NOTICE OF COUNCIL MEETING

VIRTUAL MEETING (Open to the Public)
Monday, August 25, 2025
6:45 PM

Members of the Aurora City Council will participate remotely in the August 25, 2025 Council Meeting. Members of the public and media are invited to view or listen live through the options listed below.

www.auroraTV.org

Youtube.com/TheAuroraChannel

Cable Channels 8 and 880 in Aurora

Call: 885-695-3475

Call-in Participation

Council Meeting – Public comment is welcome during the Council Meeting for items appearing on the agenda. Individuals are allotted a maximum of three (3) minutes to speak. Aurora residents are given priority and placed before non-resident speakers when proof of residency is provided to the city clerk.

Public Comment Listening Session –Public Comment is welcome during the Public Comment Listening Session on non-agenda matters of City concern. Individuals are allotted a maximum of two (2) minutes to speak. Aurora residents are given priority and placed before non-resident speakers when proof of residency is provided to the city clerk.

To participate, individuals must call the live public comment line at 855-695-3475 and press *3 to reach the operator. The public call-in line opens at 5:30 p.m. on the day of the Council Meeting.

- Individuals wishing to comment during the Public Comment Listening Session must call in and be in the queue by 5:45 p.m.
- Individuals wishing to comment on agenda items during the Council Meeting must call in and be in the queue before the agenda item title is read. Once the title is read, 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 Office of Accessiblity at 303.326.8857.

If you are in need of an interpreter, please contact the Office of International and Immigrant Affairs at 303-739-7521 by Monday, August 25, 2025 at 9:00 a.m. (Si necesita un intérprete, comuníquese con la oficina de asuntos internacionales e inmigrantes en 303-739-7521 por el domingo anterior a la reunion del lunes.)

City of Aurora, Colorado

Monday August 25, 2025

EXECUTIVE SESSION

(Closed to the Public)
VIRTUAL ONLY
4:00 p.m.

STUDY SESSION OF THE AURORA CITY COUNCIL

(Open to the Public)
VIRTUAL ONLY
4:40 p.m.

PUBLIC COMMENT LISTENING SESSION

(Open to the Public)
VIRTUAL ONLY
6:00 p.m.

REGULAR MEETING OF THE AURORA CITY COUNCIL

(Open to the Public)
VIRTUAL ONLY
6:45 p.m.

AGENDA

Regular Meeting of the Aurora City Council

Monday, August 25, 2025, 6:45 p.m.
VIRTUAL MEETING

Pages

1. CALL TO ORDER

2. ROLL CALL

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5. EXECUTIVE SESSION UPDATE

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7. PROCLAMATIONS OR CEREMONIES

8. ADOPTION OF THE AGENDA

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   Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

   9.a Motions

   9.b Planning Matters

   9.c Appointments to Boards and Commissions

      9.c.1 Consideration to Appoint One (1) Member to the Historic Preservation Commission 28

      Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney

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Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

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Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney

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A waiver of reconsideration is being requested to facilitate the fall 2025 construction timeframe of this memorial.

Nicole Ankeney, Manager of Planning, Design and Construction, Parks, Recreation and Open Space / Tim Joyce, Assistant City Attorney

Outside speaker: Becky Hogan, UN Heritage for Korean War Foundation

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Timothy Sherbondy, Grant Analyst II, Police / Mandy MacDonald, Assistant City Attorney

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Richard Vidmar, Water Resources Manager, Aurora Water / Ian Best, Assistant City Attorney

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Sponsor: Steve Sundberg, Council Member

Jeannine Rustad, Director, Planning and Business Development / Lena McClelland, Assistant City Attorney

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Ordinances approved unanimously at first reading.

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Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

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Sponsor: Curtis Gardner, Council Member / Françoise Bergan, Council Member

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

13. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

13.a **Eliminating the Independent Review Board** 348

2025-72 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE INDEPENDENT REVIEW BOARD

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

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Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

14. ANNEXATIONS

15. RECONSIDERATIONS AND CALL UPS

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17.a Mayor

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18. ADJOURNMENT

MINUTES

Regular Meeting of the Aurora City Council

Monday, August 11, 2025

COUNCIL MEMBERS PRESENT:	Mayor Coffman	Amsalu Kassaw
	Françoise Bergan	Angela Lawson
	Alison Coombs	Ruben Medina
	Curtis Gardner	Crystal Murillo
	Stephanie Hancock	Steve Sundberg
	Danielle Jurinsky	

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1. CALL TO ORDER

Mayor Coffman reconvened the regular meeting of the City Council at 6:45 p.m.

2. ROLL CALL

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

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer for the August 11, 2025 meeting.

4. PLEDGE OF ALLEGIANCE

(All Standing)

5. EXECUTIVE SESSION UPDATE

Mayor Coffman provided an update on the Executive Session, stating a development agreement and personnel issue were discussed.

Mayor Coffman read a land acknowledgment.

6. APPROVAL OF MINUTES

Mayor Coffman read a decorum statement.

6.a July 28, 2025 Meeting Minutes

Moved by: Steve Sundberg

Second by: Crystal Murillo

Does Council wish to approve the minutes of the July 28, 2025 meeting?

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: (11): Mayor Coffman, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

7. PROCLAMATIONS OR CEREMONIES

8. ADOPTION OF THE AGENDA

Moved by: Steve Sundberg

Second by: Angela Lawson

Does Council wish to adopt the agenda as presented?

Voting Aye: (11): Mayor Coffman, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

9. CONSENT CALENDAR - MOTIONS

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

Moved by: Steve Sundberg

Second by: Stephanie Hancock

Does Council wish to approve the Motions Consent Calendar as presented?

Voting Aye: (11): Mayor Coffman, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

9.a Motions

9.b Planning Matters

9.c Appointments to Boards and Commissions

9.c.1 Consideration to Reappoint Two (2) Members to the Library Board

Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney

10. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

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.

Moved by: Curtis Gardner

Second by: Françoise Bergan

Does Council wish to approve the Resolutions and Ordinances Consent Calendar?

With Item 10.a.1 removed

Voting Aye: (10): Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

10.a Resolutions

10.a.1 Establishing Requirements for City Boards and Commissions

R2025-78 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ESTABLISHING REQUIREMENTS FOR THE CITY'S BOARDS AND COMMISSIONS AND OTHER RELATED MATTERS

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

Staff gave a brief presentation on the item.

CM Coombs asked for confirmation that what is in city code is what determines the responsibilities and operations of the Boards and Commissions, and this resolution does not supersede the city code.

P. Schulte confirmed that the resolution does not trump city code.

Mayor Coffman noted that he spoke out of turn during the public comment period, as the mayor does not control the public comment period.

P. Schulte stated that they are realizing with the virtual session, with the public comment listening session, that they need to have the rules stated so there is not an ability or anybody to stop somebody who is not speaking on a non-agenda or agenda item during public comment. He said all they can do is put the rules out first, but it is the mayor requirement that as they go through the agenda, if individuals are speaking on agenda items that are not talking about the agenda item, the mayor will give one warning. If they are still continuing to not talk about the agenda item, they can be terminated from their speaking.

CM Bergan asked for clarification that they cannot have anyone from staff cut that off.

P. Schulte responded that they are going to work through that and see what they can do, because right now the city clerk or designee facilitates the public comment listening session.

CM Bergan inquired if they will just make a statement up front in the future.

P. Schulte answered that is what he has been talking to staff about, to make sure the vendor that runs them has those rules and reads them out loud.

Mayor Coffman asked if they need to enact through a resolution.

P. Schulte responded that they probably do, but he will look at getting a resolution drafted for the next meeting just to make it in the rules.

Moved by: Françoise Bergan

Second by: Alison Coombs

Does Council wish to support the approval of Establishing Requirements for City Boards and Commissions?

Voting Aye: (10): Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

10.a.2 Intergovernmental Agreement (IGA) with Arapahoe County for the 2025 Coordinated Election

R2025-80 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN ARAPAHOE COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTION TO BE HELD NOVEMBER 4, 2025

A waiver of reconsideration is being requested to meet the deadline set by state statute.

Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney

10.a.3 Intergovernmental Agreement (IGA) with Adams County for the 2025 Coordinated Election

R2025-81 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTION TO BE HELD NOVEMBER 4, 2025

A waiver of reconsideration is being requested to meet the deadline set by state statute.

Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney

10.a.4 Intergovernmental Agreement (IGA) with Douglas County for the 2025 Coordinated Election

R2025-82 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN DOUGLAS COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTION TO BE HELD NOVEMBER 4, 2025

A waiver of reconsideration is being requested to meet the deadline set by state statute.

Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney

10.a.5 Intergovernmental Agreement (IGA) with Colorado Department of Transportation (CDOT) for Fuels Impact Reduction Grant

R2025-83 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF AURORA AND COLORADO DEPARTMENT OF TRANSPORTATION FOR THE FUELS IMPACT REDUCTION GRANT PROGRAM

Carlie Campuzano, Deputy Director of Transportation and Mobility, Public Works / Michelle Gardner, Senior Assistant City Attorney

10.a.6 Central Community Park Master Plan

R2025-84 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE CENTRAL COMMUNITY PARK MASTER PLAN

Nicole Ankeney, Manager of Planning, Design, and Construction, Parks, Recreation and Open Space / Tim Joyce, Assistant City Attorney

10.a.7 First Amendment to the Strontia Springs Deep Sediment Removal Intergovernmental Agreement (IGA)

R2025-85 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE CITY AND COUNTY OF DENVER REGARDING THE STRONTIA SPRINGS DAM DEEP SEDIMENT REMOVAL PROJECT

Mathew Allsopp, Source of Supply Superintendent, Aurora Water / Ian Best, Assistant City Attorney

10.a.8 Horizon Uptown HULand1, LLC. Reimbursement Agreement

R2025-86 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE UTILITY COST REIMBURSEMENT AGREEMENT

BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND HULAND1 LLC

Jennifer Wynn, Engineer, Aurora Water / Ian Best, Assistant City Attorney

10.a.9 Update to the Intergovernmental Agreement (IGA) Establishing the Fitzsimons Redevelopment Authority

R2025-87 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE FITZSIMONS REDVELOPMENT AUTHORITY

Jason Batchelor, City Manager / Brian Rulla, Assistant City Attorney

10.b Finalizing of Ordinances

Ordinances approved unanimously at first reading.

10.b.1 Nonscheduled Psychoactive Ingredients and Drug Paraphernalia Implements

2025-64 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REGULATING THE SALE OF NONSCHEDULED PSYCHOACTIVE PRODUCTS POSING SUBSTANTIAL PUBLIC SAFETY RISK, AND PROHIBITING THE PROFITING FROM THE ILLICIT DRUG INDUSTRY THROUGH SALE OF DRUG PARAPHERNALIA IMPLEMENTS

Sponsor: Alison Coombs, Council Member / Curtis Gardner, Council Member

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

10.b.2 Marijuana Licensing Code Technical Amendments

2025-65 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 6-301, 6-302, 6-303, 6-304(C) AND (F), 6-305, 6-306, 6-307, 6-308(A), (E), (G)(1), H)(2), (K), (L(1), (L)(3), AND (N), 6-309(A)(1) AND (A)(5), 6-311(B), 6-312(A), 6-314(A) AND (F), 6-316(B), (D) AND (H), 6-317, 6-318(A) AND (B)(1), AND 6-319 OF THE CITY CODE PERTAINING TO THE LICENSING OF REGULATED MARIJUANA

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

10.b.3 2025 Heavy Fleet Lease - Purchase Financing

2025-67 AN ORDINANCE AUTHORIZING THE USE OF LEASE-PURCHASE FINANCING TO ACQUIRE CERTAIN EQUIPMENT PURSUANT TO THE TERMS OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT BY AND BETWEEN THE 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 OTHER RELATED MATTERS

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

10.b.4 Surcharge Inflation Index Correction

2025-70 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 50-37 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO MUNICIPAL COURT SURCHARGES, AND OTHER RELATED MATTERS

Jason Batchelor, City Manager / Hanosky Hernandez, Senior Assistant City Attorney

10.b.5 Large Water Users

2025-71 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 138-161 OF THE CITY CODE PERTAINING TO LARGE WATER VOLUME SERVICE REQUESTS WITHIN AURORA WATER'S SERVICE AREA BOUNDARY

Sponsor: Steve Sundberg, Council Member

Sarah Young, Assistant General Manager of Planning and Engineering, Aurora Water / Ian Best, Assistant City Attorney

11. PUBLIC HEARINGS

Public hearings with or without related ordinances.

11.a Unified Development Ordinance (UDO) Amendment for Setbacks and Easement Around Plugged Oil Wells

2025-68 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 135 OF THE CITY CODE AND ADDING SECTION 146-4.2.3(k) TO THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO PLUGGED OIL AND GAS WELLS

Jeffrey Moore, Manager, Energy and Environment Division / Dave Scott, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff gave a brief presentation on the item.

Council heard public testimony on the agenda-related item.

Mayor Coffman closed the public hearing.

Moved by: Curtis Gardner

Second by: Alison Coombs

Does Council wish to support the approval of this ordinance to create setbacks around plugged oil and gas wells?

Voting Aye: (10): Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

11.b QuikTrip 4263 Conditional Use Appeal

A PUBLIC HEARING AND CONSIDERATION WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY THE APPLICANT REGARDING THE PLANNING AND ZONING COMISSION DECISION OF DENIAL FOR THE QUIKTRIP 4263 SITE PLAN AND CONDITIONAL USE

James Schireman, Planner I, Planning and Business Development / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

CM Hancock recused herself from the matter and exited the meeting.

Staff gave a brief presentation on the item.

The appellant gave a presentation on the item.

Council heard public testimony on the agenda-related item.

CM Bergan asked if this has to go to Planning Commission for the conditional use per UDO for the gas station.

Staff answered yes.

CM Bergan inquired if staff recommended approval.

Staff responded that was the original recommendation in the staff report.

CM Bergan asked if that was due to their adherence to the UDO standards in the zoning.

Staff answered to the conditional use criteria.

CM Bergan noted that normally Planning Commission adhere exactly to code and does not take into account opinions unless they contradict code, so this is highly unusual. She inquired about the reasoning for that.

Staff elaborated that overall conditional use criteria are open-ended and allow them to factor in the surrounding circumstances and make sure that a use does not generate any sort of adverse impact that would affect the surrounding neighborhood. He explained that staff's interpretation of the conditional use criteria differed from what the Planning Commission found.

CM Bergan asked what adverse conditions the Planning Commission cited.

Staff answered that they were concerned with the large amount of gas stations in the area and inferred that finding upon the conditional use criteria.

CM Bergan asked the appellant if it was correct that they wanted to purchase the Sam's No. 3 land and the landlord did not want to sell it, so the restaurant decided not to sign a lease.

The appellant voiced that was also their understanding.

CM Bergan requested the appellant talk briefly about there being no gas stations on the south side of Parker as traffic goes south.

The appellant responded that when traveling southbound on Parker, there is nothing within a general area someone could get to without having to cross over Parker Road, and this would provide an opportunity for those travelling southbound on Parker Road to have safer and easier access to fueling.

CM Kassaw he asked if they conducted a neighborhood meeting, and if so, what the outcome was of that. He also inquired why they did not reach out to Havana BID.

The appellant answered they did give notice for a neighborhood meeting according to the city code, but only the landlord showed up. In terms of the Havana BID, they were not a required notice participant, but it may have been a misstep to not reach out to them early in advance. However, after hearing some of their concerns, they did repeatedly spend time talking with the executive director and the chair of their board to address those, and they are committed to continuing that outreach.

CM Medina asked the appellant how many employees they normally employ at these locations and the starting pay.

The appellant responded that they averaged 22 employees per location, and was not sure exactly about pay, but knew it was in excess of $16 an hour for a part-time clerk and around $50,000 a year for an assistant manager.

CM Medina inquired if they do a lot of local nonprofits, like youth and community groups.

The appellant answered yes that they prefer to do the money locally.

CM Coombs reaffirmed that the conditional use is the gas station. She asked if the odor of fueling stations were taken into consideration concerning the character of the area and outdoor community gatherings and dining.

Staff responded that in his initial staff report to the Planning Commission, they factored in the canopy's overall location, and it is largely internal to the triangular shopping center and is partially screened, which is much more preferable than directly along the street.

CM Coombs expressed that oftentimes gatherings are held within those parking lots.

Staff added this is a commercial hub under the comprehensive plan, and it is at a pretty busy intersection, but they have not yet seen the site plan, which will give a better understanding of where they are locating that internal facility. He said they will also have a couple of electric charging stations, which will cause people to use that area to fuel or eat while waiting.

CM Coombs asked if any consideration was given to the ability to redevelop gas stations sites in terms of the conditional use, as it is environmentally difficult, and the city has spent a lot of amounts of money to purchase land that was previously a gas station to redevelop a site.

Staff responded that is not explicitly addressed in the original report as a potential adverse impact that could be generated by the conditional use, but the site of the drainage infrastructure attempts to mitigate runoff, which tries to preserve any redevelopment effort at the site, and there are apparatuses within the city to dedicate funds to Brownfield redevelopment if the site were to be redeveloped.

CM Gardner asked staff if it was appropriate to use an application for conditional use permit or site plan to create policy for the city and if that was one of the criteria that should be considered.

Staff answered that overall, their findings would be as a result of a decision regarding a public hearing, that it could generate discussion to amend the code, but there is no sort of process for changing the criterion in the midst of a public hearing overall.

CM Gardner inquired if they should consider having too many of one type of business in an area and/or wanting to bring back the previous use criteria.

Staff reiterated that conditional use criteria are deliberately open-ended to give them the opportunity to explore all possible conditions in an area.

CM Gardner asked if Staff recommended approval because the application met the standards in the UDO.

Staff answered yes.

CM Lawson asked the appellant if they talked to any of the strip mall businesses, the Burger King, or the Sams.

The appellant responded that multiple parcels around this location were spoken to and added that Lenny from Lenny's Golf was very happy with this use coming to this location.

CM Lawson noted that it is congested in the parking area. She asked if a traffic study done within the plaza, and not just coming in and out of it.

The appellant agreed that it is congested, but this particular use will formalize a lot of the transportation nodes within that huge parking area.

CM Bergan asked if the traffic study met all conditions.

The appellant answered yes.

Staff added that overall, the traffic study was deemed satisfactory by the Traffic Division.

CM Bergan inquired if they wanted to make changes they would have to do that for future, as they cannot make a change in the middle of a hearing.

Staff answered yes.

Mayor Coffman closed the public hearing.

CM Gardner expressed there are emotions tied to this, as Sam's has been a longstanding business in the community, but their presence or not in the shopping center is not relevant when making this decision. He added that the number of gas stations in the area also are not really relevant. He stated that if they could have a policy conversation on spacing between gas stations or how many in certain areas, , but creating criteria mid-process for an applicant creates an unfriendly business environment. He felt that QuickTrip met all criteria outlined in the UDO, and he did not see a legal reason to say no to this, and this is the use the landowner wants.

CM Bergan agreed with CM Gardner. She added that her constituents in southeast Aurora tell her all the time that they are sick of seeing gas stations. She expressed that this meets the conditions and is compatible with the area, but if they want to make changes in code in terms of how many gas stations are on what corners, that could be done in the future when setting criteria.

CM Coombs agreed that the convenient store use makes sense and did not see a reason to oppose that, but the conditional use of a gas station is conditional for a reason, and there is discretion for the Planning and Zoning Commission that gives them an opportunity to weigh in. It also allows Council to weigh in and address the criteria, and Council is not required to agree with what Staff brings forward. She voiced that this is about the fact that spaces like this with large parking lots, are

spaces the community utilizes and that is negatively affected by having the smell of gasoline and the sounds of vehicles fueling. She said putting more gas stations in an areas that is likely to be redeveloped will make it harder to redevelop in the future.

Does Council approve overturning the decision of the P&Z Commission to approve the application subject to Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits?

Moved by: Curtis Gardner

Second by: Steve Sundberg

Voting Aye: (7): Mayor Coffman, Françoise Bergan, Curtis Gardner, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, and Steve Sundberg

Voting Nay: (3): Alison Coombs, Ruben Medina, and Crystal Murillo

11.c QuikTrip 4263 Site Plan Appeal

A PUBLIC HEARING AND CONSIDERATION WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY THE APPLICANT REGARDING THE PLANNING AND ZONING COMISSION DECISION OF DENIAL FOR THE QUIKTRIP 4263 SITE PLAN AND CONDITIONAL USE

James Schireman, Planner I, Planning and Business Development / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff gave a brief presentation on the item.

The appellant gave a presentation on the item.

Council heard public testimony on the agenda-related item.

Moved by: Steve Sundberg

Second by: Curtis Gardner

Does Council wish to overturn the decision of the P&Z Commission and approve the QuikTrip 4263 site plan subject to resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits?

Voting Aye: (7): Mayor Coffman, Françoise Bergan, Curtis Gardner, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, and Steve Sundberg

Voting Nay: (3): Alison Coombs, Ruben Medina, and Crystal Murillo

12. INTRODUCTION OF ORDINANCES

12.a Eliminating the Independent Review Board

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.

2025-72 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE INDEPENDENT REVIEW BOARD

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

Staff gave a brief presentation on the item.

Council heard public testimony on the agenda-related item.

CM Coombs explained this Board was in place during all of the high-profile killing entities cases of black people in this city, and did not prevent, address, or provide transparency on those issues. Therefore, she supported removing it.

Moved by: Curtis Gardner

Second by: Françoise Bergan

Does the Council wish to support the approval of Eliminating the Independent Review Board?

Voting Aye: (8): Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Amsalu Kassaw, Angela Lawson, Crystal Murillo, and Steve Sundberg

Voting Nay: (1): Ruben Medina

Absent: (1): Danielle Jurinsky

12.b Eliminating the Human Relations Commission

2025-73 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE HUMAN RELATIONS COMMISSION

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

Staff gave a brief presentation on the item.

Mayor Coffman asked if both Human Relations Commission and the Veterans' Commission do pass and are eliminated by the end of the year, could he make them continue on an informal basis and be an advisory to the mayor, where he would meet with them once a month and any council members could join. He asked if he could fund it with unexpended travel funds.

P. Schulte responded that any meeting with more than two council members would have to be listed but is not subject to ordinance and would not be sanctioned by the city. However, as an elected official, he could have a group of advisors to meet with and could use funding if it met the council rules.

CM Coombs voiced that when they talked about this before, they talked about how they would ensure that the kinds of complaints and discussions that are brought forward to the Human Relations Commission still have an avenue to be heard and information about addressing discrimination would

also still be provided to the community. She asked if there was any additional action taken on the staff side regarding that.

J. Batchelor responded that the Human Relations Commission is entirely advisory to Council, and if someone wishes to raise those complaints, there are legally mandated commissions to take them, and it will still be available to residents of Aurora if this commission is eliminated.

CM Coombs expressed that the other component is the education piece and promoting people to be able to utilize those mechanisms. She asked if they envision any kind of education or community support for that.

J. Batchelor answered that he has not developed anything yet, but if that is directed to him by council, they will work with the communications staff to make people aware of that and put out education messaging.

Council heard public testimony on the agenda-related item.

Moved by: Françoise Bergan

Second by: Stephanie Hancock

Does Council wish to support the approval of Eliminating the Human Relations Commission?

Voting Aye: (6): Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, and Steve Sundberg

Voting Nay: (4): Alison Coombs, Angela Lawson, Ruben Medina, and Crystal Murillo

12.c Eliminating the Veterans' Affairs Commission

2025-74 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE VETERANS' AFFAIRS COMMISSION

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

Staff gave a brief presentation on the item.

Council heard public testimony on the agenda-related item.

CM Bergan expressed that they are having a hard time getting people to serve on the commission, and she made an amendment to not eliminate the commission but change it to a quarterly meeting instead of monthly to try to get more attendance.

Mayor Coffman shared that he met with them at their last monthly meeting. He said the problem is that they have not had direction in terms of projects, and they mentioned a project that entails doing a reception at the end of the school year for the young people going into the military and they were excited

about that, but that would take meeting on a monthly basis. He stated that he was willing to utilize his own unexpended funds to support that.

CM Bergan added that if they went to quarterly meetings, they could have subcommittees on their own and meet as they wish.

CM Murillo supported that suggestion. She noted there would be cost savings by reducing the amount of the meetings, and they should not do things just to save money, as there is a deeper purpose to the work they are doing. She agreed that having a quarterly meeting could be a really good middle ground.

Moved by: Curtis Gardner

Second by: Alison Coombs

Does the Council wish to support the approval of Eliminating the Veterans Affairs Commission?

Voting Aye: (1): Curtis Gardner

Voting Nay: (9): Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

Moved by: Françoise Bergan

Second by: Stephanie Hancock

Does Council wish to direct staff to have Veteran's Affairs Commission meet on a quarterly basis?

Voting Aye: (7): Françoise Bergan, Alison Coombs, Stephanie Hancock, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

Voting Nay: (3): Curtis Gardner, Danielle Jurinsky, and Amsalu Kassaw

12.d Eliminating the Youth Commission

2025-75 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE YOUTH COMMISSION AND ESTABLISHING YOUTH PARTICIPATION ON OTHER BOARDS AND COMMISSIONS

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

Staff gave a brief presentation on the item.

CM Bergan stated they have a hard time with this particular commission, and she felt it would be good to have them experience some of the other boards, where they could give their input, gain experience, learn more about those different functions, and engage the youth more.

Council heard public testimony on the agenda-related item.

Moved by: Françoise Bergan

CM Medina voiced that he was opposed to this, as the voices of youth would be silenced, and the issues they have with the youth in their community are going to be even more exacerbated. He said the commissions they are trying to push them into would likely be attended by zero, because of all of the other meetings that meet around that time. He added that any meetings they join would be ran by all adults and they would have no voice. He stated that having been a part of the Youth Commission, they need direction, and there are solutions to this that he has seen work. For example, to help save costs, Boulder has their meetings on Fridays in school. He felt that would be a good opportunity for Aurora as well.

CM Bergan appreciated that feedback and said she wished he would have reached out to her with that recommendation before, but she was open.

CM Lawson agreed with CM Medina that some of the commissions they would be putting them on would not allow youth to discuss things they need to address. She felt doing a redesign and putting this in the school would be the best thing. She added that they still have not seen a report as to what they do.

CM Hancock stated that they spoke about this at Study Session and there was not much vigorous support for it, but she did think it was important for youth to have the opportunity to be in leadership roles and participate. She voiced that this could be the opportunity for redirection, repurposing, and rebranding.

CM Medina expressed that he was open to gather information from Boulder and get some framework to present at a later date.

CM Bergan withdrew her ordinance.

CM Coombs suggested tabling 12.d, 12.e, 12.f, and 12.g, as they are all related to this.

P. Schulte explained that they have the option to take 12.d through 12.h and move them to a meeting in the future.

Moved by: Alison Coombs

Second by: Stephanie Hancock

Does Council wish to continue items 12.e. through 12.h to the September 22, 2025 Council Meeting?

Voting Aye: (10): Mayor Coffman, Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

Absent: (1): Curtis Gardner

12.e Consolidating Parks and Recreation, Open Space, and Golf Course Advisory into a Single Parks, Recreation, and Open Space Advisory Board

2025-76 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, CONSOLIDATING THE GOLF COURSE ADVISORY COMMITTEE, THE OPEN SPACE BOARD, AND THE PARKS AND RECREATION BOARD INTO A SINGLE PARKS, RECREATION AND OPEN SPACE ADVISORY BOARD

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

12.f Consolidating the City's Arts and Cultural Boards into a Single Cultural Services Commission

2025-77 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, CONSOLIDATING THE ART IN PUBLIC PLACES COMMISSION, THE AURORA FOX ARTS CENTER BOARD, AND THE CULTURAL AFFAIRS COMMISSION INTO A SINGLE ARTS AND CULTURE COMMISSION

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

12.g Amending Membership Provisions for the Aurora Immigrant and Refugee Commission

2025-78 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 2-878 OF THE AURORA CITY CODE CONCERNING MEMBERS OF THE AURORA IMMIGRANT AND REFUGEE COMMISSION

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

12.h Amending Membership Provisions for the Library Board

2025-79 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 2-297 OF THE AURORA CITY CODE CONCERNING MEMBERS OF THE LIBRARY BOARD

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

12.i Adding and Amending Provisions of the City Code Related to the Business Advisory Board

2025-80 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 26-29 AND AMENDING SECTIONS

26-52 AND 2-772 OF THE AURORA CITY CODE CONCERNING THE BUSINESS ADVISORY BOARD

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

Staff gave a brief presentation on the item.

Council heard public testimony on the agenda related item.

Moved by: Danielle Jurinsky

Second by: Françoise Bergan

Does the Council wish to support the approval of Adding and Amending Provisions of the City Code Related to the Business Advisory Board?

Voting Aye: (9): Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

Absent: (1): Curtis Gardner

12.j Updating the Art in Public Places Program to Reflect Current Practices

2025-81 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 34, ARTICLE IV OF THE CITY CODE TO UPDATE THE PURPOSE AND FUNCTION OF THE ARTS IN PUBLIC PLACES PROGRAM

Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

Staff gave a brief presentation on the item.

Council heard public testimony on the agenda related item.

Moved by: Danielle Jurinsky

Second by: Alison Coombs

Continue Item 12.j. to September 22, 2025 Council Meeting

Voting Aye: (9): Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

Absent: (1): Curtis Gardner

13. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

14. ANNEXATIONS

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.

14.a Sandy Point Annexation Ordinance

2025-82 AN ORDINANCE ANNEXING A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, (SANDY POINT ANNEXATION) 242.154 ACRES

Justin Andrews, Project Manager, Development Services / Brian Rulla, Assistant City Attorney

Staff gave a brief presentation on the item.

Council heard public testimony on the agenda related item.

Moved by: Steve Sundberg

Second by: Amsalu Kassaw

Does the Council wish to support the approval of the Sandy Point Annexation Ordinance?

Voting Aye: (8): Françoise Bergan, Alison Coombs, Stephanie Hancock, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

Absent: (2): Curtis Gardner, and Danielle Jurinsky

14.b Sandy Point Annexation Agreement

Justin Andrews, Project Manager, Development Services / Brian Rulla, Assistant City Attorney

Staff gave a brief presentation on the item.

Moved by: Steve Sundberg

Second by: Amsalu Kassaw

Does City Council wish to support the approval of this Annexation Agreement?

Voting Aye: (9): Mayor Coffman, Françoise Bergan, Alison Coombs, Stephanie Hancock, Amsalu Kassaw, Angela Lawson, Ruben Medina, Crystal Murillo, and Steve Sundberg

Absent: (2): Curtis Gardner, and Danielle Jurinsky

15. RECONSIDERATIONS AND CALL UPS

16. GENERAL BUSINESS

17. REPORTS

17.a Mayor

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.

The Mayor had no report.

17.b Council

CM Medina reported that he toured Aurora Mental Health with CM Bergan at the Recovery Pavillion and Acute Care Center. He announced that his town hall is August 12th, 6:30-8 p.m., at Central Library, where APD will discuss senior scams. He also attended the Sand Creek Regional Greenway 25th Anniversary.

CM Hancock highlighted that she and Mayor Coffman had the privileged of being at the raising of the flag during the purple heart commemoration for purple heart recipients from various combat theaters. She said it was a beautiful and moving tribute with about a dozen service members present, as well as the Ladies Support Auxiliary. She went on a ride along with APD, and said it was pretty interesting. She prayed that God keeps APD officers safe, as they do a tremendous service to our city and to keep up safe.

CM Coombs, CM Gardner, CM Jurinsky, CM Kassaw, CM Murillo, MPT Sundberg, CM Lawson, and CM Bergan did not have a report.

18. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of City Council.

_____

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 Commentary

Item Title: Consideration to Appoint One (1) Member to the Historic Preservation Commission
Item Initiator: Kadee Rodriguez, City Clerk
Staff Source/Legal Source: Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Connected and Engaged: Providing programming, learning resources, and amenities that reflect the rich history and contributions of our vibrant communities.

COUNCIL MEETING DATES:

Study Session: 8/11/2025

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

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 ☐ Minutes Not Available

☐ Minutes 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 purpose of the Historic Preservation Commission is to review and make recommendations to City Council regarding potential landmark status for historical sites, districts and other properties for the educational, cultural and economic benefit of Aurora citizens.

The Historic Preservation Commission consists of eleven (11) members appointed by the Aurora City Council. The term length is three (3) years and members may serve up to three (3) terms. All eligible applications received within the last year are forwarded to the Board to be considered for interviews.

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

The Historic Preservation Commission currently has one (1) current vacancy (professional role) and three (3) upcoming vacancies (1 citizen role and 2 professional roles). The Commission received two (2) applications and interviews were conducted on July 3, 2025.

Among the applicants were:
Matthew Gordon
Lynda Heckendorn

Upon conducting interviews, the Historic Preservation Commission respectfully recommends the redesignation and appointment of the following candidates:

Tyler Lovejoy: redesignate from citizen role to professional role for remainder of 1st term beginning 8/1/2024 and ending 7/31/2027
Matthew Gordon: 1st term beginning 8/1/2024 and ending 7/31/2027 (Fill citizen role left vacated if Tyler Lovejoy is redesignated from citizen to professional role)

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does Council wish to redesignate Tyler Lovejoy from the Citizen role to Professional role and to appoint Matthew Gordon to Citizen role on the Historic Preservation Commission?

LEGAL COMMENTS

All boards and commissions shall be appointed by City Council. (City Charter, art III, sec. 3-11 and art. IX, sec. 9-1). The historic preservation commission has eleven voting members consisting of five "professional" members, as defined in section 78-27, and six qualified citizens. The eleven voting members must be registered electors of the City, to be appointed pursuant to City Charter, art. IX, sec. 9-1. The five professional voting members shall meet the following qualifications: (1) An interest, competence, or knowledge of historic preservation; and (2) Professional experience in the disciplines of history, architecture, historic architecture, architectural history and archaeology, as described in section 78-27. (Aurora, Colo. Code § 78-26). The term length for each member is three years and members may serve up to three consecutive terms. (Aurora, Colo. Code § 2-772 and Resolution R2013-03). (TJoyce)

MEMORANDUM

City of Aurora

AuroraGov.org

To: Mayor Coffman and Members of City Council

From: Todd McMahon, Chair

Through: Ginger White Brunetti, Marcus Bond, Library & Cultural Services, City Clerk Analyst

Date: July 3, 2025

Subject: Consideration to Appoint Member(s) to the Historic Preservation Commission

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Number of Vacancies: 4

Interview Information

Date of Interviews: July 3, 2025

Applicant Names: Matthew Gordon and Lynda Heckendorn

Applicants Interviewed: Matthew Gordon

Summary of suggested appointment(s):

The HPC Chair and Vice Chair, along with City Historic Preservation Specialist interviewed Matt Gordon and were impressed with his current work at the Department of Local Affairs, in Brush at the Chamber of Commerce, and serving on the Brush HPC. He appears to be enthusiastic about and engaged in the mission of the HPC. References checked were glowing about his knowledge, skills, and desire to be involved in historic preservation. We feel he will be a go getter and active member of the HPC if appointed by City Council.

The HPC recommends that Tyler Lovejoy is redesignated from a Citizen role to a Professional role with the term beginning 8/1/2024 ending 7/31/2027 and that Matthew Gordon fills the Citizen role left vacant by Mr. Lovejoy with term beginning 8/1/2024 ending 7/31/2027.

Recommendation

The Historic Preservation Commission strongly supports the appointment of Matthew Gordon as a member(s) on the Historic Preservation Commission filling the Citizen role. The HPC also requests the redesignation of roles for Tyler Lovejoy from a Citizen role to a Professional Architect designation.

Historic Preservation Commission

Applicant Package - Ward I

Historic Preservation Commission - Ward I

Term 01 Aug 2023 - 31 Jul 2026
Positions Available 4

Number of applicants in this package 1

- Gordon, Matt

Received: 06/22/2025
Ward I Resident & Registered Voter
Adams County
Vetted: 06/23/2025
Marcus Bond

Name: Gordon, Matt

Address: [redacted]

Email: [redacted]

Board Name: Historic Preservation Commission

Date of Birth:
[redacted]

Home Phone Number:
[redacted]

Work Phone Number:
[redacted]

How long have you lived in Aurora?:
2 years

Are you registered to vote?:

Yes

Years of Education Completed:
4

Degree(s) Received:
BA in Poli Sci

College(s) Attended:
Metropolitan State University of Denver University of Colorado, Denver - MA in Poli Sci, aiming to finish in 2026

Employer Name:
State of Colorado

Employer Address:
1313 Sherman St, Denver, CO

Current Position:
Main Street Specialist

Years with Current Employer:
less than 1

Work Experience:
State of Colorado, Colorado Main Street Program, Main Street Specialist, Mar 2025 to present City of Lone Tree, Economic Development Specialist, Aug 2023 to Mar 2025 Brush Area Chamber of Commerce/Foundation/Main Street, Executive Director, Sept 2021 to Aug 2023 Town of Green Mountain Falls, Town Clerk/Treasurer, Dec 2020 to Sept 2021 City of Brush!/Brush Area Chamber of Commerce, DOLA Graduate Intern, Jan 2019 to Dec 2020

Certification(s):
None.

How are you involved in your community?:

I currently serve on the HRC and am a member of the Denver Astronomical Society. Through my work, I frequently support our 27 Main Street communities with technical assistance as well as field service like working events or facilitation. While living in Brush I was involved in a variety of government and non-profit volunteer opportunities. After leaving Brush and starting my work with Lone Tree and then the State, I took some time to get settled in. Now that I am planning on calling Aurora home for some time, I'd love to expand into more volunteer opportunities.

List your interests and activities.:
Music, Astronomy, Astrophysics, Reading

Do you presently serve in any other appointed position on a board, commission or committee?:

Yes

If yes, enter the board name and position:
2nd Vice Chair for the Human Relations Commission

Are you currently a member and seeking reappointment on the board you are applying for?:

No

Why do you desire this appointment?:
I'll admit, having a background in eco devo, I didn't always focus on historic preservation. Even now working for Main Street, I am the primary economic development contact for the team. That being said, I participated in a project in Brush that changed my perspective and pushed me into a love for historic preservation. While working as Exec Director for the Brush Chamber and serving on the Brush Historic Preservation Board, I worked with several people on a project to transform the 30 year vacant, built in 1926, Italian architecture inspired Central Platoon School into an apartment complex. Where it all clicked for me was December 2024. I frequently visit my friends in Brush and drove by Central School. The entire first floor, now preserved, was home to residents setting up Christmas trees in their windows. For the first time in years, this building came to life and it all made sense to me. It would be my pleasure to create more places that can create that feeling again.

How much time do you anticipate being able to spend on this appointment each month?:
5-10 hours

Do you have any conflicts of interest that should be disclosed?:

No

If yes, please explain:
n/a

Reference 1: Full Name, Phone Number and Address:
MaKyle Mares, [redacted]

Reference 2: Full Name, Phone Number and Address:
Rick Keuroglian,[redacted]

Reference 3: Full Name, Phone Number and Address:
Patrick Heisler,[redacted]

How did you hear about us?:

Other

By clicking APPLY and submitting this application, I certify that the forgoing information is true and correct:
Matthew Gordon

Time of Submission: 06/22/25 2:47:32 PM

Attachments

- MatthewGordon_Resume_2025.pdf

Matthew Gordon
[redacted]

PROFESSIONAL EXPERIENCE

STATE OF COLORADO, COLORADO MAIN STREET PROGRAM — *Remote and Field Service based in Aurora, CO*
Main Street Specialist — *March 2025-Present*

- Provide technical assistance and field service to 27 Main Street Program communities across Colorado
- Oversee level 1 review of all Main Street Mini-Grant and Scholarship Reimbursements, $350k in government funds
- Developed Main Street local government business support grant implementation toolkit
- Developed Main Street volunteer toolkit

CITY OF LONE TREE — *Lone Tree, CO*
Management Analyst I, Economic Development and Housing Policy Specialist — *August 2023-March 2025*

- Managed Board and all functions of the Lone Tree Business Improvement District, oversee government funds of $550k
- Completed $160k asphalt, concrete, and restriping restoration project
- Developed LTBID Business Infrastructure Support Program, $150k committed by the District annually
- Established the Lone Tree Urban Renewal Authority and Lone Tree Urban Renewal Plan and first Plan Area
- Completed extensive title research on commercial property purchased by the City and for the LTURA Plan Area
- Launched and hosted Plazapalooza, a Colorado music showcase and vendor market

BRUSH! AREA CHAMBER OF COMMERCE/FOUNDATION/MAIN STREET — *Brush!, CO*
Executive Director/Main Street Manager — *September 2021-August 2023*

- Managed and directed all functions of the Chamber 501(c)(6), Foundation 501(c)(3), and Brush! Main Street Program
- Assisted in the redevelopment of two historic properties, Central Platoon School now Brush! Central Village and the Sands Theatre
- Secured grant funding for the Brush! Central Village project and for the planned restoration of the Desky Hotel through History Colorado and the Brush! Chamber Foundation
- Contributed to the team that earned Main Street America Accreditation and Colorado Main Street Graduate community status
- Expanded annual Chamber event Oktoberfest into a six block festival, over 5000 in attendance, the largest single day event in Brush!
- Developed Brush! CARES Business Grant Program, $100k committed by the City of Brush! annually

TOWN OF GREEN MOUNTAIN FALLS — *Green Mountain Falls, CO*
Town Clerk/Treasurer — *December 2020-September 2021*

- Served as Municipal Court Admin/Clerk, Designated Election Official, HR Manager, Risk Manager, and Records Manager
- Managed short-term rental licensing, 92% on-time remittance
- Managed special event permits and liquor licensing
- Served as liaison to and completed projects with the Town Fire Mitigation and Parks, Recreation, and Trails Boards
- Completed AP/AR, payroll, oversaw government funds over $1.1 million
- Assisted in rewrite of Town Municipal and Land Use Codes

CITY OF BRUSH! — *Brush!, CO*
DOLA Best and Brightest Graduate Intern — *January 2019-December 2020*

- Served as an intern for the DOLA Best and Brightest Program, gaining exposure over two years to municipal government and Chamber/non-profit entities
- Executed several projects across departments and with the Brush! Chamber including but not limited to, emergency management during COVID-19, successful grant writing, continuity of operations planning, drafting, and execution, succession planning, website development, agency consolidation research and negotiation, art projects, and coordinated events
- Served as Operations Manager at the City of Brush! Emergency Operations Center during COVID-19
- Functioned as Special Projects Manager for the City of Brush!

COMMUNITY INVOLVEMENT

Current
Commissioner, Human Relations Commission, City of Aurora
Member, Denver Astronomical Society

Previous
Ambassador, South Metro Denver Chamber of Commerce
Volunteer and Projectionist, Historic Sands Theatre
Alternate, City of Brush! Historic Preservation Board
Grant Writing Chair, Morgan County 2020 Census Complete Count Committee
Member, Morgan County Tourism Panel
Advisory Member, Brush! Rodeo Association
Design Team Chair, Brush! Area Chamber of Commerce
Ex Officio, Fort Morgan Chamber of Commerce
Volunteer, Brush! Special Olympics
Member, Brush! Lion's Club
Member, Brush! Rotary Club

EDUCATION

Metropolitan State University of Denver — *Denver, CO*
B.A. in Political Science — *2008-2012*

HONORS AND AWARDS

2020 Spur of the Year
Awarded for contributions to the Brush! Area Chamber of Commerce

10 Under 40, 2021
Fort Morgan Times, Brush! News Tribune, and Sterling Journal Advocate

ADDITIONAL SKILLS

Producer and Songwriter
Filthy Limericks, [redacted]

Historic Preservation Commission

Applicant Package - Ward IV

Historic Preservation Commission - Ward IV

Term 01 Aug 2023 - 31 Jul 2026
Positions Available 1

Number of applicants in this package 1

- Heckendorn, Lynda

Received: 06/18/2025
Ward IV Resident and Registered Voter
Arapahoe County
Vetted: 06/18/2025
Marcus Bond

Name: Heckendorn, Lynda

Address: [redacted]

Email: [redacted]

Board Name: Historic Preservation Commission

Date of Birth:
[redacted]

Home Phone Number:
[redacted]

Work Phone Number:
[redacted]

How long have you lived in Aurora?:
41 Years

Are you registered to vote?:

Yes

Years of Education Completed:
16

Degree(s) Received:
BA Special Education 1977

College(s) Attended:
University of Northern Colorado

Employer Name:
Aurora Public Schools

Employer Address:
15701 E. 1st Ave Aurora, CO 80011

Current Position:
Retired

Years with Current Employer:
41

Work Experience:
Elementary Para Professional in Remedial Reading Registrar at Pickens Technical College

Certification(s):
Special Education

How are you involved in your community?:
I currently volunteer at three places: Aurora History Museum - Office Files Aurora Historic Preservation Commission Five Star Residences of Dayton Place - Activities Duties

List your interests and activities.:
Cross stitch - needle work Reading Bus tours around Denver Metro Area, to learn about Colorado History

Do you presently serve in any other appointed position on a board, commission or committee?:

Yes

If yes, enter the board name and position:
Aurora Historic Preservation Commission Vice Chair

Are you currently a member and seeking reappointment on the board you are applying for?:

Yes

Why do you desire this appointment?:
I want to continue learning and be apart of preserving historic buildings and sites.

How much time do you anticipate being able to spend on this appointment each month?:
10 hours

Do you have any conflicts of interest that should be disclosed?:

No

If yes, please explain:
N/A

Reference 1: Full Name, Phone Number and Address:
Christ Geddes[redacted]

Reference 2: Full Name, Phone Number and Address:
Todd McMahon[redacted]

Reference 3: Full Name, Phone Number and Address:
Mike Ackman [redacted]

How did you hear about us?:

Word of Mouth

By clicking APPLY and submitting this application, I certify that the forgoing information is true and correct:
Lynda M. Heckendorn

Time of Submission: 06/18/25 6:14:30 PM

Attachments

- HPC Reapp_Lynda Heckendorn Resume.pdf

Lynda M. Heckendorn

[redacted]

Education

Northglenn High School - Graduated 1973
University of Northern Colorado – Graduated 1977
B.A. in Special Education

Employment

Aurora Public Schools 1978-2019
1978-1991 Elementary Paraprofessional in Remedial Reading
1991-2019 Registrar at Pickens Technical College
Retired from Aurora Public Schools 2019

Volunteer Experience

History Colorado 2019-2023
Collections Department
Cataloging Books in the Heckendorn Preservation Collection
Aurora Historic Preservation Commission 2022-Present
Vice Chair 2024-Present
Five Star Residences of Dayton Place - Activities Department 2024-Present

Interest in Historic Preservation

My husband, Dale Heckendorn, was the Coordinator of National and State Historic Preservation at History Colorado (formerly Colorado Historical Society) from 1991 until he passed away in 2008. My love of history and historic preservation came from him.

CITY OF AURORA
Council Agenda Commentary

Item Title: Intergovernmental Agreement (IGA) with Adams County to use Moorhead Recreation Center as a Voter Service and Polling Center (VSPC) (Resolution)
Item Initiator: Wynter Stieger, Recreation Manager, Parks, Recreation and Open Space
Staff Source/Legal Source: Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: 8/11/2025

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Parks, Foundations & Quality of Life

Policy Committee Date: 7/24/2025

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

☒ Recommends Approval ☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation ☐ Minutes Not Available

☒ Minutes 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.)*

Adams County has been using a portion of the Moorhead Recreation Center for voting services purposes in recent years.

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

An IGA is needed to continue the partnership between the City of Aurora, Colorado, and the Adams County Clerk and Recorder's Office to allow a portion of the Moorhead Recreation Center to be used as an active voting location (VSPC) between 2025 and 2030.

Counties are statutorily required to operate a certain number of VSPC locations for specified dates and times during every election. Factors described in CRS 1-5-102.9(1)(c)(i) are taken into account when designating VSPC locations.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☒ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☐ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

Adams County pays Moorhead annually ($1,650) for space used

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does Council wish to approve the agreement with Adams County to allow the use of a portion of the Moorhead Recreation Center as a Voter Service and Polling Center (VSPC)?

LEGAL COMMENTS

INTERGOVERNMENTAL AGREEMENT FOR THE USE OF PROPERTY OWNED OR CONTROLLED BY THE CITY OF AURORA FOR USE AS A VOTER SERVICE AND POLLING CENTER (VSPC) SITE BY THE ADAMS COUNTY CLERK AND RECORDER

THIS INTERGOVERNMENTAL AGREEMENT is made this 1st day of August, 2025 by the Clerk and Recorder of Adams County, Colorado, (the "County), and the City of Aurora (the "City") through its Elections Division of the Clerk and Recorder's Office. Collectively the County and the City are referred to as the "Parties."

WHEREAS, pursuant to the Colorado Uniform Election Code of 1992, the County conducts election activities in Adams County and governmental entities are encouraged to cooperate for the conduct of elections in order to reduce taxpayer expenses; and,

WHEREAS, the County is statutorily required to operate a certain number of Voter Service and Polling Centers ("VSPC") and to have such VSPCs open for specified dates and times during every election; and,

WHEREAS, in designating a VSPC, the county clerk and recorder shall take into account the factors described under Colorado Revised Statute (C.R.S.) § 1-5-102.9(1)(c)(I) and pursuant to C.R.S. § 1-5-102.9(1)(c)(I.5), the use of a public building as a VSPC location shall be given priority over other uses of the building; and,

WHEREAS, the County and the City have discussed the desire of the County to operate a VSPC at a property owned or controlled by the City; and,

WHEREAS, the City desires to rent such property to the County for the purpose of operating a VSPC.

NOW, THEREFORE, for and in consideration of the promises herein contained, the sufficiency of which is hereby acknowledged, the Parties hereto agree as follow:

1. **VSPC SITE.** The City grants to the County the use and occupancy of certain areas, specifically the Patio View Room, at Moorhead Recreation Center, 2390 Havana St. Aurora, CO 80010 for use as a VSPC (the "site" or "VSPC"). The County will also be allowed to use all improvements and common areas the location that are made available on a non-exclusive basis for the general use of the public and tenants, their employees, agents and invitees.

2. **TERM OF THE AGREEMENT. ELECTION TERMS AND ACCESS.** The Term of this IGA shall begin on September 1, 2025, and terminate on December 31, 2030. However, the County shall not be required to use the site as a VSPC for any specific election if it deems it to be unnecessary. If the County decides to use the site as a VSPC for any election occurring beyond 2025, the dates and times of access will be agreed to in writing by the Parties, by 60 days before the election. The County will have exclusive access to and use of the VSPC each day that it is in use as a VSPC, for the dates and times agreed to by the Parties. The Parties agree that the VSPC will be open to the public for the days and hours required by the Colorado Uniform Election Code for each election and recognize that the VSPC hours of operation may be different than when the building is otherwise open to the

public. The public will be allowed access to the VSPC during the required statutory hours of operation, even if the building is otherwise closed to the public.
The Dates and Times that the Clerk and Recorder will have access to the site for use as a VSPC for the 2025 General Election Term (November 4, 2025, Election Day) are:

Date	Day	Activity	Time
10/24/2025	Friday	Equipment drop off	Time TBD
10/27/2025- 10/31/2025	Monday-Friday	VSPC Open	8 am-5 pm
11/01/2025	Saturday	VSPC Open	10 am-2 pm
11/03/2025	Monday	VSPC Open	8 am-5 pm
11/04/2025	Tuesday	Election Day- VSPC Open	7 am-7 pm
11/05/2025- 11/07/2025	Wednesday-Friday	Equipment pick up	Time TBD
		Election Workers must access 60 minutes before and after open hours to prep VSPC and balance.	

The Parties may agree to add additional facilities to be used as VSPC's or to renew and extend this Agreement for use of the VSPC site for other future elections, which renewal(s) shall be indicated in writing and executed by both parties.

3. **USE.** The County shall use the site as a voter service and polling center to conduct elections. The County shall not commit any waste or damage upon the VSPC site or any nuisance. The County shall keep the VSPC site free and clear from all waste resulting from its use or the use of its employees, officers, or agents. The County agrees it will not unreasonably interfere with the use of the building for other regular operations or uses.

4. **ACCESS TO FACILITIES**: The Clerk and Recorder's Office shall have exclusive, twenty-four (24) hour access to the Vote Center facilities on the dates and times listed above. The City shall ensure that only authorized staff and election judges have access to the facilities, unless otherwise mutually agreed upon.

5. **AUTHORITY TO GRANT USE.** The City warrants and represents it is the lawful owner or lessee of the VSPC site and has the authority to grant the use contemplated by this Agreement.

6. **SERVICES FURNISHED BY CITY.** The City will furnish the building and the VSPC site and any and all services necessary to serve the VSPC, including the following:

- heating or cooling;
- electricity with sufficient power to operate the County's election equipment;
- internet service with sufficient bandwidth to support the County's election

equipment through wired connection to the City's publicly available internet service network, and the City's IT staff will work with the County's IT staff to ensure that any special configurations are made to allow open internet communication to support this service;

- telephone outlets currently exiting in the VSPC site;
- light fixtures present in the VSPC site and replacement of fluorescent tubes and light bulbs as required from time to time;
- customary janitorial services;
- access to parking facilities;
- removal of ice, snow and debris in the common areas and the parking facility; and
- any other customarily supplied utilities, maintenance, security, and building operation services.

7. **OBLIGATIONS OF THE COUNTY.** The County shall pay the City the cost of $5,050 for each election that the site is used as a VSPC.

8. **VSPC SITE ACCESSIBILITY.** The VSPC site shall be maintained during each Election Term by the City in compliance with its building guidelines and the Americans with Disabilities Act ("ADA") concerning building accessibility for physically challenged citizens.

9. **PARKING.** During each Election Term of this Agreement, the City shall make available to the County the use of available parking spaces serving the VSPC site.

10. **SIGNAGE.** The County may install temporary signage in or on the VSPC site and the building where it is located concerning the conduct of the elections during each Election Term. All such signage will be removed at the termination of each Election Term.

11. **ALTERATIONS.** Because the site will be used as a voter service and polling center, the County may install additional electrical and/or telephone/internet wiring, cabling, or other hardware as necessary in order to operate and maintain the County's election equipment. Any such alterations will be discussed with the City in advance and require City approval in writing. The City acknowledges that such installation may result in a permanent alteration in and improvement to the VSPC site. Any costs associated with alteration shall be paid by the County. Any alteration work shall be supervised by the City staff to ensure any alterations do not impact City facilities, operation or equipment.

12. **SURRENDER OF POSSESSION.** The County agrees to surrender possession of the VSPC site to the City at the termination of each Election Term in as good condition and repair as when the County obtained the site, except for any and all alterations or improvements authorized by City or any damage caused by the elements (occurring without the fault of the County).

13. **LOSS OR DAMAGE.** The County agrees to promptly remedy any damage to the VSPC site, at its expense, resulting from the County's use of the property under this Agreement and that was caused by the County and its employees, officers, agents or invitees. The County shall not be liable or responsible for any loss or damage to the building or VSPC site when such loss or damage is caused by "force majeure." "Force majeure" means acts of God, acts of the public enemy,

unusually severe weather, fire, floods, epidemics, quarantines, strikes, or labor disputes.

14. **SUBSTITUTION OF SPACE.** In the event the VSPC site is not available for use as contemplated by this Agreement for any reason beyond the reasonable control of the Parties including, without limitation, damage or ongoing construction related to acts of nature, fire, flood, work stoppages, protests or other similar events, the City shall promptly notify the County and provide substitute space for use by the County. In the event such substituted space is not available or not acceptable to the County, the subject VSPC site will not be available for use that Election Term.

15. **NOTICES.** Any and all notices required to be given by this Agreement are deemed to have been received and to be effective: (1) three days after they have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that an email or fax was received; to the address of a Party as set forth below or to such Party or addresses as may hereafter be designated in writing:

To County: Adams County Clerk and Recorder's Office
4430 S. Adams County Parkway.
1st Floor, SuiteE3102
Brighton, Colorado 80601
Phone No.: (720)523-6500
E-mail Address: adams.elections@adcogov.org

To City: City of Aurora
Moorhead Recreation Center
Kadee Rodrigueaz
2390 Havana St.
Aurora, CO 80010
kvrodrig@auroragov.org

16. **TERMINATION.** This Agreement may be terminated by either Party at any time by providing written notice to the other of the termination, provided the City shall not terminate the Agreement within 90 days of the start of any Election Term described herein. This 90-day window shall not apply to terminations resulting from the inability to provide substitute premises for a VSPC under Section 14 of the Agreement.

17. **AMENDMENTS.** This Agreement may be amended only in writing and following the same formality as the execution of the initial Agreement.

18. **INTEGRATION.** The Parties acknowledge that this Agreement constitutes the sole and entire Agreement between them relating to the subject matter hereof and that no Party is relying upon any oral representation made by another Party or employee, agent or officer of that Party.

19. **CONFLICT OF LAW.** In the event that any provision in this Agreement conflicts with the Colorado Uniform Election Code or other statute, this Agreement shall be modified to conform to such law.

20. **NO WAIVER OF GOVERNMENTAL IMMUNITY.** The Parties understand and agree that both Parties and their officials, officers, directors, agents, and employees, are relying on, and do not waive or intend to waive by any provisions of this Agreement, the monetary limitations or any other rights, immunities, protections or defenses provided by the Colorado Governmental Immunity Act (the "CGIA"), §§ 24-10-101 to 120, C.R.S., or otherwise available to the County or the City. To the extent the CGIA imposes varying obligations or contains different waivers for cities and counties, both the City and the County agree that they will remain liable for their independent obligations under the CGIA, and neither party shall be the agent of the other or liable for the obligations of the other.

21. **NO THIRD PARTY BENEFICIARIES.** The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the County and the City, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person under such Agreement.

22. **GOVERNING LAW: JURISDICTION AND VENUE.** Unless otherwise agreed in writing, this Agreement and the interpretation thereof shall be governed by the laws of the State of Colorado. Venue for any and all legal actions arising under this IGA shall lie in the District Court in and for the County of Adams, State of Colorado.

23. **SEVERABILITY.** Should any provision of this Agreement be determined by a court of competent jurisdiction to be unconstitutional or otherwise null and void, it is the intent of the parties hereto that the remaining provisions of this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Intergovernmental Agreement for VSPC Use to be executed by their duly authorized representatives.

CITY OF AURORA

FACILITIES PROVIDER
City of Aurora, Colorado

_____ _____
Kadee Rodriguez, City Clerk Date

_____
Andrea Wood, Assistant City Attorney

ADAMS COUNTY CLERK AND RECORDER

_____
Josh Zygielbaum

Date:_____

_____
Approved as to Legal Form
Adams County Attorney's Office

EXHIBIT A

Moorhead Recreation Center – City of Aurora
2390 Havana St.
Aurora, CO 80045

Exclusive Use Area:

The VSPC itself will lock to serve as the lockable storage for equipment.

Non-Exclusive Use Area:

General and disabled parking is available for voters.

Dates and Times of Use for the 2025 Coordinated Election:

Date	Day	Activity	Time
10/24/2025	Friday	Equipment drop off	Time TBD
10/27/2025-10/31/2025	Monday-Friday	VSPC Open	8 am-5 pm
11/01/2025	Saturday	VSPC Open	10 am-2 pm
11/03/2025	Monday	VSPC Open	8 am-5 pm
11/04/2025	Tuesday	Election Day- VSPC Open	7 am-7 pm
11/05/2025 - 11/07/2025	Wednesday-Friday	Equipment pick-up	Time TBD
		Election Workers must access 60 minutes before and after open hours to prep VSPC and balance.	

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR THE USE OF PROPERTY OWNED OR CONTROLLED BY THE CITY OF AURORA FOR USE AS A VOTER SERVICE AND POLLING CENTER (VSPC) SITE BY THE ADAMS COUNTY CLERK AND RECORDER.

WHEREAS, pursuant to the Uniform Election Code of 1992 (Articles 1 to 13 of Title 1, C.R.S.) governmental entities are encouraged to cooperate and consolidate elections in order to reduce taxpayer expenses; and

WHEREAS, pursuant to C.R.S. 1-5-102.9(1)(c)(I.5), a county clerk and recorder who requests the use of a public building that receives funding from government sources to designate as a voter service and polling center or drop box site shall be given priority over other uses of the building; and

WHEREAS, the City of Aurora, Colorado (the "City"), and Adams County, Colorado (the "County"), wish to enter into an agreement setting forth the respective responsibilities of the City and the County regarding conducting and administering any primary, general, and coordinated elections between September 1, 2025, and December 31, 2030; and

WHEREAS, the City Council of the City finds and determines that such an agreement is in the best interests of the City and its citizens; and

WHEREAS, the City Council is authorized by City Charter Article 10-12, City Code Section 2-31, and Colorado Revised Statutes Section 29-1-203, to enter into intergovernmental agreements through adoption of a Resolution approving the same.

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

Section 1. The Intergovernmental Agreement between the City of Aurora, Colorado, and Adams County, Colorado, for an approved voter service and polling center at Moorhead Recreation Center; the dates and times for County access; and the dates and times of operation for any primary, general, and coordinated elections between September 1, 2025, and December 31, 2030, is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute and deliver said intergovernmental agreement in substantially the form presented at this meeting, with such technical additions, deletions, and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Resolution.

Section 3. All resolutions or part of resolutions of the City in conflict herewith are hereby rescinded.

Section 4. This Resolution shall take effect immediately without reconsideration.

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Andrea Wood
ANDREA WOOD, Assistant City Attorney

Parks, Foundations, and Quality of Life (PFQL) Meeting
July 24, 2025

Members Present: Council Member Ruben Medina, Chair; Council Member Crystal Murillo, Vice Chair, Council Member Alison Coombs, Member

Others Present: B. Green, N. Ankeney, W. Levine, S. Brainard, L. Morales. T. Joyce, L. Perry, W. Stieger, A. Camacho, T. Tully, D. Wickman, B. Hogan, A. Valles Morales, J. McGibney, T. Bryant, B. Mendoza Ortega

1. CALL TO ORDER

Council Member (CM) Medina welcomed everyone and called the meeting to order.

2. APPROVAL OF MINUTES

2.a. Minutes for Approval

The May 22, 2025 minutes were approved.

3. ANNOUNCEMENTS

B. Green introduced Ted Bryant, the new Manager of Marketing and Communications.

4. AGENDA ITEMS

4.b. Resolution for an IGA Allowing Moorhead Rec Center as a Vote Center Facility

Summary of Issue:
Wynter Stieger, Recreation Manager, presented on the resolution for an IGA allowing Moorhead Rec Center as a vote center facility. He explained that Moorhead has been the voting center of Adams County since they have remodeled, but they are being asked for an official IGA to continue that.

Committee Discussion:
CM Coombs commented that it is important to have vote access throughout the city to make sure all their communities can get to a place easily to vote, so she supported continuing to have Moorhead serve in that capacity.

CM Murillo and CM Medina agreed and supported moving this forward

Outcome:
The Committee supported moving the item to Study Session.

Follow-up Action:
The item will move forward to Study Session.

CITY OF AURORA
Council Agenda Commentary

Item Title: Concessionaire Agreement for the Korean War Memorial at Generals Park (Resolution)
Item Initiator: Nicole Ankeney, Manager of Planning, Design and Construction, Parks, Recreation and Open Space
Staff Source/Legal Source: Nicole Ankeney, Manager of Planning, Design and Construction, Parks, Recreation and Open Space / Tim Joyce, Assistant City Attorney
Outside Speaker: Becky Hogan, UN Hertiage for Korean War Foundation
Strategic Outcome: Connected and Engaged: Providing programming, learning resources, and amenities that reflect the rich history and contributions of our vibrant communities.

COUNCIL MEETING DATES:

Study Session: 8/11/2025

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): n/a

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

A waiver of reconsideration is being requested to facilitate the fall 2025 construction timeframe of this Memorial.
Nicole Ankeney, Manager of Planning, Design and Construction, Parks, Recreation and Open Space / Tim Joyce, Assistant City Attorney
Outside speaker: Becky Hogan, UN Heritage for Korean War Foundation

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☒ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Parks, Foundations & Quality of Life

Policy Committee Date: 7/24/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☒ Minutes 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.)*

06/24/2024 – City Council approved a Resolution, R2024-70, adopting a MOU between the Korea Freedom Federation, the Korean War Memorial Monument Committee, the City of Aurora, Colorado, and Seongnam City, Korea to honor the noble spirits of war veterans and practitioners who sacrificed to protect the freedom and democracy of the Republic of Korea.

7/24/2025- Item brought to PFQL and approved to move forward to Study Session.

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

The Korean War Memorial planned for Generals Park in Aurora was conceived approximately 9 years ago with significant coordination of Parks, Recreation and Open Space (PROS). It was originally led by Peter Lee, Jim McGibney (Honorary Korean Consul) and Suegie Park. The intent was to provide a Memorial that acknowledged and thanked the Korean War Veterans in Colorado, the United States and the 21 other countries that were a part of the United Nations Forces. The original Committee included 5 others from the Korean Community and was meant to be a product of the Colorado Korean Community. The project was lead by Peter Lee and Suegie Park, who were also the leaders of the fund raising required for the project. The site selection, design, engineering and construction were led by Jim McGibney. Becky Hogan also assisted in coordinating grant funding opportunities and with PROS staff.

The General's Park location, in the center of City of Aurora, was the decision by the entire committee, though many other options were explored early in the process. The site was suggested by Mayor Stephen Hogan who was a strong advocate for the project. Many of the firms involved in the design, engineering and legal review have provided services pro bono due to their support of the project. The design includes national monuments of the 22 countries, along with 16 storyboards, 4 Korean gardens and a seating area and compliments the existing amenities within General's Park.

This spring the UN Heritage Korean War Memorial, a 501(c)(3), applied for an Adams County Open Space grant, which has been recommended for approval. PROS provided a letter sponsoring the grant application to enable them to become an eligible recipient. This grant solidifies the funding for the Korean War Memorial allowing this community-led effort to become a reality.

The concessionaire agreement outlines the roles and responsibilities of the parties, the Memorial construction and the maintenance requirements. The UN Heritage Korean War Memorial will maintain the site and coordinate with PROS Operations staff.

General's Park is designated as a historic landmark due to the waterfowl preserve and must receive approval from the Historic Preservation Commission, which is currently scheduled for August 12th.

STAFF REQUESTS A WAIVER OF RECONSIDERATION. The approval of the waiver of reconsideration will facilitate the fall 2025 construction timeframe of this Memorial.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT

Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

n/a

BUDGETED EXPENDITURE IMPACT

Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

n/a

NON-BUDGETED EXPENDITURE IMPACT

Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

n/a

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

n/a

QUESTIONS FOR COUNCIL

Do the Council Members wish to support the Resolution for the Concessionaire Agreement with UN Heritage for Korean War for the Korean War Memorial at General's Park, moving the item forward to the next regular Council Meeting?

LEGAL COMMENTS

City Council has the authority to approve or deny requests for memorials on City property on a case-by-case basis and consistent with the purposes of this policy. A two-thirds supermajority vote of support by Council is required each time a request for a proposed memorial is before Council. Colo. Const. article 14, sec. 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. Parks, Recreation, and Open Space will present an agreement to City Council for their consideration and review a maintenance plan for the memorial. (Policy on Memorials on City Property, April 18, 2016, R2016-27). Any motion to approve shall include a waiver of reconsideration. (TJoyce)

Korean War Memorial

July 24, 2025



Concessionaire Agreement with the UN Heritage for Korean War

Nicole Ankeney, *Manager of Planning, Design, and Construction*

Korean War Memorial

General's Park | 1561 N Quentin St.

- Community led project
  - Under development for ~ 10 years
- Adams County Open Space Grant
  - City sponsorship, enabling eligibility for UN Heritage for Korean War to apply
  - Community and city council support
  - Grant recommended for approval
- Concessionaire Agreement
  - Standard agreement to outline roles and responsibilities
  - Similar to agreement for Colorado Freedom Memorial
- Video



Korean War Memorial

General's Park | 1561 N Quentin St.



Site Plan Rendering

Does the Policy Committee wish to support the Resolution for the Concessionaire Agreement with UN Heritage for Korean War for the Korean War Memorial at General's Park?

Thank You!

EFFECTIVE DATE: 06/24/2024

RESOLUTION NO. R2024-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE KOREA FREEDOM FEDERATION, THE KOREAN WAR MEMORIAL MONUMENT COMMITTEE OF THE CITY OF AURORA, AND SEONGNAM CITY, KOREA (AURORA'S SISTER CITY).

WHEREAS, the City Council of the City of Aurora (Council) values the importance of honoring and commemorating the sacrifices made by veterans of the Korean War and fostering international relations; and

WHEREAS, the Korea Freedom Federation, the Korean War Memorial Monument Committee of the City of Aurora, and Seongnam City, Korea, have a shared commitment to promoting cultural exchange, mutual understanding, and historical remembrance; and

WHEREAS, the parties have agreed to enter into a Memorandum of Understanding to formalize their collaboration and support for the veterans of the Korean War; and

WHEREAS, this Memorandum of Understanding aims to strengthen the bonds of friendship between the citizens of Aurora and Seongnam City (Aurora's Sister City), and to honor the legacy of those who served in the Korean War; and

WHEREAS, Council recognizes the significance of this partnership and the positive impact it will have on the community.

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

Section 1. The Aurora City Council resolves as follows:

1) Council hereby approves and adopts the Memorandum of Understanding between the Korea Freedom Federation, the Korean War Memorial Monument Committee of the City of Aurora, and Seongnam City, Korea, attached hereto as Exhibit A.
2) Council authorizes the Mayor to sign the Memorandum of Understanding on behalf of the City of Aurora.

Section 2. This Resolution shall take effect immediately without reconsideration.

RESOLVED AND PASSED this 24th day of June, 2024.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk – Deputy

Cecilia Zapata

APPROVED AS TO FORM:

Andrea Wood

ANDREA WOOD, Assistant City Attorney

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE CONCESSIONAIRE AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND UN HERITAGE FOR KOREAN WAR FOR A KOREAN WAR MEMORIAL AT GENERALS PARK

WHEREAS, the City desires to provide parks that contribute to the physical, mental, and social development of its citizens and build a sense of community; and

WHEREAS, the UN Heritage for Korean War is a Colorado non-profit corporation ("Corporation") dedicated to honoring soldiers from Colorado who served in the Korean War; and

WHEREAS, the Corporation desires to erect a monument in memory and to honor those Colorado soldiers for the education and benefit of the public (the "Memorial"); and

WHEREAS, the City and the Corporation desire to further the following goals of the City and the Corporation:

(a) erecting the Memorial in Generals Park honoring fallen soldiers from Colorado who served in the Korean War; and
(b) ensuring that people of all ages and incomes are provided with the opportunity to view the Memorial and honor those soldiers; and

WHEREAS, the City owns certain property located within Generals Park at 1561 N. Quentin Street, Aurora, Colorado, on which the Memorial shall be constructed and managed by the Corporation; and

WHEREAS, the Parties desire to enter into a Concessionaire Agreement between the City of Aurora, Colorado and the Corporation to record their specific rights and obligations pertaining to the construction and management of the Korean War Memorial in Generals Park.

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

Section 1. The Aurora City Council resolves its approval of the Concessionaire Agreement between the City of Aurora, Colorado and UN Heritage for Korean War for the construction and management of a Korean War Memorial to be installed in Generals Park.

Section 2. The City Manager is hereby authorized to execute the attached agreement is 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. This Resolution shall take effect immediately without reconsideration so that construction of the Korean War Memorial may begin as soon as possible.

RESOLVED AND PASSED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

_____
Tim Joyce, Assistant City Attorney

CONCESSIONAIRE AGREEMENT

This CONCESSIONAIRE AGREEMENT is hereby made and entered into as of this _____ day of _____, 2025, by and between the CITY OF AURORA, COLORADO, a home rule municipal Corporation organized and existing under the laws of the State of Colorado ("City"), and the UN HERITAGE FOR KOREAN WAR, a Colorado non-profit Corporation with a principal office street address of 10555 East Dartmouth Avenue, Suite 250, Aurora, Colorado 80014 ("Corporation"), collectively hereinafter referred to as "the Parties" and individually as a "Party."

RECITALS

WHEREAS, the City desires to provide parks that contribute to the physical, mental, and social development of its citizens and build a sense of community; and

WHEREAS, the Corporation is a Colorado nonprofit corporation dedicated to honoring soldiers from Colorado who served in the Korean War; and

WHEREAS, the Corporation desires to erect a monument garden in memory to honor those Colorado soldiers for the education and benefit of the public (the "Memorial"); and

WHEREAS, the City and the Corporation desire, by this Agreement, to further the following goals of the City and the Corporation by:

(a) erecting the Memorial in Generals Park honoring countries that fought for freedom in the Korean War; and

(b) ensuring that people of all ages and incomes are provided with the opportunity to view the Memorial and honor those the countries and those soldiers who fought in the war; and

WHEREAS, the City owns certain property located within Generals Park, located at 1561 N. Quentin Street, Aurora, Colorado (the "Property") on which the Memorial shall be constructed by the Corporation; and

WHEREAS, the Parties desire to enter into this Agreement to record their specific rights and obligations.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, the Parties do hereby mutually undertake, promise, agree and contract each for itself and its successors and assigns as follows:

ARTICLE I

RIGHT TO CONSTRUCT AND OCCUPY PARK PROPERTY

Section 1.1 General. The City hereby grants to the Corporation and its approved contractors and subcontractors the right to construct the Memorial on the Property. The Memorial

shall include the Korean War Memorial monuments and landscaping related to the monuments. (See Attachment 2 as a complete representation of the planned Memorial.) Occupancy of the Property shall conform to the zoning, park master plan and applicable codes and standards as approved by the City and this Agreement.

1.1.1 Nothing in this Agreement shall be construed to provide authority for exclusive control by the Corporation over any portion of City-owned roads, parking areas, or improvements.

1.1.2 No alterations, additions, improvements or physical changes to the Property shall be erected, installed, or permitted by the Corporation, or any person at its request, unless: (1) such work is specifically referenced in the approved Park Master Plan and/or Construction Documents; or (2) the City has given prior written consent and approval.

1.1.3 Nothing in this Agreement shall be construed to provide the Corporation with any warranty, guarantee, or assurance that the Property is suitable for the construction and operation of the Memorial, nor that the Property has the necessary physical characteristics to support such construction. The City disclaims any warranty concerning the environmental condition of the Property. The Corporation shall be solely responsible for the performance and cost of any soil and other testing and final site plan development necessary to determine such suitability.

1.1.4 The construction, occupancy and operation of the Memorial shall be subject to the City Charter, City Code, ordinances, Park and Open Space Dedication and Development Criteria Manual, and rules and regulations of the City.

1.1.5 Construction of the Memorial shall commence within twenty-four (24) months following the complete execution of this Agreement by both Parties and shall be constructed within thirty-six (36) months following the complete execution of this Agreement. The Property shall be used to provide a Memorial for the community as set forth in the Agreement in Section 1.1, open to the public as constructed pursuant to this Agreement.

1.1.6 Prohibited Uses. The Memorial shall only be used for the uses described in Section 1.1. Accessory uses, special events or gatherings shall be submitted through City permitting processes for approval.

Section 1.2 City Consultation and Approvals of Construction and Future Improvements or Alterations.

1.2.1 Plans and Drawings. The Corporation shall submit to the City, through its Parks, Recreation and Open Space Department, the following documents for review and approval by the City Staff as required by the City Code, containing such information as is required by the City Code and departmental policy: site plan, civil construction plans, planting and irrigation plans, specifications, building construction plans, and as-built drawings of the constructed Memorial. Documents shall be submitted within a

reasonable time following completion of construction. The Corporation is responsible for all applicable review and permit fees. (See Attachment 2.)

1.2.2 Right to Observation. The City shall have the unrestricted right to observe the construction of the Memorial through the construction inspection process and, after the notice and cure provided in Section 8.2, may initiate any action it believes necessary to address observed construction activities that, in the City's reasonable judgment, are deemed substandard, unacceptable, or not in conformance with plans, specifications and construction documents, provided that the Corporation shall not rely upon such occasional City inspections to provide any level of construction inspection services.

1.2.3 Utilities. The Corporation shall be responsible for the installation and cost thereof of connection to existing utilities necessary to serve the Memorial and the Property and maintenance of utility connections shall be coordinated through and approved by the Parks, Recreation and Open Space Department.

1.2.4 City Responsibilities. The City shall provide use of the land to the Corporation to install the Memorial, without granting any title or real property interest to such land, at no cost to the Corporation. The use right granted in this Agreement is coupled with an interest in favor of the Corporation, namely ownership of the Memorial constructed on the Property.

Section 1.3 Construction of the Memorial. The Corporation shall, at its sole cost and expense, develop and construct its Memorial on the Property in conformance with the plans and specifications as approved by the City through the review process.

1.3.1 The Corporation and its contractors and subcontractors shall assume all responsibility for financing and funding the planning, development, construction, equipping, operation, management, and maintenance of the Memorial. The Corporation shall be solely responsible for, including the cost thereof whether incurred directly or indirectly, all consultant selection, site and building design, Memorial construction as described in Section 1.1, additional landscaping and lighting, surveying, mapping, site grading, soil and other such testing procedures, contractor selection, construction observation and inspection, taxes, and permit acquisition as determined necessary within the City plans review and approval process.

1.3.2 The City shall not be responsible for any costs or expenses except that the City shall allow occupancy of the Property for construction of the Memorial as described in Section 1.1 and approved plans, and other support for the Memorial as deemed necessary and approved by the City.

ARTICLE II

MANAGEMENT AND MAINTENANCE OF MEMORIAL

Section 2.1 General. During the term of this Agreement and any renewals of this Agreement, the Corporation and its permitted successors and assigns shall manage the Memorial for the uses permitted in Section 1.1. The Corporation will adopt rules of operation that serve as

guidelines governing the management, maintenance, and repair of the Memorial, and identify permitted and prohibited uses of the Memorial ("Rules of Operation"). The Rules of Operation shall be available for review by the City upon request by the City. In the event of a conflict between the Rules of Operation and this Agreement, the terms of this Agreement shall control.

Section 2.2 Management Exclusively by the Corporation. The Corporation shall have sole and exclusive management authority with respect to the Memorial consistent with this Agreement and the Rules of Operation in its use of the Memorial.

Section 2.3 Special Events. The Corporation understands and agrees that accessory uses, special events or gatherings they may wish to stage may require a temporary use permit issued by the City, as required by the ordinances, regulations, and policies of the City. The Corporation shall be responsible for conducting and coordinating major event planning and site parking with the City.

Section 2.4 Nondiscrimination. The Corporation shall not discriminate against any of its employees, applicants for employment, contractor, or subcontractor, or in its management of the Memorial. Discrimination, whether deliberate or unintentional, is any action that has the effect of limiting employment and advancement opportunities because of an individual's race, (including hair texture, hair type, hair length or a protective hairstyle commonly or historically associated with race), disability, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, religion, age, national origin, ancestry, pregnancy, childbirth and related medical conditions, active military status, veteran status, citizenship status, genetic information, or any other class, attribute, or affiliation that is protected by state, federal, or applicable law. The Corporation shall also adhere to acceptable affirmative action guidelines in selecting employees and contractors and shall ensure that employees and contractors receive fair treatment during employment or agreement. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Corporation and their employees shall not publicize the Memorial in any manner that would directly or inferentially reflect discrimination against any person. The Corporation agrees that it must comply with applicable federal civil rights laws, regulations, and requirements, and follow applicable federal guidance, except as the Federal Government determines otherwise in writing.

Section 2.5 Signage. The Corporation shall not permit any billboards, signs or other commercial advertising media of any kind or type whatsoever on the exterior of the Memorial and the parking lot, except as approved or permitted by the City in accordance with the City Sign Code. The Corporation is not responsible for maintaining the signage surrounding Generals Park property.

Section 2.6 Memorial and Property Maintenance and Repairs. The Corporation shall be responsible for all maintenance, repairs, and upkeep of the Memorial throughout the term of this Agreement and any extension thereof. The Corporation shall keep the Memorial in good condition and repair. The Corporation shall be responsible for any items left at the Memorial by visitors.

The Corporation is not responsible for maintaining the surrounding Generals Park property.

ARTICLE III

TERM

Section 3.1 Term of the Agreement. The term of this Agreement shall be for a period of five (5) years commencing on the date of mutual execution of this Agreement and approval by the City.

Section 3.2 Extension of Term. Not later than one (1) year prior to the termination of this Agreement, the Corporation may notify the City, in writing, of its desire to execute a mutually agreed upon extension of this Agreement for an additional five (5) years.

Section 3.3 Surrender of Occupancy. Upon termination of this Agreement, the Corporation's right to occupy the land shall terminate and the Corporation shall peaceably surrender occupancy of the Property to the City. No notice to quit the occupancy of the Property and operations at the termination of this Agreement shall be necessary. At such time, ownership of the Memorial and any other improvements on the Property owned by the Corporation shall transfer to the City. The Corporation agrees to execute any and all documents necessary to effectuate such transfer.

Section 3.4 Evidence of Termination. At the termination of this Agreement and following full payment of any amounts payable hereunder in accordance with the provisions of this Agreement, the Parties hereto shall deliver any documents and take such actions as may be necessary to effectuate the cancellation and evidence the termination of this Agreement.

Section 3.5 Termination of the Corporation. In the event that the existence of the Corporation is terminated or substantially changed in a manner that is not consistent with the purposes of this Agreement, the Corporation and the City shall negotiate in good faith concerning any modifications to this Agreement that may be appropriate to continue the intent, purpose and substantive terms of this Agreement and to protect the City's interests and property. Upon termination of the Corporation, all property and material existing as part of the Memorial shall then become property of the City as a donation from the Corporation to the City.

ARTICLE IV

FINANCIAL MATTERS

Section 4.1 General. The Corporation has the sole financial responsibility for the Memorial, and the City shall not have any financial responsibilities therefor.

Section 4.2 Operating Revenues and Expenses. The Corporation shall have sole and complete responsibility for its budgets, receipts and expenditures, and shall be solely responsible for all operating revenues and expenses received and incurred as a result of its management of its programs and the Memorial. The Corporation, and not the City, shall be responsible for any operating deficit.

Section 4.3 Reserves for Repairs. All repairs and replacement of real and personal property on or at the Memorial shall be at the sole cost and expense of the Corporation. However, the City may periodically request that reasonable repairs to the Memorial be undertaken, and the City may compel such repairs (or undertake such repairs on its own initiative and have access to the Memorial to do so) if it deems the condition of the Memorial to pose an immediate and unwarranted risk to the health and safety of users of the Memorial. The cost for any such repairs undertaken by the City hereunder shall be promptly reimbursed to the City by the Corporation.

ARTICLE V

INSURANCE

Section 5.1 Insurance Requirements. The Corporation shall provide, pay for and maintain the types and minimum limits of insurance, as indicated in Attachment 1, covering the Corporation, its subcontractors or representatives, along with the activities of any and all subcontractors retained by them or the activities of anyone employed by any of them, or their representatives or anyone for whose acts they may be liable.

Section 5.2 Hold Harmless. Upon receipt of notice from the City, the Corporation shall take such action as the City reasonably deems necessary and expedient to ensure that the City is held harmless from any liability to any person, individual or entity from any cause whatsoever arising as a result of the Corporation's activity, use, and operations on the Property to any person, individual or entity.

ARTICLE VI

INDEMNIFICATION

Section 6.1 Indemnification Covenant. The Corporation shall defend, indemnify and save the City and its respective agents, officers and employees, and hold them harmless from and against any and all liabilities, losses, damages, costs and expenses (including attorneys' fees and expenses of the City), causes of action, suits, claims, demands and judgments of whatsoever kind and nature (including those arising or resulting from any injury to or death of any person or damage to property) arising out any of the following, except when caused by the negligence or the willful misconduct or gross negligence of the City or its agents, officers or employees acting in their official capacity (and not as patrons of the Memorial):

6.1.1 The use or occupancy by the Corporation (as applicable) or patrons or the general public of the Memorial or participating in the Corporation's programs;

6.1.2 Violation by the Corporation (as applicable) of any agreements, representation, warranty, covenant or condition of this Agreement;

6.1.3 Violation by the Corporation (as applicable) of any other contract, agreement or restrictions relating to the Memorial; or

6.1.4 Violation by the Corporation (as applicable) of any law, ordinance, regulation or court order affecting the Memorial or the ownership, occupancy or use thereof.

Section 6.2 Notice. The City shall promptly notify the Corporation, in writing, of any claim or action brought against the City in respect of which indemnity may be sought against the Corporation, hereunder, setting forth the particulars of such claim or action. If Corporation specifically authorizes the City to employ outside counsel in any such action in defense of such claim or action brought against the City Corporation shall pay outside council's fees and expenses.

Section 6.3 Agreement to Pay Fees and Expenses of Counsel. In the event the Corporation should default under any of the provisions of this Agreement and the City should employ outside counsel or incur other expenses for the enforcement or performance or observance of any obligation on the part of the Corporation under this Agreement, the Corporation agrees that it will on demand therefore pay to the City or, if so directed by the Corporation to the outside counsel for the City, the reasonable fees of such outside counsel and such other expenses so incurred by or on behalf of the City.

Section 6.4 Mechanics Liens. In addition and not in limitation of the foregoing, the Corporation shall take reasonable steps to cooperate with the City to prevent the filing of any mechanics lien against the City's ownership interest in the Property, including without limitation providing the City with a list of all contractors and subcontractors and providing other reasonable assistance in giving the notice provided for in Colorado Revised Statutes ("C.R.S.") Section 38-22-105(2), but not including the purchase by the Corporation of payment and performance bonds.

ARTICLE VII

DAMAGE OR DESTRUCTION OF THE PREMISES

Section 7.1 Damage or Destruction of the Memorial. If the Memorial is damaged or destroyed by fire or other casualty, the Corporation shall cause the net proceeds of any insurance thereon to be used to promptly repair, rebuild, and/or restore the Memorial and such other improvements to substantially the same condition as existed prior to such damage or destruction, with such changes, alterations and modifications (including the substitution and addition of other property) as may be desired by the Corporation in compliance with this Agreement and all applicable City laws, policies and regulations. If the net proceeds are not sufficient to pay in full the costs of such repair, rebuilding or restoration, the Corporation will nonetheless complete the work thereof and will pay any costs thereof in excess of the amount of said net proceeds.

In any event of substantial damage to or destruction of the Memorial, the Corporation shall provide to the City the time schedule for their repair, rebuilding, or restoration. Work on the repair, rebuilding, or restoration of the Memorial shall commence no later than four (4) months following the date of such damage or destruction or two (2) months after settlement of all insurance claims related thereto, whichever occurs last.

The Corporation shall be responsible for the installation of safety fencing and any other measures reasonably necessary to secure the Memorial within 24 hours after its damage or destruction.

Despite any contrary provision of this Article, if less than one year remains in the term, the Corporation may, after consultation with the City, remove the Memorial and return the area it occupied to its condition before construction.

ARTICLE VIII

DEFAULT AND OTHER OCCURRENCES; REMEDIES

Section 8.1 Events of Default. The following are events of default under this Agreement.

8.1.1 If the Corporation files a petition of bankruptcy; or if proceedings in bankruptcy shall be instituted against it and it is therefore adjudicated a bankrupt pursuant to proceedings; or if a court shall take jurisdiction of the Corporation and its assets pursuant to proceedings brought under the provisions of any federal reorganization act; or if a receiver for the Corporation assets is appointed; or if the Corporation shall be divested of its rights, powers and privileges under this Agreement by other operation of law.

8.1.2 Failure to complete the Memorial within the time provided is Section 1.1.5 of this Agreement, or if the Corporation abandons and discontinue the construction and development of the Memorial; or cease operation or maintenance of the Memorial; or abandon the Memorial site. Notwithstanding other provisions in this Article and Article III, upon abandonment of the Memorial by the Corporation, the City is not obligated to maintain the Memorial site.

8.1.3 If the Corporation or City shall fail to perform, keep and observe any of the terms, or provisions, covenants and conditions contained in this Agreement to be performed, kept and observed by it.

8.1.4 If the Corporation fails to abide by all applicable laws, ordinances, rules and regulations of the United States, State of Colorado, or the City.

8.1.5 If the Corporation fails to obtain any insurance or indemnity required under the terms of this Agreement or permits any such insurance or indemnity to lapse or become void.

8.1.6 If the Corporation declines to provide repairs necessary for the proper and lawful operation of the Memorial.

Section 8.2 Notice and Right to Cure. Upon the occurrence of any event of default by the Corporation recited in Section 8.1.1 through 8.1.6 above, the City shall give written notice to the defaulting Party to correct or cure same and if, within thirty (30) days from the date of such notice, the default, failure to perform or breach complained of shall not have been corrected in a manner satisfactory to the City, the City shall have the remedies specified in this Agreement. Upon the occurrence of any event of default recited in Section 8.1.3 by the City, Contractor shall give written notice to the City to correct or cure same and if, within thirty (30) days from the date of such notice, the default, failure to perform or breach complained of shall not have been corrected in a manner satisfactory to the Corporation, the Corporation shall have the remedies specified in this Agreement.

Section 8.3 Remedies. Should any one or more of the events of default occur, the non-defaulting Party, the City, shall have the right to a claim for damages or for such equitable relief

as may be necessary or appropriate to cure the defect and compensate the non-defaulting Party, the Contractor, or such other remedies as are specified in this Article. For certain events of default by the Corporation, additional possible remedies for the benefit of the City are provided below subject to other provisions of this Agreement. The remedies set forth below shall be strictly applied.

8.3.1 This Agreement is subject to cancellation by the City if, and only if, construction of the Memorial does not commence within twenty-four (24) months following mutual execution of this Agreement after approval by the City, or if the Corporation does not expend or enter into binding construction contracts to expend at least $400,000 in hard construction costs on the Property within thirty-six (36) months after the mutual execution of this Agreement, per Section 1.1.5 of this agreement.

ARTICLE IX

GENERAL PROVISIONS

The following are regarded as the General Conditions:

9.1.1 Merger. This Agreement shall not be merged into any other oral or written contract, lease or deed of any type. This is the complete and full agreement of the Parties.

9.1.2 Modification. This Agreement contains the entire agreement of the Parties. No representations were made or relied upon by either Party other than those that are expressly set forth in this Agreement. No agent, employee or other representative of either Party is empowered to alter any of the terms hereof unless done in writing and signed by an authorized officer of the respective parties. The Parties reserve the right to mutually negotiate and modify the terms of this Agreement as needed when done in writing and authorized by each Party.

9.1.3 Assignment. The activities and uses to which the Property for a Memorial and the rights, privileges and obligations granted under this agreement to the Corporation are personal to the Corporation. The Corporation agrees that it will not assign, transfer or subcontract its rights, privileges and obligations granted under this Agreement without the express prior written consent of the City. Such consent shall not be unreasonably withheld. Any purported assignment in violation hereof shall be void. This Agreement is not a lease, and the Corporation may not sublease nor convey any ownership right, title, or interest in any part of the Memorial, except as provided herein.

9.1.4 Successors and Assigns Bound by Covenants. All covenants, stipulations and provisions in this Agreement shall extend to and bind the legal representatives, successors, subcontractors and assigns of the Parties.

9.1.5 Strict Compliance. All provisions of this Agreement and each and every document that shall be attached hereto shall be strictly complied with as written, and no substitution or change shall be made except upon written consent from an authorized representative. The performance of the obligations of the Parties shall be extended for a mutually

acceptable period if performance is prevented or hindered by matters outside their control or due to force majeure.

9.1.6 Authorized Representative. In further consideration of the mutual covenants in this Agreement, the Parties expressly agree that for purposes of notice, including legal service of process, during the term of this Agreement, and any extension thereof, and for the period of any applicable statute of limitations thereafter, the following named individuals shall be the authorized representatives of the Parties:

Corporation: Seung Woo Lee
UN Heritage for Korean War
10555 E. Dartmouth Ave., Suite 250
Aurora, Colorado 80014

City: Brian Green, Director of Parks, Recreation and Open Space
Aurora Municipal Center, PROS
15151 E. Alameda Parkway, Suite 3600
Aurora, Colorado 80012

Copies to: Aurora City Attorney
Aurora Municipal Center, Office of the City Attorney
15151 E. Alameda Parkway, Suite 5300
Aurora, Colorado 80012

All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given to the Parties required hereunder to receive such notice, certificate or communication when mailed by certified mail, postage prepaid. The Parties may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

9.1.7 Applicable Law. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Colorado.

9.1.8 Further Assurances. The Parties agree that they shall, from time to time, execute and deliver such further instruments and take such further actions as may be reasonably required to carry out the purposes of this Agreement.

9.1.9 Independent Contractor; Not a Partnership. The Parties acknowledge and agree that any and all acts of the Corporation and its personnel, employees, agents, or contractors performed pursuant to this Agreement shall be undertaken as independent contractors and not as employees or agents of the City. The Corporation shall have no authority to bind the City by any contract or agreement, or to impose any liability upon the City. The relation between the City and the Corporation is that of concession permit issuer and concession permit holder, and nothing in this Agreement shall be construed to create the relationship of partner or joint venturer.

9.1.10 No Personal Liability. The officers, directors, and agents of the Corporation will not have any personal liability for the acts, omissions, or defaults by the Corporation.

9.1.11 Contingency. The obligations of the Corporation are contingent upon its receipt of a grant and the proceeds of it from the County of Adams in an amount and at a time to enable the Corporation to perform those obligations.

ARTICLE X

INVALID PROVISION

Section 10.1 Invalid Provision. In the event that any covenant, condition, or provision herein contained is held to be invalid by any court of competent jurisdiction, the invalidity of any such covenant, condition, or provision herein contained shall not affect the validity of the remainder of the covenants, conditions, or provisions of this Agreement which shall in all respects remain a legally binding contract with the invalid portion being deleted; provided that the validity of any such covenant, condition, or provision does not materially prejudice either the City or the Corporation in its respective rights and obligations contained in the valid covenants, conditions or provisions of this Agreement.

Executed this _____ day of _____, 2025.

CITY OF AURORA, a Municipal Corporation

_____
JASON BATCHELOR, City Manager

RISK MANAGEMENT:

_____
RENEE PETTINATO-MOSELY, Risk Manager

APPROVED AS TO FORM:

_____
TIM JOYCE, Assistant City Attorney

UN HERITAGE FOR KOREAN WAR
a Colorado nonprofit Corporation

_____
SEUNG WOO LEE

Attachment 1
INSURANCE REQUIREMENTS

The Corporation 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 Corporation shall maintain commercial general liability insurance covering all operations by or on behalf of the Corporation 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: (Limits are to be determined by Risk Management and may change these amounts)
$1,000,000 each occurrence
$2,000,000 general aggregate
$2,000,000 products and completed operations

Commercial Property Insurance. The Corporation shall maintain a commercial property insurance policy covering all risks of physical loss or damage to or destruction of the property and "insurable improvements or betterments" to the location(s) described herein including vandalism, on a replacement cost basis. User acknowledges and agrees that City will not be responsible for damage to or destruction of its property.

Contractor's Insurance. It shall be the responsibility of the Corporation 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 Corporation is responsible for verifying that the Contractor's insurance is in effect prior to commencement of work and throughout the time that the subcontractor performs work on the project. Any Contractor 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 Corporation 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 insurance policy and the certificate of insurance will include this specific language along with a copy of the endorsement.

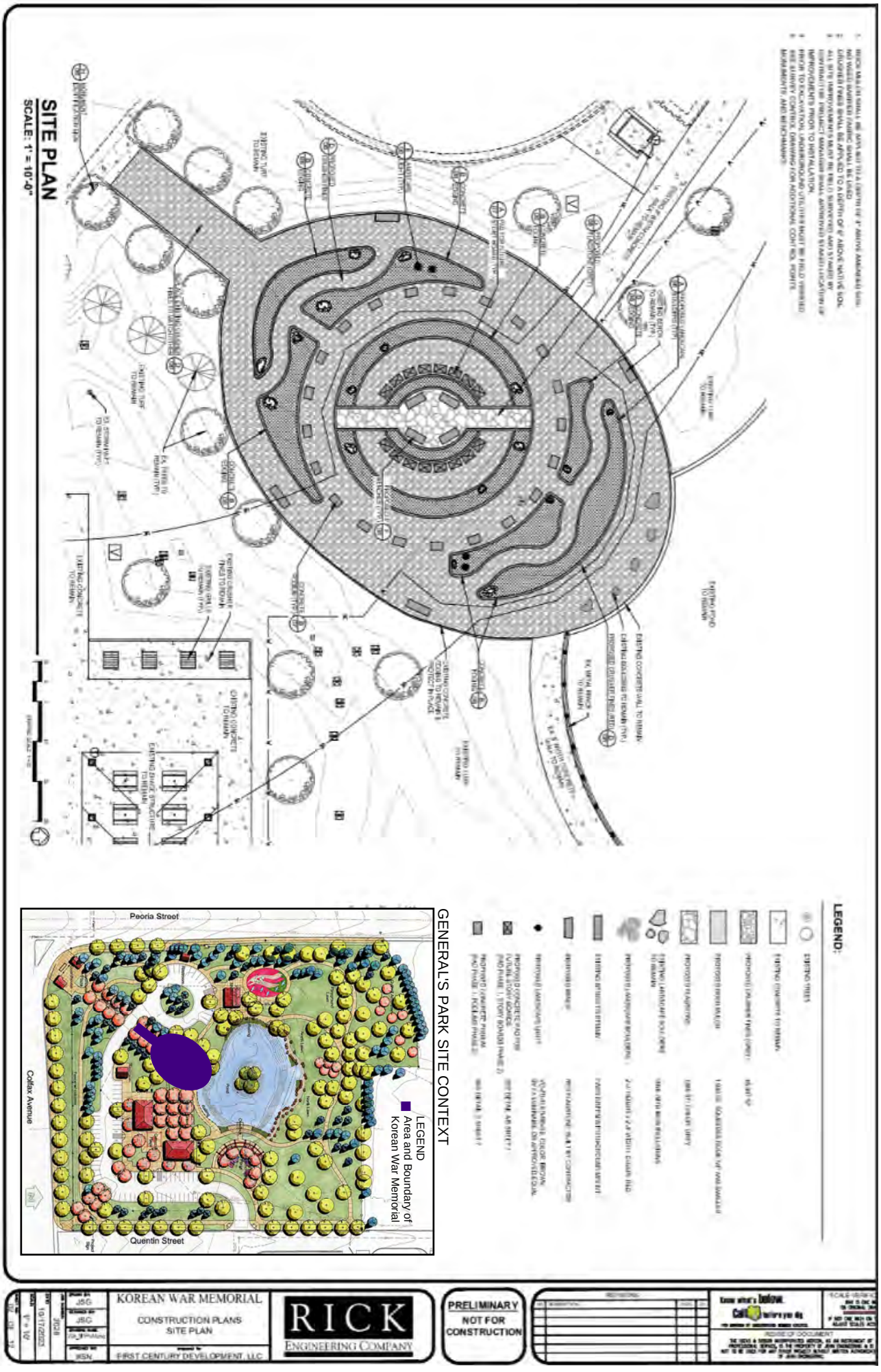
Certificates of Insurance. Upon the execution of this Agreement, the Corporation shall provide certificates of insurance to the City of Aurora demonstrating that the minimum coverages required herein are in effect. Corporation agrees that the required coverages will not be reduced, canceled, non-renewed 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 Corporation's or its subcontractor's coverage is renewed at any time prior to completion of the services, the Corporation 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- VIII and the minimum A.M. Best rating of each excess insurer shall be A- VII. The Corporation 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 Corporation'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 Corporation has any self-insured- retentions or deductibles under any of the required policies, the Corporation must reflect these amounts on the Certificate(s) of Insurance. If requested, the Corporation will provide satisfactory evidence of financial responsibility for such obligations. In any event, Corporation will be solely responsible for any self-insured retentions deductibles.


SITE PLAN
SCALE: 1" = 10'-0"
LEGEND:
GENERAL'S PARK SITE CONTEXT
Peoria Street
Colfax Avenue
Quentin Street
LEGEND
Area and Boundary of
Korean War Memorial
KOREAN WAR MEMORIAL
CONSTRUCTION PLANS
SITE PLAN
FIRST CENTURY DEVELOPMENT, LLC
RICK
ENGINEERING COMPANY
PRELIMINARY
NOT FOR
CONSTRUCTION

Parks, Foundations, and Quality of Life (PFQL) Meeting
July 24, 2025

Members Present: Council Member Ruben Medina, Chair; Council Member Crystal Murillo, Vice Chair, Council Member Alison Coombs, Member

Others Present: B. Green, N. Ankeney, W. Levine, S. Brainard, L. Morales. T. Joyce, L. Perry, W. Stieger, A. Camacho, T. Tully, D. Wickman, B. Hogan, A. Valles Morales, J. McGibney, T. Bryant, B. Mendoza Ortega

1. CALL TO ORDER

Council Member (CM) Medina welcomed everyone and called the meeting to order.

2. APPROVAL OF MINUTES

2.a. Minutes for Approval

The May 22, 2025 minutes were approved.

3. ANNOUNCEMENTS

B. Green introduced Ted Bryant, the new Manager of Marketing and Communications.

4. AGENDA ITEMS

4.a. Concessionaire Agreement for the Korean War Memorial at General's Park

Summary of Issue:
Nicole Ankeney, Manager of PROS Planning, Design and Construction, presented the Concessionaire Agreement for the Korean War Memorial at Generals Park. She stated that they have been working with the UN Heritage for the Korean War for going on 10 years, and the Korean War Memorial is a community led project. She commented they are able to apply for an Adams County Open Space Grant this year. She explained that the Concessionaire Agreement is a standard agreement to outline roles and responsibilities. She played a video for the Committee on the Korean War Memorial that was narrated by Becky Hogan. The memorial is located on the northwest corner of Quinten St and Colfax Ave and will be a community led initiative honoring veterans and paying tribute to those who served in the Korean War. It offers reflection and remembrance with 16 storyboards, national monuments, a seating area, and Korean gardens. It will include drought resistant native plants, solar powered lighting, and will seamlessly integrate into Generals Park. B. Hogan expressed that accessibility is a core principle of the project and it features smooth pathways and has ADA compliant seating and gathering spaces, and sustainability is at the heart of the project. She said the design incorporates Colorado's native plants and trees and recycled materials and the project is supported by an extensive network of stakeholders. She stated that the project is shovel ready and they can commence construction in the third quarter of 2025, with a planned completion of the third quarter of 2026. She expressed that by supporting this project, they will invest our community's history, well-being, and shared future. N. Ankeney asked the Committee to support the resolution for the Concessionaire Agreement with UN Heritage for Korean War for the Korean War Memorial at General's Park.

Committee Discussion:
CM Coombs expressed that she was in support of the project.

CM Murillo commended the group for pushing forward and supported the project.

CM Medina also approved the resolution for the Korean War Memorial.
.
Outcome:
The Committee supported moving the item to Study Session.

Follow-up Action:
The item will move forward to Study Session.

CITY OF AURORA
Council Agenda Commentary

Item Title: Aurora Police Department Grant Application to the Peace Officers Mental Health Grant Program (Resolution)
Item Initiator: Timothy Sherbondy, Grant Analyst II, Police
Staff Source/Legal Source: Timothy Sherbondy, Grant Analyst II, Police / Mandy MacDonald, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Safe: Promoting safety in our built environment through effective administration of city codes and ordinances and responding to emergencies appropriately to preserve and enhance the community's sense of security and well-being.

COUNCIL MEETING DATES:

Study Session: 8/11/2025

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

Timothy Sherbondy, Grant Analyst II, Police / Mandy MacDonald, Assistant City Attorney
Estimated time: 5 mins

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

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 ☐ Minutes Not Available

☐ Minutes 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.)*

N/A

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

The Aurora Police Department's Employee Support and Wellness Unit (ESWU) provides a wide range of mental health resources to support officer well-being. With funding from previous cycles of this grant program, the department successfully launched Neurofeedback Therapy—an innovative treatment that has proven effective in addressing issues such as trauma, stress, and PTSD among law enforcement personnel. Due to overwhelming interest and strong outcomes, demand for the service has exceeded capacity, resulting in the creation of a waitlist. This grant funding will ensure that officers currently engaged in treatment can complete their full course of therapy without interruption.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does the council wish to approve the Aurora Police Department to submit this grant application to support its Neurofeedback Therapy program?

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. A Resolution is the formal legislative act by which the City Council expresses a position on matters of public policy. Approval for the Aurora Police Department's submission of a grant application is an appropriate item for City Council to act by Resolution. Section 5-1, Aurora City Charter (MacDonald)

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CITY OF AURORA TO APPLY FOR THE 2025-2026 PEACE OFFICER MENTAL HEALTH GRANT APPLICATION THROUGH THE STATE OF COLORADO

WHEREAS, the Peace Officer Mental Health program supports a wide range of behavioral health support services for peace officers and peace officer immediate family members. Behavioral health support services are also available to Public Safety Agencies including law enforcement agencies, fire protection, emergency medical and response, co-responder programs, and 911 emergency dispatch services; and

WHEREAS, eligible expenses for grant funding include counseling services, training programs, peer support programs, and other behavioral health provider services; and

WHEREAS, the total available funding for the program is approximately $1,800,000.00; and

WHEREAS, the grant application requires approval by the elected body for the applying agency for submission to DOLA; and

WHEREAS, the City Manager has granted conditional approval for submission of the application pending approval of the City Council; and

WHEREAS, the City will benefit from receipt of any of the grant funding available through this process.

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

Section 1. The Application for the Peace Officer Mental Health Grant Program is hereby approved.

Section 2. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Amanda MacDonald MP
AMANDA MACDONALD, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Approval to Utilize a Private Funding Grant Finder (Resolution)
Item Initiator: Timothy Sherbondy, Grant Analyst II, Police
Staff Source/Legal Source: Timothy Sherbondy, Grant Analyst II, Police / Mandy MacDonald, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Safe: Promoting safety in our built environment through effective administration of city codes and ordinances and responding to emergencies appropriately to preserve and enhance the community's sense of security and well-being.

COUNCIL MEETING DATES:

Study Session: 8/11/2025

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

Timothy Sherbondy, Grant Analyst II, Police / Mandy MacDonald, Assistant City Attorney
Estimated time: 5 mins

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Public Safety, Courts & Civil Service

Policy Committee Date: 7/10/2025

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

☐ Recommends Approval

☐ Does Not Recommend Approval

☒ Forwarded Without Recommendation

☐ Minutes Not Available

☐ Minutes 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.)*

N/A

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

Aurora SWAT currently does not possess a robot capable of effectively manipulating objects, opening doors, or directly communicating with suspects. Traditional tracked robots often become immobilized by stairs, furniture, or other obstacles commonly found in barricade situations. In contrast, the **SPOT Robot**, developed and manufactured exclusively by **Boston Dynamics**, is uniquely equipped to address these challenges.
SPOT is a highly mobile, quadrupedal robot designed to navigate complex terrain, including staircases and cluttered environments. It features integrated cameras and a speaker system, allowing officers to see and communicate with individuals remotely. Additionally, its articulating arm can open doors and manipulate objects—significantly reducing the risk to officers during high-threat incidents. SPOT is also resistant to hazardous substances, making it ideal for dangerous or contaminated environments.
Boston Dynamics has partnered with a third-party grant writing agency that researches funding opportunities and assists law enforcement agencies with grant applications. Importantly, **these services are provided at no cost to the City**, as they are funded by Boston Dynamics. Before any work begins, the agency requires formal approval from department leadership.
We respectfully request **Council's approval to utilize this no-cost grant writing service** in order to pursue funding opportunities for the SPOT Robot. If successful, APD will follow the City's standard procurement procedures for equipment acquisition.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does Council wish to approve APD to utilize this free grant writing service to obtain grant funding for an important piece of equipment?

LEGAL COMMENTS

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. Section 5-1, Aurora City Charter. (MacDonald)

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE AURORA POLICE DEPARTMENT'S USE OF A THIRD-PARTY GRANT WRITING AGENCY TO PROVIDE NO-COST GRANT FUNDING RESEARCH AND APPLICATION ASSISTANCE

WHEREAS, the Aurora Police Department currently does not possess a robot capable of effectively manipulating objects, opening doors, or directly communicating with suspects; and

WHEREAS, the SPOT Robot, developed and manufactured exclusively by Boston Dynamics, can perform such tasks; and

WHEREAS, SPOT Robots are very effective in high-risk entries and other high-threat situations, such as where chemicals or explosives may be present, significantly reducing the risk to law enforcement officers; and

WHEREAS, Boston Dynamics has partnered with a third-party grant writing agency that researches funding opportunities and assists law enforcement agencies with grant applications, at no cost to the City; and

WHEREAS, the grant writing agency requires approval from City Council before it can begin work; and

WHEREAS, the Aurora Police Department requests that the City Council approve the department's use of this no-cost grant writing service in order for the department to pursue funding opportunities for acquisition of a SPOT Robot; and

WHEREAS, if successful, the Aurora Police Department will follow the City's standard procurement procedures for equipment acquisition;

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

Section 1. The Aurora City Council approves the Aurora Police Department's use of the no-cost grant writing agency to assist the department in pursuing funding opportunities for acquisition of a SPOT Robot.

Section 2. This Resolution shall take effect immediately without reconsideration.

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Amanda MacDonald MP
_____
AMANDA MACDONALD, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Urban Watershed Study Intergovernmental Agreement (IGA) (Resolution)
Item Initiator: Matthew Ashley, Water Resources Specialist II, Aurora Water
Staff Source/Legal Source: Richard Vidmar, Water Resources Manager, Aurora Water / Ian Best, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Healthy: Connecting natural and built environments with multimodal networks, ensuring access to parks and recreation, and preserving sustainable water supplies.

COUNCIL MEETING DATES:

Study Session: 8/11/2025

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

Richard Vidmar, Water Resources Manager, Aurora Water / Ian Best, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Water Policy

Policy Committee Date: 7/16/2025

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

☒ Recommends Approval ☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation ☒ Minutes Not Available

☐ Minutes 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.)*

On July 16, 2025, the Water Policy Committee supported moving an Intergovernmental Agreement regarding the joint funding for Water Resource Investigations of the South Platte River Sypnotic Study forward to the August 11, 2025 Study Session.

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

In 2020, the United States Geological Survey (USGS) completed a two-year study to identify potential sources of nutrients to the South Platte River and established baseline conditions for concentration and load behavior during low flows using a longitudinal Lagrangian water quality sampling method. That study identified not only point-source discharges, including outfalls from wastewater treatment plants and industrial facilities, but also diffuse nonpoint sources such as urban runoff and air pollution, as primary pathways for water-quality degradation in urban watersheds.

There have been restroration efforts and constructed infrastructure along the South Platte corridor to improve water quality since the initial study. The purpose of the new proposed study is to evaluate if recent restoration efforts and infrastructure improvements have improved water quality since the 2020 study. The USGS will conduct synoptic sampling during baseflow, high-flow, and event-flow conditions to quantify seasonal nutrient, trace element, and total dissolved solids (TDS) loading behavior to the South Platte River and Cherry Creek. The results of this study will be summarized in a USGS peer-reviewed publication. The USGS will also present study results to the Urban Waters local stakeholder team and the broader community through EPA/Urban Water hosted workshops.

This Project will benefit Aurora by increasing understanding of the sources of contamination in the urban watershed and we help develop on-the-ground watershed projects to reduce these impacts.

Under the proposed agreement, Aurora will provide matching funds totaling $15,000 per year for three years (2025-2027) for a maximum contribution of $45,000 total.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☒ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☐ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

Funds totaling $15,000 per year for three years (2025-2027) for a maximum contribution of $45,000 total will be available in the Water Fund operating budget.

ORG: 52018 (Water Resources)

NON-BUDGETED EXPENDITURE IMPACT

Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does Council support moving an Intergovernmental Agreement regarding the joint funding for Water Resource Investigations of the South Platte River Sypnotic Study forward to the August 25, 2025 Council meeting?

LEGAL COMMENTS

The City Charter authorizes the Council to approve, by resolution, the execution of contracts with other governmental units for furnishing or receiving commodities or services (Charter Section 10-12)(Best).

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE JOINT FUNDING AGREEMENT FOR WATER RESOURCE INVESTIGATIONS BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE U.S. GEOLOGICAL SURVEY, COLORADO WATER SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR REGARDING THE SOUTH PLATTE RIVER SYNOPTIC STUDY

WHEREAS, the City of Aurora, by and through its Utility Enterprise ("Aurora Water") seeks to enter a Joint Funding Agreement with U.S. Geological Survey, Colorado Water Science Center, and United States Department of the Interior to collaborate on the Water Resource Investigations South Platte River Synoptic Study; and

WHEREAS, the parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations, South Platte River Synoptic Study, herein called the program, under the USGS legal authority 43 USC 36C; 43 USC 50; and 43 USC 50(b); and

WHEREAS, the total contribution from Aurora Water shall be fifteen thousand dollars ($15,000.00) per year, not to exceed forty-five thousand dollars ($45,000.00) in total before the expiration date of December 31, 2027; and

WHEREAS, the work performed pursuant to the Joint Funding Agreement is necessary for the health, safety, and welfare of the people of the Aurora; and

WHEREAS, the City is authorized, pursuant to Article XIV of the Colorado Constitution and C.R.S. 29-1-203, to cooperate and contract with any political subdivision of the State of Colorado, to provide any function, service, or facility lawfully authorized to each of the contracting or cooperating units of government; and

WHEREAS, Section 10-12 of the City Charter authorizes the Council to approve, by resolution, the execution of contracts with other governmental units for furnishing or receiving commodities or services.

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

Section 1. The Joint Funding Agreement between the City of Aurora, U.S. Geological Survey, Colorado Water Science Center, and United States Department of the Interior regarding the Water Resource Investigations South Platte River Synoptic Study 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. That the Mayor of Aurora, City Clerk, and City Attorney are authorized to take such action and to execute such documents, including extensions, as necessary to implement the intent of this resolution.

Section 4. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Ian J Best RLA
IAN BEST, Assistant City Attorney

United States Department of the Interior

U. S. GEOLOGICAL SURVEY
Water Resources Discipline
Colorado Water Science Center
Box 25046 MS 415
Denver Federal Center
Denver, CO 80225

Matt Ashley
Water Resource Specialist II
City of Aurora
26791 E. Quincy Avenue
Aurora, CO 80016

May 6, 2025

Dear Mr. Ashley:

Enclosed is an original of the Joint Funding Agreement 25REJFACO045 between the City of Aurora, a Colorado home rule municipal corporation of the counties of Adams, Arapahoe, and Douglas, acting by and through its Utility Enterprise, Aurora Water and the U.S. Geological Survey for the period of May 6, 2025 to December 31, 2027. The agreement, which covers the **South Platte River synoptic study**, is in the amount of $161,500 -- $45,000 to be provided by the City of Aurora and $116,500 provided in Cooperative Matching Funds by the U.S. Geological Survey.

Work performed with funds from this agreement will be conducted on a fixed-price basis. Billing will be annual during the first quarter of each fiscal year in the amount of $15,000. The results of all work under this agreement will be available for publication by the U.S. Geological Survey. If the agreement is satisfactory, please sign and return to Meghan Patterson at mpatterson@usgs.gov and Tanner Chapin at twchapin@usgs.gov.

USGS policy requires us to get approval from our Regional Director to conduct work without a signed agreement. To assist us in complying with this policy, we request that you return the signed agreement within two weeks. If this presents a hardship, please contact us.

If you have questions, please call me at 970-690-9230.

Sincerely,



Tanner Chapin
Supervisory Hydrologic Technician
USGS - Colorado Water Science Center

Figure 1. South Platte River Synoptic study sampling network. Two elevated flow events will be completed at a subset of sites, and one low flow event will be conducted at 32 sites.

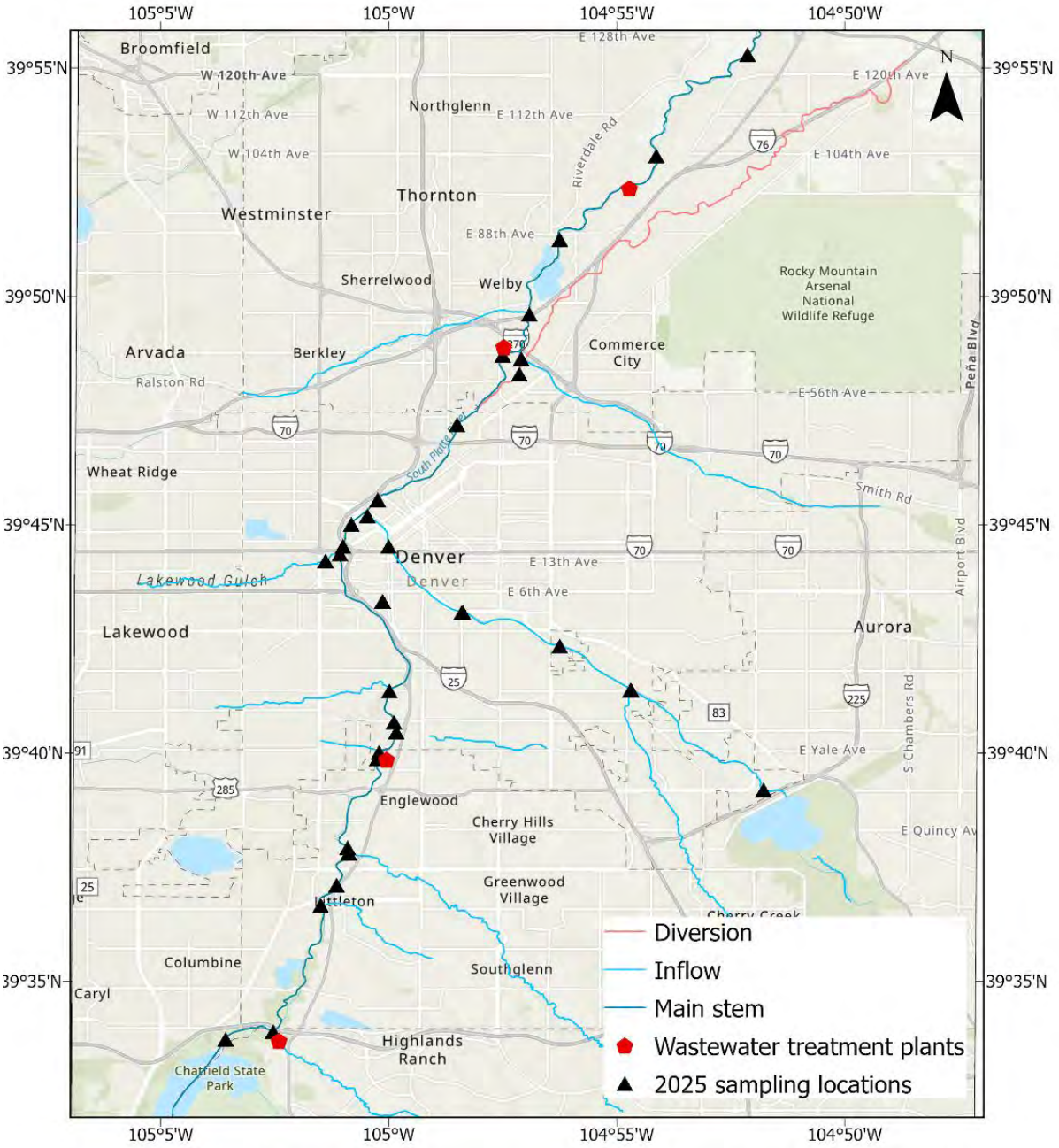


Table 1. Program Timeline

Workplan Element	WY-2025		WY-2026		WY-2027	
		CY-2025		CY-2026		CY-2027
Data Collection		x		x		
Data Review and Analysis				x		
Publication of Findings and Outreach						x

Table 2. Fiscal Year Funding Timeline. Additional cooperators will be contributing funds towards the full project proposal.

	CY-2025	CY-2026	CY-2027	Total
City of Aurora	$15,000	$15,000	$15,000	$45,000
USGS CMF	$31,500	$42,500	$42,500	$116,500
Total	$46,500	$57,500	$57,500	$161,500

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR WATER RESOURCES INVESTIGATIONS

Customer No: 6000001030
Agreement No: 25REJFACO 045
Project No: RE00VH8
TIN #: 846000564

Fixed Cost Agreement [X] Yes [ ] No

THIS AGREEMENT is entered into as of the **6th** of **May, 2025** by the U.S. GEOLOGICAL SURVEY, Colorado Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the **City of Aurora**, a Colorado home rule municipal corporation of the counties of Adams, Arapahoe, and Douglas, acting by and through its Utility Enterprise, Aurora Water, party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations, **South Platte River Synoptic Study**, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of **$0.00**.

   (a) **$116,500** by the party of the first part during the period **May 6, 2025** to **December 31, 2027**

   (b) **$45,000** by the party of the second part during the period **May 6, 2025** to **December 31, 2027**

   (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of:

   $0.00 Description of USGS regional/national program: **NA**

   (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.

   (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the scope of work are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices).

9. Billing for this agreement will be rendered **Quarterly.** Invoices not paid within 60 days from date of bill will bear Interest, Penalties, and Administrative costs as the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. 3717) established by the U.S. Treasury.

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR WATER RESOURCES INVESTIGATIONS

Customer No: 6000001030
Agreement No: 25REJFACO 045
Project No: RE00VH8
TIN #: 846000564
Fixed Cost Agreement [X] Yes [ ] No

USGS Technical Point of Contact
Name: Tanner Chapin
Title: USGS, Supervisory Hydrologic Technician
Address: Denver Federal Center, MS 415
City/State/Zip: Denver, CO, 80225
Telephone: (970)-690-9230
Fax: (303)-941-0550
Email: twchapin@usgs.gov

Customer Technical Point of Contact
Name: Matt Ashley
Title: Water Resource Specialist II
Address: 26791 E. Quincy Avenue
City/State/Zip: Aurora, CO 80016
Telephone: (417)-496-2012
Fax:
Email: mtashley@auroragov.org

USGS Billing Point of Contact
Name: Meghan Patterson
Title: Budget Analyst
Address: Denver Federal Center, MS 415
City/State/Zip: Denver, CO 80225
Telephone: (720) 456-5081
Fax: (303)-236-4912
Email: mpatterson@usgs.gov

Customer Billing Point of Contact
Name: Matt Ashley
Title: Water Resource Specialist II
Address: 26791 E. Quincy Avenue
City/State/Zip: Aurora, CO 80016
Telephone: (417)-496-2012
Fax:
Email: mtashley@auroragov.org

U.S. Geological Survey
United States
Department of Interior

SIGNATURE

By: BRANDON FORBES Digitally signed by BRANDON FORBES Date: 2025.05.07 07:58:24 -06'00' Date:
Name: (acting for) David M. Ely
Title: Director, CWSC/USGS

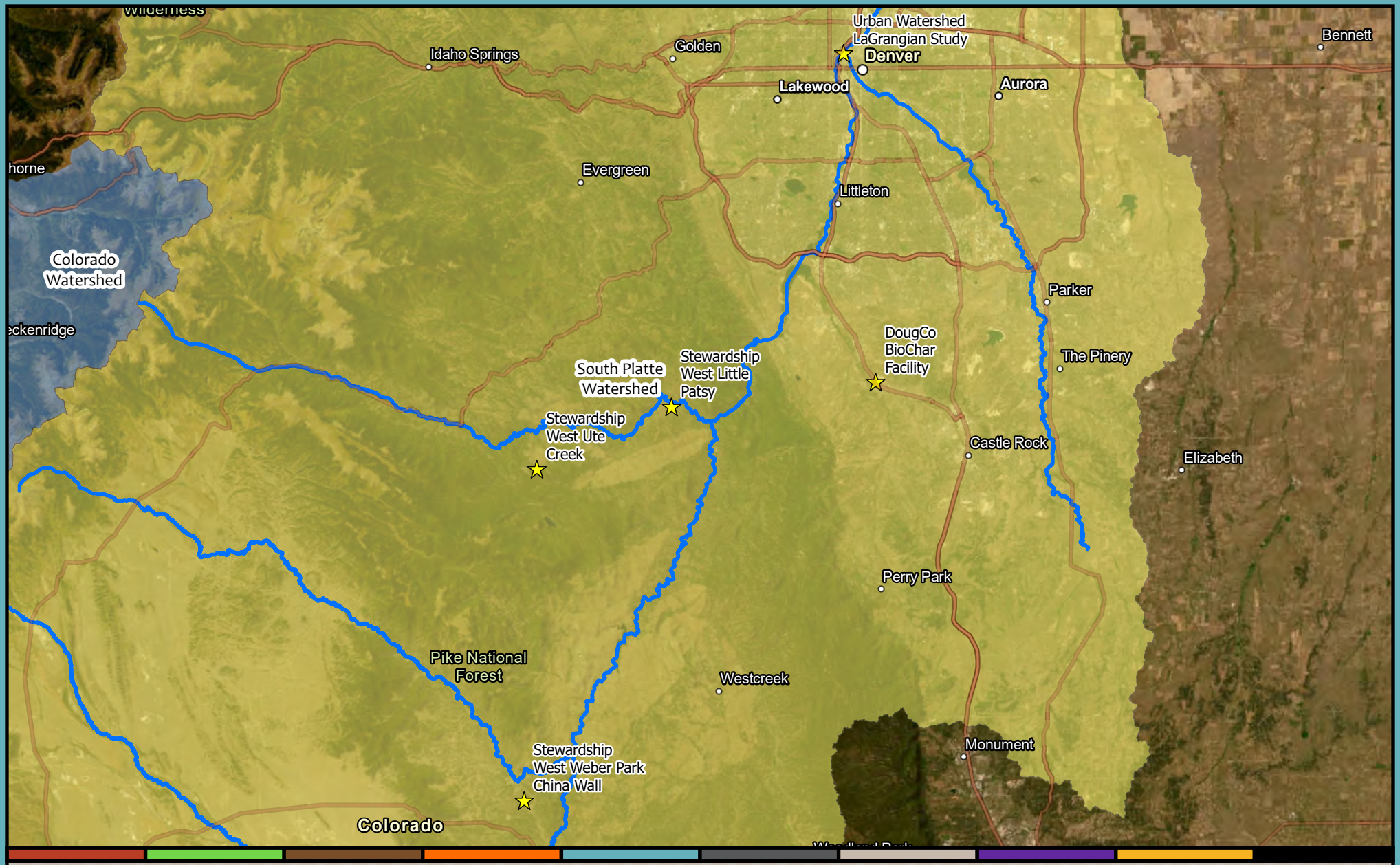
City of Aurora, acting by and through its Utility Enterprise
Aurora Water

SIGNATURES

By: Date:
Name: Mike Coffman
Title: Mayor, City of Aurora

By: Date:
Name: Alex Davis
Title: Assistant General Manager, Water Supply & Demand

By: Ian J Best Date: 7/2/2025
Name: Ian Best
Title: Assistant City Attorney (approved as to form)
ACS#: 25019320



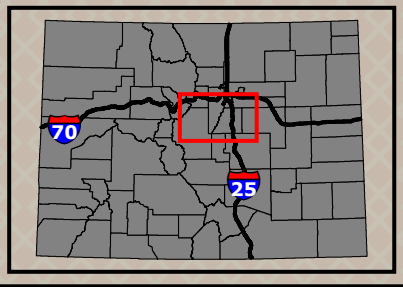
July 2025 WPC Watershed Projects Map

Aurora Water

gwhitney@auroragov.org | 303-579-2990 | www.auroragov.org
15151 E. Alameda Pkwy, Aurora, CO 80012 USA

June 20, 2025

Aurora is Worth Discovering!



Legend

- Watershed Health Projects
- Arkansas Watershed
- Colorado Watershed
- South Platte Watershed

Miles 0 3.25 6.5 13

DISCLAIMER: The City of Aurora, Colorado, makes no warranties or guarantees, express or implied, as to the completeness, accuracy, or correctness of this data, nor shall the City incur any liability from any incorrect, incomplete, or misleading information contained therein. The City makes no warranties, either express or implied, of the value, design, condition, title, merchantability, or fitness for a particular purpose. The City shall not be liable for any direct, indirect, incidental, consequential, punitive, or special damages, whether foreseeable or unforeseeable, arising out of the authorized or unauthorized use of this data or the inability to use this data or out of any breach of warranty whatsoever.

CITY OF AURORA
Council Agenda Commentary

Item Title: Intergovernmental Agreement (IGA) with Community College of Aurora (CCA) for Discounted Tuition Rates
Item Initiator: Ryan Lantz, Director, Human Resources
Staff Source/Legal Source: Jennifer Lorenzen, Deputy Director, Human Resources / Kim Skaggs, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

R2025- 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 WITH THE STATE OF COLORADO TO PROVIDE DISCOUNTED TUITION FOR CITY EMPLOYEES AT THE COMMUNITY COLLEGE OF AURORA.
Jennifer Lorenzen, Deputy Director, Human Resources / Kim Skaggs, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☒ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Management & Finance

Policy Committee Date: 8/7/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☐ Minutes 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.)*

IGA with CCA for Discounted Tuition Rates was presented and approved by the Management & Finance Policy Committee on August 7, 2025 to move forward to Regular City Council meeting.

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

The city has had an IGA with Community College of Aurora (CCA) to offer discounted tuition rates to City of Aurora employees interested in furthering educational courses or degrees.

The previous IGA has expired so we are seeking approval to re-enter an IGA with CCA to continue offering discounted tuition rates to City of Aurora employees. CCA is an institution that falls under the Department of Higher Education which is overseen by the State of Colorado, thus requiring an IGA.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does Council support entering into the IGA with Community College of Aurora for discounted tuition rates for employees?

LEGAL COMMENTS

The council may, by resolution, enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment or facilities, and for furnishing or receiving commodities or services. (City Charter Art. 10-12.) Upon authorization by a majority vote of the members of council voting thereon, the mayor shall execute all intergovernmental agreements to which the City is a party. (City Code Sec. 2-31(b)(2).) (Skaggs)

City of Aurora Tuition Discount Agreement

This Tuition Discount Agreement (the "Agreement") is entered by and between City of Aurora, its affiliates and subsidiaries, ("Company") and Community College of Aurora (CCA). This Agreement enables the Company to participate in City of Aurora's Tuition Discount Program (the "Program") for the term of this Agreement. The parties agree as follows:

1. **CCA Responsibilities:**

1.1. Tuition Benefits: Employees, interns, or contractors of the Company who are admitted to and attend CCA's programs (the Employee) will be charged tuition for credit-bearing courses at a percentage reduction of CCA's then prevailing tuition rate excluding all fees and associated costs ("Partner Group Tuition Rate"). The percentage reduction is set forth in Exhibit A and is subject to change at CCA's sole discretion. To be eligible for the program, the employment verification form must be submitted at the start of each academic term. The agreement will not commence until the first full session after the effective date. No Employee shall receive any tuition credit, repayment, reproration or refund relating to classes that commenced prior to the first full term after the effective date. Employees shall not be entitled to any other agreement and are subject to all other requirements, rules, policies and procedures as set forth in the respective CCA catalogs and addenda, as amended from time to time.

1.1 Billing: CCA will bill the Employee directly for all tuition costs and any applicable fees, and the Employee shall be responsible to pay all amounts incurred. However, the Employee may choose to defer billing by requesting from and working with a CCA advisor to secure a deferral, subject to (a) CCA's internal tuition/fee deferral policies and procedures and (b) payment by the Employee of a deferral fee which is required in the case of each deferral granted.

1.2 CCA agrees to offer the benefits of the agreement including 10% off of CCA's tuition rate, excluding all fees and associated costs for credit-bearing courses once COF is applied to any family member (each a "Dependent" and collectively "Dependents") of City of Aurora, the definition of a Dependent is as follows below:

> Dependents include: a spouse, biological child, stepchild, legally adopted child, child for whom the employee is a court appointed guardian, and child of a domestic partner. Dependents are also defined as a domestic partner, in a committed long-term relationship, with a partner of the same or opposite sex. Neither party can be legally married to other individuals. Adoptive or biological parents of the eligible employee can also be classified as Dependents.
>
> The Dependent student must complete the City of Aurora Employment Verification Form at the start of each academic term they wish to enroll in course(s). No repayment shall be given retroactively to any Dependent student that is already enrolled at CCA.

Dependent students are free to apply for any separate scholarship program, military pricing program or other tuition savings program for which they may be eligible under the terms of CCA 's catalogs and addenda.

CCA will bill the Dependent student directly for all tuition costs and other fees, and it shall be the Dependent student's responsibility to pay all amounts incurred. However, the Dependent student may choose to defer billing by requesting from and working with a CCA advisor to secure a deferral, subject to (a) CCA's internal tuition/fee deferral policies and procedures and {b) payment by the student of a deferral fee which is required in the case of each deferral granted. CCA reserves the right to deny admission to a Dependent student if such Dependent student cannot meet the requirements for admission, as amended from time to time.

2 Company's Responsibilities

2.1 Employee Engagement: CCA and Company will collaborate and create awareness of partnership to employees.

2.2 The Company will not make any statements or representation regarding CCA or its programs, policies or services, nor develop for distribution any marketing materials on CCA's behalf.

3 Term and Termination

3.1 The term of this Agreement is three (3) years from the Effective Date, unless either party sends the other a written notice of termination at least sixty {60) days before the anniversary date of the effective date.

3.2 Either party may terminate this Agreement for a material breach by the other party upon giving the other party thirty (30) days prior written notice specifically identifying the alleged breach, provided that the breaching party does not cure the breach within the thirty (30) day cure period.

3.3 Either party may terminate this Agreement for convenience by giving the other party thirty (30) days prior written notice of such termination.

3.4 In the case this Agreement is terminated for any reason by either party, no additional Employees or dependents will be eligible for the Program benefits. Employees currently enrolled at the time of termination will

(I) continue to receive the applicable City of Aurora Tuition Discount for the semester of which they are enrolled; and

(ii) be informed by CCA staff via email.

4 Confidentiality, Media

4.1 Neither party is allowed to use the other party's name, tradename, trademark or logos in publicity releases or advertising without first securing prior written consent from the other party for each use. Upon termination of this Agreement, each party shall (a) cease all use of the other party's name, tradename, trademark or logo; and (b} discard, destroy or delete any printed and electronic materials, containing the name, tradename, trademark or logo of the other party. CCA and the Company agree that CCA may list the Company and the benefits available to its employees under this Agreement on CCA's internal and external websites and/or CCA's tuition calculator tool as a means of assisting the Company's employees in learning about and taking advantage of the available benefits.

5 **General**

5.1 Liability for claims for injuries to persons or property arising from the negligence of the State, its departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI,Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

5.2 This Agreement contains the entire and complete understanding of the parties as to its subject matter and supersedes any and all prior or contemporaneous understandings, agreements, discussions or offers, whether written or oral. This Agreement may not be modified, altered or amended except by a written instrument signed by both parties. Any provision of this Agreement which is found to be illegal or invalid shall be severed and removed from this Agreement and shall not affect the legality or validity of the remaining provisions.

5.3 This Agreement shall be governed and construed according to the laws of the State of Colorado.

5.4 Sections 4.1, 5.2, and 5.4 shall survive termination of this Agreement for any reason.

5.5 All other notices under this Agreement will be in writing, addressed to the receiving party's address appearing below or to another address as that party may designate in a written notice, and will be either (a) delivered by hand; (b) made by email or facsimile; (c) sent by overnight courier; or (d) sent by registered mail, return receipt requested, postage prepaid. All notices will be deemed to have been given (i) if by hand, at the time of the delivery thereof to the receiving party; (ii) if made by email or facsimile, at the time that receipt thereof, as evidenced by appropriate receipts, facsimile "answer-back" printouts, or similar documentation;(iii) if sent by overnight courier, on the next

business day following the day such notice is delivered to the courier service; or (iv) if sent by registered mail, on the fifth business day following the day such mailing is made.

5.6 To Community College of Aurora

Community College of Aurora
16000 E. CentreTech Parkway
Aurora, CO 80011
Attn: Purchasing and Contracts
Fiscal Affairs: Charles Robinson

To Company:
City of Aurora
15151 East Alameda PKWY Aurora, CO 80012-1555
Deputy Director of Human Resources – Jennifer Lorenzen

5.7 Fully executed scanned electronic versions of this Agreement shall be considered to be originals for the purposes of enforcement.

IN WITNESS WHEREOF, the Agreement has been executed as of the Effective Date

Company City **of Aurora**	**STATE OF COLORADO** Jared S. Polis, Governor Department of Higher Education, State Board for Community Colleges and Occupational Education for the use and Benefit of the Community College of Aurora Dr. Mordecai Brownlee, President
----------	----------
By: Mike Coffman City of Aurora Mayor Date: _____	By: Lynne Winchell, Vice President of Administrative Services/Chief Financial Officer, Community College of Aurora Date: _____

EXHIBIT A
Company's Employees shall receive a reduction of 10% off of CCA's tuition rate excluding all fees and associated costs for all credit-bearing courses once COF is applied.

RESOLUTION NO. R2025- ____

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 WITH THE STATE OF COLORADO TO PROVIDE DISCOUNTED TUITION FOR CITY EMPLOYEES AT THE COMMUNITY COLLEGE OF AURORA.

WHEREAS, discounted tuition provides financial relief, making education more accessible and encouraging employees to pursue growth; and

WHEREAS, the agreement supports access to credit courses at reduced rates, which helps employees improve skills, stay current in their fields, and advance careers; and

WHEREAS, the agreement expands educational opportunities, empowering employees to fulfill their personal and professional aspirations and promote a learning culture within the organization; and

WHEREAS, the agreement offering educational discounts to City employees enhances the City's appeal as an employer, potentially aiding in staff retention and boosting satisfaction; and

WHEREAS, the Charter of the City of Aurora permits the City Council, by resolution, to enter into agreements with other governmental units for receiving commodities or services.

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

Section 1. The Intergovernmental Agreement between the City of Aurora and the State of Colorado regarding a Tuition Discount Program for City of Aurora employees at Community College of Aurora, 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 _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: _____
KIMBERLY SKAGGS, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: Development Agreement with Aerotropolis Industrial Development, LLC Regarding the Development of the Property Located at the Southeast Corner of Powhaton Road and 40th Avenue, Known as the "Enclave," and Corresponding Comprehensive Plan Amendment
Item Initiator: Jeannine Rustad, Director, Planning & Business Development
Staff Source/Legal Source: Jeannine Rustad, Director, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Economically Strong: Building a conducive development climate, a diverse mix of industries and housing options, and fostering economic growth so that our community thrives and remains resilient.

CRITERIA - PLEASE CONSIDER ITEM FOR Llate 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: 8/25/2025

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.)*

Date is per direction of the City Manager and has been communicated to the Developer, who has indicated time sensitivity.

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.

Jeannine Rustad
Agenda Item Initiator Name

8/14/2025
Agenda Item Initiator Signature Date

Laura Perry
Late Submission Approver Name (Council Appointee or DCM)

08/14/25
Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Development Agreement with Aerotropolis Industrial Development, LLC Regarding the Development of the Property Located at the Southeast Corner of Powhaton Road and 40th Avenue
Item Initiator: Jeannine Rustad, Director, Planning & Business Development
Staff Source/Legal Source: Jeannine Rustad, Director, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Economically Strong: Building a conducive development climate, a diverse mix of industries and housing options, and fostering economic growth so that our community thrives and remains resilient.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

R2025-94 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE AURORA TECHNOLOGY ENERGY CORRIDOR DEVELOPMENT AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND AEROTROPOLIS INDUSTRIAL DEVELOPMENT, LLC
Sponsor: Steve Sundberg, Council Member
Jeannine Rustad, Director, Planning and Business Development / Lena McClelland, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session
☐ Approve Item as Proposed at Policy Committee
☐ Approve Item and Move Forward to Regular Meeting
☐ Approve Item as Proposed at Study Session
☐ Information Only
☒ Approve Item as Proposed at Regular Meeting
☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

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 ☐ Minutes Not Available

☐ Minutes 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.)*

On October 14, 2024, City Council passed Resolution 2024-128 directing staff to initiate an amendment to the Aurora Places Comprehensive Plan from Industrial Hub to Emerging Neighborhood for a property known as the Enclave within the Aurora Highlands development. Additionally, the resolution directed the City Manager to negotiate a development agreement with the developer, and future owner, of the property to memorialize the development of the property consistent with the resolution, to include the types of housing for sale, inclusion of attainable housing products, usable open space, and commercial/retail node(s). A hearing and first reading of the Comprehensive Plan amendment was heard by City Council on January 27, 2025. Second reading and approval of the Comprehensive Plan amendment is contingent upon City Council approval of a development agreement.

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

Aerotropolis Industrial Development, LLC (the "Developer") sought to change the placetype for a portion of the Aerotropolis Logistics Center Master Plan from Industrial Hub to Emerging Neighborhood. As part of this request for a Comprehensive Plan Amendment the Developer made several commitments including:

- Developing housing that is "attainable" for middle income households (i.e. households within 80-120% of the Area Median Income) with both for rent and for sale products and limiting the amount of for sale housing that may be rented;
- Including usable open space consistent with what is located in The Aurora Highlands Framework Development Plan; and
- Inclusion of areas of commercial/retail uses for future residents.

Staff recommended the use of a development agreement to formalize these commitments since there is no mechanism for conditioning a Comprehensive Plan amendment to ensure development consistent with these commitments. Staff and the Developer have come to agreement on the terms of such a Development Agreement and staff are seeking Council approval to execute the agreement

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT

Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does the City Council wish to approve the ordinance to amend the Aurora Places Comprehensive Plan?

LEGAL COMMENTS

The city manager shall be responsible to the council for the proper administration of all affairs of the city placed in his charge, and to that end he shall have the power and duty to perform such other duties as may be prescribed by this Charter or by ordinance, required by council and not inconsistent with this Charter. (City Charter Section 7-4(m)) (McClelland)

AURORA TECHNOLOGY ENERGY CORRIDOR DEVELOPMENT AGREEMENT

This Development Agreement (the "**Agreement**") is made and entered into as of this _____ day of August, 2025, by and between the City of Aurora, a home rule municipal corporation of the counties of Adams, Arapahoe, and Douglas, State of Colorado, (the "**City**") and Aerotropolis Industrial Development, LLC, a Colorado limited liability company, 8827 W. Sam Houston Pkwy. N, Suite 200, Houston, TX 77040 (the "**Developer**"), collectively the City and Owner are known herein as the "**Parties**" or individually as "**Party**".

WITNESSETH:

WHEREAS, Developer has a contract to purchase the property more fully described on Exhibit A (the "**Property**"); and

WHEREAS, the Property is located within the boundaries of the City and is currently within the Aerotropolis Logistics Center Master Plan (DA-2214-00) ("**ALC Master Plan**"); and

WHEREAS, the Parties have determined that it is in their mutual interest to enter into this Agreement governing the development of the Property in conjunction with the concurrent approval of the City-initiated Comprehensive Plan amendment and Owner-initiated Zoning Map Amendment; and

WHEREAS, ATEC Investments, LLC ("**Owner**") desires to sell the Property to Developer at a below market rate to support the development of future residential homes, in proximity to supportive recreational, educational, commercial uses, employment centers, transportation corridors and health services; and

WHEREAS, Owner and Developer have made certain representations regarding the ongoing affordability of future residential development within the Property that the Parties wish to memorialize; and

WHEREAS, the Parties acknowledge that this Agreement contains reasonable conditions and requirements on the development of the Property, and that these requirements are imposed to protect and enhance the public health, safety and welfare of current and future residents of the City.

NOW, THEREFORE, in consideration of the terms and conditions set forth in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Developer hereby agree as follows:

1. Developer Responsibilities.

    a. Control of Home Prices. Developer shall sell all property intended for residential use at a reduced price, to be agreed upon by the Developer and home builders, with the intent to develop and maintain affordable housing for all. Developer agrees it shall maintain at least limited control over the ultimate sale price of any

residential housing and shall provide to the City copies of the project plans contractually agreed to with home builders that identify the housing product type, the number of such product type and the estimated sales price of each product type, as well as the recorded document obligating a home builder to perform in accordance with the project plan and its purchase agreement.

b. Housing Mix. To achieve the goals of providing a mix of housing at more attainable prices, housing types shall include single-family detached and/or attached (which may include a mix of standard lot, small lot, duplexes, green court and/or motor court), townhome, stacked flats and multi-family housing. For illustrative purposes, the Parties agree the target densities by housing type shall be:

- Single Family detached: 550-740 units
- Townhomes: 600-750 units
- Stacked Flats: 700-800 units
- Multi Family Residential: 500-700 units

Total range: 2,350-2,990 units.

Exact layout, product types and numbers of dwelling units shall be determined through the master planning process and further refined through neighborhood planning and/or site planning processes, consistent with the City's Unified Development Ordinance ("**UDO**").

c. Attainable Housing. While the Parties cannot control all of the factors that contribute to complexity of home prices, Developer agrees to incorporate language, to be reviewed and approved by the City, into the home builder contracts affirming the builder's objective of bringing a diversity of for-sale housing products that are attainable to households in the City of Aurora, including, without limitation, that each residential builder will not sell the land to another builder at a price higher than the builder's Capitalized Land Cost to ensure recovery of its actual investment in acquiring and improving the land, that the land savings will be passed on to the initial home buyers and/or renters, and such builder will commit to construct and maintain a minimum of three (3) spec homes during the sales period following completion of land development of such builder's project. Developer agrees to provide a twice-yearly reporting, in a manner deemed acceptable to the City, demonstrating that reduced home prices/rents due to land cost savings were passed on to home buyers/renters.

d. For-Sale Product. Developer agrees, to ensure that no less than seventy percent (70%) of all residential units are available for purchase and not for rent, provided, however, that this "for rent" restriction shall not apply to individual homebuyers so long as the home builder initially offers the applicable residential housing for sale and not "for rent". Developer agrees not to sell and agrees to include language in its purchase agreement with home builders prohibiting the sale of,

for-sale residential units to corporate or institutional investors, like Blackstone, for the purpose of converting for-sale homes intended for purchase by individual homebuyers into for-rent homes. Development shall be controlled by the Developer, or subsequent developers, through its approval of a home builder's project plan and the City will monitor this development ratio through its approval of a home builder's site plan.

e. Open Space. The Developer shall integrate open spaces throughout the Property and shall ensure that the Property includes usable open space in a form acceptable to the Director of Planning and Business Development and the Director of Parks, Recreation and Open Space that is consistent with the UDO and the Parks, Recreation, and Open Space Manual, subject to required approval processes pursuant to the UDO.

f. Commercial and Retail Development. Developer agrees to include a certain percentage of commercial and retail space within the Property to support and serve residents. The final location and percentage of said commercial and retail space shall be determined in an amendment to the Master Plan as approved by the City and/or an amendment to the Aurora Highlands Framework Development Plan ("TAH FDP").

g. Zoning Map and TAH FDP Amendment. The Developer agrees to present for City approval a Zoning Map Amendment to modify the zoning from Airport District to residential zoning consistent with approved master plan amendments; and, an amendment to the TAH FDP to incorporate the Property, consistent with the Emerging Neighborhood placetype and this Agreement.

2. Recording of Development Agreement. This Agreement will be Recorded promptly after mutual execution by the Signatories following final non appealable approval by City Council authorizing execution of this Agreement.

3. Written Amendment Required. This instrument embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto. Any and all changes to this Agreement, in order to be mutually effective and binding upon the Parties and their successors, must be in writing and duly executed by the signatories or their respective representatives, heirs, successors or assigns.

4. Binding Effect. The Property is both benefitted and burdened by the mutual covenants of this Agreement, and such covenants shall constitute real covenants binding upon successors in interest to the Property, including any mortgagees or lienholders subsequently acquiring title to the Property, irrespective of whether specific reference to this Agreement is made in any instrument affecting title to the Property. Except as expressly provided in this Agreement to the contrary, upon assignment of all or a portion

of its interest in this Agreement, the Developer, as assignor, respectively shall be relieved of all obligations imposed by this Agreement on the Developer, applicable to the portion of the Property designated in the instrument assigning such obligation(s), provided that: (i) the assignee expressly assumes such obligation; and (ii) the Developer, as assignor, shall not be relieved of any default under this Agreement attributable to the action or inaction of the Developer, while the Developer was so designated for such portion of the Property.

5. No Joint Venture or Partnership. No form of joint venture or partnership exists between or among the Parties, and nothing contained in this Agreement will be construed as making the Parties joint venturers or partners.

6. 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, assigns or contractors of Developer.

7. Further Assurances. Each Party will execute and deliver to the other all such other further instruments and documents as may be reasonably necessary to carry out this Agreement in order to provide and secure to the other Party the full and complete enjoyment of its rights and privileges under this Agreement.

8. 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.

9. Written Amendment Required. This Agreement may be amended, modified, or changed, in whole or in part, only by written agreement duly authorized and executed by the City and Developer.

10. Indemnification. Developer agrees and understands that it is to maintain and keep in force the appropriate insurance policies for the services provided throughout the term of this Agreement. Developer shall be responsible for any injury to persons or damage to property arising from negligent or otherwise wrongful acts, errors and omissions of Developer, its agents and employees. Developer 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 development of the Property and this Agreement.

11. Nondiscrimination. Developer 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 (gender), sexual orientation, religion, creed, or physical or mental disability.

12. Notices. Notices, as referred to in this Agreement, shall be sent to:

City:	City of Aurora, Colorado 15151 East Alameda Parkway Aurora, Colorado 80012 Attn: City Manager
With a copy to:	Office of the City Attorney City of Aurora, Colorado 15151 East Alameda Parkway Aurora, Colorado 80012
Developer:	Aerotropolis Industrial Development, LLC Attn: Allen H. Crosswell 8827 W. Sam Houston Pkwy N., Suite 200 Houston, TX 77040
With a copy to:	Kendrick A. James 2000 Bering Dr., Suite 650 Houston, Texas 77057

13. Applicable Law and Choice of Venue. This Agreement shall be construed according to the laws of the State of Colorado. Venue for any claim, proceeding or action arising out of this Agreement shall be Adams County, State of Colorado.

14. City Regulations. Subject and subordinate to any provisions to the contrary contained in this Agreement, (i) all City laws and regulations shall apply to the Property in the same manner and effect as within other areas of the City, and (ii) this Agreement shall not in any manner restrict or impair the lawful exercise by the City Council of its legislative or police powers as applied to the Property, including specifically the amendment, modification or addition to City laws and regulations, subsequent to the execution of this Agreement. Provided, the Developer does not waive its right to oppose or challenge the legality or validity of any amendment to City laws and regulations that it could maintain absent this Agreement.

    When this Agreement calls for compliance with City laws and regulations, the operative City laws and regulations in effect at the time such compliance is required shall govern.

15. Extent of Agreement. This Agreement constitutes the entire agreement of the Parties hereto. 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.

16. Attorney Fees. In the event of any litigation, mediation, or other dispute resolution process arising out of this Agreement, the Parties agree that each is responsible for their own costs and fees, including attorney fees, associated with any such action.

17. 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.

18. 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.

19. 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.

20. Signatures. The signatories to this Agreement represent that they are fully authorized to execute this Agreement and bind their respective entities.

21. Defaults and Remedies. The violation of any material provision of this Agreement by either Party, the failure to perform or observe any other material covenants, agreements, or conditions in this Agreement on the part of either Party and to cure such failure within thirty (30) business days of receipt of notice from the other Party of such failure shall constitute an event of default under this Agreement. Subject to the terms and conditions set forth in this Agreement, the Party asserting that an event of default has occurred shall be entitled to pursue all remedies available in the State of Colorado at law or in equity, including, but not limited to, withholding permits, specific performance and injunctive relief, both mandatory and/or prohibitory. In the event the Developer violates any of the obligations of Sections 1(a) - 1(g) the City shall have the right to withhold the issuance of any further building permits related to the Property, including but not limited to, building permits for both residential and commercial structures. In addition, in the event that the Developer violates the provisions of Section 1(c) specifically, the Developer shall be obligated to pay, to the City, an amount equal to the difference between (a) the purchase price paid by the subsequent builder and (b) the Capitalized Land Cost, if any (the "Excess Funds"). The Excess Funds shall be used by the City for affordable housing.

IN WITNESS WHEREOF, the City and Developer have executed this Agreement as of the day and year first written above.

CITY OF AURORA, COLORADO:

_____
JASON BATCHELOR, City Manager

DEVELOPER:

By: _____

Title: _____

ATTEST:

_____
KADEE RODRIGUEZ , City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY PETE SCHULTE:

_____
LENA MCCLELLAND, Assistant City Attorney

ACKNOWLEDGED AND ACCEPTED BY OWNER:

ATEC INVESTMENTS, LLC,
A Colorado limited liability company

By: CGF Management, Inc., a Nevada
Corporation, its Manager

By: _____
Carlo G. Ferreira, President

Date: _____

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE AURORA TECHNOLOGY ENERGY CORRIDOR DEVELOPMENT AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND AEROTROPOLIS INDUSTRIAL DEVELOPMENT, LLC

WHEREAS, Aerotropolis Industrial Development, LLC (the "Developer") has a contract to purchase property (the "Property") that is the subject of the Development Agreement (the "Agreement") from ATEC Investments, LLC (the "Owner"); and

WHEREAS, the Parties have determined that it is in their mutual interest to enter into this Agreement governing the development of said Property; and

WHEREAS, the Developer and Owner have made certain representations regarding the ongoing affordability of future residential development within the Property that the Parties wish to memorialize.

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

Section 1. City Council approves entering into an agreement between the City of Aurora, Colorado and Aerotropolis Industrial Development, LLC, in a form not inconsistent with this resolution.

Section 2. The City Manager, or designee, is hereby authorized to execute the agreement with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney that are not inconsistent with this resolution.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:
PETER A. SCHULTE, CITY ATTORNEY

By: Lena McClelland RLA
_____
LENA MCCLELLAND, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Aurora Places Comprehensive Plan Amendment
Item Initiator: Stacy Wasinger, Senior Planner, Planning and Business Development
Staff Source/Legal Source: Stacy Wasinger, Senior Planner, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker: N/A
Council Goal: 2012: 5.6--Continue to plan for high quality neighborhoods with a balanced housing stock

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 1/27/2025

2nd Regular Meeting (if applicable): 2/10/2025

Item requires a Public Hearing: ☒ Yes ☐ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

2025-07 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO CHANGE THE PLACETYPE FROM INDUSTRY HUB TO EMERGING NEIGHBORHOOD FOR THE AREA GENERALLY LOCATED EAST OF POWHATON ROAD BETWEEN E 49TH AND E 26TH AVENUE (ATEC COMPREHENSIVE PLAN AMENDMENT) Stacy Wasinger, Senior Planner, Planning and Business Development / Lena McClelland, 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 above.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

Policy Committee Date: 12/11/2024

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

☐ Recommends Approval

☐ Does Not Recommend Approval

☒ Forwarded Without Recommendation

☐ Minutes Not Available

☒ Minutes 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 proposed Aurora Places Comprehensive Plan amendment in a public hearing on December 11, 2024. Representatives from Denver International Airport (DEN) and the contract purchaser of the property in question were present to speak on the proposed amendment. The Commission discussed the item, including a potential high school site, proximity to oil and gas, and proximity to the airport.

Per UDO 5.4.1.A.2.b, not less than a two-thirds vote of the entire membership of the Commission (five affirmative votes) is required to forward a recommendation on a Comprehensive Plan amendment. With five members present, the Commission voted 4-1 to recommend approval to City Council; therefore, the item is forwarded to the City Council without a recommendation. The Planning Commission Meeting Summary is attached (see Exhibit I) and details the Planning Commission discussion and action on this item.

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

Description

This item for consideration is a proposed Comprehensive Plan amendment to change approximately 340 acres from the Industry Hub placetype designation to the Emerging Neighborhood placetype designation. This area is generally bounded by the Powhaton Road/Aerotropolis Parkway alignment to the west, the 60 Day/Night Average Noise Level (LDN) noise contour for Denver International Airport to the east, and Public Service Company (PSCo) gas line easement to the south. The area reaches approximately 750 feet north of E. 48th Avenue (see Exhibit A) and comprises approximately 25 acres north of E 48th Avenue alignement and 315 acres south of E. 48th Avenue. The entire property is within City of Aurora boundaries. The area south of E. 48th Avenue is part of the industrial master plan, known as Aerotropolis Logistics Center Master Plan (DA-2214-00 approved in 2024). The area north of E. 48th Avenue is not currently included in a Master Plan. The current Comprehensive Plan placetype for this area is Industry Hub and it is zoned Airport District (AD).

The area to the west of this site is also in the Emerging Neighborhood placetype (The Aurora Highlands). The areas to the east and north will remain in the Industry Hub placetype. The property developer has indicated they would like to develop this property with residential, open space, and retail/commercial uses. However, some of these uses are not permitted in the AD zone district. Residential uses are permitted within the 55 LDN but will not be allowed in the 60 LDN or higher. The proposed change to Emerging Neighborhood placetype would follow the boundary of the 55 to 60 LDN. In order to amend the existing master plan and rezone to allow these uses, the Comprehensive Plan placetype must first be amended.

Referrals were sent to Denver International Airport (DEN), Mile High Flood District, Xcel Energy/PSCo, and the Aerotropolis Regional Transportation Authority (ARTA). Xcel provided comment concerning the property the company owns and easements in the area for both the electrical transmission lines and gas pipeline (Exhibit E). DEN provided comments and attachments, with stated concerns regarding proximity to existing and future runways, the noise contours and noise mitigation for outdoor and recreational uses, and prevention of wildlife attractants (Exhibit F). A letter of support was provided by the representative of the developer (Exhibit G).

Public hearing notification required per the UDO includes published notice in the newspaper and on the City website. These requirements were met for public hearings.

Site History

Prior to the completion of Denver International Airport (DEN) in February 1995, the King Ranch General Development Plan Planned Development was approved in 1987. This plan included residential uses in this area, but was not developed. The City's 1998 Comprehensive Plan recommended reviewing and revising the zoning in the E-470 corridor and northeastern developing area. Approximately 25,000 acres north of I-70 and east of the S. Powhaton Road alignment, including the subject area, was zoned to Northeast Plains I-70 in 2001, which did not permit residential uses under the prior zoning code. This area was designated under the Industry Hub placetype

with the 2018 Aurora Places Comprehensive Plan. With the adoption of the current Unified Development Ordinance (UDO), the area was zoned Airport District (AD).

Aurora Places Comprehensive Plan

On October 14, 2024, the Aurora City Council adopted Resolution R2024-128 (Exhibit B) with two criterion for the amendment:

- The City Manager is hereby directed to negotiate a development agreement or other such agreement to memorialize the development of the Property consistent with this Resolution, including inclusion of both for sale and for rent attainable housing, usable open space and trails, and commercial/retail node(s).
- The Comprehensive Plan amendment shall be contingent upon the City Council approval of the agreement set forth in Section 2, as well as evidence of a Purchase and Sale Agreement or such other binding agreement with Aurora Public Schools for the sale of land for a High School in The Aurora Highlands.

City staff is working with the developer to finalize a Development Agreement to satisfy the first criteria. This agreement would be complete prior to second reading of the ordinance. An agreement for the school site between the developer and Aurora Public Schools will also be finalized prior to the second reading of the ordinance.

Per UDO Section 146-5.4.1.A.3, "*[a] Comprehensive Plan, or an amendment to the Comprehensive Plan, shall be recommended for approval, and shall be approved, only if it promotes the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora*." The major issues considered by staff and the Planning and Zoning Commission:

- Long term economic, social, and environmental health of the City
  - Macro Economic Impact
  - Housing Stock and Variety
  - High School Location
  - Oil and Gas Site Proximity
- Public health, safety, and welfare of the citizens of Aurora
  - Location of services
  - Oil and Gas Site Proximity
  - Airport Proximity

Maps illustrating the location of oil and gas site (Exhibit C) and current flight paths (Exhibit D) are attached. The Planning and Zoning Commission staff report and draft minutes are attached as Exhibit H and I, respectively, for additional reference on these considerations.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT

Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

BUDGETED EXPENDITURE IMPACT

Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

NON-BUDGETED EXPENDITURE IMPACT

Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

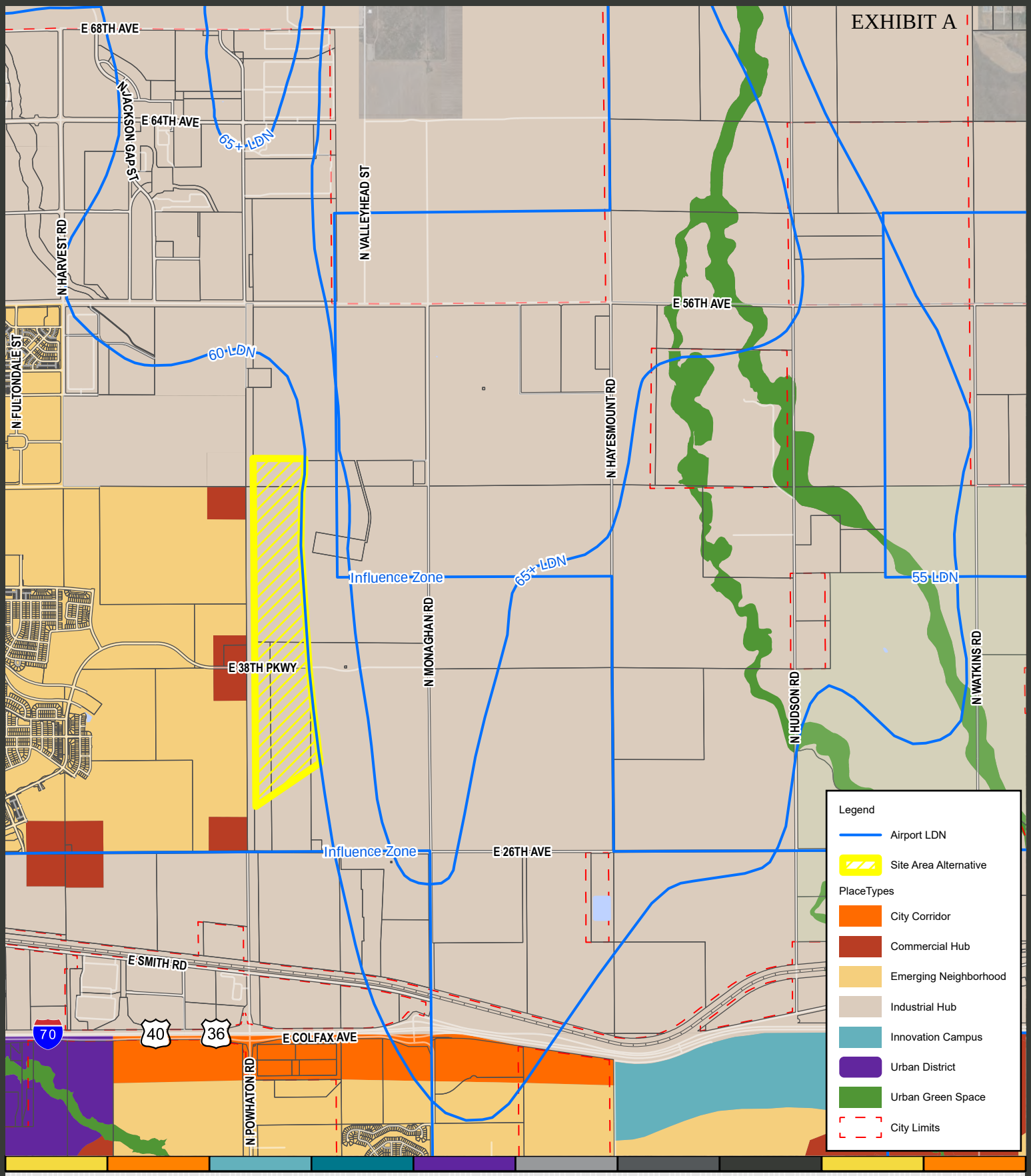
QUESTIONS FOR COUNCIL

Does the City Council wish to approve the ordinance to amend the Aurora Places Comprehensive Plan?

LEGAL COMMENTS

The City Council is the governing body of the City and has the authority to approve the Comprehensive Plan and amendments to the Comprehensive Plan. (UDO §146-5.1.1.E)
The City Council shall conduct a public hearing on the application. The City Council may approve amendments to the Comprehensive Plan by an ordinance approved by a vote of not less than two-thirds of the entire membership of City Council. (UDO §146-5.4.1.A.2.c)
A Comprehensive Plan amendment shall be approved only if it promotes the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora. (UDO §146-5.4.1.A.3) (McClelland)

EXHIBIT A



Planning and Business Development

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

City of Aurora, Colorado

ATEC Comprehensive Plan
PlaceTypes Amendment Alternative

Miles 0 0.3 0.6

N W E S

11/8/2024 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro.aprx

EFFECTIVE DATE: 10/14/2024

RESOLUTION NO. R2024- 128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S STRONG SUPPORT FOR AND DIRECTING THE CITY MANAGER TO INITIATE AN AMENDMENT TO THE AURORA PLACES COMPREHENSIVE PLAN FOR A PARCEL LOCATED AT THE SOUTHEAST CORNER OF POWHATON ROAD AND 4OTH AVENUE (ATEC COMPREHENSIVE PLAN AMENDMENT)

WHEREAS, the ATEC Property (the "Property"), as shown in the attached Exhibit A, is located within the boundaries of the City of Aurora, Colorado and currently within the Aerotropolis Logistics Center Master Plan (DA-2214-00) ("ALC Master Plan"); and

WHEREAS, the Property has a placetype designation of Industrial Hub under the Aurora Places Comprehensive Plan (the "Aurora Places") and is currently zoned Airport District (AD). The ALC Master Plan includes both commercial and industrial land uses and is strategically located south of Denver International Airport; and

WHEREAS, the owners of the Property desire a Comprehensive Plan and Zoning Map amendment to allow development of the Property for housing, open space and retail/commercial uses; and

WHEREAS, a Comprehensive Plan amendment may only be initiated by City Council or the Planning & Zoning Commission (Unified Development Ordinance §146-5.3.2.E); and

WHEREAS, the owners of the Property have indicated that the housing in this area will be "attainable" for middle income households (i.e., households within 80-120% of the Area Median Income) and will include both for sale and for rent products developed in accordance with the Unified Development Ordinance and applicable city requirements; and

WHEREAS, the owner intends to sell the Property for development and buildout by a third party and has committed to contractually selling the Property at a reduced price in exchange for savings being passed on to future home owner and/or renters and to limit the amount of for sale products that can be renter occupied; and

WHEREAS, the owners of the Property have given assurances that development of the Property will include usable open space consistent with that located in The Aurora Highlands Framework Development Plan (FDP 2017-7002-03)("TAH FDP") and will also include areas of commercial uses for the future residents of the Property; and

WHEREAS, the City desires to see a High School site within The Aurora Highlands, as depicted in TAH FDP; and

WHEREAS, the current placetype of Industrial Hub does not allow for the uses requested by the owners of the Property; and

WHEREAS, the City Council of the City of Aurora, Colorado supports an amendment of Aurora Places to allow for residential and supporting uses on this Property and finds that the designation of Emerging Neighborhood is better suited for the Property.

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

Section 1. The City Manager is hereby directed to initiate an amendment to the Aurora Places Comprehensive Plan from Industrial Hub to Emerging Neighborhood.

Section 2. The City Manager is hereby directed to negotiate a development agreement or other such agreement to memorialize the development of the Property consistent with this Resolution, including inclusion of both for sale and for rent attainable housing, usable open space and trails, and commercial/retail node(s).

Section 3. The Comprehensive Plan amendment shall be contingent upon the City Council approval of the agreement set forth in Section 2, as well as evidence of a Purchase and Sale Agreement or such other binding agreement with Aurora Public Schools for the sale of land for a High School in The Aurora Highlands.

RESOLVED AND PASSED this 14th day of October, 2024.

MIKE COFFMAN, Mayor

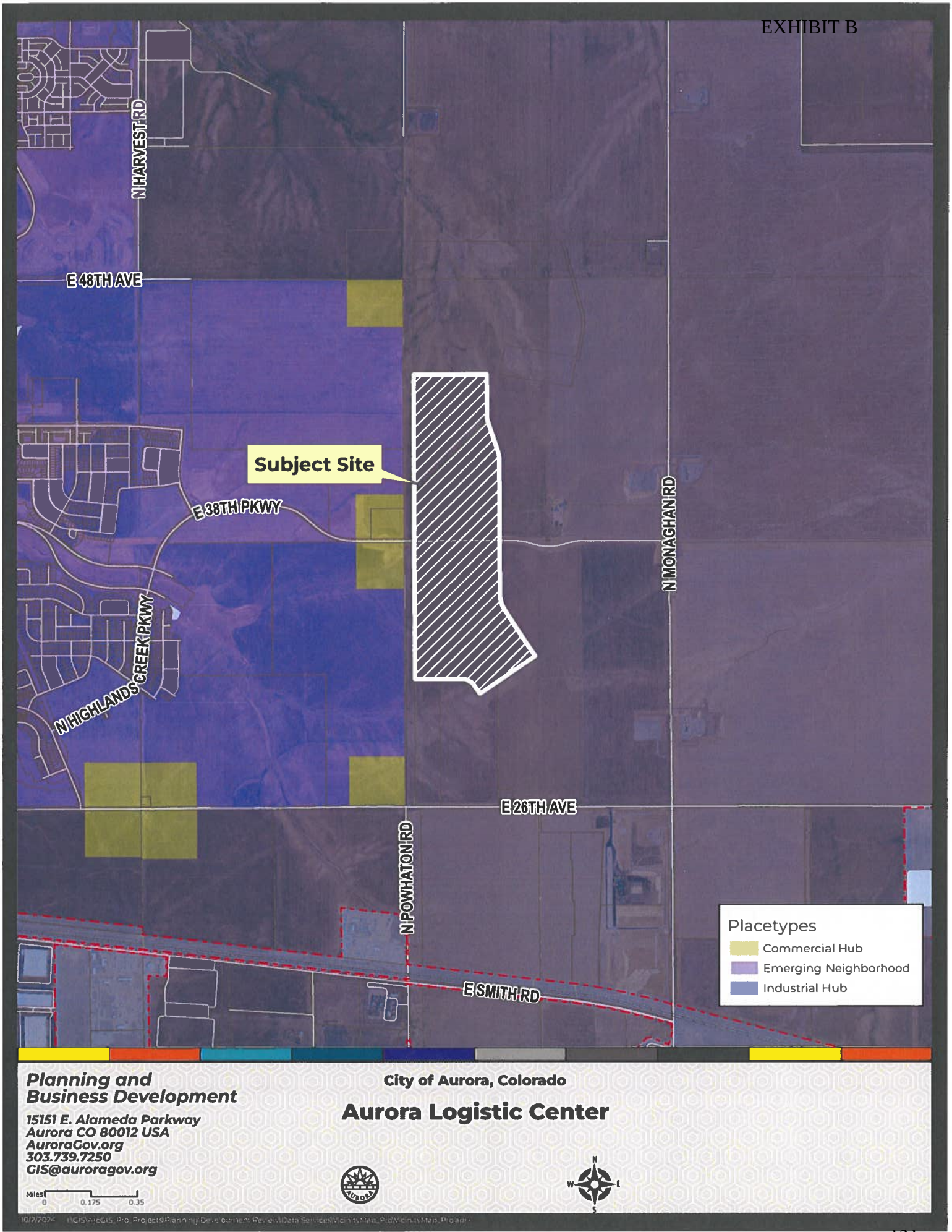
ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

RLA

LENA MCCLELLAND, Assistant City Attorney



Planning and Business Development
15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

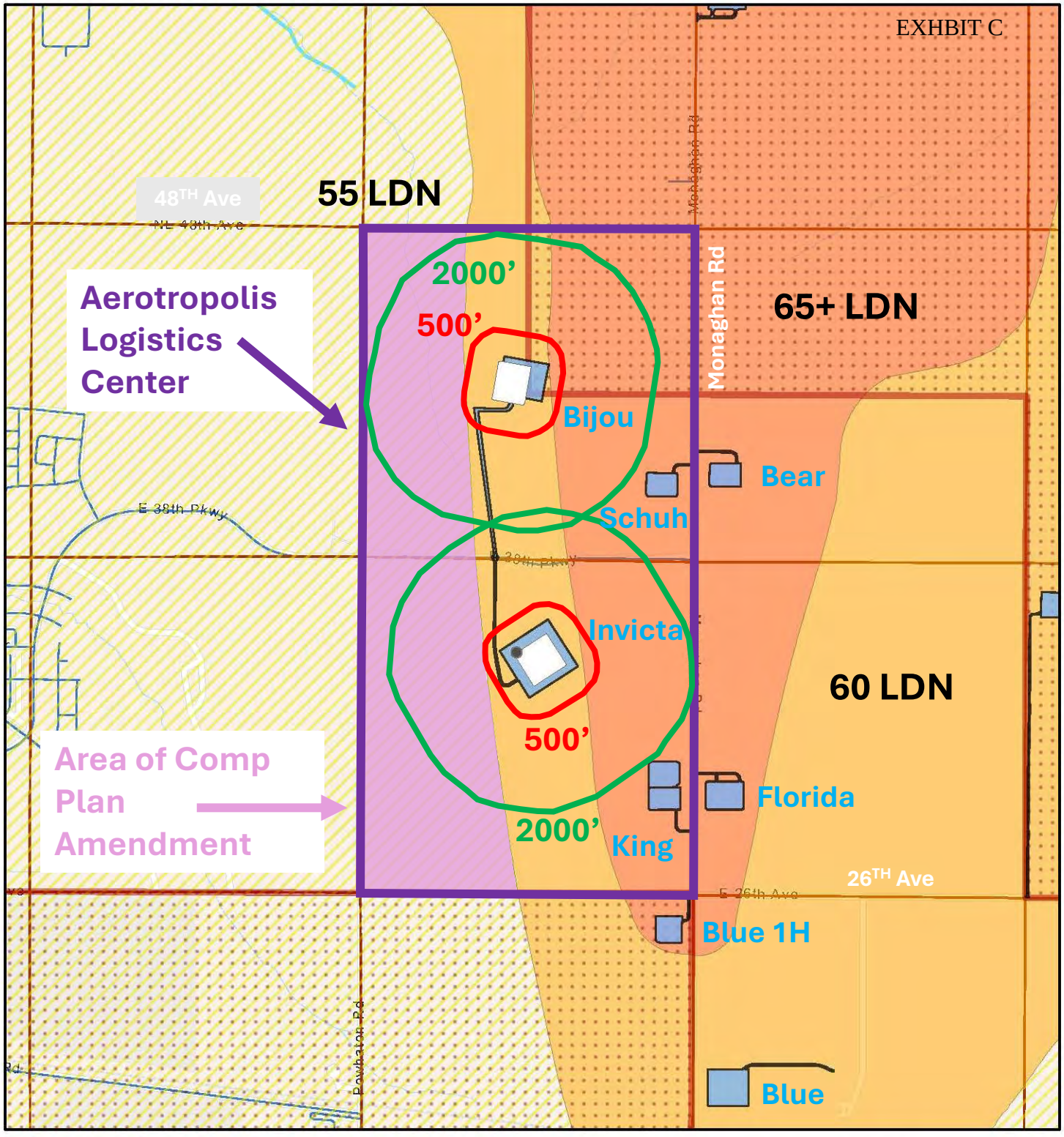
Miles 0 0.175 0.35

City of Aurora, Colorado

Aurora Logistic Center

10/2/2024 I:\GIS\ArcGIS Pro Projects\Planning Development Review\Data Services\Vicinity Maps\ProVicinityMap_Project

Oil & Gas Operations Near Proposed Comp Plan Amendment Area Within Aerotropolis Logistics Center



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Bijou and Invicta Working Pad Surface

City Approved Oil and Gas Well Sites

Airport Noise Zone

55 LDN

60 LDN

65+ LDN

Influence

Section Lines

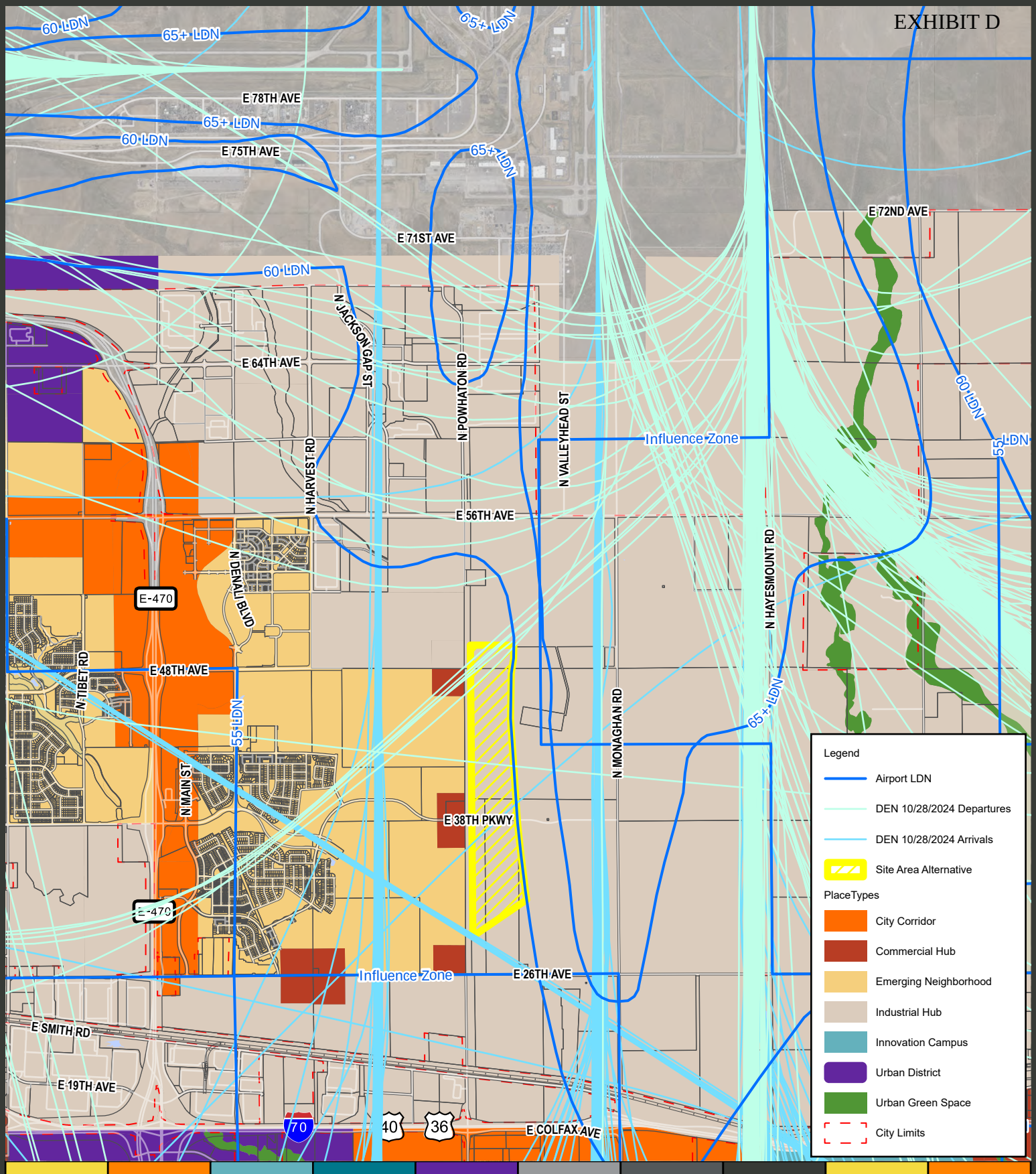
Waterways

Street Centerlines

Denver International Airport, City of Aurora, CO, County and City of Denver, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Web AppBuilder for ArcGIS
Denver International Airport, City of Aurora, CO, County and City of Denver, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA,

EXHIBIT D



Planning and Business Development

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

City of Aurora, Colorado

ATEC Comprehensive Plan
PlaceTypes Amendment Alternative

Miles 0 0.35 0.7

N W E S

11/8/2024 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro.aprx

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

November 22, 2024

City of Aurora Planning and Development Services
15151 E. Alameda Parkway, 2nd Floor
Aurora, CO 80012

Attn: Stacy Wasinger

Re: Aurora Places, Case # DA-2149-03

Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has determined there are **possible conflicts** with the above captioned project. Public Service Company has existing *electric* ***transmission*** lines and an existing *high-pressure natural gas* ***transmission*** pipeline with associated land rights as shown within this property. Any activity including annexation, zoning, grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require PSCo approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a PSCo License Agreement to be executed with the property owner. PSCo is requesting that, prior to any final approval of the development plan, it is the responsibility of the property owner/developer/contractor to contact the following for development plan review and execution of License Agreements:

- **for Electric Transmission**: email coloradorightofway@xcelenergy.com or website www.xcelenergy.com/rightofway
- **for High Pressure Natural Gas Transmission**: encroachment requests (xcelenergy.com) - click on Colorado; an engineer will then be in contact to request specific plan sheets

PSCo also owns and operates existing underground electric ***distribution*** facilities along the far west side of the project area. If these facilities need to be relocated, an application must be made via xcelenergy.com/InstallAndConnect.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: Donna.L.George@xcelenergy.com

TO: Stacy Wasinger, Planning Division Case Manager

FROM: Denver International Airport

DATE: December 2, 2024

SUBJECT: DA-2149-03 | Aurora Places – Comprehensive Plan Amendment

Denver International Airport (DEN) received notice of the proposed amendment to the Aurora Places Comprehensive Plan for a property located at the southeast corner of Powhatan Road and E. 40th Ave., an area approximately 340 acres in size and originally a part of the Aerotropolis Logistics Center Master Plan, with an intended use of industrial development, and zoned Airport District.

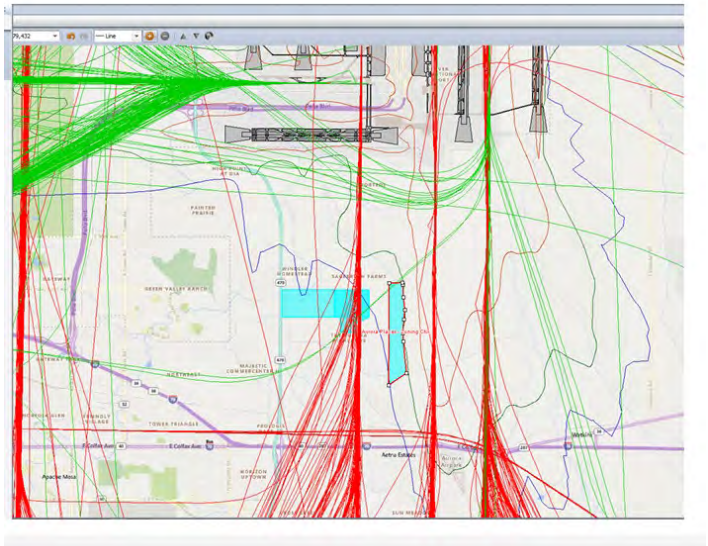
The intention of an Airport District is to capitalize on the multi-modal transportation opportunities, with a focus on commercial, light manufacturing, distribution, along with research and development. The Airport District also prohibits residential development.

The proposal from the City of Aurora is to update the Comprehensive Plan from an Industry Hub placetype to the Emerging Neighborhood placetype, which is intended to be more than just an isolated residential subdivision, with a complete neighborhood of mixed residential housing types, along with pedestrian and bicycle accommodating infrastructure. The new placetype is to accommodate restaurants, retail, and commercial services, being placed on the main and perimeter streets.

DEN has concerns with the issues below:

1. Proximity to existing and future runways:

The proposed site is approximately three miles south of current and future runways at DEN, with current arrival overflight crossing over the site at 1,300 to 1,600 feet above ground level (AGL). When wind conditions require approaches from the south, this development will experience hundreds of overflights a day. On July 7, 2024, as depicted below, the areas of this future development experienced 576 arrivals to Runways 34R and 35L from the south. In the graphic below red lines indicate arrivals, while green lines indicate departures.



2. Noise Contour & Noise Mitigation/Outdoor and Recreational Uses:

The proposed development is located directly outside of the Denver International Airport 60 Day Night Average Sound Level (DNL) noise contour. This development is also located in the City of Aurora's Airport Influence Overlay (AIO) and is subject to high aviation noise levels and possible crash hazards. Developments within the AIO must comply with any and all height restrictions to mitigate hazards to air navigation. The AIO also requires that the development must convey to the City Clerk and Recorder an Avigation Easement, where, *"Such avigation easement shall be an easement for right-of-way for unobstructed passage of aircraft above the property and shall waive any right or cause of action against the City or the associated airport arising from noise, vibrations, fumes, dust, fuel particles, and other effects caused by aircraft and airport operations."* DEN has provided Aurora with a form of easement to be used in the AIO.

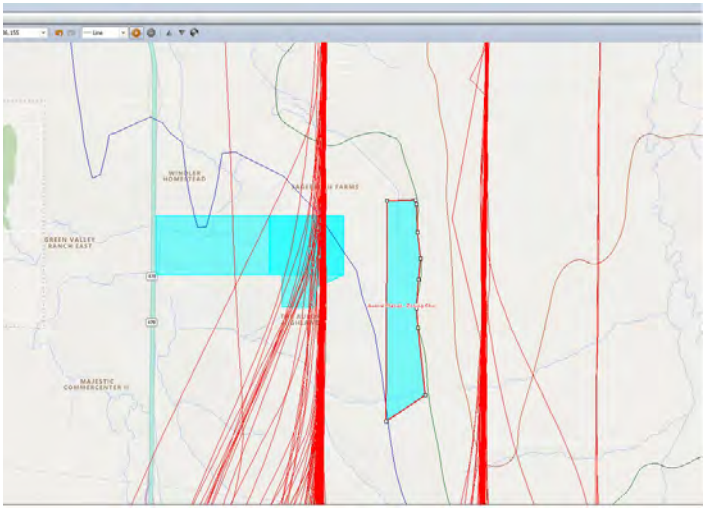
Under the "Airport Influence Subareas" of the City of Auora's code, it specifies that no new residential development is permitted in the 60 DNL noise contour, and if the development is in the 55 DNL, then "Noise Level Reduction Measures" must be implemented into new residential uses or new residential structures, through design and construction measures, to reduce the interior noise level by 25 decibels.

Aircraft noise and overflight impacts are not confined to noise contours and will have impacts on the health of wellbeing of the citizens of Aurora living in this new neighborhood. Outdoor and recreational activities will be significantly negatively impacted by aircraft noise and overflights at this proposed location. Noise will also impact the education of children, as the 2017 ACRP Educator's Handbook publication of the "*Effects of Aircraft Noise on Student Learning*" raised concerns about the impacts of noise above the 55 DNL on the cognition of children, citing a higher risk of experiencing cognitive constraints related to their reading skills and oral comprehension.

In the Federal Aviation Administration (FAA) Advisory Circular (AC) 150/5190-4B: Airport Land Use Compatibility Planning, Section 2.2.1.3; states, "Aircraft noise effects are of concern as they can affect the quality of life for residents in their homes and affect those using or residing in noise-sensitive facilities near airports. These include schools, places of worship, hospitals, parks, and recreational facilities. With the proposal's call for mixed-use development with more uses than simply housing, the impacts of aircraft noise and overflights will not just impact the residences in their homes, the impacts will follow them to worship, health care, school, and recreation.

DEN is providing the below images for additional context of the proximity of the development to runways and operations.

The below map represents arrivals (noted with the red lines) and departures (noted in the green lines) with the site highlighted in light blue.

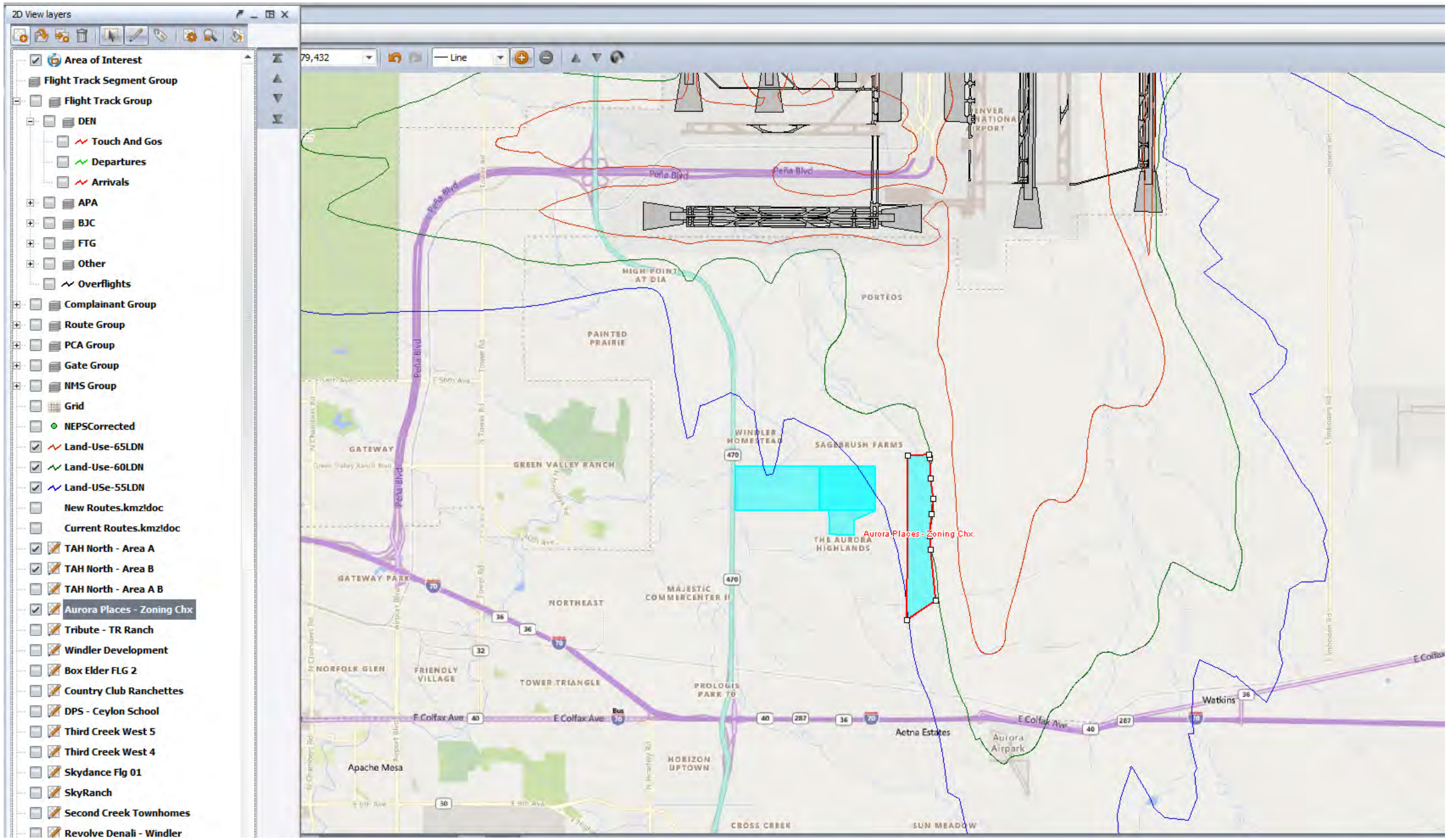


3. Prevent Wildlife Attractants

The FAA provides guidance in *AC 150/5200-33C - Hazardous Wildlife Attractions On or Near Airports*, for construction projects which have the potential to attract wildlife to the DEN airfield environment. Wildlife Services recommends all project planners and contractors review AC 150/5200-33C and design projects in a manner which adhere to the listed guidelines and not create a wildlife attractant within the separation criteria (5 miles from the nearest Aircraft Operations area) outlined in paragraphs 1.2 through 1.4 of AC 150/5200-33C. Additionally, the United States Department of Agriculture's Wildlife Services recommends continual monitoring and communicating to DEN any observed wildlife attractant post-construction. Excerpts from AC 150/5200-33C which are commonly relevant to local development projects are listed below, but additional reference and consideration may be necessary depending on specific project details.

2.3 Water Management Facilities. Drinking water intake and treatment facilities, storm water and wastewater treatment facilities, associated retention and settling ponds, ponds built for recreational use, ponds and fountains for ornamental purposes, and ponds that result from mining activities often attract large numbers of potentially hazardous wildlife. Development of new open water facilities within the separation criteria identified in Paragraphs 1.2 through 1.4 should be avoided to prevent wildlife attractants. If necessary, land-use developers and airport operators may need to develop management plans, in compliance with local and state regulations, to support the operation of storm water management facilities on or near all public-use airports to ensure a safe airport environment. The FAA recommends these plans be developed in consultation with a Qualified Airport Wildlife Biologist, to minimize hazardous wildlife attractants.

TAH Aurora Places – Zoning Change

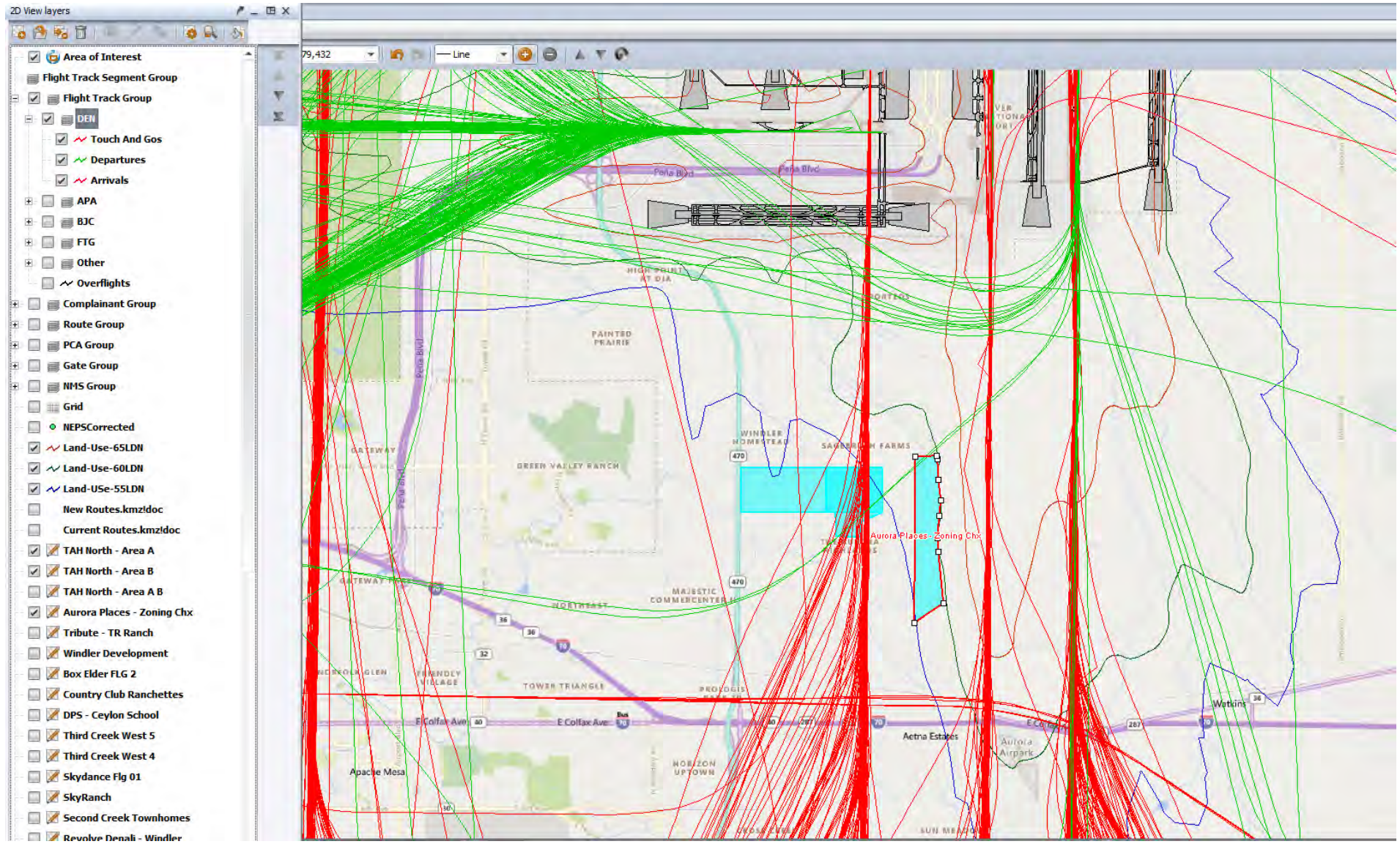


DEN Aviation Noise Analysis – TAH Aurora Places – Zoning Change

DEN Aviation Noise:

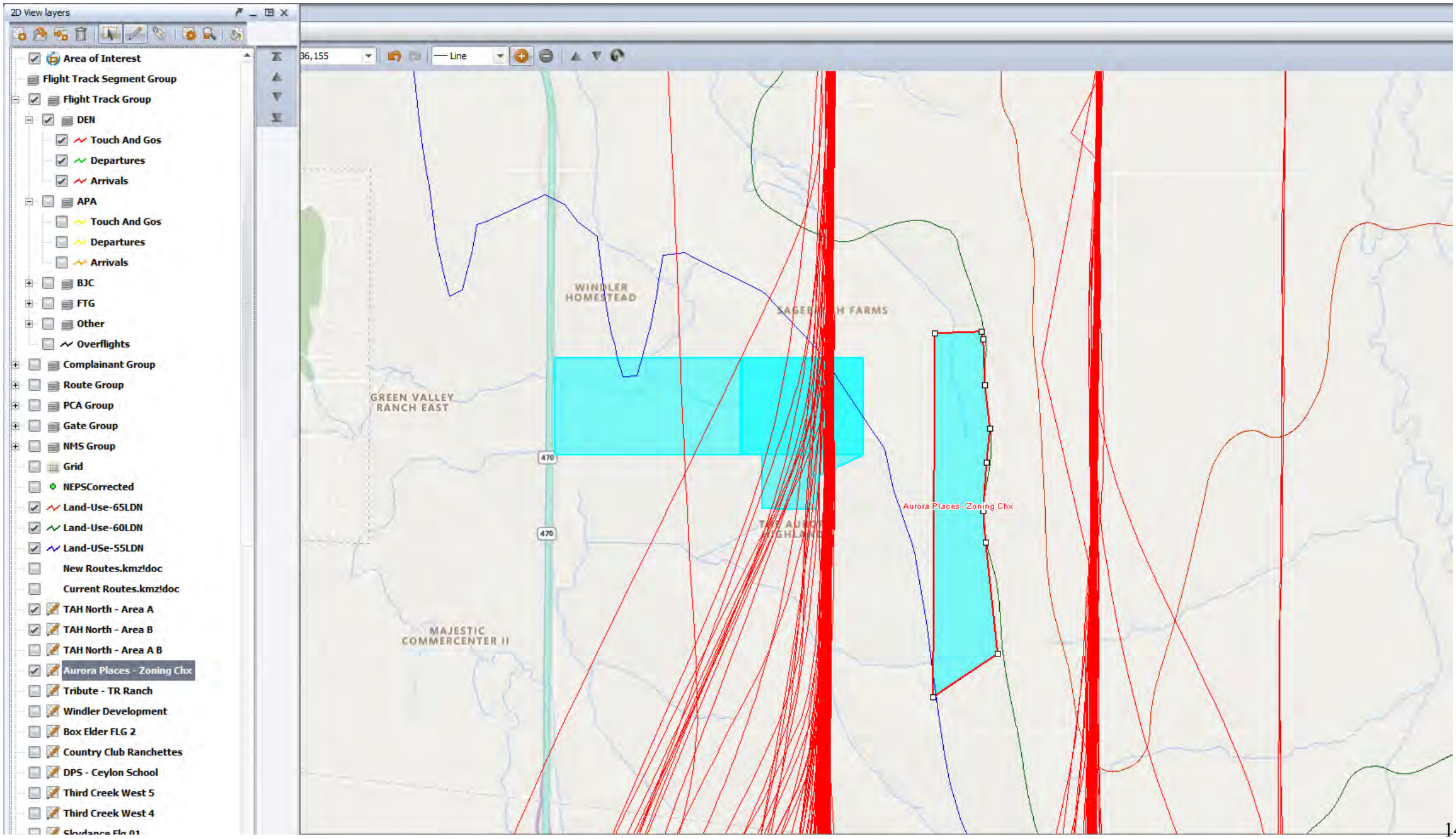
This property will be subject to overflights to and from Denver International Airport (DEN). Included are flight track maps showing the different flight track pattern scenarios and their altitudes related to the arrival and departure at DEN. All related aviation noise statements should be included in homeowner information, documentation and contracts.

Other areas in this development have been reviewed previously, and the noise analysis still holds true. While this development is not directly under a flight pattern, this portion of the development, depicted in light blue, outlined in red, and labeled "Aurora Places – Zoning Change" will have arrival overflights, on either side of it, from the south at altitudes of between 1,300 feet above ground level (AGL) and 1,600 feet AGL depending on the aircraft type and what arrival runway the Federal Aviation Administration (FAA) air traffic controllers have directed the aircraft to land on. If the winds are out of the north aircraft will land coming in from the south on final approach to DEN. Aircraft currently arrive to DEN on runways 34L/R and 35L/R and with the potential of 2 new North/South runways on the East side of the airfield there could be even more daily arrival overflights in the vicinity of this development. The future runways are depicted in black outline/grey fill on this map of flight data from 7/7/24. This day of flights depicts a typical flight pattern for a 24 period. **On this day there were 576 arrivals to runways 34R and 35L from the south.**

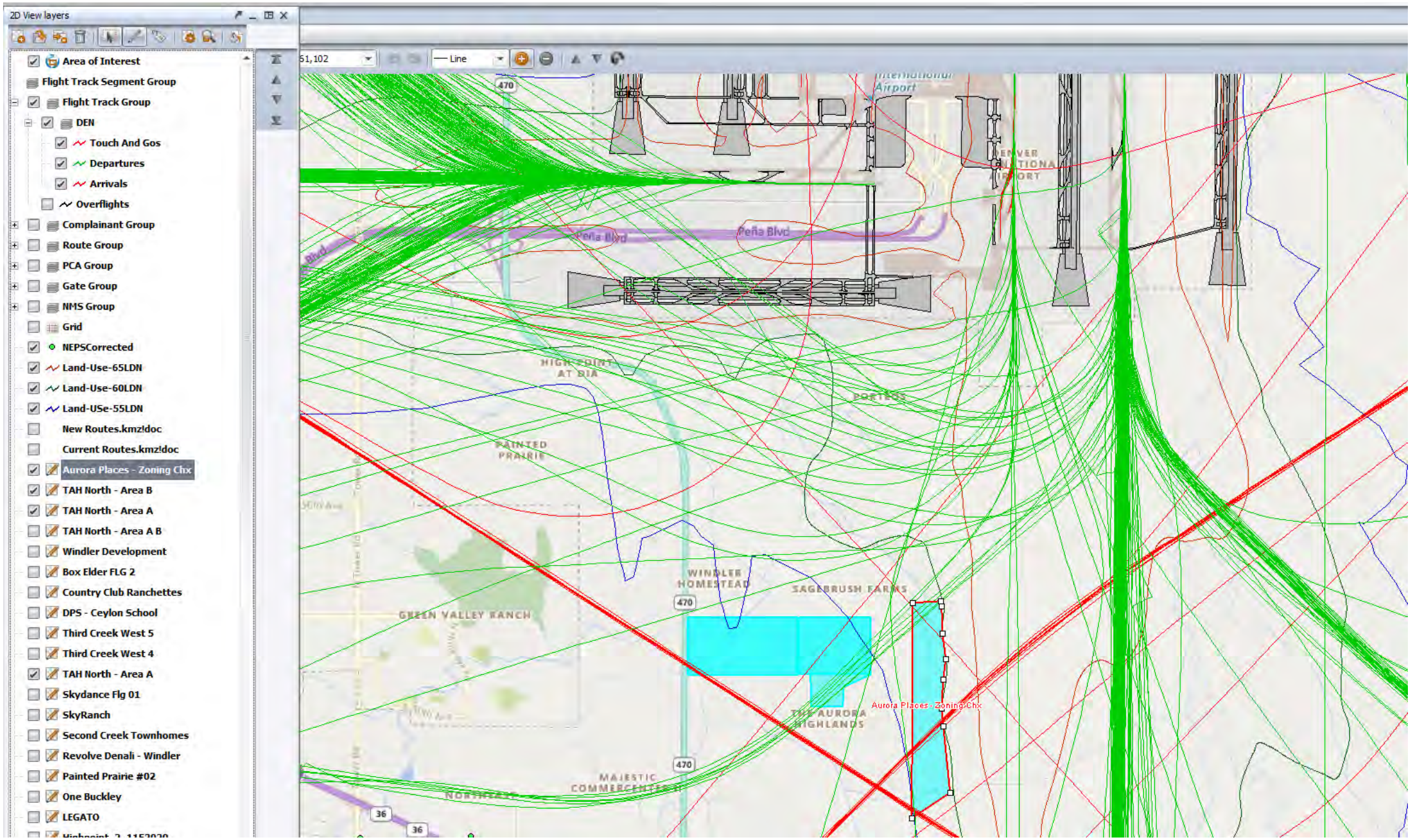


DEN Aviation Noise:

Same flight data from 7/7/24, zoomed in to see the 55, 60 and 65 DNL contour and the property area labeled “Aurora Places – Zoning Change” in red and outlined in red and filled in light blue. The other light blue area that is depicted just to the west of the subject property is The Aurora Highlands Areas A and B. The subject property is fully contained within the 55 DNL contour with its’ east side boundary right up against the 60 DNL contour. While we cannot dictate the development inside of the 55 DNL contour, we would like to point out that zoning change will place future citizens into t a noise area that will be subject to many overflights on wither side of the subject development There will be upwards of 200-300+ arrivals per day to 34R and 35L and at some point there could be arrivals also vectoring to the other 2 future runways on the west side of the airfield and the 2 future runways on the east side of the airfield.



This data is from 12/3/24 We had a few departures that were needing to depart to the south and the turn to the west to get onto their pattern. While this doesn't happen very often, and there are no current or future runways that are directly north of this area where the zoning change is proposed, there could be overflights by departures. They will be louder than the arrivals and will be at approximately 1,700 ft to 2,400 feet AGL above the subject property. These altitudes are dependent on aircraft type and what runway they had utilized to depart.



USDA
United States Department of Agriculture

Animal and Plant Health Inspection Service

Wildlife Services

Colorado State Office
12345 W. Alameda Parkway
Suite 204
Lakewood, CO 80228
303.328.9041 Main
303.328.9047 Fax

September 2024

To: Whom it May Concern

From: USDA Wildlife Services
Denver, CO

Subject: Project Review to Prevent Wildlife Attractants

In support of aviation safety at Denver International Airport (DEN), the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) provides comments on all projects within 5 miles of Denver International Airport's arrival, departure, and circling airspace in effort to prevent the introduction of wildlife attractants which may increase risk to aviation safety.

The Federal Aviation Administration (FAA) provides guidance in Advisory Circular (AC) 150/5200-33C - Hazardous Wildlife Attractions On or Near Airports, for construction projects which have the potential to attract wildlife to the DEN airfield environment. Wildlife Services recommends all project planners and contractors review AC 150/5200-33C and design projects in a manner which adhere to the listed guidelines and not create a wildlife attractant within the separation criteria (5 miles from the nearest Aircraft Operations area) outlined in paragraphs 1.2 through 1.4 of AC 150/5200-33C. Additionally, USDA WS recommends continual monitoring and communicating to DEN any observed wildlife attractant post-construction. Excerpts from AC 150/5200-33C which are commonly relevant to local development projects are listed below, but additional reference and consideration may be necessary depending on specific project details.

2.3 Water Management Facilities. Drinking water intake and treatment facilities, storm water and wastewater treatment facilities, associated retention and settling ponds, ponds built for recreational use, ponds and fountains for ornamental purposes, and ponds that result from mining activities often attract large numbers of potentially hazardous wildlife. Development of new open water facilities within the separation criteria identified in Paragraphs 1.2 through 1.4 should be avoided to prevent wildlife attractants. If necessary, land-use developers and airport operators may need to develop management plans, in compliance with local and state regulations, to support the operation of storm water management facilities on or near all

public-use airports to ensure a safe airport environment. The FAA recommends these plans be developed in consultation with a Qualified Airport Wildlife Biologist, to minimize hazardous wildlife attractants.

2.3.1.2 Where possible, airport operators should modify stormwater detention ponds to allow a maximum 48-hour detention period for the design storm. The combination of open water and vegetation is particularly attractive to waterfowl and other hazardous wildlife. Water management facilities holding water longer than 48 hours should be maintained in a manner that keeps them free of both emergent and submergent vegetation. The FAA recommends that airport operators avoid or remove retention ponds and detention ponds featuring dead storage to eliminate standing water. Detention basins should remain totally dry between rainfalls. Where constant flow of water is anticipated through the basin, or where any portion of the basin bottom may remain wet, the detention facility should include a concrete or paved pad and/or ditch/swale in the bottom to prevent vegetation that may provide nesting habitat. Drainage basins with a concrete or paved pad should be maintained to prevent or remove any sediment build-up to prevent vegetation growth.

2.3.1.3 When it is not possible to drain a large detention pond completely, airport operators may use physical barriers, such as bird balls, wire grids, pillows, or netting, to deter birds and other hazardous wildlife. When physical barriers are proposed, airport operators must evaluate their use, effectiveness and maintenance requirements. Airport operators must also ensure physical barriers will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, airport operators must get approval from the appropriate FAA Regional Airports Division Office.

2.3.1.4 The FAA recommends that airport operators encourage off-airport stormwater treatment facility operators to incorporate appropriate wildlife hazard mitigation techniques into stormwater treatment facility operating practices when their facility is located within the separation criteria specified in Paragraphs 1.2 through 1.4.

2.3.2 New Stormwater Management Facilities. The FAA recommends that storm water management systems located within the separations identified in Paragraphs 1.2 through 1.4 be designed and operated so as not to create above-ground standing water. Stormwater detention ponds should be designed, engineered, constructed, and maintained for a maximum 48–hour detention period after the design storm and to remain completely dry between storms. To facilitate the control of hazardous wildlife, the FAA recommends the use of steep sided, rip-rap or concrete lined, narrow, linear-shaped water detention basins. When it is not possible to place these ponds away from an airport's aircraft operations area (but still on airport property), airport operators may use physical barriers, such as bird balls, wire grids, floating covers, vegetation barriers (bottom liners), or netting, to prevent access of hazardous wildlife to open water and minimize aircraft-wildlife interactions. Caution is advised when nets or wire grids are used for deterring birds from attractants. Mesh size should be < 5 cm (2") to avoid entangling and killing birds and should not be made of a monofilament material. Grids installed above and across water to deter hazardous birds (e.g., waterfowl, cormorants, etc.) are different than using a small mesh covering but also provides an effective deterrent. Grid material, size, pattern and height above water may differ on a case-by-case basis. When physical barriers are used, airport operators must evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, a review by a Qualified Airport Wildlife Biologist should be conducted, prior to approval from the appropriate FAA Regional Airports Division Office. All vegetation in or around detention basins that provide food or cover for hazardous wildlife should be eliminated. If soil conditions and other requirements allow, the FAA encourages the use of underground storm water infiltration systems because they are less attractive to wildlife.

2.3.3 Existing Wastewater Treatment Facilities.

2.3.3.1 The FAA recommends that airport operators immediately correct any wildlife hazards arising from existing wastewater treatment facilities located on or near the airport.

2.3.3.2 Where required, a wildlife management plan will outline appropriate wildlife hazard mitigation techniques. Accordingly, airport operators should encourage wastewater treatment facility operators to incorporate measures, developed in

consultation with a Qualified Airport Wildlife Biologist, to minimize hazardous wildlife attractants. Airport operators should also encourage those wastewater treatment facility operators to incorporate these mitigation techniques into their standard operating practices. In addition, airport operators should consider the existence of wastewater treatment facilities when evaluating proposed sites for new airport development projects and avoid such sites when practicable.

2.3.4 New Wastewater Treatment Facilities. The FAA recommends against the construction of new wastewater treatment facilities or associated settling ponds within the separations identified in Paragraphs 1.2 through 1.4. Appendix 1 defines wastewater treatment facility as "any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes." The definition includes any pretreatment involving the reduction or elimination of pollutants prior to introducing such pollutants into a treatment facility. When a wastewater treatment facility is proposed within the separation criteria, the airport operator, project proponent, and local jurisdiction should discuss the proposed project location with regard to its location near the airport and the separation distances identified in Paragraphs 1.2 through 1.4. If possible, a more suitable location for the proposed facility should be identified. If no other suitable location exists, FAA recommends that the proposed facility plans be reviewed by a Qualified Airport Wildlife Biologist to identify measures to avoid or reduce the facility's potential to attract hazardous wildlife. If appropriate measures cannot be incorporated to reduce potential wildlife hazards, airport operators should document their opposition in a letter to the local jurisdiction.

2.3.5 Artificial Marshes. The FAA recommends against establishing artificial marshes within the separations identified in Paragraphs 1.2 through 1.4.

In addition to water-based attractants, vegetative attractants may serve to increase strike risk if established within the 5-mile separation buffer. WS strongly recommends against the establishment of any landscaping or vegetation in the 5-mile separation buffer which may attract wildlife. All introduced tree and shrub species should be reviewed by USDA

Biologists prior to project initiation. Tree and shrub species should be appropriately spaced as to prevent the establishment of a continuous canopy or dense cover. Long-term plant growth should also be considered when spacing. As per FAA requirement for Part 139 Certified Airports, DEN operates under the practices described in an annually revised and approved Wildlife Hazard Management Plan. Any grass or vegetation species not currently listed in the WHMP approved seed mixes is not approved for use at DEN or in the 5-mile separation buffer. WS will not approve any plant species which has the potential to attract birds to the airport environment. The DEN WHMP requires a seed purity analysis of 0.01% pure live seed for each species utilized, which reduces filler materials and undesirable weed seeds. The accompanying seeding bag tags during onsite re-seeding are also required. On page 7 is the approved seed mix table from Appendix H of the WHMP. The following excerpts from AC 150/5200-33C support this recommendation:

2.8.2 Landscaping and Landscape Maintenance.

2.8.2.1 Depending on its geographic location, landscaping can attract hazardous wildlife. The FAA recommends that airport operators approach landscaping with caution and confine it to airport areas not associated with aircraft movements. Vegetation that produces seeds, fruits, or berries, or that provides dense roosting or nesting cover should not be used. Airports should develop a landscape plan to include approved and prohibited plants. The landscape plan should consider the watering needs of mature plants. A Qualified Airport Wildlife Biologist should review all landscaping plans. Airport operators should also monitor all landscaped areas on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be immediately implemented.

2.8.2.3 Airport operators should ensure that plant varieties attractive to hazardous wildlife are not used on the airport. Disturbed areas or areas in need of revegetating should not be planted with seed mixtures containing millet or any other large-seed producing grass. For airport property already planted with seed mixtures containing millet, rye grass, or other large-seed producing grasses, the FAA recommends disking, plowing, or another suitable agricultural practice to prevent plant maturation and seed head production. Plantings should follow the specific recommendations for grass

management and seed and plant selection made by the State University Cooperative Extension Service, the local office of Wildlife Services, or a Qualified Airport Wildlife Biologist. Airport operators should also consider developing and implementing a preferred/prohibited plant species list, reviewed by a Qualified Airport Wildlife Biologist, which has been designed for the geographic location to reduce the attractiveness to hazardous wildlife for landscaping airport property.

Additionally, the FAA issued CertAlert 98-05 – Grasses Attractive to Hazardous Wildlife, which states:

"Airport Operators should ensure that grass species and other varieties of plants attractive to hazardous wildlife are not used on the airport. Disturbed areas or areas in need of re-vegetating should not be planted with seed mixtures containing millet or any other large-seed producing grasses."

Please feel free to contact DEN or USDA WS for additional information or recommendations for specific projects.

Respectfully,

USDA Wildlife Services - CO

Appendix H: Denver International Airport Approved Grass Species and Sample Submittal Documentation

Grasses for Aircraft Operating Area and Landside Use:

Dry/Upland Grasses

Scientific Name	Common Name	Soil Conditions	lbs PLS/acre*	%of mix**
Pascopyrum smithii	Western Wheatgrass	Universal Upland	3.75	25.00
Agropyron cristatum	Crested Wheatgrass	Universal Upland	3.75	25.00
Buchloe dactyloides	Buffalograss	Universal Upland	3	20.00
Elymus trachycaulus	Slender Wheatgrass	Non-Saline Upland	2.25	15.00
Bouteloua gracilis	Blue Grama	Non-Saline Upland	1.5	10.00
Sporobolus airoides	Alkali Sacaton	Saline Upland	0.75	5.00
	TOTAL		**15**	**100**

Wet/Drainage Grasses

Scientific Name	Common Name	Soil Conditions	lbs PLS/acre*	%of mix**
Panicum virgatum	Switchgrass	Non-Saline Upland/Pond	2.5	25.00
Elymus lanceolatus	Steambank Wheatgrass	Non-Saline Upland	2	20.00
Puccinellia distans	Alkaligrass	Saline Upland	2	20.00
Puccinellia airoides	Nuttall Alkaligrass	Saline Upland	2	20.00
Carex nebrascensis	Nebraska sedge	Non-Saline Pond	0.7	7.00
Juncus balticus	Baltic Rush	Non-Saline Pond	0.4	4.00
Scirpus paludosus	Alkali Bulrush	Saline Pond	0.4	4.00
	TOTAL		**10**	**100**

* PLS means Pure Live Seed; rates shown are for drill seeding, if broadcast, rates should be doubled.

** Percent by seed number

*** Wetland mixes to be used only where wetland hydrology exists.

AEROTROPOLIS INDUSTRIAL DEVELOPMENT, LLC
2000 BERING DR., SUITE 650
HOUSTON, TEXAS 77057

December 10, 2024

VIA EMAIL ONLY
(jrustad@auroragov.org)

Ms. Jeannine Rustad
Planning and Development Services Director
City of Aurora
15151 East Alameda Pkwy.
Aurora, CO 80012

RE: Request for Comprehensive Plan Amendment DA-2149-03.

Dear Ms. Rustad:

Aerotropolis Industrial Development, LLC ("**AID**") is the contract purchaser of approximately 1,280 acres located in Sections 16, 21 and 28, Township South, Range 65 West. This property is presently owned by ATEC Investments, LLC ("**Owner**"). AID intends to cause approximately 347 acres of this land, which is located west of the 60 Ldn contour and more particularly described on the attached Exhibit A ("**Property**"), to be developed with a mix of residential housing, with supportive commercial, park and open space uses. In furtherance of that intention, AID is requesting a Comprehensive Plan Amendment to change the placetype on the Property from "Industry Hub" to "Emerging Neighborhood".

The City's Comprehensive Plan describes future development and land use in terms of "Placetypes". Placetypes characterize specific areas by defining the character, scale, form and function of a general area. Amendment of the Comprehensive Plan to identify the Property, which is currently vacant, as "Emerging Neighborhood" is:

- **CONSISTENT WITH AURORA PLACES, WHICH IS THE CITY'S COMPREHENSIVE PLAN.**
    - The Placetype map is intended to depict general locations of each placetype and not necessarily the land use designations of specific parcels;
    - Aurora Places allows for adjustments to exact boundaries and locations of uses.
- **RESPONSIVE TO CHANGED CIRCUMSTANCES.**
    - The Property was originally part of the King Ranch General Development Plan. The King Ranch GDP was a master plan covering 2,471 acres in Sections 16, 20, 21 and 28. The GDP presented a master plan with a mix of residential, schools, commercial and industrial uses. The City agreed in the GDP as well as the annexation agreement that all or a portion of the Property located outside the 60

Ldn contour, that was anticipated to be generated by the then proposed new international airport, could be rezoned from non-residential to residential uses. The Annexation Agreement went on to provide that "the Property shall remain zoned in accordance with the General Development Plan and associated standards." Rezoning of the Property to allow residential development on land outside of the 60 Ldn contour is not supported by, or compatible with, an "Industry Hub" placetype;

- Approximately 315 acres in Section 17 that was within an "Emerging Neighborhood" placetype was reclassified to "Industry Hub" in 2021 (DA-1805-01). This land, together with additional acreage in Section 17 as reflected in The Aurora Highlands Public Improvement Plan presented in 2019, was proposed to include a variety of residential housing options, a high school, park and open space.

- **NEUTRALIZING THE PRIOR REDUCTION IN LAND AREA AVAILABLE FOR RESIDENTIAL DEVELOPMENT ARISING FROM RECENT CHANGES TO THE BOUNDARIES OF THE EMERGING NEIGHBORHOOD PLACETYPE.**
    - Reclaiming land outside of the 60 Ldn contour to support residential, school, park and open space, and neighborhood commercial uses will provide housing options for persons across all socioeconomic levels and the growing aged population supporting the Housing For All initiative.
- **SUPPORTIVE OF PROVIDING MORE DENSE, MORE COMPACT AND MORE DIVERSE RESIDENTIAL DEVELOPMENT WITH A VARIETY OF PRICE POINTS.**
    - Housing options are not as diverse as other large cities to meet the needs of households with diverse preferences, incomes, employment, sizes and compositions;
    - City desires new types of urban places and a greater variety of neighborhood experiences to attract employers and support new jobs and where people of all backgrounds can prosper;
    - Development of this Property at a higher density, in cooperation with the City, will help bridge the supply and demand gap that is increasing home prices and provide opportunities to create new, quality, attainable housing;
    - All persons should have ability to enjoy all that Aurora has to offer, including access to quality jobs, quality schools, safe neighborhoods and active gathering places;
    - Affordable housing should be located at places close to job centers.
- **COMPLIANT WITH APS' DESIRE FOR A UNIQUE AND HIGH QUALITY HIGH SCHOOL CAMPUS ACCESSIBLE TO THE REGION IT SERVES.**
    - Approval of this amendment will solidify the location of the High School and permit development of a state-of-the-art campus that will support the traffic

generation, field lighting and the ancillary sporting noise appurtenant to a high school.

- **CREATING OPPORTUNITIES TO TAKE ADVANTAGE OF TOPOGRAPHIC CONDITIONS TO CREATE A NEW AMENITIZED LINEAR PARK THAT WILL ALLOW THE BLENDING OF A MIX OF PUBLIC, RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USES, WITH APPROPRIATE BUFFERING, TO ESTABLISH A WALKABLE COMMUNITY WITH ACCESS TO EMPLOYMENT CENTERS, HEALTH FACILITIES, RECREATIONAL AMENITIES, SCHOOLS AND OTHER GATHERING PLACES.**
    - Compatible with the Aerotropolis Logistics Center Master Plan (DA-2214-00) due to the variant topographies;
    - Multiple areas within the City locate Emerging Neighborhood placetypes with Industry Hub placetypes, particularly where the natural topography can be utilized to create a unique open space and transportation corridor that provides both the non-residential and residential communities with interactive assets, gathering places and visual separation.
    - A cohesive community is created when placetypes connect to each other by design, functionality and access to infrastructure.
- **SUPPORTED BY THE LANDOWNER AND CONTRACT PURCHASER TO CREATE A STRONG ECONOMIC COMMUNITY WITH SYNERGIES ARISING FROM CONNECTING INDUSTRY AND PEOPLE.**

For the foregoing reasons, AID requests that the City approve the Plan amendment. We look forward to working with the City toward successful completion of the Plan amendment.

Sincerely,



Allen Crosswell
Manager
Aerotropolis Industrial Development, LLC

P.U.D. - 1058

EXHIBIT G

1-58 1/5

KING RANCH
GENERAL DEVELOPMENT PLAN

MAY 13, 1987

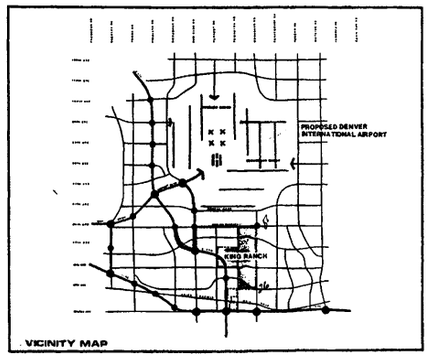
PREPARED FOR:
THE BILL L. WALTERS COMPANIES
7951 E. MAPLEWOOD, SUITE 300
ENGLEWOOD, CO
(303) 694-1966

LAND PLANNING CONSULTANTS:
DAVID A. CLINGER ASSOCIATES
23568 PONDVIEW PL.
GENESEE VILLAGE,CO 80211
(303) 526-9126

CIVIL ENGINEERS:
MERRICK & COMPANY
P.O. BOX 22026
DENVER, CO 80222
(303) 751-0741

TRAFFIC ENGINEERS:
KRAGER & ASSOCIATES
1643 BOULDER ST. SUITE 203
DENVER, CO 80211
(303) 477-6318

SITE VICINITY:



VICINITY MAP

LEGAL DESCRIPTION:

PROPERTY DESCRIPTION

A parcel of land located in the East Half of Section 32, Township 3 South, Range 65 West of the Sixth Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the north quarter corner of said Section 32;
THENCE S00°16'19"E along the westerly line of said East Half a distance of 30.00 feet to the POINT OF BEGINNING;
THENCE S89°13'15"E along the southerly deed line of County Road No. 26 according to Book 5 at Page 504 of the Adams County Commissioners' Road Books of Adams County, Colorado and 30.00 feet southerly of the northerly line of said East Half a distance of 2643.58 feet;
THENCE S89°13'15"E along the westerly line of the Northeast Quarter of said Section 32 a distance of 2643.33 feet;
THENCE the following two (2) courses along the northerly and westerly line of that parcel of land described in Book 1843, Page 32, Adams County Clerk and Recorder's Office:

1. N53°13'15"W a distance of 3320.00 feet;
2. THENCE S00°26'45"E a distance of 950.00 feet;

THENCE N53°13'15"W along the northerly right-of-way line of the Union Pacific Railroad a distance of 1346.46 feet;
THENCE N00°26'45"W along the westerly line of said East Half a distance of 2613.84 feet to the POINT OF BEGINNING.

Containing 130.817 acres, more or less.

PROPERTY DESCRIPTION
Parcel in Sections 34, 35 & 36

A parcel of land being all of Sections 34, 35 and 36, in Township 3 South, Range 65 West, of the Sixth Principal Meridian, EXCEPT the westerly 210.00 feet and the easterly 30.00 feet of said Sections 34, 35 and 36 and EXCEPT the southerly 30.00 feet of said Section 36, Adams County, Colorado, being additionally described as follows:
COMMENCING at the northwest corner of said Section 34;
THENCE S89°46'08"E along the northerly line of said Section 34 a distance of 210.00 feet to the POINT OF BEGINNING;
THENCE continuing S89°46'08"E along said northerly line of Section 34 a distance of 5038.20 feet;
THENCE the following 5 (six) courses along the westerly line of County Road No. 31N according to Book 5 at Page 455 of the County Commissioner's Road Books of Adams County;
1) S00°10'44"W along a line 30.00 feet westerly of and parallel with the the westerly line of the Northeast Quarter of said Section 34 a distance of 2647.29 feet;
2) THENCE S00°05'17"W along a line 30.00 feet westerly of and parallel with the westerly line of the Southeast Quarter of said Section 34 a distance of 2647.98 feet;
3) THENCE S00°11'45"W along a line 30.00 feet westerly of and parallel with the westerly line of the Northeast Quarter of said Section 35 a distance of 2649.53 feet;
4) THENCE S00°11'03"W along a line 30.00 feet westerly of and parallel with the westerly line of the Southeast Quarter of said Section 35 a distance of 2649.52 feet;
5) THENCE S00°25'36"E along a line 30.00 feet westerly of and parallel with the westerly line of the Northeast Quarter of said Section 36 a distance of 1660.47 feet;
6) THENCE S00°24'24"E along a line 30.00 feet westerly of and parallel with the westerly line of the Southeast Quarter of said Section 36 a distance of 2619.05 feet;
THENCE the following 3 (two) courses along the northerly line of County Road No. 26 according to Book 5 at Page 504 of the County Commissioner's Road Books of Adams County;
1) N89°35'19"W along a line 30.00 feet northerly of and parallel with the southerly line of the Southeast Quarter of said Section 36 a distance of 2634.06 feet;
2) THENCE N89°37'32"W along a line 30.00 feet northerly of and parallel with the southerly line of the Southwest Quarter of said Section 36 a distance of 2632.71 feet;
THENCE the following 3 (four) courses along the easterly line of a parcel of land deeded to Public Service Company of Colorado in Book 798 at Page 318 in the Adams County Clerk and Recorder's Office;
1) N00°00'16"W along a line 210.00 feet easterly of and parallel with the westerly line of the Southwest Quarter of said Section 36 a distance of 2639.83 feet;
2) THENCE N00°00'06"E along a line 210.00 feet easterly of and parallel with the westerly line of the Northwest Quarter of said Section 36 a distance of 2649.46 feet;
3) THENCE N00°00'39"E along a line 210.00 feet easterly of and parallel with the westerly line of said Section 25 a distance of 3230.85 feet;
4) THENCE N00°20'37"E along a line 210.00 feet easterly of and parallel with the westerly line of said Section 24 a distance of 5303.09 feet to the POINT OF BEGINNING.
Containing 1840.293 acres, more or less.

PROPERTY DESCRIPTION

A parcel of land located in the Southeast Quarter of Section 28, Township 3 South, Range 65 West of the Sixth Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

COMMENCING at the north quarter corner of said Section 33;
THENCE S00°26'07"E along the westerly line of said East Half a distance of 3544.35 feet;
THENCE the following two (2) courses along the southerly right-of-way line of the Union Pacific Railroad;

1. S83°13'15"E a distance of 817.76 feet to the POINT OF BEGINNING;
2. THENCE continuing S83°13'15"E a distance of 1849.41 feet;

THENCE S00°26'13"E along the westerly line of the Southeast Quarter of said Section 33 a distance of 871.16 feet;
THENCE the following three (3) courses along the northerly and westerly lines of that parcel of land described in Book 1295, Page 486, Adams County Clerk and Recorder's Office:

1. N89°36'48"W a distance of 30.40 feet;
2. THENCE S44°23'25"W a distance of 313.35 feet;
3. THENCE S13°54'37"W a distance of 569.37 feet;

THENCE the following two (2) courses along the westerly line of that parcel of land described in Book 358, Page 599, Adams County Clerk and Recorder's Office:

1. S74°48'34"W a distance of 453.66 feet;
2. THENCE N89°36'48"W a distance of 1163.17 feet;

THENCE N00°26'13"W along the easterly line of that parcel of land described in Book 381, Page 539, Adams County Clerk and Recorder's Office a distance of 655.75 feet;
THENCE N89°33'47"E a distance of 12.84 feet;
THENCE N00°30'31"W a distance of 1121.78 feet to the POINT OF BEGINNING.

Containing 63.491 acres, more or less.

PROPERTY DESCRIPTION
Parcel in Section 30

A parcel of land being all of Section 30, Township 3 South, Range 65 West, of the Sixth Principal Meridian, EXCEPT the Southeast Quarter of the Southeast Quarter of the Southeast Quarter thereof, Adams County, Colorado, being additionally described as follows:
BEGINNING at the northeast corner of said Section 30;
THENCE S89°36'03"E along the northerly line of said Section 30 a distance of 2651.52 feet to the northeast corner of said Section 30;
THENCE S00°00'26"E along the easterly line of said Section 30 a distance of 4282.73 feet to the northeast corner of said Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 30;
THENCE S89°16'08"W along the northerly line of said Southeast Quarter of the Southeast Quarter of the Southeast Quarter a distance of 646.50 feet to the southeast corner of said Southeast Quarter of the Southeast Quarter of the Southeast Quarter;
THENCE N00°09'08"E along the westerly line of said Southeast Quarter of the Southeast Quarter of the Southeast Quarter a distance of 687.86 feet to the southeast corner of said Southeast Quarter of the Southeast Quarter of the Southeast Quarter;
THENCE S89°48'37"W along the southerly line of the Southeast Quarter of said Section 30 a distance of 1981.42 feet to the south quarter corner of said Section 30;
THENCE S89°46'35"W along the southerly line of the Southeast Quarter of said Section 30 a distance of 2641.52 feet to the southeast corner of said Section 25;
THENCE N00°01'46"W along the westerly line of said Southeast Quarter of Section 30 a distance of 2650.95 feet to the west quarter corner of said Section 30;
THENCE N00°02'46"W along the westerly line of the Northeast Quarter of said Section 30 a distance of 2637.28 feet to the POINT OF BEGINNING.
Containing 631.331 acres, more or less.

SIGNATURES:

General Development Plans registered and recorded hereunder shall be binding upon the applicants thereof, their successors and assigns, and shall restrict and limit all development within the Planned Development Zone District to all conditions and limitations set forth in such plans.

Owners: THE BILL L. WALTERS COMPANIES

By Harvey E. Deutsch
Harvey E. Deutsch, Attorney for the Owners

In Witness Thereof: Harvey E. Deutsch

has caused these presents to be executed this 2nd day of June A.D., 19 87.

Notarial:

State of Colorado)
County of Arapahoe

The foregoing instrument was acknowledged before me this 2nd day of June A.D., 19 87 by Harvey E. Deutsch, Attorney and Authorized Agent for Owners.

Witness my hand and official Seal

Jackye M. Ivey
My Commission Expires 7-12-88
Business Address: 7951 E. Maplewood, Englewood CO 80111

JACKYE M. IVEY NOTARY PUBLIC STATE OF COLORADO

CITY OF AURORA APPROVALS

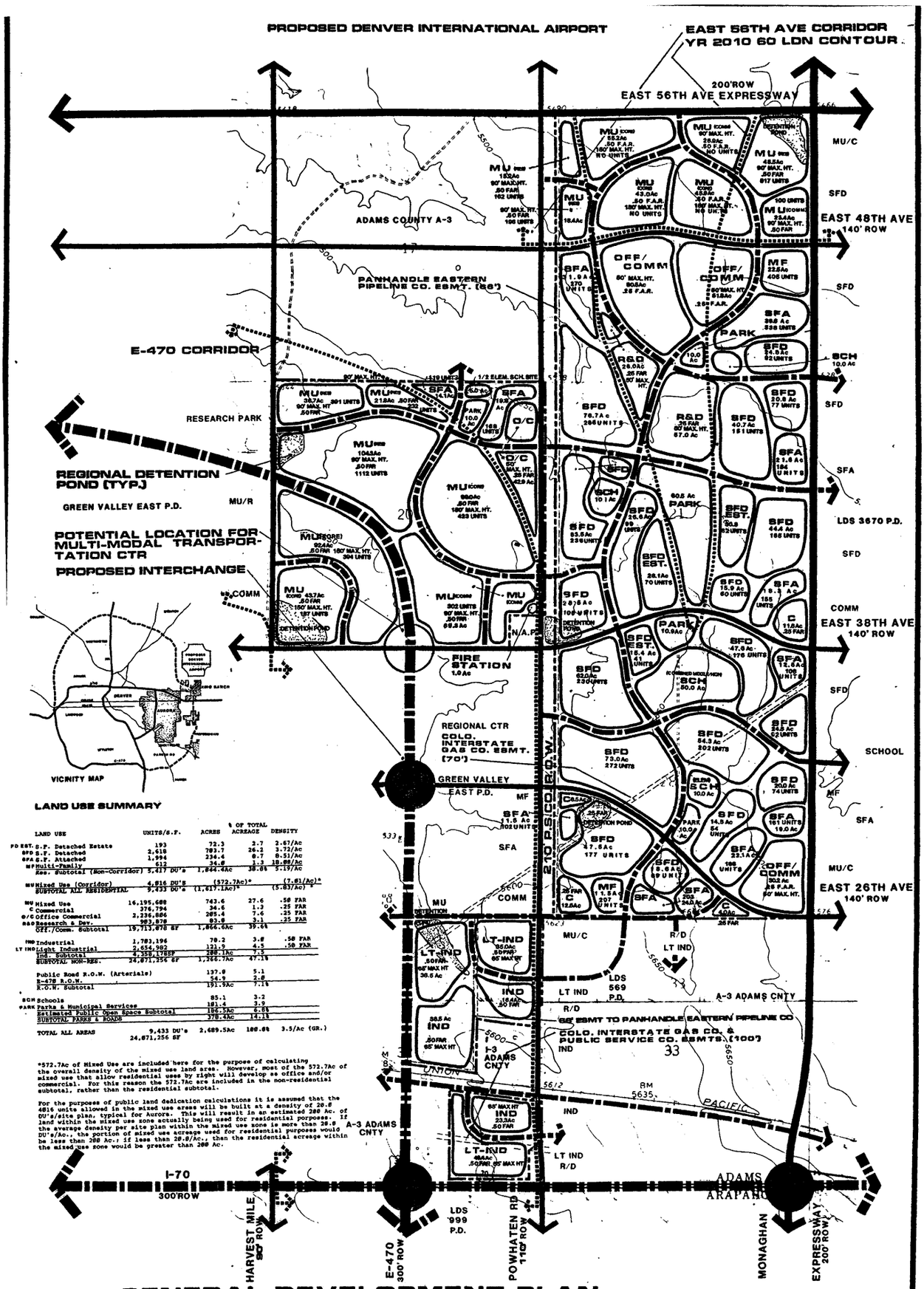
City Attorney: Date: 7-20-87
Planning Director: Date: 6/29/87
Planning Commission: Chairman Date: 6-24-87
City Council: Mayor Date: 7/20/87
Attest: City Clerk Date: 7-20-87

RECORDER'S CERTIFICATE

Accepted for filing in the Office of the Clerk and Recorder of Adams County, Colorado at 1:30 o'clock P .m, this 21st day of August A.D., 19 87.
Clerk and Recorder: William Imhoff
Deputy: Jeanie L Rasmussen

P.U.D. # 1058
Rec.# B763954

SHEET 1 OF 5



LAND USE SUMMARY

	LAND USE	UNITS/S.F.	ACRES	% OF TOTAL ACREAGE	DENSITY
RE EST.	S.F. Detached Estate	193	72.3	2.7	2.67/Ac
SFD	S.F. Detached	2,610	703.7	26.2	3.72/Ac
SFA	S.F. Attached	1,994	234.4	8.7	8.51/Ac
MF	Multi-Family	612	34.8	1.3	18.00/Ac
	Res. Subtotal (Non-Corridor)	5,417 DU's	1,044.4Ac	38.8%	5.19/Ac
MU	Mixed Use (Corridor)	4,016 DU'S	(572.7Ac)*		(7.01/Ac)*
	SUBTOTAL ALL RESIDENTIAL	9,433 DU's	(1,617.1Ac)*		(5.83/Ac)*
MU	Mixed Use	16,195,680	743.6	27.6	.50 FAR
C	Commercial	376,794	34.6	1.3	.25 FAR
o/C	Office Commercial	3,236,886	205.4	7.6	.35 FAR
R&D	Research & Dev.	993,878	83.8	3.1	.25 FAR
	Off./Comm. Subtotal	19,713,678 SF	1,866.6Ac	69.6%	
IND	Industrial	1,783,196	78.2	3.8	.50 FAR
LT IND	Light Industrial	2,654,982	121.9	4.5	.50 FAR
	Ind. Subtotal	4,358,17889	200.1Ac	7.3	
	SUBTOTAL NON-RES.	24,071,256 SF	1,366.7Ac	47.1%	
	Public Road R.O.W. (Arterials)		137.9	5.1	
	E-470 R.O.W.		54.9	2.0	
	R.O.W. Subtotal		191.9Ac	7.1%	
SCH	Schools		85.1	3.2	
PARK	Parks & Municipal Services		183.4	3.9	
	Estimated Public Open Space Subtotal		108.5Ac	6.8%	
	SUBTOTAL PARKS & ROADS		378.4Ac	14.1%	
	TOTAL ALL AREAS	9,433 DU's 24,071,256 SF	2,689.5Ac	100.0%	3.5/Ac (GR.)

*572.7Ac of Mixed Use are included here for the purpose of calculating the overall density of the mixed use land area. However, most of the 572.7Ac of mixed use that allow residential uses by right will develop as office and/or commercial. For this reason the 572.7Ac are included in the non-residential subtotal, rather than the residential subtotal.

For the purposes of public land dedication calculations it is assumed that the 4816 units allowed in the mixed use areas will be built at a density of 20.0 DU's/site plan, typical for Aurora. This will result in an estimated 200 Ac. of land within the mixed use zone actually being used for residential purposes. If the average density per site plan within the mixed use zone is more than 20.0 DU's/Ac., the portion of mixed use acreage used for residential purposes would be less than 200 Ac.; if less than 20.0/Ac., then the residential acreage within the mixed use zone would be greater than 200 Ac.

GENERAL DEVELOPMENT PLAN

DATE: 3-13-1987
REVISIONS: 4-21-87, 6-17-87, 7-15-87, 8-5-87
SCALE: 1"=1200'
SHEET 2 OF 5

KING RANCH
THE BILL L. WALTERS COMPANIES
7951 E. MAPLEWOOD SUITE 300
ENGLEWOOD, COLO. 80111 (303) 694-1966

NORTH

PLANNING CONSULTANT:
DAVID A. CLINGER AND ASSOCIATES
23568 PONDVIEW PL.
GENESEE VILLAGE, COLO. 80401
(303) 526-9126

P1-58 2/5

King Ranch is a planned multiple-use development encompassing 2689.5 acres, located between East 56th Avenue and I-70 on the north and south, and Monaghan and Harvest Mile roads on the east and west. The development has been designed to include a variety of housing opportunities: estate and conventional single family detached homes, single family clusters, attached units/townhomes, and condominium/apartments. Complementary office and/or commercial parcels will be conveniently located at the intersections of major arterials and/or expressways. Mixed residential and non-residential land uses will be located within the corridors of the East 56th Avenue Expressway and E-470. Residential areas have been planned to provide for a decrease in density and intensity of use away from the mixed use corridors and commercial corners. In general, higher intensity uses will provide a buffer between 1) the East 56th Avenue Expressway, E-470, and the industrial area to the south and, 2) the more single family oriented lower density residences at the center of the site. All residential uses have been excluded from the Year 2010 60 LDN Noise Contour of the proposed Denver International Airport, located approximately one mile north of the site. Supporting facilites have been planned to serve the project and will include services, shopping, schools and parks - facilities needed to create a complete living environment.

To accommodate a variety of housing types, each planning area varies in topography, size, population, and street layout. The open space system includes a considerable portion of the high ridge running south to north through the site. It is intended that pedestrian ways will provide links, where applicable, to many areas of the site, including open space areas, schools, parks and community facilities. 106.5 acres of schools and parks, which will include a variety of recreational uses, are conveniently located near the neighborhoods. Additional bulk private open spaces are planned in the mixed-use core and industrial areas. Neighborhood and community commercial, office/commercial, and MU-Core areas are planned in locations convenient to the residential neighborhoods while taking advantage of pass-by traffic on major thoroughfares.

DESIGN INTENT

CIRCULATION, ROAD PATTERNS, AND STANDARDS:

The circulation and road patterns of the development are planned to provide good access, privacy, circulation and safety for the neighborhoods. E-470 bisects the western quarter of the site. Collector roads proximate to E-470 will serve multi-use, and other residential and office/commercial uses in this area. Two proposed interchanges of E-470 with the Quebec Street Parkway and East 72nd Avenue are within one mile of the site. A multi-modal transportation center is planned for E-470 and East 38th Avenue. These interchanges will provide convenient access to the multi-family and non-residential uses adjacent to E-470. The Monaghan and East 56th Avenue Expressways, and arterials and collectors along the section or half section lines, provide access to the site. Service, retail, and employment centers will be located exclusively within the influence areas of these roads and therefore through traffic will not need to penetrate the circulation system within individual neighborhoods. The system will be safe for residents and the working and traveling public while remaining responsive to environmental concerns and emergency and traffic needs.

The internal road system for King Ranch is based on a hierachy of street types. Public through-streets, i.e. collectors, will be designed to provide access and continuity from adjacent arterial streets to individual residential villages. Local streets will provide access to individual homes within residential tracts; as well as access from within the residential tracts to nearby neighborhood retail and service centers. It shall be the intent of the developer, whenever possible, to provide this local street/retail center connection without a reliance on the adjacent arterial/collector system, but also without compromising the integrity of the residential tract to the point that the health and safety of individuals there would be jeopardized by unwarranted "through" traffic. All rights-of-way will be consistent with the road standards of the City of Aurora. Multi-family residential and commercial tracts may be served internally b private drive systems in accordance with City procedures in effect at the time of development.

Pedestrian circulation will be provided by walks through the public open space, along existing easements, and adjacent to all public streets. Walkways within the open space will separate pedestrians and cyclists from automobile traffic and provide alternate access from the residential areas to parks, schools, offices, and commercial areas.

City and Developer acknowledge that the alignment and R.O.W. of the E-470 highway and any interchange locations may be modified by the E-470 Authority. Final alignment, access, and design will be determined at the time of development and shall be in substantial conformance with this General Development Plan to the extent that is possible and reasonable.

MULTI-MODAL TRANSPORATION CENTER:

It is intended that this center have a multiplicity of uses. It is a place for transport of large numbers of the commuting public by a variety of means. As such, it will have parking areas and convenience services associated with it. At the same time, its ultimate potential may be as development cells of high intensity uses with offices, job centers and services in its immediate proximity. If it is to be a major destination in its own right, the location should be such that it does not conflict with or cause congestion at other major use centers. It will be located along E-470 but at an access point other than a main interchange. One multi-modal transportation center is shown on the land use plan. It will allow for a transit system stop in the future. Within this area, acreage for Park-n-Ride facilites will be available. The nature of the diverse uses in this center may ultimately include the following:

A. Parking structures or lots.
B. Light rail/rapid transit/subway systems.
C. Transportation terminals and accessory uses.
D. Pedestrian plazas and pedestrian walkways.
E. Bicycle pathways and storage.
F. Restaurants.
G. Bus parking and lanes.
H. Taxi parking and service areas.
I. Retail trade or service businesses.
J. Office with transit facilities.
K. Multi-family above or incorporated into site developments of Park-n-Rides.
L. Newsstands less than 188 square feet.
M. Travel agencies and charter tours.
N. Souvenir stands.
O. Vendors without permanent structures.
P. Heliports.

E-470 & EAST 56TH AVENUE CORRIDORS:

The E-470 and East 56th Avenue corridors within the King Ranch development are planned as areas of higher intensity land uses and activities supporting and responding to: 1) the expected high traffic volumes on the regional circumferential highway, 2) the influence of the proposed Denver International Airport, and 3) the needs of adjacent residential development. The concentration of land uses and activities within the corridors will encourage a reduction in intensity as one moves away from the corridor areas. The mixed-use land uses immediately adjacent to E-470 and East 56th Avenue will also be more compatible (than low density residential uses) with the highway noise that will impact this area. Corridors shall be defined as all those areas within one-half mile of either the E. 56th Ave Expressway or E-470.

E-470 CORRIDOR URBAN CHARACTER:

It is the intent of the King Ranch Development Plan to establish a high standard of urban design quality for development within the E-470 Corridor. For an area with an urban character to function well as a 24-hour living space, significant attention must be placed on the design of street character at the pedestrian scale. The environment at street level must be accommodating and welcoming to the walking public both during and after business hours. A variety of store-front services and attractions must be provided to create interest, support, and continuous activity. Provisions of services required on a daily basis must occur in concert with the development of residential uses. A live-in population within the urban fabric is the critical element that determines the viability of a 24 hour city. Therefore, its existence must be encouraged and reinforced in design. Services, entertainment, restaurants and access to both formal and passive recreation must be positioned within walking distance of proposed urban residential areas.

BUILDING HEIGHT VARIATIONS AND INTENSITY GROUPING:

The concept of a "linear city" along the E-470 mile-wide corridor, and a similar but less residential oriented corridor along the East 56th Avenue Expressway, must allow for variations in the scale of urban intensities within the corridors. Visual interest and the encouragement of activity is gained by providing for this variation and is achieved by fluctuations in building scale, height, and distances between structures.

The intent of providing such variation will be to eliminate areas of uniform building appearance. To encourage this variation, it is proposed that specific land parcels within the corridors be identified, within which building heights (and concurrently, their F.A.R.s) may be allocated so that maximum allowable heights are not exceeded but variety is achieved. These blocks are generally identified on the General Development Plan as MU-(Res.) MU-(Core) and MU-(Comm.). Within each individual block, no single block shall exceed and approved F.A.R.'s may be exceeded, to a maximum as quoted in the respective land use division contained herein, provided a Preliminary Development Plan is approved in accordance with the Aurora City Code and the F.A.R. for the entire Preliminary Development Plan does not exceed that which is indicated on the G.D.P., and setback rules and design intent statements are not compromised. Determination of the appropriateness of such height and F.A.R. allocations will be subject to the Preliminary Development Plan review by the City, in which the developer recognizes will take into consideration matters of compatibility and scale of adjacent land uses (both within and outside the corridors), distribution of structures, integration of building heights and allocation of open space.

OPEN SPACE, WALKS, PARKS, PUBLIC LANDS:

It is intended that portions of the ridge running approximately due north to south through the site shall be dedicated to public open space in order to maintain the panoramic views of the Front Range. Residential units abutting this space are planned to take full advantage of the excellent views and the effect of increased open space associated with their neighborhoods. Planned as a unified park, this area will be a natural amenity not only for the residents of King Ranch but for the residents and employees in the adjacent area as well. Additionally, pedestrian links connecting the parks, other open space, schools, neighborhoods, commercial and office areas, will be provided. Bikeways will parallel certain arterials as a part of a regional system.

Private open space will be an integral part of the mixed-use, industrial and some residential areas. It will be primarily a passive recreation area that will preserve the existing drainages and/or view corridors into and out of the site, as well as provide detention and retention of storm waters. Fencing that separates residential land uses from abutting open space, whether public or homeowner maintained, shall be of an open design.

LANDSCAPING AND STREET FURNITURE:

Community design elements will create the visual amenities that will contribute to making King Ranch a cohesive, well planned community. Community design elements include: landscaping, entry monumentation, pavement textures, fencing, lighting, parks, pedestrian and bicycle circulation, and street furniture.

The arterial streets and the uses and treatment along these roadways create the window and primary access to the community. It is in the best interest of sound planning not to flank all arterial roads with a solid wall of non-residential uses. At the same time, residential area along busy streets must not be adversely impacted by noise, glare, and traffic flows from highly travelled streets. To accomplish both these ends, it is necessary to provide adequate to effective setback distances, screening and/or landscaped buffers between traffic corridors and residential areas. The treatment along the roadways, therefore, shall be flexible and changing, as not to create a "canyon" effect (of landscape and other street elements repeating over and over again in a monotonous manner that results in a feeling of enclosure and boredom). Overall, it is intended that treatment along the roadways (landscape planting, community design elements, and street furniture) be designed and integrated in a way to demonstrate the quality and community concept of King Ranch.

It is intended that street furniture such as benches and street lighting, traffic control devices, bus shelters, kiosks, drinking fountains, bike racks, trash receptacles, and signage along the arterials, be of a consistent vocabulary of forms. Street furniture will be an integral part of the landscaping area flanking the arterials and shall have a uniform appearance throughout King Ranch.

Development within King Ranch will comply with all City of Aurora Landscape Guidelines in effect at the time when development is proposed. Landscape planting shall be coordinated with the other community design elements to enhance the quality of the development. Design standards governing the landscape treatment along arterial roads shall include the type, location, and materials used in community design elements and street furniture standards. Maintenance provisions will be developed and presented to the City prior to final platting in the areas adjacent to arterial roads, but not medians within the public R.O.W.

ARCHITECTURAL DESIGN CONTROLS:

Controls over architectural design and specific area site planning will be exercised, ensuring high quality development. Design guidelines will ensure the integration of design, control of architecture, street furniture, signage, landscaping and internal circulation.

Site plans ensuring an appropriate and acceptable mix of structures in an integrated fashion will be required for development of any land use parcel, excluding any Single Family Detached areas consisting of 6,000 Sq. Ft. or more per lot. Placement of individual commercial structures on pads which are not a part of the overall block site must ensure that such uses will fit properly with surrounding parcels, are compatible and/or complementary to surrounding parcels and structures, and do not preclude development of surrounding parcels according to recognized planning standards for urban areas.

VIEW PRESERVATION:

It is the intent to encourage, by the grouping and siting of structures, the preservation of views and view corridors. Significant views originating from the King Ranch property include long range views of the Rocky Mountains to the west. View corridors into and out of drainageways will be maintained and provide pedestrian access. By grouping or clustering structures and by the limiting of structures on ridges or crests of hills, panoramic views can be maintained.

NON RESIDENTIAL DEVELOPMENT DENSITIES:

The proposed upper limits of development in the non-residential areas of King Ranch have been specified by the Gross Floor Area Ratio [F.A.R.] as indicated herein and on the General Development Plan. It is defined as the total horizontal floor area measured in square feet on all floors of a structure, excluding from such measurment and computation all corridors, stairwells, elevators and mechanical shafts and ducts, covered walks, walkways and hallways, roof/patio area, covered atriums, entry lobby areas, driveways, loading, parking areas and parking structures, restrooms, janitorial facilities, utility and mechanical rooms, and service areas (when not the primary use). The following chart lists the proposed maximum Gross Floor Area Ratios for non-residential development within King Ranch:

NON-RESIDENTIAL DEVELOPMENT

Land Use	Total Acreage:	Percent of Total Ac.:	F.A.R.:	Total Square Feet:
Mixed-Use	743.6 Ac. (27.6 %)		.50 FAR	16,195,660 SF
Commercial	34.6 Ac. (1.3 %)		.25 FAR	376,794 SF
Office/Commercial	395.4 Ac. (7.6 %)		.25 FAR	2,236,886 SF
Research & Dev.	83.0 Ac. (3.1 %)		.25 FAR	903,870 SF
Industrial	78.2 Ac. (3.0 %)		.50 FAR	1,703,196 SF
Light Ind.	121.9 Ac. (4.5 %)		.50 FAR	2,654,982 SF
Non-Res.Dev.Total	1266.7 Ac. (47.1%)			24,071,256 SF FAR

DIVISION 1 - SINGLE FAMILY DETACHED RESIDENTIAL:

Sec. 1-10 Description

Single Family Detached Residential, herein called SFD, shall consist of estate, SFD conventional, zero lot line, and patio/cluster units (closely grouped detached homes). The SFD and SFD estate planning districts shall have maximum gross densities not to exceed, respectively, 3.72 and 2.67 dwelling units per acre. These planning districts will have a total of 776.8 acres.

Sec. 1-20 Purpose/Intent

1. Provide flexibility in order to adjust to changes in housing trends and patterns while maintaining compatibility with surrounding low density development.
2. Encourage diversity and the application of creative approaches to the physical development of King Ranch through a variety of housing densities and associated lifestyles.
3. Protect and enhance the inherent natural features of the site, especially the drainage corridors, and to the extent possible, provide recreation, leisure, and community areas for the residents of King Ranch.
4. Promote and encourage a suitable environment for family life where children are members of most families.
5. Improve the environment by requiring adequate landscaping.
6. Discourage the appearance of uniform row housing, all with architectural similar front elevations.

Sec. 1-30 Uses Permitted

A. Single Family Dwellings (detached), including zero lotline homes.
B. Churches and synagogues.
C. Public and Private schools.
D. Municipal recreation areas.
E. Public libraries.
F. Golf courses and country clubs.
G. Private non-commercial recreational facilities.
H. Clubhouses and/or homeowner association meeting places associated with recreational amenities.
I. Accessory structures and uses necessary and customarily incidental to the above uses.

USES PERMITTED SUBJECT TO PUBLIC HEARING

J. Public uses.
K. Small child care centers.
L. Bridle trails, stables, equestrian facilities.
M. Group Homes.

Sec. 1-40 Minimum Lot Area Per Dwelling Unit

The minimum lot area in the Single Family Detached Districts shall be as follows:

Estate Single Family Detached: (2.67 Gross D.U./Ac. Maximum)	A total of 72.3 acres are planned with a minimum lot size of 11,000 square feet.*
Single Family Detached: (3.72 Gross D.U./Ac. maximum)	A total of 703.7 acres are planned with a minimum lot size of 4,500 square feet.*

*The gross densities shall not exceed the allowable DU/Ac. in each district even if the lots are the minimum size permitted.

Sec. 1-50 Maximum Height of Building

The maximum height of any building in the Single Family Detached District shall not exceed 35'.

Sec. 1-60 Minimum Frontage

The minimum street frontage of a site/lot in any S.F.D. and S.F.D. Estate district shall be 40' and 60', respectively. On cul-de-sace or similarly curved frontages for any S.F.D. and S.F.D. Estate district, the minimum frontage shall be 20' and 35', respectively, with a minimum of 35' at the front building wall. These standards shall apply to all lots, except for those on-street parking space will be provided for each dwelling unit (in addition to meeting the city's off, street parking requirements), except on cul-de-sace or similarly curved frontages.

Sec. 1-70 Setbacks

The minimum setback requirements in any S.F.D. District shall be as follows:

1. Front yard setback: Twenty (20) feet minimum from the property line or back of sidewalk, whichever is closer to the structure. If a unit should have a garage with side entry design, (parallel to the street) the minimum setback shall be 15' from the property line or 18' from the back of sidewalk, whichever is greater.
2. Side yard setback: Five (5) feet minimum, unless a zero lotline applies, in which case one side yard will be 0', and the other a minimum of 10'.
3. Rear-yard setback: Twenty (20) feet minimum, unless driveway enters the garage from an alleyway, in which case the garage setback shall be a minimum of 3'. Adequate space shall be provided for trash can storage adjacent to a garage, so as not to impede vehicular movement in the alley.
4. Corner lots: No building shall have less than the required front yard depth requirement on the street which the lot faces, nor less than 15' from the side lot line bordering the street, except that the setback on a collector, minor and principal Arterial shall be 20'. A 15' side-yard setback shall be permitted on a collector street, where a garage is the closest structure to the collector, or where there are no windows or doors on the side of the house facing the collector street. Blank walls facing a collector shall be appropriately screened with approved landscaping.

Sec. 1-80 Open Space

Where applicable in S.F.D. Districts, open space pedestrian links may be provided at appropriate places from roads within said districts to the schools, parks, other neighborhoods, and commercial/office areas.

DIVISION 2 - SINGLE FAMILY ATTACHED RESIDENTIAL:

Sec. 2-10 Description

Single Family Attached Residential, herein called SFA, shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all who live there. Roads may be private, and facilities and structures may be maintained by an association for the benefit of one and all. The SFA districts will consist of attached units and townhouse-type units, and may consist of SFD conventional-type homes, zero lotline homes, and patio/cluster units (closely grouped detached and/or attached homes). These planning districts will consist of a total of 234.4 acres and shall have a maximum gross density not to exceed 8.51 dwelling units per acre.

Sec. 2-20 Purpose/Intent

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting, and the optimum use of available land, are applied throughout the project phases.
3. To provide a variety of living styles around featured amenities.
4. To protect and enhance the inherent natural features of the site, especially the drainage corridors, and to the extent possible, provide recreation, leisure, and community areas for the residents of King Ranch.
5. To cluster development, which in contrast to conventional development, will allow for a greater percentage of the land within the project to be allotted to common areas and elements, and will reduce the need for streets and utilities by grouping the residential units together.
6. To encourage the location of these districts so they are in close proximity to collector streets and available public transit facilities.

Sec. 2-30 Uses Permitted

A. Single Family Attached units.
B. Churches and Synagogues.
C. Public and Private schools.
D. Municipal recreation areas.
E. Public libraries.
F. Golf courses and country clubs.
G. Private non-commercial recreational facilities.
H. Clubhouses and/or homeowner association meeting places associated with recreational amenities.
I. Accessory structures and uses necessary and customarily incidental to the above uses.

USES PERMITTED SUBJECT TO PUBLIC HEARING

J. Single Family Dwellings (detached), including zero lotline homes.
K. Small child care center.
L. Bridle trails, stables and equestrian facilities.
M. Group Homes.
N. Public uses.

Sec. 2-40 Minimum Project Area

The minimum site area for any project within a SFA parcel shall be 43,560 square feet.

Sec. 2-50 Maximum Height of Buildings

The maximum height of a building within the SFA District shall not exceed 48'.

Sec. 2-60 Setbacks

1. Front-yard setback: If units are staggered, the front setback for any single family attached unit within the SFA District shall be a minimum of 15' from a collector, and 20' from an arterial. If the units are not staggered, or there is a front entry attached garage, then the front setback shall be a minimum of 20'.
2. Side-yard setback: Minimum of 10' from project boundaries.
3. Rear-yard setback: 10' minimum from property lines.
4. Corner-lot setback: No building shall have less than the required front yard depth requirement on the street on which the lot faces, nor less than 10' from the side lot line bordering on the street. The setback on a collector street, minor or principal Arterial, shall be 20'.
5. A minimum building separation of half the height of the taller of two opposing buildings shall prevail, or 15', whichever is greater.

Sec. 2-70 Open Space Requirements

Within each standard SFA District in King Ranch, defined as having a maximum gross density of 8.5 DU/Ac., the private open space required shall be a minimum of 45%. These areas shall be isolated from the site area and may include, but not be limited to; landscaped areas, swimming pools, tennis courts, play areas, walkways and bikeways, but excluding driving and parking areas, clubhouses, and structures housing mechanical equipment.

DIVISION 3 - MULTI-FAMILY RESIDENTIAL:

Sec. 3-10 Description

These units consist of Multi-Family dwelling units (townhomes, and/or stacked flats) that may be either apartments, fee-simple type units, or condominium type units. These planning districts will consist of a total of 24.0 acres and shall have a maximum gross density not to exceed 18.0 dwelling units per acre.

Sec. 3-20 Purpose/Intent

1. Make available a housing type which will appeal to those persons desiring to live in moderate-density accommodations with an adequate amount of open space.
2. Encourage the placement of these districts so they will act as a physical transition between districts of a lower density and areas comprised of intense commercial development.
3. To encourage the location of these districts where there will be (1) public transit; (2) access to expressways, arterials, collectors, and/or E-470, and (3) the availability of shopping and service facilities.
4. To encourage high standards of siting, the optimum use of the land, and design and construction quality throughout the project's phases.

Sec. 3-30 Uses Permitted

The following uses are permitted in the Multi-Family District:

A. Any multi-family use building.
B. Churches and synagogues.
C. Public and Private schools.
D. Municipal recreation areas.
E. Public libraries.
F. Golf courses and country clubs.
G. Private non-commercial recreational facilities.
H. Clubhouses and/or homeowner association meeting places associated with recreational amenities.
I. Philanthropic and eleemosynary institutions.
J. Accessory structures and uses necessary and customarily incidental to the above uses.

DEVELOPMENT GUIDELINES

KING RANCH
THE BILL L. WALTERS COMPANIES
7951 E. MAPLEWOOD SUITE 300
ENGLEWOOD, COLO. 80111 (303) 694-1966

PLANNING CONSULTANT:
DAVID A. CLINGER AND ASSOCIATES
23568 PONDVIEW PL.
GENESEE VILLAGE, COLO. 80401
(303) 526-9126

NORTH

DATE: 3-13-87
REVISIONS: 4-8-87
5-8-87

SCALE: 1"=1320'
SHEET 3 OF 6

USES PERMITTED SUBJECT TO PUBLIC HEARING

K. Small child care centers.
L. Large child care centers.
M. Bridle trails, stables and equestrian facilities.
N. Group homes.
O. Nursing or rest home.
P. Rehabilitation center.
Q. Fraternal and service organizations, clubs, lodges.
R. Parking of recreational vehicles.
S. Single Family Attached and Single Family Detached units.

Sec. 3-40 Minimum Project Area

The minimum site area required for a project within a Multi-Family parcel shall be 43,560 square feet.

Sec. 3-50 Maximum Height of Any Building

The height of any building in any Multi-Family District shall not exceed 45'.

Sec. 3-60 Setbacks

1. Front-yard setback: Minimum of 20' from the property line, or if the property fronts on a minor or principal arterial, a building height to setback ratio of 1:1, whichever is greater. Off-street parking shall be permitted within the 1:1 setback.
2. Side-yard setback: 10' minimum from property lines.
3. Rear-yard setback: 10' minimum from property lines.
4. Corner-yard setback: No building shall have less than the required front yard depth requirement on the street on which the unit faces nor less than 15' from the side lot line bordering on the street, except the setback on a collector street, or minor or principle arterial, which shall be 20'.
5. A minimum building separation of half the height of the taller of two structures, or 10', which ever is greater, shall prevail.
6. For any non-residential use, but residential support uses such as clubhouses or H.O.A. meeting places, no main building shall be less than 20' plus 6" of setback for each foot of height over 35' to a maximum required setback of 25' from the property line of any residential district.

Sec. 3-70 Open Space Requirements

Within each standard Multi-Family District in King Ranch, defined as having a maximum density of 18.0 DU/Ac., the private open space required shall be a minimum of 45%. These areas shall be calculated from net site area and shall be set aside as open space which may include landscaped areas, swimming pools, tennis courts, play areas, walkways and bikeways, but excluding driving and parking areas, clubhouses, and structures housing mechanical equipment.

DIVISION 4 - MIXED USE:

The following are development standards for the 743.6 acre Mixed Use planning areas associated with the E-470 and East 56th Avenue Expressway corridors.

Sec. 4-10 Description

Mixed Use-Residential:
Planning areas consisting of 244.9 Ac. (herein designated as MU-Res. on the G.D.P.) are comprised of lands primarily adjacent to E-470 and within the Urban Corridor (that area one half mile on either side of the proposed highway), but also within the East 56th Avenue Expressway Corridor. This land use is intended to provide a variety of commercial and office uses, but primarily high intensity residential opportunities, creating a compatible, conveniently located, mix living and working environment. The maximum density of any individual site plan shall not exceed 80 DU/Ac. and the maximum density of MU (Res.) planning areas (as designated on the G.D.P.) shall not exceed 10.66 D.U.'s/Ac. In order that the density of an individual site plan may exceed the underlying density of the MU-(Res.) parcel of which it is a part, a Preliminary Development Plan must be filed. The floor area designated for residential uses shall not be counted against the Maximum Gross Floor Area Ratio (F.A.R.) for non-residential uses.

Mixed Use-Commercial:
Planning areas of 119.6 acres (herein designated as MU-Comm. on the G.D.P.) are comprised of lands within the E-470 and East 56th Avenue Corridors. This land use is intended to provide a variety of retail and office opportunities, but predominately retail. Non-retail uses will be integrated in a horizontal or vertical mix and shall comprise not more than 50% of the total square footage allowed per site plan. Residential uses shall not be excluded, but the maximum density of any individual site plan shall not exceed 80 DU/Ac. and the maximum density of any MU-(Comm.) planning area (as designated on the G.D.P.) shall not exceed 4.34 DU/Ac. In order that the density of an individual site plan may exceed the underlying density of the MU-(Comm.) parcel of which it is a part, a Preliminary Development Plan must be filed. The floor area designated for residential uses shall not be counted against the Maximum Gross Floor Area Ratio (F.A.R.) for non-residential uses. No residential uses shall be permitted in the 26.9 acres of MU-(Comm.) areas inside the 68 LDN Noise Contour of the proposed Denver International Airport.

Mixed Use-Core:
Other planning areas of 379.1 acres (herein designted as MU-Core on the G.D.P.) are intended to provide the maximum intensity office use within the entire MU area. Retail uses will be integrated in a vertical mix and shall not comprise more than 30% of the total square footage proposed per site plan. Residential use shall not be excluded, but the maximum density of any individual site plan shall not exceed 80 DU/Ac., and the maximum density of any MU-(Core) planning area (as designated on the G.D.P.) shall not exceed 4.27 DU/Ac. In order that the density of an individual site plan may exceed the underlying density of the MU-Core parcel of which it is a part, a Preliminary Development Plan must be filed. The floor area designated for residential uses shall not be counted against the Maximum Gross Floor Area Ratio (F.A.R.) for non-residential uses. No residential uses shall be permitted in the 144.8 acres of MU-(Core) areas inside the 68 LDN noise contour of the proposed Denver International Aiport.

Sec. 4-20 Purpose/Intent

1. Provide an environment serving the needs of the community seeking a living and working environment.
2. These Districts shall allow for more concentrated development in the E-470 and East 56th Avenue Expressway corridors of King Ranch. This shall reduce vehicle miles traveled to employment and shopping centers, in turn reducing air pollutants, traffic congestion and enhancing traffic safety, all to the benefit of the residents of King Ranch and the City of Aurora.
3. Encourage, through design guidelines that are coordinated throughout the corridor, the integrated design and control of architecture, street furniture, signage and landscaping.
4. Encourage through a variety of specialty uses, an environment considering the pedestrian. Provide for the user open space areas, plazas, fountains, outdoor cafes, landscaping and entrances to use areas at street level.
5. Provide community vitality.
6. Encourage the placement of these districts so that they will act as a physical transition between districts of lower residential density and areas comprised of intense commercial development and office uses.
7. Retail, trade or service business uses will be grouped in coordinated shopping centers or incorporated in a vertical mix of uses. Free-standing uses of this nature are specifically discouraged unless proper overall block design consistent with city design guidelines can be ensured.

Sec. 4-30 Uses Permitted

The following uses are permitted in the MU Districts, subject to previously stated stipulations:

A. Any multi-family use building.
B. Philanthropic and eleemosynary institutions.
C. Any retail trade or service business, except car rental.
D. Professional, business and administrative offices.
E. Motels, hotels and boarding houses.
F. Cultural facilities, such as a museum, theater, art gallery, church or synagogue.
G. Pedestrian plazas and pedestrian ways, including such amenities as outdoor art exhibit facilities, statuary, fountains.
H. Outdoor specialty uses, including sidewalk cafes and market places that provide unique congregating places for sales and shopper interest.
I. Recreational facilities, both indoors and outdoors, such as ice skating and roller skating rinks (which may be designated as integral parts of a center) and equestrian facilities.
J. Restaurants and other eating establishments with drive-in facilities.
K. Hospitals and medical clinics.
L. Transportation terminals, parking lots and parking buildings, and the parking of recreational facilities in designated areas.
M. Animal hospitals and clinics.
N. Automobile service stations, subject to prescribed performance and development standards of Section 41-639 of the Aurora Code.
O. Nursing and rest homes.
P. Small and large child care centers.
Q. Governmental and public facilities.
R. Finance offices, including banks and savings and loans.
S. Clubs and lodges and fraternal and service organizations.
T. Accessory structures and uses necessary and customarily incidental to the above uses.

USES PERMITTED SUBJECT TO PUBLIC HEARING

U. Office showroom.
V. Motor vehicle repair garage.
W. Automobile washing and/or polishing facility.
X. Indoor shooting range.
Y. SFD or SFA buildings.

Sec. 4-40 Minimum Project Area

The minimum project site area shall be no less than 43,560 S.F. in any MU District.

Sec. 4-50 Maximum Height of Building

The maximum height of any building in the MU Districts shall vary from 90 to 150', and shall be as designated on the G.D.P.

Sec. 4-60 Setbacks

1. Front setback: Minimum of 30 feet. Adjoining any residential uses outside the corridors the minimum front setback shall be 30 feet plus 6" of setback for every foot of height over 50 feet to a maximum required setback of 50 feet.
2. Rear setback: Adjoining commercial or office uses there shall be a minimum setback of 10'. Adjoining any residential uses within the corridors, the minimum shall be 25 feet. Adjoining residential uses outside the E-470 and East 56th Avenue Corridors, the minimum shall be 25 feet plus an additional 6" of setback for every foot of height over 50 feet to a maximum required setback of 50 feet.
3. Side yard setback: Adjoining commercial or office uses there shall be a minimum setback of 10'. Adjoining any residential uses within the E-470 and East 56th Avenue Expressway Corridors, the minimum shall be 25 feet. Adjoining residential uses outside the corridors, the side setback shall be 25 feet plus 6" of setback for every foot of height over 50 feet to a maximum required setback of 50 feet.
4. Building Setback: From all property lines, buildings shall be to setback a minimum of 10 feet. From local, collector and arterial streets, the minimum setback shall be 10 feet, except as noted above.

Sec. 4-70 Building Coverage

The Gross Floor Area Ratio (F.A.R.) shall not exceed .50:1 for the MU Districts, except that the F.A.R. for a specific site plan may exceed .50:1 F.A.R. to a maximum of 2.00:1 F.A.R., provided that a Preliminary Development Plan is submitted in accordance with the City Code, and that the F.A.R. for the entire Preliminary Development Plan does not exceed .50:1.

Sec. 4-80 Open Space

The MU districts within the E-470 and East 56th Avenue Expressway Corridors shall have a minimum of 20% open space. These open space standards shall apply to privately owned property contained within each site plan and will be indicated at the time of Final Site Plan. When a vertical mix of uses occurs, with residential and office/commercial uses in the same site plan, or when a site plan contains only non-residential uses, the minimum open space to be provided is 30%. Site plans including free standing residential uses and densities of 48 DU/Ac. or less, shall have a minimum of 35% open space. Site plans including free-standing residential uses and densities greater than 48 DU/Ac., shall have a minimum of 25% open space.

DIVISION 5 - RESEARCH AND DEVELOPMENT (R&D):

Sec. 5-10 Description

The Research and Development Park, containing 83.8 Ac. and planned in proximity to the East 56th Avenue Expressway corridor, is proposed to be a campus type technological park to serve as an easily accessible employment center for the region.

Sec. 5-20 Uses Permitted

The following uses shall be permitted within any planning area designated as Research and Development. All uses shall be subject to sections 41-492, 41-498, 41-494 & 41-498 of the Aurora Code, because any of these uses could be combined in a single structure.

A. Any retail trade or service business that is part of a vertical mix only, and that does not comprise more than 30% of the total square footage of the structure.
B. Professional, business and administrative offices.
C. Motels and hotels.
D. Cultural facilities.
E. Pedestrian plazas and pedestrian ways, including such amenities as outdoor art exhibit facilities, statuary, fountains and landscaping features.
F. Outdoor specialty uses, including sidewalk cafes and market places.
G. Government and public facilities.
H. Finance offices, including banks and savings and loans.
I. Transportation terminals, parking lots and parking buildings.
J. Laboratory
K. Any restricted light industrial use as defined in Article II, Section 41-16 of the Aurora Code, Zoning.
L. Assembling plants such as but not limited to: electronics, medical and communications.
M. Scientific research facilities with no outdoor storage.
N. Accessory structures and uses necessary and customarily incidental to the above uses.

USES PERMITTED SUBJECT TO PUBLIC HEARING

O. Small and large child care centers.
P. Animal hospitals and clinics.
Q. Recreational facilities, both indoors and outdoors.
R. Restaurants and other eating establishments with drive-in facilities.
S. Automobile service stations, subject to prescribed performance and development standards of Section 41-639 of the Aurora Code.
T. Retail, recreational uses, service stations, ambulance service, restaurants, and personal services, operating between the hours of 12 a.m. and 6 a.m., and that abut residential uses.

Sec. 5-30 Maximum Height of Building

The maximum height of any structure in the Research and Development Districts shall be 58 feet.

Sec. 5-40 Building Coverage

The Gross Floor Area Ratio (F.A.R.) shall not exceed .25:1.

Sec. 5-50 Open Space

The minimum Open Space to be provided within the Research and Development Park is 15%. These open space standards shall apply to privately owned property contained within each planning area and will be indicated at the time of Final Site Plan.

DIVISION 6 - COMMERCIAL:

Sec. 6-10 Description

Commercial areas of 34.6 acres are planned at King Ranch along East 26th, 32nd and 38th Avenues. These areas are anticipated to serve the daily needs of the local neighborhoods, offering a variety of goods and services. These areas shall be configured to provide easy access to the neighborhoods they serve. Within each commercial district there shall be architectural compatibility between free-standing pods, the main center and typical details (i.e.; directional signage, trash enclosures, and rooftop mechanical screens) in the form of similar building materials, color, massing, scale, and design details. There shall also be a common landscape concept and a master circulation plan. Uncoordinated, free-standing retail uses shall be discouraged unless proper overall block design, consistent with city design guidelines, can be ensured.

Sec. 6-20 Uses Permitted

The following uses are permitted in the Commercial Districts:

A. Any retail trade or service businesses.
B. Professional, business, and administrative offices.
C. Cultural facilities, such as a museum, theater, art gallery.
D. Outdoor specialty uses, including sidewalk cafes and market places that provide unique congregating places for sales and shopper interests.
E. Indoor recreational facilities, such as ice skating and roller skating rinks which may be designated as integral parts of a center.
F. Restaurants.
G. Medical and dental clinics.
H. Public transportation terminals, parking lots and parking buildings.
I. Animal hospitals and clinics.
J. Small and large child-care centers.
K. Governmental and public facilities.
L. Finance offices, including banks and savings and loans.
M. Drive-up facilities, providing they are used as an accessory use to the permitted uses in this section.
N. Personal services.
O. Clubs and lodges and fraternal and service organizations.
P. Automobile service stations, (including filling stations) subject to 41-639 of the Aurora Municipal Code.
Q. Accessory structures and uses necessary and customarily incidental to the above uses.

USES PERMITTED SUBJECT TO PUBLIC HEARING

R. Outdoor recreational facilities.
S. Indoor shooting range.
T. Retail, recreational uses, service stations, personal services, ambulance service, and restaurants abutting residential uses, with hours of operation between 12:00 a.m. and 6:00 a.m.
U. Motor Vehicle repair garage.
V. Automobile washing and/or polishing facility
W. Motels, motels and boarding houses.
X. Nursing and rest homes.
Y. Church/Synogoge or other place of worship.

Sec. 6-30 Maximum Height of Buildings

The maximum building height of any structure in the neighborhood or community commercial district shall be 50'.

Sec. 6-40 Setbacks

1. Front setback: Minimum of 30' from the property line unless the property line fronts on a major arterial at which time the setback shall be 1:1 (or 30', whichever is greater). Off-street parking shall be permitted in the setback.
2. Rear and side setbacks: Adjoining commercial or office uses, there shall be a minimum setback of 10'. Adjoining residential units, the minimum shall be 25' plus 6" of setback for each foot of height over 35' to a maximum required setback of 30', as measured from the property line.
3. Building setback: From all property lines, buildings shall be to setback a minimum of 10', unless otrwise indicated herein.

Sec. 6-50 Off-street Loading

Without appropriate screening, truck docking facilities of any type facing a major or minor arterial, or a residential district, are prohibited.

Sec. 6-60 Building Coverage

The F.A.R. shall not exceed .25:1 for the commercial areas.

Sec. 6-70 Open Space

The minimum Open Space to be provided within a Commercial District is 15%. These open space standards shall apply to privately owned property contained within each site and will be indicated at the time of Final Site Plan.

DIVISION 7 - OFFICE COMMERCIAL DISTRICT:

Sec. 7-10 Description

Several Office/Commercial Districts are located adjacent to the East 56th Avenue Expressway and E-470 Corridors. One will be found at the corner of East 26th Avenue and Monaghan Expressway. These areas consist of a total of 205.4 acres and are planned to serve as easily accessible employment centers, which will include professional offices and limited retail, service, and recreational commercial uses. All structures must be architecturally compatible with the design for the main structure, relating in building massing, scale, building materials, colors, and design details on architectural style. Parking, loading dock facilities, refuse containers and accessory structures shall be screened in accordance with City of Aurora standards applicable at the time of development.

Sec. 7-20 Uses Permitted

The following uses shall be permitted within any planning area designated as Office/Commercial:

A. Professional business administrative, and executive and editorial offices.
B. Finance offices, including banks, savings and loans, and finance companies.
C. Real Estate and businesse offices.
D. Medical and dental clinics, with associated offices and laboratories.
E. Animal hospitals and clinics.
F. Any retail trade or service business, so long as said retail trade does not comprise more than 30% of the Office/Commercial or service business planning area in question, as measured in percent of F.A.R. per site plan. Retail, trade or service business uses will be grouped in coordinated shopping centers or incorporated in verticle mixes of uses. Free standing uses are specifically discouraged unless proper overall block design consistent with city design guidelines can be ensured.
G. Motel/hotel/boarding houses.
H. Private schools conducted for gain.
I. Small and large scale child-care centers.
J. Restaurants.
K. Cultural facilities, such as a museum, theater, art gallery.
L. Church/Synagogue or other place of worship.
M. Outdoor specialty uses, including sidewalk cafes, market places, and businesses which provide unique congregating places for sales and shopper interest.
N. Indoor recreational facilities, such as ice skating and roller skating rinks, which may be designed as integral parts of a center.
O. Public transportation terminals , parking lots, and parking buildings.
P. Governmental and public facilities.
Q. Drive-up facilities, so long as they are used as accessory use to the permitted uses in this section.
R. Clubs and lodges, and fraternal and service organizations.
S. Institutions for higher education.
T. Automotive service station, subject to section 41-639 of the Aurora Municipal Code.
U. Accessory structures and uses necessary and customarily incidental to the above uses.

USES PERMITTED SUBJECT TO PUBLIC HEARING

V. Indoor shooting range.
W. Motor vehicle repair garage.
X. Outdoor recreational facilities.
Y. Retail, recreational uses, service stations, ambulance service, restaurants, and personal services, abutting residential uses, and with hours between 12 a.m. and 6 a.m.
Z. Office showrooms.
AA. Any retail or service business that would cause an individual Office/Commercial planning area to be comprised of more than 30% of said trade.

Sec. 7-30 Maximum Height of Buildings

The maximum height of any structure in the Office/Commercial District shall be 58'.

Sec. 7-40 Setbacks.

1. Front setback: Minimum of 30' from the property line unless the property line fronts on a major or minor arterial at which time the setback shall be 1:1, (or 30', whichever is greater). Off-street parking shall be permitted in the setback.
2. Rear and side setbacks: Adjoining commercial or office uses, there shall be a minimum setback of 10'. Adjoining residential units, the minimum shall be 25' plus 6" of setback for each foot of height over 35' to a maximum required setback of 30' as measured from the residential property line.
3. Building Setback: From all property lines, buildings shall be setback a minimum of 10', unless otrwise indicated herein.

Sec. 7-50 Off-street Loading:

Without appropriate screening, truck docking facilities of any type facing any major or minor arterial and where facing a residential district, shall be prohibited.

Sec. 7-60 Building Coverage:

The Gross Floor Area Ratio (F.A.R.) shall not exceed .25:1, except that the F.A.R. for a specific site plan may exceed the .25:1 F.A.R. to a maximum of 1.00:1 F.A.R. provided that a Preliminary Development Plan is submitted in accordance with the city code, and that the F.A.R. for the Preliminary Devlopment Plan does not exceed .25:1.

Sec. 7-70 Open Space:

The minimum Open Space to be provided within the Office/Commercial District is 15%. These open space standards shall apply to privately owned property contained within each site and will be indicated at the time of Final Site Plan.

DIVISION 8 - LIGHT INDUSTRIAL

Sec. 8-10 Description

The Light Industrial district is composed of 121.9 acres which are suitable for development by industrial users with minimal impact to adjacent residential uses and which will be located in proximity to residential areas. These zones will require setbacks and landscaping to ensure compatibility with the abutting residential areas. The regulations of this district are intended to provide structural standards, standards of intensity of use and standards of external effects compatible with surrounding or existing residential districts. To these ends, development is limited to low intensity, external effects are limited, and permitted uses are limited to those manufacturing, wholesaling, and research and development activities which can be operated in a clean and quiet manner, plus certain public facilities which are needed to serve the occupants of the district and residents of adjoining residential districts. All Light Industrial districts shall be developed in accordance with sections 41-479 to 498, 41-494 and 495, and 41-498 of the Aurora Municipal Code.

Sec. 8-20 Uses Permitted

A. The manufacturing, processing and/or fabrication of any commodity except as listed in Section 41-492(1) of the Aurora Municipal Code.

B. The sale at retail of the following except that not more than twenty (20) per cent of the floor area may be devoted to retail operations:
   - Hardware.
   - Any commodity manufactured, processed, fabricated, or warehoused only on the premises;
   - Equipment, supplies and materials (except commercial explosives) for agriculture, building and other construction.

C. Offices and professional buildings, including banks.
D. Public facilities.
E. Research and development facilities including, but not limited to: research laboratories, development facilities, and compatible light manufacturing.

DEVELOPMENT GUIDELINES

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THE BILL L. WALTERS COMPANIES
7951 E. MAPLEWOOD SUITE 300
ENGLEWOOD, COLO. 80111 (303) 694-1966

PLANNING CONSULTANT:
DAVID A. CLINGER AND ASSOCIATES
23668 PONDVIEW PL.
GENESEE VILLAGE, COLO. 80401
(303) 526-9126

NORTH

DATE: 3-13-87
REVISIONS: 4-8-87
5-5-87

SCALE: 1"=100'
SHEET 4 OF 8

F. The sale at wholesale, the warehousing, and/or storage (except outside) of any commodity, except:
   - Live animals;
   - Commercial explosives;
   - Above ground bulk storage of flammable liquids or gases, unless and only to the extent that such storage of liquids or gases is directly connected to energy or heating devices on the premises.

G. Parking or storage of motor vehicles; need not be enclosed but any unenclosed portion must meet all specifications for maintenance of off-street parking spaces. Towing services, trash removal operations, abandoned or inoperable vehicle storage and similar uses are not permitted.
H. Railroad track, including main track, lead track and spur track
I. The repair, rental (except for automobiles) and servicing of any commodity. All of these operations must be fully screened from view from adjacent properties by an approved treatment which may include landscaping, decorative walls, and/or fencing.
J. Reprographic facilities.
K. Multiple permitted uses within one building.
L. Accessory structures and uses necessary and customarily incidental to the above uses.

USES PERMITTED SUBJECT TO PUBLIC HEARING

M. Restaurants.
N. Convenience retail.
O. Small animal hospital and clinic and pet stores.
P. Dog kennel.
Q. Clubs, lodges, fraternal and service organizations.
R. Ambulance service.
S. Feed stores, lumber yards, wood yards and similar yards.
T. Terminal for public transit vehicles.
U. Mini storage garages.
V. Motor freight terminal and contractor yard for vehicles, equipment materials and/or supplies.
W. The outdoor storage of any commodity. All outdoor storage must be fully screened from view from adjacent properties by an approved treatment which may include landscaping, decorative walls, and/or fencing.
X. Indoor or outdoor recreational facilities.
Y. Any use specifically excluded in Uses Permitted.

Sec. 8-36 Maximum Height of Buildings

The maximum height of any structure in the Light Industrial district shall be 65'.

Sec. 8-40 Setbacks

All setbacks shall be as listed in Section 41-499 of the Aurora Municipal Code.

Sec. 8-58 Building Coverage:

The Gross Floor Area Ratio (F.A.R.) shall not exceed .50:1, except that the F.A.R. for a specific site plan may exceed the .50:1 F.A.R. to a maximum of 1.00:1 F.A.R. provided that a Preliminary Development Plan is submitted in accordance with the City Code, and that the F.A.R. for the Preliminary Development Plan does not exceed .50:1.

Sec. 8-60 Open Space

The minimum Open Space to be provided within the Lt. Ind. District shall be as indicated in Sec. 41-500 of the Aurora Municipal Code.

DIVISION 9-INDUSTRIAL

Sec. 9-10 Description and Purpose/Intent

The Ind. District is composed of 78.2 Ac. suitable for the least restrictive types of industrial uses. Regulations are the minimum required for mutual protection of the industrial users and the public health, safety, and general welfare. All industrial districts shall be in accordance with sections 41-479 to 498, 41-494 and 495, 41-498, 41-523, and 41-528-535.

Sec. 9-20 Uses Permitted

A. The manufacturing, processing and fabrication of any commodity, except the following:
   - Acid manufacture
   - Animal slaughtering
   - Explosives, manufacture
   - Fat rendering or distillation of bones
   - Fertilizers, manufacture
   - Garbage, offal or dead animal reduction or rendering, or dumping thereof
   - Glue, manufacture
   - Gypsum, cement, lime or plaster of Paris, manufacture
   - Ores, milling or melting
   - Petroleum refining
   - Stockyards and feeding yards

B. The sale at wholesale, the warehousing and/or the storage of any commodity, except live animals and commercial explosives.
C. The sale at retail of any commodity manufactured, processed, fabricated or warehoused only on the premises; equipment, supplies and materials (except commercial explosives) for agriculture, mining industry, business, transportation, building and other construction.
D. The repair, rental (except of automobiles), and servicing of any commodity.
E. Laboratory
F. Office
G. Bank
H. Small animal hospital and clinic (except that no external boarding of animals is permitted)
I. Terminal for public transit vehicles, with special conditions
J. Reprographic facilities.
K. Railroad track, including main track, lead track and spur track
L. Parking or storage of motor vehicles, including towing services, with special conditions
M. Motor freight terminals and contractor yards for vehicles, equipment, materials and/or supplies, with special conditions.
N. Ambulance service.
O. Convenience store.
P. Mini-storage garages.
Q. Multiple permitted uses within one building.
R. All uses indicated as having special conditions shall comply with Sec. 41-521 (39) of the Aurora Municipal Code.
S. Accessory stuctures and uses necessary and customarily incidental to the above uses.

USES SUBJECT TO A PUBLIC HEARING

T. Restaurants.
U. Sewage Disposal Plant.
V. Dog Kennel
W. Clubs, lodges, fraternal and service organizations.

Sec. 9-30 Maximum Height of Buildings

The maximum height of any structure in the Industrial District shall be 65'.

Sec. 9-40 Setbacks

All setbacks shall be as listed in Sec. 41-499 of the Aurora Municipal Code.

Sec. 9-58 Building Coverage:

The Gross Floor Area Ratio (F.A.R.) shall not exceed .50:1, except that the F.A.R. for a specific site plan may exceed the .50:1 F.A.R. to a maximum of 1.00:1 F.A.R. provided that a Preliminary Development Plan is submitted in accordance with the City Code, and that the F.A.R. for the entire Preliminary Development Plan does not exceed .50:1.

Sec. 9-60 Open Space

The minimum Open Space to be provided within the Industrial district shall be as indicated in Sec. 41-500 of the Aurora Municipal Code.

DIVISION 10 - REGULATIONS

Sec. 10-10

The Development Guidelines contained herein and in the General Development Plan shall govern the development of the property, and, except as expressly provided herein, the City's Site Planning Procedures, City Code, Charter, Ordinance or Regulations shall apply to the development of this project. In the event of any conflicts for the items these Development Guidelines cover, City Code, Ordinances, and Regulations shall govern.

DIVISION 11 - NOTES

1. At the time of site plan review, the developer has the right to build at a lower density in any planning area provided the City has determined that the use is compatible with the surrounding land uses at the time of site plan review. This reduction shall be considered a minor change, enabling the developer to gain approval of the site plan without amending the General Development Plan.
2. Prior to or concurrently with the approval of the first site plan or subdivision in each land use bubble, a Preliminary Development Plan for the purpose of masterplanning will be submitted to, reviewed, and approved by the City.
3. Residential Development Standards shall apply to the use described, regardless of the zone district in which they are found (i.e., if a Single Family Detached use is proposed in the Single Family Attached District, the Development Standards for the Single Family Detached District shall apply.)
4. The setbacks listed herein may be increased by the City only if at the time of Site Plan review it is reasonably determined by the City that the setbacks herein contribute a danger to public health and safety, building and fire code compliance, or are inconsistent with the design intent concepts contained herein.
5. Maximum intensity of use may be attained only after said plans have satisfied all other zoning requirements such as open space, parking, setback, building height, and minimum lot size specifications.
6. All efforts will be made to provide smooth flowing collector and internal roadway systems that respond to future parcel and off site demands. Final alignment, access, and design will be determined at the time of development and shall be in substential conformance with the Aurora Comprehensive Plan and Transportation Plan.
7. All building heights described shall not exceed Federal Aviation Administration Part 77. Land uses and development plans shall be subject to referrals from the FAA at the time of development.
8. In the event that the physical location or configuration of the new international airport changes so as to materially affect the land uses and development statements contained herein, the City and Owner/Developer of the affected land area agree to amend the General Development Plan in response to the change in airport location.
9. Prior to development of the property known as the King Ranch, the owner/developer and the City agrees to assist the city in assessing issues of public safety and detailing reasonable mitigation techniques to be followed in developing the property due to the property's location adjacent to an existing gas plant. If specific uses allowed by these development standards are found by said assessment to be unacceptable, said uses will be deleted from these development standards.
10. This is a Planned Development submittal. Standards zone districts and development standards as found in the Aurora Building and Zoning Code will apply when alternative standards are not included herein.
11. Once the City's Drainage Basin Master Plan has been completed for the basin covering this area, that Plan shall apply to this project. In the event of any conflicts in the General Development Plan with the Drainage Basin Plan concerning, but not limited to, size and location of regional detention ponds and/or floodplain width, the Drainage Basin Master Plan shall govern.
12. Individual site plans shall not exceed the maximum intensity identified in each land use bubble (F.A.R.'s and/or D.U.'s/Ac) unless modified by a Preliminary Development Plan.

DEVELOPMENT GUIDELINES

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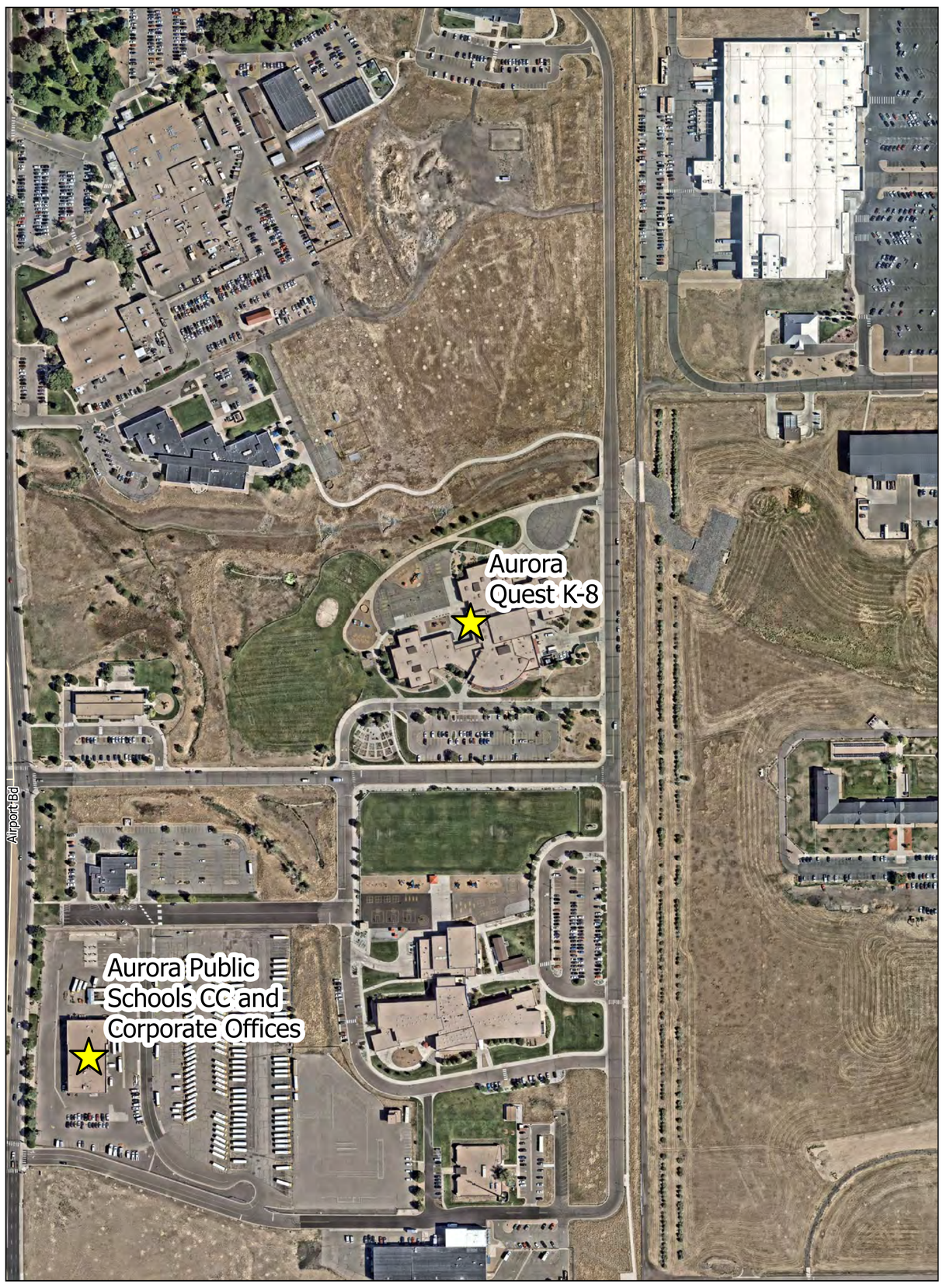
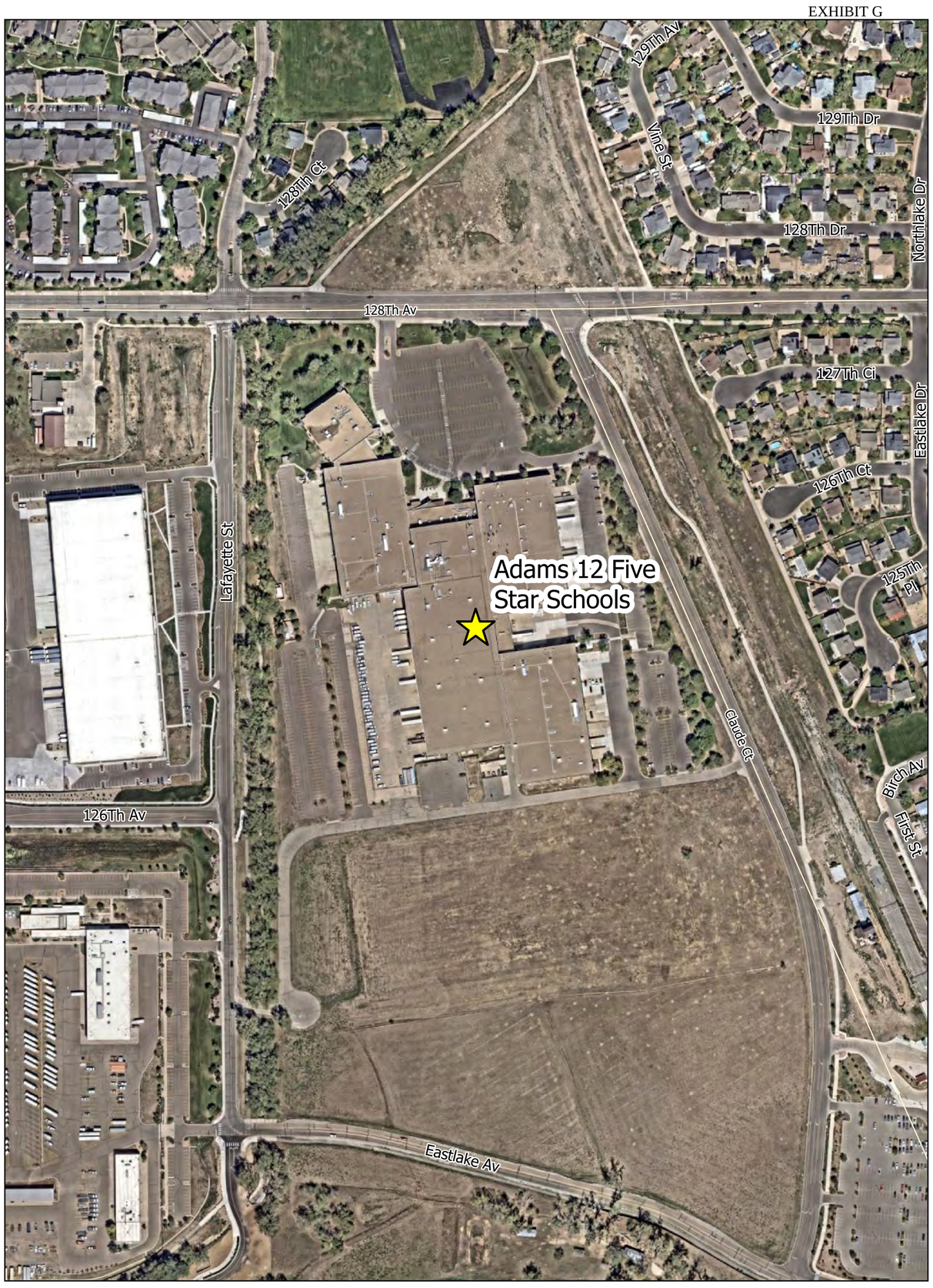
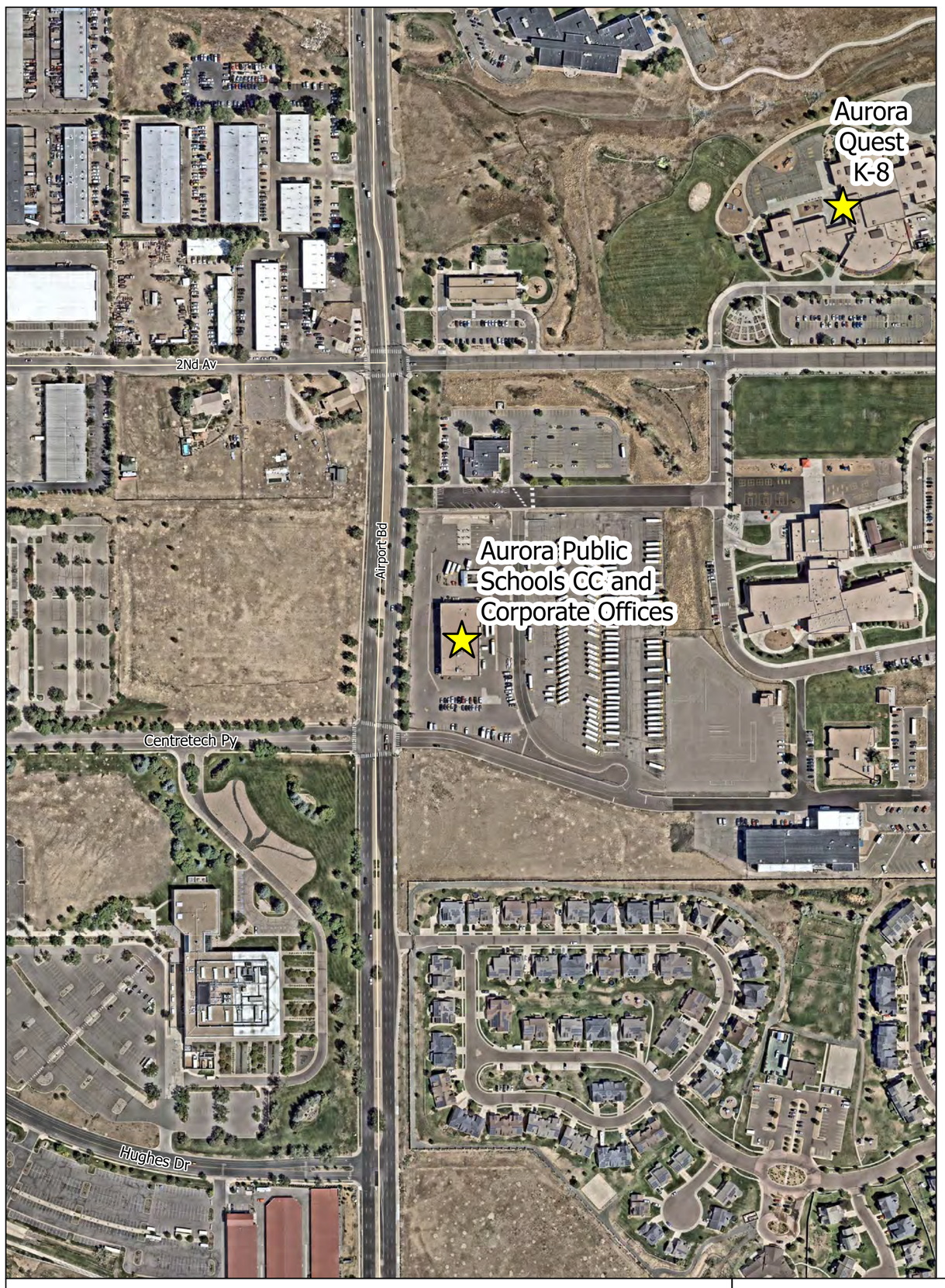
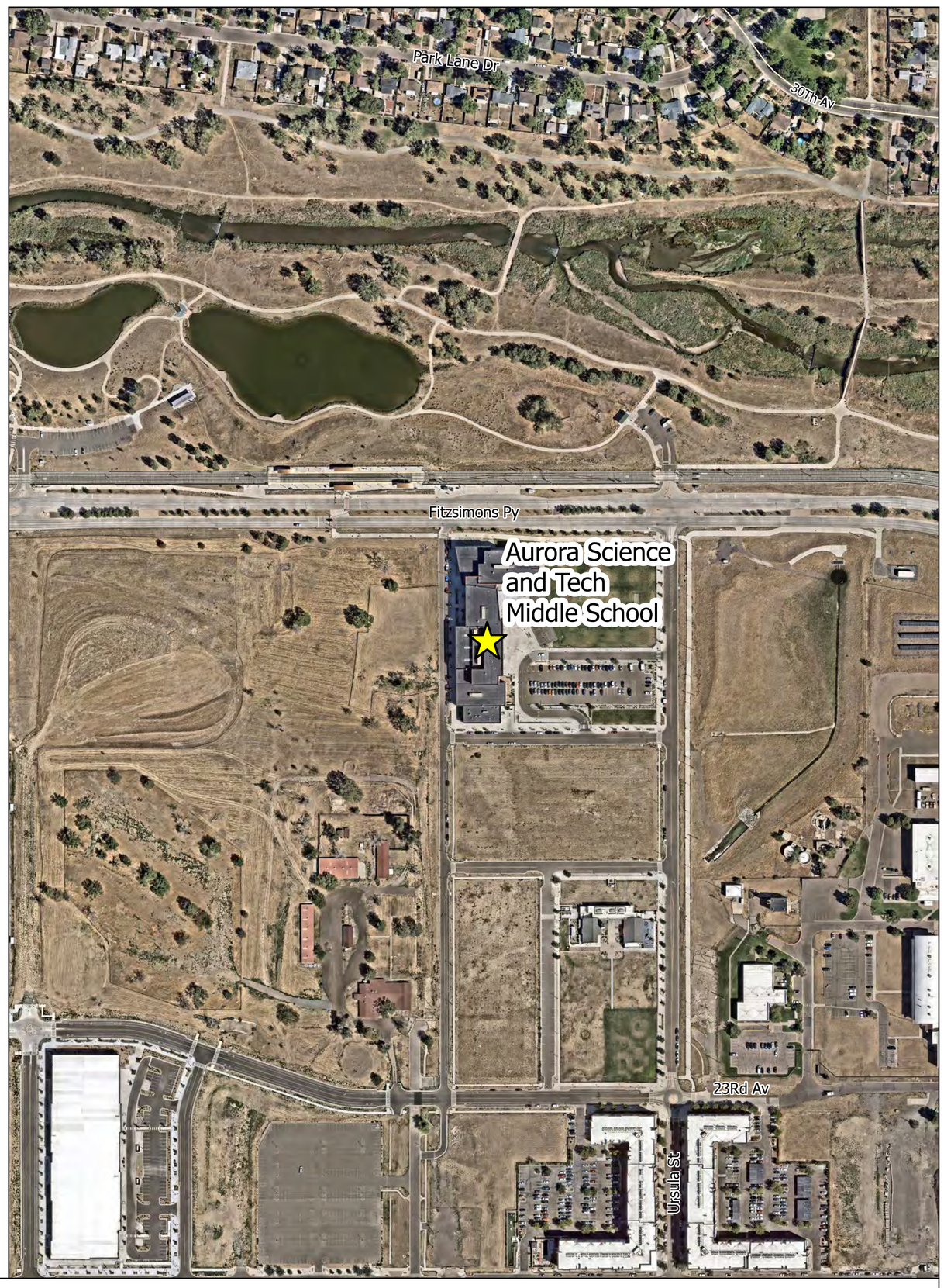








Legend

★ Center of Education

Aerial imagery taken in August 2024.

Centers of Education

0 500 1,000 2,000 Feet

City of Aurora
Planning Commission Case Report

Project Title: Aurora Places Comprehensive Plan Amendment to Change Designation for Approximately 340 Acres from Industry Hub to Emerging Neighborhood
December 11, 2024
Development Application Number: DA-2149-03
Case Number: 2024-1002-00
Case Manager: Stacy Wasinger
Applicant: Planning and Business Services Department
General Location: East of Powhaton Road between E 49th Avenue and E 26th Avenue
Ward: II

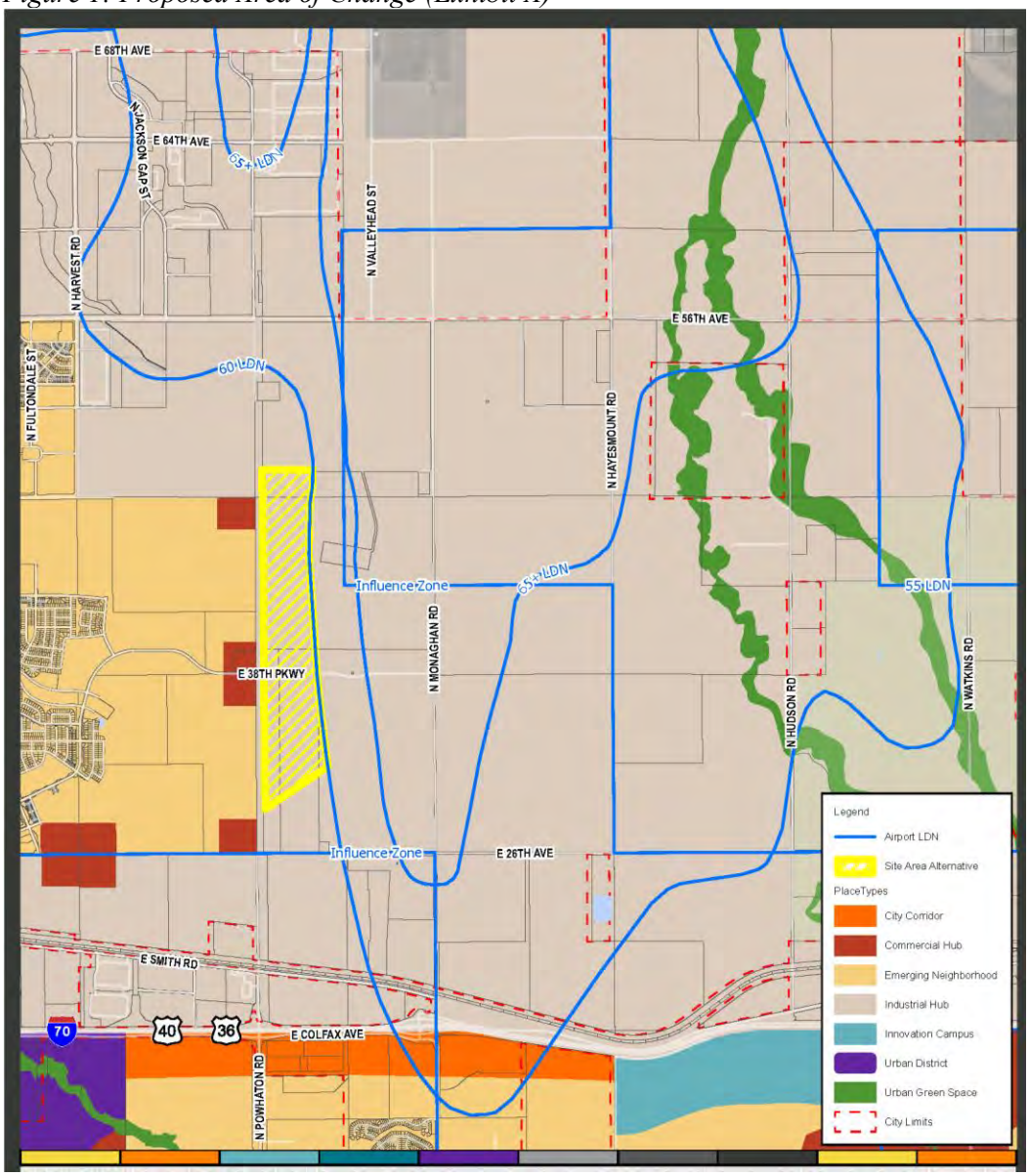
Project Summary:

This application for consideration is a proposed Comprehensive Plan amendment to change approximately 340 acres from the Industry Hub placetype designation to the Emerging Neighborhood placetype designation.

This area is approximately 340 acres total in size, generally bounded by the Powhaton Road/Aerotropolis Parkway alignment to the west, the 60 LDN noise contour for Denver International Airport to the east, and Public Service Company (PSCo) gas line easement to the south. The area reaches approximately 750 feet north of E. 48th Avenue (see Figure 1) and comprises approximately 25 acres north of E 48th Avenue and 315 acres south of E. 48th Avenue. The entire property is within the City of Aurora boundaries. The area south of E. 48th Avenue is part of the Aerotropolis Logistics Center Master Plan (DA-2214-00 approved in 2024). The area north of E. 48th Avenue is not currently included in a Master Plan. The current Comprehensive Plan placetype for this area is Industry Hub and it is zoned Airport District (AD).

The area to the west of this site is also in the Emerging Neighborhood placetype (The Aurora Highlands). The areas to the east and north will remain in the Industry Hub placetype. The property owner has indicated they would like to develop this property with residential, open space, and retail/commercial uses. However, some of these uses are not permitted in the AD zone district. Residential uses are permitted within the 55 LDN (Day/Night Average Noise Level) but will not be allowed in the 60 LDN or higher. The proposed change to the Emerging Neighborhood placetype would follow the boundary of the 55 to 60 LDN. To amend the existing master plan and rezone to allow these uses, the Comprehensive Plan placetype must first be amended.

Figure 1: Proposed Area of Change (Exhibit A)



Applicant's Request:

Per direction from the Aurora City Council Resolution R2024-128 (Exhibit B), staff brings a request that the Planning and Zoning Commission provide a recommendation for a proposed amendment of the 2018 Aurora Places Comprehensive Plan that can be forwarded to the City Council for final consideration in accordance with Code Section 146-5.4.1.B.3.d.

Referrals and Comments:

Referrals were sent to Denver International Airport (DEN), Mile High Flood District, Xcel Energy/PSCo, and the Aerotropolis Regional Transportation Authority (ARTA). Xcel provided comments concerning the property the company owns and easements in the area for both the electrical transmission lines and gas pipeline (Exhibit E). DEN provided comments and attachments, with stated concerns regarding proximity to existing and future runways, the noise contours and noise mitigation for outdoor and recreational uses, and prevention of wildlife attractants (Exhibit F).

Public hearing notification required per the UDO includes published notice in the newspaper and on the City website. These requirements were met for public hearings.

History:

On October 14, 2024, the Aurora City Council adopted Resolution R2024-128 (Exhibit B), directing staff to initiate an amendment to the Aurora Places Comprehensive Plan for property located at the southeast corner of Powhatan Road and E. 40th Avenue. As part of the City Council resolution item, it was noted that the property owner desires to change the placetype for this area. Some of the commitments made by the property owner for developing this area include:

- Developing housing that is "attainable" for middle-income households (i.e., households within 80-120% of the Area Median Income).
- Including usable open space consistent with that located in The Aurora Highlands Framework Development Plan (FDP 2017-7002-03) ("TAH FDP"); and
- Inclusion of areas of commercial use for future residents.

Additionally, the Property Owner is working with the Aurora Public School District (APS) to move the planned high school from the TAH FDP on the west side of Powhaton Road/Aerotropolis Parkway to the east side of Aerotropolis Parkway. If APS accepts, this move will locate the high school at the north end of the area subject to the proposed comprehensive plan amendment, to the east of Powhaton Road/Aerotropolis Parkway and on both the north and south side of E. 48th Ave. The resolution includes a requirement that the school district accept a High School site prior to approval of the Comprehensive Plan amendment by City Council.

At the time of resolution, staff noted that there is no mechanism for conditioning a Comprehensive Plan amendment to ensure development consistent with commitments and master plan amendments that may be approved without council review. In acknowledgment of that, staff recommended the requirement of a development agreement memorializing these, as well as commitments with the Aurora School District, to be approved contemporaneously with the Comprehensive Plan Amendment. As adopted, R2024-128 contains two criteria for the amendment:

- The City Manager is hereby directed to negotiate a development agreement or other such agreement to memorialize the development of the Property consistent with this Resolution, including the inclusion of both for sale and for rent attainable housing, usable open space and trails, and commercial/retail node(s).
- The Comprehensive Plan amendment shall be contingent upon the City Council approval of the agreement set forth in Section 2, as well as evidence of a Purchase and Sale Agreement or such other binding agreement with Aurora Public Schools for the sale of land for a High School in The Aurora Highlands.

Review Criteria:

1. Per UDO Section 146-5.4.1.A.3, *"[a] Comprehensive Plan, or an amendment to the Comprehensive Plan, shall be recommended for approval, and shall be approved, only if it promotes the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora*." The major issues considered in this report are:

    - Long term economic, social, and environmental health of the City
    - Public health, safety, and welfare of the citizens of Aurora

Results of Development Review:

Long term economic, social, and environmental health of the City

Economic: Macro Impact. The placetype change will not have a direct City budget impact in that it will not require allocated funds. However, changing land from industrial to allow residential uses may reduce future taxes to the city, reduce locations for job creation, and increase costs of services, such as police and fire. In previous studies in conjunction with proposed amendments to the city's long-range growth plans (specifically, the planning and annexation boundary), the analysis has shown that suburban density residential developments typically have a negative fiscal impact on the city, while largely commercial or industrial development typically have a neutral or net positive fiscal impact.

Economic and Social: Housing Stock and Variety. The proposed change would provide the opportunity to develop housing that is "attainable" for middle-income households (i.e., households within 80-120% of the Area Median Income) with both for rent and for sale products. This would be in accordance with Council Goal: 2012: 5.6 to "*Continue to plan for high-quality neighborhoods with a balanced housing stock*." However, if commercial and employment uses are not developed in a timely manner in the area after the residential, this may increase commutes for residents of the area and lead to more spending in nearby areas of Denver rather than in Aurora.

Social and Environmental: High School Location. A high school site has the potential to create social bonds and community through activities, arts, sports, and other events that the campus can facilitate. Locational criteria in the UDO suggest schools "*Be centrally located for the population served.*" The proposed high school location at E. 48th Avenue and Powhaton Road would be on the eastern edge of the residential area. This would likely mean a large portion of students drive or otherwise commute to the site. Second Creek flows through this corner and would require mapping to understand the extent of the floodplain. Coordination with Mile High Flood District would be essential to channelize or pipe the creek. A number of flight paths from Denver International Airport pass over this site as well (see Figure 3).

Environmental: Oil and Gas Site Proximity. The Aerotropolis Logistics Center encompasses two sections of land, which are Sections 21 and 28 of Township 3 South, Range 65 West. Within those 1,280 acres, there are four active oil and gas well sites and one plugged and abandoned (P&A) well. From north to south, the well sites are Bijou North and Schuh South in Section 21, then Invicta and King South in Section 28. The plugged well is in the northeast corner of Section 21.

Within these four well sites are a total of forty horizontal wells. The wells are drilled down to about 8,000 feet below the surface, then turned parallel to the surface and drilled east-west between two and 4.5 miles. The Schuh South and King South are currently producing oil, gas, and water. As of November 21, 2024, Bijou North just finished the drilling phase, and Invicta just began its drilling phase. The Bijou North and Invicta well sites will begin producing in the second quarter of 2025. All well sites are operated by Crestone Peak Resources, a subsidiary of Civitas Resources. The well sites are expected to operate for at least twenty years. Production will rapidly decline over the first seven years; then a steady low production rate will continue for as long as the commodity price of oil and natural gas remains at economic levels. All wells will be in the production phase by mid-2025, and thus no additional drilling or completion activities would occur beyond that time. No other well sites are approved or planned in the Aerotropolis Logistics Center in the future.

Historically, these well sites were concentrated in the Aerotropolis Logistics Center area to avoid proximity to residential development in The Aurora Highlands to the west. The current zoning for these sections is Airport District (AD). The well sites are constructed within the 60 and 65+ LDN airport noise contours, and this area does not allow residential development. The proposed amendment to the Comprehensive Plan would modify the area of Aerotropolis Logistics Center currently within the 55 LDN noise contour to include residential.

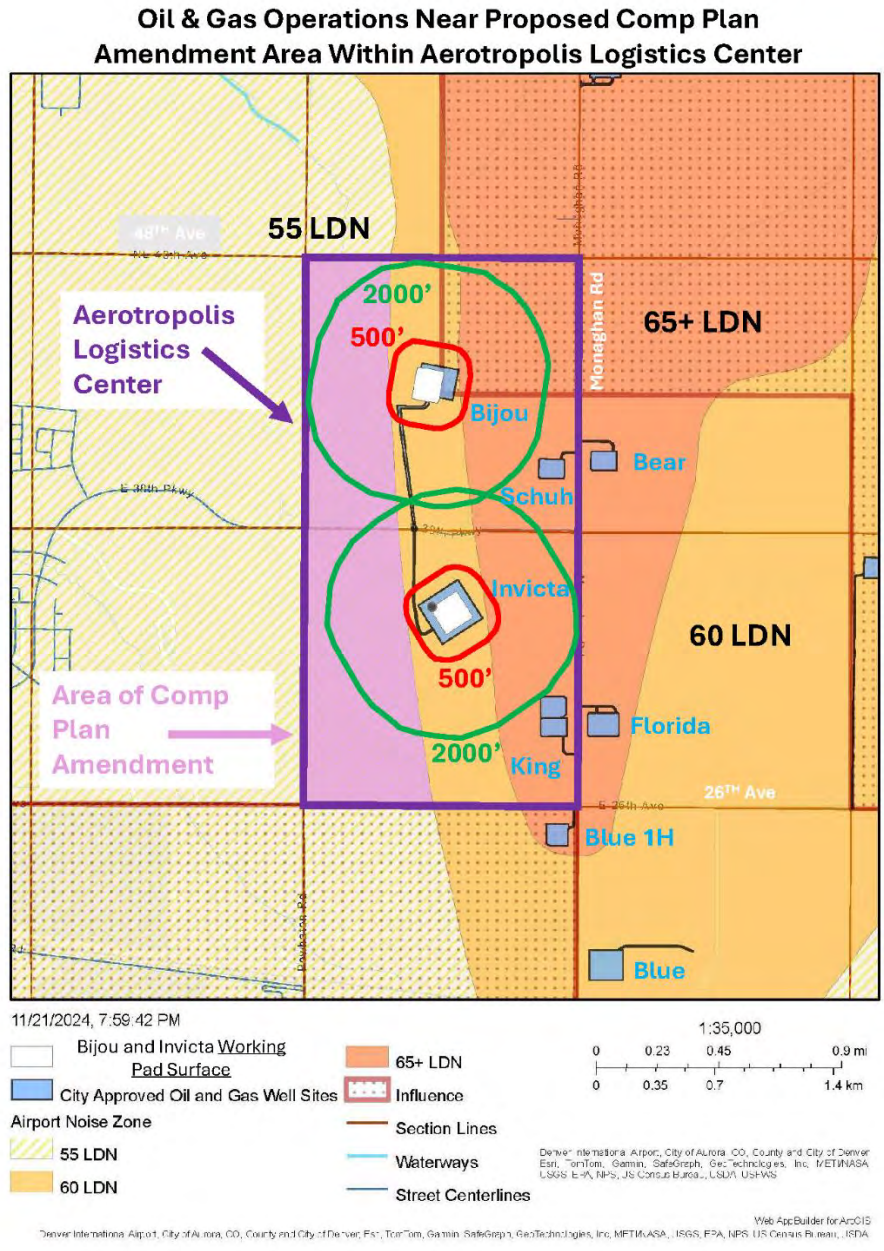
When siting new wells, the Colorado Energy & Carbon Management Commission (ECMC) requires a primary setback of 2,000 feet away from features such as residential building units (i.e., the actual house, apartment building, etc.) and schools. Certain exceptions can reduce the 2,000 feet to 500 feet. The setback is measured from the "working pad surface (WPS)" to the structure. The WPS is the size of the well site after the drilling phase and completion phase are done, and the wells enter the production phase. The WPS is smaller than the size of the well site during the drilling and completion phases but will remain at that size for the entirety of the production phase of the well(s). The city does not have any additional primary setback.

"Reverse" setbacks occur when the oil well is drilled first, and then a residence or similar feature is constructed afterward. The state does not regulate any reverse setback. Aurora requires a 150-foot reverse setback, measured from the "oil and gas facility" (i.e., the well and any other permanent equipment on site) to the "platted residential lot line."

All areas proposed for the Comprehensive Plan amendment are beyond the city's 150-foot reverse setback from each of the four Well Sites within the Aerotropolis Logistics Center. Additionally, the areas are also beyond the 500-foot minimum primary setback from ECMC, but many areas are within the 2,000-foot primary setback. Approximately 226 acres are within 2,000 feet of a WPS. While these state primary setbacks would not apply to new residences since the oil wells are already drilled, there is significant community knowledge of the primary setback distance of 2,000 feet and interest in residences that are at or beyond that distance. For residences constructed within the state setback distance of 2,000 feet, Aurora requires the developer to notify the first purchaser of the property that they are within 2000 feet of an oil and gas well.

All well sites in Aurora are permitted both through Aurora and ECMC. All well sites in Aurora are inspected regularly by Aurora's own Senior Oil & Gas Inspector. Additional inspections occur sporadically by the state through ECMC and CDPHE inspectors.

Figure 2: Existing Oil and Gas Sites (Exhibit C)



Public health, safety, and welfare of the citizens of Aurora

Public Health, Safety, and Welfare: Location. The Comprehensive Plan Amendment does not pose specific public health, safety, and welfare threats to the citizens of Aurora. Proximity to the airport and oil and gas sites may impact the health, safety, and welfare of future residents. These impacts may include noise, odor, and other nuisances.

Additional services may be needed to accommodate the increase in residential uses in the area. For instance, there may be a need for additional fire or police facilities or personnel in the area to serve the new residents with adequate response times. This would need to be considered and addressed with future Master Plan and Zone Map amendments.

Infrastructure will need to be provided for development in this area. Development of Aerotropolis Parkway and other regional roads is being considered in conjunction with ARTA. This network should be adequate to serve the proposed area. Additionally, the Master Utility Study will have to address the adequacy of services. The developer may need to make additional off-site improvements in order to accommodate residential uses in this area if the Comprehensive Plan Amendment is approved.

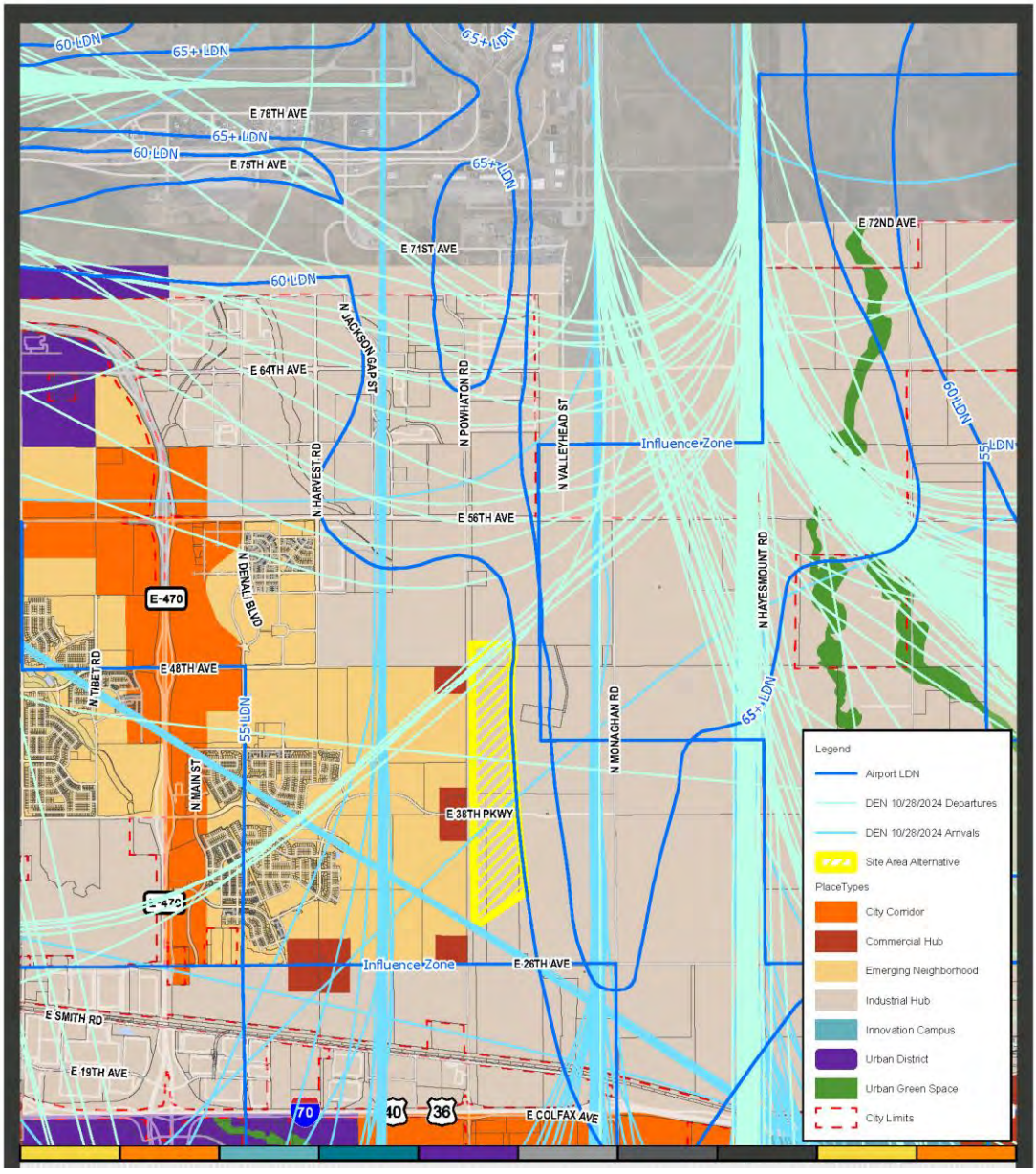
Public Health: Oil and Gas Site Proximity. See the environmental section above for a more detailed analysis of these impacts. The proposed residential area is largely within 2,000 feet of oil and gas sites. This may have some impacts such as noise and odor on residents. However, all of the sites would be able to meet the required 150-foot separation from an active well site.

Public Health: Airport Proximity. This area would be in the flight paths for several routes out of Denver International Airport. The noise impact of these flights would affect both future residents and the high school site. The current placetype map designations were developed to reduce and buffer the conflict between regular air traffic and residential areas. The noise could reduce or impact outdoor activities. Additionally, the type of landscaping trees available may be reduced to accommodate the airport's desire to reduce bird habitats in flight paths proximate to the runways. More information can be found on these recommendations in the Federal Aviation Administration's advisory circular titled "*Hazardous Wildlife Attractants on or near Airports*" (see DEN comments in Exhibit F).

This area is in the Airport Influence Overlay (-AIO) zone. Within this overlay, UDO Section 146-2.6.2.C.3 requires "*New residential uses or new residential structures permitted by the underlying zone and within the 55 LDN Subarea shall provide and include noise level reduction measures in the design and construction of all habitable structures to achieve an interior noise level reduction of 25 decibels in A-weighted levels as determined or calculated in accordance with Chapter 22 of the Aurora City Code*." This will provide some mitigation to noise impacts. Avigation easements are also required in this area pursuant to UDO 146-2.6.2.B.2.

The UDO also prohibits new residential development within the 60 LDN subarea, located immediately east of the subject property. There are no prohibitions to commercial or industrial land uses within this subarea.

Figure 3: Flight Paths (Denver International Airport) (Exhibit D)



Comprehensive Plan Amendment Summary:

Aurora Places Comprehensive Plan

The proposed amendment would amend the Comprehensive Plan placetype designation of this area from Industry Hub to Emerging Neighborhood. The Aurora Places Comprehensive Plan defines the two placetypes as follows:

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 areas. Large-scale alternative energy facilities are another use that may fit this placetype. Uses permitted only in Industry Hubs are manufacturing plants, factories, large open-air operations, and heavy-equipment storage.

Emerging Neighborhood. An Emerging Neighborhood placetype is a newer largely residential neighborhood in previously undeveloped areas. They are neighborhoods that have typically been built in the past 25 years and represent an opportunity to further diversify neighborhood choices. This placetype is more than just an isolated residential subdivision but is instead a complete neighborhood with mixed residential housing types and pedestrian and bicycle infrastructure. This makes it walkable and well-connected throughout the neighborhood and to adjacent placetypes, with highly accessible parks and open space integrated into the neighborhood. This placetype is similar to Established Neighborhoods with some important differences. These neighborhoods should offer a mix of housing types at various densities within the neighborhood fabric. Restaurants, retail and commercial services are supporting uses in this placetype and should be conveniently connected and accessible to residents of the neighborhood. Supporting uses also include a variety of neighborhood institutions and gathering places. Commercial uses should be located along main or perimeter streets rather than within primary residential areas.

The placetypes map was originally drawn with Powhaton Road/Aerotropolis Parkway as the dividing line between future residential uses and industrial uses.

The proposed area of change is within the Aerotropolis strategic development area in the Comprehensive Plan (page 62-63). Best practices listed for this area include:

- Leverage key anchor assets within the aerotropolis' influence areas that are already spurring activity and prioritize catalytic projects that will do the same.
- Balance job creation with residential, commercial services and entertainment uses in the area.

Some of the Comprehensive Plan Goals that may be impacted by this proposed change include:

- A Strong Economy Goal 2: *Achieve greater balance between the number of residents and jobs in Aurora*.
- This change would remove available industrial land for job creation and reduce commercial/industrial property tax base, however, it would provide additional housing options.
- A Diverse and Equitable City Goal 1: *City services should be available and accessible to all residents*.
- This change may impact or require additional City services for the future residents of this area. The proposed High School would add service to residents in northeastern Aurora.
- Housing for All Goal 1: *Increase high-quality housing options of all types and at all price levels throughout the city through ongoing collaboration with the development community*.
- This change can provide attainable housing and a variety of choices, subject to future zoning designation and terms of a future development agreement.
- Housing for All Goal 2: *Work with partners to better understand specific needs for affordable housing and to develop new, creative housing options*.
- This change provides an opportunity for creative and diverse housing types, subject to future zoning designation and terms of a future development agreement.
- A Healthy Community Goal 1: *Make active transportation, such as walking and biking, a viable alternative to driving*.
- This change provides an opportunity for active transportation to services and retail, if developed in the area.
- A Healthy Community Goal 2: *Maintain, improve and expand parks, open space, trails and recreation facilities throughout Aurora*.
- This change provides the opportunity for additional parks and open space to serve residents.
- A Thriving Environment Goal 3: *Protect valuable open space and natural areas*.
- This change would impact Second Creek and would need to consider floodplain areas as applicable.
- Easy Mobility and Active Transportation Goal 4: *Provide completely connected street networks in developing areas to avoid excessive traffic congestion and maximize mobility choices*.

- This change, in conjunction with ARTA projects, will help develop and expand the street network in northeast Aurora.
- An Authentic Aurora Goal 3: *Use high-quality community design to create vibrant and active places where people choose to live and work*.
- This change provides, through the Master Plan process to follow, an opportunity to incorporate high-quality and active residential spaces.

In a review of the existing Comprehensive Plan goals and proposed area of change, below are considerations in favor of and potential concerns associated with the change.

Possible reasons in favor of the placetype change:

- Provides an opportunity for additional housing options in accordance with Council and Comprehensive Plan goals
- Includes a High School site to serve northeastern Aurora residents
- Provides an opportunity for additional open space and park/trail connections
- Provides additional infrastructure connectivity

Possible concerns about the placetype change:

- Decreases available industrial land for development
- Noise associated with existing flight paths may impact future residents and students
- Existing oil and gas wells may have noise and odor impacts to residential uses
- Many students may have to drive to the proposed High School location

Summary of Staff Recommendation:

Staff provides a neutral recommendation on the proposed Comprehensive Plan amendment

Detailed Case Analysis

Related Cases: 2018-1003-00 (Aurora Places Comprehensive Plan adoption)

Public Notification:

Legal Notice appeared in the Aurora Sentinel on November 28, 2024.

Conformance with Code Criteria:

Comprehensive Plan Adoption or Amendment. A Comprehensive Plan, or an amendment to the Comprehensive Plan, shall be recommended for approval, and shall be approved, only if it promotes the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora. (Article 146-5.4.1(A)(3))

Article 146.5.4.1(A)(2)(b), Procedure: The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a recommendation to City Council regarding the application pursuant to all applicable provisions of Section 146-5.3. The Planning and Zoning Commission shall make all recommendations for amendments to the Comprehensive Plan by not less than a two-thirds vote of the entire membership of the Commission.

Applicant Information:

Applicant: City of Aurora Planning and Business Services Department
Owner: Aurora Tech Center Development LLC

Exhibits:

Exhibit A Vicinity Map
Exhibit B Resolution R2024-128
Exhibit C Oil and Gas Site Map
Exhibit D Flight Paths Map
Exhibit E Xcel Comments
Exhibit F DEN Comments

Project Statistics:

Land Use Analysis **These items may be omitted or added to depending on the proposal**

Item	Existing	Proposed
Zoning	Airport District (AD)	N/A (zone change application to follow if Comprehensive Plan amendment is approved)
Land Use Plan Designation	Industry Hub	Emerging Neighborhood
Parcel Size	Approx. 340 acres	N/A
Land Use	Vacant	Residential, Commercial, Open Space

Surrounding Properties

Direction	Zoning	Actual Use
North	AD (Airport District)	Vacant
East	AD (Airport District)	Vacant
South	AD (Airport District)	Vacant, Oil and Gas sites
West	R-2 (Medium-Density Residential District)	Vacant, developing residential

Staff Recommendation:

Agenda Item 8a: Aurora Places Comprehensive Plan Amendment

Staff has outlined considerations in favor of and potential concerns about the proposed Comprehensive Plan placetype change. Below are the considerations discussed in this report.

Possible reasons in favor of the placetype change:

- Provides an opportunity for additional housing options in accordance with Council and Comprehensive Plan goals
- Includes a High School site to serve northeastern Aurora residents
- Provides an opportunity for additional open space and park/trail connections
- Provides additional infrastructure connectivity

Possible concerns about the placetype change:

- Decreases available industrial land for development
- Noise associated with existing flight paths may impact future residents and students
- Existing oil and gas wells may have noise and odor impacts to residential uses
- Many students may have to drive to the proposed High School location

For this request, there are three options available to the Commission, they are:

1. Recommend amendment to the Aurora Places Comprehensive Plan to revise the Placetype Plan to include the additional approximately 340 acres, as illustrated in the attached exhibit, in the Emerging Neighborhood placetype;
2. Recommend revision to the proposed amendment with an alternative boundary; or
3. Recommend denial of the amendment to the Comprehensive Plan

Should the Commission choose to recommend approval of the proposed amendment, or revision to the proposed amendment, staff recommends the following language:

Approve the amendment to the Aurora Places Comprehensive Plan to revise the Placetype Plan and assign the "Emerging Neighborhood" Placetype designation to the area shown in Exhibit A because it complies with the requirements of Code Section 146-5.4.1(A) of the Unified Development Ordinance for the following reasons:

- *Planning Commission to develop findings, insert here as part of the motion*

Should the Commission choose to recommend denial of the proposed amendment, staff recommends the following language:

Deny the amendment to the Aurora Places Comprehensive Plan to revise the Placetype Plan for the area shown in Exhibit A because it does not comply with the requirements of Code Section 146-5.4.1(A) of the Unified Development Ordinance for the following reasons:

- *Planning Commission to develop findings, insert here as part of the motion*

8. General Business

8a. AURORA PLACES COMPREHENSIVE PLAN AMENDMENT TO CHANGE DESIGNATION FOR APPROXIMATELY 340 ACRES FROM INDUSTRY HUB TO EMERGING NEIGHBORHOOD

This application for consideration is a proposed Comprehensive Plan amendment to change approximately 340 acres from the Industry Hub placetype designation to the Emerging Neighborhood placetype designation.

This area is approximately 340 acres total in size, generally bounded by the Powhaton Road/Aerotropolis Parkway alignment to the west, the 60 LDN noise contour for Denver International Airport to the east, and Public Service Company (PSCo) gas line easement to the south. The area reaches approximately 750 feet north of E. 48th Avenue (see Figure 1) and comprises approximately 25 acres north of E 48th Avenue and 315 acres south of E. 48th Avenue. The entire property is within the City of Aurora boundaries. The area south of E. 48th Avenue is part of the Aerotropolis Logistics Center Master Plan (DA-2214-00 approved in 2024). The area north of E. 48th Avenue is not currently included in a Master Plan. The current Comprehensive Plan placetype for this area is Industry Hub and it is zoned Airport District (AD).

The area to the west of this site is also in the Emerging Neighborhood placetype (The Aurora Highlands). The areas to the east and north will remain in the Industry Hub placetype. The property owner has indicated they would like to develop this property with residential, open space, and retail/commercial uses. However, some of these uses are not permitted in the AD zone district. Residential uses are permitted within the 55 LDN (Day/Night Average Noise Level) but will not be allowed in the 60 LDN or higher. The proposed change to the Emerging Neighborhood placetype would follow the boundary of the 55 to 60 LDN. To amend the existing master plan and rezone to allow these uses, the Comprehensive Plan placetype must first be amended.

Testimony Given at the Hearing:
Commissioners Gaiser and Banka visited the site.

Jeannine Rustad, Director of Planning and Business Development, explained how the amendment to the Comprehensive Plan came about.

Stacy Wasinger, Case Manager, gave a presentation of the item, including a neutral staff recommendation.

Commissioner Banka voiced concerns relating to the proximity of an oil and gas permit site being so close to the high school site and the air traffic noise and recalled when The Conservatory was built and how extra measures were taken during building, like triple pane windows and extra insulation which all adds to the cost of the homes.

S Wasinger responded that Aurora Public Schools has not informed staff if the decision to accept the proposed site has been made and noted that DEN had a representative in attendance.

J Rustad pointed out that the drilling of the oil and gas wells is when a lot of noise pollution takes place, and that will be completed before any of the homes are constructed. J Rustad further noted that the 55 LDN does have building requirements, but there are many levers that can affect the cost of building homes.

Chair Walls asked about the history of the proposed area, stating that it appears that the area was deemed as an Emerging Neighborhood and then in 2021 was converted to an Industry Hub and now it will be going back to Emerging Neighborhood. Chair Walls asked for the reasoning for the changes and stated changing it back could have financial implications for the city and asked what it would do to the overall developable land for industry.

Daniel Krzyzanowski, Planning Supervisor, explained that when the Comprehensive Plan and Placetype Map were being developed the subject tract was adopted as part of the Industry Hub. The area to the west of Powhaton Road was designated a placetype of Emerging Neighborhood.

Chair Walls asked if the 340 acres being designated as Emerging Neighborhood will have a large impact on opportunities for industrial development. D Krzyzanowski explained that a lot of northeast Aurora is designated Industry Hub, spanning from Powhaton Road to Schumacher Road, which is everything north of I-70 to the city limits. The 340 acres are relatively small when you consider that several square miles are zoned Airport District, I-1, and I-2, which would allow for industrial growth.

Brodie Ayers, Transportation Supervisor for DEN, 8500 Pena Boulevard, Denver, CO, spoke stating statistics for the potential amount of air traffic that will be flying over this area. B Ayers also noted that there are plans for a 7th runway to be built which will further increase the air traffic throughout the area and noted that there are building code requirements in the 55 LDN that would increase the construction costs. B Ayers also reported that the Federal Aviation Administration cites multiple uses as sensitive uses to noise, some of them are schools, places of worship, hospitals, parks, and recreational facilities. The area is being planned to be a mixed-use development so those impacts would be extended from the homes into places of worship, healthcare, schools, and recreation areas. B Ayers added that there has been a lot of reporting on how noise impacts students and cognitive constraints in the 55 LDN. In conclusion, B Ayers stated that there will be a lot of noise impacts due to over-flights with both arrivals and departures and those impacts will not just stay within the 55 LDN but will spread out impacting all aspects of life, especially outdoor recreation and schools for residents in the area.

Commissioner Hogan asked about the location of the school site. S Wasinger answered that the school has not decided if they will accept this location as a school site yet and demonstrated on a map where is it being proposed. Commissioner Hogan asked if it was outside of the 55 LDN. S Wasinger responded it will be in the northernmost portion of this proposed amendment area, so it will be within the 55 LDN

Commissioner Hogan asked if the 340 acres being converted from Industrial Hub to Emerging Neighborhood will be replaced somewhere else within the master plan for industrial use. S Wasinger responded that there will not be a land swap and noted that the remainder of the Aerotropolis Master Plan is located in the 60 and 65 LDN and does not allow for residential, so there is developable areas for industrial uses.

Commissioner Hogan asked if there was a need for this affordable housing to be so close to the airport. J Rustad clarified that the promise was not for affordable housing but for attainable housing.

Chair Walls asked if there is an existing Aurora Public School in the neighborhood to the west and if there are any schools currently within the 55 LDN contour.

Debbie Bickmire, Senior Planner II, answered that there is an existing K-8 school, and it is in the 55 LDN.

Rita Connerly, Fairfield and Woods, P.C. representing Aerotropolis Industrial Development, LLC, 1801 California Street, Suite 2600, Denver, CO, spoke in support of the City Council's request for the Comprehensive Plan Amendment. R Connerly noted that the agreement with the Aurora Public Schools has been executed and the district has agreed to accept the property for the high school. A conceptual site plan has been drawn up and the plan is to open the school in August of 2028. R Connerly further noted that there is plenty of residential development within the 55 LDN, such as Painted Prairie, Windler, Green Valley Ranch, High Point, and The Aurora Highlands that have been developed in accordance with the intergovernmental agreements with Denver International Airport and city code. The Aurora Highlands already has a K-8 school and is planning for three more. R Connerly also explained that the property has access to pedestrian and vehicular transportation corridors and options.

Commissioner Banka stated that if there are 1,000 flights per day going over the area that is going to be a lot of noise. R Connerly stated that there are no DEN, FAA, or City and County of Denver restrictions in the 55 LDN.

Commissioner Jetchick asked if the developer would be open to adding extra soundproofing to the homes that will be built. R Connerly responded that the developer would follow the guidelines that others have in the area and that because of the 70 acres of buffer did not believe that extra insulation would be necessary.

J Rustad noted that this item will be heard at a future City Council meeting no matter the recommendation from the Planning Commission, and that comprehensive plan amendments cannot be conditioned. Any conditions that may be added would be at the master planning and successive application levels.

Planning Commission Results
AGENDA ITEM 8a – ORDINANCE TEXT AMENDMENT

A MOTION WAS MADE BY CHAIR WALLS AND SECONDED BY COMMISSIONER HOGAN.

MOVE TO RECOMMEND APPROVAL OF THE AMENDMENT TO THE AURORA PLACES COMPREHENSIVE PLAN TO REVISE THE PLACE TYPE PLAN AND ASSIGN THE EMERGING NEIGHBORHOOD PLACE TYPE DESIGNATION TO THE AREA SHOWN IN EXHIBIT A BECAUSE IF COMPLIES WITH THE REQUIREMENTS OF CODE SECTION 146 FOR THE FOLLOWING REASONS:

1. PROVIDES AN OPPORTUNITY FOR ADDITIONAL HOUSING OPTIONS IN ACCORDANCE WITH COUNCIL AND COMPREHENSIVE PLAN GOALS.

2. INCLUDES A HIGH SCHOOL SITE TO SERVE NORTHEASTERN AURORA RESIDENTS
3. PROVIDES ADDITIONAL INFRASTRUCTURE CONNECTIVITY

Further Discussion:
Commissioner Jetchick stated support of the motion.

Commissioner Banka stated opposition to the motion because of the noise levels and how much it may cost to build these homes in the noise contour.

Commission Hogan stated support of the motion and believes that this was council-driven and stated that the Council still does make policy in the City of Aurora.

Commission Gaiser stated support of the motion and noted the development will offer a variety of housing stock which Aurora severely needs.

Chair Walls also stated support of the motion and that the concerns that have been raised at this meeting can be taken care of in later planning stages.

MOTION FAILED ON A VOTE OF 4 TO 1 WITH BANKA VOTING FOR DENIAL.

Lena McClelland, Assistant City Attorney, stated that for the recommendation to move forward to the City Council, the vote needs to be 2/3 of the membership of the Commission, which would be five members. Since one member did not support the motion to recommend approval the item will move forward with no recommendation from the Planning Commission.

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO CHANGE THE PLACETYPE FROM INDUSTRY HUB TO EMERGING NEIGHBORHOOD FOR THE AREA GENERALLY LOCATED EAST OF POWHATON ROAD BETWEEN E 49TH AND E 26TH AVENUE (ATEC COMPREHENSIVE PLAN AMENDMENT)

WHEREAS, Section 146-5.4.1.A of the Uniform Development Ordinance provides for the adoption of a Comprehensive Plan for the orderly development and redevelopment of the City of Aurora, Colorado (the "City"), and that this plan shall serve to guide the City Council and the Planning and Zoning Commission in their decisions and recommendations in all land use decisions within the City; and

WHEREAS, on October 8th, 2018, the City Council passed Ordinance 2018-37 adopting the 2018 Aurora Comprehensive Plan (the "Comprehensive Plan"); and

WHEREAS, the Comprehensive Plan establishes a land use map providing varying placetypes for city design; and

WHEREAS, on December 11, 2024, following a public hearing, a motion to recommend approval by the Planning and Zoning Commission of an amendment to the Comprehensive Plan which would allow the Placetype Emerging Neighborhood for an area currently designated as the Placetype Industry Hub failed by a vote of 4 to 1; and

WHEREAS, Section 146-5.4.1.A of the Uniform Development Ordinance provides that City Council may amend the Comprehensive Plan by an ordinance approved by a vote of not less than two-thirds of the entire membership of the City Council, if they find that the amendment promotes the long term economic, social, and environmental health of the City, and that it protects the public 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. The Aurora Comprehensive Plan is hereby amended to allow for the Placetype Emerging Neighborhood in an area currently designated as the Placetype Industry Hub.

Section 2. The amendment to the Comprehensive Plan shall be in the form as filed with the Office of the City Clerk and presented to the City Council at tonight's meeting.

Section 3. All ordinances or parts of ordinances of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

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.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

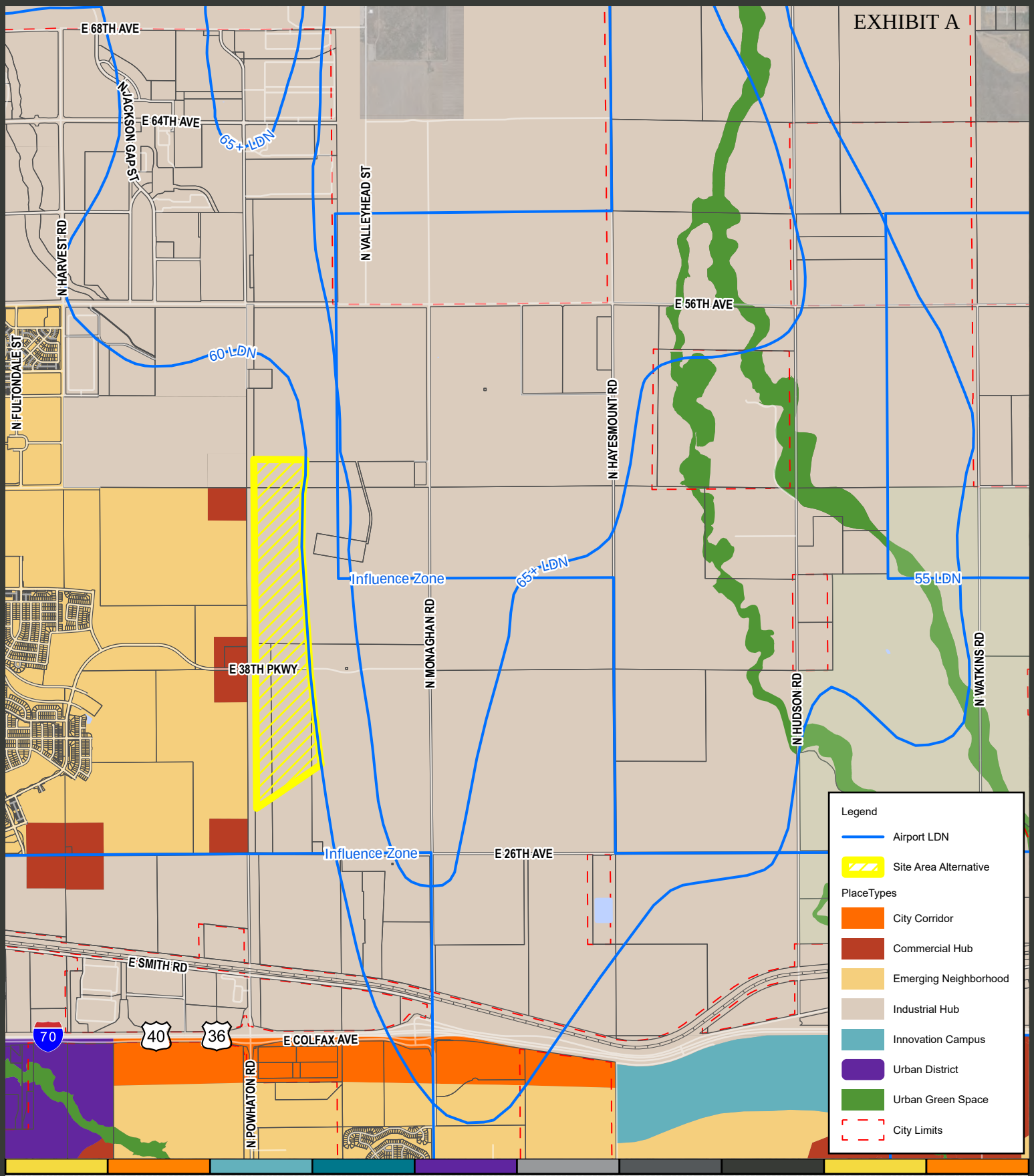
ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY PETE SHULTE:

By: Lena McClelland RLA
_____
LENA MCCLELLAND, Assistant City Attorney

EXHIBIT A



Planning and Business Development

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

City of Aurora, Colorado

ATEC Comprehensive Plan
PlaceTypes Amendment Alternative

Miles 0 0.3 0.6

N W E S

11/8/2024 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro.aprx

AURORA PLACES COMPREHENSIVE PLAN AMENDMENT

Project No: DA-2149-03

Public Hearing

Aurora City Council

January 27, 2025

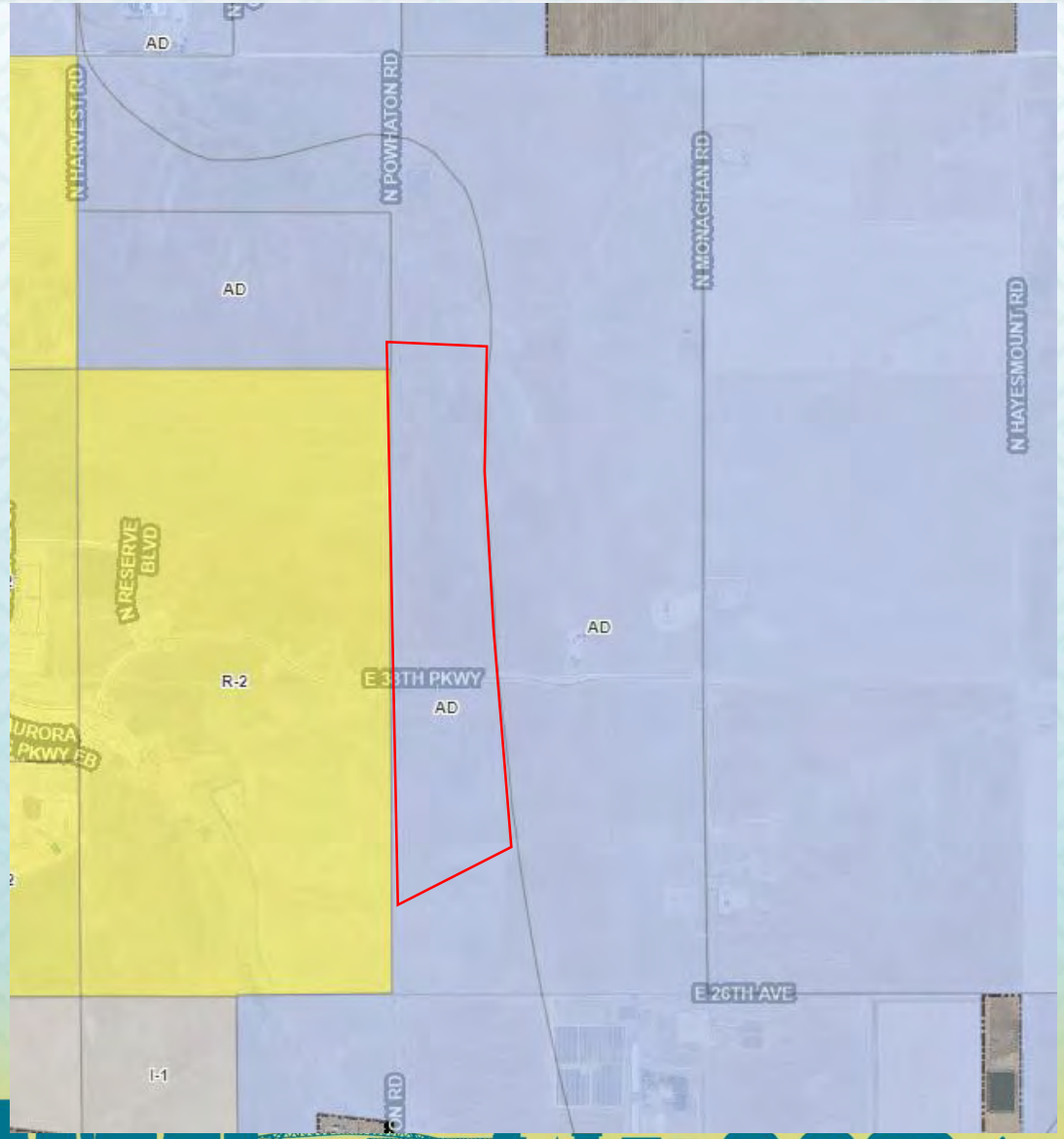
REQUEST

- A Comprehensive Plan placetype amendment from Industry Hub to Emerging Neighborhood for approximately 340 acres
- Per Resolution R2024-128
- Current Zoning: Airport District (AD), Subarea C
- Current Placetype: Industry Hub

AERIAL MAP

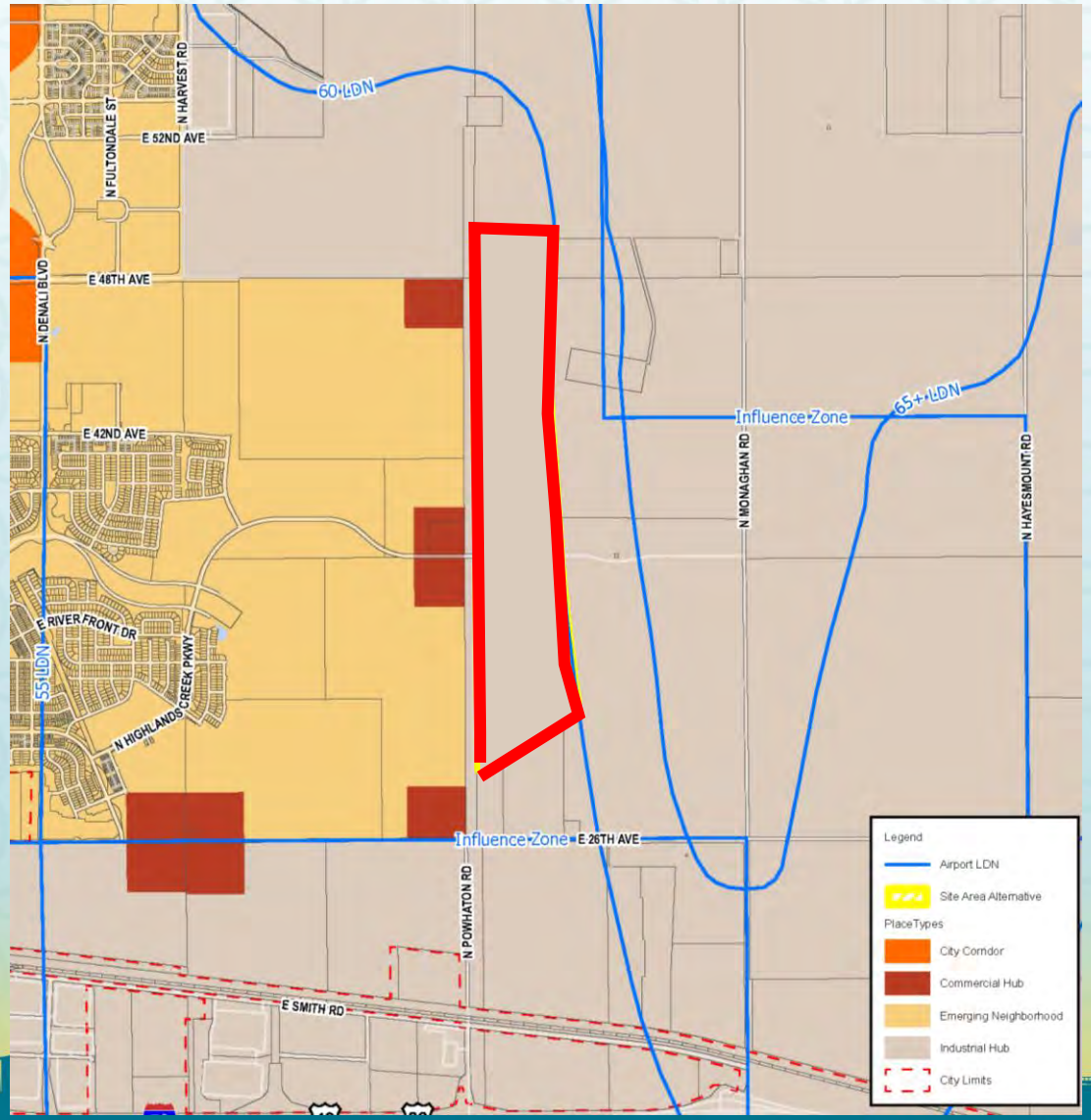

E. 56th Avenue
E. 48th Avenue
E. 38th Avenue
Powhaton Road/Aerotropolis Parkway
Monaghan Road
85

ZONING MAP

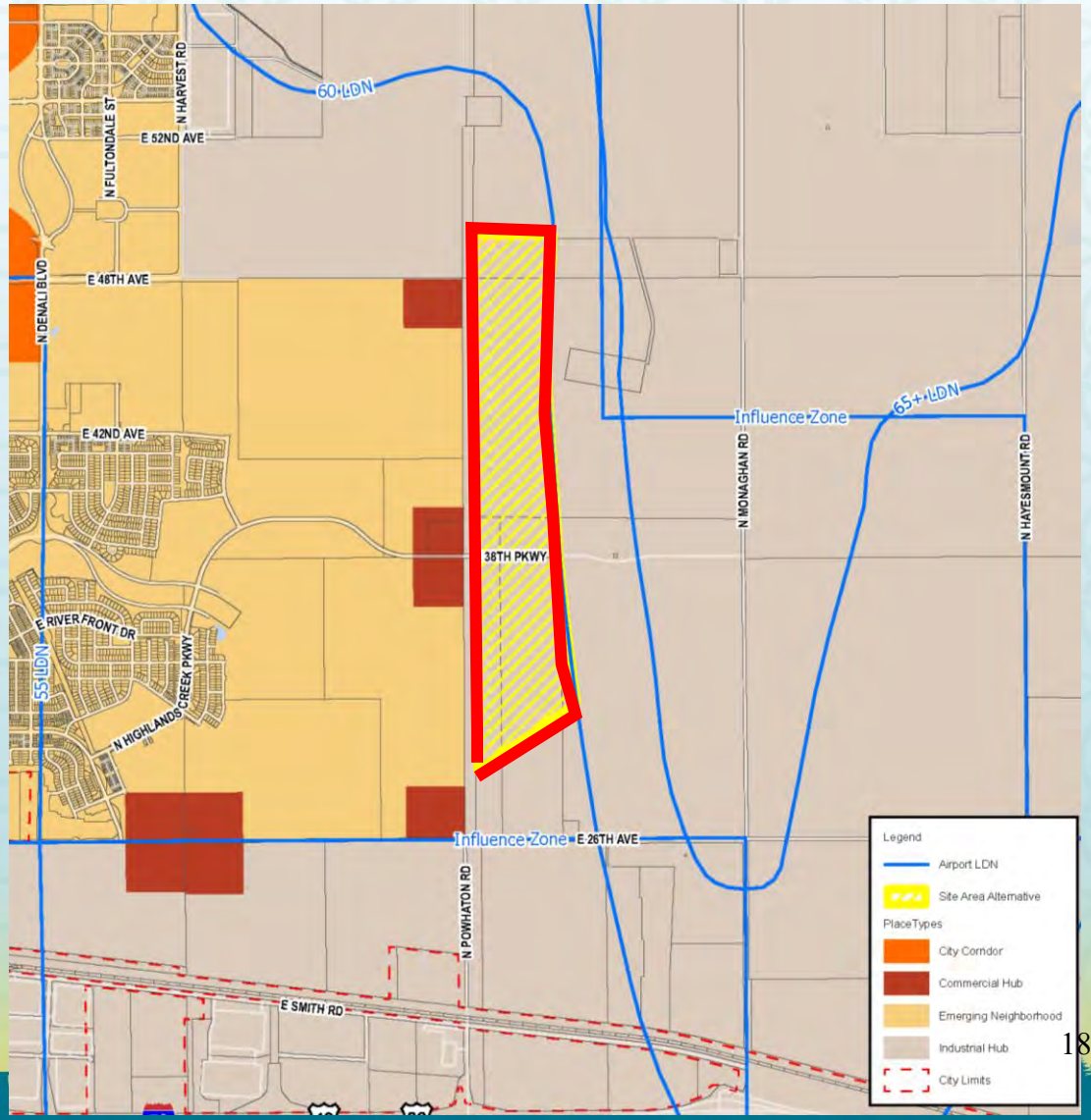

AD
N HARVEST RD
N POWHATON RD
N MONAGHAN RD
N HAYESMOUNT RD
AD
N RESERVE BLVD
AD
R-2
E 38TH PKWY
AD
E 26TH AVE
I-1

PLACETYPE MAP

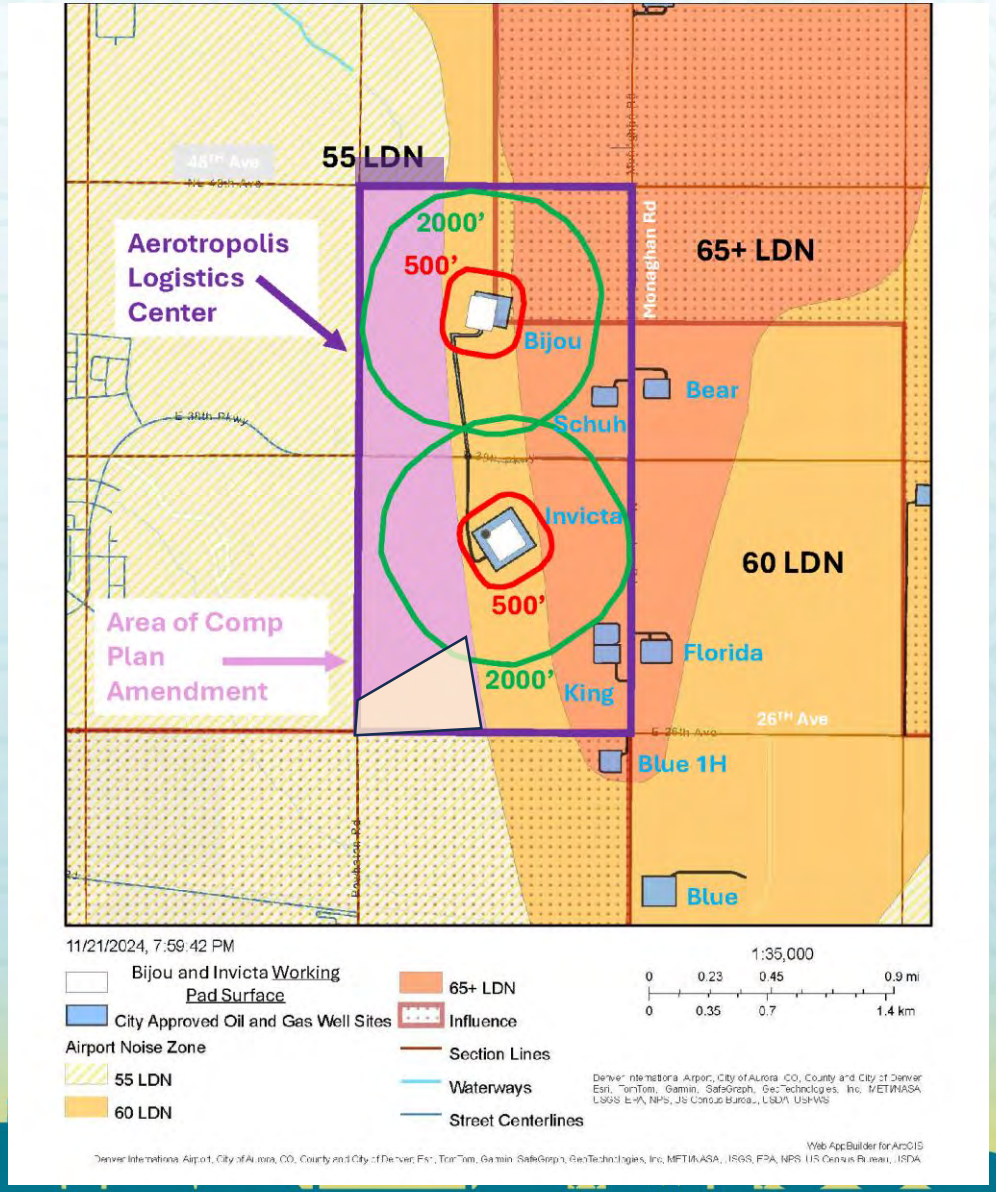
CURRENT



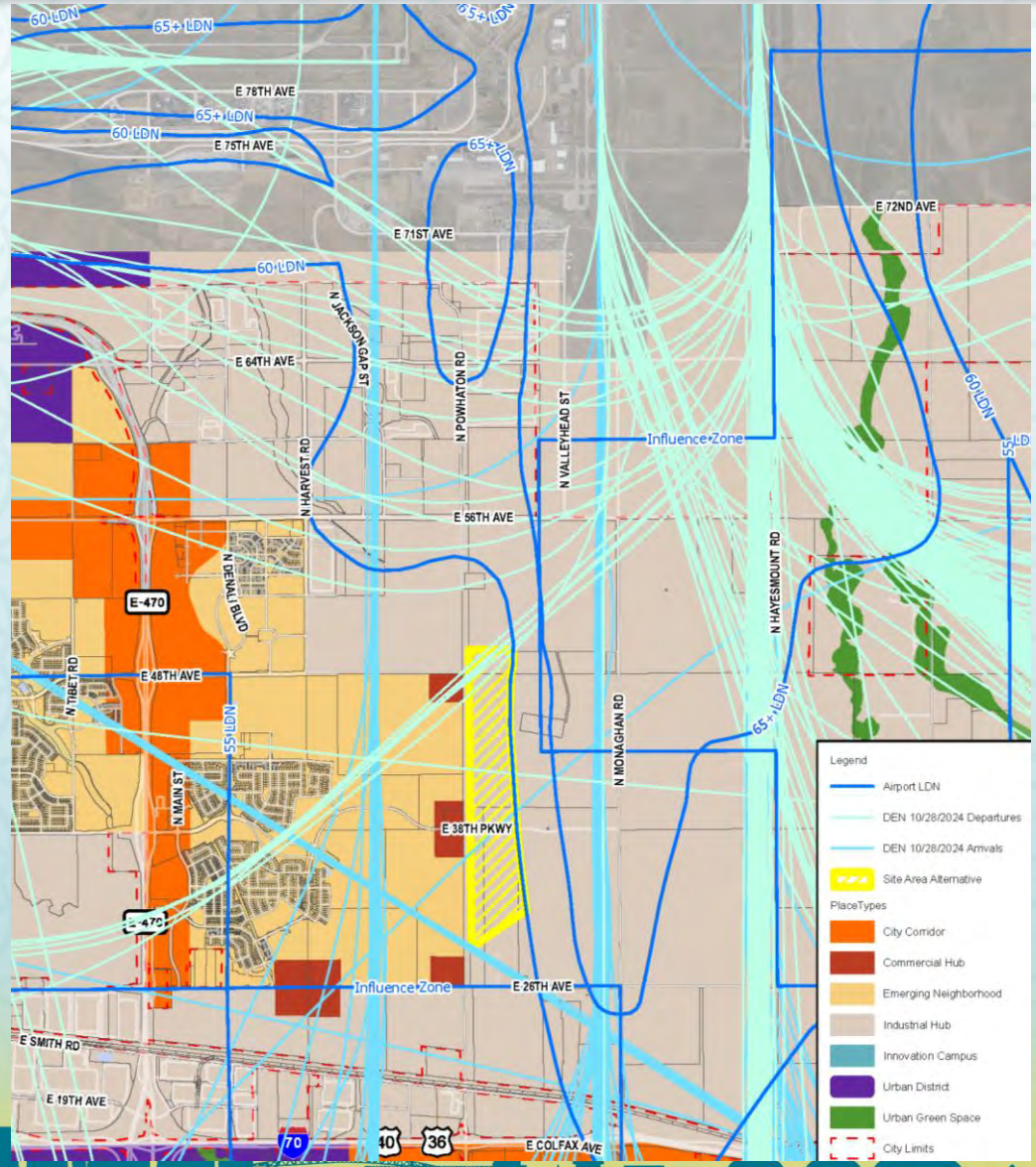
PROPOSED



OIL AND GAS SITES MAP



FLIGHT PATHS MAP



CODE CRITERIA

- In compliance with the City of Aurora Zoning Code, Sec. 146-5.4.1.A.3, Comprehensive Plan:

  - A Comprehensive Plan, or an amendment to the Comprehensive Plan, shall be recommended for approval, and shall be approved, only if it promotes the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora."

CITY OF AURORA
Council Agenda Commentary

Item Title: Unified Development Ordinance (UDO) Amendment for Setbacks and Easement Around Plugged Oil Wells (Ordinance)
Item Initiator: Jeffrey Moore, Manager, Energy and Environment Division
Staff Source/Legal Source: Jeffrey Moore, Manager, Energy and Environment Division / Dave Scott, Assistant City Attorney
Outside Speaker: NA
Strategic Outcome: Safe: Promoting safety in our built environment through effective administration of city codes and ordinances and responding to emergencies appropriately to preserve and enhance the community's sense of security and well-being.

COUNCIL MEETING DATES:

Study Session: 6/23/2025

Regular Meeting: 8/11/2025

2nd Regular Meeting (if applicable): 8/25/2025

Item requires a Public Hearing: ☒ Yes ☐ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

Jeffrey Moore, Manager, Energy and Environment Division / Dave Scott, Assistant City Attorney
Estimated time: 15 mins

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning & Economic Development

Policy Committee Date: 5/14/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☐ Minutes 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.)*

This topic of setbacks around Plugged Wells was first discussed with City Council at a Study Session in July 2022. Council advised to study the topic, prepare documents, and bring back a solution. Research of comparable setbacks in other Colorado jurisdictions was performed. Because these setbacks will apply to land owners and developers, extensive engagement was performed with the development community, including an in-person roundtable in June 2024. We have made multiple changes to our strategy to adapt to the expectations of the development community to ensure the safety needs of the community are balanced with the efficient use of land. If approved, the ordinance will create a Setback Area around Plugged Wells and require a new easement granted to the City for staff to access the Setback Area for soil testing.

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

A Plugged Oil or Gas Well is a well that has completed production, had surface equipment removed, and had cement pumped into the well to seal it. Aurora currently has 68 plugged wells and will have more in the future as currently producing wells are plugged, and additional lands are annexed. Many Plugged Wells must be re-plugged to modern standards for a variety of reasons. Space must be preserved around Plugged Wells with no permanent structures so that a drilling rig and other equipment can be brought in to safely and properly complete the work. This ordinance will modify the UDO to create a Setback Area around Plugged Wells and create a required Easement to allow City Staff to access the area for routine soil testing.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

QUESTIONS FOR COUNCIL

Does Council wish to support this ordinance to create setbacks around plugged oil and gas wells?

LEGAL COMMENTS

All applications to change the text of the Unified Development Ordinance must comply with the requirements of City Code Section 146-5.3, including at a minimum, approval by the Planning Director and public hearings before the Planning and Zoning Commission and the full City Council. (City Code Section 146-5.4.1.C.). 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. (Section 5-1 Aurora City Charter.) (Scott)

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 135 OF THE CITY CODE AND ADDING SECTION 146-4.2.3(k) TO THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO PLUGGED OIL AND GAS WELLS

WHEREAS, there are existing plugged and abandoned oil and gas wells within the City with the reasonable expectation that more oil and gas wells will be plugged and abandoned within the City in the future; and

WHEREAS, the City is experiencing rapid growth and development that includes residential, commercial, office, schools, and other land uses that will result in occupied structures; and

WHEREAS, the City, in consultation with the development community, has determined that it is in the best interest of public health, safety, welfare, and the environment, to require a minimum development setback from Plugged Wells to ensure adequate physical space surrounding Plugged Wells in the event the well needs to be re-plugged in the future; and

WHEREAS, the City, in consultation with the development community, has similarly determined that it is in the best interest of public health, safety, welfare, and the environment to include a permanent easement in all future developments where a Plugged Well is located allowing the City or its authorized contractors to access the setback area to assess the status of the Plugged Well and surrounding soils.

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

Section 1. That Section 135-1(f)(2) of the City Code of the City of Aurora, Colorado, is hereby amended by adding:

Plugged Oil and Gas Well: An Oil or Gas Well that has been permanently plugged and abandoned.

Reserve Pit: A pit or storage area dug in the ground and used to store drilling fluids for use in drilling operations or to contain exploration and production (E&P) waste generated during drilling operations and initial completion procedures, or as currently defined by the ECMC.

Section 2. That Chapter 146 of the City Code of the City of Aurora, Colorado, is hereby amended by adding a section, to be numbered 146-4.2.3(k), which section reads as follows:

Sec. 146-4.2.3(k) – Plugged Wells, Flowlines, and Reserve Pits.

(1) Intent and Authority.
This section is enacted to protect public health, safety, welfare, the environment, and wildlife resources. This section is authorized pursuant to the land use authority of the City.

(2) Applicability.
This section applies to certain Plugged Oil and Gas Wells (Plugged Well), Flowlines, and Reserve Pits, as those terms are defined in the City Code of Aurora at Section 135-1(f)(2), located within a planned, or active development in the City of Aurora.

(3) Locating and Assessing Plugged Wells.
(a) Prior to the submittal of a final plat or site-specific development plan, each Plugged Well shall be physically located (through excavation if necessary) and surveyed.
(b) The surveyed location of the Plugged Well shall be depicted on all site development plans and the final plat map.
(c) Prior to the submittal of a final plat or site-specific development plan, and prior to the issuance of a grading or building permit for a property containing a Plugged Well, the applicant shall require a registered engineer to review the history of each Plugged Well on and within one hundred feet (100') of the property and assess the current status, to determine whether the well was properly plugged and abandoned according to the most recent Colorado Energy and Carbon Management Commission (ECMC) regulations.
(d) The applicant shall submit to the City acceptable verification that the Plugged Well was remediated of hydrocarbon contamination to background levels or shall work with the City to ensure remediation of hydrocarbons, if necessary, to a level acceptable to the City.

(4) Locating and Assessing Reserve Pits.
Prior to issuance of a grading permit within a development containing a known Reserve Pit, the Reserve Pit shall be tested for expansive soils and the results submitted to the City. Reserve Pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of City Code or other city regulations.

(5) Locating and Assessing Abandoned Flowline.

Prior to issuance of a grading permit within a development containing a Flowline, the history and condition of the Flowline shall be assessed. If the Flowline was properly abandoned according to ECMC rules, and if the Flowline will not conflict with the planned construction, it may be left in place. If the Flowline is removed, the fluids within the Flowline shall be recovered and properly disposed of. Any fluid loss as a result of removing the Flowline shall be reported to the City and shall be remediated at the City's direction, in compliance with current ECMC rules.

(6) Establishing a Plugged Well Setback Area.

(a) A site plan that contains a Plugged Well shall delineate a Setback Area around the Plugged Well on the site plan as defined herein, and the Developer shall grant a permanent easement to the City allowing City staff or City authorized contractors to enter the Setback Area at reasonable times to assess the Plugged Well and surrounding soils.

(b) The Setback Area shall be a minimum of twenty-two thousand five hundred square feet (22,500 ft^2, equal to an area 150 feet by 150 feet) in size.

(c) The minimum dimension of the Setback Area shall be one hundred feet (100') in any direction.

(d) There shall be access for ingress and egress to the Setback Area of a width of not less than twenty-four feet (24') to allow for the passage of equipment to access, maintain, and repair the Plugged Well or related abandoned Oil and Gas Facilities, as defined in City Code Chapter 135-1(f)(2). This access requirement can be satisfied by locating the Setback Area adjacent to a public road, trail, or other similar open space.

(e) When multiple Plugged Wells are in close proximity, the Setback Area shall be allowed to overlap around each well.

(f) If the Setback Area is within the boundaries of a Site Plan, the land within the Setback Area shall be credited toward park and open space land dedication requirements, if the area is in conformance with the PROS Dedication and Development Criteria Manual. The property must be deeded to, owned, and maintained by a non-city entity and available for public use. Title to the underlying property encumbered by a Setback Area is prohibited from being dedicated to the City as city-owned and maintained parks and open space, unless the City specifically requests such.

(7) Restrictions applicable to the Plugged Well Setback Area established in Sec. 146-4.2.3(k)(6).

(a) No permanent structures shall be constructed in the Setback Area. The provision does not restrict such things as playground equipment, etc.

(b) In no case shall a new building be located or constructed within fifty feet (50') of a Plugged Well.

(c) In no case shall a Residential Building Unit, school, or hospital be constructed within one hundred feet (100') of a Plugged Well.

(d) There shall be no above-ground utility facilities, public or private, installed within twenty-five feet (25') of a Plugged Well.

(e) There shall be no underground utility facilities, public or private, installed within twenty-five feet (25') of a Plugged Well unless the City Engineer approves the installation.

(8) Variances to Plugged Well Setback Area requirements.

Upon request by the applicant, the Director of the Planning and Business Development Department may approve, at the Director's sole discretion, a site-specific change in the size or shape of a Setback Area so long as the Setback Area remains sufficient to allow necessary equipment to access and re-plug the well if necessary in the future. All variances must remain protective of public health, safety, welfare, the environment, and wildlife.

(9) Exemption for Existing Structures.

If a structure has already been constructed on the date of implementation of this section, then that structure shall be exempted from the requirements of this section regardless of the proximity to a Plugged Well.

(10) Non-Emergency Plugged Well Re-plugging Notice.

If, based on the City's assessment of a Plugged Well, the City determines that a Plugged Well must be re-plugged in order to protect human health and the environment, the City will notify the property owner in writing. The City will also notify ECMC of the conditions of the Plugged Well. The City will include the basis for the determination, the specific action items that must be completed, and a date-certain for completion of the work. The City will work with the property owner on compliance in a reasonable manner. Failure to comply with the City's determination notice may result in the City initiating appropriate action to address the non-compliance.

11) Emergency Plugged Well Access.

In the event of an emergency resulting in an immediate threat to human health, property, or the environment, the City, State, or authorized contractor, may, without obtaining prior approval from the property owner, enter the Setback Area to conduct whatever actions are necessary to abate

such emergency situation. Examples of an emergency situation include, but are not limited to, uncontrolled hydrocarbons or gas emissions escaping the Plugged Well, significant and ongoing soil contamination from the Plugged Well, and other similar exceptional situations.

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 Article 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 _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETE SCHULTE, CITY ATTORNEY

RLA
David Scott
_____
BY: DAVE SCOTT, ASSISTANT CITY ATTORNEY

Setbacks Around Plugged Wells

Planning and Business
Development Department

Jeffrey S. Moore, P.G.
Manager, Energy & Environment Division

We steward access to the natural resources under our authority with integrity and respect for our people, businesses, and the environment.

Plugged Wells Summary

- 68 plugged wells in Aurora now
  - Hundreds more in the future
  - 45% have been replugged since 2020

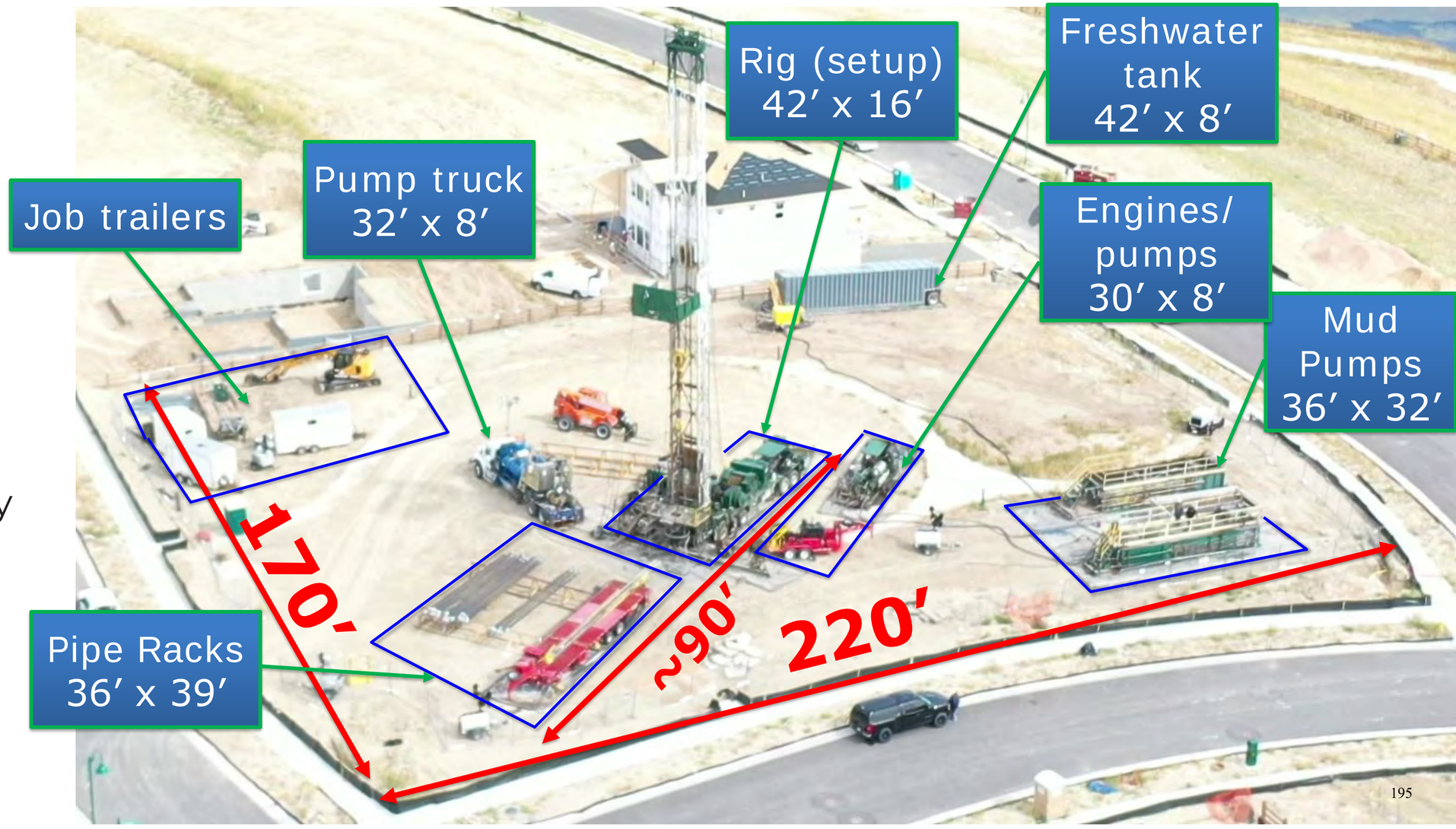
- Most wells will be replugged in the future
  - Stops leaks
  - Avoid risks
  - Protects aquifers
  - ECMC requires replugging of certain wells before drilling a new one within 1,500’





Space Needed to Access Plugged Wells

- Space is needed around plugged wells to bring in a drill rig and other equipment
- Surrounding jurisdictions already have setbacks in code
- Worked extensively with the development community on the specifics



Plugged Well Stakeholders

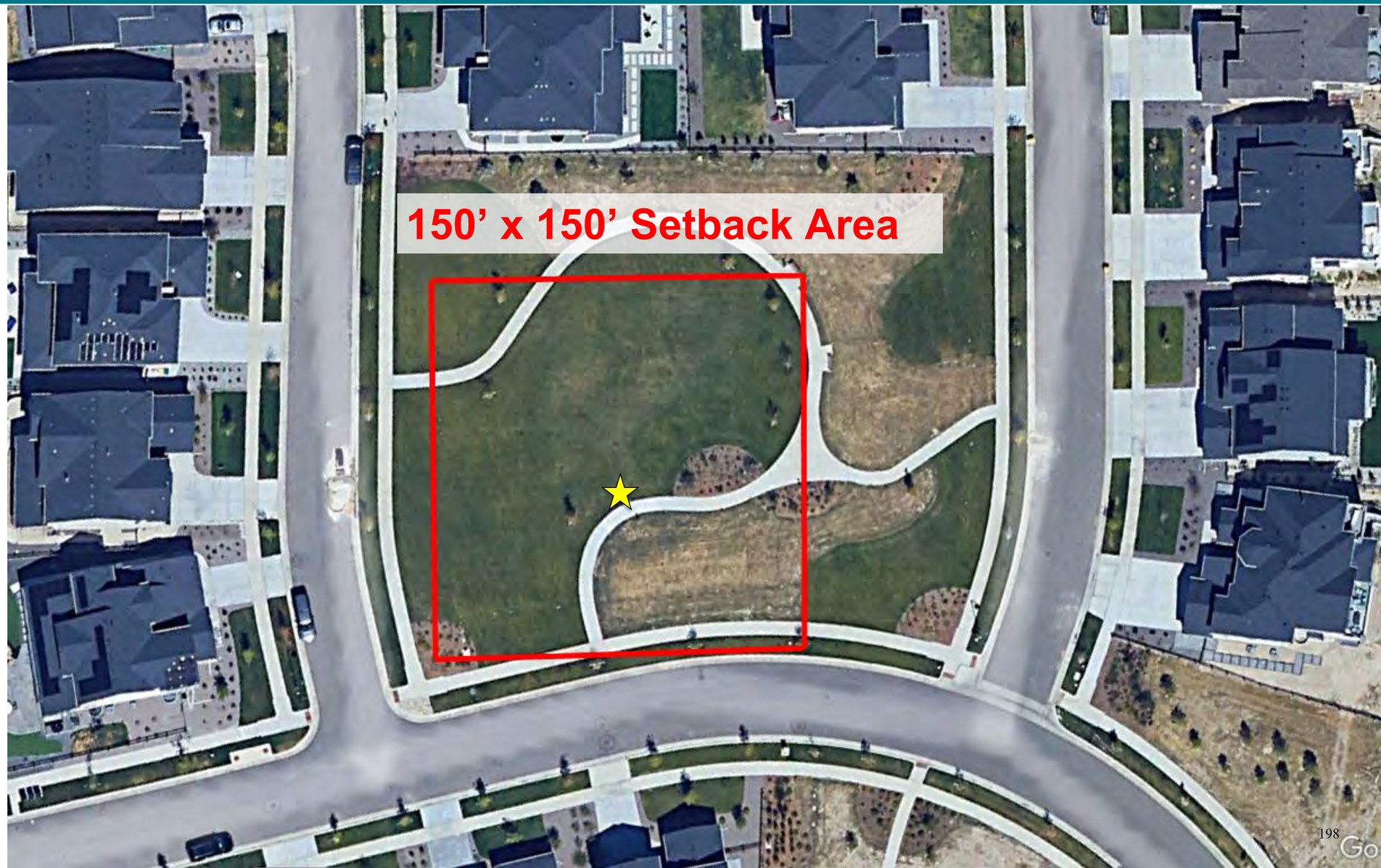
Feature:	Setback Area	Easement	Replugging Authorization
Applies to:	Land; Property Owner/Developers	Grantor: Property Owner Grantee: City	Operators / Authorized Rig Contractor
Goal:	Space around well with no structures inside	Limited Access to the Setback Area for soil testing, assessment of site conditions	Repair well or bring up to modern standards
Established by:	Adding setbacks to the UDO	Signed Easement document	ECMC Permit and agreement with surface owner
Main parameters:	Size: 150'x150' (22,500 square feet) No utilities within 25'. No buildings within 50'. No residences within 100'.	Permanent (runs with land). Applies only to surface.	Requires Operator to reclaim surface back to original state.
Benefits:	Space can be used for parks, open space, parking lot, etc.	City staff can access without further approval	Protects people and the environment by repairing leaking wells or preventing pollution

Changes Over Time

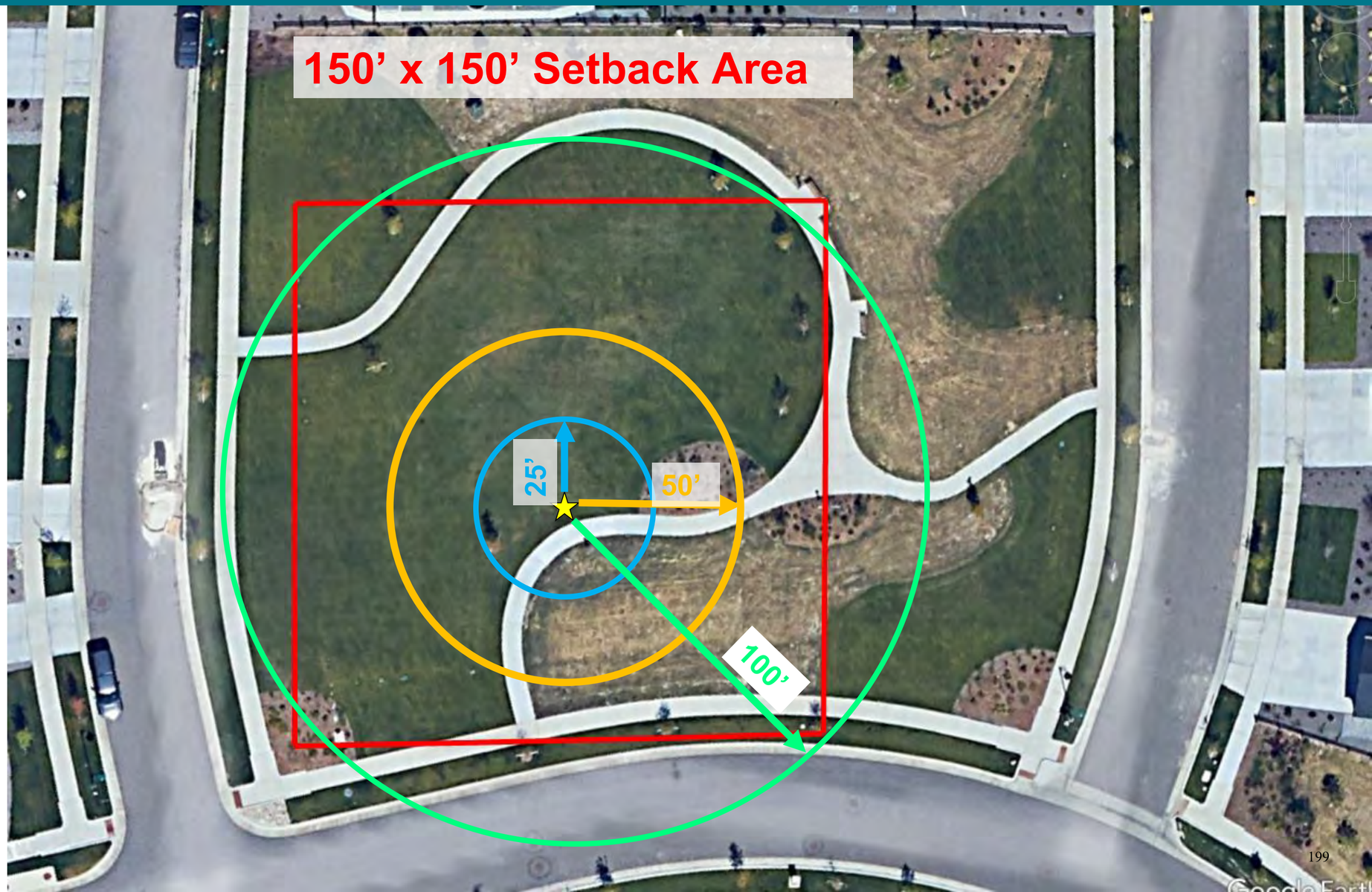
Topic:	Original	Current
Authority:	City had authority for most decisions	Shared between City, landowner, and ECMC
Size (feet):	200’ x 200’ (40,000 square feet)	150’ x 150’ (22,500 square feet)
Size (acres):	0.92	0.51
Method:	-Easement only. -Included setbacks and access for Operators to replug without landowner approval	-Setbacks in UDO. -Limited easement only to City. -Operator needs ECMC permit and landowner approval to access
Locating a Well:	Locate by excavation, and survey well	Same
Well Condition:	Determine condition of well and replug if leaking	-City and ECMC will determine condition. -ECMC will replug as an Orphan Well if needed.
Above-ground Utilities:	50’ setback	25’ setback
Below-ground Utilities:	25’ setback	25’ setback unless City Engineer approves a closer distance
Site Access:	Access to a public road (24’ width)	Same
Existing Structures:	Exempted	Same
Residential Setback:	100’	Same. Added schools and hospitals.

Setback Area Example

Example Setback Area at the HOA park surrounding the Medsker # 1-28 well



Setback Area Example



- Setback Area
- Utility Setback
- Building Setback
- Residence Setback

How can Setback Area be used?

RURAL

- Agricultural / livestock

URBAN

- Park*
- Open Space*
- Parking lot
- Detention Pond

*counts towards city requirements, if in compliance with PROS Manual



Proposed Timeline

- **April 17, 2025** **DRAB – Passed**
- **April 22, 2025** **Oil & Gas Advisory Committee - Approved**
- **May 14, 2025** **PED - Passed**
- **June 11, 2025** **Planning & Zoning Commission**
- **June 23, 2025** Study Session
- **July 14, 2025** City Council

Thank You!

Planning and Business
Development Department

PLANNING AND ECONOMIC DEVELOPMENT POLICY COMMITTEE MEETING MINUTES

Date: **May 14, 2025**
Time: **8:30 am**

Members Present	Chair: Council Member Francoise Bergan, Vice Chair: Council Member Curtis Gardner, Council Member Danielle Jurinsky
Others Present	Aja Tibbs, Alison Lueck, Ani Karabashian, Ariana Muca, Ashvina Patel, Becky Hogan, Bill Wichterman, Blake Fulenwider, Brad Pierce, Brandon Cammarata, Brenda Kenney, Brian Rulla, Brit Vigil, Bruce Dalton, Cathy DeWolf, Chad Argentar, Chance Horiuchi, Connor Bailey, Council Member Steve Sundberg, Crystal Vigil, Daniel Krzyzanowski, David Scott, Deborah Bickmire, Gayle Jetchick, Gregg Johnson, Jake Calegari, James Schireman, Jeannine Rustad, Jeffrey Moore, Jennifer Orozco, Jeremiah Fettig, Jose Rodriguez, Julie Patterson, Kelly Bish, Laura Perry, Leah Ramsey, Lena McClelland, Leticia Callanen, Maria Alvarez, Marisa Noble, Maurice Healy, Melissa Rogers, Michael Kerrigan, Mindy Parnes, Morgan Cullen, Morgan Jennings, Naomi Colwell, Rachel Allen, Robert Oliva, Sarah Wile, Sarah Woodson, Stacy Wasinger, Stephen E. Rodriguez, Steve Timms, Sunny Banka, Thomas Blevins, Tod Kuntzelman, Tom Oldenburg, Trevor Vaughn, Yuriy Gorlov

1. CALL TO ORDER

2. APPROVAL OF APRIL 9, 2025, DRAFT MINUTES–COUNCIL MEMBER BERGAN

2.a. The minutes were approved.

3. GENERAL BUSINESS

3.C. Ordinance Modifying the UDO Pertaining to a Setback Around Plugged Oil and Gas Wells

Summary of Issue and Discussion:

Jeffrey S. Moore, Manager Energy and Environment Division

Jeffrey Moore opened the presentation by introducing himself and stating that the purpose of the discussion was to present a proposed ordinance to amend Chapter 135 of the City Code and add Section 146-4.2.3(k) to the Unified Development Ordinance (UDO). The ordinance pertains to the regulation of setbacks around plugged oil and gas wells within the City of Aurora.

J. Moore explained that Aurora currently has 68 plugged wells, which is expected to grow substantially in the coming decades as active wells reach the end of their production life. Roughly half of the city's current plugged wells have been replugged since 2020. The replugging process is essential to prevent leaks, protect underground aquifers, which are critical to Aurora's water supply, and comply with state regulations that require replugging in specific proximity scenarios.

He clarified that these regulations would apply to surface owners and future developers, not to oil and gas operators. Over the past year, the city has worked closely with the development community to reach a consensus on regulations allowing space for replugging operations while minimizing disruption to property owners.

J. Moore outlined a proposed three-pronged regulatory framework. The first component is the setback area, requiring a 150-foot by 150-foot (22,500 square feet) buffer surrounding each plugged well where no structures may be built. Utilities would be prohibited within 25 feet, buildings within 50 feet, and residential structures within 100 feet. However, this space could still be used for parks, open space, or parking, as long as such uses conform to the city's PROS manual.

The second component is the establishment of a permanent, limited easement granted to city staff to allow for annual, non-invasive soil testing. These easements would be similar in function to avigation easements and would apply only to the land's surface, ensuring environmental monitoring without interfering with development.

The third and final component is the replugging authorization process. Only licensed operators with valid state permits and a surface use agreement with the property owner can replug wells. This condition was added to ensure that property owners retain control over activity on their land while maintaining alignment with state regulatory standards.

J. Moore reviewed the key changes made during the collaborative development process. The setback area was initially proposed at 200 by 200 feet, but has been reduced to 150 by 150 feet. The easement scope was narrowed to limit access exclusively to city staff for monitoring purposes. He also described changes that shifted decision-making authority from the city to a shared structure involving the city, landowners, and the state. Utility setback standards were modified to provide greater flexibility, and the process for locating and surveying plugged wells was refined.

He provided visual examples from the Medsker well at park in Southshore, demonstrating how setback areas would appear on-site and how the space could be integrated into a development without significant land loss. He noted that such space could support passive uses like green space or parking in urban areas.

J. Moore addressed several clarifying questions developers had submitted after the finalized agenda item. These included eliminating reference to a 175-foot by 175-foot option in the draft ordinance and allowing for irregular shapes as long as the area totals 22,500 square feet. He also explained how the Planning Director would evaluate variance requests using criteria drawn from the city's Oil and Gas Manual. He reiterated that such decisions could be appealed to the City Council. Additional revisions include extending the 100-foot residential setback to apply to schools and hospitals and clarifying that overlapping setback areas are permissible for well sites with multiple plugged wells.

He concluded by stating that any measurable presence of methane would be considered a leak requiring remediation, and that the city was committed to working with the state's orphan well program if needed. He outlined the ordinance's next steps, including a presentation to the Joint Task Force, Planning and Zoning Commission, and ultimately, the City Council. He emphasized the ordinance's importance in preparing Aurora for future replugging needs and ensuring long-term land use compatibility.

- Chair Bergan thanked J. Moore for his presentation and opened the floor for questions.
- CM Gardner began by asking for clarification regarding the spatial requirements on one of the slides. He noted that if a residential setback of 100 feet in all directions is required, the affected area would exceed the 150 by 150-foot standard setback and asked whether this larger area would become mandatory.
- J. Moore responded that while the 150-foot by 150-foot setback defines the formal area around the well, a separate 100-foot radius applies specifically to residential structures, schools, and hospitals. He explained that these separate distances are in place to meet state safety regulations, particularly those requiring a safe fall radius of tall drilling rigs. He said developers can design site layouts around these constraints, and the city works with them early to flag affected parcels and review development plans accordingly.
- J. Rustad added clarification, explaining that the 150-foot by 150-foot area is intended for staging and access during replugging activities, while the 100-foot radius serves as a safety buffer. She stated that the dual distances help distinguish between operational and safety needs.
- CM Gardner acknowledged the explanation and said he wanted to ensure the regulations did not unnecessarily reduce developable land. He noted that many of the wells subject to these regulations would be replugged far in the future and urged the city to consider the long-term impact on tax-generating development, particularly in northeast Aurora. He appreciated the tiered approach that distinguishes between residential and commercial structures.

He then asked how Aurora's approach compares with those of other jurisdictions.

- J. Moore responded with a summary of comparable regulations. Garfield County, on the Western Slope, uses a 25-foot radius. Adams County and Broomfield use 50-by-100-foot setbacks. Weld County uses a 50-foot radius, while Arapahoe County recently adopted a much larger 4.5-acre requirement. He stated that Aurora's proposed standard of approximately half an acre positions the city in the middle of the spectrum, balancing safety with developability.
- CM Gardner expressed concern that Aurora's setback exceeds those in jurisdictions known for strict oil and gas regulations, such as Broomfield. He reiterated his support for public safety but urged caution in placing unnecessary limitations on land use, particularly when the probability of re-accessing newly plugged wells remains low. He closed by again expressing appreciation for the staff's collaboration with the development community and efforts to make the policy practical.
- J. Moore acknowledged the concern and cited a recent example from Aurora in which a well drilled initially in the 1980s was plugged, replugged in 2020, and then required replugging again in the current year. He emphasized that while re-entry is rare, it is not hypothetical. He presented commercial development examples, such as Denali Logistics and the Sun Empire area, where developers successfully integrated plugged wells into site designs by building parking lots around them. He noted that there was no loss of developable land in those instances.
- CM Gardner agreed and reiterated his earlier point that while the likelihood of re-entry may be low, it should not be dismissed. He again thanked staff for their diligence and stakeholder engagement.
- Chair Bergan asked CM Jurinsky if she had any additional questions.
- CM Jurinsky said she had no questions and thanked J. Moore for the presentation.
- Chair Bergan also appreciated J. Moore's work with the development community. She noted that the initial proposal had raised concerns and was glad to see that the Joint Task Force (JTF) had addressed those concerns through collaboration and further review. She asked whether the annual inspections required by the ordinance would increase the city's workload.
- J. Moore responded that the city already conducts non-invasive inspections of well sites using handheld meters to detect hydrocarbon levels. These inspections are part of the city's existing workflow and would not require additional staffing or operational changes. He clarified that the state only conducts inspections if a known issue is reported, but the city can coordinate with state agencies if any concerns arise from local monitoring.
- Chair Bergan thanked J. Moore for the clarification and commended the thoughtful and forward-looking nature of the ordinance. She then asked committee members whether they supported moving the item forward.
- CM Gardner and Chair Bergan both voiced their approval. CM Jurinsky also confirmed her support.

Outcome:
Council Members approved this item to move forward.

Follow-up Action:
Staff will add this item to the June 11, 2025, Planning & Zoning Commission meeting agenda.

City of Aurora Colorado
15151 E Alameda Pkwy Suite 2300
Aurora Colorado 80012

PLUGGED WELL ASSESSMENT EASEMENT

THIS PLUGGED WELL ASSESSMENT EASEMENT ("Easement") is conveyed as of the _____ day of_____, 20_____ (the "Effective Date"), by the OWNER ("Grantor") unto the CITY OF AURORA, COLORADO, a home rule municipal corporation of the Counties of Adams, Arapahoe, and Douglas, organized and existing under and by virtue of the laws of the State of Colorado, its contractors, subcontractors, successors, and assigns, (hereinafter referred to as "Grantee"), a non-exclusive, perpetual Easement for the purposes of Plugged Well assessment activities as more fully defined herein over that property located in _____ County ("The Property") and being more particularly described and depicted in "Exhibit A" (attached hereto and made a part hereof), hereinafter referred to as the "Plugged Well Setback Area." Grantor and Grantee may be referred to herein individually as a "Party" or collectively as the "Parties."

RECITAL:

The Property contains a plugged oil and gas well ("Plugged Well"). The area within The Property that is subject to the terms of this Easement is depicted on Exhibit A as the Plugged Well Setback Area.

EASEMENT TERMS:

NOW, THEREFORE, for and in consideration of the foregoing recitals and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged by the Parties, Grantor and Grantee agree as follows:

1. GRANT OF EASEMENT. Grantor does hereby convey, grant, establish, and create for the benefit of Grantee, its contractors, subcontractors, successors, and assigns, the right to access the surface and subsurface of the Plugged Well Setback Area, as well as public roads and other rights-of-way, for exercising the rights granted herein, including the right of ingress to and egress from the Plugged Well Setback Area, for the purpose of, as determined solely by the Grantee, inspecting, assessing, and any other activity reasonably necessary to exercise the rights herein granted, the Plugged Well(s) located within the Plugged Well Setback Area. Any of Grantee's activities will be conducted in a manner consistent with current industry standards and state regulations in order to protect human health and the environment. Further, Grantee and its contractors, subcontractors, successors, and assigns are provided the right by Grantor to temporarily move or remove objects or structures within the Plugged Well Setback Area that interfere with, or that may endanger those who are conducting, any activities authorized by this easement. Whether an object is to be moved or removed will be determined by the Grantee in its reasonable discretion and without liability or expense to the Grantee.

2. MAINTENANCE. The surface of the Plugged Well Setback Area is to be continuously maintained by Grantor at no cost to Grantee. Grantor maintains responsibility and liability for the Plugged Well Setback Area at all times, except as may be enumerated in this Easement. The Grantee has no obligation to, and will not be required to, maintain, operate, or otherwise take fee simple ownership of the Plugged Well Setback Area, unless separately agreed to by Grantee or required by law.

3. EASEMENT TO RUN WITH THE LAND. The covenants and agreements made herein shall run with the land and shall be binding upon Grantor and its successors and assigns.

4. CAUSE OF ACTION. It is understood and agreed that Grantor and Grantor's successors and assigns shall have no right or cause of action, either in law or in equity, for damages or injury to any person or property arising out of or resulting directly or indirectly from the assessment of a Plugged Well, or for damages or injury to any person or property resulting from any noise or nuisance of any kind or description resulting, directly or indirectly, from assessment of a Plugged Well.

5. GOVERNMENTAL IMMUNITY. Nothing herein shall be construed to be a waiver of the governmental immunity afforded to the Grantee or any other governmental entity by virtue of the Colorado Governmental Immunity Act, Section 24-10-101, *et seq.*, C.R.S., as amended.

6. TERMINATION. This easement is perpetual in nature and will not be considered abandoned at any point. However, it may be terminated if agreed to in writing by the Grantee.

[SIGNATURE BLOCKS TO FOLLOW]

8. General Business

8a. UNIFIED DEVELOPMENT ORDINANCE AMENDMENT – SETBACKS AND EASEMENT AROUND PLUGGED WELLS

The proposed Unified Development Ordinance (UDO) amendment creates setbacks around plugged oil and gas wells to provide space with no permanent buildings for future access to the wells for maintenance. It also creates a limited easement for city staff to access the area and perform a non-invasive soil test.

This topic of setbacks around Plugged Wells was first discussed with City Council at a Study Session in July 2022. Council advised to study the topic, prepare documents, and bring back a solution. Research of comparable setbacks in other Colorado jurisdictions was performed. Because these setbacks will apply to landowners and developers, extensive engagement was performed with the development community, including an in-person roundtable in June 2024. Staff have made multiple changes to our strategy to adapt to the expectations of the development community to ensure the safety needs of the community are balanced with the efficient use of land. If approved, the ordinance amendment will create a Setback Area around Plugged Wells, and require a new easement granted to the City for staff to access the Setback Area for soil testing.

Legal Notice appeared in the Aurora Sentinel on May 29, 2025.

Testimony Given at the Hearing:

Jeffrey Moore, Energy and Environment Manager, gave a presentation of the item, including the staff recommendation.

Commissioner Bush asked staff to clarify the requirements for owners to notify buyers of their properties during sale that there is a plugged well on the site.

J. Moore noted that there is not a noticing requirement within this ordinance. However, J. Moore indicated that, as part of site planning, notification of plugged well is required. Having this information on the site plan is the primary form of notifying from owner to owner. J. Moore indicated that site plans are also recorded at the county level. Information was provided on how staff engages with developers during the development process to discuss any impacts on oil and gas operations.

Commissioner Bush commented that the ordinance addresses new construction. There may be existing construction near a plugged wells. Commissioner Bush questioned, if something were to happen to an existing construction near a plugged well, what are the legal ramifications if noticing did not occur during transfer of ownership.

J. Moore deferred to the City Attorney for comment.

David Scott, Assistant City Attorney, confirmed that this ordinance is applicable to only future developments not past developments. The legal concerns raised would not be addressed by this ordinance.

Chair Walls commented that staff provided a draft plug well assessment easement with their report to the commission. The easement notes plugged wells adjacent to existing development. Chair Walls asked staff to confirm that this easement will be recorded at the county level as well as the site plan.

D. Scott confirmed that both would be recorded.

Chair Walls then stated that any title search with the county will convey this information.

D. Scott replied that was correct.

Commissioner Banka agreed with D. Scott that such documents are recorded and will be accessible to public search. Commissioner Banka stated that often buyers do not read this information, and sellers are only required to disclose information that they are aware of. Commissioner Banka stressed that it is uncommon in real estate for a seller to disclose a plugged well.

Commissioner Hogan asked staff for the depth of the plugged wells.

J. Moore stated that the depth of most wells in Aurora is 8,000 feet below the surface. J. Moore indicated that some wells that were drilled 100 years ago are not as deep. Those are around 1,000 feet deep.

Commissioner Hogan asked for the depth of the top of the well.

J. Moore responded that the standard is five feet below grade.

Commissioner Hogan asked if the ordinance specifies that the minimum is five feet.

J. Moore indicated that the ordinance does not dictate that particular level of operation. Instead, issues of depth are address by the State of Colorado during state permitting. It is under the state's authority to regulate depth.

There was no public comment.

Planning Commission Results
AGENDA ITEM 8a – UNIFIED DEVELOPMENT ORDINANCE AMENDMENT
A MOTION WAS MADE BY COMMISSIONER BUSH AND SECONDED BY COMMISSIONER BANKA.

MOVE TO RECOMMEND THE AURORA CITY COUNCIL OF THE ORDINANCE AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE TO CREATE SETBACKS AROUND PLUGGED OIL AND GAS WELLS BECAUSE THE PROPOSAL WILL ASSIST IN PROTECTING PUBLIC HEALTH, SAFETY, WELFARE, THE

ENVIRONMENT, AND WILDLIFE RESOURCES. THE PROPOSAL WILL ALSO PREPARE THE CITY FOR THE FUTURE IN CASE ANY OIL AND GAS WELL MUST BE RE-ENTERED FOR MAINTENANCE OR BE REPLUGGED DUE TO LEAKAGE OR TO BE IN COMPLIANCE WITH STATE ENERGY & CARBON MANAGEMENT COMMISSION (ECMC) RULES.

Further Discussion:
No further discussion occurred.

General discussion ensued. Chair Walls requested that the minutes reflect during discussion comments raised by the commission during staff presentation.

Commissioner Bush commented that the ordinance addresses only future developments, not existing developments. Concerns were raised regarding buyer/seller notifications of plugged wells.

Commissioner Banka commented that during property sales it is uncommon for noticing of plugged wells to occur. Commissioner Banka stressed that though this information is recorded with the county, it is uncommon for buyers/sellers to review this.

Commissioner Hogan questioned under whose authority it is to regulate the depth of the top of a well. Concerns were raised regarding ensuring safety.

MOTION PASSED UNANIMOUSLY

CITY OF AURORA
Council Agenda Commentary

Item Title: Adding and Amending Provisions of the City Code Related to the Business Advisory Board
Item Initiator: Jason Batchelor, City Manager
Staff Source/Legal Source: Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/11/2025

2nd Regular Meeting (if applicable): 8/25/2025

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

2025-80 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA COLORADO, ADDING SECTION 26-29 AND AMENDING SECTIONS 26-52 AND 2-772 OF THE AURORA CITY CODE CONCERNING THE BUSINESS ADVISORY BOARD
Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☒ Approve Item as Proposed at Regular Meeting

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 ☐ Minutes Not Available

☐ Minutes 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.)*

N/A

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

The Ordinance updates the terms for Business Advisory Board members to run concurrent with the Council Member who appointed them. It also updates the name of the Planning and Buiness Development Department in this section of the code, which had been updated elsewhere previously.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☐ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

QUESTIONS FOR COUNCIL

Does Council wish to support the Ordinance?

LEGAL COMMENTS

The council shall have all legislative powers of the city and all other powers of a home rule city not specifically limited by the Constitution of the State of Colorado and not specifically limited or conferred upon others by this Charter. It shall have the power to enact and provide for the enforcement of all ordinances necessary to protect life, health and property; to declare, prevent and summarily abate and remove nuisances; to preserve and enforce good government, general welfare, order and security of the city and the inhabitants thereof; to enact by ordinance provisions for fines and/or imprisonment, or other punishment, for each and every violation of ordinances or regulations duly passed by council; to provide for the granting of probation and the conditional suspension of sentences by the municipal court; and to delegate to boards and commissions, within limitations of the Constitution and this Charter, such functions, powers and authority of the city as it deems proper and advisable. (Article 3-9 Aurora City Charter) (Wood)

ORDINANCE NO. 2025- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 26-29 AND AMENDING SECTIONS 26-52 AND 2-772 OF THE AURORA CITY CODE CONCERNING THE BUSINESS ADVISORY BOARD.

WHEREAS, the City Council of the City of Aurora, Colorado, established a Business Advisory Board to provide input and recommendations to the City Council on issues affecting local businesses; and

WHEREAS, aligning the terms of Business Advisory Board members with the terms of the City Council Members who appoint them will enhance accountability and ensure consistent representation of each council member's priorities; and

WHEREAS, the City Council finds and determines that such an alignment is in the best interests of the City and its business community.

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 adding a section, to be numbered 26-29, which reads as follows:

Sec. 26-29. Terms.

The term of appointment of each member of the Business Advisory Board shall be from the date of appointment to the expiration of the term of the council member making the appointment.

Section 2. The City Code of the City of Aurora, Colorado, Section 26-52 is hereby amended to read as follows:

Sec. 26-52. ~~Department of planning and development services duties and obligations.~~ **Planning and Business Development Department.**

In assisting the business advisory board, the ~~department of planning and development services~~ **planning and business development department** shall have the following duties and responsibilities:

(1) Prepare all forms and applications for grant and loan requests for all covered programs.

(2) Provide to the business advisory board the eligibility requirements for each individual covered program.

(3) Make recommendations for additional covered programs under the community and economic development loan and grant program when necessary.

(4) Initial review, evaluation and processing of grant and loan applications for all covered programs prior to submittal to the business advisory board to ensure compliance with all requirements, ordinances, rules, regulations, policies and guidelines of the specific covered program.

(5) Initial approval of any grant and loan applications that meet the eligibility criteria and are deemed acceptable for funding for each covered program prior to its submittal to the business advisory board for final approval.

(6) Make presentations and recommendations to the business advisory board regarding each applicant for the covered program.

(7) Negotiate all the terms and conditions of each grant and loan made under the covered programs with assistance of the city attorney's office when necessary.

(8) Manage the grant and loan portfolio.

(9) Service any loan under the covered program.

(10) Communicate with grantees or borrowers.

(11) Review and recommend policies for actions and remedies imposed for instances of default on grants and loans.

(12) Recommend actions and remedies to be imposed for instances of default on grants and loans to the business advisory board.

(13) Prepare an annual report for the business advisory board, to review and submit to the city council, regarding the status of the covered programs of the community and economic development grant and loan program; including, but not limited to, a summary of active grants and loans, an accounting of all principal and interest payments, and the status of all grant and loan applications submitted during the past year.

(14) Manage grant and loan programs in accordance with funding agreements, including any required reports, plans and correspondence.

Section 3. The City Code of the City of Aurora, Colorado, Section 2-772 is hereby amended to read as follows:

Sec. 2-772. Terms of appointment.

The term of ~~appoint~~ **appointment** for each member of any board, commission, committee or authority shall be for a period of three years, except for those boards, commissions, committees or authorities provided for by the Charter or state law. ~~An exception~~ **Exceptions** to this requirement shall be appointments to the citizens' advisory budget committee**, and the business advisory board**. Appointments to ~~this committee~~ **the citizens' advisory budget committee** shall be made by city council members as established in section 2-623 and shall be concomitant with the term of the appointing councilmember. **Appointments to the business advisory board shall be made by city council members as established in section 26-28 and shall be concomitant with the term of the appointing member.**

Section 3. 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. 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 _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
Mike Coffman, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Andrea Wood MK
ANDREA WOOD, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title:	**Sandy Point – Zoning Map Amendment**
Item Initiator:	Rachid Rabbaa, Planner III, Planning and Business Development
Staff Source/Legal Source:	Rachid Rabbaa, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker:	Norris Design (Beccah Bailey); Airport Logistics (Jon Savignano); Norris Design (Diana Rael)
Strategic Outcome:	Economically Strong: Building a conducive development climate, a diverse mix of industries and housing options, and fostering economic growth so that our community thrives and remains resilient.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): 9/8/2025

Item requires a Public Hearing: ☒ Yes ☐ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

2025- A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, INITIALLY ZONING A PARCEL OF LAND MEASURING 242 ACRES, MORE OR LESS, LOCATED NORTH OF EAST 56TH AVENUE AND WEST OF FUTURE HAYESMOUNT ROAD, TWO MILES EAST OF JACKSON GAP STREET TO AIRPORT DISTRICT (AD) AND AMENDING THE ZONING MAP ACCORDINGLY (SANDY POINT ZONING MAP AMENDMENT)
Rachid Rabbaa, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session
☐ Approve Item as Proposed at Policy Committee
☐ Approve Item and Move Forward to Regular Meeting
☐ Approve Item as Proposed at Study Session
☐ Information Only
☒ Approve Item as Proposed at Regular Meeting
☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

Policy Committee Date: 7/23/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☒ Minutes 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 held a public hearing to review the Zoning Map Amendment request at a regular meeting held on July 23, 2025. Following staff's presentation, the Commission voted to make recommendation of approval for the Zoning Map Amendment. A copy of the Planning Commission Meeting Minutes are attached for reference

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

Airport Logistics LLC, as the applicant, seeks a Zoning Map Amendment for the initial zoning to Airport District (AD) for a parcel of land consisting of approximately 242 acres. The subject property is currently situated within unincorporated Adams County and is currently zoned Agriculture (A-3). This initial zoning is being requested with an annexation for the same area and is bordered to the north and west by unincorporated land in Adams County. The City of Aurora bounds the parcel to the south and east, with Airport District (AD) zoning. The proposal and the surrounding areas are within the Industry Hub placetype, according to the Aurora Places Comprehensive Plan. The proposal is approximately two miles east of Jackson Gap Street. The parcel and surrounding properties are mostly undeveloped. The adjacent 56th Avenue is developed as a rural, two-lane asphalt road.

This proposed initial zoning, and annexation would result in consistent zoning and jurisdiction in this developing area of Aurora. Such consistency in zoning and jurisdiction is essential for clarifying development responsibilities, maintenance of public infrastructure, and the provision of services.

The proposed Airport District (AD) zoning aligns well with the existing surrounding zoning and supports the future development goals laid out for the "Industry Hub" placetype in the Aurora Places Comprehensive Plan.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT

Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does the City Council wish to approve the ordinance to a zoning map amendment for the initial zoning of 242 acres to Airport District (AD) for the Sandy Point – Zoning Map Amendment?

LEGAL COMMENTS

The City Council is the governing body of the City and has the authority to approve the Official Zoning Map and amendments to that map. (UDO §146-5.1.1.B)
The City Council shall conduct a public hearing on the application. (UDO §146-5.4.1.C.2.c)
Changes to the Zoning Map for individual parcels shall only be approved if City Council finds that the change to the Zoning Map is required because of changed conditions or circumstances on the property or the surrounding area and (a) the applicant has demonstrated that the proposed rezoning is consistent with the spirit and intent of the Comprehensive Plan, the 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 rezoning are compatible with surrounding development or can be made compatible 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. (UDO §146-5.4.1.C.3.a.ii) (McClelland)



Planning and Business Development
15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

City of Aurora, Colorado

Sandy Point
Zoning Map Amendment

Miles 0 0.225 0.45

ACCESSIBILITY STATEMENT
Please know that, while the city is working to make all information accessible, PDF map products are primarily visual in nature. If you have trouble accessing this document, please visit www.AuroraGov.org/Accessibility or call the Office of Accessibility (303-326-8858) and let us know how best to assist you.

Case Number: 2025-2002-00
Development Application: #2413-00

7/8/2025 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro_Arial.aprx

ORDINANCE NO. 2025- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, INITIALLY ZONING A PARCEL OF LAND MEASURING 242 ACRES, MORE OR LESS, LOCATED NORTH OF EAST 56TH AVENUE AND WEST OF FUTURE HAYESMOUNT ROAD AND TWO MILES EAST OF JACKSON GAP STREET TO AIRPORT DISTRICT (AD) AND AMENDING THE ZONING MAP ACCORDINGLY (SANDY POINT ZONING MAP AMENDMENT)

WHEREAS, the applicant has requested that approximately 242 acres of land, more or less, generally located north of East 56th Avenue and west of future Hayesmount Road and two miles east of Jackson Gap Street to Airport District (AD); and

WHEREAS, Section 146-5.4.1.C.3 of the City Code provides that all applications for the initial zoning 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 July 23, 2025, following a public hearing, the Planning and Zoning Commission voted to recommend the zoning 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 zoning 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 hereby zoned Airport District (AD), and the City 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. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

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.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY PETE SCHULTE:

Lena McClelland RLA
_____
LENA MCCLELLAND, Assistant City Attorney

SANDY POINT

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND 2-3/8 INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4 INCH ALUMINUM CAP STAMPED, "T3S R65W, S10/S11/S15/S14, PLS 13155-1991", FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 10, BEING MONUMENTED BY A FOUND 2-3/8 INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4 INCH ALUMINUM CAP STAMPED, "T3S R65W 1/4 S10/S15 PLS 13155-1991" IS ASSUMED TO BEAR SOUTH 89°26’43" WEST, A DISTANCE OF 2653.30 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 89°26'43" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 10, A DISTANCE OF 2653.30 FEET TO SAID SOUTH QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTH 89°25'39" WEST ALONG THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, A DISTANCE OF 1330.52 FEET TO THE WEST 1/16TH CORNER OF SAID SECTION 10, BEING MONUMENTED BY FOUND A 3-1/4" ALUMINUM CAP STAMPED "REAMS & PATTERSON INC. W 1/16 S10/S15 1990 LS 13239" IN RANGE BOX;

THENCE NORTH 00°28'16" WEST ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 2648.20 FEET TO THE CENTER WEST 1/16TH CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUP CAP STAMPED "REAMS PATTERSON W 1-16 C-C S10 1990 LS NO. 13239";

THENCE NORTH 89°22'53" EAST ALONG THE NORTH LINE OF SAID EAST HALF, A DISTANCE OF 1328.24 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND NO. 6 REBAR WITH A 3-1/4" ALUMINUM CAP STAMPED "T3S R65W C 1/4 2021 PLS 38534";

THENCE NORTH 89°22'53" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2648.67 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND 2" PIPE WITH A 3-1/4" ALUMINUM CAP STAMPED "JR DEVELOPERS LTD RLS 10377 10/11 DO NOT DISTURB SURVEY MONUMENT;

THENCE SOUTH 00°37'14" EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2652.21 FEET TO SAID SOUTHEAST CORNER OF SAID SECTION 10 AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 10,548,233 SQUARE FEET OR 242.154 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

I, JEAN P. HALPIN, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



JEAN P. HALPIN, PLS 38474
FOR AND ON BEHALF OF
WESTWOOD PROFESSIONAL SERVICES, INC.
10333 E. DRY CREEK ROAD, SUITE 400
ENGLEWOOD, CO 80112

NORRIS DESIGN
PEOPLE + PLACEMAKING
1101 Bannock Street
Denver, Colorado 80204
303.892.1166

May 7, 2025

City of Aurora
Attn: Cesarina Dancy
15151 E Alameda Parkway
Aurora, CO 80012

RE: SANDY POINT ANNEXATION AND ZONING - LETTER OF INTRODUCTION

Dear Ms. Dancy,

On behalf of the applicant, Airport Logistics LLC, we are pleased to submit this Letter of Introduction to accompany the Annexation Submittal package and introduce the Initial Zoning Application.

SITE CONTEXT

The Sandy Point site is currently in the process of being annexed from Unincorporated Adams County to the City of Aurora. Sandy Point is proposed to include +/- 242 acres and is generally located at the northwest corner of East 56th Avenue and the future Hayesmount Road.

ANNEXATION

Sandy Point is currently in review for Annexation with the City of Aurora. The remaining parcels to the north, east, and the west are not a part of this annexation. This application is in conformance with the following Criteria of Approval in Section 146.5.1.B.2 of the UDO:

Three-Mile Plan

This site is located directly adjacent to the City of Aurora city boundary and is well within the three-miles dictated in the Three-Mile Plan. Additionally, this site currently provides adequate public utilities and infrastructure, such as: public right-of-way access, water connections, utility and sewer connections, etc.

Annexation Procedures

The applicant and their team have followed all the Annexation procedures outlined in Section 146-5.4.1.B in the UDO and submitted all required items by the City of Aurora Annexation Process.

INITIAL ZONING

The applicant is in conformance with the following Criteria of Approval in Section 146-5.1. C.3.ii of the UDO:

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).

Response: The proposed Sandy Point Annexation and future Master Plan is located within the "Industry Hub" area dedicated by the Aurora Places Comprehensive Plan. The Industry Hub land use designation is proposed to include uses such as Light Industrial / Business Parks, Heavy Industrial, and/or Urban Agriculture. The Sandy Point Master Plan is proposed to include class A industrial buildings as well as on-site detention and water quality pond to accommodate the needs of the project.

NORRIS DESIGN
PEOPLE + PLACEMAKING
1101 Bannock Street
Denver, Colorado 80204
303.892.1166

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.

Response: The current zoning for the surrounding parcels is generally, AD (Airport District) and/or proposed to be Industry Hub by the Aurora Places Comprehensive Plan. The surrounding uses are generally industrial or open space as moving northwest towards the Denver International Airport and west to existing industrial uses. To the east of the property is vacant or undeveloped land, providing a cohesive transition from the large industrial uses and airport. The Sandy Point Master Plan will include a full traffic impact report, detailing the ability of roadway infrastructure to handle to future vehicular additions.

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.

Response: This application will not create any dislocation of tenants or occupants of the property, as the property is currently vacant.

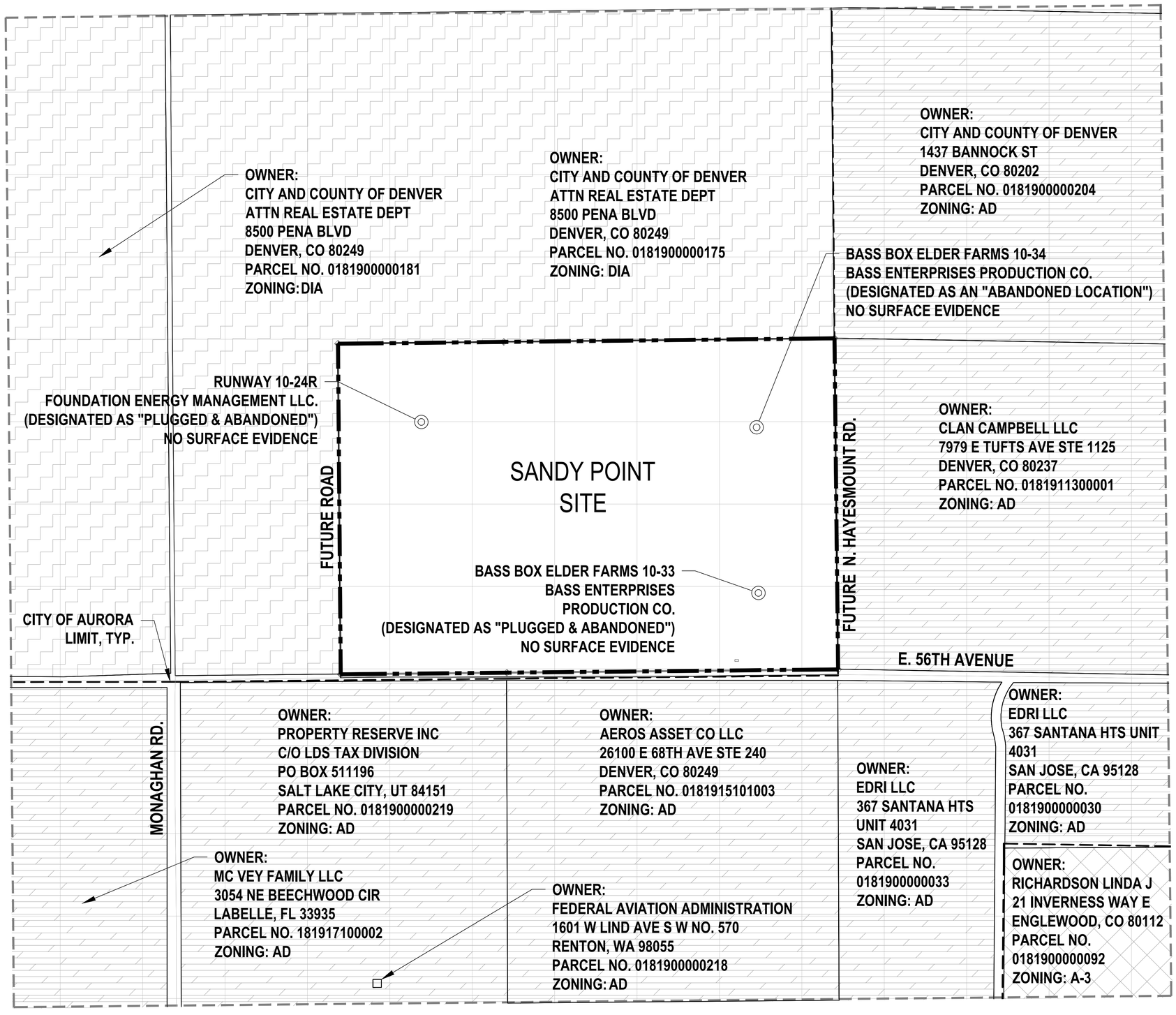
We are looking forward to working with the City of Aurora to make this project a success.

Sincerely,
Norris Design



Diana Rael
Principal

EXHIBIT C



LEGEND

- PROJECT BOUNDARY
- HALF-MILE EXTENTS
- HALF-MILE EXTENTS
- CITY OF AURORA - AIRPORT DISTRICT ZONING
- ADAMS COUNTY - DIA ZONING
- ADAMS COUNTY - A-3 ZONING

NOTES:

1. PROPERTY IS WITHIN THE 65+ LDN AIRPORT NOISE CONTOUR.
2. PROPERTY IS WITHIN THE AIRPORT INFLUENCE ZONE.
3. GRID IS 10X10 ACRES

NORTH

0 200 400 800

SCALE 1" = 400'

NORRIS DESIGN
PEOPLE + PLACEMAKING
1101 BANNOCK STREET
DENVER, CO 80204
P 303.892.1166
NORRIS-DESIGN.COM

SANDY POINT MASTER PLAN

EAST 56TH AVE. AND N. HAYESMOUNT RD.
AURORA, COLORADO

OWNER:
AIRPORT LOGISTICS, LLC

501 S. CHERRY CREEK STREET, STE 570
DENVER, CO 80246

NOT FOR CONSTRUCTION

DATE:
07/24/2024

SHEET TITLE:
TAB-4
CONTEXT MAP

CHECKED BY: DL
DRAWN BY: CQ

SANDY POINT

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND 2-3/8 INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4 INCH ALUMINUM CAP STAMPED, "T3S R65W, S10/S11/S15/S14, PLS 13155-1991", FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 10, BEING MONUMENTED BY A FOUND 2-3/8 INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4 INCH ALUMINUM CAP STAMPED, "T3S R65W 1/4 S10/S15 PLS 13155-1991" IS ASSUMED TO BEAR SOUTH 89°26’43" WEST, A DISTANCE OF 2653.30 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 89°26'43" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 10, A DISTANCE OF 2653.30 FEET TO SAID SOUTH QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTH 89°25'39" WEST ALONG THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, A DISTANCE OF 1330.52 FEET TO THE WEST 1/16TH CORNER OF SAID SECTION 10, BEING MONUMENTED BY FOUND A 3-1/4" ALUMINUM CAP STAMPED "REAMS & PATTERSON INC. W 1/16 S10/S15 1990 LS 13239" IN RANGE BOX;

THENCE NORTH 00°28'16" WEST ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 2648.20 FEET TO THE CENTER WEST 1/16TH CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUP CAP STAMPED "REAMS PATTERSON W 1-16 C-C S10 1990 LS NO. 13239";

THENCE NORTH 89°22'53" EAST ALONG THE NORTH LINE OF SAID EAST HALF, A DISTANCE OF 1328.24 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND NO. 6 REBAR WITH A 3-1/4" ALUMINUM CAP STAMPED "T3S R65W C 1/4 2021 PLS 38534";

THENCE NORTH 89°22'53" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2648.67 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 10, BEING MONUMENTED BY A FOUND 2" PIPE WITH A 3-1/4" ALUMINUM CAP STAMPED "JR DEVELOPERS LTD RLS 10377 10/11 DO NOT DISTURB SURVEY MONUMENT;

THENCE SOUTH 00°37'14" EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2652.21 FEET TO SAID SOUTHEAST CORNER OF SAID SECTION 10 AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 10,548,233 SQUARE FEET OR 242.154 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

I, JEAN P. HALPIN, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



JEAN P. HALPIN, PLS 38474
FOR AND ON BEHALF OF
WESTWOOD PROFESSIONAL SERVICES, INC.
10333 E. DRY CREEK ROAD, SUITE 400
ENGLEWOOD, CO 80112

Planning and Zoning Commission
DRAFT MINUTES
July 23, 2025

Commissioners Present **Garrett Walls**
Becky Hogan
Sonda Banka
Robert Gaiser
Gayle Jetchick
Melvin Bush
Michael Riley

1. **Study Session – 5:00 p.m. – Colfax Business and Property Guidebook by Trevor Vaughn, Manager of Licensing, Finance**

2. **Regular Meeting – Call to Order 6:10 p.m.**

3. **Roll Call**

4. **Pledge of Allegiance**
   Not Conducted Due to Virtual Meeting

5. **Approval of the Planning Commission Minutes**
   5.a. July 9, 2025, Draft Minutes
   A MOTION WAS MADE BY CHAIR WALLS AND SECONDED BY COMMISSIONER BUSH

   TO APPROVE THE MINUTES AS SUBMITTED.

   MINUTES APPROVED UNANIMOUSLY.

6. **Adoption of Agenda**
   A MOTION WAS MADE BY CHAIRMAN WALLS AND SECONDED BY COMMISSIONER HOGAN 8a-b.

   MOVE TO APPROVE THE DRAFT AGENDA AS THE PERMANENT AGENDA. AGENDA ITEMS 8a-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.

7. **Consent Agenda**
   Not Conducted Due to Lack of Items.

8. General Business

8a. SANDY POINT – ZONING MAP AMENDMENT

Airport Logistics LLC, as the applicant, seeks a Zoning Map Amendment for the initial zoning to Airport District (AD) for a parcel of land consisting of approximately 242 acres. The subject property is currently situated within unincorporated Adams County and is currently zoned Agriculture (A-3). The site is located north of E. 56th Avenue and west of future Hayesmount Road. This initial zoning is being requested with an annexation for the same area and is bordered to the north and west by unincorporated land in Adams County. The City of Aurora bounds the parcel to the south and east, with Airport District (AD) zoning. The proposal and the surrounding areas are within the Industry Hub placetype, according to the Aurora Places Comprehensive Plan. The proposal is approximately two miles east of Jackson Gap Street. The parcel and surrounding properties are mostly undeveloped. The adjacent 56th Avenue is developed as a rural, two-lane asphalt road.

This proposed initial zoning and annexation would result in consistent zoning and jurisdiction in this developing area of Aurora. Such consistency in zoning and jurisdiction is essential for clarifying development responsibilities, maintenance of public infrastructure, and the provision of services.

The proposed Airport District (AD) zoning aligns well with the existing surrounding zoning and supports the future development goals laid out for the "Industry Hub" placetype in the Aurora Places Comprehensive Plan.

Five (5) adjacent property owners and two (2) registered associations were notified of the rezoning application. No comments were received during the review of the application; therefore, no neighborhood meeting was held.

Testimony Given at the Hearing:

Chair Walls and Commissioners Banka, Bush, Riley, Gaiser, and Jetchick visited the site.

Rachid Rabbaa, Case Manager, gave a presentation of the item, including the staff recommendation.

Commissioner Riley asked if the zoning map amendment and the annexation need to take place at the same time. R. Rabbaa confirmed that the annexation is currently on the second reading with the City Council.

Commissioner Hogan wanted to know if the City of Aurora Water has committed to serving this parcel with water. Diana Rael, Norris Design, Denver, CO, spoke on behalf of the applicant. D. Rael stated that the Zoning Map Amendment, if the Planning Commission recommends approval, would be taken to the City Council with the first reading of the annexation in a couple of weeks for the second reading. She stated that they are currently working through state statute timelines for the annexation. She confirmed that they have been working closely with Aurora Water, and there has been no indication that they would not be able to serve the parcel, and she does not believe City Council would have approved the annexation during the Compliance Hearing if there was an issue. She added that dedications would deed the water rights to the City of Aurora as part of the annexation.

Commissioner Bush asked how close this parcel is to Aerotropolis and if the construction of the warehouses and manufacturing plants could impact planes landing, and whatnot. D. Rael stated that the property is about a mile south of the runways for Denver International Airport. She added that industrial is consistent for the area and that there are larger format buildings.

There was no public comment.

Planning Commission Results

AGENDA ITEM 8a – ZONING MAP AMENDMENT

A MOTION WAS MADE BY COMMISSIONER BANKA AND SECONDED BY COMMISSIONER BUSH.

MOVE TO RECOMMEND APPROVAL TO THE AURORA CITY COUNCIL OF CENTRAL SANDY POINT ZONING MAP AMENDMENT FOR THE FOLLOWING REASONS:

1. THE PROPOSED INITIAL ZONING IS SUPPORTED BY AURORA PLACES AS PART OF THE "INDUSTRIAL HUB" PLACETYPE AND WILL CONTRIBUTE TO THE ECONOMIC AND FISCAL SUCCESS OF THE CITY;
2. THE POTENTIAL SIZE, SCALE, AND HEIGHT OF THE PROPOSED INITIAL ZONING TO AD ARE COMPATIBLE WITH THE CURRENT IMPACTS ASSOCIATED WITH THE SAME SURROUNDING AD ZONING;
3. THE PROPERTY IS CURRENTLY VACANT; THEREFORE, THERE IS NO DISLOCATION OF TENANTS OR OCCUPANTS.

Further Discussion:

Chair Walls expressed support for the project, noting that it makes a lot of sense as it will create contiguous parcels that are in the city.

MOTION PASSED UNANIMOUSLY

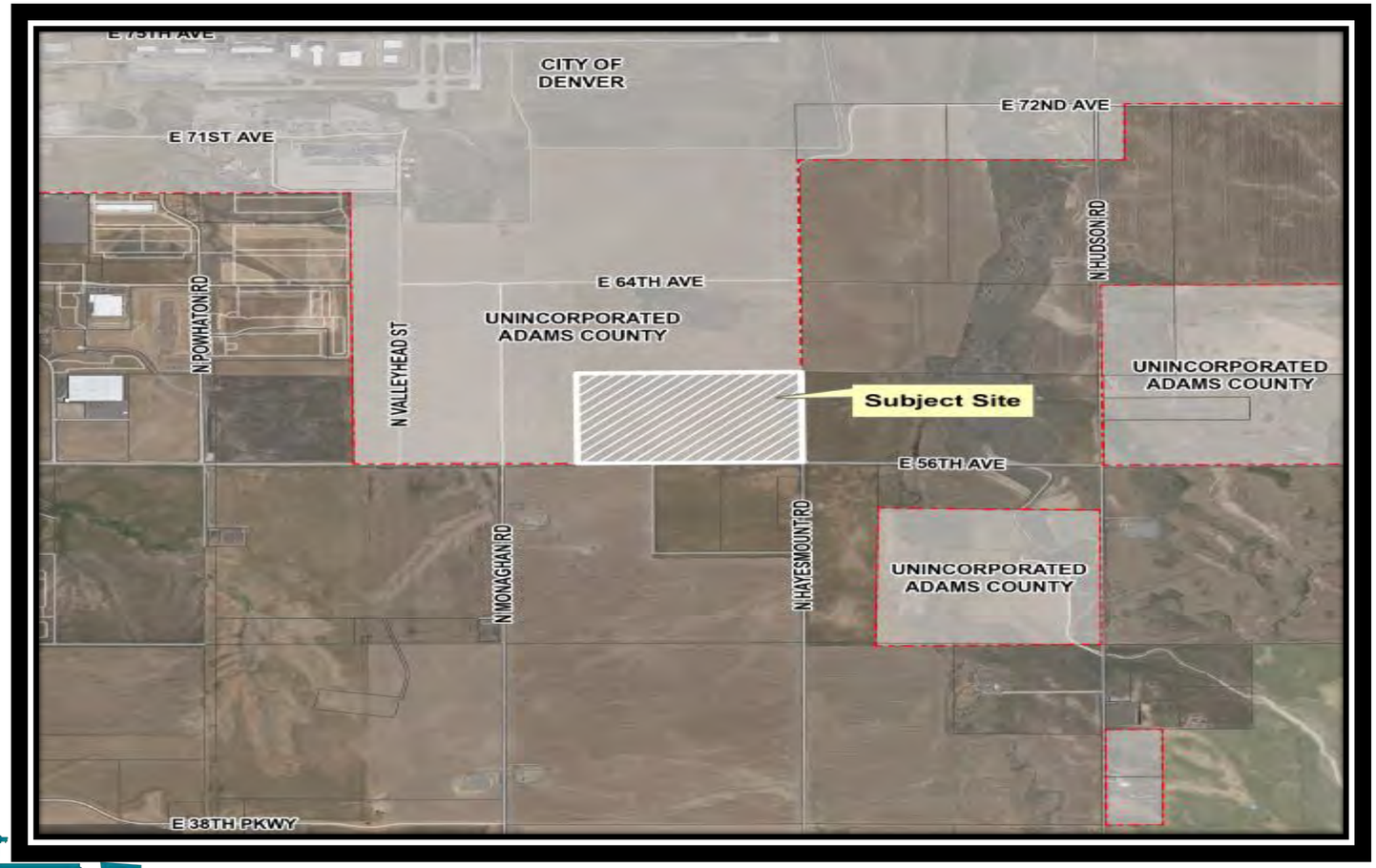
Sandy Point - Zoning Map Amendment

Project No: DA-2413-00
Public Hearing
City Council
August 25, 2025

Request

- Initial Zoning (Zoning Map Amendment) to Airport District (AD)

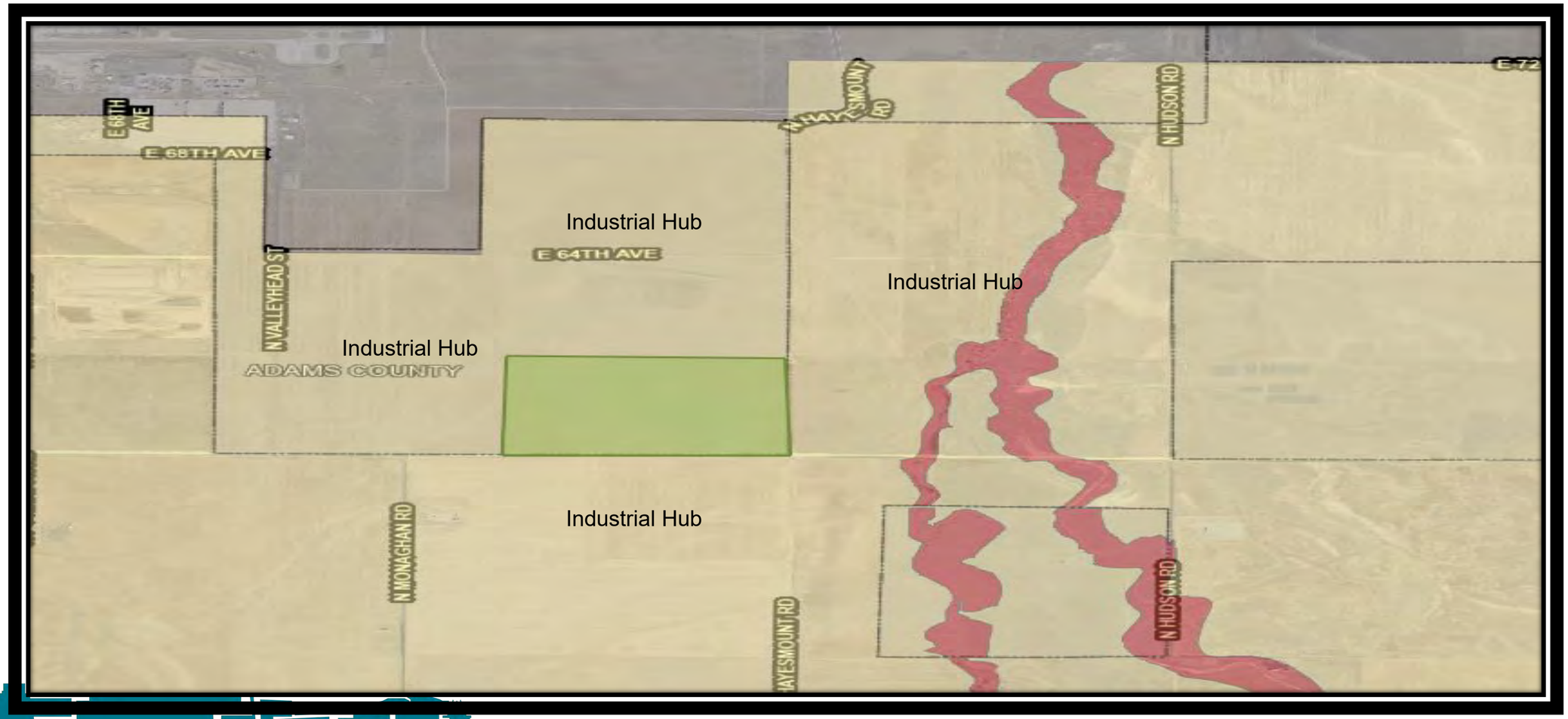
Vicinity Map



Zoning Map


E 71ST AVE
E 68TH AVE
E 68TH AVE
E 68TH AVE
E 64TH AVE
N VALLEYHEAD ST
N POWHATON RD
N POWHATON RD
N JACKSON GAP ST
N JACKSON GAP WAY
N MONAGHAN RD
N HUDSON RD
N HUDSON RD
MOUNT RD
AD
AD
AD
AD
AD
AD
AD
AD
unincorporated land in Adams County
ADAMS COUNTY
Airport District
Airport District
Airport District

Place Type Map



Community Response

5 adjacent property owners and 2 registered neighborhood organizations were notified. No comments were received during the review of the application

A neighborhood meeting was not held.

Notice of Hearing Boards and Mailings were posted and sent.

No comments were received when Notice of Hearing Boards were posted.

Consistency with the Comprehensive Plan

The Aurora Places Comprehensive Plan is designed to serve as a foundation for decision-making related to growth and development in Aurora. This plan describes future development and land use in terms of “placetypes.” The Plan and Placetype Map, adopted in 2018, identifies the subject property as “Industrial Hub” placetype. 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.

The proposed AD, Airport district zoning 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. Industry hubs and a variety of commercial, light manufacturing (e.g., assembly and technology centers), distribution uses (e.g., freight forwarders, warehousing/distribution), and research and development campuses are anticipated to be developed in this classification.

Zoning Map Amendment Approval Criteria

Per Section 146-5.4.1.C.3, an application for changes to the Zoning Map shall only be recommended for approval to City Council if 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; 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:

- *The proposed initial zoning is supported by Aurora Places as part of the "Industrial Hub" placetype and will contribute to the economic and fiscal success of the city.*
- *The potential size, scale and height of the proposed initial zoning to AD are compatible with the current impacts associated with the same surrounding AD zoning.*
- *The property is currently vacant, therefore there is no dislocation of tenants or occupants.*

CITY OF AURORA
Council Agenda Commentary

Item Title: Colfax and 13th Avenue Station Area Plan 2025 Update to Comp Plan
Item Initiator: Daniel Krzyzanowski, Planning Supervisor, Planning and Business Development
Staff Source/Legal Source: Daniel Krzyzanowski, Planning Supervisor, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Economically Strong: Building a conducive development climate, a diverse mix of industries and housing options, and fostering economic growth so that our community thrives and remains resilient.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): 9/8/2025

Item requires a Public Hearing: ☒ Yes ☐ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

2025-84 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO ADOPT BY REFERENCE THE "COLFAX AND 13TH AVENUE STATION AREA PLAN" ("13TH AVENUE STATION PLAN")
Daniel Krzyzanowski, Planning Supervisor, Planning and Business Development / Lena McClelland, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session
☐ Approve Item as Proposed at Policy Committee
☐ Approve Item and Move Forward to Regular Meeting
☐ Approve Item as Proposed at Study Session
☐ Information Only
☒ Approve Item as Proposed at Regular Meeting
☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning & Economic Development

Policy Committee Date: 4/9/2025

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

☐ Recommends Approval

☐ Does Not Recommend Approval

☒ Forwarded Without Recommendation

☐ Minutes Not Available

☒ Minutes 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.)*

This item was presented at the September 2023 Planning & Economic Development Policy Committee as a two-part process that would include (1.) an update to the 2009 Fitzsimons-Colfax and 13th Avenue Station Plan and (2.) the creation of a new urban renewal plan around the 13th Avenue Station. The proposed plan was presented at the April 9, 2025, Planning & Economic Policy Committee and staff was directed to move forward with the plan adoption process. Meeting minutes for both dates are attached.

Staff also provided project briefings to the Planning and Zoning Commission in February 2024 and January 2025. At their April 23, 2025, meeting, the Commission voted unanimously to recommend approval of the plan to City Council. Meeting minutes are attached.

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

Since the original station area plan was developed in 2009, the area around the Colfax Station and 13th Avenue Station has seen significant growth and development. Updating this outdated plan can encourage and facilitate new development, investment, and neighborhood improvement through three main approaches:

1. Update the station area plan to reflect city land use plans, policies, and strategies

Since the station area plan was originally adopted 15 years ago, the city has developed and adopted several major planning and policy studies, including the Aurora Places Comprehensive Plan (2018), Unified Development Ordinance (2019), Aurora Housing Strategy (2020), and 13th Avenue Multimodal Mobility Study. This updated station area plan is intended to incorporate these plans and policies, respond to development in the area, and support new, near-term development opportunities. The proposed plan articulates the city's housing strategy to encourage new affordable and/or mixed-income residential development and protect and enhance existing affordable neighborhoods.

2. Clarify and streamline zoning and development standards

The vision of a mixed-use, transit-oriented district has not changed since the original 2009 plan. The area is still intended to include a mix of shopping, services, employment, and housing to meet the needs of those who live, work, and visit the area. However, the updated plan provides more streamlined and effective land use recommendations and development standards that will shape future development in the area. The updated plan language is more consistent with the 2019 Unified Development Ordinance, giving more clear direction to prospective developers, while continuing to shape development in support of the overall vision.

3. Support the establishment of an Urban Renewal District

Furthermore, the updated station area plan lays the foundation for creation of an urban renewal plan that supports funding of public infrastructure improvements that is needed for new development in the area. City Council has recently been briefed on the proposed urban renewal plan for the area and the near-term development opportunities that exist. Through an urban renewal district, the city will be able to encourage and support new residential development by providing necessary infrastructure improvements in the area.

The proposed station area plan also recommends a series of actions improve the neighborhood for current and future residents, employees, and visitors. These items address infrastructure improvements to better and more safely serve drivers, pedestrians, and bicyclists; expansion of housing options in the area, including new affordable housing opportunities; and identifying opportunities for new parks to serve local residents.

COMMUNITY INPUT

City staff conducted a community engagement element to the planning process. City staff hosted two community meetings as well as conducted an online survey to better understand the experiences and priorities of local residents, business owners, and other stakeholders. Early in the process, mailed notification of these meetings was sent to property owners and tenants within and near the planning area, registered neighborhood organizations within one mile of the planning area, providing project information and an invitation to participate in the process. A project website was set up on EngageAurora.org and shared through the city's online communication channels.

Through these various methods, the community voiced support for additional housing options, more safe and convenient transportation options, neighborhood beautification, and a need for more neighborhood parks. Appendix C of the plan document provides an overview of the public outreach and response.

AGENCY REFERRAL RESPONSE(S)
In preparation for this adoption process, referral notices were sent to applicable public agencies to invite review and written comments on the plan document. The city received one written response, from RTD, which is as follows:

"Given the significance of the East Metro bus facility for continued bus service to the City of Aurora and eastern portion of RTD's service area, RTD is concerned about the direction of the Colfax and 13th Ave Station Area Plan and its formal referral into the City of Aurora Comprehensive Plan. The plan envisions zone district designations that are not compatible with RTD's facility and even envisions a future where the bus facility does not exist. RTD staff will continue to work with Aurora staff to resolve these concerns."

As stated in a May 21, 2025, letter to the city, RTD stated three (3) topics of concern:

1. Zoning classification of the East Metro Bus Maintenance Facility and RTD's allowance under code to make repairs, upgrades, or expansions to the facility
2. Illustrations of future street or pedestrian connections across RTD's property
3. Illustrations of a future Dillon Way connection along the east property boundary

Regarding item #1, the city has researched the permitting history of the property and found a solution in response to RTD's concerns about the future use of the property as a transit maintenance facility. The city has provided RTD with a formal zoning letter that outlines the previous land use approvals for the current use of the property, describes in detail its rights under code to make improvements or repairs to the property (as a Redevelopment Plan under UDO Section 5.4.3(B)(3)), and a clear, administrative approval process by which the city can permit these. It is staff's opinion that this solution will meet RTD's long-term needs and allow continued use of the property. This letter was delivered to RTD for their review.

The city has addressed items #2 and #3 by completely removing those specific illustrated concepts. In an email dated July 31, 2025, RTD conveyed to city staff that these objections have been resolved.

ADOPTION CRITERIA AND PROCEDURE

Criteria for Approval:

A Comprehensive Plan, or an amendment to the Comprehensive Plan, shall be recommended for approval and shall be approved, only if it promotes long-term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora. (Article 146-5.4.1(A)(3))

Adoption Process:

The City Council shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3. City Council may approve amendments to the Comprehensive Plan by an ordinance approved by a vote of not less than two-thirds of the entire membership of City Council. (Article 146-5.4.1(A)(2)(c))

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☒ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does Council wish to support the Ordinance to amend the city's comprehensive plan to adopt by reference the Colfax and 13th Avenue Station Area Plan?

LEGAL COMMENTS

The City Council is the governing body of the City and has the authority to approve the Comprehensive Plan and amendments to the Comprehensive Plan. (UDO §146-5.1.1.E)
The City Council shall conduct a public hearing on the application. The City Council may approve amendments to the Comprehensive Plan by an ordinance approved by a vote of not less than two-thirds of the entire membership of City Council. (UDO §146-5.4.1.A.2.c)
A Comprehensive Plan amendment shall be approved only if it promotes the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora. (UDO §146-5.4.1.A.3) (McClelland)

Draft Revision

PREVIOUSLY ADOPTED OR COMPLETED PLANS AND STUDIES

The city has completed and adopted a number of studies, plans, and policies that support city goals and objectives. When projects are proposed, these documents should be referenced alongside this plan when relevant and appropriate.

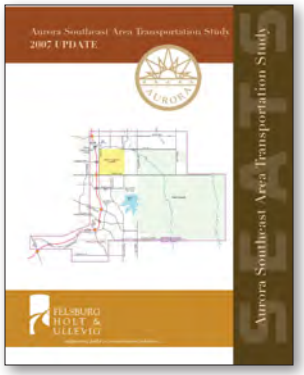
The following plans are adopted by reference in the Aurora Places Comprehensive Plan.

- Our Parks, Our Places: A Plan for Aurora's Parks, Recreation and Open Space (2024) (Ord. 2024-11)
- Southeast Area Transportation Study (SEATS), 2007
- Northeast Area Transportation Study (NEATS) Refresh, 2018
- Bicycle and Pedestrian Master Plan, 2012 (Ord. 2012-37)
- Public Art Master Plan, A Vision for the Future, 2009
- Station Area Plans:
  Gateway Park East Station Area Plan, 2008 (Ord. 2008-79)
  Iliff Station Area Plan, 2009 (Ord. 2009-43)
  Abilene Station Area Plan, 2009 (Ord. 2009-44)
  Peoria-Smith Station Area Plan, 2009 (Ord. 2009-53)
  Florida Station Area Plan, 2011 (Ord. 2011-44)
  Nine Mile Station Area Plan, 2012 (Ord. 2013-01)
  City Center Station Area Plan, 2015 (Ord. 2015-16)
  Fitzsimons Station Area Plan, 2016 (Ord. 2016-40)
  Colfax and 13th Avenue Station Area Plan, 2025 (Ord. 2025-__)
- Urban Renewal Plans
- Westerly Creek Village Community Plan, 2003

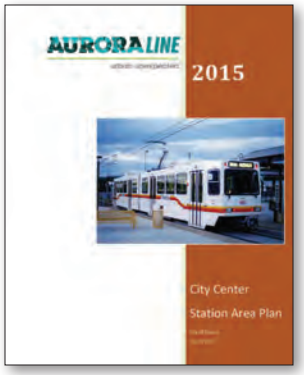












Colfax and 13th Avenue Station Area Plan

A Framework for Transit-Oriented Development

2025 Update



2009 Station Area Plan

City of Aurora

Bob Watkins, Director of Planning and Development Services

Consultant Team

Crandall Arambula

Navjoy Consulting

Hartwig & Associates

2025 Station Area Plan Update

City of Aurora

Jeannine Rustad, Director of Planning and Business Development

Daniel Krzyzanowski, Project Manager

Jennifer Orozco, Project Manager

Approved by the Aurora City Council as an amendment to the Aurora Places Comprehensive Plan by Ordinance _____ effective on _____.

Author: City of Aurora, Colorado, Planning and Business Development Department

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Appendix D 47

How to Use the Colfax and 13th Station Area Plan

Implementation of the plan will be achieved through a series of actions, improvements, and investments that align with the vision and concepts found in the plan. Especially in infill or redevelopment areas, such as this one, implementation is opportunistic and incremental. The vision will not be realized through a *single* project or budget item, but rather as the sum of decisions made by various decision-makers and stakeholders. The plan acts as a guide for specific actions as they are prioritized and pursued. The plan also serves as a measure for progress toward intended outcomes for the area.

Telling the Station Area's Story and Sharing Its Vision

This plan conveys the community's vision for how it can evolve and change to support future development and preserve established neighborhoods. The plan identifies the station area priorities and charts a path for the station area's long-term growth.

Evaluate and Inform Development Proposals

The plan guides and assists in the evaluation of public and private development proposals and helps ensure that proposed developments support the city's long-term objectives.

Regulatory Framework

The plan serves as a foundation for zoning regulations and infrastructure decisions and offers a framework for financial decisions guided by these plan recommendations. Amendments to these can be revisited as necessary to support the long-term objectives of the plan. The plan provides a vision for this station area. The fundamental concepts and land use framework are intended to be flexible in their details and application, while upholding the city's overall vision for the area. Such alternatives must conform to the key principles for transit-oriented development as outlined in the Aurora Places Comprehensive Plan**.** Such alternatives shall conform to the general design guidance and guidelines described in this plan and meet all standards defined by the underlying zone districts.

Coordinate Local and Regional Initiatives

The plan should inform and coordinate local and regional planning initiatives at the city, county and regional levels. The plan aids and informs efforts related to development, density, housing, transportation, transit, trails, and economic development in the station area.

CIP, Grants and Funding Mechanisms

The plan should inform the needs associated with the area's capital improvement needs, urban renewal plans, help establish priority expenditures, and outline grant opportunities in partnership with area property owners to realize the vision. As a Denver Regional Council of Government (DRCOG) designated "Urban Center" and a Transit Oriented Community (TOC), the station area is primed for local, state and federal grant opportunities to facilitate development and supportive infrastructure.

Aurora Places Relationship and its Amendment

The Aurora Places Comprehensive Plan established a path forward for the development of the city's station areas, but did not address site specific needs. It specifically identified our Transit Oriented Development as areas of focus and the need for future action steps to realize the community's vision for a dense, mixed use, transit supportive district.

Inform, Educate and Market

The plan is a valuable source of information for policy makers, local boards and commissions, developers, organizations, businesses and residents. This broad spectrum of interests should use the plan to inform, educate and market the vision to members and stakeholders and provide important information that can assist with future development initiatives.

1. Existing Conditions and Background Information

Conditions at this Colfax/13th Avenue station area have evolved, and progress continues to be made. This updated version of the station area plan builds on the original plan as well as new policy direction derived from the *Aurora Places Comprehensive Plan* (2018), the *Unified Development Ordinance* (2019), and the *Aurora Housing Strategy* (2020). While the overarching vision for the area has not changed from a mixed-use, transit-oriented district, this updated version identifies new opportunities to further the vision, guide development, and identify public improvements that facilitate compact, mixed-use development that is transit-supportive. It offers a renewed strategic approach for the city, its partners, and the community to realize this shared vision and desired outcome.

Initially in 2008, the City of Aurora and RTD collaborated on the environmental evaluation process that refined the location of the I-225 light rail line and stations. During this time, the city conducted planning studies at several of the stations. Initially, the city retained a design team led by Crandall Arambula to prepare a station area plan for an area approximately one-half mile around the proposed Colfax and 13th Avenue station areas.

At the time of the original station area plan development, the planning, construction and opening of the I-225 light rail transit corridor was eagerly anticipated by businesses and residents in Aurora. The introduction of light rail stations has provided opportunities for changes in land use, creation of employment districts, and new residential neighborhoods and housing choices. Through the original station area planning process, now 15 years ago, the City of Aurora worked closely with the Regional Transportation District (RTD), property owners, neighborhood associations and residents to identify the planning principles that guided this plan.



I "Bikenado" by Chris Fennell. Located at the 13th Avenue Station.

The light rail station at Colfax near the Anschutz-Fitzsimons campus and the 13th Avenue station are two of ten stations located in the City of Aurora along the I-225 corridor. The Colfax Station is an elevated station that spans Colfax Avenue with convenient access on the north and south sides of Colfax Avenue. This station serves the eastern portion of the Anschutz-Fitzsimons medical campus and developments along Colfax Avenue. The 13th Avenue Station provides commuter parking and supports existing residential areas.

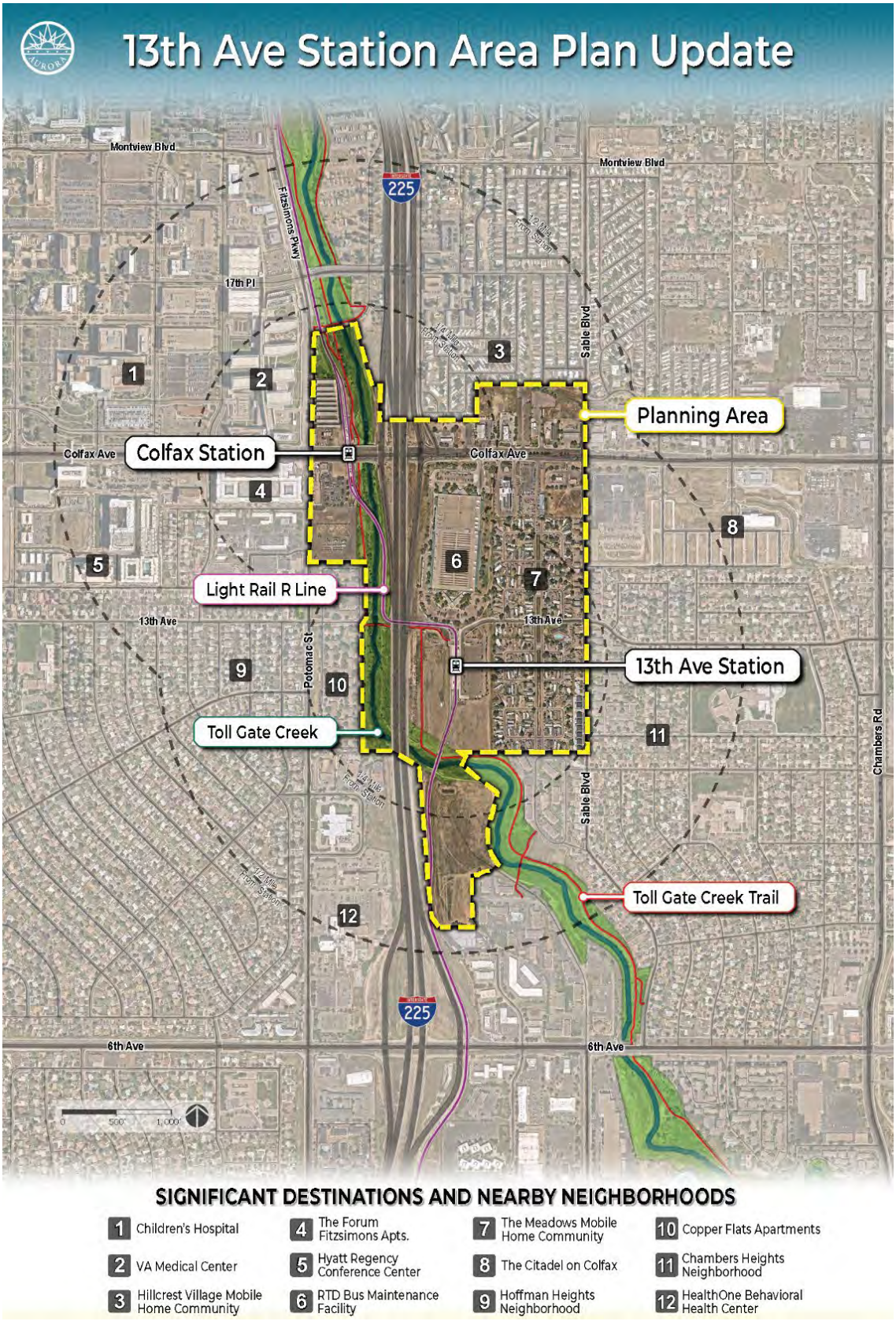
The purpose of this updated Colfax and 13th Avenue Station Area Plan is to build on past investments, to continue planning for development and growth within the corridor, and to identify new opportunities to improve transit service and multimodal access through the corridor. Implementation of the vision into reality will occur incrementally as opportunities present themselves and property owners initiate investments in their properties. The plan provides a framework for that future development.

This updated plan builds on the principles and concepts of the original plan, but renews the vision based on stakeholder input collected through a series of public meetings and workshops.

As identified through this process, the objectives of this plan are to:

- Create a high-density, transit supportive community with a housing focus to meet increased demand
- Enhance direct, convenient, and attractive pedestrian and bicycle connections to the transit stations and stops
- Identify long-term development concepts of undeveloped or underdeveloped land adjacent to the 13th Avenue Station area that is accessible to the Colfax Station and the Anschutz Medical Campus
- Define traffic circulation patterns and an appropriate street system within the 13th Avenue station area with strategies to mitigate any negative transportation impacts to the surrounding residential neighborhoods
- Preserve and enhance the adjacent, established mobile home communities

Figure 1: Existing Context Map



Existing Conditions Summary

The station area is illustrated in Figure X on the previous page and comprises areas within roughly one-half mile surrounding both the 13th Avenue Station and Colfax Station, with a total area of approximately 187 acres. The area is generally north of 6th Avenue, west of Sable Boulevard, south of 16th Street, and east of Potomac Street.

Existing land uses within and adjacent to the study area include hospital and medical office facilities, commercial and retail uses, and low-density housing in established neighborhoods to the east and west. The Meadows is a mobile home community that is immediately adjacent to the east of the 13th Avenue Station while Hillcrest Village is one of the largest mobile home communities in the city, located just north of Colfax and the study area.

Anschutz Medical Campus

The Anschutz Medical Campus and the Fitzsimons Innovation Campus (FIC), one of the largest job centers in the region. This urban center is projected to have 45,000-50,000 employees at build-out. The campus is served by two light rail stations, the Colfax Station which serves as the eastern gateway to the campus, at I-225 and Colfax Avenue, and the Fitzsimons Station is located on the north side of the campus at Fitzsimons Parkway and Scranton Court.

Colfax Corridor

Low density retail, services, and hospitality dominate the Colfax Avenue corridor east of I-225, while new mixed-use developments are found on the corridor west of the highway. Commercial development east of I-225 is a mix of retail, restaurant, hotel, and other services that serve local residents and cater to employees and visitors to the campus. A handful of undeveloped parcels exist just off Colfax Avenue. Additionally, the RTD bus maintenance facility is located on Colfax Avenue, immediately north of the 13th Avenue Station.

Some major new developments can be found west of I-225. These include several large-scale, high-density, mixed-use projects, several of which were realized and supported by urban renewal planning and incentives. The Forum at Fitzsimons and Fitzsimons Village are two such redevelopment/infill projects that have been built since the 2009 station area plan was originally adopted.

Toll Gate Creek Corridor

Toll Gate Creek traverses through the area, passing under I-225 at the 13th Avenue Station, and serves as an important north-south regional trail corridor and open space amenity. Recent improvements allow for comfortable and convenient trail connection north to the 14-mile Sand Creek Regional Greenway Trail and south to the High Line Canal, Aurora Municipal Center, and neighborhoods further south. This off-street trail connection puts the 13th Avenue Station about a half-mile walk from the Anschutz Medical Campus entry. (Need graphic of trail here)

Colfax and 13th Avenue Stations and Transit Connections

Colfax Ave and Sable Blvd offer several bus routes, including the highly utilized 15/15L connecting to downtown Denver. This corridor is planned for future bus rapid transit (BRT) service. The location of the 13th Avenue Station offers a bus-to-light rail transfer opportunity. However currently no bus service is available at the 13th Avenue Station itself, though bus stops are conveniently walkable from both rail stations.

The existing RTD park-and-ride facility at the 13th Avenue station currently provides 242 surface parking spaces for rail transit patrons. However, since the station's opening, parking usage has been lower than expected and few spaces are regularly used. This has allowed a reevaluation of parking needs to better balance transit rider convenience and future development opportunities.

2 . The Concept Plan: Land Use and Mobility Frameworks

Since the original plan was developed in 2009, the area has seen significant growth and development. Additionally, during this period, the city has developed and adopted several major planning and policy studies, including the **Aurora Places Comprehensive Plan (2018)**, **Unified Development Ordinance (2019)**, **Aurora Housing Strategy (2020),** and **13th Avenue Multimodal Mobility Study**. This updated plan is intended to consider and incorporate these adopted plans, policies, and practices into the local vision for the station areas.

The following key principles that were found in the 2009 station area plan are still highly applicable and continue to be foundational:

1. **The TOC (Transit Oriented Community) works as an "urban district".** The one-half mile area around the transit station is considered to be the area of influence. These areas can become new neighborhoods where development draws value from the transit stations, parks and plazas are gathering places, and the mix of uses allows pedestrians to easily reach their destinations.

2. **TOCs must be walkable**. TOCs are to create an urban scale where the pedestrian is important. Attractive and safe pedestrian connections are a priority in TOCs.

3. **Central spaces give identity to TOCs**. Public spaces are very important in TOCs, and parks, plazas and main streets that are beautiful and useful can become important identifying elements.

4. **TOCs connect to the surrounding neighborhoods**. The pedestrian network of the TOC should allow easy pedestrian connections to surrounding neighborhoods. The relatively small size of the blocks should allow for an attractive and convenient pedestrian experience.

5. **Density is important**. TOCs should have density sufficient to create an active center for an existing or new neighborhood. Higher densities take advantage of the massive public investment in transit. Density also creates the potential for diversity of housing types, a range of land uses, and the possibility of neighborhood-serving retail. Density should transition from the highest densities in the core of the TOC around the transit station to lower densities next to existing residential neighborhoods.

6. **Design matters**. The quality of building architecture and the design of streets, parks and plazas are important elements that create the identity of a station area.

7. **Promoting sustainability**. Compact development promotes efficiency in infrastructure and may require innovative approaches to detention and water quality.

Relationship to the City's adopted Comprehensive Plan

The Aurora Places Comprehensive Plan uses the concept of "placetypes" to define various types of districts and neighborhoods, describing typical land uses, transportation networks, economic activities, public improvements, and development character. The Colfax and 13th Avenue station areas include four placetypes as illustrated:

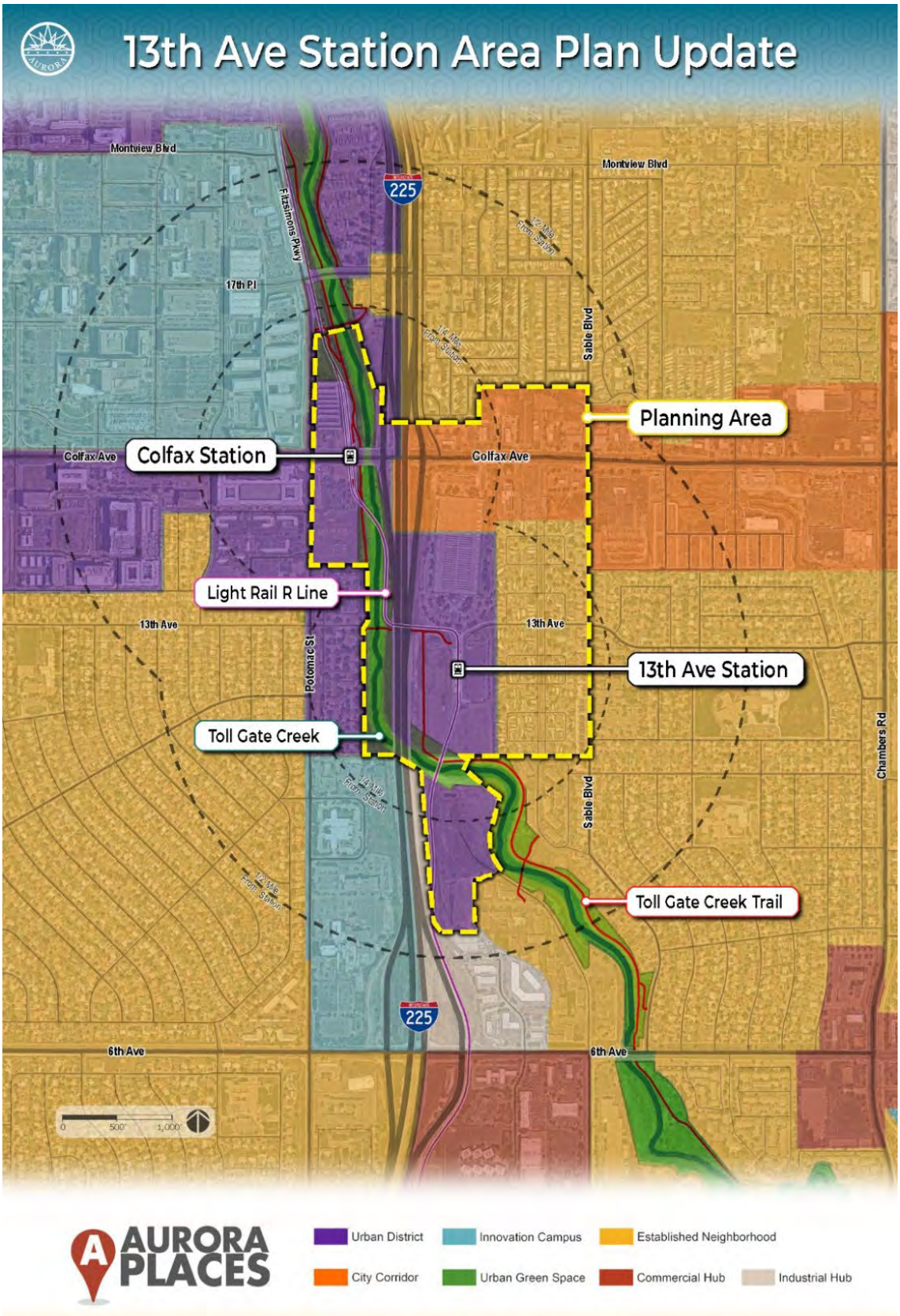
- **Urban District**: Urban Districts are Aurora's signature destination that offer a unique, vibrant urban experience. These districts are critical to the economic and fiscal health of the city as centers of employment, culture, and activity. The Urban District is the city's most intensely developed area with mixed-use, entertainment, institutional, retail, restaurant and multifamily residential as defining uses. This district is distinguished from other placetypes by density, scale, and the prioritization of multimodal transportation options.

- **Established Neighborhood**: Established Neighborhoods are predominantly residential, but supported by retail, services, multifamily and office uses along perimeter streets and intersections. This placetype's primary uses includes single-family detached and attached, and multifamily housing of various densities, along with schools, parks, and religious institutions.

- **City Corridor**: The focus of the City Corridor is commercial activity along the primary street, with connected, mixed residential types supporting this vibrant district. This placetype is generally auto oriented, but should also accommodate pedestrians, bicyclists, and transit service. The focus of the placetype is commercial activity, and as such, its primary uses are restaurants, retail, office, and commercial services. Multifamily residential uses are secondary uses, appropriate in areas not prioritized for commercial development, and allow for development of mixed-use projects.

- **Urban Green Space**: Regionally significant areas of natural environment and developed parks define the Urban Green Space placetype. This placetype is largely defined by three land uses: parks, trails, and open space. Through this placetype, Aurora's residents are connected to parks and open spaces through a comprehensive network of trails, linear parks, bicycle routes, and sidewalks.

Figure 2: Comprehensive Plan Placetype Map

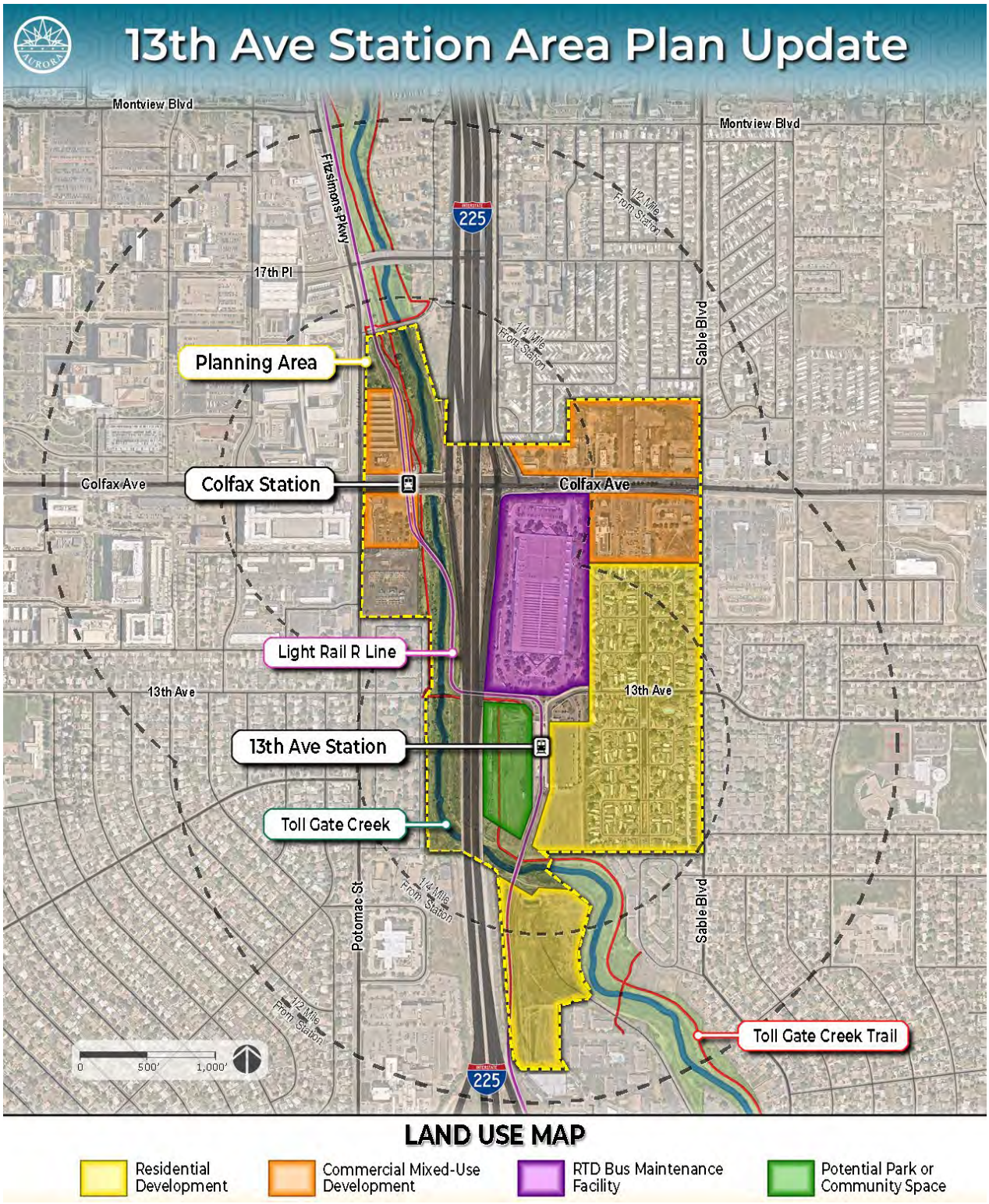


The Land Use Framework

To create a vision for long-term development, a number of concepts were developed to determine the form and type of complementary uses. The fundamental concept for the area is a more intense mixed-use East Colfax Avenue corridor, with mid- or high-density residential development south of the corridor, adjacent to the surrounding existing neighborhoods. These areas support the Anschutz Medical Campus by providing complementary retail, services, and office uses along highly visible and accessible portions of the Colfax Avenue and Potomac Street / Fitzsimons Parkway corridors, with residential infill in more interior neighborhood areas, the back side of the commercial Colfax Avenue properties, and at the 13th Avenue Station.

The concept illustrated in the Land Use Framework (Figure 3) was developed with a focus on extending the city grid and using new streets and block sizes to support new building developments. Parks and trail connections are identified as important amenities for new neighborhood residents and there is minimal surface parking.

Figure 3: Land Use Framework



Commercial Mixed-Use Development

Commercial uses should be located along East Colfax Avenue and provide shopping, dining, and services for the area's residents, workers, and visitors. These commercial uses in the corridor benefit from both drive-by visibility and safe, convenient pedestrian accessibility from nearby neighborhoods, hotels, offices, and transit stops. Common commercial uses should include retail, restaurants, personal services, business services, hospitality, and ancillary medical services.

Ground Floor Uses

Active, commercial uses are recommended as ground-floor uses for those new developments with frontage on East Colfax Avenue, Potomac Street, Fitzsimons Parkway, and Sable Boulevard, preferably within mixed-use buildings. Even in the limited cases of single-use or single-story development, buildings should be oriented toward the street and located along the street frontage. Parking should be located to the rear or internal of these properties. Figure 4 illustrates this concept and how it should be applied to future development.

Residential Development

Housing is a fundamental element of transit-oriented neighborhoods. Locating mid- or high-density residential uses adjacent to light rail stations enables and encourages residents to use transit and provides housing options in areas with access to services, employment, and amenities. Renter- and owner-occupied housing types are appropriate in all residential portions of the planning area and mixed-income developments are highly encouraged in order to provide housing options that serve a variety of household types and preferences.

Colfax Corridor

While the Colfax corridor offers opportunities for further commercial and office development, residential uses are also desired to meet plan goals for mixed-use. Residential uses in this area should be medium- or high-density and either integrate ground floor non-residential uses along the main street frontages or be located to the rear of properties. Residential density of 60 dwelling units per acre, or higher, is envisioned along East Colfax Avenue, in order to support the transit-oriented vision for the area and maximize land and location value. Figure 4 illustrates how residential development should be located and oriented in this planning area.

13th Avenue Station Area

Transit-supportive housing is essential at the 13th Avenue Station area to create higher-density housing options for all income levels to capitalize on the proximity to the light rail station as well as the employment opportunities at the medical campus and along Colfax Avenue. Residential density should be 60 dwelling units per acre, or higher, at or adjacent to the station, and at least 30 dwelling units per acre south of the creek, to comply with current zoning. Townhouses or attached housing are appropriate in the peripheral areas serving as transitional forms adjacent to existing development and public amenities.

Existing Mobile Home Community

The existing Meadows mobile home community, located immediately east of the 13th Avenue Station, is a valuable resource of affordable owner-occupied housing. *Preservation of this established neighborhood is a priority*. However, due to its proximity to the station, Colfax corridor, and medical campus, the market interest in this property is likely to increase,

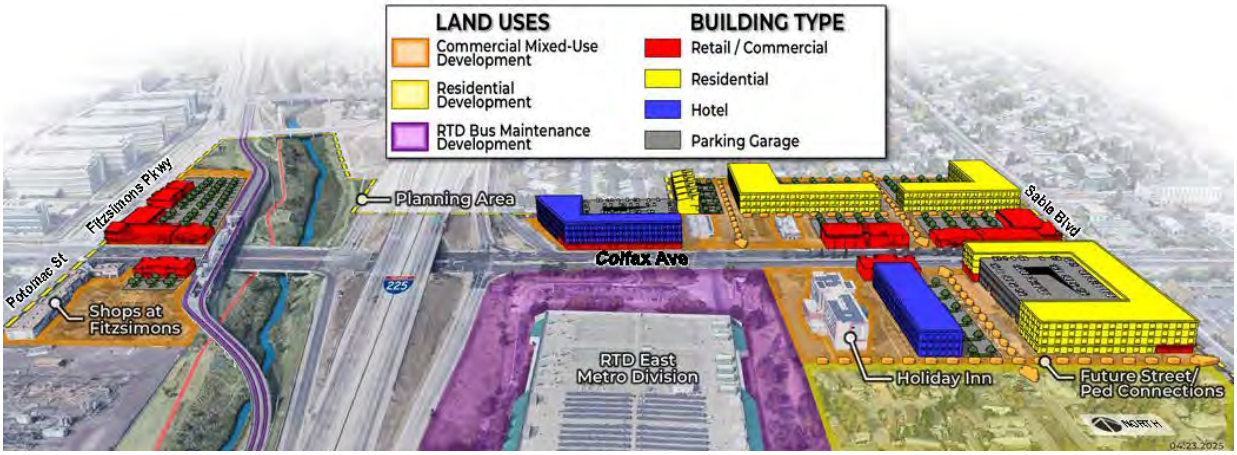
potentially introducing pressures for redevelopment or displacement of current residents, as has occurred in northwest Aurora and other communities in the region.

The city would not support the loss of this important naturally-occurring affordable housing or displacement of its residents. Furthermore, the city would support improvements to the mobile home community to improve its desirability, livability, affordability, and to ensure the long-term viability of this important housing asset.

Development Concepts

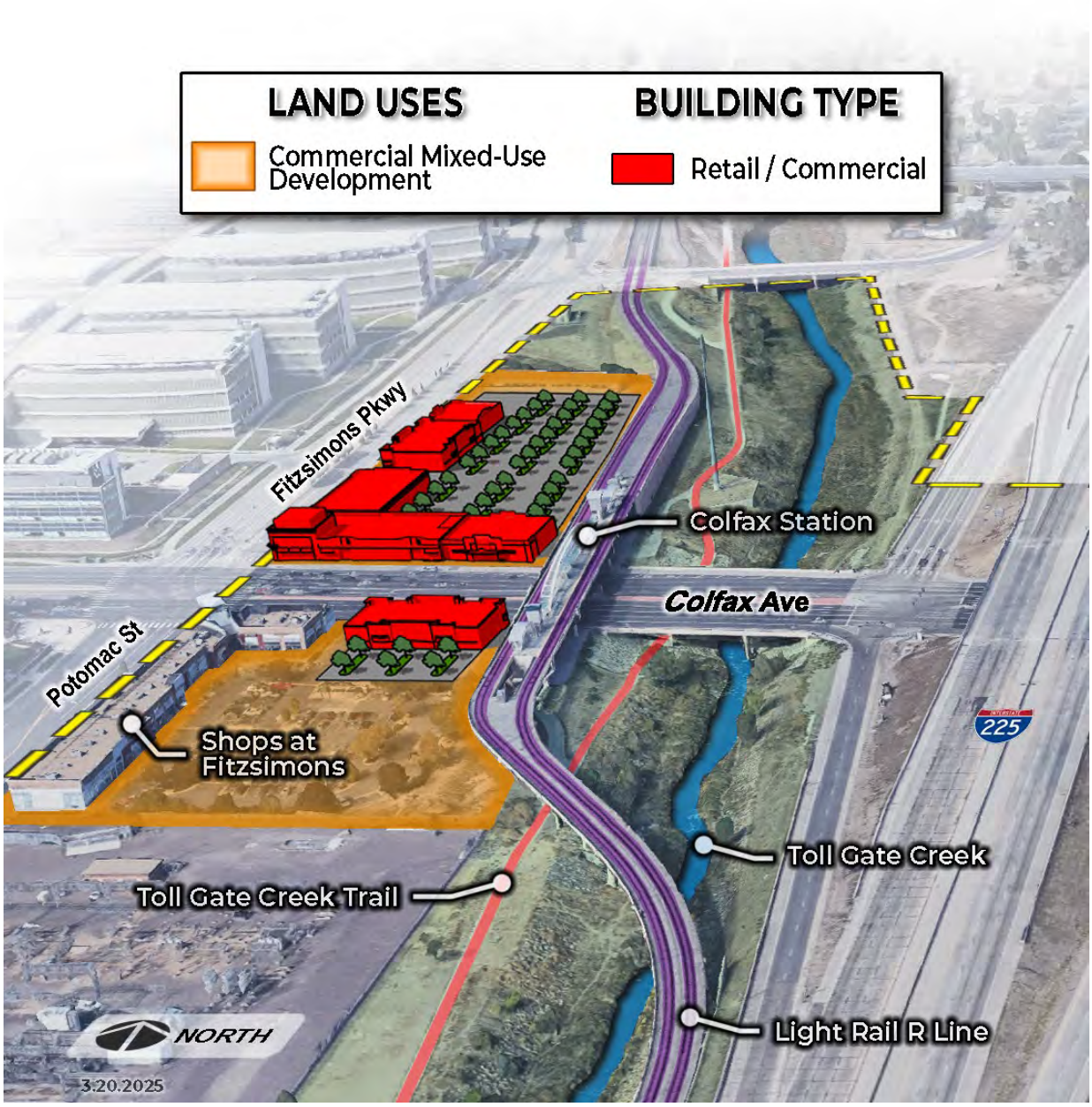
Infill and redevelopment are anticipated to take place incrementally and opportunistically, as property owners and the development community identify possibilities for investment in the area. The city can play a role in supporting new development that meets the defined vision and needs of the community.

Figure 4: Future Development Concepts Illustrated for East Colfax Avenue Corridor



This figure is intended to illustrate the general land use, development, and mobility concepts described in this plan. Specific development projects must meet all applicable codes and standards and be approved through all applicable processes and permits.

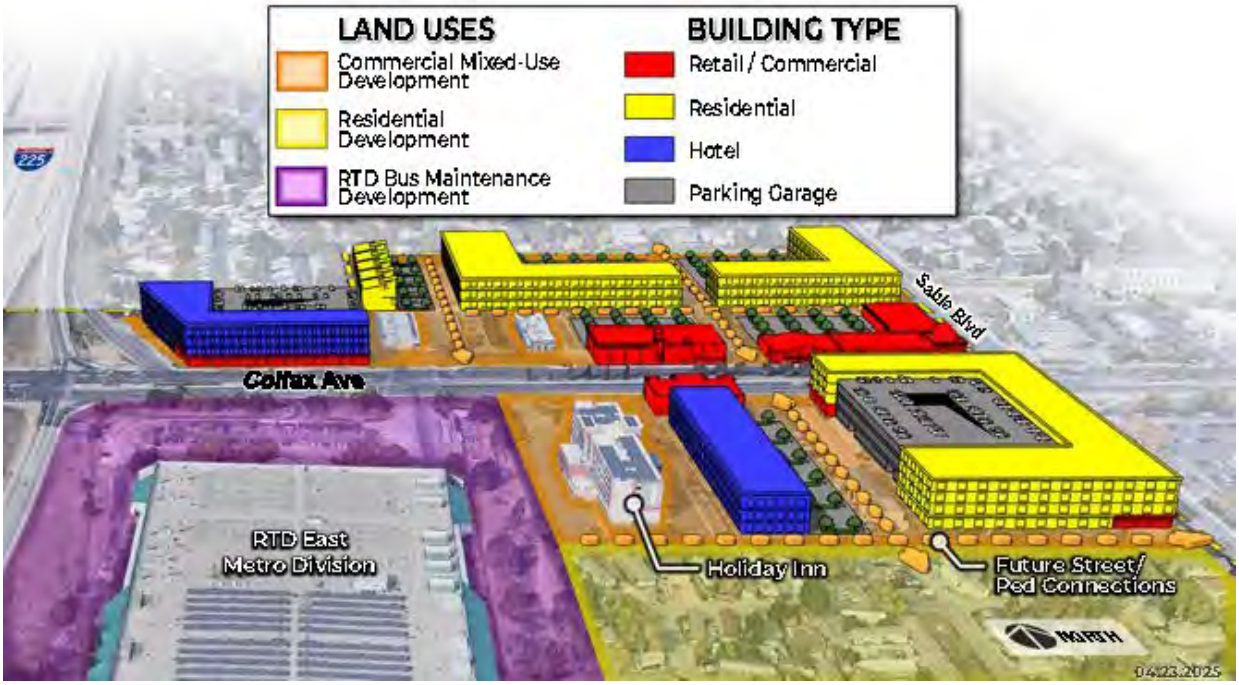
Figure 5: Future Development Concepts Illustrated for East Colfax Avenue Corridor (west)



This figure is intended to illustrate the general land use, development, and mobility concepts described in this plan. Specific development projects must meet all applicable codes and standards and be approved through all applicable processes and permits.

Development near the Anschutz Medical Campus should be built to the street frontage with enhanced pedestrian access along the major streets, as illustrated above. Crossings should be enhanced to facilitate customer access from the campus to safely and conveniently visit surrounding shopping and dining options.

Figure 6: Future Development Concepts Illustrated for East Colfax Avenue Corridor (east))



This figure illustrates the land use, development, and mobility concepts described in this plan. Specific development projects must meet all applicable codes and standards and be approved through all applicable processes and permits.

The Colfax Avenue frontage, east of I-225, offers opportunities to redevelop and increase the density of both residential and non-residential uses that benefit the Anschutz Medical Campus and surrounding neighborhoods. While some properties are new, others may be opportunities for redevelopment. Retail, restaurants, and hospitality uses may be especially desirable to campus employees and visitors. These should be located directly along Colfax Avenue, either in stand-alone buildings or as part of mixed-use buildings with parking located internally, as illustrated above.

New, urban-scale residential development could add housing choices that are convenient to this major employment center, public transit, and local amenities and services. New residential uses should be medium or high density to take advantage of this demand. This illustration shows a mix of residential formats with both surface, garage, and structured parking, or a combination of formats. New development offers opportunities to re-establish a street and pedestrian network with required life safety and fire access.

Parks, Trails, and Open Space Amenities

Public spaces include parks, trails, open space, and other recreational or community amenities. These amenities enhance the quality of life for area residents, visitors, and employees, as well as serve as a draw for new development and economic activity.

Existing Toll Gate Trail Corridor

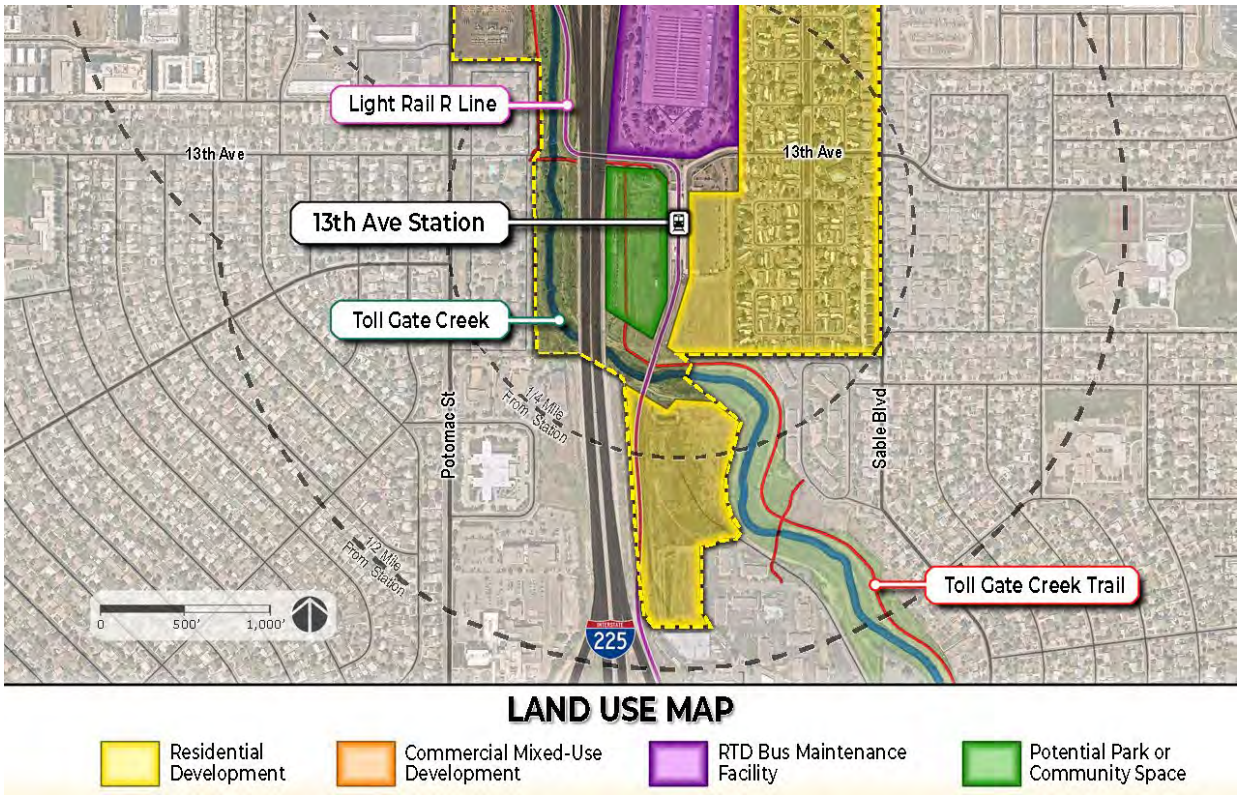
Since the 2009 station area plan was developed, the city has completed major trail improvements along Toll Gate Creek. These improvements include a paved trail along the creek, connections to the 13th Avenue Station, and bridge improvements across the creek

and connecting to 13th Avenue to the west. The result is safe, convenient pedestrian and bicycle access connecting the Anschutz campus, neighborhoods on both sides of I-225, and to the Colfax and 13th Avenue Stations. Any future Dillon Way street extension should integrate the trail facility and creek corridor so that the area continues to fully benefit from this important regional amenity.

Future Park Opportunities

While Toll Gate Creek offers regional trail connections, park space in the vicinity is fairly limited. The RTD-owned property immediately west of the 13th Avenue Station platform is inaccessible to regular vehicle traffic, making it exceptionally challenging to develop with residential or commercial uses. This site could provide an opportunity for a park, community garden, or other outdoor amenities to serve residents of new and existing development as well as surrounding neighborhoods, trail users, or even transit riders. New development in the area will be required to meet the PROS park dedication standards.

Figure 7: Land Use Framework and Potential Park Property



RTD Bus Maintenance Facility and Park and Ride

The RTD East Metro Maintenance facility is located at 14100 E Colfax Avenue, immediately north of the 13th Avenue Station and south of East Colfax Avenue. This facility is currently used for bus maintenance activities. This facility is important for RTD's current and future operations in Aurora and ensuring that bus service is safe and reliable.

The Mobility Framework

The Mobility Framework (Figure 5) supports the Land Use Framework for a transit-oriented neighborhood and provides vision for improved mobility networks that need to be strengthened with additional infill development or redevelopment, along with supportive public improvements. This connected network supports the vision with safe and convenient multimodal access between surrounding neighborhoods, the retail/services along East Colfax Avenue, employment at the Anschutz Medical Campus, and high-frequency transit services.

Street Network and Design

Existing access for drivers, pedestrians, and bicyclists through the area is mixed. Major street corridors, like Potomac Street, Sable Boulevard, and East Colfax Avenue connect the area to the community beyond, however these tend to be very auto-focused in their design and access and very busy in terms of traffic volumes. Alternative or parallel street connections are limited, which pushes high volumes of travelers and competing transportation modes together on the few main streets.

One evident challenge to the area is the limited connectivity from the surrounding neighborhoods to the Colfax Avenue shopping, services, and transit connections. Public, permanent, and improved connections for pedestrians and bicyclists should be considered in future redevelopment or improvement of properties in the area to supplement the walkable street connections required as part of redesigned site plans. Block dimensions, lot design and layout, and through-connectivity are design elements that should be planned appropriately in order to meet this desired outcome and condition. Ultimately, a mix of on-street and off-street connections should be reestablished to create an urban-scaled network of mobility for drivers, pedestrians, and bicyclists.

Pedestrian and Bicycle Facilities

The 13th Avenue Station is located at an important pedestrian junction that connects surrounding neighborhoods and regional transportation corridors. The Toll Gate Creek trail is an important, regional corridor and connects the extensive trails network of central Aurora with the Anschutz Medical Center and Sand Creek Trail corridor to the north. Intersecting this corridor is 13th Avenue, which runs east-west through the adjacent neighborhoods and has been identified as a desirable pedestrian and bicycle corridor and planned for enhancements to support this use.

Figure 8: Mobility Framework

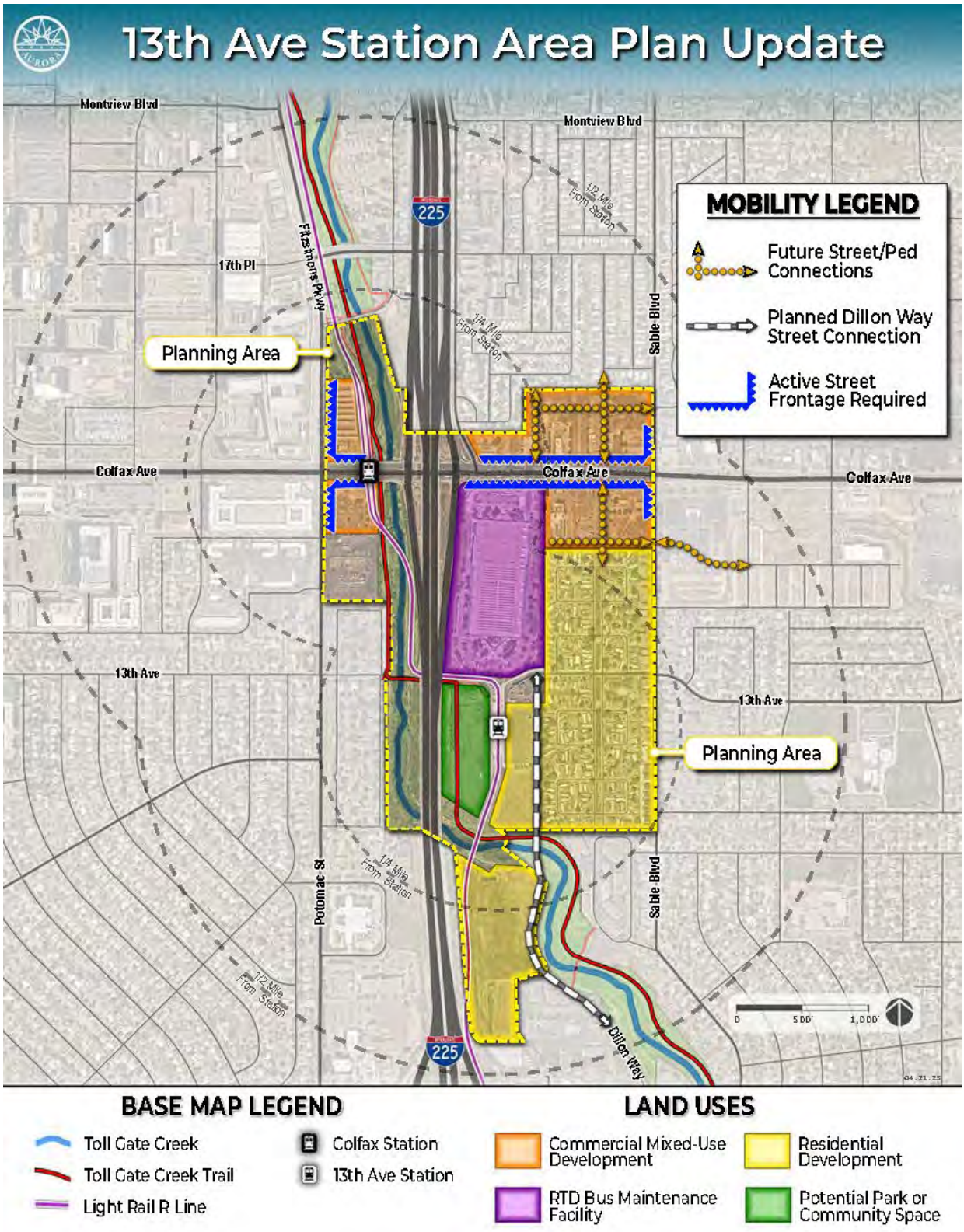


Figure 9: Key Pedestrian and Bicycle Junction (as currently built)



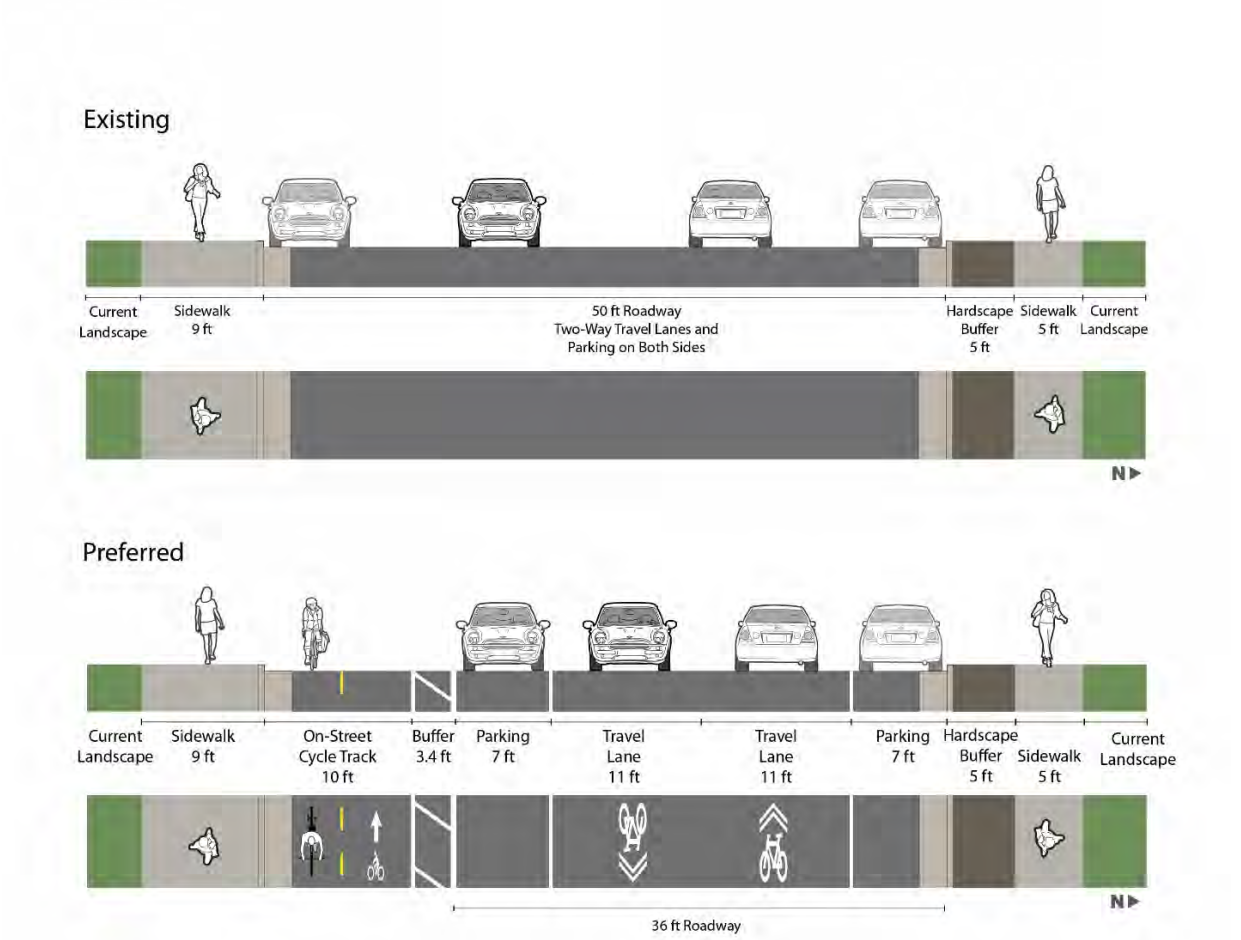
The 13th Avenue Multimodal Corridor Study was completed in 2023 and provides a vision and plan for improving 13th Avenue as an important west-east multimodal corridor connecting neighborhoods, shopping areas, schools, and other destinations in the area. While the full study examined a larger distance, from Yosemite Street to Chambers Road, a critical section of the corridor falls within the planning area of this station area plan.



Figure 10: 13th Avenue Multimodal Corridor Study Area

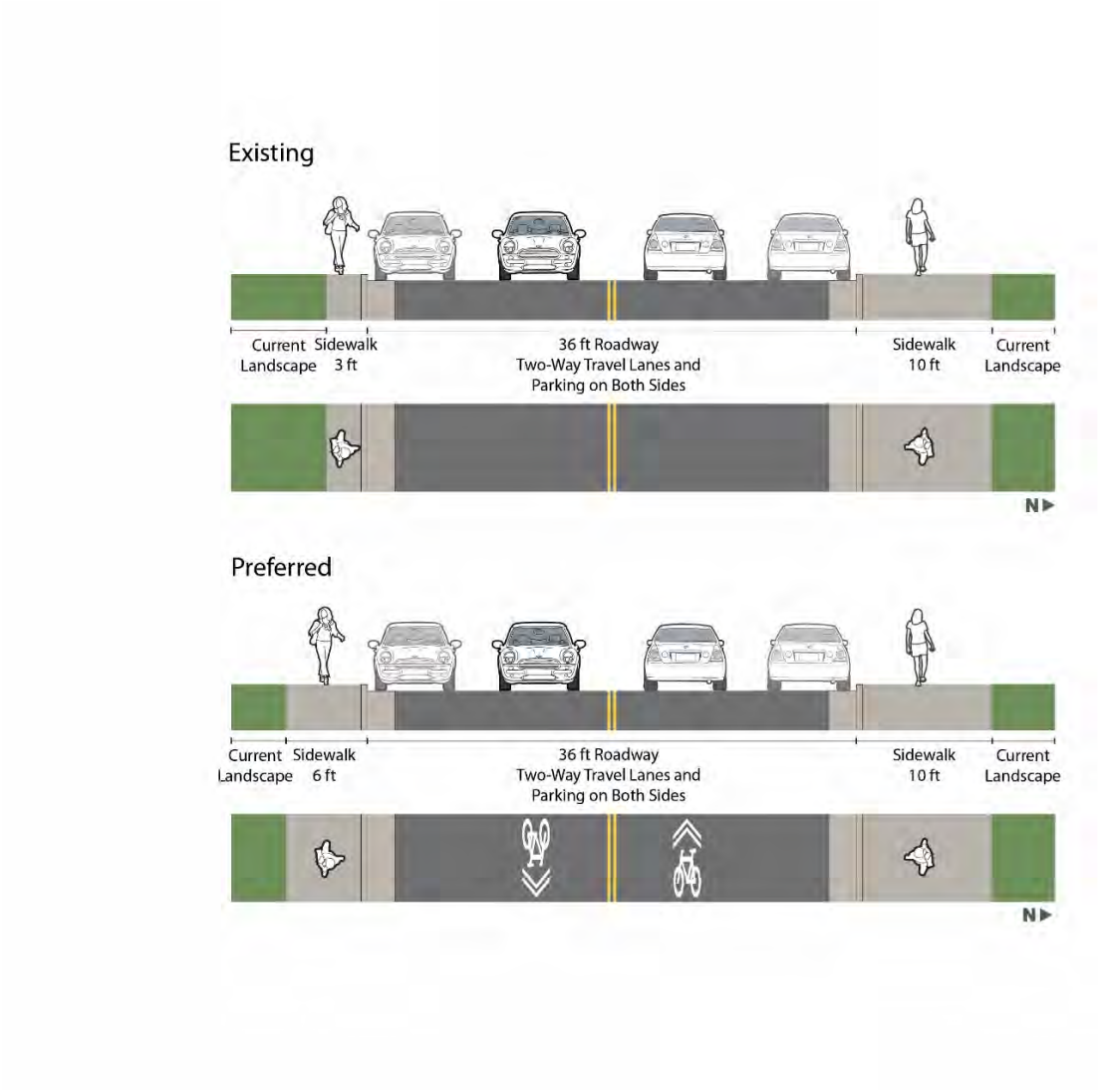
Section 6: 13th Avenue from Potomac Street to 13th Avenue Light Rail Station (0.25 miles)
From the 13th Avenue Multimodal Corridor Study (page 44):
"Sidewalks are already eight feet wide in this segment. However, the street is much wider than in other segments, providing space for potential streetscape improvements on the south side. An improved southern curb and streetscape would still allow enough roadway width for parking to be maintained on both sides of the street. This block could be a separate project, or included in Segment 5 for funding. This segment also includes the existing shared use path underneath I-225 that connects to the western side of the light rail station; however, no improvements are proposed for the path."

Figure 11: 13th Avenue Multimodal Corridor Study | Existing and Preferred Street Section for Section 6



Section 7: 13th Avenue from Cimarron Circle to Sable Boulevard (0.1 miles)
From the 13th Avenue Multimodal Corridor Study (page 45):
"This segment features only widened sidewalks on the south side of the street. This segment could be a stand-alone project or grouped with other segments, such as Segment 8, given the adjacency. This segment could be enlarged to extend the southern sidewalk improvements west to the light rail station parking lot pending redevelopment of the existing trailer park. There would be no parking impacts on this segment."

Figure 12: 13th Avenue Multimodal Corridor Study | Existing and Preferred Street Section for Section 7



Transit Services and Facilities

Transit reliability and utilization are a fundamental element in transit-oriented development. The area is served by both RTD light rail and bus service. The "R Line" is accessed through the two stations – Colfax Station and 13th Avenue Station – and connected north to Peoria Station, with connecting service to the "A Line", and south through Aurora and the Denver Tech Center, with connecting service to additional rail lines in the south metro area. Several local bus lines traverse the study area.

Colfax Station

The Colfax Station is elevated above the street and offers access to the doorstep of the Anschutz Medical Campus at the VA Medical Center, as well as convenient access to shopping, dining, and residential along Potomac Street and Colfax Avenue. There is no transit patron parking at the station. A number of existing bus routes (10, 15, 15L, 20, FF5) and the future Colfax Avenue BRT are conveniently accessible from this station.

13th Avenue Station

This station is located immediately east of I-225 and south of the RTD East Metro Division maintenance facility. The station is conveniently accessible from surrounding residential neighborhoods, such as Chambers Heights and The Meadows mobile home community to the east and Hoffman Heights to the west. East Colfax Avenue, and its variety of commercial services, is a quarter-mile walk from the station. There is no bus service directly to the station, however bus routes 6 and 15L are conveniently accessible from the station.

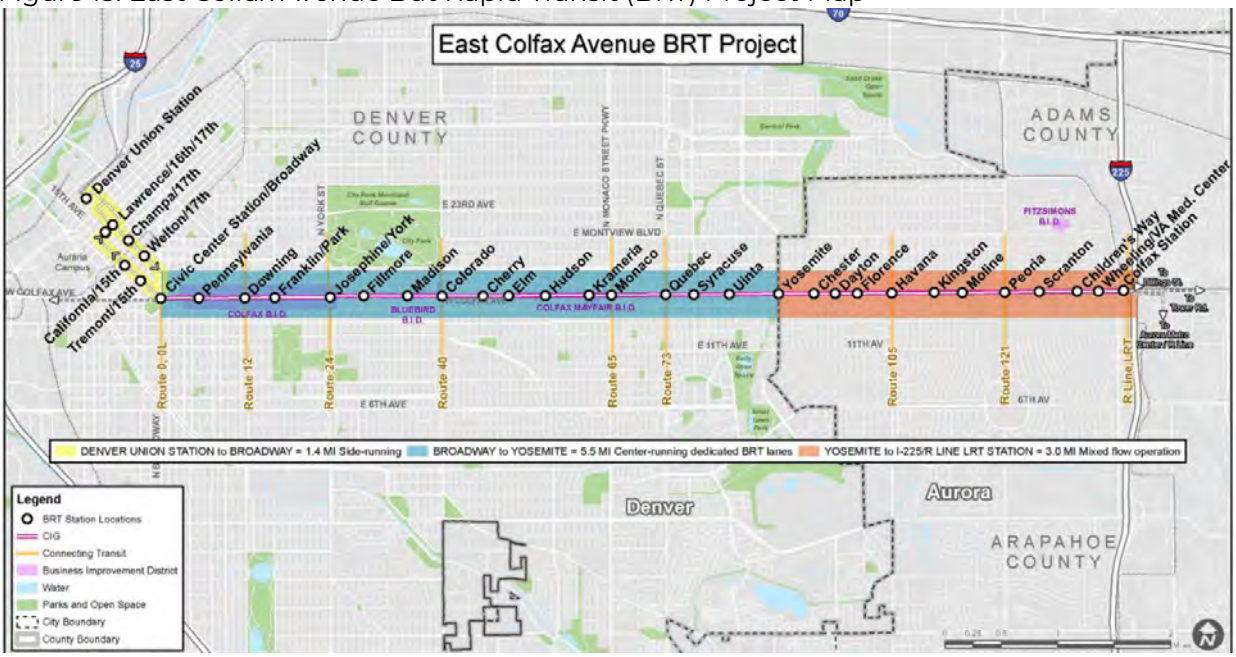
Station Parking

The existing RTD park-and-ride facility at the 13th Avenue station currently provides 242 surface parking spaces for rail transit patrons. However, since the station's opening, parking usage has been much lower than expected and many parking spaces are rarely used. This has allowed a reevaluation of parking needs to better balance transit rider convenience and future development opportunities. Future transit patron parking needs at the station will be coordinated with RTD if portions of the land area is developed.

Colfax Bus Rapid Transit

The East Colfax Avenue corridor between Union Station and I-225 will soon be served by bus rapid transit (BRT) service. Because of the strong demand for service on the 15/15L route that runs through the area, this corridor was identified as a priority candidate for upgraded service. The new BRT service will include enhanced bus stops, new vehicles, and more frequent service, making trips to or from the Colfax Station area even more convenient, comfortable, and regular.

Figure 13: East Colfax Avenue But Rapid Transit (BRT) Project Map



Additionally, there is currently underway (at time of plan adoption) an effort led by the Denver Regional Council of Governments (DRCOG) and in partnership with Arapahoe County and the City of Aurora, to study a potential extension of the Colfax BRT from I-225 east to Picadilly/E-470. This study is called Colfax BRT Next and could set a pathway for securing funding for further project development and implementation. An extended BRT service would even further expand transit accessibility to and from the station area.

Both bus rapid transit projects would significantly improve transit service within the Colfax Avenue corridor and provide more frequency, convenience, and comfort to residents, employees, and visitors in the area, which is supported by this plan and reinforces the need for improving connections between adjacent neighborhoods with the Colfax Avenue corridor and light rail stations.

3 . Zoning and Design Standards

This site is presently comprised of multiple zone districts: **Mixed Use Transit-Oriented Development (MU-TOD), Mixed Use Commercial (MU-C), Mixed Use Fitzsimons Boundary (MU-FB), High Density Multifamily (R-4) and Manufactured Housing (R-MH)**. The primary zone districts with opportunities for development or redevelopment are zoned MU-TOD, MU-C, and MU-FB, all of which are intended to support high-density, mixed-use development that aligns with the land use concepts outlined in this station area plan. The design guidance and standards outlined in this plan should be adhered to ensure the vision and land use concepts are realized. This plan summarizes standards within the Unified Development Ordinance (UDO) and for more specific guidance please refer to the following UDO code sections:

4.2 Dimensional standards, heights, density, setbacks by zone district
4.3 Subdivision
4.5 Access and connectivity
4.8 Building design

Transit Oriented Development Zoning District

A Mixed-Use Transit-Oriented Development (MU-TOD) Zoning District is used in Aurora around the light rail and commuter transit stations. The MU-TOD district provides for land uses and development patterns that uphold the TOD principles discussed earlier in this document, and the district references the station area plan to provide guidance concerning building form, residential density, street and lot layout, and other development standards. This station area plan is to be used in conjunction with the city's MU-TOD zoning district, as described in UDO Section 2.4.6(B), which may modify specific standards found within the UDO to meet those found within this station area plan.

Unified Development Ordinance, Section 2.4.6(B):

Relationship to Station Area Plans. Where there are conflicting standards between the TOD district and the Station Area Plan, the standards of the Station Area Plan shall take precedence.

Unified Development Ordinance, Section 2.4.6(C):

The MU-TOD zoning district includes two sub-districts, as generally described in the Unified Development Ordinance:

- **Core Subdistrict.** This subdistrict is adjacent to the rail station or other high-capacity transit service station and generally extends no more than one-quarter mile from the station. It includes high intensity businesses and high-density residential uses. The variety of uses is often greater than the other subdistricts and may include civic and entertainment uses. Ground Floor Commercial Uses will occur along most street frontages.

- **Edge Subdistrict.** This subdistrict creates a transition in building height, development density, and range of uses between the Core subdistrict and the adjacent non-TOD developments and neighborhoods. This subdistrict contains mixed-use development but is primarily characterized by residential uses.

Development Standards

Block Size and Street Grid. Blocks shall meet the length and perimeter standards contained in UDO Section 2.4.6(H). Blocks may be divided by public streets and/or public pedestrian-only access easements in order to create smaller blocks and frequent pedestrian connections. In MU-TOD and MU-FB the code requires 1. To create smaller blocks and frequent pedestrian connections, blocks shall be between 300 feet and 500 feet in length, and no more than 1,800 feet around the perimeter.

Also in UDO Section 4.3.9.A Block Dimensions. For the other zone districts in this plan 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, or, if none of the adjacent land has been subdivided, shall not exceed 330 feet in width and 660 feet in length, to the maximum extent practicable in light of topographic conditions.

UDO Section 4.3.12 A. 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. Additionally, UDO Section 4.5.4. Access and Connectivity contains more standards for internal circulation.

A walkable, connected mobility network is a critical element to transit-oriented or mixed-use districts. Streets shall align with and connect with streets in adjacent areas, or preserve the opportunities for future connections, unless the Planning Director or the Director of Public Works jointly determine that the connection is impractical or a threat to public safety.

Residential Density. The MU-TOD Core and Edge subareas are required to meet minimum residential densities. This section provides modifications to Unified Development Ordinance (UDO) Section 4.2.2(B) Mixed-Use Districts Dimensional Standards:

MU-TOD Core Subdistrict: 60 dwelling units per acre (minimum)
MU-TOD Edge Subdistrict: 30 dwelling units per acre (minimum)

Building Height. There is no height limit in the Core area. Minimum height must meet the standards as defined in Section 4.2.2(B) Mixed-Use Districts Dimension Standards. Additionally, building heights and orientation should consider summer shade and winter sun exposure to create a desirable condition in outdoor areas, allow for safe and comfortable mobility, and create comfortable and enjoyable public or private open spaces.

Urban Form. Building forms should be related to the width and activity on the street that fronts them, so that a sense of enclosure is created. The active space shall be organized in relation to a logical pedestrian flow, without isolating retail activities from public spaces and streets. Landscape and streetscape shall be urban in character, allowing for pedestrian traffic and seating, and for visual relief from the urban environment.

In the MU-TOD Core and Edge Subdistricts, buildings shall be built to the property line, defined as the back of sidewalk, with allowances made for shallow setbacks, consistent with a uniform street frontage, as defined in the Unified Development Ordinance (UDO) Section 4.2.2(B) Mixed-Use Districts Dimensional Standards.

Ground floor uses shall consist of active commercial uses, including, but not limited to, retail, restaurant, personal services, indoor recreation, entertainment, hospitality, offices, civic and cultural facilities, and similarly public-serving uses, in areas identified as likely to be frequented by pedestrians and local customers. Limited exceptions for unique uses or specific operations, such as vehicle circulation for the existing bus maintenance facility, may be made in order to allow necessary operations for those facilities. This section provides modifications to Unified Development Ordinance (UDO) Section 2.4.6(C) Subdistricts:

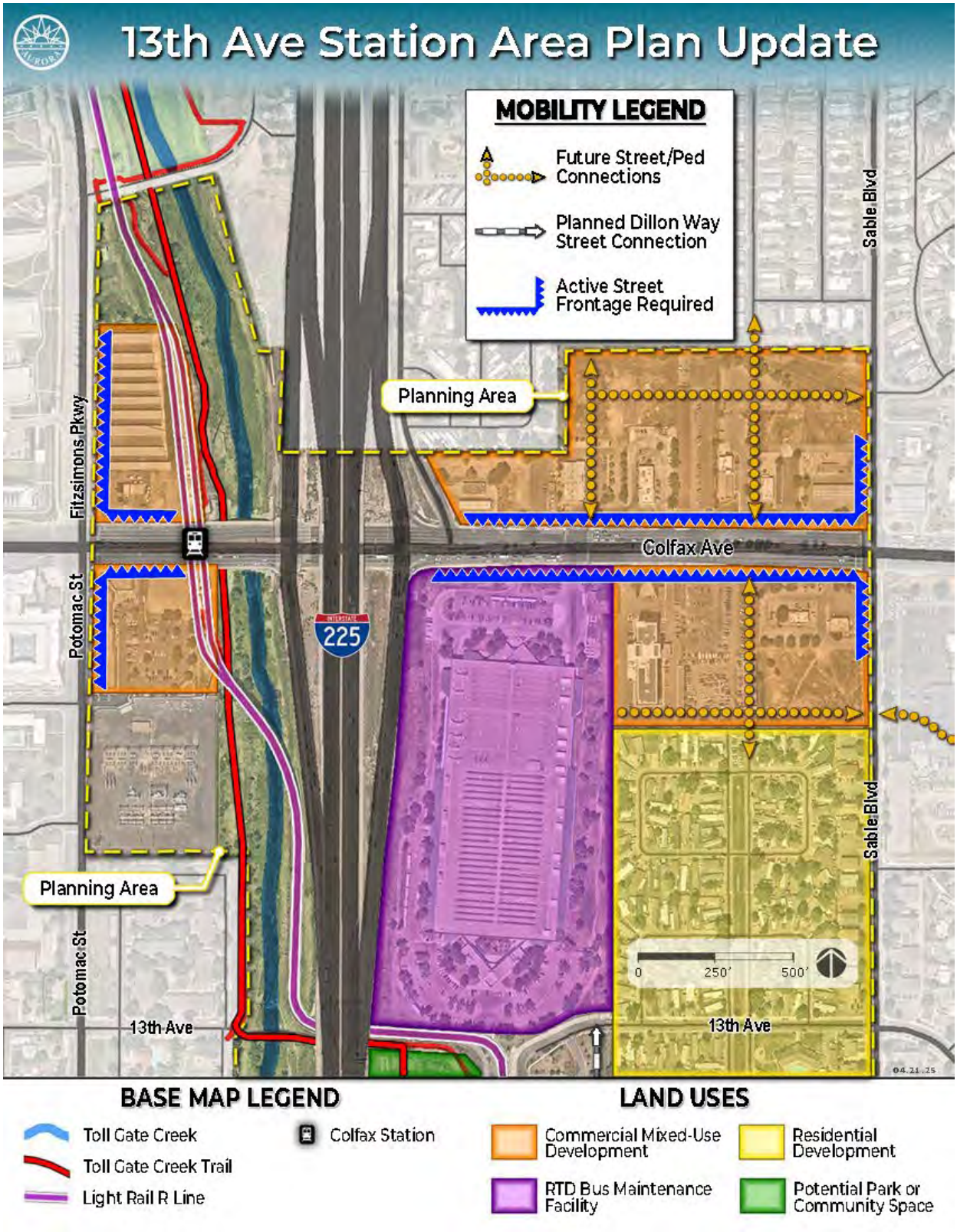
> C. Core Subdistrict. [...] Ground Floor Commercial Uses shall occur along those street frontages as identified in Figure 14, identified as portions of Fitzsimons Parkway, Potomac Street, East Colfax Avenue, and Sable Boulevard.

Building Design and Orientation. The following UDO development standards shall apply. For the purposes of this section, “major streets” include Colfax Avenue, Sable Boulevard, Potomac Street, Fitzsimons Parkway, 13th Avenue, and Dillon Way. UDO Section 4.8.4.B.1. Building Orientation and Spacing Standards for Mixed Use, Residential and Commercial Uses requires a street orientation. Building Entry Standards, Massing and Articulation, Building Materials and Four-Sided Design are defined in UDO Sections 4.8.5, 4.8.6, 4.8.7. More specific standards for this station area are outlined below:

a. Continuous building frontage is required on major streets.
b. Clear windows at grade are required for a minimum of sixty (60) percent of the façade length except for residential uses.
c. Quality materials on the ground floor façade are required on all buildings on major streets.

d. Sixty (60) percent of the building façade facing a public park or plaza must be brick, stone or cultured stone.
e. Entries shall front on the major streets and shall be generously proportioned and defined with architectural features. Awning and structural canopies for weather protection at building entrances are desirable.
f. Blank walls are not permitted on any façade. All façades shall have architectural details that add visual interest.
g. Loading docks and service entrances shall not be located on the major streets. These should be screened from view and located to mitigate negative impacts on surrounding uses.
h. Alternative uses for building roofs such as terraces, roof gardens, and green roofs are encouraged.

Figure 14. Required Active Ground Floor Street Frontages



Design Guidelines

The following design guidelines have been developed to establish high quality requirements for design of all projects within the station area.

Sustainability:
Sustainability of the Colfax and 13th Avenue Station Core Sub-Districts should be encouraged by promoting the use of the well-established Leadership in Energy and Environmental Design (LEED) rating system, established by the US Green Building Council (USGBC). Buildings in the Colfax and 13th Avenue station areas are encouraged to achieve a minimum of LEED-NC Certified rating (NC refers to New Construction). Refer to the USGBC web site for a full description of the LEED ratings that are available. Certified is the lowest of all ratings, which progress upward to Silver, Gold and Platinum.

Pedestrian Connections:

- Walkways, bridges and pedestrian crossings shall constitute a network that interconnects all transit, commercial and residential buildings. Figure 4 illustrates this concept applied to the area, highlighting opportunities to reestablish or strengthen the mobility network through infill development, redevelopment, or public improvement projects.
- Hidden areas and blind corners shall be avoided in favor of open, visible gathering places and unobstructed paths with clear visual connections to destinations beyond.
- Pedestrian walkways should avoid doubling back or acute changes in the travel path, and should have good visual connection with the surroundings at all times. Active uses should be located along the pedestrian paths.

Public Spaces:
There should be a central open space as a focus in the Core Sub-District. This space should be a focal point and public gathering space, containing pedestrian amenities that make it comfortable and aesthetically pleasing. Street trees should provide shade in summer, and elements such as public art should provide winter interest. These spaces should consider summer shade and winter sun exposure to create a desirable condition in outdoor areas.

Landscape and Streetscape:
Streetscape and open space areas should add a distinctive identity to the area, using planting, paving, lighting, signage and street furnishings as cohesive elements. Features should be coordinated throughout the development. The landscape treatment on each development parcel shall be coordinated with the public space streetscape design.

The station area should contain a hierarchy of streets which reflect different streetscape treatments, according to the Aurora Urban Street Standards.

Site Furnishings and Lighting Fixtures:
Site furnishings and public lighting should be incorporated as part of the building design and architectural style and express a hierarchy from the TOD core to outlying areas. These elements should be durable and appropriate for the climate. Lighting should illuminate all sidewalks and pedestrian pathways with uniform light levels and not cast light directly into residential windows.

Landscape Materials: Materials should be provided based on the following considerations:

- Safety – avoid visual obstructions especially at circulation intersections;
- Local microclimate – provide summer shade and open canopies for warmth in winter;
- Low watering requirements – 75% of plant material should be drought resistant;
- Ease of maintenance – minimize litter from plant materials and trees;
- Attractiveness – intensify in key locations with seasonal color, texture, scale;
- Screening – screen service areas, parking lots, meters and garbage dumpsters.

Parking:

- Surface parking lots are limited in the Core Sub-District and must meet standards contained in the Unified Development Ordinance, Section 2.4.6(F). Parking in the Edge Sub-District is encouraged to be within parking garages and limit the amount and size of surface parking lots.
- Shared parking arrangements are encouraged and allowed per the Unified Development Ordinance, Section 4.6.4(I).
- Parking structures should be wrapped with residential or commercial buildings to minimize visual impact on public streets and spaces.
- Vehicle access to parking should be avoided on high-traffic pedestrian frontages.
- Parking access shall be well-identified by a wayfinding signage system.
- Parking structures shall not be exposed to streets or public areas in the interior of the TOD block.

Architecture

Architectural design along the Colfax corridor should complement the styles established in the Anschutz/Fitzsimons medical campus. Architectural design throughout the entire district should be timeless with attention to detailing and the streetscape character. Long building profiles shall be broken up with relief in the façades and rooflines to minimize apparent bulk and mass.

360 Degree Architecture: To create an urban environment that is visually pleasing from all points of view, all sides of a building shall exhibit design continuity, with no unimproved sides being visible from public rights-of-way. Early phase buildings which will have buildings abutting them may have building faces that are without fenestration or other façade design features.

Solar Orientation, Shading and Solar Access: Building façades shall be environmentally responsible by adapting fenestration, shading and materials individually to respond to the environmental conditions of each façade's orientation. Buildings shall minimize the negative impact of winter shade on public open spaces and sidewalks. Buildings shall not contain gold glass coating or other first surface coatings that are highly reflective or mirrored.

Fenestration: Clear glass storefronts on ground floor façades should be provided to ensure visibility of active uses. On upper levels, façades should respond to their orientation by individualized treatment of façades to accommodate sun shading and solar gain as appropriate. Clear, low E or slightly tinted glazing should be used. Clear glass shall not have a reflectance rating of greater than 0.20.

Awnings and Canopies: Awnings and canopies shall be an integral part of the architectural design.
Canopies shall not extend more than ten feet beyond the faces of buildings, and no less than six feet. Awnings shall be solid colors. Awnings or canopies shall not be supported from the sidewalk.

Materials and Finishes: Materials, finishes and detailing shall enrich the Station Area's visual and tactile qualities. Regionally-appropriate and compatible materials shall be used, carefully detailed and combined. The building materials shall establish a consistent and high level of quality that is durable and appropriate to pedestrian contact at the street level. Materials used shall convey a high level of visual amenity that is commensurate with the urban character of the station area.

Storefront Design: Storefront entry thresholds shall be at the adjacent sidewalk level. Storefronts shall be scaled and detailed to break down large façades of buildings into small units. A variety of small-scale storefront designs shall predominate over a uniform series of longer storefronts. A high proportion of clear glass shall be used in storefronts, consistent with energy conservation requirements and to increase visibility.

Equipment and Service: All rooftop equipment and ground floor equipment, trash storage and utilities shall be screened from view from public rights-of-way.

Building Signage: Signage shall comply with Aurora codes and ordinances. Signs directly related to a business shall be allowed to extend over the sidewalk, at a height of no less than 9'-0" above the sidewalk.

External Building and Site Lighting:
External lighting of buildings shall be minimized, except for accent lighting of building entries or features. The impact of lighting on the night sky shall be minimized by cutoff fixtures, downward projecting fixtures and minimizing light energy. Exterior light fixtures shall confine direct light rays to the premises, and the light source shall not be directly visible from any adjacent property or beyond two mounting heights distance from the fixture. Power consumption for external building lighting shall be minimized.

Minimum light levels at building entries shall be 5.0 foot-candles and at loading docks 15.0 footcandles. Levels elsewhere shall comply with Aurora code and ordinances and shall be as uniform as possible on pedestrian sidewalks.

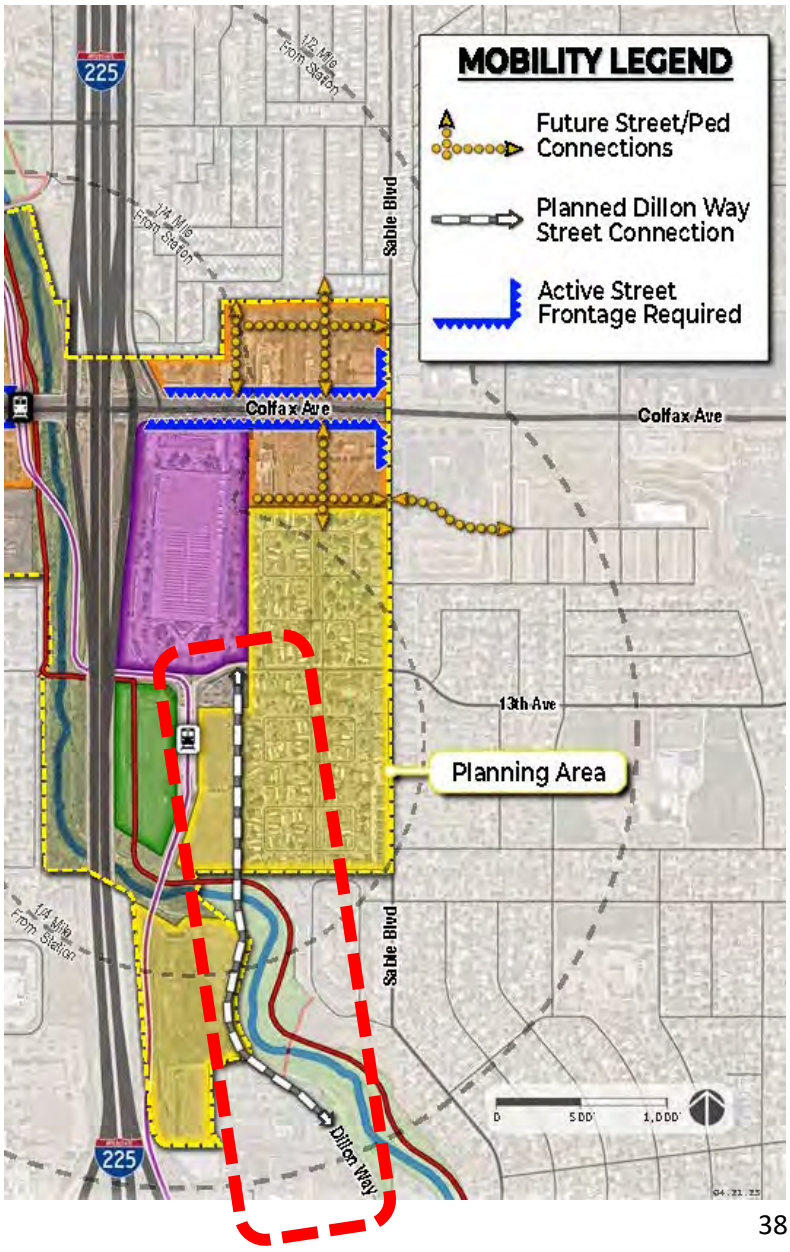
4 . Implementation

The Colfax and 13th Avenue Station Area Plan presents the vision developed through a collaborative process between the City of Aurora, partner agencies, property owners, business owners, residents, and the development community. However, a series of specific actions may be undertaken to turn that vision into reality.

Improve multi-modal infrastructure and improve connectivity in the area

Extend Dillon Way from its current terminus north to 13th Avenue

Near-term development opportunities require an extension of Dillon way from its current terminus, north over Toll Gate Creek, to 13th Avenue, as indicated in red in the illustration to the right. This will provide a second point of access for emergency responders (and residents) to development sites at the 13th Avenue Station and the property immediately south of Toll Gate Creek. Without this critical second point of vehicle access, the near-term development opportunities would be severely limited, if not prohibited, due to public safety restrictions. This extension also improves local access to transit service at the 13th Avenue Station and future Colfax BRT and better connects local residents and workers to commercial services on East Colfax Avenue, to the north, and Sixth Avenue, to the south.



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Establish a new urban renewal area and plan to support major public infrastructure improvements

The city should pursue the creation of an urban renewal district to support development of workforce and affordable housing in the planning area. Establishment of an urban renewal district will support planning, design, and construction of critical infrastructure that is necessary to enable development of the area. This updated station area plan can serve as support and guidance for the establishment of a district.

Establish a connected street and pedestrian network through infill and redevelopment opportunities

As future development occurs, the city will work with private property owners and/or developers to integrate street and pedestrian connections into projects, as generally illustrated in Figure 4, and required by applicable city codes and standards. New roadway or pedestrian corridors should be designed in such a way as to allow for continued expansion of the network as future development opportunities present themselves.

Support continued bus and rail transit service to the area

Transit access, service, and reliability are hallmarks of transit-oriented development districts. The City of Aurora should continue to support safe, convenient, and reliable transit options to serve the area and connect to the city and region. Support for expanded transit service also extends to the planned Colfax BRT (bus rapid transit) and proposed Colfax BRT extension.

Implement the 13th Avenue Mobility Plan improvements in the area

Appendix B contains select pages from the 2023 mobility plan that highlight recommended improvements to the area. These improvements include sidewalk widening and improvements, the installation of bike lanes, wayfinding, and intersection improvements for pedestrians and bicyclists. Installation of these improvements supports the vision and function of this area as a mixed-use, transit-oriented district. The city should identify and dedicate funding and implement these improvements.

Identify and implement improvements to Sable Boulevard to enhance safety for residents and travelers

Building on the improvements identified by the 13th Avenue Mobility Plan for Sable Boulevard, the city should investigate additional improvements to Sable Boulevard to improve the safety, comfort, and convenience for all road users, including drivers, transit users, pedestrians, and bicyclists. Speeding, bus traffic and noise, and unsafe driving practices, and difficulty for children to walk safely to school across Sable Boulevard were frequently cited as concerns by local residents throughout the planning process. The extension of Dillon Way may alleviate some of the local traffic on Sable Boulevard and provide alternative routes for pedestrians and bicyclists, however there may be improvements to Sable Boulevard to consider in order to improve the neighborhood.

Improve housing options through protection or enhancement of existing neighborhoods, and expand housing choices through infill development

Pursue opportunities for new residential development through infill or redevelopment of vacant or underperforming commercial properties

Support new residential development that meets the density, design, and needs for the area. Priority should be given to mixed-income, mixed-use, or affordable housing. The city should work with current property owners to identify opportunities for further investment or redevelopment of properties, to recruit interested developers, or acquire property though the city's land banking program.

Residential Development at 13th Avenue Station

The city should partner with RTD to explore and pursue development of a portion of the 13th Avenue Station under RTD's Equitable Transit-Oriented Development Policy (2021). This approach should build on the preliminary concepts of the 2022 design charrette and seek proposals from developers to build new housing that meets the design and density vision described in this plan.

Protect existing housing stock and support improvements to established homes and neighborhoods

Protection and improvement of existing housing in the area is important to neighborhood stability and providing safe and desirable housing options for current and future residents. The existing mobile home community adjacent to the 13th Avenue Station provides a relatively affordable homeownership opportunity in this desirable area of Aurora and should be protected and enhanced to ensure its continued livability. The city should pursue a study of best practices and explore funding opportunities to improve existing housing within the neighborhood.

Update zoning and development standards to more effectively shape future development

Adopt the recommended zoning map

Appendix A is a recommended zoning map for the area. The intent of these map amendments is to better plan for future land development, more effectively implement the development standards and guidelines contained in this plan, and make minor map clean up revisions. Adoption of the recommended zoning map amendments should be considered in the future as development opportunities present themselves and in consultation and coordination with affected property owners.

Enhance or expand parks, trails, and community spaces that serve the neighborhood

Explore the possibilities of developing a park or other community space at the 13th Avenue Station

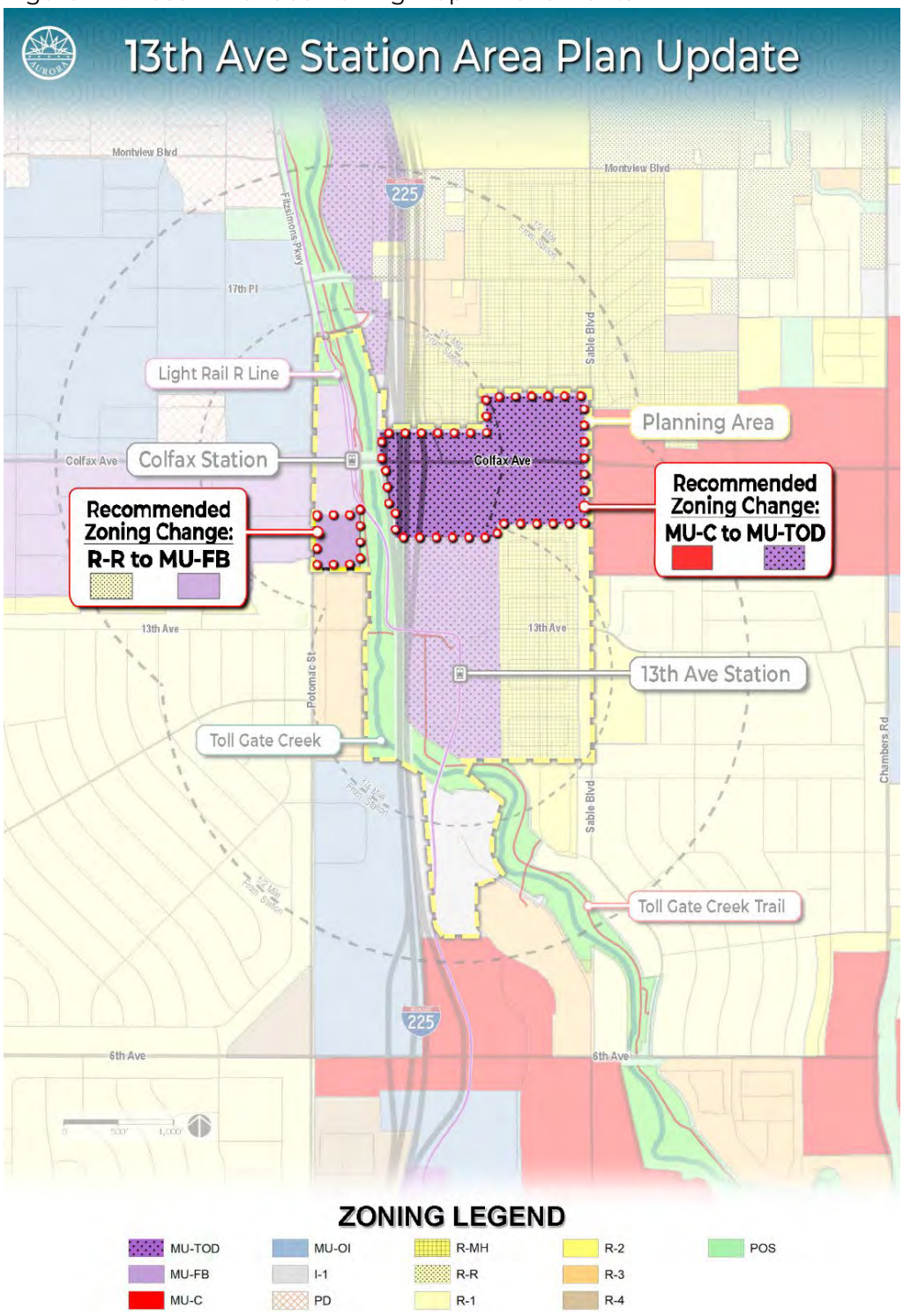
Because of the new residential development planned in the immediate area, and a perceived shortage of parks and other outdoor spaces, the city should engage with RTD to investigate the feasibility of developing a new park, open space, recreational amenity, or outdoor community space on the west side of the 13th Avenue Station, along the existing Toll Gate Creek Trail. Planning for a new amenity should include community engagement and an assessment of the needs and desires of current and future residents, employees, visitors, and transit riders who may be future users of the space. The city should also explore funding opportunities or tools, such as grants, development agreements, or special districts, to support a project.

Support continued enhancement of the Toll Gate Creek Trail corridor and trail

Toll Gate Creek is an important recreational amenity and mobility corridor that serves both the surrounding neighborhoods and residents and visitor throughout Aurora. New development or public improvements in the area should enhance the Toll Gate Creek corridor by highlighting and protecting the creek corridor and providing expanded access to the trail and creek.

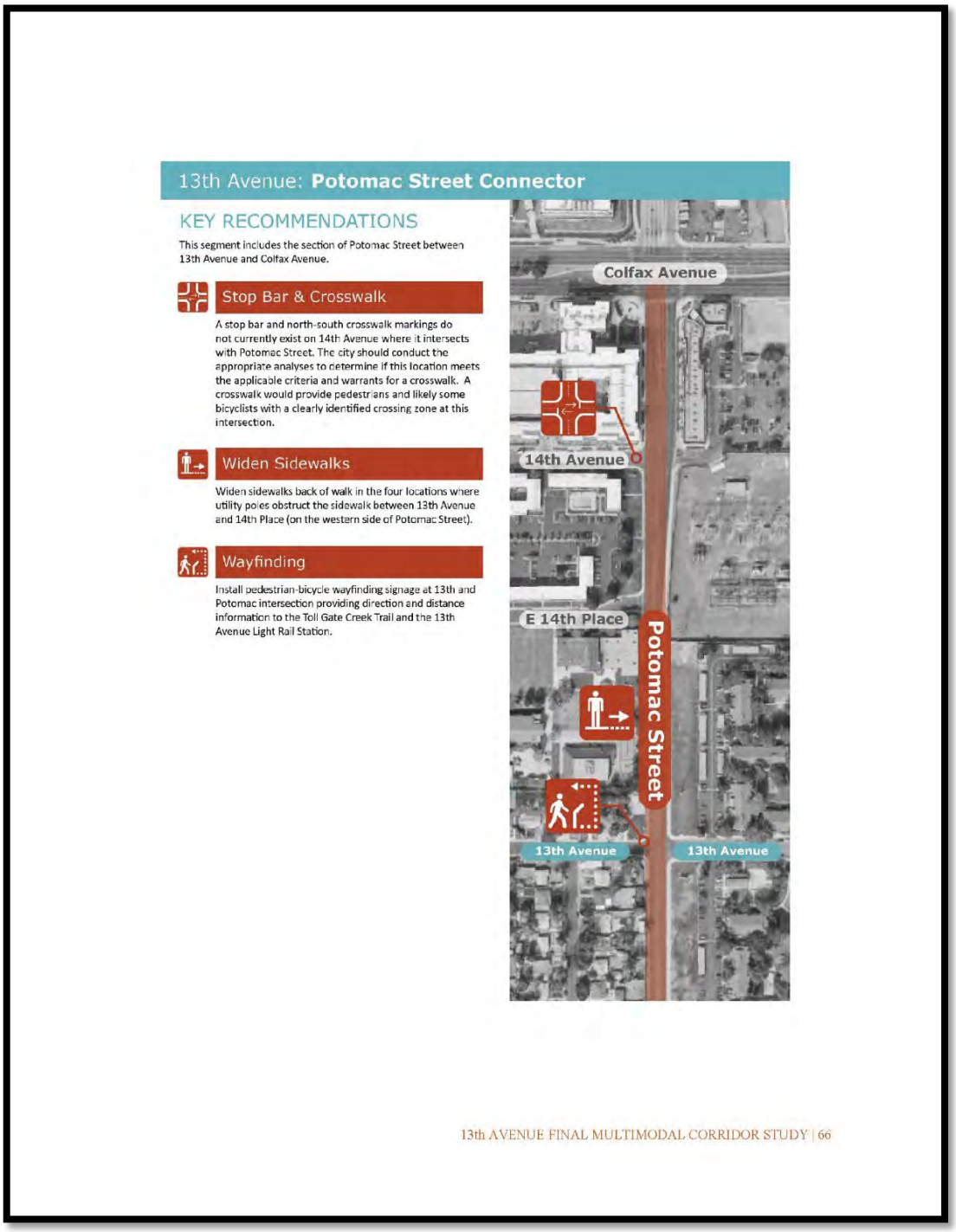
Appendix A

Figure A-1: Recommended Zoning Map Amendments



Appendix B

Figure B-1: Selected pages from 13th Avenue Multimodal Corridor Study (2023)



13th Avenue: **Potomac Street Connector**

KEY RECOMMENDATIONS

This segment includes the section of Potomac Street between 13th Avenue and Colfax Avenue.

Stop Bar & Crosswalk

A stop bar and north-south crosswalk markings do not currently exist on 14th Avenue where it intersects with Potomac Street. The city should conduct the appropriate analyses to determine if this location meets the applicable criteria and warrants for a crosswalk. A crosswalk would provide pedestrians and likely some bicyclists with a clearly identified crossing zone at this intersection.

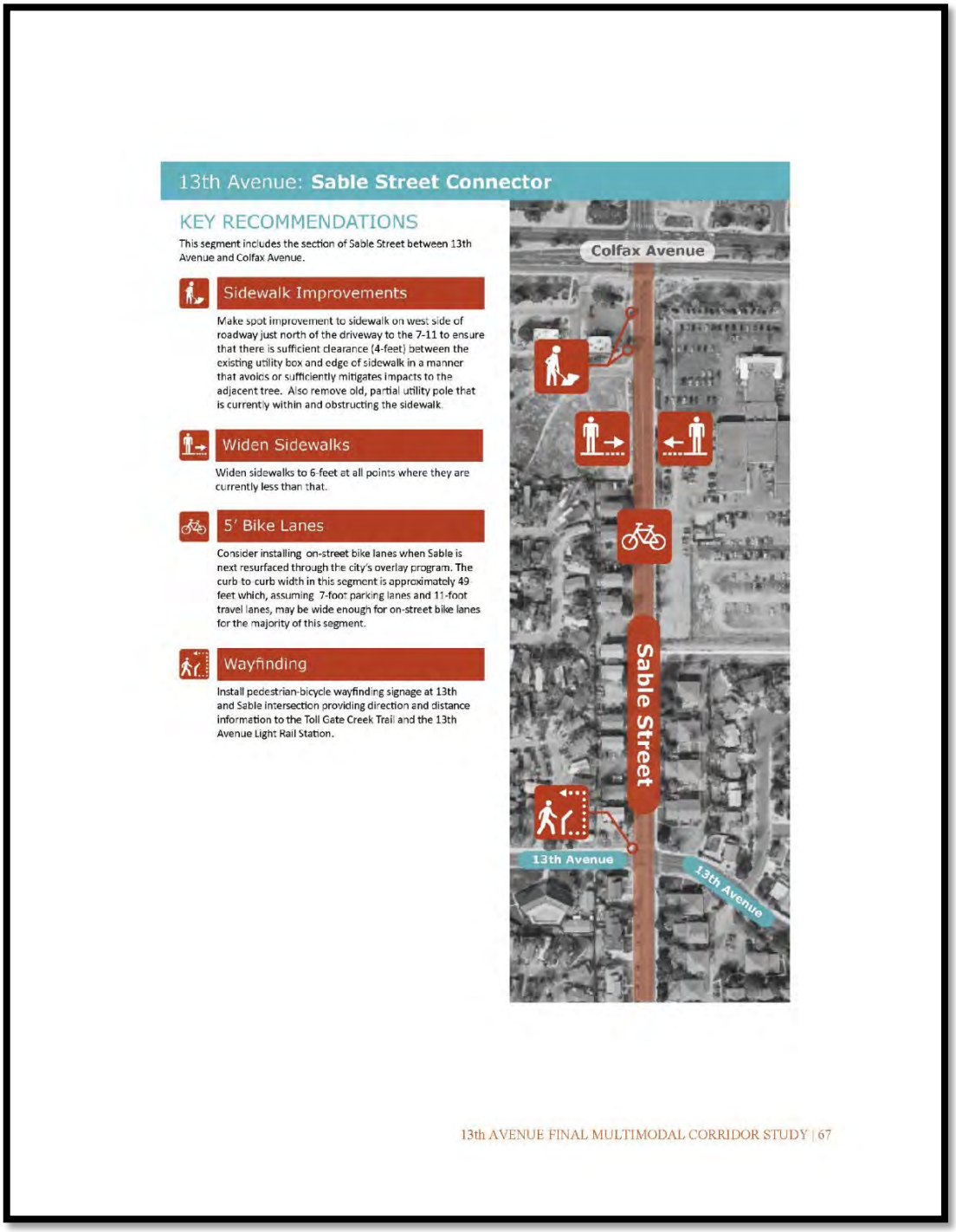
Widen Sidewalks

Widen sidewalks back of walk in the four locations where utility poles obstruct the sidewalk between 13th Avenue and 14th Place (on the western side of Potomac Street).

Wayfinding

Install pedestrian-bicycle wayfinding signage at 13th and Potomac intersection providing direction and distance information to the Toll Gate Creek Trail and the 13th Avenue Light Rail Station.

Figure B-2: Selected pages from 13th Avenue Multimodal Corridor Study (2023)



13th Avenue: **Sable Street Connector**

KEY RECOMMENDATIONS

This segment includes the section of Sable Street between 13th Avenue and Colfax Avenue.

Sidewalk Improvements

Make spot improvement to sidewalk on west side of roadway just north of the driveway to the 7-11 to ensure that there is sufficient clearance (4-feet) between the existing utility box and edge of sidewalk in a manner that avoids or sufficiently mitigates impacts to the adjacent tree. Also remove old, partial utility pole that is currently within and obstructing the sidewalk.

Widen Sidewalks

Widen sidewalks to 6-feet at all points where they are currently less than that.

5' Bike Lanes

Consider installing on-street bike lanes when Sable is next resurfaced through the city's overlay program. The curb-to-curb width in this segment is approximately 49 feet which, assuming 7-foot parking lanes and 11-foot travel lanes, may be wide enough for on-street bike lanes for the majority of this segment.

Wayfinding

Install pedestrian-bicycle wayfinding signage at 13th and Sable intersection providing direction and distance information to the Toll Gate Creek Trail and the 13th Avenue Light Rail Station.

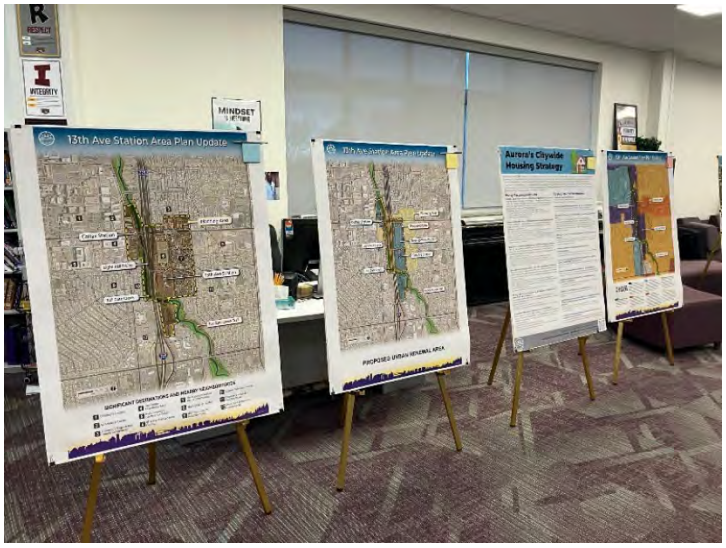
Appendix C

Community Engagement Summary

This plan was developed with input from community members, including residents, neighborhood organization representatives, local developers, business owners, partner agency representatives, and others interested in the well-being and future of this area. City staff hosted two community meetings to provide information about the 2009 plan, an update on existing conditions within the planning area, and future development opportunities in the area.

Community Meetings

Feedback from meeting attendees included questions about housing affordability, impacts of new development, concerns about driver, pedestrian, and bicycle safety in the neighborhood, interest in new park or open space amenities, and concerns about public safety near the station and I-225 underpass.

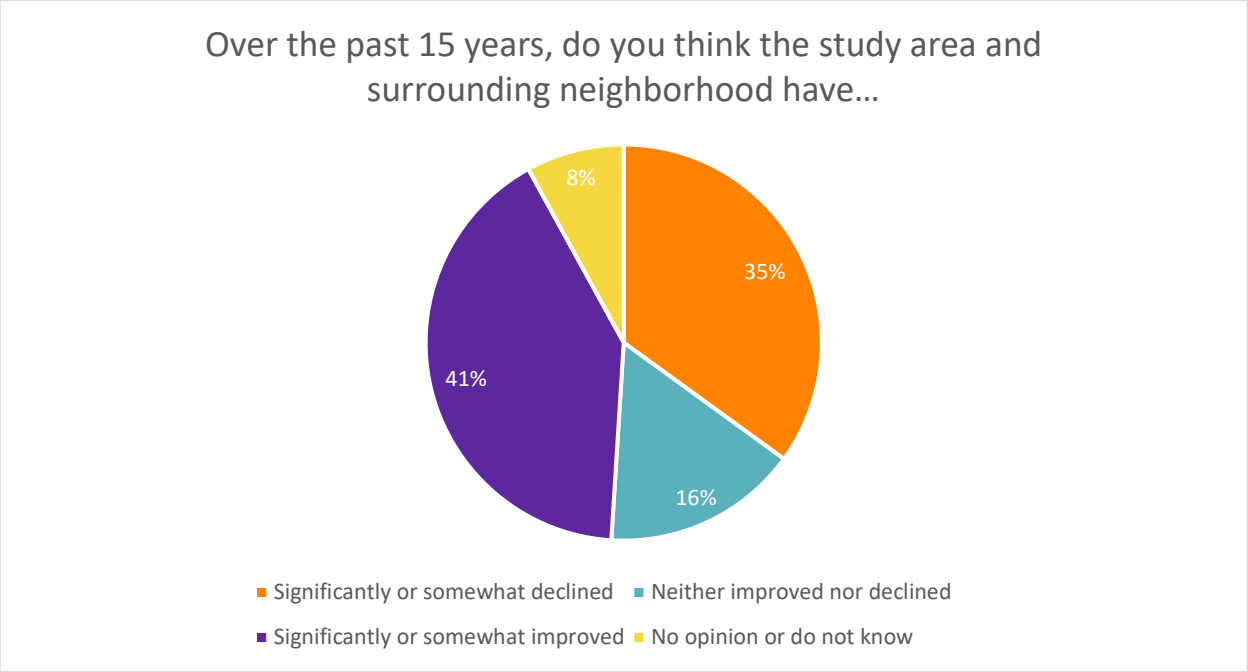


Online Survey

The city received 246 responses to an online survey that was published in and available in both English and Spanish.

Respondents to the survey self-reported that they were very familiar (55 percent) or somewhat familiar (32 percent) with the neighborhood and planning area. Because of the importance of transit in the neighborhood, survey respondents were asked about their use of RTD bus and light rail use. Over half of respondents shared that they board at the Colfax Station or 13th Avenue Station either occasionally (31 percent) or once a month or more (24 percent). Moreso, over 70 percent of survey respondents stated that they board at any location once a month or more (38 percent) or occasionally (33 percent).

Survey respondents were asked if over the past 15 years, conditions the study area and surrounding neighborhood have improved or declined. The results were mixed, with 41 percent responding that conditions have “significantly or somewhat improved” while 35 percent responded that conditions have “significantly or somewhat declined”. A portion of respondents (16 percent) stated that conditions have “neither improved nor declined”.



When asked for more details about what types of changes or improvements were most important for the future, survey response echoed much of the feedback from the community meetings, and respondents highly rated:

- Safety for pedestrians, and bicyclists, and those using assisted devices
- Safety for drivers
- Crime and personal safety
- Neighborhood appearance and cleanliness
- Access to transportation options

Respondents stated that the following were also important improvements to the area:

- Access to parks or other recreational amenities
- Housing affordability
- Housing choices
- Shopping, dining, and entertainment choices

This community feedback played an important role in shaping the vision and recommendations of this plan. It reconfirmed some elements of the previous plan, including the importance of access to bus or light rail transit service, and highlighted more contemporary priorities and needs to be addressed, such as safety and housing affordability.

Appendix D

Development Concepts for Infill Housing at 13th Avenue Station

In 2022, the City of Aurora hosted a design workshop to brainstorm potential development types and designs within the planning area. Attendees included city staff from various departments as well as representatives from the development community and RTD. A local architect facilitated the discussion, which explored the 13th Avenue Station property, physical and regulatory constraints, and development opportunities.

The workshop yielded several possible development scenarios that accommodated between 190 and 400 new housing units at the RTD property. Concepts included mixed-income housing, including workforce and/or permanently affordable housing, with opportunities for a mix of renter- and owner-occupied units. An incremental, phased development approach seemed most feasible. Accommodating parking for transit users was part of all potential development scenarios.

A short report of the results of the workshop is available upon request from the City of Aurora Planning and Business Development Department.

Figure D-1: Selected pages from 13th Avenue Design Workshop (2022)

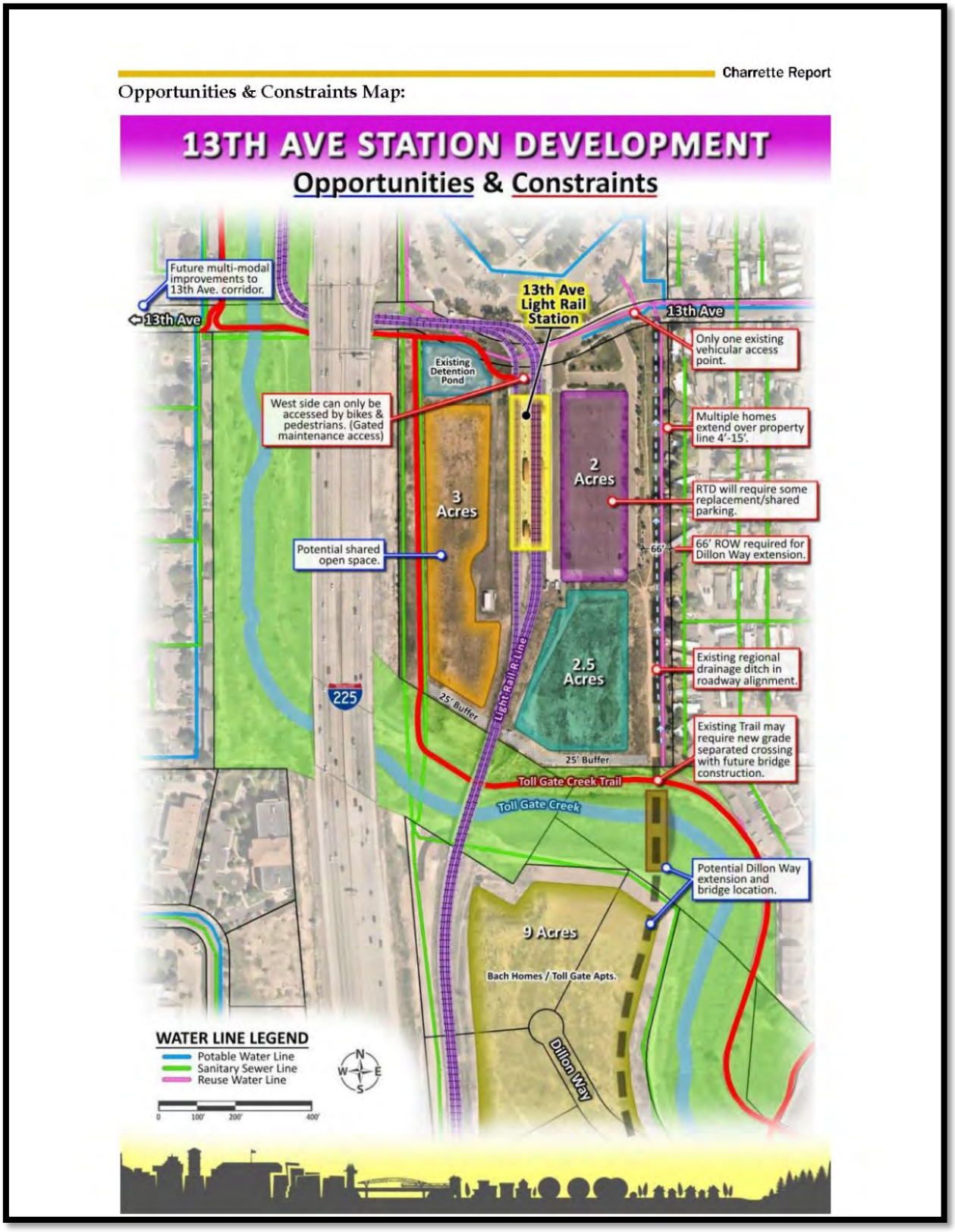


Figure D-2: Selected pages from 13th Avenue Design Workshop (2022)

Design Test Fit Schemes

Scheme 1: Medium Density. 4-5 Story Affordable Housing. 190-240 units.



Figure D-3: Selected pages from 13th Avenue Design Workshop (2022)

Scheme 2a: High Density. Variety of Buildings. 3-story Townhomes for-sale affordable, 4-story PSH, 4-story Wrap attainable. 240-280 units.



Figure D-4: Selected pages from 13th Avenue Design Workshop (2022)

Scheme 2b: High Density. As a Phase 2, a mixed-income mixed-use building with a large parking garage and 150 units could be added. 340-400 units.





City of Aurora
Planning and Business Development Department
15151 East Alameda Parkway
Aurora, Colorado 80012
www.auroragov.org

PLANNING AND ECONOMIC DEVELOPMENT POLICY COMMITTEE MEETING MINUTES

Date: **September 13, 2023**
Time: **8:30 am**

Members Present: Chair: Council Member Francoise Bergan, Council Member Angela Lawson

Others Present: Adrian Botham, Alicia Montoya, Andrea Amonick, Andrea Barnes, Ariana Muca, Becky Hogan, Brad Pierce, Brandon Cammarata, Brian Rulla, Bruce Dalton, Cathy DeWolf, Chance Horiuchi, Crystal Vigil, Curtis Gardner, Daniel Krzyzanowski, Danni Danko-Holloway, Darcy Dodd, Elena Vasconez, Jacob Cox, Jason Batchelor, Jeannine Rustad, Jeffrey Moore, Jennifer Orozco, Johnny Watson, Jonathan Woodward, Julie Patterson, Laura Perry, Laurie Womer, Leah Ramsey, Lynn Baca, Mac Callison, Marcia McGilley, Marisa Noble, Mark Witkiewicz, Melissa Rogers, Melvin Bush, Michelle Gardner, Michelle Teller, Mindy Parnes, Morgan Cullen, Nicole Ankeney, Rachel Allen, Rian French, Robert Oliva, Scott Berg, Tod Kuntzelman, Tom Oldenburg

1. CALL TO ORDER

2. APPROVAL OF AUGUST 2, 2023, DRAFT MINUTES–COUNCIL MEMBER BERGAN

2.a. The minutes were approved.

3. GENERAL BUSINESS

3.a. Fitzsimons-Colfax and 13th Avenue Station Area Plan Update

Summary of Issue and Discussion:
Daniel Krzyzanowski, Planning Supervisor

Daniel Krzyzanowski and Jennifer Orozco presented this item. D. Krzyzanowski mentioned exciting development opportunities in and around the Colfax and 13th Avenue Station Areas. The presentation covered several points, including background information on past planning and development activities in the area. Information was also provided about the process schedule and public engagement for future planning efforts.

During the presentation, a map was shown highlighting the study area and the area that surrounds the Fitzsimons-Colfax Station Area and the 13th Station Area. Their area of focus was situated about a quarter to half a mile surrounding these stations, mainly on the east side of 225 and straddling north and south of Colfax.

Over the past 15 years, significant activity has taken place in this area. Notably, the current Station Area Plan was adopted in 2009, in anticipation of the light rail service to Aurora. Besides the introduction of light rail service, there were notable developments, including the opening of the Hyatt Regency in 2016 and the Rocky Mountain VA Medical campus in 2018, as well as various developments along the Colfax corridor. In 2021, RTD, the transit provider, adopted an equitable transit-oriented development policy. These policy changes opened opportunities for developing housing, especially affordable housing, in underutilized transit properties and station areas. This policy shift aligned with the city's goals of housing development within transit-oriented development areas. Between 2021 and 2023, the city conducted a 13th Avenue Multimodal Corridor study aimed at improving transit, bike, pedestrian, and other modes of transportation in the area. During this time frame, discussions with property owners in the vicinity of the 13th Avenue Station began regarding residential development. In 2022, city staff and professionals held a design charrette to explore development opportunities near the 13th Avenue Station.

D. Krzyzanowski stated that the primary reason for presenting before the committee was to provide a preview of an update to the Station Area Plan, which had been in place for 15 years. This plan was initially developed before the introduction of light rail service, before the adoption of the city's Comprehensive Plan and Unified Development Ordinance, and before the implementation of the city's housing strategy. Consequently, an update to the Station Area Plan was deemed necessary to incorporate these new plans and policies and effectively apply them to the area. Furthermore, she emphasized that there were several near-term development opportunities near these stations. The planning discussed that morning aimed to pave the way for the city to shape and support new residential developments in the area.

J. Orozco continued with a detailed discussion of the development opportunities, the process, and the timeline. She mentioned the city's active involvement in the Urban Renewal in the area and highlighted how the Station Area Plan and a potential Urban Renewal Plan would complement each other. She then discussed two development opportunities. First, she talked about future development possibilities on both the RTD property and Bach Homes property, situated south of the RTD station area across Toll Gate Creek. These properties were substantial, each spanning over 14 acres. However, they faced a challenge in terms of access, as there was only one access point to each property, which did not support dense development from a safety perspective. To maximize these sites' potential, a bridge connecting them was necessary, providing secondary access to both sites. Such a bridge could unlock the potential for up to 1,000 housing units, depending on the

site plans. She showed a concept diagram of the bridge created by the Public Works Department in 2019-2020, which estimated the cost at approximately 7.6 million at that time, acknowledging that inflation might have increased this figure. She emphasized the site's strategic location, surrounded by employment opportunities like the Fitzsimons Campus, Buckley, logistics along the I-70 corridor, and the airport. It was well-suited for workforce housing and potentially market-rate housing, addressing the city's pressing need for housing. She highlighted the completed 13th Avenue Multimodal Corridor Study and recent infrastructure improvements at the station, such as trail extensions, making biking more efficient without the need to cross surface streets. She also emphasized that this housing initiative aligned with the city's housing strategy by utilizing publicly owned land, promoting sustainability, expanding housing inventory, and introducing innovation, as the city had not previously undertaken a project on RTD property.

J. Orozco reiterated RTD's TOD and Equitable TOD Policy, highlighting RTD's increased flexibility in using its sites for housing. She mentioned that RTD was more accommodating with replacement parking and shared parking, aiming for 35 percent of units on RTD property to be affordable housing, aligning with the city's housing goals. She stated funding sources for affordable housing, including grants from DOLA (Department of Local Affairs) like the Strong Communities Infrastructure Grant Program, which the city had applied for. There was also funding from Proposition 123, which the city had committed to and was accepted. She mentioned the governor's proposal, even though it hadn't advanced in the last session, indicating that it might resurface in the future, aligning with state goals. She presented a map showing an area previously declared blighted by the Council in a 2019 study, with plans to establish an Urban Renewal Area. Tax increment financing would be used to cover infrastructure costs, including a bridge.

J. Orozco reiterated that a Housing Charrette was held in October 2022, jointly hosted by Housing and Community Development and Development Services. They each shared the cost and hired an external consultant to assess the site, with a specific focus on the RTD site. The goal was to explore housing possibilities and determine the suitable capacity for the site. External consultants, Bach Homes, a neighboring entity from Utah, RTD representatives, and various city staff members from different departments participated in this effort. They conducted on-site visits, evaluated challenges and opportunities, and spent half a day at city hall to experiment with different concept scenarios. The result of their intensive work was refined by their architect, resulting in Scheme 1, a medium-density proposal of approximately 200 to 240 units. This scheme retained half of the RTD parking and incorporated four-story affordable housing with tuck-under and surface parking. Scheme 2 was a two-phase plan, initially preserving half of the RTD parking. In the southern portion, it proposed townhomes along the creek, potentially for sale as affordable housing. Above that, there were plans for Permanent Supportive Housing and a four-story development of attainable housing. The second phase involved replacing all RTD parking with a structure and adding parking for higher-density

residential units, potentially mixed-income, on the northern side, totaling 340 to 400 units across both phases.

A preview of Bach Homes' ideas for their southern property was also presented. It included townhomes, podium-style structures, and tuck-under configurations. They planned a phased approach for their development, with a vision of approximately 600 market-rate units in the area. J. Orozco mentioned that Bach Homes' rezoning was unanimously approved by the Council in June, a significant achievement that they were enthusiastic about. Funding for the bridge was being pursued through state grants, and Bach Homes was willing to design, construct, and front-fund the bridge, with the expectation of reimbursement through an agreement with the Urban Renewal Authority using property tax increment financing (TIF). Additionally, the Station Area Plan was highlighted as a crucial factor in guiding the development proposals for both sites, as it outlined the desired design and character of the development in the city, complementing the efforts related to Urban Renewal.

D. Krzyzanowski then provided details about the proposed project schedule. He mentioned that, in response to the committee's direction to proceed with the project, they planned to kick off the Station Area Plan and Urban Renewal Plan concurrently. They intended to engage the public in the process, with the first public meeting scheduled for the fall and a second one in winter or early next year, aiming to finalize the Station Area Plan by Quarter 1 of 2024. The Urban Renewal Plan, being a more complex process, would continue into 2024, with the exact completion date depending on agreements and the timeline of the development partner, Bach Homes.

Regarding public engagement, two rounds of engagement were proposed, including reaching out to adjacent neighborhoods, such as The Meadows mobile home park residents, and established neighborhoods to the east and west of the area. They also planned to engage with major property owners, RTD, Anschutz (a major employer in the area), area developers, and businesses.

Additionally, D. Krzyzanowski mentioned the formation of an internal working group within the city, which would involve various departments, including Housing and Community Services, Public Works, Parks, Recreation, and Open Space, as necessary to collaborate on the project.

- CM Lawson expressed her support for the project, emphasizing its uniqueness and potential for various types of developments in the area. She had a couple of general questions about the bridge. She noted that, based on the presentation, the funding for the bridge would rely on state funding grants and contributions from developers. She inquired whether there were plans to seek federal grants, specifically mentioning the National League of Cities and the Infrastructure Investment and Jobs Act, which included programs aimed at reconnecting communities and neighborhood access equity. She wanted to know if the project would

explore federal grant opportunities to support the bridge project. J. Orozco mentioned that they had looked into federal transportation dollars but were informed that the bridge might not be a strong candidate for such funding because it typically goes towards regional improvements, whereas this project was more focused on a neighborhood-level improvement. However, J. Orozco acknowledged that other federal avenues, such as HUD (Department of Housing and Urban Development), might be more suitable, and they were actively searching for such opportunities. She highlighted the advantage of having Bach as a partner in the project, as their involvement in the design and construction could help keep costs down. She also mentioned that federalizing projects could lead to longer timelines and higher labor costs, potentially increasing the project's overall expenses. Despite this, she assured CM Lawson they were exploring various options for funding.

- CM Lawson brought up her previous advocacy efforts in Washington, D.C., related to regional projects like the Alameda corridor, which connected to 225, highlighting the potential for federal funding in such cases. She acknowledged that securing federal grant dollars could be challenging but considered it a valuable opportunity. Her next question pertained to dense areas and potential challenges with street parking and signage visibility. She expressed the need for proactive measures, especially in dense areas like the one under consideration. She hoped that the project would address the issue of signage and traffic patterns early on, as dense development could lead to increased movement and traffic. She also noted the likelihood of people continuing to use cars, even with efforts to promote public transit, especially for those commuting to work. She inquired about when the project's planning would incorporate considerations for the actual traffic patterns and related concerns, recognizing the upcoming engagement meetings and discussions in the planning process. D. Krzyzanowski acknowledged that residents were an essential source of information regarding what was currently working or not working in terms of transportation and traffic. He emphasized the importance of engaging with the people who live in the area, as they experience these issues daily. He also recognized that redevelopment projects involve fitting something new into an existing environment, which necessitates an assessment of how things currently function and how they will change. To address this, they planned to involve their Transportation Planning Department and Public Works Department to determine necessary signage or other improvements to accommodate new residents or transit users. Furthermore, he mentioned that all projects like these must go through the city's development process, where they are reviewed for their impact on traffic and transportation, ensuring that any potential issues are addressed and mitigated.

- CM Lawson expressed her satisfaction that the area's density and potential traffic issues would be considered in the project. She mentioned that the area was indeed very dense, with people parking along the streets, leading to accidents. She stressed the importance of being proactive in addressing these concerns during development. She believed that taking proactive measures could make safety in the area better and prevent the need for additional stop signs and similar measures in the future. She emphasized the significance of addressing such issues in tight development projects.
- CM Bergan sought clarification regarding parcel ownership. She asked to confirm that Bach Homes owned approximately 14 acres and RTD owned the other portion, and J. Orozco and D. Krzyzanowski affirmed this.
- CM Bergan then asked about the development of the RTD site, specifically who would be responsible for it. J. Orozco explained that RTD would issue a Request for Proposals (RFP) to seek development partners for their site. While the city would provide significant input and assistance in crafting the RFP, RTD would lead the process since it was their property. Any development on the RTD site would also require approval from the RTD Board. J. Orozco emphasized that they were actively demonstrating their interest in the site and working proactively to address development challenges, particularly related to access. They aimed to make a compelling case for RTD, highlighting that the current use of the land, as a grassy area and empty parking lot, wasn’t the highest and best use and proposed building homes for people in need.
- CM Bergan sought clarification on the handling of the land by RTD, inquiring whether they were conveying it to the city. J. Orozco explained that RTD's approach varied by site, with a preference for long-term leases. This arrangement would work well for affordable housing, where the land would be leased for housing purposes. However, it would complicate ownership housing options. She mentioned that negotiations with RTD were yet to be finalized.
- CM Bergan asked about the initial step in the process, suggesting that making it an Urban Renewal area might be the first step. J. Orozco confirmed this and mentioned they had a draft Urban Renewal Plan in progress. They needed to present it to the AURA Board and engage in negotiations with taxing partners, which required detailed calculations based on Bach Homes' development plans.
- CM Bergan asked if Bach Homes planned to establish a metro district. J. Orozco replied that it was an option, though the final decision was not yet determined.
- CM Bergan concluded her questions and comments by expressing hope that their vision for the project would be recognized at the state level, referring to the governor's involvement. She thanked the presenters for their presentation.

Outcome:
Information only.

Follow-up Action:
None required.

3.b. Original Aurora Special District Discussion with a Community Development Plan

Summary of Issue and Discussion:
Andrea Amonick, Development Services Manager & Mindy Parnes, Long-Range Planning Manager

Mayor Pro Tem Gardner introduced the item. He introduced the proposal to hire Progressive Urban Management Associates (PUMA), an outside consultant, for two specific tasks related to northwest Aurora, often referred to as Original Aurora, which includes the area from Colfax Avenue from Yosemite to Florence. The first task was to create a Small Area Plan, a document commonly used in various cities, including Denver, to guide development.

Mayor Pro Tem Gardner explained that over the years, there have been multiple plans and ideas for the area's development, but a Small Area Plan would provide a comprehensive vision based on community feedback and stakeholder input. He emphasized the importance of having a clear plan to guide development, as it would prevent ad hoc development and ensure a consistent vision. While there has been positive momentum in the area with the introduction of businesses like Bánh & Butter, Baba & Pop's Pierogis, Lady Justice Brewing, and Cerebral Brewing, much of the development has occurred on an ad hoc basis. The Small Area Plan would help create a vision for the area's development, involving input from various stakeholders, developers, business groups, and existing businesses. He highlighted the potential for the area to become a revenue-generating hub for the city, emphasizing the importance of balancing arts and culture with revenue-generating businesses like bars and restaurants. He stressed the need for a clear development plan, expressing confidence in the district's potential for economic growth.

Mayor Pro Tem Gardner proceeded to discuss the second part of the project, which involved the establishment of a taxing district. He mentioned two potential district opportunities outlined in the provided document: an improvement district and a Downtown Development Authority (DDA). He explained that the DDA was a less common concept, and each municipality could only have one identified DDA. Aurora did not currently have an identified DDA, while Denver had Union Station as its designated DDA. Creating a taxing district would allow for revenue capture and funding of improvements within the district. He noted that over the past several months, meetings had taken place involving city staff, himself, and local businesses in the area. Many of these businesses expressed interest in forming a taxing district to fund necessary improvements. He highlighted some of the businesses, such as Bánh & Butter, owned by Thoa, who had decades of experience with New Saigon

Bakery in Denver. He also mentioned Cerebral Brewing, which had relocated 90 percent of its operations from Denver to Aurora's Arts District. He emphasized the presence of high-caliber businesses in the area and their active participation in discussions about creating a taxing district. He expressed excitement about the group's commitment to making the project successful and seizing the opportunities ahead.

Mindy Parnes, the Long-Range Planning Manager, discussed the extensive planning history related to the Colfax corridor and the need to take action now. The focus was on exploring the potential for a Special District, and she referred to the Previous Focus Area where community meetings were held to gather input.

M. Parnes presented a list of plans dating back to 1974 that highlighted various efforts to enhance the area, including market studies and arts plans. She emphasized the emergence of community organizations, businesses, and the strengthening of the arts community. These entities had defined visions and missions, all aiming to strengthen the community in different ways. The presentation also featured past visioning efforts, including input from community members like Mr. Medina. The latest Vision Statement was discussed, emphasizing the need for a Special District along the Colfax corridor. She pointed out that a Special District should reflect the community's needs and serve as a centralized repository and marketing platform for various groups. She mentioned legal requirements for establishing the Special District and stressed the importance of quickly moving forward to establish a Community-Focused Action Plan with input from trusted voices in the community.

Andrea Amonick, Development Services Manager, discussed the forum and the specifics of the Special District. She acknowledged the extensive planning and redevelopment efforts spanning over 20 years. She emphasized the collaborative nature of the current effort, involving the city's Planning Department and the Aurora Urban Renewal Authority, with special recognition for Commissioner Lynn Baca and Johnny Watson from the Authority Board, who joined the meeting. She outlined the four Urban Renewal Areas associated with the Original Aurora Area, both in Adams County and Arapahoe County. She mentioned that the initiative began as a community-driven effort in 2021 and 2022 to address issues along the Colfax corridor, focusing on safety improvements, the activation of public spaces, homelessness, housing, and community engagement. She highlighted the importance of community engagement and noted that the Special District discussion was driven by the community's desire to actively participate in shaping the area's future. She clarified that the initiative would be a bottom-up effort led by a third-party consultant, PUMA, with Brad Segal, the principal of the firm, having over 35 years of experience in similar projects.

A. Amonick explained that creating a Special District is a legal process with specific requirements, and the goal was to meet those requirements by the end of 2024. PUMA proposed a three-step process, starting with addressing district feasibility, followed by outreach and community development planning, and finally,

meeting the legal requirements. She mentioned the importance of educating the community about different Special District options, their boundaries, and revenue sources. She outlined the proposed timeline, initiating the process in the fall and commencing community outreach at the beginning of the following year. She also mentioned that funding for this initiative would come from the Urban Renewal Authority, and the next step would involve presenting the outlined components to the Aurora Urban Renewal Authority Board for an allocation of funding if the committee recommended moving forward.

- CM Bergan sought clarification regarding the proposed taxing district options, specifically business improvement districts (BID) and DDA. She wanted to understand who would be taxed under these arrangements. A. Amonick explained that BIDs typically tax businesses, not homeowners or renters. On the other hand, DDAs have more flexibility; they can use tax increment financing and, depending on the authority granted by the City Council, may use property taxes from all property owners, potentially including homeowners and renters. DDAs can fund a broader range of improvements beyond just businesses. A. Amonick explained that in the case of a new taxing jurisdiction, taxes within that area would be allocated similarly to how they are done within an Urban Renewal Area. She mentioned that there's an overlapping Urban Renewal Area where the tax increment financing provision would be closed to enable a broader increment to be used.
- CM Bergan asked about the four overlapping Urban Renewal Areas and how the city generates revenue from sales and property taxes. A. Amonick clarified that when establishing a new taxing jurisdiction, a base would be set, and the existing base of property and sales taxes would continue to be collected, ensuring some revenue for the city.
- CM Bergan inquired if the funds generated would be adequate to develop the necessary infrastructure for the plan. A. Amonick clarified that the DDA would have the authority to propose using those funds for implementing items outlined in the Community Development Plan associated with this initiative.
- CM Bergan asked about the previous initiative called FAX Aurora and why it didn't succeed. A. Amonick explained that the key difference with the current initiative is that it has more interest and a more stable financial structure. FAX Aurora was a voluntary membership-based model, whereas the new initiative, whether it's a DDA or a BID, relies on a taxation system, making it financially more stable in comparison to the previous membership-based approach.
- CM Bergan raised concerns about the Arts District's contribution to the BID since they receive subsidized rent. A. Amonick explained that the Arts District, while having its location and generating some revenue through sales, would still be considered a stakeholder in the BID. Many BIDs and DDAs in other communities allocate a portion of their funds to support neighborhood infrastructure, and the presence of the Arts District could

contribute indirectly by drawing people to the area and increasing taxes through events, shows, and other activities.

- CM Bergan acknowledged that businesses were now showing more interest in the area, recognizing that a thriving business community is essential for the success of the Arts District, and A. Amonick agreed with her statement.
- Mayor Pro Tem Gardner joined in the discussion and answered CM Bergan's question on FAX Aurora. He explained the history of various organizations in Aurora, including FAX Aurora, Pam Wilson, the North Aurora Business Alliance, and the Aurora Economic Opportunity Coalition. He noted that these groups often seemed to be working in different directions. He envisioned that the government could bring everyone together and create a unified plan. He explained that organizations like FAX Partnership, North Aurora Business Alliance, and Aurora Economic Opportunity Coalition had different missions but were somewhat similar to a Chamber of Commerce for their respective areas. He envisioned the government's role in getting everyone on the same page and rowing in the same direction. Regarding the Arts District, he compared it to RiNo in Denver, highlighting the importance of complementary businesses. He mentioned that an Arts District alone might struggle, but with complementary businesses like restaurants and entertainment venues, it could thrive. He emphasized the need to generate such complementary businesses to make the Arts District a revenue-generating area for the city, similar to successful arts districts in the metro area.
- CM Lawson expressed support for the idea, especially in light of the upcoming Bus Rapid Transit implementation in the corridor. She raised a question about businesses in the area surrounding those listed as interested in the tax district, wondering if they would be automatically included in the tax district even if they didn't want to be. A. Amonick explained that the boundaries and participation of businesses in the district would be determined through outreach and the Community Action Plan. It would be a collaborative process with PUMA to identify who would be part of the initiative. She also emphasized the importance of ensuring that the community embraces the plan.
- CM Lawson raised concerns about businesses in the corridor, mentioning that some might have reservations or resistance to joining the district due to potential extra taxation, even though there could be benefits. She inquired about the process in case not all businesses were willing to participate. M. Parnes mentioned the example of the Havana BID as a similar case. CM Lawson clarified if this scenario was comparable to what they were discussing, and M. Parnes affirmed this. A. Amonick explained that outreach and education to the community, led by PUMA, would be a crucial part of the process. She mentioned that in BID, businesses generally had to opt in, and there was a formal election. The goal was to engage the community and provide information so that businesses, residents, nonprofits, and others could understand their role in the proposed structures and make informed decisions.

- CM Lawson inquired about the approximate cost of using the organization for the Havana BID. A. Amonick answered that the estimated cost was $200,000, which could be funded through the Aurora Urban Renewal Authority if the commissioners decided to proceed with it.
- CM Bergan raised the issue of safety, which had been a significant concern for both existing and potential businesses in the area. She inquired whether the BID or DDA could allocate funds to address security. A. Amonick responded affirmatively, explaining that the BID or DDA could use funds to hire private security, which was a practice employed by some other districts.

Outcome:
Council Member Bergan and Council Member Lawson approved this item to move forward.

Follow-up Action:
Staff will add this item to an AURA Meeting Agenda

3.c. Our Parks, Our Places- A Plan for Aurora's Parks, Recreation and Open Space

Summary of Issue and Discussion:
Michelle Teller, Senior Planner, and Rian French, Project Manager

Michelle Teller, Senior Planner, presented this item. She outlined the purpose of the meeting, which was to provide an update on the Our Parks, Our Places master plan. She mentioned the intention to highlight upcoming approval processes related to the plan and to provide key dates for public review and comments.

The Our Parks, Our Places master plan was designed to set a vision for the Parks, Recreation, and Open Space (PROS) department for the next 5 to 10 years. The plan was based on five key objectives derived from the Aurora Places Comprehensive Plan, including community connections, equitable access, health and safety, sustainable growth, and operational efficiencies. The project began in May of the previous year and went through four phases, which included baseline assessment, gaps analysis, recommendations drafting, and culminated in the current phase of assembling the draft document.

M. Teller discussed the approval processes for the master plan. She mentioned that there were two main approval processes in place. The first involved approving the master plan as the guiding master plan for the department. The second process required amending the Aurora Places Comprehensive Plan to include a reference to the master plan. The committee will be approached in the future to seek an advisory recommendation for this second process.

M. Teller then provided an overview of the different phases of the master plan development. The first phase focused on creating an existing conditions and inventory report, which served as the foundation for the master plan. During this

phase, they conducted a thorough review of various data sources and regional planning documents, including county and regional plans. They also engaged in extensive community outreach, including surveys, open houses, focus groups, and participation in special events to gather feedback from the community. During the first phase of the project, the team collaborated with the community to establish six guiding principles. These principles were an extension of the initial five objectives outlined in the Aurora Places Comprehensive Plan. The principles were refined based on community feedback received through open-house events.

The six guiding principles that shaped the document and future recommendations included: Meeting the Evolving Needs of the Community, Strengthening Connectivity to PROS Assets, Serving as Stewards to the Environment, Providing Opportunities for Lifelong Education, Proactively Investing in the Present and Future, and Providing Welcoming and Safe Spaces. The project also aimed to explore the relationship between the PROS system and real estate, land use, and economic development. The consultant's findings indicated that within a two to three-minute walk from any PROS-developed spaces, there was a 20 percent premium in real estate value, encompassing businesses. Within a five-minute walk, there was a 10 percent increase in value. Consequently, the project sought to establish partnerships with various businesses and entities to leverage these findings for future collaboration.

During Phase 2 of the project, the focus was on comprehensively understanding the gaps and needs within the PROS system while keeping equity as a central concern throughout the process. Instead of having a single recommendation dedicated to equity, an Equity Value Statement was created to serve as an overarching framework for all the recommendations and strategies. With input from the public, equity was defined as both a means to create and sustain healthy communities and an end that benefits everyone, acknowledging the varying circumstances, resources, and opportunities that individuals have. In alignment with the equity principle, a Gap Analysis and Needs Assessment were conducted to assess how the existing PROS system aligned with the identified needs in Aurora. The assessment considered factors such as access to parks, recreation areas, and amenities. Additionally, community input played a vital role in understanding where the gaps and needs were perceived within the community. A map highlighting the highest-need neighborhoods was created to assist in this analysis.

M. Teller discussed the process of creating a map to identify key factors in assessing the needs of Aurora's neighborhoods within the PROS system. They considered three key factors: Density, which focused on neighborhoods with existing residential areas, Demographic Vulnerability, comprised of social vulnerability and health indicators, including childhood obesity rates, to pinpoint areas with high needs for parks and open spaces, and Park Acreage Per 1,000 residents, which helped evaluate park availability. Additional analyses were conducted, such as examining Tree Equity to identify areas with a greater need for city trees, gathering Community Feedback to understand community preferences

and gaps, analyzing Program Seasonality to assess program distribution and reach, and studying Ecological Connectivity to support habitat corridors. Throughout these phases, there were over 16,000 interactions with the community, eventually reaching approximately 17,000 individuals. The team ensured accessibility by translating materials into Aurora's top six most-used languages and providing interpreters at open houses. The community's input was integral in shaping the vision for the PROS system, reflecting their needs and priorities. The engagement efforts were seen as a significant achievement in involving a broad spectrum of the community.

During Phase 3 of the project, M. Teller mentioned the team began refining ideas based on information gathered in Phases 1 and 2. Recommendations and strategies were drafted with the assistance of a consultant, prioritizing key recommendations and creating an action plan around them. Additionally, a Dog Park Study was conducted alongside the master plan, focusing on developing design standards and recommendations for dog parks within the system. This study was integrated into the public engagement and needs assessments. Moving on to Phase 4, the team compiled all the gathered information into a document. They shared key upcoming dates with the committee, indicating that the draft would be made available for public review and comment between 10/02 and 10/16. Staff were already reviewing a copy, and once it was deemed complete, it would be distributed to various stakeholders for further refinement based on their feedback.

Looking ahead, in the first quarter of the following year, M. Teller anticipated starting the approval processes involving several committees, including the Planning and Economic Development Policy Committee and would provide more information to the committee at that time.

- CM Lawson expressed gratitude for M. Teller's presentation and acknowledged the extensive community engagement efforts. She raised concerns about safety in city parks, mentioning that there had been reports of people not feeling safe in some of them. She noted that the presentation mentioned health and safety but did not provide specific details on how safety would be addressed. She questioned whether measures like increased lighting, cameras, or park rangers were needed. M. Teller explained that the presentation was meant to provide a high-level overview. However, she mentioned that safety concerns had been discussed with the consultants. The master plan did address safety concerns through design changes aimed at creating more welcoming spaces, including signage and modifications to park entrances. She assured CM Lawson that these safety considerations would be included in the draft document based on feedback received during open houses and community discussions.
- CM Lawson expressed the need for additional safety measures in parks, including increased lighting and other considerations to make people feel comfortable. She emphasized the importance of safety to encourage park usage. M. Teller acknowledged the need for such measures. She mentioned

that they would be part of a separate initiative. The Director, Brooke Bell, tasked them with conducting a lighting study and exploring various alternatives. These efforts would be more strategic and detailed than what was covered in the master plan, but the master plan would serve as a foundation for addressing these specific safety elements in the future.

- Laura Perry responded to CM Lawson's question regarding safety in parks. She emphasized that safety was a top priority for the parks and outlined several measures they had taken. These included actively tracking data, deploying mobile camera units to hotspots, engaging a nighttime security patrol for areas with reported crimes, and maintaining direct coordination with APD on park-related crime tracking. Regular updates on these efforts were provided to the Parks, Foundations & Quality of Life Policy Committee. L. Perry offered to forward the latest update from the previous month, which detailed the strategies being deployed. She also mentioned the need for flexibility and adaptability to address community issues and noted that the planning initiative M. Teller mentioned would complement their ongoing work.
- CM Bergan expressed concerns similar to those of CM Lawson regarding park safety. She appreciated the mobile cameras but suggested allocating additional funding for more of them due to the city's size and the number of parks. She also inquired about equity and mentioned the absence of a dog park in Ward VI, noting that constituents frequently ask for one. M. Teller responded by mentioning the existence of a private dog park in Ward VI but clarified that it wasn't city owned. She added that the demand for dog parks was widespread, and people wanted more of them in various locations. The goal was to distribute dog parks throughout neighborhoods and ensure access in every ward.
- CM Bergan expressed her interest in understanding what plans were in place to complete and develop existing parks. She mentioned an example of a park, which she referred to as Dome Park, that had remained mostly grass and dirt for the 21 years she had lived in the area. She also raised questions about regional parks and the trail system, seeking clarification on whether these were separate initiatives. M. Teller responded by explaining that the project included the development of a Geographic Information Systems Tool (GIS) to track undeveloped spaces and identify areas of greatest need. She cited Dome Park as an example and mentioned that the master plan aimed to establish a foundation for tracking and addressing such gaps and needs in park development.
- Nicole Ankeney, the Manager of Planning, Design, and Construction, provided an update regarding Dome Park. She mentioned that they had recently engaged a consultant to initiate the site master planning process for Dome Park. They were in the process of creating a schedule and a plan for public engagement, which would be shared on Engage Aurora soon. She clarified that the current master plan was a high-level overview, setting the goals and vision for the entire park system. In the following year, they planned to develop a strategic plan with more detailed information. She

noted that they were actively assessing undeveloped parks across the city, utilizing GIS and analysis tools. Additionally, they were working on filling staffing vacancies within the planning team to ensure they could address the development of undeveloped park effectively.

- CM Bergan raised a point about Phase 2 gaps and needs in the park system. She mentioned that park fees and impact fees played a significant role in funding and noted that some of these funds needed to remain within the area where they were collected. This added complexity to the funding process. N. Ankeney acknowledged the importance of this issue and mentioned that she was working on an RFP to address it. She specifically referred to the PROS dedication and development criteria manual and explained that they were planning to conduct a deeper analysis of fees and be responsive to both the development community and the community at large. She noted that this analysis would be undertaken in the coming year.
- CM Bergan inquired about the timeline for presenting the Comprehensive Plan changes to the PED Committee. M. Teller confirmed that the changes to the Comprehensive Plan, specifically referencing the document discussed, would likely come before PED early the following year.

Outcome:
Information only.

Follow-up Action:
None required.

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4. MISCELLANEOUS MATTERS FOR CONSIDERATION

4. a. Aurora Economic Development Council

- Yuri Gorlov

NO REPORT

4.b. Havana Business Improvement District

- Chance Horiuchi

C. Horiuchi announced the upcoming Halloween events. She mentioned various activities, including a drive-in movie, a Halloween costume contest, a networking event in partnership with the African Chamber, and a trick-or-treat event at The Gardens in Havana. The annual meeting was scheduled for November 15 at the Stampede, and catering would be provided by an Argentinian caterer. She noted that this year's presentation would be shorter, and they had a videographer to create a video overview of the events held in 2023.

4.c. Aurora Chamber of Commerce

- Naomi Colwell

NO REPORT

4.d. Planning Commission

- Becky Hogan

NO REPORT

4.e. Oil and Gas Committee

- Brad Pierce

NO REPORT

4.f. Business Advisory Board

- Garrett Walls

NO REPORT

4.g. Retail

- Bob Oliva

NO REPORT

4.h. Small Business

- Elena Vasconez

E. Vasconez mentioned that since the fall of 2022, the SBDC has been part of a collaborative effort involving 13 community and business organizations led by the Center for Community Wealth Building. They developed an online marketplace called ShopBIPOC to support businesses owned by Black, Indigenous, and People of Color (BIPOC), including Asian, Latino, biracial, and multiracial individuals. She reported that ShopBIPOC currently featured 415 BIPOC small businesses from the entire Denver Metro Area, including Aurora. The marketplace aimed to connect consumers and anchor institutions such as the University of Colorado, Anschutz Medical Center, and Metro State University with BIPOC-owned businesses to enhance their growth opportunities. She shared the success of the online marketplace's launch event on August 31 at The People's Building, attended by approximately 300 people. Five Aurora caterers, who were SBDC clients, provided catering for the event. She mentioned that CM Marcano represented the city and delivered a welcoming speech. She recognized several individuals and organizations for their support, including Aaron Vega, the curator for The People's Building, A. Amonick, and the SBDC Team. She also noted the city's efforts to raise awareness among different departments about BIPOC small businesses and shopping locally in Aurora. She highlighted a recent Lunch and Learn Session conducted by the Office of Diversity and Inclusion, the SBDC, and Community Wealth Building for city employees. This session aimed to educate them on purchasing from local small businesses to support community growth. Prieto's Catering, an Aurora food truck owner and SBDC business, provided catering for the training, which received a positive response. Due to its success, they planned to hold another training event in the coming months. She concluded by mentioning that she would provide a comprehensive report on all SBDC outreach efforts during the November PED Meeting and thanked everyone for their time.

4.i. Visit Aurora

- Bruce Dalton

NO REPORT

- CM Bergan announced that Southlands would be hosting a Wine Walk the following evening, describing it as a fun event for those who hadn't experienced it before.

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5. CONFIRM NEXT MEETING DATE

Scheduled for October 11, 2023, at 8:30 AM MT.

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6. ADJOURNMENT

APPROVED: 

Francoise Bergan, Committee Chair

PLANNING AND ECONOMIC DEVELOPMENT POLICY COMMITTEE MEETING MINUTES

Date: **April 9, 2025**
Time: **8:30 am**

Members Present	Chair: Council Member Francoise Bergan, Council Member Danielle Jurinsky
Others Present	Aja Tibbs, Alison Lueck, Andrea Amonick, Ani Karabashian, Ashvina Patel, Becky Hogan, Brad Pierce, Brandon Cammarata, Brenda Kenney, Brian Rulla, Brit Vigil, Bruce Dalton, Caitlynn Fortner, Cathy DeWolf, Cesarina Dancy, Chad Giron, Chance Horiuchi, Chris Fellows, Claude Boiteau, Connor Bailey, Crystal Vigil, Dan Harrington, Daniel Krzyzanowski, David Schoonmaker, David Scott, Deborah Bickmire, Diana Rael, Gayle Jetchick, Jacob Cox, Jake Calegari, James Schireman, Jeannine Rustad, Jeffrey Moore, Jennifer Orozco, Jeremiah Fettig, Jessica Prosser, Jonathan Woodward, Jose Rodriguez, Julie Patterson, Kelly Bish, Laura Perry, Laurie Womer, Leah Ramsey, Lena McClelland, Leticia Callanen, Mac Callison, Maria Alvarez, Marisa Noble, Maurice Healy, Michael Kerrigan, Morgan Cullen, Morgan Jennings, Naomi Colwell, Rachel Allen, Robert Oliva, Sarah Pulliam, Sarah Wile, Stacy Wasinger, Stephen E. Rodriguez, Stephen Gubrud, Steve Nichols, Steve Timms, Susan Chapel, Thomas Blevins, Tod Kuntzelman, Tom Oldenburg, Trevor Vaughn, Wendy Vue

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1. CALL TO ORDER

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2. APPROVAL OF March 12, 2025, DRAFT MINUTES–COUNCIL MEMBER BERGAN

2.a. The minutes were approved.

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3. GENERAL BUSINESS

3.a. UDO Amendment for Multifamily Parking in Applicable Transit Service Areas

Summary of Issue and Discussion:
Sarah Wile, Senior Planner III

Sarah Wile opened the presentation by greeting committee members and attendees and introducing herself as a Senior Planning and Business Development Department planner. She thanked the committee for the opportunity to speak and presented updates to the Unified Development Ordinance (UDO) in response to House Bill 24-1304, which was passed in 2024.

She explained that the amendment was required to bring the city's zoning code into compliance with new state legislation to improve housing attainability. The bill specifically prohibited municipalities from requiring minimum off-street parking for new multifamily developments, mixed-use projects containing residential units, and adaptive reuse of buildings with at least 50% residential space, but only within designated applicable transit service areas.

She clarified that this legislation did not prevent developers from including parking if they chose to, and the city would not impose any maximums. The intent was to allow flexibility, letting developers assess and provide parking based on their own needs, financial models, and site constraints.

To help illustrate the scope of the impact, S. Wile presented a map highlighting all applicable transit service areas across Aurora. She noted that most of the affected zones were concentrated in the city's western and central districts, where transit infrastructure was most dense. However, she also pointed out limited affected areas in the southeast, such as near Smoky Hill Road, and in the northeast, near 56th Avenue and Piccadilly Road. She shared that a public-facing interactive map was available online to help developers and residents check parcel-level impact.

She then explained that the city's current UDO was not compliant with the new law. Presently, Aurora requires all multifamily developments to provide off-street parking for residents and guests, with most projects including between 1.2 and 1.5 spaces per unit. She emphasized that while these requirements supported current parking availability, they also increased construction costs, consumed land that could be used for more units or open space, and ultimately contributed to higher rents.

S. Wile stated that despite the policy change, staff expected that most market-rate developers would continue providing roughly the same parking levels, since lenders often required it for financing. However, affordable housing projects might provide less parking, given different funding structures and target populations. These assumptions were based on feedback from the city's Parking Roundtable Forum held in the prior year.

She informed the committee that any development outside of a transit area would still need to follow current parking rules under the proposed amendment. Developers would no longer be required to meet a minimum within transit areas. However, all voluntarily provided off-street parking would still need to comply with ADA requirements and design standards, and developers would also be required to include bicycle parking provisions.

She closed by stating that a draft of the UDO changes would be published on the Engage Aurora website by the end of April, and that the city had been actively working with stakeholder groups, including the Joint Task Development Review Advisory Board, Park Aurora, and DOLA, to develop the language. The goal was to have the amendment adopted by the end of June.

- Chair Bergan thanked S. Wile and opened the floor for questions.
- CM Jurinsky indicated that she had no questions.
- Chair Bergan acknowledged that other jurisdictions were considering legal action against the state, characterizing the legislation as a clear overreach of Aurora's home rule authority. She pointed out that whenever multifamily housing was proposed in Aurora, residents consistently raised complaints about traffic and limited parking, even with current ratios of 1.2 to 1.5 spaces per unit. She warned that reducing or eliminating these requirements could result in significant public backlash. She speculated that the city might end up limiting multifamily housing altogether as a form of resistance to the state's mandate.
- Chair Bergan referred to the legislation requiring a compliance report to be submitted to the state. She asked if staff would submit such a report and whether the city planned to seek exceptions.
- J. Rustad responded, confirming that the city was preparing a compliance report. She explained that the proposed UDO amendment was written to align fully with the law. She reiterated that during previous discussions with developers, most indicated that financing requirements would continue to compel them to build the same amount of parking they already do. She cited one recent affordable housing development as an example- despite being fully leased, it had only four vehicles parked on-site, suggesting that not all multifamily residents needed parking.
- Chair Bergan asked for clarification on whether developers would still be permitted to provide parking if desired.
- J. Rustad confirmed that they could and noted that this version of the bill differed from earlier versions that might have penalized the inclusion of parking.
- CM Jurinsky questioned the purpose of the legislation as it wouldn't meaningfully change how developers approached parking. She suggested that the law was aimed at denser cities like Denver with more robust transit systems. She criticized the state legislature for imposing a one-size-fits-all policy on communities like Aurora. She agreed with Chair Bergan's earlier comments and emphasized her support for ending high-density residential development in the city as a potential response.
- Chair Bergan acknowledged CM Jurinsky's comment and moved to the following agenda item.

Outcome:
Council Member Bergan and Council Member Jurinsky approved this item to move forward to Study Session.

Follow-up Action:
Staff will add this item to the May 19, 2025, Study Session meeting agenda.

3.b. UDO Amendment for Accessory Dwelling Units
Summary of Issue and Discussion:
Jeremiah Fettig, Planner II

Jeremiah Fettig opened his presentation by thanking the committee for the opportunity to present and introduced himself as a Planner within the Planning and Business Development Department. He began by explaining that the purpose of his presentation was to provide an overview of proposed amendments to the Unified Development Ordinance (UDO) in response to House Bill 24-1152, which was passed by the Colorado state legislature in 2024.

He stated that the bill required all subject jurisdictions, municipalities with populations over 1,000 located within a Metropolitan Planning Organization, to permit accessory dwelling units (ADUs) on any lot currently zoned for single-family detached housing. The legislation mandated administrative approval processes for ADUs and required municipalities to allow units between 500 and 750 square feet. Moreover, the law limited a city's ability to impose architectural or dimensional design restrictions beyond what was required for the primary dwelling.

Before moving forward, Chair Bergan interrupted to pose a question regarding one of the points in the presentation, specifically a bullet indicating that homeowner associations (HOAs) would be unable to enforce restrictive covenants preventing ADUs. She expressed concern, noting that the bill itself did not explicitly reference HOAs or metro districts, and instead limited the definition of local government to municipalities, counties, and tribal nations. She referenced past conversations with legal counsel and a legislator who had confirmed that HOAs retained certain private property rights, and she strongly objected to including any statements about HOA restrictions in the city's presentation. Chair Bergan emphasized that this would likely be challenged and that HOAs offered a lifestyle choice with defined covenants that many residents intentionally opted into.

J. Rustad acknowledged the concern and said the city would revise future presentations accordingly. She affirmed that it was not within the city's purview to issue legal interpretations about HOA governance. She agreed that whether the law affected HOA covenants would likely be resolved through legal challenges. Chair Bergan reiterated that the city should not imply an interpretation one way or the other and thanked J. Rustad for the clarification. J. Fettig thanked the chair and agreed to remove the reference in future materials.

Resuming the presentation, J. Fettig clarified the three types of ADUs defined in the legislation: internal units located within a primary residence, attached units extending from the structure, and detached units, such as backyard cottages or converted

garages. He noted that ADUs must contain independent living facilities, including a kitchen, sleeping area, sanitation, and eating space, and must be located on the same lot as a primary dwelling.

He connected the legislative requirements to the goals of the Aurora Places Comprehensive Plan, noting that the expansion of ADUs supported the plan's housing for all principle. He cited the state's rationale for the bill, which included promoting more minor, more affordable housing units in areas with existing infrastructure. ADUs, he said, could serve multigenerational families, help lower-income households, and offer seniors opportunities to age in place while also creating income-generating possibilities for homeowners. He added that the construction of ADUs could potentially raise property values.

J. Fettig continued, outlining what types of ADU regulations the city was still allowed to implement under the bill. These included permitting more than one ADU per lot, allowing ADUs to be smaller or larger than the 500–750 square foot range, and setting maximum size ratios relative to the primary dwelling. The city could also choose whether or not to permit RVs or trailers as ADUs, require that an existing parking space be designated for the ADU, and enforce compliance with local building and life safety codes.

Conversely, he listed restrictions placed on municipalities by the legislation. Cities could not require either the ADU or the primary unit to be owner-occupied, could not mandate additional off-street parking, and could not apply subjective architectural or landscaping standards. Lot size and setback requirements were also limited to those already in place for single-family homes, with rear setbacks capped at five feet. Cities were also prohibited from excluding any of the three ADU types defined in the law.

J. Fettig then explained how ADUs had been permitted in Aurora since 2018, although under highly restrictive conditions. They were only allowed in three zoning districts, in Original Aurora, and required a conditional use permit and a public hearing before the Planning and Zoning Commission. He noted that the city's existing administrative building permit process already conformed to the state's legislation. However, the use-specific standards were not compliant, as they limited ADUs to detached units in rear yards, restricted their size, and required alley access.

To achieve compliance, J. Fettig stated that staff were preparing an amendment to expand the permitted use table, eliminate the conditional use process, and broaden the districts where ADUs would be allowed. Subjective design standards would be removed, and the definition of ADUs would be updated to reflect all three permitted types. Staff also ensured that new parameters were tailored to Aurora's context while staying within legislative constraints.

He shared that a draft of the proposed changes would be available for public review on Engage Aurora by the end of April. The city had already launched an informational site for both UDO projects, complete with frequently asked questions

and public resources. Staff had initiated meetings with internal stakeholders and technical advisory groups representing departments such as fire, engineering, life safety, and building services. Public hearings with the Planning Commission and City Council were expected as the amendment process moved forward.

J. Fettig concluded the presentation and invited questions from the committee.

- Chair Bergan asked CM Jurinsky if she had any questions.
- CM Jurinsky declined.
- Chair Bergan offered brief final remarks, expressing disappointment with the legislation. She emphasized that Aurora already permitted ADUs and that the state's move to impose further mandates represented another erosion of local home rule authority. She hoped the bill would face challenges from other jurisdictions. She then moved the committee on to the following item.

Outcome:
Council Member Bergan and Council Member Jurinsky approved this item to move forward to Study Session.

Follow-up Action:
Staff will add this item to the May 19, 2025, Study Session meeting agenda.

3.c. Colfax and 13th Avenue Station Area Plan
Summary of Issue and Discussion:
Daniel Krzyzanowski, Planning Supervisor

Daniel Krzyzanowski began his presentation by greeting the committee and introducing himself as a Planning Supervisor in the city's Planning Department. He explained that the purpose of this item was to present the completed draft of the Colfax and 13th Avenue Station Area Plan and to request approval for it to move forward for formal adoption.

He reminded the committee that this plan was first introduced in late 2023 and that staff were returning with a final version. The area covered by the plan spanned approximately 187 acres in north-central Aurora and included two RTD light rail stations: the Colfax Station, which featured the signature bridge over Colfax Avenue near the Anschutz Medical Campus, and the 13th Avenue Station, located southeast of Colfax on the east side of I-225.

D. Krzyzanowski described the surrounding context, noting that the plan area sat adjacent to key medical employers such as the Anschutz Medical Campus and the HealthONE Behavioral Health Center. Established residential neighborhoods, including Hoffman Heights, Chambers Heights, and the Meadows Mobile Home Community bordered it. He explained that the plan served two primary purposes: to update the original 2009 station area plan, which was outdated and predated the light rail infrastructure, and to prepare the area for near-term development by laying the groundwork for a future urban renewal plan.

He emphasized that the updated plan reaffirmed the area's vision as a transit-oriented, mixed-use community, consistent with the earlier plan, but with refreshed zoning tools, land use designations, and development standards to reflect current conditions. He shared that the document outlined specific action items to support this vision and was intended to directly inform the structure of a forthcoming urban renewal plan to address infrastructure needs and facilitate investment in the area.

Displaying a visual of the proposed land use framework, D. Krzyzanowski noted that the plan preserved the Colfax corridor as a commercial mixed-use zone intended to serve residents, employees, and visitors. South of Colfax, the plan envisioned a mix of residential development, with particular attention to two significant redevelopment opportunities: the site surrounding the 13th Avenue Station and another parcel located south of Tollgate Creek. He added that a new park or recreational amenity was being considered near the 13th Avenue Station, which could serve new residents and surrounding neighborhoods.

He then moved to the mobility framework and outlined how the plan proposed future street and pedestrian connections to improve access between neighborhoods and Colfax Avenue's transit and services. One key improvement was the extension of Dillon Way, which would connect 13th Avenue to development sites south of Tollgate Creek, facilitating public safety access and resident mobility. Other proposed enhancements included incremental pedestrian or street links to re-stitch the area over time, creating a more walkable, integrated environment.

After the presentation, D. Krzyzanowski displayed the adoption schedule. If the committee approves, the next step would be a public hearing with the Planning and Zoning Commission on April 23, followed by City Council consideration in early June. He reiterated that finalizing the station area plan was critical in enabling the city to proceed with an urban renewal plan later in the summer. He concluded his remarks by opening the floor for questions.

- Chair Bergan thanked D. Krzyzanowski for the presentation and asked if there were any questions.
- CM Jurinsky asked whether a fiscal note was associated with the plan.
- D. Krzyzanowski responded that it was not. He clarified that the document was a policy and planning framework only and that any actual improvements, such as infrastructure construction or further studies, would be brought back to the City Council individually, each with its funding request and detailed fiscal note. He reiterated that the plan served to set the vision and strategy, but did not carry an immediate financial commitment.
- CM Jurinsky followed up with a question about RTD's involvement in the process. She expressed skepticism about RTD's safety and ridership issues and asked whether the agency genuinely participated in development discussions. She stressed that while the city could invest in infrastructure and beautification, RTD needed meaningful engagement and responsibility to improve the area's overall viability.

- D. Krzyzanowski affirmed that RTD had been involved throughout the planning process. He stated that the agency had supported the plan and aligned with RTD's broader strategy of encouraging development around underutilized station areas. He explained that RTD had direction from its board to identify opportunities for station-area development, particularly on properties where it owned excess land or parking capacity. He characterized the city and RTD as aligned in their goals for this corridor.
- J. Rustad added that the city held quarterly meetings with RTD, during which the Colfax and 13th Avenue area had been discussed in detail. She noted that RTD had proposed using the site for a bus barn at one point, but through continued dialogue, the city had persuaded RTD that such a use was not the highest and best use for the location. She shared that staff would continue to work with RTD as planning advanced. She added that a joint presentation at an upcoming TAPS meeting would further outline RTD's progress toward improving transit service reliability.
- CM Jurinsky responded that she would appreciate being informed about RTD's role and commitment to the project.
- Chair Bergan acknowledged the discussion, thanked D. Krzyzanowski for his presentation, and moved the committee to the following agenda item.

Outcome:
Council Member Bergan and Council Member Jurinsky approved this item to move forward to City Council.

Follow-up Action:
Staff will add this item to the May 5, 2025, City Council meeting agenda.

3.d. Housing Analysis Small Lot Update

Summary of Issue and Discussion:
Jeannine Rustad, Director of Planning & Business Development and Steve Timms, Planning Supervisor

Jeannine Rustad introduced the update by announcing that the city had received three high-quality responses to its recent Request for Proposals (RFP) for a comprehensive analysis of small lot housing development within Aurora. She expressed satisfaction with the outcome and reported that one of the proposals had been selected. However, she refrained from disclosing the name of the chosen firm, noting that the contract had not yet been finalized. She added that staff anticipated completing the contracting process in the next few weeks.

The selected proposal outlined a robust schedule for the project, aiming to begin work in late April or early May and conclude with final adoption by January. She acknowledged that, while the timeline might appear lengthy, the city was committed to a process that emphasized continuous engagement with the development community, transparency, and outreach to the public. She noted that this initiative balanced Aurora's ongoing need for attainable housing with the community's desire to maintain a well-designed, livable city.

J. Rustad addressed Chair Bergan's earlier comments from Agenda Item 3.b, in which Chair Bergan had stressed the importance of controlling the city's built environment. She affirmed that those concerns were top of mind for staff and that maintaining Aurora's character was a core part of the project's scope. The consultant team, she explained, would be tasked with helping the city strike a careful balance between housing flexibility and aesthetic integrity.

She elaborated that the consultant would work closely with internal city departments and private development stakeholders to conduct a code audit. This audit would identify barriers and opportunities related to small lot housing development. The city also intended to pursue a robust community education effort, helping residents understand the implications of zoning changes through technical code updates, compelling visual materials, and design briefs.

J. Rustad referenced lessons learned from other jurisdictions, noting that Aurora staff had recently attended a session at the National Planning Conference in Denver, where small lot reform was a key topic. She cited the City of Englewood as a cautionary example, explaining that their process to reform small lot zoning had taken three years and faced intense public opposition. She described how four Englewood council members had faced recall attempts, though ultimately unsuccessful, and how a public referendum had been launched in response to the zoning changes. She emphasized that while Aurora's process would be completed in months, rather than years, the team was committed to engaging the public early and meaningfully to avoid similar backlash.

She noted that what impressed the selection committee most about the winning consultant was their awareness of how incremental code decisions could affect a city's long-term livability and economic diversity. The team demonstrated an understanding that small zoning changes could significantly impact affordability, neighborhood character, and community trust.

- Chair Bergan responded positively and asked when the project was expected to begin.
- J. Rustad replied that the team hoped to launch the project by the end of April or early May with a kickoff meeting. Initial steps would include refining the scope of work, conducting site tours to familiarize the consultant with Aurora's existing housing stock and development patterns, and diving into the technical code audit.
- Chair Bergan supported the approach, particularly the strong emphasis on community engagement. She stressed that if residents were not brought into the process early, they often felt blindsided by development decisions. She appreciated that the project avoided that dynamic by involving the public.
- CM Jurinsky also weighed in, affirming that resident outreach was essential. She shared that she had owned property in Englewood during their minor lot zoning controversy and witnessed firsthand how quickly public opinion had turned when residents felt excluded or uninformed. She explained that much of the opposition had stemmed from a lack of understanding and frustration

over rapid change. She commended the city's proactive strategy and reiterated the importance of transparency and education.

- J. Rustad assured the committee that staff would keep them updated throughout the process and immediately flag any challenges or resistance encountered.

Outcome:
Information only.

Follow-up Action:
None required.

3.e. Resolution for Amendments to Exhibit A and B of the Crestone Peak Resources Operator Agreement

Summary of Issue and Discussion:
Jeffrey S. Moore, Manager, Energy & Environment Division

Jeffrey Moore opened the presentation by greeting the committee and introducing himself as the Energy and Environment Division manager. He stated that the item's purpose was to review proposed revisions to Exhibits A and B of the Crestone Peak Resources Operator Agreement, and to request committee approval for the resolution to move forward to Study Session.

He explained that Exhibits A and B of the agreement outlined the list and location of well sites permitted under the city's agreement with Crestone Peak Resources. While the base contract remained unchanged, revisions to these exhibits were allowed, provided they were approved through a public hearing at the City Council. Previous amendments were made in January 2021 and again in January 2023.

J. Moore stated that Crestone was now requesting three changes: first, to cancel a previously approved well site near Jewell Avenue; second, to reduce the overall number of well sites and permitted wells in the city; and third, to increase the number of wells at the existing Reserve North site, located just north of I-70. He emphasized that these changes, if approved, would result in fewer total wells and fewer sites overall, while concentrating drilling operations in a more industrially appropriate area.

He outlined several key benefits to the city. Canceling the site near Jewell would eliminate a location less than 2,000 feet from two residential homes and located in an R-2 residential zone. By removing this site, the city would avoid future drilling activity near housing. In contrast, the proposed expansion at the Reserve North site would occur on land zoned for airport use and is adjacent to I-70, offering superior infrastructure access and minimal residential exposure. He added that by consolidating activity, the city could reduce long-term surface impacts, road wear from truck traffic, and potential public health concerns.

J. Moore noted that any new wells added at the Reserve North location would still need to go through the standard permitting process with the city and the Colorado Energy and Carbon Management Commission. He emphasized that this review process remained rigorous and would allow for continued oversight to protect public health, safety, and environmental resources.

He concluded his portion of the presentation by informing the committee that the city's Oil and Gas Advisory Committee had reviewed the proposal just the day before and issued a formal letter of support. Although the letter had not been included in the committee's packet due to time constraints, it would be added to the materials submitted for City Council review.

J. Moore then introduced D. Harrington, Asset Development Manager at Civitas Resources, to provide additional detail about the proposal from the operator's perspective.

D. Harrington began by thanking the committee for the opportunity to present and the city's ongoing collaboration. He stated that Civitas was proposing to amend Exhibits A and B of the Operator Agreement solely to adjust the number and location of well sites. He clarified that no changes to the core contract language were being proposed.

He directed the committee's attention to a series of slides showing the locations of the two affected sites. The Reserve North site—already active and containing nine wells—was located just north of I-70 along Hudson Road. The site Civitas proposed to remove, Cottonwood Creek North, was located significantly farther south along Jewell Avenue and had not yet been developed. D. Harrington noted that this southern site would have required new surface construction in an area closer to homes and would have significantly increased truck traffic on city roads.

Under the proposed changes, the Reserve North site would be expanded from nine wells to fifteen. The site layout currently includes a gap between existing well rows, providing space to add the new wells without materially enlarging the site footprint. He emphasized that this design efficiency would allow for the development of additional subsurface resources without increasing surface impact. He said the expansion would include a new phase three construction and drilling.

D. Harrington shared that the added wells would allow Civitas to access underground mineral rights east of the Reserve North site, which had been challenging to reach due to surface use conflicts, including residential development, floodplain areas, and nearby infrastructure. He explained that due to these constraints, there were no viable pad sites east of Reserve North, and that co-locating the additional wells at an already built, well-managed site was the most responsible and efficient alternative.

He then displayed a revised version of Exhibit A with the Cottonwood Creek North site removed and showed the revised Exhibit B with the six new well slots added to the Reserve North layout. He emphasized that the net impact of the proposed

revisions was one fewer well site and one fewer total well, even with the new additions.

D. Harrington concluded his presentation by reiterating that the changes aligned with the city's goals of reducing residential impacts and optimizing industrial zoning areas for energy development. He expressed Civitas's commitment to continuing its partnership with the city and stood ready to answer questions.

- Chair Bergan thanked both presenters and opened the floor for committee discussion.
- CM Jurinsky responded first, stating she had no questions and fully supported the proposal.
- Chair Bergan also expressed support, stating that removing the site near Jewell was a good decision, especially given its proximity to homes. She noted that expanding at Reserve North made sense, particularly since the additional wells could be placed between existing pads and would not dramatically increase the site's surface footprint. She commended the plan as an innovative and balanced approach and confirmed her support for moving it forward.
- J. Moore and D. Harrington thanked the committee for their time and feedback.

Outcome:
Council Member Bergan and Council Member Jurinsky approved this item to move forward to Study Session.

Follow-up Action:
Staff will add this item to the April 21, 2025, Study Session meeting agenda.

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4. MISCELLANEOUS MATTERS FOR CONSIDERATION

4. a. Aurora Economic Development Council

- Yuri Gorlov

NO REPORT

4.b. Havana Business Improvement District

- Chance Horiuchi

NO REPORT

4.c. Aurora Chamber of Commerce

- Naomi Colwell

NO REPORT

4.d. Planning Commission

- Becky Hogan

NO REPORT

4.e. Oil and Gas Committee

- Brad Pierce

4.f. Business Advisory Board

- Garrett Walls

NO REPORT

4.g. Retail

- Bob Oliva

NO REPORT

4.h. Small Business

- Ashvina Patel

NO REPORT

4.i. Visit Aurora

- Bruce Dalton

B. Dalton provided a brief report, highlighting the ongoing Cheers Aurora beer program (running through June 15) and announcing the 2025 Aurora Borealis Festival, scheduled for October 10–11 at High Prairie Park in Painted Prairie.

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5. CONFIRM NEXT MEETING DATE

Scheduled for May 14, 2025, at 8:30 AM MT.

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6. ADJOURNMENT

APPROVED: _____

Francoise Bergan, Committee Chair

Planning and Zoning Commission
April 23, 2025

Commissioners Present	**Garrett Walls**
	Robert Gaiser
	Sonda Banka
	Gayle Jetchick
	Melvin Bush
Commissioners Absent:	**Becky Hogan**

1. **Study Session – 5:00 p.m.**
   UDO Amendments for Multi-Family Parking
   UDO Amendments Accessory Dwelling Units

2. **Regular Meeting – Call to Order 6:10 p.m.**

3. **Roll Call**

4. **Pledge of Allegiance**
   Not Conducted Due to Virtual Meeting

5. **Approval of the Planning Commission Minutes**
   5.a. April 9, 2025, Draft Minutes
   A MOTION WAS MADE BY CHAIR WALLS AND SECONDED BY COMMISSIONER BANKA TO APPROVE THE MINUTES AS SUBMITTED.

   MINUTES APPROVED UNANIMOUSLY WITHOUT OBJECTION.

6. **Adoption of Agenda**
   A MOTION WAS MADE BY CHAIRMAN WALLS AND SECONDED BY COMMISSIONER JETCHICK

   MOVE TO APPROVE THE DRAFT AGENDA AS AMENDED AS THE PERMANENT AGENDA. AGENDA ITEMS 8a – 8e 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 WITHOUT OBJECTION.

7. **Consent Agenda**
   Not Conducted Due to Lack of Items.

8. General Business

8a. KICKIN' CHICKEN FITZSIMONS BOUNDARY AREA DISTRICT – SIGN ADJUSTMENT

The applicant, Ivy Pham, owner of Kickin Chicken, is proposing a major adjustment to increase the total allowable square footage of canopy signs on the east and north elevations of a ground-floor commercial unit in the Forum at Fitzsimons development. The subject property is approximately 90 feet east of the intersection of East Colfax Avenue and Xanadu Street on the south side of Colfax. The tenant space is in the northwestern corner unit of The Forum at Fitzsimons mixed-use building. The zoning is Mixed-Use Fitzsimons Boundary (MU-FB) District, designed to include the redevelopment area surrounding the Fitzsimons Army Medical Center.

The applicant is proposing two 23 square foot canopy signs for a total of 46 square feet of canopy signage. Per city code an additional canopy sign can and has been granted administratively for a total of two permitted canopy signs; however, the proposed increase to total square footage is greater than what can be granted administratively, up to 10%, and requires Planning Commission approval.

The Forum at Fitzsimons Master Site Plan was approved in 2015. The Forum at Fitzsimons is a mixed-use development that includes over 26,000 square feet of retail and restaurant space and 397 residential units. Kickin Chicken is an existing restaurant in the retail portion of the development. The signage allowed per code for businesses located in the MU-FB zone includes one canopy sign, a maximum of 10 square feet per tenant.

Five adjacent property owners and fifteen registered neighborhood organizations were notified of the application. No comments were received. A neighborhood meeting was not held based on the lack of comments.

Testimony Given at the Hearing:

Commissioners Banka, Bush, Gaiser, and Jetchick visited the site.

Caitlynn Fortner, Case Manager, gave a presentation of the item, including the staff recommendation.

Ivy Pham, Kickin' Chicken, the applicant, was available for questions.

The Commission did not have any questions for staff or the applicant.

Planning Commission Results
AGENDA ITEM 8a – SIGN ADJUSTMENT

A MOTION WAS MADE BY COMMISSIONER BUSH AND SECONDED BY COMMISSIONER BANKA.

MOVE TO APPROVE THE MAJOR (SIGN) ADJUSTMENT TO INCREASE THE TOTAL ALLOWED CANOPY SIGN SQUARE FOOTAGE FOR TWO (2) SIGNS TO 23 SQUARE FEET EACH. THE APPLICATION COMPLIES WITH THE CRITERIA FOR APPROVAL OF CODE SECTION 146-5.4.4.D.3. OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. THE ADJUSTMENT WILL HAVE A MINIMAL VISUAL EFFECT ON THE SURROUNDING NEIGHBORHOOD DUE TO THE SIGNS' PLACEMENT 28 FEET ABOVE GRADE;
2. THE ADJUSTMENT DOES NOT VIOLATE ANY CONDITIONS OF APPROVAL SPECIFICALLY APPLIED TO DEVELOPMENT OF THE PROPERTY BY THE PLANNING AND ZONING COMMISSION OR CITY COUNCIL;
3. THE PROPOSED SIZE AND LOCATION IS REASONABLE DUE TO THE UNIQUE ARCHITECTURAL FEATURES OF THE BUILDING FAÇADE THAT OTHERWISE LIMIT THE SIZE AND LOCATION OF POTENTIAL SIGNAGE;
4. THE SIGNS ARE NECESSARY TO ALLOW SIGN VISIBILITY FOR VEHICLES TRAVELING ON E COLFAX AVENUE; AND,
5. THE SIZE, DESIGN, AND PLACEMENT ARE SIMILAR TO OTHER APPROVED SIGNS IN THE DEVELOPMENT INCLUDING THE IHOP LOCATED AT EAST 13650 COLFAX AVE SUITE L WHICH HAVE THE SAME UNIQUE ARCHITECTURAL LIMITATIONS.

Further Discussion:
Chair Walls stated that the sign design is great, and the adjustment makes sense. Chair Walls also encouraged staff to keep working on the Unified Development Ordinance so that projects like these can be approved administratively and not require a Planning Commission public hearing.

Commission Bush stated that he agrees with the staff's recommendation and that this sign adjustment will allow for more competition in an area where there is dominance by some businesses.

MOTION PASSED UNANIMOUSLY.

8b. AURORA PLACES – COMPREHENSIVE PLAN AMENDMENT TO ADOPT BY REFERENCE THE COLFAX AND 13TH AVENUE STATION AREA PLAN

Aurora Places, the city's comprehensive plan, serves as a foundation for decision-making related to growth and development in Aurora. It presents a vision for the future, with long-range goals and recommended actions for a variety of public activities. The plan addresses topics including land use, transportation, housing, economic development, natural resources, parks and open space, community identity, and more.

Colorado state law (§ 31-23-206) requires cities to adopt a master plan as an advisory document to guide land development decisions. In addition to traditional land use and development elements like streets, highways, mass transit, utilities, public facilities, public rights-of-way, and zoning.

While the current comprehensive plan provides an overall vision, policies, and practices related to land use, transit services, and development in transit corridors, the city's collection of station area plans provides a more locally focused examination and plan for these important centers and corridors. Station area plans further refine the community's vision, planning, and policy goals and provide more details on specific implementation of these small areas.

Colfax and 13th Avenue Station Area Plan Update. Since the original station area plan was developed in 2009, the area around the Colfax and 13th Avenue Station has seen significant growth and development. Additionally, during this period, the city has developed and adopted several major planning and policy studies, including the Aurora Places Comprehensive Plan (2018), Unified Development Ordinance (2019), Aurora Housing Strategy (2020), and 13th Avenue Multimodal Mobility Study. This updated station area plan is intended to incorporate these plans and policies, respond to development in the area, and support new, near-term development opportunities.

The vision of a mixed-use, transit-oriented district has not changed since the original 2009 plan. The area is still intended to include a mix of shopping, services, employment, and housing to meet the needs of those who live, work, and visit the area. However, the updated plan provides more streamlined and effective land use recommendations and development standards that will shape future development in the area. The plan's updated language is more consistent with the Unified Development Ordinance, giving clearer direction to prospective developers, business owners, and property owners, while continuing to effectively shape the type and character of development in support of the vision.

Furthermore, the updated station area plan lays the foundation for the adoption of an urban renewal plan that supports funding of public infrastructure improvements that is needed for new development in the area. The Aurora City Council has recently been briefed on the proposed urban renewal plan for the area and the near-term development opportunities that exist.

In addition to supporting the urban renewal plan, the updated station area plan recommends a series of action items to implement the vision and improve the neighborhood. These items address infrastructure improvements to better serve drivers, pedestrians, and bicyclists;

expansion of housing options in the area, including new affordable housing opportunities; and identifying opportunities for new parks to serve local residents.

Testimony Given at the Hearing:
Commissioners Gaiser, Bush, and Banka visited the site.

Daniel Krzyzanowski, Planning Supervisor, gave a presentation of the item, including the staff recommendation.

Chair Walls asked about the extension of Dillon Way and the development of the parcels in that area. D Krzyzanowski explained that Dillon Way will be extended in the future, noting that it would be logical to connect those internal areas to Colfax Avenue. D Krzyzanowski also noted that for the extension to occur, coordination with RTD would be needed. Currently, there are no plans for development or to fund development for those parcels.

Planning Commission Results
AGENDA ITEM 8b – COMPREHENSIVE PLAN AMENDMENT TO ADOPT BY REFERENCE THE COLFAX AND 13TH AVENUE STATION AREA PLAN

A MOTION WAS MADE BY COMMISSIONER GAISER AND SECONDED BY COMMISSIONER BUSH.

MOVE TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE AMENDMENT TO THE AURORA PLACES COMPREHENSIVE PLAN TO ADOPT BY REFERENCE THE "COLFAX AND 13TH AVENUE STATION AREA PLAN" BECAUSE THE PROPOSAL COMPLIES WITH THE CRITERIA IN CODE SECTION 146-5.4.1(A) OF THE UNIFIED DEVELOPMENT ORDINANCE.

Further Discussion:
Chair Walls stated this is a needed amendment to the Comprehensive Plan and commended staff for their work. The amendment not only meets the needs of the community now, but will also do so in the future.

MOTION PASSED UNANIMOUSLY.

8cd. BANK OF AMERICA AT AURORA PLAZA – CONDITIONAL USE AND SITE PLAN

The applicant, Suncap Real Estate Investment, is proposing a new bank with a single drive-thru. The site is located north and west of the intersection of S. Chambers Road and E. Mississippi Avenue. The site is zoned Mixed-Use Corridor District (MU-C). The site is bordered by a Wendy's fast food restaurant to the east, a multi-tenant commercial strip development to the north, a recently approved gas station under construction to the west, and a commercial center with fast food restaurants, an oil change facility, multi-tenant commercial, and a grocery store to the south across E. Mississippi Avenue.

In the zoning code, a bank is identified as a personal service use for a financial institution, which is an allowed use in the MU-C zone district. The accessory drive-thru is a Conditional Use in the MU-C zone district and requires approval by the Planning and Zoning Commission prior to the approval of the Site Plan. The proposed 4,229-square-foot building is one story with a drive-thru situated on the east side of the building, adjacent to the Wendy's parcel. The proposed building will face E. Mississippi Avenue to the south, with parking located to the west and north of the building. A shared access drive from E. Mississippi Avenue borders the west side of the site. Access to the site and the large commercial parcel is provided by this drive. An approximately 20-foot by 20-foot outdoor space with seating and plantings is proposed outside the main entrance at the southwest corner of the building. On-site and curbside landscaping requirements per the UDO (Unified Development Ordinance) are met or exceeded. A 10-foot detached sidewalk is also proposed along Mississippi Avenue. Due to grade and timing of improvements, the sidewalk will be deferred, but has been designed with this Site Plan, more information is provided later in this report. The building's architecture has been designed to meet or exceed the building design requirements of the UDO, and will primarily consist of stucco, glass, an architectural metal storefront, and metal accents. Architectural elements include varying parapet height, material color variation, and overhangs. Fourteen automobile parking stalls will be provided, including one accessible stall, exceeding the eleven-stall parking requirement for this proposal. Adequate stacking space for the drive-thru has been provided.

Three (3) abutting property owners and twenty-two (22) registered neighborhood organizations within one mile of the property received a referral for the proposed application. During the review process, no public comments were received, thus, no neighborhood meeting was held.

Testimony Given at the Hearing:

Commissioners Banka, Bush, Gaiser, and Jetchick visited the site.

Stacy Wasinger, Case Manager, gave a presentation of the item, including the staff recommendation.

Chair Walls asked if there would be any public safety fencing for the below-grade retaining wall. S Wasinger demonstrated on the site plan the details of the retaining wall and where both sections will have a railing for public safety.

Todd Hager, Galloway & Company, agent for the applicant, was available for questions.

Bryan Camphouse, Anderson & Hastings, agent for the applicant, was available for questions.

Shane Nixon, Aurora Plaza LLC, applicant, was available for questions.

Erica Andrus, Interior Architects, agent for the applicant, was available for questions.

Planning Commission Results
AGENDA ITEM 8c – CONDITIONAL USE FOR A DRIVE-THRU IN MU-C ZONE DISTRICT

A MOTION WAS MADE BY COMMISSIONER JETCHICK AND SECONDED BY COMMISSIONER BANKA.

MOVE TO APPROVE THE CONDITIONAL USE FOR AN ACCESSORY DRIVE-THRU BECAUSE IT COMPLIES WITH THE REQUIREMENTS OF CODE SECTION 146-5.4.3.A.3 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. THE CONDITIONAL USE COMPLIES WITH THE STANDARDS AND REVIEW CRITERIA OF THE MU-C ZONE DISTRICT, ENGINEERING STANDARDS, AND OTHER REGULATIONS;
2. THE APPLICATION IS CONSISTENT WITH THE CITY CORRIDOR PLACETYPE OF THE AURORA PLACES COMPREHENSIVE PLAN;
3. THE PROPOSED FINANCIAL INSTITUTION WITH ACCESSORY DRIVE-THRU IS COMPATIBLE IN SIZE, HEIGHT, AND USE WITH THE EXISTING COMMERCIAL CENTER, FAST FOOD RESTAURANT WITH DRIVE-THRU, AND NEW GAS STATION USES;
4. THE PROPOSED DRIVE-THRU USE WILL NOT CHANGE THE PREDOMINANT CHARACTER OF THE AREA AND IS COMPATIBLE WITH EXISTING USES;
5. THE EXISTING INFRASTRUCTURE IS ADEQUATE TO ACCOMMODATE THE NEW DEVELOPMENT, AND ANY REQUIRED UPGRADES AND IMPROVEMENTS WILL BE INSTALLED;
6. THERE ARE NO DISLOCATIONS CAUSED BY THE NEW DEVELOPMENT OR ACCESSORY DRIVE-THRU; AND
7. ANY ADVERSE IMPACTS, SUCH AS A DRIVE-THRU LOCATION TO THE SIDE, HAVE BEEN MITIGATED TO THE EXTENT PRACTICABLE.

Further Discussion:
No further discussion occurred.

MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 8d – SITE PLAN

A MOTION WAS MADE BY CHAIR WALLS AND SECONDED BY COMMISSIONER BANKA.

APPROVE, WITH ONE CONDITION, THE SITE PLAN BECAUSE IT COMPLIES WITH THE REQUIREMENTS OF CODE SECTION 146-5.4.3.B.2 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. THE SITE PLAN COMPLIES WITH THE STANDARDS AND REVIEW CRITERIA OF THE MU-C ZONE DISTRICT AND THE CITY CORRIDOR PLACETYPE OF THE AURORA PLACES COMPREHENSIVE PLAN;
2. THE SITE PLAN COMPLIES WITH ALL APPLICABLE STANDARDS IN THE UDO;
3. CITY INFRASTRUCTURE WILL BE IMPROVED IN ASSOCIATION WITH THIS DEVELOPMENT THROUGH THE FUTURE CONSTRUCTION OF AND IMPROVEMENT TO ADJACENT SIDEWALKS TO THE DEVELOPMENT;
4. THE PROPOSED DEVELOPMENT IS COMPATIBLE WITH THE SURROUNDING COMMERCIAL LAND USES; AND
5. MEASURES HAVE BEEN TAKEN TO MITIGATE ADVERSE IMPACTS ON THE SURROUNDING DEVELOPMENT.

APPROVAL IS TO BE SUBJECT TO THE FOLLOWING CONDITION:

1. RESOLUTION OF OUTSTANDING TECHNICAL ISSUES PRIOR TO THE RECORDATION OF THE SITE PLAN AND ISSUANCE OF ANY BUILDING PERMITS.

Further Discussion:
No further discussion occurred.

MOTION PASSED UNANIMOUSLY

8e. CENTRETECH INVENTORY PARKING LOT – SITE PLAN WITH ADJUSTMENT

The applicant, Asbury Automotive (Amy Nostrom), is requesting approval of a Site Plan with an Adjustment for a motor vehicle inventory parking lot located at the Northwest Corner of N Airport Boulevard and E Centretech Parkway. The 7.6-acre site is in the Business/Tech District (I-1) zone district, subarea B, and is surrounded by I-1 Zoning from the North, West, and South with Mixed Use Office/ Institutional District zoning (MU-OI) to the East of the property across N Airport Boulevard. Additionally, the subject property is within the Buckley Airport Influence Zone and 55 LDN. One (1) adjustment is requested to reduce the required parking stall dimensions.

The applicant proposes constructing an inventory parking lot with 926 parking spaces that will be used as overflow inventory storage of vehicles for the Stevinson Toyota East Dealership, located at 444 S Havana Street in Aurora. The use is considered *outdoor storage*, which is a permitted use in the Business/Tech (I-1) zone district. In addition, there are Use Specific Standards for *outdoor storage* in the Unified Development Ordinance (UDO) in which the project is in compliance. The parking area will be paved with asphalt. The property will not be open to the public as a commercial parking lot and will only be used as outdoor storage. The proposed operations of the site will correspond with the operating hours of the Stevinson Toyota East Dealership, Monday to Saturday from 9:00 AM – 8:00 PM. The applicant notes that between these times, employees from the dealership may move between the dealership and the subject property, so the number of employee visits to the site is variable. Employees are not expected to be stationed at the site full-time.

Two (2) vehicle access points are proposed for the property. One right-in/right-out will be from E Centretech Parkway, which functions as the primary ingress and egress point to the property. A secondary access from N Airport Boulevard functions as an emergency vehicle access only and is located at the northeast corner of the site. Both access points are gated and are only accessible by employees of the dealership.

The proposal is located within the Innovation Campus placetype of the Aurora Places Comprehensive Plan. The Innovation Campus placetype's goal is to create an area where anchor institutions and businesses connect with start-ups and business incubators and accelerators. Light industrial and business park uses are joined with educational and medical institutions to foster sought-after creativity. A high-quality, tech-centric space is critical to this placetype's success, including unique meeting spaces that encourage people and organizations to come together, learn from one another, and exchange ideas. Transit, pedestrian, and bicycle accessibility to and through the Innovation District is a priority. The proposal meets the intent of the Comprehensive Plan because it contributes to the growth of local businesses and contributes to the economic vitality of the city.

Ten (10) HOA's and seven (7) adjacent property owners were sent referrals. No Neighborhood Comments were submitted by adjacent property owners or surrounding

neighborhood organizations. Staff determined that a neighborhood meeting was not required based on the lack of comments received.

Testimony Given at the Hearing:
Commissioners Banka, Gaiser, and Jetchick visited the site.

Ani Karabashian, Case Manager, gave a presentation of the item, including the staff recommendation.

Shelby Madrid, Kimley-Horn, agent for the applicant, gave a presentation of the item.

Commissioner Jetchick asked where the transports delivering vehicles will park. S Madrid demonstrated on the site plan where the transports will be able to park on the lot, keeping them off Centretech Parkway.

Planning Commission Results
AGENDA ITEM 8e – SITE PLAN WITH ADJUSTMENT

A MOTION WAS MADE BY COMMISSIONER BANKA AND SECONDED BY COMMISSIONER GAISER.

MOVE TO APPROVE, WITH ONE CONDITION, THE SITE PLAN WITH ONE ADJUSTMENT FOR PARKING STALL DIMENSION REDUCTION BECAUSE THE PROPOSAL COMPLIES WITH THE REQUIREMENTS OF CODE SECTION 146-5.4.3.B.2 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. IT IS CONSISTENT WITH THE APPLICABLE UDO STANDARD WITH THE EXCEPTION OF THE REQUESTED ADJUSTMENTS, WHICH COMPLY WITH THE APPROVAL CRITERIA IN SECTION 146-5.4.4.D;
2. IT ENHANCES THE EXISTING CITY INFRASTRUCTURE;
3. IT IS COMPATIBLE WITH SURROUNDING LAND USES; AND,
4. IT MITIGATES ANY ADVERSE IMPACTS TO THE SURROUNDING AREA.

APPROVAL IS TO BE SUBJECT TO THE FOLLOWING CONDITION:

1. RESOLUTION OF OUTSTANDING TECHNICAL ISSUES PRIOR TO THE RECORDATION OF THE SITE PLAN AND ISSUANCE OF ANY BUILDING PERMITS.

Further Discussion:
Commissioner Jetchick stated that the security measures and fencing for the site are great. Chair Walls concurred with Commissioner Jetchick and stated that the 10-foot sidewalk will be a good site improvement, and the adjustment being requested makes sense.

Chair Bush concurred with Chair Walls and Commission Jetchick.

MOTION PASSED UNANIMOUSLY.

9. **Public Invited to be Heard**
There was no public comment.

10. Commissioner Comments/Miscellaneous Items of Business

Chair Walls stated that he would like staff to continue working on streamlining processes so that more projects can be approved administratively.

Commissioner Bush commended staff for their work and engagement with the Aurora community on the different endeavors in the city, such as Connect Aurora and Engage Aurora Live.

11. Reports

11a. Report by Planning Division Manager

Brandon Cammarata, Panning Division Manager, reviewed the Administrative Decisions made over the past two weeks. Projects include E-470 Self Storage at Pioneer Business Park and Fine Parking Building 6.

Chair Walls asked for the status of the QuikTrip appeal located near Havana and Parker. B Cammarata reported that it will be heard at a City Council meeting soon. Lena McClelland, City Attorney, noted the hearing is set for May 5, 2025.

Commissioner Banka asked about the apartments that were proposed at Parker Road and Quincy Avenue. Jeannine Rustad, Director of Planning and Business Development, reported that there has been regular contact with the construction manager of that project. J Rustad stated there should be an update next month regarding the bids and the construction schedule for it. Currently, the project is scheduled for construction in the fall of this year.

11b. Report by City Attorney

L. McClelland, City Attorney, did not have a report.

Chairman Walls adjourned the meeting at 7:18 p.m. until May 14, 2025.

Minutes approved

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO ADOPT BY REFERENCE THE "COLFAX AND 13TH AVENUE STATION AREA PLAN" ("13TH AVENUE STATION PLAN")

WHEREAS, Section 146-5.4.1.A of the Unified Development Ordinance provides for the adoption of a Comprehensive Plan for the orderly development and redevelopment of the City of Aurora, Colorado (the "City"), and that this plan shall serve to guide the City Council and the Planning and Zoning Commission in their decisions and recommendations in all land use decisions within the City; and

WHEREAS, on October 8th, 2018, the City Council passed Ordinance 2018-37 adopting the 2018 Aurora Comprehensive Plan (the "Comprehensive Plan"); and

WHEREAS, the Comprehensive Plan establishes a land use map providing varying placetypes for City design; and

WHEREAS, the purpose of the 13th Avenue Station Plan by is to update the original 2009 plan that was adopted in anticipation of the arrival of light rail service to the City of Aurora; and

WHEREAS, the purpose of this amendment to the Comprehensive Plan is to build on past investments, continue planning for development and growth within the corridor, and to identify new opportunities to improve transit service and multimodal access through the corridor; and

WHEREAS, on April 23, 2025, following a public hearing, the Planning and Zoning Commission voted to recommend approval of an amendment to the Comprehensive Plan to adopt by reference the 13th Avenue Station Plan; and

WHEREAS, Section 146-5.4.1.A of the Unified Development Ordinance provides that City Council may amend the Comprehensive Plan by an ordinance approved by a vote of not less than two-thirds of the entire membership of the City Council, if they find that the amendment promotes the long term economic, social, and environmental health of the City, and that it protects the public 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. The Aurora Comprehensive Plan is hereby amended to adopt by reference the Colfax and 13th Avenue Station Plan.

Section 2. The amendment to the Comprehensive Plan shall be in the form as filed with the Office of the City Clerk and presented to the City Council at tonight's meeting.

Section 3. All ordinances or parts of ordinances of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

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.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY PETE SCULTE:

Lena McClelland RLA
_____
LENA MCCLELLAND, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: Ordinance regarding the Court Administrator reporting to the City Manager
Item Initiator: Council Members Curtis Gardner and Francoise Bergan
Staff Source/Legal Source: Matt Brukbacher, Commander/ Mandy MacDonald, 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

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

☒ The item was requested by Council Members Curtis Gardner and Francoise Bergan

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: 8/11

Regular Meeting: 8/25/2025

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.)*

This item was requested by Council Members, Curtis Gardner and Francoise Bergan.

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	Late Submission Approver Name (Council Appointee or DCM)
_____	Jason Batchelor 07.28.2025
Agenda Item Initiator Signature Date	Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Providing Authority to the City Manager Over the Court Administrator (Ordinance)
Item Initiator: Curtis Gardner, Council Member / Françoise Bergan, Council Member
Staff Source/Legal Source: Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/25/2025

2nd Regular Meeting (if applicable): 9/8/2025

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

Sponsor: Curtis Gardner, Council Member / Françoise Bergan, Council Member
Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney
Estimated time: 10 mins

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

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 ☐ Minutes Not Available

☐ Minutes 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.)*

N/A

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

Through this Ordinance the City Council would delegate the power to hire and remove the Court Administrator to the City Manager.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☐ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

QUESTIONS FOR COUNCIL

Does Council wish to support the Ordinance?

LEGAL COMMENTS

The court administrator shall be appointed and removed by the city council. However, the city council may, by ordinance, delegate its appointment and removal authority to another officer or entity. (Article 10-4(d) Aurora City Charter). (A. Wood)

ORDINANCE NO. 2025- ____

A BILL

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DELEGATING TO THE CITY MANAGER THE AUTHORITY TO APPOINT AND REMOVE THE COURT ADMINISTRATOR

WHEREAS, the City Charter, Section 10-4(d) establishes an administrative unit entitled "court administration," which is directed by a Court Administrator; and

WHEREAS, the Charter also provides that the Court Administrator shall be appointed and removed by the City Council, but authorizes the City Council to delegate that authority by ordinance to another officer or entity; and

WHEREAS, the City Council desires to delegate the authority to appoint and remove the Court Administrator to the City Manager in order to streamline administrative operations and align with best practices in municipal administration.

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

Section 1. That Section 50-136 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 50-136 – Administrative office of courts and staff.

The administrative office of the courts will be headed by a court administrator appointed by and serving at the pleasure of the city ~~council~~ **manager, as delegated by city council**. The court administrator's annual salary and benefits shall be established by the city council in a fashion similar to the other city officers. The court administrator shall have professionally trained and experienced deputies, assistants, and staff as provided through the budget process in order to carry out the duties and responsibilities of the administrative office of the court.

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 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 _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Andrea Wood MK
ANDREA WOOD, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Eliminating the Independent Review Board
Item Initiator: Jason Batchelor, City Manager
Staff Source/Legal Source: Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/11/2025

2nd Regular Meeting (if applicable): 8/25/2025

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

2025-72 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE INDEPENDENT REVIEW BOARD
Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☒ Approve Item as Proposed at Regular Meeting

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 ☐ Minutes Not Available

☐ Minutes 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.)*

N/A

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

This Ordinance eliminates the Independent Review Board.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☐ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

NON-BUDGETED EXPENDITURE IMPACT
Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

QUESTIONS FOR COUNCIL

Does Council wish to support the Ordinance?

LEGAL COMMENTS

The council shall have all legislative powers of the city and all other powers of a home rule city not specifically limited by the Constitution of the State of Colorado and not specifically limited or conferred upon others by this Charter. It shall have the power to enact and provide for the enforcement of all ordinances necessary to protect life, health and property; to declare, prevent and summarily abate and remove nuisances; to preserve and enforce good government, general welfare, order and security of the city and the inhabitants thereof; to enact by ordinance provisions for fines and/or imprisonment, or other punishment, for each and every violation of ordinances or regulations duly passed by council; to provide for the granting of probation and the conditional suspension of sentences by the municipal court; and to delegate to boards and commissions, within limitations of the Constitution and this Charter, such functions, powers and authority of the city as it deems proper and advisable. (Article 3-9 Aurora City Charter) (Wood)

ORDINANCE NO. 2025- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE INDEPENDENT REVIEW BOARD.

WHEREAS, the Aurora City Council (Council) recognizes the importance of efficient and effective governance through the use of boards and commissions; and

WHEREAS, the Council has determined that the current number of boards and commissions can be reduced or consolidated to enhance coordination, reduce redundancy, and improve the allocation of resources; and

WHEREAS, the Council has reviewed the structure and function of the Independent Review Board and has determined that its duties are duplicative of responsibilities now carried out by other City entities; and

WHEREAS, the City Council finds that the continued operation of the Independent Review Board is unnecessary and that its dissolution will promote efficiency and reduce redundancy.

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

Section 1. The Independent Review Board is hereby dissolved, and all functions, responsibilities, and activities assigned to the Board are hereby terminated.

Section 2. Any ongoing matters previously under the jurisdiction of the Independent Review Board shall be referred to the appropriate City department or oversight body, as determined by the City Manager.

Section 3. That section 2-765 of the City Code of the City of Aurora, Colorado is hereby amended to read as follows:

Title	Location
Art in public places commission	Ch 34, art. IV, div. 2
Aurora Fox Arts Center board	Ch. 34, art. III, div. 2
Aurora immigrant and refugee commission	Ch. 2, art. VIII, div. 4
Aurora youth commission	Ch. 2, art. VIII, div. 5
Board of adjustment and appeals	Ch. 106, art. III; Charter section 9-2
Building code and contractor's appeals and standards board	Ch. 22, art. II
Business advisory board	Ch. 26, art. II

Career service commission	Ch. 102, art. II; Charter section 9-3
Citizens' advisory budget committee	Ch. 2, art. V, div. 2
Citizens' advisory committee for housing and community development	Ch. 2, art. VIII, div. 2
Citizens' water advisory commission	Ch. 138, art. III
Civic engagement commission	Ch. 2, art. VIII, div. 6
Civil service commission	Ch. 102, art. III
Commission for older adults	Ch. 2, art. VIII, div. 2
Cultural affairs commission	Ch. 34, art. II
Election commission	Ch. 54, art. I; Charter section 2-2
General employees retirement board	Ch. 102, art. V
Golf course advisory committee	Ch. 98 art. IV, div. 2
Historic preservation commission	Ch. 78, art. II
Housing authority	Ch. 42, art. II
Human relations commission	Ch. 82, art. II
~~Independent review board~~	~~Charter art. IX~~
Judicial performance commission	Ch. 50, art. II, div. 2, subdiv. II
Library board	Ch. 2, art. IV, div. 6, subdiv. I; Charter section 9-4
Oil and gas advisory committee	Ch. 106, art. IV
Open space board	Ch. 2, art. IV, div. 9, subdiv. II
Parks and recreation board	Ch. 98, art. II
Planning and zoning commission	Ch. 106, art. II, Charter section 9-5
Public defender commission	Ch. 50, art. II, div. 4
Veterans' affairs commission	Ch. 2, art. VIII, div. 3

Section 4. 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. 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 6. 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 _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
Mike Coffman, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Andrea Wood MK
ANDREA WOOD, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Eliminating the Human Relations Commission
Item Initiator: Jason Batchelor, City Manager
Staff Source/Legal Source: Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 8/11/2025

2nd Regular Meeting (if applicable): 8/25/2025

Item requires a Public Hearing: ☐ Yes ☒ No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- 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 time: (For Study Session items only indicate combined time needed for presentation and discussion)

2025-73 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE HUMAN RELATIONS COMMISSION
Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item and Move Forward to Regular Meeting

☐ Information Only

☐ Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☒ Approve Item as Proposed at Regular Meeting

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 ☐ Minutes Not Available

☐ Minutes 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.)*

N/A

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

This Ordinance eliminates the Human Relations Commission.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

☐ Revenue Impact ☐ Budgeted Expenditure Impact ☐ Non-Budgeted Expenditure Impact
☐ Workload Impact ☐ No Fiscal Impact

REVENUE IMPACT
Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

BUDGETED EXPENDITURE IMPACT
Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

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Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

WORKLOAD IMPACT
Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

QUESTIONS FOR COUNCIL

Does Council wish to support the Ordinance?

LEGAL COMMENTS

The council shall have all legislative powers of the city and all other powers of a home rule city not specifically limited by the Constitution of the State of Colorado and not specifically limited or conferred upon others by this Charter. It shall have the power to enact and provide for the enforcement of all ordinances necessary to protect life, health and property; to declare, prevent and summarily abate and remove nuisances; to preserve and enforce good government, general welfare, order and security of the city and the inhabitants thereof; to enact by ordinance provisions for fines and/or imprisonment, or other punishment, for each and every violation of ordinances or regulations duly passed by council; to provide for the granting of probation and the conditional suspension of sentences by the municipal court; and to delegate to boards and commissions, within limitations of the Constitution and this Charter, such functions, powers and authority of the city as it deems proper and advisable. (Article 3-9 Aurora City Charter) (Wood)

ORDINANCE NO. 2025- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ELIMINATING THE HUMAN RELATIONS COMMISSION.

WHEREAS, the Aurora City Council (Council) recognizes the importance of efficient and effective governance through the use of boards and commissions; and

WHEREAS, the Council has determined that the current number of boards and commissions can be reduced or consolidated to enhance coordination, reduce redundancy, and improve the allocation of resources; and

WHEREAS, the Council has reviewed the structure and function of the Human Relations Commission and determined that it operates outside of the City's core direct service provisions; and

WHEREAS, the Council finds that the functions performed by the Human Relations Commission can be appropriately addressed through existing City departments.

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

Section 1. The Human Rights Commission is hereby dissolved, and all functions, responsibilities, and activities assigned to the Commission are hereby terminated.

Section 2. Any ongoing matters previously under the jurisdiction of the Human Rights Commission shall be referred to the appropriate City department or oversight body, as determined by the City Manager.

Section 3. That section 2-765 of the City Code of the City of Aurora, Colorado is hereby amended to read as follows:

Title	Location
Art in public places commission	Ch 34, art. IV, div. 2
Aurora Fox Arts Center board	Ch. 34, art. III, div. 2
Aurora immigrant and refugee commission	Ch. 2, art. VIII, div. 4
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Board of adjustment and appeals	Ch. 106, art. III; Charter section 9-2
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Civic engagement commission	Ch. 2, art. VIII, div. 6
Civil service commission	Ch. 102, art. III
Commission for older adults	Ch. 2, art. VIII, div. 2
Cultural affairs commission	Ch. 34, art. II
Election commission	Ch. 54, art. I; Charter section 2-2
General employees retirement board	Ch. 102, art. V
Golf course advisory committee	Ch. 98 art. IV, div. 2
Historic preservation commission	Ch. 78, art. II
Housing authority	Ch. 42, art. II
~~Human relations commission~~	~~Ch. 82, art. II~~
Independent review board	Charter art. IX
Judicial performance commission	Ch. 50, art. II, div. 2, subdiv. II
Library board	Ch. 2, art. IV, div. 6, subdiv. I; Charter section 9-4
Oil and gas advisory committee	Ch. 106, art. IV
Open space board	Ch. 2, art. IV, div. 9, subdiv. II
Parks and recreation board	Ch. 98, art. II
Planning and zoning commission	Ch. 106, art. II, Charter section 9-5
Public defender commission	Ch. 50, art. II, div. 4
Veterans' affairs commission	Ch. 2, art. VIII, div. 3

Section 4. The City hereby repeals Chapter 82, Article II of the City Code pertaining to the Human Relations Commission.

~~Article II. Human Relations Commission~~

~~Sec. 82-26 Declaration of policy.~~
~~Sec. 82-27 Created; membership.~~
~~Sec. 82-28 Functions and duties.~~
~~Sec. 82-29 Authority.~~
~~*Sec. 82-30 through 82-55 Reserved.*~~

~~Sec. 82-26. Declaration of policy.~~
~~It is the policy of the City, in the exercise of its power for the protection of the public health, safety, and welfare and for the maintenance of peace and good government, to ensure equal opportunities and rights for all persons in employment, public accommodations, and housing.~~

~~Sec. 82-27. Created; membership.~~

~~There is created and established a human relations commission, consisting of 12 voting members, including a youth member, one nonvoting member, one alternate member who shall not be entitled to vote, and one youth alternate who shall not be entitled to vote. The 12 voting members and the alternate members shall be of voting age, registered electors, and shall be appointed and serve pursuant to Charter section 9-1 and Code section 2-772. The nonvoting member shall be appointed by the city manager. The members shall be broadly representative of all citizens, and shall reflect, as far as possible, the religious, racial, ethnic, and age groups of the community. The commission shall elect from its membership officers as necessary to its goals and functions.~~

~~Sec. 82-28. Functions and duties.~~

~~The functions and duties of the human relations commission shall include but not be limited to:~~

~~(1) Providing the city council with information concerning changing social conditions.~~

~~(2) Reviewing for accountability those external human service agencies that receive funds from the City.~~

~~(3) Working toward solving social problems and improving social conditions.~~

~~(4) Hearing complaints of alleged discrimination.~~

~~(5) Developing and implementing educational programs.~~

~~(6) Submitting reports of the various activities undertaken by the commission.~~

~~(7) Adopting, amending, publishing and rescinding bylaws regarding the operation of this commission consistent with the authority and duties outlined in this section.~~

~~Sec. 82-29. Authority.~~

~~The human relations commission, acting within the scope of its functions, shall have the authority to:~~

~~(1) Conduct public hearings and inquire into incidents and complaints in the areas of human relations and human services.~~

~~(2) Study, analyze and recommend to the city council proposals for administrative or legislative action in the area of human relations, human services and affirmative action.~~

~~(3) Review proposed actions of federal, state, county, or local governments which affect human services in the City.~~

~~(4) Enlist the cooperation of community groups to participate in programs that demonstrate the need to eliminate discrimination.~~

~~(5) Cooperate with federal, state, county and municipal agencies and departments to eliminate prejudice, intolerance, and discrimination.~~

~~(6) Hold hearings and accept voluntary evidence as may be tendered or obtained by deposition relating to matters under investigation by or of concern to the commission, and call upon the city attorney for counsel and guidance in all such matters.~~

~~(7) Cooperate with city boards and commissions in matters concerning human relations and human services.~~

~~(8) Report to the city council yearly or upon request programs, practices and matters of priority in human relations and human services.~~

~~(9) Review and recommend changes that encourage the use of minority, women, and small business enterprises in accordance with city, state, and federal guidelines.~~
~~(10) Review and evaluate human service agencies that serve the city and make recommendations for funding of those agencies to the city council.~~
~~(11) Maintain registries of human services, which shall be available to all citizens of the City.~~
~~(12) Accept and expend contributions from various charitable, religious, community, labor, civil or benevolent groups or organizations to assist the commission in its duties and functions. All funds so contributed shall be audited by the City.~~
~~(13) Present annual human relations awards to any group, company, organization, or individual doing business or residing in the city who has demonstrated commitment to the principles and goals of the human relations commission as set forth in this article.~~
~~(14) Expend and donate monies to individuals, groups, companies or organizations in accordance with a resolution promulgated by the city council in conjunction with the annual budget process and from time to time as the need may arise.~~

~~Sec. 82-30 through 82-55. Reserved.~~

Section 5. 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 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. 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 _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

_____
Mike Coffman, Mayor

ATTEST:

_____

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Andrea Wood

ANDREA WOOD, Assistant City Attorney