAGE 16 OF THIS MASTER PLAN |
| | RESIDENTIAL COLOR PALETTE | COLOR PALETTE TO INCLUDE EARTH TONES, INDIGENOUS TO THE REGION RESULTING IN A COHESIVE UNIFIED THEME THROUGHOUT THE DEVELOPMENT. BRIGHT OR FLUORESCENT COLORS SHALL NOT BE USED AS THE PREDOMINANT COLOR ON ANY WALL OR ROOF OF ANY PRIMARY STRUCTURE. BRIGHT/FLUORESCENT COLORS SHALL BE USED AS A SECONDARY COLOR AND MAY NOT EXCEED 10% OF EACH FAÇADE. | SEE FIGURE F: RESIDENTIAL FAÇADE ON PAGE 16 OF THIS MASTER PLAN |
| | RESIDENTIAL ARCHITECTURAL STYLES | THE INTENT FOR THE STYLE IS A CONTEMPORARY DESIGN WITH MID-MODERN INFLUENCES. THE ARCHITECTURE SHALL MATCH THE LANDSCAPE IN ITS RECLINED AND CRISP EDGES FOR A BALANCED COLLECTION OF GEOMETRIC FORMS. ELEMENTS OF THE DESIGN THEME THAT WILL BRING COHESION TO THE OVERALL DEVELOPMENT INCLUDES THE USE OF NATURAL MATERIALS | SEE FIGURE H: RESIDENTIAL MATERIAL PALETTE ON PAGE 16 OF THIS MASTER PLAN |
| | RESIDENTIAL ARCHITECTURAL FEATURES | FEATURES MAY INCLUDE HIGHLIGHTING ENTRIES TO BUILDINGS WITH ARCHITECTURAL TREATMENTS, VARIED HEIGHTS IN PARAPETS, MATERIAL CHANGES IN PLANE, AND BALCONIES WHEN USED. | SEE FIGURE G: RESIDENTIAL FAÇADE ON PAGE 16 OF THIS MASTER PLAN |

NOTES:

THE DESIGN STANDARDS LISTED IN THIS MATRIX IMPLEMENT THE DESIGN THEMES OF THE MASTER PLAN AND ARE INTENDED TO MEET AND/OR EXCEED THE CURRENT STANDARDS PROVIDED BY THE UNIFIED DEVELOPMENT ORDINANCE. ALL THE PHOTOS AND ILLUSTRATIONS REFERENCED BY THIS MATRIX ARE REPRESENTATIVE OF THE LEVEL OF DESIGN QUALITY REQUIRED BY THIS MASTER PLAN. FINAL DESIGNS TO BE SUBMITTED AT THE SITE PLAN LEVEL WILL NOT NECESSARILY DUPLICATE THE EXACT ILLUSTRATIONS, BUT WILL CONTAIN THE SAME THEMES AS SHOWN, AND WILL BE AT THE SAME OR HIGHER LEVEL OF DESIGN QUALITY AND DETAIL.

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TAB 12 - COMMERCIAL AND RESIDENTIAL DESIGN

BUILDING MATERIALS

- THE FOCUS OF THE BUILDING SHALL BE NATURAL IN TONE AND TEXTURE WITH THE USE OF COLOR TO HIGHLIGHT FORMS AND CREATE VISUAL APPEAL.
- HIGHLY SATURATED OR FLUORESCENT COLORS ARE ALLOWED AS ACCENTS AND ARE ENCOURAGED TO RELATE TO THE PROJECT BRANDING.
- ACCENT MATERIALS MAY INCLUDE CEMENT FIBER BOARD, PHENOLIC WOOD, COMPOSITE WOOD, METAL PANEL, AND OTHER TROWELED OR PAINTED PRODUCTS, OR OTHER DURABLE MATERIALS.

FOUR-SIDED BUILDING DESIGN

- EVERY BUILDING WILL BE CONSIDERED TO HAVE A FRONT (PRIMARY) FACADE, A SIDE (SECONDARY) AND A REAR (MINOR) FACADE ELEVATION.
- ARCHITECTURAL DESIGN SHALL BE CONSIDERED ON ALL SIDES OF THE BUILDING TO LIMIT LONG PLAIN BLANK WALLS.
- PRIMARY BUILDING ENTRANCES SHALL BE HIGHLIGHTED IN THE DESIGN AND FACE PUBLIC RIGHTS-OF-WAYS, OR THE DEFINED PEDESTRIAN REALM OF A LARGER SITE.
- MINOR BUILDING ELEVATIONS MUST INCLUDE SCALING ELEMENTS AS DESCRIBED UNDER MASSING AND ARTICULATION, MATERIAL CHANGES AND COLOR CHANGES.

MASSING AND ARTICULATION

WHERE LOCATED WITHIN THE PUBLIC REALM, ARCHITECTURAL ELEMENTS AND TECHNIQUES SHALL BE UTILIZED TO REDUCE THE APPARENT MASSING AND SCALE OF BUILDINGS. A COMBINATION OF THESE TECHNIQUES, OR ALTERNATIVE TECHNIQUES THAT MEET THE INTENT OF THESE STANDARDS, AS APPROVED BY THE CITY OF AURORA, MAY BE UTILIZED WHEN ONLY A PORTION OF A FACADE WALL OR SURFACE IS LOCATED WITHIN THE PUBLIC REALM. THE PUBLIC REALM IS DEFINED AS IN DIRECT VIEW FROM STREETS (BOTH PUBLIC AND PRIVATE) AND KEY PEDESTRIAN CORRIDORS. THE BUILDING WILL BE A MAXIMUM OF 250' IN LENGTH PER THE REQUESTED ADJUSTMENT.

- BUILDINGS SHALL INCORPORATE CREATIVE MANIPULATION OF THE BUILDING FORM TO REDUCE THE OVERALL MASS OF THE STRUCTURE AND BREAK UP LONG, FLAT WALLS. COLOR CHANGE, MATERIAL CHANGE, PLANE CHANGE ANOTHER SHADOW-PRODUCING ELEMENTS ARE ALL ACCEPTABLE MEANS OF ARTICULATION.
- HORIZONTAL ARTICULATION - THE BUILDING SHOULD BE HORIZONTALLY ARTICULATED EVERY 50 FEET THROUGH ONE OF THE FOLLOWING: A CHANGE IN MATERIAL OR COLOR, HORIZONTAL OFF SET OR PROJECTION, CHANGE IN FENESTRATION PATTERN, ROOF HEIGHT OR FORM, OR A NOTCH IN THE WALL.
- VERTICAL ARTICULATION – MULTISTORY BUILDINGS SHALL ADDRESS A PEDESTRIAN SCALE BY ADDRESSING THE BASE OF THE BUILDING DIFFERENTLY FROM THE BODY OF THE BUILDING IN COLOR, MATERIAL AND DETAIL. THE BUILDING SHALL ALSO ADDRESS THE NEIGHBORHOOD OR DISTRICT SCALE BY DISTINGUISHING THE UPPERMOST PORTIONS OF THE BUILDING FROM THE BODY.

A. VARIATIONS IN WALL ARTICULATION. IF THIS TECHNIQUE IS CHOSEN, THE FOLLOWING ITEMS SHALL BE IMPLEMENTED:

- THE BUILDING FACADE SHALL INCORPORATE AT LEAST TWO (2) DISTINCT PLANES, SEPARATED BY AT LEAST SIX (6) INCHES OF HORIZONTAL DIMENSION;
- AN INDIVIDUAL FACADE PLANE SHALL COVER NO MORE THAN SIXTY PERCENT (60%) OF THE TOTAL FACADE SURFACE AREA; AND

B. USE OF ARCHITECTURAL COLUMNS OR PILASTERS. IF THIS TECHNIQUE IS CHOSEN, THE FOLLOWING ITEMS SHALL BE IMPLEMENTED:

- THE BUILDING FACADE SHALL INCORPORATE AT LEAST FOUR (4) DISTINCT COLUMNS OR PILASTERS, AT LEAST EIGHTEEN (18) INCHES WIDE;
- THE COLUMNS OR PILASTERS, AS MEASURED TOGETHER, SHALL COVER AT LEAST TWENTY PERCENT (20%) OF THE TOTAL FACADE SURFACE AREA; AND
- THE COLUMNS OR PILASTERS SHALL BE CONSTRUCTED WITH A DIFFERENT AND DISTINCT FINISH MATERIAL FROM THE MAIN FACADE FINISH MATERIAL AND/OR THROUGH REVEAL PATTERNS AND DIFFERENTIATION IN PAINT COLOR.

C. USE OF ARCHITECTURAL FENESTRATION, SUCH AS WINDOWS, CLERESTORY WINDOWS, DOORS OR OTHER OPENINGS IN THE WALL SURFACE. IF THIS TECHNIQUE IS CHOSEN, THE FOLLOWING ITEMS SHALL BE IMPLEMENTED:

- AT LEAST FIVE PERCENT (5%) OF THE TOTAL FACADE SURFACE AREA SHALL INCORPORATE ARCHITECTURAL FENESTRATION (OR AN OPENING THROUGH THE WALL).

MATERIALS

EXTERIOR FACADE MATERIALS AND COLORS SHALL BE AESTHETICALLY PLEASING, OF A QUALITY, REQUIRE LOW MAINTENANCE AND BE COMPATIBLE WITH OTHER STRUCTURES WITHIN THE DEVELOPMENT.

A. FACADES SHALL INCORPORATE AT LEAST THREE (3) DIFFERENT AND DISTINCT FACADE FINISH MATERIALS, FOR THE PURPOSE OF REDUCING THE APPARENT MASSING AND SCALE OF BUILDINGS.

B. GLASS, WHEN USED FOR WINDOW APPLICATIONS OR CURTAIN WALLS, WILL BE COUNTED AS AN ACCEPTABLE FINISH MATERIAL FOR PURPOSES OF THIS STANDARD.

C. ALTERNATIVE COLOR OR MATERIAL APPLICATIONS THAT MEET THE INTENT OF THESE STANDARDS.

D. THE USE OF SUBDUED COLORS TYPICAL OF THE MUTED NATIVE GRASSES, WOODS, LAKES AND PONDS, ROCKS AND SOILS, AND SUN AND SKY OF THE HIGH COLORADO PLAINS AND NATURAL SETTING ARE TO BE USED AS PRIMARY BUILDING COLORS. COLORS OR MATERIALS CONSIDERED TO BE BOLD, BRASH, REFLECTIVE, INTENSE, FLUORESCENT OR METALLIC SHALL NOT BE USED UNLESS OTHERWISE APPROVED IN WRITING FOR A SPECIFIC AND LIMITED PURPOSE.

E. ACCENT AND TRIM MATERIALS AND COLORS SHALL COMPLEMENT AND ENHANCE THE EFFECT OF THE PRINCIPAL BUILDING COLORS AND MATERIALS.

F. VIVID AND DRAMATIC COLORS MAY BE USED, IN A LIMITED APPLICATION, IN ORDER TO ACCENT ARCHITECTURAL ELEMENTS SUCH AS DOOR AND WINDOW FRAMES, CORNICES, BRACKETS AND OTHER DECORATIVE ARCHITECTURAL DETAILS. A MAXIMUM 10% PER FACADE LIMITATION FOR BRIGHT/ FLUORESCENT COLORS WILL APPLY.

ROOF FORMS AND MATERIALS

THE ROOF LINE SHALL BE DESIGNED TO COMPLEMENT VARIOUS BUILDING ELEMENTS AND FUNCTIONS, AND EACH BUILDING SHOULD HAVE A DEFINED TOP. VARIATIONS IN THE ROOF LINE SHALL BE UTILIZED TO REDUCE THE APPARENT MASSING AND SCALE OF BUILDINGS AND REDUCE CONTINUOUS ROOF LINES.

A. METAL ROOFS SHALL HAVE A LOW GLOSS FINISH TO REDUCE GLARE AND REFLECTIVITY. ROOF COLORS SHALL BE MUTED OR OTHERWISE BE COMPATIBLE WITH THE PRINCIPAL BUILDING COLOR.

B. PARAPETS AND ROOF LINES IN EXCESS OF FIFTY (50') FEET IN LENGTH SHALL INCORPORATE ARCHITECTURAL FEATURES AND/OR TECHNIQUES TO DIMINISH THE APPARENT BUILDING MASS AND LONG, CONTINUOUS ROOF LINES.

C. THE USE OF STEPPED PARAPET WALL HEIGHTS AND/OR VARIATIONS IN ROOF PLANES OR PARAPET LINES OF AT LEAST 3 FEET.

D. USE OF BELT COURSES OR HORIZONTAL TRIM BANDS OF CONTRASTING COLOR AND/OR MATERIALS AT THE ROOF LINE. BELT COURSES OR TRIM BANDS SHALL BE AT LEAST EIGHTEEN (18) INCHES WIDE AND SEPARATED BY AT LEAST SIX (6) INCHES OF HORIZONTAL DIMENSION FROM THE MAIN BUILDING FACADE.

PRIMARY BUILDING ENTRANCES

PRIMARY BUILDING ENTRANCES SHALL PROVIDE VISUAL INTEREST AND SHALL BE CLEARLY IDENTIFIABLE FROM PRIMARY DRIVEWAYS AND VEHICULAR CIRCULATION ROUTES. PRIMARY BUILDING ENTRANCES SHALL BE EASILY IDENTIFIED THROUGH THE USE OF ARCHITECTURAL FEATURES AND DESIGN. ARCHITECTURAL FEATURES AND ELEMENTS EMPLOYED TO FULFILL OTHER ARCHITECTURAL AND DESIGN REQUIREMENTS (SUCH AS REQUIREMENTS FOR MASSING REDUCTIONS, MATERIAL AND COLOR VARIATIONS AND VARYING ROOF FORMS) MAY BE APPLIED TOWARDS THESE BUILDING ENTRANCE REQUIREMENTS.

WALLS AND FENCES

WALLS AND FENCES SHOULD CONTRIBUTE TO THE VISUAL QUALITY OF THE SITE, WHILE BEING AS VISUALLY UNOBTRUSIVE AS POSSIBLE. THE ARCHITECTURE, DESIGN, MATERIALS AND COLORS OF FENCES AND WALLS SHALL BE COMPATIBLE WITH THE SITE'S BUILDINGS AND ARCHITECTURE.

A. MASONRY WALLS, METAL FENCES (WROUGHT IRON) ARE PERMITTED IN AREAS IN DIRECT VIEW FROM STREETS (BOTH PUBLIC AND PRIVATE) AND KEY PEDESTRIAN CORRIDORS, WALLS AND FENCING USE AND MATERIALS SHALL CONFORM THE UDO.

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TAB 12 - COMMERCIAL AND RESIDENTIAL DESIGN EXHIBIT



FIGURE A: COMMERCIAL CORNER



FIGURE B: COMMERCIAL FACADE



FIGURE C: COMMERCIAL ARCHITECTURAL FEATURES



FIGURE D: COMMERCIAL FUELING STATION



FIGURE E: COMMERCIAL COLOR PALETTE



FIGURE F: MULTIFAMILY ENTRYWAY & COLOR PALETTE



FIGURE G: MULTIFAMILY ARCHITECTURAL FEATURES



FIGURE H: MULTIFAMILY ARCHITECTURAL FEATURES

STATION 60
COLFAX AVENUE AND AIRPORT BOULEVARD
AURORA, COLORADO

OWNER:
QUIKTRIP CORPORATION
4705 S. 129TH EAST AVE
TULSA, OK 74134-7005
913-905-2026

DATE:
06/10/2021 - SUBMITTAL 1
09/14/2021 - SUBMITTAL 2
11/19/2021 - SUBMITTAL 3

SHEET TITLE:
ARCHITECTURAL
STANDARDS

OWNER:

QUIKTRIP CORPORATION
4705 S. 129TH EAST AVE
TULSA, OK 74134-7005
913-905-2026

DATE:

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Station 60 Master Plan
Public Improvement Plan Narrative

The purpose of this Master Plan narrative is to outline the required infrastructure for the **Station 60 Development**. This narrative will discuss the identified planning areas and the necessary roadway and utility infrastructure that shall be provided to serve each area.

The Station 60 Master Plan has been divided into nine (9) distinct planning areas that include stormwater detention treatment areas, commercial development and industrial development. The developer of each planning area shall be responsible for the design and construction of all on- and off-site improvements and infrastructure needed to serve the overall planned area and each individual planning area as identified in this narrative. These improvements may include, but are not limited to, frontage improvements, providing a minimum of two points for emergency access, wet utility extensions/loops, and stormwater detention facilities.

RIGHTS-OF-WAY

In compliance with the City standards and specifications, all adjacent right-of-way improvements shall be installed with the first to develop of planning areas PA-1 thru PA-5. The anticipated public right-of-way improvements include the following:

- **Colfax Avenue**
 - complete the street section along the western side of the property,
 - provide 10-ft detached sidewalk, and
 - provide streetlights
 - provide a continuous westbound auxiliary lane,
 - provide an eastbound left turn lane extension at Norfolk Street,
 - provide a westbound acceleration lane at Norfolk Street,
 - closure of the median in Colfax Street, and
 - provide an eastbound dual left turn lane extension at Airport Blvd
- **Airport Boulevard**
 - widen the existing detached sidewalk to be 10-ft wide,
 - provide streetlights, and
 - provide a 25-ft lot corner radius at the intersection with Colfax Avenue
- **Norfolk Street**
 - Right of way dedication,
 - Install complete the street section from existing western curb line (Local Type 1),
 - install a 5.5-ft detached sidewalk,
 - provide streetlights,
 - provide a dedication southbound left turn lane at Colfax Avenue, and
 - provide a 25-ft lot corner radius at the intersection with Colfax Avenue

Details for the new auxiliary lanes, dedicated right turn lane and dedicated left turn lane improvements are identified in the *Master Traffic Impact Study (MTIS)*.

Traffic Signal Escrow for the intersection of Colfax Avenue and Norfolk Street shall be provided with the first planning area to be developed.

All roadway section improvements shall include curb and gutter, sidewalks, streetlights, landscaping, curb inlets, signing and striping per City of Aurora Design and Construction Standards and Specifications. Interim or additional off-site roadway improvements that may be identified within site specific traffic impact studies shall be the responsibility of the developer of the respective planning area. Refer to the *Master Traffic Impact Study (MTIS)* prepared by Kimley-Horn & Associates for additional information.

INTERNAL DRIVES

Internal drives shown in the attached exhibits are for illustrative purposes to demonstrate the roadway network needed to serve the development and are subject to revisions as the planning areas are developed. The final design of the internal private drives shown hereon will be further defined with the site specific developments. On-Site roadway sections shall include curb and gutter, detached sidewalks, streetlights, landscaping, curb inlets, signing and

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Page 2

striping per City of Aurora Design and Construction Standards and Specifications. All on-site roadways, including unpaved sections, shall allow for emergency vehicular access. It is the responsibility of the developer to provide the full roadway sections for drives adjacent to and serving each planning area. It is understood that as development progresses and utility mains are installed, unpaved roadway sections may be required.

UTILITIES

Utility alignments shown in the attached exhibits are for illustrative purposes to demonstrate the infrastructure needed to serve the development and are subject to revisions as the planning areas are developed. The final design of the utilities shown hereon will be defined with the site specific developments. The sanitary sewer main, storm sewer main and water main within Private Drive A will be required for the development of all Planning Areas. Sanitary sewer and water stubs shall be provided to serve each planning area at the time the mains are installed.

No off-site water improvements are anticipated to serve the overall development. An 8-inch water main loop shall be designed and installed with two points of connection to the existing water main located within Colfax Avenue and Airport Blvd. Stubs to each planning area shall be installed with the main to provide connections for future development. Consistent with the City of Aurora requirements, any wet utilities installed within unpaved roadway sections shall be graded to the final subgrade to ensure adequate cover and depth is provided.

No off-site sanitary sewer improvements are anticipated to serve the overall planning area. The sanitary sewer main extension will be connected to the existing 8-inch main within Airport Blvd. The sanitary sewer main extension shall be designed and installed within Private Drive A and shall provide service to all adjacent planning areas. Consistent with the City of Aurora requirements, any wet utilities installed within unpaved roadway sections shall be graded to the final subgrade to ensure adequate cover and depth is provided.

STORMWATER

Detention ponds shown in the attached exhibits are for illustrative purposes to demonstrate the infrastructure needed to serve the development and are subject to revisions as the planning areas are developed. The final design of the ponds shown hereon will be defined with the site specific developments.

The detention facility in PA-4 shall provide full spectrum detention for Planning Area 1, in addition to the drives to serve the planning area. This detention facility will provide a single outlet structure to serve the entire development in order to support a single point of connection to the existing storm main.

The detention facility in PA-5 shall provide full spectrum detention for Planning Areas 2 and 3 and the associated internal drives to the respective planning areas. In order to maintain a single connection to the existing storm sewer main within Airport Blvd, the pond and outlet structure location within PA-4 shall also be installed with PA-5 to provide the project outfall.

The storm sewer mains within the private drives shall be installed with the adjacent planning areas to convey stormwater to the associated detention facility. Each of the planning areas shall be responsible for conveying stormwater to the storm sewer main located within the private drives or directly to the detention facility it is tributary to. Refer to the *Station 60 Master Drainage Study* prepared by Kimley-Horn & Associates dated June 2021 for additional information.

SPECIFIC PLANNING AREAS

The table below provides a general summary for the planning areas including the proposed use, access points and the anticipated utility points of connection. Additionally, any special features or development triggers that are required are noted. More detail on specific planning areas is provided below as applicable.

| Table 1: Planning Area Summary | | | | |
|--------------------------------|-------------|---|-----------------------|---------------------|
| Planning Area | Use | ROW Access Points (refer to MTIS Figure 12) | Utility Stub Location | Development Trigger |
| PA-1 | Residential | Norfolk & Colfax | Drive A | N/A |
| PA-2 | Commercial | Airport & Colfax | Drive A | N/A |
| PA-3 | Commercial | Norfolk & Colfax | Drive A | N/A |
| PA-4 | Detention | N/A | N/A | PA -1 thru PA-3 |
| PA-5 | Detention | N/A | N/A | PA-2 & PA-3 |

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PA-1

Planning Area 1 is anticipated to be made up of 11.16-acres of residential development. The infrastructure required to serve this development includes the following:

- Right-of-Way improvements as defined above
- Private Drive A
- Private Drive B
- Water main loop
- Sanitary Sewer Main Extension
- Full Spectrum Detention and storm sewer infrastructure in PA-4

PA-2

Planning Area 2 is anticipated to be made up of 3.64-acres of commercial development. The infrastructure required to serve this development includes the following:

- Right-of-Way improvements as defined above
- Eastern portion of Private Drive A
- Private Drive B
- Water main loop
- Sanitary Sewer Main Extension
- Full Spectrum Detention and storm sewer infrastructure in PA-4 and PA-5

PA-3

Planning Area 3 is anticipated to be made up of 5.01-acres of commercial development. The infrastructure required to serve this development includes the following:

- Right-of-Way improvements as defined above
- Private Drive A
- Private Drive B
- Water main loop
- Sanitary Sewer Main Extension
- Full Spectrum Detention and storm sewer infrastructure in PA-4 and PA-5

PA-4 and PA-5

Planning Areas 4 and 5 are anticipated to consist of areas designated for on-site water quality and detention for the project development. The on-site detention facilities shall include forebays, trickle channels, maintenance access and an outlet structure as required by the City of Aurora Standards and Specifications.




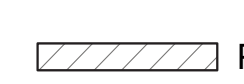
CONCLUSION

As noted previously, the Station 60 Development is anticipated to consist of eleven planning areas. The planning areas were evaluated to identify the infrastructure needed to support each of them while also providing a methodical approach to best serve the development as a whole.







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TAB 13 - PUBLIC IMPROVEMENT PLAN

LEGEND

-  PUBLIC ROADWAY IMPROVEMENTS
-  PLANNING AREA
-  PRIVATE ROADWAY IMPROVEMENTS
-  POND

UTILITY LEGEND

-  EXISTING STORM SEWER
-  EXISTING SANITARY SEWER
-  EXISTING WATER MAIN
-  PROPOSED STORM MAIN
-  PROPOSED SANITARY MAIN
-  PROPOSED WATER MAIN

NOTES:

1. PROPERTY LINES AND EXISTING INFRASTRUCTURE OBTAINED FROM SURVEY COMPLETED BY ALTURA SEPTEMBER 2020.
2. TOTAL SITE AREA IS ±26.29 ACRES INCLUDING ROW IMPROVEMENTS.
3. ALL ROADWAY CURB AND GUTTER SHALL BE PER COA STD DWG S7.1.
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6. AUXILIARY LANES SHALL BE INCLUDED IN THE PUBLIC ROADWAY IMPROVEMENTS AS IDENTIFIED IN THE APPROVED MASTER TRAFFIC IMPACT STUDY (MTIS).
7. INTERIOR INTERSECTION CONTROL SHALL BE SIDE STREET STOP (LOWER VOLUME ROADWAY STOP, AS SHOWN IN THE MTIS) UNLESS A LATER DETAILED TRAFFIC IMPACT STUDY SUPPORTS AN ALTERNATIVE INTERSECTION CONTROL.
8. REFER TO CROSS SECTIONS PLAN FOR ROADWAY CROSS-SECTIONS.
9. CONNECTION TO WATER MAIN IN NORFOLK ST WILL REQUIRE REMOVAL OF THE EXISTING ACP LINE AND REPLACEMENT WITH A PVC SECTION TO INCLUDE A 12" X 8" TEE FITTING AND 8" GATE VALVE FOR THE WATER STUB. THIS WORK IS TO BE COMPLETED BY A QUALIFIED 3RD PARTY CONTRACTOR.

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AURORA, COLORADO

OWNER:

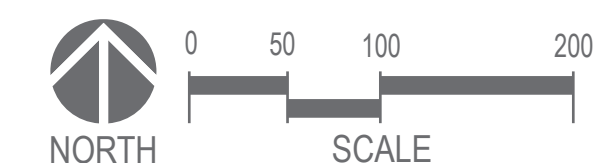
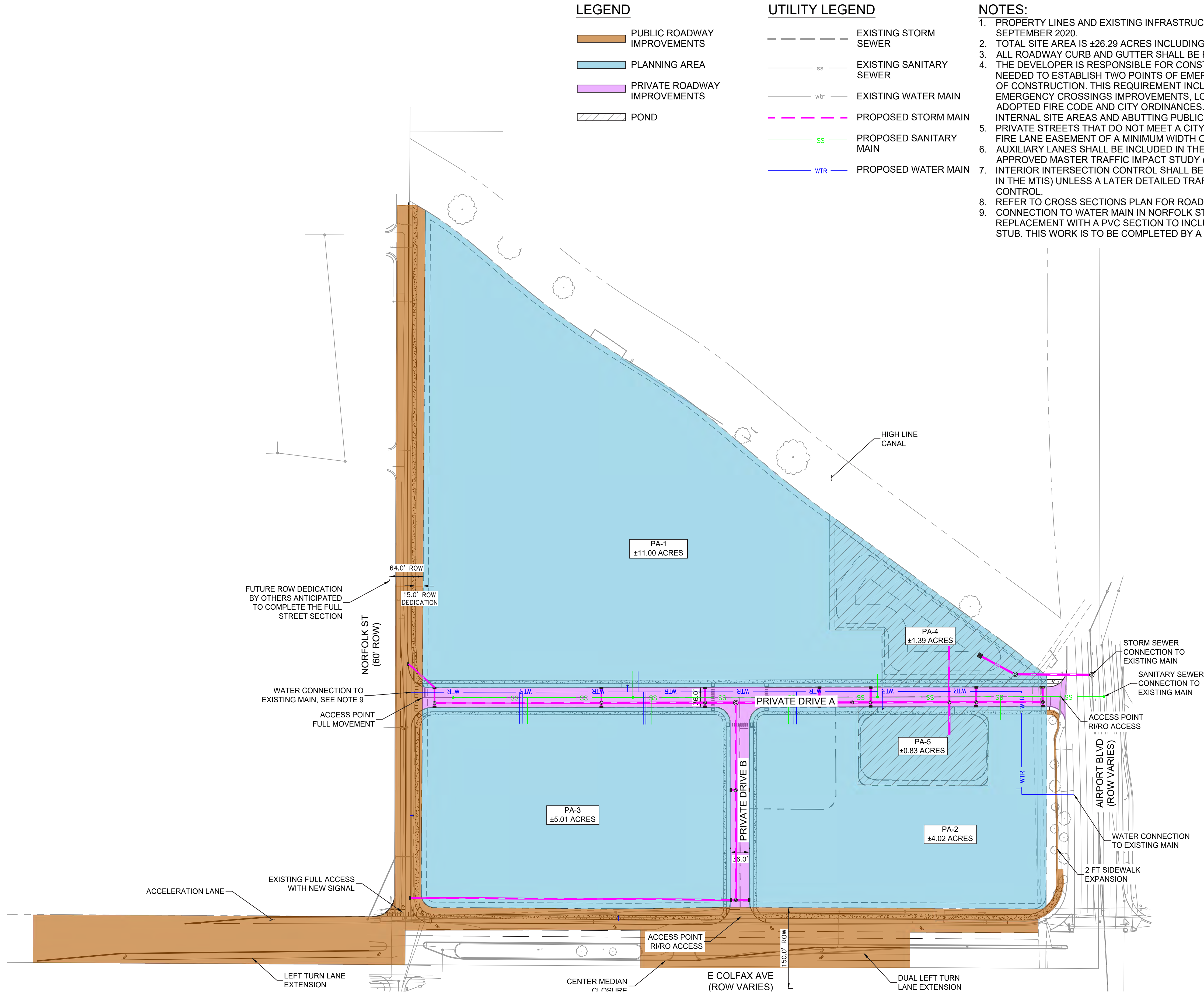
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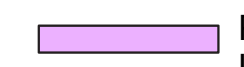
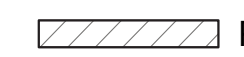
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PUBLIC IMPROVEMENT PLAN





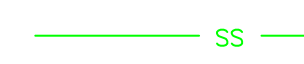
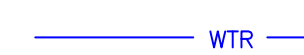


TAB 13 - PUBLIC IMPROVEMENT PLAN - PLANNING AREA 1

LEGEND

-  PUBLIC ROADWAY IMPROVEMENTS
-  PLANNING AREA
-  PRIVATE ROADWAY IMPROVEMENTS
-  POND

UTILITY LEGEND

-  EXISTING STORM SEWER
-  EXISTING SANITARY SEWER
-  EXISTING WATER MAIN
-  PROPOSED STORM MAIN
-  PROPOSED SANITARY MAIN
-  PROPOSED WATER MAIN

NOTES:

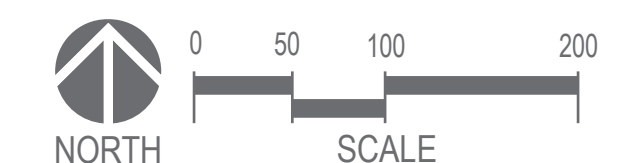
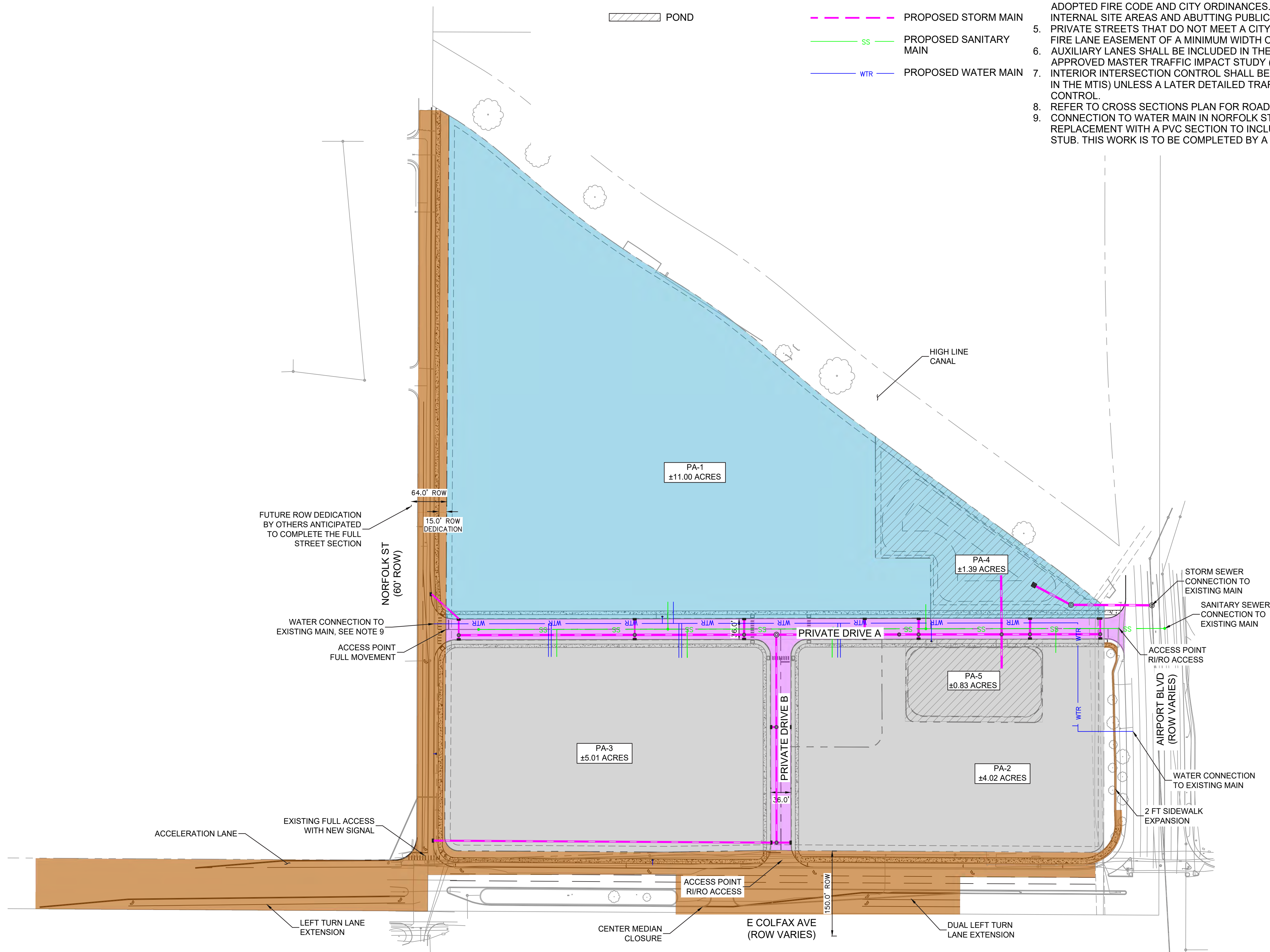
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 AURORA, COLORADO

OWNER:
 QUIKTRIP CORPORATION
 4705 S. 129TH EAST AVE
 TULSA, OK 74134-7005
 913-905-2026




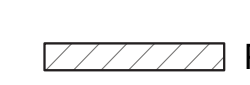
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 11/19/2021 - SUBMITTAL 3

SHEET TITLE:
 PUBLIC IMPROVEMENT PLAN





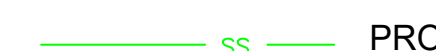



TAB 13 - PUBLIC IMPROVEMENT PLAN - PLANNING AREA 2

LEGEND

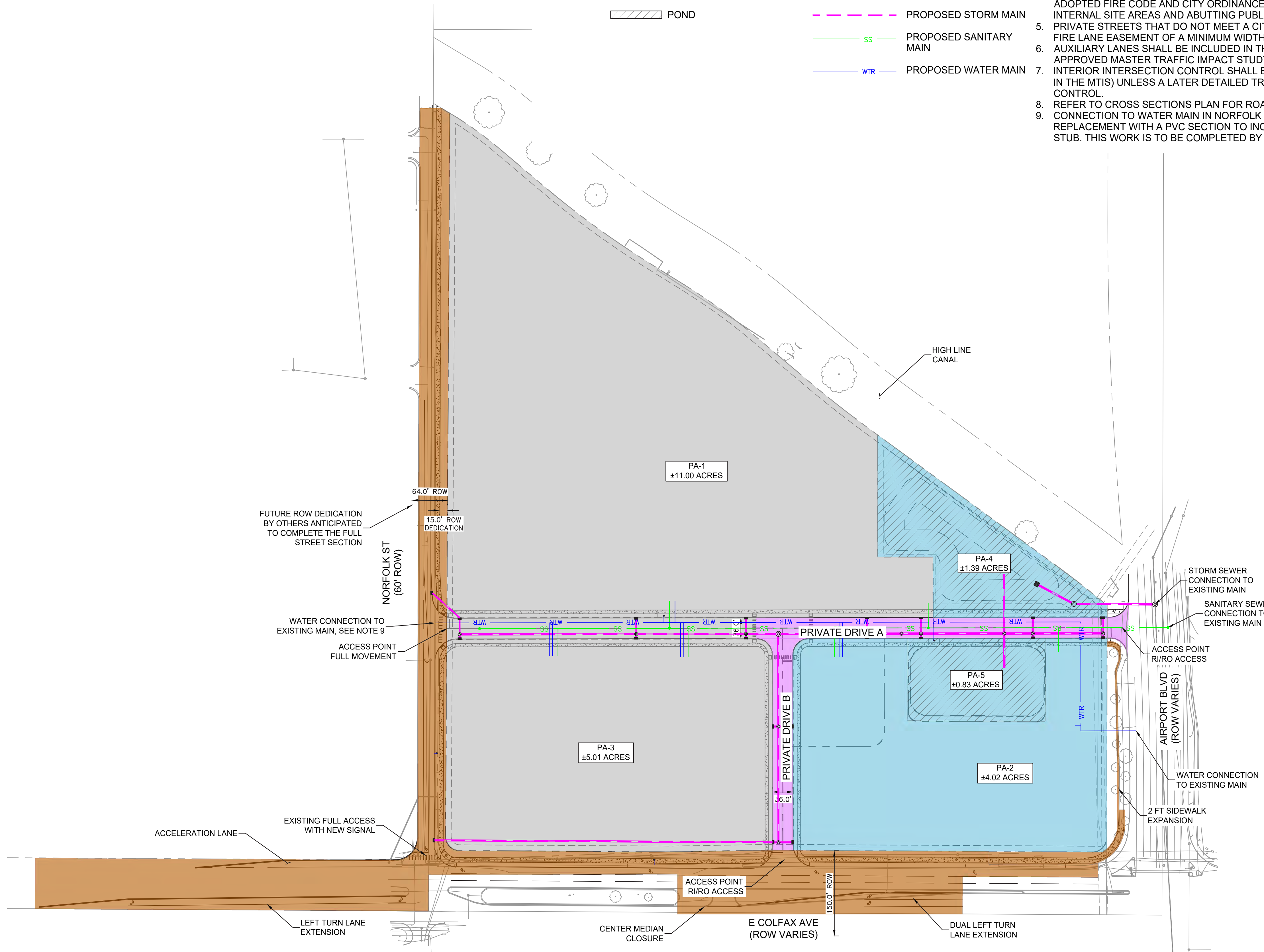
-  PUBLIC ROADWAY IMPROVEMENTS
-  PLANNING AREA
-  PRIVATE ROADWAY IMPROVEMENTS
-  POND

UTILITY LEGEND

-  EXISTING STORM SEWER
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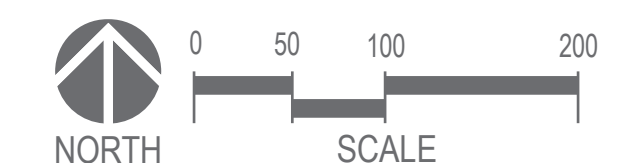


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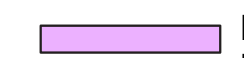

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 PUBLIC IMPROVEMENT PLAN









TAB 13 - PUBLIC IMPROVEMENT PLAN - PLANNING AREA 3

LEGEND

-  PUBLIC ROADWAY IMPROVEMENTS
-  PLANNING AREA
-  PRIVATE ROADWAY IMPROVEMENTS
-  POND

UTILITY LEGEND

-  EXISTING STORM SEWER
-  EXISTING SANITARY SEWER
-  EXISTING WATER MAIN
-  PROPOSED STORM MAIN
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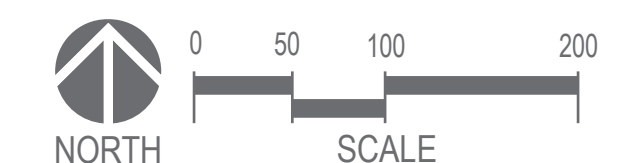
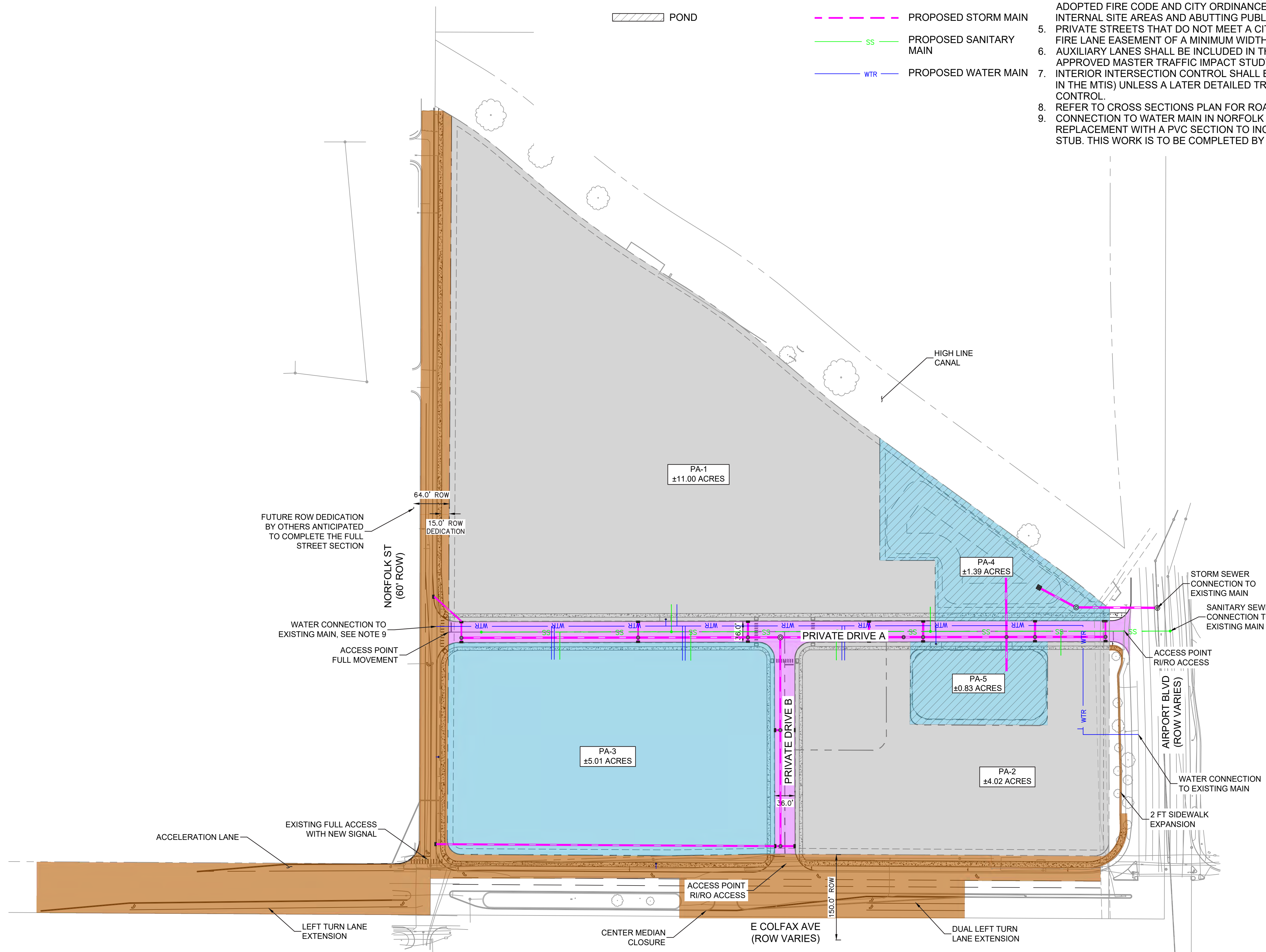
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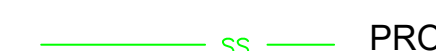



TAB 13 - PUBLIC IMPROVEMENT PLAN - PLANNING AREA 4

LEGEND

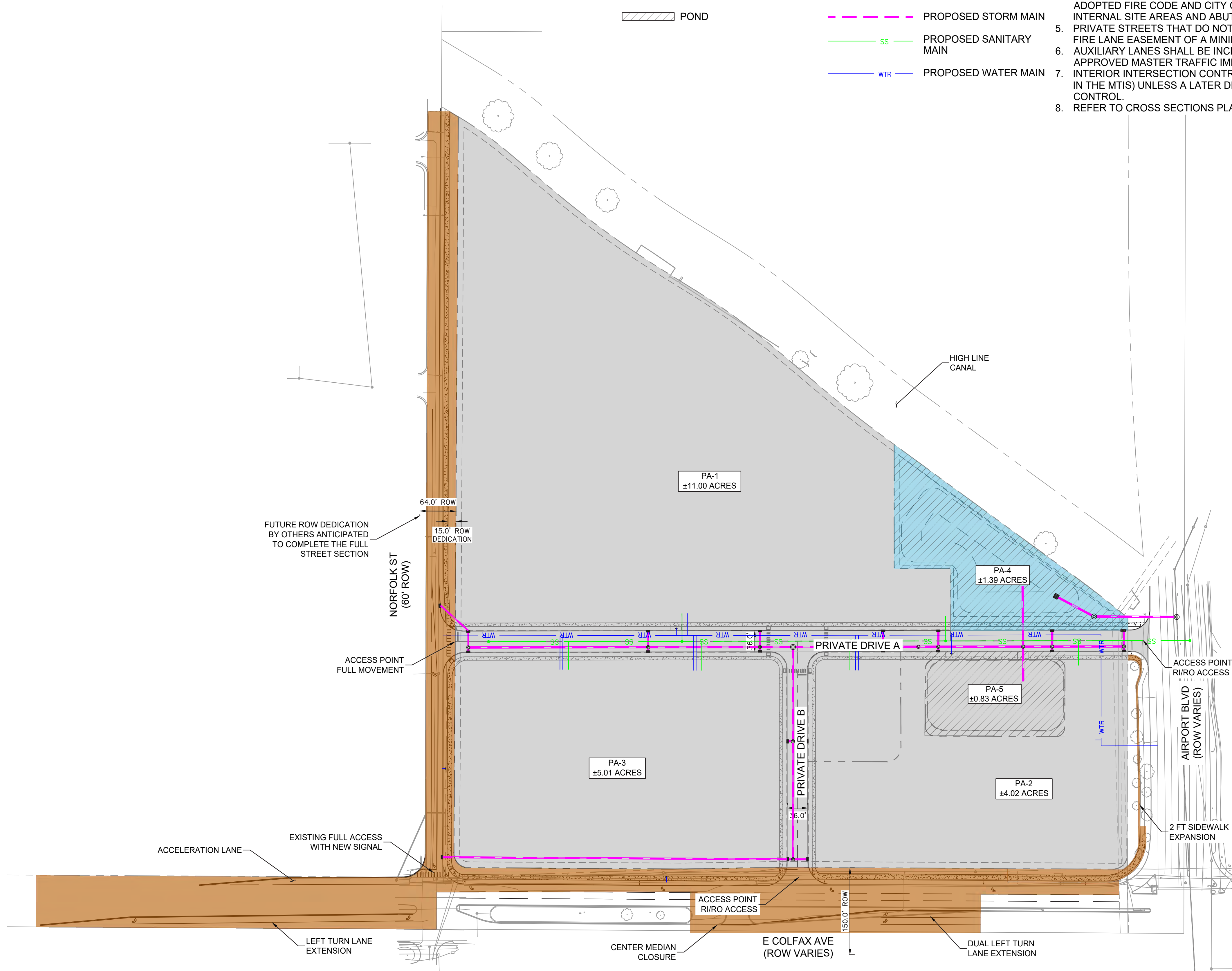
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-  POND

UTILITY LEGEND

-  EXISTING STORM SEWER
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4. THE DEVELOPER IS RESPONSIBLE FOR CONSTRUCTION OF ALL ON-SITE AND OFF-SITE INFRASTRUCTURE NEEDED TO ESTABLISH TWO POINTS OF EMERGENCY ACCESS TO THE OVERALL SITE AND EACH INTERNAL PLOT OF CONSTRUCTION. THIS REQUIREMENT INCLUDES, BUT IS NOT LIMITED TO, THE CONSTRUCTION OF ANY EMERGENCY CROSSINGS IMPROVEMENTS, LOOPED WATER SUPPLY AND FIRE HYDRANTS AS REQUIRED BY THE ADOPTED FIRE CODE AND CITY ORDINANCES. FIRE HYDRANT COVERAGE REQUIREMENTS INCLUDE BOTH INTERNAL SITE AREAS AND ABUTTING PUBLIC STREET SYSTEMS.
5. PRIVATE STREETS THAT DO NOT MEET A CITY OF AURORA APPROVED ROADWAY STANDARD MAY REQUIRE A FIRE LANE EASEMENT OF A MINIMUM WIDTH OF 23' (OR A 26' WHEN REQUIRED BY APPENDIX D OF THE 2015 IFI).
6. AUXILIARY LANES SHALL BE INCLUDED IN THE PUBLIC ROADWAY IMPROVEMENTS AS IDENTIFIED IN THE APPROVED MASTER TRAFFIC IMPACT STUDY (MTIS).
7. INTERIOR INTERSECTION CONTROL SHALL BE SIDE STREET STOP (LOWER VOLUME ROADWAY STOP, AS SHOWN IN THE MTIS) UNLESS A LATER DETAILED TRAFFIC IMPACT STUDY SUPPORTS AN ALTERNATIVE INTERSECTION CONTROL.
8. REFER TO CROSS SECTIONS PLAN FOR ROADWAY CROSS-SECTIONS.

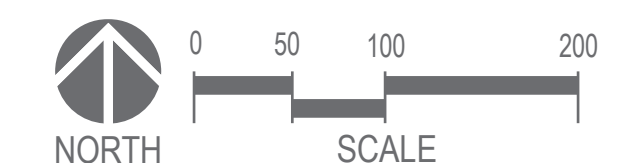


STATION 60
COLFAX AVENUE AND AIRPORT BOULEVARD
AURORA, COLORADO

OWNER:
QUIKTRIP CORPORATION
4705 S. 129TH EAST AVE
TULSA, OK 74134-7005
913-905-2026

DATE:
06/10/2021 - SUBMITTAL 1
09/14/2021 - SUBMITTAL 2
11/19/2021 - SUBMITTAL 3

SHEET TITLE:
PUBLIC IMPROVEMENT
PLAN



TAB 13 - PUBLIC IMPROVEMENT PLAN - PLANNING AREA 5

STATION 60
 COLFAX AVENUE AND AIRPORT BOULEVARD
 AURORA, COLORADO

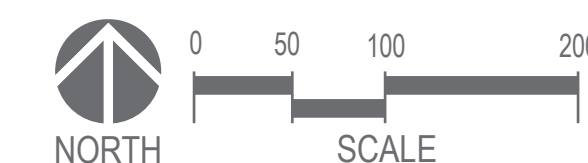
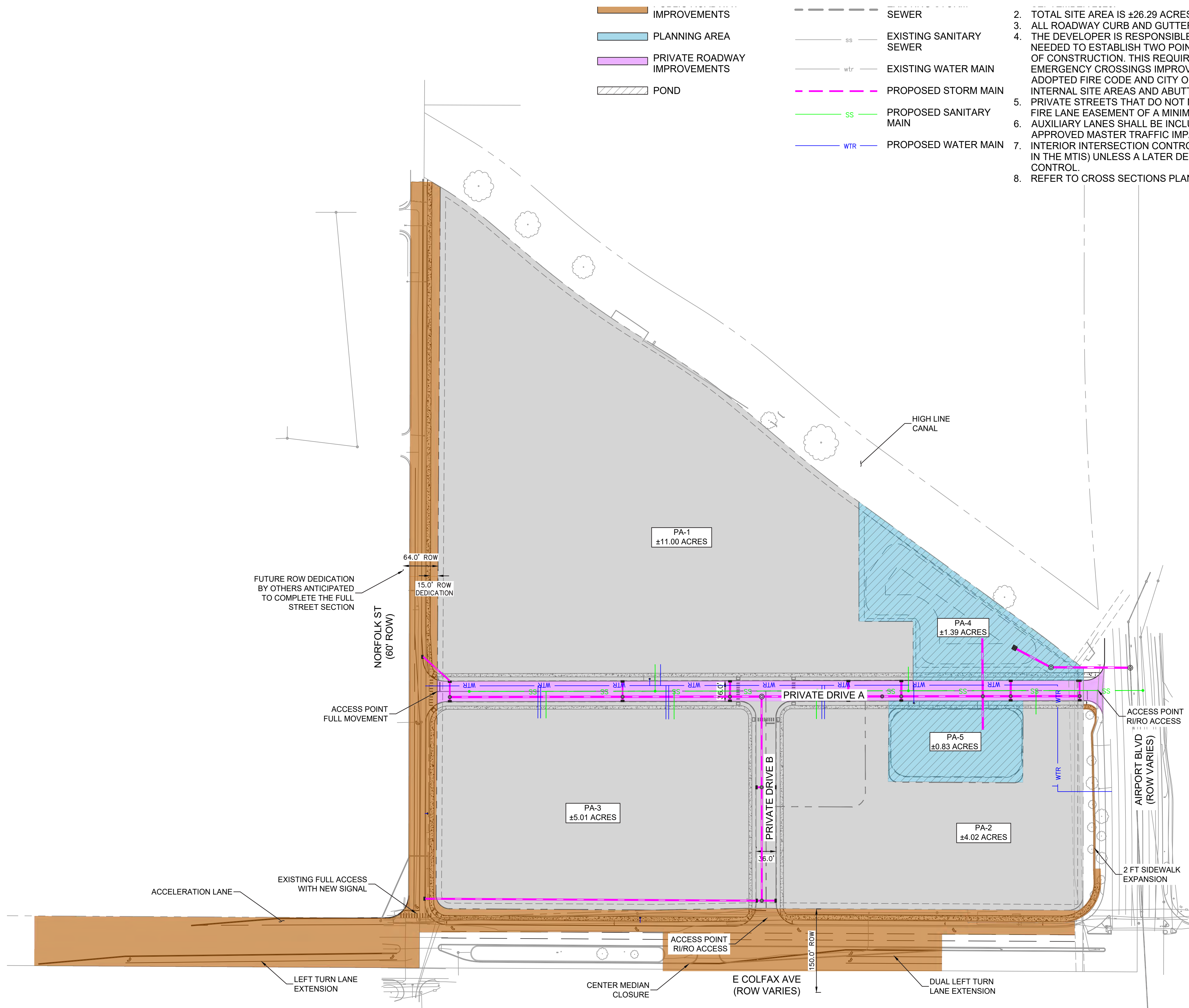
OWNER:
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DATE:
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 11/19/2021 - SUBMITTAL 3

SHEET TITLE:
 PUBLIC IMPROVEMENT
 PLAN

- IMPROVEMENTS
- PLANNING AREA
- PRIVATE ROADWAY IMPROVEMENTS
- POND
- SEWER
- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- PROPOSED STORM MAIN
- PROPOSED SANITARY MAIN
- PROPOSED WATER MAIN

2. TOTAL SITE AREA IS ±26.29 ACRES INCLUDING ROW IMPROVEMENTS.
3. ALL ROADWAY CURB AND GUTTER SHALL BE PER COA STD DWG S7.1.
4. THE DEVELOPER IS RESPONSIBLE FOR CONSTRUCTION OF ALL ON-SITE AND OFF-SITE INFRASTRUCTURE NEEDED TO ESTABLISH TWO POINTS OF EMERGENCY ACCESS TO THE OVERALL SITE AND EACH INTERNAL F OF CONSTRUCTION. THIS REQUIREMENT INCLUDES, BUT IS NOT LIMITED TO, THE CONSTRUCTION OF ANY EMERGENCY CROSSINGS IMPROVEMENTS, LOOPED WATER SUPPLY AND FIRE HYDRANTS AS REQUIRED BY ADOPTED FIRE CODE AND CITY ORDINANCES. FIRE HYDRANT COVERAGE REQUIREMENTS INCLUDE BOTH INTERNAL SITE AREAS AND ABUTTING PUBLIC STREET SYSTEMS.
5. PRIVATE STREETS THAT DO NOT MEET A CITY OF AURORA APPROVED ROADWAY STANDARD MAY REQUIRE FIRE LANE EASEMENT OF A MINIMUM WIDTH OF 23' (OR A 26' WHEN REQUIRED BY APPENDIX D OF THE 2015 I
6. AUXILIARY LANES SHALL BE INCLUDED IN THE PUBLIC ROADWAY IMPROVEMENTS AS IDENTIFIED IN THE APPROVED MASTER TRAFFIC IMPACT STUDY (MTIS).
7. INTERIOR INTERSECTION CONTROL SHALL BE SIDE STREET STOP (LOWER VOLUME ROADWAY STOP, AS SHC IN THE MTIS) UNLESS A LATER DETAILED TRAFFIC IMPACT STUDY SUPPORTS AN ALTERNATIVE INTERSECT CONTROL.
8. REFER TO CROSS SECTIONS PLAN FOR ROADWAY CROSS-SECTIONS\



TAB 14 - PRELIMINARY DRAINAGE PLAN

LEGEND

- EXISTING PROPERTY LINE
- - - PROPOSED PROPERTY LINE
- BASIN BOUNDARY
- BASIN LABEL
 A = AREA IN ACRES
 C2 = 2-YEAR BASIN COEFFICIENT
 C100 = 100-YEAR BASIN COEFFICIENT
- CONCENTRATION POINT
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EMERGENCY OVERFLOW WEIR
- EMERGENCY OVERFLOW CROSS SECTION

NOTES

- CONNECTIVITY BETWEEN THE SITE AND THE REGIONAL HIGH LINE CANAL TRAIL IS REQUIRED. A PRIVATELY MAINTAINED PEDESTRIAN CONNECTION (BRIDGE OR LOW WATER CROSSING) TOWARD THE NORTH END OF THE PROPERTY IS REQUIRED IN ORDER TO PROVIDE A DIRECT CONNECTION TO THE TRAIL.
- FOR ALL SUMP INLET LOCATIONS NOTED ON PLAN, THE ADJACENT DEVELOPMENT SHALL BE RESPONSIBLE FOR PROVIDING AN OVERFLOW SURFACE FLOW PATH AND DRAINAGE EASEMENT (IF REQUIRED) FOR EMERGENCY EVENTS AT THE INLET LOCATION. FINISHED FLOOR ELEVATIONS OF ALL STRUCTURES WILL BE REQUIRED TO BE 1-FOOT MINIMUM ABOVE EMERGENCY OVERFLOW WATER SURFACE ELEVATIONS.
- CITY OF AURORA PLAN REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH CITY OF AURORA DESIGN CRITERIA AND THE CITY CODE. THE CITY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, AND ELEVATIONS WHICH SHALL BE CONFIRMED AND CORRELATED AT THE JOB SITE. THE CITY OF AURORA, THROUGH THE APPROVAL OF THIS DOCUMENT, ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND/OR ACCURACY OF THIS DOCUMENT.
- VERTICAL RELIEF WAS MADE FROM AN ON THE GROUND SURVEY. CONTOURS SHOWN HEREON ARE AT 1.0' INTERVALS USING THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), GEOID 12A. SITE VERTICAL WAS ESTABLISHED BY USING NGS BENCHMARK "SM 045B", LOCATED EAST ON SMITH ROAD JUST BEFORE THE INTERSECTION WITH JASPER STREET LEFT AT THE SOUTH END OF A CONCRETE CULVERT. ELEVATION = 5386.44 FEET (NAVD 1988).
- ALL ON-SITE STORM SEWER INFRASTRUCTURE AND FACILITIES TO SERVE THE FUTURE DEVELOPMENT SHALL BE PRIVATELY MAINTAINED.
- STORM SEWER INFRASTRUCTURE WITHIN THE RIGHT-OF-WAY SERVING COLFAX AVENUE, AIRPORT BLVD OR NORFOLK STREET SHALL BE PUBLICLY MAINTAINED.
- STORM SEWER CONVEYANCE SYSTEMS SHALL BE DESIGNED TO CONVEY THE 2-YEAR AND 100-YEAR STORM EVENTS.

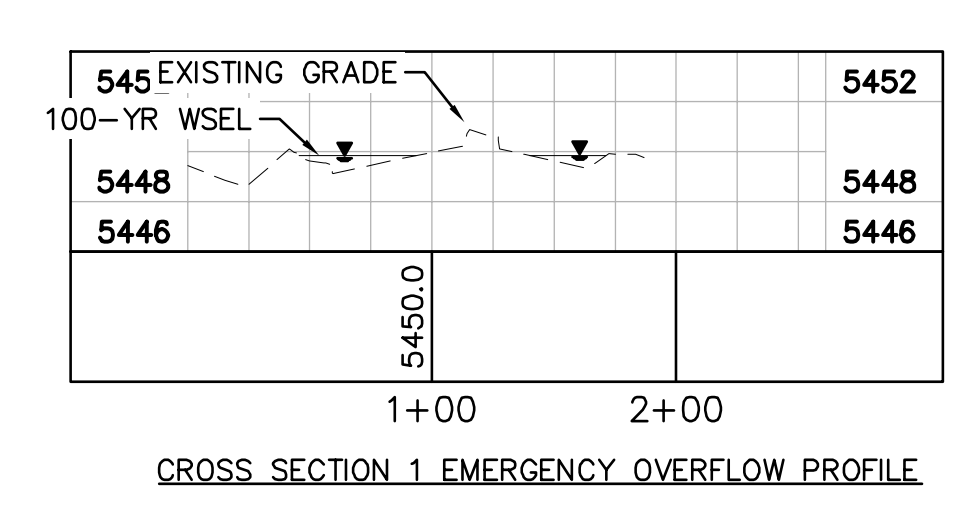
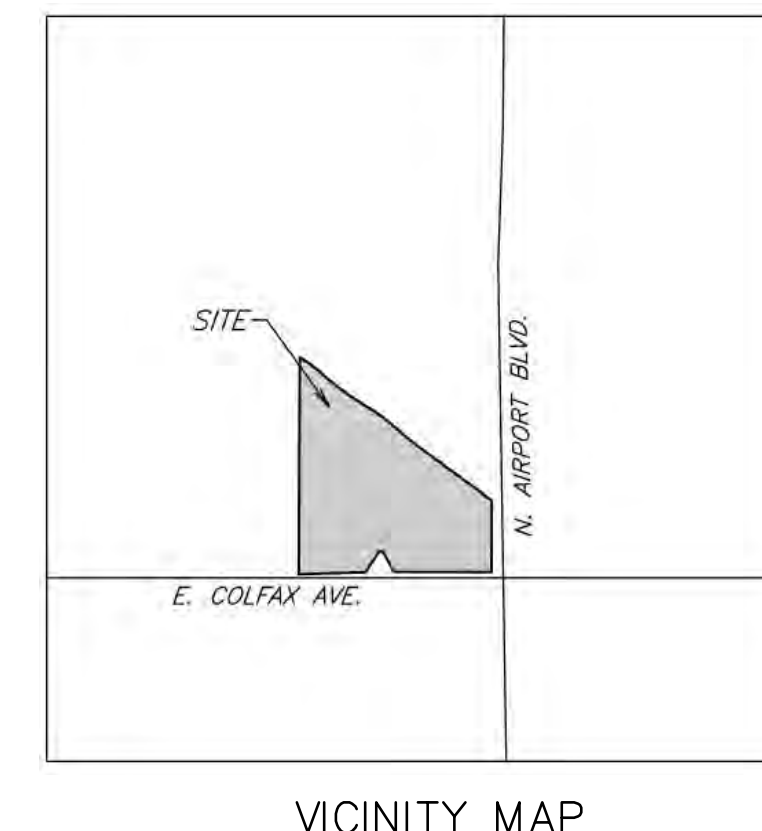
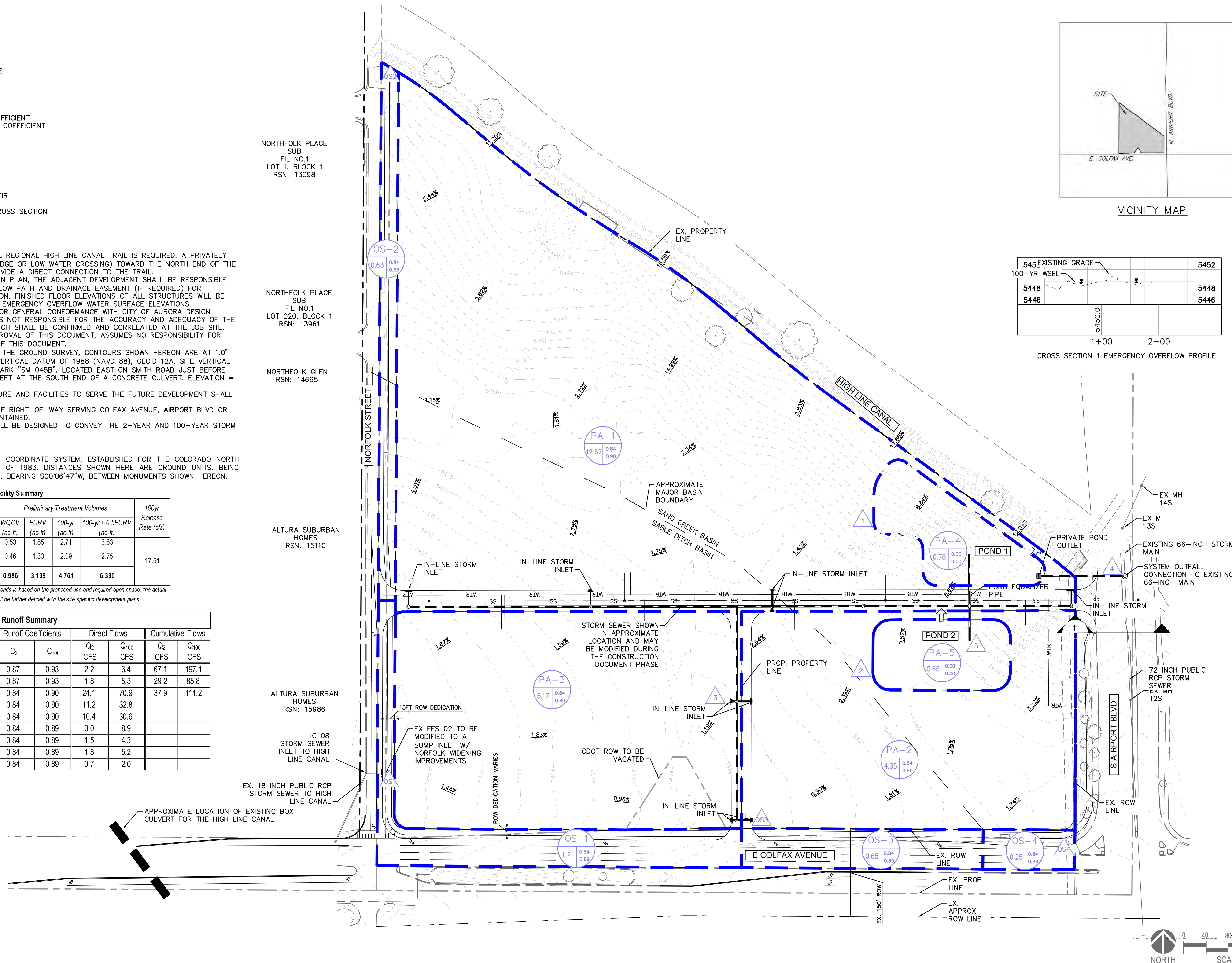
BASIS OF BEARINGS

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, ESTABLISHED FOR THE COLORADO NORTH ZONE 0502, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HERE ARE GROUND UNITS. BEING EAST OF THE SOUTHEAST 1/4 OF SECTION 32, BEARING S00°06'47"W, BETWEEN MONUMENTS SHOWN HEREON.

| | Detention Facility Summary | | | | 100yr Release Rate (cfs) | | | |
|------------------------|----------------------------|---------------|------------------------------------|-------------------------------|--------------------------|----------------|--------------------------|-------|
| | Tributary Area (ac) | Impv (%) | Tributary Basins | Preliminary Treatment Volumes | | | | |
| | | | | WQCV (ac-ft) | EURV (ac-ft) | 100-yr (ac-ft) | 100-yr + 0.5EURV (ac-ft) | |
| Pond 1 | 14.02 | 95.3% | PA-1, PA-3, OS-2 | 0.53 | 1.85 | 2.71 | 3.63 | 17.51 |
| Pond 2 | 12.27 | 95.3% | PA-2, PA-4, PA-5, OS-1, OS-3, OS-4 | 0.46 | 1.33 | 2.09 | 2.75 | |
| Weighted Totals | 26.29 | 95.27% | All Basins | 0.986 | 3.139 | 4.761 | 6.330 | |

*The assumed imperviousness values for the preliminary sizing of the ponds is based on the proposed use and required open space, the actual design imperviousness for each pond and respective tributary basins will be further defined with the site specific development plans

| Site Runoff Summary | | | | | | | | | |
|---------------------|-------------|---------|------------|---------------------|------------------|--------------------|----------------------|--------------------|----------------------|
| DESIGN POINT | DRAIN BASIN | AREA Ac | Impervious | Runoff Coefficients | | Direct Flows | | Cumulative Flows | |
| | | | | C ₂ | C ₁₀₀ | Q ₂ CFS | Q ₁₀₀ CFS | Q ₂ CFS | Q ₁₀₀ CFS |
| 4 | PA-4 | 0.78 | 100% | 0.87 | 0.93 | 2.2 | 6.4 | 67.1 | 197.1 |
| 5 | PA-5 | 0.65 | 100% | 0.87 | 0.93 | 1.8 | 5.3 | 29.2 | 85.8 |
| 1 | PA-1 | 12.62 | 95% | 0.84 | 0.90 | 24.1 | 70.9 | 37.9 | 111.2 |
| 3 | PA-3 | 5.17 | 95% | 0.84 | 0.90 | 11.2 | 32.8 | | |
| 2 | PA-2 | 4.35 | 95% | 0.84 | 0.90 | 10.4 | 30.6 | | |
| OS1 | OS1 | 1.21 | 95% | 0.84 | 0.89 | 3.0 | 8.9 | | |
| OS2 | OS2 | 0.63 | 95% | 0.84 | 0.89 | 1.5 | 4.3 | | |
| OS3 | OS3 | 0.65 | 95% | 0.84 | 0.89 | 1.8 | 5.2 | | |
| OS4 | OS4 | 0.25 | 95% | 0.84 | 0.89 | 0.7 | 2.0 | | |

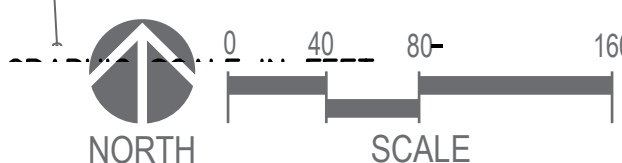


STATION 60
 COLFAX AVENUE AND AIRPORT BOULEVARD
 AURORA, COLORADO

OWNER:
 QUIKTRIP CORPORATION
 4705 S. 129TH EAST AVE
 TULSA, OK 74134-7005
 913-905-2026

DATE:
 06/10/2021 - SUBMITTAL 1
 09/14/2021 - SUBMITTAL 2
 11/19/2021 - SUBMITTAL 3

SHEET TITLE:
 PRELIMINARY DRAINAGE REPORT



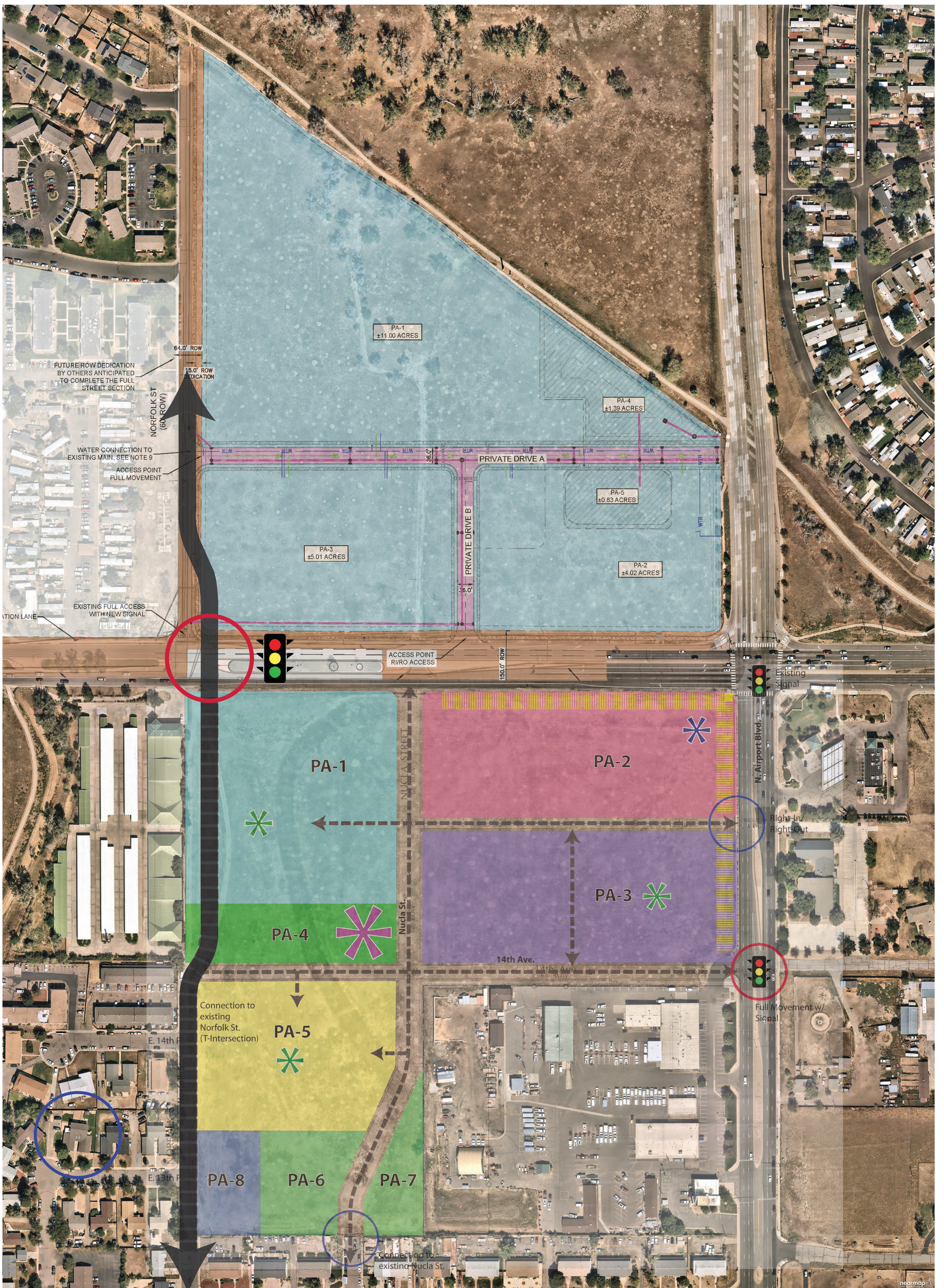
My name is John Santistevan and I represent the property on the south side of E. Colfax Avenue (US Highway 40) across from the proposed Station 60 project. We have a team of consultants working on a development plan for our property to include plans to build a Primary Care and Specialty medical center, while the other land uses will address some of the social determinants of health such as affordable housing, food insecurity and early childhood development. We retained LSC Transportation Consultants (LSC) to complete a traffic study for the project since it will be required by both the City and CDOT. During our initial planning meetings it was noted that a traffic signal was being proposed at the intersection of E. Colfax Avenue/Norfolk Street on the northwest corner of our property as part of the Station 60 development. LSC and other team members noted that our neighbor to the west, a self-storage facility, has a driveway location that would prevent us from connecting to Norfolk Street to gain access to the future traffic signal. It was quickly determined that the existing Norfolk Street would need to be relocated east – most likely 40’ to 50’ for our project to gain access here, attached is a diagram that outlines the request. We reached out to City staff and were told the Station 60 project was far enough along in the approval process that relocating the road wasn’t much of an option. We then reached out to CDOT to determine the status of any access permitting for the Station 60 project and were told access permit applications had been submitted but had yet to be approved due to a few technical issues that were being worked through. Initial discussions with Station 60 representatives also indicated they were too far along. Our team then had a virtual meeting with CDOT and City staff to discuss our concern on Monday, April 18th – the result was CDOT and City staff agreed to discuss further and let us know their feedback.

Without signalized access directly to E. Colfax Avenue our project would only have full movement signalized access to Airport Road – most likely at 14th Street. Ideally the signalized intersection of E. Colfax Avenue/Airport Road should accommodate regional trips since both roadways are arterials. Traffic signals such as the one proposed at E. Colfax Avenue/Norfolk Street are best used to accommodate local development on both sides of the roadway and reserve the arterial/arterial intersection for regional traffic wherever possible. We feel that finding a solution to shift the Norfolk Street intersection with E. Colfax Avenue to the east will allow our project to focus left-turn trips to this location and reduce the projects impact to Airport Road and the major intersection with E. Colfax Avenue – particular to the northbound to westbound and westbound to southbound movements.

We would appreciate if more time were given to work out the best solution for the corridor.

Thank you,

John Santistevan
President/CEO



Aurora Campus for Health, Wealth & Well-Being

Norfolk / Colfax Avenue - Proposed Access for Signalized Full-Movement Intersection



CITY OF AURORA

Council Agenda Item Continuation Page

| |
|---|
| Item Title: Colorado Science + Technology Park Urban Renewal Plan Amendment (Resolution) – continuation page |
| Item Initiator: Andrea Amonick, Development Services/AURA Manager |
| Staff Source: Chad Argentar, Senior Development Project Manager / Rachel Allen, Client Services Manager |
| Legal Source: Rachel Allen / Client Services Manager |
| Outside Speaker: N/A |
| Date of Change: 6/16/2022 |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 7/11/2022

ITEM SUMMARY *(Brief description of changes or updates with documents included.)*

Resolution has been modified to include additional language re: distribution of TIF funds.

RESOLUTION NO. R2022-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE COLORADO SCIENCE + TECHNOLOGY PARK URBAN RENEWAL PLAN BY CREATING A SECOND TAX INCREMENT FINANCING AREA

WHEREAS, the Aurora Urban Renewal Authority (the “Authority”) has been duly organized and is validly existing as a Colorado urban renewal authority in the City of Aurora, Colorado (the “City”), under Part 1 of Article 25 of Title 31, C.R.S.; and,

WHEREAS, on August 25, 2008, pursuant to authority granted by Section 31-25-107, C.R.S., the City Council of the City (the “Council”) adopted Resolution R2008-66 declaring the Colorado Science + Technology Park (the “CSTP Area”) to be a blighted area appropriate for urban renewal; and

WHEREAS, on that same date, following a public hearing thereon, the Council adopted Resolution R2008-67 approving the Colorado Science + Technology Park Urban Renewal Plan (the “CSTP Plan”) for the redevelopment of the Colorado Science + Technology Park; and

WHEREAS, although significant blight in existence in 2008 when the CSTP Plan was adopted has since been eliminated, virtually no redevelopment has taken place within the western portion of the CSTP Area; and

WHEREAS, accordingly, on March 2, 2020, following a public hearing thereon, the Council adopted Resolution R2020-18 declaring that factors of blight remained within the western portion of the CSTP Area and designating such area as appropriate for urban renewal; and

WHEREAS, the Authority now recommends that the Council adopt the proposed amendment to the Colorado Science + Technology Park Urban Renewal Plan (the “CSTP Plan”), Urban Renewal Plan), which, if so adopted, will better enable the Authority to undertake urban renewal projects to facilitate the redevelopment and rehabilitation of the remaining property within the boundaries of the CSTP Area; and

WHEREAS, in accordance with this requirement, a public hearing has been conducted at tonight’s meeting at which the Council was asked to consider whether the Colorado Science + Technology Park Urban Renewal Plan should be amended to create a second Tax Increment Financing Area (“CSTP TIF #2”); and

WHEREAS, in accordance with Section 31-25-107(9.5)(a), C.R.S., the Council approves the allocation to the Authority of 100% of the City tax increment and revenue derived from City taxes within the CSTP TIF # 2, including: 1) Property Tax Increment; 2) Lodger’s Tax; 3) Occupational Privilege Tax; and 4) Construction and Materials Use Tax, and the Council specifically determines that no negative impacts will be borne by the City through the implementation of the amendment to the CSTP Plan and tax increment financing set forth therein,

and the City confirms it has received all notices associated with such amendment to the CSTP Plan; and

WHEREAS, the Council has caused notice of the public hearing to be published in a newspaper of general circulation in the City at least thirty (30) days prior to such hearing; and

WHEREAS, in addition, the Council has taken reasonable efforts to provide written notice of the public hearing to all property owners, residents, and owners of business concerns in the CSTP Area at their last known address of record at least thirty (30) days prior to such hearing; and

WHEREAS, such notice contains the information required by Section 31-25-107(3), C.R.S.; and

WHEREAS, the Council has considered all testimony and evidence presented at the public hearing.

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

Section 1. The Colorado Science + Technology Park Urban Renewal Plan is modified by creating a second Tax Increment Financing Area, as more particularly described in the legal description and map attached to and incorporated in this Resolution as Exhibit A.

Section 2. The Aurora City Council finds that the tax increment and revenue collected from CSTP TIF #2 is appropriate to distribute to the Authority, and Council approves the allocation to the Authority of 100% of the City tax increment and revenue derived from City taxes within the CSTP TIF # 2, including: 1) Property Tax Increment; 2) Lodger's Tax; 3) Occupational Privilege Tax; and 4) Construction and Materials Use Tax.

Section 3. All resolutions or parts of resolutions of the Council in conflict herewith are expressly rescinded to the extent of such conflict.

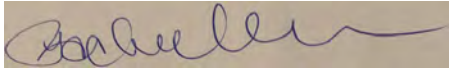
RESOLVED AND PASSED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Rachel Allen", is written on a light brown rectangular background.

RACHEL ALLEN, Client Manager



CITY OF AURORA

Council Agenda Commentary

| |
|--|
| Item Title: Colorado Science + Technology Park Urban Renewal Plan Amendment (Resolution) |
| Item Initiator: Andrea Amonick, Development Services/AURA Manager |
| Staff Source/Legal Source: Chad Argentar, Senior Development Project Manager / Rachel Allen, Client Services Manager |
| Outside Speaker: N/A |
| Council Goal: 2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban centers |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 7/11/2022

ITEM DETAILS:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE COLORADO SCIENCE AND TECHNOLOGY PARK URBAN RENEWAL PLAN TO CREATE A SECOND TAX INCREMENT FINANCING AREA

Andrea Amonick, Development Services, AURA Manager / Chad Argentar, Senior Development Project Manager / Rachel Allen, Client Services Manager
Estimated time: 25 mins

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Housing, Neighborhood Services & Redevelopment

Policy Committee Date: 6/2/2022

Action Taken/Follow-up: *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

In 1995, the U.S. Army's Base Realignment and Closure Commission (BRAC) announced the closure of the Fitzsimons Army Medical Garrison (FAMG). At the same time, the University of Colorado Health Sciences Center (UCHSC, now renamed University of Colorado Anschutz Medical Campus) outgrew its Denver location and was looking for relocation opportunities. In conjunction with UCHSC, the City of Aurora established the Fitzsimons Redevelopment Authority (FRA) as the local entity to spearhead redevelopment planning and to manage and oversee the redevelopment process. The goal was to create a premier medical and bioscience park in Aurora and offset the negative economic impact of the base closure.

After the base closed in 1999, the city created the Fitzsimons Urban Renewal Area, encompassing former base property north and south of Montview Boulevard. Additionally, UCHSC, the University of Colorado Hospital, Children's Hospital and the Veteran's Administration hospital all announced their intent to relocate to this new medical campus which they have since completed. In 2008, the area north of Montview Boulevard remained largely undeveloped and, recognizing that this area would develop differently than the larger hospital properties, the city created the 184-acre Colorado Science and Technology Park (CSTP) Urban Renewal Area (URA) in the area north of Montview Boulevard, simultaneously creating TIF Area #1 east of Scranton Parkway.

During the URA's initial 12 years, development occurred in this eastern half of the URA. With the exception of the Bioscience 1 parcel owned by the FRA, the land west of Scranton Parkway (the former Fitzsimons Golf Course) remained undeveloped as it was still owned by the United States Army. Furthermore, the City of Aurora (the "City") adopted the Fitzsimons Station Area Plan (the "SAP") in August 2016 as development of light rail adjacent to the Area occurred. The CSTP General Development Plan (GDP) was also updated to be consistent with the SAP as well as reflect changing market conditions related to life science research and development and office districts. The original 2008 CSTP Urban Renewal Plan contemplated dense, large, free-standing pharmaceutical and life sciences companies operating within a large office/research park. Since that time however, the biomedical industry has changed and large pharmaceutical and life science companies instead began opting to partner with research institutions. In light of these market condition changes, the FRA and the city updated the CSTP GDP in 2016 and the FRA rebranded CSTP as the **Fitzsimons Innovation Community (FIC)**.

To date, over 1 million square feet of development has occurred within TIF Area 1, including office and lab space, residential townhomes and apartments, a hotel, retail and 2 schools. The FIC and the adjacent \$5.8 billion medical campus south of Montview combine to form one of the largest bioscience developments in the nation, representing the second-largest economic engine in Colorado behind Denver International Airport. A recent economic impact study shows this combined bioscience community currently supporting 29,000 people on site and 30,000 more indirectly and contributes over \$10 billion in economic output in Colorado. Development in TIF Area 2 will continue this progress bringing the total of on-site employment to over 40,000.

Following the transfer of the golf course property from the U.S. Army to the Fitzsimons Redevelopment Authority in 2018, the golf course ceased operations and the FRA (nka FIC) began actively working on development of the 114-acre western portion of the URA. In June 2018, the *Colorado Science and Technology Park – West Area Blight Study* was completed, and the presence of blight factors in the URA's western half was reconfirmed in 2020. Since that time, AURA staff has been working with FIC and the other taxing authorities to discuss and agree upon the incremental tax distribution set forth in the amended Plan.

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

The amendment to the Colorado Science and Technology Park (CSTP) Urban Renewal Plan (the "Plan") incorporates elements of new and updated plans for the area (taking Aurora Places, Fitzsimons Station Area Plan, CSTP and GDP into consideration) and creates a second Tax Increment Financing (TIF) Area. The primary purpose of TIF Area 2 is to support an estimated \$83 million in infrastructure costs plus an additional \$52 million in related debt service costs. This infrastructure will be constructed in four phases over a 10-year period to support the build out of over 4 million square feet of new development within TIF #2. In addition to the Bioscience 1 building (92K square feet) and Bioscience 3 building (114K square feet), the 4 million square feet in new development will include approximately 2.7 million square feet of office/flex/industrial space, 1.05 million square feet of University of Colorado development, and the 89,000 square foot Bioscience 5 building. In addition to construction jobs created during the planned two-decade build out schedule, TIF Area 2 is expected to support the creation of over 9,000 new, permanent jobs across all levels of educational attainment.

In accordance with HB 1348 regulating how new or substantially amended plans can be approved, AURA staff has been negotiating with Mile High Flood District (MHFD), Adams County, the Aurora Public Schools (APS) and the Colorado Science and Technology Park Metro Districts on agreements to share increment revenue within the new proposed TIF Area 2. AURA has already reached agreements with MHFD and the County to capture 100% and 70% respectively of the incremental taxes generated from within TIF Area 2. Negotiations with APS are expected to contain terms similar to the County. Additionally, a separate Public Finance and Redevelopment Agreement with the Metro District is being negotiated to provide tax increment to support their bond financing. AURA will also retain some increment to support community benefit and other redevelopment activity within the area. The specifics are outlined within the attached draft of the amended urban renewal plan.

On June 6, 2022 the City Council passed a resolution to set a public hearing to amend the plan on July 11, 2022.

QUESTIONS FOR COUNCIL

Does the City Council wish to have a public hearing on July 11, 2022 to consider the approval and adoption of the amended Colorado Science + Technology Park Urban Renewal Plan?

LEGAL COMMENTS

An authority shall not actually undertake an urban renewal project for an urban renewal area unless based on evidence presented at a public hearing the governing body, by resolution, has determined such area to be a slum, blighted area, or a combination thereof and designated such area as appropriate for an urban renewal project. (C.R.S. Sec. 31-25-107(1)(a)). Prior to its approval of an urban renewal plan, the governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the governing body within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or, if no recommendations are received within said thirty days, without such recommendations, the governing body may proceed with the hearing on the proposed urban renewal plan prescribed by subsection (3) of this section. (C.R.S. Sec. 31-25-107(2)). The governing body shall hold a public hearing on an urban renewal plan or substantial modification of an approved urban renewal plan no less than thirty days after public notice thereof by publication in a newspaper having a general circulation in the municipality. (C.R.S. Sec. 31-25-107(3.5)(a)). Any urban renewal plan undertaken by the Aurora Urban Renewal Authority, as originally approved or as later modified by the city council, may contain a provision that any or all of the city taxes collected within said area shall be divided. (City Code Sec. 130-4). (Allen)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Approximately \$360 million in combined incremental property taxes as well as approximately \$21 million in city OPT, Construction Material Use Taxes and Sales Taxes will be generated over the TIF's 25 year life. The County and APS will retain 30% of their incremental taxes. The CSTP Metro District will invest \$83 million in new infrastructure.





PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: Approximately 3 million square feet of new taxable property with an estimated market value over \$1 billion will be developed within TIF Area 2.

N FITZSIMONS PKWY

Legend

-  CSTP URA Boundary
-  TIF #1
-  TIF #2 (Proposed)
-  Parcels

Proposed TIF #2

TIF #1

N PEORAST

N WANDUST

E 25TH AVE

E 24TH AVE

E 23RD AVE

E 23RD AVE

E 22ND AVE

E PRIVATE 21ST AVE

E 21ST AVE

E 21ST AVE

N WALDA ST

E MONTVIEW BLVD

N RACINE ST

N SCRANTON CT

N URSULA ST

N SCRANTON CT

N PRIVATE URSULA ST

N GUYTON ST

N RACINE ST

E 19TH PL

N WALDA ST

E 19TH DR

E 19TH PL

N VICTOR ST

E 19TH PL

E 25TH AVE

N WHEELING ST

Planning & Development Services

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

City of Aurora, Colorado

CSTP Urban Renewal Area

July 29, 2021



Colorado Science & Technology Park

Urban Renewal Plan

Aurora, Colorado

May 2008 (12 May 2008)

First Amendment (July 2022) - DRAFT

Prepared by:

Leland Consulting Group (2008)

Matrix Design Group (2008)

Aurora Urban Renewal Authority (2022)

Colorado Science & Technology Park

Urban Renewal Plan

Aurora, Colorado

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Colorado Science & Technology Park

Urban Renewal Plan

Aurora, Colorado

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Colorado Science & Technology Park Urban Renewal Plan

Aurora, Colorado

1.0 Introduction

1.1 Preface

This *Colorado Science & Technology Park Urban Renewal Plan* (the “**Plan**” or the “**Urban Renewal Plan**”) was prepared at the request of the Aurora Urban Renewal Authority (the “**Authority**”) for the City of Aurora, Colorado (“**City**”). It will be carried out by the Authority, pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (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.

For 12 years following the adoption of the initial Plan, development occurred primarily east of Scranton Street, excepting the Bioscience 1 building. West of Scranton Street remained largely undeveloped; the United States Army owned a majority of the area. Following the transfer of the property to the Fitzsimons Redevelopment Authority in 2018, the golf course ceased operations. Furthermore, the city of Aurora (the “**City**”) adopted the Fitzsimons Station Area Plan (the “**SAP**”) in August 2016 as development of light rail adjacent to the Area occurred. The Colorado Science & Technology Park General Development Plan was also updated to be consistent with the SAP and to reflect changing market conditions related to life science research, development and office districts. The update to the Plan reflects these changes and is further

necessitated by C.R.S. 15-1348 that considers any new Tax Increment (TIF) Areas (or changes to existing TIF areas) to be substantive amendments to the Plan.

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project or projects. 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.

Prior to the adoption of the initial Plan, the *Colorado Science & Technology Park Blight Study*, prepared by Matrix Design Group, dated February 2008, which is attached hereto as **Attachment 1** (the “**Blight Study**”), demonstrated that the Colorado Science & Technology Park Blight Study Area (“**Study Area**”), as defined in the Blight Study, was blighted area under the Act.

In anticipation of new development opportunities to advance this Plan, the *Colorado Science and Technology Park – West Area Blight Study (2018 Blight Study)*, was conducted by Matrix Design Group in June 2018, which is attached hereto as Attachment 2 (the “West Area Blight Study”). The *2018 Blight Study* was conducted to reconfirm the presence of blighting factors in the western portion (generally west of Scranton Parkway) of the Urban Renewal Area. The West Area Blight Study reconfirmed that the western area was still blighted as defined under the Act. In February 2020, Matrix Design Group completed an updated review of the West Area (2020 Blight Study Update Letter) which confirmed “that the

findings and conclusions of the June 2018 PCA [Blight Study] have not changed and that seven of eleven factors of blight remain.”

1.3 Other Findings

The Area is appropriate for one or more urban renewal projects and other undertakings authorized by the Act to be advanced by the Authority. One or more projects 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 or recurrence of deterioration.

It is the intent of the City Council in adopting this Plan that, with the exception of the power of eminent domain, the Authority shall exercise all powers authorized in the Act and which are necessary, convenient or appropriate to accomplish the objectives of this Plan. It is the intent of this Plan that, with the exception of the power of eminent domain, the Authority shall exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

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 -- such finding being a matter of legislative determination by the City Council.

1.4 Urban Renewal Area Boundaries

The proposed Colorado Science & Technology Park Urban Renewal Area (the “**Urban Renewal Area**” or the “**Area**”) is located entirely in the City. The boundaries of the Area generally include properties bounded on the south by Montview Boulevard, including the whole of said Boulevard, on the west by Peoria Street, and on the north and east by Fitzsimons

Parkway, as delineated on **Figure No. 1** and described in the legal description presented in **Appendix I**. 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.

The Area was originally part of the Fitzsimons Area Urban Renewal Plan, adopted June 11, 2001 ("**Fitzsimons Urban Renewal Plan**"). Pursuant to Section 31-25-107(7), C.R.S., the Fitzsimons Urban Renewal Plan was modified by the City Council on August 25, 2008, to remove, from the Fitzsimons Urban Renewal Plan, the Area that is subject to this Urban Renewal Plan. This amended Plan does not change the boundaries of the Area. The Urban Renewal Area map is presented as **Figure 1**:

Figure 1:



2.0 Definitions

2000 Conditions Survey – means the *Fitzsimons Campus Conditions Survey*, dated August 2000, which is one of two blight studies that established findings of blight in support of the Fitzsimons Urban Renewal Plan.

2018 Blight Study - means the *Property Conditions Assessment (Blight Study) Colorado Science & Technology Park – West Area*, prepared by Matrix Design Group, dated June 2018, attached hereto as **Attachment 2** and incorporated herein by this reference.

2020 Blight Study Update Letter – means the February 2020 update letter prepared by Matrix Design Group confirming that the findings and conclusions of the 2018 Blight Study had not changed.

2021 Impact Report - means the *Colorado Science & Technology Park Adams County Impact Report*, dated September 2021, attached hereto as **Attachment 3** and incorporated herein by this reference.

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 - means the Colorado Science & Technology Park Urban Renewal Area as depicted in **Figure 1** and legally described in **Appendix I**.

Aurora Comprehensive Plan – means *City of Aurora Comprehensive Plan 2003*, and any subsequent amendments, including Aurora Places.

Aurora Places – means the Comprehensive Plan of the City of Aurora, adopted in 2018.

Authority – means the Aurora Urban Renewal Authority.

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

Blight Study - means the *Colorado Science & Technology Park Blight Study*, prepared by Matrix Design Group, dated March 2008, attached hereto as **Attachment 1** and incorporated herein by this reference.

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

City Council - means the City Council of the City.

City Tax or **City Taxes** - means, collectively, (i) the Sales Tax, (ii) the Lodger's Tax, (iii) the OPT, and (iv) the Use Tax.

City Tax Increment - means the tax increment derived from City Taxes.

Comprehensive Plan - the Aurora Comprehensive Plan as defined above (see "Aurora Comprehensive Plan").

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

CSTP General Development Plan (GDP) - means the Colorado Science & Technology Park (Colorado Bioscience Park Aurora at Fitzsimons) General Development Plan approved by the City, as such plan has been or may be amended from time to time.

CSTP Master Plan - means the Colorado Science & Technology Park at Fitzsimons Master Plan, Fall 2007, approved by the City, as such plan has been or may be amended from time to time.

Developer - originally meaning Fitzsimons Developer, LLC, a Colorado limited liability company, and later meaning the Fitzsimons Redevelopment Authority

(FRA) and then any successor or assignee to FRA in its capacity as developer of the Park pursuant to its development agreement with FRA.

District Taxes or District Revenues – means Property Taxes levied by the Metropolitan Districts upon real and personal property within their respective boundaries and all revenues attributable to such levies.

Fitzsimons Boundary Area – means the boundary area adjoining the Fitzsimons Campus along Colfax Avenue and Peoria and Potomac Streets as defined in the Aurora Comprehensive Plan.

Fitzsimons Campus – means the 227-acre University of Colorado Health Sciences Center and Hospital campus, which is in the Fitzsimons Urban Renewal Area.

Fitzsimons Innovation Community – means the Colorado Science and Technology Park or the “Park” which is the CSTP Urban Renewal Area.

Fitzsimons Strategic Area or Fitzsimons – means the property on which the former Fitzsimons Army Medical Center was located, which generally comprises the Area and the Fitzsimons Campus together with the Fitzsimons Boundary Area.

Fitzsimons Urban Renewal Plan – means the *Fitzsimons Area Urban Renewal Plan* adopted June 11, 2001, as such plan has been or may be amended from time to time.

FRA – means Fitzsimons Redevelopment Authority, a special purpose government entity created through an intergovernmental agreement between the City and the Regents of the University of Colorado to oversee the redevelopment of Fitzsimons. The FRA is the master developer and manager of the Park.

Impact Reports – mean the *Colorado Science & Technology Park Adams County Impact Report*, dated March 2008, and the 2021 Adams County Impact Report attached hereto as **Attachment 2** and incorporated herein by this reference for the purposes of amending the Urban Renewal Plan.

Lodger’s Tax – means the lodger's tax authorized by Chapter 130, Article IV, Division I of the City Code and currently imposed at the rate of 8.0%, 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.

Metropolitan District(s) – means Colorado Science & Technology Park Metropolitan District Nos. 1, 2 and 3, each a quasi-municipal corporation and political subdivision of the State of Colorado organized under the Special District Act, Title 32 of the Colorado Revised Statutes.

OPT – means, collectively, (i) the 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 Plan, and (ii) the 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 Plan and any generally applicable increases in rate that may that may be allocated to the Authority by amendment to the Plan made by the City during the term of the Plan.

Park – means the development project commonly referred to as Colorado Science and Technology Park (also known as Fitzsimons Innovation Community).

Plan or Urban Renewal Plan – means this *Colorado Science & Technology Park Urban Renewal Plan and its subsequent amendment(s)*.

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 the Area.

Property Tax Increment – means tax increment derived from Property Taxes.

Public Finance and Redevelopment Agreement – means one or more agreements between the Authority, the developer and/or developers of property within the Area, any special district or districts organized or caused to be organized by such developer or developers for the purpose of financing or refinancing public improvements within 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.

Study Area – means a geographic territory defined for its respective Blight Study or conditions survey; the boundaries for the 2008 study area are coterminous with the Area boundaries. The boundaries for the 2018 Blight Study area are defined as the West Study Area (below).

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 a date to be specified in this Urban Renewal Plan or in a modification thereto.

Tax Increment Area(s) - means one or more portions of the Area designated as a Tax Increment Area, as defined and pursuant to the procedures set forth in **Section 6.7** of this Plan.

TIF - means, collectively, the City Tax Increment and the Property Tax Increment.

Use Tax - means the use tax authorized by Chapter 130, Article II, Division V of the City Code and currently imposed at the rate of 3.50% 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 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 at Section 130-2.

West Area Blight Study: Means the *2018 Blight Study* (see definition above).

West Study Area: means the geographic territory defined for the West Area Blight Study, the boundaries of which are coterminous with the Area boundaries generally west of Scranton Parkway.

3.0 Purpose of the Plan

The purpose of this Plan is to reduce, eliminate and prevent the spread of blight within the Area and to stimulate growth and investment within the Area boundaries. To accomplish this purpose, this Plan promotes local objectives with

respect to appropriate land uses, private investment and public improvements, provided that the delineation of such objectives shall not be construed to require that any particular project will necessarily promote all such objectives.

Specifically, the Plan promotes an environment which allows for the creation of a new state-of-the-art business innovation bioscience district, focused on life science research within a traditional urban environment to further the goals and objectives of the Aurora Comprehensive Plan, *the Fitzsimons Station Area Plan*, as well as any other relevant policy document; and, which can leverage the community's investment in public improvement projects that will contribute to redevelopment of and elimination of blight within the Area.

While 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 and to develop and rehabilitate the Area by private enterprise, it is not intended to replace the efforts of area business development or marketing organizations.

The rehabilitation and redevelopment of properties within the Area will be accomplished through the 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.

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 projects of the Authority within the Area shall comply with all applicable municipal requirements.

4.0 Blight Conditions

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, which provides that, in its present condition and use, the presence of at least four of the following factors in the area, 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 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.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; or
- (l) 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 conditions and use and, by reason of the presences of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2),

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 Act also provides that, if private property is to be acquired by the Authority by eminent domain, at least five of the factors specified in Section 31-25-103(2)(a) to (2)(l) must be present.

The general methodology for conducting the Blight Study was to: (i) define the Study Area; (ii) gather general information about the Study Area, such as right-of-way and parcel boundaries, aerial photography, etc.; (iii) evaluate evidence of blight through field reconnaissance of the Study Area to document observed physical conditions of blight; and, (iv) collect data about blight factors that are not visually observable. Because the Study Area was within the plan area of the original Fitzsimons Urban Renewal Plan (2001), the City determined that it was appropriate for the consultants who prepared the Blight Study (2008) to also review the two blight studies that were prepared in connection with the Fitzsimons Urban Renewal Plan (2001) to consider only those blight conditions that fell under one of the following categories:

- Blight conditions that have come into existence or have become known to exist within the Study Area since 2000;
- Blight conditions that exist as the result of changed conditions or circumstances that have occurred since 2000; and
- Blight conditions that may have existed in 2000, but were not identified in the 2000 Conditions Survey report, or were not known to exist at that time.

The 2000 Conditions Survey, which ultimately led to the creation of the Fitzsimons Urban Renewal Area by the City in 2001, considered the entire

Fitzsimons Strategic Area, both north and south of Montview Boulevard. The 2008 Blight Study addressed that portion of the original survey area lying north of Montview Boulevard, as well as a portion of the original survey area located south of Montview Boulevard to East 19th Place between Fitzsimons Parkway and Wheeling Street.

The Blight Study noted significant differences in the Study Area since 2001, not the least of which was transformation of properties within the Fitzsimons Campus into a receiving ground for medical facilities, including the University of Colorado at Denver and Health Sciences Center Anschutz Medical Campus, the Veterans Administration Hospital, Children's Hospital Colorado, and other related facilities and institutions. The Blight Study further noted that the Study Area north of Montview Boulevard remained largely undeveloped, with only one new building having been built and minor levels of demolition and environmental cleanup having taken place. Finally, the Blight Study explains that establishment of the Area as an urban renewal area, separate from the mostly developed area south of Montview Boulevard, will allow for the public resources and revenues generated from the planned Colorado Science & Technology Park commercial development to be effectively targeted to the removal of blight and installation of new infrastructure within the same area.

Among the 11 qualifying factors identified in the Act, the Blight Study (2008) identified the presence of the following seven blight factors in the Study Area that fell within the categories defined by the City:

- (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;
- (f) Unusual topography or inadequate public improvements or utilities;
- (h) The existence of conditions that endanger life or property by fire or other causes;

- (j) Environmental contamination of buildings or property; and
- (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.

The 2018 Blight Study, updating the findings specifically in the area west of Scranton Street, confirmed that most of the original blight findings remained within the West Study Area:

- (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;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (j) Environmental contamination of buildings or property; and
- (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.

Blight factor (a) in the 2018 study is related to deteriorated structures primarily associated with the former golf course facilities (structures, parking lots, landscaping) which previously had been in operation at the time of original plan adoption but has since closed and been vacated.

5.0 Plan’s Relationship to Local Objectives and Appropriate Land Uses

5.1 General Description

The implementation of this Urban Renewal Plan supported the objectives and requirements of the Aurora Comprehensive Plan in 2008 and continues to do so with the current Comprehensive Plan, Aurora Places

(2018). As development occurs in the Urban Renewal Area, it shall conform to the Comprehensive Plan and any subsequent updates, the City Building and Zoning Code and any rules, regulations, and policies promulgated pursuant thereto, 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 (provided however, that if there is a specific written agreement regarding the applicability of these items between the City and the Developer, the provisions contained within any such written agreement would prevail and control.)

This Urban Renewal Plan contemplates the development of the Park in accordance with the CSTP Master Plan and the CSTP General Development Plan. Originally, the CSTP Master Plan and the CSTP General Development plan contemplated dense, large, free-standing pharmaceutical companies operating on campus. However, since 2008 (when the Plan was originally adopted), the biomedical industry has changed and large pharmaceutical companies are opting to partner with research institutions, which necessitated reevaluation of the original plans. The CSTP Master Plan and the CSTP General Development Plan are consistent with the objectives and requirements of both the Aurora Comprehensive Plan and this Urban Renewal Plan.

A combination of uses is proposed for the Park, all of which will further promote development and redevelopment of the Area as a “vital 24/7 district interconnected with public urban spaces serving both the Park and the surrounding community.” In conjunction with 21 Fitzsimons), the Park will provide urban amenities such as rail service, limited retail, housing and other services not found in traditional suburban office parks. The Park will offer “a rare opportunity to create a new working and

living environment in [the City] which achieves its own unique identity while, at the same time, becomes a vital and integral part of the greater community,” according to the CSTP Master Plan.

Existing blight conditions present within the Area will be remedied by the proposed Plan. Public improvements will be phased and funded in part by tax increment revenues. In 2007, the Developer organized the Metropolitan Districts to serve as additional funding sources to assist in the development and maintenance of public infrastructure in the Park.

5.2 Relationship to Aurora Comprehensive Plan (Aurora Places)

The purpose of this Urban Renewal Plan is to eliminate blight in the Urban Renewal Area and to implement the current Aurora Comprehensive Plan (Aurora Places) in order to prevent its recurrence. Aurora Places identifies 10 different “place types” within the city, including Urban Districts; the Colorado Science & Technology Park (a.k.a. The Fitzsimons Innovation Community (FIC)) is so designated. Urban Districts in Aurora Places, are “critical to the economic and fiscal health of the city” because they are “centers of “employment, culture and activity” and are the “most intensely developed area with mixed-use, entertainment, institutional, retail, restaurant and multifamily residential as defining uses”. As an Urban District, the FIC is key to increasing employment within the city, joining light industrial and business park uses with educational and medical institutions to foster sought after creativity. The Authority, with the cooperation of the City, private enterprise and other public bodies, will undertake projects and activities described in this Urban Renewal Plan to eliminate the conditions of blight identified herein while implementing the goals and objectives of Aurora Places. Redevelopment of the Urban Renewal Area will at least partially

address the following Community Principles under Goals, Policies and Practices (Chapter Six) within the Aurora Places plan:

- *A Strong Economy - A strong economy with active urban places is essential for the wellbeing of residents, businesses and the community.*
- *A Diverse and Equitable City - Diversity and equity are assets to be nurtured and promoted by the city.*
- *Housing for All - High-quality housing options enable people across all socioeconomic levels, cultural identities and stages of life to establish and manage households.*
- *A Healthy Community - Eating healthy food, walking and exercising, living in a clean and safe environment and having access to medical care improves the lives of all Aurorans and contributes to a stable community.*
- *A Thriving Environment - A thriving natural environment – including stewardship of water, energy and natural resources – is essential to the physical and mental wellbeing of residents and the city’s ability to support future growth.*
- *Easy Mobility and Active Transportation - An easy-to-use transportation network with multiple travel choices supports a strong economy, healthy community and flourishing environment.*
- *An Authentic Aurora - The creation of great places, the preservation of traditionally unique places and effective marketing and promotion are essential to improving Aurora’s image.*

While the Park as whole functions as an Urban District place type given its dense mix of public, residential, office and retail uses, the West Area, as planned, will function more closely as an Innovation District.

Therefore, the city should consider amending its Comprehensive Plan to

reclassify the West Area as an Innovation District. The Fitzsimons Innovation Community as planned incorporates all the primary land uses and the majority of the supporting uses (excepting urban agriculture), outlined within Aurora Places for Innovation Districts. Furthermore, Innovation Districts promulgate ... A high-quality, tech-centric space ... "including unique meeting spaces that encourage people and organizations to come together, learn from one another and exchange ideas. High-quality office space and jobs co-located with some housing is necessary to keep Aurora's innovative and creative thinkers close to home, such as students and professors that live on campus." "Transit, pedestrian and bicycle accessibility to and through the Innovation District is also critical."

This Urban Renewal Plan supports the Aurora Comprehensive Plan goal of developing a national frontrunner among bioscience facilities. The Park is designed to "accommodate the development of commercial, research and development facilities that benefit from proximity to the resources and capabilities of a major university health sciences center" (e.g., the University of Colorado Health Sciences Center, which has been relocated to, and is the centerpiece of, the redevelopment of the urban renewal area subject to the Fitzsimons Urban Renewal Plan). The University of Colorado Health Sciences Center and the Innovation Campus currently employ approximately 28,600 people and will reach over 40,000 employees at full build-out, which includes the potential for 4 million additional square feet of development in the West Area. The area also generates approximately \$10 billion in economic output in Colorado which will grow as well. One of the strategies being used to encourage redevelopment of Fitzsimons, which this Urban Renewal Plan will support, is "actively seeking developers who are interested in new commercial or mixed-use development."

The Aurora Places Plan also anticipates the use of tax increment revenues for infrastructure and other costs associated with various urban renewal projects and the issuance of tax increment revenue-supported bonds.

The Aurora Comprehensive Plan (2003) stated that the Fitzsimons redevelopment will have a “substantial positive impact “on the City’s economy and that Fitzsimons “is poised to become one of the largest employment centers in the metropolitan area, which will boost the value of neighborhoods in the northern part of the City. As workers, patients, students and visitors coming to Fitzsimons increase, Fitzsimons will improve as a location for redevelopment. Challenges for redevelopment of Fitzsimons cited in the Comprehensive Plan (2003) included:

- The “environmental challenges typically associated with former military bases,” which tend to slow ownership transfer and site clearance and preparation;
- The ability to obtain funding for planned access improvements and utilities and other infrastructure to accommodate substantial increases in traffic and infrastructure demands which the intensive Fitzsimons redevelopment activity is expected to generate; and
- The time required for zoning and other efforts to show results in reducing blighted conditions and higher quality uses in Fitzsimons.

Implementation of this Urban Renewal Plan is consistent with the original strategies identified in the prior Comprehensive Plan (2003), many of which have been implemented or are ongoing including:

- Continuing to support and advocate for governmental, private, and other funding necessary to affect redevelopment of Fitzsimons.
- Seeking designation of Fitzsimons by the Denver Regional Council of Governments as an urban center.
- Continuing to fully support the FRA's efforts to position itself nationally in the bioscience market.
- Working to implement the master plans FRA has adopted.
- Continuing to work to fund planned transportation improvements. Planning and advocating for full transit access including bus, shuttle, and light rail service to and through the Fitzsimons Innovation Campus and the Anschutz Medical Campus to the south.
- Continuing the planned Montview Boulevard bicycle and pedestrian amenities eastward into the Campus.
- Continuing to use the Fitzsimons Boundary Area revitalization tools to improve the quality of development. Those tools include zoning, design standards and urban renewal strategies. Time will be required to allow these tools, in combination with market forces, to bring about the desired revitalization in this area.
- Continuing to recruit and support developers who can implement redevelopment at areas targeted by the urban renewal plans.

Many of the challenges and implementation actions undertaken since the origination of this plan are consistent with the current comprehensive

plan (Aurora Places) and the FIC continues to evolve and develop projects consistent with the current goals and objectives of Aurora Places.

5.3 Relationship to CSTP General Development Plan

It is anticipated that the implementation of the CSTP General Development Plan for the Innovation Campus will help achieve the goals and objectives of this Urban Renewal Plan. The proposed uses for the site in the current CSTP General Development Plan follow the Aurora Places Plan, which has identified the site as an emerging science and technology center that will become a hub for the industry in the Rocky Mountain Region. Located adjacent to transit, the property has access to off-site light rail stops. The vision expressed in the CSTP General Development Plan is to create a state-of-the-art research and development park focusing on life-science research with the look and feel of a traditional urban environment consisting primarily of multi-story buildings, gridded streets and blocks, and open spaces. According to the CSTP General Development Plan, the intent of the Park is to create a critical mass of knowledge-based science / technology organizations with their primary application in human health so as to be complementary to the adjacent University of Colorado Health Sciences Campus.

5.4 Relationship to Fitzsimons Station Area Plan (SAP)

The Station Area Plan factored in the relocation of the proposed light rail station from Montview Boulevard to Fitzsimons Parkway (2013), a new market study (2014) and the Developer's "Innovation Campus" concept for the area. The Innovation Campus was a shift from large, stand-alone research and development centers and office buildings to partnerships with nearby research institutions and hospitals, reflecting changing industry dynamics. This concept expands on the previous plans for this

bio-tech district by introduction of the Innovation District concept for an urban-scale, walkable, transit-supported, mixed-use area.

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 urban renewal projects to stimulate private investment in cooperation with property owners and other affected parties in order to accomplish its objectives. Public-private partnerships and other forms of cooperative development will be key to the Authority's strategy for preventing the spread and recurrence of blight and eliminating existing blight conditions.

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, including, without limitation, streets, sidewalks, underground utilities and service facilities, streetscapes, pedestrian corridors, parking facilities, water and sanitation facilities, parks and recreation facilities, safety protection facilities, environmental remediation, television relay and translation facilities (in conformity with the City's cable television franchise(s)), and transportation facilities. 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 projects 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 sub-area supported by multiple forms of transportation with supporting public spaces contributing to increased revenues from property taxes and City Taxes.

As described in **Section 4.0** of this Plan, blight studies identified seven qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, as evident in the Area both at the time of plan adoption and this amendment, and most of the identified conditions were the same between both studies. This Plan proposes addressing each of these conditions through urban renewal activities including but not limited to those described hereunder:

- (a) Slum, Deteriorated, or Deteriorating Structures - Blighted and deteriorating or functionally obsolete structures may be demolished or removed and replaced with newer primarily commercial and research facilities that are adaptable to life science research and technologies. (2018 Blight Study)
- (b) Predominance of defective or inadequate street layout - pedestrian improvements including completion of existing sidewalks; improved roadways consistent with the City's Urban Street Standards; and, construction of major building improvements and utility demolition associated with the completion of the light rail station; and construction of parking facilities. Construction of new streets an infrastructure will be phased in approximately over 10 years following the Amendment to the Plan. .
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness - improvements to Montview Boulevard which will

ensure its compliance as a formal right-of-way; adequate parcelization of land for development under the CSTP General Development Plan especially in the West Area

- (d) Unsanitary or unsafe conditions - completion of pedestrian improvements including formal and informal pathways and lighting. (2008 Blight Study only)
- (e) Deterioration of site or other improvements - demolition and removal and remediation (if necessary) of facilities and improvements related to the former golf course in the West Area. (2018 Blight Study only)
- (f) Unusual topography or inadequate public improvements or utilities - completion of utilities including, but not limited to, utilities which address wastewater, sewer line, storm water runoff, water quality deficiencies associated with the planned level of development; electrical and gas service; and parks and open space.
- (h) The existence of conditions that endanger life or property by fire or other causes - improvement of roadways to the City's Urban Street Standards, particularly to accommodate emergency vehicle access.; (2008 Blight Study only)
- (j) Environmental contamination of buildings or property - clean-up of site-wide asbestos and asbestos contaminated soil, as well as other contamination known or suspected to pose a hazard to human health as the former golf course and related facilities are cleared; .

- (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 – improvement of vacant land and demolition or rehabilitation of vacant and under-utilized buildings.

6.2 Other Improvements and Facilities

There could be other non-public improvements or facilities in the Area that may be required in connection with an urban renewal project to accommodate development of the Area. The Authority may assist in the financing or construction of such of these improvements as may serve a public purpose and the goals and objectives of this Plan.

6.3 Operation and Maintenance of Improvements and Facilities

As expressed in the CSTP General Development Plan, an intergovernmental agreement between the City and one or more of the Metropolitan Districts is anticipated to address maintenance and operational issues associated with certain public infrastructure.

6.4 Development Opportunities – Catalyst Projects

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 aggregate impact of potential investment within Area is reflected in the Impact Report in **Attachment 3 and the 2021 Impact Report in Attachment 4.**

6.5 Development Standards

All development in the Area shall conform to the laws, rules, regulations, policies and other requirements and standards of the City and any other

governmental entity which has jurisdiction over all or any portion of the Area.

In conformance with the Act and the Plan, the Authority may adopt design standards and other requirements applicable to projects undertaken by the Authority. 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.

6.6 Variations in Plan

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 Aurora Comprehensive Plan and any subsequent updates, as well as the Act, or such amendments made in accordance with Section 6.7.3 of this Plan and as otherwise contemplated by this Plan.

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.

6.7 Project Financing and Creation of Tax Increment Areas

6.7.1 Public Investment Objective

It is the intent of the Plan that the public sector will play a significant role in all urban renewal efforts as a strategic partner. However, experience has proven that a critical component to the success of any urban renewal strategy is participation by both the public and private sectors. Leveraging of resources will be key as

no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Typical public infrastructure investments may include but are not limited to: unifying streetscape elements (but for specific modifications made on private property); improving access and circulation; improving streets and parks; providing for corridor improvements and parking; completing utilities; and, creating special districts or other financing mechanisms.

6.7.2 Authorization

The Authority may finance undertakings pursuant to this Plan 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; advance and reimbursement agreements; federal or state loans or grants; interest income; agreements with public or private entities; pledging tax increment revenues to one or more Metropolitan Districts to be used and pledged by such Metropolitan District to pay its obligations incurred to finance public infrastructure and other lawful improvements under the Act; and loans, advances and grants from any other available sources. The principal, interest, and reasonable costs and fees on any indebtedness are to be paid for with any lawfully available funds of the Authority.

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 or any Metropolitan District.

In addition to the use of increment to fund public improvements and project debt financing, the Authority may use portions of the tax increment for the provision of programs and services for the overall benefit of the adjacent community and to achieve the City Council goals for urban renewal including, but not limited to, preserving existing small businesses and providing small business assistance, creating a diversity of housing types and maintaining housing affordability, and assisting in the building of community wealth. Such community benefit may be afforded through the creation of a fund set aside of for Authority-approved programs and/or services, or through the designation of such funding to a third-party partner for distribution, provided that such party shall distribute any funds consistent with this plan and the Urban Renewal Statute.

6.7.3 Use of Tax Increment Financing and Creation of Tax Increment Areas

It is the intent of the City Council in approving this Plan to authorize the use of tax increment financing by the Authority as part of its efforts to undertake this Plan. The Aurora Public School District and Adams County have participated in the discussions of the use and portions of the tax increment generated from their mill levies as provided for pursuant to HB 1348, concerning the use of tax increment financing in the manner contemplated by the Act. 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 Urban Renewal Plan Amendment, contemplates the creation

of a single additional Tax Increment Area (TIF Area #2) to be created within the Urban Renewal Area for future development. Notwithstanding the designation of such Tax Increment Area, the Authority is specifically authorized to expend all or any portion of the revenue from the Property Tax Increment, all or any portion of the revenue from the City Tax Increment, or any combination thereof in each Tax Increment Area, to the extent authorized by the Act and the City Code, for financing or refinancing an urban renewal project or projects, including, to the extent determined by the Authority, pledging any portion of said revenues to one of the Metropolitan Districts, and to be pledged by such Metropolitan District for payments on its obligations incurred by such Metropolitan District to fund public infrastructure and other lawful improvements under the Act, or, at the option of the Authority, to be used as security for Debt or other obligations of the Authority or any Metropolitan District contracted to fund public infrastructure and other lawful improvements under the Act and the City Code; provided however that the portion of the Metro District(s)' mill levy attributable to operation and maintenance may be used for payment of the costs of administration and operation of one or more of the Metropolitan Districts and the operation and maintenance of part or all of the public improvements.

As specific properties within the Urban Renewal Area are proposed to be developed, this Urban Renewal Plan may be amended to designate the boundaries of a new Tax Increment Area or adding to an existing Tax Increment Area, provided that the Tax Increment Areas so designated shall not overlap and shall be located entirely within the Urban Renewal Area. An

amendment to this Urban Renewal Plan designating the boundaries of a new Tax Increment Area shall be deemed to be made pursuant to the Blight Study (and any updates) existing as of the date of the adoption of this Urban Renewal Plan and in furtherance of the original provisions of this Urban Renewal Plan.

The process for creating a new Tax Increment Area or adding to an existing Tax Increment Area shall be initiated by written notification by the Developer to the Authority's Executive Director and the City's Manager of Development Services that the Developer has a new project and needs tax increment funding to fund infrastructure and related lawful improvements. Such notification shall include the area to be designated (including a legal description and a map), a site plan, a description of the infrastructure to be funded and estimated costs of that infrastructure, the estimated schedule of the first phase of the infrastructure for that Tax Increment Area, and the estimated TIF revenue to be generated from that new or expanded Tax Increment Area. The Authority and the City shall provide notice to Adams County and the Aurora Public School District, of the Developer's request for the creation of a new Tax Increment Area or adding to an existing Tax Increment Area as required by the provisions of 15-1348 , and shall be considered a substantive amendment to the Urban Renewal Plan. Approval by City Council of any such amendment, unless it specifically provides to the contrary, shall be deemed an adoption of a provision that taxes, if any, levied and collected after the effective date of the approval of the amendment, upon taxable property in the Tax Increment Area defined in such amendment or that City Tax, or any portion thereof, collected in the twelve-month period prior to

The allocation of Property Tax Increment and City Tax Increment to the Authority within the First Tax Increment Area shall commence on the date of approval of this Urban Renewal Plan.

The Urban Renewal Plan anticipates that, subject to the terms of a Public Finance and Redevelopment Agreement between and among the Authority, the Developer, and the Metropolitan District(s) with respect to the First Tax Increment Area, the Authority will irrevocably pledge to the Metropolitan Districts (i) one hundred percent (100%) of that portion of the Property Tax Increment derived from District Taxes, (ii) eighty-five percent (85%) of the remaining Property Tax Increment, and (iii) eighty-five percent (85%) of the City Tax Increment, excluding OPT, to the payment of principal of, premium if any, and interest on any bonds of, loans or advances to, indebtedness, or any other obligations, whether funded, refunded, assumed, or otherwise, incurred by the Metropolitan District(s) to finance or refinance public infrastructure benefiting the Urban Renewal Area. The Urban Renewal Plan further anticipates that the Authority will use the remainder of the Property Tax Increment and the City Tax Increment generated in the first Tax Increment Area to pay for City services provided to or for the benefit of the Urban Renewal Area and to assist with the financing or refinancing of off-site public improvements that will benefit the Urban Renewal Area.

6.7.5 Second Tax Increment Area and Allocation of Tax Increment Revenue to the Authority

The Second Tax Increment Area (“Second Tax Increment Area”) shall be deemed established on the date of approval of this Urban Renewal Plan Amendment. The boundaries of the Second Tax

Taxes shall be allocated to the Authority for the purposes and activities outlined in this plan. Thirty percent (30%) of incremental revenues shall be retained by the County.

6.7.7 Second Tax Increment Area and Allocation of Tax Increment Revenue derived from Aurora Public Schools (APS) Property Taxes

One hundred percent (100%) of the Property Tax Increment derived from the Aurora Public School Taxes shall be allocated to the Authority for the purposes and activities outlined in this plan.

6.7.8 Second Tax Increment Area and Allocation of Tax Increment Revenue derived from Mile High Flood District Property Taxes

One hundred percent (100%) of the Property Tax Increment derived from the Flood District Taxes shall be allocated to the Authority.

6.7.9 Second Tax Increment Area and Allocation of City Tax Increment and Increment Revenue derived from City Property Taxes

One hundred percent (100%) of the Property Tax Increment derived from the City Taxes shall be allocated to the Authority. One hundred percent (100%) City Tax Increment derived from Sales Tax and Lodger's Tax shall be allocated to the Authority. One hundred percent (100%) of the City Tax Increment derived from the Construction and Materials Use Tax and Occupational Privilege Tax (OPT) shall be allocated to the Authority.

6.7.10 Other Financing Mechanisms / Structures

The Plan is designed to provide for the use of tax increment financing as the primary tool to facilitate investment and reinvestment within the Area. However, in addition to tax increment financing, the Authority shall be authorized to finance implementation of the Plan by any method authorized by the Act or any other applicable law, including without limitation and in any combination: appropriations, loans, grants or advances from the City; state loans and grants; federal loans and grants; interest income; agreements with public and private parties or entities, including any arrangements made for the payment of moneys in lieu of taxes; sale of securities or other assets; and loans and advances from any other available source.

6.8 Property Acquisition and Land Assemblage

The Authority may acquire property by negotiation or any other method authorized by the Act, except that any proposal to acquire property under the power of eminent domain shall not be authorized by this Plan. The Authority may temporarily operate, manage and maintain such acquired property. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

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, and in conformance with the Act.

6.10 Demolition, Clearance, Environmental Remediation, and Site Preparation

In carrying out this Plan, 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 Public Finance and Redevelopment Agreements, 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.

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, such buildings, structures and other improvements cannot be economically rehabilitated in accordance with this Plan. The Authority may also undertake such additional site preparation and environmental remediation activities, as it deems necessary to facilitate the disposition and 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.

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; 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 Public Finance and Redevelopment Agreements or other Redevelopment Agreements with the Developer and the Metropolitan District(s), as well as agreements with other public, private and non-profit entities to provide assistance or undertake all other actions authorized by the Act or other applicable law to redevelop and rehabilitate the Area.

6.13 Community Programs and Services

Consistent with Section 6.7.2, for the purposes of this Plan, the Authority is authorized to create and/or fund programs and services designed for the benefit of the adjacent community, and to meet the City Council approved goals for urban renewal. Such community benefit may be implemented through the creation of a fund set aside for Authority-approved programs and/or services, or through the designation of such funding to a third-party partner for distribution, provided that such party shall distribute any funds consistent with this plan and with the Urban Renewal Act.

6.14 Public Finance and Redevelopment Agreements

For the purpose of this Plan, the Authority is authorized to enter into Public Finance and Redevelopment Agreements with the Developer, the Metropolitan District(s), and/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 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, including, without limitation, the financing, installation, construction, and reconstruction of public improvements, utility line relocation, storm water detention, environmental remediation, parking facilities, landscaping and/or other eligible improvements, programs and services.

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

6.15 Cooperation with Public and Private Entities

The City and the Authority recognize the need to cooperate with each other and with other public or private entities in the implementation of this Plan. Accordingly, the Authority is authorized to enter into one or more agreements with the City or any other public or private entity regarding the implementation of this Plan and any urban renewal projects undertaken hereunder, as well as programs, maintenance, or activities which the Authority, the City, or such other public or private entities are otherwise empowered to undertake.

7.0 Severability

If any portion of this Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

Colorado Science & Technology Park

Urban Renewal Plan

Aurora, Colorado

Appendix I:

Urban Renewal Area Legal Description

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 36, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, ADAMS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE NORTH ONE-QUARTER CORNER OF SAID SECTION 36 BEARS SOUTH 89°40'29" EAST; THENCE SOUTH 89°40'29" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 42.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF PEORIA STREET, AS DESCRIBED IN BOOK 1823 AT PAGE 889 IN THE PUBLIC RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER; THENCE SOUTH 00°29'24" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 83.54 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FITZSIMONS PARKWAY, AS DESCRIBED IN THE QUIT CLAIM DEED AT INSTRUMENT NO. 20050307000227600 IN SAID PUBLIC RECORDS and the **POINT OF BEGINNING**;

THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY, FORMERLY KNOWN AS SAND CREEK PARKWAY, THE FOLLOWING SEVEN (7) COURSES:

THENCE SOUTH 89°40'29" EAST A DISTANCE OF 245.94 FEET TO THE POINT OF A TANGENT CURVE TO THE LEFT;

THENCE EASTERLY, ALONG SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 03°37'28", A RADIUS OF 5063.50 FEET AND A CHORD WHICH BEARS NORTH 88°30'47" EAST, AN ARC DISTANCE OF 320.31 FEET TO THE POINT OF REVERSE CURVE;

THENCE EASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 03°37'28", A RADIUS OF 4936.50 FEET AND A CHORD WHICH BEARS NORTH 88°30'47" EAST, AN ARC DISTANCE OF 312.28 FEET TO THE POINT OF TANGENT;

THENCE SOUTH 89°40'29" EAST, ALONG THE TANGENT LINE, A DISTANCE OF 76.01 FEET;

THENCE NORTH 88°24' 59" EAST A DISTANCE OF 150.08 FEET;

THENCE SOUTH 89°40'29" EAST A DISTANCE OF 577.39 FEET TO THE EASTERLY LINE OF PARCEL "T" AS DESCRIBED AT RECEPTION NO. C1035079 IN SAID PUBLIC RECORDS;

THENCE CONTINUE SOUTH 89°40'29" EAST A DISTANCE OF 930.19 FEET;

THENCE SOUTH 00° 00' 00" WEST A DISTANCE OF 1252.16 FEET TO A POINT ON THE NORTHERLY LINE OF PARCEL "AA", AS DESCRIBED AT RECEPTION NO. C1134431 IN SAID PUBLIC RECORDS, SAID POINT ALSO BEING ON A 117.72 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 18°26'50" WEST;

THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINES OF SAID PARCEL "AA", THE FOLLOWING FOUR (4) COURSES:

1. THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 73°25'34", A CHORD WHICH BEARS SOUTH 34° 50' 23" EAST, AN ARC DISTANCE OF 150.86 FEET;
2. THENCE SOUTH 00°26'49" WEST, ALONG A NON-TANGENT LINE, A DISTANCE OF 33.15 FEET;

3. THENCE SOUTH 89°09'05" EAST, A DISTANCE OF 563.73 FEET;
4. THENCE SOUTH 89°34'53" EAST, A DISTANCE OF 181.02 FEET TO THE NORTHWEST CORNER OF PARCEL "AA-1", AS DESCRIBED AT RECEPTION NO. C0778556 IN SAID PUBLIC RECORDS;

THENCE CONTINUING SOUTH 89°34'53" EAST, ALONG THE NORTHERLY LINE OF SAID PARCEL "AA-1", A DISTANCE OF 100.52 FEET;

THENCE NORTH 15°18'44" EAST, CONTINUING ALONG SAID NORTHERLY LINE, A DISTANCE OF 12.07 FEET TO THE SOUTHWEST CORNER OF PARCEL "Z" AS DESCRIBED AT RECEPTION NO. C0893076 IN SAID PUBLIC RECORDS;

THENCE SOUTH 88°13'07" EAST, ALONG THE SOUTH LINE OF SAID PARCEL "Z", A DISTANCE OF 303.49 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "Z";

THENCE NORTH 01°02'44" EAST, ALONG THE EAST LINE OF SAID PARCEL "Z", A DISTANCE OF 34.59 FEET TO A POINT OF NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 85°15'28" EAST;

THENCE NORTHERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 14°00'05", A RADIUS OF 431.00 FEET AND A CHORD WHICH BEARS NORTH 11°44'35" EAST, AN ARC DISTANCE OF 105.32 FEET TO THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 36 EXTENDED WESTERLY;

THENCE SOUTH 89°45'11" EAST, ALONG SAID NORTH LINE AND ITS EXTENSION, A DISTANCE OF 68.24 FEET TO THE NORTHWEST CORNER OF FITZSIMONS ELECTRIC SUBSTATION SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED AT RECEPTION NO. 2001030761535 IN SAID RECORDS, SAID CORNER ALSO BEING ON A 359.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 73°03'20" EAST;

THENCE ALONG THE BOUNDARY LINES OF SAID FITZSIMONS ELECTRIC SUBSTATION SUBDIVISION FILING NO. 1 THE FOLLOWING FIVE (5) COURSES:

1. THENCE SOUTHERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°53'56", A CHORD WHICH BEARS SOUTH 08°59'42" WEST AN ARC DISTANCE OF 99.62 FEET TO THE POINT OF TANGENT;
2. THENCE SOUTH 01°02'44" WEST, ALONG SAID TANGENT LINE, A DISTANCE OF 211.40 FEET;
3. THENCE SOUTH 89°45'03" EAST, A DISTANCE OF 400.39 FEET;
4. THENCE NORTH 00°14'57" EAST, A DISTANCE OF 275.78 FEET;
5. THENCE NORTH 52°05'56" WEST, A DISTANCE OF 55.25 FEET TO SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER ;

THENCE SOUTH 89°45'11" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 64.44 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINES THE FOLLOWING FOUR (3) COURSES:

1. THENCE SOUTH 51°55'06" EAST, A DISTANCE OF 183.48 FEET TO A POINT OF CURVE;
2. THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 46°20'37", A RADIUS OF 681.50 FEET AND A CHORD WHICH BEARS SOUTH 28°44'48" EAST AN ARC DISTANCE OF 551.23 FEET TO A POINT OF TANGENT;
3. THENCE SOUTH 05°34'29" EAST, ALONG THE TANGENT LINE A DISTANCE OF 370.76 FEET TO THE NORTH LINE OF PARCEL "N", AS DESCRIBED IN BOOK 6362 AT PAGE 295 IN SAID PUBLIC RECORDS;



THENCE ALONG THE NORTH AND WEST LINES OF SAID PARCEL "N" THE FOLLOWING FOUR (4) COURSES:

1. THENCE NORTH 89°39'24" WEST A DISTANCE OF 405.17 FEET TO THE PIN AND CAP, L.S. #16112, ON THE WEST BACK OF CURB OF WHEELING STREET, FROM WHENCE THE EAST ONE-QUARTER CORNER BEARS SOUTH 65°44'59" EAST A DISTANCE OF 913.09 FEET;
2. THENCE CONTINUING NORTH 89°39'24" WEST A DISTANCE OF 447.14 FEET TO THE POINT OF NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 02°11'32" WEST;
3. THENCE SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 97°21'46", A RADIUS OF 18.46 FEET AND A CHORD WHICH BEARS SOUTH 43°30'39" WEST, AN ARC DISTANCE OF 31.37 FEET;
4. THENCE SOUTH 00°22'06" WEST, ALONG THE NON-TANGENT LINE, A DISTANCE OF 195.88 FEET;

THENCE SOUTH 89°49'49" EAST, A DISTANCE OF 893.49 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID FITZSIMONS PARKWAY THE FOLLOWING THREE (3) COURSES:

1. THENCE SOUTH 05°34'29" EAST, A DISTANCE OF 17.84 FEET;
2. THENCE SOUTH 07°46'08" EAST, A DISTANCE OF 90.11 FEET;
3. THENCE SOUTH 07°42'27" EAST, A DISTANCE OF 16.55 FEET;

THENCE SOUTH 87°59'47" WEST, DEPARTING FROM SAID WESTERLY RIGHT-OF-WAY LINE OF FITZSIMONS PARKWAY, A DISTANCE OF 36.90 FEET TO THE EASTERLY LINE OF PARCEL "J" AS DESCRIBED AT RECEPTION NO. C1035078 IN SAID PUBLIC RECORDS;

THENCE ALONG THE EASTERLY, SOUTHERLY AND WESTERLY LINES OF SAID PARCEL "J", THE FOLLOWING EIGHT (8) COURSES:

1. THENCE SOUTH 03°10'31" EAST, A DISTANCE OF 388.67 FEET;
2. THENCE SOUTH 89°23'22" WEST, A DISTANCE OF 151.50 FEET;
3. THENCE SOUTH 67°53'32" WEST, A DISTANCE OF 15.41 FEET;
4. THENCE NORTH 88°27'36" WEST, A DISTANCE OF 185.42 FEET TO A POINT OF CURVE;
5. THENCE SOUTHWESTERLY, ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 91°12'33", A RADIUS OF 15.00 FEET AND A CHORD WHICH BEARS SOUTH 45°56'07" WEST AN ARC DISTANCE OF 23.88 FEET;
6. THENCE NORTH 00°25'33" EAST, A DISTANCE OF 57.88 FEET;
7. THENCE NORTH 00°16'52" EAST, A DISTANCE OF 314.13 FEET;
8. THENCE NORTH 05°49'44" EAST, A DISTANCE OF 41.87 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 28.91 FEET TO THE EASTERLY LINE OF SAID PARCEL "N";

THENCE NORTH 00°14'56" EAST, ALONG SAID EAST LINE, A DISTANCE OF 13.00 FEET;



THENCE NORTH 89°49'35" WEST, A DISTANCE OF 508.72 FEET TO THE WESTERLY LINE OF SAID PARCEL "N", SAID POINT ALSO BEING A POINT OF NON-TANGENT CURVE;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 82°11'34" EAST, HAVING A CENTRAL ANGLE OF 03°10'45", A RADIUS OF 201.07 FEET AND AN ARC LENGTH OF 11.16 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 1212.69 FEET TO THE WESTERLY LINE OF PARCEL "U" AS DESCRIBED AT RECEPTION NO. C0766T55;

THENCE NORTH 00°03'22" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 11.00 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 167.24 FEET TO A POINT OF CURVE;

THENCE ALONG SAID CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 07°11'01", A RADIUS OF 372.00 FEET AND AN ARC LENGTH OF 46.64 FEET;

THENCE SOUTH 00°13'45" WEST, A DISTANCE OF 64.73 FEET;

THENCE NORTH 89°47'50" WEST, A DISTANCE OF 63.28 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "U";

THENCE NORTH 89°47'50" WEST, A DISTANCE OF 116.30 FEET TO A POINT OF NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 21°25'02" WEST, HAVING A CENTRAL ANGLE OF 21°35'27", A RADIUS OF 478.00 FEET AND AN ARC LENGTH 180.13 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 1146.97 FEET;

THENCE SOUTH 60°22'38" WEST, A DISTANCE OF 21.13 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 420.42 FEET TO THE EAST LINE OF PARCEL "Q" AS DESCRIBED AT RECEPTION NO. C0784620, SAID POINT ALSO BEING A POINT OF NON-TANGENT CURVE;

THENCE ALONG THE EASTERLY AND NORTHERLY LINES OF SAID PARCEL "Q" FOR THE FOLLOWING TWO (2) COURSES:

1. THENCE NORTHWESTERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 51°08'32" WEST, HAVING A CENTRAL ANGLE OF 00°55'49", A RADIUS OF 106.57 FEET AND AN ARC LENGTH OF 1.73 FEET;
2. THENCE NORTH 89°49'35" WEST, A DISTANCE OF 527.68 FEET TO THE EASTERLY LINE OF THAT CERTAIN ROAD EASEMENT DESCRIBED IN BOOK 3151 AT PAGE 672 IN SAID PUBLIC RECORDS;

THENCE ALONG THE EASTERLY AND NORTHERLY LINES OF SAID ROAD EASEMENT THE FOLLOWING SIX (6) COURSES:

1. THENCE NORTH 43°45'36" EAST A DISTANCE OF 2.02 FEET;
2. THENCE NORTH 69°08'53" EAST A DISTANCE OF 23.61 FEET;
3. THENCE NORTH 00°29'33" EAST A DISTANCE OF 81.64 FEET;
4. THENCE NORTH 89°49'35" WEST A DISTANCE OF 26.99 FEET;
5. THENCE NORTH 40°41'36" WEST A DISTANCE OF 10.59 FEET;

6. THENCE NORTH 84°59'32" WEST A DISTANCE OF 16.09 FEET TO THE EAST RIGHT-OF-WAY LINE OF PEORIA STREET AS DESCRIBED IN BOOK 1823 AT PAGE 889 IN SAID PUBLIC RECORDS;

THENCE NORTH 00° 29' 24" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2528.76 FEET TO THE POINT OF BEGINNING;

THE ABOVE DESCRIBED PARCEL ENCOMPASSES 9,232,414 SQ. FT. OR 211.947 ACRES OF LAND, MORE OR LESS.

EXCEPT ANY PORTION THEREOF CONVEYED TO THE CITY OF AURORA IN DEED RECORDED JUNE 9, 2006 AT RECEPTION NO. 20060609000590530.

EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND, WHICH IS SITUATED ENTIRELY WITHIN THE ABOVE DESCRIBED PROPERTY:

A PART OF PARCEL "M", WHICH IS DESCRIBED IN BOOK 5859 AT PAGES 514-562 IN THE PUBLIC RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, ADAMS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 36, FROM WHICH THE NORTHEAST ONE-QUARTER CORNER OF SAID SECTION 36 BEARS N 00°04'28"E A DISTANCE OF 2642.43 FEET; THENCE NORTH 65°44'59" WEST A DISTANCE OF 913.09 FEET TO A PIN AND CAP, L.S. NO. 16112, ON THE WEST BACK OF CURB OF WHEELING STREET;

THENCE NORTH 89°39'24" WEST, ALONG THE SOUTH BACK OF CURB OF THE ALLEY, A DISTANCE OF 82.45 FEET; THENCE NORTH 00°21'10" WEST, A DISTANCE OF 17.13 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89°39'24" WEST, A DISTANCE OF 382.24 FEET;

THENCE NORTH 02°12'18" EAST, A DISTANCE OF 13.76 FEET TO THE EAST BACK OF CURB OF VICTOR STREET;

THENCE NORTH 00°08'48" WEST, ALONG SAID EAST BACK OF CURB, A DISTANCE OF 310.56 FEET;

THENCE NORTH 04°15'51" WEST, CONTINUING ALONG SAID BACK OF CURB, A DISTANCE OF 69.30 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 269.48 FEET;

THENCE SOUTH 00°31'55" WEST, A DISTANCE OF 274.76 FEET;

THENCE SOUTH 89°32'07" EAST, A DISTANCE OF 119.99 FEET;

THENCE SOUTH 00°21'10" EAST, A DISTANCE OF 119.99 FEET TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIBED EXCEPTION PARCEL ENCOMPASSES 118,046 SQ. FT. OR 2.710 ACRES OF LAND, MORE OR LESS.

THE AREA OF THE ABOVE DESCRIBED EXTERIOR PARCEL LESS THE AREA OF THE EXCEPTION PARCELS RESULT IN A NET AREA OF 9,057,044 SQ. FT. OR 207.921 ACRES OF LAND, MORE OR LESS.

THE ABOVE AND FOREGOING DESCRIBES A SURFACE ESTATE ONLY. EXPRESSLY EXCLUDED FROM THIS LEGAL DESCRIPTION ARE ANY ESTATES BELOW THE SURFACE INCLUDING OIL, GAS AND OTHER MINERALS (INCLUDING SAND AND GRAVEL) AND ANY RELATED RIGHTS OF SURFACE USE.

PREPARED FOR AND ON BEHALF OF
MATRIX DESIGN GROUP

ROBERT L. MEADOWS JR., PLS 34977



Colorado Science & Technology Park

Urban Renewal Plan

Aurora, Colorado

Appendix II:

First Tax Increment Area Legal Description

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 36, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, ADAMS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE NORTH ONE-QUARTER CORNER OF SAID SECTION 36 BEARS SOUTH 89°40'29" EAST;

THENCE SOUTH 89°40'29" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 42.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF PEORIA STREET, AS DESCRIBED IN BOOK 1823 AT PAGE 889 IN THE PUBLIC RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE SOUTH 00°29'24" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 83.54 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FITZSIMONS PARKWAY, AS DESCRIBED IN THE QUIT CLAIM DEED AT INSTRUMENT NO. 20050307000227600 IN SAID PUBLIC RECORDS

THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY, FORMERLY KNOWN AS SAND CREEK PARKWAY, THE FOLLOWING SEVEN (7) COURSES:

THENCE SOUTH 89°40'29" EAST A DISTANCE OF 245.94 FEET TO THE POINT OF A TANGENT CURVE TO THE LEFT;

THENCE EASTERLY, ALONG SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 03°37'28", A RADIUS OF 5063.50 FEET AND A CHORD WHICH BEARS NORTH 88°30'47" EAST, AN ARC DISTANCE OF 320.31 FEET TO THE POINT OF REVERSE CURVE;

THENCE EASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 03°37'28", A RADIUS OF 4936.50 FEET AND A CHORD WHICH BEARS NORTH 88°30'47" EAST, AN ARC DISTANCE OF 312.28 FEET TO THE POINT OF TANGENT;

THENCE SOUTH 89°40'29" EAST, ALONG THE TANGENT LINE, A DISTANCE OF 76.01 FEET;

THENCE NORTH 88°24' 59" EAST A DISTANCE OF 150.08 FEET;

THENCE SOUTH 89°40'29" EAST A DISTANCE OF 577.39 FEET TO THE EASTERLY LINE OF PARCEL "T" AS DESCRIBED AT RECEPTION NO. C1035079 IN SAID PUBLIC RECORDS;

THENCE CONTINUE SOUTH 89°40'29" EAST A DISTANCE OF 209.38 FEET TO **THE POINT OF BEGINIING**;

THENCE CONTINUE SOUTH 89°40'29" EAST A DISTANCE OF 720.81 FEET;

THENCE SOUTH 00° 00' 00" WEST A DISTANCE OF 1252.16 FEET TO A POINT ON THE NORTHERLY LINE OF PARCEL "AA", AS DESCRIBED AT RECEPTION NO. C1134431 IN SAID PUBLIC RECORDS, SAID POINT ALSO BEING ON A 117.72 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 18°26'50" WEST;

THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINES OF SAID PARCEL "AA", THE FOLLOWING FOUR (4) COURSES:

1. THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $73^{\circ}25'34''$, A CHORD WHICH BEARS SOUTH $34^{\circ} 50' 23''$ EAST, AN ARC DISTANCE OF 150.86 FEET;
2. THENCE SOUTH $00^{\circ}26'49''$ WEST, ALONG A NON-TANGENT LINE, A DISTANCE OF 33.15 FEET;
3. THENCE SOUTH $89^{\circ}09'05''$ EAST, A DISTANCE OF 563.73 FEET;
4. THENCE SOUTH $89^{\circ}34'53''$ EAST, A DISTANCE OF 181.02 FEET TO THE NORTHWEST CORNER OF PARCEL "AA-1", AS DESCRIBED AT RECEPTION NO. C0778556 IN SAID PUBLIC RECORDS;

THENCE CONTINUING SOUTH $89^{\circ}34'53''$ EAST, ALONG THE NORTHERLY LINE OF SAID PARCEL "AA-1", A DISTANCE OF 100.52 FEET;

THENCE NORTH $15^{\circ}18'44''$ EAST, CONTINUING ALONG SAID NORTHERLY LINE, A DISTANCE OF 12.07 FEET TO THE SOUTHWEST CORNER OF PARCEL "Z" AS DESCRIBED AT RECEPTION NO. C0893076 IN SAID PUBLIC RECORDS;

THENCE SOUTH $88^{\circ}13'07''$ EAST, ALONG THE SOUTH LINE OF SAID PARCEL "Z", A DISTANCE OF 303.49 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "Z";

THENCE NORTH $01^{\circ}02'44''$ EAST, ALONG THE EAST LINE OF SAID PARCEL "Z", A DISTANCE OF 34.59 FEET TO A POINT OF NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH $85^{\circ}15'28''$ EAST;

THENCE NORTHERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $14^{\circ}00'05''$, A RADIUS OF 431.00 FEET AND A CHORD WHICH BEARS NORTH $11^{\circ}44'35''$ EAST, AN ARC DISTANCE OF 105.32 FEET TO THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 36 EXTENDED WESTERLY;

THENCE SOUTH $89^{\circ}45'11''$ EAST, ALONG SAID NORTH LINE AND ITS EXTENSION, A DISTANCE OF 68.24 FEET TO THE NORTHWEST CORNER OF FITZSIMONS ELECTRIC SUBSTATION SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED AT RECEPTION NO. 2001030761535 IN SAID RECORDS, SAID CORNER ALSO BEING ON A 359.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH $73^{\circ}03'20''$ EAST;

THENCE ALONG THE BOUNDARY LINES OF SAID FITZSIMONS ELECTRIC SUBSTATION SUBDIVISION FILING NO. 1 THE FOLLOWING FIVE (5) COURSES:

1. THENCE SOUTHERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF $15^{\circ}53'56''$, A CHORD WHICH BEARS SOUTH $08^{\circ}59'42''$ WEST AN ARC DISTANCE OF 99.62 FEET TO THE POINT OF TANGENT;
2. THENCE SOUTH $01^{\circ}02'44''$ WEST, ALONG SAID TANGENT LINE, A DISTANCE OF 211.40 FEET;
3. THENCE SOUTH $89^{\circ}45'03''$ EAST, A DISTANCE OF 400.39 FEET;
4. THENCE NORTH $00^{\circ}14'57''$ EAST, A DISTANCE OF 275.78 FEET;
5. THENCE NORTH $52^{\circ}05'56''$ WEST, A DISTANCE OF 55.25 FEET TO SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER ;

THENCE SOUTH $89^{\circ}45'11''$ EAST, ALONG SAID NORTH LINE, A DISTANCE OF 64.44 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINES THE FOLLOWING FOUR (3) COURSES:

1. THENCE SOUTH $51^{\circ}55'06''$ EAST, A DISTANCE OF 183.48 FEET TO A POINT OF CURVE;
2. THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $46^{\circ}20'37''$, A RADIUS OF 681.50 FEET AND A CHORD WHICH BEARS SOUTH $28^{\circ}44'48''$ EAST AN ARC DISTANCE OF 551.23 FEET TO A POINT OF TANGENT;



3. THENCE SOUTH 05°34'29" EAST, ALONG THE TANGENT LINE A DISTANCE OF 370.76 FEET TO THE NORTH LINE OF PARCEL "N", AS DESCRIBED IN BOOK 6362 AT PAGE 295 IN SAID PUBLIC RECORDS;

THENCE ALONG THE NORTH AND WEST LINES OF SAID PARCEL "N" THE FOLLOWING FOUR (4) COURSES:

1. THENCE NORTH 89°39'24" WEST A DISTANCE OF 405.17 FEET TO THE PIN AND CAP, L.S. #16112, ON THE WEST BACK OF CURB OF WHEELING STREET, FROM WHENCE THE EAST ONE-QUARTER CORNER BEARS SOUTH 65°44'59" EAST A DISTANCE OF 913.09 FEET;
2. THENCE CONTINUING NORTH 89°39'24" WEST A DISTANCE OF 447.14 FEET TO THE POINT OF NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 02°11'32" WEST;
3. THENCE SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 97°21'46", A RADIUS OF 18.46 FEET AND A CHORD WHICH BEARS SOUTH 43°30'39" WEST, AN ARC DISTANCE OF 31.37 FEET;
4. THENCE SOUTH 00°22'06" WEST, ALONG THE NON-TANGENT LINE, A DISTANCE OF 195.88 FEET;

THENCE SOUTH 89°49'49" EAST, A DISTANCE OF 893.49 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID FITZSIMONS PARKWAY THE FOLLOWING THREE (3) COURSES:

1. THENCE SOUTH 05°34'29" EAST, A DISTANCE OF 17.84 FEET;
2. THENCE SOUTH 07°46'08" EAST, A DISTANCE OF 90.11 FEET;
3. THENCE SOUTH 07°42'27" EAST, A DISTANCE OF 16.55 FEET;

THENCE SOUTH 87°59'47" WEST, DEPARTING FROM SAID WESTERLY RIGHT-OF-WAY LINE OF FITZSIMONS PARKWAY, A DISTANCE OF 36.90 FEET TO THE EASTERLY LINE OF PARCEL "J" AS DESCRIBED AT RECEPTION NO. C1035078 IN SAID PUBLIC RECORDS;

THENCE ALONG THE EASTERLY, SOUTHERLY AND WESTERLY LINES OF SAID PARCEL "J", THE FOLLOWING EIGHT (8) COURSES:

1. THENCE SOUTH 03°10'31" EAST, A DISTANCE OF 388.67 FEET;
2. THENCE SOUTH 89°23'22" WEST, A DISTANCE OF 151.50 FEET;
3. THENCE SOUTH 67°53'32" WEST, A DISTANCE OF 15.41 FEET;
4. THENCE NORTH 88°27'36" WEST, A DISTANCE OF 185.42 FEET TO A POINT OF CURVE;
5. THENCE SOUTHWESTERLY, ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 91°12'33", A RADIUS OF 15.00 FEET AND A CHORD WHICH BEARS SOUTH 45°56'07" WEST AN ARC DISTANCE OF 23.88 FEET;
6. THENCE NORTH 00°25'33" EAST, A DISTANCE OF 57.88 FEET;
7. THENCE NORTH 00°16'52" EAST, A DISTANCE OF 314.13 FEET;
8. THENCE NORTH 05°49'44" EAST, A DISTANCE OF 41.87 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 28.91 FEET TO THE EASTERLY LINE OF SAID PARCEL "N";



THENCE NORTH 00°14'56" EAST, ALONG SAID EAST LINE, A DISTANCE OF 13.00 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 508.72 FEET TO THE WESTERLY LINE OF SAID PARCEL "N", SAID POINT ALSO BEING A POINT OF NON-TANGENT CURVE;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 82°11'34" EAST, HAVING A CENTRAL ANGLE OF 03°10'45", A RADIUS OF 201.07 FEET AND AN ARC LENGTH OF 11.16 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 1212.69 FEET TO THE WESTERLY LINE OF PARCEL "U" AS DESCRIBED AT RECEPTION NO. C0766T55;

THENCE NORTH 00°03'22" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 11.00 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 167.24 FEET TO A POINT OF CURVE;

THENCE ALONG SAID CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 07°11'01", A RADIUS OF 372.00 FEET AND AN ARC LENGTH OF 46.64 FEET;

THENCE SOUTH 00°13'45" WEST, A DISTANCE OF 64.73 FEET;

THENCE NORTH 89°47'50" WEST, A DISTANCE OF 63.28 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL "U";

THENCE NORTH 89°47'50" WEST, A DISTANCE OF 116.30 FEET TO A POINT OF NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 21°25'02" WEST, HAVING A CENTRAL ANGLE OF 21°35'27", A RADIUS OF 478.00 FEET AND AN ARC LENGTH 180.13 FEET;

THENCE NORTH 89°49'35" WEST, A DISTANCE OF 154.97 FEET;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 1357.26 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 72.70 FEET;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 1283.46 FEET TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIBED PARCEL ENCOMPASSES 4,117,904 SQ. FT. OR 94.534 ACRES OF LAND, MORE OR LESS.

EXCEPT ANY PORTION THEREOF CONVEYED TO THE CITY OF AURORA IN DEED RECORDED JUNE 9, 2006 AT RECEPTION NO. 20060609000590530.

EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND, WHICH IS SITUATED ENTIRELY WITHIN THE ABOVE DESCRIBED PROPERTY:

A PART OF PARCEL "M", WHICH IS DESCRIBED IN BOOK 5859 AT PAGES 514-562 IN THE PUBLIC RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, ADAMS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 36, FROM WHICH THE NORTHEAST ONE-QUARTER CORNER OF SAID SECTION 36 BEARS N 00°04'28"E A DISTANCE OF 2642.43 FEET; THENCE NORTH 65°44'59" WEST A DISTANCE OF 913.09 FEET TO A PIN AND CAP, L.S. NO. 16112, ON THE WEST BACK OF CURB OF WHEELING STREET;



THENCE NORTH 89°39'24" WEST, ALONG THE SOUTH BACK OF CURB OF THE ALLEY, A DISTANCE OF 82.45 FEET; THENCE NORTH 00°21'10" WEST, A DISTANCE OF 17.13 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89°39'24" WEST, A DISTANCE OF 382.24 FEET;

THENCE NORTH 02°12'18" EAST, A DISTANCE OF 13.76 FEET TO THE EAST BACK OF CURB OF VICTOR STREET;

THENCE NORTH 00°08'48" WEST, ALONG SAID EAST BACK OF CURB, A DISTANCE OF 310.56 FEET;

THENCE NORTH 04°15'51" WEST, CONTINUING ALONG SAID BACK OF CURB, A DISTANCE OF 69.30 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 269.48 FEET;

THENCE SOUTH 00°31'55" WEST, A DISTANCE OF 274.76 FEET;

THENCE SOUTH 89°32'07" EAST, A DISTANCE OF 119.99 FEET;

THENCE SOUTH 00°21'10" EAST, A DISTANCE OF 119.99 FEET TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIBED EXCEPTION PARCEL ENCOMPASSES 118,046 SQ. FT. OR 2.710 ACRES OF LAND, MORE OR LESS.

THE AREA OF THE ABOVE DESCRIBED EXTERIOR PARCEL LESS THE AREA OF THE EXCEPTION PARCELS RESULT IN A NET AREA OF 3,942,534 SQ. FT. OR 90.508 ACRES OF LAND, MORE OR LESS.

THE ABOVE AND FOREGOING DESCRIBES A SURFACE ESTATE ONLY. EXPRESSLY EXCLUDED FROM THIS LEGAL DESCRIPTION ARE ANY ESTATES BELOW THE SURFACE INCLUDING OIL, GAS AND OTHER MINERALS (INCLUDING SAND AND GRAVEL) AND ANY RELATED RIGHTS OF SURFACE USE.

PREPARED FOR AND ON BEHALF OF
MATRIX DESIGN GROUP

ROBERT L. MEADOWS JR., PLS 34977



Colorado Science & Technology Park

Urban Renewal Plan

Aurora, Colorado

Appendix III:

Second Tax Increment Area Legal Description

EXHIBIT A
(LAND DESCRIPTION)

A PARCEL OF LAND, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE NORTHERLY LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, MONUMENTED ON THE WEST END BY A 3 INCH BRASS CAP STAMPED "CITY OF AURORA" "1989" "LS 14592" AND ON THE EAST END BY A 3 INCH BRASS CAP STAMPED "CITY OF AURORA" "2005" "PLS 37887" ASSUMED TO BEAR SOUTH 89°40'29" EAST, 2623.76 FEET;

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 36; THENCE SOUTH 89°40'29" EAST, COINCIDENT WITH THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 42.00 FEET;

THENCE SOUTH 00°29'24" WEST, COINCIDENT WITH A LINE BEING 42.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 83.52 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF FITZSIMMONS PARKWAY AS SHOWN ON THE CORRIDOR SURVEY CONTROL PLAT RECORDED AUGUST 24, 2016 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE IN BOOK 1, PAGE 4677 AT RECEPTION NO. 2016-108 AND THE **POINT OF BEGINNING**;

THENCE COINCIDENT WITH SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING SIX (6) COURSES;

1. THENCE SOUTH 89°40'29" EAST, A DISTANCE OF 245.97 FEET TO A TANGENT CURVE HAVING A RADIUS OF 5,063.50 FEET, WHOSE CENTER BEARS NORTHERLY;
2. THENCE EASTERLY, COINCIDENT WITH SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 03°37'28", AN ARC DISTANCE OF 320.30 FEET AND HAVING A CHORD THAT BEARS NORTH 88°30'47" EAST, A DISTANCE OF 320.25 FEET TO A REVERSE CURVE HAVING A RADIUS OF 4,936.50 FEET;
3. THENCE EASTERLY, COINCIDENT WITH SAID REVERSE CURVE, THROUGH A CENTRAL ANGLE OF 03°37'28", AN ARC DISTANCE OF 312.28 FEET AND HAVING A CHORD THAT BEARS NORTH 88°30'47" EAST, A DISTANCE OF 312.22 FEET;
4. THENCE SOUTH 89°40'29" EAST, A DISTANCE OF 76.01 FEET;
5. THENCE NORTH 88°24'59" EAST, A DISTANCE OF 150.08 FEET;
6. THENCE SOUTH 89°40'29" EAST, A DISTANCE OF 786.76 FEET TO THE WESTERLY LINE TIF DISTRICT 1 AS DESCRIBED IN THE COLORADO SCIENCE AND TECHNOLOGY PARK URA;

THENCE CINCIDENT WITH THE EASTERLY LINES OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

1. THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 1,283.46 FEET;
2. THENCE NORTH 90°00'00" EAST, A DISTANCE OF 72.70 FEET;
3. THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 1,261.33 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MONTVIEW BOULEVARD AS DESCRIBED IN QUIT CLAIM DEED RECORDED JUNE 20, 2019 IN SAID RECORDS AT RECEPTION NO. 201900047734;

THENCE COINCIDENT WITH SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING TWENTY-ONE (21) COURSES:

1. THENCE NORTH 89°35'14" WEST, A DISTANCE OF 44.92 FEET;
2. THENCE NORTH 71°01'58" WEST, A DISTANCE OF 1.51 FEET;
3. THENCE NORTH 89°46'32" WEST, A DISTANCE OF 20.63 FEET;
4. THENCE SOUTH 00°16'54" WEST, A DISTANCE OF 25.80 FEET;
5. THENCE NORTH 89°48'43" WEST, A DISTANCE OF 70.00 FEET;
6. THENCE NORTH 00°16'54" EAST, A DISTANCE OF 23.54 FEET;
7. THENCE NORTH 89°39'19" WEST, A DISTANCE OF 14.06 FEET;
8. THENCE SOUTH 56°27'51" WEST, A DISTANCE OF 0.90 FEET;
9. THENCE NORTH 89°45'46" WEST, A DISTANCE OF 468.06 FEET;
10. THENCE SOUTH 00°16'54" WEST, A DISTANCE OF 1.00 FEET;
11. THENCE NORTH 89°49'35" WEST, A DISTANCE OF 51.10 FEET TO A TANGENT CURVE HAVING A RADIUS OF 1,978.00 FEET, WHOSE CENTER BEARS NORTHERLY;
12. THENCE WESTERLY, COINCIDENT WITH SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 02°47'56", AN ARC DISTANCE OF 96.62 FEET AND HAVING A CHORD THAT BEARS NORTH 88°25'47" WEST, A DISTANCE OF 96.62 FEET;
13. THENCE NORTH 87°01'40" WEST, A DISTANCE OF 238.63 FEET;
14. THENCE NORTH 00°16'54" EAST, A DISTANCE OF 7.14 FEET;
15. THENCE NORTH 89°35'53" WEST, A DISTANCE OF 8.25 FEET;
16. THENCE SOUTH 89°39'32" WEST, A DISTANCE OF 58.50 FEET;
17. THENCE SOUTH 88°17'38" WEST, A DISTANCE OF 13.28 FEET;
18. THENCE SOUTH 00°16'54" WEST, A DISTANCE OF 2.30 FEET;
19. THENCE NORTH 87°01'39" WEST, A DISTANCE OF 269.60 FEET TO A TANGENT CURVE HAVING A RADIUS OF 2,022.00 FEET, WHOSE CENTER BEARS SOUTHERLY;
20. THENCE WESTERLY AND COINCIDENT WITH SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 02°47'56", AN ARC DISTANCE OF 98.77 FEET AND HAVING A CHORD THAT BEARS NORTH 88°25'37" WEST, A DISTANCE OF 98.76 FEET;
21. THENCE NORTH 89°49'35" WEST, A DISTANCE OF 531.22 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PEORIA STREET;

THENCE NORTH 00°29'24" EAST, COINCIDENT WITH SAID EASTERLY RIGHT OF WAY LINE BEING 42.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 2,493.59 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 4,893,698 SQUARE FEET OR (112.34384 ACRES), MORE OR LESS.



JEFFREY A. MILLER, PLS 38467
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP
707 17TH STREET SUITE 3150 – DENVER, COLORADO 80202

Colorado Science & Technology Park

Urban Renewal Plan

Aurora, Colorado

Attachments

Attachment 1: Blight Study (2008)

Attachment 2: Blight Study 2018 & 2020 Blight Study Update Letter

Attachment 3: 2008 County Impact Report

Attachment 4: 2021 County Impact Report

RESOLUTION NO. R2022-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE COLORADO SCIENCE + TECHNOLOGY PARK URBAN RENEWAL PLAN BY CREATING A SECOND TAX INCREMENT FINANCING AREA

WHEREAS, the Aurora Urban Renewal Authority (the “Authority”) has been duly organized and is validly existing as a Colorado urban renewal authority in the City of Aurora, Colorado (the “City”), under Part 1 of Article 25 of Title 31, C.R.S.; and,

WHEREAS, on August 25, 2008, pursuant to authority granted by Section 31-25-107, C.R.S., the City Council of the City (the “Council”) adopted Resolution R2008-66 declaring the Colorado Science + Technology Park (the “CSTP Area”) to be a blighted area appropriate for urban renewal; and

WHEREAS, on that same date, following a public hearing thereon, the Council adopted Resolution R2008-67 approving the Colorado Science + Technology Park Urban Renewal Plan (the “CSTP Plan”) for the redevelopment of the Colorado Science + Technology Park; and

WHEREAS, although significant blight in existence in 2008 when the CSTP Plan was adopted has since been eliminated, virtually no redevelopment has taken place within the western portion of the CSTP Area; and

WHEREAS, accordingly, on March 2, 2020, following a public hearing thereon, the Council adopted Resolution R2020-18 declaring that factors of blight remained within the western portion of the CSTP Area and designating such area as appropriate for urban renewal; and

WHEREAS, the Authority now recommends that the Council adopt the proposed amendment to the Colorado Science + Technology Park Urban Renewal Plan (the “CSTP Plan”), Urban Renewal Plan), which, if so adopted, will better enable the Authority to undertake urban renewal projects to facilitate the redevelopment and rehabilitation of the remaining property within the boundaries of the CSTP Area; and

WHEREAS, in accordance with this requirement, a public hearing has been conducted at tonight’s meeting at which the Council was asked to consider whether the Colorado Science + Technology Park Urban Renewal Plan should be amended to create a second Tax Increment Financing Area (“CSTP TIF #2”); and

WHEREAS, the Council approves the allocation to the Authority of 100% of the City tax increment and revenue derived from City taxes within the CSTP TIF # 2, including: 1) Property Tax Increment; 2) Lodger’s Tax; 3) Occupational Privilege Tax; and 4) Construction and Materials Use Tax; and

WHEREAS, the Council has caused notice of the public hearing to be published in a newspaper of general circulation in the City at least thirty (30) days prior to such hearing; and

WHEREAS, in addition, the Council has taken reasonable efforts to provide written notice of the public hearing to all property owners, residents, and owners of business concerns in the CSTP Area at their last known address of record at least thirty (30) days prior to such hearing; and

WHEREAS, such notice contains the information required by Section 31-25-107(3), C.R.S.; and

WHEREAS, the Council has considered all testimony and evidence presented at the public hearing.

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

Section 1. The Colorado Science + Technology Park Urban Renewal Plan is modified by creating a second Tax Increment Financing Area, as more particularly described in the legal description and map attached to and incorporated in this Resolution as Exhibit A.

Section 2. The Aurora City Council finds that the tax increment and revenue collected from CSTP TIF #2 is appropriate to distribute to the Authority, and Council approves the allocation to the Authority of 100% of the City tax increment and revenue derived from City taxes within the CSTP TIF # 2, including: 1) Property Tax Increment; 2) Lodger's Tax; 3) Occupational Privilege Tax; and 4) Construction and Materials Use Tax.

Section 3. All resolutions or parts of resolutions of the Council in conflict herewith are expressly rescinded to the extent of such conflict.

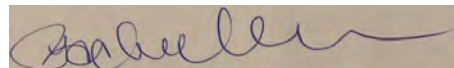
RESOLVED AND PASSED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:



RACHEL ALLEN, Client Group Manager



CITY OF AURORA

Council Agenda Commentary

Item Title: An Ordinance Amending Sections 146-3.3.2.H and 146-4.8.5.D of the Unified Development Ordinance (UDO) to Address Building Length Standards of Multifamily Buildings

Item Initiator: Brandon Cammarata, Planning Manager

Staff Source/Legal Source: Brandon Cammarata, Planning Manager/Daniel L. Money, Senior Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 5.0--Be a great place to locate, expand and operate a business and provide for well-planned growth and development

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 6/27/2022

ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-3.3.2.H AND 146-4.8.5.D OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO ADDRESS BUILDING LENGTH STANDARDS OF MULTIFAMILY BUILDINGS

Brandon Cammarata, Planning Manager / Daniel Money, Senior Assistant Attorney
Estimated time: 20 mins

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

Policy Committee Date: 5/25/2022

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

The Planning and Zoning Commission heard this request in a public hearing on May 25, 2022, and voted unanimously (7-0) to recommend approval to City Council. This proposal was recommended to proceed by the PED committee on May 11, 2022. The PED and Planning Commission Minutes and Meeting Summary are attached (see Exhibit C).

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

The planning staff recommends a Unified Development (UDO) Text Amendment to increase the maximum building length for multifamily buildings. The proposal would increase the maximum building length to 600 feet in all subareas.

Over the last two years, many multifamily proposals have requested significant adjustments (variances) from the existing requirement. The current regulations limit multifamily buildings' length to 150 to 250 feet, depending on the subarea. All of the adjustment requests have been approved at a public hearing.

Staff began looking at this requirement due to the high number of adjustment requests and by recommendation from the Planning Commission. In developing this proposal, staff evaluated past projects and worked with architects and design teams that have proposed multifamily developments recently in Aurora. In general, the market is producing larger multifamily buildings in a greater variety of locations than in the recent past. Staff believes this proposal will significantly reduce the number of adjustments and maintain the current level of quality and compatibility approved over the last two years.

The proposed text amendment requires a recommendation from the Planning and Zoning Commission with final approval by City Council.

QUESTIONS FOR COUNCIL

Does the City Council wish to approve the ordinance text amendments to the Unified Development Ordinance?

LEGAL COMMENTS

An application for an amendment to the text of the UDO or a legislative rezoning of a large area shall only be recommended if the Planning Director and the Planning and Zoning Commission find that the following criteria have been met, and shall only be approved if City Council finds that the following criteria have been met. i. The applicant has demonstrated that the proposed Ordinance amendment is consistent with the spirit and intent of the Comprehensive Plan and with other policies and plans adopted by the City Council; and a. The change to the Ordinance text is required because of changed conditions or circumstances in all or a portion of the city; or b. The change to the Ordinance text is required to address a new or unforeseen threat

to the public health, safety, and welfare; or c. The change to the Ordinance text is required to promote economic growth and investment that will not create material risks to the public health, safety, and welfare. (City Code Sec. 5.4.1.C.3.B) (Money)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

ORDINANCE NO. 2022- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-3.3.2.H AND 146-4.8.5.D OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO ADDRESS BUILDING LENGTH STANDARDS OF MULTIFAMILY BUILDINGS

WHEREAS, the City regulates the length of multifamily buildings to ensure compatibility with the surrounding neighborhoods and relationship to the public street; and

WHEREAS, the Unified Development Ordinance (UDO) limits the maximum building length for multifamily buildings to 150-250 feet; and

WHEREAS, current developers of multifamily buildings seek to exceed this length and routinely apply for an adjustment of these standards; and

WHEREAS, a significant percentage of multifamily length adjustments have been approved throughout the prior two years by both the Planning and Zoning Commission and the City Council; and

WHEREAS, the City Council finds it necessary for the health, safety and welfare of the City to allow for an increased maximum length of multifamily buildings to ensure compatibility with multifamily building modern design standards.

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

Section 1. The City Code of the City of Aurora, Colorado, is hereby amended regarding multifamily building standards, under Section 3.3.2.H, which shall read as follows:

3.3.2 Residential Uses.

H. Dwelling, Multifamily.

1. Each multifamily dwelling unit structure shall be accessed from a public or private street meeting the Aurora Roadway Design and Construction Specifications Manual. **All buildings require at least one main pedestrian or dwelling unit entry with frontage and direct access onto the street and result in no single portion of horizontal façade greater than 150 feet without an entry. Affordable Housing Structures only require one entry with frontage and direct access to the street. Entries must comply with design options in Table 4.8-9.**

....

7. On-site outdoor space shall be a minimum of 20 percent of the site or the minimum amount required on a “per unit” basis in certain zone districts. The purpose is to assure that multifamily development includes adequate outdoor space for residents and guests. Adequate outdoor space includes a mix of:

- a. Usable green spaces for unstructured recreation, playgrounds, outdoor swimming pools, and athletic courts; and
- b. Common gathering spaces such as plazas and courtyards. A significant portion of the outdoor space shall be consolidated in a centralized portion of the development. This requirement applies to all zone districts where multifamily is permitted except for, or as otherwise specified in, Mixed-Use Fitzsimons Boundary (MU-FB), Mixed-Use Original Aurora (MU-OA) or Transit-Oriented Districts (MU-TOD).

The required outdoor space may not include areas intended for vehicular use. Landscape buffers and other required landscape features do not count toward the outdoor space requirements unless they are designed as usable green space or common gathering space or are adjacent to and within 25 feet of such space. Internal sidewalks and trails intended for use by all residents and guests may contribute to the requirement when adjacent to eight feet of landscape area and include amenities such as benches or similar features. Detention ponds may only count toward the requirement for the portions designed to include usable green space and common gathering space. Balconies and rooftop “outdoor spaces” may count toward the requirement. Dog parks may count for up to 40 percent of the requirement.

In addition, buildings over 400 feet in length include at least one courtyard, plaza, or similar feature along the streetscape. The minimum size is 400 square feet, and the minimum dimension is 15 feet.

Outdoor Space Credit. Multifamily buildings located within 330 feet of a neighborhood or community park may reduce the outdoor space requirement by half for that portion of the site located within 330 feet of the park. To receive this credit, a direct pedestrian route to the park is required, which may not cross an arterial street or other roadway with a speed limit that is 40 mph or above.

Section 2. The City Code of the City of Aurora, Colorado, is hereby amended to adjust the maximum building length of any multifamily or mixed-use building, under Section 4.8.5.D, which shall read as follows:

4.8.5 Massing and Articulation.

D. Maximum Building Length.

1. The maximum building length of any multifamily or mixed-use building shall be:
 - a. ~~600~~ 150 feet (or 200 feet for an Affordable Housing Structure) in Subareas A, **B and C**
 - b. ~~200~~ 200 feet (or 250 feet for an Affordable Housing Structure) in Subareas B and C

Section 3. The City Code of the City of Aurora, Colorado, is hereby amended to add multifamily buildings to “entry options” listed under Table 4.8-9, Section 4.8.7.E, of which second subheading shall read as follows:

Entry Options for **Multifamily**, Mixed-Use, Commercial and Industrial Buildings

Section 4. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 5. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2022.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Daniel L Money ^{RLA}
DANIEL L. MONEY, Senior Assistant City Attorney

City of Aurora Planning Commission Case Report

| |
|--|
| Project Title: Ordinance Text Amendment to the Unified Development Ordinance Multifamily Building Length |
| Date: May 25, 2022 |
| Development Application Number: DA-2163-09 |
| Case Number: 2018-1006-09 |
| Case Manager: Brandon Cammarata |
| Applicant: City Initiated |
| General Location: City Wide |
| Ward: All |

Project Summary:

The planning staff recommends a Unified Development (UDO) Text Amendment to increase the maximum building length for multifamily buildings. The proposal would increase the maximum building length to 600 feet in all subareas.

Over the last two years, many multifamily proposals have requested significant adjustments (variances) from the existing requirement. The current regulations limit multifamily buildings' length to 150 to 250 feet, depending on the subarea. All of the adjustment requests have been approved at a public hearing.

Staff began looking at this requirement due to the high number of adjustment requests and by recommendation from the Planning Commission. In developing this proposal, staff evaluated past projects and worked with architects and design teams that have proposed multifamily developments recently in Aurora. In general, the market is producing larger multifamily buildings in a greater variety of locations than in the recent past. Staff believes this proposal will significantly reduce the number of adjustments and maintain the current level of quality and compatibility approved over the last two years.

The proposed text amendment requires a recommendation from the Planning and Zoning Commission with final approval by City Council.

Applicant's Request:

Ordinance Text Amendment to the Unified Development Ordinance

Summary of Changes:

- Process
- Past Projects
- Design Standards

Process. "An application for an amendment to the text of this UDO shall only be recommended if the Planning Director and the Planning and Zoning Commission find that the criteria have been met and shall only be approved if City Council finds that the criteria have been met". This proposal was recommended to proceed to the Planning Commission at the May 11, 2022, Planning and Economic Development (PED) city council subcommittee meeting. After a Planning Commission recommendation, the intention is to bring the ordinance to City Council for Study Session and then a City Council decision at a public hearing.

Prior to developing this ordinance, the planning staff met with architects and design teams who have developed multifamily buildings in Aurora. This discussion highlighted that the market is producing larger multifamily buildings more often, and addressing the building length issue was a high priority to support a predictable development process. This process also reinforced that other zoning requirements related to multifamily development are reasonable and produce quality developments. This draft ordinance has been distributed back to this group, and staff has not received additional feedback.

Past Projects. Staff looked at 22 projects entitled or in process since the beginning of 2022. Over 5,000 units are included in these projects. Fourteen of these projects had buildings over 250 feet in length, requiring major adjustments under the current regulations. All but two buildings were under 600 feet (East Bank 610' and Legacy Metro Center at 720'). Seven of the buildings were over 400 feet.

Design Standards. The approach to the regulation is to support what the market has been producing.

- Increase maximum building length from 200 feet to 600 feet.
- Require building entrances every 150 feet. Currently one building entry is required with the expectation of a building under 200 feet in length. Most buildings have building entrances more frequently than every 150 feet. Affordable projects will still only require one entry, regardless of building length.
- Buildings over 400 feet long include a small courtyard plaza area along the frontage. Most of the long buildings approved include a variety of enhancements along the frontage that would meet this requirement.

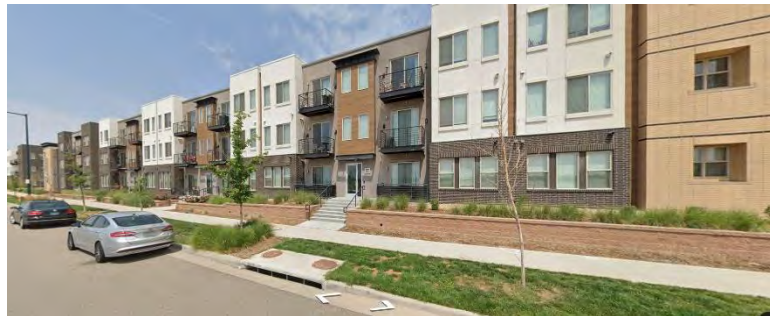


Figure 1 61st and Telluride - 340 foot Multifamily, a common design

Summary of Staff Recommendation:

Recommend approval of Ordinance Text Amendment

Detailed Case Analysis

Public Notification:

The legal notice appeared in the Aurora Sentinel on May 12, 2022.

Conformance with Code Criteria:

Ordinance Text Amendment Approval Criteria - Ordinance Text Amendment approval criteria are found in Section 146-5.4.1.C.3.b of the UDO:

1. *The proposed Ordinance amendment is consistent with the spirit and intent of the Comprehensive Plan and with other policies and plans adopted by the City Council; and*
 - (a) *The change to the Ordinance text is required because of changed conditions or circumstances in all or a portion of the City; or*
 - (b) *The change to the Ordinance text is required to address a new or unforeseen threat to the public health, safety, and welfare; or*
 - (c) *The change to the Ordinance text is required to promote economic growth and investment that will not create material risks to the public health, safety, and welfare.*

The proposed Ordinance Text Amendment complies with the approval criteria for the following reasons:

- Aurora Places the Comprehensive plan supports the development of a variety of housing types throughout the community, and this proposal supports that goal.
- The market is producing larger multifamily buildings more often.
- The amendment maintains elements to assure quality and compatible development.

Compliance with Comprehensive Plan:

This proposal is consistent with a number of Aurora Places goals described in Chapter 6 of the Comprehensive Plan. Within “An Authentic Aurora” this ordinance continues to support developers providing high quality design and retains design standards that assure a level of compatibility with surrounding neighborhoods. The proposal also addresses “Housing for all” by reducing barriers to the provision of a variety of housing types.

Exhibits:

Exhibit A Draft Ordinance

Staff Recommendation:

Agenda Item 7a: Ordinance Text Amendment

Recommend approval to the Aurora City Council of the Ordinance Text Amendment to the UDO to allow longer multifamily buildings because the proposal complies with the requirements of Section 146-5.4.1.C.3.b of the Unified Development Ordinance for the following reasons:

- Aurora Places the Comprehensive plan supports the development of a variety of housing types throughout the community, and this proposal supports that goal;
- The market is producing larger multifamily buildings more often; and
- The amendment maintains elements to assure quality and compatible development.



**Planning and Zoning Commission
DRAFT MINUTES
May 25, 2022**

7. General Business

7.a Ordinance Text Amendment to the Unified Development Ordinance Multi-family Building Length

The planning staff recommends a Unified Development (UDO) Text Amendment to increase the maximum building length for multi-family buildings. The proposal would increase the maximum building length to 600 feet in all subareas.

Over the last two years, many multi-family proposals have requested significant adjustments (variances) from the existing requirement. The current regulations limit multifamily buildings' length to 150 to 250 feet, depending on the subarea. All of the adjustment requests have been approved at a public hearing.

Staff began looking at this requirement due to the high number of adjustment requests and by recommendation from the Planning Commission. In developing this proposal, staff evaluated past projects and worked with architects and design teams that have proposed multifamily developments recently in Aurora. In general, the market is producing larger multifamily buildings in a greater variety of locations than in the recent past. Staff believes this proposal will significantly reduce the number of adjustments and maintain the current level of quality and compatibility approved over the last two years.

The proposed text amendment requires a recommendation from the Planning and Zoning Commission with final approval by City Council.

Testimony Given at the Hearing:

Brandon Cammarata, Program Manager, gave a presentation of the item, including the staff recommendation.

Commissioner Hogan asked if adjustments could still be requested and if adjustment requests under 10% could be approved administratively. Additional information was provided by staff. Staff identified that if a building is proposed over the new requirement of 600 feet long, that an adjustment could still be requested, and an adjustment request under 10% is one of the criteria to consider an administrative adjustment for this type of requirement. There are no changes to city council's ability to call up a project.

Commissioner Walls expressed concern that the allowance of this amendment will facilitate an increase of applications requesting adjustments to other regulations. Staff identified that is always a possibility but felt we had had a good sample size to evaluate and believe this code change will be an improvement.

There was no public to comment.

Planning Commission Results

A MOTION WAS MADE BY COMMISSIONER WALLS AND SECONDED BY COMMISSIONER BANKA.

MOVE TO APPROVE THE PROPOSED ORDINANCE TEXT AMENDMENT WHICH COMPLIES WITH THE APPROVAL CRITERIA FOR THE FOLLOWING REASONS:



**Planning and Zoning Commission
DRAFT MINUTES
May 25, 2022**

- AURORA PLACES THE COMPREHENSIVE PLAN SUPPORTS THE DEVELOPMENT OF A VARIETY OF HOUSING TYPES THROUGHOUT THE COMMUNITY, AND THIS PROPOSAL SUPPORTS THAT GOAL.



**Planning and Zoning Commission
DRAFT MINUTES
May 25, 2022**

- THE MARKET IS PRODUCING LARGER MULTI-FAMILY BUILDINGS MORE OFTEN.
- THE AMENDMENT MAINTAINS ELEMENTS TO ASSURE QUALITY AND COMPATIBLE DEVELOPMENT.

Further Discussion:

No further discussion occurred.

MOTION PASSED UNANIMOUSLY

**PLANNING AND ECONOMIC DEVELOPMENT POLICY COMMITTEE MEETING
MINUTES**

Date: May 11, 2022

Time: 8:30 am

Members Present Chair: Councilmember Danielle Jurinsky, Vice Chair: Councilmember Dustin Zvonek, Councilmember Angela Lawson

Others Present Councilmember Steve Sundberg
Adrian Botham, Andrea Amonick, Becky Hogan, Bob Gaiser, Bob Oliva, Brad Pierce, Brandon Cammarata, Brian Rulla, Bruce Dalton, Cathy DeWolf, Cesarina Dancy, Chad Argentar, Chance Horiuchi, Dan Osova, Daniel Brotzman, Daniel Krzyzanowski, Daniel Money, David Schoonmaker, Diana Rael, Dustin Zvonek, Elena Vasconez, Gayle Jetchick, Heather Lamboy, Huiliang Liu, Jacob Cox, Jake Calegari, Jeannine Rustad, Jeffrey Moore, Jennifer Orozco, Jessica Prosser, Julie Patterson, Karen Hancock, Mac Callison, Margie Sobey, Marisa Nobel, Melvin E. Bush, Michelle Gardner, Rachel Allen, Sarah Wile, Stephen Rodriguez, Sunny Banka, Tod Kuntzelman, Tom Worker-Braddock, Victor Rachael

1. CALL TO ORDER

2. APPROVAL OF APRIL 13, 2022 DRAFT MINUTES–COUNCIL MEMBER JURINSKY

2.a The minutes were approved.

3. GENERAL BUSINESS

3.a 13th Avenue Corridor Multimodal Mobility Study update

Summary of Issue and Discussion:

Tom Worker-Braddock, Senior Transportation Planner

Tom Worker-Braddock provided an update on the 13th Avenue Corridor Mobility Study. The purpose of the project is to conduct a corridor-wide multimodal mobility study, generally along 13th Avenue between the High Line Canal Trail on the East (just East of Chambers Road) and Yosemite Street via 12th Avenue on the West, with the following project goals:

Draft – Subject to Approval

Evaluate the 13th Avenue Corridor’s multimodal transportation system, travel needs, and system performances relative to all modes of travel demand generated by current and anticipated land uses. Identify a well-connected, well-maintained, safe, convenient, and reliable multimodal transportation network with recommended street cross-sections; including curb-side treatments, median and street frontage treatments (if applicable); intersection improvements and conceptual designs that reflect context-sensitive design; and complete streets concepts, which support the following objectives:

- Develop continuous bicycle and pedestrian facilities along this designated East-West bicycle route.
- Improve access to 13th Avenue LRT Station, regional trails, such as Westerly Creek Trail, Toll Gate Creek Trail, High Line Canal Trail, etc., and the Denver Bicycle Network at 12th Avenue (D 10).
- Provide adequate bicycle and pedestrian safety treatments around nearby schools along the corridor.
- Extend bicycle and pedestrian infrastructure improvements North to the Fitzsimons Innovation Community & Anschutz Medical Campus and other destinations along Colfax Avenue.
- Improve safe crossings of arterials along 13th Avenue.

The improvements identified in this effort recognize the importance of improving the transportation network in this part of Aurora, particularly Colfax Avenue, the Anschutz Medical Campus, Fitzsimons Innovations Campus, and the R Line. Improved multimodal options, such as wider pedestrian walks and bicycle infrastructure improvements, add transportation network resiliency in providing additional ways for employees, residents, customers, and students to travel to jobs, homes, businesses, and schools along and between 13th Avenue and Colfax Avenue. The first public meeting was on June 30th, 2021, to present the corridor’s existing conditions and receive input from the public. The existing conditions showed a low rate of parking on 13th Avenue, driving speeds over the speed limit, substandard sidewalk width, and limited bicycle facilities. The public felt less safe walking or bicycling along 13th Avenue and is very concerned about unsafe vehicular speeds. Four alternatives were developed based on initial public input and then presented at a tactical demonstration project held on October 5th, 2021, on 13th Avenue between Kenton Street and Lansing Street. A second virtual public meeting was on October 7th, 2021. These events informed the selection and development of a single preferred concept presented at a third public meeting held in an open house format on April 16th, 2022, at Aurora West College Preparatory.

The next steps include presenting to and requesting Council approval of the plan in Summer 2022. Following Council approval, grant applications can be prepared and submitted for Transportation Improvement Project (TIP) funds or other grant opportunities to refine and advance the concept design for select corridor segments from the current 15% level of design to a 60% level of design.

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- CM Lawson asked if the 9% senior population count came from a census or a survey. Tom Worker-Braddock responded that the data was from the 2016 census. He added that the senior citizens that have been there since the neighborhood was developed could have been selling to the next cohort lowering the senior population count. Jeannine Rustad added that they are waiting for the availability of the 2020 census, which is why they used the 2016 census numbers.
- CM Lawson stated that older individuals stay in those houses and asked if this information went to the Aurora Commission for Older Adults. She mentioned that the senior population does not seem to be considered in the design. She stressed the importance of looking into the aging population for all types of development. Jeannine Rustad agreed on the importance of engaging the senior population and responded that there is a high population of people with disabilities in the corridor, and they are designing 13th Avenue with considerations for people with disabilities and, in turn, the aging population. She said they would approach the Commission for Older Adults to do a similar presentation. She added that there was a concerted effort to reach the community through the neighborhood engagement.
- CM Lawson said that she understands the demographics; however, she believes that there is another set of the population that may have been silenced. She mentioned that people continued to speed through streets despite having stop signs and asked if they were also adding signaling along the wider sidewalks. Tom Worker-Braddock answered that they had heard those similar concerns mentioned. Raised ramps at walk crossings would be added as a calming traffic element to address speeding. They are also planning to reduce the overall cross-section of the avenue which has influenced reducing speeds by making people less comfortable with traveling at higher speeds. Some locations in the corridor are being evaluated for rapid flashing beacons that indicate when people are crossing. They would also incorporate pedestrian buildouts throughout the entire corridor. Additional ramp applications and locations will be considered. They are working to make drivers recognize that 13th Avenue is a residential area with schools and families.
- CM Jurinsky mentioned that with the big focus on people with disabilities, there might be a lot of crossovers with the elderly population. She added that Jeannie Davis, the Commission for Older Adults Chair, would be a good point of contact.

Outcome:

Information only.

Follow-up Action:

None required.

3.b. UDO Text Amendment relating to Multifamily Buildings**Summary of Issue and Discussion:**

Brandon Cammarata, Planning Manager

Draft – Subject to Approval

The Unified Development Ordinance (UDO) is the city’s zoning and subdivision regulations. They include the various zone districts across the city and the “uses” permitted in those districts. The UDO also has design standards for different uses. Examples of design standards are setbacks, maximum building height, landscape, and parking requirements. Changes to the UDO require a public hearing and recommendation from the Planning and Zoning Commission and adoption by the City Council at a public hearing (UDO Section 146-5.4.1.C).

This proposal is to increase the maximum building length of multifamily and mixed-use buildings from 150 and 250 feet to a maximum of 600 feet (UDO Section 146-4.8.5.D). This proposed adjustment has been arrived at by reviewing multifamily proposals over the last two years, a listening session with applicants and architects, and consistency with other requirements. The new requirement accommodates what has been constructed in the community over the last two years. This requirement is a “backstop” behind what the market is currently providing. The expectation is that these requirements will maintain the quality and design the city has been receiving while reducing the uncertainty of the adjustment process and, in turn, streamlining the process. The next steps are to bring this proposal to the Planning and Zoning Commission and then to the City Council for a Study Session and introduction of the ordinance.

Does the Planning and Economic Development Sub Committee recommend advancing an amendment to increase the maximum building length of multifamily buildings?

- CM Jurinsky mentioned that nine projects have applied and have been approved for variance. She noted that the last one had a building length of 610 feet. She asked how many of those projects would have been covered by this amendment. Brandon Cammarata answered that the project with 610 feet would still fit within an administrative component since they have the flexibility for a small percentage increase. He added that in 22 projects, only one was significantly over 600 feet. He referred to the Metro Center, which had a building length of 720 feet.
- CM Lawson said that if this were approved, the developers would want to do more and ask for more extensions, given that the market is driving the extension. Brandon answered that they had not heard any concerns from the group that they talked to in February. The 600 feet mesh well with other maximum building lengths and the typical block street network expectations. The occasional adjustments are not bad and are often for good reasons. He added that this UDO Amendment would cover 90% of proposals they have been seeing. Brandon said that they would have further discussions should the market change. He added that they would listen to those concerns should they also come up moving forward.

Draft – Subject to Approval

- CM Lawson stated that she supports moving the item forward for further discussion. She added that she is not saying she is on board with the amendment.

Outcome:

The Committee unanimously approved moving this item forward to study session.

Follow-up Action:

Staff to place this item on the agenda for the next study session.

4. MISCELLANEOUS MATTERS FOR CONSIDERATION

4.a. Aurora Economic Development Council

- Jonathan Woodward:
NO REPORT

4.b. Havana Business Improvement District

- Chance Horiuchi:
Chance provided a brief update and submitted the same to be included in the minutes. Currently, many businesses in Havana BID are still hiring.
Business updates:
 1. Village Inn will become a Mexican seafood restaurant
 2. BB.Q will have its VIP Grand Opening on May 26th at 11:00 AM, with the Mayor and City Council invited

Chance also mentioned that the Kum & Go at Havana and Jewell is coming along. There will be 12 new public art pieces installed from September through October for the District Identity Program; two new murals at Lightshade and possibly at TOUS les JOURS. Governor Polis and Representative Crow reached out to host the AAPI Heritage Month celebration at TOUS Les JOURS on May 18th. They are still conducting the security evaluation of the building. The Business Roundtable with Rep. Crow will be held on May 25th at 10:00 AM at Coffee Story. Depending on the vendors, the Havana Street Global Market will be held in the Havana Exchange Shopping Center either every Saturday or every other Saturday. Havana is currently looking for small business vendors for the event. Depending on the signed contracts, it would cost about \$125 for 6 to 16 weeks. The Global Market will be from 10:00 AM to 2:00 PM.

- CM Lawson asked for contact details that she could give some youth interested in summer work opportunities. Chance responded that she would love to work with CM Lawson; there are a few projects, some ready-to-work opportunities, and lots of retail and restaurants hiring for entry-level and workforce training opportunities. CM Lawson and Chance agreed to connect offline.

4.c. Aurora Chamber of Commerce

Draft – Subject to Approval

- Kevin Hougen:
NO REPORT

4.d. Planning Commission

- Melvin Bush:
Melvin Bush thanked the City Council for approving the Commissions new members. He added that they will be having their election of officers given that they now have a full staff of Commissioners. They also look at fire safety when considering approving the length of the buildings. He stated that the proposed amendment would be excellent because the Commission keeps getting those cases and projects. Tonight, the Planning Commission will be hearing two cases.

4.e. Oil and Gas Committee

- Brad Pierce:
NO REPORT

4.f. Business Advisory Board

NO REPORT

4.g. Retail

- Bob Oliva:
NO REPORT

4.h. Small Business

- Elena Vasquez:
NO REPORT

4.i. Visit Aurora

- Bruce Dalton
NO REPORT

5. CONFIRM NEXT MEETING DATE

Due to a schedule conflict the meeting was rescheduled from June 8 to June 15, 2022 at 8:30 AM MT.

6. ADJOURNMENT

APPROVED: _____
Danielle Jurinsky, Committee Chair



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Qualification of Elective Officers of the City |
| Item Initiator: Kadee Rodriguez, City Clerk |
| Staff Source/Legal Source: Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 4.3--Be responsive to citizen's concerns and questions to create a shared sense of community |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 6/27/2022

ITEM DETAILS:

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE STATEWIDE GENERAL ELECTION COORDINATED WITH A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022, A PROPOSAL TO AMEND ARTICLE 3-3 OF THE AURORA CHARTER TO CONFORM THE QUALIFICATIONS OF ELECTIVE OFFICERS OF THE CITY WITH THE PROVISIONS OF THE COLORADO CONSTITUTION

Sponsor: Angela Lawson, Council Member

Staff: Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Federal, State & Intergovernmental Relations

Policy Committee Date: 6/17/2022

Action Taken/Follow-up: *(Check all that apply)*

There was not a quorum present during the FSIR Committee meeting. Council Member Lawson requested to move this item forward using her prerogative as a Council Member.

- | | |
|--|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input checked="" type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

In a candidates challenge to the City Code and Charter the District Court declared that Section 3-3 of the Aurora City Charter violated Article XII, Section 4 of the Colorado Constitution as did Section 54-31 of the City Code.

City Council passed Ordinance 2021-30 to amend Section 54-31 of the City Code to be in **harmony with the Colorado Constitution. An editor's note was included in Section 3-3** of the City Charter referencing the amendment to the City Code. The Court has indicated the City should attempt to have Article 3-3 of the City Charter in full compliance with the State Constitution.

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

This ordinance is to submit to a vote of the registered electors a proposal to amend the City Charter to conform the qualifications of Aurora's elected officials with the provisions of the Colorado Constitution. The registered electors would be voting on whether or not to amend Article 3-3 of the City Charter to replace "felony" with "embezzlement of public money, bribery, perjury, solicitation of bribery, or subordination of perjury".

Charter Amendment Overview:

- City Council has the authority to refer amendments to the City Charter to the voters, pursuant to Article XX, Section 5 of the Colorado Constitution, Article 1-6 of the City Charter, and Section 54-149 of the City Code.
- Charter amendments are referred to the registered electors by ordinance.
- Charter amendments are published in like manner as other ordinances.
- The amendment becomes effective upon certification of the election results if a majority of the registered electors voting vote in favor of the ordinance.
- The ballot states briefly its nature and contains the words "yes" and "no".

QUESTIONS FOR COUNCIL

Does Council wish to submit this proposal to a vote of the registered electors of the city of Aurora at the November 8, 2022 Election?

LEGAL COMMENTS

The City Council shall have the power to submit any number of Charter amendments to a vote of the registered electors without receipt of a petition. Charter amendments shall be referred to the registered electors by ordinance. Sec. 54-149 of the City Code)(Lathers).

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Type explanation here or enter N/A if no public financial impact.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: Type explanation here or enter N/A if no private fiscal impact.



TO: FSIR Policy Committee
FROM: Kadee Rodriguez, City Clerk
MEETING DATE: June 17, 2022
RE: Qualification of Elective Officers of the City

History

The District Court declared that Section 3-3 of the Aurora City Charter violated Article VII, Section 10 and Article II, Section 25 of the Colorado Constitution.

City Council passed Ordinance 2021-30 to amend Section 54-31 of the City Code to be in harmony with the Colorado Constitution. An editor's note was included in Section 3-3 of the City Charter referencing the amendment to the City Code.

Item Summary

City Council has the authority to refer amendments to the City Charter to the voters, pursuant to Article XX, Section 5 of the Colorado Constitution, Article 1-6 of the City Charter, and Section 54-149 of the City Code. Charter amendments are referred to the registered electors by ordinance.

This ordinance is to submit to a vote of the registered electors a proposal to amend the City Charter to conform the qualifications of Aurora's elected officials with the provisions of the Colorado Constitution.

Schedule

Approve Ordinance

- June 17 – FSIR
- July 18 – Study Session
- July 25 – Council Meeting (1st Reading)
- July 29 – [Deadline to notify Counties of intent to participate](#)
- August 8 – Council Meeting (2nd Reading)

Approve IGA

- August 15 - Study Session
- August 22 - Council Meeting
- August 30 – [Deadline to approve IGA's](#)

EFFECTIVE DATE: 09-25-2021

ORDINANCE NO. 2021- 30

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, AMENDING SECTION 54-31 OF THE CITY CODE PERTAINING TO
ELECTORS ELIGIBLE TO HOLD MUNICIPAL OFFICE

WHEREAS, Article VII, §10 of the Colorado Constitution generally restores felons who have completed the terms of their sentence to their civil rights; and

WHEREAS, Article XII, §4 of the Colorado Constitution provides that no person convicted of embezzlement of public moneys, bribery, perjury, solicitation of bribery, or subordination of perjury shall be capable of holding any office of public trust; and

WHEREAS, Aurora City Council is an office of public trust within the meaning of Article XII, §4 of the Colorado Constitution:

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

Section 1. The City hereby amends Section 54-31 of the City Code pertaining to Electors eligible to hold municipal office as follows:

Sec. 54-31. – Electors eligible to hold municipal office.

Every registered elector who is 21 years of age or older on the date of the next election, who has resided within the city for at least one year prior to the date of the election, and who is a citizen of the United States is qualified to hold elective office within the city **subject to the remaining conditions of this Section.** Candidates for ward seats are also required to be one-year residents of the respective wards from which they are elected. Persons convicted of a ~~felony~~ **embezzlement of public money, bribery, perjury, solicitation of bribery, or subordination of perjury** shall not become a candidate and are not qualified to hold elective office. Candidates, if elected, shall not hold any other elective public office or be a salaried employee of the city.

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 4. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this 9th day of August, 2021.

PASSED AND ORDERED PUBLISHED this 23rd day of August, 2021.


MIKE COFFMAN, Mayor

ATTEST:


KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

David Lathers RLA
DAVID LATHERS, Senior Assistant City Attorney

ORDINANCE NO. 2022- _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE STATEWIDE GENERAL ELECTION COORDAINTED WITH A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022, A PROPOSAL TO AMEND ARTICLE 3-3 OF THE AURORA CHARTER TO CONFORM THE QUALIFICATIONS OF ELECTIVE OFFICERS OF THE CITY WITH THE PROVISIONS OF THE COLORADO CONSTITUTION

WHEREAS, Section 3-3 of the Charter of the City of Aurora establishes the qualifications of elective officers of the City; and

WHEREAS, Article XII, Section 4 of the Colorado Constitution provides that no person convicted of embezzlement of public monies, bribery, perjury, solicitation of bribery, or subornation of perjury shall be capable of holding any office of public trust; and

WHEREAS, elected officers of the City hold offices of public trust within the meaning of Article XII, Section 4 of the Colorado Constitution; and

WHEREAS, the City Council is authorized to refer amendments to the Aurora Charter to the voters pursuant to Article XX Section 5 of the Colorado Constitution, Article 1–6 of the Aurora City Charter and Section 54-149 of the City Code; and

WHEREAS, the City Council wishes to refer to the voters at the regular municipal election on November 8, 2022, an amendment to Section 3–3 of the Aurora Charter to conform that Article to the provisions of Article XII, Section 4 of the Colorado Constitution.

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

Section 1. There is hereby submitted to a vote of the registered electors of the City at the statewide general election which shall be coordinated with a special municipal election to be held November 8, 2022, the question of amending the City Charter regarding the requirements of registered electors eligible to hold municipal office.

Section 2. Ballot question referred and ballot title set. The following ballot question is hereby referred to the voters of the City at the November 8, 2022, special municipal election:

“IN ORDER TO CONFORM TO THE REQUIREMENTS OF THE COLORADO CONSTITUTION, SHALL ARTICLE 3–3 OF THE CHARTER OF THE CITY OF AURORA, COLORADO BE AMENDED TO READ AS FOLLOWS:

3-3 QUALIFICATIONS OF ELECTIVE OFFICERS.

EACH COUNCILMEMBER WHEN ELECTED SHALL BE A REGISTERED ELECTOR, SHALL BE A CITIZEN OF THE UNITED STATES OF AMERICA, AND SHALL HAVE RESIDED IN THE CITY OF AURORA FOR AT LEAST ONE YEAR PRIOR TO THE DATE OF THE ELECTION AND SHALL HAVE REACHED THEIR TWENTY-FIRST BIRTHDAY PRIOR TO THE DATE OF THE ELECTION. COUNCILMEMBERS ELECTED FROM WARDS SHALL ALSO BE ONE-YEAR RESIDENTS AND REGISTERED ELECTORS OF THE RESPECTIVE WARDS FROM WHICH THEY WERE ELECTED. A PERSON WHO HAS BEEN CONVICTED OF A ~~FELONY~~—EMBEZZLEMENT OF PUBLIC MONEY, BRIBERY, PERJURY, SOLICITATION OF BRIBERY OR SUBORNATION OF PERJURY SHALL NOT BECOME A CANDIDATE FOR NOR HOLD ELECTIVE OFFICE. NO COUNCILMEMBER SHALL HOLD ANY OTHER ELECTIVE PUBLIC OFFICE NOR BE A SALARIED EMPLOYEE OF THE CITY OF AURORA?

_____ YES

_____ NO”

Section 3. The provisions of this Ordinance, the Charter Amendment, and the Question authorized hereby are severable. If any portion of this Ordinance, the Charter Amendment, or the Question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such Ordinance, Charter Amendment, or Question.

Section 4. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the Ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 5. Repealer. All Orders, Resolutions, or Ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2022.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

DAVID LATHERS, Senior Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

Item Title: Ordinance Repealing Licenses Related to Permitted Amusement Devices and Games and Amending Chapter 26 Business Regulations with Updated Regulations for Amusement Devices and Games

Item Initiator: Trevor Vaughn, Manager of Licensing

Staff Source/Legal Source: Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Sr. Assistant City Attorney

Outside Speaker: NA

Council Goal: 2012: 5.0--Be a great place to locate, expand and operate a business and provide for well-planned growth and development

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 6/27/2022

ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING CHAPTER 10 OF THE AURORA CITY CODE AND, REPEALING THE REQUIRMENT FOR AMUSEMENT ENTERPRISE LICENSES, AMUSEMENT DEVICE DISTRIBUTOR’S LICENSES, AMUSEMENT DEVICE VENDOR’S LICENSES, AND AMENDING CHAPTER 26 RELATING TO SELF-SERVICE DEVICES

Sponsor: Curtis Gardner, Council Member

Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Senior Assistant City Attorney

Estimated time: 15 mins

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |

- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Red Tape Reduction Ad Hoc Committee

Policy Committee Date: 5/17/2022

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input checked="" type="checkbox"/> Minutes Not Available |

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

This ordinance was reviewed with the Red Tape Committee on May 17th, 2022.

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

The proposed ordinance repeals multiple license requirements and all of chapter 10 of the City Code related to amusements and entertainment (carnival games). The ordinance also moves and modernizes the related regulations that were in the licensing sections to chapter 26 Business Regulations and combines them with regulations on self service devices. The repeal of sections of chapter 86 will eliminate certain city licensing requirements for Amusement Device Distributors, Amusement Device Vendors and Amusement Enterprises (Carnivals). Requirements to hold a general business license and in some cases Fire operational permits will still be in place. There are seven amusement device distributors in the city and licenses for 600-700 amusement devices held by vendor businesses such as arcades and bars.

The updated regulations are designed to prevent the opening of simulated casinos in the city that utilize crypto currency or faux skill games to circumvent city codes and state law with regards to gambling. Rather than addressing the definition of gambling, the ordinance addresses permitted amusement devices to close any loopholes in regulations. Currently, no known simulated casinos exist in the city. However, they have existing in the past. One of the operations was suspected to be involved in illegal drug activity. Similar operations in western Colorado have been associated with criminal activity.

The ordinance clarifies that crane games and amusement centers with multiple devices that award a cumulative non-cash prize are permitted.

The ordinance also provides a process with court review for abatement of gambling devices or illegal amusement devices that are not removed by the owner after being notified that they are illegal.

Additionally the proposed ordinance simplifies the regulations previously in Chapter 10 of the City Code relating to permitted carnival games. Chapter 10 of the city code was put in place originally to ensure fair operations of carnival games and to prevent forms of gambling.

Language for the ordinance was drafted after reviewing regulations in other locations, most notably the State of Virginia and the City and County of Denver.

QUESTIONS FOR COUNCIL

Does council approve of forwarding the ordinance for formal consideration?

LEGAL COMMENTS

The City Council shall have and shall exercise the powers, privileges and duties granted and conferred by the state constitution, statute or city charter. The City Council shall have power to make and publish from time to time ordinances, and to pass resolutions and motions, not inconsistent with the laws of the state for carrying into effect or discharging the powers and duties conferred by the state constitution, statute or city charter and such as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city. **See**, Sec. 2-32, Aurora City Code.

The City Council has found and determined that amending the dual licensing requirements for amusement enterprise, amusement device distributor, and amusement device vendor, and requiring only a general business license fulfills these purposes. The City Council shall act only by ordinance, resolution or motion. All legislative enactments must be in the form of an ordinance; all actions, except as herein provided, may be in the form of resolutions or motions. This action modifies a legal requirement that was enacted through an ordinance and it requires an ordinance to approve the changes. **See also**, Art. 5-1, Aurora City Charter. (Hernandez)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: There are 7 licensed vendors that place machines in the city and 600-700 licensed amusement device machines in the city. Every bar, arcade or other business that has an amusement device, must have obtain the amusement device vendor license and pay a \$35.75 fee per machine. Elimination of these requirements will reduce revenue by approx. \$23,000 annually.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: Arcades will see a significant reduction in license fees. A large number of business will see reduced costs for licenses.

ORDINANCE NO. 2022-_____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING CHAPTER 10 OF THE AURORA CITY CODE AND, REPEALING THE REQUIRMENT FOR AMUSEMENT ENTERPRISE LICENSES, AMUSEMENT DEVICE DISTRIBUTOR'S LICENSES, AMUSEMENT DEVICE VENDOR'S LICENSES, AND AMENDING CHAPTER 26 RELATING TO SELF-SERVICE DEVICES

WHEREAS, the City of Aurora, Colorado, (the "City"), is a home rule municipality, organized and existing under and by virtue of Article XX, Section 6 of the Colorado Constitution, and as such the City has the authority to regulate matters of local concern including taxation and local business licensing; and

WHEREAS, the City Council no longer wishes to mandate the dual license requirements for Carnival Games, Amusement Enterprise, Amusement Device Distributor, and Amusement Device Vendor, and as such wishes to amend existing business regulations and the requirements for existing operators by requiring only a general business license; and

WHEREAS, the City believes that it is necessary and proper to enact this ordinance to amend the licensing requirements for the business activities described herein.

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

Section 1. Chapter 10 is hereby repealed.

Section 2. Chapter 86, Article IV, Division 1 is hereby repealed

Section 3. Chapter 86, Article IV, Division 2 is hereby repealed

Section 4. Chapter 86, Article VI, Division 1 is hereby repealed

Section 5. Chapter 26, Article VIII, of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Article VIII. Self-Service Devices, **Amusement Devices, and Carnival Games.**

Section 26-411. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amusement device means any device or machine which, upon payment of consideration, may be operated by an individual for use as a game, entertainment, amusement, or test of mental or physical skill, whether or not registering a score; provided, however, that this term shall not include devices licensed by the State of Colorado for wagering, slot racing, model racing, model motoring, televisions, radios, pool tables or billiard tables, children's rides, or jukeboxes or similar electronic or mechanical music machines which do not involve games of chance or skill or interactive entertainment.

Amusement center shall mean any commercial establishment that has four (4) or more amusement devices

Carnival game means any game, scheme or device, either represented as or appearing to be a game of skill, which is intended to be played by a person for the purpose of winning a noncash prize. Such game shall include but not be limited to and, by way of illustration only, the following: fishing line, cork gun shoot, dart shoot, pitch games, ring throw games, star and dot shootout, six-cat and lucky wheel games.

Self-service device means an unattended machine which dispenses currency or coins or provides a service or merchandise to the general public.

Section 26-412. Information required.

- (a) A self-service **or amusement** device shall have information clearly posted on it which discloses the **general business license number**, name, address and telephone number of the owner, manager or other person responsible for the device **unless the device is owned and operated by the business where the device is located.**

Section 26-413. Prohibited Devices and Games

- (a) **It shall be unlawful for any person to:**

- (1) **Knowingly permit, market, place, or display for use any amusement device which is capable of reimbursing or allowing the player to obtain reimbursement in coin, token, money, gift card, merchandise, merchant credit, monetary equivalents, cryptocurrency, or other consideration in excess of the charge made for the operation of such device.**

- (a) **Section 26-413(a) shall not apply to amusement devices in an amusement center where the prize**

awarded to the player is a noncash, merchandise prize or a coupon, voucher, ticket, token or electronic credit redeemable only for a noncash, merchandise price;

- a. The value of which does not exceed the cost of playing the amusement device or the total aggregate cost of playing multiple amusement devices;
- b. That is not and does not include an alcoholic beverage;
- c. That is not eligible for repurchase; and
- d. That is not exchangeable for cash, cash equivalents, cryptocurrency, or anything easily monetized.

(b) Section 26-413(a) shall not apply to Crane Games as defined in Sec. 44-30-103 C.R.S., as amended.

(2) Knowingly permit any amusement device marketed, placed, or displayed for purposes of gambling or professional gambling in violation of Article V, Division 3 of Chapter 94 of the Aurora City Code.

(3) Promote, provide, or permit any game, carnival game, or amusement device represented or appearing to be a game of chance or skill knowing or having good reason to know that the game or device has been designed, constructed, rigged, or operated so as to deprive or cheat the player, who has paid money or given other remuneration or consideration, of any reasonable prospect of winning prizes displayed or touted as being winnable.

(4) Permit any device to remain in operation in a commercial location that does not have the information required by section 26-412.

Section 26-414. Abatement

- (a) An amusement device in violation of the following provisions is declared a public nuisance and subject to seizure by city personnel authorized to enforce this section. Any such amusement device seized and not ordered returned shall be demolished or destroyed upon adjudication by the courts upon finding any of the following:

- a. **The amusement device is a gambling device in violation of section 26-413(2).**
- b. **The amusement device is in violation of section 26-413(1) and the owner, operator, or a responsible party for where the device was located was provided written notice of this section and that the device was in violation of 26-413(1) and the owner, operator or responsible party failed to immediately discontinue operation of the device or immediately correct the prizes awarded by the device to comply with section 26-413(1)**

Section 6. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 7. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Section 8. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2022.


PASSED AND ORDERED PUBLISHED BY REFERENCE this ____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ,
City Clerk

APPROVED AS TO FORM:

 *gk*

HANOSKY-HERNANDEZ,
Sr. Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Ordinance to Reduce Distance Restriction Between Liquor Stores From 2,000 feet to 1,500 feet to Match State Law |
| Item Initiator: Trevor Vaughn, Manager of Licensing |
| Staff Source/Legal Source: Trevor Vaughn, Manager of Licensing / Tim Joyce, Assistant City Attorney |
| Outside Speaker: NA |
| Council Goal: 2012: 5.0--Be a great place to locate, expand and operate a business and provide for well-planned growth and development |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 6/20/2022

ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 146-3.3.5.R OF THE CITY CODE PERTAINING TO DISTANCE RESTRICTIONS BETWEEN RETAIL LIQUOR STORES AND LIQUOR LICENSED DRUGSTORES.

Sponsor: Dustin Zvonek, Council Member
Trevor Vaughn, Manager of Licensing / Tim Joyce, Assistant City Attorney
Estimated time: 5 mins

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Red Tape Reduction Ad Hoc Committee

Policy Committee Date: 5/17/2022

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input checked="" type="checkbox"/> Minutes Not Available |

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

Red Tape Reduction committee on May 17th, 2022 supported reducing distance restriction in the zoning code between new liquor stores from 2,000 feet to 1,500 feet to align with State statute.

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

This item is an ordinance that reduces the zoning setback for new liquor stores to be located from an existing liquor store. Zoning code has a set back of 2,000 feet. This ordinance will reduce the distance restriction to 1,500 feet.

QUESTIONS FOR COUNCIL

Does council approve of forwarding the ordinance for formal consideration?

LEGAL COMMENTS

C.R.S. §44-3-409(1)(a)(II)(A) prohibits a new retail liquor stores from being within one thousand five-hundred feet of an existing licensed retail liquor store or an existing liquor-licensed drugstore. C.R.S. § 44-3-410(1)(a)(I)(A) prohibits a new liquor-licensed drugstore from being within one thousand five-hundred feet of and existing retail liquor store or an existing liquor-licensed drugstore. Council has the power to make and publish ordinances consistent with the laws of the state for carrying into effect or discharging the powers and duties conferred by the State Constitution, State Statute, or City Charter and such as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city and the inhabitants thereof. (City Code § 2-32 and C.R.S. § 31-15-103) All legislative enactments must be in the form of ordinances. (City Charter, art. V, sec. 5-1) (TJoyce)

PUBLIC FINANCIAL IMPACT

- YES NO

If yes, explain: NA

PRIVATE FISCAL IMPACT

- Not Applicable Significant Nominal

If Significant or Nominal, explain: NA

ORDINANCE NO. 2022- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 146-3.3.5.R OF THE CITY CODE PERTAINING TO DISTANCE RESTRICTIONS BETWEEN RETAIL LIQUOR STORES AND LIQUOR-LICENSED DRUGSTORES.

WHEREAS, the Colorado Liquor Code, Colorado Revised Statutes § 44-3-101 *et seq.*, regulates the licensing and operation of all liquor licensed establishments in the state of Colorado; and

WHEREAS, C.R.S. § 44-3-409(1)(a)(II)(A) imposes a one thousand five hundred foot distance restriction between a retail liquor store and another retail liquor store or a liquor-licensed drugstore; and

WHEREAS, C.R.S. § 44-3-410(1)(a)(II)(A) imposes a one thousand five hundred foot distance restriction between a liquor-licensed drugstore and another liquor licensed drugstore or a retail liquor store; and

WHEREAS, Aurora’s Unified Development Ordinance (“UDO”) § 146-3.3.5.R(2) imposes a two thousand foot distance restriction between retail liquor stores and liquor licensed drug stores in the City; and

WHEREAS, the City can eliminate our two thousand foot distance restriction and substitute the state’s one thousand five hundred foot distance restriction between retail liquor stores and liquor licensed drugstores by deleting UDO § 146-3.3.5.R(2).

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

Section 1. The City Code of the City of Aurora, Colorado, is hereby amended to delete subsection 2 of section 146-3.3.5.R which section shall read as follows:

Sec. 146-3.3.5

R. *Retail Liquor Store.*

1. In Subarea A, a retail liquor store shall not be established within 300 feet of a single-family residential use unless a conditional use approval has been obtained.
2. No retail liquor store or liquor licensed drugstore, not existing or operating on February 1, 2004, shall be established, operated, or maintained within ~~2,000~~ **1,500** feet of

another liquor store as measured in a straight line from the nearest portion of the exterior of the existing business to the nearest portion of the exterior of the proposed business. Retail liquor stores and liquor licensed drugstores that existed or operated prior to the amendment of this Section are exempt from this Section as to those existing locations. Such preexisting uses are specifically considered existing businesses and not subject to the limitations of a nonconforming use or building as defined by Section 5.5, Pre-existing Development and Nonconformities. Existing licensed retail liquor stores or liquor licensed drugstores may change location only if the new location meets the dispersal requirement contained in this Section.

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3 Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 4. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2022.

PASSED AND ORDERED PUBLISHED this ____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Tim Joyce JK
Tim Joyce, Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Authorizing Ordinance – 2022 Certificates of Participation (COPs) – Roadway Improvement Projects |
| Item Initiator: Teresa Sedmak, City Treasurer |
| Staff Source/Legal Source: Teresa Sedmak, City Treasurer / Hanosky Hernandez, Senior Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated. |

COUNCIL MEETING DATES:

Study Session: 6/13/2022

Regular Meeting: 6/27/2022

ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

AN ORDINANCE AUTHORIZING THE USE OF LEASE-PURCHASE FINANCING FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS PURSUANT TO THE TERMS OF A LEASE-PURCHASE AGREEMENT BY AND BETWEEN AURORA CAPITAL LEASING CORPORATION, AS LESSOR, AND THE CITY OF AURORA, COLORADO, AS LESSEE; AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY; AND RELATED MATTERS

Sponsor: Dustin Zvonek, Council Member
Teresa Sedmak, City Treasurer / Hanosky Hernandez, Senior Assistant City Attorney

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

The proposal to utilize certificates of participation (COPs) to finance deferred roadway maintenance projects was brought forward to Council at its May 16th Study Session. The council members attending that session unanimously approved moving forward with the financing. The attached ordinance ratifies, approves and confirms the actions required to complete the financing.

City Council also unanimously supported Public Works in utilizing a Pavement Condition Index (PCI) approach to pavement management. The benefit of the PCI approach is that the City will be able to address roadways based on condition, giving priority to the roadways in the worst condition.

The neighborhood networks have some of the streets with the worst conditions.

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

Proceeds of the issuance will allow the City to pursue the completion of deferred road maintenance projects and improve street conditions.

The first step in the program will be to develop the priority list of roadways and issue contracts for curb/gutter/sidewalk repair and replacement in advance of the paving operations. Public Works will then perform complete reconstruction and mill and overlay rehabilitation based on the priorities. Other street maintenance will be performed such as chip seal and crack seal. All of these strategies extend the useful life of the pavement.

An exhibit illustrating the city roadway network streets rated as Fair or below is attached and will be the basis for developing the paving program priorities.

QUESTIONS FOR COUNCIL

Does Council recommend moving this item forward to the next City Council meeting?

LEGAL COMMENTS

The City is authorized to enter into long-term or short-term rental or leasehold agreements in order to provide necessary land, buildings, equipment, and other property including roads, and the maintenance of roads, for governmental or proprietary purposes, which agreements may include an option to purchase and acquire title to such leased or rented property, and may have a term, at the discretion of the City, in excess of 30 years. Sec. 31-15-801, C.R.S.; City Code Sec. 2-683. Any use of lease-purchase or certificates of participation financing by the City shall be approved by ordinance. City Charter Art. 5-3. (Hernandez)

PUBLIC FINANCIAL IMPACT

YES NO

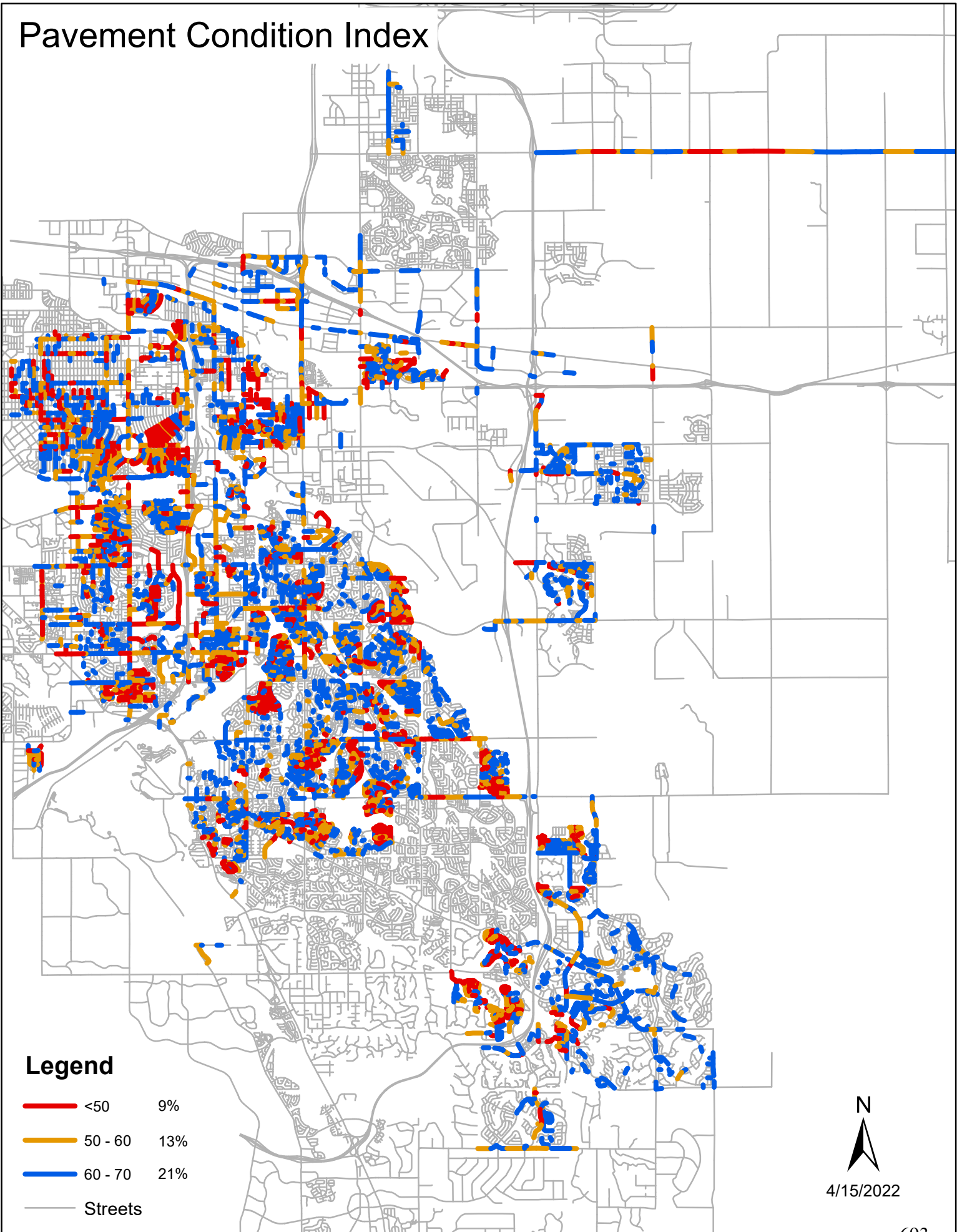
If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

Pavement Condition Index



ORDINANCE NO. 2022-_____

A BILL

FOR AN ORDINANCE AUTHORIZING THE USE OF LEASE-PURCHASE FINANCING FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS PURSUANT TO THE TERMS OF A LEASE-PURCHASE AGREEMENT BY AND BETWEEN AURORA CAPITAL LEASING CORPORATION, AS LESSOR, AND THE CITY OF AURORA, COLORADO, AS LESSEE; AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY; AND RELATED MATTERS

WHEREAS, the City of Aurora, Colorado, (the “City”), is a home rule municipality, organized and existing under and by virtue of Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, the City is authorized pursuant to Section 31-15-801, C.R.S., as amended, the City’s home rule powers, and Section 2-683 of the City Code to enter into long-term or short-term rental or leasehold agreements in order to provide necessary land, buildings, equipment, and other property for governmental or proprietary purposes, which agreements may include an option to purchase and acquire title to such leased or rented property, and may have a term, at the discretion of the City, in excess of 30 years; and

WHEREAS, in order to provide for the capital asset needs of the City, the City Council of the City (the “Council”) hereby determines that it is necessary and in the best interests of the City and its citizens that the City undertake lease-purchase financing for the construction of various roadway improvements within the boundaries of the City (the “Project”) for use by the City for governmental or proprietary purposes; and

WHEREAS, the City wishes to fund the Project from the proceeds of a lease-purchase financing (the “Financing”) to be completed within 12 months of the date hereof; and

WHEREAS, the City is the owner in fee simple of certain real property and improvements, in one or more parcels, described or identified in this Ordinance (the “Leased Property”); and

WHEREAS, in order to finance the costs of the Project, the Council desires to demise to Aurora Capital Leasing Corporation (“ACLC”), pursuant to that certain Site Lease to be dated as of its dated date (the “Site Lease”) between the City, as lessor, and ACLC, as lessee, a leasehold interest in the Leased Property for a lump-sum payment of not more than \$35,000,000 and sublease the Leased Property back with improvements from ACLC pursuant to that certain Lease Purchase Agreement dated as of the date of the Site Lease (the “Lease”) between ACLC, as sublessor, and the City, as sublessee; and

WHEREAS, the Financing may be completed in whole or in part as a private placement or as a public offering to the best advantage of the City; and

WHEREAS, to the extent that all or any part of the Financing is to be completed as a private placement, ACLC shall transfer its right, title and interest in the Lease to one or more banks or institutional investors selected by the Finance Director through an informal competitive process (the “Purchaser”) pursuant to a Purchase and Assignment Agreement dated as of the date of the Site Lease (the “Assignment”) between ACLC and the Purchaser; and

WHEREAS, to the extent that all or any part of the Financing is to be completed as a public offering, ACLC shall assign its right, title and interest in the Lease to a trustee bank (the “Trustee”) approved by the Authorized Officers of the City pursuant to a Mortgage and Indenture of Trust dated as of the date of the Site Lease (the “Indenture”), and the Trustee shall deliver, pursuant to the Indenture, Certificates of Participation representing interests in the right to receive base rent payable by the City (the “Certificates”), subject to annual appropriation by the Council; and

WHEREAS, there have been filed for public inspection with the City Clerk in connection herewith the proposed forms of the Site Lease, the Lease and the Indenture (collectively, the “Financing Documents”).

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

Section 1. *Ratification of Actions.* All actions heretofore taken, not inconsistent with the provisions of this Ordinance, by the Council or the officers of the City, directed toward the completion of the Project and the preparation of any of the Financing Documents are hereby ratified, approved and confirmed.

Section 2. *The Project.* The City is hereby authorized to obtain lease-purchase financing for all or any portion of the Project through a lease with ACLC, provided that any such Lease shall be executed and delivered within 12 months of the date hereof.

Section 3. *Leased Property; Manner of Offering; Final Terms.* The Director of Finance is hereby authorized to select, based on the recommendation of the City’s financial advisor, one or any appropriate combination of real and personal property, taking the amount of Project costs being financed into account, that shall constitute the Leased Property, from among the following: the Tallyn’s Reach Complex, the North Satellite Campus, the Central Library, Fire Station No. 1, Fire Station No. 2 and Fire Station No. 11. The Director of Finance is also authorized to determine, based on the recommendation of the City’s financial advisor, whether the Financing will be completed as a public competitive sale, as a negotiated sale through an underwriter or as a private placement with one or more institutional purchasers. The Purchaser in a private placement transaction shall deliver an investor letter in the form acceptable to Bond Counsel and the Finance Director. The principal amount to be financed shall not exceed \$35,000,000, the interest component of rental payments to be made by the City shall accrue at a rate not to exceed five and one-half percent (5.50%), and the total term (including any renewal terms) of any Lease hereunder shall not exceed thirty (30) years. Rental payments may be made annually, semi-annually, or at any other convenient interval as determined by the Director of Finance. Prior to the execution of the Financing Documents or any other instrument contemplated by this Ordinance, the final forms thereof, the real and personal property constituting the Leased Property and the final terms of the Financing, not inconsistent herewith, shall be approved by a

certificate (a “Final Terms Certificate”) signed by the Director of Finance or an Authorized Officer of the City. To the extent the Financing is completed as a negotiated sale, the City Manager shall certify to the Council that such method of sale is to the best advantage of the City in accordance with Section 11-25 of the City Charter.

Section 4. *Findings; Authorizations.* The Council hereby finds and determines, pursuant to the City’s home rule powers and the laws of the State of Colorado, that the construction of the various roadway improvements contemplated by this Ordinance is necessary, convenient, and in furtherance of the governmental purposes of the City and in the best interests of the City and its citizens; and the Council hereby authorizes the funding of such construction by means of lease-purchase financing.

Section 5. *Agency Relationship.* Pursuant to the Lease, the City shall act as the agent of ACLC solely for the purposes of construction of the Project, solely with proceeds of the Financing.

Section 6. *Approval and Execution of Documents; Authorized Officers.* The Financing Documents and the Official Statement in substantially the forms filed in the office of the City Clerk prior to the final adoption of this Ordinance are in all respects approved, authorized and confirmed. The Mayor is hereby authorized and directed to execute and deliver, and the City Clerk is hereby authorized and directed to affix the seal of the City to, and attest, each Financing Document hereunder in substantially the form filed with the City Clerk, with such changes not inconsistent with the intent of this Ordinance and approved by the City Attorney. The Council hereby designates the Director of Finance or her or his designee to act as “Authorized Officers of the City” under the Lease.

Section 7. *Additional Documents.* The City Clerk is hereby authorized and directed to attest all signatures and acts of any official of the City in connection with the matters authorized by this Ordinance. The Mayor and the Authorized Officers are hereby authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the transactions and other matters authorized by this Ordinance.

Section 8. *No General Obligation or Other Indebtedness.* The obligation of the City to make rental payments under the Lease is subject to annual appropriation by the Council and constitutes an undertaking of the City to make current expenditures. Such payments are subject to termination and nonrenewal by the City in accordance with the provisions of the Lease. No provision of this Ordinance or any Lease hereunder shall be construed as constituting or giving rise to a general obligation or other indebtedness or multiple fiscal year financial obligation of the City within the meaning of any home rule, constitutional or statutory debt limitation nor a mandatory charge or requirement against the City in any ensuing fiscal year beyond the current fiscal year.

Section 9. *Expression of Need.* The City hereby declares its current need for the Project. It is hereby declared to be the present intention and expectation of the Council that the Lease will be renewed annually until all of ACLC’s interest in the Leased Property is acquired by

the City pursuant to the Lease; but this declaration shall not be construed as contractually obligating or otherwise binding the City.

Section 10. *Reasonable Rentals.* The Council hereby determines and declares that, after execution and delivery of the Lease within the parameters authorized in Section 3 of this Ordinance, the rental payments due thereunder will represent the fair value of the use of the Leased Property and the Purchase Option Price, as defined therein, will represent, as of any date upon which the City may exercise its option to purchase such Leased Property, the fair purchase price of such Leased Property. The Council further hereby determines and declares that, after the execution and delivery of the Lease, the rental payments due thereunder will not exceed a reasonable amount so as to place the City under an economic or practical compulsion to renew the Lease or to exercise its option to purchase the Leased Property pursuant to the Lease. In making such determinations, the Council has given consideration to the cost of acquiring the Leased Property, the uses and purposes for which the Leased Property will be employed by the City, the benefit to the citizens of the City by reason of the acquisition and use of the Leased Property pursuant to the terms and provisions of the Lease, the City's option to purchase the Leased Property, and the expected eventual vesting of title to, or other indicia of ownership of, the Leased Property in the City. The Council hereby determines and declares that, after execution and delivery of the Lease, the maximum duration of the portion of the Lease allocable to any item of the Leased Property separately identified in the payment schedule appended thereto will not exceed the weighted average useful life of such Leased Property, and any item of Leased Property that is real property shall be amortized separately from any other item of Leased Property that is personal property.

Section 11. *Severability.* The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 12. *Repealer.* All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Section 13. *Publication.* Pursuant to Section 5-5 of the City Charter, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day
of _____, 2022.

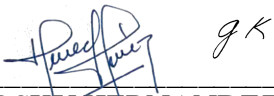
PASSED AND ORDERED PUBLISHED BY REFERENCE this ____ day
of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:



HANOSKY HERNANDEZ,
Sr. Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

Item Title: FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 134-451 OF THE CITY CODE PERTAINING TO AUTOMATIC VEHICLE IDENTIFICATION CITATIONS

Item Initiator: Megan Platt, Assistant City Attorney

Staff Source/Legal Source: Megan Platt, Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 6/27/2022

ITEM DETAILS:

Megan Platt, Assistant City Attorney

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

At the June 13, 2022 Study Session, Council directed staff to amend AMC 134-451 to allow civilians to review violations and issue summons for photo speed enforcement in conjunction with approval to move forward the Resolution for the Photo Speed Enforcement One Year Pilot Program to the Regular Council Meeting.

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

Amendment to AMC 134-451 to allow civilian employees to review violations for photo speed enforcement as permitted by state statute.

QUESTIONS FOR COUNCIL

Does Council approve the amendments to AMC 134-451?

LEGAL COMMENTS

The City Council, as governing body of the city, shall have the power to make ordinances as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city and the inhabitants thereof. Aurora City Code §2-32 (Platt)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

ORDINANCE NO. 2022- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 134-451 OF THE CITY CODE PERTAINING TO AUTOMATIC VEHICLE IDENTIFICATION CITATIONS

WHEREAS, the Aurora Police Department and the city of Aurora have received numerous citizen complaints related to speeding and dangerous driving in the city and in residential neighborhoods and;

WHEREAS, in Aurora, there has been a 54% increase in traffic fatalities from 2019-2021 and this trend is continuing in 2022 and;

WHEREAS, the Aurora Police Department is experiencing staffing shortages along with a general increase in crime and;

WHEREAS, currently under A.M.C. 134-451, a sworn officer is required to review any ticket generated by an automated vehicle identification system before it is issued; however, C.R.S. 42-4-110.5 permits municipalities to enact ordinances around photo speed enforcement and to use civilian employees to review violations and;

WHEREAS, on June 13, 2022 Council provided direction to city staff to develop a one year photo radar pilot program via a sole source contract with Conduent Incorporated and to amend the Aurora Municipal Code 134-451 to allow civilian employees to review photo speed violations in accordance with the provisions of C.R.S. 42-4-110.5.

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

Section 1. The City hereby Amends Section 134-451 of the City Code pertaining to Automatic Vehicle Citations as follows:

(a) When a peace officer **or designated civilian employee**, based on evidence obtained in whole or in part by means of an automated vehicle identification system has probable cause to believe that a traffic violation has been committed, the peace officer **or designated civilian employee** may issue, or cause to be issued through a contractor designated by the city manager, a summons and complaint charging the person in whose name the vehicle is registered based on the license plate or any other identification of the vehicle with violation of the applicable section, or the person designated by the owner as being the driver of the vehicle when the violation occurred. If, however, the vehicle is registered in more than one person's name, the summons and complaint shall be issued to the registrant whom the issuing peace officer determines, under all the facts and circumstances, was the person most likely depicted in the image produced by the camera.

(b) Any summons and complaint issued as part of an automated vehicle identification system program shall contain the name and address of the defendant; the license number of the vehicle involved; a citation of the code section alleged to have been violated; a brief description of the infraction or violation; the date and approximate place of the infraction or violation; the amount of any prescribed penalty, the number of points, if any, prescribed for such infraction or violation pursuant to Colorado Revised Statutes; and the date the summons and complaint is issued. The summons and complaint shall direct the defendant to appear in the municipal court at a specified date and time in the event the prescribed penalty is not previously paid. The summons and complaint shall also contain a line on which the defendant may elect to execute a signed acknowledgement of liability and an agreement to pay the penalty on or before the appearance date.

(c) A copy of the summons and complaint may be personally served upon the defendant in compliance with Colorado Municipal Court Rules of Procedure no later than 90 days after the date the alleged violation occurred. (Ord. No. 2005-05, § 1, 2-28-2005)

Section 3. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 5. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2022.

PASSED AND ORDERED PUBLISHED this ____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PS

Megan Platt

(MEGAN PLATT, Assistant City Attorney)



CITY OF AURORA

Council Agenda Commentary

| |
|---|
| Item Title: Ordinance Permitting Mobile Ice Cream Vehicles Within the City |
| Item Initiator: Trevor Vaughn, Manager of Licensing |
| Staff Source/Legal Source: Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Sr. Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 5.0--Be a great place to locate, expand and operate a business and provide for well-planned growth and development |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 6/27/2022

ITEM DETAILS:

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 26-346 AND 26-347 AND REPEALING SECTION 26-348 TO ALLOW MOBILE ICE CREAM VEHICLES WITHIN THE CITY

Sponsor: Dustin Zvonek, Council Member
Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Sr. Assistant City Attorney

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Red Tape Reduction Ad Hoc Committee

Policy Committee Date: 6/16/2022

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input checked="" type="checkbox"/> Minutes Not Available |

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

Beginning in 1957 the City of Aurora prohibited mobile ice cream trucks. The City Council Red Tape Reduction Ad Hoc Committee identified this as a prohibition for removal. The proposed ordinance was presented to the committee for review on June 16th, 2022. The committee approved forwarding the ordinance directly to a formal vote at the June 27th meeting of city council and bypassing study session with Councilmember Zvonek as the sponsor. The next study session is not until July 18th, 2022 and this would create a timeframe for legalization that would be very late in the summer. Given the seasonal nature of ice cream vendors the committee wanted to accelerate the approval process. Additionally the committee supported the additional of a requirement for commercial insurance. This requirement has been added to the proposed ordinance in section 26-347(a)(10)(f). The amount of insurance will be determined by the Finance Director so that it can be adjusted as needed without an ordinance change.

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

This proposed ordinance removes prohibitions against mobile ice cream vendors in residential areas that were in place since 1957. Some cities utilize a specific licensing program for ice cream vendors and most require some **type of business or vendor's license**. The proposed ordinance takes more of the latter but with a hybrid route by requiring a general business license and proposes a set of regulations to enhance safety. The regulations address issues with traffic safety, the potential for bad actors, and impacts to neighborhoods. These regulations were reviewed with a large local vendor and staff received feedback that these are consistent with their safety and vending practices.

QUESTIONS FOR COUNCIL

Does council approve the proposed ordinance?

LEGAL COMMENTS

The City of Aurora is a home rule municipality, organized and existing under Article XX, Section 6 of the Colorado Constitution. Article XX Section 6 grants the city and its citizens the right to self-government in matters of local affairs not preempted by the State legislature. The City Council shall have and shall exercise the powers, privileges and duties granted and conferred by the state constitution, statute or city Charter. The City Council has the power to make and publish from time to time ordinances not inconsistent with the laws of the state for carrying into effect or discharging the powers and duties conferred by the state constitution, statute or city Charter and such as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city. City Code Section 2-32. All legislative enactments must be in the form of an ordinance; all actions, except as herein provided, may be in the

form of resolutions or motions. This is a legislative action authorizing a new commercial activity and must be taken in the form of an ordinance. **See**, Article 5-1 Aurora City Charter. (Hernandez).

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: Permits operation of mobile ice cream vending in the city providing a market and source of revenue for vendors.



MEMORANDUM

TO: Red Tape Reduction Committee

THROUGH: Roberto Venegas, Deputy City Manager
Terri Velasquez, Finance Director

FROM: Trevor Vaughn, Manager of Licensing

DATE: June 9, 2022

SUBJECT: Ice Cream Truck Authorization Ordinance

At the May meeting of the Red Tape Reduction Committee, the committee requested that an ordinance authorizing mobile ice cream vendors be brought back to the committee. The committee held a discussion as to what the framework would look like for the ordinance and feedback was provided to staff. The committee supported some regulation for protection of the health, safety and welfare of the public. The attached ordinance removes the prohibition on mobile ice cream vendors that was originally put in place in 1957 and proposes a set of regulations in its place. The regulations were reviewed with a major metro area operator that found the regulations reasonable.

While some cities such as Denver, Commerce City, and Thornton have a special licensing program for mobile ice cream vendors, most cities that permit ice cream vendors require a basic business license or vendor's license. A special license does allow for prescreening of operators by the city but would require more time and city resources to implement and potentially only small incremental gains to safety. The committee provided an indication to staff that this is not the direction it wanted to go. As a result of that feedback the proposed ordinance requires that businesses are not operated by and do not employ registered sex offenders. The risk of bad actors decreases when individuals are attempting to operate a legitimate business and obtain a general business license. The risk would be higher with an unlicensed operator.

Additionally, the proposed ordinance includes a number of requirements that address good business practices and safety. Mobile ice cream vendors do entice children towards the street. While very rare there are instances in the United States of a mobile ice cream vendor hitting children with their vehicle. While still rare but more common, there are instances of other drivers hitting children when in the area of a mobile ice cream vendor. Despite this risk, many cities including those in Colorado and in the United States permit ice cream vendors even after suffering one of these tragic incidents. It is a question of public policy on the level risk tolerance of the community regarding the permission and level of regulations. The proposed ordinance includes measures addressing safety and codifying good business practices.



Question of the committee?

- Does the committee see any regulatory items to add or remove from the ordinance?
- Is the committee in agreement with having the requirement for a general business license but not a special license sufficient?
- Industry recommended adding a provision for commercial insurance. This is in some ordinances, does the committee want to have a requirement and have the requirement that this be provided on request?
- Is the committee supportive of moving the ordinance forward to study session?

ORDINANCE NO. 2022- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 26-346 AND 26-347 AND REPEALING SECTION 26-348 TO ALLOW MOBILE ICE CREAM VEHICLES WITHIN THE CITY

WHEREAS, the City of Aurora, Colorado, (the “City”), is a home rule municipality, organized and existing under and by virtue of Article XX, Section 6 of the Colorado Constitution, and as such the City has the authority to regulate matters of local concern including taxation and local business licensing; and

WHEREAS, the City has received considerable requests for ice cream vehicles to be allowed within the City. However, mobile ice cream vehicles are currently a prohibited occupation in the City, and the City Council (the “Council”) no longer wishes to forbid mobile ice cream vehicles within the City; and

WHEREAS, jurisdictions such as Denver and Commerce City allow mobile ice cream vehicles within their jurisdictions, and the City Council wishes to assist small businesses that operate mobile ice cream vehicles to be permitted within the City; and

WHEREAS, the Council finds it necessary to amend the City Code to repeal the prohibition against ice cream vehicles, and therefore the Council agrees that new rules and regulations are needed to protect the safety and welfare of the public; and

WHEREAS, the Council wishes to regulate the sale of ice cream products from vehicles on public rights-of-way and to ensure safe pedestrian and vehicular movement within the City; and

WHEREAS, the Council finds these amendments to the City Code are necessary and proper to promote the health, safety, and welfare of the citizens of Aurora.

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

Section 1. That Article VII Subheading and Section 26-346 of the City Code of the City of Aurora, Colorado, are hereby amended to read as follows:

Article VII. ~~Peddlers~~ **Mobile Ice Cream Vehicles.**

Sec. 26-346 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

***Ice cream products* mean ice cream, frozen milk, or any other frozen dairy or ice product or confection.**

***Mobile ice cream vehicle* means any vehicle, whether human-powered, animal-powered or motor-powered, from which ice cream products are sold or offered for sale to the general public, except for any vehicle operated from a stationary location as a mobile food truck as defined under section 146-6.2 (*Mobile Food Truck*).**

***Operator* means any person who drives or is otherwise present on an ice cream truck while the ice cream vehicle is being used, or is available for use, to sell or offer for sale ice cream products.**

~~*Vehicle* includes every device in, upon, or by which any person or property is or may be transported or drawn upon the streets, irrespective of the source from which the power to propel such vehicle may come and irrespective of the number of wheels of such vehicle.~~

Section 2. That Section 26-347 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 26-347. ~~Occupations prohibited~~ **Mobile Ice Cream Vehicles.**

(a) Unlawful actions. It shall be unlawful for any person operating or owning an ice cream vehicle to:

- 1) Operate or permit the operation of an ice cream vehicle without first obtaining a city general business license.
- 2) Operate or permit the operation of an ice cream vehicle without a Colorado retail mobile food service license when one is required due to the nature of food service.
- 3) Operate or permit operation of an ice cream vehicle by a person that is not licensed by the state of Colorado to operate a motor vehicle when such licensing is required.
- 4) Operate or knowingly permit the operation of an ice cream vehicle by a person that is a registered sex offender or has ever been convicted of any sex crimes involving children.
- 5) Fail to verify that employees or contractors hired to operate an ice cream vehicle are not registered sex offenders.

- 6) Operate an ice cream vehicle to sell or offer to sell ice cream products, including the playing of music when:
 - a. Driving in excess of ten (10) miles per hour.
 - b. On a street where in the posted speed limit is in excess of twenty-five (25) miles per hour.
 - c. Stationary in excess of fifteen (15) minutes unless otherwise permitted as a mobile food truck by the city's uniform development code.
 - d. Driving the vehicle in reverse.
 - e. Between the hours after sunset and before 10:00 am.
 - f. On private property, school grounds or park property without prior written permission maintained on the vehicle.

- 7) Engage in any transaction or attempted transaction:
 - a. When the ice cream vehicle is not lawfully and safely stopped, and the ice cream vehicle's hazard lights are not in operation.
 - b. From any part of the ice cream vehicle facing traffic.
 - c. When the ice cream vehicle is not as near to the curb or the edge of the roadway as is reasonably possible.
 - d. With any person standing in the traveled portion of the roadway or on any median or other traffic control device.

- 8) Attempt to entice any person not affiliated with the business into the vehicle or to ride on the ice cream vehicle.

- 9) Attempt while operating the ice cream vehicle to entice any children under the age of eighteen (18) years of age to meet at another location or contact the operator for reasons not related to the ice cream business without the consent of a parent or guardian.

- 10) Operate or permit operation of an ice cream vehicle unless such vehicle:
 - a. Is clearly marked and identifiable as an ice cream vehicle.
 - b. Is marked in letters and numbers at least three (3) inches in height, with the name and address of the licensee.
 - c. Has the city general business license and state retail food licenses either posted or available upon request of the operator.
 - d. Is properly licensed and registered by the state of Colorado as required.
 - e. Is equipped with safety features including rear and side view mirrors and a convex mirror mounted to the front of the vehicle or a camera

so the operator in a normal seating position is capable of seeing the area in front of the vehicle that is obscured by the hood.

- f. Is properly insured with commercial general liability insurance and comprehensive automobile liability insurance, in coverage amounts determined by the Finance Director and is available upon request of the operator.

11) Operate an ice cream vehicle in any manner that endangers the health, safety or welfare of any person or property.

~~Except as authorized by section 146-1254, the trade, business, occupation, enterprise or operation of selling and distributing or offering for sale or distribution frozen milk, frozen dairy or ice confection products, candy, gum or other confection products from vehicles on the streets, highways, alleys, rights of way or public ways in the City is declared a nuisance and is unlawful and prohibited. (Code 1979, § 30-2; Ord. No. 2014-20, § 2, 7-14-2014)~~

Section 3. That Section 26-348 of the City Code of the City of Aurora is hereby repealed in its entirety.

Section 4. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 5. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2022.


PASSED AND ORDERED PUBLISHED BY REFERENCE this ____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ,
City Clerk

APPROVED AS TO FORM:



HANOSKY HERNANDEZ,
Sr. Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

| |
|--|
| Item Title: MVT and Vehicle Parts Code Changes Ordinance |
| Item Initiator: Council Member Zvonek |
| Staff Source/Legal Source: Pete Schulte, Public Safety Client Group Manager |
| Outside Speaker: N/A |
| Council Goal: 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 6/27/2022

ITEM DETA

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated Presentation/discussion time

Motor Vehicle Theft Ordinance - FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS OF THE CITY CODE PERTAINING TO MANDATORY MINIMUM SENTENCES FOR CERTAIN OFFENSES IN THE AURORA MUNICIPAL CODE AND OTHER AMENDMENTS TO THE CITY CODE TO COMBAT THE INCREASE IN MOTOR VEHICLE THEFT AND RELATED OFFENSES

Sponsor: Councilmember Dustin Zvonek
Matthew Novak, Sergeant / Pete Schulte, Public Safety Client Group Manager

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Public Safety, Courts & Civil Service

Policy Committee Date: 6/16/2022

Action Taken/Follow-up: (Check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached | <input type="checkbox"/> Minutes Not Available |

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

Ordinance to be reviewed by the Public Safety, Courts, and Civil Service Committee on 6/16/2022 and if approved, move forward to the Council Meeting scheduled on 6/27/2022.

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

This Ordinance addresses the rise in motor vehicle thefts and related crimes and executes parts of a comprehensive plan outlined in the related Resolution to combat these offenses in the city by adding minimum mandatory sentences for certain offenses in the city code and amending other sections of the Aurora City Code.

QUESTIONS FOR COUNCIL

Does Council wish to approve the presented amendments to the Aurora City Code as part of the comprehensive plan to combat the vast increase in motor vehicle thefts and related offenses in the City of Aurora by creating mandatory minimum sentences for certain offenses and other amendments to the Aurora City Code.

LEGAL COMMENTS

The City Council, as governing body of the city, shall have the power to make ordinances as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city and the inhabitants thereof. Aurora City Code §2-32. (Schulte)

PUBLIC FINANCIAL IMPACT

- YES NO

If yes, explain: The plan could include additional funding requirements that would come from the City's budget.

PRIVATE FISCAL IMPACT

- Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A

ORDINANCE NO. 2022- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS OF THE CITY CODE PERTAINING TO MANDATORY MINIMUM SENTENCES FOR CERTAIN OFFENSES IN THE AURORA MUNICIPAL CODE AND OTHER AMENDMENTS TO THE CITY CODE TO COMBAT THE INCREASE IN MOTOR VEHICLE THEFT AND RELATED OFFENSES

WHEREAS, increased penalties/sentences for violating Sec. 94-75 of the Aurora Municipal Code (“Motor Vehicle Theft”) has been identified by Council as part of a comprehensive set of core strategies to address the vast increase of motor vehicle theft in the City of Aurora; and

WHEREAS, prior to the COVID-19 pandemic, a sentence of jail time was common for those offenders convicted of violating Sec. 94-75 and has not widely been resumed by the municipal court; and

WHEREAS, there has been an vast increase in theft of major components of motor vehicles, including, but not limited to, catalytic converters, and as of March 1, 2022, the Colorado legislature has reduced the penalty for theft of motor vehicle parts as defined in C.R.S. § 42-5-104 to a petty offense; and

WHEREAS, a sentence to a term in jail for committing offenses is a deterrent for committing crime; and

WHEREAS, the increase of defendants “failing to appear” for court and trial settings has affected our citizens’ ability to receive justice in these cases in a timely manner and to avoid multiple appearances at court for trial settings; and

WHEREAS, Council intends to make it known that the City of Aurora is not the city for offenders to commit motor vehicle theft, theft of major components of motor vehicles, and for attempting to “game” the justice system by not appearing for court and/or trial:

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

Section 1. The City Code of the City of Aurora, Colorado, is hereby amended by enacting a section (j) under Sec. 1-13, which reads as follows:

Sec. 1-13 – General penalty.

(j) As part of the fine or penalty as defined in subsection (a) herein, every person who pleads guilty or no contest to or is convicted of the municipal code offenses in this section shall be sentenced by the municipal court in accordance therewith.

(1) Sec. 94-75. Motor Vehicle Theft.

(a) Mandatory Minimum Sentence. A mandatory minimum jail sentence of 60 days shall be imposed. The Court shall not set aside or suspend this minimum sentence with the first 3 days to be served at the Aurora Detention Facility and the remaining days to served at the applicable county jail in the county where the offense occurred.

(b) Repeat offender. If evidence is presented that the defendant has previously been convicted for motor vehicle theft or a similar offense under the Aurora City Code, Colorado state law, or the laws of another state, a mandatory minimum jail sentence of 120 days shall be imposed. The Court shall not set aside or suspend this minimum sentence with the first 3 days to be served at the Aurora Detention Facility and the remaining days to served at the applicable county jail in the county where the offense occurred.

(2) Sec. 50-33. Failure to appear. A mandatory minimum jail sentence of 10 days shall be imposed. The Court shall not set aside or suspend this minimum sentence with the first 3 days to be served at the Aurora Detention Facility and the remaining days to served at the applicable county jail in the county where the offense occurred.

Section 2. The City Code of the City of Aurora, Colorado, is hereby amended by adding the following and making amendments to section (a) under Sec. 1-13, which reads as follows:

Sec. 1-13 – General penalty.

(a) Unless otherwise provided in an ordinance **or in subsection (j) herein**, and with the further exception of those penalties provided for traffic infractions as set out in subsection (f) of this section, whenever in any section of this Code or any section of a rule or regulation promulgated under this Code the doing of any act is required, prohibited or declared to be unlawful and no definite fine or penalty is provided for a violation thereof, any person who shall be convicted of or plead guilty or no contest to a violation of any such section shall, for each offense, be fined in a sum not more than \$2,650.00 or imprisoned **for up to 364 days not to exceed one year**, or both such fine and imprisonment. Each day an offense continues shall constitute a separate offense.

Section 3. The City Code of the City of Aurora, Colorado, is hereby amended Sec. 94-74 (“Theft”), which reads as follows:

(a) A person commits theft when he or she knowingly obtains, retains, or exercises control over anything of value of another having a value of less than ~~\$2,000.00~~ **\$1,000.00** without authorization or by threat or deception; or receives, loans money by pawn or pledge on, or disposes of anything of value or belonging to another that he or she knows or believes to have been stolen; and

(1) Intends to deprive the other person permanently of the use or benefit of the thing of value;

(2) Knowingly uses, conceals, or abandons the thing of value in such manner as to deprive the other person permanently of its use or benefit;

(3) Uses, conceals, or abandons the thing of value intending that such use, concealment, or abandonment will deprive the other person permanently of its use or benefit; or

(4) Demands any consideration to which that person is not legally entitled as a condition of restoring the thing of value to the other person.

(5) Knowingly retains the thing of value more than 72 hours after the agreed-upon time of return in any lease or hire agreement.

(b) It shall be unlawful to knowingly transfer a label or other designation of price from one item to another or alter the item with intent to purchase such item at a lesser cost.

(c) If any person willfully conceals unpurchased goods, wares, or merchandise owned or held by and offered or displayed for sale by any store or other mercantile establishment, whether the concealment is on that person's own body, clothing or otherwise and whether on or off the premises of the store or mercantile establishment, such concealment shall constitute prima facie evidence that the person intended to commit the crime of theft.

(d) It shall be unlawful to procure food or accommodations with the intent to defraud in any public establishment without making payment therefore in accordance with an agreement with such public establishment where the total amount due under such agreement is ~~\$2,000.00~~ **\$1,000.00** or less. For the purposes of this subsection, the following words have the following meanings:

Agreement with such public establishment means any written or verbal agreement as to the price to be charged for and the acceptance of food, beverage, service, or accommodations where the price to be charged therefore is printed on a menu or schedule of rates shown to or made available by a public establishment to the patron and includes the acceptance of such food, beverage, service, or accommodations for which a reasonable charge is made.

Public establishment means any establishment selling or offering for sale prepared food or beverages to the public generally, or any establishment leasing or renting overnight sleeping accommodations to the public generally, including but not exclusively restaurants, cafes, dining rooms, lunchcounters, coffeeshops, boardinghouses, hotels, motor hotels, motels, and roominghouses, unless the rental thereof is on a month-to-month basis or a longer period of time.

(e) For the purpose of this section, the terms "anything having value," "anything of value," and "thing of value" shall include, but not be limited to, the following:

(1) Any tangible or intangible thing, including property, which has value or may be exchanged for monetary consideration, **including any “major component of a motor vehicle.” A “major component of a motor vehicle” means any of the following parts of a motor vehicle:**

- (A) The engine;**
- (B) The transmission;**
- (C) A front fender;**
- (D) The hood;**
- (E) Any door allowing entrance to or egress from the passenger compartment of the vehicle;**
- (F) The front or rear bumper;**
- (G) A rear quarter panel;**
- (H) The deck lid, tailgate, or hatchback;**
- (I) The trunk floor pan;**
- (J) The cargo box of a pickup truck;**
- (K) The frame, or if the vehicle has a unitized body, the supporting structure or structures that serve as the frame;**
- (L) The cab of a truck;**
- (M) The body of a passenger vehicle;**
- (N) An airbag or airbag assembly;**
- (O) A wheel or tire;**
- (P) A catalytic converter; or**
- (Q) Any other part of a motor vehicle that is comparable in design or function to any of the parts that have been listed, or that have been labeled with a unique traceable identification number, by the manufacturer of the motor vehicle or part;**

(2) Any services for which a person would reasonably expect to provide monetary compensation; **or**

(3) Any compensation to which a person is entitled for services provided.

(f) For the purposes of this subsection, the term "services" shall not include the provision of shelter or housing for any term whatsoever.

(g) Evidence of value.

(1) For purposes of this section, when theft occurs from a store, evidence of the retail value of the thing involved shall be prima facie evidence of the value of the thing involved. Evidence offered to prove retail value may include but shall not be limited to affixed labels and tags, signs, shelf tags, and notices.

(2) For the purposes of this section, in all cases where theft occurs, evidence of the value of the thing involved may be established through the sale price of other similar property and may include but shall not be limited to testimony regarding affixed labels and tags, signs, shelf tags, and notices tending to indicate the price of the thing involved. Hearsay evidence shall not be excluded in determining the value of the thing involved.

Section 4. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. The City Council will evaluate the effectiveness of Section 1 of this ordinance and formally act to extend it on _____, 2024, or the provisions of Section 1 and the related portion of Section 2 (the reference to section (j)) of this Ordinance shall expire.

Section 6. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 7. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2022.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2022.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:



PETER A. SCHULTE, Public Safety Group Client Manager



CITY OF AURORA

Council Agenda Commentary

| |
|--|
| Item Title: Consideration to APPROVE AN AGREEMENT between the City of Aurora, Colorado, and the Fraternal Order of Police for the years 2023-2024 |
| Item Initiator: Jacob Bergeron, Labor Relations Officer |
| Staff Source/Legal Source: Jason Batchelor, Deputy City Manager/Kim Skaggs, Assistant City Attorney |
| Outside Speaker: N/A |
| Council Goal: 2012: 6.0--Provide a well-managed and financially strong City |

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Jason Batchelor, Deputy City Manager / Kim Skaggs, Assistant City Attorney
Estimated time: 5 mins

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
|--|--|

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

City staff engaged in contract negotiations with the recognized bargaining unit, Fraternal Order of Police, Lodge 49, and the parties reached an agreement.

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

Included in the 2023-24 Agreement are the following summary items:

Taking effect in 2023

- Eliminate Step B
- Set Officer IV (\$65,000), III (\$72,001), II (\$79,558), and IA (\$86,218)
- 4.5% increase to top step all ranks (Officer, Agent, Sgt, LT, CPT)
- Retiree Health, same as Fire Contract
- Holiday addition
- Increase in non-uniformed clothing allowance
- Pilot Program for OT (LT 1.5x and Cpt 1.0x)

Taking effect in 2024

- 1.5% increase to Officer IV, III, II, IA
- 6% increase to Top Step for Officer, Agent, SGT, LT, CPT

If approved, Agreement takes effect January 1, 2023, through December 31, 2024.

QUESTIONS FOR COUNCIL

Does the City Council APPROVE THE AGREEMENT between the City of Aurora, Colorado, and the Fraternal Order of Police for 2023-2024?

LEGAL COMMENTS

Agreements reached by the representatives of the City and of the bargaining unit shall be set forth in a written contract prepared by them . . . to be jointly submitted to the City Council. The collective bargaining contract shall not be binding upon the parties, either in whole or in part, until and unless the members of the certified employee organization shall have ratified said contract by a majority vote in a secret ballot, and until and unless the City Council shall act by majority vote to formally approve said contract. The collective bargaining contract shall be signed by the Mayor and attested by the City Clerk. (City Charter Art. 15-8) (Skaggs)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Expending public funds pursuant to terms of Agreement.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A.

AGREEMENT BETWEEN

THE CITY OF AURORA

AND

FRATERNAL ORDER OF POLICE, LODGE # 49

JANUARY 1, 2023

THROUGH

DECEMBER 31, 2024

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PREAMBLE

This Agreement between the City of Aurora, herein referred to as the "City", and the Fraternal Order of Police, Lodge # 49, herein referred to as the "FOP", is designed to promote the improvement of labor relations between the City of Aurora and the commissioned officers of the Police Department, to protect the public health, safety, and welfare by assuring at all times the orderly and uninterrupted operations and services of City government. It is understood that this Agreement was negotiated in good faith and shall not be violated or abridged in any way by either party.

ARTICLE 1. COPIES OF AGREEMENT

The City shall furnish to the FOP twelve (12) copies of this Agreement and shall provide members of the bargaining unit access to this Agreement through electronic means, prior to commencement of this Agreement.

ARTICLE 2. NON-DISCRIMINATION AND FOP ACTIVITY

Section 1: The provisions of this Agreement in accordance with applicable federal and state laws shall be applied equally to all employees without discrimination as to race, religion, color, gender, sex, creed, age, sexual orientation, disability, ancestry, genetic information, veteran status or political affiliation, governed only by the limitation of the law regarding bona fide occupational qualifications.

Section 2: No department supervisor or representative of the City shall discriminate against any employee because they have formed, joined or chosen to be represented by the FOP or because they have given testimony or taken part in any grievance procedure or other hearings, negotiations or conferences as part of the FOP recognized under the terms of this Agreement.

Section 3: When the Police Chief or his/her designee has granted prior approval, FOP officials or representatives shall be allowed time away from their assigned duty station in order to conduct FOP business. Nothing herein shall limit the discretion of the Police Chief or his/her designee in approving such time off.

Section 4: The City agrees to deduct the FOP membership or initiation fees, dues, general or special assessments from the monthly gross pay of each officer who individually requests in writing that such deduction be made. The FOP shall designate the amount of the deduction and the aggregate amount of such deduction shall be remitted, together with an itemized statement, to the FOP no later than the fifteenth day of the month in which such deductions are made. The written authorization for deduction hereunder shall remain in full force and effect until revoked in writing by the officer.

Section 5: The FOP agrees that it will indemnify and save the City harmless from all suits, actions and claims against the City or persons acting on behalf of the City whether for damages, compensation, or any other combination thereof arising out of the City's compliance with the terms of Section 4 herein unless such damages are caused by the City's mistake. The FOP shall reimburse the City for any and all reasonable costs and attorney's fees arising out of the

defense of any such action against the City. The City agrees to cooperate with the FOP and its counsel concerning any such litigation.

ARTICLE 3. LEAVE SHARING PROGRAM

All members of the bargaining unit shall be allowed to participate in the leave sharing program as described in the Employee Manual. The City shall continue the Leave Sharing Program for the duration of this Agreement. A Police Officer recommended by the FOP shall be appointed by the Chief on the leave sharing committee for decisions that affect members of the bargaining unit.

ARTICLE 4. UNIFORMS AND EQUIPMENT

Section 1: During the term of this Agreement, the City shall pay for all leather gear purchased, replaced, or repaired for all Police Officers.

Section 2: The City shall provide one pair of shoes and one pair of boots that conform to Department policy. When several types of footwear are approved for wear by the Chief of Police, the Officer shall be allowed to choose the type that he/she prefers under this provision. The City shall pay one hundred percent (100%) of the expense of repair and replacement for all footwear provided by the City. When footwear needs to be resoled, the Police Officer shall select any sole consistent with the rules and regulations of the Aurora Police Department.

Section 3: The City shall provide a clothing allowance of \$60.00 per month for non-uniform Police Officers.

Section 4: The City shall provide five (5) full uniforms to each Police Officer. Each full uniform shall consist of one summer shirt, one pair of pants and one winter shirt. In addition, the City shall continue to provide one jacket, one raincoat, one hat and necessary ties.

Section 5: The City shall provide a vest allowance of \$1000.00 for the cost of purchasing a soft body armor vest to include the purchase of external plates and external and internal carrier under the uniform shirt, provided that this allowance shall be made available to each Police officer only one time every four years. If the vest is rendered unserviceable due to Police related activity, the City shall pay the full cost for replacement of the vest. If the City receives federal funds for the purchase of vests, the money will be used to reimburse the officer up to the full cost of the vest. The Police Officer may purchase the vest from the City's supplier in the same manner as any other equipment. If the vest costs more than the allowance, the Police Officer shall pay the difference. Also, the Police Officer may purchase the vest at any other supplier and submit the receipt for reimbursement up to the amount of the allowance.

ARTICLE 5. ANNUAL LEAVE

Section 1: The vacation schedule for all officers shall be as follows:

| | | |
|-----------------------------|-------------|-----------|
| Before completion of 2 yrs. | (4160 hrs.) | 80 hours |
| After completion of 2 yrs. | (4160 hrs.) | 88 hours |
| After completion of 3 yrs. | (6240 hrs.) | 112 hours |
| After completion of 4 yrs. | (8320 hrs.) | 120 hours |

| | | |
|-----------------------------|--------------|-----------|
| After completion of 5 yrs. | (10400 hrs.) | 128 hours |
| After completion of 6 yrs. | (12480 hrs.) | 136 hours |
| After completion of 10 yrs. | (20800 hrs.) | 144 hours |
| After completion of 14 yrs. | (29120 hrs.) | 184 hours |
| After completion of 20 yrs. | (41600 hrs) | 200 hours |

In calculating vacation accrual rates, Police Officers who were lateral hires will be given credit for three (3) additional years' experience with the City (e.g., a lateral hire with three (3) years' experience with the City shall accrue vacation at the same rate as a non-lateral hire with six (6) years' experience with the City).

Section 2: Vacations shall be taken pursuant to the Employee Manual except that whenever, in the opinion of the Chief of Police, due to excessive work loads and/or lack of personnel, a Police Officer is unable to utilize vacation accrued in excess of 260 hours which has been previously scheduled and approved, he/she shall be compensated at his/her hourly rate for each and every hour above the maximum accrual.

ARTICLE 6. PERSONAL LEAVE

Effective January 1, 2019, after completion of one (1) year of continuous service, all members of the bargaining unit shall receive twenty-eight (28) hours of personal leave with pay each calendar year. The eight (8) hour increase in personal leave from the 2017/18 Agreement is in recognition of the January 1, 2019 discontinuance of the practice of adding eight (8) hours each year to the annual leave banks for officers not in administrative positions within the Department.

Personal leave may not be taken in increments of less than two (2) hours and may not be accrued from year to year. Any personal leave that is not utilized in the year in which it accrues shall be lost and there is no compensation for unused personal leave.

ARTICLE 7. LEAVE OF ABSENCE

All commissioned police officers may apply for a leave of absence of up to one (1) year for purposes of continuing their education or to deal with hardships. Requests for leave without pay must be approved by the Chief of Police and the City Manager. However, leave without pay which is given pursuant to the City Charter regarding criminal allegations against police officers shall not be subject to above procedures and limits, but rather shall be subject to the language contained in the Charter.

All annual leave must be exhausted before a leave without pay may be granted, except maternity leave or when leave without pay is used in disciplinary action, or when the Police Chief approves leave without pay for an employee's professional activities. Any leave taken pursuant to FMLA shall not be considered leave of absence under this Article. During a leave without pay of more than one (1) work shift, an employee does not accrue vacation, sick leave, retirement, or step increase. Failure of a police officer to return from a leave without pay shall result in termination. A police officer on leave without pay for more than one (1) calendar month must pay the full cost of insurance benefits.

ARTICLE 8. PAID INJURY OR ILLNESS LEAVE

Paid injury or illness leave shall be granted to all Police Officers pursuant to the provisions of the Employee Manual. In the event a Police Officer suffers a job-related illness or injury, Police Officers remaining in the employ of the City may be granted up to two thousand eighty hours (2,080 hours) of paid leave in connection with the illness or injury. Employees who are on injury leave shall continue to accrue sick and annual leave and receive City-provided group benefits. Nothing in this Article shall affect a Police Officer's rights under the FMLA.

ARTICLE 9. SAFETY AND HEALTH

The City shall endeavor to conform to and comply with applicable Federal and State regulations regarding the safety and health of its employees during hours of employment.

ARTICLE 10. HEALTH AND DENTAL INSURANCE

Effective January 1, 2023 and 2024, the City shall offer members the same health and dental insurance plans offered to City employees not in a bargaining unit. Such offerings shall include multiple health insurance plans, with at least one plan having an actuarial value of at least 90% (meeting the actuarial value required of a platinum health plan as provided for in 45 CFR § 156.140) with a City premium contribution percentage to that plan of at least 87% for each coverage tier.

The FOP shall have representation on the City's Benefits Committee with the opportunity to participate in discussions regarding any proposed changes to health insurance plans offered by the City.

ARTICLE 11. RETIREE HEALTH

The City shall contribute in 2023 an amount equal to 2.4 percent (2.4%) of the 2022 total bargaining unit base salary, and in 2024 an amount equal to 2.4 percent (2.4%) of 2023 total bargaining unit base salary to a trust fund established by the FOP for the purpose of providing payments to members of or those promoted from the bargaining unit for health insurance for those who retire from the City in accordance with APD DM 4.6.7 on or after January 1, 2023.

The trust fund will be established in accordance with all applicable State and Federal laws. Prior to any such contribution being made, the FOP will provide the City with copies of the properly adopted Trust and Plan, and indicate the designated trustee. The City will transmit the amounts in question on a quarterly basis within three weeks following the first payroll in April, July, October and January.

The FOP agrees that the sole responsibility of the City in connection with this contribution is to forward the funds in question to the designated trustee and the FOP and the trustee are fully and completely responsible for the investment, management, and disposition of such funds, once they have been transferred to the trustee as required in this Article. The FOP agrees to hold the City harmless from any and all actions arising out of these contributions and operation of the trust fund whether such action is commenced by any Police Officer, the trustee or

anyone against the City, and will fully and completely indemnify and defend the City against any such suits, pay for any and all costs, attorneys fees or damages associated with any such action, provided that the City agrees to allow the FOP to provide legal representation to the City to defend any such suit unless there is a identified and legitimate ethical conflict preventing such representation. The City shall have the right to participate in and supervise the litigation in accordance with the attorney-client relationship created by such representation.

ARTICLE 12. GROUP LIFE INSURANCE

During the term of this Agreement, the City shall provide group life insurance coverage for each Police Officer in the bargaining unit in an amount equal to twice each Police Officer's annual salary rounded off to the next highest one thousand dollars (\$1,000.00) if not an even multiple of one thousand, and dependent life insurance in an amount of one thousand dollars (\$1,000.00) for each dependent. Officers may purchase additional coverage at their own expense.

ARTICLE 13. WAGES

Section 1: The base salary schedule for the Police Officers effective on the first pay period that includes January 1, 2023 is shown in Appendix A as attached hereto.

The base salary schedule for Police Officers effective on the first pay period that includes January 1, 2024 is shown in Appendix B as attached hereto.

Section 2: Step Increases. All Police Officers holding rank of Patrol Officer, First Grade or higher, shall receive step increases as set forth in Appendices A and B for that rank.

The step increases provided in Appendices A and B shall be made as described within those Appendices, provided that the Police Officer receives a satisfactory performance evaluation for that year, up to the maximum step for the rank on the salary schedules in Appendix A and B. Failure to receive a satisfactory performance evaluation in any given year shall result in no step increase for that year.

Failure to qualify for a step increase in any given year shall not result in the loss of any step increases earned in prior years.

Police Officers who promote ranks shall be placed in the lowest step in the new rank that results in at least a 2% (two percent) wage increase for the Police Officer. This shall not apply to Police Officers in the assignment of Patrol Officer Specialist, Police Sergeant Specialist, or Agent Specialist; rather, Police Officers in those assignments who promote shall be placed in the lowest step in the new rank that results in a wage increase from the step the Police Officer occupied in the rank without the assignment (Patrol Officer I, Police Sergeant or Police Agent).

Section 3: For all officers hired after January 1, 1997 who are eligible for the death and disability coverage provided under §31-31-811(4), C.R.S., the City shall make the required contribution to the death and disability fund for the years 2023 and 2024.

Section 4: Police Officers designated by the City as Patrol Officer Specialists, Police Agent Specialists, or Police Sergeant Specialists shall receive Specialist Pay in the form of a pensionable increase of 7% of their base salaries while so designated.

ARTICLE 14. GRIEVANCE PROCEDURE

Section 1: A grievance under the Agreement shall be confined to an alleged violation of any express provision of this Agreement and shall not include any disciplinary matters. Any Police Officer or group of Police Officers may discuss any matter with their supervisor without invoking the formal grievance procedure provided for in this Article.

Section 2: A grievance must be initiated by either an aggrieved Police Officer or by the FOP on behalf of any one or more individual Police Officers. The grievant must reduce the grievance to writing and present the written grievance to the office of the Chief of the Police Department within ten (10) working days after the grievant knew or should have known the facts which gave rise to the grievance and, to trigger the Chief's response time, send the grievance via email to all Deputy and Division Chiefs.

The written grievance should contain:

- (a) a written statement of the grievance and the facts upon which it is based;
- (b) a written allegation of the specific wrongful act and harm done; and
- (c) a written statement of the remedy or adjustment sought.

Section 3: The Chief of the Police Department or his designee shall meet with the grievant and, if the grievant is an individual, representatives of the FOP in an effort to resolve the grievance within ten (10) working days after being presented with the written grievance. The Chief of the Police Department or his designee must respond in writing to the grievance within ten (10) working days following the meeting with the grievant and/or representatives of the FOP.

Section 4: If the grievance is not resolved to the satisfaction of the FOP by the Chief of the Police Department or his designee, the FOP may appeal the grievance to the City Manager within ten (10) working days of receipt of the written answer of the Chief of the Police Department or his designee. Within ten (10) working days after receipt of the appeal, the City Manager or his designee shall meet with the grievant and if the grievant is an individual, with representatives of the FOP to discuss the grievance. Within ten (10) working days after this meeting, the City Manager or his designee shall give the FOP his answer in writing.

Section 5: Within ten (10) working days after the City Manager has issued his written decision, if the FOP is dissatisfied with the decision, the FOP shall give written notice to the City Manager of its intent to arbitrate. Within ten (10) working days of the written notice of intent to arbitrate, the parties shall attempt to select a neutral arbitrator to hear and determine the dispute. In the event the parties are unable to agree upon a neutral arbitrator, either party or its representatives may request a panel of seven (7) arbitrators from the Federal Mediation and Conciliation Service, and the parties shall choose the arbitrator by counter-striking the names on the list received. The findings of the Arbitrator shall be final and binding on all parties concerned.

Section 6: The Arbitrator shall have the authority to hold hearings and make procedural rules.

Section 7: The findings of the Arbitrator shall be consistent with law and with the terms of this Agreement. The Arbitrator shall have no power to add to, subtract from, disregard, alter, or modify, any of the terms of this Agreement.

Section 8: The cost of any arbitration as well as the Arbitrator's fee shall be borne equally by the parties to the Agreement.

Section 9: Either party may request a Certified Court Reporter to take a stenographic record of the evidence taken at an arbitration hearing. If such stenographic record is taken, a copy of the transcript shall be provided to the Arbitrator. The party requesting a stenographic record shall pay the cost thereof, except that if the other party shall request a copy of any transcript, the parties shall share equally the entire cost of making the stenographic record.

Section 10: The term "working days" as used in this Article shall be inclusive of Mondays through Fridays during which the administrative offices of the City are normally open. The term "working days" shall exclude Saturdays, Sundays, and legal holidays.

Section 11: The number of days indicated at each level of the grievance procedure shall be considered as a maximum unless said limit is mutually extended.

Section 12: Nothing contained in this Article is intended to interfere with or abridge any constitutional rights of its employees to petition the City.

ARTICLE 15. CHANGES TO EMPLOYEE MANUAL

During the term of this Agreement, before the City implements changes in the Employee Manual, it shall provide a copy of the proposed changes to the FOP at least thirty (30) days prior to implementation (except when required by law) to allow the FOP to provide input to the City regarding the proposed changes.

ARTICLE 16. SAVINGS CLAUSE

If any provision of this Agreement is subsequently declared by the proper legislative or judicial authority to be unlawful, unenforceable, or not in accordance with applicable statutes or ordinances, all other provisions of this Agreement shall remain in full force and effect for the duration of this Agreement.

ARTICLE 17. OVERTIME AND COMPENSATORY TIME

Section 1: Overtime shall be paid at the rate of one and one-half times (1 1/2 X) a Police Officer's regular hourly rate. Such overtime shall not apply to Lieutenants or Captains, except as specifically authorized by the Chief of Police. Overtime is defined as work performed in excess of the hours normally scheduled for any one (1) shift (either eight (8), nine (9), or ten (10) hours depending on assignment) and/or work performed in excess of forty (40) hours in any consecutive seven (7) calendar day period for Police Officers working on a seven (7) day duty cycle. For Police Officers assigned a duty cycle longer than seven (7) days, overtime shall include

any hours worked over forty (40) per week when the weekly average of hours worked during the duty cycle is calculated.

For Police Officers assigned to a twelve (12) hour shift, overtime is defined as work performed in excess of the hours normally scheduled for any one (1) shift and/or work performed in excess of forty three (43) hours in any consecutive seven (7) calendar day period for Police Officers working on a seven (7) day duty cycle. For Police Officers assigned a duty cycle longer than seven (7) days overtime shall include any hours worked over forty three (43) per week when the weekly average of hours worked during the duty cycle is calculated.

On a pilot basis for 2023 and 2024 only, Lieutenants and Captains shall receive additional pay in accordance with Department policy for work performed in excess of forty-five (45) hours in any consecutive seven (7) calendar day period for Lieutenants and Captains working on a seven (7) day duty cycle (or for Lieutenants and Captains assigned a duty cycle longer than seven (7) days, for hours worked over forty-five (45) per week when the weekly average of hours worked during the duty cycle is calculated), as follows: (a) Lieutenants shall be paid their overtime rate for such work and (b) Captains shall be paid their regular rate for such work.

Section 2: Base Pay. Computation of the officer's hourly rate shall be determined by adding the officer's annual base salary and steps, to which the officer is entitled in a given year and dividing that total annual figure by two thousand eighty (2080) hours. Necessary adjustments, because of the mode of payment of any of these items, will be made on an annual basis.

Section 3: Members of the bargaining unit shall be paid overtime pay when those members are off duty and are required to appear for court, authorized administrative hearings, or they are required to come to work to perform police functions. Members will be paid overtime for the actual time worked except that there will be a two-hour minimum overtime pay for being called in from an off-duty status. Members shall receive two hour minimum overtime pay for multiple "show-ups" in the same day as long as the show ups are at different locations or at least two hours apart from one another at the same location. Members who are required to appear in court immediately after their normal tour of duty will be paid overtime for the actual time spent in court. Members who are required to appear in court within two hours immediately preceding their normal duty time will receive the two-hour minimum overtime payment.

The two-hour minimum overtime pay shall also apply to subpoenas to testify in job related civil cases as long as any other monies received from outside sources are turned over to the Department when submitting for overtime payment. When members are required to appear for Internal Affairs investigations or other municipal administrative hearings they shall receive the two-hour minimum overtime payment as long as their testimony is for the City. This section does not apply to an accused member who appears at an administrative hearing if the alleged charges are sustained.

Members who receive subpoenas for court while they are on suspension without pay shall not be entitled to the two-hour minimum or to overtime pay under any circumstances. All pay shall be at straight time for the actual time spent in court.

Section 4: Compensatory Time. All overtime worked pursuant to the collective bargaining agreement between the City of Aurora and the FOP shall be compensated for

in either money or time off pursuant to this agreement. All overtime work must be approved by the member's supervisor prior to the work being performed. Time worked will be recorded pursuant to the Department's established record keeping procedures.

After working overtime, members will designate whether they want to be compensated in money or time off. If the member requests compensation in money, that request will be honored unless a supervisor, for reasonable cause, denies the request. Any such denial is subject to review through the chain of command and ultimately through the grievance procedure of the collective bargaining agreement. If the member requests compensation in compensatory time off, said request shall be granted, absent extraordinary circumstances, until the member achieves a bank of one hundred sixty (160) hours (106.67 hours of overtime worked). If a member has accumulated a bank of one hundred sixty (160) hours or more, then a request for further accrual of compensatory time off must be approved by a Division Chief or his designee.

The maximum amount of time accumulated in a compensatory time bank for each member, subject to proper approval, is four hundred and eighty (480) hours of compensatory time off for overtime worked on or after April 15, 1986.

When a member wants to take compensatory time off which was previously earned, the following procedures will apply. If the member desires to take off a block of time less than forty (40) hours, his request to do so must be granted within fourteen (14) days of the request, except under emergency circumstances. If the member desires to take off a block of time of forty (40) hours or more, the member must make the request to do so at least thirty (30) days prior to the beginning of the time off. The request will be granted unless, in the judgment of the Chief and/or his designee, granting the request at the time in question would unduly disrupt the operations of the Police Department. Under all circumstances, pre-approved vacations take precedence over requests to use compensatory time.

Notwithstanding the provisions of this subsection 4, the City may, at its sole discretion, freely substitute cash, in whole or in part, for compensatory time off for all officers.

Upon termination of employment for any reason, including death, the Police Officer, his beneficiaries or his estate, shall be paid all compensatory time in the member's bank at the time of termination.

Section 5: On-Call/Stand-By. Members of the bargaining unit who are assigned on-call duty and who are specified on a list designated by the Police Chief shall be paid three (3) hours of overtime pay for each calendar week of on-call duty. Members may elect to convert these hours to four and a half (4.5) hours of compensatory time.

Section 6: K-9 Officers. Members of the K-9 unit will be compensated for the care and maintenance of dogs by being credited with four (4) hours of compensatory time at straight time rate per calendar week.

ARTICLE 18. WORKING OUT OF RANK

Section 1: After a Police Officer fills a vacancy and performs duties of a higher rank for one hundred and sixty (160) cumulative hours, he/she shall receive pay at the higher rank

for all subsequent hours of work in that rank. The one hundred and sixty (160) hours need only be accumulated one time for that rank following January 1, 2006.

Section 2: Whenever a Police Officer enters into a voluntary agreement with the Department to be assigned and performs duties of a higher rank in order to receive training and/or experience in the higher rank, and said agreement is for a predetermined length of time, the Police Officer shall not receive the pay of the higher rank until the one hundred eighty-first (181st) calendar day of performance of the duties of that higher rank.

ARTICLE 19: SICK LEAVE

Section 1: Sick leave shall be considered proper for the sole purpose of wage continuation when a Police Officer:

1. Is incapacitated due to illness, non-job related injury, sleep deprivation or disorder, or other bona fide medical condition that would interfere with a Police Officer's ability to safely carry out job-related duties;
2. When the Police Officer or immediate family member requires health examinations or scheduled medical treatment;
3. To supplement worker's compensation benefits after the expiration of injury leave;
4. When the Police Officer is required to be in attendance for the necessary medical care of a member of the Officer's immediate family;
5. Any other reason required pursuant to Colorado's Healthy Families and Workplaces Act.

Employees must notify their appropriate supervisor before their shift begins if they are going to be absent from work and the absence is to be charged to sick leave. If improper use of sick leave is indicated, supervisors have the authority to request that medical verification for absence be provided. Leave shall be taken according to the sick leave procedure in the Employee Manual.

Section 2: Each member of the bargaining unit shall accrue one hundred twenty (120) hours of sick leave for each two thousand eighty (2080) hours of regular work.

Section 3: Sick Leave Conversion. Sick leave hours accumulated in excess of established minimums may be converted annually on January 1 at a rate of one (1) hour's pay for each two (2) hours of sick leave up to the established maximum for Police Officers. A sick leave balance of seven hundred twenty (720) hours is required before any payment will be made. No more than two hundred forty (240) hours may be converted on an annual basis so that the maximum payment in any one year shall be one hundred twenty (120) hours.

Section 4: Payment Upon Separation. Upon separation after five (5) years of continuous service, Police Officers may receive one (1) hour's pay for every two (2) hours of accumulated sick leave provided such separation has not been the result of dismissal for cause.

The maximum payment for each Police Officer shall be for four hundred eighty (480) hours of unused sick leave. It is understood that the maximum payment specified in this section, of four hundred eighty (480) hours, is one-half (1/2) of the maximum sick leave accumulation allowed to be converted. In other words, upon separation, no more than nine hundred sixty (960) hours of sick leave may be converted at the rate of two hours accumulated sick leave for one hour of pay; therefore, a maximum payment equal to four hundred eighty (480) hours.

ARTICLE 20. FLEXIBLE SPENDING ACCOUNT

All members of the bargaining unit shall be allowed to participate in the Flexible Spending Account program pursuant to the rules and regulations of that program.

ARTICLE 21. EMERGENCY LEAVE

The Chief of Police shall allow any Police Officer up to five (5) working days or forty (40) hours emergency leave in the case of an emergency or death involving the Officer's immediate family as defined by the Employee Handbook. Emergency leave may also be granted in the case of natural disaster, such as a home fire or for a medical emergency, and shall include one (1) day for an Officer's attendance at the birth of his/her child.

Minor illnesses, normal childhood diseases, and scheduled medical treatment, including scheduled surgery, shall not be considered emergencies.

ARTICLE 22. HOLIDAYS

Section 1: The following shall be legal holidays for all members of the bargaining unit.

| | |
|-------------------------------|---|
| New Year's Day | January 1 |
| Martin Luther King Day | 3rd Monday in January |
| Memorial Day | Last Monday in May |
| Juneteenth | June 19 |
| Independence Day | July 4 |
| Labor Day | 1st Monday in September |
| Veterans' Day | November 11 |
| Thanksgiving Day | 4th Thursday in November |
| Friday after Thanksgiving Day | Friday after the 4 th Thursday in November |
| Christmas Day | December 25 |

Section 2: An officer whose work shift commences on the day on which the holiday is observed or an officer whose scheduled day off falls on the day on which the holiday is observed will have eight (8) hours credited toward his/her vacation bank.

Section 3: In addition to receiving holiday time for the holiday, an officer who is scheduled to work a shift beginning on a holiday listed above (not the day the holiday is observed,

if different than the holiday listed above) shall be paid at their overtime rate for all hours worked on that shift. Officer may only receive holiday premium pay under this Article for one shift per listed holiday.

ARTICLE 23. MATERNITY LEAVE

The provisions of the Employee Manual governing maternity leave shall apply to Police Officers.

ARTICLE 24. PAID INSURANCE FOR SURVIVORS

Section 1: In the event that a member of the bargaining unit is killed in the line of duty as defined herein, the City shall pay the full cost of health and dental insurance for a surviving spouse (including civil union partner) and children of the member with the following conditions:

- a. The payments for a surviving spouse (including civil union partner) will end two years after the member's death or upon remarriage, whichever occurs first;
- b. The payments for a child will end two years after the member's death or upon the child reaching age 18, whichever occurs first.

Section 2: As used herein and in Article 25, Funeral Expenses, the phrase "line of duty" means acting as a Police Officer, on or off duty, unless so acting while employed by an employer other than the City of Aurora.

ARTICLE 25. FUNERAL EXPENSES

When a member of the bargaining unit is killed in the line of duty (as defined in Article 24, Paid Health Insurance for Survivors), or dies from injuries sustained in the line of duty, the City shall be responsible for the actual funeral and burial expenses incurred by the survivors up to a maximum of fifteen thousand dollars (\$15,000.00).

ARTICLE 26. MILITARY LEAVE AND MOBILIZATION

Section 1. Police Officers shall be entitled to one hundred twenty (120) hours of annual military leave per calendar year pursuant to the Employee Manual. In addition, officers who are on an active duty deployment of ninety (90) consecutive days or more shall receive paid leave for the day before they are deployed and the day immediately prior to their return to work from the deployment.

Section 2. Any member of the United States uniformed services who is mobilized by order of a state governor on declaration of a civil emergency or because of: war; an

Authorization of Use of Military Force (AUMF) by the Congress; a national security crisis declared by the President; or a military deployment by direction of the President, shall continue to accrue vacation, personal leave and sick leave, which accrual shall be credited to the officer when he/she returns from active service, and shall continue to be eligible for step increase in accordance with Article 13, Section 2. The City shall provide medical and dental coverage at no cost to the officer or dependents during such active military service. Additionally, upon return from service, the officer shall have the option of contributing the amount of his/her pension contribution that the officer would have contributed had the officer not been on active duty, and if the officer chooses to contribute such amount, the City shall make the appropriate City contribution to the pension fund.

Section 3. Nothing in this article shall be construed to reduce any rights granted under the Uniformed Service Employment and Reemployment Rights Act.

ARTICLE 27. POST EMPLOYMENT HEALTH PLAN

Section 1: The City agrees to participate in the Post Employment Health Plan (PEHP), Health Care Insurance Premium Sub-account, for Collectively Bargained Public Employees (Plan) in accordance with the terms and conditions of the Plan's Participation Agreement, a copy of which has been provided to the City. The parties hereto hereby designate Nationwide Retirement Solutions (or its successor appointed in accordance with the Plan and Trust documents) to act as Plan Administrator for the Plan and the City agrees to contribute to the Plan as set forth in this Article.

Section 2: Except as provided in Section 3, upon termination of employment (which does not include death) after having completed 19½ years of service or having reached age 55, or qualifying for a disability retirement, a percentage of the eligible police officer's accumulated sick leave and accrued but unpaid vacation that would have otherwise been paid to the eligible police officer had the City not participated in the Plan shall be contributed to the Participant's Health Care Insurance Premium Reimbursement Sub-account. Those police officers who separated from service prior to January 1, 2006 shall not be subject to the Plan. The FOP will notify the City of the contribution percentage of the eligible police officers' accumulated sick leave by November 15th of the previous year, as provided in Section 4. This section is further subject to the following restrictions:

- (a) The City shall deduct any overpayments to the police officer or other legal offsets due to the City from the police officer prior to the percentage calculation being made, however, before overpayment deductions and other legal offsets are made from accumulated sick leave and accrued but unpaid vacation, the City will first make the deductions and offsets from other compensable absences of the police officer, if any, and then any remaining balance shall be deducted and offset from the accumulated sick leave and accrued but unpaid vacation; and
- (b) The percentage calculation shall be made after the City processes designated deferred compensation contributions or designated roll-overs of the police officer.

Section 3: Police officers who are eligible for fully paid family retiree medical benefits through TRICARE, any other military program or by their status as a Native American

through the Bureau of Indian Affairs medical benefit programs shall not be eligible for or subject to the contribution amount set forth in this Article.

Section 4: Annually, the FOP reserves the right to modify the funding formulas of the Plan as set forth in Section 2 pertaining to the amount of accumulated sick leave and accrued but unpaid vacation being contributed to the Plan on behalf of the eligible police officers.

ARTICLE 28. DEFERRED COMPENSATION

Section 1: Members of the bargaining unit may participate in any of the deferred compensation plans offered by the City.

Section 2: The City will allow loans to be taken against City administered deferred compensation accounts in accordance with Internal Revenue Service regulations, to the extent permitted by the plan(s).

ARTICLE 29. TERM OF AGREEMENT

This Agreement shall become effective January 1, 2023 and all of its provisions shall remain effective through December 31, 2023. Additionally, all provisions which do not have a budget impact shall remain effective from and including January 1, 2023 through and including December 31, 2024.

The parties to this Agreement mutually desire that all of its provisions shall be and remain effective from January 1, 2023, through and including December 31, 2024. However, in order to ensure compliance with the provisions of the TABOR Amendment, Article X, Section 20(4)(b) of the Colorado Constitution and because the parties recognize that there may be an inability on the part of the City of Aurora to contract at this time for items with a budget impact until such time as the budget process for the fiscal year 2022 is followed, the parties hereby agree that the FOP shall reopen this Agreement for negotiations of all items with a fiscal impact (impact on budget) which are to be effective on January 1, 2024 through and including December 31, 2024. This reopener shall be initiated within the time limits specified in Article XV of the Charter of the City of Aurora. In the event the parties are unable to agree that those items contained in the Agreement which by their own terms are to be effective on January 1, 2024 shall be placed into effect, then that party which refuses to renew the Agreement at that time shall be deemed to have bargained in bad faith during negotiations leading to the 2024 Agreement for any and all purposes.

It is specifically understood and agreed that this conclusion of failure to bargain in good faith shall be utilized by a fact finder, mediator or arbitrator appointed pursuant to Article XV of the of the Charter of the City of Aurora, and may be the basis relied upon by the fact finder pursuant to Article XV to recommend that those provisions contained in this Agreement to be effective on January 1, 2024 should be placed into effect on January 1, 2024.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this Agreement as of the date hereof by their respective representatives duly authorized to do so this ____ day of _____, 2022.

CITY OF AURORA

FOP

By: _____
Mayor

By: _____
President

By: _____
City Manager

By: _____
Secretary

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney



CITY OF AURORA

Late Submission Approval for Agenda Item

Item Title: Collective Bargaining Agreement

Item Initiator: Jacob Bergeron

Staff Source/Legal Source Jacob Bergeron, Labor Relations Officer/Kimberly Skaggs, Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 1.0--Assure a safe community for people

CRITERIA - PLEASE CONSIDER ITEM FOR LATE SUBMISSION FOR THE FOLLOWING REASON:

- There is a time-sensitive legal requirement that must be met and cannot be met by a future meeting date
- The delay will result in an adverse financial impact to the city
- The item is related to a disaster and must be addressed before the next available meeting

COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session

Regular Meeting: 7/11/2022

EXPLANATION: ***(Please provide a detailed explanation as to why the item falls into one or more of the above criteria and why it may not be set for a future meeting date.)***

Negotiations have ended.

I understand the agenda item will not be added to the agenda without submitting this completed form as an attachment in e-Scribe. The agenda item will not be added to the agenda if the workflow is not completed by the WORKFLOW COMPLETED date indicated on the agenda deadline calendar.

Jason Batchelor

Agenda Item Initiator Name

Jason R Batchelor 06/29/22

Agenda Item Initiator Signature Date

Late Submission Approver Name

Late Submission Approver Signature Date

**APPENDIX A
CIVIL SERVICE EMPLOYEES/POLICE
2023 WAGE SCHEDULE
1/1/2023 - 12/31/2023**

| POSITIONS | A | B |
|--|-------------------------------------|------------------------------------|
| PATROL OFFICER, IV Grade 801 | \$65,000 \$5,417 \$31.25000 | |
| PATROL OFFICER, III Grade 802 | \$72,001 \$6,000 \$34.61587 | |
| PATROL OFFICER, II Grade 803 | \$79,558 \$6,630 \$38.24904 | |
| PATROL OFFICER, I Grade 804 | \$86,218 \$7,185 \$41.45096 | \$100,010 \$8,334 \$48.08173 |
| POLICE AGENT Grade 805 | \$110,399 \$9,200 \$53.07644 | |
| POLICE SERGEANT Grade 806 | \$120,166 \$10,014 \$57.77212 | |
| POLICE LIEUTENANT Grade 807 | \$137,741 \$11,478 \$66.22163 | |
| POLICE CAPTAIN Grade 808 | \$151,590 \$12,633 \$72.87981 | |

**APPENDIX B
CIVIL SERVICE EMPLOYEES/POLICE
2024 WAGE SCHEDULE
1/1/2024 - 12/31/2024**

| POSITIONS | A | B |
|--|-------------------------------------|------------------------------------|
| PATROL OFFICER, IV Grade 801 | \$65,975 \$5,498 \$31.71875 | |
| PATROL OFFICER, III Grade 802 | \$73,081 \$6,090 \$35.13510 | |
| PATROL OFFICER, II Grade 803 | \$80,751 \$6,729 \$38.82260 | |
| PATROL OFFICER, I Grade 804 | \$87,511 \$7,293 \$42.07260 | \$106,011 \$8,834 \$50.96663 |
| POLICE AGENT Grade 805 | \$117,023 \$9,752 \$56.26106 | |
| POLICE SERGEANT Grade 806 | \$127,376 \$10,615 \$61.23846 | |
| POLICE LIEUTENANT Grade 807 | \$146,005 \$12,167 \$70.19471 | |
| POLICE CAPTAIN Grade 808 | \$160,685 \$13,390 \$77.25240 | |



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to APPROVE AN AGREEMENT between the City of Aurora, Colorado, and the International Association of Fire Fighters for the years 2023-2024

Item Initiator: Jacob Bergeron, Labor Relations Officer

Staff Source/Legal Source: Jason Batchelor, Deputy City Manager/Kim Skaggs, Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 6.0--Provide a well-managed and financially strong City

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 7/11/2022

ITEM DETAILS:

Consideration to APPROVE AN AGREEMENT between the City of Aurora, Colorado, and the International Association of Fire Fighters for the years 2023-2024

- Jason Batchelor, Deputy City Manager/Kim Skaggs, Assistant City Attorney
- Estimated presentation: 5 minutes

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

- | | |
|---|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as proposed at Study Session |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input checked="" type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only | |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration Reason for waiver is described in the Item Details field. | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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

City staff engaged in contract negotiations with the recognized bargaining unit, International Association of Fire Fighters, Local 1290, and the parties reached an agreement.

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

Included in the 2023-24 Agreement are the following summary items:

Taking effect in 2023

- Eliminate Step IA
- Set all rates equal to 2022 Denver (except engineer)
- Increase FF Paramedic Pay from 8.6% to 10.0%
- One time payment of \$8,000
- T+1/Juneteenth holiday
- **Chief's change to grievance procedure**
- Add 1% Specialty Pay for Fire Investigators
- **No "acting" paramedic cert pay**

(cert pay only when certified by AFR Med. Dir.)

Taking effect in 2024

- 1.5% increase to Officer IV, III, II, IA
- 6% increase to Top Step for Officer, Agent, SGT, LT, CPT

If approved, Agreement takes effect January 1, 2023, through December 31, 2024.

QUESTIONS FOR COUNCIL

Does the City Council APPROVE THE AGREEMENT between the City of Aurora, Colorado, and the International Association of Fire Fighters for 2023-2024?

LEGAL COMMENTS

Agreements reached by the representatives of the City and of the bargaining unit shall be set forth in a written contract prepared by them . . . to be jointly submitted to the City Council. The collective bargaining contract shall not be binding upon the parties, either in whole or in part, until and unless the members of the certified employee organization shall have ratified said contract by a majority vote in a secret ballot, and until and unless the City Council shall act by majority vote to formally approve said contract. The collective bargaining contract shall be signed by the Mayor and attested by the City Clerk. (City Charter Art. 14-8) (Skaggs)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Expending public funds pursuant to terms of Agreement.

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: N/A



CITY OF AURORA

Late Submission Approval for Agenda Item

Item Title: Collective Bargaining Agreement

Item Initiator: Jacob Bergeron

Staff Source/Legal Source Jacob Bergeron, Labor Relations Officer/Kimberly Skaggs, Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 1.0--Assure a safe community for people

CRITERIA - PLEASE CONSIDER ITEM FOR LATE SUBMISSION FOR THE FOLLOWING REASON:

- There is a time-sensitive legal requirement that must be met and cannot be met by a future meeting date
- The delay will result in an adverse financial impact to the city
- The item is related to a disaster and must be addressed before the next available meeting

COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session

Regular Meeting: 7/11/2022

EXPLANATION: ***(Please provide a detailed explanation as to why the item falls into one or more of the above criteria and why it may not be set for a future meeting date.)***

Negotiations have ended.

I understand the agenda item will not be added to the agenda without submitting this completed form as an attachment in e-Scribe. The agenda item will not be added to the agenda if the workflow is not completed by the WORKFLOW COMPLETED date indicated on the agenda deadline calendar.

Jason Batchelor

Agenda Item Initiator Name

Jason R Batchelor 06/29/22

Agenda Item Initiator Signature Date

Late Submission Approver Name

Late Submission Approver Signature Date

**AGREEMENT
BETWEEN
CITY OF AURORA
AND
LOCAL 1290
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS**

**JANUARY 1, 2023
THROUGH
DECEMBER 31, 2024**

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PREAMBLE

This Agreement between the City of Aurora, herein referred to as the "City" and Local 1290, International Association of Fire Fighters, herein referred to as "Local 1290" is designed to promote the improvement of labor relations between the City of Aurora and the uniformed, sworn members of the Fire Department, to protect the public health, safety, and welfare by assuring at all times the orderly and uninterrupted operations and services of City government. It is understood that this Agreement was negotiated in good faith and shall not be violated or abridged in any way by either party.

ARTICLE 1 -- RECOGNITION

Local 1290, having been selected as the representative of the City of Aurora Fire Fighters by a majority vote cast in a secret ballot election, and Local 1290 having been duly certified as such representative by the City of Aurora, and the City herewith recognizes Local 1290 as the exclusive bargaining agent of all sworn, uniformed members of the Aurora Fire Department up to and including the rank of Fire Captain for purposes of negotiating wages, hours, fringe benefits, and other terms and conditions of employment of such employees. The City recognizes that Local 1290 has the right to represent employees at any step of existing grievance procedures when the employee desires such representation.

ARTICLE 2 -- CHECK-OFF

During the life of this Agreement, the City agrees to deduct Union membership dues, fees and assessments levied by Local 1290 in accordance with the Constitution and By-Laws of Local 1290 from the pay of each employee (Union member) including probationary employees who execute or have executed an "Authorization for Payroll Deduction" form. Union membership dues and year-to-date totals of dues shall be noted, where possible, in the appropriate space on the employee's pay slip.

Any Fire Fighter who is not a member of the Union and who individually requests in writing that a fair share deduction be made by completing an "Authorization for Payroll Deduction" form shall have such deduction implemented by the City.

The Union agrees to indemnify and hold harmless the City for any loss or damage arising from the operation of this Article, unless such loss or damage is caused or contributed to by actions of the City.

ARTICLE 3 -- COPIES OF THE AGREEMENT

The City shall furnish to the Union one original fully executed Agreement, and an electronic copy of this Agreement as soon as possible after execution, and shall

provide members of the bargaining unit access to this Agreement through electronic means.

ARTICLE 4 -- NON-DISCRIMINATION AND UNION ACTIVITY

The provisions of this Agreement in accordance with applicable Federal and State Laws shall be applied equally to all employees without discrimination as to race, religion, color, gender, sex, creed, age, sexual orientation, disability, ancestry, genetic information, veteran status or political affiliation, governed only by the limitation of the law regarding bona fide occupational qualifications. The Union shall share equally with the City the responsibility for applying this provision of the Agreement.

No department supervisor or representative of the City shall discriminate against any employee because he or she has formed, joined or chosen to be represented by the Union or because he or she has given testimony or taken part in any grievance procedure or other hearings, negotiations or conferences as part of the Union recognized under the terms of this Agreement.

Union officials or representatives may be granted time away from their assigned duty station with prior approval of the Fire Chief or his designee, in order to conduct Union business.

ARTICLE 5 -- ANNUAL LEAVE

Section 1: Accrual:

a. Eight (8) hour fire personnel shall be entitled to accrue annual leave in accordance with the following schedule:

| <u>Length of Employment</u> | | <u>Annual Leave Hours Accrued Each 2080 Hours of Regular Time Worked</u> |
|-----------------------------|--------------|--|
| Before Completion of 3 yrs. | (6240 hrs.) | 104 hours |
| After completion of 3 yrs. | (6240 hrs.) | 120 hours |
| After completion of 10 yrs. | (20800 hrs.) | 137 hours |
| After completion of 11 yrs. | (22880 hrs.) | 154 hours |
| After completion of 12 yrs. | (24960 hrs.) | 171 hours |
| After completion of 13 yrs. | (27040 hrs.) | 188 hours |
| After completion of 14 yrs. | (29120 hrs.) | 205 hours |

b. Effective July 1, 2018, employees of the Fire Department working twenty-four (24) hour work shifts shall be entitled to accrue annual leave and charge it against twenty-four (24) hour work shifts in accordance with the following schedule:

| <u>Length of Employment</u> | <u>Annual Leave Hours Accrued Each 2496 Hours of Regular Time Worked</u> |
|-----------------------------|--|
| Before completion of 3 yrs. | 120 hours |
| After completion of 3 yrs. | 144 hours |
| After completion of 10 yrs. | 168 hours |
| After completion of 12 yrs. | 192 hours |

Section 2:

Annual leave shall be utilized in accordance with the provisions of the Employee Manual and Department Policies and Procedures.

Section 3: Maximum Accrual:

As of January 1st of each year, maximum permissible accrual shall be as follows:

| <u>Category of Employees</u> | <u>Maximum Leave Accrual</u> |
|-------------------------------------|------------------------------|
| Twenty-four (24)-hour Fire Fighters | 360 hours |
| Eight (8)-hour Fire Fighters | 256 hours |

The Fire Chief may recommend compensation for any excess accrued leave if, in the Chief's opinion, unusually heavy workloads and/or lack of personnel have prevented an employee from using the excess leave. Such compensation shall be at the employee's regular hourly rate for each hour over the maximum accrual as of January 1.

ARTICLE 6 -- SICK LEAVE

Effective July 1, 2018, all fire fighters who work a twenty-four (24) hour shift shall accrue one hundred forty-four (144) hours of sick leave per two thousand four hundred ninety-six (2,496) hours of work, and all fire fighters who work an eight (8) hour shift shall accrue one hundred four (104) hours of sick leave per two thousand eighty (2,080) hours of work.

Sick leave will be taken in accordance with the Employee Manual and City and Department Policies and Procedures, except that:

- a. Twenty-four (24) hour shift personnel of the Fire Department shall be entitled to be paid for one-half ($\frac{1}{2}$) of accrued sick leave in excess of nine hundred sixty (960) hours (40 shifts).
- b. Twenty-four (24) hour shift personnel of the Fire Department who have completed five (5) years of service, upon separation for any reason other than dismissal for cause, shall be paid for one-half ($\frac{1}{2}$) of all unused sick leave accrued, but in no event shall such payment exceed nine hundred sixty (960) hours.
- c. Eight (8) hour shift personnel of the Fire Department shall be entitled to be paid one-half ($\frac{1}{2}$) of accrued sick leave in excess of six hundred and eighty-four (684) hours.
- d. Eight (8) hour shift personnel of the Fire Department who have completed five years of service, upon separation for any reason other than dismissal for cause, shall be paid for one-half ($\frac{1}{2}$) of all unused sick leave accrued, but in no event shall such payment exceed six hundred and eighty-four (684) hours.
- e. The foregoing provisions will be effective January 1, 1983, and pay-offs under subsections (a) and (c) will occur in January of each year at the rate in effect at the time of pay-off.

Prior to separation of service for any reason the Fire Fighter may elect to have any or all accumulated sick leave and unused vacation time paid as compensation. The election to have these monies paid cannot be made more than 12 months prior to separation and must be made at least 60 days prior to separation and shall be paid at least five (5) working days before separation. The fire fighter may contribute this compensation into the City's Deferred Compensation Plan pursuant to the rules of that Plan. Any accumulated sick leave or unused vacation remaining after the election shall be paid into the Post Employment Health Plan for eligible fire fighters as set forth in Article 32. This provision is subject to all limits and regulations governing a §457 plan as enforced by the Internal Revenue Service, including deferral limits and the timing of deferral election forms.

ARTICLE 7 -- PERSONAL LEAVE

Effective January 1, 2018, Fire personnel shall no longer accrue personal leave.

ARTICLE 8 -- HOLIDAY PAY

Section 1: Effective January 1, 1997 the following shall be legal holidays for all employees:

New Year's Day
Martin Luther King Day
Presidents' Day
Memorial Day
Juneteenth
Independence Day
Labor Day
Veterans' Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day
Any other special holiday designated by the City Council

Section 2: Effective January 1, 2018, Fire personnel under Civil Service working twenty-four hour shifts shall be compensated at time and one-half (1 ½) for hours worked during the legal holidays set forth in Article 8, Section 1.

Section 3: Holidays shall be observed in accordance with the provisions of the Employee Manual and City and Department Policy and Procedures.

ARTICLE 9 – PAID INJURY OR ILLNESS LEAVE

Paid injury or illness leave shall be granted to all Fire Fighters pursuant to the provisions of the Employee Manual. In the event a Fire Fighter suffers a job-related illness or injury, Fire Fighters remaining in the employ of the City may be granted up to 1 year (2,496 hours for 24-hour employees or 2,080 hours for 8-hour employees) of paid leave in connection with the illness or injury. Nothing in this Article shall affect a Fire Fighter's rights under the FMLA.

ARTICLE 10 -- MATERNITY/PATERNITY LEAVE

Portions of the Employee Manual governing Maternity/Paternity Leave shall apply to Fire Fighters, except that a Fire Fighter may, at her/his discretion, utilize any leaves which are available to her/him or take a leave without pay for the birth of a child within the timeframes described in the Employee Manual.

ARTICLE 11 -- CALL BACK FOR NORMAL OVERTIME

Overtime pay will be paid from the beginning of the shift or at the time a person is called once the shift has started provided the Fire Fighter reports to the duty station within one (1) hour after being called. If the Fire Fighter's arrival time is after the allowed travel time, the Fire Fighter shall receive compensation for the time worked after the arrival at the duty station and shall not be compensated from the time he/she was initially called.

ARTICLE 12 -- OVERTIME

Section 1: When an 8 hour Fire Fighter voluntarily works a 24 hour shift in addition to his/her 40 hour work week, the rate paid for such overtime is time and one-half of a 24 hour Fire Fighter's hourly rate at the grade and step of the 8 hour Fire Fighter who performs the overtime work.

Section 2: Overtime shall be paid for any hours a Fire Fighter works beyond the Fire Fighter's normal schedule, provided that trades shall not trigger the requirement to be paid overtime. The rate paid for such overtime is time and one-half of the rate associated with the position worked.

Section 3: Nothing in this Article shall affect the City's exclusive right to direct and schedule the work of Fire Fighters.

ARTICLE 13 -- ACTING PAY

Whenever a Fire Fighter fulfills the duties and responsibilities of a rank or position above the rank or position which he/she holds, the Fire Fighter shall be compensated at the rate of such higher rank or eight percent (8.0%) above his/her current rate, whichever is greater, for the period of time that such Fire Fighter continues to fill said higher rank.

Whenever a Fire Fighter with paramedic certification as certified by the Aurora Fire Rescue Medical Director acts at a higher rank, their Acting Pay shall include the paramedic certification pay (as set forth in Article 21 of this Agreement) of their acting rank not their current rank.

Except as provided herein, no Fire Fighter shall receive Acting Pay for fulfilling the duties and responsibilities of a paramedic.

ARTICLE 14 -- EMPLOYEE MANUAL

The Employee Manual of the City of Aurora shall remain in full force and effect except when in conflict with the provisions of this Agreement. During the term of this Agreement, before the City implements changes in the Employee Manual, it shall provide a copy of the proposed changes to the IAFF at least thirty (30) days prior to implementation (except when required by law) to allow the IAFF to provide input to the City regarding the proposed changes.

ARTICLE 15 -- WORK WEEK

Effective January 1, 2017, Fire Fighters currently working 24-hour shifts shall continue to work an average of 56.15 hours per week. Effective July 1, 2018, Fire Fighters working 24-hour shifts shall work an average of 48 hours per week. The present shift periods and schedules shall remain unchanged unless the City first consults with Local 1290 before any changes are made. The foregoing sentence does not and shall not be taken to imply or infer that the City considers matters of work scheduling to be negotiable in recognition of Article 14-3 of the City Charter.

ARTICLE 16 -- LABOR-MANAGEMENT COMMITTEE

There shall be a committee of appropriate size constituted of a representative or representatives of the collective bargaining unit appointed by Local 1290 and a similar number of representatives designated by the Fire Chief which shall meet on a monthly basis or less often, by mutual consent, and such meeting shall be held during working hours. The purpose of these meetings will be to discuss problems and objectives of mutual concern not involving grievances or the terms and conditions of this Agreement.

ARTICLE 17 -- RESEARCH COMMITTEE

At an appropriate point in time prior to the commencement of negotiations for any replacement collective bargaining agreement, the City and Local 1290 shall appoint representatives to research appropriate statistical data which will be relevant to the collective bargaining for the replacement contract. The only responsibility of such persons shall be to develop data and they shall not formulate any opinion or conclusions therefrom.

ARTICLE 18 -- HEALTH AND DENTAL INSURANCE

Throughout the term of this agreement, the City shall offer Fire Fighters the same health and dental insurance plans offered to City employees not in a bargaining unit. Such offerings shall include multiple health insurance plans, with at least one plan having an actuarial value of at least 90% (meeting the actuarial value required of a

platinum health plan as provided for in 45 CFR § 156.140) with a City premium contribution percentage to that plan of at least 87% for each coverage tier.

Local 1290 shall have representation on the City's Benefits Committee with the opportunity to participate in discussions regarding any proposed changes to health insurance plans offered by the City.

Throughout the term of this Agreement, Fire Fighters shall have the opportunity to participate in the City's short term disability program.

Nothing in this Article 18 shall preclude the parties from negotiating future changes in health care plans offered by the City beyond the term of this Agreement.

ARTICLE 19 -- LIFE INSURANCE

The City shall provide for each Fire Fighter covered by this Agreement life insurance in the amount equal to twice his/her annual salary. Each Fire Fighter may at his/her option and expense obtain additional coverage.

ARTICLE 20 -- INTENTIONALLY OMITTED

ARTICLE 21 -- WAGE SCHEDULE

Section 1: For the duration of this Agreement, Fire Fighters shall be paid as follows:

| | |
|-----------------|---------------------------|
| Firefighter IV | 65% of Firefighter I pay |
| Firefighter III | 72% of Firefighter I pay |
| Firefighter II | 80% of Firefighter I pay |
| Engineer | 110% of Firefighter I pay |
| Lieutenant | 118% of Firefighter I pay |
| Captain | 114.5% of Lieutenant pay |

Section 2: Effective the first pay period of 2023, Firefighter I shall be paid \$94,489 per year. The 2023 salary schedule for Fire Fighters will be as shown in Appendix A, attached hereto and shall be effective for the first pay period of 2023.

In addition, Fire Fighters employed by the City as of the date of this Agreement shall receive a one-time payment of eight thousand dollars (\$8,000) no later than January 31, 2023, provided they remain employed by the City as a Fire Fighter on active payroll on January 1, 2023.

Effective the first pay period of 2024, Firefighter I shall be paid \$98,269 per year. The 2024 salary schedule for Fire Fighters will be as shown in Appendix B, attached hereto and shall be effective for the first pay period of 2024.

Section 3: Fire Fighters who have paramedic certification as certified by the Aurora Fire Rescue Medical Director shall receive Paramedic Certification Pay in the form of a pensionable increase by the following percentages of their base salaries dependent upon rank:

- Firefighter – 10%
- Engineer – 2.5%
- Lieutenant – 2.5%
- Captain – 2.0%

Nothing in this Article shall affect the City's exclusive right to direct the work of Fire Fighters, to assign and classify Fire Fighters, to determine the personnel by which municipal operations are to be conducted, and to determine the level of any activity or service provided by the City.

Section 4: Fire Fighters shall receive Specialty Pay by the following percentages of their base salary depending upon team:

- HAZMAT – 1%
- TRT – 1%
- Wildland – 1%
- EMS Field Instructor – 3%
- Fire Investigator – 1%

Fire Fighters shall only receive such pay for actual time worked on the specified teams. For example, if a Fire Fighter is assigned to a specialty team but uses leave for a shift, the Fire Fighter shall not receive Specialty Pay for that shift. However, if the City approves a different Fire Fighter to cover for the Fire Fighter on leave on said team, the covering Fire Fighter would receive the corresponding Specialty Pay while covering. Specialty Pay is not pensionable.

Fire Fighters who support more than one team shall be compensated for work on such teams, but Specialty Pay shall in no event be compounded.

Selection for specialty teams, certification requirements, training, and daily staffing levels are management rights not affected by these provisions and will be set forth in the Aurora Fire Rescue Manual of Procedures. EMS Field Instructor assignments shall be at the needs of the Department and sole discretion of the Fire Chief.

Section 5: For all Fire Fighters hired after January 1, 1997 who are eligible for the death and disability coverage provided under § 31-31-811(4), C.R.S., the City shall make the required contribution to the death and disability fund for the years 2023-2024.

Section 6: The parties agree that, for the purposes of negotiating any replacement collective bargaining agreement, they shall compare base wages on an hourly basis.

ARTICLE 22 -- GRIEVANCE PROCEDURE

Section 1: A grievance under the Agreement shall be confined to an alleged violation of any express provision of this Agreement and shall not include any disciplinary matters. Any Fire Fighter or group of Fire Fighters may discuss any matter with their supervisor without invoking the formal grievance procedure provided for in this Article.

Section 2: A grievance must be initiated by either an aggrieved Fire Fighter or by the Aurora Fire Fighters Association on behalf of any one or more individual Fire Fighters. The grievant must reduce the grievance to writing and present the written grievance to the office of the grievant's Battalion Chief of the Fire Department within ten (10) working days after the grievant knew or should have known the facts which gave rise to the grievance.

Section 3: Such Battalion Chief of the Fire Department or his designee shall meet with the grievant and, if the grievant is an individual, representatives of the Aurora Fire Fighters Association in an effort to resolve the grievance within seven (7) working days after being presented with the written grievance. Such Battalion Chief of the Fire Department or his designee must respond in writing to the grievance within five (5) working days following the meeting with the grievant and/or representatives of the Aurora Fire Fighters Association.

Section 4: If the grievance is not resolved to the satisfaction of the Association by such Battalion Chief of the Fire Department or his designee, the Association may appeal the grievance to the Chief within ten (10) working days of receipt of the written answer of the Battalion Chief of the Fire Department or his designee. Within seven (7) working days after receipt of the appeal, the Chief shall meet with the grievant and if the grievant is an individual, with representatives of the Aurora Fire Fighters Association to discuss the grievance. Within five (5) working days after this meeting, the Chief shall give the Association his answer in writing.

Section 5: If the grievance is not resolved to the satisfaction of the Association by the Chief of the Fire Department, the Association may appeal the grievance to the City Manager within ten (10) working days of receipt of the written answer

of the Chief of the Fire Department. Within seven (7) working days after receipt of the appeal, the City Manager or his designee shall meet with the grievant and if the grievant is an individual, with representatives of the Aurora Fire Fighters Association to discuss the grievance. Within five (5) working days after this meeting, the City Manager or his designee shall give the Association his answer in writing.

Section 6: Within ten (10) working days after the City Manager has issued his written decision, if the Association is dissatisfied with the decision, the Association shall give written notice to the City Manager of its intent to arbitrate. Within seven (7) working days of the written notice of intent to arbitrate, the parties shall attempt to select a neutral arbitrator to hear and determine the dispute. In the event the parties are unable to agree upon a neutral arbitrator, either party or its representative may refer the matter to the American Arbitration Association to request a panel of seven (7) arbitrators and the parties shall choose the arbitrator in accordance with the rules of the American Arbitration Association. The findings of the Arbitrator shall be final and binding on all parties concerned.

Section 7: The Arbitrator will have the authority to hold hearings and make procedural rules.

Section 8: The findings of the Arbitrator shall be consistent with law and the terms of this Agreement. The Arbitrator shall have no power to add to, subtract from, disregard, alter, or modify, any of the terms of this Agreement.

Section 9: The cost of any arbitration as well as the Arbitrator's fee shall be borne equally by the parties to the Agreement.

Section 10: Either party may request a Certified Court Reporter to take a stenographic record of the evidence taken at an arbitration hearing. If such stenographic record is taken, a copy of the transcript shall be provided to the Arbitrator. The party requesting a stenographic record shall pay the cost thereof, except that if the other party shall request a copy of any transcript, the parties shall share equally the entire cost of making the stenographic record.

Section 11: The term "working days" as used in this article shall be inclusive of Mondays through Fridays during which the administrative offices of the City are normally open. The term "working days" shall exclude Saturdays, Sundays, and legal holidays.

Section 12: The number of days indicated at each level of the grievance procedure shall be considered as a maximum unless mutually extended by the parties.

Section 13: Nothing contained in this Article is intended to interfere with or abridge any constitutional rights of its employees to petition the City.

ARTICLE 23 -- HEALTH AND SAFETY COMMITTEE

A Health and Safety Committee shall be formed. The committee shall consist of six (6) members, three to be appointed by the Chief of the Fire Department and three to be appointed by AFFPA Local 1290. The chairman of the committee will be chosen by the appointed members of the committee. The committee shall meet and confer on matters that will contribute toward the overall health and safety of the members of the Aurora Fire Department.

ARTICLE 24 -- SAVINGS CLAUSE

If any provision of this Agreement is subsequently declared by the proper legislative or judicial authority to be unlawful, unenforceable, or not in accordance with applicable statutes or ordinances, all other provisions of this Agreement shall remain in full force and effect for the duration of this Agreement.

ARTICLE 25 -- EMERGENCY LEAVE

Fire Fighters shall be granted paid emergency leave in accordance with the Employee Manual. Employees who work twenty-four (24) hour shifts shall be granted emergency leave up to a maximum of three (3) work shifts by the Fire Chief. Employees who work eight (8) hour shifts shall be granted paid emergency leave up to a maximum of five (5) work shifts by the Fire Chief.

ARTICLE 26 -- MILEAGE ALLOWANCE

Fire Fighters using private vehicles for department business shall be reimbursed at the mileage allowance which is set by the City. The use of private vehicles must be authorized by the Fire Chief or his authorized representative.

ARTICLE 27 -- PAID INSURANCE FOR SURVIVORS

Section 1: In the event that a member of the bargaining unit is killed in the line of duty, the City shall pay the full cost of health insurance and dental insurance for a surviving spouse and children of the member with the following conditions:

- A. The payments for a surviving spouse will end two years after the member's death or upon remarriage, whichever occurs first.
- B. The payments for a child will end two years after the member's death or upon the child reaching age 18, whichever occurs first.

Section 2: In the event that a member of the bargaining unit is killed or dies while off duty, or a surviving spouse or dependent child has exceeded the time limit

(not age limit) of Section 1, the surviving spouse and dependent children shall be eligible to obtain or continue medical and dental insurance, at the spouse's or child's cost, through the City's group health insurance plan provided the City's health insurance carrier permits such coverage.

ARTICLE 28 -- FUNERAL EXPENSES

When a member of the bargaining unit is killed in the line of duty, or dies from injuries sustained in the line of duty, the City shall be responsible for the actual funeral and burial expenses incurred by the survivors up to a maximum of fifteen thousand dollars (\$15,000.00).

ARTICLE 29 -- FLEXIBLE SPENDING ACCOUNT

All members of the bargaining unit shall be allowed to participate in the Flexible Spending Account Program pursuant to the rules and regulations of that program.

ARTICLE 30 -- LEAVE OF ABSENCE

All Fire Fighters may apply for a leave of absence of up to one (1) year for purposes of continuing their education or to deal with hardships. Requests for leave without pay must be approved by the Fire Chief and the City Manager. However, leave without pay which is given pursuant to the City Charter regarding criminal allegations against Fire Fighters shall not be subject to above procedures and limits, but rather shall be subject to the language contained in the Charter.

All annual leave must be exhausted before a leave without pay may be granted, except maternity leave or when leave without pay is used in disciplinary action, or when the Fire Chief approves leave without pay for a Fire Fighter's professional activities. During a leave without pay of more than one (1) work shift, a Fire Fighter does not accrue annual leave, sick leave, credited service for longevity, retirement, or step increase. Failure of a Fire Fighter to return from a leave without pay shall result in termination. A Fire Fighter on leave without pay for more than one (1) calendar month must pay the full cost of insurance benefits.

ARTICLE 31 -- RETIREE HEALTH

The City shall contribute in 2023 an amount equal to 2.4 percent (2.4%) of the 2022 total bargaining unit base salary, and in 2024 an amount equal to 2.4 percent (2.4%) of 2023 total bargaining unit base salary to a trust fund established by the Union for the purpose of providing payments to members of the bargaining unit for health insurance upon retirement. The trust fund will be established in accordance with all applicable State and Federal laws. Prior to any such contribution being made, the Union will provide the City with copies of the properly adopted Trust and Plan, and indicate the

designated trustee. The City will transmit the amounts in question on a quarterly basis within three weeks following the first payroll in April, July, October and January.

The Union agrees that the sole responsibility of the City in connection with this contribution is to forward the funds in question to the designated trustee and the Union and the trustee are fully and completely responsible for the investment and disposition of such funds, once they have been turned over to the trustee. The Union agrees to save the City harmless from any and all actions arising out of these contributions and operation of the trust fund whether such action is commenced by any Fire Fighter, the trustee or anyone against the City, and will fully and completely reimburse the City for any and all costs, attorneys fees or damages associated with any such action.

ARTICLE 32 -- POST RETIREMENT HEALTH PLAN

Section 1: The City agrees to participate in the Post Employment Health Plan (PEHP), Health Care Insurance Premium Sub-account, for Collectively Bargained Public Employees (Plan) in accordance with the terms and conditions of the Plan's Participation Agreement, a copy of which has been provided to the City. The parties hereto hereby designate Nationwide Retirement Solutions (or its successor appointed in accordance with the Plan and Trust documents) to act as Plan Administrator for the Plan and the City agrees to contribute to the Plan as set forth in this Article.

Section 2: Except as provided in Section 3, upon termination of employment (which does not include death) after having reached age 50, or qualifying for a disability retirement, a percentage of the eligible fire fighter's accumulated sick leave and accrued but unpaid vacation that would have otherwise been paid to the eligible fire fighter had the City not participated in the Plan shall be contributed to the Participant's Health Care Insurance Premium Reimbursement Sub-account. Those fire fighters who separated from service prior to January 1, 2009 shall not be subject to the Plan. The Union will notify the City of the contribution percentage of the eligible fire fighters' accumulated sick leave by November 15th of the previous year, as provided in Section 4. This section is further subject to the following restrictions:

The City shall deduct any overpayments to the fire fighter or other legal offsets due to the City from the fire fighter prior to the percentage calculation being made, however, before overpayment deductions and other legal offsets are made from accumulated sick leave and accrued but unpaid vacation, the City will first make the deductions and offsets from other compensable absences of the fire fighter, if any, and then any remaining balance shall be deducted and offset from the accumulated sick leave and accrued but unpaid vacation.

Section 3: Fire fighters who are eligible for fully paid family retiree medical benefits through TRICARE, any other military program or by their status as a Native American through the Bureau of Indian Affairs medical benefit programs shall not be eligible for or subject to the contribution amount set forth in this Article.

Section 4: Annually, the Union reserves the right to modify the funding formulas of the Plan as set forth in Section 2 pertaining to the amount of accumulated sick leave and accrued but unpaid vacation being contributed to the Plan on behalf of the eligible fire fighters.

ARTICLE 33 -- PENSION COVERAGE

Section 1: All Fire Fighters hired on or after October 1, 2011 shall be covered by the Statewide Defined Benefit Pension Plan of the Fire and Police Pension Association (FPPA). The City shall contribute the amount set by the FPPA and the fire fighters shall contribute the amount set by the FPPA. All terms of the pension plan shall be set according to state law.

Section 2: All Fire Fighters hired before October 1, 2011, shall be covered by one of the FPPA plans (Statewide Defined Benefit Pension Plan (“SWDB”), Statewide Hybrid Plan or Money Purchase Component only).

For such Fire Fighters in the SWDB, the City and the Fire Fighters shall contribute the amount set by the FPPA. The City shall pay the 0.2% reentry fee in 2023 and 2024.

For such Fire Fighters in the Statewide Hybrid Plan or the Money Purchase Component, the City will contribute 10.5% of the Fire Fighter’s salary, and the Fire Fighter shall contribute the amount set by the FPPA.

All terms of the pension plans shall be set by state law.

ARTICLE 34 -- TERM OF AGREEMENT

This Agreement shall become effective January 1, 2023 and all of its provisions shall remain effective through December 31, 2023. Additionally, all provisions which do not have a budget impact shall remain effective from and including January 1, 2023 through and including December 31, 2024.

The parties to this contract mutually desire that all of its provisions shall be and remain effective from January 1, 2023, through and including December 31, 2024. However, in order to ensure compliance with the provisions of the Tabor Amendment, Article X, Section 20(4)(b) of the Colorado Constitution and because the parties recognize that there may be an inability on behalf of the City of Aurora to contract at this time for items with a budget impact until such time as the budget process for the fiscal year 2024 is followed, the parties hereby agree that the Local 1290 shall reopen this contract for negotiations of all items with a fiscal impact (an impact on budget) which are to be effective on January 1, 2024 through and including December 31, 2024. This reopener shall be initiated within the time limits specified by Article XV of the Charter of the City of Aurora. In the event the parties are unable to agree that those items contained in the

Agreement which by their own terms are to be effective on January 1, 2024 shall be placed into effect, then that party which refuses to renew the Agreement at that time shall be deemed to have bargained in bad faith during negotiations leading to the 2024 contract for any and all purposes.

It is specifically understood and agreed that this conclusion of failure to bargain in good faith shall be utilized by any fact finder, mediator, or arbitrator appointed pursuant to Article XV of the Charter of the City of Aurora, and may be the basis relied upon by the fact finder pursuant to Article XV to recommend that those provisions contained in this contract to be effective on January 1, 2024, should be placed into effect on January 1, 2024.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this Agreement as of the date hereof by their respective representatives duly authorized to do so this ____ day of _____, 2022.

**AURORA FIRE FIGHTERS LOCAL 1290
IAFF, AFL-CIO, CLC**

CITY OF AURORA

By _____
President

By _____
Mayor

ATTEST:

Secretary/Treasurer

City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

APPENDIX A
CIVIL SERVICE EMPLOYEES/FIRE
2023 WAGE SCHEDULE

| POSITIONS | SALARY |
|---|-------------------------------------|
| FIREFIGHTER IV (24 HOUR) Grade 854 | \$61,418 \$5,118 \$24.60651 |
| FIREFIGHTER III (24 HOUR) Grade 855 | \$68,032 \$5,669 \$27.25644 |
| FIREFIGHTER II (24 HOUR) Grade 856 | \$75,591 \$6,299 \$30.28494 |
| FIREFIGHTER I (24 HOUR) Grade 857 | \$94,489 \$7,874 \$37.85617 |
| ENGINEER (24 HOUR) Grade 859 | \$103,938 \$8,661 \$41.64179 |
| FIRE LIEUTENANT (24 HOUR) Grade 861 | \$111,497 \$9,291 \$44.67028 |
| FIRE CAPTAIN (24 HOUR) Grade 863 | \$127,664 \$10,639 \$51.14747 |
| FIREFIGHTER IV (8 HOUR) Grade 853 | \$61,418 \$5,118 \$29.52781 |
| FIREFIGHTER III (8 HOUR) Grade 852 | \$68,032 \$5,669 \$32.70773 |
| FIREFIGHTER II (8 HOUR) Grade 851 | \$75,591 \$6,299 \$36.34192 |
| FIREFIGHTER I (8 HOUR) Grade 858 | \$94,489 \$7,874 \$45.42740 |
| ENGINEER (8 HOUR) Grade 860 | \$103,938 \$8,661 \$49.97014 |
| FIRE LIEUTENANT (8 HOUR) Grade 862 | \$111,497 \$9,291 \$53.60434 |
| FIRE CAPTAIN (8 HOUR) Grade 864 | \$127,664 \$10,639 \$61.37697 |

Note: annual and monthly salaries are included for informational purposes only

APPENDIX B
CIVIL SERVICE EMPLOYEES/FIRE
2024 WAGE SCHEDULE

| POSITIONS | SALARY |
|---|-------------------------------------|
| FIREFIGHTER IV (24 HOUR) Grade 854 | \$63,875 \$5,323 \$25.59077 |
| FIREFIGHTER III (24 HOUR) Grade 855 | \$70,753 \$5,896 \$28.34670 |
| FIREFIGHTER II (24 HOUR) Grade 856 | \$78,615 \$6,551 \$31.49633 |
| FIREFIGHTER I (24 HOUR) Grade 857 | \$98,269 \$8,189 \$39.37042 |
| ENGINEER (24 HOUR) Grade 859 | \$108,095 \$9,008 \$43.30746 |
| FIRE LIEUTENANT (24 HOUR) Grade 861 | \$115,957 \$9,663 \$46.45709 |
| FIRE CAPTAIN (24 HOUR) Grade 863 | \$132,771 \$11,064 \$53.19337 |
| FIREFIGHTER IV (8 HOUR) Grade 853 | \$63,875 \$5,323 \$30.70893 |
| FIREFIGHTER III (8 HOUR) Grade 852 | \$70,753 \$5,896 \$34.01604 |
| FIREFIGHTER II (8 HOUR) Grade 851 | \$78,615 \$6,551 \$37.79560 |
| FIREFIGHTER I (8 HOUR) Grade 858 | \$98,269 \$8,189 \$47.24450 |
| ENGINEER (8 HOUR) Grade 860 | \$108,095 \$9,008 \$51.96895 |
| FIRE LIEUTENANT (8 HOUR) Grade 862 | \$115,957 \$9,663 \$55.74851 |
| FIRE CAPTAIN (8 HOUR) Grade 864 | \$132,771 \$11,064 \$63.83204 |

Note: annual and monthly salaries are included for informational purposes only