NOTICE OF COUNCIL MEETING

VIRTUAL MEETING (Open to the Public)

Monday, June 23, 2025

Members of the Aurora City Council will participate remotely in the June 23, 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.

Individuals may call the live public comment line at 855-695-3475 and press *3 to reach the operator. The public call-in line opens at 5:15 p.m. on the day of the Council Meeting.

- Individuals calling to comment on agenda items during the Council Meeting must call in and be in the queue before the city clerk reads the agenda item title. 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, June 23, 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 June 23, 2025

AURORA URBAN RENEWAL AUTHORITY REGULAR MEETING

(Open to the Public)
VIRTUAL ONLY
3:45 p.m.

EXECUTIVE SESSION

(Closed to the Public)
VIRTUAL ONLY
3:55 p.m.

STUDY SESSION OF THE AURORA CITY COUNCIL

(Open to the Public)
VIRTUAL ONLY
4:10 p.m.

REGULAR MEETING OF THE AURORA CITY COUNCIL

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

AGENDA

Regular Meeting of the Aurora City Council

Monday, June 23, 2025, 6:00 p.m.
VIRTUAL MEETING

Pages

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION/MOMENT OF SILENCE

4. PLEDGE OF ALLEGIANCE

5. EXECUTIVE SESSION UPDATE

6. APPROVAL OF MINUTES

   6.a June 9, 2025 Meeting Minutes 8

7. PROCLAMATIONS OR CEREMONIES

8. ADOPTION OF THE AGENDA

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.

   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 Board of Adjustment and Appeals 19

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

9.c.2 **Consideration to Reappoint Three (3) Members and Appoint One (1) Member to the Metro Water Recovery District Board of Directors** 26

Marshall Brown, General Manager, Aurora Water / Ian Best, 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.

10.a Resolutions

10.a.1 **Intergovernmental Agreement (IGA) for Aurora Urban Renewal Authority (AURA) Reimbursement of a Portion of City Expenses for the I-70 and Picadilly Interchange Project** 49

R2025-66 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE AURORA URBAN RENEWAL AUTHORITY FOR CERTAIN REIMBURSEMENT OF THE I-70 AND PICADILLY INTERCHANGE IMPROVEMENTS (HORIZON PLAN AREA)

Jennifer Orozco, Project Manager, Planning and Business Development / Rachel Allen, Deputy City Attorney

10.b Finalizing of Ordinances

Ordinances approved unanimously at first reading.

11. PUBLIC HEARINGS

Public hearings with or without related ordinances.

11.a First Creek Detention Facility Upstream of I-70 – Zoning Map Amendment 65

2025-60 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, INITIALLY ZONING FOUR CONTIGUOUS PARCELS OF LAND MEASURING 56.5 ACRES, MORE OR LESS, LOCATED SOUTH OF I-70 AND COLFAX AND ABOUT HALF A MILE EAST OF E-470 TO MIXED-USE REGIONAL DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY (THE FIRST CREEK DETENTION FACILITY ANNEXATION ZONING MAP AMENDMENT)

Rachid Rabbaa, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney

11.b Fitzsimons Innovation Community General Development Plan Amendment No. 16 92

2025-61 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE FITZSIMONS GENERAL DEVELOPMENT PLAN TO ALLOW FOR INCREASED RESIDENTIAL USES (FITZSIMONS GDP AMENDMENT #16)

Aja Tibbs, Planning Supervisor, Planning and Business Development / Lena McClelland, Assistant City Attorney

11.c Porteos Business Improvement District (BID) Property Exclusion 153

2025-51 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXCLUDING CERTAIN PROPERTY FROM THE BOUNDARIES OF THE PORTEOS BUSINESS IMPROVEMENT DISTRICT

Michael Kerrigan, Special District Administrator, Development Services / Brian Rulla, Assistant City Attorney

11.d **Aurora Commerce Center (ACC) Metropolitan District Service Plan Amendment** 185

R2025-67 A PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE SECOND AMENDED AND RESTATED SERVICE PLAN FOR ACC METROPOLITAN DISTRICT AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND THE DISTRICT

Michael Kerrigan, Special District Administrator, Development Services / Brian Rulla, Assistant City Attorney

12. INTRODUCTION OF ORDINANCES

12.a **Lease - Purchase Certificates of Participation (COP) Financing – Animal Shelter** 247

2025-52 AN ORDINANCE AUTHORIZING THE USE OF LEASE-PURCHASE FINANCING FOR THE CONSTRUCTION OF AN ANIMAL SHELTER PURSUANT TO THE TERMS OF A LEASE-PURCHASE AGREEMENT BY AND BETWEEN AURORA CAPITAL LEASING CORPORATION, AS LESSOR, AND THE CITY OF AURORA, COLORADO, AS LESSEE; AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY; AND RELATED MATTERS

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

12.b **DUAL LISTING: Cabaret License Modifications** 266

2025-53 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 6-136, 6-137, 6-142, 6-143, 6-145, 6-171 AND 6-172 RELATING TO THE REGULATION OF CABARETS

Sponsor: Danielle Jurinsky, Council Member

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

12.c **Amendments to the City Charter Concerning Non-Substantive Updates to Create Gender Neutrality** 281

2025-54 AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, PROPOSED AMENDMENTS TO ARTICLES 2-2, 3-10, 3-14, 3-15, 3-16, 3-17, 5-2, 6-5, 7-4, 8-2, 10-1, 10-5, 10-8, 11-2, 11-3, 12-7, 14-9, AND 15-9 OF THE CITY CHARTER CONCERNING NON-SUBSTANTIVE UPDATES TO THE CITY CHARTER TO CREATE GENDER NEUTRALITY

Jason Batchelor, City Manager / Peter Schulte, City Attorney

12.d **Amendments to the City Charter Concerning Filling City Council Vacancies Based on the Timing of the Vacancy** 307

2025-55 AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, PROPOSED AMENDMENTS TO ARTICLE 3-7 OF THE CITY CHARTER CONCERNING FILLING CITY COUNCIL VACANCIES BASED ON THE TIMING OF THE VACANCY

Jason Batchelor, City Manager / Peter Schulte, City Attorney

12.e **Amendment to the City Charter Concerning the Residency Requirement for the City Manager** 314

2025-56 AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 7-1 OF THE CITY CHARTER CONCERNING THE RESIDENCY REQUIREMENT FOR THE CITY MANAGER

Jason Batchelor, City Manager / Peter Schulte, City Attorney

12.f **Amendment to the City Charter Concerning Elective Public Office** 321

2025-57 AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 3-3 OF THE CITY CHARTER CONCERNING ELECTIVE PUBLIC OFFICE

Jason Batchelor, City Manager / Peter Schulte, City Attorney

12.g Amendment of the City Charter Establishing the Salaries of the Mayor and City Council Members 328

2025-58 AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 3-6 OF THE CITY CHARTER ESTABLISHING THE SALARIES OF THE MAYOR AND CITY COUNCIL MEMBERS BASED ON THE SALARY OF AN ARAPAHOE COUNTY COMMISSIONER

Jason Batchelor, City Manager / Peter Schulte, City Attorney

12.h A Proposed Amendment to Article 3-5 of the City Charter Clarifying that the Ward and At-Large Positions are Separate Offices like the Mayor Regarding Term Limits 335

2025-59 AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 3-5 OF THE CITY CHARTER SEPARATING TERM LIMITS FOR WARD AND AT-LARGE CITY COUNCIL POSITIONS AND PERMITTING CONSECUTIVE SERVICE IN BOTH POSITIONS

Jason Batchelor, City Manager / Peter Schulte, City Attorney

13. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

14. ANNEXATIONS

15. RECONSIDERATIONS AND CALL UPS

16. GENERAL BUSINESS

16.a Consideration to Appoint One (1) Member to the Planning and Zoning Commission 342

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

17. REPORTS

17.a Mayor

17.b Council

18. ADJOURNMENT

MINUTES

Regular Meeting of the Aurora City Council

Monday, June 9, 2025

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

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1. CALL TO ORDER

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

Moved by: Françoise Bergan

Second by: Amsalu Kassaw

Does Council wish to suspend Council Rules to go virtual?

Voting Aye: (9): Mayor Coffman, Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Ruben Medina, and Steve Sundberg

Absent: (2): Alison Coombs, and Crystal Murillo

2. ROLL CALL

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer for the June 9, 2025 meeting.

4. PLEDGE OF ALLEGIANCE

(All Standing)

5. EXECUTIVE SESSION UPDATE

Mayor Coffman provided an update on the Executive Session, stating contract negotiations were discussed.

6. APPROVAL OF MINUTES

6.a May 19, 2025 Meeting Minutes

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: Françoise Bergan

Second by: Danielle Jurinsky

Does Council wish to approve the minutes of the May 19, 2025 meeting?

Voting Aye: (8): Mayor Coffman, Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Ruben Medina, and Steve Sundberg

Absent: (2): Curtis Gardner, and Crystal Murillo

7. PROCLAMATIONS OR CEREMONIES

8. ADOPTION OF THE AGENDA

Moved by: Françoise Bergan

Second by: Steve Sundberg

Does Council wish to adopt the agenda as presented?

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

Absent: (2): Curtis Gardner, and Crystal Murillo

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.

9.a Motions

9.b Planning Matters

9.c Appointments to Boards and Commissions

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.

Moved by: Danielle Jurinsky

Second by: Amsalu Kassaw

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

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

10.a Resolutions

10.a.1 Safety Streets and Roads for All (SS4A) Department of Local Affairs (DOLA) Local Match Program Application

R2025-58 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO APPLY FOR A GRANT ADMINISTERED BY THE COLORADO DEPARTMENT OF LOCAL AFFAIRS, AND OTHER RELATED MATTERS

Sponsor: Stephanie Hancock, Council Member

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

10.a.2 Intergovernmental Agreement (IGA) with Arapahoe County for the Plains Lehigh and Picadilly Traffic Signal Project

R2025-59 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE BOARD OF ARAPAHOE COUNTY COMMISSIONERS FOR THE PLAINS PKWY/LEHIGH AVE & PICADILLY ROAD TRAFFIC SIGNAL PROJECT

Sponsor: Stephanie Hancock, Council Member

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

10.a.3 Intergovernmental Agreement (IGA) with Colorado Department of Transportation (CDOT) for Signal Maintenance

R2025-60 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 TRAFFIC SIGNALS, INTERSECTION MARKING, AND TRAFFIC CONTROL DEVICE MAINTENANCE

Sponsor: Stephanie Hancock, Council Member

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

10.a.4 Universal Preschool Program Intergovernmental Agreement (IGA)

R2025-61 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS RECREATION DIVISION IN THE PARKS, RECREATION AND OPEN SPACE DEPARTMENT, AND THE STATE OF COLORADO FUNDING THE UNIVERSAL PRESCHOOL COLORADO PROGRAM

Donna Hunt, Recreation Superintendent, Parks, Recreation, and Open Space / Tim Joyce, Assistant City Attorney

10.a.5 Generation Wild Program for 2026 – 2030

R2025-62 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVAL OF THE GRANT AGREEMENT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST TO AURORA AND OTHER MEMBERS OF THE NORTHEAST METRO COALITION FUNDING THE GOWILD NORTHEAST PROJECT THAT IS PART OF THE GENERATION WILD PROGRAM

Joy Thompson, Natural Resources Supervisor, Parks, Recreation, and Open Space / Tim Joyce, Assistant City Attorney

10.a.6 Property Disposition – 254 Donna Street, Weld County

R2025-63 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE SALE OF SURPLUS CITY-OWNED LAND IN WELD COUNTY LOCATED AT 254 DONNA STREET, FORT LUPTON, COLORADO

Waiver of reconsideration is requested to expedite closing and divest the City's responsibility to maintain the property.

Hector Reynoso, Manager of Real Property Services, Public Works / Michelle Gardner, Senior Assistant City Attorney

10.a.7 Tax Rebate Agreement – Vantage Data Centers

R2025-64 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AUTHORIZING THE EXECUTION OF THE TAX REBATE AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO ("CITY") AND VANTAGE DATA CENTERS CO21, LLC ("COMPANY")

Chad Argentar, Project Manager, Planning and Business Development / Rachel Allen, Deputy City Attorney

10.b Finalizing of Ordinances

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.

Ordinances approved unanimously at first reading.

10.b.1 Neglect or Derelict Code

2025-46 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 62 OF THE CITY CODE RELATED TO NEGLECTED OR DERELICT BUILDINGS OR PROPERTY

Sponsor: Stephanie Hancock, Council Member

Jessica Prosser, Director, Housing and Community Services / Angela Garcia, Senior Assistant City Attorney

10.b.2 Court Administration - Case Management Name Change to Court Services

2025-47 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 50-137 OF THE CITY CODE PERTAINING TO CHANGING THE NAME OF ONE OF THE DEPARTMENTS THE COURT ADMINISTRATOR PROVIDES MANAGEMENT, ORGANIZATION AND FINANCIAL CONTROL OF FROM CASE MANAGEMENT TO COURT SERVICES

Candace Atkinson, Director, Court Administration and Detention / Angela Garcia, Senior Assistant City Attorney

11. PUBLIC HEARINGS

Public hearings with or without related ordinances.

11.a Unified Development Ordinance (UDO) Text Amendment for Multifamily Parking in Applicable Transit Service Areas

2025-49 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-4.6.2, 146-4.6.3, AND 146-4.6.4 OF THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO PARKING REQUIREMENTS

Sarah Wile, Senior Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff gave a brief presentation on the item.

Mayor Coffman closed the public hearing.

Moved by: Danielle Jurinsky

Second by: Françoise Bergan

Does the City Council wish to support the approval of the UDO Text Amendment relating to multifamily parking requirements in Applicable Transit Service Areas?

Voting Aye: (2): Ruben Medina, and Crystal Murillo

Voting Nay: (6): Françoise Bergan, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, and Steve Sundberg

Absent: (2): Alison Coombs, and Curtis Gardner

11.b Unified Development Ordinance (UDO) Text Amendment for Accessory Dwelling Units

2025-50 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-3.2, 146-3.3.6.G, 146-5.4.4, AND 146-6.2 OF THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO ACCESSORY DWELLING UNITS

Jeremiah Fettig, Planner II, Planning and Business Development / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff gave a brief presentation on the item.

Mayor Coffman closed the public hearing.

Moved by: Danielle Jurinsky

Second by: Stephanie Hancock

Does the City Council wish to support the approval of the UDO Text Amendment relating to Accessory Dwelling Units?

Voting Aye: (2): Ruben Medina, and Crystal Murillo

Voting Nay: (7): Mayor Coffman, Françoise Bergan, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, and Steve Sundberg

Absent: (2): Alison Coombs, and Curtis Gardner

12. INTRODUCTION OF ORDINANCES

13. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

14. ANNEXATIONS

14.a First Creek Pond Annexation

2025-48 FOR AN ORDINANCE ANNEXING A CERTAIN MUNICIPALLY OWNED PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6,

TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO (FIRST CREEK POND ANNEXATION) 56.508 ACRES

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

Staff gave a brief presentation on the item.

Moved by: Danielle Jurinsky

Second by: Amsalu Kassaw

Does the Council wish to support the approval of the First Creek Pond Annexation?

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

Absent: (2): Alison Coombs, and Curtis Gardner

14.b Sandy Point Annexation Substantial Compliance

R2025-65 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FINDING A PETITION FOR ANNEXATION OF 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, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (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.

Moved by: Steve Sundberg

Second by: Danielle Jurinsky

Does the Council support the approval of the resolution as proposed and set the date for a public hearing on the proposed annexation?

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

Absent: (2): Alison Coombs, and Curtis Gardner

15. RECONSIDERATIONS AND CALL UPS

16. GENERAL BUSINESS

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.

16.a Discussion and Possible Action Regarding Future In-Person or Virtual Council Meetings

Peter Schulte, City Attorney

Council heard public testimony on the agenda related item.

CM Bergan made a motion to temporarily suspend the rules and public comment and go virtual next meeting.

P. Schulte asked if they wanted to do this for the next meeting, the next 60 days, or indefinitely until decided otherwise.

CM Jurinsky suggested doing it until there is a ruling on the Kilyn Lewis case, because as it sits right now Michael Deak did not criminally murder him, and it is now in the hands of the Courts. She further explained that if the city is not found liable, there would be nothing left to discuss and no reason for people to come back on that situation.

CM Hancock had concerns that even if they go virtual, they will still have the issue of people fraudulently attaching themselves to non-related issues or public comments and keep doing the same thing.

P. Schulte reiterated that CM Bergan's motion was to suspend the rules, which would require a two-thirds vote of present members, and it would eliminate the public comment portion of the meeting entirely moving forward, and all meetings would be virtual until there is a ruling in the Kilyn Lewis civil case that was filed last month.

CM Kassaw offered a friendly amendment to move the timing to 6 p.m.

CM Bergan accepted that amendment.

CM Coombs commented that this was absolutely ridiculous and an attempt to silence the public instead of just simply listening.

CM Jurinsky stated that they have listened over and over again. She voiced that she went on a show and had a wonderful conversation with a man in their community, and she asked for the lawsuit to be filed, which it was within a week. She said they are having conversations and making progress but it is now in the Courts hands to decide because that will be the final ruling. She expressed that they are done with the disrespect going every direction and need to conduct city business.

CM Coombs voiced that they do not get to decide when the people are done speaking.

CM Jurinsky called for the question.

Moved by: Danielle Jurinsky

Second by: Françoise Bergan

Does the Council wish to suspend the Council Rules to eliminate public comment listening session and to conduct Council Meetings virtually at 6 pm until there is a resolution for the Lewis Civil Suit? (Requires 2/3 vote members present)

Voting Aye: (7): Mayor Coffman, Françoise Bergan, Stephanie Hancock, Danielle Jurinsky, Amsalu Kassaw, Angela Lawson, Steve Sunberg

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

Absent: (1): Curtis Gardner

Moved by: Danielle Jurinsky

Second by: Stephanie Hancock

Does Council wish to approve the motion to end the debate?

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

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

Absent: (1): Curtis Gardner

17. REPORTS

17.a Mayor

Mayor Coffman voiced that he posts on his Facebook almost every day about the things he is doing.

17.b Council

CM Jurinsky expressed that her son graduated preschool and will now enter the Cherry Creek School District. She was invited to and attended the neighborhood picnic at Kirkegaard Acres, which was funded through the City's grant program. She also attended a Daddy/Daughter dance at the Gaylord with her dad that the City helped sponsor, an incredible event for young girls and their dads in Aurora.

CM Coombs commented that tonight's meeting was disappointing, as they have shut down the public from speaking and decided not to implement the ADU policy, even though community members have asked for ADUs. She said it is difficult to be a member of a body that consistently ignores the value of perspectives that are then their own. However, she will continue to serve, as it is important to also have a voice that recognizes this. She hoped they could all still come together in the spirit of real inclusion as a body and at events such as Global Fest and Juneteenth.

CM Kassaw reported that he had a great time last week, along with the Municipal Judge, CM Hancock, and CM Bergan, and he had a community conversation with reflection and healing.

CM Sundberg visited Gateway Park, along with Mayor Coffman, where hotels and other businesses had concerns about crime in the area, which has improved, and they were given reassurances on the upcoming Regional Navigation Campus. He attended the Colorado Freedom Memorial Event with a couple of council members. He was glad CM Jurinsky went to the Daddy/Daughter dance, which is organized by a few moms in Ward 2 that put together a number of events that bring the community together. He talked about the use of vans in Ward 2 that shuttle people back and forth to their jobs, the RTD Station, and other places, and they are discussing using vans in other places where there is a huge need for transportation. He said there is excitement about some stoplights that will be turned on this week in Ward 2. He also attended the Mizel event, which was a positive event that comes against hate.

CM Hancock attended the graduation of Class 25-1 at 911. She suggested bringing back the It's 10:00 (Do You know Where Your Children Are campaign in light of the alarming rise in violence among young people. She noted that is appalling to see young girls in a "fight club", and we need to guide our young people away from harm and back to spaces of safety. She voiced that a sign of increasing maturity among young people is accepting responsibility and accountability, and we cannot allow them to act recklessly without accountability. She urged young people to take hold of their future and not be pressured to do things that will harm them. She shared there are great community organizations like A Road Called Straight that mentor and provide safe and structured activities for youth while also holding them accountable for their actions. She urged employers to hire young people who need work, and she called for churches to step up and open their doors beyond Sundays and give young people positive ways to get involved. CM Hancock expressed that the death of young people like K'Tahna Jordan Smith should not happen and is preventable, and said her heart goes out to her family. She asked for any organizations with a capacity to help to reach out to her via email or phone to help redirect the energy of these young people from harm and to uplift their community.

CM Lawson gave the legislative update. She said the Governor signed 476 bills into law, included the city sponsored legislation HB25-1112, Local Authorities Enforce Vehicle Registration, and several other city priorities that include addressing construction defect litigation, penalty for theft of a firearm, and addressing juvenile detention bed caps. She stated that in Congress, the cabinet secretaries will appear before the House and Senate Committees this week to defend their budget requests, and the Senate is expected to release the full bill text for their budget reconciliation spending measure, including provisions from the Senate Finance Committee by the end of the week. She said she reviewed the Big Beautiful Bill this week.

CM Bergan reported that she was called to jury duty by the Municipal Court, and did not get selected, but the Jury Commissioner did an excellent job explaining the

process. She attended the Colorado Remember Celebration and had the Fitzsimmons Redevelopment Authority Board Meeting. She also attended the Inspiration Community Center grand opening, which the Council approved the site plan for. She expressed that they finally got the Creek Side community to vote on allowing the connection for the Piney Creek Trail, and it passed.

CM Gardner, CM Murillo, and CM Medina were absent for reports.

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 Board of Adjustment and Appeals
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: 6/9/2025

Regular Meeting: 6/23/2025

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 Board of Adjustments and Appeals (BOAA) is to review and rule on applications for variances and waivers from the zoning provisions within the City Code. The Board of Adjustments and Appeals is granted its powers in Section 146-5.1.3 B of the City Code (Unified Development Ordinance). The Board has the power to consider and to grant hardship variances and single-family dwelling variances, and to hear appeals of the director's decision on administrative adjustments. Additionally, it has the power to hear and grant variances regarding matters arising from enforcement of provisions of Article XV of Chapter 22, Chapter 90 and Chapter 146 of the Aurora City Code.

The BOAA consists of five (5) members appointed by 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 Board of Adjustments and Appeals (BOAA) currently has one (1) vacancy. The Commission received one (1) application for appointment and an interview was conducted on May 20, 2025.

The applicant was:
Nicholas Richardson

The BOAA respectfully recommends the appointment of the following candidate:

Nicholas Richardson – to complete the partial term beginning 9/1/2022 and ending on 8/31/2025 and be approved to his 1st full term beginning 9/1/2025 and ending on 8/31/2028

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 appoint Nicholas Richardson to the Board of Adjustment and Appeals?

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). City Council shall appoint five members to the board of adjustment and appeals (BOAA). The members must be registered electors and residents of the City for at least one year immediately preceding the date of their appointment and shall not hold office or position in the City administration. (Aurora, Colo Code § 106-91). Each member serves a three-year term 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: Andris Berzins, Chair, Board of Adjustment and Appeals

Through: Jeannine Rustad, Planning and Business Development and Marcus Bond, City Clerk Analyst

Date: May 20, 2025

Subject: Consideration to Appoint a Member to the Board of Adjustment Appeals

---

Board or Commission Name: Board of Adjustment and Appeals

Number of Vacancies: One

Interview Information

Date of Interviews: May 20, 2025

Applicant Names: Nicholas Richardson

Applicants Interviewed: Nicholas Richardson

Summary

Summary of suggested appointment(s):

Nicholas Richardson, Ward II - The Board of Adjustment and Appeals supports the appointment of Nicholas Richardson as a board member. Richardson actively participates on the Board for his Homeowner's Association. Richardson learned of the vacancy while on the City of Aurora's website looking for way to participate more within the community.

Recommendation

The Board of Adjustment and Appeals strongly supports the appointment of Nicholas Richardson as a member on the Board of Adjustment and Appeals to complete the remainder of the partial term beginning September 1, 2022 and ending on August 31, 2025, and be appointed to his first full term beginning September 1, 2025 and ending on August 31, 2028.

Board Of Adjustment And Appeals

Applicant Package - Ward II

Board Of Adjustment And Appeals - Ward II

Term 01 Sep 2022 - 31 Aug 2025
Positions Available 1

Number of applicants in this package 1

- Richardson, Nicholas

Received: 05/16/2025
Ward II Resident & Registered Voter
Arapahoe County
Vetted: 05/16/2025
Marcus Bond

Name: Richardson, Nicholas

Address: [redacted]

Email: [redacted]

Board Name: Board of Adjustment and Appeals

Date of Birth:
[redacted]

Home Phone Number:
[redacted]

Work Phone Number:
[redacted]

How long have you lived in Aurora?:
4 years

Are you registered to vote?:

Yes

Years of Education Completed:
Bachelor's

Degree(s) Received:
Bachelor's in Computer Science and Associate's in liberal arts

College(s) Attended:
Rochester Community & Technical College Winona State University

Employer Name:
Raytheon

Employer Address:
16510 Hughes Dr S79, Aurora, CO 80011

Current Position:
Senior Software Engineer

Years with Current Employer:
2

Work Experience:
Developing code for classified systems

Certification(s):
Certified Scrum Developer

How are you involved in your community?:
I am very involved in the community. I go out and participate in events around town and the metro region

List your interests and activities.:
Improv, brewing, video games, hiking, jazz, and supporting local bands and theatre events

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

No

If yes, enter the board name and position:
N/A

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

No

Why do you desire this appointment?:
I would like to become more involved in my local government and regulations

How much time do you anticipate being able to spend on this appointment each month?:
As much as is required.

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:
Grant Martin, [redacted]

Reference 2: Full Name, Phone Number and Address:
Sami Al-Abed, [redacted]

Reference 3: Full Name, Phone Number and Address:
Sami Weringa, [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:
Nicholas Eric Ricahrdson

Time of Submission: 05/16/25 9:54:52 AM

CITY OF AURORA
Council Agenda Commentary

Item Title: Consideration to Reappoint Three (3) Members and Appoint One (1) Member to the Metro Water Recovery District Board of Directors
Item Initiator: Casey Rossman, Executive Specialist, Aurora Water
Staff Source/Legal Source: Marshall Brown, General Manager, Aurora Water / Ian Best, 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: 6/9/2025

Regular Meeting: 6/23/2025

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)

Marshall Brown, General 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: 5/21/2025

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 City Council appointed James DeHerrera, Bob LeGare and Bob Roth to terms expiring June 2026. Marena Lertch, Catherine Olukotun and Nadine Caldwell were appointed to terms expiring June 2025

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

There are currently 6 Aurora representatives on the Metro Water Recovery (formerly Metropolitan Wastewater Reclamation District) Board with staggered terms. Per State statute (C.R.S. § 32-4-509), directors are required to be appointed from the member municipality for a two-year term (appointments are made by the City Council; openings are not publicly advertised.) Metro Water Recovery (Metro) is currently governed by a 39-member Board of Directors comprising representatives from each of the Member Municipalities of the District. The number of representatives for each member municipality is based on its population. Each Member Municipality is allowed one Director for every 75,000 of population or fraction thereof. Based on Aurora's growing population, an additional Director position was added for Aurora in 2021.

On June 30, 2025, three of the six, City of Aurora, Metro Board Directors' appointments will expire. Cat Olukotun, Marena Lertch and Nadine Calwell are all seeking reppointments for another two (2) year term from July 2025 through June 2027. Nadine Caldwell and Marena Lertch were appointed in 2023 for two-year terms which will expire in June 2025. Catherin Olukotun was appointed in 2024 for a six (6) month term. James DeHerrera and former Council Member Bob LeGare were reappointed in 2024 to a two-year term expiring in June 2026. Former Council Member Bob Roth was appointed in 2024 for a two-year term expiring in June of 2026.

In addition, member select Johnny Watson is recommended to replace Bob Roth on the Metro Board. Bob Roth has not attended several meetings and is unable to be reached at this time and therefore his appointment to the board has been abandoned. Member select Johnny Watson is proposed to be appointed for a the remainder of of Bob Roth's appointment expiring July 2026.

Aurora Water recommends maintaining a balanced representation on the board consisting as follows:

- Three members with specific industry expertise representing Aurora on the Board. The technical expertise in the wastewater industry allows for the evaluation of items brought to the Board based on knowledge of finance, regulations, operations, system design and process, and communication. Board members meeting this criteria are James DeHerrera, Marena Lertch and Cat Olukotun.

- Three former Aurora Council members have more broadly represented Aurora on the Board. As Directors, they understand government processes including policy governance on items introduced to the Board, impacts of budgets and appropriations, representation of Aurora constituents, and overall function of a board or municipal organization. Nadine Caldwell, Bob LeGare and member select Johnny Watson fulfill this function.

Board members continue to help guide Metro through a multiyear, multimillion-dollar capital improvement program which includes rehabilitation of the Robert Hite Plant and several infrastructure rehabilitation efforts. In addition, Aurora Board members are working diligently to keep annual rate increases at acceptable levels while Metro undertakes this intense capital project schedule. James DeHerrera is the Vice Chair of the Operations Committee, Marena Lertch is the Chair Pro Tem on the Executive Committee and Bob LeGare is Vice Chair of the Strategic Planning Committee.

Aurora Water recommends the reappointments of staff members Cat Olukotun and Marena Lertch as well as former City of Aurora Councilmember Nadine Caldwell for an additional two (2) year term, expiring June 2027, and the appointment of member select Johnny Watson to complete the remaining term for Bob Roth of one(1) year expiring June 2026.

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 moving the reappoint three (3) members and appoint one (1) member to the Metro Water Recovery District Board of Directors forward to the June 23, 2025 Council meeting?

LEGAL COMMENTS

The members of the Metro Water Recovery Board shall be appointed with the approval of the governing bodies of each participating municipality. The number of representatives for each member municipality is based on its population and each member municipality is allowed one member of the board for every 75,000 of population or fraction thereof. (C.R.S. 32-4-509(2)(a)) (Best)

Date:		Ward No.
	City of Aurora **APPLICATION FOR APPOINTMENT** **PLEASE TYPE OR PRINT CLEARLY**	

Application kept for One Year. May Attach Resume.

Board/Commission Applying For:
Metro Water Recovery Board of Directors

Are you currently a member on this Board/Commission and requesting reappointment? ☑Yes ☐No

PERSONAL INFORMATION:

Name: M. Nadine Caldwell			How long in Aurora: 67 years
Home Address: [redacted]		Zip:	Registered to Vote: Yes
e-mail address: [redacted]	**Date of Birth: [redacted]	Home Phone: [redacted]	Work Phone: [redacted]

EDUCATION: **Required to verify voter registration

Yrs. Completed: 12	Degree(s):
Colleges:	

EMPLOYMENT:

Employer Name/Address: Retired	Position: Councilmember	How long? 16 years
Work Experience: J.Ramsay Harris Law Office (45 yrs) Retired	Certifications:	

COMMUNITY INVOLVEMENT:

Northwest Aurora N.H. Board, Aurora Hist. Soc. Board, Stapleton Dev. Corp Board (32 yrs)

DO YOU PRESENTLY SERVE IN ANY OTHER APPOINTED POSITION ON A BOARD, COMMISSION OR COMMITTEE? ☐Yes ☑No

If yes, what position:

CONFLICT OF INTEREST:

DO YOU HAVE ANY CONFLICTS OF INTEREST THAT SHOULD BE DISCLOSED? ☐Yes ☑No

If yes, please explain:

INTERESTS/ACTIVITIES:

Historical preservation, travel, genealogy, Daughters of American Rev. (DAR) Community Involvement

WHY DO YOU DESIRE THIS APPOINTMENT?

This is an important board for the City. Clean water is more important today than ever. have representated the City very well & have an excellent attendance records for meetings, workshops, filed trips, Metro town hall meetings, etc.

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

PLEASE GIVE THREE REFERENCES:

Name: Bob LeGare	Address: [redacted]	Phone: [redacted]
Name: Mike Coffman	Address: [redacted]	Phone: [redacted]
Name: Steve O'Dorisio	Address: [redacted]	Phone: [redacted]

I certify that the foregoing information is true and correct.

M. Nadine Caldwell — **(Volunteer's name printed)**

M. Nadine Caldwell — **(Volunteer's signature)**

3/31/2025 — **(Date)**

March 31, 2025

The Honorable Mike Coffman, Mayor
Aurora City Council
15151 E. Alameda Parkway
Aurora, CO 80012-1553

Re: Application for reappointment to
Metro Water Recovery Board

Dear Mayor Coffman and Members of Aurora City Council:

My term of office on the above-named Board will expire in June 2025. I am interested in serving an additional term.

I have served on many of Metro's committees during my tenure, such as: By-Laws, Ethics, Personnel, Operations, Nominating Committee, Finance and Transition Planning Committee. I also served on the Committee that searched for a new Director in 2017. I have also served 3 years on the Executive Board in the position of Secretary. During this past two years, which is the length of a term, I have not missed any meetings. We have 24 meetings every year, 2 workshops, sometimes field trips and other events that come up.

I feel that I have done a very good job in representing The City of Aurora on this Board and would appreciate being reappointed for another 2-year term on this Board.

Thank you.

Sincerely,

Nadine Caldwell

Nadine Caldwell
2065 Florence Street
Aurora, CO. 80010
H: 303-364-2859 C: 303-884-2100

APPOINTMENT

I, Mike Coffman, Mayor of the City of Aurora, by virtue of the authority vested in me by law, do hereby appoint Nadine Caldwell as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District, to serve a term of two years, beginning July 1, 2025, and ending June 30, 2027, in accordance with the laws of the State of Colorado and Bylaws of the Metro Water Recovery District.

Done this _____ day of _____, 2025.

_____

Mike Coffman, Mayor

CITY COUNCIL APPROVAL OF APPOINTMENT

It was moved by Councilmember _____, seconded by Councilmember _____ _____, that the City Council appointment of Nadine Caldwell residing at Aurora, Colorado to serve a term of two years expiring on June 30, 2027, as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District be and the same is approved.

The motion carried unanimously.

STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

I, City Clerk of the City of Aurora, do hereby certify that the Mayor of the City of Aurora appointed Nadine Caldwell as said City's representative on the Board of Directors of the Metro Water Recovery District and that the foregoing "Appointment" is an excerpt from the minutes of the regular meeting of the Aurora City Council held on the _____ day of _____ _____, _____, and I further certify that the foregoing motion approving said appointment was passed by the City Council at the same meeting; that said motion approval is part of the official minutes of said meeting; and that quorum was present at all times during the meeting.

Dated this _____ day of _____, 2025

_____

Kadee Rodriguez, City Clerk

(Seal)

Date:		Ward No.
	City of Aurora **APPLICATION FOR APPOINTMENT** **PLEASE TYPE OR PRINT CLEARLY**	

Application kept for One Year. May Attach Resume.

Board/Commission Applying For:
Metro Water Recovery Board of Directors

Are you currently a member on this Board/Commission and requesting reappointment? ☑ Yes ☐ No

PERSONAL INFORMATION:

Name:			How long in Aurora:
Marena Lertch			54 years
Home Address: [redacted]		Zip: 80016	Registered to Vote: Yes
e-mail address: mlertch@auroragov.org	**Date of Birth: [redacted]	Home Phone: [redacted]	Work Phone: 303-326-8118

EDUCATION: **Required to verify voter registration

Yrs. Completed:	Degree(s):
16	Bachelors of Science

Colleges:
Colorado State University; Metropolian State University

EMPLOYMENT:

Employer Name/Address:	Position:	How long?
City of Aurora, 26791 Quincy Ave. Aurora, CO. 80016	Deputy Director of Field Services	2 years
Work Experience: City of Aurora (12 yrs); City of Aurora Public Safety (15yrs)	Certifications:	

COMMUNITY INVOLVEMENT:

DO YOU PRESENTLY SERVE IN ANY OTHER APPOINTED POSITION ON A BOARD, COMMISSION OR COMMITTEE? ☐ Yes ☑ No

If yes, what position:

CONFLICT OF INTEREST:

DO YOU HAVE ANY CONFLICTS OF INTEREST THAT SHOULD BE DISCLOSED? ☐ Yes ☑ No

If yes, please explain:

INTERESTS/ACTIVITIES:

Golf, Softball, Pickleball, Hiking, Camping

WHY DO YOU DESIRE THIS APPOINTMENT?

Invested in preservation of this asset and how to manage into the future, as well as solve issues of today

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

PLEASE GIVE THREE REFERENCES:

Name:	Address:	Phone:
Marshall Brown	26791 Quincy Ave. Aurora, CO. 80016	[redacted]
Name: Sarah Young	Address: 26791 Quincy Ave. Aurora, CO. 80016	Phone: [redacted]
Name: Earl Wilkinson	Address: 26791 Quincy Ave. Aurora, CO. 80016	Phone: [redacted]

I certify that the foregoing information is true and correct.

Marena Lertch	*Marena Lertch*	March 31, 2025
(Volunteer's name printed)	**(Volunteer's signature)**	**(Date)**

How did you hear about us:	
☐ Newspaper: _____ ☐ News Aurora (water bill newsletter) ☐ Channel 8 ☐ Word of Mouth ☐ Other: _____	

FOR OFFICE USE ONLY:

Date Received: _____ **Excel Entry Date:** _____ **Initials:** _____	**Registered Voter:** ___ Yes ___ No _____ N/A **County:** **As of:** _____ **Volunteer Agreement Signed?:** ___ Yes ___ No **Incumbent?** _____ **Renewal Letter Attached?** _____ **New Volunteer Agreement?** _____

Date Interviewed:	**Comments:**	**Appointed?**
Date Interviewed:	**Comments:**	**Appointed?**
Date Interviewed:	**Comments:**	**Appointed?**
Date Postcard Sent:	**Response:**	
Date Postcard Sent:	**Response:**	

APPOINTMENT

I, Mike Coffman, Mayor of the City of Aurora, by virtue of the authority vested in me by law, do hereby appoint Marena Lertch as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District, to serve a term of two years, beginning July 1, 2025, and ending June 30, 2027, in accordance with the laws of the State of Colorado and Bylaws of the Metro Water Recovery District.

Done this _____ day of _____, 2025.

_____

Mike Coffman, Mayor

CITY COUNCIL APPROVAL OF APPOINTMENT

It was moved by Councilmember _____, seconded by Councilmember _____ _____, that the City Council appointment of Marena Lertch residing at Aurora, Colorado to serve a term of two years expiring on June 30, 2027, as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District be and the same is approved.

The motion carried unanimously.

STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

I, City Clerk of the City of Aurora, do hereby certify that the Mayor of the City of Aurora appointed Marena Lertch as said City's representative on the Board of Directors of the Metro Water Recovery District and that the foregoing "Appointment" is an excerpt from the minutes of the regular meeting of the Aurora City Council held on the _____ day of _____ _____, _____, and I further certify that the foregoing motion approving said appointment was passed by the City Council at the same meeting; that said motion approval is part of the official minutes of said meeting; and that quorum was present at all times during the meeting.

Dated this _____ day of _____, 2025

_____

Kadee Rodriguez, City Clerk

(Seal)

Date:		Ward No:

City of Aurora
APPLICATION FOR APPOINTMENT
PLEASE TYPE OR PRINT CLEARLY

Application kept for One Year. May Attach Resume.

Board/Commission Applying For:
Metro Water Recovery Board of Directors
Are you currently a member on this Board/Commission and requesting reappointment? ☑ Yes ☐ No

PERSONAL INFORMATION:

Name:			How long in Aurora:
Catherine Olukotun			6years
Home Address: [redacted]		Zip: 80010	Registered to Vote: Yes
e-mail address: colukotu@auroragov.org	**Date of Birth: [redacted]	Home Phone: [redacted]	Work Phone: [redacted]

EDUCATION: **Required to verify voter registration

Yrs. Completed:	Degree(s):
6 years	Master's Degree; Bachelor's Degree
Colleges: Colorado State University (M.A.); Trininty University (B.A.)	

EMPLOYMENT:

Employer Name/Address:	Position:	How long?
City of Aurora	Deputy Director of Business Services	2 years
Work Experience: State of Colorado (2016-2023)	Certifications: N/A	

COMMUNITY INVOLVEMENT:

DO YOU PRESENTLY SERVE IN ANY OTHER APPOINTED POSITION ON A BOARD, COMMISSION OR COMMITTEE? ☐ Yes ☑ No
If yes, what position:

CONFLICT OF INTEREST:

DO YOU HAVE ANY CONFLICTS OF INTEREST THAT SHOULD BE DISCLOSED? ☐ Yes ☑ No
If yes, please explain:

INTERESTS/ACTIVITIES:

WHY DO YOU DESIRE THIS APPOINTMENT?

I am interested in learning and understanding water recovery and, more specifically, the role of Metro Water Recovery in the region's water supply and quality.
How much time do you anticipate being able to spend on this appointment each month? 8 hours

PLEASE GIVE THREE REFERENCES:

Name:	Address:	Phone:
Deborah Nelson	[redacted]	[redacted]
Name: Lauren Jorgensen	Address: [redacted]	Phone: [redacted]
Name: Ashley Clark	Address: [redacted]	Phone: [redacted]

I certify that the foregoing information is true and correct.

Catherine Olukotun	Catherine Olukotun	04/01/2025
(Volunteer's name printed)	**(Volunteer's signature)**	**(Date)**

How did you hear about us:	
☐ Newspaper: _____ ☐ News Aurora (water bill newsletter) ☐ Channel 8 ☐ Word of Mouth ☐ Other: _____	

FOR OFFICE USE ONLY:

Date Received: _____ **Excel Entry Date:** _____ **Initials:** _____	**Registered Voter:** ___ Yes ___ No _____ N/A **County:** **As of:** _____ **Volunteer Agreement Signed?:** ___ Yes ___ No **Incumbent?** _____ **Renewal Letter Attached?** _____ **New Volunteer Agreement?** _____

Date Interviewed:	**Comments:**	**Appointed?**
Date Interviewed:	**Comments:**	**Appointed?**
Date Interviewed:	**Comments:**	**Appointed?**
Date Postcard Sent:	**Response:**	
Date Postcard Sent:	**Response:**	

APPOINTMENT

I, Mike Coffman, Mayor of the City of Aurora, by virtue of the authority vested in me by law, do hereby appoint Catherine Olukotun as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District, to serve a term of two years, beginning July 1, 2025, and ending June 30, 2027, in accordance with the laws of the State of Colorado and Bylaws of the Metro Water Recovery District.

Done this _____ day of _____, 2025.

_____

Mike Coffman, Mayor

CITY COUNCIL APPROVAL OF APPOINTMENT

It was moved by Councilmember _____, seconded by Councilmember _____ _____, that the City Council appointment of Catherine Olukotun residing at Aurora, Colorado to serve a term of two years expiring on June 30, 2027, as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District be and the same is approved.

The motion carried unanimously.

STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

I, City Clerk of the City of Aurora, do hereby certify that the Mayor of the City of Aurora appointed Catherine Olukotun as said City's representative on the Board of Directors of the Metro Water Recovery District and that the foregoing "Appointment" is an excerpt from the minutes of the regular meeting of the Aurora City Council held on the _____ day of _____ _____, _____, and I further certify that the foregoing motion approving said appointment was passed by the City Council at the same meeting; that said motion approval is part of the official minutes of said meeting; and that quorum was present at all times during the meeting.

Dated this _____ day of _____, 2025

_____

Kadee Rodriguez, City Clerk

(Seal)

City of Aurora

APPLICATION – Metro Water Recovery Board

Application will not be considered without an attached resume or if received past the deadline. Please include your previous three employers and the reason for leaving on your resume.

First Name: Johnny **Last Name:** Watson

Residence Address: [redacted]

City: Aurora **State:** Colorado **Zip Code:** 80016

Email: [redacted] **Phone:** [redacted]

EDUCATION

Degree: Associates Arts **Years Completed:** October 1977

Degree: Continuing Education **Years Completed:**

CURRENT EMPLOYMENT

Name of Employer: Retired

Position: **Date of Employment:**

Business Address:

REFERENCES

Name: David Gruber **Phone:** [redacted]

Name: Bob LeGare **Phone:** [redacted]

Name: Marshall P Brown **Phone:** [redacted]

APPOINTIVE POSITIONS

List any board, committee, or commission you currently serve on

Aurora Urban Renewal Authority, NW Aurora CDP Working Group

Why do you desire appointment to City Council?

As a former At-Large Aurora City Council Member and former City of Aurora Planning Commissioner, I have the experience and keen knowledge base as to the needs of the City of Aurora and its Citizens. I feel that I can provide support to members of Metro Water Recovery Board and work together as a team to continue developing solutions for water recovery. I have worked with numerous city groups throughout the United States with planning and development strategies.

If we were to conduct a comprehensive background investigation and reference checks, what will we find that may warrant explanation or that could be of concern to the city?

I have nothing in my background that would be of concern.

Do you have any special work experience, qualifications, or training that you would like to share?

Planning Commissioner Municipality of Anchorage, AK. Beaverton, OR. and City of Aurora, CO.

How much time do you anticipate being able to spend on council duties each month? 40 hours plus

Are there certain times when you would not be available? No

I swear and affirm that I:

- Am a registered elector of the city of Aurora
- Am a citizen of the United States of America
- Have resided within the municipal boundaries of the city of Aurora for at least one year prior to the date of appointment
- Will have reached by 21st birthday prior to the date of appointment
- Have not been convicted of embezzlement of public money, bribery, perjury, solicitation of bribery or subornation of perjury.
- Am not a City of Aurora employee and do not hold any other elective public office

Signature: Johnny Watts **Date:** May 05, 2025

Send completed application packet to:

Email: CityClerk@auroragov.org
Mail: City Clerk's Office, 15151 E. Alameda Pkwy., Ste. 1400, Aurora, CO 80012
Fax: 303-739-7520

CITY CLERK'S OFFICE USE ONLY:

Voter Registration Date:_____ **Application Received:**_____

I am Johnny Watson, a past member of Aurora City Council as an At Large member.

Due to corporate transfers with a fortune 100 company for many years, I had the distinct opportunity to be a part of planning commissions and city governance, in numerous cities across the U.S., gaining a bird's eye view on the needs of communities and cities.

I am the Past president and owner of a Montessori School and therefor education is a priority for me.

I am a decorated combat veteran and served 14 years in the US Army.

I have been married for 51 years to my lovely wife.

I have three adult children, each of whom attended Aurora schools. It is beautiful to see how Aurora schools have impacted their lives and help to create the success that they are today. I am also a grandparent.

In total I have been a resident of Aurora for 18 years. My wife and I had an opportunity to retire in any state in the US or abroad and chose to come back to Aurora to retire because we love this great city and all it has to offer.

Eagle Bend Metropolitan District

Served as a Director of the Eagle Bend Metropolitan District. While serving as a director, we managed finances and projects that the Metropolitan District chose to sponsor. I voted to provide funds to the three HOA's in the Eagle Bend Metropolitan District. The project included fence painting and repair, landscape and flower replacement.

The district also maintained 2 deep water wells used to water the Heritage Eagle Bend Golf Course. The maintenance and up-keep of the wells is a priority. As a director, making decisions to keep the businesses and homeowners aware of the efforts to maintain property values is key to the success of the district.

The Eagle Bend Metropolitan District supported Heritage Eagle Bend in placing a Traffic Light on Gartrell Rd at the entrance to the community. We worded with the Ward Council Women to secure funding from the city and the Metro District, that project was a success.

City Of Aurora

Served on City of Aurora Planning Commission during the review and passing of the Aurora Places Comprehensive Plan process. The plan is reviewed every 7 to 10 years by the city of Aurora.

The review is done to determine where development is occurring and where development should happen.

The Changes in the land available for development in Aurora is due to annexations and many other factors. The cost of housing and the availability of more affordable housing in Aurora have put development on the fast track in the city. Residential and Business filings for construction and development have put pressure on Planning Commissioners to spend more time reviewing and visiting sites slated for approval.

We worked with staff and developers to ensure a timely review process and quick response to meeting deadlines. City of Aurora Planning Commissioners are a trained and dedicated group of Citizens.

Beaverton Oregon

During my time serving on the Planning Commission for Beaverton, Oregon the Light Rail Project for trains moving passengers from Portland to Beaverton was in the planning stages. A stringent review of corridors and Right of Ways for the rail lines access to Beaverton.

While on the Planning Commission we reviewed zoning changes and decided on growth areas not yet defined. Beaverton had several major corporations who were in the process of expanding. Nike wanted to move from small warehouses city wide to develop a Corporate Headquarters.

Beaverton's growth required a review of residential zoning codes to allow for Multi Family and the use of PUD development.

Municipality of Anchorage

As a Planning Commissioner for the Municipality of Anchorage, I worked with others to allow for Commissioners to review and approve the project for the Sullivan Arena. That facility was the largest Multi-Use Center in the state at the time of approval.

Also, as a Commissioner, my colleagues and I changed the ordinance on allowing overhead power lines to all new and some exiting power lines must be placed underground. Also worked on the ordinance on developing subdivisions in Avalanche areas.

As a planning Commissioner I reviewed the Comprehensive Plan for approval and implementation. During my time on the commission, Anchorage also won the award for being an All-American City. I received an award from Mayor Tony Knowles for my work on helping Anchorage to achieve this recognition.

Servicing and Giving Back

As a combat Army Veteran, I understand the needs of our veterans. I support more affordable housing for veterans. I support more assistance for veterans developing businesses in the city of Aurora.

As president of Creekside Eagle Bend HOA, I ensured that the community operated within budget requirements and ensured that policies and requirements were followed by the board as well as residents. Maintaining property values of this HOA is especially important to me.

As an officer in the Civil Air Patrol, I will continue to support its mission and know the importance of recruiting and training our youth and young adults for this program. Advanced technology in air and space travel is enviable. The Civil Air Patrol and educational programs are charting the path. This technology will create higher paying jobs which in turn will be a benefit for our city and its residents.

Education

Pierce College	Lakewood Washington
City University	Seattle Washington
Chapman College	Orange California

APPOINTMENT

I, _____, Mayor of the City of Aurora, by virtue of the authority vested in me by law, do hereby appoint _____as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District, to serve a term of two years, beginning July 1, 2025, and ending June 30, 2026, in accordance with the laws of the State of Colorado and Bylaws of the Metro Water Recovery District.

Done this _____ day of _____, 2025.

_____

Mike Coffman, Mayor

CITY COUNCIL APPROVAL OF APPOINTMENT

It was moved by Councilmember _____, seconded by Councilmember _____ _____, that the City Council appointment of _____ residing at Aurora, Colorado to serve a term of two years expiring on June 30, 2026, as the City of Aurora representative on the Board of Directors of the Metro Water Recovery District be and the same is approved.

The motion carried unanimously.

STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

I, City Clerk of the City of Aurora, do hereby certify that the Mayor of the City of Aurora appointed _____ as said City's representative on the Board of Directors of the Metro Water Recovery District and that the foregoing "Appointment" is an excerpt from the minutes of the regular meeting of the Aurora City Council held on the _____ day of _____ _____, _____, and I further certify that the foregoing motion approving said appointment was passed by the City Council at the same meeting; that said motion approval is part of the official minutes of said meeting; and that quorum was present at all times during the meeting.

Dated this _____ day of _____, 2025

_____

Kadee Rodriguez, City Clerk

(Seal)

CITY OF AURORA
Council Agenda Commentary

Item Title: Intergovernmental Agreement (IGA) for Aurora Urban Renewal Authority (AURA) Reimbursement of a Portion of City Expenses for the I-70 and Picadilly Interchange Project (Resolution)
Item Initiator: Jennifer Orozco, Project Manager, Planning and Business Development
Staff Source/Legal Source: Jennifer Orozco, Development Project Manager, Planning and Business Development / Rachel Allen, Deputy 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: 6/9/2025

Regular Meeting: 6/23/2025

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)

Jennifer Orozco, Project Manager, Planning and Business Development / Rachel Allen, Deputy 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 Horizon Uptown Urban Renewal Area was established in 2010 and is located at the southwest corner of the junction of I-70 and E-470 (see Figure 1 in attached memorandum). A Public Finance and Redevelopment Agreement (PFRA) for the area was executed effective March 2010, but was ultimately terminated in June 2021, due to changing market conditions. Since 2021, Cooperation Agreements with Horizon Metropolitan Districts and Aurora Public Schools facilitate the ongoing pass-through of their respective mill levies. There remaining uncommited tax increment is available to support the I-70 and Picadilly Interchange Project.

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

On June 23, 2025, the AURA (Aurora Urban Renewal Authority) Board and City Council will consider separate resolutions approving an Intergovernmental Agreement (IGA) whereby the Authority will reimburse the City for a portion of the costs for the I-70 and Piccadilly Interchange Project. The Project includes eligible public improvements within and adjacent to the Horizon Uptown Urban Renewal Plan Area.

The City-paid total Project costs are expected to be between $43 million and $64 million, depending on the availability of funding from other sources. The IGA contemplates an AURA Project Contribution for City expenses with annual reimbursement payments made from ninety-eight percent (98%) of uncommitted tax increment collected from the Horizon Uptown Tax Increment Financing (TIF) Area. The Authority shall reserve two percent (2%) of revenues from within the TIF Area for staffing expenses to administer the Plan Area and process Project Contributions. Annual reimbursement payments will continue until February 28, 2037, or until the complete reimbursement of the total City-paid Project costs, whichever occurs first.

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.)

The Horizon Uptown URA (org 71070) currently has approximately $3 million in previously collected, uncommitted TIF revenues. Upon execution of the proposed IGA, 98% of these revenues would be used to reimburse the City for City-paid Project expenses (paid from orgs 49667, 49678, and 49992). Additional annual revenues of approximately $400,000 are expected to be available to continue annual reimbursements through February 2037.

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.)

The Authority shall reserve two percent (2%) of revenues from within the TIF Area for staffing expenses to administer the Plan Area and process Project Contributions.

QUESTIONS FOR COUNCIL

Does City Council support the attached resolution and IGA, whereby the Authority will reimburse the City for a portion of the costs for the I-70 and Piccadilly Interchange Project?

LEGAL COMMENTS

An Urban Renewal Authority is authorized to issue revenue bonds and other obligations payable from tax increment revenues generated within an Urban Renewal Project Area and deposited in a special fund for the purpose of financing its activities or operations, together with other revenues from a project. (C.R.S. Sec. 31-25-107(9)(b) and 31-25-109).

Governmental entities may cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units, including sharing of costs, the imposition of taxes, or the incurring of debt. (Colo. Const. Art. 14, Sec. 18(2)(a)) Governments may cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units only if such cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve. (C.R.S. Sec. 29-1-203(1)). City 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 Sec. 10-12). (Allen)

Aurora Urban Renewal Authority

TO: AURA (Aurora Urban Renewal Authority) Board
City Council

THROUGH: Jason Batchelor, AURA Executive Director
Laura Perry, Deputy City Manager
Jeannine Rustad, Director of Planning and Business Development

FROM: Melissa Rogers, Urban Renewal Supervisor
Jennifer Orozco, Senior Development Project Manager

DATE: June 9, 2025

SUBJECT: **Intergovernmental Agreement (IGA) for AURA Reimbursement of a Portion of City Expenses for the I-70 and Picadilly Interchange Project**

Executive Summary

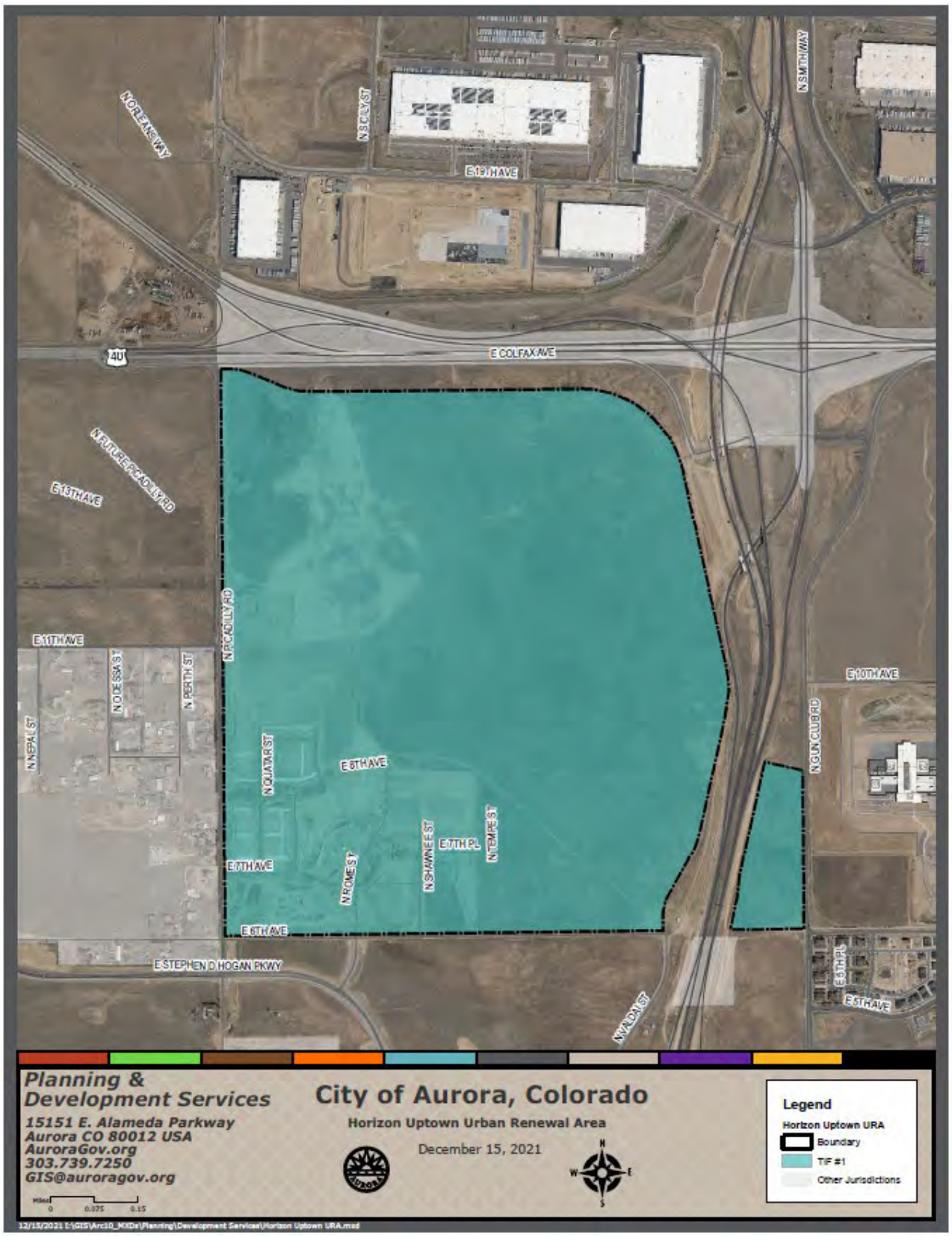
On June 23, 2025, the AURA (Aurora Urban Renewal Authority) Board and City Council will consider separate resolutions approving an Intergovernmental Agreement (IGA) whereby the Authority will reimburse the City for a portion of the costs for the I-70 and Piccadilly Interchange Project. The Project includes eligible public improvements within and adjacent to the Horizon Uptown Urban Renewal Plan Area.

The City-paid total Project costs are expected to be between $43 million and $64 million, depending on the availability of funding from other sources. The IGA contemplates an AURA Project Contribution for City expenses with annual reimbursement payments made from ninety-eight percent (98%) of uncommitted tax increment collected from the Horizon Uptown Tax Increment Financing (TIF) Area. The Authority shall reserve two percent (2%) of revenues from within the TIF Area for staffing expenses to administer the Plan Area and process Project Contributions. Annual reimbursement payments will continue until February 28, 2037, or until the complete reimbursement of the total City-paid Project costs, whichever occurs first.

Horizon Uptown URA History

Horizon Uptown Urban Renewal Area was established in 2010 and is strategically located at a key regional transportation junction between I-70 and E-470 (see Figure 1). When development was originally planned, it was to be an environmentally sustainable, high-quality mixed-use community, with a mix of housing types, exceptional retail spaces and a class A office park. Toward this end, a Public Finance and Redevelopment Agreement (PFRA) for the area was executed effective March 2010.

Figure 1: Horizon Uptown Urban Renewal Area



The developer and property owner, Lend Lease Horizon LLC, did not initiate development until 2018 and by that time, was no longer interested in executing the agreed-upon vision due to changing market conditions. On June 15, 2021, the City, AURA, Horizon Metropolitan District No. 1, and Lend Lease Horizon LLC mutually agreed to terminate the PFRA. The parties affirmed that revenues from the TIF Area would continue to be collected through December 31, 2036, and that any revenues attributable to Horizon Metropolitan Districts would be paid to each respective District, pursuant to the terms of a Cooperation Agreement between the Districts and AURA. Similarly, a Cooperation Agreement with Aurora Public Schools (APS) was executed on July 26, 2021, and facilitates the ongoing pass-through of the property tax derived from the APS mill levy, allowing APS to receive funding for construction of a K-8 school.

Interstate 70 and Picadilly Interchange Project

The I-70 and Picadilly Interchange Project is a City of Aurora Public Works, design-build project (#18021). The project is currently under construction and will extend Picadilly Road between Colfax Avenue and Smith Road via an interchange onto I-70. Improved north-south connectivity will unlock a roadway network and make Picadilly Road a key arterial point for the region (see Figure 2). The prime contractor is Lawrence Construction Company (LCCo).

Schedule

The expected project milestones are as follows:

- Notice to Proceed 1: June 6th, 2023
- Notice to Proceed 2: November 14th, 2023
- Substantial Completion Date (Open to Traffic): October 2025 **
- Project Completion Date (Landscape Acceptance Deadline): October 2026 **

** Finalization of 6-month extension may add timeline flexibility.

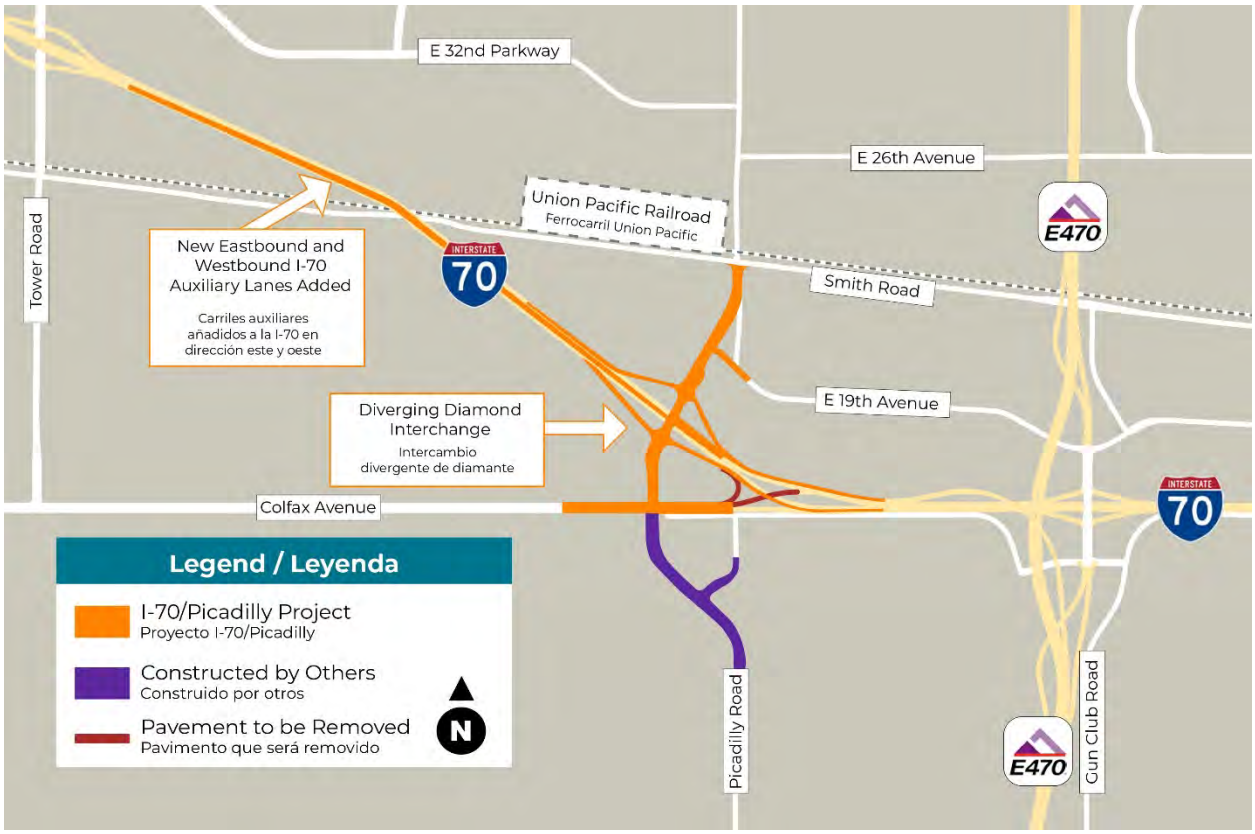
Project Budget

The following table outlines the current funding sources for the Project.

Org	Source	Amount
49666	FASTER Grant	$6,509,198
49667	FHWA BUILD Grant	$25,000,000
49667	FHWA BUILD City Grant Match	$6,250,000
49678	City Overmatch	$56,478,044
49992	City Paid (NEPA, early activities)	$650,000
	BUDGET AVAILABLE	$94,887,242
	BUDGET REQUIRED	$96,877,955
	Total City Funding	**$63,378,044**
	Potential ARTA Contribution	$20,000,000
	Total City Funding w/ ARTA	$43,378,044

Depending on the potential $20 million ARTA Project contribution, the City's total contribution is expected to be between $43 and $64 million.

Figure 2: I-70 Picadilly Interchange Project Map



AURA Project Contribution

The Horizon Uptown URA currently has approximately $3 million in previously collected, uncommitted TIF revenues. Upon execution of the IGA, 98% of these revenues will be used to reimburse the City for City-paid Project expenses. Additional annual revenues of approximately $400,000 are expected to be available to continue annual reimbursements through February 2037.

Question for City Council and AURA Board

Does the Does City Council and the AURA Board support the attached resolution and IGA, whereby the Authority will reimburse the City for a portion of the costs for the I-70 and Piccadilly Interchange Project?

RESOLUTION NO. R2025-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE AURORA URBAN RENEWAL AUTHORITY FOR CERTAIN REIMBURSEMENT OF THE I-70 AND PICADILLY INTERCHANGE IMPROVEMENTS (HORIZON PLAN AREA)

WHEREAS, the City is a home rule municipality and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and the Home Rule Charter of the City of Aurora; and

WHEREAS, the Authority is a body corporate and has been duly organized established and authorized by the City to transact business and exercise its powers as an urban renewal authority, all under and pursuant to the Colorado Urban Renewal Law, C.R.S. § 31-25-101, *et seq.* (the "Act"); and

WHEREAS, pursuant to C.R.S. § 31-25-109 of the Act, the Authority has the power and authority to issue or to incur notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, debentures, advances or other obligations including refunding obligations, for the purpose of financing the activities and operations authorized to be undertaken by the Authority with respect to the projects in accordance with an adopted urban renewal plan and the Act as approved by the City; and

WHEREAS, in 2010 the City approved the Horizon Uptown Urban Renewal Plan (the "Plan") which included the creation of a Tax Increment Financing Area (TIF Area) and specific authorization to construct those public improvements to cause the Horizon Uptown Urban Renewal Plan Area (the "Plan Area") to be more attractive for private investment and assist in the remediation of blight; and

WHEREAS, the City and the Authority desire to enter into this Agreement to memorialize the Authority's desire to reimburse the City for a portion of the cost of eligible public improvements within and adjacent to the Horizon Plan Area consisting of the I-70 and Picadilly Interchange improvements (the "Public Improvement Project"); and

WHEREAS, total City costs are expected to be between $43 million and $64 million; and

WHEREAS, the Act, and Section 18 Article XIV of the Colorado Constitution authorize the City and the Authority to enter into cooperative agreements such as this Agreement; and

WHEREAS, the City finds and determines that entering into this Agreement is in the best interests of the Authority and its citizens.

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 Aurora Urban Renewal Authority regarding the I-70 and Picadilly Interchange Public Improvement Project 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.

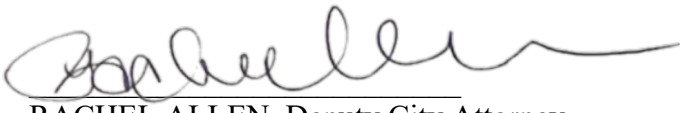
_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY



_____
RACHEL ALLEN, Deputy City Attorney

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (the "Agreement") dated as of the ____ day of _____, 2025, is entered into by and between the City of Aurora, Colorado (the "City"), a home rule municipal corporation of the State of Colorado, and the Aurora Urban Renewal Authority (the "Authority"), a body corporate duly organized and existing as an urban renewal authority under the laws of the State of Colorado.

RECITALS:

WHEREAS, the City is a home rule municipality and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and the Home Rule Charter of the City of Aurora; and

WHEREAS, the Authority is a body corporate and has been duly organized established and authorized by the City to transact business and exercise its powers as an urban renewal authority, all under and pursuant to the Colorado Urban Renewal Law, C.R.S. § 31-25-101, *et seq.* (the "Act"); and

WHEREAS, pursuant to C.R.S. § 31-25-109 of the Act, the Authority has the power and authority to issue or to incur notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, debentures, advances or other obligations including refunding obligations, for the purpose of financing the activities and operations authorized to be undertaken by the Authority with respect to the projects in accordance with an adopted urban renewal plan and the Act as approved by the City; and

WHEREAS, in 2010 the City approved the Horizon Uptown Urban Renewal Plan (the "Plan") which included the creation of a Tax Increment Financing Area (TIF Area), and specific authorization to construct those public improvements to cause the Horizon Uptown Urban Renewal Plan Area (the "Plan Area") to be more attractive for private investment and assist in the remediation of blight; and

WHEREAS, the City and the Authority desire to enter into this Agreement to memorialize the Authority's desire to reimburse the City for a portion of the cost of eligible public improvements within and adjacent to the Horizon Plan Area consisting of the I-70 and Piccadilly Interchange improvements (the "Public Improvement Project"), as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference; and

WHEREAS, the Act, and Section 18 Article XIV of the Colorado Constitution authorize the City and the Authority to enter into cooperative agreements such as this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the following terms and conditions, the City and the Authority hereby agree to this Agreement as follows:

1. FINANCING AND CONSTRUCTION OF THE PUBLIC IMPROVEMENT PROJECT. The Authority agrees to provide the funding for the Public Improvement Project as set forth below in order to implement the objectives of the Horizon Uptown Urban Renewal Plan through the incremental property taxes generated to incentivize the development of a

housing/commercial/retail project within the Plan Area, which Plan includes the construction and installation of the I-70 and Piccadilly Interchange as an undertaking or activity that eliminates and prevents the spread of blight.

1.1 *Construction of the Public Improvement Project*. The City shall be responsible for acquiring, constructing and installing the Public Improvement Project with the segregated funds allocated to the Project Cost as set forth herein. The Authority shall have no obligation after providing the funds to the City to be segregated hereunder as the Project Cost for construction of the Public Improvement Project.

1.2 *Financing the Public Improvement Project*. The Authority shall be responsible for reimbursing the City for the costs and expenses in connection with the acquisition, construction and installation of the Public Improvement Project, including without limitation all design costs, engineering costs and other soft costs incurred in connection therewith in an amount not to exceed the City-paid total project costs as more particularly described in Exhibit A, expected to be between $43 million and $64 million, depending on the availability of funding from other sources, which amount shall be paid from ninety-eight percent (98%) of the revenues from within the TIF Area not otherwise committed to Horizon Metropolitan District Nos. 1-10 and Aurora Public Schools (the "Project Contribution"). Reimbursement by the Authority to the City shall be made as follows:

A. The City shall provide the Authority with a reimbursement request for those costs already incurred by the City for the Public Improvement Project as of the date of execution of this Agreement, and the Authority shall remit the same to the City no later than thirty (30) business days after receipt of the reimbursement request; and

B. Subject to Section 1.5 of this Agreement, the City shall thereafter provide the Authority with reimbursement requests on annual basis, with each reimbursement request being provided by the City to the Authority no later than February 1 of each year for revenues collected in the previous calendar year, and the Authority shall make such reimbursement payments on or before February 28 of each year.

1.3 The Authority shall reserve two percent (2%) of revenues from within the TIF Area for staffing expenses to administer the Plan Area and process Project Contributions.

1.4 The Authority represents that it is currently collecting revenues from within the TIF Area and has or will have funding available in the special fund of the Authority, and that such revenues are available to pay for a portion of the Public Improvement Project in accordance with the Plan.

1.5 The Authority's reimbursement obligation shall terminate upon the completion of reimbursement for the Public Improvement Project, or upon completion of the reimbursement payment following the final increment distribution after the termination of the TIF Area, whichever occurs first, but subject to the provisions of Section 1.2.

2. MISCELLANEOUS.

A. *Governing Law and Venue*. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Arapahoe County, Colorado.

B. *No Waiver*. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Authority shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. *Integration*. This Agreement constitutes the entire agreement between the parties, superseding all prior oral or written communications.

D. *Termination*. Either party may terminate this Agreement upon 90 days' written notice to the other party provided however there are no outstanding amounts payable by the Authority to the City unless satisfactory arrangements have been made in writing and in the sole discretion of the City for the payment of such amounts.

E. *Third Parties*. There are no intended third-party beneficiaries to this Agreement.

F. *Notices*. All notices and other communications hereunder shall be sufficiently given and shall be deemed given when delivered or mailed by first class mail postage prepaid addressed as follows:

If to the City:
City of Aurora, Colorado
Attn: Laura Perry, Deputy City Manager
15151 E Alameda Parkway
Aurora, Colorado 80012

If to the Authority:
Aurora Urban Renewal Authority
Attn: Manager of Urban Renewal or Urban Renewal Supervisor
15151 E Alameda Parkway
Aurora, Colorado 80012

The City or the Authority may, by notice given hereunder, designate any further or different addresses to which subsequent notices or other communications shall be sent.

G. *Severability*. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

H. *Modification*. This Agreement may only be modified upon written agreement of the Parties.

I. *Assignment*. Neither this Agreement nor any of the rights or obligations of the parties shall be assigned by either party without the written consent of the other.

J. *Governmental Immunity*. The parties and their officers, attorneys and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the parties and their officers, attorneys or employees.

K. *Rights and Remedies*. The rights and remedies of the Authority under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Authority's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

L. *Entire Agreement — Amendments*. This Agreement embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained within this Agreement. This Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto relating to the matters set forth herein. This Agreement may be further amended by written agreement between the City and the Authority.

M. *Annual Appropriation.* The obligations contained herein shall not constitute a multiple fiscal year obligation within the meaning of Article X Sec. 20 of the Colorado Constitution. Regardless of any language to the contrary contained herein, the obligations of the City under this Agreement are subject to annual appropriation by the Aurora City Council

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed and delivered by their duly authorized officers as of the date first above written.

CITY OF AURORA, COLORADO

By: _____

Attest:

_____

AURORA URBAN RENEWAL AUTHORITY

By: _____

Attest:

_____

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

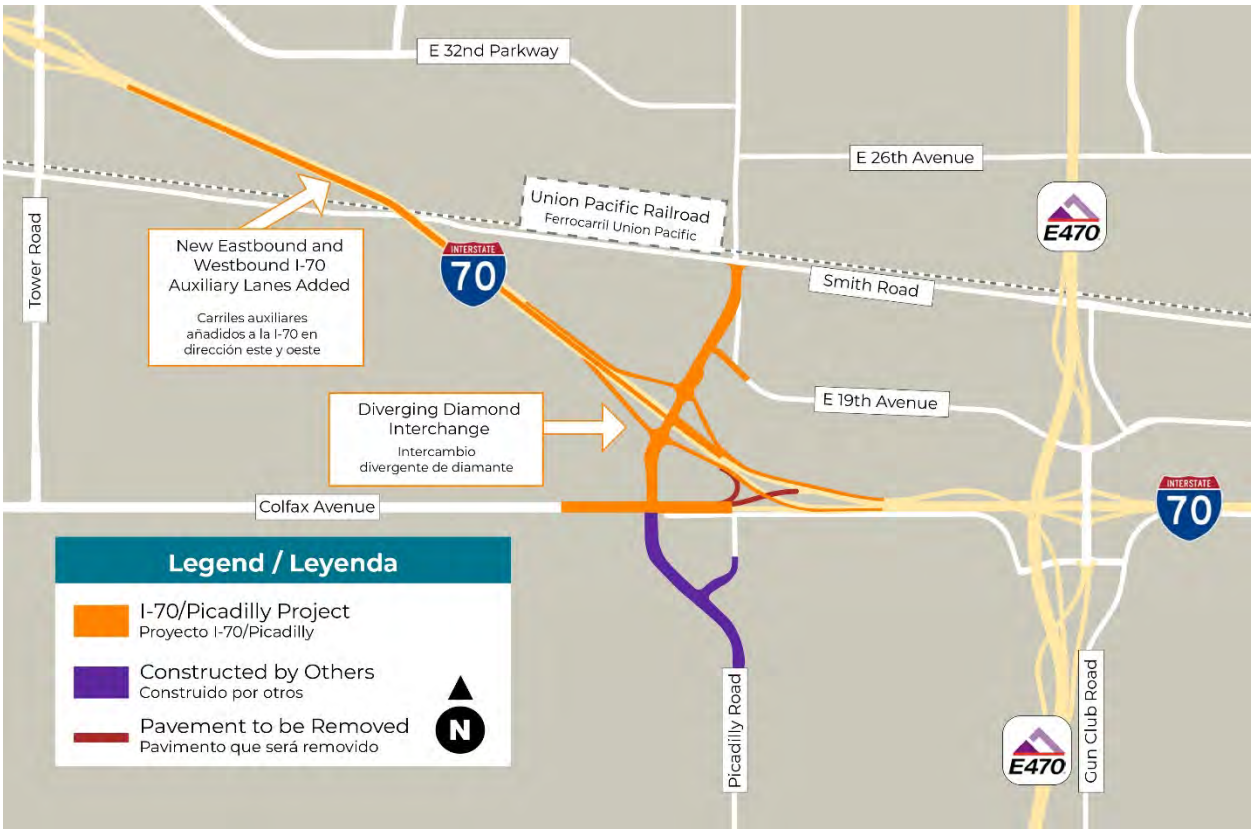
By:_____
RACHEL ALLEN, AURA Counsel

EXHIBIT A
Public Improvement Project

I-70 Picadilly Interchange Project Information

This is a City of Aurora, Public Works, design-build project (#18021).

This design-build project will extend Picadilly Road between Colfax Avenue and Smith Road via an interchange onto I-70 in Aurora Colorado. Improved north-south connectivity will unlock a roadway network and make Picadilly Road a key arterial point for the region.



Contractors:

The prime contractor is Lawrence Construction Company (LCCo).

LCCo has a number of subcontractors, including: A-Core of Colorado, Anaya Concrete Corp., Bemas Construction Inc., Black Iron Steel LLC, Brundage Bone Concrete Pumping Inc., Double J Logistics LLC, Ideal Fencing Corp., Martin Marietta Materials Inc., Nelson Pipeline Constructor's Inc., 1UP, Rocky Mountain Signing, RS&H Inc., Sturgeon Electric Company Inc., Taylor's Landscaping LLC, Villalobos, and West Drilling LLC.

Funding:

Org	Source	Amount
49666	FASTER Grant	$6,509,198
49667	BUILD Grant	$25,000,000
49667	BUILD City Grant Match	$6,250,000
49678	City Overmatch	$56,478,044
49992	City Paid (NEPA, early activities)	$650,000
	BUDGET AVAILABLE	$94,887,242
	BUDGET REQUIRED	$96,877,955
	Total City Funding	$63,378,044
	Potential ARTA Contribution	$20,000,000
	Total City Funding w/ ARTA	$43,378,044

Schedule:

Notice to Proceed 1: June 6th, 2023
Notice to Proceed 2: November 14th, 2023
Substantial Completion Date (Open to Traffic): October 2025 **
Project Completion Date (Landscape Acceptance Deadline): October 2026 **

** Finalization of 6-month extension may add flexibility with timeline.

CITY OF AURORA
Council Agenda Commentary

Item Title: First Creek Detention Facility Upstream of I-70 – 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: Clinton Weisz, Applicant (City of Aurora) / Kathrine Knight, Jeanne Boyle, Agent, Merrick & Company
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: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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 FOUR CONTIGUOUS PARCELS OF LAND MEASURING 56.5 ACRES, MORE OR LESS, LOCATED SOUTH OF I-70 AND COLFAX AND ABOUT HALF A MILE EAST OF E-470 TO MIXED-USE REGIONAL DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY (THE FIRST CREEK DETENTION FACILITY ANNEXATION 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 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 and Zoning Commission

Policy Committee Date: 5/28/2025

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 May 28, 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.)*

The City of Aurora, as the applicant, seeks a Zoning Map Amendment for the initial zoning to Mixed Use – Regional District (MU-R) for four (4) contiguous parcels of land consisting of approximately 56.5 acres. The subject property is currently situated within unincorporated Arapahoe County and is currently zoned Agriculture (A-1), Open (O), RR-B (Rural Residential), and Mixed Use (MU). The site is located south of I-70/Colfax, about a half mile east of E-470. This initial zoning is being requested with an annexation for the same area and is bordered to the north by unincorporated land in Adams County and Prologis Park (Business/Tech (I-1) zoning) in Aurora; and Mixed Use-Regional District (MU-R) zoning district encompassing the subject property to the west, south, and east. The future extension of 14th Avenue is anticipated to cross the southern arm of this property.

The City owns the four (4) parcels, which is essentially bisected by the First Creek drainage way. The planned development for the site is the construction of a regional stormwater detention facility and a regional trail connection. 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 MU-R zoning aligns well with the existing surrounding zoning and supports the future development goals laid out for the "Urban District" 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.)

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 56.5 acres to to Mixed Use – Regional District (MU-R) for the First Creek Detention Facility Upstream of I-70 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

Miles 0 0.075 0.15

City of Aurora, Colorado

First Creek Detention Facility Upstream of I-70
Zoning Map Amendment

Case Number: 2025-2001-00
Development Application: #2406-00

5/16/2025 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro_Arial.aprx

April 23, 2025

City of Aurora
Planning & Development Services
Brandon Cammarata, Planning Division Manager
15151 E Alameda Parkway
Aurora, CO 80211

RE: Introduction Letter – Initial Zoning Request
NE 1/4 Section 6, of Township 4 South, Range 65 West of the 6th Principal Meridian

On behalf of the owner, City of Aurora, Merrick is submitting this application for initial zoning. The property is currently known as unincorporated Arapahoe County.

The property is owned by: City of Aurora
15151 E Alameda Pkwy.
Aurora, CO 80012

The 56.508-acre property consists of four contiguous parcels:
(Rec. No. D8116334, Rec. No. E1157157, Rec. No. D6074304, & Rec. No. D8107473). It is located in the NE 1/4 Section 6, of Township 4 South, Range 65 West of the 6th Principal Meridian.

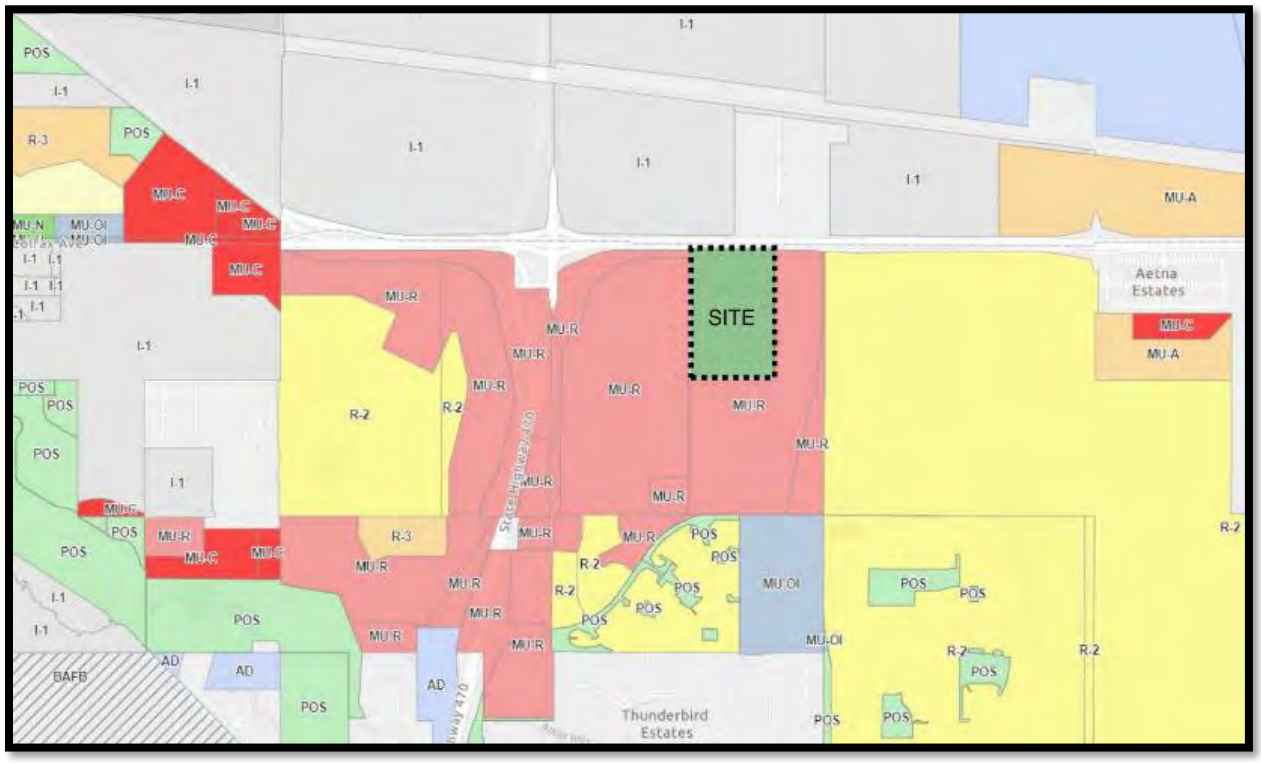
Vicinity Map (Exhibit A)



Request

The property is currently seeking initial Zoning in the City of Aurora. The design team and Client is requesting the initial zoning of MU-R because of the allowed uses and compatibility with adjacent properties. The only development proposed is regional stormwater detention and a regional trail connection.

Arapahoe Zoning Map (Exhibit B)



The property consists of four contiguous parcels containing a total of 56.508 acres and is in the NE 1/4 of Section 6, Township 4 South, Range 65 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado. The land proposed to be zoned is owned by the City of Aurora, 15151 E. Alameda Pkwy., Aurora, CO 80012.

In 2001, the City of Aurora (City) entered an Intergovernmental Agreement (Agreement No. 99-03.11) Regarding Implementation of Portions of the First Creek Watershed Master Plan. The agreement included a commitment to construct a regional stormwater detention pond, ID No. 1237, to attenuate peak runoff flows on First Creek upstream of I-70. In order to construct this stormwater detention facility, the City of Aurora has acquired the four subject parcels. These four parcels have several different Arapahoe County zoning districts including A-1, O, RR-B, F, and MU.

The only development proposed on the property is the regional stormwater detention and a regional trail connection. These can potentially offer green spaces, and pedestrian and bicycle connectivity, fostering a healthier and more active lifestyle.

The City of Aurora plans to seek an initial zoning of MU-R. The Multi-use – Regional District classification can strategically allow the detention pond, beyond its crucial stormwater management function, to serve as an attractive visual amenity and potentially a passive recreational space. Integrating into the MU-R developments nearby ensures that these public investments are readily accessible to the community, maximizing their value and promoting community engagement. The proposed zoning is inherently consistent and compatible with the surrounding planned and existing development.

Additionally, these four contiguous parcels are surrounded by Subarea C and would be included into this subarea. Subarea C generally includes rolling, semi-arid, largely undeveloped lands with large open fields of prairie grass in northeast Aurora and mostly developed newer developments in southeast Aurora. It currently includes expanding residential developments, industrial parks and areas of City-owned open spaces and parks. Development pressures within Subarea C continue to rise as the demand for more housing choices intensifies; the pressure for large industrial storage facilities increases and the need for expanded infrastructure to accommodate the demands of growth become a priority. Because these lands will develop over a long period of time, their layouts, design, and building styles need to be flexible enough to accommodate new forms of development at a variety of development densities while avoiding patterns and practices that have increased traffic congestion and/or reduced the visual appeal of the City in the past.

Finally, this area is surrounded by the Urban District Place type in the Aurora Places Comprehensive plan. The Urban Districts will be critical to the economic and fiscal health of the City because they will be the 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. Urban parks provide green space for residents and workers and serve as locations for community activities. This mix and intensity of uses is intended to provide around-the-clock activity. Transit, pedestrian and bike connections are essential to its development and success. A Comprehensive Plan Amendment will be required to categorize the subject property place type to Urban District.

This initial zoning request meets the Approval Criteria of Section 146-5.4.1A, Section 146-5.4.1B and Section 146-5.4.1C.

It is consistent with the Comprehensive Plan, the purpose statement for the zone district(s) where the property is located, the use regulations in Article 146-3 for the zone district(s), and all other adopted plans and policies of the City Council.

Section 146-5.4.1A Comprehensive Plan Adoption or Amendment

The City Council shall adopt a Comprehensive Plan for the orderly development and redevelopment of the City. The Comprehensive Plan shall serve to guide the City Council and the Planning and Zoning Commission in their decisions and recommendations in all land use and land development applications. All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.A.

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 the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora.

Re: The subject property under review promotes the long term economic, social and environmental health of the City and County and protects the public health, safety, and welfare of the citizens of Aurora.

Section 146-5.4.1C Ordinance Text or Zoning Map Amendments

Ordinance Text or Zoning Map Amendments. All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.C.

Applicability.

This Section 146-5.4.1.C applies to:

a. All applications for initial zoning of property into a base zone district(s), and to initial zoning into an overlay district, if any, at the time property is annexed to the City; and

b. All applications for changes of zoning from one base zone district(s) to a different base zone district(s) following initial zoning into a base zone district; and

c. All applications to include property in, or exclude property from, an overlay district(s), or to change the overlay district(s) that apply to a property; and

d. All applications to change the text of this Unified Development Ordinance.

Procedure

a. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).

b. 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.

c. 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.

Criteria for Approval

a. Initial Zoning and Changes to Zoning Map for Individual Parcels or Small Areas. An application for initial zoning, rezoning, and changes to the Zoning Map for individual parcels or small areas shall only be recommended if the Planning Director and the Planning and Zoning Commission finds that the following criteria have been met, and shall only be approved if City Council finds that the following criteria have been met.

~~i. The change to the Zoning Map is needed to correct an error (change in the character of surrounding areas does not constitute an error in the map); or~~

ii. The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:

(a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district(s);

Re: COA Staff is supportive of this initial zoning request.

(b) The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed initial zoning or rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

Re: The proposed initial zoning and annexation is compatible with the surrounding development and designated zoning.

(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.

Re: The proposed initial zoning will not create significant dislocations of tenants or occupants of the property, or outweigh other public benefits or progress toward Comprehensive Plan goals.

If you require additional information or have any questions about our submittal items, please do not hesitate to call (303)-353-3340 or e-mail mike.leuteneker@merrick.com. We look forward to working with the City in completing this process to contribute to the City of Aurora.

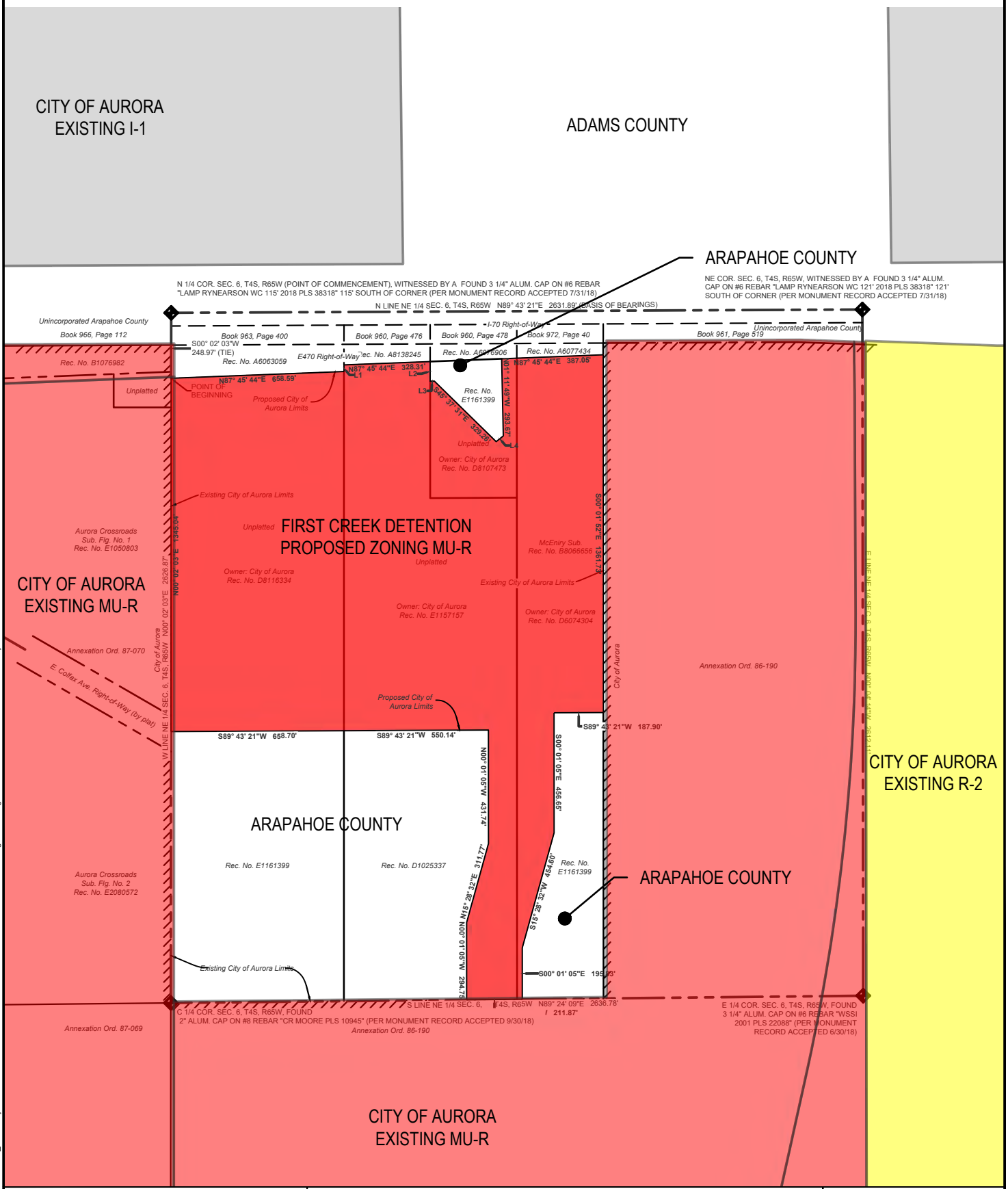
Sincerely,
Merrick & Company



Mike Leuteneker, PLA
Senior Landscape Architect

FIRST CREEK DETENTION UPSTREAM OF I-70 - INITIAL ZONING EXHIBIT

EXHIBIT C



MERRICK®

FIRST CREEK REGIONAL DETENTION POND
UPSTREAM OF I-70
INITIAL ZONING MAP

DATE: 04/23/25

SHEET: 1

File Location:\\merrick.com\ecs\Denver_North\Projects\MHFD\116930-01 First Creek Detention\CAD\Exhibits\First Creek Zoning Exhibit.dwg Plot Date:4/23/2025 4:29 PM Last Saved By: KATHERINE.KNIGHT

EXHIBIT A

A parcel of land situated in the NE 1/4 of Section 6, Township 4 South, Range 65 West of the 6th Principal Meridian, City of Aurora, County of Arapahoe, State of Colorado, being a part of that parcel of land described in that Special Warranty Deed, recorded on July 12, 2016, at Rec. No. D6074304 in the office of the Arapahoe County Clerk and Recorder, a part of that parcel of land described in that Special Warranty Deed, recorded on October 31, 2018, at Rec. No. D8107473 in said office, a part of that parcel of land described in that Special Warranty Deed, recorded on November 28, 2018, at Rec. No. D8116334 in said office, and all of that parcel of land described in that Special Warranty Deed, recorded on October 15, 2021, at Rec. No. E1157157 in said office, being more particularly described as follows:

Commencing at the N 1/4 corner of said Section 6 (from whence the NE corner of said section bears N89°43’21”E, a distance of 2631.89 feet);

Thence S00°02’03”W, coincident with the west line of the NE 1/4 of said section, a distance of 248.97 feet to the southwesterly corner of that parcel of land described in that Special Warranty Deed, recorded on May 21, 1996, at Rec. No. A6063059 in said office, said corner being the **Point of Beginning**;

Thence coincident with the boundary of said parcel the following two (2) courses:

1. Thence N87°45'44"E, a distance of 658.59 feet;
2. Thence N00°00'13"E, a distance of 25.02 feet to the southwesterly corner of that parcel of land described as No. TK-91B in that Rule and Order, recorded on August 31, 1998, at Rec. No. A8138245 in said office;

Thence N87°45'44"E, coincident with the southerly line of said parcel, a distance of 328.31 feet to the northwesterly corner of that parcel of land described in Exhibit A in that Quit Claim Deed, recorded on October 21, 2021, at Rec. No. E1161399 in said office;

Thence coincident with the boundary of said parcel the following five (5) courses:

1. Thence S00°01'05"E, a distance of 74.63 feet;
2. Thence N89°43'21"E, a distance of 16.08 feet;
3. Thence S45°37'31"E, a distance of 329.26 feet;
4. Thence N50°57'15"E, a distance of 34.69 feet;
5. Thence N01°11'49"W, a distance of 293.67 feet to a point on the southerly line of that parcel of land described in that Special Warranty Deed, recorded on June 18, 1996, at Rec. No. A6076906 in said office;

Thence N87°45'44"E, coincident with said southerly line and the southerly line of that parcel of land described in that Special Warranty Deed, recorded on June 19, 1996, at Rec. No. A6077434 in said office, a distance of 387.05 feet to the northeasterly corner of said parcel of land recorded at Rec. No. D6074304 in said office;

(continued)

Thence S00°01'52"E, coincident with the easterly line of said parcel, a distance of 1361.73 feet to the northeasterly corner of that parcel of land described in Exhibit C in said Quit Claim Deed, recorded at Rec. No. E1161399 in said office;

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

1. Thence S89°43'21"W, a distance of 187.90 feet;
2. Thence S00°01'05"E, a distance of 456.65 feet;
3. Thence S15°28'32"W, a distance of 454.60 feet;
4. Thence S00°01'05"E, a distance of 195.83 feet to a point on the south line of the NE 1/4 of said Section 6;

Thence S89°24'09"W, coincident with said south line, a distance of 211.87 feet to a southerly corner of said parcel of land recorded at Rec. No. E1157157 in said office;

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

1. Thence N00°01'05"W, a distance of 294.75 feet;
2. Thence N15°28'32"E, a distance of 311.77 feet;
3. Thence N00°01'05"W, a distance of 431.74 feet;
4. Thence S89°43'21"W, a distance of 550.14 feet to the northeasterly corner of that parcel of land described in Exhibit B in said Quit Claim Deed, recorded at Rec. No. E1161399 in said office;

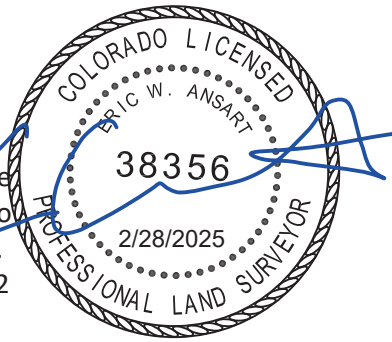
Thence continuing S89°43'21"W, coincident with the northerly line of said parcel, a distance of 658.70 feet to a point on the west line of the NE 1/4 of said Section 6;

Thence N00°02'03"E, coincident with said west line, a distance of 1345.04 feet to the **Point of Beginning**.

Total Perimeter: 8608.01 feet Contiguous Perimeter: 2918.64 feet

Total Area: 2,461,477 square feet (56.508 acres), more or less.

Bearings based on the north line of the NE 1/4 of Section 6, T4S, R65W, 6th P.M., being N89°43’21”E, said bearing being a grid bearing of the NAD 1983(1992) State Plane Coordinate System of Colorado, Central Zone, and all lineal units are represented in US Survey Feet.



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

Planning and Zoning Commission
DRAFT MINUTES
May 28, 2025

Commissioners Present	**Garrett Walls**
	Sonda Banka
	Gayle Jetchick
	Melvin Bush
Commissioners Absent:	**Robert Gaiser**
	Becky Hogan

1. **Study Session – 5:00 p.m. – No Study Session Scheduled**

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. May 14, 2025, Draft Minutes
   A MOTION WAS MADE BY CHAIR WALLS AND SECONDED BY COMMISSIONER BANKA TO APPROVE THE MINUTES AS SUBMITTED WITHOUT OBJECTION.

   MOTION PASSED UNANIMOUSLY.

6. **Adoption of Agenda**
   A MOTION WAS MADE BY CHAIRMAN WALLS AND SECONDED BY COMMISSIONER JETCHICK WITHOUT OBJECTION.

   MOVE TO APPROVE THE DRAFT AGENDA AS THE PERMANENT AGENDA. AGENDA ITEMS 8a-e 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. FIRST CREEK DENTENTION FACILITY UPSTREAM OF I-70 – ZONING MAP AMENDMENT

The City of Aurora, as the applicant, seeks a Zoning Map Amendment for the initial zoning to Mixed Use – Regional District (MU-R) for four (4) contiguous parcels of land consisting of approximately 56.51 acres. The subject property is currently situated within unincorporated Arapahoe County and is presently zoned Agriculture (A-1), Open (O), RR-B (Rural Residential), and Mixed Use (MU). The site is located south and adjacent to I-70, about a half mile east of E-470. This initial zoning is being requested with an annexation for the same area and is bordered to the north by unincorporated land in Adams County and Prologis Park (Business/Tech (I-1) zoning) in Aurora; and Mixed Use-Regional District (MU-R) zoning district encompassing the subject property to the west, south, and east. The future extension of 14th Avenue is anticipated to cross the southern arm of this property.

The City owns the four (4) parcels, which are essentially bisected by the First Creek drainage way. The planned development for the site is the construction of a regional stormwater detention facility and a regional trail connection. 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 MU-R zoning aligns well with the existing surrounding zoning and supports the future development goals laid out for the "Urban District" placetype in the Aurora Places Comprehensive Plan.

Seven (7) adjacent property owners and five (5) registered homeowners 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:

Commissioners Banka, Bush, and Jetchick visited the site.

Rachid Rabbaa, Case Manager, gave a presentation of the item, including the staff recommendation.

Jeanne Boyle, Merrick, representing the applicant, was available for questions.

The Commission did not have any questions for the staff or the applicant.

There was no public comment.

Planning Commission Results

AGENDA ITEM 8a – ZONING MAP AMENDMENT FOR AN INITIAL ZONING TO MU-R

A MOTION WAS MADE BY COMMISSIONER JETCHICK AND SECONDED BY COMMISSIONER BUSH.

RECOMMEND APPROVAL OF THE INITIAL ZONING TO CITY COUNCIL FOR FIRST CREEK DETENTION FACILITY UPSTREAM BECAUSE THE PROPOSAL COMPLIES WITH THE REQUIREMENTS OF CODE SECTION 146-5.4.1.C, FOR THE FOLLOWING REASONS:

1. THE PROPOSED INITIAL ZONING IS SUPPORTED BY AURORA PLACES AS PART OF THE "URBAN DISTRICT" PLACETYPE AND WILL CONTRIBUTE TO THE ECONOMIC AND FISCAL SUCCESS OF THE CITY.
2. THE PROPOSED INITIAL ZONING WILL HELP FACILITATE DEVELOPMENT OF A STORMWATER DETENTION FACILITY FOR THE CITY AND REGION.
3. THE POTENTIAL SIZE, SCALE AND HEIGHT OF THE PROPOSED INITIAL ZONING TO MU-R ARE COMPATIBLE WITH THE CURRENT IMPACTS ASSOCIATED WITH THE SAME SURROUNDING MU-R ZONING.
4. THE PROPERTY IS CURRENTLY VACANT, THEREFORE THERE IS NO DISLOCATION OF TENANTS OR OCCUPANTS.

Further Discussion:

No further discussion occurred.

MOTION PASSED UNANIMOUSLY.

First Creek Detention Facility Upstream of I-70 - Zoning Map Amendment

Project No: DA-2406-00
Public Hearing
City Council
June 23, 2025

Request

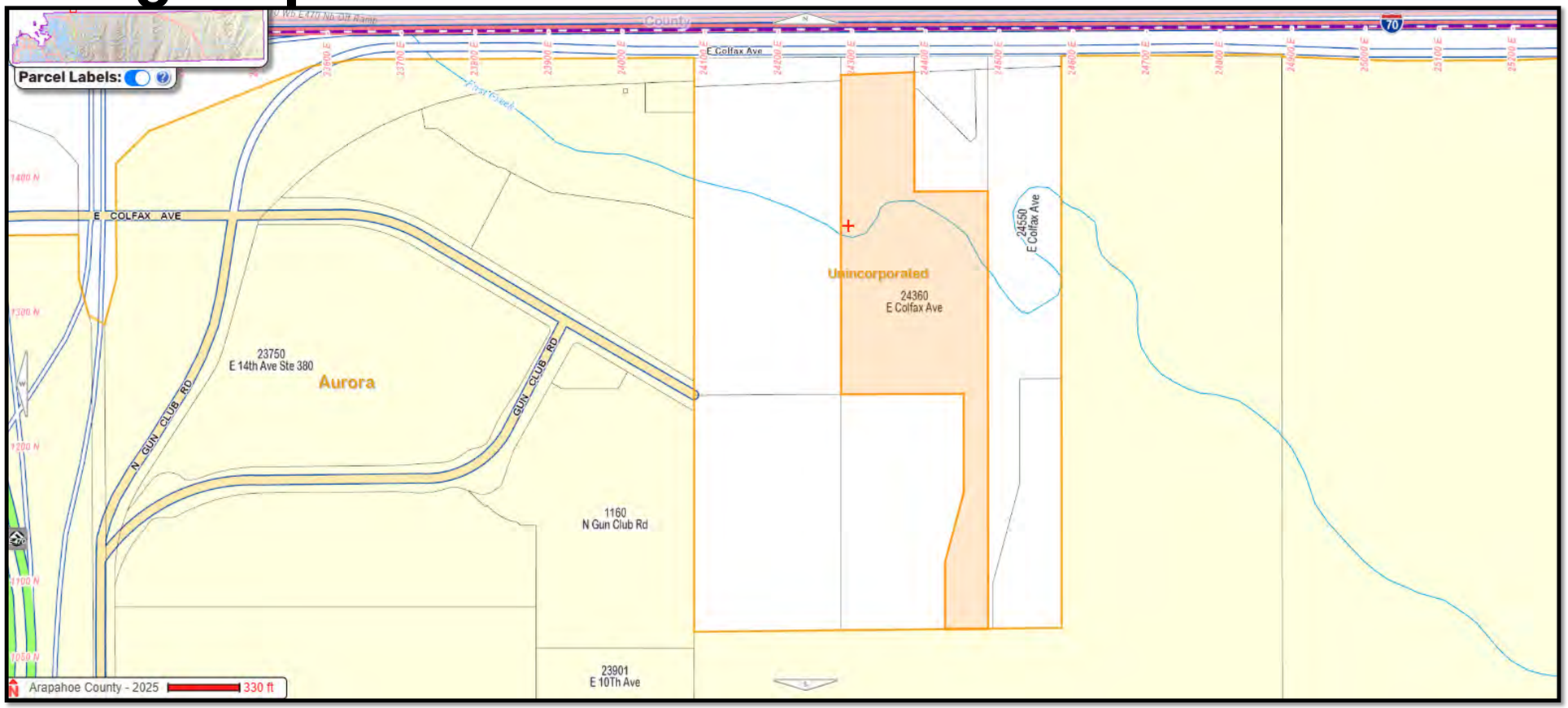
- Initial Zoning (Zoning Map Amendment) to Mixed Use-Regional District (MU-R)



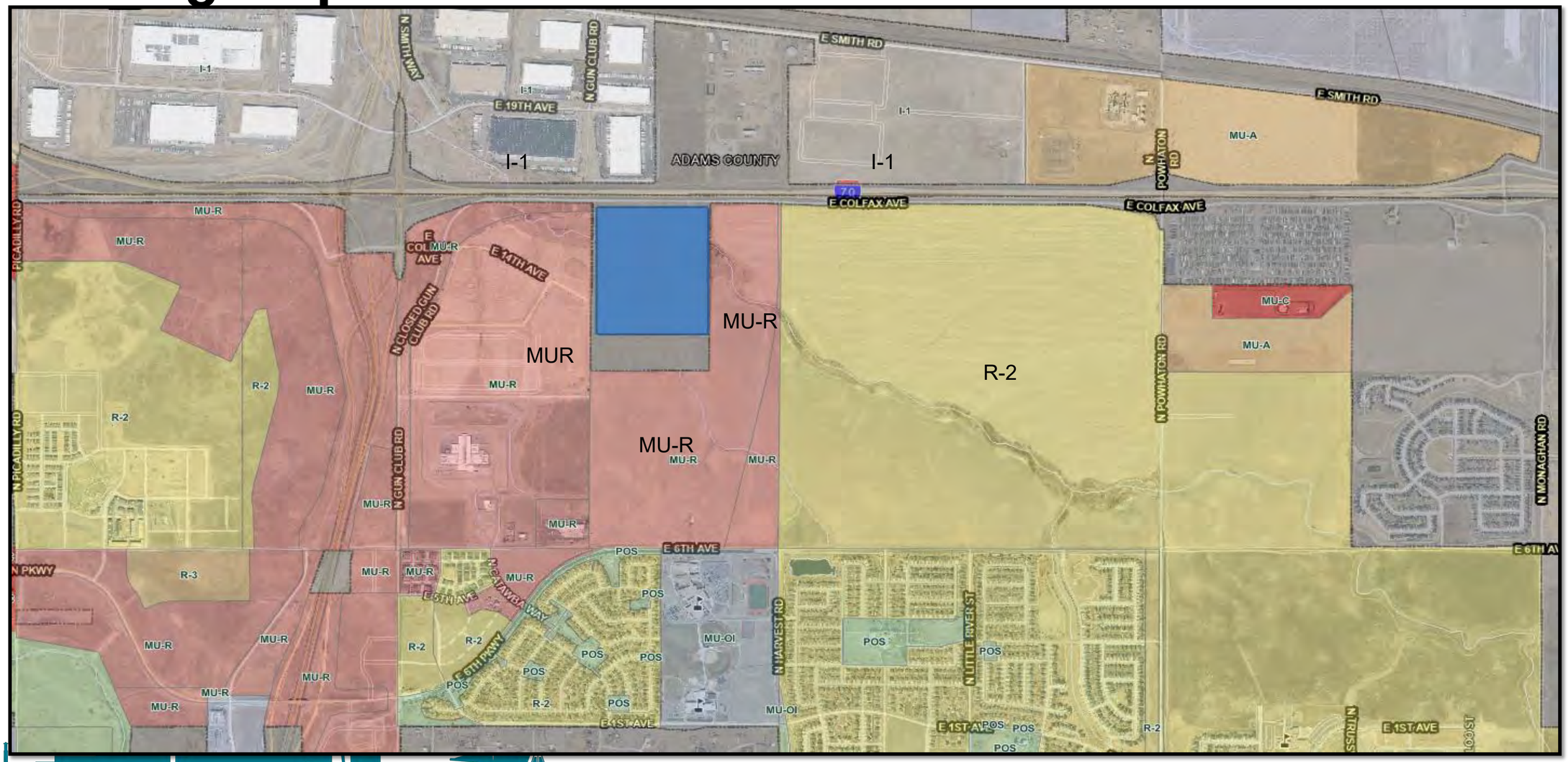
Vicinity Map



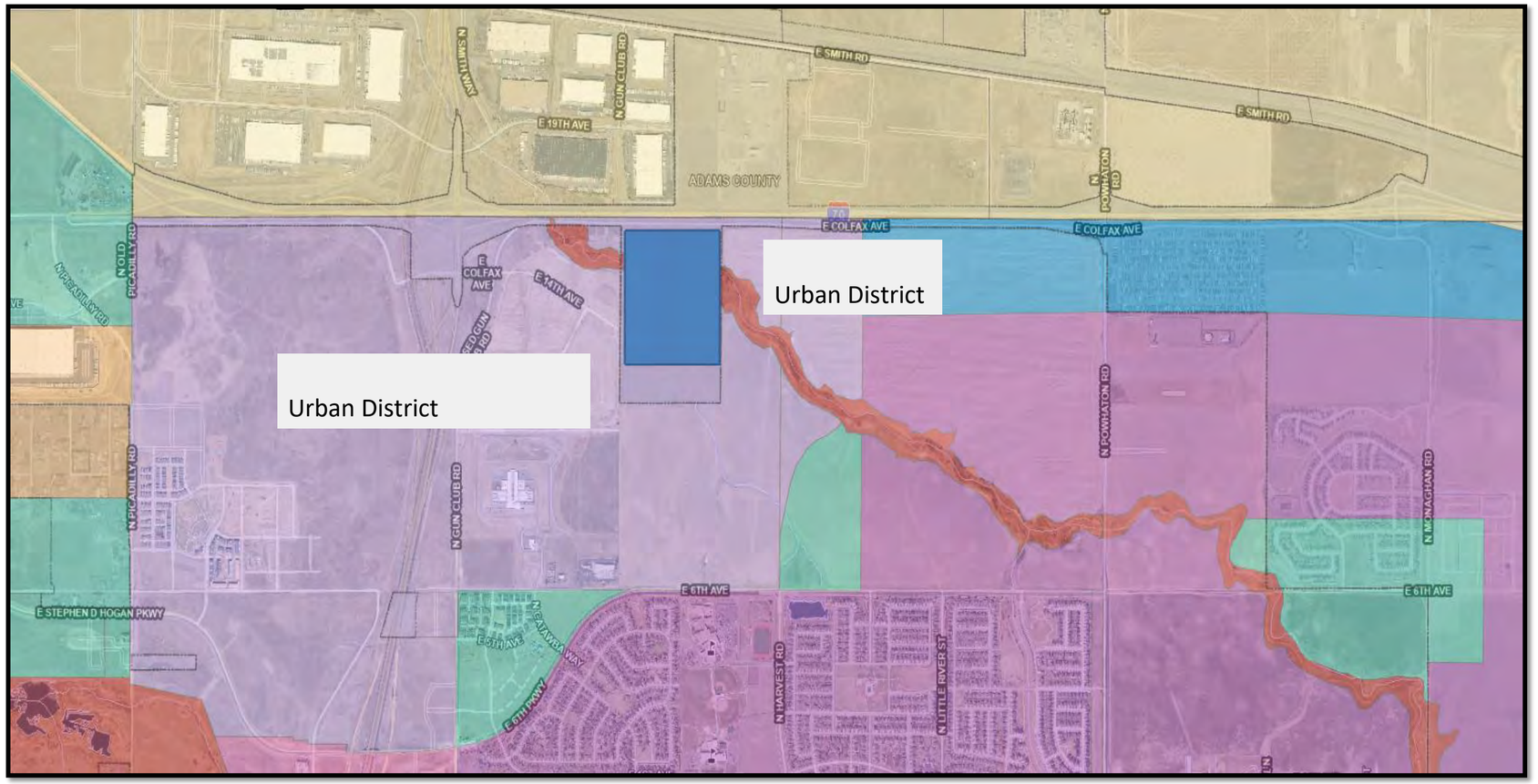
Zoning Map


Parcel Labels:
County
E Colfax Ave
70
E COLFAX AVE
N GUN CLUB RD
GUN CLUB RD
23750
E 14th Ave Ste 380
Aurora
1160
N Gun Club Rd
23901
E 10Th Ave
Unincorporated
24360
E Colfax Ave
24550
E Colfax Ave
Arapahoe County - 2025
330 ft

Zoning Map


I-1
E 19TH AVE
N SMITH WAY
N GUN CLUB RD
ADAMS COUNTY
E SMITH RD
MU-A
N POWHATON RD
E COLFAX AVE
70
PICADILLY RD
MU-R
E COLMU-R AVE
E 14TH AVE
N CLOSED GUN CLUB RD
MUR
MU-R
R-2
MU-C
N PICADILLY RD
N PKWY
R-3
E 6TH AVE
POS
N CHEYENNE WAY
E 5TH AVE
N HARVEST RD
MU-OI
N LITTLE RIVER ST
E 6TH PKWY
E 1ST AVE
N MONAGHAN RD

Place Type Map



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 applicant has demonstrated that the change in zoning 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);*
- *The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the change in zoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and,*
- *The applicant demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.*

ORDINANCE NO. 2025- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, INITIALLY ZONING FOUR CONTIGUOUS PARCELS OF LAND MEASURING 56.5 ACRES, MORE OR LESS, LOCATED SOUTH OF I-70 AND COLFAX AND ABOUT HALF A MILE EAST OF E-470 TO MIXED-USE REGIONAL DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY (THE FIRST CREEK DETENTION FACILITY ANNEXATION ZONING MAP AMENDMENT)

WHEREAS, the applicant has requested that approximately 56.5 acres of land, more or less, generally located south of I-70 and Colfax and about half a mile east of E-470 to Mixed-Use Regional District (MU-R); 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 May 28, 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 parcels, as more particularly described in "Exhibit A," attached hereto and incorporated herein, is hereby zoned Mixed-Use Regional District (MU-C), 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

EXHIBIT A

A parcel of land situated in the NE 1/4 of Section 6, Township 4 South, Range 65 West of the 6th Principal Meridian, City of Aurora, County of Arapahoe, State of Colorado, being a part of that parcel of land described in that Special Warranty Deed, recorded on July 12, 2016, at Rec. No. D6074304 in the office of the Arapahoe County Clerk and Recorder, a part of that parcel of land described in that Special Warranty Deed, recorded on October 31, 2018, at Rec. No. D8107473 in said office, a part of that parcel of land described in that Special Warranty Deed, recorded on November 28, 2018, at Rec. No. D8116334 in said office, and all of that parcel of land described in that Special Warranty Deed, recorded on October 15, 2021, at Rec. No. E1157157 in said office, being more particularly described as follows:

Commencing at the N 1/4 corner of said Section 6 (from whence the NE corner of said section bears N89°43’21”E, a distance of 2631.89 feet);

Thence S00°02’03”W, coincident with the west line of the NE 1/4 of said section, a distance of 248.97 feet to the southwesterly corner of that parcel of land described in that Special Warranty Deed, recorded on May 21, 1996, at Rec. No. A6063059 in said office, said corner being the **Point of Beginning**;

Thence coincident with the boundary of said parcel the following two (2) courses:

1. Thence N87°45'44"E, a distance of 658.59 feet;
2. Thence N00°00'13"E, a distance of 25.02 feet to the southwesterly corner of that parcel of land described as No. TK-91B in that Rule and Order, recorded on August 31, 1998, at Rec. No. A8138245 in said office;

Thence N87°45'44"E, coincident with the southerly line of said parcel, a distance of 328.31 feet to the northwesterly corner of that parcel of land described in Exhibit A in that Quit Claim Deed, recorded on October 21, 2021, at Rec. No. E1161399 in said office;

Thence coincident with the boundary of said parcel the following five (5) courses:

1. Thence S00°01'05"E, a distance of 74.63 feet;
2. Thence N89°43'21"E, a distance of 16.08 feet;
3. Thence S45°37'31"E, a distance of 329.26 feet;
4. Thence N50°57'15"E, a distance of 34.69 feet;
5. Thence N01°11'49"W, a distance of 293.67 feet to a point on the southerly line of that parcel of land described in that Special Warranty Deed, recorded on June 18, 1996, at Rec. No. A6076906 in said office;

Thence N87°45'44"E, coincident with said southerly line and the southerly line of that parcel of land described in that Special Warranty Deed, recorded on June 19, 1996, at Rec. No. A6077434 in said office, a distance of 387.05 feet to the northeasterly corner of said parcel of land recorded at Rec. No. D6074304 in said office;

(continued)

Thence S00°01'52"E, coincident with the easterly line of said parcel, a distance of 1361.73 feet to the northeasterly corner of that parcel of land described in Exhibit C in said Quit Claim Deed, recorded at Rec. No. E1161399 in said office;

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

1. Thence S89°43'21"W, a distance of 187.90 feet;
2. Thence S00°01'05"E, a distance of 456.65 feet;
3. Thence S15°28'32"W, a distance of 454.60 feet;
4. Thence S00°01'05"E, a distance of 195.83 feet to a point on the south line of the NE 1/4 of said Section 6;

Thence S89°24'09"W, coincident with said south line, a distance of 211.87 feet to a southerly corner of said parcel of land recorded at Rec. No. E1157157 in said office;

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

1. Thence N00°01'05"W, a distance of 294.75 feet;
2. Thence N15°28'32"E, a distance of 311.77 feet;
3. Thence N00°01'05"W, a distance of 431.74 feet;
4. Thence S89°43'21"W, a distance of 550.14 feet to the northeasterly corner of that parcel of land described in Exhibit B in said Quit Claim Deed, recorded at Rec. No. E1161399 in said office;

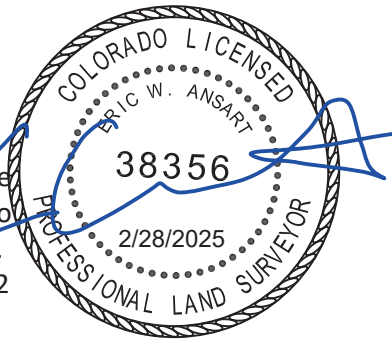
Thence continuing S89°43'21"W, coincident with the northerly line of said parcel, a distance of 658.70 feet to a point on the west line of the NE 1/4 of said Section 6;

Thence N00°02'03"E, coincident with said west line, a distance of 1345.04 feet to the **Point of Beginning**.

Total Perimeter: 8608.01 feet Contiguous Perimeter: 2918.64 feet

Total Area: 2,461,477 square feet (56.508 acres), more or less.

Bearings based on the north line of the NE 1/4 of Section 6, T4S, R65W, 6th P.M., being N89°43’21”E, said bearing being a grid bearing of the NAD 1983(1992) State Plane Coordinate System of Colorado, Central Zone, and all lineal units are represented in US Survey Feet.



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

CITY OF AURORA
Council Agenda Commentary

Item Title: Fitzsimons Innovation Community General Development Plan Amendment No. 16
Item Initiator: Aja Tibbs, Planning Supervisor, Planning and Business Development
Staff Source/Legal Source: Aja Tibbs, Planning Superviosor, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker: Kathleen Fogler, Tryba Architects
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: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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, TO AMEND THE FITZSIMONS GENERAL DEVELOPMENT PLAN TO ALLOW FOR INCREASED RESIDENTIAL USES (FITZSIMONS GDP AMENDMENT #16)
Aja Tibbs, 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 and Zoning Commission

Policy Committee Date: 5/28/2025

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 Fitzsimons Innovation Community General Development Plan, previously known as the Fitzsimons Army Medical Center General Development Plan, was originally approved in 1998 as a framework for the entire 577-acre campus. In the decades to follow, the plan would be amended to remove lands south of E Montview Boulevard and out parcels of land either developed or sold to other entities. The General Development Plan was adopted as a Planned Development district when the new land use code was adopted in 2019.

This GDP amendment request was presented to the Planning Commission at a public hearing on May 28, 2025. Staff and the applicant presented on the item, but no public spoke. The Planning Commission made a unanimous recommendation of approval after the public hearing was closed. The Planning Commission report and meeting minutes have been attached for reference.

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

The applicant, Fitzsimmons Redevelopment Authority, requests approval of the 16th Amendment to the Fitzsimons Innovation Community General Development Plan (GDP). The request is a major amendment to increase residential uses on the campus and to update the impacted planning areas, street, utility, drainage and parks and open space improvements. The GDP is adopted as the official zoning document within the Planned Development (PD) zone district. Except for a few outparcels, it is generally bounded by N. Peoria Street to the west, E. Montview Boulevard to the south, and N. Fitzsimons Parkway to the east and north. It is located within the Urban District Placetype, Subarea A.

The applicant is requesting to increase the residential unit cap from 850 new units to 7,266 new units. Just under 4,000 of the units are proposed in mixed-use planning areas that also allow flexibility for commercial development, while the remaining units are proposed in residential only planning areas (with the option of ground floor commercial uses). In order to ensure the community and infrastructure needs are provided with the use changes, the applicant also proposes an update to the GDP to further refine explicit planning areas and associated triggers for street, utility, drainage, public art and park improvements. Updates to the design guidelines, master traffic study, master utility study and master drainage study are also proposed and under review concurrently with the proposed request.

Staff finds that the proposed amendment is in compliance with the approval criteria applicable to approvals of map and text changes for PD zone districts as outlined in Section 146-5.4.1.C.3.c. of the Unified Development Ordinance, and proposes development consistent with the intent of the Urban District Placetype. Please note that there are still minor outstanding technical comments on the GDP document and associated master studies. Staff recommends that the request be approved with the condition that these items be resolved prior to recordation of the final GDP amendment.

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

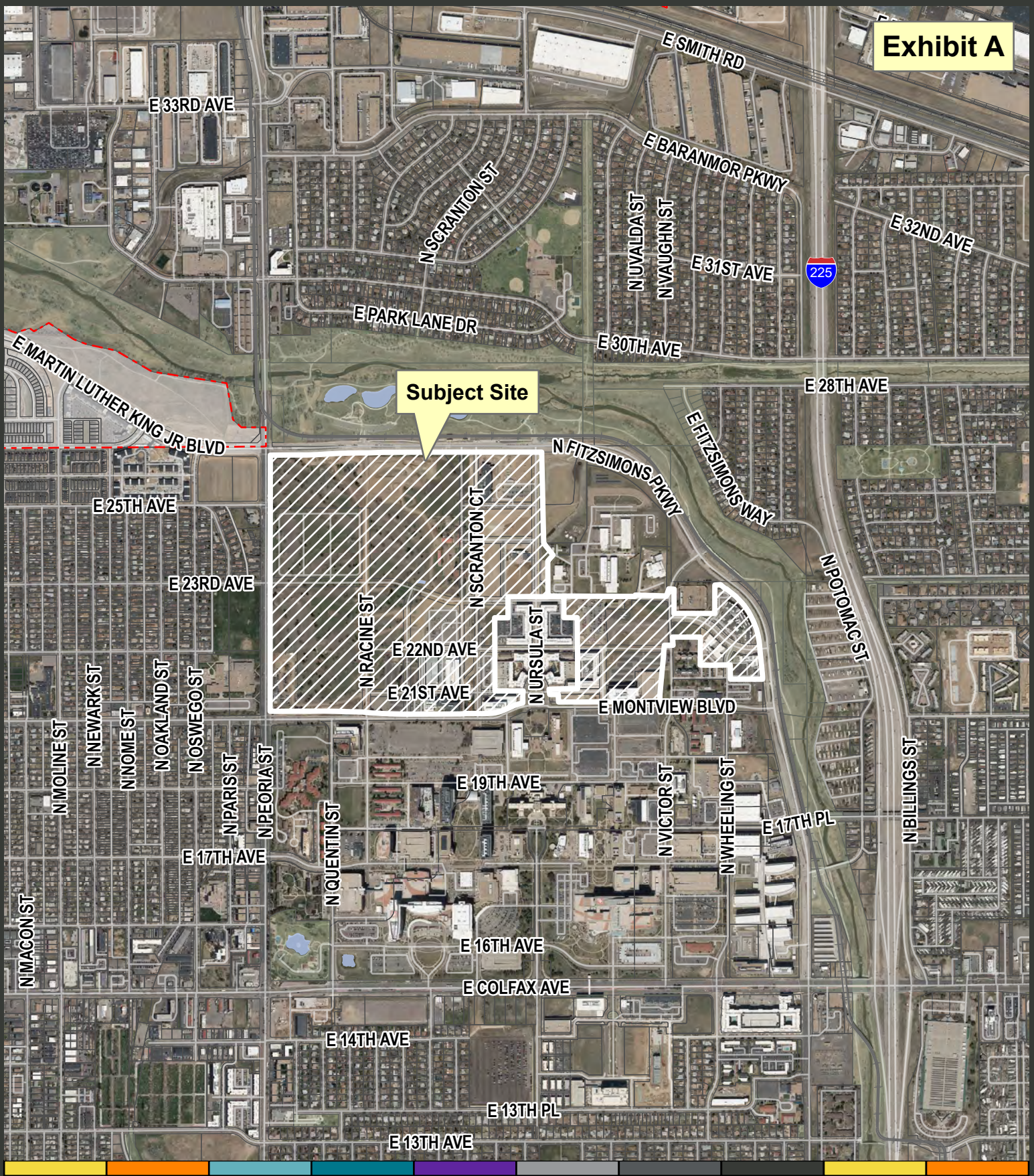
Does the City Council wish to approve, at first reading, an ordinance for a map and text change (zoning map amendment) to the Fitzsimons Innovation Community General Development Plan Amendment No. 16. with the condition that the remaining technical corrections be made prior to recordation of the amended GDP?

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)

In addition to meeting the criteria for zoning map and UDO text amendments, an application for approval of rezoning to a PD zone district shall only be recommended if the Planning Director and the Planning and Zoning Commission find that the following criteria have been met, and shall only be approved if City Council finds the following criteria have been met i. The proposed PD is required because of changed conditions or circumstances on the property or in the surrounding area; and (a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan and with other policies and plans adopted by the City Council; and (b) The applicant has demonstrated that the proposed initial zoning or rezoning is compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and ii. Any portion of PD zone district to be occupied by single-family detached or single-family attached dwellings shall be divided into blocks with a dimension of no larger than 330 feet by 660 feet with each such block divided from other blocks by local, collector, or arterial streets or freeways; and iii. Any portion of the PD zone district to be occupied by multifamily, mixed-

use, or industrial development shall provide a greater level of internal connectivity and connectivity to surrounding developments than would be required by Section 146-4.5 (Access and Connectivity) if the project were not being developed in a PD zone district; and iv. When scored against the criteria in Table 4.8-2 (Scoring System for Architectural Features), each single-family detached and single-family attached structure in the PD zone district shall achieve a higher score than would be required if the project were not being developed in a PD zone district; and v. Each multifamily, mixed-use, or industrial primary structure in the PD zone district shall provide a greater level of design quality than would be required by Section 146-4.8 (Building Design Standards) if the project were not being developed in a PD zone district; and vi. The PD includes private common spaces that include recreational or community amenities, public art, and/or outdoor gathering spaces for the project residents, occupants and users that exceed those that would be required if the project were not being developed in a PD zone district; vii. Any lands designed for public park and school sites in the PD zone districts meet the criteria for location of those types of lands in Sections 146-4.3.17 (Parks and Open Space) and 146-4.3.18 (School, Park, and Other Lands for Public Facilities) and any required park and open space lands are designed to connect with similar lands developed or designated on property adjacent to the proposed PD zone district to the maximum extent practicable. (McClelland)



Planning and Business Development

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

Miles 0 0.1 0.2

City of Aurora, Colorado

Fitzsimons Innovation Campus
GDP Amendment #16

Case Number: 1998-2011-16
Development Application: #1288-55

5/19/2025 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro_Arial.aprx

TRYBA ARCHITECTS
1620 Logan Street
Denver Colorado 80203
303:831.4010

27 November 2024

Fitzsimons GDP Amendment No 16 **Letter of Introduction**
DA-1233-55

Dear City of Aurora Reviewers,

Tryba Architects (Tryba) is pleased to submit the General Development Plan (GDP) Amendment No. 16, along with the Master Traffic Impact Study (MTIS), Master Drainage Study (MDS), and Master Utility Study (MUS) amendments, for the City of Aurora's review on behalf of the Fitzsimons Redevelopment Authority (FRA) as the selected Master Plan consultant.

The FRA site spans 184 acres, located north of the CU Anschutz Medical Campus and south of Sand Creek Park. This area is being developed into a high-density, mixed-use innovation community, poised to catalyze growth for the City of Aurora and the greater Front Range area. The site is bounded by Peoria Street to the west, Montview Boulevard to the south, and Fitzsimons Parkway to the north and east. It is served by RTD Fitzsimons Station to the north and RTD Colfax Station at the southeast corner of the CU Anschutz Medical Campus. Surrounding the site are over 250 acres of open space, including the CU Anschutz Campus Quads, Sand Creek Park, and the Toll Gate Creek Greenway.

The amended GDP and Technical Reports reflect an increase in overall density within the FRA, from 6.56 million gross square feet (GSF) in the previous GDP to 17.40 million GSF, aligning with the Urban District placetype defined in the City of Aurora Comprehensive Plan, effective October 27, 2018. The maximum residential density has increased from 850 units to 7,266 units, supporting planned uses such as office, commercial, research, and institutional/civic, creating an active multi-use life science community. The open space strategy features a network of linear parks connecting Sand Creek Park to the CU campus and urban-scale parks that provide amenities for residents of the FIC and Aurora. Linear parks incorporate water quality streetscapes that combine open space with major basin drainage requirements, supporting mobility and defining the campus' character. The proposed open space system delivers 41.2% of the open space typically required by suburban developments and integrates with surrounding resources like Sand Creek Park. Development will comply with Section 146-5.4.1.C.3.c. of the City of Aurora Unified Development Ordinance, emphasizing private common spaces, connectivity, and will be enforced through the Urban Design Guidelines.

The Urban Design Guidelines serve as a framework for guiding development within the FRA and are referenced by the City of Aurora during proposed project reviews. These existing guidelines will form the basis for review but will be updated in collaboration with the FRA Design Review Board as the GDP and Technical Reports progress through the City of Aurora approval process.

We look forward to continued collaboration with the City of Aurora as we work towards creating an urban district characterized by innovative research, high-quality living, and anchoring institutions that will attract users to both the FRA and the City of Aurora.

_____ _____
Kathleen Fogler, AIA *Date*
Principal, Tryba Architects

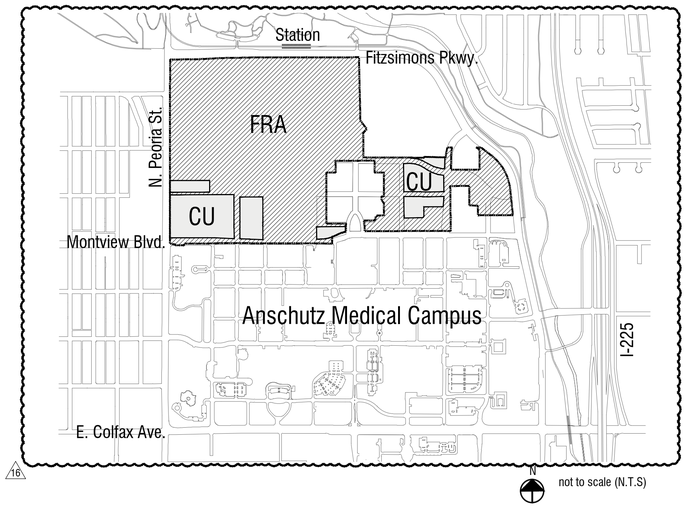
EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

VICINITY MAP ::



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PROJECT OVERVIEW AND GENERAL OBJECTIVE ::

The site is bound by N. Peoria Street, Montview Boulevard and Fitzsimons Parkway. This 184 acre site was part of the original 578 acre Fitzsimons Army Medical Center that closed in 1999. At that time, a majority of the land was conveyed to the University of Colorado and the Fitzsimons Redevelopment Authority.

This document amends the original GDP covering 184 acres. The proposed changes address the mix of uses and site framework in response to the Light Rail Station along Fitzsimons Parkway, surrounding Regional Open Space, and the evolving dynamics of research and bioscience-focused urban mixed-use areas.

The proposed uses align with the Aurora Comprehensive Plan and the Fitzsimons Station Area Plan, which have identified the site as an Urban Mixed-Use District and an emerging science, technology, and innovation hub that will serve as a central industry hub for the Rocky Mountain Region.

The goal of the Planned Development-Mixed Use (PD-MU) zone district is to incorporate innovative urban design and land development practices to enhance the health, safety, and general welfare of the city's residents. This zone is intended to provide the City and landowner/developer with the essential information to make informed decisions about future development and services. The district is designed to support a high-quality mixed-use innovation and employment center, bolstered by high-density residential and commercial areas.

VISION STATEMENT ::

The Fitzsimons Innovation Community (FIC) is designed to become Colorado's premier Innovation Mixed-Use Campus, drawing both biomedical and non-biomedical innovators. The Fitzsimons Redevelopment Authority (FRA) understands that to attract the world's top innovators, the physical design and amenities of the campus must embody the values and culture of those it aims to support. An innovation campus differs significantly from traditional real estate developments, with a focus on fostering creativity and collaboration. The goal is to create a unique urban mixed-use research and office campus that will draw biomedical and other research companies, leveraging the proximity to the Anschutz Medical Campus. At its core, the campus will feature cutting-edge office and research spaces, while retail and residential areas will be thoughtfully integrated, strategically placed adjacent to the park network, regional open space and Light Rail Transit Station.

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GENERAL NOTES ::

1. Traffic Control Devices for streets within the development will meet MUTCD standards.
2. Street cross-sections are intended to be provided as indicated in the future Infrastructure Master Plan(IMP).
3. Proposed streets shown on Sheet 5 will be public streets.
4. Intersections are designed for full movement traffic unless otherwise noted on the plan.
5. An Intergovernmental Agreement (IGA) will address maintenance and operational issues associated with snow removal from streets and multi-use paths, street sweeping and parking management, as well as maintenance, installation and revenue collection for parking meters.
6. Right-of-way will be dedicated as individual roadway corridors are designated and constructed.
7. Streetlights must be constructed along all public streets per City Code.
8. The owner, developer and/or contractors will notify the City if archeological artifacts are uncovered during construction.
9. No subdivision plan shall be approved prior to the City's approval of the preliminary Drainage Plan. In the event that any plan conflicts with the GDP, the Preliminary Drainage Plan, as approved by the City, shall govern. Drainage ponds, drop structures and other facilities are subject to Site Plan review.
10. The GDP and associated Site Plans may be amended administratively. Application for a GDP amendment and Site Plan may be filed, processed, and scheduled concurrently for staff review if required. Refer to Sheet 10 for detailed process.
11. The roadway systems are conceptually located to provide access to the site. Final alignments, access and design will be determined at the time of Site Plan review, and may be subject to reimbursement agreements as determined by the City to require other property owners to contribute for infrastructure that will benefit them, and shall adhere to this GDP to the extent that is reasonable and possible.
12. Fire Department Access. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. Fire department access is required to within 150 feet of all exterior portions of the structure.
13. 26 feet wide, typical. minimum paved surface shall be provided every 150 feet of road length for emergency vehicle set-up. Reference City of Aurora Roadway Design Manual Detail S23.1. Typical.

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14. In circumstances where appropriateness or applicability of a GDP Standard or FIC Design Guideline is in question, the intent will provide additional direction.
15. Fitzsimons Innovation Community Design Guidelines are referenced by this GDP.
16. All interested parties are hereby alerted that the General Amendment Plan is subject to administrative changes as initiated by the FRA and as shown on the most current General Development Plan on file in the Aurora City Planning Office at the Municipal Building. A copy of the official current development plan may be obtained here.
17. The amended GDP is the FRA's master plan design for the campus area north of E Montview Blvd, parcels owned by the University of Colorado may or may not be developed in compliance with the GDP.

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GENERAL DEVELOPMENT PLAN NOTES ::

1. ON-SITE AND OFF-SITE INFRASTRUCTURE REQUIREMENTS:
The developer is responsible for construction of all on-site and off-site infrastructure needed to establish two points of emergency access to the overall site and each internal phase of construction. This requirement includes, but is not limited to, the construction of any emergency crossings improvements, looped water supply and fire hydrants as required by the adopted fire code and city ordinances.

2. TEMPORARY FIRE STATION REQUIREMENTS:
In the event that a permanent fire station is not operational, the Aurora Fire Department may require that a temporary fire station be opened when, as a result of the department's risk analysis, such temporary station is deemed necessary by any one of the following benchmark criteria. Criteria include, but may not be limited to, the following:

- The number of alarms in the first due area, for the projected fire station, exceeds an annual rate of 100 per year.
- The total response time of the first due company exceeds 8 minutes, 90% of the time.
- The number of family dwelling units exceeds 100 or the amount of commercial/industrial square footage exceeds 2 million square feet.

If and when a temporary station is deemed necessary, the developer has agreed to provide a 1 ¾ acre site for a temporary fire station within close proximity to future development sites. This site would be separate from the site designated for the permanent station. The temporary fire station will be available for use by the Aurora Fire Department for 10 years, or as otherwise determined by an agreement between the Aurora Fire Department and the developer(s).

3. PERMANENT FIRE STATION REQUIREMENTS:

The Aurora Fire Department may require that a permanent station be opened when, as a result of the department's risk analysis, such permanent station is deemed necessary by any one of the following benchmark criteria. Criteria include, but may not be limited to, the following:

- The number of total responses in the first due area, for the projected fire station, exceeds an annual rate of 400 per year.
- The total response time of the first due company exceeds 8 minutes 90% of the time, and the response time of the next due engine company, truck company and battalion chief exceeds 12 minutes 90% of the time.
- The number of single family units exceeds 500, or the amount of commercial/industrial square footage exceeds 4 million square feet.

4. WHELEN WARNING SYSTEM REQUIREMENTS:

The FEMA requirement for outdoor emergency warning systems is a 60-70 foot monopole tower using an alert siren. The City of Aurora uses the whelen siren system. The land requirement for the tower is a 10' x 10' easement. Each siren covers approximately 3,000 radial feet at 70 decibels and is typically spaced one siren per square mile. In newly annexed/developing areas of the city, sirens should be sited on every ½ section of ground (320 acres) or 6000 feet apart to provide edge to edge coverage. The exact placement of sirens will be determined by the City of Aurora's Office of Emergency Management and coordinated with FRA to insure that coordinated coverage is provided on a system-wide basis.

SIGNATURE BLOCK ::

CITY
The foregoing instrument was acknowledged before me this ___ day of ___ AD 2020 by:

Witness my hand and official seal

_____ (Notary Public) Notary Seal:
My commission expires _____ Notary/Busn. address:

CITY OF AURORA APPROVALS:

City Attorney: _____ Date: _____

Planning Director: _____ Date: _____

Planning Commission: _____ Date: _____
(Chairperson)

City Council: _____ Date: _____
(Mayor)

Attest: _____ Date: _____
(City Clerk)

RECORDER'S CERTIFICATE
Accepted for filing in the office of the Clerk and Recorder of Adams County, Colorado at ___ o'clock ___ M, This ___ day of ___ AD, 2020.

Clerk and Recorder: _____ Deputy: _____

OWNER
This General Development Plan and any amendments hereto, upon approval by the City of Aurora and recording, shall be binding upon the applicants, their successors and assigns. The plan shall restrict and limit all development within the Planned Development Zone District to all conditions and limitations set forth herein.

In witness thereof _____
(Kelly Brough, President and CEO of FRA)

has caused these presents to be executed this ___ day of ___ AD 2020.

By: _____ (Principals or Owners)

NOTARIAL: Corporate Seal:

STATE OF COLORADO)SS
COUNTY OF ADAMS)

AMENDMENTS

10.23.2017 Minor Amendment 6: Revise alignment of 23rd Ave and Scranton Parkway.

07.07.2020 Major Amendment 9: Update land use table to allow interim parking as a conditional use.

13 14 15 Minor Amendments to update master utility, drainage, and traffic studies.

08.07.2024 Major Amendment 16: Updated the GDP Boundary, land uses, and increased the residential unit cap. Expanded residential planning areas for higher-density, mixed-use development. Revised park space network to meet requirements for proposed density, streets, and drainage. Defined the necessary infrastructure within PIP areas to support development parcels. Added Form J Matrix outlining park amenities.

SHEET INDEX ::

SHEET 1:	COVER SHEET AND INTRODUCTION	SHEET 13:	STREET SECTIONS
SHEET 2:	LEGAL DESCRIPTION	SHEET 14:	STREET SECTIONS
SHEET 3:	LEGAL DESCRIPTION	SHEET 15:	STREET INTERSECTIONS
SHEET 4:	CONTEXT MAPS AND ZONING	SHEET 16:	STREET INTERSECTIONS
SHEET 5:	STREET HIERARCHY	SHEET 17:	PUBLIC IMPROVEMENTS PLAN
SHEET 6:	LAND USE PLAN	SHEET 18:	P.I.P. SUB AREA ENLARGEMENT PLANS
SHEET 7:	PROPOSED PERMITTED USES	SHEET 19:	P.I.P. SUB AREA ENLARGEMENT PLANS
SHEET 8:	ROADWAY DESIGNATION PLAN	SHEET 20:	P.I.P. SUB AREA ENLARGEMENT PLANS
SHEET 9:	PARK NETWORK, PEDESTRIAN AND BICYCLE PLAN	SHEET 21:	FORM J: PARKS, RECREATION AND OPEN SPACE MATRIX
SHEET 10:	GENERAL DEVELOPMENT CRITERIA	SHEET 22:	DRAINAGE PLAN
SHEET 11:	GENERAL DEVELOPMENT CRITERIA	SHEET 23:	OVERALL UTILITY PLAN
SHEET 12:	GENERAL DEVELOPMENT CRITERIA		

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TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY
Location
AURORA, COLORADO

Consultants:

Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
1601 Blake St. Suite 200
Denver, CO 80202
t. (303) 572.0200

Traffic Engineer
Fehr & Peers
410 17th St. Suite 1000
Denver, CO 80202
t. (303) 296.4300

Issue Record:

10.02.2015	Submittal 1
01.29.2016	Submittal 2
03.15.2016	Submittal 3
07.14.2016	Final submittal
10.17.2016	Mylar Set
10.23.2017	Minor amendment
07.07.2020	Major amendment submittal 1
08.14.2020	Major amendment submittal 2
11.02.2020	Mylar Set
08.07.2024	Major amendment submittal 3
11.27.2024	Major amendment submittal 4

These General Development Plan criteria are generally consistent with the City of Aurora Station Area Plan. Deviations from City of Aurora Station Area Plan are included herein. Where conflicting information is provided, the GDP shall govern. The illustrations contained in this document demonstrate the design intent. Design guidelines will support GDP guidelines. Final designs submitted with the Site Plan may or may not replicate the illustrations contained in this GDP; they will however reflect the design intent portrayed.

Proj. #: 2328
Drawn: R.S.
Checked: K.D.F.

COVER SHEET & INTRODUCTION

SHEET 1 OF 23

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

LEGAL DESCRIPTION ::

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER AND THE NORTH ONE-HALF OF SECTION 36 TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA. ADAMS COUNTY COLORADO, MORE PARTICULARLY DESCRIBED AS. FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36 BEARS SOUTH 89°40'29" EAST; THENCE SOUTH 89°40'29" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 42.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF PEORIA STREET, AS DESCRIBED IN BOOK 1823 AT PAGE 889 IN THE PUBLIC RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER; THENCE SOUTH 00°29'24" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 83.54 FEET TO THE **POINT OF BEGINNING** ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF FITZSIMONS PARKWAY, AS DESCRIBED IN THE QUIT CLAIM DEED AT INSTRUMENT NO. 20050307000227600 IN SAID PUBLIC RECORDS;

THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY, FORMERLY KNOW AS SAND CREEK PARKWAY, THE FOLLOWING SEVEN (7) COURSES:

1. THENCE SOUTH 89°40'29" EAST A DISTANCE OF 245.94 FEET TO THE POINT OF CURVE TO THE LEFT;
2. THENCE EASTERLY, ALONG SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 03°37'28", A RADIUS OF 5063.50 FEET AND A CHORD WHICH BEARS NORTH 88°30'47" EAST, AN ARC DISTANCE OF 320.31 FEET TO THE POINT OF REVERSE CURVE;
3. THENCE EASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 03°37'28", A RADIUS OF 4936.50 FEET AND A CHORD WHICH BEARS NORTH 88°30'47" EAST, AN ARC DISTANCE OF 312.28 FEET TO THE POINT OF TANGENT;
4. THENCE SOUTH 89°40'29" EAST, ALONG THE TANGENT LINE, A DISTANCE OF 76.01 FEET;
5. THENCE NORTH 88°24" 59" EAST A DISTANCE OF 150.08 FEET;
6. THENCE SOUTH 89°40'29" EAST A DISTANCE OF 577.39 FEET TO THE WESTERLY LINE OF PARCEL "T-1" AS DESCRIBED AT RECEPTION NO. C1223585 IN SAID PUBLIC RECORDS;
7. THENCE CONTINUE SOUTH 89°40'29" EAST A DISTANCE OF 930.19 FEET;

THENCE SOUTH 00° 00' 00" WEST A DISTANCE OF 1252.16 FEET TO A POINT ON THE NORTHERLY LINE OF PARCEL "AA", AS DESCRIBED AT RECEPTION NO. C1134431 IN SAID PUBLIC RECORDS, SAID POINT ALSO BEING ON A 117.72 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 18°26'50" WEST;

THENCE ALONG THE NORTHERLY LINES OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES:

1. THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 73°25'34", A RADIUS OF 117.72 FEET AND A CHORD WHICH BEARS SOUTH 34° 50' 23" EAST, AN ARC DISTANCE OF 150.86 FEET;
2. THENCE SOUTH 00°26'49" WEST, ALONG THE NON-TANGENT LINE, A DISTANCE OF 33.15 FEET;
3. THENCE SOUTH 89°09'05" EAST A DISTANCE OF 563.73 FEET;
4. THENCE SOUTH 89°34'53" EAST A DISTANCE OF 181.02 FEET TO THE NORTHWEST CORNER OF PARCEL "AA-1", AS DESCRIBED AT RECEPTION NO. C0778556 IN SAID PUBLIC RECORDS;

THENCE CONTINUING SOUTH 89°34'53" EAST, ALONG THE NORTHERLY LINE OF SAID PARCEL "AA-1" A DISTANCE OF 100.52 FEET;

THENCE NORTH 15°18'44" EAST, CONTINUING ALONG SAID NORTHERLY LINE, A DISTANCE OF 12.07 FEET TO THE SOUTHWEST CORNER OF PARCEL "Z" AS DESCRIBED AT RECEPTION NO. C0893076 IN SAID PUBLIC RECORDS;

THENCE SOUTH 88°13'07" EAST, ALONG THE SOUTH LINE OF SAID PARCEL "Z", A DISTANCE OF 303.49 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "Z";

THENCE NORTH 01°02'44" EAST, ALONG THE EAST LINE OF SAID PARCEL "Z" A DISTANCE OF 34.59 FEET TO A POINT OF NON-TANGENT CURVE;

THENCE NORTHERLY, ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 14°00'05", A RADIUS OF 431.00 FEET AND A CHORD WHICH BEARS NORTH 11°44'35" EAST, AN ARC DISTANCE OF 105.32 FEET TO THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 36 EXTENDED WESTERLY;

THENCE SOUTH 89°45'11" EAST, ALONG SAID NORTH LINE AND ITS EXTENSION, A DISTANCE OF 68.24 FEET TO THE NORTHWEST CORNER OF FITZSIMONS ELECTRIC SUBSTATION SUBDIVISION FILING NO. 1;

THENCE ALONG THE BOUNDARY LINES OF SAID FITZSIMONS ELECTRIC SUBSTATION SUBDIVISION FILING NO. 1 THE FOLLOWING FIVE (5) COURSES:

1. THENCE SOUTHERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°53'56", A RADIUS OF 359.00 FEET AND A CHORD WHICH BEARS SOUTH 08°59'42" WEST AN ARC DISTANCE OF 99.62 FEET TO THE POINT OF TANGENT;
2. THENCE SOUTH 01°02'44" WEST, ALONG SAID TANGENT LINE, A DISTANCE OF 211.40 FEET;
3. THENCE SOUTH 89°45'03" EAST A DISTANCE OF 400.39 FEET;
4. THENCE NORTH 00°14'57" EAST A DISTANCE OF 275.78 FEET;
5. THENCE NORTH 52°05'56" WEST A DISTANCE OF 55.25 FEET TO SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER ;

THENCE SOUTH 89°45'11" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 64.44 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID FITZSIMONS PARKWAY;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID FITZSIMONS PARKWAY THE FOLLOWING THREE (3) COURSES:

1. THENCE SOUTH 51°55'06" EAST A DISTANCE OF 183.48 FEET TO THE POINT OF CURVE;
2. THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 46°20'37", A RADIUS OF 681.50 FEET AND A CHORD WHICH BEARS SOUTH 28°44'48" EAST AN ARC DISTANCE OF 551.23 FEET TO THE POINT OF TANGENT;
3. THENCE SOUTH 05°34'29" EAST, ALONG THE TANGENT LINE A DISTANCE OF 370.76 FEET TO THE NORTH LINE OF PARCEL "N", AS DESCRIBED IN BOOK 6362 AT PAGE 295 IN SAID PUBLIC RECORDS;

THENCE ALONG THE NORTH AND WEST LINES OF SAID PARCEL "N" THE FOLLOWING FIVE (5) COURSES:

1. THENCE NORTH 89°39'24" WEST A DISTANCE OF 405.17 FEET TO THE PIN AND CAP, L.S. #16112, ON THE WEST BACK OF CURB OF WHEELING STREET, WHENCE THE EAST ONE-QUARTER CORNER BEARS SOUTH 65°44'59" EAST A DISTANCE OF 913.09 FEET;
2. THENCE CONTINUING NORTH 89°39'24" WEST A DISTANCE OF 447.14 FEET TO THE POINT OF NON-TANGENT CURVE;
3. THENCE SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 97°21'46", A RADIUS OF 18.46 FEET AND A CHORD WHICH BEARS SOUTH 43°30'39" WEST, AN ARC DISTANCE OF 31.37 FEET;
4. THENCE SOUTH 00°22'06" WEST, ALONG THE NON-TANGENT LINE, A DISTANCE OF 218.78 FEET;
5. THENCE SOUTH 14°02'41" EAST A DISTANCE OF 38.46 FEET TO THE NORTH LINE OF PARCEL "U", AS DESCRIBED AT RECEPTION NO. C0766T55;

THENCE ALONG THE NORTH LINES OF SAID PARCEL "U" THE FOLLOWING FOUR (4) COURSES;

1. THENCE NORTH 89°31'30" WEST A DISTANCE OF 48.30 FEET;
2. THENCE NORTH 89°50'17" WEST A DISTANCE OF 466.95 FEET;
3. THENCE SOUTH 87°47'03" WEST A DISTANCE OF 124.50 FEET;
4. THENCE NORTH 89°46'01" WEST A DISTANCE OF 537.37 FEET;

THENCE NORTH 00°10'11" EAST A DISTANCE OF 28.59 FEET;

THENCE NORTH 89° 51'00" WEST A DISTANCE OF 33.76 FEET TO THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND RECORDED AT RECEPTION NO. 20060609000590530 AND THE SOUTHERLY EXTENSION OF THE WEST LINE OF COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 2 RECORDED AT RECEPTION NO. 2008000071413;

THENCE NORTH 00° 10' 25" EAST, ALONG SAID EASTERLY LINE AND SOUTHERLY EXTENSION, A DISTANCE OF 95.54 FEET TO THE POINT OF NON-TANGENT CURVE;

THENCE NORTHERLY, ALONG THE EXTERIOR OF SAID COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 2 AND NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°17'23", A RADIUS OF 340.00 FEET AND A CHORD WHICH BEARS NORTH 07°21'48" WEST, AN ARC DISTANCE OF 90.73 FEET TO THE COMMON LINE OF COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 2 AND THE SQUARE AT FITZSIMONS SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NO. 2006001005834; THENCE SOUTH 89°43' 06" EAST, ALONG SAID COMMON LINE, A DISTANCE OF 283.03 FEET;

THENCE NORTH 00°16'54" EAST, ALONG SAID COMMON LINE AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 404.00 FEET;

THENCE ALONG THE EXTERIOR OF THE SQUARE AT FITZSIMONS SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2011000046376 THE FOLLOWING 7 COURSES;

1. THENCE CONTINUE NORTH 00°16'54" EAST, A DISTANCE OF 268.00 FEET;
2. THENCE NORTH 89°43'06" WEST A DISTANCE OF 130.00 FEET;
3. THENCE NORTH 00°16'54" EAST A DISTANCE OF 165.00 FEET;
4. THENCE NORTH 89°43'06" WEST A DISTANCE OF 544.00 FEET;
5. THENCE SOUTH 00°16'54" WEST A DISTANCE OF 165.00 FEET;
6. THENCE NORTH 89°43'06" WEST A DISTANCE OF 130.00 FEET;
7. THENCE SOUTH 00°16'54" WEST A DISTANCE OF 268.00 FEET;

THENCE CONTINUE SOUTH 00°16' 54" WEST A DISTANCE OF 2.00 FEET TO THE NORTHEAST CORNER COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 4 RECORDED AT RECEPTION NO. 2013000105991;

THENCE CONTINUE SOUTH 00°16' 54" WEST, ALONG THE EAST LINE OF SAID COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 4, A DISTANCE OF 33.00 FEET TO THE NORTHWEST CORNER OF PREVIOUSLY CITED COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 1;

THENCE ALONG THE COMMON LINE OF SAID COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 4 AND THE SAID THE SQUARE AT FITZSIMONS SUBDIVISION FILING NO. 1 THE FOLLOWING 2 COURSES;

1. THENCE CONTINUE SOUTH 00°16' 54" WEST A DISTANCE OF 409.00 FEET;
2. THENCE SOUTH 89°43'06" EAST A DISTANCE OF 274.65 FEET TO A POINT ON THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AT RECEPTION NO.20060609000590530 AND A 340.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 81°19'13" EAST;

EXHIBIT C

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY
Location
AURORA, COLORADO

Consultants:

Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
1601 Blake St. Suite 200
Denver, CO 80202
t. (303) 572.0200

Traffic Engineer
Fehr & Peers
410 17th St. Suite 1000
Denver, CO 80202
t. (303) 296.4300

Issue Record:

10.02.2015	Submittal 1
01.29.2016	Submittal 2
03.16.2016	Submittal 3
07.14.2016	Final submittal
10.17.2016	Mylar Set
10.23.2017	Minor amendment
07.07.2020	Major amendment submittal 1
08.14.2020	Major amendment submittal 2
11.02.2020	Mylar Set
08.07.2024	Major amendment submittal 3
11.27.2024	Major amendment submittal 4

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Proj. #: 2328
Drawn: R.S.
Checked: K.D.F.

LEGAL DESCRIPTION

SHEET 2 OF 23

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

LEGAL DESCRIPTION CONTINUED ::

THENCE ALONG THE EXTERIOR OF SAID PARCEL OF LAND AND THE COLORADO SCIENCE AND TECHNOLOGY PARK AT FITZSIMONS FILING NO. 4 THE FOLLOWING 5 COURSES;

1. THENCE SOUTHERLY, ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 49.84 FEET, THROUGH A CENTRAL ANGLE OF 08°23'54";
2. THENCE NON-TANGENT FROM SAID CURVE, SOUTH 00°10'25" WEST, A DISTANCE OF 66.24 FEET TO THE BEGINNING OF A 489.45 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 12°01'39" EAST;
3. THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 114.84 FEET THROUGH A CENTRAL ANGLE OF 13°26'36" TO THE BEGINNING OF A 4299.70 FOOT RADIUS REVERSE CURVE WHOSE CENTER BEARS NORTH 23°42'02" WEST;
4. THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 93.01 FEET THROUGH A CENTRAL ANGLE OF 01°14'22" TO THE SOUTHWEST LINE OF SAID LOT 1 BLOCK 1 OF BIOSCIENCE PARK CENTER SUBDIVISION FILING NO. 1;
5. THENCE CONTINUING ALONG SAID 4299.70 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 20.18 FEET THROUGH A CENTRAL ANGLE OF 00°16'08";

THENCE ALONG THE EXTERIOR OF SAID PARCEL OF LAND DESCRIBED AT RECEPTION NO.20060609000590530 THE FOLLOWING 5 COURSES;

1. THENCE SOUTH 20°33'12" EAST A DISTANCE OF 47.61 FEET;
2. THENCE SOUTH 00°16'42" WEST A DISTANCE OF 37.14 FEET;
3. THENCE NORTH 60°11'54" EAST A DISTANCE OF 32.14 FEET TO A POINT OF NON-TANGENT CURVE;
4. THENCE NORTHEASTERLY, ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 8°34'13", A RADIUS OF 452.25 FEET AND A CHORD WHICH BEARS NORTH 66°13'46" EAST, AN ARC DISTANCE OF 67.65 FEET TO A POINT OF REVERSE CURVATURE;
5. THENCE NORTHEASTERLY, ALONG SAID REVERSE CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 23°53'07", A RADIUS OF 397.75 FEET AND A CHORD WHICH BEARS NORTH 73°53'13" EAST, AN ARC DISTANCE OF 165.81 FEET TO A POINT ON A NON-TANGENT 59.77 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 40°51'07" EAST SAID POINT BEING ON THE EXTERIOR OF THAT CERTAIN PARCEL OF LAND DESCRIBED AT RECEPTION NO. 20050201000106000 IN SAID PUBLIC RECORDS;

THENCE ALONG THE EXTERIOR OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES;

1. THENCE SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 22°42'49", A RADIUS OF 59.77 FEET AND A CHORD WHICH BEARS SOUTH 37°47'29" WEST, AN ARC DISTANCE OF 23.69 FEET TO A POINT OF A COMPOUND 19.61 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
2. THENCE SOUTHWESTERLY, ALONG SAID COMPOUND CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 26°11'18", A RADIUS OF 19.61 FEET AND A CHORD WHICH BEARS SOUTH 13°21'01" WEST, AN ARC DISTANCE OF 8.96 FEET;
3. THENCE SOUTH 00°13'45" WEST A DISTANCE OF 64.96 FEET;
4. THENCE NORTH 89°47'50" WEST A DISTANCE OF 63.28 FEET TO THE NORTH LINE OF SAID PARCEL "U";

THENCE CONTINUE NORTH 89°47'50" WEST, ALONG THE NORTH LINE OF SAID PARCEL "U", A DISTANCE OF 166.17 FEET TO THE SOUTHEAST CORNER OF SAID BIOSCIENCE PARK CENTER SUBDIVISION FILING NO. 1;

THENCE NORTH 89°47'55" WEST, ALONG THE SOUTH LINE OF SAID BIOSCIENCE PARK CENTER SUBDIVISION FILING NO. 1, A DISTANCE OF 233.24 FEET;

THENCE NORTH 89°48'23" WEST A DISTANCE OF 554.79 FEET;

THENCE NORTH 89°49'46" WEST A DISTANCE OF 783.89 FEET;

THENCE SOUTH 88°03'52" WEST A DISTANCE OF 199.87 FEET TO A NON-TANGENT 106.57 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 12°34'02" WEST ALSO BEING THE NORTHEAST CORNER OF PARCEL "Q" AS DESCRIBED AT RECEPTION NO. C0778556;

THENCE SOUTHEASTERLY, ALONG SAID THE NORTHEASTERLY LINE OF SAID PARCEL "Q" AND A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 37°39'40", A RADIUS OF 106.57 FEET AND A CHORD WHICH BEARS SOUTH 58°36'08" EAST, AN ARC DISTANCE OF 70.05 FEET TO A CORNER OF PARCEL "Q' AS DESCRIBED AT RECEPTION NORTH. C0784620;

THENCE NORTH 89°49'35" WEST, ALONG THE NORTH LINE OF SAID PARCEL "Q", A DISTANCE OF 527.72 FEET TO THE EASTERLY LINE OF THAT CERTAIN ROAD EASEMENT DESCRIBED IN BOOK 3151 AT PAGE 672 IN SAID PUBLIC RECORDS;

THENCE ALONG THE EASTERLY AND NORTHERLY LINES OF SAID ROAD EASEMENT THE FOLLOWING SIX (6) COURSES;

1. THENCE NORTH 43°45'36" EAST A DISTANCE OF 2.05 FEET;
2. THENCE NORTH 69°08'53" EAST A DISTANCE OF 23.61 FEET;
3. THENCE NORTH 00°29'33" EAST A DISTANCE OF 81.64 FEET;
4. THENCE NORTH 89°49'35" WEST A DISTANCE OF 26.99 FEET;
5. THENCE NORTH 40°41'36" WEST A DISTANCE OF 10.59 FEET;
6. THENCE NORTH 84°59'32" WEST A DISTANCE OF 16.09 FEET TO THE EAST RIGHT-OF-WAY LINE OF PEORIA STREET AS DESCRIBED IN BOOK 1823 AT PAGE 889 IN SAID PUBLIC RECORDS;

THENCE NORTH 00° 29' 24" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2528.76 FEET TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIBED PARCEL ENCOMPASSES 8,141,490 SQ. FT. (186.90289) ACRES OF LAND, MORE OR LESS.

EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND, WHICH IS SITUATED ENTIRELY WITHIN THE ABOVE DESCRIBED PROPERTY:

A PART OF PARCEL "M", WHICH IS DESCRIBED IN BOOK 5859 AT PAGES 514-562 IN THE PUBLIC RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, ADAMS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 36, FROM WHICH THE EAST LINE OF THE NORTHEAST ONE-QUARTER BEARS N 00°04'28"E; THENCE NORTH 65°44'59" WEST A DISTANCE OF 913.09 FEET TO THE PIN AND CAP, L.S. NO. 16112, ON THE WEST BACK OF CURB OF WHEELING STREET;

THENCE NORTH 89°39'24" WEST, ALONG THE SOUTH BACK OF CURB OF THE ALLEY, A DISTANCE OF 82.45 FEET; THENCE NORTH 00°21'10" WEST A DISTANCE OF 17.13 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89°39'24" WEST A DISTANCE OF 382.25 FEET;

THENCE NORTH 02°12'18" EAST A DISTANCE OF 13.76 FEET TO THE EAST BACK OF CURB OF VICTOR STREET;

THENCE NORTH 00°08'48" WEST, ALONG SAID EAST BACK OF CURB, A DISTANCE-OP 310.56 FEET;

THENCE NORTH 04°15'51" WEST, CONTINUING ALONG SAID BACK OF CURB, A DISTANCE OF 69 30 FEET;

THENCE NORTH 90°00'00" EAST A DISTANCE OF 269.48 FEET;

THENCE SOUTH 00°31'55" WEST A DISTANCE OF 274.76 FEET;

THENCE SOUTH 89°32'07" EAST A. DISTANCE OF 119.99 FEET;

THENCE SOUTH 00°21'10" EAST A DISTANCE OF 119.99 FEET TO THE **POINT OF BEGINNING**;

EXCEPT ANY PORTION THEREOF CONVEYED TO THE CITY OF AURORA IN DEED RECORDED JUNE 9, 2006 AT RECEPTION NO. 20060609000590530.

THE ABOVE DESCRIBED EXCEPTION PARCEL ENCOMPASSES 118,046 SQ. FT. (2.70995 ACRES OF LAND, MORE OR LESS.

THE AREA OF THE ABOVE DESCRIBED EXTERIOR PARCEL LESS THE AREA OF THE EXCEPTION PARCEL RESULT IN A NET AREA OF 8,023,444 SQ. FT. (184.19294 ACRES) OF LAND, MORE OR LESS.

ROBERT L. MEADOWS JR., PLS 34977
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP

EXHIBIT C

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY
Location
AURORA, COLORADO

Consultants:

Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
1601 Blake St. Suite 200
Denver, CO 80202
t. (303) 572.0200

Traffic Engineer
Fehr & Peers
410 17th St. Suite 1000
Denver, CO 80202
t. (303) 296.4300

Issue Record:

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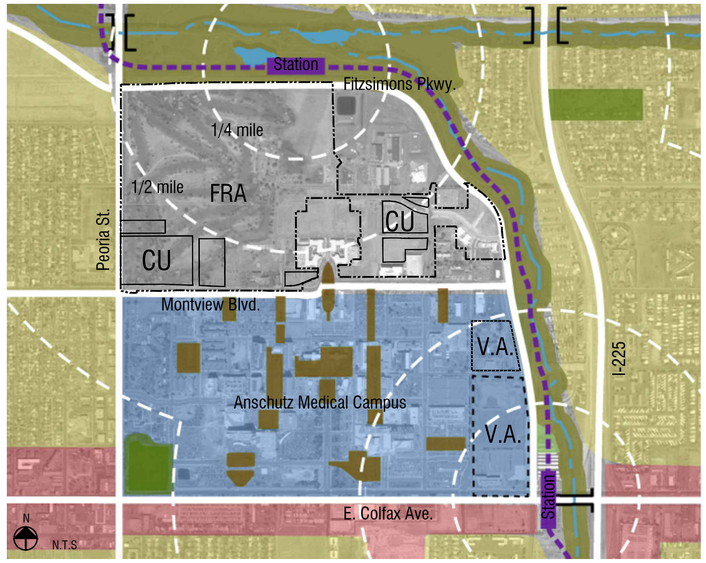
LEGAL DESCRIPTION

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

EXISTING LAND USE ::

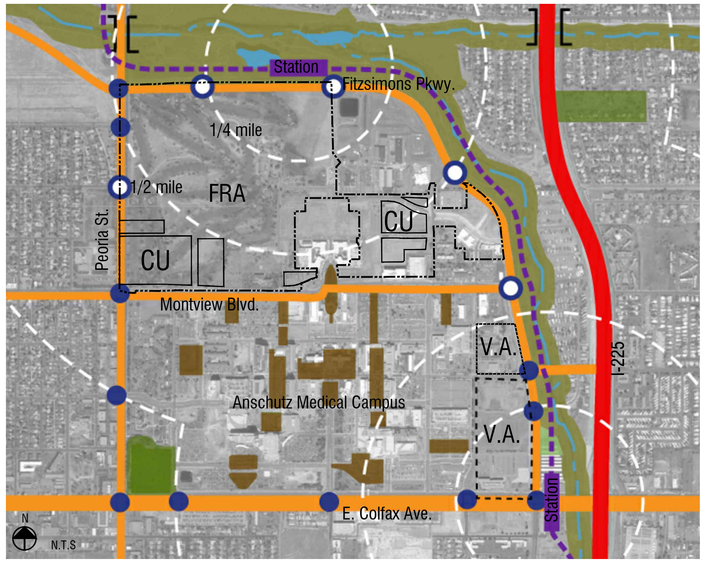


The FIC is bordered by regional open space to the north and east, Anschutz Medical Campus to the south, and low density residential to the east. Beyond its immediate borders, the FIC is largely surrounded by low density single family neighborhoods. This land use pattern suggests that the Light Rail Station will function as both an origin and destination.

The FIC land plan will be mindful of this context when allocating future land uses and the urban design will create a porous, safe and inviting public realm that connects adjacent neighborhoods and Anschutz Medical Campus to the station.

- COMMERCIAL
- RESIDENTIAL
- PUBLIC PARK SPACE
- PRIVATE PARK SPACE
- REGIONAL GREENWAY
- ANSCHUTZ MEDICAL CAMPUS
- GDP BOUNDARY

EXISTING TRANSPORTATION ::

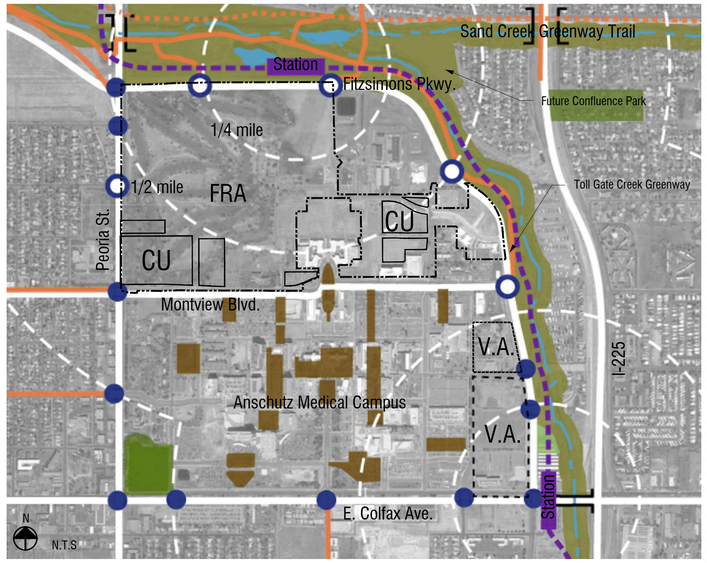


Proximity to I-70, I-225 and Colfax Avenue allows for regional automobile connectivity to Front Range employment centers and destinations including Downtown Denver, The Denver Tech Center, DIA, Golden and Boulder as well as significant residential populations.

The Light Rail Station (located immediately north of the FIC) provides an even greater regional connectivity and commuting options. Proximity to a Light Rail Station is becoming an increasingly important asset for attracting innovative companies, workforce and residents.

- FREEWAY
- ARTERIAL
- EXISTING LIGHT RAIL
- EXISTING LIGHT RAIL STATION
- EXISTING SIGNALIZED INTERSECTION
- FUTURE SIGNALIZED INTERSECTION
- GDP BOUNDARY

EXISTING PARK SPACE AND BIKE NETWORK ::



FIC is located directly south of Sand Creek Park, which provides access to regional trails including the Sand Creek Regional Greenway and Toll Gate Creek Greenway. These regional trails allow connections to over 100 miles of regional trails including the High Line Canal Trail, South Platte River Trail and Cherry Creek Trail. Additionally, there are numerous neighborhood parks, campus park spaces and a growing network of bicycle facilities located adjacent to the site.

The FIC park space and street network will be designed to allow for safe, comfortable bicycle and pedestrian connections that connect to existing park space facilities and set the stage for future connections beyond its borders.

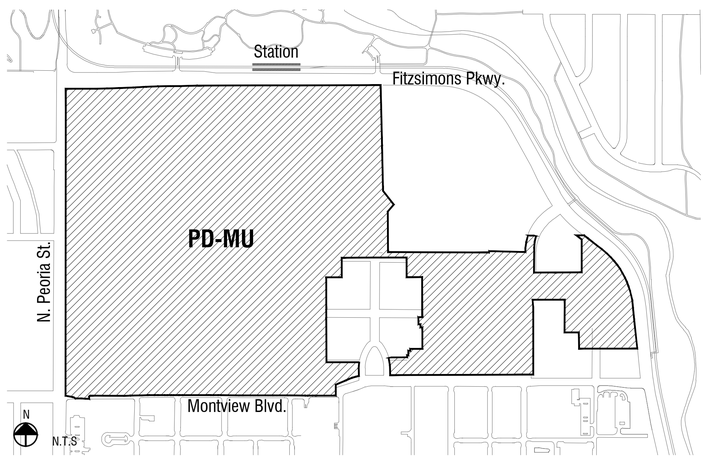
- EXISTING SAND CREEK TRAIL
- EXISTING BIKE FACILITY
- SAND CREEK
- EXISTING PUBLIC PARK SPACE
- EXISTING PRIVATE PARK SPACE
- EXISTING REGIONAL GREENWAY
- GDP BOUNDARY

16

EXISTING ZONING ::

PD-MU zoning exists on the entire site.

EXISTING ZONING MAP ::



PROPOSED ZONING ::

PD-MU zoning will remain on the entire site.

PROPOSED ZONING MAP ::

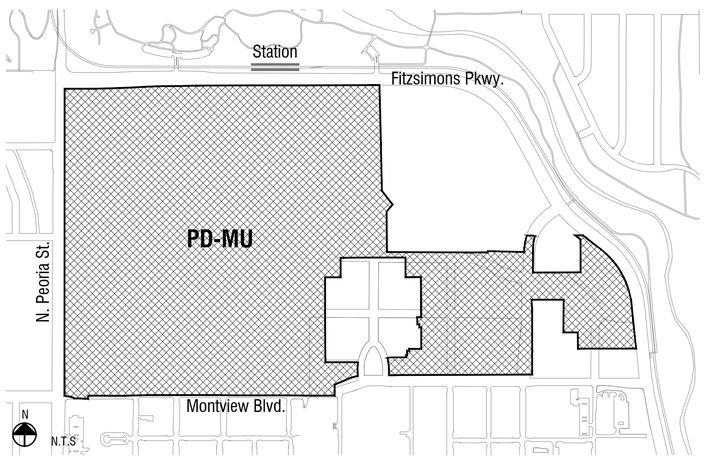


EXHIBIT C

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CONTEXT MAPS AND ZONING

SHEET 4 OF 23

EXHIBIT C

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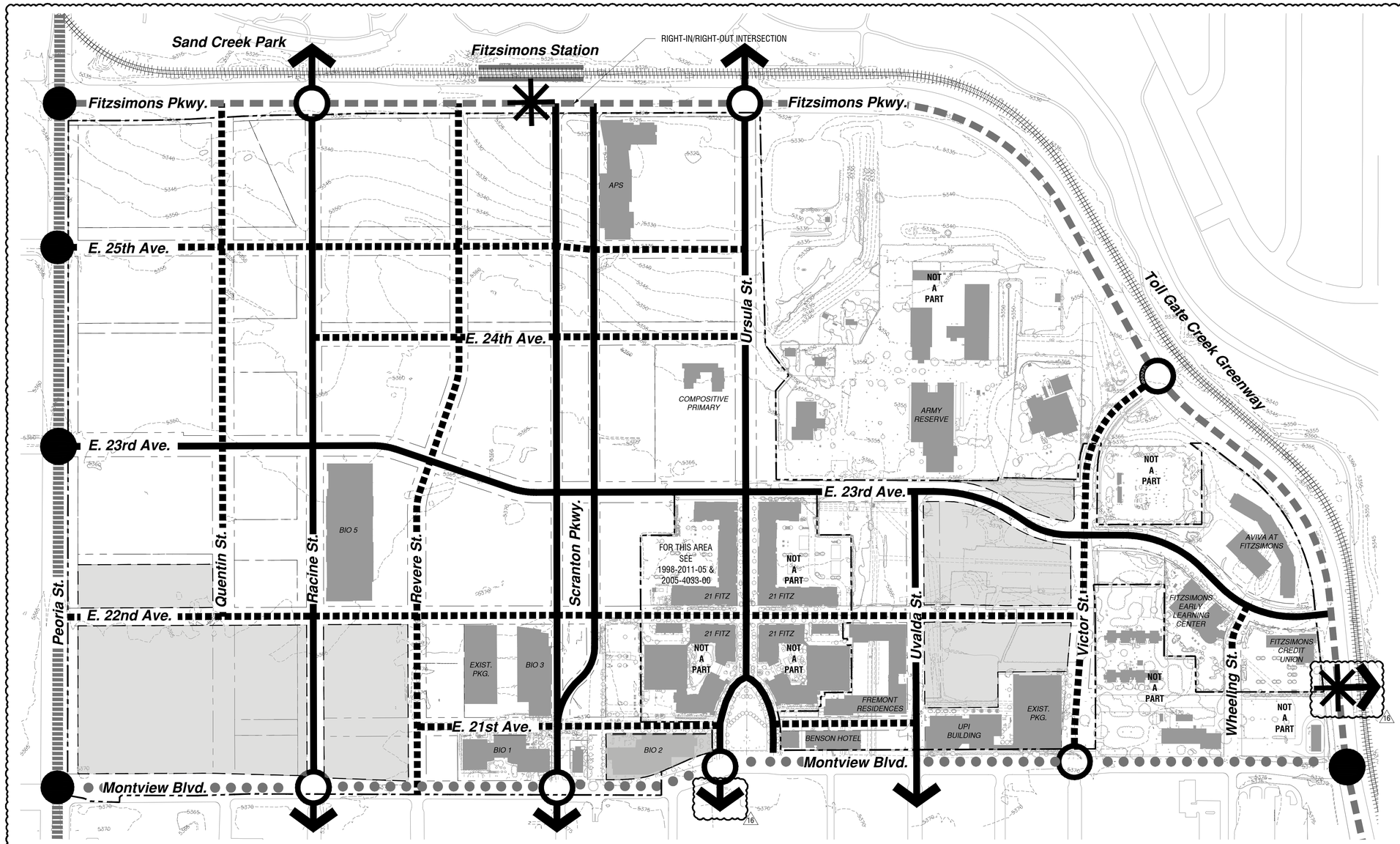

LEGEND ::

- GDP BOUNDARY
- LIGHT-RAIL TRACK
- EXISTING SIGNALIZED INTERSECTION
- FUTURE SIGNALIZED INTERSECTION
- EXISTING HAWK SIGNAL PER CITY OF AURORA (PEDESTRIAN ACTIVATED SIGNAL)
- PEORIA ST.
- FITZSIMONS PKWY.
- MONTVIEW BLVD.
- Primary STREET [1]
- Secondary STREET
- CU OWNED PROPERTY

NOTES ::

The street hierarchy is an urban design destination used to describe building frontages and public realm character.

Primary Streets: Primary Streets are the primary connections that link Anschutz Medical Campus, Fitzsimons Innovation Community, adjacent neighborhoods, and the Light Rail Station. They are characterized as well-designed pedestrian scale streets with wide sidewalks and amenity zones, on-street parking and bicycle facilities where appropriate. Buildings should front Primary Streets with primary facades and primary pedestrian entries.

Secondary Street: Secondary Streets break up super blocks and are primary connections to parking facilities. They provide strong pedestrian connection to Primary Streets. If a development parcel does not have frontage along a Primary Street, buildings should front Secondary Streets. Street character descriptions are included on Sheet 10 and 11.

Peoria Street, Montview Boulevard and Fitzsimons Parkway are existing perimeter street and are described Sheet 10, Section 2.4.

N
0 300 600

1. FRA will construct and dedicate these streets. See Sheet 10, Section 2.3 for description.

TRYBA ARCHITECTS
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303.831.4010

FITZSIMONS INNOVATION COMMUNITY

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STREET HIERARCHY AND TOPOGRAPHY

SHEET 5 OF 23

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
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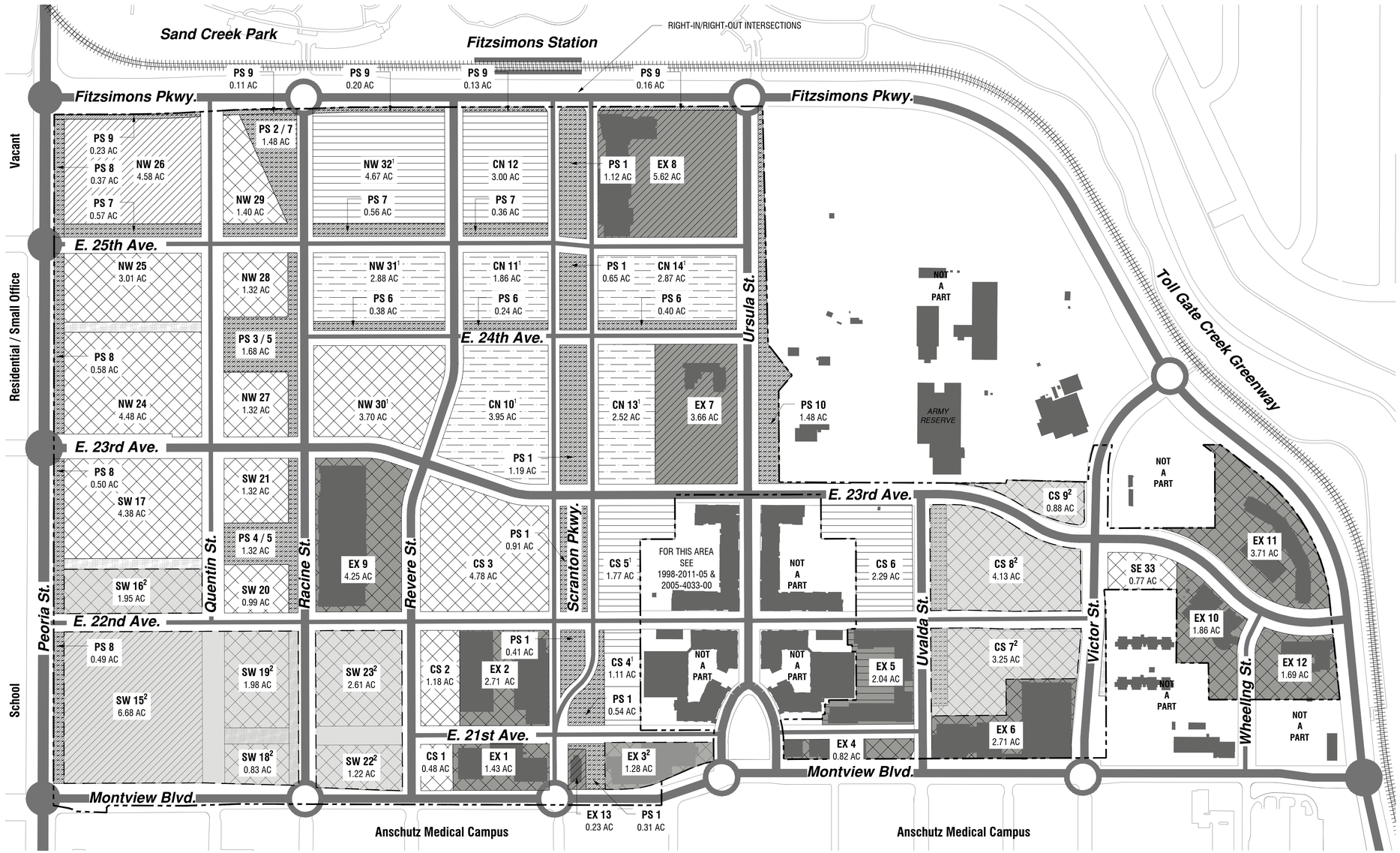


LEGEND ::

- GDP BOUNDARY
- LIGHT-RAIL TRACK
- EXISTING SIGNALIZED INTERSECTION
- FUTURE SIGNALIZED INTERSECTION
- MIXED-USE PUBLIC / CIVIC / INSTITUTIONAL PLANNING AREA
- MIXED-USE OFFICE / COMMERCIAL / RESEARCH PLANNING AREA
- RESIDENTIAL PLANNING AREA
- MIXED-USE RESIDENTIAL PLANNING AREA
- EXISTING DEVELOPED PARCELS
- CU OWNED PROPERTY [2]
- PARK SPACE
- INELIGIBLE OPEN SPACE (This is not counted toward park space requirements)

LAND USE SUMMARY ::

Land Use Type	FRA OWNED	CU OWNED[2]
Mixed-use: Office / Commercial / Research	+/- 48.53	+/- 17.28
Mixed-use: Public / Civic / Institutional	+/- 14.09	+/- 6.68
Residential	+/- 14.74	NA
Mixed-use: Residential	+/- 14.90	NA
Park Space	+/- 16.33	+/- 1.75
R.O.W	+/- 47.24	+/- 1.61
Ineligible Open Space	+/- 1.02	NA
SITE ACREAGE	+/- 156.87	+/- 27.32
TOTAL SITE ACREAGE	+/- 184.19	

LAND USE CONCEPT ::

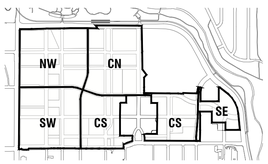
The land use framework anticipates a wide mix of uses within the PD-MU Zone District with innovation uses at the core of the program.

The GDP area has been organized into four general land use sub-areas:

1. Mixed-use Public / Civic / Institutional planning area is generally aligned with CU Anschutz Medical Campus land ownership along with gateway locations to the site and Anschutz Medical Campus.
2. Residential planning area occurs primarily along Fitzsimons Parkway adjacent to Sand Creek Park, as well as along Scranton Parkway, Uvalda Street, and the proposed park network along Scranton Parkway, 24th Avenue, and 25th Avenue.
3. Mixed-use Residential planning area is located within the central portion of the site between Ursula Street and Racine Street. Land use type, provides flexibility for Residential or Office / Commercial / Research in response to market conditions.
4. Mixed-use Office / Commercial / Research planning area is located within the central and western portion of the site. If regional commercial is located on campus, it will be located near Arterial Streets for regional transit corridor access.

A full list of uses can be found on Sheet 7, and land use descriptions on Sheet 10.

Parcel Quadrants: Parcels are organized into Quadrants, named and delineated according to existing infrastructure, which enables adjacent development and reflects their geographical placement within the development area.



Parcel Naming Quadrant Diagram

NOTE ::

Maximum of 7,266 dwelling units (7,013 new dwelling units) approved in Fitzsimons Innovation Community. 3,300 units are anticipated in the Residential planning area and 3,966 are anticipated in the Mixed-use Residential planning area. Flexibility for reallocation of planned residential units is allowed within land uses that permit residential uses.

1. Residential development is concentrated within Ursula Street Sanitary Sewer Basin due to utility capacity efficiencies. Reference Overall Utility Plan (Sheet 23) and Key Plan Diagram Below



Key Plan Diagram

2. Parcels owned by the University of Colorado; may or may not be developed in compliance with the GDP. Proposed uses shown on Land Use Plan are a conceptual scenario used for planning evaluation only.

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FITZSIMONS INNOVATION COMMUNITY

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Drawn:	R.S.
Checked:	K.D.F.

LAND USE PLAN

SHEET 6 OF 23

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

PERMITTED USES WITHIN THE GDP ::

1. The GDP criteria focus on building form instead of permitted uses. Consequently, the list of permitted uses is less restrictive than in traditional zone districts. The prohibited and restricted uses are limited to those that may not further the GDP principles. A broad range of uses is permitted with the intention of promoting a mix of uses in the GDP area.
2. Categories of use and their permissibility by planning area are listed in the accompanying table.
3. Any use not specifically listed as a permitted, conditional or accessory use is prohibited unless approved by both the FRA and the City of Aurora.
4. In the case of a proposed conditional use, the FRA shall determine if the conditional use is compatible and appropriate. The FRA will send a letter of approval to the Aurora Director of Planning advising such use should be administratively approved by the City.

P: permitted NP: not permitted C: conditional

	PLANNING AREAS			
	MIXED-USE PUBLIC / CIVIC / INSTITUTIONAL	MIXED-USE OFFICE / COMMERCIAL / RESEARCH	MIXED-USE RESIDENTIAL	RESIDENTIAL
COMMERCIAL USES				
Artspaces	P	P	C	C[13]
Banks, savings, and financial institutions	C	P	P	C[13]
Banks, savings and financial institutions with drive-through facilities	NP	C	NP	NP
Bars, taverns and night clubs	NP	P	P	P[13]
Brew-pubs, wineries, distilleries	C	P	P	P[13]
Catering service	NP	P	C	C[13]
Child or adult day care center, small or large	P	P	P	P[13]
Entertainment & Recreation, Indoor	P	C	NP	NP
Extended stay lodging	C	P	NP	NP
Liquor store (subject to 2,000 foot distance requirement)	NP	P	C	C[13]
Hotels [3]	P	P	NP	NP
Medical clinic (physicians / dentists)	P	P	C	C[13]
Meeting, banquet and conference facilities	P	P	NP	NP
Offices	P	P	NP	NP
Commercial parking structures	P	P	C	C[13]
Surface parking[11]	C	C	C	C
Personal services	P	P	P	P[13]
Pharmacy	P	P	P	P[13]
Photocopying and printing	P	P	P	P[13]
Repair, rental and servicing (non-vehicle) (with no outside storage and maximum of 7,500 gfa on ground floor)	C	P	C	C[13]
Research and development	P	P	C	C[13]
Retail sales	P<40,000 gfa on ground flr. C>40,000 gfa on ground flr.	P<60,000 gfa on ground flr. P>60,000 gfa on ground flr. [7]	P [10]	P [10,13]
Restaurant	P	P	P	P[13]
Studios, including television and radio broadcasting stations, excluding antenna towers	P	P	C	C[13]
Urban agriculture	P	P	C	C[13]
Uses operating between the hours of 12:00 midnight and 6:00 a.m.	C	C	C	C[13]
Veterinary clinics	P	P	C	C[13]
Veterinary hospitals	P	P	NP	NP
INDUSTRIAL USES				
Restricted light industrial use (Clean industry, Innovation design / build workshops)	P	P	C	NP
Wet labs / dry labs	P	P	C	NP
Co-work and creative industries	P	P	C	NP
Marijuana testing (MIP)	P	P	C	NP

	PLANNING AREAS			
	MIXED-USE PUBLIC / CIVIC / INSTITUTIONAL	MIXED-USE OFFICE / COMMERCIAL / RESEARCH	MIXED-USE RESIDENTIAL / FLEX	RESIDENTIAL
PUBLIC, CIVIC AND INSTITUTIONAL USES				
Civic, cultural facilities	P	P	P	C[13]
Hospitals, licensed nursing homes, sanitariums and convalescent hospitals	P	P	NP	NP
Outdoor recreation and entertainment, outdoor event space	P	P	C	NP
Parks, open space, playgrounds, plazas and art parks, small urban park, public art	P	P	P	P[13]
Places of worship [2]	P	P	P	C[13]
Public uses or facility including fire station, police station, ambulance service	P	P	C	NP
Schools, elementary, secondary and post-secondary	P	P	P	P[13]
Transit facilities	P	C	C	NP
RESIDENTIAL USES [8]				
Dwellings, town homes	C	NP	P	P
Dwellings, multi-family	C	NP	P	P
Dwellings, live/work	C	NP	P	P
Bed and breakfast residences	NP	NP	P	C
Day care home, child or adult	C	P	P	P
Assisted living facility	C	P	P	P
Nursing homes	C	P	P	P
Co-housing	C	C	C	C
ACCESSORY USES				
Automobile fuel dispensing facilities (for grocery)	C	C [4]	NP	NP
Commercial Mobile Radio Service [9]	C	C	C	C
Cooperative solar, Charging station, Wind energy	P	P	C	C
Drive-up or drive-through facilities (for grocery) (located to the side or rear of the building and not at street corners)	NP	C [5]	NP	NP
Residential Clubhouse	NP	NP	P	P
Wholesale	P	P	NP	NP
Small Cell Technology[12]	C	C	C	C

NOTES ::

1. Any use listed above may be an accessory use to a proposed primary use listed above.
2. Place of Worship is limited to a maximum of 15,000 square feet.
3. There will be a limitation of two hotels within this GDP boundary. At a minimum one of the hotels will meet the definition of a service hotel as defined below. The other hotel will meet the definition of a service hotel with the exception that the maximum square feet of meeting facilities will be 8,000 square feet. The total number of rooms shall not exceed 375.
   Hotel, service means a public establishment providing lodging. A service hotel must meet the following standards:
   a. Have a central, common lobby for check-in/check-out and guest services such as valet parking.
   b. Access should be either internal or through a secured internal courtyard.
   c. Have a minimum of 100 guest rooms.
   d. Provide a guest fitness center with exercise and fitness equipment, sauna, and/or whirlpool.
   e. Offer Internet access, data ports and phone lines in all rooms.
   f. Rooms shall be located on a minimum of four levels with elevator access.
4. A fueling facility associated with a grocery store may be a permitted per FRA approval.
5. A drive-up or drive-through facility for a pharmacy located within a grocery store may be a permitted per FRA approval.
6. A grocery store with a maximum gross floor area of 80,000 square feet may be a permitted per FRA approval.
7. Uses immediately adjacent to Residential and Mixed-Use Residential Planning Area will be reviewed for compatibility and subject to FRA approval. See Residential and Mixed-Use Residential Planning Area note on Sheet 10.
8. Residential units are limited to 7,266 maximum dwelling units (7,013 new dwelling units) for the entire GDP.
9. Stealth rooftop installation only. CMRS shall be screened from view or designed to diminish visual impact on public realm.
10. Neighborhood serving retail and commercial permitted.
11. Allowed as a conditional use meeting FIC Design Guidelines requirements for parking lot screening. Surface parking allowed for seven years with an option to renew for three additional years based upon review by the city and the Fitzsimons Metropolitan District. Interim parking lots shall be maintained by the owner/operator.
12. Small Cell technology is subject to DRB review and approval when located in the public realm or on private property.
13. Commercial, Public, Civic, and Institutional uses within Residential Planning Areas are permitted only as ground floor/accessory uses.

EXHIBIT C

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY
Location
AURORA, COLORADO

Consultants:

Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
1601 Blake St, Suite 200
Denver, CO 80202
t. (303) 572.0200

Traffic Engineer
Fehr & Peers
410 17th St. Suite 1000
Denver, CO 80202
t. (303) 296.4300

Issue Record:

10.02.2015	Submittal 1
01.29.2016	Submittal 2
03.16.2016	Submittal 3
07.14.2016	Final submittal
10.17.2016	Mylar Set
10.23.2017	Minor amendment
07.07.2020	Major amendment submittal 1
08.14.2020	Major amendment submittal 2
11.02.2020	Mylar Set
06.07.2024	Major amendment submittal 3
11.27.2024	Major amendment submittal 4

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Drawn: R.S.
Checked: K.D.F.

PROPOSED PERMITTED USES

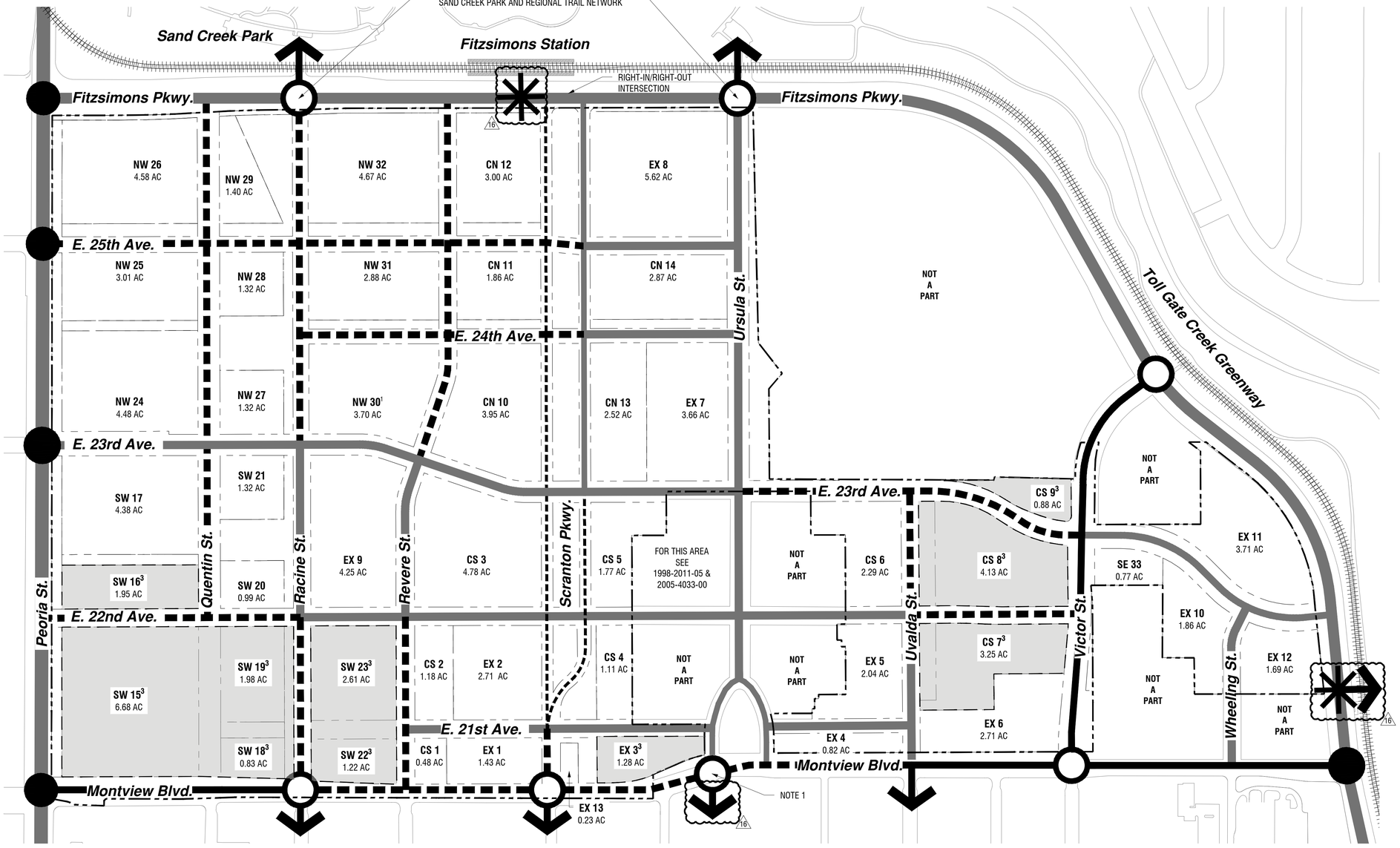
SHEET 7 OF 23

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO



LEGEND ::

- GDP BOUNDARY
- LIGHT-RAIL TRACK
- EXISTING SIGNALIZED INTERSECTION
- FUTURE SIGNALIZED INTERSECTION
- EXISTING HAWK SIGNAL PER CITY OF AURORA (PEDESTRIAN ACTIVATED SIGNAL)
- CU OWNED PROPERTY [3]
- EXISTING 6 LANE ROADWAY
- EXISTING 4 LANE ROADWAY
- EXISTING 2 LANE ROADWAY
- EXISTING 1 LANE ROADWAY
- PROPOSED 4 LANE ROADWAY [2]
- PROPOSED 2 LANE ROADWAY [2]
- PROPOSED 1 LANE ROADWAY [2]

NOTES ::

1. Further study necessary to determine if one or two signals will be necessary.
2. Refers to travel lanes. R.O.W. will be made available at the time of site plan submittal to allow for necessary turn lanes as indicated by the City of Aurora Traffic Study for the Fitzsimons Innovation Community.
3. Parcels owned by the University of Colorado; may or may not be developed in compliance with the GDP. Proposed parcel alignments are a conceptual scenario used for planning evaluation only.

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TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

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Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
1601 Blake St. Suite 200
Denver, CO 80202
t. (303) 572.0200

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Proj. #:	2328
Drawn:	R.S.
Checked:	K.D.F.

ROADWAY DESIGNATION PLAN

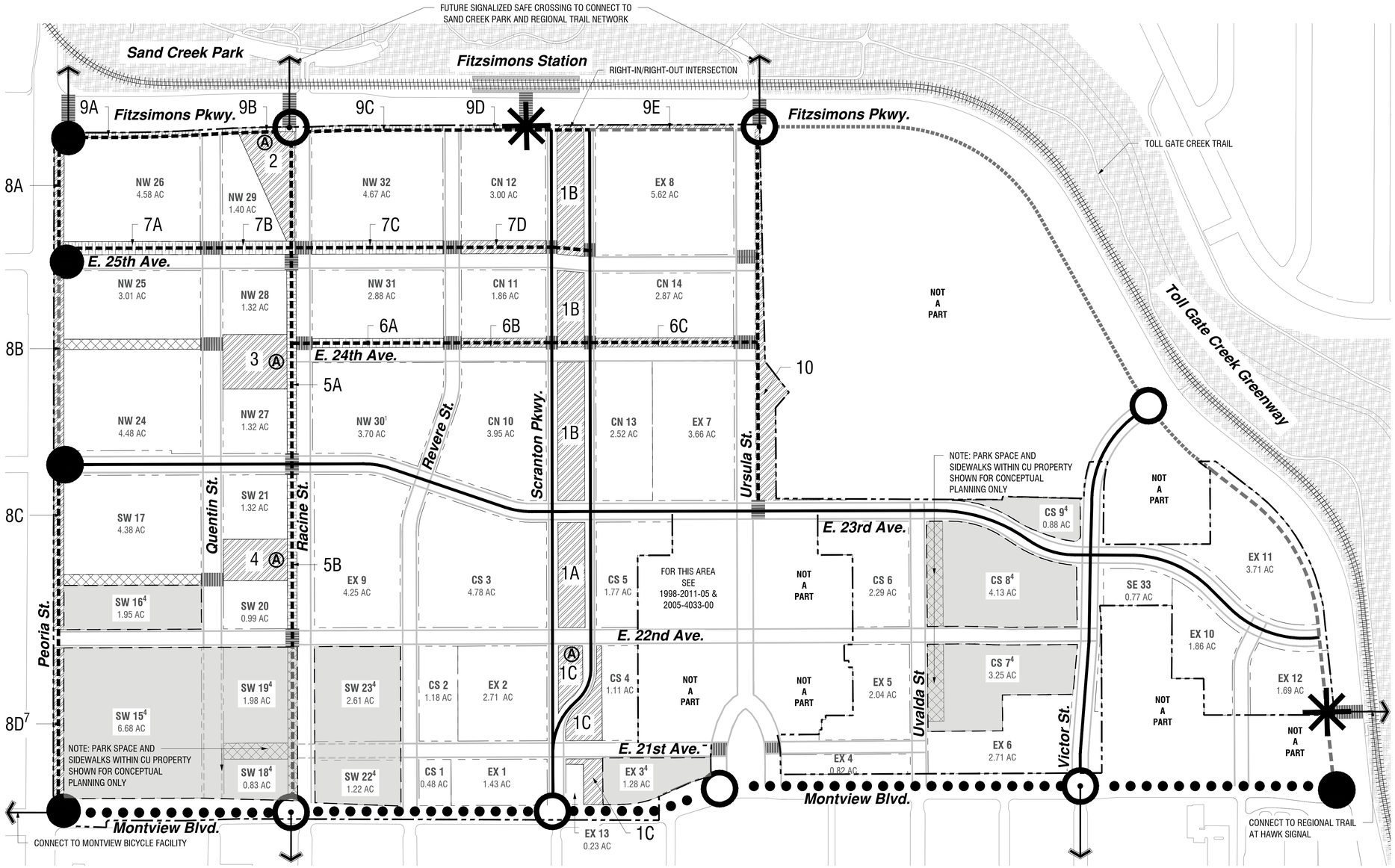
SHEET 8 OF 23

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO



PARK CONCEPT ::

The intent of the park space framework is to provide a network of urban park spaces and trails that connect Anschutz Medical Campus, FIC and neighborhoods to one another and the Station and Sand Creek Park. See Sheet 11, Section 2.8 for park descriptions.

NOTE ::

1. See table 1 and 2, Sheet 12 for park space requirement.
2. Multi-use path will be located in the linear park.
3. See Sheet 11, Section 2.8 for Park Descriptions
4. Parcels owned by the University of Colorado; may or may not be developed in compliance with the GDP. Proposed Park Space and Connectivity Paths shown on Park Network, Pedestrian and Cycle Plan are a conceptual scenario used for planning evaluation only.
5. Directional Cycle Track is based on City of Aurora design for Montview Boulevard.
6. Public Art locations identified in this document are conceptual. A minimum of 1% of infrastructure construction costs excluding design costs within the district shall be utilized for determining the Public Art budget and allocated per the City of Aurora Public Art Guideline recommendations for Public Art in Transit Oriented Development. The installation of Public Art shall be coordinated with the design and construction timeline of the associated park or public space. Public Art fees are to be assessed with the submission of infrastructure site plan submittals.
7. Per land sale agreement covenants (Record Number: 2019000111349), Park Space 8D to be constructed per Urban Design Guidelines.
8. Reference Form J (Page 21) for required amenities within proposed park spaces.

PARK SPACE SUMMARY ::

NAME	AREA (ac)
1: Scranton Park	5.13
1A: 22nd Ave to 23rd Ave	0.91
1B: 23rd Ave to Fitzsimons Pkwy	2.96
1C: 22nd Ave to Montview Blvd	1.26
2: Gateway Park	1.14
3: Racine Park	1.13
4: Racine Pocket Park	0.86
5: Racine Greenway	1.01
5A: 23rd Ave to 25th Ave	0.55
5B: 23rd Ave to 22nd Ave	0.46
6: 24th Linear Park	1.02
6A: Racine St to Revere St	0.38
6B: Racine St to Revere St	0.24
6C: Scranton Pkwy to Ursula St	0.40
7: 25th Linear Park	1.79
7A: Peoria St to Quentin St	0.57
7B: Quentin St to Racine St	0.30
7C: Racine St to Revere St	0.56
7D: Revere St to Scranton Pkwy	0.36
8: Peoria Linear Park	1.94
8A: Fitzsimons Pkwy to 25th Ave	0.37
8B: 25th Ave to 23rd Ave	0.58
8C: 23rd Ave to 22nd Ave	0.50
8D[7]: 22nd Ave to Montview Blvd	0.49
9: Fitzsimons Linear Park	0.83
9A: Peoria St to Quentin St	0.23
9B: Quentin St to Racine St	0.11
9C: Racine St to Revere St	0.20
9D: Revere St to Scranton Pkwy	0.13
9E: Revere St to Scranton Pkwy	0.16
10: Ursula Linear Park	1.48
TOTAL	16.33[1]

LEGEND ::

- GDP BOUNDARY
- LIGHT-RAIL TRACK
- EXISTING SIGNALIZED INTERSECTION
- PROPOSED SIGNALIZED INTERSECTION
- HAWK SIGNAL PER CITY OF AURORA (PEDESTRIAN ACTIVATED SIGNAL)
- POTENTIAL PUBLIC ART LOCATION [6]
- CU OWNED PROPERTY [4]
- PARK SPACE [8]
- PARK SPACE WITH STORMWATER MANAGEMENT [8]
- INELIGIBLE OPEN SPACE
- EXISTING CITY PARK AND GREENWAY
- SIDEWALK NETWORK
- PEDESTRIAN PATH CROSSING
- EXISTING MULTI-USE PATH
- PROPOSED MULTI-USE PATH [2]
- POTENTIAL MULTI-USE PATH BY OTHERS
- DIRECTIONAL CYCLE TRACK [5]
- ON STREET BIKE LANES
- CONNECTION TO OFF-SITE BICYCLE FACILITIES

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TRYBA ARCHITECTS
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Checked:	K.D.F.

PARK NETWORK, PEDESTRIAN AND BICYCLE PLAN

SHEET 9 OF 23

16

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

1. INTRODUCTION ::

1.1 PURPOSE

The purpose of the Planned Development-Mixed Use (PD-MU) zone district is to utilize new and imaginative concepts in urban design and land development to promote and improve the health, safety, and general welfare of the citizens of the city. The planned development zone is also intended to provide both the City and the landowner/ developer with necessary information on which to base decisions about future development and services. Utilization of this zone district is intended primarily to facilitate a high quality mixed-use innovation and employment center supported by high quality neighborhoods and commercial areas.

1.2 RELATIONSHIP TO STATION AREA PLAN

This GDP represents a tailored design and development approach to the Fitzsimons Innovation Community(FIC) based upon the Vision set forth by the Fitzsimons Redevelopment Authority Board for long term development and growth. This document builds upon the Vision and Guiding Principles established in the Fitzsimons Station Area Plan.

1.3 RELATIONSHIP TO TOD ZONING

The Design Guidelines and allowable uses within this document are based upon the City of Aurora Transit Oriented Development (TOD) Zoning District. The guidelines have been tailored to align with the specific vision for this site and shall supersede development standards and guidelines in the Station Area Plan and Transit Oriented Development Standards.

1.4 RELATIONSHIP TO FIC DESIGN GUIDELINES

FIC Design Guidelines to replace existing Colorado Science+Technology Park (CSTP) Design Guidelines further define specific requirements for urban design, site plan, architecture, landscape architecture and signage. These guidelines will be adopted and administered by an appointed Fitzsimons Design Review Board (DRB).

1.5 ADMINISTRATION AND INTERPRETATION

The city council may, by ordinance enacted after a public hearing, adopt a Station Area Plan as a supplement to the Comprehensive Plan for an identified area surrounding a transit station. The Station Area Plan shall serve as a guide to development of the area. The adopted GDP shall serve as the master plan per Zoning Code. The development criteria and allowable uses adopted here-in shall supersede development criteria in existing and future amendments to the Station Area Plan and/or Transit Oriented Development Standards.

The adopted Fitzsimons Innovation Community GDP shall serve as the zoning document for this site. Where there are conflicting standards between the GDP and the adopted Station Area Plan, the standards of the GDP shall govern. This document is in lieu of the rezoning using Transit Oriented Development (TOD) Zoning District.

1.6 DESIGN REVIEW PROCESS: SITE PLAN REVIEW AND PUBLIC IMPROVEMENT PLAN REVIEW

The Fitzsimons Redevelopment Authority (FRA) will appoint seven (7) Board Members to the Design Review Board (DRB). Three (3) members shall constitute a quorum. All DRB members shall be real estate or design professionals. One of the FRA's appointments shall be a representative from the City of Aurora recommended by the City Manager and one shall be a representative of the University of Colorado recommended by the Chancellor. The DRB will have the responsibility of reviewing, approving, approving with conditions, or denying all site plans, architecture, landscape plans, lighting plans, signage plans and signs, for all physical improvements within the FIC. The DRB shall seek to achieve compliance with the GDP and these Design Guidelines. The DRB will meet with applicants in a timely manner and will provide written comments, conditions and approvals in writing to the Applicant and the City of Aurora.

The City's review of Site Plans, Architectural and Landscape Architecture will be based on the GDP criteria. Fitzsimons Innovation Community will be under the jurisdiction of the Fitzsimons Design Review Board (DRB). The FIC Design Guidelines will be administered by the DRB. The DRB will review Site Plans, Architecture and Landscape Architecture Plans based upon GDP criteria and FIC Design Guidelines. Architectural plans may be submitted concurrently to the DRB with a Site Plan submittal to the DRB and City of Aurora. In addition, architectural building plans may be submitted to the Building Department concurrently with DRB review.

Upon FRA approval, the DRB will provide an approval letter to the City of Aurora. Upon receipt of the approval letter, the City of Aurora will approve the plans using the City of Aurora's shortest development review process provided that the requirements of the GDP have been met. DRB approval and FRA authorization is required prior to final City Site Plan approval and issuance of building permits.

Site Plans are intended to create a more detailed plan for the implementation of the GDP. The Public Improvement Plans (PIP) shall be submitted concurrently with the Site Plan and shall include information regarding streets, sewer, water, storm drainage and traffic. Generally, the PIP areas are outlined graphically on Sheet 17 of the GDP.

Supplemental engineering reports may be provided to support the PIP, if necessary. These PIP's are based upon the Infrastructure Master Plan (IMP) submitted and approved with this GDP. The IMP outlines the general Infrastructure for the project, including collector and arterial streets and the major water, sewer and storm drainage improvements to be completed.

All Site Plans, Site Plan Amendments and Architectural Amendments will be administratively reviewed and approved by the City according to the Zoning Code. Site Plan Amendments may be filed, processed and scheduled concurrently for staff review if required. The following outlines a Site Plan submittal approach that provides an efficient and expeditious review of Site Plans:

- The submittal shall include all information required by Site Plan Manual and the Submission Checklist in the Design Guidelines.
- 1st Site Plan submittal will be reviewed by DRB.
- Subsequent submittals, or amendments, will be reviewed by DRB and City of Aurora and may include architectural elevations and private landscape improvements.

1.7 NEW CONSTRUCTION AND CHANGES TO EXISTING DEVELOPMENT

Any new exterior construction or landscaping, or any exterior changes to existing development including changes to building façades, signage, streetscape, landscaping, public rights-of-way, parking areas, lighting, drives, or other site plan changes shall meet the design requirements of this section subject to the following provisions and be reviewed by the Fitzsimons Design Review Board and City of Aurora.

1.8 TOUCH RULE

In the case of existing development, only the building items or site plan features changed or proposed to be changed need conform to the FIC Design Guidelines. Those items or features left untouched do not need to conform except where property changes include a net increase in building area of ten percent or more or where the DRB determines existing development or site options should be modified to better integrate with new construction. In such a case the entire existing site shall be brought into conformance with GDP and FIC Design Guideline requirements to the maximum extent feasible and practical.

2. FRAMEWORK ::

2.1 LAND USE

The Fitzsimons Innovation Community anticipates a wide mix of uses with biomedical and technological research/innovation uses at the core of the program. All planning areas may have development intensity higher than in areas outside of the GDP area and the planning areas may have varying levels of intensity and mixes of uses.

MIXED USE PUBLIC / CIVIC / INSTITUTIONAL

Location: Primarily located at Primary Street Intersections along the perimeter of the site.

Intent: Create a civic and institutional anchor center. This area will be comprised of a variety of high density building formats. Buildings will be located in a manner that front Primary Streets and create a highly connected and pedestrian friendly urban pattern. This planned use area is intended to be flexible to allow for integrated campus design. All site designs shall consider short term and long term build-out and phasing scenarios to allow this area to densify over time.

Uses: The program is planned to include civic, cultural facilities with accompanying wet and dry labs, co-work and creative space, general office, research and development (such as incubator space, 'maker' space, high-tech fabrication, innovation design/build workshops) flex space as well as retail and restaurants. For a full list of allowable uses, see Permitted Uses on Sheet 7.

MIXED USE OFFICE / COMMERCIAL / RESEARCH

Location: Primarily located at the western and eastern portion of the site in proximity to 23rd Avenue.

Intent: Create a high density innovation, research and commercial employment center. This area will be comprised of a variety of building formats, heights, and densities. Buildings will be located in a manner that front Primary Streets and create a highly connected and pedestrian friendly urban pattern. This planned use area allows for the potential for corporate office users, lab research or regional commercial center, based upon market conditions.

Uses: The program is anticipated to include wet and dry labs, general office, research and development (such as incubator space, 'maker' space, high-tech fabrication, innovation design/build workshops), and flex space and that take advantage of the high visibility along street corridors. Commercial uses may include a small to medium size local grocery store, general retail, specialty retail, dining, and entertainment. Commercial development will be designed to integrate with the overall urban design vision. For a full list of allowable uses, see Permitted Uses on Sheet 7.

RESIDENTIAL

Location: Primarily located along Scranton Boulevard, Fitzsimons Parkway, west of Uvalda Street and adjacent to park network.

Intent: Offer a variety of residential unit sizes and price points near the Fitzsimons Station Light Rail Stop. The area is reserved for high-density residential development centered around the station, Scranton Parkway and the residential core on Uvalda Street. Non-residential uses may be included at the building base to enhance engagement with the streetscape and surrounding park space.

Uses: Medium and high density multifamily, local serving retail and commercial at the base of buildings.

Residential densities in the GDP are higher than in surrounding areas. Higher densities provide increased numbers of transit riders within walking distance of rail stations and provide for lively, interesting places. Overall densities should generally exceed 100 units per acres gross. For a full list of allowable uses, see Permitted Uses on Sheet 7.

- Maximum of 3,300 dwelling units allowed (3,047 new dwelling units)
- No single family detached products are allowed.
- No three-story walkup apartment buildings are allowed unless integrated into the residential building. Reference Table 4: Building Stories (Sheet 12) for minimum building stories. No townhome products are allowed.

MIXED USE RESIDENTIAL

Location: Primarily located along Scranton Boulevard, west of Ursula Street and east of Racine Street.

Intent: Offer a range of residential unit sizes and price points in proximity to the light rail station and proposed Office / Commercial / Research and Public / Civic / Institutional Planned Land Use areas. Area is reserved for high density residential development but may be considered for non-residential uses based on market conditions and approval by the FRA and Design Review Board.

Uses: Medium and high density multifamily, local serving retail and commercial at the base of buildings.

Residential densities in the GDP are higher than in surrounding areas. Higher densities provide increased numbers of transit riders within walking distance of rail stations and provide for lively, interesting places. Overall densities should generally exceed 100 units per acres gross. For a full list of allowable uses, see Permitted Uses on Sheet 7.

- Maximum of 3,966 dwelling units alllowed (3,966 new dwelling units)
- No single family detached products and townhomes are allowed.
- Reference Table 4: Building Stories (Sheet 12 of 22) for minimum building stories.

2.2 MAXIMUM DEVELOPMENT YIELD

Maximum building square footage is based on utility capacity that can support 17.40 million gross square feet, including residential dwellings and excluding parking structures. Maximum number of approved dwelling units is 7,266 (7,013 new dwelling units).

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2.3 BLOCK SIZE AND STREET GRID

To encourage compact and mixed-use development and provide direct access for pedestrians and bicyclists, transit-oriented developments have an urban street grid and city-size blocks. This provides for a legible street pattern with smaller blocks, frequent intersections and convenient pedestrian travel, and multiple choices for automobile travel. Development blocks should typically be between 300 feet and 750 feet in length, or align with existing city grid, and no more than 2,300 feet around the perimeter. Block perimeter may be increased if a minimum 30' wide well-designed bike/pedestrian connection through the block connects to two streets.

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2.4 STREETS

Designing an urban TOD that promotes a healthy lifestyle and the use of alternative modes of transportation requires a connected, pedestrian and bicycle friendly street grid where people can easily move around without a car and safely cross streets. A fundamental step in achieving this vision is to create an urban framework that encourages a more human scale, walkable and bikeable development pattern. The proposed street network is intended to perform as part of the park space system with an emphasis on bringing people through the site, on foot and bike, connecting Anschutz Medical Campus and existing neighborhoods to the Light Rail Station. Wide sidewalks, pedestrian and street lighting, generous landscape and/or amenity zones and shade trees create safe, comfortable pedestrian connections. On-street parallel parking throughout the development slows traffic and creates a buffer between traffic lanes and pedestrian zones. Curb extensions should be incorporated at intersections to minimize pedestrian crossing distance where feasible.

Streets within this GDP are based upon the Aurora Urban Street Standards as defined in the Aurora Municipal Code. The GDP standards address the overall network of streets, rights-of-way width, travel lanes, bicycle facilities, on-street parking, and pedestrian zone and sidewalk configurations as they relate to this specific plan.

PERIMETER STREETS

N. Peoria Street is an existing six lane urban arterial, with +/- 90' wide R.O.W., that borders the western edge of the Campus. Commercial buildings are encouraged to front Peoria, however, office buildings are preferred to front along Primary and Secondary Streets that intersect with Peoria. Enhanced architecture should be incorporated into all building façades along Peoria. When buildings front Peoria, primary entries should be located along Peoria.

A detached multi-use path will be located along the east side of Peoria providing a bicycle and pedestrian connection from the neighborhoods and FIC to Sand Creek Park and the Station. Parking lots along Peoria should be screened from view with landscape and / or low walls. Parking structures should be set back from Peoria and screened from view with landscape, enhanced facade treatments or liner buildings. A gateway plaza should be located at 23rd Avenue and Peoria Street to create an inviting campus entry.

Fitzsimons Parkway is an existing four lane, median divided, urban collector with +/- 80' wide R.O.W. Fitzsimons Parkway is a front door to the Fitzsimons Innovation Community and the Anschutz Medical Campus for anyone arriving via light rail. A detached, multi-use path will be located along the south side of Fitzsimons Parkway that connects the Ursula multi-use path and the Peoria multi-use path to the Light Rail Station and Sand Creek Park. Buildings should front Fitzsimons Parkway with primary façades and primary pedestrian entries. Shallow build-to zones locate buildings at or near the R.O.W. to create a pedestrian scale environment. The ground floor of buildings along these streets should be designed with quality materials, façade articulation and ground floor transparency in order to create a human scale street environment. Surface parking should not be located between buildings and Fitzsimons Parkway.

Montview Boulevard should become a 'seam' between Anschutz Medical Campus and Fitzsimons Innovation Community. This street should be designed with quality finishes in order to create a signature address. Safe and convenient bicycle and pedestrian facilities along Montview, as well as connections across Montview, promote walking and cycling between Anschutz Medical Campus and FIC Buildings should front Montview Boulevard with primary façades and primary pedestrian entries. Shallow build-to zones locate buildings at or near the R.O.W. to create a pedestrian scale environment. The ground floor of buildings along these streets should be designed with quality materials, façade articulation and ground floor transparency in order to create a human scale street environment. Surface parking should not be located between buildings and Montview Boulevard.

PRIMARY STREETS

Primary Streets are the primary connections that link Fitzsimons Innovation Community to the Light Rail Station, Anschutz Medical Campus and adjacent neighborhoods. They are characterized by well-designed pedestrian zones with wide sidewalks and amenity zones, on-street parking and bicycle facilities. Buildings should front Primary Streets with primary façades and primary pedestrian entries. Shallow build-to zones locate buildings at or near the R.O.W. to create a pedestrian scale environment. The ground floor of buildings along these streets should be designed with quality materials, façade articulation and ground floor transparency in order to create a human scale street environment. Surface parking shall not be located between buildings and a Primary Street. Parking structures without ground floor active uses are not allowed to be located along Primary Streets. The following streets are identified as Primary Streets: Racine Street, E. 23rd Avenue, Scranton Parkway, Uvalda and Ursula Street.

Where a development project borders two Primary Streets, the DRB shall determine which street takes precedence as the primary frontage.

SECONDARY STREETS

Secondary Streets break up super blocks to provide access to parking lots and parking structures and include strong pedestrian connectivity to Primary Streets. They are characterized by well-designed pedestrian zones with sidewalks, amenity zones, street trees, and on-street parking.

If a development parcel does not have frontage along a Primary Street, buildings should front Secondary Streets with primary façades and primary pedestrian entries. Shallow build-to zones locate buildings at or near the R.O.W. to create a pedestrian scale environment. Buildings should be designed with quality materials, articulation and ground floor transparency in order to create a human scale environment along the street. Surface parking is allowed along Secondary Streets except where a building's primary frontage is along a Secondary Streets. In this case, surface parking should not be located between a building and the street. Parking structures may be located along Secondary Streets if the design meets criteria set forth in the FIC Design Guidelines.

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY

Location AURORA, COLORADO

Consultants:

Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
1601 Blake St. Suite 200
Denver, CO 80202
t. (303) 572.0200

Traffic Engineer
Fehr & Peers
410 17th St. Suite 1000
Denver, CO 80202
t. (303) 296.4300

Issue Record:

10.02.2015	Submittal 1
01.29.2016	Submittal 2
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07.14.2016	Final submittal
10.17.2016	Mylar Set
10.23.2017	Minor amendment
07.07.2020	Major amendment submittal 1
08.14.2020	Major amendment submittal 2
11.02.2020	Mylar Set
08.07.2024	Major amendment submittal 3
11.27.2024	Major amendment submittal 4

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Drawn:	R.S.
Checked:	K.D.F.

GENERAL DEVELOPMENT CRITERIA

SHEET 10 OF 23

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

2.4 TRAFFIC, ACCESS AND SIGNALIZATION

There are several access points into the site. The primary automobile ingress and egress is off N. Peoria Street, Montview Blvd., and Fitzsimons Parkway.

Primary streets through the site will be Racine Street, Scranton Street, Ursula Street, Victor Street and E. 23rd Avenue. Signalized intersections will be located around the perimeter of the site. See Roadway Designation Plan Sheet 8 for location.

The Metro District shall be responsible for the funding of 100% of the signal installation costs at the following intersections if and when signal warrants are satisfied:

- Racine St. and Fitzsimons Pkwy.
- Ursula St. and Fitzsimon Pkwy.
- E. 23rd Ave. and Fitzsimon Pkwy.

Land owner on either side of Montview is responsible for 100% of signal installation costs at the following intersection:

- Racine St. and Montview Blvd.

The Metro District shall be responsible for the funding of 50% of the signal installation costs at the following intersections if and when signal warrants are satisfied:

- Scranton St. and Montview Blvd.
- Victor St. and Montview Blvd.
- E. 23rd Ave. and Peoria St.
- Ursula St. and Montview Blvd.

Existing H.A.W.K signal crossing at Scranton Pkwy. and Fitzsimons Pkwy. and, Fitzsimons Pkwy. between E. 23rd Ave. and Montview Blvd. paid for by RTD/City, will be coordinated with Scranton Parkway alignment. Enhancements will be made to reinforce these vital crossing in connection with adjacent park space networks and coordinated with the FRA.

All streets shall provide a 26 foot wide clear zone every 150 linear feet for fire trucks. Reference City of Aurora Roadway Design Manual Detail S23.1. Typical.

16 Traffic signal warrants are as described in the Manual on Uniform Traffic Control Devices. For warrant purposes, minor street approach traffic shall be comprised of all the through and left-turn lane movements and 50% of the right turn movements. Pursuant to 147-37.5 of City Code, the percentage of the traffic signalization costs identified shall be paid to the City by the applicant/owner, to be held in escrow for such purpose, prior to the issuance of a building permit for the related development or as otherwise required by City Code. The percentage above will be applied to the entire traffic signalization cost as estimated at the time of the escrow deposit to calculate specific dollar funding requirement.

2.5 PARKS AND PUBLIC SPACE

The Fitzsimons Innovation Community includes a network of public park spaces linked by pedestrian-oriented streets that create a framework around which the development is organized. This framework, termed the 'public realm', defines the fundamental pedestrian experience of the development, and includes elements such as site circulation, streetscape design, street lighting design, street trees, street furnishings and wayfinding. Collectively, these elements establish the sense of place and community necessary for the creation of a truly successful mixed-use urban development. Public Realm guidelines are defined in the FIC Design Guidelines.

The FIC is envisioned as a network of public and semi-public parks and plazas, intimate places and spaces, and primary building lobbies, connected to each other by a series of walkways, paseos and pedestrian scale streets. This network of parks and plazas, both public and semi-public, is intended to create a porous and connected urban framework.

The public park spaces described in the plan are defined by the framework of streets. The buildings and their intended uses which front these spaces in many cases will not be determined for many years to come. However the street grid will remain intact and thus ensure a predictable future of the size and location of each public park.

Buildings should orient their façades to a park space in a manner that shapes the space of the park, overlooks the park with windows, and connects to the park with building entries. Fundamental to this urban strategy is a clear definition of the spaces that constitute the Public Realm, including all streets and their related streetscapes, as well as all public parks and trails. The quality and perception of these spaces will reinforce 'a unique sense of place' for residents, employees and visitors that, in turn, will help to foster a true community.

Parks and Public Realm design should consider the following:

- Design a connected public realm to promote activity and interaction on the street and in the parks through a series of public park spaces, multi-use paths and walkable pedestrian friendly streets.
- Integrating pocket parks and parks spaces that connect to the street network.
- Front public R.O.W. and park spaces with buildings that define the space.
- View corridors to signature buildings, park spaces, mountain views and/or activity nodes.
- The Sand Creek Regional Greenway is a part of the regional trail system that connects the metropolitan Denver area. This almost 14-mile public greenway connects the High Line Canal in Aurora with the Platte River Greenway in Commerce City.
- The University of Colorado Anschutz Medical Campus south of Montview Boulevard has a system of park spaces that creates a corridor through the campus.
- Sand Creek Park, bordering the north and east edges of the site along Fitzsimons Parkway, offers access to natural resources and connects to the regional trail network via the Sand Creek Greenway and Toll Gate Creek Greenway Trail.
- Park space connections have been provided that complement and connect to the existing adjacent park spaces that include the Anschutz Medical Campus park space with the Sand Creek Regional Greenway.

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Any public space intended to satisfy land dedication requirements of the Aurora Zoning Code and shall conform to the criteria set forth in the Parks and Open Space Dedication and Development Criteria Manual at the time of GDP adoption which are included herein for reference. Small Urban Park (SUP) is a park classification that may be used to advance the above principles of public spaces while concurrently serving park needs of an urban population in the FIC.

2.6 PARK CLASSIFICATIONS AND DESCRIPTIONS

Park classifications and descriptions from the Parks and Open Space Dedication and Development Criteria Manual 2021, Section 3.2(A) are included in this GDP.

Small Urban Parks: This type of park is no less ten thousand (10,000) square feet in size and located where limited land is available for the provision of other larger types of parks. Areas appropriate for small urban parks include urban centers, transit-oriented developments, and infill development parcels where development with a compact form and densities that are higher than surrounding areas are planned. They should complement and integrate with surrounding uses and be designed in accordance with Department Design Guidelines to serve two functions: 1) to provide facilities to meet the park needs of residents by serving as a place for social interaction and leisure opportunities, and 2) to create focal points and activity nodes within the urban fabric of the city.

Examples of small urban parks include:

- Greens / Commons - Public areas consisting of predominantly open lawn areas for unstructured recreational use partially surrounded by streets and the fronts of buildings.
- Squares - Public areas that adjoin streets on three (3) sides and are surrounded by the fronts of buildings with a prominent feature designed as a centerpiece of the space, having formally arranged walks and landscaping.
- Plazas - Public areas that are predominantly paved, open-air spaces enclosed on two or more sides by buildings and bounded by one or two streets.
- Promenades - Public areas set aside as a principal means of access to and through an urban setting for pedestrians and possibly bicyclists, facilitating connectivity between public streets, private property and civic destinations.

Small urban parks are not required for land dedication by City Code. Instead, they are optional as a way to help meet the need for park/open space land in certain designated (urban) parts of the city. Small urban parks may offset the amount of land otherwise required to be dedicated and constructed on-site as qualifying Neighborhood Park and Open Space lands.

Pocket Parks: These parks are greater than one-half (0.5) acres in size. They may include some basic facilities found in neighborhood parks but are generally too small to completely address the neighborhood park requirements. Because both their size and facilities are limited, pocket parks have a small service area of one-quarter of a mile (1/4 mile radius). Commentary: This type of park may be provided in new developments to count towards open space land dedication required if programmatically compliant.

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Neighborhood Parks: The neighborhood park is the basic unit of the park system, serves as a recreational and social focus of the neighborhood, and is considered a "walk-to" facility. These parks are generally five (5) to fifteen (15) acres in size and serve residents within a one-half (½) mile radius. They provide playgrounds, an open grass play area and a picnic pavilion. The site should be accessible from throughout its service area by way of interconnected local trails, sidewalks or low-volume residential streets.

Community Parks: These parks are forty (40) acres or more, have a service area radius of up to two (2) miles, are considered to be a "drive-to" facility, and provide a much broader range of community-based facilities than neighborhood parks. Natural features of a community park are preserved and integrated into the overall site design. They typically contain larger playgrounds and picnic pavilions, sport fields that can be programmed, tennis courts, basketball courts, and support facilities, such as parking lots, as standard facilities. Community parks are appropriate sites for community recreation centers and/or pool/aquatic playgrounds, however, not every community park need contain these facilities.

2.7 PARK AND OPEN SPACE LANDS AND CASH IN LIEU

Park and open space lands and cash in lieu requirements per Aurora Zoning Code Sec. 146-4.3.18.B (Dedications) at time of GDP adoption are included as part of this GDP. The Fitzsimons Innovation Community is designated as an Urban District Placetype, fostering a high-density mixed-use development that maximizes the value of the adjacent CU Anschutz Medical Campus. The on site urban park network will serve a variety of urban-scale parks that provide require amenities, enhance connectivity and integrate with adjacent land uses as well as surrounding open space resources, such as Sand Creek Park.

(1) Land shall be dedicated to the City by the property owner to provide for parks and open space to serve the future residents of the subdivision. The dedication of such land shall be as required by the annexation agreement, if one has been approved for the subdivision. If land uses approved for the subdivision at the time of annexation have changed or, alternatively, if no annexation agreement exists for the subdivision, the dedication of such land shall be based upon the number of residents projected for the new land uses as provided in this section. No parks under 5 acres shall be dedicated to the city for ownership.

(2) The dedication of land for parks and open space purposes shall occur, by plat or separate document at the discretion of the City, at the time that the first plat for property adjacent to such land is submitted to the City.

(3) The amount of land dedicated for parks and open space purposes shall be as follows:
A. Three acres per 1,000 residents for neighborhood parks;
B. One and one-tenth acre per 1,000 residents for community parks; and
C. Seven and eight-tenths acres per 1,000 residents for open space, other park uses and trails.
D. Transit Station Areas are exempt from open space land dedication requirement.

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(4) For subdivisions that are not large enough to generate a minimum of five acres for neighborhood parks and 40 acres for community parks, the City Manager may, at the manager's sole discretion, require a cash payment in lieu of land dedication. The amount of such payment shall be based upon the market value of property within the subdivision as fully developed, with all attendant infrastructure, in accordance with the land uses approved for the subdivision. Cash-in-lieu of land shall only be used to provide park and open space facilities to serve the future residents of the subdivision. Cash-in-lieu payment shall occur at the time that the first plat for the subdivision is submitted to the City.

(5) Park and open space land dedication requirements for infill development and development within transit station areas as designated in the city's comprehensive plan shall be as set forth in the Aurora Parks and Open Space Dedication and Development Criteria Manual. In addition, such developments shall be subject to the following criteria:

- Land provided in conformance with small urban park criteria shall be credited toward satisfying, in whole or in part, Neighborhood Park land dedication requirements.
- Land dedication credit for SUPs may be issued by PROS when in conformance with the site design criteria presented in Section 6.13 of the PROS D&DC Manual. Despite the applicability of SUP criteria within designated areas described in paragraphs F and G of page 12 of the PROS D&DC Manual, a minimum three (3) acre neighborhood park may, at the discretion of PROS, be required when a development introduces more than one thousand (1,000) residents into a part of the city that is underserved by neighborhood parks. The decision will be based on an analysis of the magnitude of new residents' park needs and the ability of proposed SUPs to serve these needs, the quantity of existing park facilities within one-half (½) mile service radius of the development, the size of the development, the population density, and the feasibility of integrating a three (3) acre park into the mix of proposed land uses.

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- Land provided to complete or enhance the system of regional trails or greenways that connect bicyclists and pedestrians to major destinations on the development site and to adjacent properties shall be credited toward satisfying, in whole or in part, community park land dedication requirements.
- Such developments shall be exempt from the open space land dedication requirements set forth in subsection (3)(c) of this section.
- For those developments required to provide cash-in-lieu of land dedication, the amount of such payment shall be based upon a per-acre value derived from a case study analysis of the market value of property acquired by the City for community-based park, recreation, and open space purposes. Such per-acre value shall be determined annually by the director of parks, recreation, and open space in accordance with the provisions of section 2-587 of this Code.

(6) Development within an urban center, as designated in the Metro Vision Regional Land Use Plan adopted by the Denver Regional Council of Governments, may satisfy the open space land dedication requirement, in whole or in part, by providing lands in conformance with the small urban park criteria set forth in the Aurora Parks and Open Space Dedication and Development Criteria Manual.

(7) Population projections shall be 2.02 persons per dwelling unit in a transit station area, and 1.58 persons per dwelling unit in an active adult community.

(8) Developments or portions of developments characterized as assisted living, continuing care retirement community and skilled nursing facility shall be exempt from all parks and open space land dedication requirements.

2.8 Fitzsimons Innovation Community PARK DESCRIPTIONS

The park and trail network is the foundation of the overall plan and is designed to connect the neighborhoods and medical campus at the periphery of the site with the transit station and Sand Creek Park. All park space designated in this plan is public and is of a size, proportion and orientation that adds to the fabric of the Campus. The park space is designed to serve a diverse range of users throughout the day, providing opportunities for passive recreation and informal active use. An enhanced multimodal connectivity network prioritizes access to the transit station, CU Anschutz Medical Campus, and Sand Creek Park. This system reinforces key connections at Fitzsimons Parkway, Montview Boulevard, and Peoria Street, integrating surrounding urban assets and defining the campus as a leading urban center.

Gateway Park: The site entry point of Fitzsimons Innovation Community and integrated with the Racine Greenway is a +/-1.14 acre community park located at the intersection of Racine Street and Fitzsimons Parkway. This park connects to the signalized crossing on Fitzsimons Parkway, providing a link to Sand Creek Park and encouraging various park space and trail network users to enjoy the area from dawn till dusk.

Scranton Parkway: Scranton Parkway is the backbone of the park space system. This urban civic parkway creates a site identity and provides grand, direct connection between Anschutz Medical Campus, FIC and the Light Rail Station. The median is envisioned as a wide, linear park with shade trees and pedestrian amenities. The edges of the parkway will include wide sidewalks, shade trees, pedestrian amenities and pedestrian scale lighting.

Racine Park / Racine Pocket Park: Publicly accessible parks located between Racine Street and Quentin Street that create small scale park spaces between building parcels. These parks enhance connectivity to the Racine Greenway while also providing spaces for congregation and gathering at both neighborhood and community scales. Buildings should front park edges, enabling visibility and activation of the adjacent park spaces.

Perimeter Multi-Use Trail: The perimeter of Fitzsimons Innovation Community is envisioned as a linear park that provides a multi-use trail connection from adjacent neighborhoods, Anschutz Medical Campus and FIC to Sand Creek Park and Tollgate Creek Trail. This multi-use trail is envisioned to include a wide, hardscape path for bicycles and pedestrians as well as a softscape trail for joggers to encourage an active, healthy lifestyle. Pedestrian amenities, lighting, seating, exercise stations and way-finding should be included in the linear park. Public art may also be included at special places within the park.

Integrated Stormwater Landscapes: Integrated and well-designed water quality areas, including the Racine Greenway and segments of Low Impact Developments (LID) along 25th Avenue, 24th Avenue, Fitzsimons Parkway and Quentin Street, are planned to manage stormwater runoff within the street and surrounding parcels. These features will highlight best practices, integrate into the surrounding park spaces, and provide pedestrian pathways that support connectivity and recreation.

Private Pocket Parks and Urban Plazas: Small, privately owned and publicly accessible pocket parks, urban plazas and entry plazas are encouraged throughout the FIC but cannot receive parkland dedication credit. Pocket Parks and Urban Plazas to be prioritized along Primary Streets, and may be located along Secondary Streets if the site does not have Primary Street frontage. These places link the public realm and park space network to public lobby space within buildings.

Paseos and Mid Block Crossings: Pedestrian walkways and passages are encouraged to break up street massing and provide pedestrian connectivity to the interior blocks, linking the public realm to parking facilities, interior courtyards or plazas.

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2.9 GATEWAYS

Gateways should be incorporated along Peoria Street at important campus access points. These gateways should be designed in coordination with the perimeter linear park and future buildings to welcoming pedestrian, bicycle and automotive entries and may include pedestrian plazas with seating and bicycle parking, landscape features, and special building architecture.

EXHIBIT C

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY

Location
AURORA, COLORADO

Consultants:

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Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
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GENERAL DEVELOPMENT CRITERIA

SHEET 11 OF 23

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

2.10 PARK AND OPEN SPACE REQUIREMENTS

TABLE 1: PARK AND OPEN SPACE CALCULATIONS

	Residential Units	Residents (2.02 residents per units)	Neighborhood Park Required (3 acres / 1,000 residents)	Community Park Required (1-1/10 acres / 1,000 residents)
Existing Units 21 Fitz: 600 Units | FRA: 253 Units	853	1,723	5.16 AC	1.89 AC
Proposed Units	7,013	14,166	42.49 AC	15.58 AC
TOTAL	7,866	15,889	47.65 AC	17.47 AC

TABLE 2: PARK AND OPEN SPACE REQUIREMENTS [1]

	Required	Provided as Small Urban Park, Mini Park and Pocket Park
Neighborhood Park (3 acres / 1,000 residents)	47.65 AC	10.94 AC
Community Park (1-1/10 acres / 1,000 residents)	17.47 AC	5.39 AC
Open Space, other park uses and trails	Exempt	Exempt
TOTAL	65.12 AC	16.33 AC

1. Multi-use path along Peoria Street, Fitzsimons Parkway and Ursula Street links neighborhoods, FIC and Anschutz Medical Campus to Sand Creek Park. Approval of linear park for community park credit dependent on final design.

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2.11 TREE MITIGATION

Tree mitigation shall be addressed during the Site Plan process or whenever off-site or adjacent construction requires tree removal in areas not covered by the Site Plan. An inventory recording caliper inches of mitigation required, caliper inches required per standards or FIC Design Guidelines, and caliper inches of mitigation provided shall be shown on the landscape plan submitted concurrent with the site plan. The existing tree survey will be updated periodically as necessary. Mitigation shall be in addition to applicable City of Aurora Landscape Standards or FIC Design Guidelines.

2.12 TREE PROTECTION

Prior to commencing construction, tree protection fencing shall be installed around all existing trees within 100 yards of the construction activity. This applies to all existing trees which do not need to be removed to allow this construction. Tree protection fencing and other tree protection measures shall be installed in accordance with Parks and Open Space Department standards specifications and details.

3. DESIGN GUIDELINES ::

Architectural and Landscape Design Guidelines are an important and essential part of this important project. FIC Design Guidelines that address public realm, streetscape, site plan, landscape, architecture, parking, signage and wayfinding, sustainability, and public art are referenced by this plan. These Design Guidelines will be administered by a Design Review Board (DRB). The FIC Design Guidelines and DRB shall be established prior to the approval of the first Building Site Plan submittal. Plans shall be submitted to the DRB prior to or concurrent to submittal with the City of Aurora. DRB and FRA approval is required prior to City approval per section 1.6 in GDP. The city will review site plan submittals based upon the following GDP guidelines:

3.1 URBAN FORM

In order to create environments that are comfortable, attractive and interesting for pedestrians, new buildings should front streets and include active and/or transparent ground floors with parking located behind buildings or in parking structures.

- Elements of desirable building form include quality and durable façade treatments, well proportioned fenestration patterns (such as window and door placement in opaque facades), porches and entry features to break up the mass and form of buildings and create an interesting street edge. Principal pedestrian entrances to buildings should be located along a Primary Street and/or a corner location. Where a building only fronts a Secondary Street or Perimeter Street, principle pedestrian entries should be along that street as described in Section 2.4 of the GDP. Secondary entries may be located at rear of buildings to access parking areas. Enhanced architecture should be provided along multiple façades where abutting Primary or Perimeter Streets.
- If a building is located interior to a block and does not front a Primary or Secondary Street, the building should face onto an interior park, plaza or pedestrian walk that connects to an Primary Street, Secondary Street or park.
- Specific build-to zone and/or setback requirements, side setbacks and transitions are established in the FIC Design Guidelines.
- Ground floor transparency should be maximized to create pedestrian level interest and a visual connection between the street and interior spaces, enabling a strong sense of community and increasing informal oversight of public areas.
- Residences should include emphasized and weather protected entries to buildings or dwelling units. Balconies for upper level dwelling units should be included to allow private exterior space for each dwelling unit. Finish floor elevation of ground level residential units should be raised above the average grade of the adjacent sidewalk in order to provide separation between public/private spaces.
- Building services including trash and recycling center, loading docks, building utility connections including gas meters and electrical meters, and rooftop mechanical equipment should be screened from public view.
- Office buildings should incorporate 360° architecture to create a cohesive and interesting campus.

3.2 BUILDING HEIGHTS

Taller buildings are encouraged in all planning areas in order to create a dense, urban employment center with a mix of uses and active public spaces.

Building height standards are established by the building height table. Building height is measured from average grade to top of parapet or mid-point of pitched roof. Retail and commercial spaces should be incorporated into larger mixed-use developments at the ground level rather than constructed as standalone buildings.

TABLE 4: BUILDING STORIES

Planning Area	Min. building stories	Max building stories
Residential Planning Area	4	n/a
Mixed-Use Residential Planning Area	4	n/a
Mixed-Use Public / Civic / Institutional Planning Area	4	n/a
Mixed-Use Office / Commercial / Research Planning Area	4	n/a

Building height and stories serve as a guideline and variances are subject to approval by the Design Review Board.

16

3.4 PHASING

This project will be developed in phases as the market will allow. This level of infrastructure improvements required to serve any given phase at the time of Site Plan will be determined for each phase of the development. The project will be designed so that the intensity of development can increase over time. Development should be phased in a manner that creates an initial sense of place.

Phasing Requirements.

- Locate buildings and surface parking lots in a manner that will accommodate future structured parking.
- Design drives and pedestrian walks within commercial parking lots so they can eventually transition to streets, lanes or alleys.
- Where appropriate construct both sides of streets simultaneously to create a unified streetscape.
- Develop important public parks and trail networks in early phases to create a sense of place, connection and identity.

3.5 LIGHT-RAIL STATION

The pedestrian and bicycle network will connect to the existing Light-rail station.

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3.6 ENVIRONMENTAL MITIGATION

The FRA currently has a State(CDPHE) approved Materials Management Plan. The property will be remediated in accordance with the approved plan, as required.

3.7 LANDSCAPE

The Campus landscape should create a comfortable, cohesive and sustainable urban environment. The landscape should be designed to unify the campus over time so that individually designed parts of the campus relate properly to one another, regardless of when they are built. The design of primary streets and parks should consider the aesthetics of design, as well placemaking, intended function of the space, ecology, water conservation and long-term maintenance. Detailed landscape guidelines are included in the FIC Design Guidelines.

3.8 PUBLIC ART

Public art enriches the physical and intellectual environment and should be sited in strategic locations throughout the campus. Large and smaller scale sculptures create memorable landmarks that integrate well within an urban streetscape. Parks, and private plazas are well served by strong sculptural elements. Durable materials that are ideally suited to withstand local weather and vandalism should be utilized. Public Art guidelines are included in the FIC Design Guidelines.

3.9 SUSTAINABILITY

FRA is committed to creating a lasting and sustainable urban development pattern. The proposed street network has been designed to connect to the existing grid where feasible linking the transit station to the neighborhoods, Anschutz Medical Campus and Fitzsimons Innovation Community. The urban form and street design is intended to create a highly pedestrian scale walkable environment. Bike facilities are included both on and off-street to connect to the existing bicycle network and trail system. A mix of land-uses is encouraged to create vibrant TOD that will serve residents and office users. The FIC Design Guidelines will include a checklist of sustainability criteria from LEED.

4. PARKING ::

In order to create a more walkable, urban environment, land resources devoted to parking should be minimized. Planned parking facilities should be designed as efficiently as possible by promoting standards to minimize square footage per parking stall, promote pedestrian connections between uses and be integrated into the building or site design. (For example, inefficient parking layouts should be discouraged; ground floor retail or commercial wraps should be encouraged for any parking garages located along primary streets).

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Shared use of parking should be encouraged between nearby complimentary land uses. Active parking management and use of parking technology is also encouraged. Parking policies should be enacted to promote alternative modes of transportation such as rail, bicycle, bus, shuttle circulator, and other alternatives. Car-share programs, guaranteed ride home, and other options should be implemented to further support user groups who may arrive via alternative modes.

As the development densifies over time, surface parking should transition to parking structures. All site plan submittals should include a phasing strategy to achieve structured parking. Minimum parking requirements for office and commercial are not required under the GDP, though parking maximums are defined (below) so that targeted development densities can be achieved. Each site plan submittal is encouraged to provide a shared parking plan to show how parking needs for individual uses and/or parcels can be accommodated within the site. Certain facilities such as on-street parking and some lots and garages may be managed as a shared public resource and would be available to accommodate the parking needs for associated development parcels (at the discretion of FRA and the City).

Early phase surface parking is allowed until such time that the market warrants parking structures. Early phase surface parking should be minimized to the extent feasible. Surface parking lots should be located to the rear or sides of buildings. All surface parking should be screened from public view and adjacent uses. Surface parking is not allowed between a primary building façade and the street.

Surface parking lot screening shall be in accordance with the FIC Design Guidelines, Chapter 5: Parking.

Where feasible, parking structures should be incorporated into the existing topography to minimize visual impact on surrounding uses. See also section 2.3 Streets.

4.1 DISTRICT PARKING STRATEGY

An off-street, district parking strategy is encouraged to take advantage of potential shared parking strategies based upon peak parking demands for various uses and possible reductions due to transit usage. District parking, off-street parking and parking structure criteria are provided in FIC Design Guidelines.

4.2 MINIMUM / MAXIMUM SUPPLY REQUIREMENTS UPON COMMENCEMENT OF RAIL TRANSIT SERVICE

The parking requirements table sets forth parking supply requirements for general categories of land use once the rail transit is operational. The intent of parking maximums (rather than minimums) is to allow projects to tailor parking to their specific uses, while encouraging site-wide development density. Parking requirements for site plan submittals will be reviewed on a case-by-case basis to ensure that an adequate parking plan is provided. These are generalized categories reflective of the use table, and not inclusive of all uses.

TABLE 5: PARKING REQUIREMENTS WITHIN THE GDP

All Sub Areas	All Sub Areas 6
Retail & Personal Service Uses	4.0 spaces/1,000 gfa maximum [1, 2]
Restaurant	10.0 spaces/1,000 gfa maximum [1, 2]
Office	4.0 spaces/1,000 gfa maximum [1, 2]
Industrial/Light manufacturing	2.0 space/1,000 gfa maximum [1, 2]
Multi Family Residential	0.25 space/dwelling unit minimum [1,2,5,8]
Single Family Attached	0.5 space/dwelling unit minimum [1,2,5,8]

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1. Maximum parking limits may be exceeded where the parking supply over the maximum is located within a parking structure.
2. A waiver to exceed parking maximums must be approved be FRA and Planning Director.
3. Scooter/motorcycle parking will be allowed to count towards parking requirements at a ratio of three scooter/motorcycle spaces to one automobile space. Scooter/motorcycle parking shall not account for more than 10% of parking requirements.
4. Compact spaces should not exceed more than 10% of the total except by approval from FRA and the Planning Director.
5. Each project shall submit a site specific parking plan that aligns with the overall Fitzsimons Innovation Community parking strategy.
6. Section 146-1509 does not apply to this GDP.
7. Parking ratios may be lowered 25% if car share programs are implemented on campus.
8. City enforcement subject to HB24-1304

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4.3 ON-STREET AND SHARED PUBLIC PARKING

FRA may opt to manage on-street parking (and/or certain off-street facilities) for streets owned by the FRA as a shared parking resource allowing for more efficient use of land and parking infrastructure. Under this scenario, publicly available parking would be managed with a combination of time limits, permit parking programs, and/or parking meters to encourage turn-over of the most convenient spaces for customers and visitors. For streets dedicated to the City of Aurora, the Metro District will manage on-street parking (and/or certain off-street facilities).

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As an alternative, FRA may enter into an intergovernmental agreement (IGA) with the City of Aurora where the City's Parking and Mobility Enterprise would assist with technology procurement, implementation, enforcement, and maintenance for publicly available on-street spaces and/or selected publicly available off-street facilities. Parking should be located within one city block of the building being served.

Publicly available on-street or off-street parking resources will not be under the control of any individual private parcel or project, but may be utilized to count towards parking calculations for individual site plan submittals in accordance with the District Parking Strategy and at the discretion of FRA, DRB and the Planning Director.

4.4 BICYCLE PARKING

Bicycle parking shall be provided per City of Aurora Code.

EXHIBIT C

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY

Location
AURORA, COLORADO

Consultants:

Applicant
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Aurora, CO
t. (720) 859.4100

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Drawn: R.S.
Checked: K.D.F.

GENERAL DEVELOPMENT CRITERIA

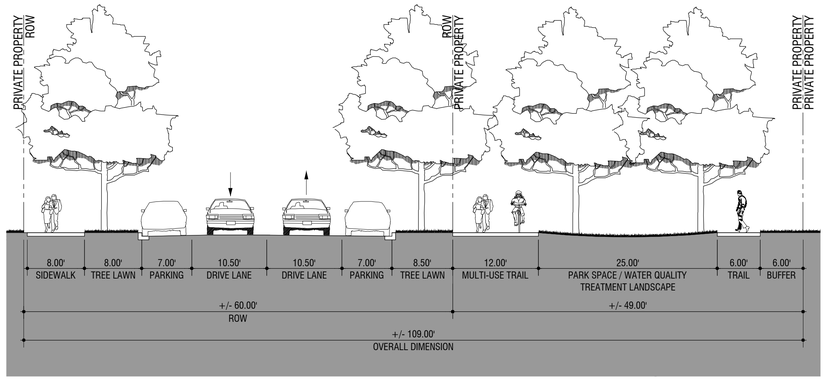
SHEET 12 OF 23

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

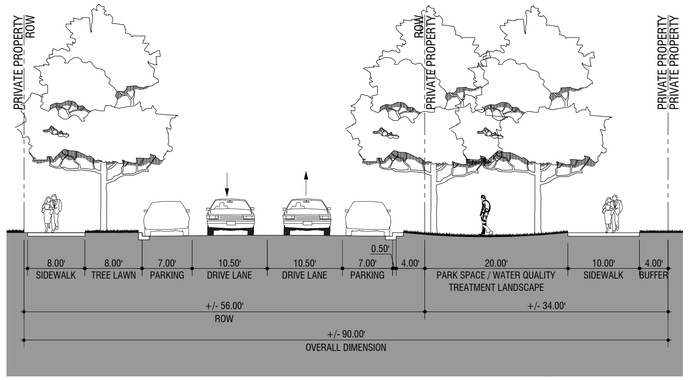
GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO



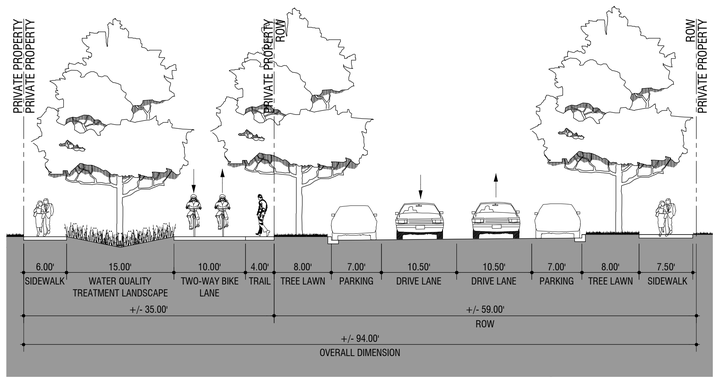
A. 25TH AVE / TYP. MID-BLOCK SECTION ::

Two travel lanes with off-street sidewalks / On-street parking both sides
*see notes 1,2, and 3 on this sheet.



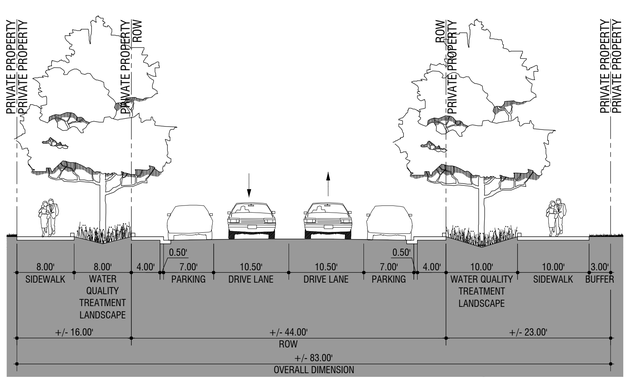
B. 24TH AVE / TYP. MID-BLOCK SECTION ::

Two travel lanes with off-street multi-use trail / On-street parking both sides
*see notes 1,2, and 3 on this sheet.



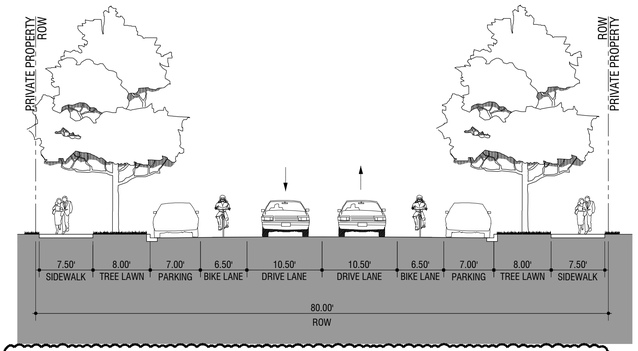
C. RACINE STREET SECTION / TYPICAL MID-BLOCK SECTION ::

Two travel lanes with off-street bike path and sidewalks/ On-street parking both sides
*see notes 1,2, and 3 on this sheet.



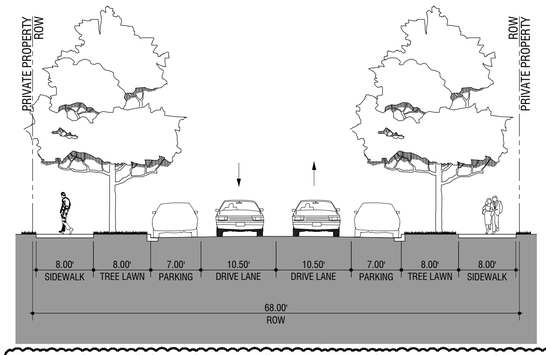
D. QUENTIN STREET SECTION / TYPICAL MID-BLOCK SECTION ::

Two travel lanes / On-street parking both sides
*see notes 1,2, and 3 on this sheet.



E. TYPICAL COLLECTOR STREETS (E 23RD AVE)::

Two travel lanes with on-street bike lanes / On-street parking both sides
* see notes 1,2 and 3 on this sheet.

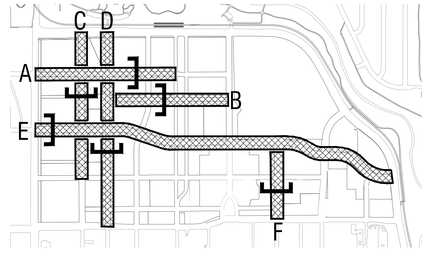


F. TYPICAL LOCAL STREETS (REVERE ST, UVALDA ST, E 21ST AVE, E 22ND AVE)::

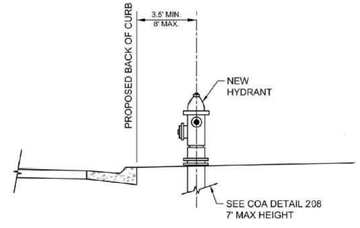
Two lane street minimum / On-street parking both sides
*see notes 1,2, and 3 on this sheet.

NOTES ::

1. All street sections are conceptual. Final design and lane configuration are subject to future traffic study.
2. All streets shall provide a 26 foot wide clear zone every 150 linear feet for fire trucks. Reference City of Aurora Roadway Design Manual Detail S23.1. Typical.
3. R.O.W. will be made available at the time of site plan submittal to allow for necessary turn lanes as indicated by the City of Aurora Traffic Study for the Fitzsimons Innovation Community.
4. At the time of this GDP submittal, Montview Boulevard is under design process, this GDP will be amended through a Minor Amendment process to include the preferred street cross section.



Key map



TYPICAL FIRE HYDRANT PLACEMENT

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY

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Drawn:	R.S.
Checked:	K.D.F.

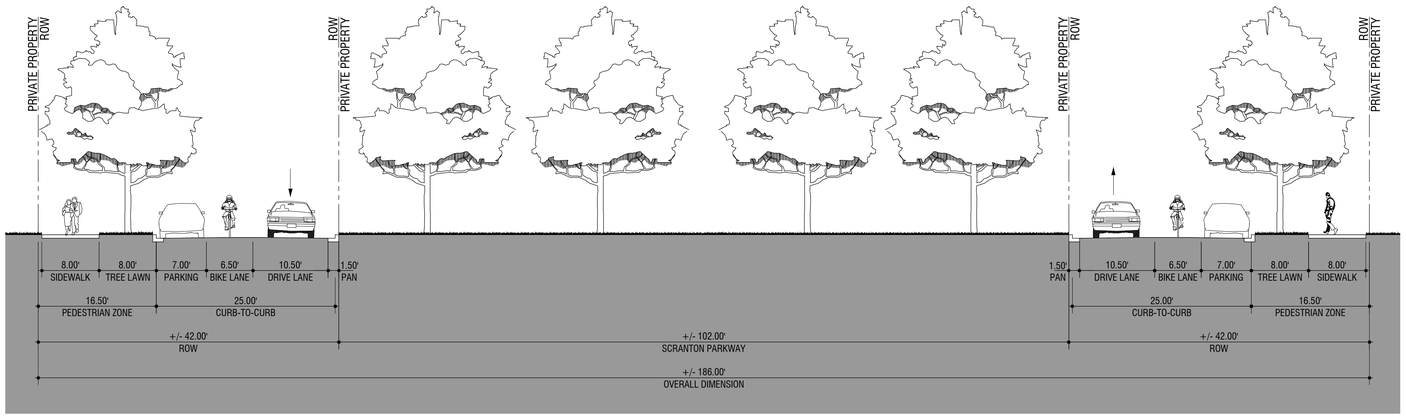
STREET SECTIONS

SHEET 13 OF 23

FITZSIMONS INNOVATION COMMUNITY

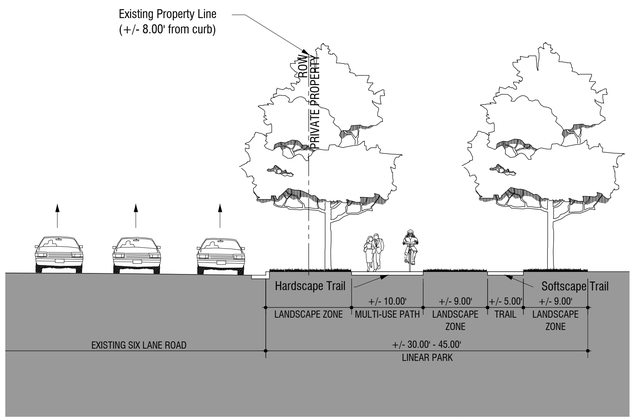
GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO



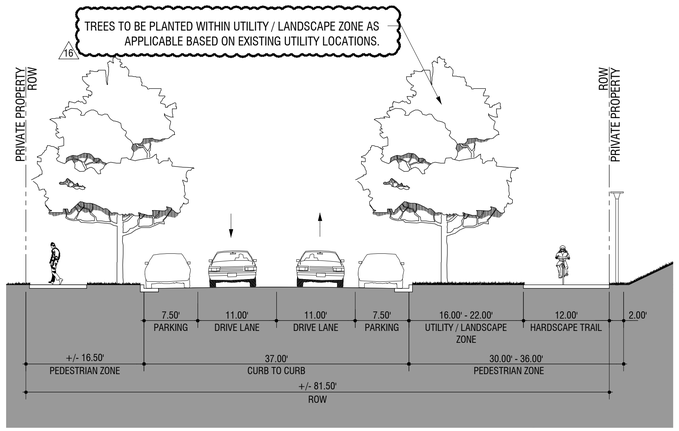
G. SCRANTON PARKWAY / TYPICAL MID-BLOCK ::

Each side: One travel lane / One parking lane / Bicycle lane
* see notes 1,2 and 3 on this sheet.



H. PEORIA MULTI-USE PATH ::

Multl-use path envisioned as 10 feet hard-scape and 5 feet soft surface trail.
Linear Park width may vary depending upon adjacent land uses, see FIC Design Guidelines.
* see notes 1,2 and 3 on this sheet.

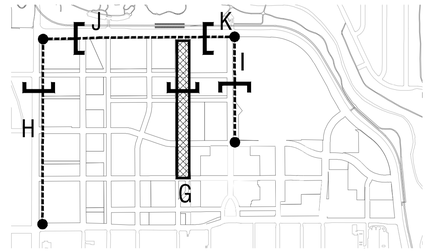


I. URSULA STREET / TYPICAL MID-BLOCK SECTION ::

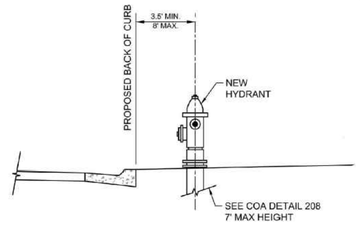
Two travel lanes with off-street multi-use path / On-street parking both sides
*see notes 1,2, and 3 on this sheet.

NOTES ::

1. All street sections are conceptual. Final design and lane configuration are subject to future traffic study and design guidelines.
2. All streets shall provide a 26 foot wide clear zone every 150 linear feet for fire trucks. Reference City of Aurora Roadway Design Manual Detail S23.1. Typical.
3. R.O.W. will be made available at the time of site plan submittal to allow for necessary turn lanes as indicated by the City of Aurora Traffic Study for the Fitzsimons Innovation Community.



Key map



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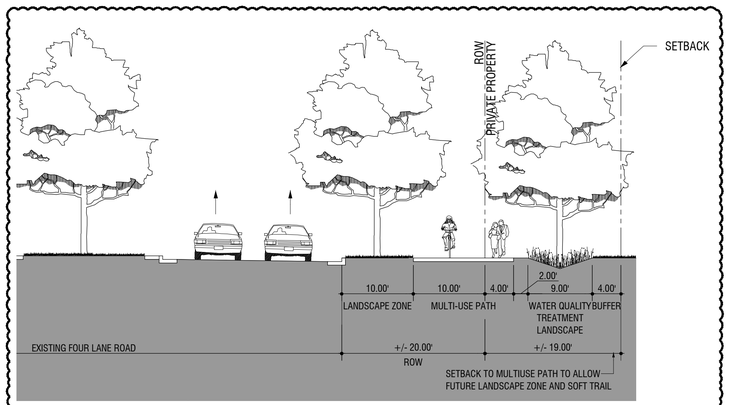
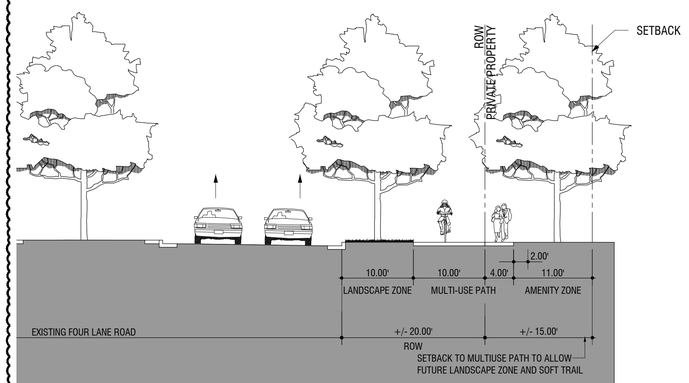


J. FITZSIMONS MULTI-USE PATH (WEST OF SCRANTON PKWY) ::

Multl-use path envisioned as 10 feet hard-scape and 4 feet soft surface trail.
* see notes 1,2 and 3 on this sheet.



K. FITZSIMONS MULTI-USE PATH (EAST OF SCRANTON PKWY) ::

Multl-use path envisioned as 10 feet hard-scape and 4 feet soft surface trail.
* see notes 1,2 and 3 on this sheet.

EXHIBIT C

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Drawn: R.S.
Checked: K.D.F.

STREET SECTIONS

SHEET 14 OF 23

FITZSIMONS INNOVATION COMMUNITY

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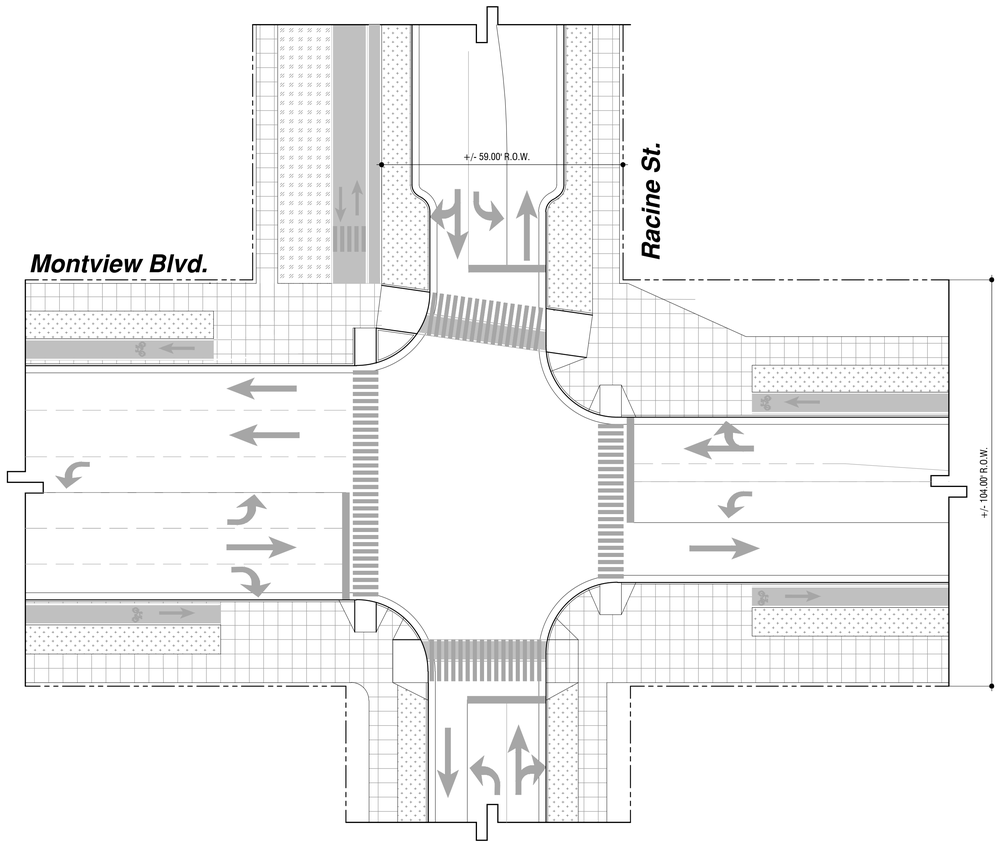
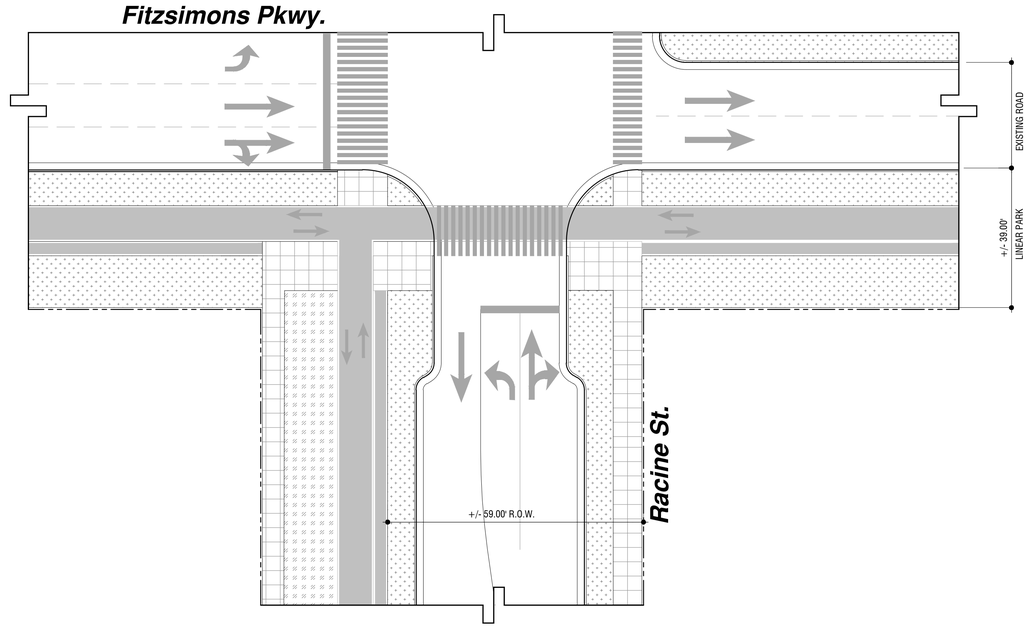


A. CONCEPTUAL MONTVIEW BLVD. AND RACINE STREET INTERSECTION ::

*see notes 1,2, and 3 on this sheet.

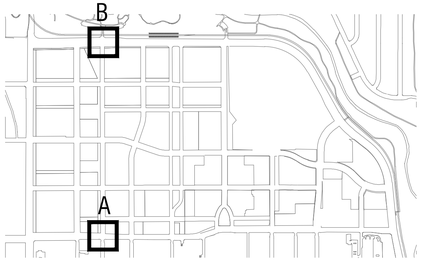


B. CONCEPTUAL FITZSIMONS AND RACINE STREET INTERSECTION::

Typical two lanes street with turn lane at intersection / Bicycle lanes at multi-use path along Peoria and Fitzsimons
*see notes 1,2, and 3 on this sheet.

LEGEND ::

- PEDESTRIAN ZONE
- LANDSCAPE OR AMENITY ZONE
- PARK SPACE
- BICYCLE LANE



Key map

NOTES ::

1. All street sections are conceptual and prioritize pedestrian movements at intersections. Final design and lane configuration are subject to future traffic study.
2. All streets shall provide a 26 foot wide clear zone every 150 linear feet for fire trucks. Reference City of Aurora Roadway Design Manual Detail S23.1. Typical.
3. R.O.W. will be made available at the time of site plan submittal to allow for necessary turn lanes as indicated by the City of Aurora Traffic Study for the Fitzsimons Innovation Community.
4. Intersections shall meet requirements from Detail 14.3 for Urban Intersections.

16

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STREET INTERSECTIONS

SHEET 15 OF 23

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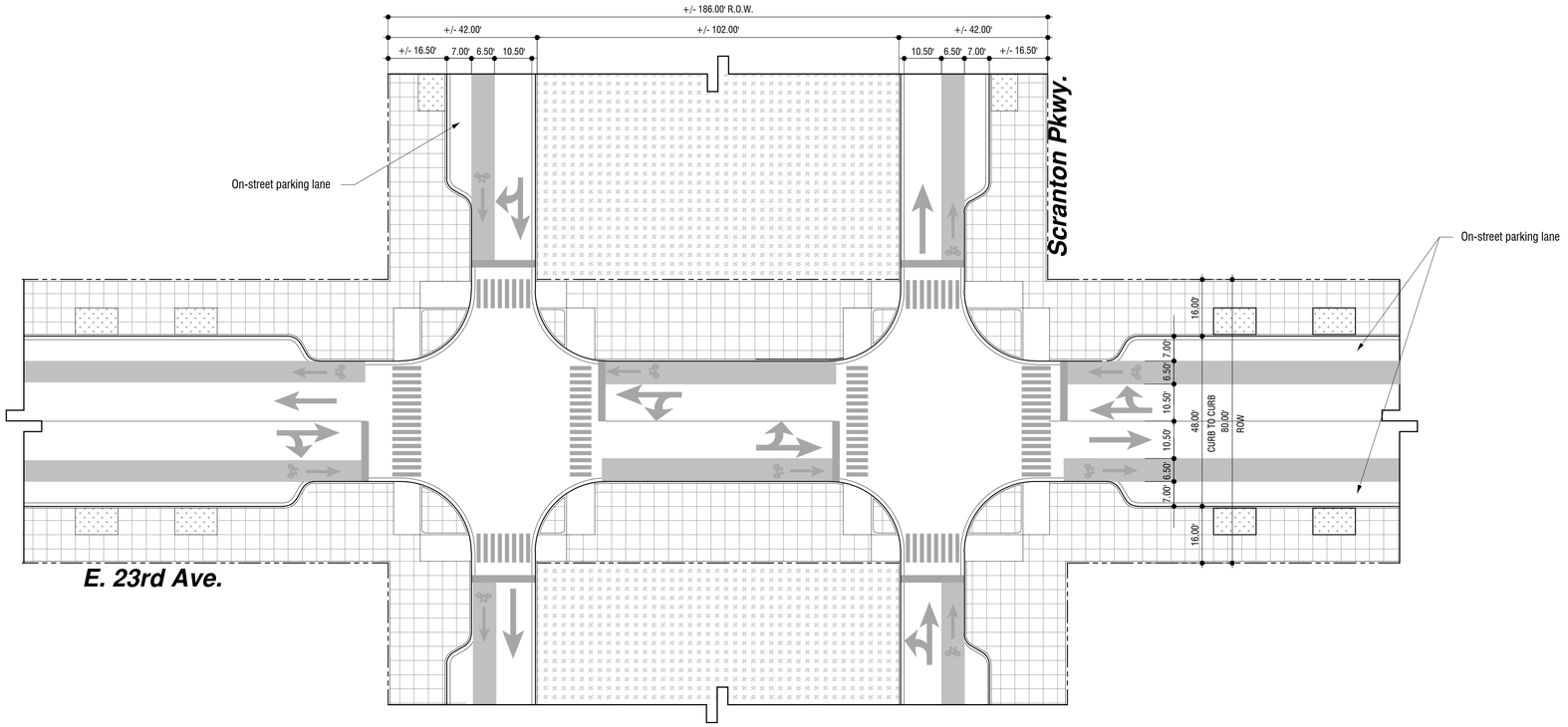
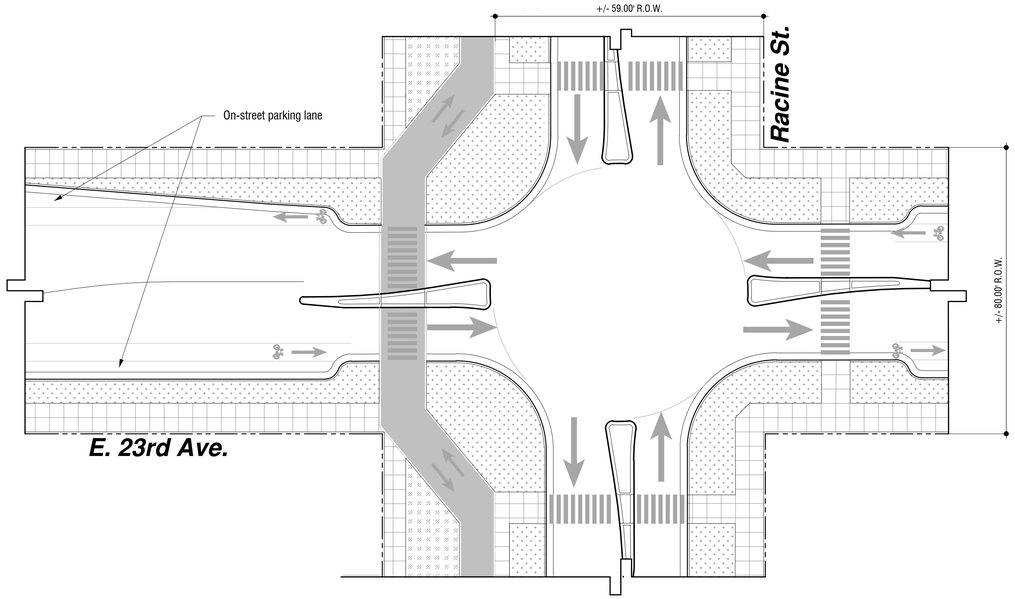


C. CONCEPTUAL E. 23RD AND SCRANTON PARKWAY INTERSECTION ::

*see notes 1,2, and 3 on this sheet.



D. CONCEPTUAL E. 23RD AND RACINE STREET INTERSECTION WITH TURN LANE ::

Typical two lane street with roundabout at intersection / Bicycle lanes / off-street bike path
If turn lanes are not necessary, curb extensions should be used to decrease crossing distances.
*see notes 1,2, and 3 on this sheet.

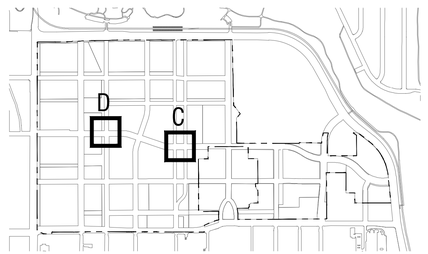
LEGEND ::

- PEDESTRIAN ZONE
- LANDSCAPE OR AMENITY ZONE
- PARK SPACE
- BICYCLE LANE

NOTE ::

1. All street intersections are conceptual and prioritize pedestrian movements at intersections. Final design and lane configuration are subject to future traffic study.
2. All streets shall provide a 26 foot wide clear zone every 150 linear feet for fire trucks. Reference City of Aurora Roadway Design Manual Detail S23.1, Typical.
3. R.O.W. will be made available at the time of site plan submittal to allow for necessary turn lanes as indicated by the City of Aurora Traffic Study for the Fitzsimons Innovation Community.
4. Intersections shall meet requirements from Detail 14.3 for Urban Intersections.

16



Key map

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY

Location
AURORA, COLORADO

Consultants:

Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
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t. (303) 572.0200

Traffic Engineer
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Proj. #: 2328
Drawn: R.S.
Checked: K.D.F.

STREET INTERSECTIONS

SHEET 16 OF 23

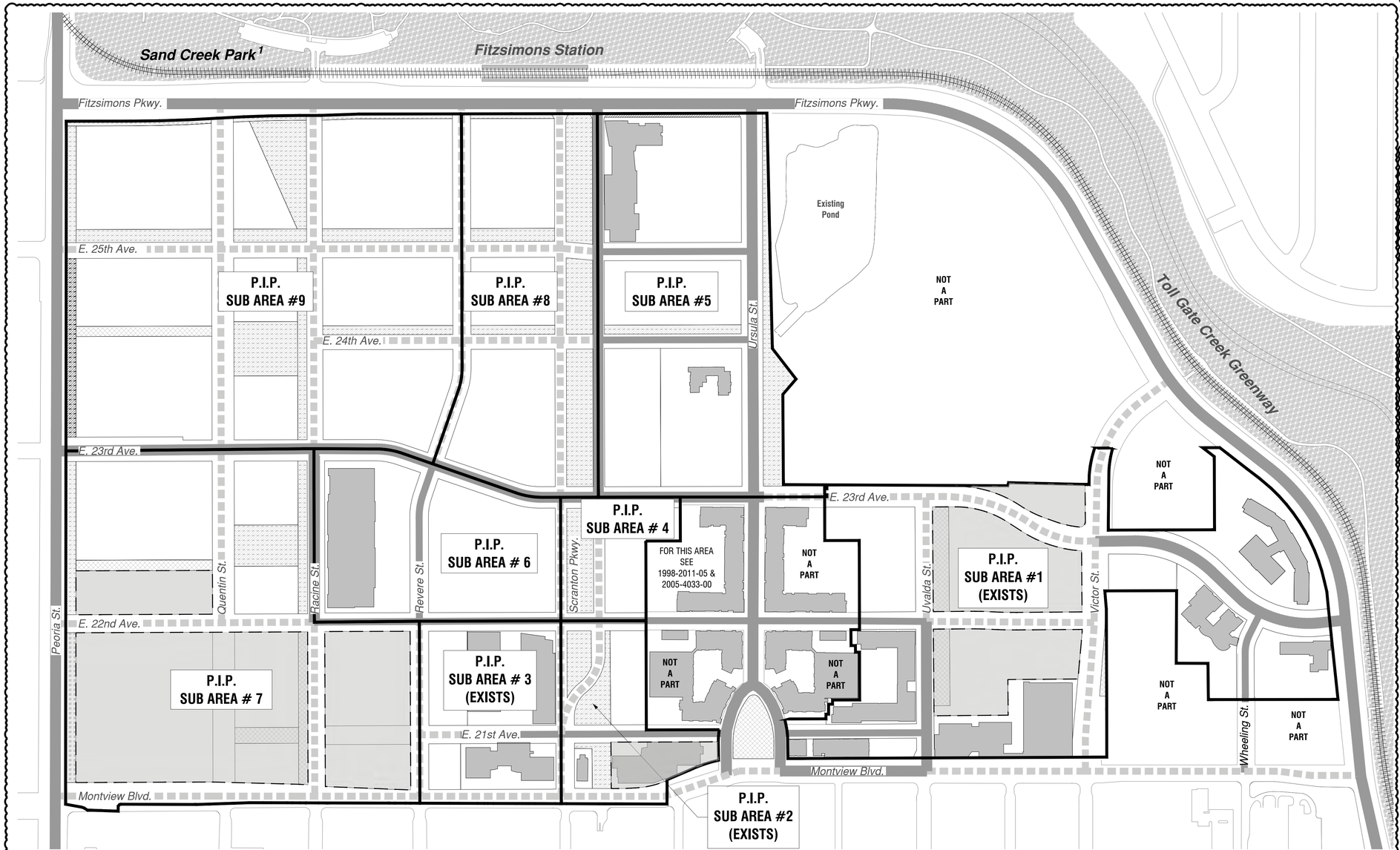
16

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO



LEGEND ::

- GDP Boundary
- LIGHT-RAIL TRACK
- P.I.P. AREA'S BOUNDARY
- CU OWNED PROPERTY
- EXISTING PARK SPACE
- FUTURE PARK SPACE
- INELIGIBLE PARK SPACE
- REGIONAL OPEN SPACE
- EXISTING PRIMARY STREETS
- EXISTING SECONDARY STREETS
- FUTURE PRIMARY STREETS
- FUTURE SECONDARY STREETS

NOTE ::

1. Improvements to Sand Creek Park and Confluence Park will be coordinated with the City of Aurora through an IGA, which will outline the roles and responsibilities of each party, including planned improvements and the allocation of funding. Timing of improvements to be coordinated with the development of residential units that exceed the amount accommodated by the on site park network.

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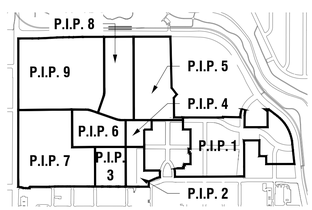
0 300 600



P.I.P. SUB AREA KEY DIAGRAM

Concurrent with the submission of a Site Plan within each of the nine P.I.P. sub-areas, a public improvements plan outlining the triggers for required public improvements serving the development parcel will be approved as part of the Site Plan review process, in coordination with the PIP Area Enlargement Public Improvement Narratives (Sheet 18 - 20). Traffic and engineering will be updated, as reasonably determined to be necessary by the Aurora Public Works Director, and shall be included with each public improvements plan.

16

P.I.P 1, 2 and 3 currently exist and are likely to incur development in the near term. The remainder of the sub-areas are designated in order of likely development potential given existing site constraints and development strategy, however, this does not represent a phasing plan.

Due to existing army mortgage encumbering sub- areas 4, 5, 6, 7, 8 as well as the land sale and subsequent land swap agreement with University of Colorado. It is difficult to determine phasing and triggers for all 184 acres.

Site plan submittals for P.I.P 2 shall trigger construction of Scranton Parkway between E. 22nd Avenue and Montview Boulevard, and construction of E. 21st Avenue between Revere Street and Ursula Street.

Site plan submittals for P.I.P 4 shall trigger construction of Scranton Parkway between E. 22nd Avenue and E. 23rd Avenue, and construction of E. 22nd Avenue between Scranton Parkway and Ursula Street.

Site plan submittal for P.I.P 5 shall trigger design and construction of Scranton Parkway between E. 23rd Avenue and Fitzsimons Parkway, and Ursula Street between E. 23rd Avenue and Fitzsimons Parkway.

16

Portions of Scranton Parkway are included in P.I.P. sub-area 2, 4 and 8 to allow park space to be developed concurrently with residential development.

FRA/Metro District is responsible for constructing Primary Streets and related infrastructure including storm sewer, sanitary sewers, water and pedestrian zones.

FRA/Metro District is responsible for constructing Parks as identified in this plan. Park construction will be coordinated to serve associated vertical development.

16

Expansion of the existing pond located to the northeast of the GDP area will be coordinated with development per the Drainage Plan (Sheet 22) and IMP. Funding will be per the IGA. For sites that cannot connect to the existing pond within Major Drainage Basin D due to basin drainage constraints, individual developers will be able to connect to private water quality treatment sites dedicated within the street section or shall be responsible for their own on-site water quality treatment and detention. If multiple development proposals occur simultaneously, shared water quality and detention is encouraged. Aurora Water has proceeded with plans in partnership with the FRA to install a storm water pipe along Racine Street, as part of a public-private partnership to create a combined stormwater system within Major Drainage Basin D of the site.

Individual project developments will be responsible for landscape located within build-to zones. See Design Guidelines for requirements.

Public art guidelines are included in the FIC Design Guidelines. A subsequent, site wide public art plan will be created with input from City of Aurora and administered by the FRA. A public art plan will be created as a minor amendment in coordination with C.O.A. Public Art Planner.

The FRA will work with City to create a campus wide parking strategy and management program. When complete, the Parking Strategy and Management Program will be included in an updated IGA between the City of Aurora and Colorado Science and Technology Park Metropolitan District No. 1

R.O.W. will be made available at the time of site plan submittal to allow for necessary turn lanes as indicated by the City of Aurora Traffic Study for the Fitzsimons Innovation Community.

Refer to the I.G.A. for maintenance responsibility for public streets, parks and bicycle facilities.

Site plan submittals within each P.I.P. Sub Area shall include a TDM Compliance memorandum summarizing implemented TDM strategies (Reference MTIS Appendix H: TDM Reductions dated 04/09/2025) and expected reductions. Before full development of any phase in alignment with MTIS, trip generation shall be reassessed with the City of Aurora to determine if additional TDM or mitigation measures are needed to support planned density. If additional traffic reduction measures are required, future development must meet adjusted TDM measures to fulfill acceptable traffic performance standards.

16

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1620 Logan Street
Denver, Colorado 80203
303.831.4010

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Drawn:	R.S.
Checked:	K.D.F.

PUBLIC IMPROVEMENTS PLAN

SHEET 17 OF 23

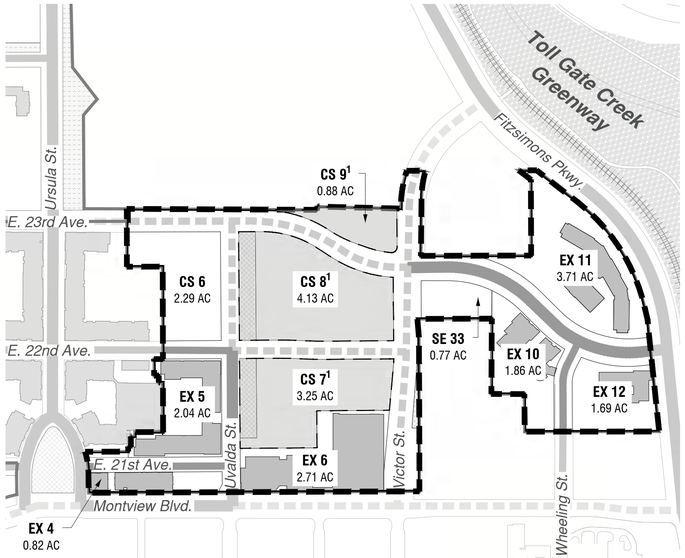
EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

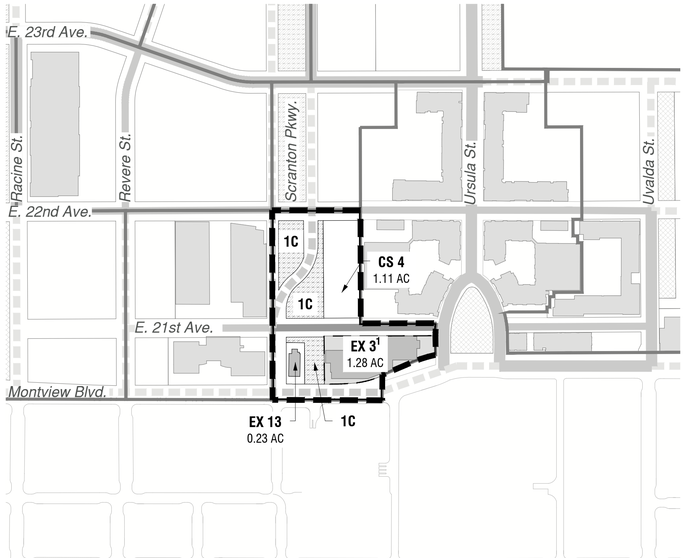
GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

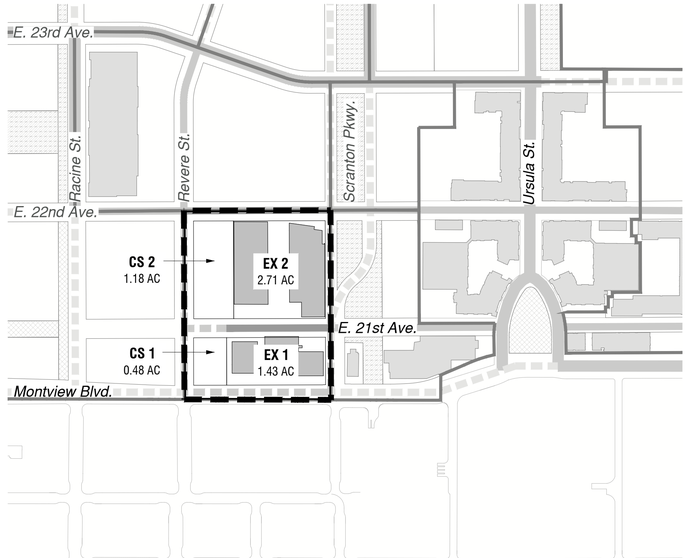
PUBLIC IMPROVEMENT AREA 1



PUBLIC IMPROVEMENT AREA 2



PUBLIC IMPROVEMENT AREA 3



PUBLIC IMPROVEMENT NARRATIVE

EX 4: N/A

EX 5: N/A

CS 6: CONSTRUCT UVALDA STREET FROM 22ND AVENUE TO 23RD AVENUE, AND CONSTRUCT 23RD AVENUE FROM URSULA STREET TO VICTOR STREET.

EX 6: N/A

CS 7[1]: UNIVERSITY PROPERTY.

CS 8[1]: UNIVERSITY PROPERTY.

CS 9[1]: UNIVERSITY PROPERTY.

SE 33: CONSTRUCT VICTOR STREET FROM MONTVIEW BOULEVARD TO FITZSIMONS PARKWAY.

EX 10: N/A

EX 11: N/A

EX 12: N/A

PUBLIC IMPROVEMENT NARRATIVE

EX 3[1]: N/A

CS 4: CONSTRUCT SCRANTON PARKWAY FROM 22ND AVENUE TO MONTVIEW BOULEVARD. CONSTRUCT PARK SPACE 1C. SCRANTON PARKWAY CONSTRUCTION TO BE TRIGGERED BY WHICHEVER IS FIRST: DEVELOPMENT OF CS 4 PARCEL OR THE CITY OF AURORA MONTVIEW BOULEVARD CONSTRUCTION PROJECT.

EX 13: N/A

PUBLIC IMPROVEMENT NARRATIVE

EX 1: N/A

EX 2: N/A

CS 1: EXTEND 21ST AVENUE TO REVERE STREET, AND CONSTRUCT REVERE STREET FROM MONTVIEW BOULEVARD TO 21ST AVENUE.

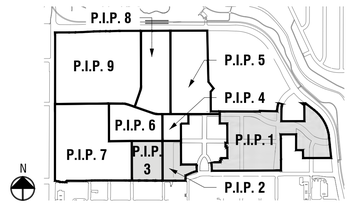
CS 2: EXTEND 21ST AVENUE TO REVERE STREET, AND CONSTRUCT REVERE STREET FROM MONTVIEW BOULEVARD TO 22ND AVENUE.

LEGEND ::

- GDP Boundary
- LIGHT-RAIL TRACK
- P.I.P. AREA'S BOUNDARY
- CU OWNED PROPERTY
- EXISTING PARK SPACE
- FUTURE PARK SPACE
- INELIGIBLE PARK SPACE
- REGIONAL OPEN SPACE
- EXISTING PRIMARY STREETS
- EXISTING SECONDARY STREETS
- FUTURE PRIMARY STREETS
- FUTURE SECONDARY STREETS

NOTE ::

1. Parcels owned by the University of Colorado; may or may not be developed in compliance with the GDP.
2. Each planning area shall have two distinct points of access into the planning area and sufficient roadways to assure emergency vehicle access as required by Fire Life Safety.



P.I.P. SUB AREA KEY DIAGRAM

18

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

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Location
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Checked:	K.D.F.

P.I.P. SUB AREA ENLARGEMENT PLANS

SHEET 18 OF 23

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
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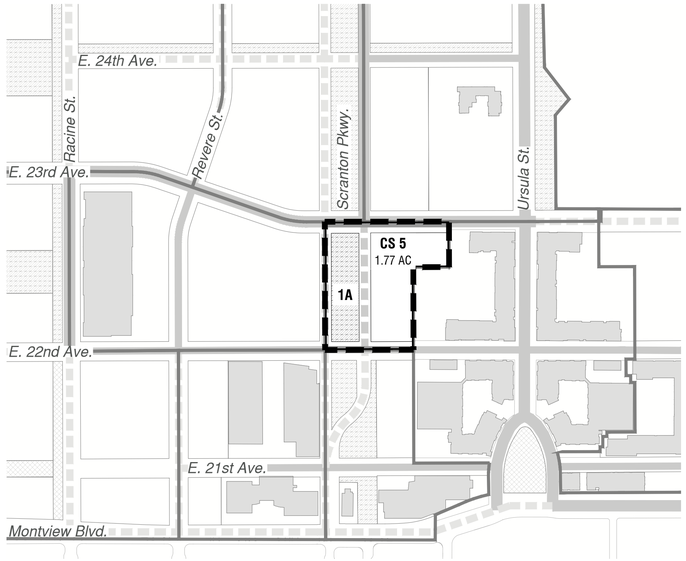
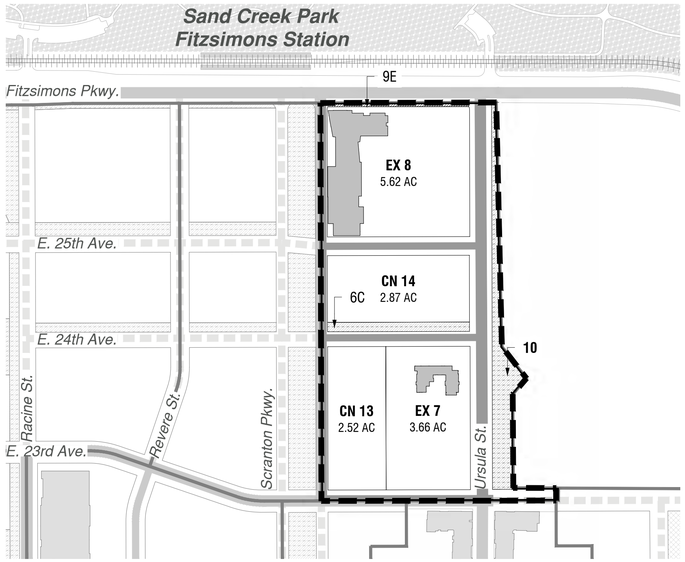
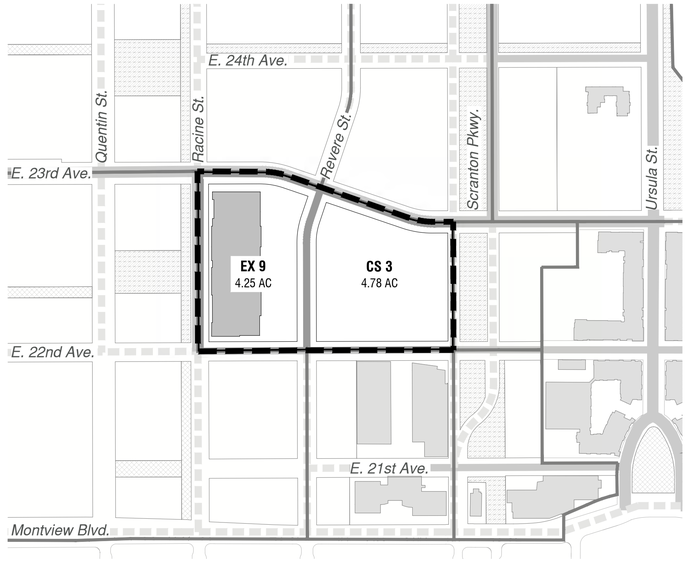
PUBLIC IMPROVEMENT AREA 4



PUBLIC IMPROVEMENT AREA 5



PUBLIC IMPROVEMENT AREA 6



PUBLIC IMPROVEMENT NARRATIVE

CS 5: CONSTRUCT SCRANTON PARKWAY FROM 22ND AVENUE TO 23RD AVENUE AND CONSTRUCT 22ND AVENUE FROM SCRANTON PARKWAY TO URSULA STREET. CONSTRUCT PARK SPACE 1A.

PUBLIC IMPROVEMENT NARRATIVE

CN 13: N/A

CN 14: CONSTRUCT PARK SPACE 6C, AND CONSTRUCT PARK SPACE 10. IF WARRANTED, THE SIGNALIZED INTERSECTION AT URSULA STREET AND FITZSIMONS PARKWAY SHALL BE CONSTRUCTED TO FACILITATE PEDESTRIAN ACCESS TO SAND CREEK PARK.

EX 7: N/A

EX 8: N/A

PUBLIC IMPROVEMENT NARRATIVE

CS 3[1]: CONSTRUCT SCRANTON PARKWAY FROM 22ND AVENUE TO 23RD AVENUE.

EX 9: N/A

LEGEND ::

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- LIGHT-RAIL TRACK
- P.I.P. AREA'S BOUNDARY
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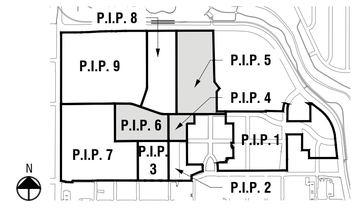
- FUTURE PARK SPACE
- INELIGIBLE PARK SPACE
- REGIONAL OPEN SPACE
- EXISTING PRIMARY STREETS
- EXISTING SECONDARY STREETS
- FUTURE PRIMARY STREETS
- FUTURE SECONDARY STREETS

NOTE ::

1. The second site plan submittal for Parcel CS 3 triggers requirement to construct Scranton Parkway from 22nd Avenue to 23rd Avenue.
2. Each planning area shall have two distinct points of access into the planning area and sufficient roadways to assure emergency vehicle access as required by Fire Life Safety.



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Checked:	K.D.F.

P.I.P. SUB AREA ENLARGEMENT PLANS

SHEET 19 OF 23

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
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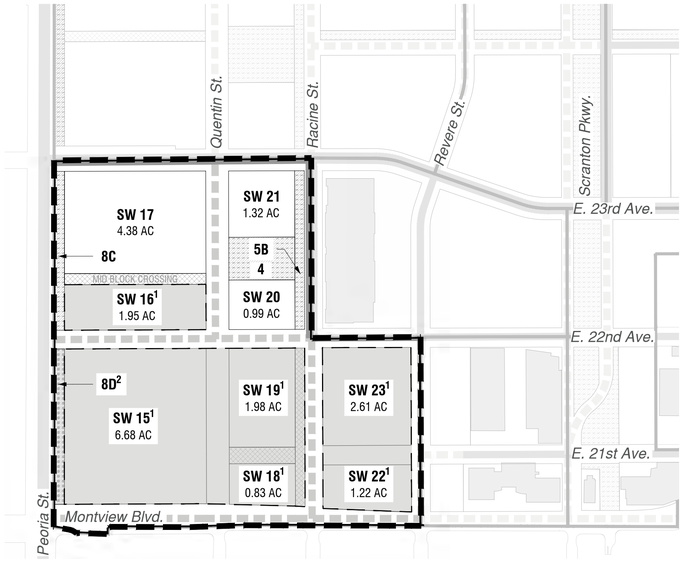
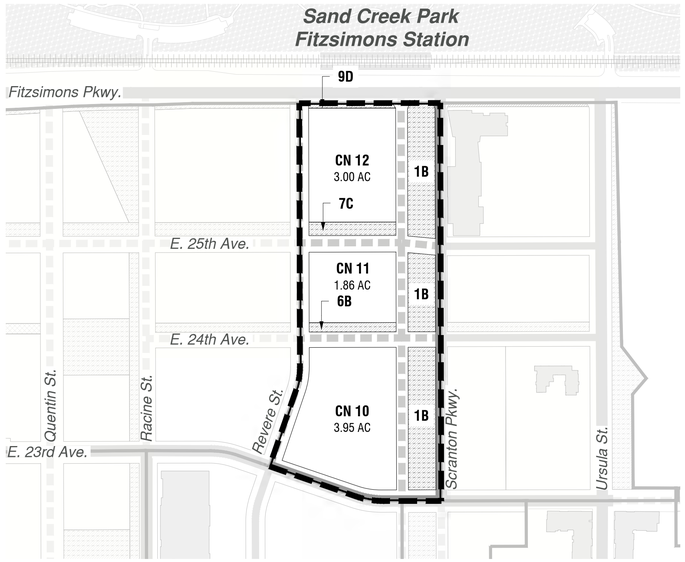
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

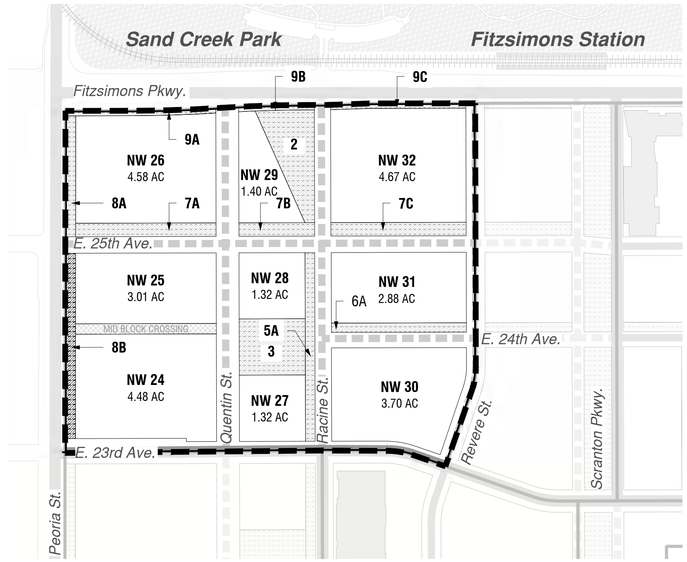
PUBLIC IMPROVEMENT AREA 7



PUBLIC IMPROVEMENT AREA 8



PUBLIC IMPROVEMENT AREA 9



PUBLIC IMPROVEMENT NARRATIVE

SW 15[1]: UNIVERSITY PROPERTY.

SW 16[1]: UNIVERSITY PROPERTY.

SW 17: CONSTRUCT QUENTIN STREET FROM 22ND AVENUE TO 23RD AVENUE, AND CONSTRUCT 22ND AVENUE FROM PEORIA STREET TO QUENTIN STREET. CONSTRUCT PARK SPACE 8C, AND MID BLOCK CROSSING.

SW 18[1]: UNIVERSITY PROPERTY.

SW 19[1]: UNIVERSITY PROPERTY.

SW 20: CONSTRUCT QUENTIN STREET FROM 22ND AVENUE TO 23RD AVENUE, AND CONSTRUCT 22ND AVENUE FROM QUENTIN STREET TO RACINE STREET. CONSTRUCT PARK SPACE 4, AND PARK SPACE 5B.

SW 21: CONSTRUCT QUENTIN STREET FROM 22ND AVENUE TO 23RD AVENUE, AND CONSTRUCT 22ND AVENUE FROM QUENTIN STREET TO RACINE STREET. CONSTRUCT PARK SPACE 4, AND PARK SPACE 5B.

SW 22[1]: UNIVERSITY PROPERTY.

SW 23[1]: UNIVERSITY PROPERTY.

PUBLIC IMPROVEMENT NARRATIVE

CN 10: CONSTRUCT REVERE STREET FROM 23RD AVENUE TO 24TH AVENUE, CONSTRUCT SCRANTON PARKWAY FROM 23RD AVENUE TO 24TH AVENUE, AND CONSTRUCT 24TH AVENUE FROM REVERE STREET TO EAST SIDE OF SCRANTON PARKWAY. CONSTRUCT PARK SPACE 1B FROM 23RD AVENUE AND 24TH AVENUE, AND PARK SPACE 6B.

CN 11: CONSTRUCT REVERE STREET FROM 24TH AVENUE TO 25TH AVENUE, CONSTRUCT SCRANTON PARKWAY FROM 24TH AVENUE TO 25TH AVENUE, CONSTRUCT 24TH AVENUE FROM REVERE STREET TO EAST SIDE OF SCRANTON PARKWAY, AND CONSTRUCT 25TH AVENUE FROM REVERE STREET TO EAST SIDE OF SCRANTON PARKWAY. CONSTRUCT PARK SPACE 1B FROM 24TH AVENUE TO 25TH AVENUE, PARK SPACE 6B, AND PARK SPACE 7C.

CN 12: CONSTRUCT REVERE STREET FROM 25TH AVENUE AVENUE TO FITZSIMONS PARKWAY, CONSTRUCT SCRANTON PARKWAY 25TH AVENUE TO FITZSIMONS PARKWAY, AND CONSTRUCT 25TH AVENUE FROM REVERE STREET TO EAST SIDE OF SCRANTON PARKWAY. CONSTRUCT PARK SPACE 1B FROM 25TH AVENUE TO FITZSIMONS PARKWAY, PARK SPACE 7C, AND PARK SPACE 9D.

PUBLIC IMPROVEMENT NARRATIVE

NW 24: CONSTRUCT QUENTIN STREET FROM 23RD AVENUE TO 25TH AVENUE, AND CONSTRUCT 25TH AVENUE FROM PEORIA STREET TO QUENTIN STREET. CONSTRUCT PARK SPACE 7A, PARK SPACE 8B AND MID BLOCK CROSSING.

NW 25: CONSTRUCT QUENTIN STREET FROM 23RD AVENUE TO 25TH AVENUE, AND CONSTRUCT 25TH AVENUE FROM PEORIA STREET TO QUENTIN STREET. CONSTRUCT PARK SPACE 7A, PARK SPACE 8B AND MID BLOCK CROSSING.

NW 26: CONSTRUCT QUENTIN STREET FROM 25TH AVENUE TO FITZSIMONS PARKWAY, AND CONSTRUCT 25TH AVENUE FROM PEORIA STREET TO QUENTIN STREET. CONSTRUCT PARK SPACE 7A, PARK SPACE 8A, AND PARK SPACE 9A.

NW 27: CONSTRUCT QUENTIN STREET FROM 23RD AVENUE TO 25TH AVENUE, CONSTRUCT RACINE STREET FROM 23RD AVENUE TO 25TH AVENUE, AND CONSTRUCT 25TH AVENUE FROM QUENTIN STREET TO RACINE STREET. CONSTRUCT PARK SPACE 3, PARK SPACE 5A, AND PARK SPACE 7B.

NW 28: CONSTRUCT QUENTIN STREET FROM 23RD AVENUE TO 25TH AVENUE, CONSTRUCT RACINE STREET FROM 23RD AVENUE TO 25TH AVENUE, AND CONSTRUCT 25TH AVENUE FROM QUENTIN STREET TO RACINE STREET. CONSTRUCT PARK SPACE 3, PARK SPACE 5A, AND PARK SPACE 7B.

NW 29: CONSTRUCT QUENTIN STREET FROM 25TH AVENUE TO FITZSIMONS PARKWAY, CONSTRUCT RACINE STREET FROM 25TH AVENUE TO FITZSIMONS PARKWAY, AND CONSTRUCT 25TH AVENUE FROM QUENTIN STREET TO RACINE STREET. CONSTRUCT PARK SPACE 2, PARK SPACE 7B, AND PARK SPACE 9B.

NW 30: CONSTRUCT RACINE STREET FROM 23RD AVENUE TO 24TH AVENUE, CONSTRUCT REVERE STREET FROM 23RD AVENUE TO 24TH AVENUE, AND CONSTRUCT 24TH AVENUE FROM RACINE STREET TO REVERE STREET. CONSTRUCT PARK SPACE 5A, AND PARK SPACE 6A.

NW 31: CONSTRUCT RACINE STREET FROM 23RD AVENUE TO 25TH AVENUE, CONSTRUCT REVERE STREET FROM 24TH AVENUE TO 25TH AVENUE, CONSTRUCT 24TH AVENUE FROM RACINE STREET TO REVERE STREET, AND CONSTRUCT 25TH AVENUE FROM RACINE STREET TO REVERE STREET. CONSTRUCT PARK SPACE 5A, PARK SPACE 6A, AND PARK SPACE 7C.

NW 32: CONSTRUCT RACINE STREET FROM 25TH AVENUE TO FITZSIMONS PARKWAY, CONSTRUCT REVERE STREET FROM 25TH AVENUE TO FITZSIMONS PARKWAY, AND CONSTRUCT 25TH AVENUE FROM RACINE STREET TO REVERE STREET. CONSTRUCT PARK SPACE 2, PARK SPACE 7C, AND PARK SPACE 9C.

LEGEND ::

- GDP Boundary
- LIGHT-RAIL TRACK
- P.I.P. AREA'S BOUNDARY
- CU OWNED PROPERTY
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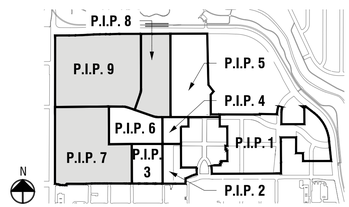
- INELIGIBLE PARK SPACE
- REGIONAL OPEN SPACE
- EXISTING PRIMARY STREETS
- EXISTING SECONDARY STREETS
- FUTURE PRIMARY STREETS
- FUTURE SECONDARY STREETS

NOTE ::

1. Parcels owned by the University of Colorado; may or may not be developed in compliance with the GDP.
2. Per land sale agreement covenants (Record Number: 2019000111349), Park Space 8D to be constructed per Urban Design Guidelines.
3. Each planning area shall have two distinct points of access into the planning area and sufficient roadways to assure emergency vehicle access as required by Fire Life Safety.



P.I.P. SUB AREA KEY DIAGRAM

16

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY

Location
AURORA, COLORADO

Consultants:

Applicant
Fitzsimons Redevelopment Authority
12635 E. Montview Blvd. Suite 100
Aurora, CO
t. (720) 859.4100

Civil Engineer
MATRIX Design Group
1601 Blake St. Suite 200
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t. (303) 572.0200

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Proj. #: 2328
Drawn: R.S.
Checked: K.D.F.

P.I.P. SUB AREA ENLARGEMENT PLANS

SHEET 20 OF 23

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

FORM J: PARKS, RECREATION AND OPEN SPACE MATRIX

Applicants: Use this form to record your final MP inventory of all parks, open space, and recreation facilities and the order in which they will be constructed. This form must be approved and signed by the Director of Parks, Recreation and Open Space prior to final approval of your MP. Form J should include line items for any landscaped medians along major arterials that are to be publicly maintained. Since medians cannot be counted toward park and open space land dedication requirements, columns C and D for such line items should be completed using "not applicable."

A. PLANNING AREA DESIGNATION (OR FEATURE IN AN AREA)	B. DESCRIPTION AND INVENTORY OF FACILITIES	C. TOTAL ACREAGE	D. PARKS DEPT. CREDITED ACREAGE	E. Designed, Constructed, Owned and Maintained	F. TRIGGER FOR EACH PHASE
1A: Scranton Park 22nd Ave to 23rd Ave	(1) Half Basketball Court +/- 4,500 SF Lawn [3]	0.91 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 4 [7]
1B: Scranton Park 23rd Ave to Fitzsimons Pkwy	(2) Picnic Shelters (1) Playground per PROS D&DC manual requirements [4] +/- 27,000 SF Lawn [3] (Can be split across blocks, one area to be at least 10,000 SF)	2.96 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 8 [7]
1C: Scranton Park 22nd Ave to Montview Blvd	(1) Picnic Shelter +/- 6,500 SF Lawn [3]	1.26 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 2 [7]
2: Gateway Park	(2) Pickleball Courts (1) Half Basketball Court (1) Tennis Court 1/4 AC Dog Park Multi-Use Path	1.14 AC	N/A	Colorado Science and Technology Park Metropolitan District	Whichever is First: PIP SUB AREA 9 [7] or 2,230 Units Approved [2]
3: Racine Park	(1) Picnic Shelter +/- 30,000 SF Lawn [3]	1.13 AC	N/A	Colorado Science and Technology Park Metropolitan District	Whichever is First: Parcel NW 27 or NW 28 Development or 2,680 Units Approved [2]
4: Racine Pocket Park	(1) Picnic Shelter (2) Permanent Game Activity Areas	0.86 AC	N/A	Colorado Science and Technology Park Metropolitan District	Whichever is First: Parcel SW 20 or SW 21 Development or 3,063 Units Approved [2]
5A: Racine Greenway 23rd Ave to 25th Ave	Water Quality Swale Seating and site furnishings Two-Way Bike Path Softscape Trail	0.55 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 9 [7]
5B: Racine Greenway 23rd Ave to 22nd Ave	Water Quality Swale Seating and site furnishings Two-Way Bike Path Softscape Trail	0.46 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 7 [7]
6A: 24th Linear Park Racine St to Revere St	Water Quality Areas Seating and site furnishings Multi-Use Path	0.38	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 9 [7]
6B: 24th Linear Park Revere St to Scranton Pkwy	(1) Picnic Shelter Seating and site furnishings Multi-Use Path	0.24 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 8 [7]
6C: 24th Linear Park Scranton Pkwy to Ursula St	Seating and site furnishings Multi-Use Path	0.40 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 5 [7]
7A: 25th Linear Park Peoria St to Quentin St	Water Quality Swale Seating and site furnishings Dual surface multi-use path	0.57 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 9 [7]
7B: 25th Linear Park Quentin St to Racine St	Water Quality Swale Seating and site furnishings Dual surface multi-use path	0.30 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 9 [7]
7C: 25th Linear Park Racine St to Revere St	Water Quality Swale Playground (Discovery Play Areas) [4,5] Seating and site furnishings Dual surface multi-use path	0.56 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 9 [7]
7D: 25th Linear Park Revere St to Scranton Pkwy	(1) Picnic Shelter Seating and site furnishings Dual surface multi-use path	0.36 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 8 [7]
8A: Peoria Linear Trail Fitzsimons Pkwy to 25th Ave	Seating and site furnishings Dual surface multi-use path Design to match 8B	0.37 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 9 [7]
8B: Peoria Linear Trail 25th Ave to 23rd Ave	Seating and site furnishings Dual surface multi-use path	0.58 AC	N/A	Colorado Science and Technology Park Metropolitan District	N/A - EXISTING
8C: Peoria Linear Trail 23rd Ave to 22nd Ave	Seating and site furnishings Dual surface multi-use path Design to match 8B	0.50 AC	N/A	Colorado Science and Technology Park Metropolitan District	PIP Sub Area 7 [7]
8D [6]: Peoria Linear Trail 22nd Ave to Montview Blvd	Seating and site furnishings Dual surface multi-use path Design to match 8B	0.49 AC	N/A	Colorado Science and Technology Park Metropolitan District	Parcel SW 15 Development

A. PLANNING AREA DESIGNATION (OR FEATURE IN AN AREA)	B. DESCRIPTION AND INVENTORY OF FACILITIES	C. TOTAL ACREAGE	D. PARKS DEPT. CREDITED ACREAGE	E. Designed, Constructed, Owned and Maintained	F. TRIGGER FOR EACH PHASE
9A: Fitzsimons Linear Park Peoria St to Quentin St	Water Quality Areas Seating and site furnishings Dual surface multi-use path Design to match 9E	0.23 AC	N/A	Colorado Science and Technology Park Metropolitan District	Whichever is First: Parcel NW 26 Development or PIP Sub Area 9 [7]
9B: Fitzsimons Linear Park Quentin St to Racine St	Water Quality Areas Seating and site furnishings Dual surface multi-use path Design to match 9E	0.11 AC	N/A	Colorado Science and Technology Park Metropolitan District	Whichever is First: Parcel NW 29 Development, PIP Sub Area 9 [7] or Park Space 2: Gateway Park Construction
9C: Fitzsimons Linear Park Racine St to Revere St	Water Quality Areas Seating and site furnishings Dual surface multi-use path Design to match 9E	0.20 AC	N/A	Colorado Science and Technology Park Metropolitan District	Parcel NW 32 Development
9D: Fitzsimons Linear Park Revere St to Scranton Pkwy	Seating and site furnishings Dual surface multi-use path Design to match 9E	0.13 AC	N/A	Colorado Science and Technology Park Metropolitan District	Parcel CN 12 Development
9E: Fitzsimons Linear Park Scranton Pkwy to Ursula St	Seating and site furnishings Dual surface multi-use path	0.16 AC	N/A	Colorado Science and Technology Park Metropolitan District	N/A - EXISTING
10: Ursula Linear Park	Seating and site furnishings Dual surface multi-use path Landscaping	0.46 AC	N/A	Colorado Science and Technology Park Metropolitan District	Whichever is First: PIP Area 5 [7] or 3,281 Units Approved [2]
Confluence Park / Sand Creek Park [8]	Those acceptable for neighborhood parks per PROS D&DC manual where final ownership goes to city.	Development of Confluence Park will receive approximately 4.3 AC. Remaining acreage due will be met by addition of amenities to Sand Creek Park.	N/A	Existing/Final ownership and maintenance by Aurora PROS. All construction by developer.	Whichever is First: The generation of TIF revenue sufficient to enable allocation of funds for park improvements, or the development of 5,195 Units Approved [2].

NOTE ::

1. Unit Threshold Calculated based off of Proposed Residential Units (7,266 Units) / Proposed Park Space (16.33 Acres) = 445 Units per 1 Acres

2. Approved: Construction acceptance of the park shall be required prior to the issuance of a Certificate of Occupancy (CO) for the unit(s) that meet the development threshold triggering park construction.

3. For park development credit, all informal playfields are required to be contiguous and a minimum of 4500 square feet in area with 2% maximum slopes. Trees and landscaping may only be at the perimeter for areas less than 10,000 square feet.

4. Two playgrounds are required with a minimum of 4000 square feet each and shall meet PROS D&DC manual requirements to receive park credit. One playground may be divided into discovery zones with a minimum zone size of 1000 square feet. Playgrounds and play discovery zones may not be co-located within water quality or stormwater detention areas. As buffer area requirements cannot be met, a safety barrier will be required either consisting of fencing or landscaping in coordination with PROS requirements.

5. Per mid block section, this area shall be divided into discovery zones meeting the PROS D&DC Manual Criteria.

6. Per land sale agreement covenants (Record Number: 2019000111349), Park Space 8D to be constructed per Urban Design Guidelines.

7. Park development will occur as outlined for each planning area within the PIP Sub Area Phasing. Reference Sheets 18–20 for PIP Sub Area Phasing.

8. The specifics of the design and construction within the off-site parks, owned and maintained by the Aurora PROS, shall be determined through an Intergovernmental Agreement (IGA) with the city (PROS) and the FRA or metro district. The IGA shall be initiated by the Metro District within 90 days of final plat approval.

DIRECTOR OF PARKS, RECREATION AND OPEN SPACE

Date: _____ Signature: _____

EXHIBIT C

TRYBA ARCHITECTS
1620 Logan Street
Denver, Colorado 80203
303.831.4010

FITZSIMONS INNOVATION COMMUNITY
Location
AURORA, COLORADO

Consultants:

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Drawn: R.S.
Checked: K.D.F.

FORM J: PARKS, RECREATION AND OPEN SPACE MATRIX

SHEET 21 OF 23

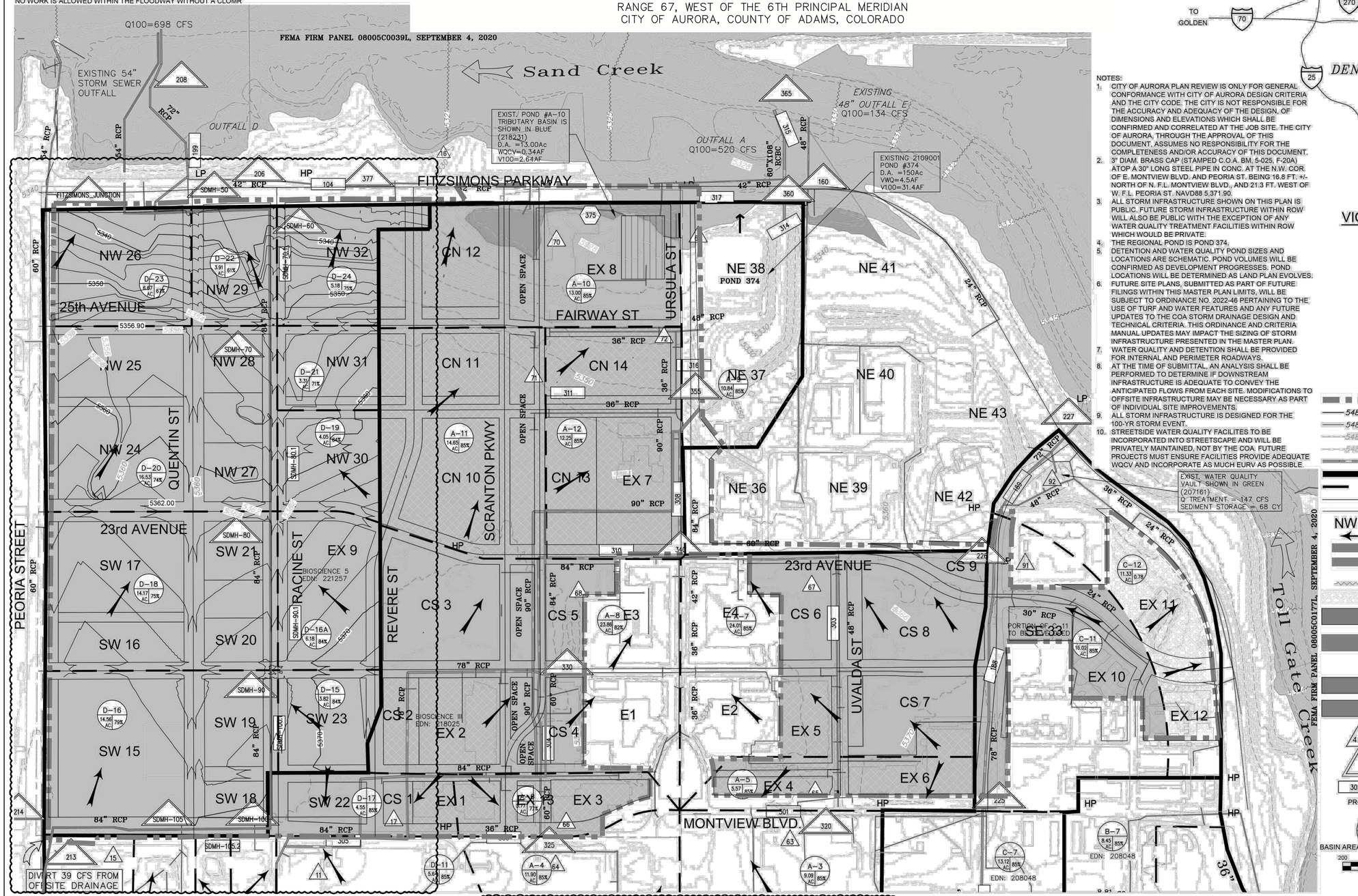
EXHIBIT C

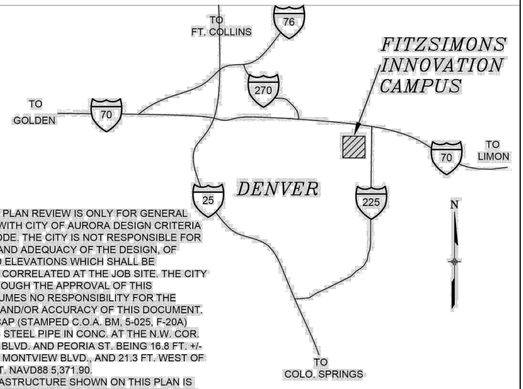
FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
RANGE 67, WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF AURORA, COUNTY OF ADAMS, COLORADO

NO WORK IS ALLOWED IN THE FLOODPLAIN WITHOUT A FLOODPLAIN DEVELOPMENT PERMIT.
NO WORK IS ALLOWED WITHIN THE FLOODWAY WITHOUT A CLOMR





VICINITY MAP
SCALE: N.T.S.

NOTES:
1. CITY OF AURORA PLAN REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH CITY OF AURORA DESIGN CRITERIA AND THE CITY CODE. THE CITY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, OF DIMENSIONS AND ELEVATIONS WHICH SHALL BE CONFIRMED AND CORRELATED AT THE JOB SITE. THE CITY OF AURORA, THROUGH THE APPROVAL OF THIS DOCUMENT, ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND/OR ACCURACY OF THIS DOCUMENT.
2. 3" DIAM. BRASS CAP (STAMPED C.O.A. BM, 5-025, F-20A) ATOP A 30" LONG STEEL PIPE IN CONC. AT THE N.W. COR. OF E. MONTVIEW BLVD. AND PEORIA ST. BEING 16.8 FT. +/- NORTH OF N. F.L. MONTVIEW BLVD., AND 21.3 FT. WEST OF W. F.L. PEORIA ST. NAVD88 5,371.90.
3. ALL STORM INFRASTRUCTURE SHOWN ON THIS PLAN IS PUBLIC. FUTURE STORM INFRASTRUCTURE WITHIN ROW WILL ALSO BE PUBLIC WITH THE EXCEPTION OF ANY WATER QUALITY TREATMENT FACILITIES WITHIN ROW WHICH WOULD BE PRIVATE.
4. THE REGIONAL POND IS POND 374.
5. DETENTION AND WATER QUALITY POND SIZES AND LOCATIONS ARE SCHEMATIC. POND VOLUMES WILL BE CONFIRMED AS DEVELOPMENT PROGRESSES. POND LOCATIONS WILL BE DETERMINED AS LAND PLAN EVOLVES.
6. FUTURE SITE PLANS, SUBMITTED AS PART OF FUTURE FILINGS WITHIN THIS MASTER PLAN LIMITS, WILL BE SUBJECT TO ORDINANCE NO. 2022-46 PERTAINING TO THE USE OF TURF AND WATER FEATURES AND ANY FUTURE UPDATES TO THE COA STORM DRAINAGE DESIGN AND TECHNICAL CRITERIA. THIS ORDINANCE AND CRITERIA MANUAL UPDATES MAY IMPACT THE SIZING OF STORM INFRASTRUCTURE PRESENTED IN THE MASTER PLAN.
7. WATER QUALITY AND DETENTION SHALL BE PROVIDED FOR INTERNAL AND PERIMETER ROADWAYS.
8. AT THE TIME OF SUBMITTAL, AN ANALYSIS SHALL BE PERFORMED TO DETERMINE IF DOWNSTREAM INFRASTRUCTURE IS ADEQUATE TO CONVEY THE ANTICIPATED FLOWS FROM EACH SITE. MODIFICATIONS TO OFFSITE INFRASTRUCTURE MAY BE NECESSARY AS PART OF INDIVIDUAL SITE IMPROVEMENTS.
9. ALL STORM INFRASTRUCTURE IS DESIGNED FOR THE 100-YR STORM EVENT.
10. STREETSIDE WATER QUALITY FACILITES TO BE INCORPORATED INTO STREETSCAPE AND WILL BE PRIVATELY MAINTAINED, NOT BY THE COA. FUTURE PROJECTS MUST ENSURE FACILITIES PROVIDE ADEQUATE WQCV AND INCORPORATE AS MUCH EURV AS POSSIBLE.

LEGEND

- FRA GDP #9 BOUNDARY
- 5480 PROPOSED MAJOR CONTOUR
- 5484 PROPOSED MINOR CONTOUR
- 5480 EXISTING MAJOR CONTOUR
- 5484 EXISTING MINOR CONTOUR
- EXISTING STORM, SIZE VARIES
- MAJOR BASIN LINE
- MASTER BASIN LINE (PER MDR)
- CONSTRUCTED STM SEWER 218198
- CONSTRUCTED STM SEWER 211069
- NW 32 PARCEL NAME
- FLOW ARROW
- EFFECTIVE 500-YR FLOODPLAIN
- EFFECTIVE 100-YR FLOODWAY & FLOODPLAIN
- EFFECTIVE BASE FLOOD ELEVATIONS
- BASIN WITH EX. DRAINAGE REPORT
- WQCV AND 100-YR DETENTION PROVIDED IN POND 374 EDN 219001
- DETENTION NOT REQUIRED FOR BASIN D, SEE REPORT FOR ADDITIONAL INFORMATION. FITZSIMONS-PEORIA STORWATER OUTFALL PROJECT EDN 218198, AREAS TO BE DEVELOPED.
- WQCV AND 100-YR DETENTION PROVIDED IN POND A-10 EDN 218231
- ON SITE DETENTION AND WQ NOT REQUIRED. WQ VAULT PROVIDED EDN 207161, AREAS TO BE DEVELOPED.
- 4.3 DESIGN POINT POND 374 MODELING
- DESIGN POINT PEORIA OUTFALL MODELING
- 302 ROUTING ELEMENT
- PROPOSED BASIN LABEL
- C-1 / 10.46 AC. / 85% BASIN DESIGNATION; BASIN AREA; BASIN PERCENT IMPERVIOUSNESS

SCALE IN FEET
ORIGINAL SCALE

TABLE 2. BASIN D REMAINING PARCELS TO BE DEVELOPED WQCV SUMMARY TABLE

Block ID	Tributary Basin	Area acres	Length ft	Centroid ft	Slope ft/ft	Imperviousness %	Soil Group	WQCV (ac-ft)	EURV (ac-ft)	Drain Time (hr)
SW 23	D-15	3.82	772	306	0.01	84.2	B	0.11	0.36	40
SW 15, SW 18 & SW 19	D-16	14.56	1013	586	0.01	79.3	B	0.39	1.28	40
EX 9	D-16A	6.18	991	387	0.01	84.4	B	0.18	0.58	40
SW 16, SW 17, SW 20 & SW 21	D-18	14.17	1012	578	0.01	74.5	B	0.35	1.17	40
NW 30	D-19	4.05	802	312	0.01	83.7	B	0.12	0.38	40
NW 24, NW 25, NW 27 & NW 28	D-20	16.53	1019	610	0.01	74.4	B	0.41	1.36	40
NW 31	D-21	3.31	731	271	0.01	70.5	B	0.08	0.26	40
NW 29	D-22	3.91	761	301	0.01	61.4	B	0.08	0.26	40
NW 26	D-23	6.67	759	388	0.01	66.8	B	0.15	0.49	40
NW 32	D-24	5.18	869	486	0.01	75.1	B	0.13	0.43	40

Approved For One Year From This Date

Aurora Water - Drainage Division — Date

TRYBA ARCHITECTS
1620 Logan Street
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303.831.4010

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Proj. #: 2328
Drawn: FRD
Checked: MAM

DRAINAGE PLAN
DR 2

SHEET 22 OF 23

EXHIBIT C

FITZSIMONS INNOVATION COMMUNITY

GENERAL DEVELOPMENT PLAN AMENDMENT #16

SECTION 36, TOWNSHIP 3 SOUTH
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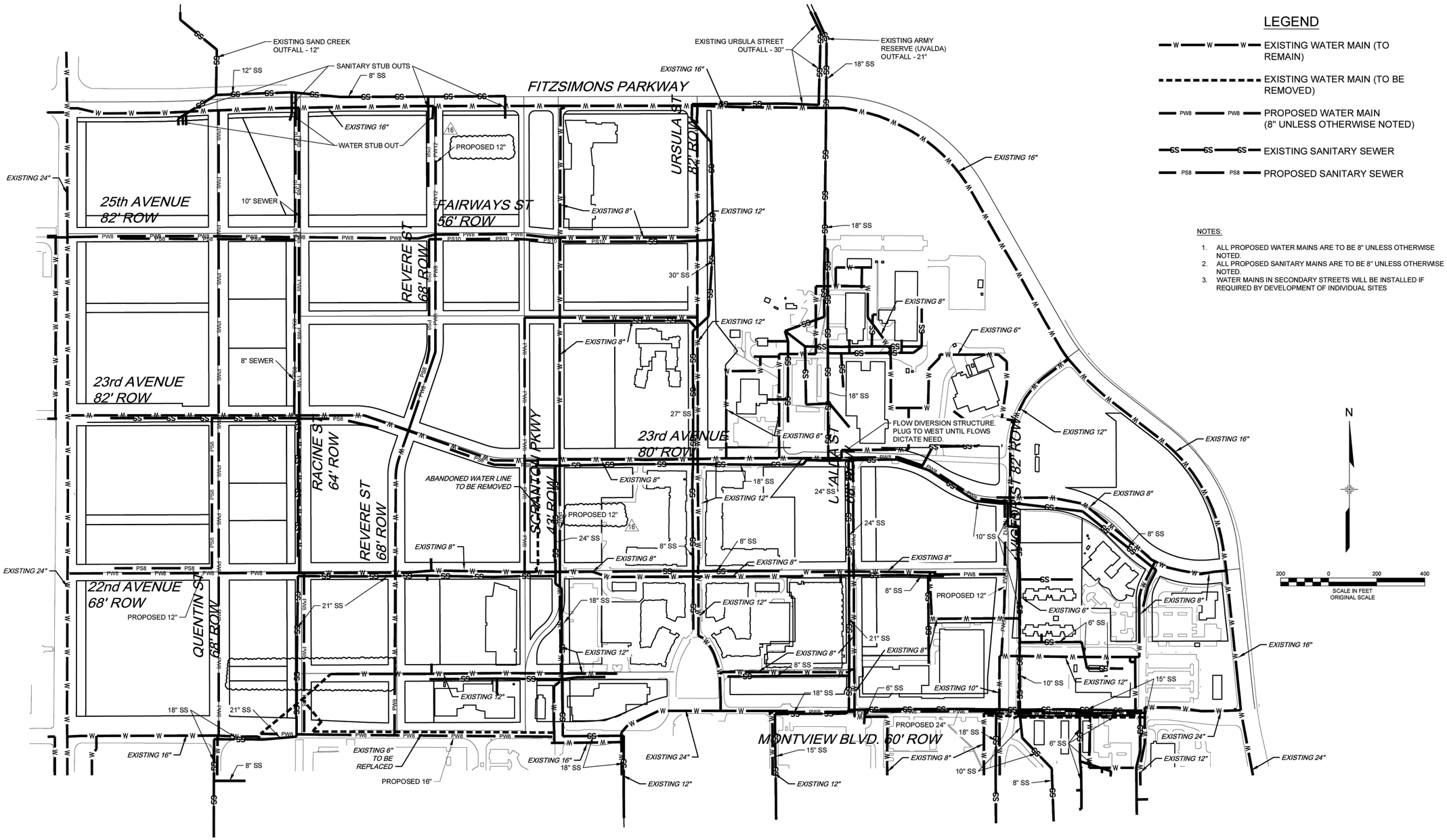

LEGEND

- EXISTING WATER MAIN (TO REMAIN)
- EXISTING WATER MAIN (TO BE REMOVED)
- PROPOSED WATER MAIN (8" UNLESS OTHERWISE NOTED)
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER

NOTES:

1. ALL PROPOSED WATER MAINS ARE TO BE 8" UNLESS OTHERWISE NOTED.
2. ALL PROPOSED SANITARY MAINS ARE TO BE 8" UNLESS OTHERWISE NOTED.
3. WATER MAINS IN SECONDARY STREETS WILL BE INSTALLED IF REQUIRED BY DEVELOPMENT OF INDIVIDUAL SITES

N

200 0 200 400
SCALE IN FEET
ORIGINAL SCALE

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Proj. #: 2328
Drawn: FRD
Checked: MAM

OVERALL UTILITY PLAN

SHEET 23 OF 23

16

Planning and Zoning Commission

Planning and Business Development Department

Project Name

Project No: DA-1233-55
Public Hearing
Aurora City Council
June 23, 2025

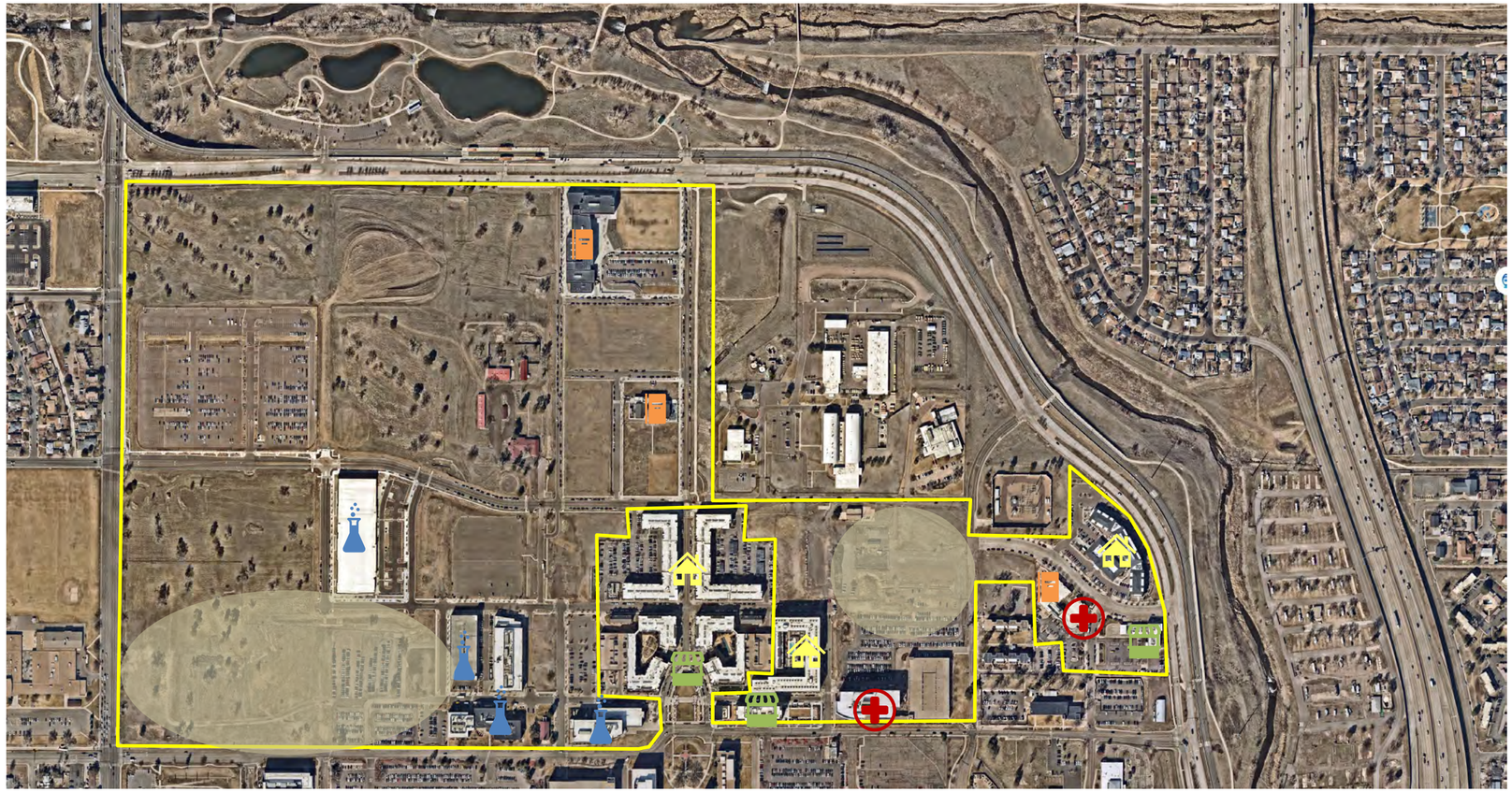
Request

- Approval of map and text changes (zoning map amendment) to the 16th Amendment of the Fitzsimons Innovation Community General Development Plan.
- Applicant: Fitzsimons Redevelopment Authority
- Consultant: Tryba Architects
- GDP Amendment Acreage: 156.87 acres
- Current Zoning: PD (Planned Development) Zone District

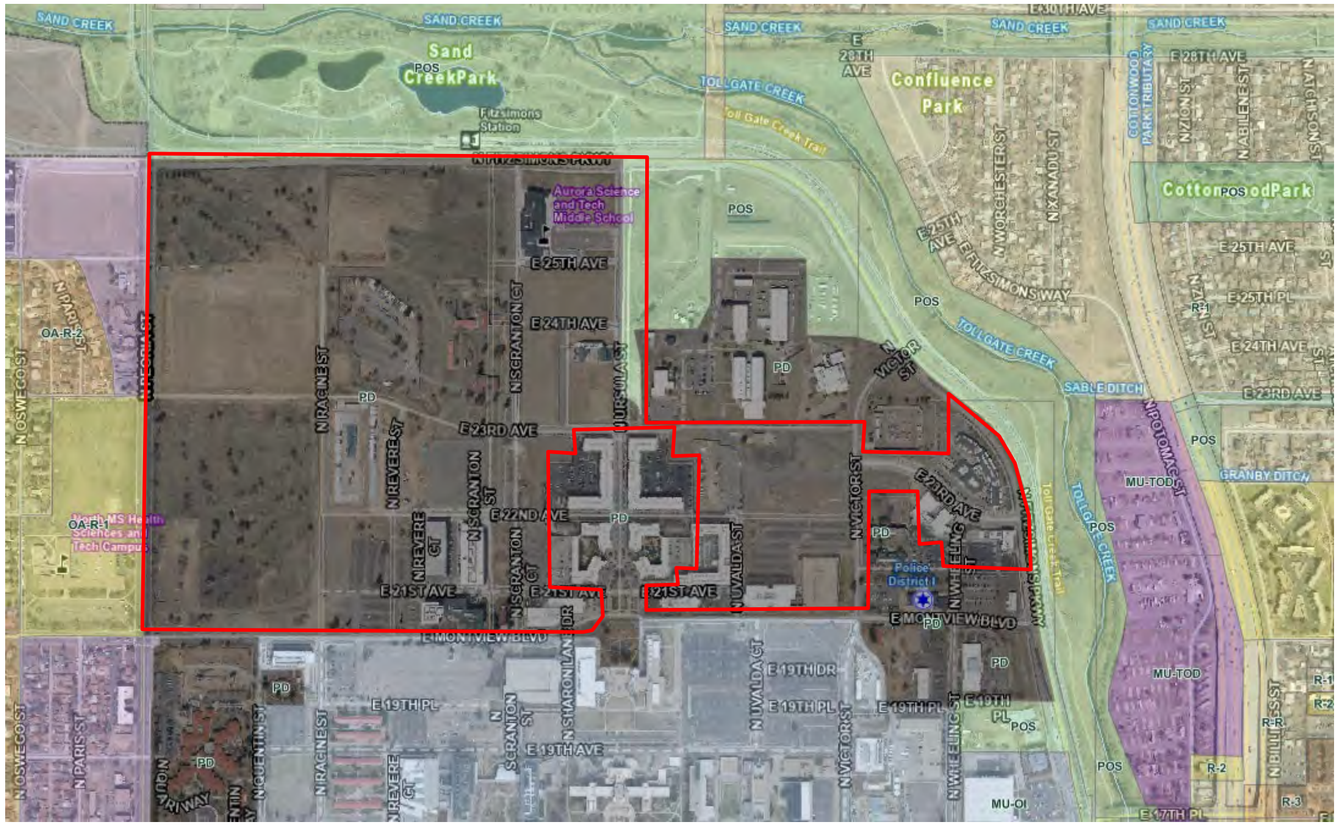
Vicinity Map



Aerial Map



Zoning Map


SAND CREEK
Sand Creek Park
POS
Fitz-Simons Station
TOLL GATE CREEK
Toll Gate Creek Trail
E 28TH AVE
Confluence Park
COTTONWOOD PARK TRIBUTARY
N ZION ST
N ABILENE ST
N NATCHEZ ST
Cotton POS od Park
E 25TH AVE
E 25TH PL
N ZANADU ST
N WORCHESTER ST
E 25TH AVE E FITZ-SIMONS WAY
Aurora Science and Tech Middle School
N MISSOURI ST
N OSWEGO ST
N PARK ST
OA-R-2
N RACINE ST
N REVERE ST
N REVERE CT
N SCRANTON ST
N SCRANTON CT
E 24TH AVE
E 23RD AVE
E 22ND AVE
E 21ST AVE
N VICTOR ST
N VALDAI CT
N WHEELING ST
E 27TH AVE
SABLE DITCH
N POTOMAC ST
GRANBY DITCH
MU-TOD
Police District I
E MONTVIEW BLVD
E 19TH DR
E 19TH PL
N SHARONIAN DR
N QUENTIN ST
N PARIS ST
MU-OI
R-1
R-2
R-3
R-R
PD
POS
OA-R-1

Site Photos – Fitzsimons Pkwy (looking W/S)







Site Photos – Peoria (looking E)

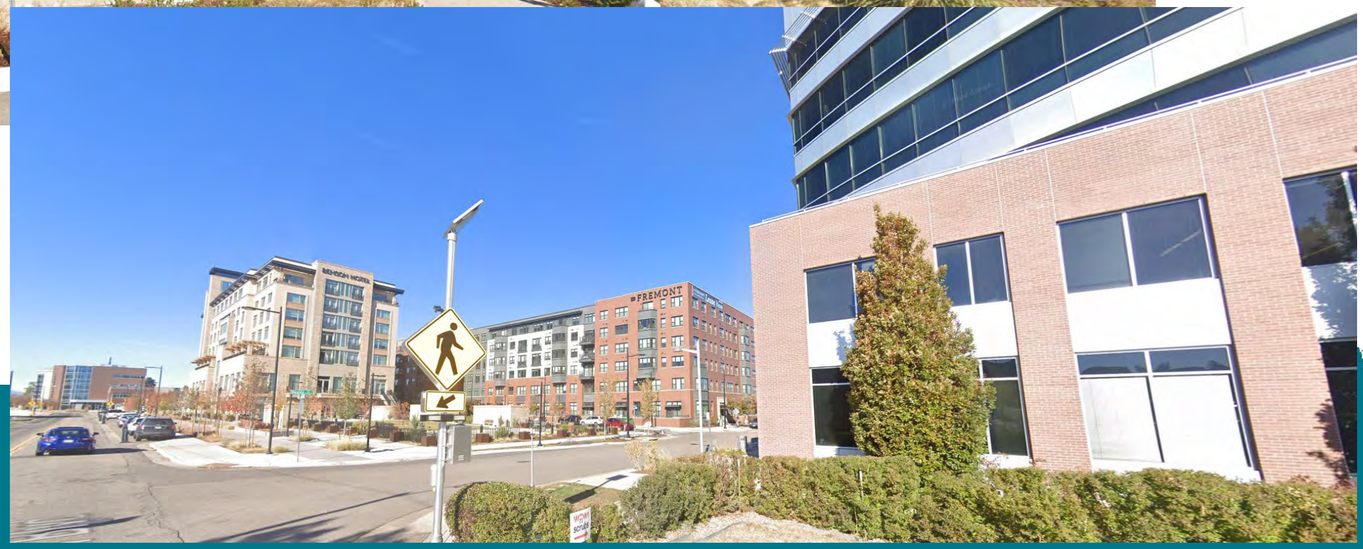




Site Photos – Montview (looking N)







Community Response

41 adjacent property owners and 16 registered neighborhood organizations were notified.

A neighborhood meeting was not held.

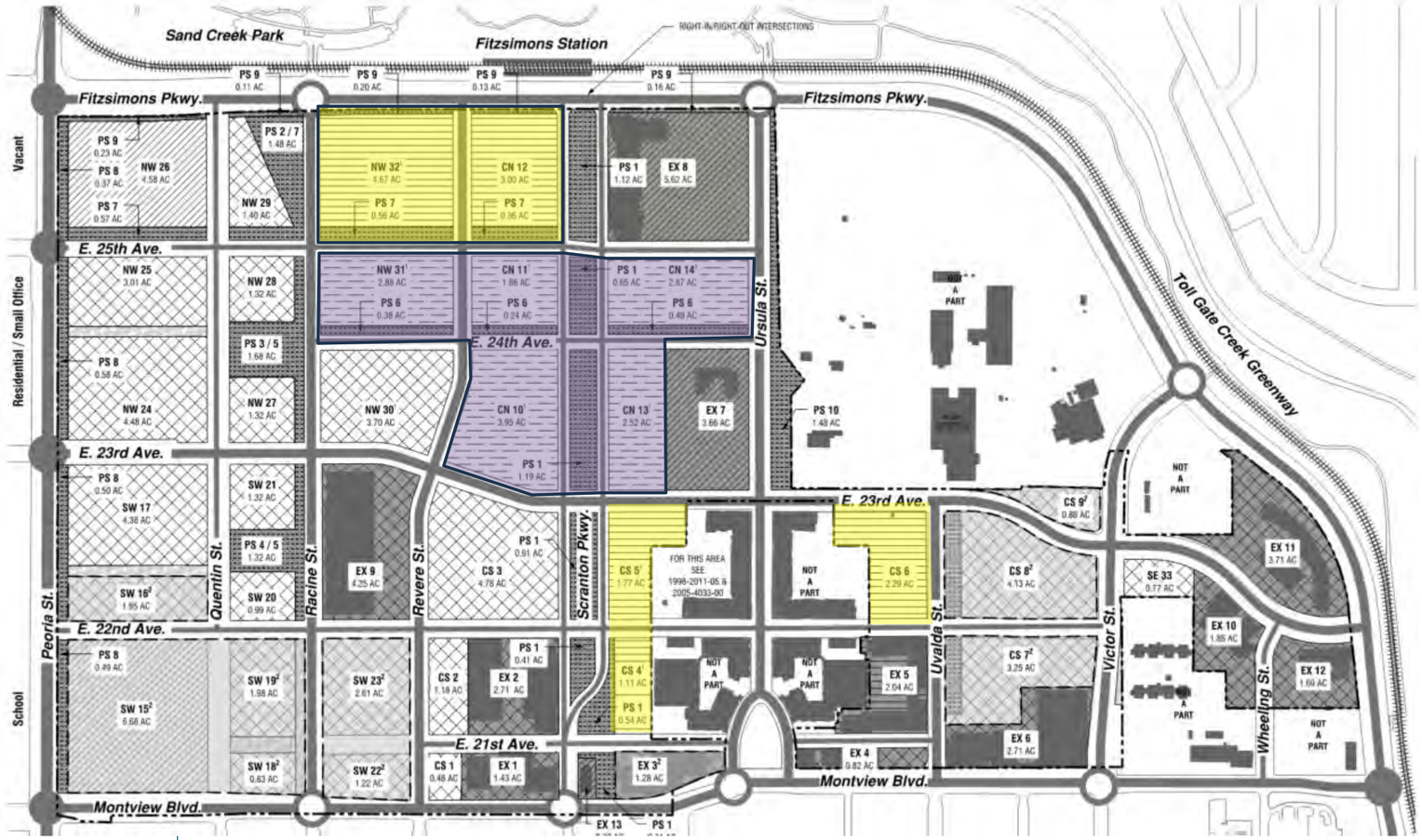
Notice of Hearing Boards and Mailings were posted and sent.

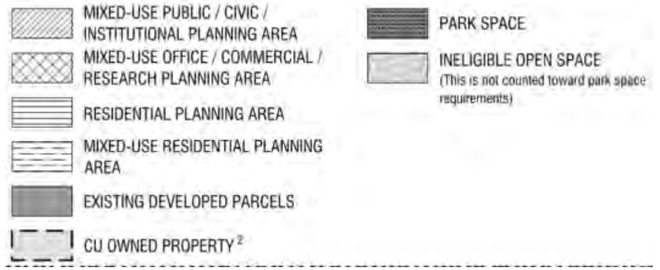
Only one public comment was received in support of the proposal.

Issues Resolved

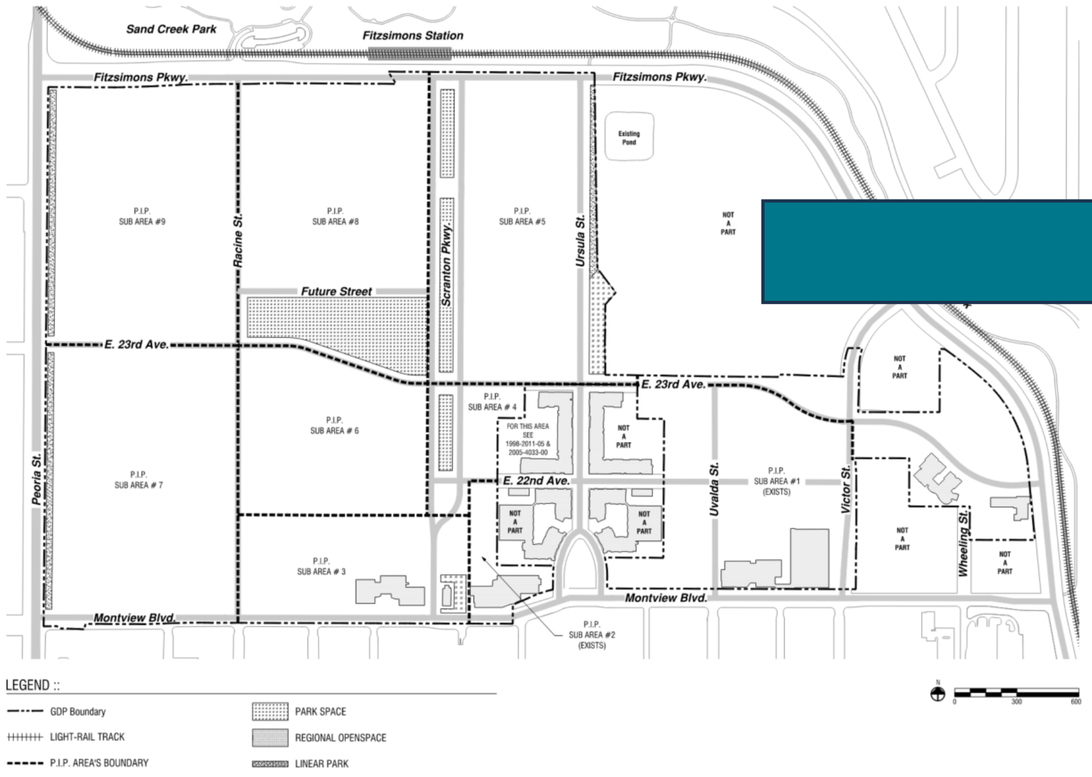
- Use Changes
- Infrastructure Improvements
- Park Amenities
- Urban Design Standards

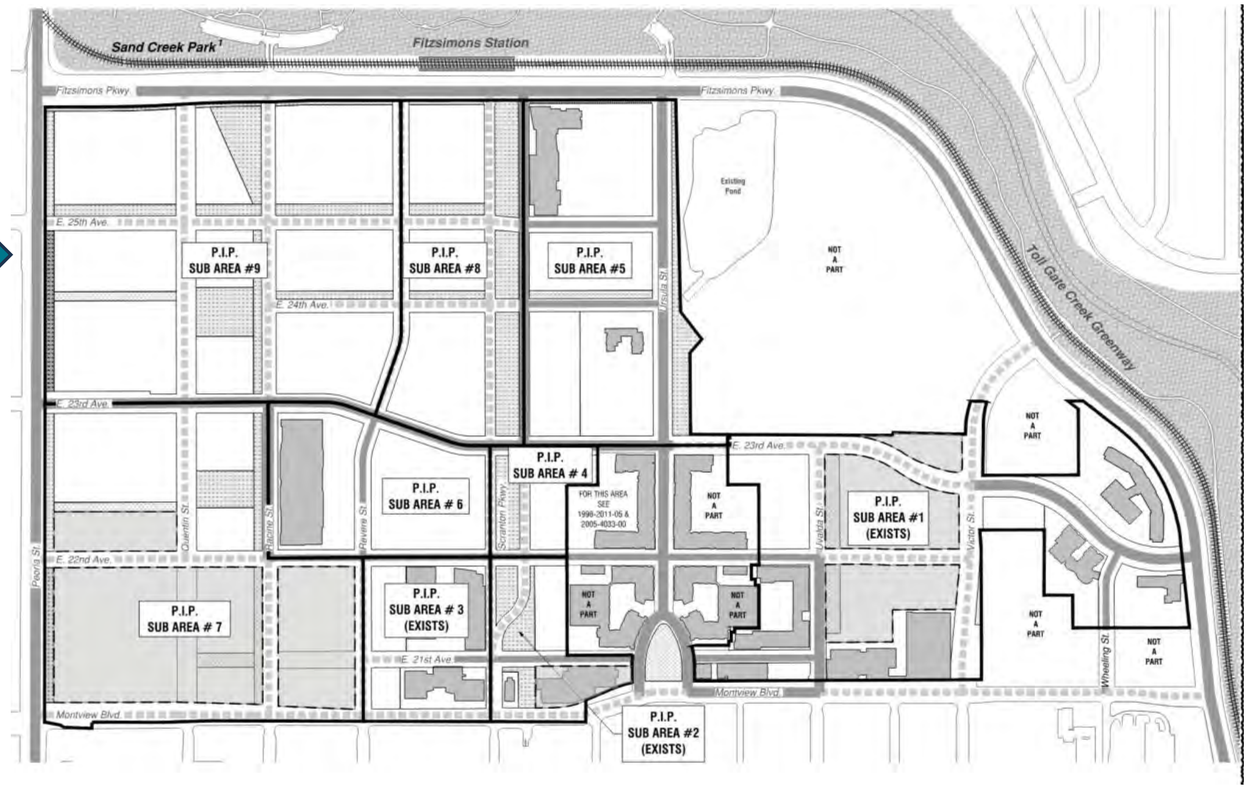
Use Changes


Sand Creek Park
Fitzsimons Station
RIGHT-IN/RIGHT-OUT INTERSECTIONS
Fitzsimons Pkwy.
Fitzsimons Pkwy.
Vacant
Residential / Small Office
School
E. 25th Ave.
E. 24th Ave.
E. 23rd Ave.
E. 22nd Ave.
E. 21st Ave.
Montview Blvd.
Montview Blvd.
Peoria St.
Quentin St.
Racine St.
Revere St.
Scranton Pkwy.
Ursula St.
Uvalda St.
Victor St.
Wheeling St.
Toll Gate Creek Greenway
FOR THIS AREA SEE 1998-2011-05 & 2005-4033-00
NOT A PART

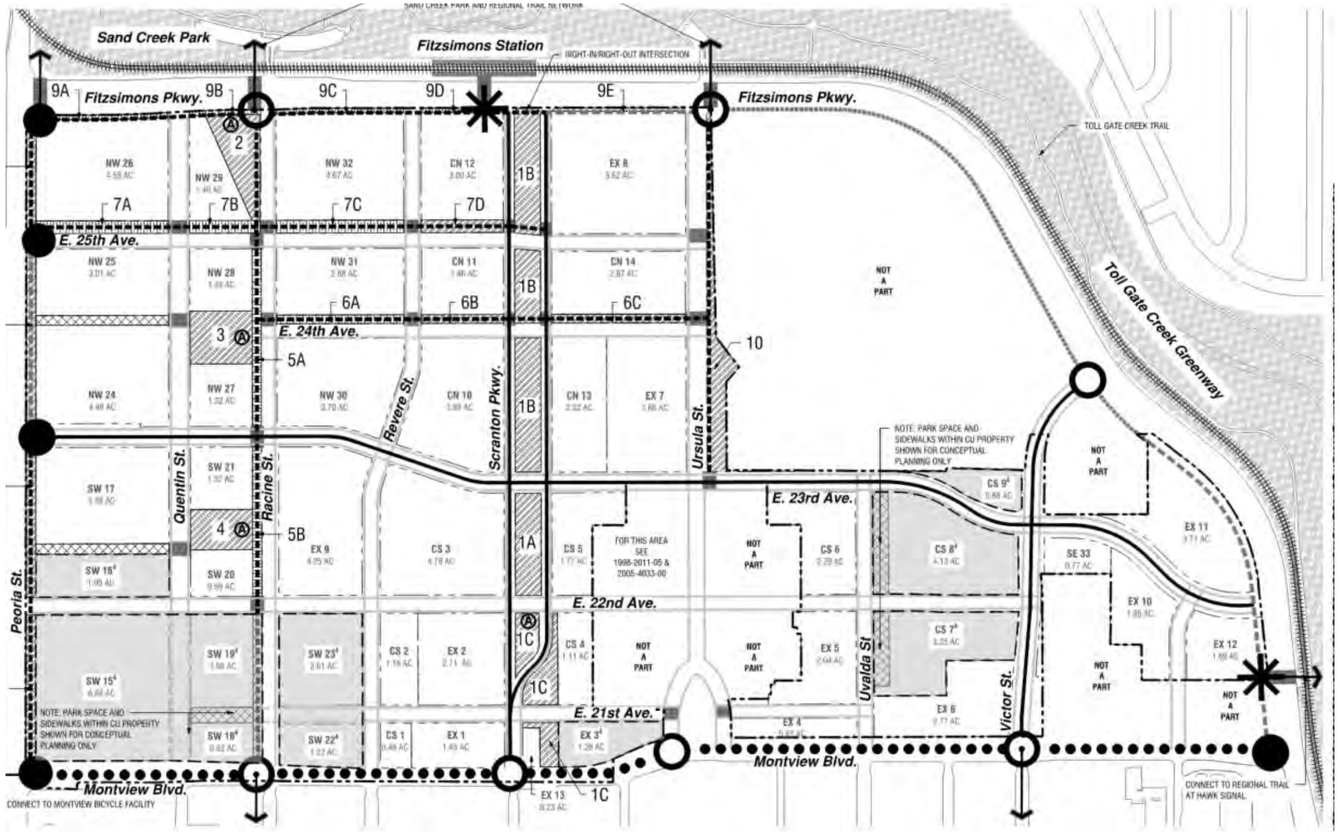

MIXED-USE PUBLIC / CIVIC / INSTITUTIONAL PLANNING AREA
MIXED-USE OFFICE / COMMERCIAL / RESEARCH PLANNING AREA
RESIDENTIAL PLANNING AREA
MIXED-USE RESIDENTIAL PLANNING AREA
EXISTING DEVELOPED PARCELS
CU OWNED PROPERTY [2]
PARK SPACE
INELIGIBLE OPEN SPACE
(This is not counted toward park space requirements)

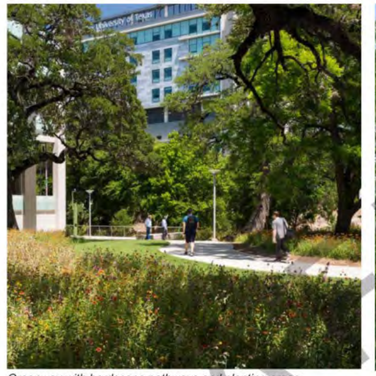
Infrastructure Improvements





Park Amenities

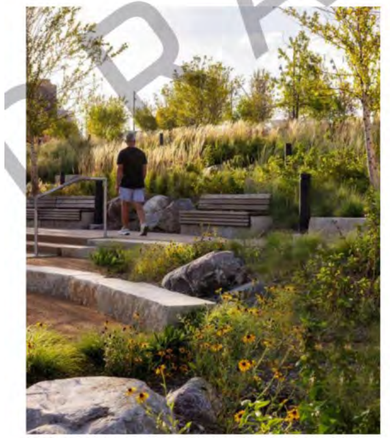




Greenway with hardscape pathways and planting areas



Greenway as Ecological Area



Stepped Boulders provide spaces for interaction with Greenways



Greenway incorporating Water Quality as a Natural Landscape

Urban Design Standards

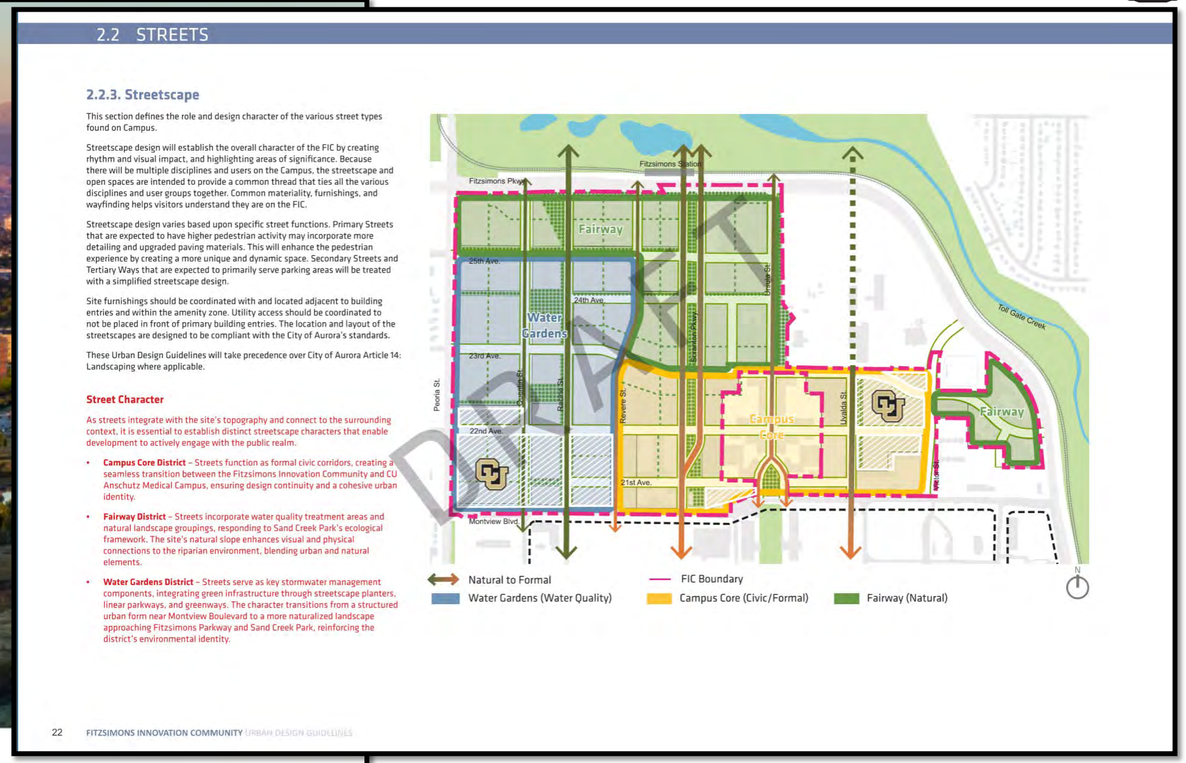


Submittal: 10/10/2016
Revision 1: 06/28/2017
Revision 2: 09/19/2018
Revision 3: 05/24/2019
Revision 4: 07/07/2020
Revision 5: 02/16/2022
Draft Revision 6: 03/11/2025
Draft Revision 7: 04/08/2025
Draft Revision 8: 05/13/2025

URBAN DESIGN GUIDELINES

May 2025

fitzsimons Innovation Community



2.2 STREETS

2.2.3. Streetscape

This section defines the role and design character of the various street types found on Campus.

Streetscape design will establish the overall character of the FIC by creating rhythm and visual impact, and highlighting areas of significance. Because there will be multiple disciplines and users on the Campus, the streetscape and open spaces are intended to provide a common thread that ties all the various disciplines and user groups together. Common materiality, furnishings, and wayfinding helps visitors understand they are on the FIC.

Streetscape design varies based upon specific street functions. Primary Streets that are expected to have higher pedestrian activity may incorporate more detailing and upgraded paving materials. This will enhance the pedestrian experience by creating a more unique and dynamic space. Secondary Streets and Tertiary Ways that are expected to primarily serve parking areas will be treated with a simplified streetscape design.

Site furnishings should be coordinated with and located adjacent to building entries and within the amenity zone. Utility access should be coordinated to not be placed in front of primary building entries. The location and layout of the streetscapes are designed to be compliant with the City of Aurora's standards.

These Urban Design Guidelines will take precedence over City of Aurora Article 14: Landscaping where applicable.

Street Character

As streets integrate with the site's topography and connect to the surrounding context, it is essential to establish distinct streetscape characters that enable development to actively engage with the public realm.

- **Campus Core District** – Streets function as formal civic corridors, creating a seamless transition between the Fitzsimons Innovation Community and CU Anschutz Medical Campus, ensuring design continuity and a cohesive urban identity.
- **Fairway District** – Streets incorporate water quality treatment areas and natural landscape groupings, responding to Sand Creek Park's ecological framework. The site's natural slope enhances visual and physical connections to the riparian environment, blending urban and natural elements.
- **Water Gardens District** – Streets serve as key stormwater management components, integrating green infrastructure through streetscape planters, linear parkways, and greenways. The character transitions from a structured urban form near Montview Boulevard to a more naturalized landscape approaching Fitzsimons Parkway and Sand Creek Park, reinforcing the district's environmental identity.

DRAFT

22 FITZSIMONS INNOVATION COMMUNITY | URBAN DESIGN GUIDELINES

Approval Criteria

1. Zoning Map Amendment Criteria

Zoning Map Amendment approval criteria are found in Section 146-5.4.1.C.3.a. of the Unified Development Ordinance as follows:

i. The change to the Zoning Map is needed to correct an error (change in the character of surrounding areas does not constitute an error in the map); or

ii. The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:

(a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district(s);

(b) The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed initial zoning or rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

(c) The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.

Approval Criteria

2. **Approval of Map and Text for a PD Zone District.**

Map and Text changes for PD Zone District approval criteria are found in Section 146-5.4.1.C.3.c. of the Unified Development Ordinance as follows:

i. The proposed PD is required because of changed conditions or circumstances on the property or in the surrounding area; and

(a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan and with other policies and plans adopted by the City Council; and

(b) The applicant has demonstrated that the proposed initial zoning or rezoning is compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

ii. Any portion of PD zone district to be occupied by single-family detached or single-family attached dwellings shall be divided into blocks with a dimension of no larger than 330 feet by 660 feet with each such block divided from other blocks by local, collector, or arterial streets or freeways; and

iii. Any portion of the PD zone district to be occupied by multifamily, mixed-use, or industrial development shall provide a greater level of internal connectivity and connectivity to surrounding developments than would be required by Section 146-4.5 (Access and Connectivity) if the project were not being developed in a PD zone district; and

✖ When scored against the criteria in Table 4.8-2 (Scoring System for Architectural Features), each single-family detached and single-family attached structure in the PD zone district shall achieve a higher score than would be required if the project were not being developed in a PD zone district; and

Approval Criteria

2. Approval of Map and Text for a PD Zone District (cont.)

v. Each multifamily, mixed-use, or industrial primary structure in the PD zone district shall provide a greater level of design quality than would be required by Section 146-4.8 (Building Design Standards) if the project were not being developed in a PD zone district; and

vi. The PD includes private common spaces that include recreational or community amenities, public art, and/or outdoor gathering spaces for the project residents, occupants and users that exceed those that would be required if the project were not being developed in a PD zone district;

vii. Any lands designed for public park and school sites in the PD zone districts meet the criteria for location of those types of lands in Sections 146-4.3.17 (Parks and Open Space) and 146-4.3.18 (School, Park, and Other Lands for Public Facilities) and any required park and open space lands are designed to connect with similar lands developed or designated on property adjacent to the proposed PD zone district to the maximum extent practicable.

Staff Findings

- The addition of residential uses and the refined infrastructure improvements further the desired outcomes of the Urban District placetype by integrating responsible residential density intertwined with a multimodal network.
- As an Urban District placetype and a planned development district, the FIC is intended to be one of the most dense and urban areas within the City of Aurora. The proposed amendment furthers that goal and has outlined specific criteria in the GDP and Urban Design Standards to push a highly urban design pattern.
- The amendment will not dislocate any tenants or occupants of the property. Instead, it provides the opportunity to increase housing options for residents and future residents of the city.
- The proposed amendment is needed to provide a better mix of uses and provide a more convenient 24-hour customer base to support on-site commercial uses. The additional residential uses also provide housing opportunities for those who work in the Fitzsimons campus.
- Single-family detached uses are not permitted within the campus, and single-family attached uses are only permitted when integrated with multifamily dwellings. That being said, the GDP retains a requirement for block sizes ranging from 330-660 ft. The new public improvement plan establishes a more refined block network to meet these requirements. Larger blocks may be further subdivided to support building access with each planning area development.
- The urban design standards for the FIC enforced through the DRB elevate the design requirements of development above and beyond the requirements of code.
- On-site and off-site park improvements are proposed and outlined in the GDP to provide amenities to introduced residential uses.
- The on-site school facility is not being amended with this request.

Staff Recommendation

- Approve, with one condition, the Fitzsimons Innovation Community General Development Plan Amendment No 16 because it complies with the requirements of Code Section 146-5.4.1.3.C. of the Unified Development Ordinance for the reasons previously described.

  1. Resolution of outstanding technical issues prior to recordation of the General Development Plan (Planned District Map and Text) and issuance of any building permits.

City of Aurora
Planning and Zoning Commission Case Report

Project Title: Fitzsimons Innovation Community – GDP Amendment No. 16
Date: May 28, 2025
Development Application Number: DA-1233-55
Case Number: 1998-2011-16
Case Manager: Aja Tibbs
Applicant: Fitzsimons Redevelopment Authority
General Location: Bounded by N. Peoria St., E. Montview Blvd., and N. Fitzsimons Pkwy.
Ward: I

Project Summary:

The applicant, Fitzsimmons Redevelopment Authority, requests approval of the 16th Amendment to the Fitzsimons Innovation Community General Development Plan (GDP). The request is a major amendment to increase residential uses on the campus and to update the impacted planning areas, street, utility, drainage, parks, and open space improvements. The GDP is adopted as the official zoning document within the Planned Development (PD) zone district. Except for a few outparcels, it is generally bounded by N. Peoria Street to the west, E. Montview Boulevard to the south, and N. Fitzsimons Parkway to the east and north. It is located within the Urban District Placetype, Subarea A.

The applicant is requesting to increase the residential unit cap from 850 new units to 7,266 new units. Just under 4,000 of the units are proposed in mixed-use planning areas that also allow flexibility for commercial development, while the remaining units are proposed in residential-only planning areas (with the option of ground-floor commercial uses). In order to ensure the community and infrastructure needs are provided with the use changes, the applicant also proposes an update to the GDP to further refine explicit planning areas and associated triggers for street, utility, drainage, public art and park improvements. Updates to the design guidelines, master traffic study, master utility study and master drainage study are also proposed and under review concurrently with the proposed request.

Staff finds that the proposed amendment is in compliance with the approval criteria applicable to approvals of map and text changes for PD zone districts as outlined in Section 146-5.4.1.C.3.c. of the Unified Development Ordinance, and that the amendment proposes development consistent with the intent of the Urban District Placetype.

Applicant's Request:

Recommendation of approval to the City Council for map and text changes (zoning map amendment) to the Fitzsimons Innovation Community General Development Plan.

Neighborhood Comments:

Eighteen (18) neighborhood groups and forty-one (41) abutting property owners were notified of the application. Only one comment was received in support of the project, so a neighborhood meeting was not held.

Major Issues Discussed During Development Review:

- Use Changes
- Infrastructure Improvements
- Park Amenities
- Urban Design Standards

Results of Development Review:

Use Changes. The applicant is requesting to increase the residential unit cap from 850 new units to 7,266 new units over approximately 30 acres. Just under 4,000 units (3,966) are proposed in mixed-use planning areas that also allow flexibility for commercial development, while the remaining units (3,047) are proposed in residential only planning areas. To encourage a high-density mixed-use campus, staff worked with the applicant to carefully reconstruct the list of permitted uses around the new "residential only" use category and ensure that ground floor commercial uses are still permitted as accessory uses. The document proposes a minimum of four stories for all uses on the campus and retains no limit on building height. With the introduction of additional residential planning areas, a majority of the vacant land area (48.53 acres) has been retained for Office/Commercial/Research space to fully accommodate medical office, lab and research facilities.

Infrastructure Improvements. With the proposed amendment, staff worked with the applicant to further refine smaller planning areas and associated infrastructure improvements for each block. The one-page phasing plan is now expanded to public improvement plan on sheets 17-20. This additional information works to further expand the street system and ensure compliance with block standards and the development of a multi-modal network within the campus. The detailed plan also provides the Fitzsimons Redevelopment Authority with a reliable expectation of infrastructure requirements if land is sold and constructed by other entities.

Park Amenities. With the estimated introduction of 18,165 residents on the campus (per PROS standard calculations), the need to provide high-quality and convenient access to parks and open spaces is vital. Significant discussion occurred between planning, PROS, and the applicant to address park needs. Due to limited ground space, the applicant proposes a series of small amenity spaces spread throughout the development through an interconnected system of median parks, linear parks, and pocket parks. A priority for staff was ensuring that these smaller parks provide active uses such as sports courts, playgrounds, and turf fields. General locations of these amenities can be found on sheet 21, which is a hybrid Form J that is used to track PROS improvements for master plan applications.

Projects within urban areas (typically lands zoned TOD) are not required to dedicate open space, but the plan does set aside approximately 16.33 acres of land for park development. Accounting for the shortfall in land dedication, PROS and the applicant are additionally negotiating off-site improvements to Sand Creek Park and Toll Gate Creek Greenway, which border the site to the north and east. Some additional changes to the GDP may be required prior to recording the plan, and staff are also requiring an IGA for the future construction of park improvements.

Urban Design Standards. The Fitzsimons Innovation Community General Development Plan is adopted as a Planned Development. This means that the GDP exists as a zoning document to regulate land use and the design of development occurring within its boundary. The existing GDP does allow the use of the Transit Oriented Development (TOD) zone district regulations, but development applications are established within the GDP document and through reference to the Design Review Board Design Guidelines. The power of these guidelines is established within the GDP. However, they are adopted and enforced through the FIC Design Review Board (DRB). The significant nature of the proposed amendment created conflicts with the existing guidelines, so staff has directed the applicant to update the document to be consistent with the proposed amendment. City staff holds a seat on the DRB and has participated in several rounds of review with the DRB. The guidelines were also provided as a courtesy review for city staff for any conflicts. DRB adoption of the revised guidelines will also be required prior to recording the requested amendment.

Summary of Staff Recommendation:

Recommend approval to the City Council of the GDP Amendment with one condition. (See last page of report for vote.)

Detailed Case Analysis

Related Cases:

- Fitzsimmons Innovation Campus GDP, Multiple Amendments (CN 1998-2011-00 through -15)

Public Notification:

Legal notice appeared in the Aurora Sentinel on May 15, 2025. The applicant has submitted certificates of mailing and public hearing notices to adjacent property owners, as well as pictures of the notice of public hearing sign posting.

Community Referrals:

Referrals were provided to the following registered neighborhood organizations within one mile of the project: Del Mar Neighborhood United, Northwest Aurora Neighborhood Organization, Hillcrest Village, Cottage Grove Homeowners Association, Summerfield Villas HOA, Sable Altura Chambers Neighborhood, CLEAN, Chamber Heights Neighborhood Association, Bluff Lake Rows HOA, Central Park United Neighbors, Mabry Safety Collective, Morris Heights Homeowners Associate, Fax Aurora, Path2Light Award Ceremony for Aurora Refugee Youth, Hoffman Heights Watch Dogs, Northwest Aurora Community Collaborative, Northwest Aurora Neighborhood Organization, and Block Meister.

Conformance with Code Criteria:

Major amendments to planned developments require compliance with for both the Zoning Map Amendment approval criteria and Map and Text Change for a PD Zone District approval criteria.

1. Zoning Map Amendment Criteria
   Zoning Map Amendment approval criteria are found in Section 146-5.4.1.C.3.a. of the Unified Development Ordinance as follows:
   i. The change to the Zoning Map is needed to correct an error (change in the character of surrounding areas does not constitute an error in the map); or
   ii. The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:
      (a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district(s);
      (b) The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed initial zoning or rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and
      (c) The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.

2. Approval of Map and Text for a PD Zone District.
   Map and Text changes for PD Zone District approval criteria are found in Section 146-5.4.1.C.3.c. of the Unified Development Ordinance as follows:
   i. The proposed PD is required because of changed conditions or circumstances on the property or in the surrounding area; and
      (a) The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan and with other policies and plans adopted by the City Council; and
      (b) The applicant has demonstrated that the proposed initial zoning or rezoning is compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

ii. Any portion of PD zone district to be occupied by single-family detached or single-family attached dwellings shall be divided into blocks with a dimension of no larger than 330 feet by 660 feet with each such block divided from other blocks by local, collector, or arterial streets or freeways; and
iii. Any portion of the PD zone district to be occupied by multifamily, mixed-use, or industrial development shall provide a greater level of internal connectivity and connectivity to surrounding developments than would be required by Section 146-4.5 (Access and Connectivity) if the project were not being developed in a PD zone district; and
iv. When scored against the criteria in Table 4.8-2 (Scoring System for Architectural Features), each single-family detached and single-family attached structure in the PD zone district shall achieve a higher score than would be required if the project were not being developed in a PD zone district; and
v. Each multifamily, mixed-use, or industrial primary structure in the PD zone district shall provide a greater level of design quality than would be required by Section 146-4.8 (Building Design Standards) if the project were not being developed in a PD zone district; and
vi. The PD includes private common spaces that include recreational or community amenities, public art, and/or outdoor gathering spaces for the project residents, occupants and users that exceed those that would be required if the project were not being developed in a PD zone district;
vii. Any lands designed for public park and school sites in the PD zone districts meet the criteria for location of those types of lands in Sections 146-4.3.17 (Parks and Open Space) and 146-4.3.18 (School, Park, and Other Lands for Public Facilities) and any required park and open space lands are designed to connect with similar lands developed or designated on property adjacent to the proposed PD zone district to the maximum extent practicable.

The proposed GDP amendment complies with the code criteria for approval for the following reasons:

- The addition of residential uses and the refined infrastructure improvements further the desired outcomes of the Urban District Placetype by integrating responsible residential density intertwined with a multimodal network.
- As an Urban District Placetype and a planned development district, the FIC is intended to be one of the most dense and urban areas within the City of Aurora. The proposed amendment furthers that goal and has outlined specific criteria in the GDP and Urban Design Standards to push a highly urban design pattern.
- The amendment will not dislocate any tenants or occupants of the property. Instead, it provides the opportunity to increase housing options for residents and future residents of the city.
- The proposed amendment is needed to provide a better mix of uses and provide a more convenient 24-hour customer base to support on-site commercial uses. The additional residential uses also provide housing opportunities for those who work in the Fitzsimons campus.
- Single-family detached uses are not permitted within the campus, and single-family attached uses are only permitted when integrated with multifamily dwellings. That being said, the GDP retains a requirement for block sizes ranging from 330-660 ft. The new public improvement plan establishes a more refined block network to meet these requirements. Larger blocks may be further subdivided to support building access with each planning area development.
- The urban design standards for the FIC enforced through the DRB elevate the design requirements of development above and beyond the requirements of code.
- On-site and off-site park improvements are proposed and outlined in the GDP to provide amenities to introduced residential uses.
- The on-site school facility is not being amended with this request.

Applicant Information:

Applicant/Owner: Fitzsimons Redevelopment Authority, Lyle Artz
Agent: Tryba Architects, Ryan Shaaban

Exhibits: There may be fewer or more exhibits, delete and add as needed

Exhibit A Vicinity Map
Exhibit B Letter of Introduction
Exhibit C General Development Plan (GDP) – Amendment #16

Project Statistics:

Land Use Analysis

Existing GDP Land Use Summary: Proposed GDP Land Use Summary:

LAND USE SUMMARY ::

Mixed-use: Office / Commercial	+/- 14.98
Mixed-use: Innovation / Research	+/- 69.44
Mixed-use: Residential	+/- 7.85
Mixed-use: Flex	+/- 44.00
Park space	+/- 9.03
Linear Park	+/- 2.17
R.O.W	+/- 34.51
Ineligible Open Space	+/- 2.21
TOTAL SITE	184.19(AC)

LAND USE SUMMARY ::

Land Use Type	FRA OWNED	CU OWNED[2]
Mixed-use: Office / Commercial / Research	+/- 48.53	+/- 17.28
Mixed-use: Public / Civic / Institutional	+/- 14.09	+/- 6.68
Residential	+/- 14.74	NA
Mixed-use: Residential	+/- 14.90	NA
Park Space	+/- 16.33	+/- 1.75
R.O.W	+/- 47.24	+/- 1.61
Ineligible Open Space	+/- 1.02	NA
SITE ACREAGE	+/- 156.87	+/- 27.32
TOTAL SITE ACREAGE	+/- 184.19	

Item	Existing	Permitted or Required	Proposed
Zoning	PD	N/A	PD
GDP Area (FRA Owned)	184.19	N/A	156.87*
Commercial / Research Uses	84.42	N/A	62.62
Mixed-Use Residential Uses	7.85	N/A	14.90
Mixed-Use Flex	44.00	N/A	0
Residential Uses	0	N/A	14.74
Park Space	11.20	N/A	16.33
ROW	34.51	N/A	47.21

**The GDP area is reduced to acknowledge that CU owned lands are coordinated within the plan design, but not necessarily regulated or agreed upon by CU leadership.*

Surrounding Properties

Direction	Zoning	Actual Use
North	Parks and Open Space (POS)	Sand Creek Park
East	Parks and Open Space (POS)	Toll Gate Creek Park
South	Mixed-Use Office/Institutional (MU-OI)	University of Colorado Health Sciences, Aurora Day Resource Center
West	Original Aurora Low and Medium Density Residential (OA-R-1 & OA-R-2), Fitzsimons Boundary District (MU-FB)	North Middle School, North Aurora Neighborhood

Staff Recommendation:

Agenda Item: General Development Plan Amendment

Recommend approval, with one condition, to City Council the Fitzsimons Innovation Community General Development Plan Amendment No 16, because it complies with the requirements of Code Section 146-5.4.1.3.C. of the Unified Development Ordinance for the following reasons:

- The addition of residential uses and the refined infrastructure improvements further the desired outcomes of the Urban District Placetype by integrating responsible residential density intertwined with a multimodal network.
- As an Urban District Placetype and a planned development district, the Fitzsimons Innovation Campus (FIC) is intended to be one of the most dense and urban areas within the City of Aurora. The proposed amendment furthers that goal and has outlined specific criteria in the GDP and Urban Design Standards to push a highly urban design pattern.
- The amendment will not dislocate any tenants or occupants of the property. Instead, it provides the opportunity to increase housing options for residents and future residents of the city.
- The proposed amendment is needed to provide a better mix of uses and provide a more convenient 24-hour customer base to support on-site commercial uses. The additional residential uses also provide housing opportunities for those who work in the Fitzsimons campus.
- Single-family detached uses are not permitted within the campus, and single-family attached uses are only permitted when integrated with multifamily dwellings. That being said, the GDP retains a requirement for block sizes ranging from 330-660 ft. The new public improvement plan establishes a more refined block network to meet these requirements. Larger blocks may be further subdivided to support building access with each planning area development.
- The urban design standards for the FIC enforced through the DRB elevate the design requirements of development above and beyond the requirements of code.
- On-site and off-site park improvements are proposed and outlined in the GDP to provide amenities to introduced residential uses.
- The on-site school facility is not being amended with this request.

Approval is to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the site plan and the issuance of any building permits.

8e. FITZSIMONS INNOVATION COMMUNITY – GENERAL DEVELOPMENT PLAN AMENDMENT NO `6

The applicant, Fitzsimmons Redevelopment Authority, requests approval of the 16th Amendment to the Fitzsimons Innovation Community General Development Plan (GDP). The request is a major amendment to increase residential uses on the campus and to update the impacted planning areas, street, utility, drainage, parks, and open space improvements. The GDP is adopted as the official zoning document within the Planned Development (PD) zone district. Except for a few outparcels, it is generally bounded by N. Peoria Street to the west, E. Montview Boulevard to the south, and N. Fitzsimons Parkway to the east and north. It is located within the Urban District Placetype, Subarea A.

The applicant is requesting to increase the residential unit cap from 850 new units to 7,266 new units. Just under 4,000 of the units are proposed in mixed-use planning areas that also allow flexibility for commercial development, while the remaining units are proposed in residential-only planning areas (with the option of ground-floor commercial uses). In order to ensure the community and infrastructure needs are provided with the use changes, the applicant also proposes an update to the GDP to further refine explicit planning areas and associated triggers for street, utility, drainage, public art and park improvements. Updates to the design guidelines, master traffic study, master utility study and master drainage study are also proposed and under review concurrently with the proposed request.

Staff finds that the proposed amendment is in compliance with the approval criteria applicable to approvals of map and text changes for PD zone districts as outlined in Section 146-5.4.1.C.3.c. of the Unified Development Ordinance, and that the amendment proposes development consistent with the intent of the Urban District Placetype.

Eighteen (18) neighborhood groups and forty-one (41) abutting property owners were notified of the application. Only one comment was received in support of the project, so a neighborhood meeting was not held.

Testimony Given at the Hearing:

Commissioners Banka, Bush, and Jetchick visited the site.

Aja Tibbs, Case Manager, gave a presentation of the item, including the staff recommendation.

Chair Walls asked why the density was so low when the General Development Plan was first developed. A Tibbs explained that historically, there was concern that the campus would not be retained and developed as a biomedical campus. The focus at the time of the original application was on preserving and protecting that land strictly for medical office research and labs, so there was a very strict density limit in place. A Tibbs also stated that from the staff's perspective, a lot of the conversations have been about getting a good mix and balance of uses, and making sure there is still a lot of land retained for medical office and research uses.

Commissioner Banka asked what income bracket the residential units being built are intended for.

A Tibbs responded that there is no affordability restriction proposed in the General Development Plan right now that any of the units are affordable housing. There has been input from the Fitzsimons Redevelopment Authority and the Design Review Board for the campus about the interest in seeing more affordable housing being offered.

Kathleen Fogler, Tryba Architects, representing the applicant, gave a presentation of the item.

Commissioner Banka asked if any of the multi-family units proposed will be for sale or will they just be for rent. K Fogler responded that it is not being predetermined; the goal is to have a mixed income, and for-sale units may be a part of that. The next step is to work out the market and see what can be delivered. K Fogler also added it would be a great benefit to have more variety so that more concurrent construction can be going on at any given point in time. The intention is to cater to and provide for different markets.

Chair Walls thanked staff and the applicant for providing the master traffic impact study and asked if any coordination has been done with the Colorado Department of Transportation (CDOT) because the addition of 7,000 adjacent residents to I-225 may be a massive concern, especially considering the ingress from 17th Avenue and Colfax Avenue since those are the two intersections that intersect with I-225. K Fogler explained that no direct coordination with CDOT has taken place. The applicant has been incorporating the Denver Regional Council of Governments (DRCOG) background models, which do incorporate regional scales at a local and then regional level based on the long-term projections. There is also a larger campus mobility study being conducted that the city is leading, and CDOT is participating in.

Lyle Artz, Fitzsimons Redevelopment Authority, was available for questions.

There was no public comment.

Planning Commission Results
AGENDA ITEM 8e – GENERAL DEVELOPMENT PLAN AMENDMENT

A MOTION WAS MADE BY COMMISSIONER BANKA AND SECONDED BY COMMISSIONER BUSH.

RECOMMEND APPROVAL, WITH ONE CONDITION, TO CITY COUNCIL THE FITZSIMONS INNOVATION COMMUNITY GENERAL DEVELOPMENT PLAN AMENDMENT NO 16, BECAUSE IT COMPLIES WITH THE REQUIREMENTS OF CODE SECTION 146-5.4.1.3.C. OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. THE ADDITION OF RESIDENTIAL USES AND THE REFINED INFRASTRUCTURE IMPROVEMENTS FURTHER THE DESIRED OUTCOMES OF THE URBAN DISTRICT PLACETYPE BY INTEGRATING RESPONSIBLE RESIDENTIAL DENSITY INTERTWINED WITH A MULTIMODAL NETWORK.
2. AS AN URBAN DISTRICT PLACETYPE AND A PLANNED DEVELOPMENT DISTRICT, THE FITZSIMONS INNOVATION CAMPUS (FIC) IS INTENDED TO BE ONE OF THE MOST DENSE AND URBAN AREAS WITHIN THE CITY OF AURORA. THE PROPOSED AMENDMENT FURTHERS THAT GOAL AND HAS OUTLINED SPECIFIC CRITERIA IN THE GDP AND URBAN DESIGN STANDARDS TO PUSH A HIGHLY URBAN DESIGN PATTERN.

3. THE AMENDMENT WILL NOT DISLOCATE ANY TENANTS OR OCCUPANTS OF THE PROPERTY. INSTEAD, IT PROVIDES THE OPPORTUNITY TO INCREASE HOUSING OPTIONS FOR RESIDENTS AND FUTURE RESIDENTS OF THE CITY.
4. THE PROPOSED AMENDMENT IS NEEDED TO PROVIDE A BETTER MIX OF USES AND PROVIDE A MORE CONVENIENT 24-HOUR CUSTOMER BASE TO SUPPORT ON-SITE COMMERCIAL USES. THE ADDITIONAL RESIDENTIAL USES ALSO PROVIDE HOUSING OPPORTUNITIES FOR THOSE WHO WORK IN THE FITZSIMONS CAMPUS.
5. SINGLE-FAMILY DETACHED USES ARE NOT PERMITTED WITHIN THE CAMPUS, AND SINGLE-FAMILY ATTACHED USES ARE ONLY PERMITTED WHEN INTEGRATED WITH MULTIFAMILY DWELLINGS. THAT BEING SAID, THE GDP RETAINS A REQUIREMENT FOR BLOCK SIZES RANGING FROM 330-660 FT. THE NEW PUBLIC IMPROVEMENT PLAN ESTABLISHES A MORE REFINED BLOCK NETWORK TO MEET THESE REQUIREMENTS. LARGER BLOCKS MAY BE FURTHER SUBDIVIDED TO SUPPORT BUILDING ACCESS WITH EACH PLANNING AREA DEVELOPMENT.
6. THE URBAN DESIGN STANDARDS FOR THE FIC ENFORCED THROUGH THE DRB ELEVATE THE DESIGN REQUIREMENTS OF DEVELOPMENT ABOVE AND BEYOND THE REQUIREMENTS OF CODE.
7. ON-SITE AND OFF-SITE PARK IMPROVEMENTS ARE PROPOSED AND OUTLINED IN THE GDP TO PROVIDE AMENITIES TO INTRODUCED RESIDENTIAL USES.
8. THE ON-SITE SCHOOL FACILITY IS NOT BEING AMENDED WITH THIS REQUEST.

APPROVAL IS TO BE SUBJECT TO THE FOLLOWING CONDITION:

1. RESOLUTION OF OUTSTANDING TECHNICAL ISSUES PRIOR TO RECORDATION OF THE GENERAL DEVELOPMENT PLAN AND THE ISSUANCE OF ANY BUILDING PERMITS.

Further Discussion:

Chair Walls stated this is an incredible amendment and likes the plan. The applicant presentation was very helpful to see on a conceptual basis what the community will look like. This amendment is very different from the others that have been brought before the Planning Commission over the last several years, and this one brings the community component more into focus.

Commissioner Jetcheck concurred with Chair Walls.

MOTION PASSED UNANIMOUSLY

ORDINANCE NO. 2025- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE FITZSIMONS GENERAL DEVELOPMENT PLAN TO ALLOW FOR INCREASED RESIDENTIAL USES (FITZSIMONS GDP AMENDMENT #16)

WHEREAS, the applicant has requested to amend the Fitzsimons General Development Plan (GDP) to allow for increased residential uses and update the impacted planning areas, streets, utility, drainage and parks and open space improvements; and

WHEREAS, Section 146-5.4.1.C.3.c of the Unified Development Ordinance (UDO) provides that all applications for major amendments to a Planned Development Zone District, which encompasses GDPs, 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 May 28, 2025, following a public hearing, the Planning and Zoning Commission voted to recommend the amendments; and

WHEREAS, the City Council finds and determines that it is appropriate to accept the recommendation of the Planning and Zoning Commission and approve the amendments to the GDP.

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 it is appropriate to render a final decision approving the GDP Amendment, as the applicant has demonstrated that the proposed amendment is consistent with the spirit and intent of the Comprehensive Plan, with the requirements of the UDO, and with the other policies adopted by City Council.

Section 2. The City Council hereby approves the amended Fitzsimons General Development Plan in the form presently held in the office of the City Clerk and in substantially the form presented to the City Council at tonight's meeting, with such technical additions, deletions, and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Ordinance.

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 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 SCHULTE:

Lena McClelland RLA
_____
LENA MCCLELLAND, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Porteos Business Improvement District (BID) Property Exclusion (Ordinance)
Item Initiator: Michael Kerrigan, Special District Administrator, Development Services
Staff Source/Legal Source: Michael Kerrigan, Special District Administrator, Development Services / Brian Rulla, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Michael Kerrigan, Special District Administrator, Development Services / Brian Rulla, 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: 6/5/2025

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.)*

City Council approved the establishment of the Porteos Business Improvement District (BID) in 2016 via ordinance number 2016-43. The BID is located generally east of E. Harvest Road between 56th and 68th Avenues. Annually City Council has approved the BIDs operating plan and budget and City Council has periodically appointed members to the BID's board of directors. In 2019 City Council previously approved boundary adjustments for the BID.

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

The owner, Green Industrial Development Group, LLC ("Green"), of an approximately 8.1 acre parcel of land located within the Porteos Business Improvement District is requesting Council approval of an exclusion of said land from the BID. Green bought the property in 2021 with the intent that it be excluded from the BID. The BID passed a motion in 2023 to exclude the land from the BID. State statute requires City Council to approve any exclusions of land from a BID. This ordinance is a finalization of the statutory process to exclude this land from the BID.

The BID has not issued any debt, thus the excluded land will not be responsible for any debt obligations after it is excluded from the BID. Included in the packet is a petition for the property exclusion signed by the owner of the property.

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.)

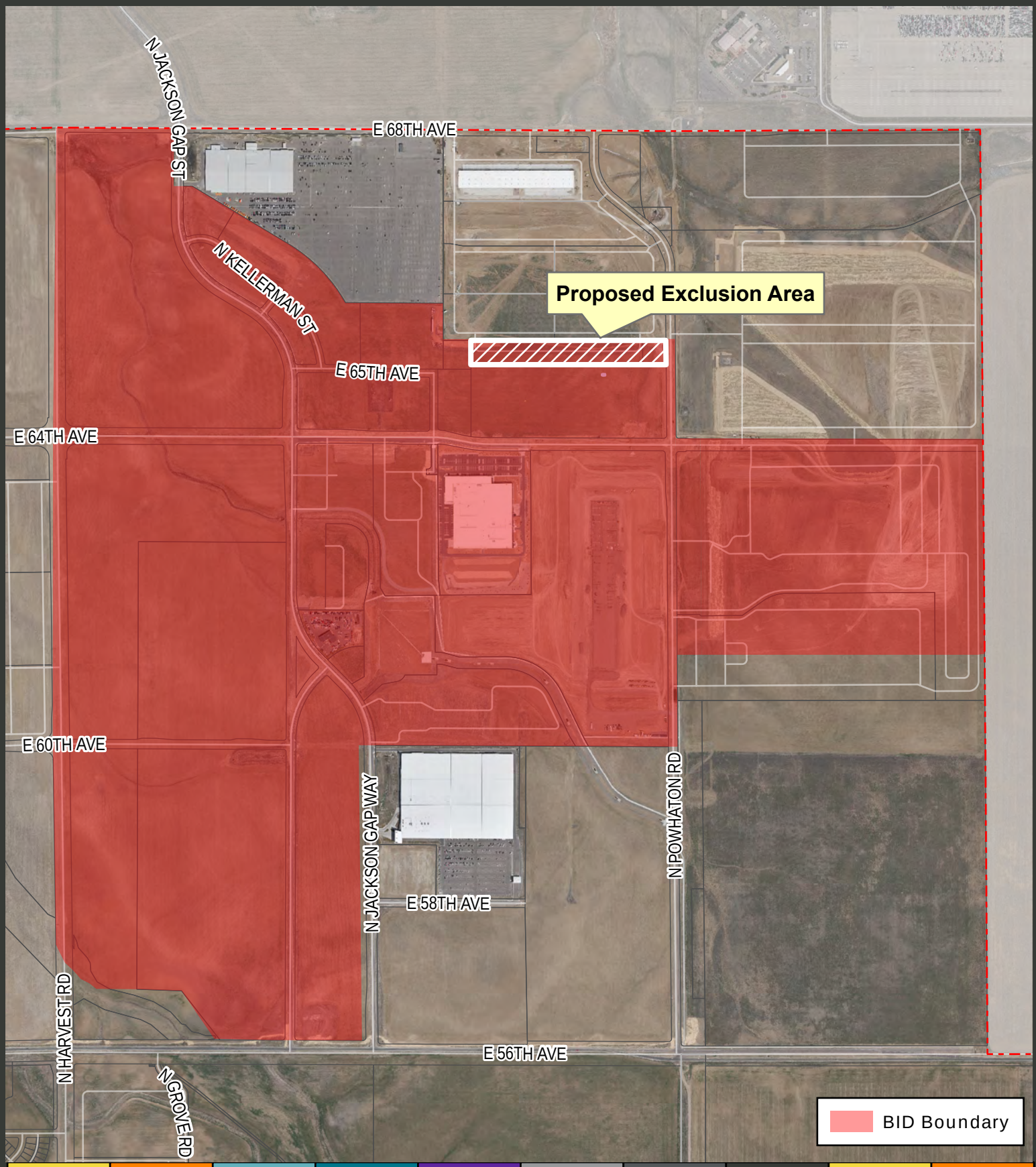
N/A

QUESTIONS FOR COUNCIL

Does the Council wish to move this to the Regular Meeting as proposed?

LEGAL COMMENTS

The owners of property seeking to include or exclude said property from a business improvement district shall file a petition with the governing body. The clerk of the governing body shall publish notice of the request and ad the time and place of the governing body's hearing on the petition. If the change in boundaries does not adversely affect the district and if the petition is granted, the govern body shall adopt an ordinance to that effect and file a certified copy of the ordinance with the county clerk and recorder. (§31-25-1220, C.R.S.). (Rulla)



Planning and Business Development

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

City of Aurora, Colorado

Porteos Business Improvement District
Proposed Exclusion Area

Miles
0 0.075 0.15

4/18/2025 I:\GIS\Arc10_MXDs\Planning\Jake C\2025\2604_BIDs.aprx

Matt R. Fegan
303-858-1800
mfegan@wbapc.com

April 16, 2025

VIA EMAIL
Michael Kerrigan
City of Aurora
Special District Administrator
Office of Development Assistance
15151 E. Alameda Parkway
Aurora, CO 80012
MKerrigan@auroragov.org

Re: Green Industrial Development Group, LLC – Petition for Exclusion of Property from Porteos Business Improvement District

Dear Mr. Kerrigan:

White Bear Ankele Tanaka & Waldron represents Green Industrial Development, LLC ("**Green**"). Green is the owner of approximately 8.1 acres of undeveloped property ("**Property**") depicted in **Attachment 1**, located within the Porteos Business Improvement District (the "**BID**") organized pursuant to Ordinance No. 2016-43 Organizing the Porteos Business Improvement District approved on October 29, 2016, by the City Council for the City of Aurora (the "**City Council**"). Green is seeking to exclude certain property from the boundaries of the BID.

Green acquired the Property from ACP DIA 1287 Investors, LLC in 2021 with the intent to develop the Property in coordination with other adjacent property owned by Green. ACP DIA 1287 Investors, LLC sold the Property to Green with the intent that it be excluded from the BID (see **Attachment 4**), and the BID approved the exclusion in June 2023 (see **Attachment 5**). Green is seeking to exclude the Property from the boundaries of the BID so it can be developed in connection with its adjacent property situated immediately to the north of the Property. The Property is not currently planned to be developed in such a way that it would provide any value to the BID, and the Property does not receive services or benefits from the BID.

As of the date of this letter, the BID has not issued any debt for which the Property is responsible to pay.

In accordance with C.R.S. § 31-25-1220, the following documents are enclosed for consideration:

1. Copy of the executed Petition for Exclusion of Property from Porteos Business Improvement District (**Attachment 2)**;
2. Proposed Notice of Exclusion for publication in the Aurora Sentinel, required to be coordinated by the City Clerk in accordance with C.R.S. § 31-25-1220(1) (**Attachment 3)**;
3. Letter from ACP DIA 1287 Investors, LLC in support of the exclusion (**Attachment 4)**;
4. June 19, 2023 Minutes of a special meeting of the BID at which the BID approved exclusion of the Property (**Attachment 5)**; and
5. An overall map of the BID (**Attachment 6)**.

Green hereby formally requests that the City Council approve the exclusion in order to facilitate development within the project. Please contact our office if you have any questions or concerns. Thank you.

Sincerely,

WHITE BEAR ANKELE TANAKA & WALDRON

Matt R. Fegan

Matt R. Fegan
Associate

ATTACHMENT 1

Aerial Depiction of Property



Approximate Site Boundary

Source:
Google Earth (Google)

Image Date:
September 12, 2019

Scale:
1" ≈ 550'

The base aerial photograph depicts conditions at the time the image was recorded; which may differ from conditions at the time of the site reconnaissance.

8.1-Acre Property
Powhaton Road, Aurora, Adams County, Colorado

Appendix A - Figure 2

Kumar & Associates Project No. 20-1-515

Site and Vicinity Diagram

ATTACHMENT 2
Petition for Exclusion

PETITION FOR EXCLUSION OF PROPERTY
FROM
PORTEOS BUSINESS IMPROVEMENT DISTRICT

TO: City Council, City of Aurora, Colorado.

The undersigned, Green Industrial Development Group, LLC., respectfully petitions the City Council of the City of Aurora in accordance with the provisions of Section 31-25-1220, C.R.S., for the exclusion of the hereinafter described property from the Porteos Business Improvement District (the "District").

The undersigned hereby requests that the property described on **Exhibit A**, which is attached hereto and incorporated herein (the "Property") be excluded from said District and that an Ordinance be adopted by the City Council excluding said property from said District, and that from and after the entry of such Ordinance, said property shall not be liable for assessments and other obligations of said District.

The undersigned represents to the City Council that it is the owner of the property and that no other persons, entity or entities own an interest in the Property.

Acceptance of the Petition shall be deemed to have occurred at that time when the City Council sets the date for the public hearing for the consideration of the Petition.

The undersigned agrees that it shall pay in full the fees and costs incurred by the City and the District for the publication of the notice of the hearing on exclusion, publication of the ordinance approving the exclusion (if any), filing and recording fees, and all other costs of exclusion of the property from said District, whether or not such exclusion is approved.

The legal description of said property situate in the County of Adams, State of Colorado, is attached hereto as **Exhibit A**.

This is a verified petition.

[*Signature page to follow*]

PETITIONER:

GREEN INDUSTRIAL DEVELOPMENT GROUP, LLC
a Delaware limited liability company

By: Dan Green,
Its: CEO

By: _____
Name: Daniel Green
Its: CEO

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 16 day of March, 2023, by Dan Green the CEO of Green Industrial Development Group, LLC, a Delaware Limited Liability Company, Petitioner.

Witness my hand and official seal.

My Commission Expires: 4-20-26

(Notary Seal)

VICTORIA HABER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224015814
MY COMMISSION EXPIRES 04/20/2026

Victoria Haber
Notary Public

EXHIBIT A
Petition for Exclusion

Legal Description

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MONUMENTED BY A FOUND 3-1/4 INCH ALUMINUM CAP SET BY PLS 23521 IN A RANGE BOX WHENCE THE CENTER QUARTER CORNER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MONUMENTED BY A FOUND 3-1/4 INCH ALUMINUM CAP SET BY PLS 13239 IN A RANGE BOX IS ASSUMED TO BEAR NORTH 89°43'05" EAST A DISTANCE OF 2640.54 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 89°40'06" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 287.13 FEET, TO THE NORTHEAST CORNER OF JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NUMBER 2020000036722 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE BOUNDARY OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1 THE FOLLOWING SIX(6) COURSES:

I. SOUTH 00°02'15" WEST, A DISTANCE OF 469.23 FEET TO A POINT OF CURVATURE;

2. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 955.00 FEET, A CENTRAL ANGLE OF 29°49'13", AN ARC LENGTH OF 497.04 FEET, THE CHORD OF WHICH BEARS SOUTH 14°52'22" EAST, A DISTANCE OF 491.45 FEET TO A POINT OF TANGENCY;

3. SOUTH 29°46'58" EAST, A DISTANCE OF 15.95 FEET TO A POINT OF CURVATURE;

4. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 955.50 FEET, A CENTRAL ANGLE OF 29°17'21", AN ARC LENGTH OF 488.45 FEET, THE CHORD OF WHICH BEARS SOUTH 15°07'49" EAST, A DISTANCE OF 483.14 FEET TO A POINT OF TANGENCY;

5. SOUTH 00°24'45" EAST, A DISTANCE OF 380.33 FEET, TO THE SOUTHEAST CORNER OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1;

6. 90°00'00" WEST, A DISTANCE OF 40.44 FEET, TO THE WESTERLY RIGHT OF WAY OF POWHATON ROAD, BEING THE **POINT OF BEGINNING.**

THENCE SOUTH 00°28'40" EAST, A DISTANCE OF 209.91 FEET ALONG THE WESTERLY RIGHT OF WAY OF POWHATON ROAD;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 1681.86 FEET;

THENCE NORTH 00°01'18" EAST, A DISTANCE OF 209.90 FEET TO THE SOUTH LINE OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 1680.03 FEET ALONG THE SOUTH LINE OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1, TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINING A CALCULATED AREA OF 352,831 SQUARE FEET OR 8.100 ACRES, MORE OR LESS.

ATTACHMENT 3
Form of Notice of Public Hearing on Petition

NOTICE OF PUBLIC HEARING ON EXCLUSION OF PROPERTY

NOTICE IS HEREBY GIVEN to all interested persons that a Petition for Exclusion of Property (the "Petition") has been or is expected to be filed with the City of Aurora requesting the property described below be excluded from Porteos Business Improvement District, City of Aurora, Adams County, Colorado (the "District").

NOTICE IF HEREBY FURTHER GIVEN that, the City Council, City of Aurora, Adams County, Colorado will hold a public hearing on the Petition on _____, 2025, at 7:30 p.m. or as soon thereafter as the City Council may hear such matter. Due to ongoing public health and state orders, the public is invited to participate electronically; please see the City's website at www.auroragov.org to register and view the meeting.

The name and address of the Petitioner and a description of the property to be excluded from the District is are as follows:

Name of Petitioner:	Green Industrial Development Group, LLC
Address of Petitioner:	26100 E. 86th Avenue, Sute 240 Aurora, Colorado 80019
General Description of Property:	Approximately 8.1 acres of undeveloped land in the southeast quarter of Section 5, Township 3 South, Range 66 West of the 6th Principal Meridian, City of Aurora, County of Adams, State of Colorado, as further described in the Petition.

NOTICE IS FURTHER GIVEN to all interested persons that they shall appear at the public meeting and show cause in writing why such Petitions should not be granted.

PUBLISHED IN: *Aurora Sentinel*
PUBLISHED ON: _____, 2025

FORM

ATTACHMENT 4
Letter to District in Support of Exclusion

PORTEOS®

March 5, 2021

BY EMAIL

Porteos Business Improvement District
c/o Alan Pogue, Esq.
Icenogle Seaver Pogue
4725 South Monaco Street
Denver, CO 80237

Re: Potential Exclusion of Real Property from the Porteos Business Improvement District ("BID").

Dear Alan:

ACP DIA 1287 Investors, LLC, has agreed to sell the property described on **Exhibit A** to this letter (the "Property") to Green Industrial Development Group ("Green"). Following its acquisition of the Property, Green intends to pursue the exclusion of the Property from the BID so that the owner of the Property will have no further obligation to pay ad valorem mill levies other than debt service mill levies for debt issued prior to the date of the exclusion from the BID, or rates, fees, charges or assessments of any type to the BID. The undersigned hereby requests that the BID board of directors pass a resolution not opposing Green's request that the Property be excluded from the BID.

Please contact me if you have any questions or require any further clarification of the matters set forth above.

Sincerely,

ACP DIA 1287 Investors, LLC

By: The San Juan Company
Its: Managing Agent

By: Bill Wichterman
Bill Wichterman, President

4530 East Shea Boulevard • Suite 100 • Phoenix, Arizona 85028
Phone: (602) 494-7800 • Fax: (602) 494-7898

Exhibit A

Description of Property

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MONUMENTED BY A FOUND 3-1/4 INCH ALUMINUM CAP SET BY PLS 23521 IN A RANGE BOX WHENCE THE CENTER QUARTER CORNER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MONUMENTED BY A FOUND 3-1/4 INCH ALUMINUM CAP SET BY PLS 13239 IN A RANGE BOX IS ASSUMED TO BEAR NORTH 89°43’05” EAST A DISTANCE OF 2640.54 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

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3. THENCE SOUTH 29°46'58" EAST, A DISTANCE OF 15.95 FEET TO A POINT OF CURVATURE;

4. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 955.50 FEET, A CENTRAL ANGLE OF 29°17'21", AN ARC LENGTH OF 488.45 FEET, THE CHORD OF WHICH BEARS SOUTH 15°07'49" EAST, 483.14 FEET;

5. THENCE SOUTH 00°24'45" EAST, A DISTANCE OF 380.33 FEET, TO THE SOUTHEAST CORNER OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1;

6. THENCE NORTH 90°00'00" WEST, A DISTANCE OF 40.44 FEET, ALONG THE SOUTH LINE OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1, TO THE WESTERLY RIGHT OF WAY OF POWHATON ROAD, BEING THE **POINT OF BEGINNING**.

THENCE SOUTH 00°28'40" EAST, A DISTANCE OF 200.01 FEET ALONG THE WESTERLY RIGHT OF WAY OF POWHATON ROAD;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 1681.78 FEET;

THENCE NORTH 00°01'18" EAST, A DISTANCE OF 200.00 FEET TO THE SOUTH LINE OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 1680.03 FEET ALONG THE SOUTH LINE OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1, TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINING A CALCULATED AREA OF 336,181 SQUARE FEET OR 7.718 ACRES, MORE OR LESS.

THE LINEAL UNIT USED IN THE PREPARATION OF THIS LEGAL DESCRIPTION IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

I, KEVIN J. KUCHARCZYK, 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.

_____

KEVIN J. KUCHARCZYK, P.L.S. 34591
FOR AND ON BEHALF OF
CVL CONSULTANTS OF COLORADO, INC.
10333 E. DRY CREEK ROAD, SUITE 240
ENGLEWOOD, CO 80112

ATTACHMENT 5
Minutes from BID Meeting Approving Exclusion

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RECORD OF PROCEEDINGS

MINUTES OF
SPECIAL MEETING OF
PORTEOS BUSINESS IMPROVEMENT DISTRICT

HELD
June 19, 2023

The Board of Directors of the Porteos Business Improvement District held a special meeting, open to the public, via MS Teams at 5:00 p.m. on Thursday, June 19, 2023. Notice of the meeting was duly posted within the boundaries of the District.

Attendance	Directors in Attendance via Teleconference: Seth C. Rollert, President Mark A. Adams, Treasurer Melissa M. Shea, Secretary Yuriy Gorlov, Assistant Secretary Kristen Adams, Assistant Secretary Also in Attendance via teleconference: Alan Pogue; Icenogle Seaver Pogue, P.C. Chris Fellows; Resolute Management LLC Diane Wheeler; Simmons and Wheeler, P.C. Bill Wichterman; A&C Properties, Inc. John Schoenfeld Barney Fix; Merrick & Company Dan Green
Call to Order	The meeting was called to order at 5:04 p.m., by Mr. Pogue, noting that a quorum was present. The Directors in attendance confirmed their qualifications to serve.
Conflict of Interest Disclosure	Mr. Pogue noted that notices of potential conflict of interest for all Board Members were filed with the Colorado Secretary of State's Office. Mr. Pogue advised the Board that pursuant to Colorado law, certain disclosures by the Board might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosure previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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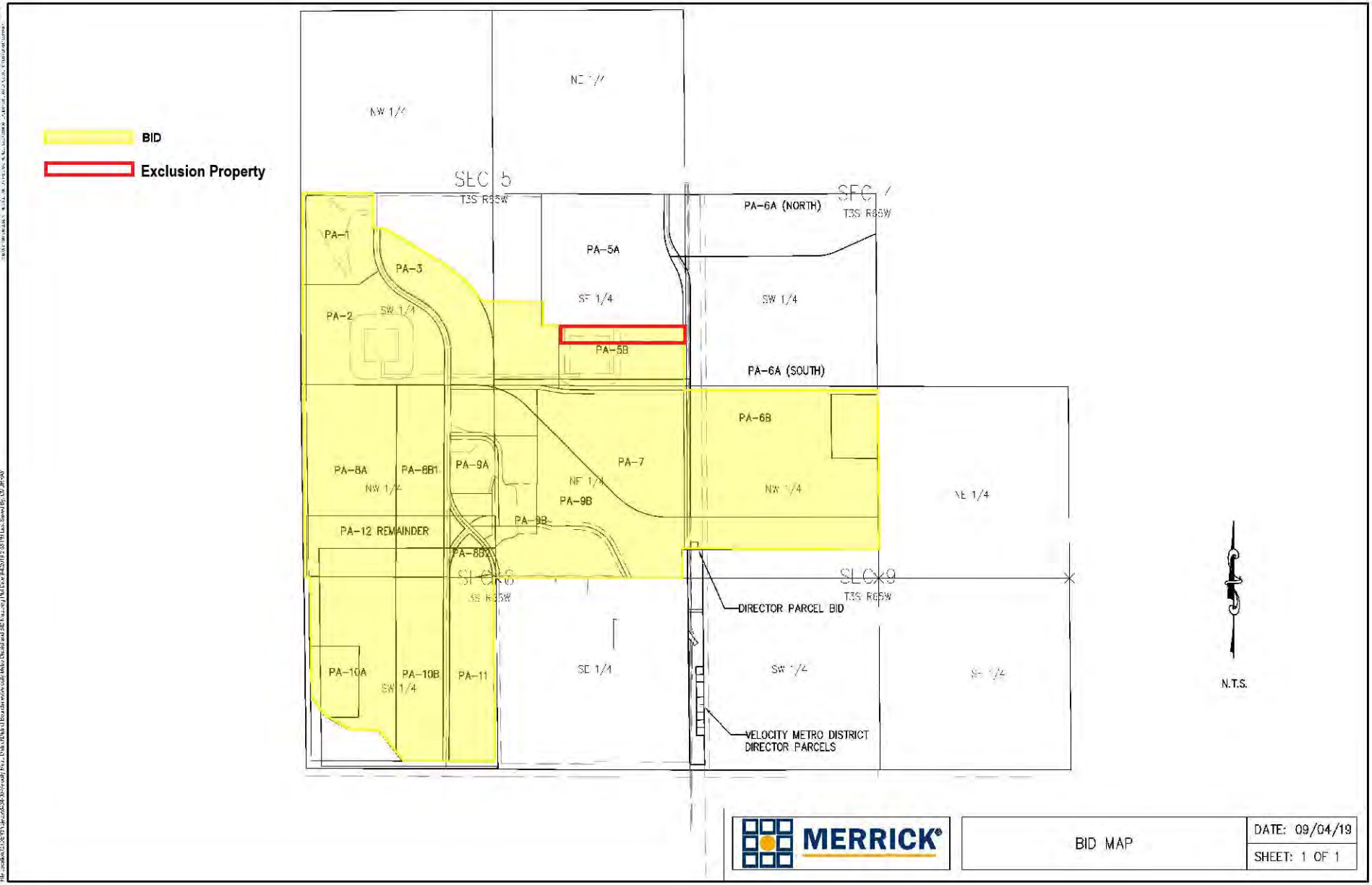
RECORD OF PROCEEDINGS

Agenda	The Board reviewed the agenda. The appointments of Director Rollert and Director Kristen Adams were added. Upon motion by Director Shea and seconded by Director Gorlov, the Board unanimously approved the agenda with the requested change.
Public Comment	There were no members of the public present.
Appointment for Vacancies and Election of Offices	The Board considered the appointments of Seth Rollert and Kristen Adams to fill the vacancies on the Board. Mr. Pogue noted that Mr. Rollert and Ms. Adams are qualified to serve as Directors until the next regular election in May 2025. Upon motion duly made by Director Shea, seconded by Director Gorlov to appoint Seth Rollert and Kristen Adams to the Board of Directors of and elected to office of President and Assistant Secretary.
Exclusion of Property	Mr. Green presented request to exclude approximately 8 acres from BID. Mr. Fellows recommended. Upon motion duly made by Director Shea, seconded by Director Gorlov, the Board unanimously approved the Exclusion of the Green Industrial Development property.
Financial Items	Ms. Wheeler presented to the Board the payment of claims report for ratification. Following discussion and upon motion made by Director Shea, and seconded by Director Gorlov, the Board unanimously accepted and ratified the payment of claims report as presented. Ms. Wheeler presented the financial reports through May 31, 2023. Following discussion and upon motion made by Director Shea and seconded by Director Gorlov the Financials for May 31, 2023 were approved.
Legal Items	Mr. Pogue presented a website Agreement with Streamline. Following discussion and upon motion made by Director Shea, and seconded by Director Mark Adams, the Board unanimously approved the website Agreement with Streamline.
Other Matters	There were no other matters for the Board.
Adjournment	There being no further business to come before the Board, the meeting was adjourned at 5:18 p.m.

DocuSigned by:
Alan Pogue
AC1FB5F5DC1D473...
Recording Secretary for the Meeting

ATTACHMENT 6
Map of BID


BID
Exclusion Property
NW 1/4
NE 1/4
SEC 5
T3S R65W
SEC 7
T3S R65W
PA-1
PA-3
PA-2
SW 1/4
PA-5A
SE 1/4
PA-5B
SW 1/4
PA-6A (NORTH)
PA-6A (SOUTH)
PA-6B
PA-8A
PA-8B1
NW 1/4
PA-9A
NE 1/4
PA-7
PA-9B
PA-8B
PA-12 REMAINDER
PA-8B2
SEC 8
T3S R65W
SEC 9
T3S R65W
DIRECTOR PARCEL BID
PA-10A
PA-10B
SW 1/4
PA-11
SE 1/4
SW 1/4
SE 1/4
VELOCITY METRO DISTRICT
DIRECTOR PARCELS
N.T.S.
MERRICK
BID MAP
DATE: 09/04/19
SHEET: 1 OF 1

ORDINANCE NO. 2025-____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXCLUDING CERTAIN PROPERTY FROM THE BOUNDARIES OF THE PORTEOS BUSINESS IMPROVEMENT DISTRICT

WHEREAS, City Council received a petition filed pursuant to Section 31-25-1220, C.R.S. for the exclusion of certain property from the Porteos Business Improvement District ("District"), which property is more particularly described in the Petition for Exclusion attached hereto as Exhibit A (the "Petition"); and

WHEREAS, Public Notice of the Petition has been given and published in the *Aurora Sentinel* in accordance with law, calling for a public hearing on the prayers of said Petition, proof of which is attached hereto as Exhibit B; and

WHEREAS, City Council has held and concluded such Public Hearing in accordance with state law, at which hearing all persons having objections to the exclusion of the properties described in the Petition were heard; and

WHEREAS, the area sought to be excluded from the District is located entirely within the City of Aurora, in Adams County, Colorado, and does not include property within any other county or within any other incorporated city, town, or city and county.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, ADAMS COUNTY, COLORADO THAT:

Section 1. City Council, being fully informed, hereby finds and determines that it has jurisdiction in this matter pursuant to the Business Improvement District Act, Part 12 of Article 25 of Title 31, C.R.S.

Section 2. City Council, being fully informed, hereby finds that notice was properly given and published in accordance with C.R.S. §31-25-1220(2) informing any interested person to appear and show cause, if any, why the petition should not be granted.

Section 3. City Council, being fully informed, hereby finds and determines that the change in boundaries of the Porteos Business Improvement District as proposed in the Petition does not adversely affect such District.

Section 4. Pursuant to Section 31-25-1220, C.R.S., City Council hereby grants the property identified on Exhibit A to be excluded from the boundaries of the Porteos Business Improvement District. A copy of said Petition and legal description of said property is attached hereto as Exhibit A and the legal descriptions of the property described therein (the "Property") are ordered incorporated herein by reference.

Section 5. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk and Recorder of Adams County, Colorado, whereupon the Property shall be excluded from the Porteos Business Improvement District.

Section 6. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other person or circumstances.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2025.

PASSED AND ORDERED PUBLISHED BY REFERENCE this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: _____ RLA
BRIAN J. RULLA, Assistant City Attorney

EXHIBIT A

PETITION FOR EXCLUSION OF PROPERTY
FROM
PORTEOS BUSINESS IMPROVEMENT DISTRICT

TO: City Council, City of Aurora, Colorado.

The undersigned, Green Industrial Development Group, LLC., respectfully petitions the City Council of the City of Aurora in accordance with the provisions of Section 31-25-1220, C.R.S., for the exclusion of the hereinafter described property from the Porteos Business Improvement District (the "District").

The undersigned hereby requests that the property described on **Exhibit A**, which is attached hereto and incorporated herein (the "Property") be excluded from said District and that an Ordinance be adopted by the City Council excluding said property from said District, and that from and after the entry of such Ordinance, said property shall not be liable for assessments and other obligations of said District.

The undersigned represents to the City Council that it is the owner of the property and that no other persons, entity or entities own an interest in the Property.

Acceptance of the Petition shall be deemed to have occurred at that time when the City Council sets the date for the public hearing for the consideration of the Petition.

The undersigned agrees that it shall pay in full the fees and costs incurred by the City and the District for the publication of the notice of the hearing on exclusion, publication of the ordinance approving the exclusion (if any), filing and recording fees, and all other costs of exclusion of the property from said District, whether or not such exclusion is approved.

The legal description of said property situate in the County of Adams, State of Colorado, is attached hereto as **Exhibit A**.

This is a verified petition.

[*Signature page to follow*]

PETITIONER:

GREEN INDUSTRIAL DEVELOPMENT GROUP, LLC
a Delaware limited liability company

By: Dan Green,
Its: CEO

By: _____
Name: Daniel Green
Its: CEO

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 16 day of March, 2023, by Dan Green the CEO of Green Industrial Development Group, LLC, a Delaware Limited Liability Company, Petitioner.

Witness my hand and official seal.

My Commission Expires: 4-20-26

(Notary Seal)

VICTORIA HABER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224015814
MY COMMISSION EXPIRES 04/20/2026

Victoria Haber
Notary Public

EXHIBIT A
Petition for Exclusion

Legal Description

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MONUMENTED BY A FOUND 3-1/4 INCH ALUMINUM CAP SET BY PLS 23521 IN A RANGE BOX WHENCE THE CENTER QUARTER CORNER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MONUMENTED BY A FOUND 3-1/4 INCH ALUMINUM CAP SET BY PLS 13239 IN A RANGE BOX IS ASSUMED TO BEAR NORTH 89°43'05" EAST A DISTANCE OF 2640.54 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 89°40'06" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 287.13 FEET, TO THE NORTHEAST CORNER OF JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NUMBER 2020000036722 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE BOUNDARY OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1 THE FOLLOWING SIX(6) COURSES:

1. SOUTH 00°02'15" WEST, A DISTANCE OF 469.23 FEET TO A POINT OF CURVATURE;
2. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 955.00 FEET, A CENTRAL ANGLE OF 29°49'13", AN ARC LENGTH OF 497.04 FEET, THE CHORD OF WHICH BEARS SOUTH 14°52'22" EAST, A DISTANCE OF 491.45 FEET TO A POINT OF TANGENCY;
3. SOUTH 29°46'58" EAST, A DISTANCE OF 15.95 FEET TO A POINT OF CURVATURE;
4. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 955.50 FEET, A CENTRAL ANGLE OF 29°17'21", AN ARC LENGTH OF 488.45 FEET, THE CHORD OF WHICH BEARS SOUTH 15°07'49" EAST, A DISTANCE OF 483.14 FEET TO A POINT OF TANGENCY;
5. SOUTH 00°24'45" EAST, A DISTANCE OF 380.33 FEET, TO THE SOUTHEAST CORNER OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1;
6. 90°00'00" WEST, A DISTANCE OF 40.44 FEET, TO THE WESTERLY RIGHT OF WAY OF POWHATON ROAD, BEING THE **POINT OF BEGINNING.**

THENCE SOUTH 00°28'40" EAST, A DISTANCE OF 209.91 FEET ALONG THE WESTERLY RIGHT OF WAY OF POWHATON ROAD;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 1681.86 FEET;

THENCE NORTH 00°01'18" EAST, A DISTANCE OF 209.90 FEET TO THE SOUTH LINE OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 1680.03 FEET ALONG THE SOUTH LINE OF SAID JAG LOGISTICS CENTER AT DIA SUBDIVISION FILING NO. 1, TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINING A CALCULATED AREA OF 352,831 SQUARE FEET OR 8.100 ACRES, MORE OR LESS.

Exhibit B
Form of Notice of Public Hearing on Petition

NOTICE OF PUBLIC HEARING ON EXCLUSION OF PROPERTY

NOTICE IS HEREBY GIVEN to all interested persons that a Petition for Exclusion of Property (the "Petition") has been or is expected to be filed with the City of Aurora requesting the property described below be excluded from Porteos Business Improvement District, City of Aurora, Adams County, Colorado (the "District").

NOTICE IF HEREBY FURTHER GIVEN that, the City Council, City of Aurora, Adams County, Colorado will hold a public hearing on the Petition on _____, 2025, at 7:30 p.m. or as soon thereafter as the City Council may hear such matter. Due to ongoing public health and state orders, the public is invited to participate electronically; please see the City's website at www.auroragov.org to register and view the meeting.

The name and address of the Petitioner and a description of the property to be excluded from the District is are as follows:

Name of Petitioner:	Green Industrial Development Group, LLC
Address of Petitioner:	26100 E. 86th Avenue, Sute 240 Aurora, Colorado 80019
General Description of Property:	Approximately 8.1 acres of undeveloped land in the southeast quarter of Section 5, Township 3 South, Range 66 West of the 6th Principal Meridian, City of Aurora, County of Adams, State of Colorado, as further described in the Petition.

NOTICE IS FURTHER GIVEN to all interested persons that they shall appear at the public meeting and show cause in writing why such Petitions should not be granted.

PUBLISHED IN: *Aurora Sentinel*
PUBLISHED ON: _____, 2025

FORM

CITY OF AURORA
Council Agenda Commentary

Item Title: Aurora Commerce Center (ACC) Metropolitan District Service Plan Amendment (Resolution)
Item Initiator: Michael Kerrigan, Special District Administrator, Development Services
Staff Source/Legal Source: Michael Kerrigan, Special District Administrator, Development Services / Brian Rulla, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Michael Kerrigan, Special District Administrator, Development Services / Brian Rulla, 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: 6/5/2025

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 ACC Metropolitan District ("District") is located in Adams County bounded between Picadilly Road and E-470 on the east and west; and between Smith Road and 26th Avenue on the south and north. The District was established to finance and construct the public improvements that benefit the citizens of the District for the project known as Aurora Commerce Center. City Council first approved a service plan and the district was organized in 2003. In 2011 an amended and restated service plan was approved; and in 2018 Council approved a 1st amendment to the amended and restated service plan. The property that the District serves includes purely commercial property uses and the project is approximately half built out.

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

The development of the project has been delayed since the service plan was originally approved in 2003, as a result the cost of public improvements has increased over time. Additional public improvements are necessary to be funded by the District primarily related to improvements of the Picadilly Road and Smith Road intersection. The improvements generally consist of drainage work, a railroad crossing, utility work, and paving of the roads. The District has executed an IGA with the City and is obligated to complete these improvements. To pay for this work, the District anticipates issuing bonds in the future. The purpose of this Service Plan amendment is to update the estimated costs of the public improvements and increase the maximum amount of debt that can be issued by the District as a result of the additional public improvements. The District is using the model service plan for this amendment.

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 move this to the Regular Meeting as proposed?

LEGAL COMMENTS

Title 32, Article 1, C.R.S., as amended, and Section 122-36(b) of the City Code each provide that material modifications to an approved metropolitan district service plan may be made by the board of directors of a district only by petition to and approval by the City Council in substantially the same manner as provided for in the approval for an original service plan.

Section 122-32 of the City Code requires that the City Council conduct a public hearing regarding approval of the proposed district and its service plan. Therefore, a public hearing is required prior to material modifications of the service plan pursuant to Section 122-36(b).

Section 122-30(21) further requires that the special district enter into a written agreement with the City. The proposed Intergovernmental Agreement satisfies the requirements set forth therein. As the proposed Agreement is with another governmental entity, a resolution is required to authorize its execution. (City Charter Section 10-12.) (Rulla)

RESOLUTION NO. R2025 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE SECOND AMENDED AND RESTATED SERVICE PLAN FOR ACC METROPOLITAN DISTRICT AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND THE DISTRICT

WHEREAS, the City Council (the "Council") of the City of Aurora, Colorado (the "City"), has adopted Chapter 122 of the City's Municipal Code (the "Code"), which Chapter establishes procedures for the review and approval of proposals to modify service plans for Title 32 special districts located within the City's boundaries; and

WHEREAS, the City Council approved the Service Plan for ACC Metropolitan District (the "District") on September 8, 2003 (the "Original Service Plan"); and

WHEREAS, the City Council approved a First Amended and Restated Service Plan on August 22, 2011 (the "2011 Service Plan") which replaced and superseded the Original Service Plan; and

WHEREAS, the 2011 Service Plan was amended by that certain First Amendment to the First Amended and Restated Service Plan, approved by the City on May 21, 2018 (the "2018 Amendment" and together with the 2011 Service Plan, the "Service Plan"); and

WHEREAS, the District previously funded the construction and/or acquisition of certain public improvements to serve its service area; and

WHEREAS, additional public improvements are necessary to be funded by the District, including the Picadilly and Smith Road intersection, including drainage, railroad crossings, utilities and paving; and

WHEREAS, due to the delay in development since the 2003 Service Plan was approved, the cost of such additional public improvements has increased, resulting in a need for additional debt authority; and

WHEREAS, the District requests an amendment to the Service Plan to update the estimated costs of the Public Improvements and to increase the maximum amount of Debt that may be issued by the District; and

WHEREAS, pursuant to Section 32-1-207, C.R.S., as amended, and Section 122-36 of the City Code, the Second Amended and Restated Service Plan (the "Second Amended and Restated Service Plan") for the District has been submitted to the City Council; and

WHEREAS, City staff has reviewed the proposed Second Amended and Restated Service Plan and finds that such amendments are in the best interests of both the City and the District's taxpayers; and

WHEREAS, Title 32, Article 1, C.R.S., as amended, and Section 122-36(b) of the Code each provide that material modifications to an approved service plan may be made by the District's board of directors only by petition to and approval by the Council in substantially the same manner as provided for in the approval for the original service plan; and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, and Chapter 122 of the City Code, the City Council held a public hearing on the First Amended and Restated Service Plan for the District; and

WHEREAS, notice of the hearing before the City Council was duly published in *The Aurora Sentinel*, a newspaper of general circulation within the City and the District, as required by law, and mailed to owners of record of all property within the District, to the Division of Local Government, and to the governing body of each municipality and title 32 district that has levied an ad valorem tax within the next preceding tax year and that has boundaries within a radius of three miles of the District; and

WHEREAS, the City Council has considered the First Amended and Restated Service Plan, the recommendation of City staff, and all other testimony and evidence presented at the hearing; and

WHEREAS, the City Council finds that the Second Amended and Restated Service Plan should be approved unconditionally, as permitted by Section 32-1-207, C.R.S., as amended, and Section 122-36 of the City Code.

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

Section 1. The City Council hereby finds and determines that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, and Chapter 122-36 of the City Code relating to the filing and amending of the Service Plan for the District have been fulfilled and that notice of the hearing was given in the time and manner required by law;

Section 2. All pertinent facts, matters, and issues were submitted at the public hearing, all interested parties were heard or had the opportunity to be heard, and evidence satisfactory to the Council of each of the following was presented:

a. There is still sufficient existing and projected need for organized service in the area served by the District;

b. The existing service in the area served by the District remains inadequate for present and projected needs;

c. The District is capable of providing economical and sufficient services to the area within its boundaries;

d. The area included within the District has, or will have, the financial ability to discharge the indebtedness proposed by the Second Amended and Restated Service Plan on a reasonable basis;

e. Adequate service is not, or will not be, available to the area through the City, county, or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis;

f. The facility and service standards of the District are compatible with the facility and service standards of the City;

g. The Second Amended and Restated Service Plan is in substantial compliance with the comprehensive plan adopted by the City;

h. The Second Amended and Restated Service Plan is in compliance with any duly-adopted City, regional, or state long-range water quality management plan for the area; and

i. The Second Amended and Restated Service Plan is in the best interests of the area served by the District.

Section 3. The Second Amended and Restated Service Plan is hereby approved as submitted.

Section 4. The Mayor and the City Clerk are hereby authorized to execute, on behalf of the City, the IGA 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 5. The District shall not be authorized to incur any additional bonded indebtedness until such time as the Districts have approved and executed the IGA.

Section 6. This Resolution shall be filed in the records of the City and a certified copy thereof submitted to the petitioners for the Districts for the purpose of filing in the District Court of Adams County.

Section 7. All prior resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, 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: _____ RLA

BRIAN J. RULLA, Assistant City Attorney

McGEADY BECHER CORTESE WILLIAMS
Special District Law

May 14, 2025

VIA EMAIL & HAND DELIVERY

City of Aurora
Office of Development Assistance
Attn: Michael Kerrigan, Special District Administrator
15151 E. Alameda Parkway, Suite 5200
Aurora, CO 80012
mkerriga@auroragov.org

Re: **ACC Metropolitan District – Amendment to Service Plan**

Dear Michael:

McGeady Becher Cortese Williams P.C. is District Counsel to ACC Metropolitan District (the "**District**") that operates pursuant to that certain Service Plan approved by the City of Aurora (the "**City**") on September 8, 2003, superseded by that certain First Amended and Restated Service Plan, approved by the City on August 22, 2011 (the "**2011 Service Plan**") and amended by that certain First Amendment to the First Amended and Restated Service Plan, approved by the City on May 21, 2018 (the "**2018 Amendment**" and together with the 2011 Service Plan, the "**Service Plan**"). The District requests an amendment to the Service Plan to update the estimated costs of the Public Improvements and to increase the maximum amount of Debt that may be issued by the District.

a. **Metro District Name**: ACC Metropolitan District

b. **Contact Information**: Paula J. Williams, Esq.
McGeady Becher Cortese Williams P.C.
450 E. 17th Avenue, Suite 400
Denver, CO 80203
Phone: (303) 592-4380
Email: pwilliams@specialdistrictlaw.com

c. **Form of Service Plan**: Single District

d. **Type of Development**: Commercial

e. **Status of Aurora development review process on development plans**: The City has approved development plans for property, which is intended to be comprised of four (4) industrial/commercial buildings with up to 1,290,361 square feet. Two buildings have been completed so far, within two buildings remaining. In connection with the two remaining buildings, the District and the City (the "**Parties**") entered in that certain Public Improvement Deferral Agreement, dated June 23, 2023 and recorded in the Adams County Clerk and Recorded on June 27, 2023 at Reception No. 2023000036107 (the "**Deferral Agreement**"). Pursuant to the Deferral Agreement, the deferred improvements are all the improvements within the approved plans (COA EDN 221219) (the "**Deferred Improvements**"), except those depicted in Exhibit A of the Deferral Agreement noted as "non-deferred construction." Certain of the Deferred Improvements will also require approval and permits from the Union Pacific Railroad Company ("**UPRR**") as well as the Colorado Public Utilities Commission ("**PUC**"), which UPRR and PUC permits and approvals have not yet been obtained. The Deferral Agreement allows for the City to issue Occupancy Permit(s) and the Parties agreed to draft an intergovernmental reimbursement agreement (the "**Roadway Reimbursement IGA**") pursuant to which the Deferred Improvements will be constructed. The Parties agreed to the following:

   a. within six (6) months following the later to occur of: (a) the date the UPRR and PUC approvals/permits are obtained; (b) the date the Roadway Reimbursement IGA is approved by both Parties and executed; and (c) the date upon which Aurora gives written notice by Certified Mail to the District, the District shall commence construction of the Deferred Improvements in accordance with the Roadway Reimbursement IGA or provide a method of security as provided in Code Section 146-5.3.19(c), for the installation of the Deferred Improvements, and

   b. within thirty (30) days, following the later to occur of: (a) the date the UPRR and PUC approvals/permits are obtained; (b) the date the Roadway Reimbursement IGA is approved by both Parties and executed; and (c) the date upon which Aurora gives written notice by Certified Mail to the District, the District will, with good faith efforts, secure a performance bond covering the construction of the Deferred Improvements. Aurora may issue said notice at any time, including but not limited to, such time as the Director of Public Works determines that additional public improvement construction is to occur adjacent to or near the above-described Property.

f. **Justification for request to approve**: The District previously funded the construction and/or acquisition of certain public improvements to serve its Service Area. Additional public improvements are necessary to be funded by the District, including the Picadilly and Smith Road intersection, including drainage, railroad crossings, utilities and paving. As a result of the delay in development since the 2003 Service Plan was approved, the

cost of such additional public improvements has increased, resulting in a need for additional debt authority. Accordingly, the purpose of this Amendment is to update the estimated costs of the public improvements and increase the maximum amount of Debt that can be issued by the District.

g. **Statement Certifying Compliance with the Auora Model Service Plan: The proposed** Service Plan is an exact copy of the single district model service plan and any and all changes from the model are clearly identified.

h. **Statement on the Debt Limit**: The debt limits reported in Sections V.A.10 (Total Debt Issuance Limitation) and VII.A. (Financial Plan – General) does not include any debt associated with regional improvement described in the last sentence of Section VI.C.

i. **Special Requests**: None

j. **Summary Table of Key Financial Data**:

Name of Metro District	Public Improvements (V.B)	Debt Limit (V.A.10)	Debt Limit includes ARI?	ARI Debt Limit (VI.C.)	Total Debt Capacity	Organizing and Operating Reimbursement (VII.I)	2025 year Operating and Maintenance (VII.I)
ACC MD	$57,000,000	$75,000,000	No	$75,000,000	$71,000,000	$10,000	$75,882

SECOND AMENDED AND RESTATED SERVICE PLAN
FOR

ACC METROPOLITAN DISTRICT

CITY OF AURORA, COLORADO

Prepared

by

MCGEADY BECHER CORTESE WILLIAMS P.C.
450 E. 17TH AVENUE, SUITE 400
DENVER, CO 80203-1254

DATE _____

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I. INTRODUCTION

A. Purpose and Intent.

On September 8, 2003, the City Council of the City of Aurora, Colorado (the "**City**") approved a Service Plan (the "**2003 Service Plan**") for the District. The District was organized on November 12, 2003 by recordation of an Order and Decree in the office of the Adams County Clerk and Recorder. On August 22, 2011, the City approved a First Amended and Restated Service Plan for the District (the "**First Amended and Restated Service Plan**"). Subsequently, on May 21, 2018, the City approved a First Amendment to the First Amended and Restated Service Plan (the "**First Amendment**"). The District desires to further amend its Service Plan by virtue of this Second Amended and Restated Service Plan, which shall supersede the 2003 Service Plan, the First Amended and Restated Service Plan and the First Amendment. The District is an independent unit of local government, separate and distinct from the City, and, except as may otherwise be provided for by State or local law or this Service Plan, its activities are subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Service Plan. It is intended that the District will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the District. The primary purpose of the District will be to finance the construction of these Public Improvements.

The District is not being created to provide ongoing operations and maintenance services other than as specifically set forth in this Service Plan.

B. Need for the District.

There are currently no other governmental entities, including the City, located in the immediate vicinity of the District that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of the Public Improvements needed for the Project. Formation of the District is therefore necessary in order for the Public Improvements required for the Project to be provided in the most economic manner possible.

C. Objective of the City Regarding District's Service Plan.

The City's objective in approving the Service Plan for the District is to authorize the District to provide for the planning, design, acquisition, construction, installation, relocation and redevelopment of the Public Improvements from the proceeds of Debt to be issued by the District. All Debt is expected to be repaid by taxes imposed and collected for no longer than the Maximum Debt Mill Levy Imposition Term for residential properties and at a tax mill levy no higher than the Maximum Debt Mill Levy for commercial and residential properties, and/or repaid by Fees, as long as such Fees are not imposed upon or collected from Taxable Property owned or occupied by an End User for the purpose of creating a capital cost payment obligation as further described in Section V.A.11. Debt which is issued within these parameters and, as further described in the Financial Plan, will insulate property owners from excessive tax and Fee burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Service Plan is intended to establish a limited purpose for the District and explicit financial constraints that are not to be violated under any circumstances. The primary purpose is to provide for the Public Improvements associated with development and regional needs. Operational activities are allowed, but only through an intergovernmental agreement with the City.

It is the intent of the District to dissolve upon payment or defeasance of all Debt incurred or upon a court determination that adequate provision has been made for the payment of all Debt, and if the District has authorized operating functions under an intergovernmental agreement with the City, to retain only the power necessary to impose and collect taxes or Fees to pay for these costs.

The District shall be authorized to finance the Public Improvements that can be funded from Debt to be repaid from Fees or from tax revenues collected from a mill levy which shall not exceed the Maximum Debt Mill Levy on commercial and residential properties and which shall not exceed the Maximum Debt Mill Levy Imposition Term on residential properties. It is the intent of this Service Plan to assure to the extent possible that no commercial or residential property bear an economic burden that is greater than that associated with the Maximum Debt Mill Levy in amount and that no property developed for a residential use bear an economic burden that is greater than that associated with the Maximum Debt Mill Levy Imposition Term in duration even under bankruptcy or other unusual situations. Generally, the cost of Public Improvements that cannot be funded within these parameters are not costs to be paid by the District. With regard to Regional Improvements, this Service Plan also provides for the District to pay a portion of the cost of regional infrastructure as part of ensuring that development and those that benefit from development pay for the associated costs.

II. DEFINITIONS

In this Service Plan, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Agreed Upon Procedures Engagement: means an attestation engagement in which a certified public accountant performs specific procedures on subject matter and reports the findings without providing an opinion or conclusion. The subject matter may be financial or nonfinancial information. Because the needs of an engaging party vary, the nature, timing, and extent of the procedures may vary, as well.

Approved Development Plan: means a Framework Development Plan or other process established by the City for identifying, among other things, Public Improvements necessary for facilitating development for property within the Service Area as approved by the City pursuant to the City Code and as amended pursuant to the City Code from time to time.

ARI or Regional Improvements: means Aurora Regional Improvements.

ARI Authority: means one or more Authorities established by an ARI Authority Establishment Agreement.

ARI Establishment Agreement: means an intergovernmental agreement establishing an ARI Authority which has, at minimum, Title 32 special districts from three (3) or more Approved Development Plan areas as parties to the Agreement.

ARI Master Plan: means one or more master plans adopted by an ARI Authority establishing Regional Improvements which will benefit the taxpayers and service users of the District which constitute such ARI Authority, which master plan will change from time to time.

ARI Mill Levy: means the following:

A. For a district with property within its boundaries developed with any residential uses means the mill levy imposed for payment of the costs of the planning, design, permitting, construction, acquisition and financing of the improvements described in the ARI Master Plan, which: (i) shall be one (1) mill for collection beginning for each district in the first year of collection of a debt service mill levy by such district and continuing in each year thereafter through the twentieth (20th) year; and (ii) shall be five (5) mills from the twenty-first (21st) year through the fortieth (40th) year or the date of repayment of the debt incurred for Public Improvements, other than Regional Improvements, which ever first occurs; and (iii) for an additional ten (10) years, the mill levy shall be equal to the average debt service mill levy imposed by such district in the ten (10) years prior to the date of repayment of the debt incurred for Public Improvements other than Regional Improvements; and

B. For a district with property within its boundaries developed solely for commercial uses means the mill levy imposed for payment of the costs of the planning, design, permitting, construction, acquisition and financing of the improvements described in the ARI Master Plan, which: (i) shall be one (1) mill for collection beginning for each district in the first year of collection of a debt service mill levy by such district and continuing in each year thereafter through the twentieth (20th) year; (ii) shall be one and one-half (1.5) mills from the twenty-first (21st) year through the date of repayment of debt incurred for Public Improvements, other than Regional Improvements; and (iii) for five (5) years thereafter, the mill levy shall be the lesser of twenty (20) mills or a mill levy equal to the average debt service mill levy imposed by such district in the ten (10) years prior to the date of repayment of debt issued for Public Improvements, other than Regional Improvements; and

C. Any district may, pursuant to any intergovernmental agreement with the City, extend the term for application of the ARI Mill Levy beyond the years set forth in A and B above. The Maximum Mill Levy Imposition Term shall include the terms set forth in A and B above and any extension of the term as approved in an intergovernmental agreement as described herein.

D. All mills described in this ARI Mill Levy definition shall be subject to adjustment as follows: On or after January 1, 2004, if there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the one (1) mill levy described above may be increased or decreased to reflect such changes, such

increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2004, are neither diminished nor enhanced as a result of such changes, for purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

Board: means the board of directors of the District.

Bond, Bonds or Debt: means bonds or other obligations for the payment of which the District has promised to impose an *ad valorem* property tax mill levy, and/or collect Fee revenue.

City: means the City of Aurora, Colorado.

City Code: means the City Code of the City of Aurora, Colorado.

City Council: means the City Council of the City of Aurora, Colorado.

C.R.S.: means the Colorado Revised Statutes, as the same may be amended from time to time.

District: means the ACC Metropolitan District.

End User: means any owner, or tenant of any owner, of any taxable improvement within the District, who is intended to become burdened by the imposition of ad valorem property taxes subject to the Maximum Debt Mill Levy. By way of illustration, a resident homeowner, renter, commercial property owner, or commercial tenant is an End User. The business entity that constructs homes or commercial structures is not an End User.

External Financial Advisor: means a consultant that: (i) advises Colorado governmental entities on matters relating to the issuance of securities by Colorado governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an underwriter, investment banker, or individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (iii) is not an officer or employee of the District and has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Fees: means any fee imposed by the District for services, programs or facilities provided by the District, as described in Section V.A.11. below.

Financial Plan: means the Financial Plan described in Section VII which describes (i) how the Public Improvements are to be financed; (ii) how the Debt is expected to be incurred; and (iii) the estimated operating revenue derived from property taxes for the first budget year.

Initial District Boundaries: means the boundaries of the area described in the Initial District Boundary Map.

Initial District Boundary Map: means the map attached hereto as **Exhibit C-1**, describing the District's initial boundaries.

Maximum Debt Mill Levy: means the maximum mill levy the District is permitted to impose for payment of Debt as set forth in Section VII.C below.

Maximum Debt Mill Levy Imposition Term: means the maximum term for imposition of a mill levy on a particular property developed for residential uses as set forth in Section VII.D below.

Operations and Maintenance Mill Levy: means the mill levy the District projects to impose for payment of administration, operations, and maintenance costs as set forth in the Financial Plan in Section VII below.

Project: means the development or property commonly referred to as Aurora Commerce Center.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the Special District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the Service Area as determined by the Board of the District.

Regional Improvements: means Public Improvements and facilities that benefit the Service Area and which are to be financed pursuant to Section VI below.

Service Area: means the property within the Initial District Boundary Map.

Service Plan: means this Second Amended and Restated Service Plan for the District approved by City Council.

Service Plan Amendment: means an amendment to the Service Plan approved by City Council in accordance with the City's ordinance and the applicable state law.

Special District Act: means Section 32-1-101, et seq., of the Colorado Revised Statutes, as amended from time to time.

State: means the State of Colorado.

Taxable Property: means real or personal property within the Service Area subject to ad valorem taxes imposed by the District.

III. BOUNDARIES

The area of the Initial District Boundaries includes approximately One Hundred Sixty-Two (162) acres. A legal description of the Initial District Boundaries is attached hereto as **Exhibit A**. A vicinity map is attached hereto as **Exhibit B**. A map of the Initial District Boundaries is attached hereto as **Exhibit C-1**. It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to Section 32-1-401, et seq., C.R.S., and Section 32-1-501, et seq., C.R.S., subject to the limitations set forth in Article V below.

IV. PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION

The Service Area consists of approximately One Hundred Sixty-Two (162) acres of commercial land. The current assessed valuation of the Service Area is $47,531,670. for purposes of this Service Plan and, at build out, is expected to be sufficient to reasonably discharge the Debt under the Financial Plan. The residential population of the District at build-out is estimated to be zero (0) people.

Approval of this Service Plan by the City does not imply approval of the development of a specific area within the District, nor does it imply approval of the number of residential units or the total site/floor area of commercial or industrial buildings identified in this Service Plan or any of the exhibits attached thereto, unless the same is contained within an Approved Development Plan.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the District and Service Plan Amendment.

The District shall have the power and authority to provide the Public Improvements and related operation and maintenance services within and without the boundaries of the District as such power and authority is described in the Special District Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein. Any power or authority granted to the board of county commissioners pursuant to the Special District Act shall be deemed to be granted to the City Council without reservation or limitation.

In connection with the performance of all acts or activities hereunder, the District shall not violate any protection clauses of the United States or Colorado State Constitutions. The District shall not discriminate against any person because of race, color, religion, national origin, gender, age, military status, sexual orientation, gender identity or gender expression, marital status, or physical or mental disability, and further shall insert the foregoing provision in contracts or subcontracts let by the District to accomplish the purposes of this Service Plan.

1. Operations and Maintenance Limitation. The purpose of the District is to plan for, design, acquire, construct, install, relocate, redevelop and finance the Public Improvements. The District shall dedicate the Public Improvements to the City or other appropriate jurisdiction or owners association in a manner consistent with the Approved Development Plan and other rules and regulations of the City and applicable provisions of the

City Code. The District shall not be authorized to operate and maintain any part or all of the Public Improvements, other than park and recreation improvements, unless the provision of such operation and maintenance is pursuant to an intergovernmental agreement with the City. The Districts shall be authorized, but not obligated to, operate and maintain park and recreation improvements without any intergovernmental agreement with the City, provided that any Fee imposed by the District for access to such park and recreation improvements shall not result in Non-District Aurora residents paying a user fee that is greater than, or otherwise disproportionate to, similar fees and taxes paid by residents of the District. However, the District shall be entitled to impose an administrative Fee as necessary to cover additional expenses associated with Non-District Aurora residents to ensure that such costs are not the responsibility of District residents. All such Fees shall be based upon the District's determination that such Fees do not exceed reasonable annual market fees for users of such facilities. Notwithstanding the foregoing, all parks and trails owned by the District shall be open to the general public and Non-District Aurora residents, subject to the rules and regulations of the District as adopted from time to time. Trails which are interconnected with a city or regional trail system shall be open to the public free of charge and on the same basis as residents and owners of taxable property within the District.

2. Fire Protection Limitation. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain fire protection facilities or services, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City. The authority to plan for, design, acquire, construct, install, relocate, redevelop or finance fire hydrants and related improvements installed as part of the water system shall not be limited by this provision.

3. Television Relay and Translation Limitation. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain television relay and translation facilities and services, other than for the installation of conduit as a part of a street construction project, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City.

4. Golf Course Construction Limitation. Acknowledging that the City has financed public golf courses and desires to coordinate the construction of public golf courses in the City's boundaries, the District shall not be authorized to plan, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain a golf course unless such activity is pursuant to an intergovernmental agreement with the City.

5. Construction Standards Limitation. The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction. The District will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work.

6. Privately Placed Debt Limitation. Prior to the issuance of any privately placed Debt, the District shall obtain the certification of an External Financial Advisor substantially as follows:

We are [I am] an External Financial Advisor within the meaning of the District's Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

7. Inclusion Limitation. The District shall not include within any of its boundaries any property outside the Service Area without the prior written consent of the City. The District shall not include within any of its boundaries any property inside the inclusion area boundaries without the prior written consent of the City except upon petition of the fee owner or owners of 100 percent of such property as provided in Section 32-1-401(1)(a), C.R.S.

8. Overlap Limitation. The District shall not consent to the organization of any other district organized under the Special District Act within the Service Area which will overlap the boundaries of the District unless the aggregate mill levy for payment of Debt of such proposed districts will not at any time exceed the Maximum Debt Mill Levy of the District.

9. Initial Debt Limitation.. On or before the effective date of approval by the City of an Approved Development Plan, the District shall not: (a) issue any Debt; nor (b) impose a mill levy for the payment of Debt by direct imposition or by transfer of funds from the operating fund to the Debt service funds; nor (c) impose and collect any Fees used for the purpose of repayment of Debt.

10. Total Debt Issuance Limitation.. The District shall not issue Debt in excess of Seventy-Five Million Dollars ($75,000,000) in the aggregate; provided however, that any Debt issued by the District for Regional Improvements shall not be included within this limitation and shall be subject to the limitations set forth in Section VI.

11. Fee Limitation.. The District may impose and collect Fees as a source of revenue for repayment of debt, capital costs, and/or for operations and maintenance. No Fee related to the funding of costs of a capital nature shall be authorized to be imposed upon or collected from Taxable Property owned or occupied by an End User which has the effect, intentional or otherwise, of creating a capital cost payment obligation in any year on any Taxable Property owned or occupied by an End User. Notwithstanding any of the foregoing, the restrictions in this definition shall not apply to any Fee imposed upon or collected from Taxable Property for the purpose of funding operation and maintenance costs of the District.

12. Monies from Other Governmental Sources.. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other funds available from or through governmental or non-profit entities that the City is eligible to apply for, except pursuant to an intergovernmental agreement with the City. This Section shall not

apply to specific ownership taxes which shall be distributed to and be a revenue source for the District without any limitation.

13. Consolidation Limitation. The District shall not file a request with any Court to consolidate with another Title 32 district without the prior written consent of the City.

14. Bankruptcy Limitation. All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy, Maximum Debt Mill Levy Imposition Term and the Fees have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and

(b) Are, together with all other requirements of Colorado law, included in the "political or governmental powers" reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the "regulatory or electoral approval necessary under applicable nonbankruptcy law" as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term, shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S. and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

15. Website. When a district is required to have a website in accordance with the requirements of C.R.S. Section 32-1-104.5, the District shall establish, maintain and annually update a public website or provide information on a shared community website, on which the District will timely post all information and documents required by C.R.S. § 32-1-104.5.

16. Service Plan Amendment Requirement. This Service Plan has been designed with sufficient flexibility to enable the District to provide required services and facilities under evolving circumstances without the need for numerous amendments. Actions of the District which violate the limitations set forth in V.A.1-14 above or in VII.B-G. shall be deemed to be material modifications to this Service Plan and the City shall be entitled to all remedies available under State and local law to enjoin such actions of the District.

B. Preliminary Engineering Survey.

The District shall have authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, maintenance as allowed by IGA, and financing of the Public Improvements within and without the boundaries of the District, to be more specifically defined in an Approved Development Plan and/or an approved IGA. An estimate of the costs of the Public Improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed was prepared based upon a

preliminary engineering survey and estimates derived from the zoning on the property in the Service Area and is approximately Fifty-Seven Million Dollars ($57,000,000).

All of the Public Improvements will be designed in such a way as to assure that the Public Improvements standards will be compatible with those of the City and shall be in accordance with the requirements of the Approved Development Plan. All construction cost estimates are based on the assumption that construction conforms to applicable local, State or Federal requirements.

VI. REGIONAL IMPROVEMENTS

The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment and a contribution to the funding of the Regional Improvements and fund the administration and overhead costs related to the provisions of the Regional Improvements incurred as a result of participation in the alternatives set forth in Section VI.A, B or C below.

The District shall impose the ARI Mill Levy and shall convey it as follows:

A. If the District has executed an ARI Authority Establishment Agreement and the City has been offered the opportunity to execute an ARI Authority Establishment Agreement, the terms of which provide for the City to appoint no less than thirty percent (30%) and no more than forty-nine percent (49%) of the Board members who will serve as the board of directors of the ARI Authority to be established by such ARI Authority Establishment Agreement, regardless as to whether the City approves the execution of such ARI Authority Establishment Agreement, the revenue from the ARI Mill Levy shall be conveyed to the ARI Authority for the planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements in the ARI Master Plan and for the operations of such ARI Authority; or

B. If the City and the District have executed an intergovernmental agreement then the revenue from the ARI Mill Levy shall be conveyed to the City for use in planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements which benefit the service users and taxpayers of the District in accordance with such agreement; or

C. If neither Section VI.A nor VI.B above is applicable then the revenue shall be conveyed to the City and (i) the City shall place in a special account all revenues received from the ARI Mill Levy imposed in the Service Area under this Section VI and shall not expend such revenue until an intergovernmental agreement is executed between the District establishing the terms and conditions for the provision of the Regional Improvements; and (ii) if the intergovernmental agreement is not executed within two (2) years from the date of the approval of the Service Plan by the City and neither Section VI.A nor VI.B above have occurred within two (2) years from the date of the approval of the Service Plan by the City, then the revenue from the ARI Mill Levy shall be conveyed to the City for use by the City in the planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements which benefit the service users or taxpayers of the District as prioritized and determined by the City.

As set forth in the definition of the ARI Mill Levy, the District may, pursuant to any intergovernmental agreement with the City, extend the terms for application of the ARI Mill Levy beyond the years set forth in Sections VI.A and VI. B above. The Maximum Mill Levy Imposition Term shall include the terms and any extension of such terms, as set forth in Sections A, B and C of the definition of the ARI Mill Levy.

The Regional Improvements shall be limited to the provision of the planning, design, acquisition, construction, installation, relocation and/or redevelopment of street and transportation related improvements as defined in the Special District Act and the administration and overhead costs incurred as a result of participation in the alternative set forth in Section VI.A, B or C set forth above, unless the City has agreed otherwise in writing; provided, however in no event shall the Regional Improvements include water or sanitary sewer improvements unless such improvements are necessary as a part of completing street and transportation related improvements. The District shall cease to be obligated to impose, collect and convey to the City the revenue from the ARI Mill Levy described in this Section VI at such time as the area within the District's boundaries is included within a different district organized under the Special District Act, or a General Improvement District organized under Section 31-25-601, et seq., C.R.S., or Business Improvement District organized under Section 31-25-1201, et seq., C.R.S., which other district has been organized to fund a part or all of the Regional Improvements.

The District shall have the authority to issue Debt for the Regional Improvements, in an amount not to exceed Seventy-Five Million Dollars ($75,000,000) pursuant to agreements as described in VI.A., B or C above. Such limit is not subject to the Total Debt Issuance Limitation described in section VII. below.

VII. FINANCIAL PLAN

A. General.

The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from its revenues and by and through the proceeds of Debt to be issued by the District. The Financial Plan for the District shall be to issue such Debt as the District can reasonably pay within the Maximum Debt Mill Levy Imposition Term from revenues derived from the Maximum Debt Mill Levy, Fees and other legally available revenues. The total Debt that the District shall be permitted to issue shall not exceed Seventy-Five Million Dollars ($75,000,000) (exclusive of Debt issued for Regional Improvements described in Section VI above) and shall be permitted to be issued on a schedule and in such year or years as the District determine shall meet the needs of the Financial Plan referenced above and phased to serve development as it occurs. All Bonds and other Debt issued by the District may be payable from any and all legally available revenues of the District, including general ad valorem taxes and Fees to be imposed upon all Taxable Property within the District. The District will also rely upon various other revenue sources authorized by law. These will include the power to assess Fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(1), C.R.S., as amended from time to time.

B. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. In the event of a default, the proposed maximum interest rate on any Debt is not expected to exceed eighteen percent (18%). The proposed maximum underwriting discount will be five percent (5%). Debt, when issued, will comply with all relevant requirements of this Service Plan, State law and Federal law as then applicable to the issuance of public securities.

C. Maximum Debt Mill Levy.

The "Maximum Debt Mill Levy" shall be the maximum mill levy the District is permitted to impose upon the taxable property within the District for payment of Debt, and shall be determined as follows:

1. For the portion of any aggregate District's Debt which exceeds fifty percent (50%) of the District's assessed valuation, the Maximum Debt Mill Levy for such portion of Debt shall be fifty (50) mills less the number of mills necessary to pay unlimited mill levy Debt described in Section VII.C.2 below; provided that if, on or after January 1, 2004, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2004, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

2. For the portion of any aggregate District's Debt which is equal to or less than fifty percent (50%) of the District's assessed valuation, either on the date of issuance or at any time thereafter, the mill levy to be imposed to repay such portion of Debt shall not be subject to the Maximum Debt Mill Levy and, as a result, the mill levy may be such amount as is necessary to pay the Debt service on such Debt, without limitation of rate.

3. For purposes of the foregoing, once Debt has been determined to be within Section VII.C.2 above, so that the District is entitled to pledge to its payment an unlimited ad valorem mill levy, the District may provide that such Debt shall remain secured by such unlimited mill levy, notwithstanding any subsequent change in the District's Debt to assessed ratio. All Debt issued by the District must be issued in compliance with the requirements of Section 32-1-1101, C.R.S. and all other requirements of State law.

To the extent that the District is composed of or subsequently organized into one or more subdistricts as permitted under Section 32-1-1101, C.R.S., the term "District" as used herein shall be deemed to refer to the District and to each such subdistrict separately, so that each of the subdistricts shall be treated as a separate, independent district for purposes of the application of this definition.

The Maximum Debt Mill Levy shall not apply to the District's Operations and Maintenance Mill Levy for the provision of operation and maintenance services to the District's taxpayers and service users as set for in Section VII.I. below.

D. Maximum Debt Mill Levy Imposition Term.

The District shall have the authority to impose the ARI Mill Levy for the terms as set forth in Section VI. Other than the ARI Mill Levy, the District shall not impose a levy for repayment of any and all Debt (or use the proceeds of any mill levy for repayment of Debt) on any single property developed for residential uses which exceeds forty (40) years after the year of the initial imposition of such mill levy unless a majority of the Board of Directors of the District are residents of the District and have voted in favor of a refunding of a part or all of the Debt and such refunding will result in a net present value savings as set forth in Section 11-56-101, C.R.S.; et seq.

E. Debt Repayment Sources.

The District may impose a mill levy on taxable property within its boundaries as a primary source of revenue for repayment of debt service and for operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District's discretion, these may include the power to assess Fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(l), C.R.S., as amended from time to time. In no event shall the debt service mill levy in the District exceed the Maximum Debt Mill Levy or, for residential property within the District, the Maximum Debt Mill Levy Imposition Term, except pursuant to an intergovernmental agreement between the District and the City for Regional Improvements.

F. Debt Instrument Disclosure Requirement.

In the text of each Bond and any other instrument representing and constituting Debt, the District shall set forth a statement in substantially the following form:

> By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the resolution of the District authorizing the issuance of this Bond and in the Service Plan for creation of the District. This Bond is not a debt or multi-fiscal year obligation of the City of Aurora.

Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Service Plan shall be included in any document used for the offering of the Debt for sale to persons, including, but not limited to, a developer of property within the boundaries of the District.

G. Security for Debt.

The District shall not pledge any revenue or property of the City as security for the indebtedness set forth in this Service Plan. Approval of this Service Plan shall not be

construed as a guarantee by the City of payment of any of the District's obligations; nor shall anything in the Service Plan be construed so as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

H. TABOR Compliance.

The District will comply with the provisions of TABOR. In the discretion of the Board, the District may set up other qualifying entities to manage, fund, construct and operate facilities, services, and programs. To the extent allowed by law, any entity created by the District will remain under the control of the District's Board.

I. District's Operating Costs.

According to the 2003 Service Plan, the estimated cost of acquiring land, engineering services, legal services and administrative services, together with the estimated costs of the District's organization and initial operations, was Ten Thousand Dollars ($10.000.00), which will be eligible for reimbursement from Debt proceeds.

In addition to the capital costs of the Public Improvements, the District will require operating funds for administration and to plan and cause the Public Improvements to be constructed and maintained. The District's 2025 operating budget is Seventy-Five Thousand Eight Hundred Eighty-Two Dollars ($75,882.00), which will be derived from property taxes and other revenues.

The Maximum Debt Mill Levy for the repayment of Debt shall not apply to the District's ability to increase its Operations and Maintenance Mill Levy as necessary for provision of operation and maintenance services to its taxpayers and service users.

J. Agreed Upon Procedures Examination.

For districts with property within their boundaries developed with any residential uses, at such time that a majority of Board of Directors of the District are residents of the District, the District is encouraged to engage the services of a certified public accountant for an Agreed Upon Procedures Engagement. The Board of Directors, in its discretion, will set the scope and the procedures for the engagement.

VIII. ANNUAL REPORT

A. General.

The District shall be responsible for submitting an annual report to the Manager of the Office of Development Assistance of the City Manager's Office no later than August 1st of each year following the year in which the Order and Decree creating the District has been issued. The annual report shall include all information required pursuant to the Special District Act.

B. Reporting of Significant Events.

The annual report shall include information as to any of the following:

1. Boundary changes made or proposed to the District's boundary as of December 31 of the prior year.

2. Intergovernmental Agreements with other governmental entities, either entered into or proposed as of December 31 of the prior year.

3. Copies of the District's rules and regulations, if any as of December 31 of the prior year.

4. A summary of any litigation which involves the District Public Improvements as of December 31 of the prior year.

5. Status of the District's construction of the Public Improvements as of December 31 of the prior year.

6. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City as of December 31 of the prior year.

7. The final assessed valuation of the District as of December 31 of the reporting year.

8. Current year budget including a description of the Public Improvements to be constructed in such year.

9. Audit of the District's financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.

10. Notice of any uncured events of default by the District, which continue beyond a ninety (90) day period, under any Debt instrument.

11. Any inability of the District to pay its obligations as they come due, in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

12. A copy of any intergovernmental agreements entered into by the District since the filing of the last annual report.

C. Miscellaneous.

At the request of the City, or any City representative, the District shall make available at no cost to the City, any document or information, including but not limited to budgets, audits, agreements, meeting minutes, and other financial or operational documents related to the District. Such documents shall be presented to the City within fifteen (15) days of such request.

IX. DISSOLUTION

Upon an independent determination of the City Council by resolution that the purposes for which the District was created have been accomplished and the City is satisfied that the City will not be responsible for any obligations formerly provided by the District, the District agrees to file petitions in the appropriate District Court for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until the District has provided for the payment or discharge of all of their outstanding indebtedness and other financial obligations as required pursuant to State statutes.

X. DISCLOSURE NOTICES AND MEETINGS

1. The District will use reasonable efforts and due diligence to cause each developer and home builder to provide written notice of disclosure to all initial purchasers of property in the District that describes the general purpose of the district and financial impact on each residential property at the time of entering into the purchase contract. The form of notice shall be filed with the City prior to the initial issuance of the Debt of the District imposing the mill levy which is the subject of the Maximum Debt Mill Levy. The form of notice shall be substantially in the form of **Exhibit D** attached hereto; provided that such notice may be modified by the District so long as a new notice is submitted to and approved by the City Manager prior to using such modified notice. Any modified notice will be expected to provide the following information:

a. General description and purpose(s) of the District.
b. Contact information for the District.
c. Website address for the District (once established per Section V.A.15).
d. District boundary map showing all lots within the District.
e. The Maximum Debt Mill Levy that may be imposed on the residential property for each year the District is in existence and a calculation of the associated taxes that the homeowner will pay.
f. List of all other taxing entities within the District boundaries and their current mill levies and associated taxes.
g. The District's Total Debt Issuance Limitation and a description of the Public Improvements that the District Debt is being issued to pay for.
h. The Maximum Debt Mill Levy Imposition Term, providing an understanding of the duration for which the property will be taxed to pay off Debt.
i. A description of what the Operations and Maintenance Mill Levy is, pays for, and the duration that the property will be taxed to pay for the eligible Operations and Maintenance Mill Levy expenses.
j. Any and all Fees currently imposed on each residential property for each year the District is in existence.
k. Any additional information required by the Colorado Revised Statutes, including without limitation C.R.S. § 38-35.7-110, as amended from time to time.

The District will use reasonable efforts and due diligence to cause each developer and home builder to require that each home buyer is asked to acknowledge receipt of such notice of disclosure at the time of entering into the purchase contract.

2. To ensure that potential residential buyers are educated about the District, the District will provide the information identified in Section X.2 above to the developer or home builders for prominent display at all sales offices, and by inspecting the sales offices within the District Boundaries on a quarterly basis to assure the information provided is accurate and prominently displayed.

3. The District shall provide annual notice to all eligible electors of the District, in accordance with Section 32-1-809, C.R.S. In addition, the District shall record a District public disclosure document and a map of the District boundaries with the Clerk and Recorder of each County in which District property is located, in accordance with Section 32-1-104.8, C.R.S. The District shall use reasonable efforts to ensure that copies of the annual notice, public disclosure document and map of the District boundaries are provided to potential purchasers of real property within the District as part of the seller's required property disclosures.

4. All special and regular District meetings shall be open to the public and shall be held at a location within the District boundaries, or virtually with participation via teleconference, webcast, video conference or other technological means. If a Board meeting is held virtually, the District shall provide information on the District website accessible to all residents on how to access and participate in the virtual meeting. If the District utilizes email to communicate with residents, the District shall also send notification of the virtual meeting by email. The District shall provide notification via the District website and, if applicable, email, at least ten (10) days prior to the virtual Board meeting. If the Board schedules a virtual special meeting that will be convened in fewer than ten (10) days, the District shall provide notification via the District website and, if applicable, email, as soon as possible after scheduling the special meeting.

XI. INTERGOVERNMENTAL AGREEMENT

The form of the intergovernmental agreement required by the City Code, relating to the limitations imposed on the District's activities, is attached hereto as **Exhibit E**. The District shall approve the intergovernmental agreement in the form attached as **Exhibit E** at its first Board meeting after its organizational election. Failure of the District to execute the intergovernmental agreement as required herein shall constitute a material modification and shall require a Service Plan Amendment. The City Council shall approve the intergovernmental agreement in the form attached as **Exhibit E** at the public hearing approving the Service Plan.

XII. CONCLUSION

It is submitted that this Service Plan for the District, as required by Section 32-1-203(2), C.R.S., and Section 122-35 of the City Code, establishes that:

1. There is sufficient existing and projected need for organized service in the area to be serviced by the District;

2. The existing service in the area to be served by the District is inadequate for present and projected needs;

3. The District is capable of providing economical and sufficient service to the area within its proposed boundaries; and

4. The area to be included in the District does have, and will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

5. Adequate service is not, and will not be, available to the area through the City or county or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis.

6. The facility and service standards of the District are compatible with the facility and service standards of the City within which the special district is to be located and each municipality which is an interested party under Section 32-1-204(1), C.R.S.

7. The proposal is in substantial compliance with a comprehensive plan adopted pursuant to the City Code.

8. The proposal is in compliance with any duly adopted City, regional or state long-range water quality management plan for the area.

9. The creation of the District is in the best interests of the area proposed to be served.

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situated in the North half of Section 36, Township 3 South, Range 66 West of the 6th Principal Meridian, Adams County, State of Colorado, being more particularly described as follows.

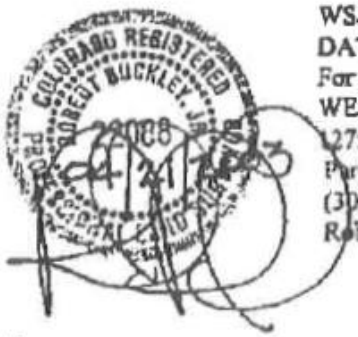
Beginning at the Northwest corner of the Northwest quarter of said Section 36;
Thence North 87°54'48" East and along the North line of the Northwest quarter of said Section 36 a distance of 2644.45 feet to the North quarter corner of said Section 36;
Thence North 87°53'26" East and along the North line of the Northeast quarter of said Section 36 a distance of 2645.25 feet to the Northeast corner of the Northeast quarter of said Section 36;
Thence South 01°55'01" East and along the East line of the Northeast quarter of said Section 36 a distance of 1885.92 feet to a point lying on the Northerly R.O.W. line of the Union Pacific Railroad;
Thence North 85°06'32" West and along the Northerly R.O.W. line a distance of 5339.75 feet to a point lying on the West line of the Northwest quarter of said Section 36;
Thence North 01°20'28" West and along the West line of the Northwest quarter of said Section 36 a distance of 1236.27 feet to the Point of Beginning.

Except that portion conveyed to the County of Adams in deed recorded May 5, 1928 in Book 167 at Page 584 and except that portion conveyed to Public Service Company of Colorado in Deed recorded October 26, 1994 in Book 4413 at Page 357, and except any portion lying within County Roads.

And except that portion acquired by the E-470 Public Highway Authority by the Rule and Order recorded March 17, 1998 in Book 5266 at Page 309.

County of Adams
State of Colorado

Containing 162.14 acres more or less.



WSSI JOB NO: 20307-001
DATE: March 12, 2003
For and on Behalf of
WESTERN STATES SURVEYING, INC.
12753 South Parker Road, Suite 205
Parker, CO 80134
(303) 841-7436
Robert Buckley Jr., PLS 22088

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EXHIBIT B

Aurora Vicinity Map

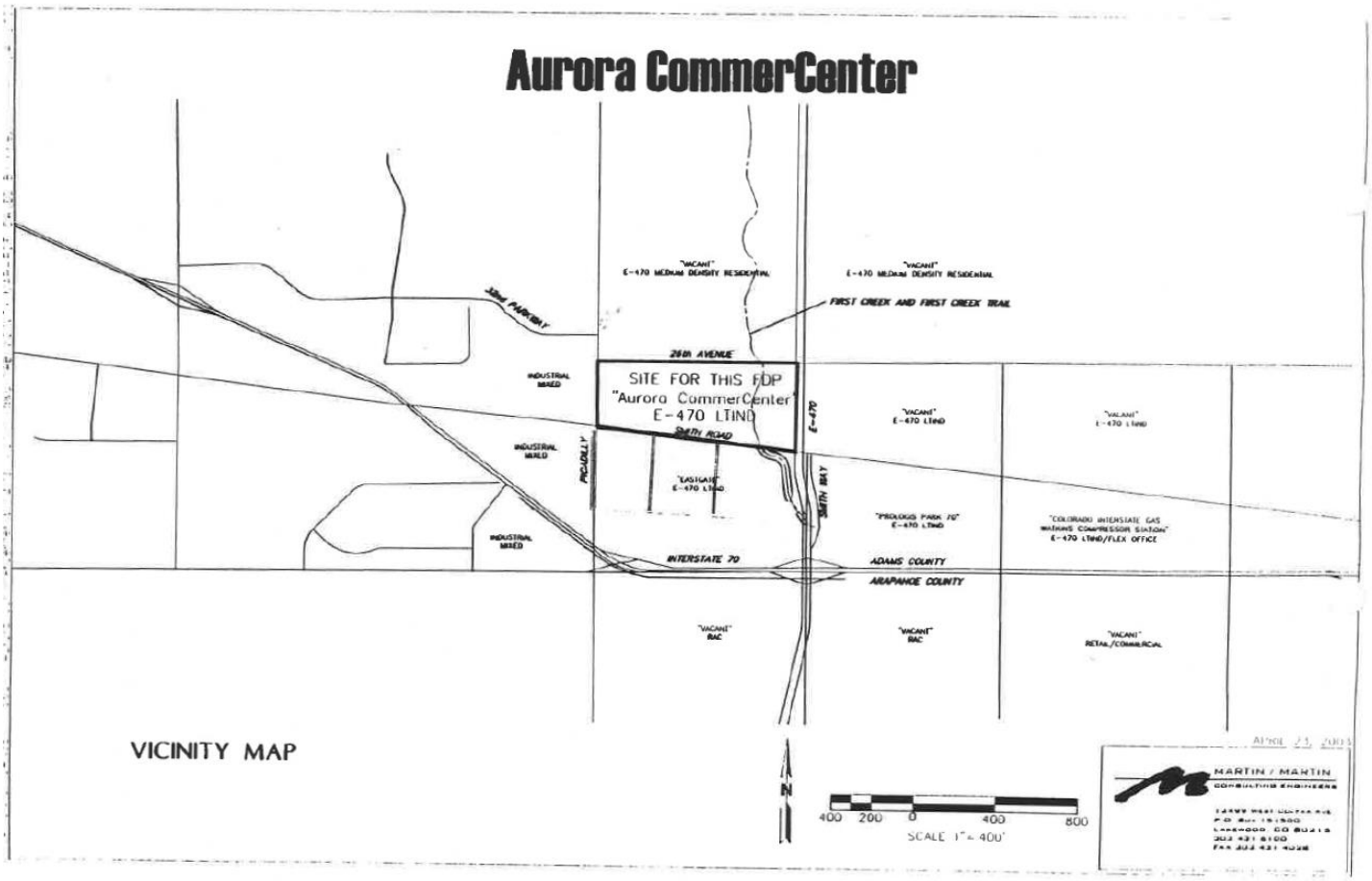
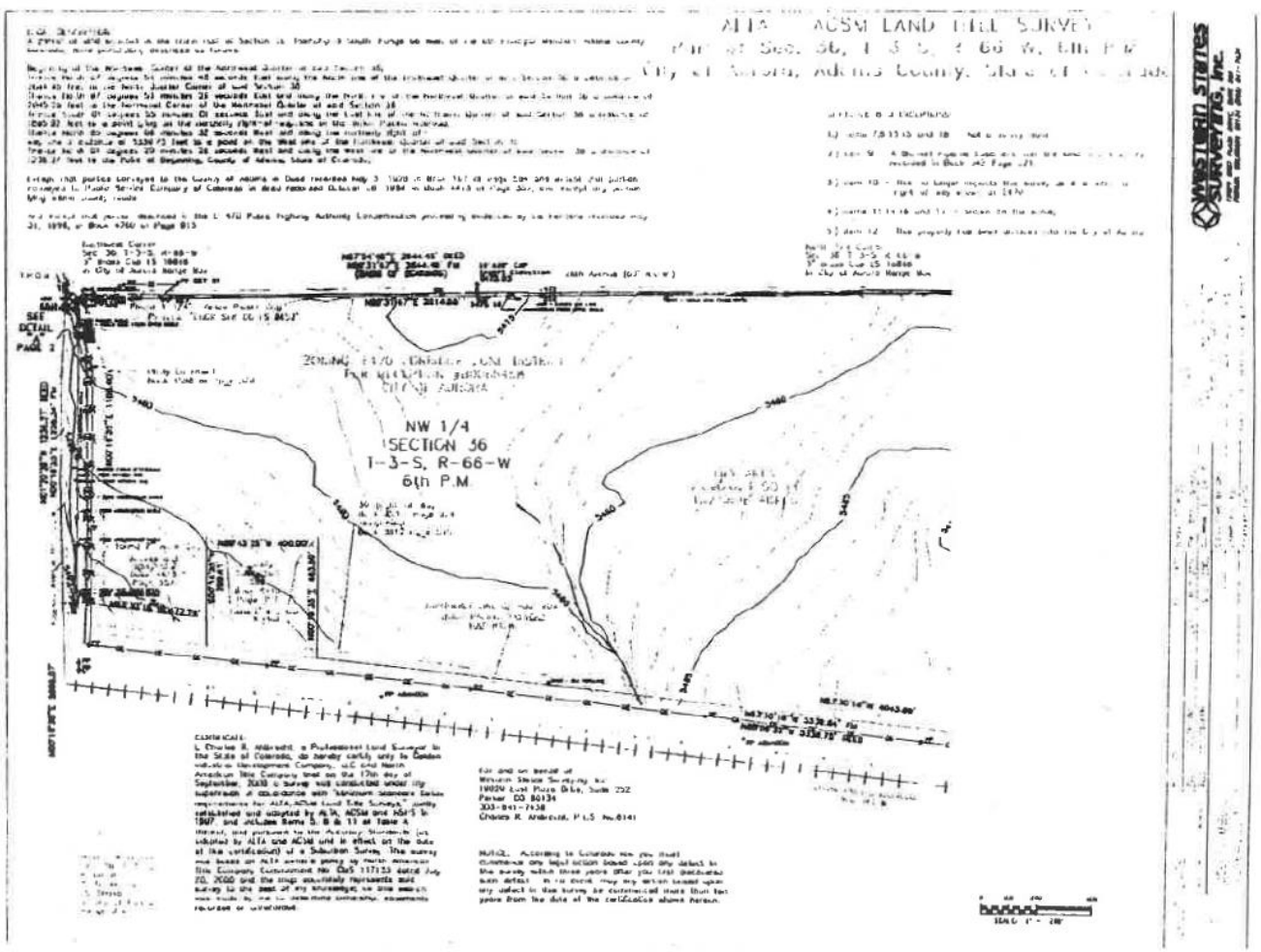


EXHIBIT C-1

Initial District Boundary Map



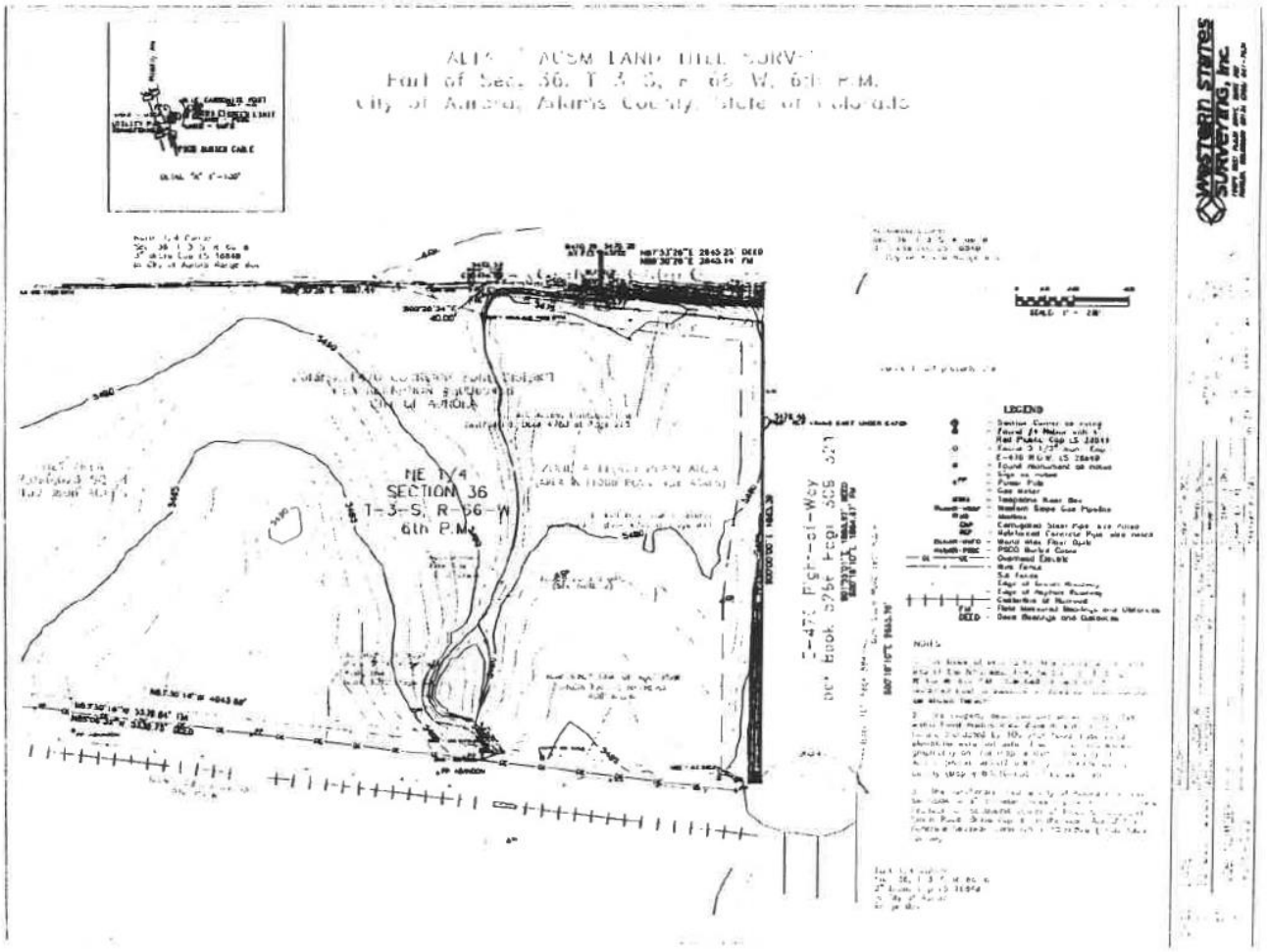

NE 1/4
SECTION 36
T-3-S, R-66-W
6th P.M.
LEGEND

EXHIBIT D

ATTENTION HOMEBUYER: You are purchasing a home that is located within **ACC Metropolitan District**. This District has the authority to issue bonds or other debt to pay for development improvements and levy taxes and fees on all properties within the District for debt repayment and ongoing operations and maintenance.

Notice of Special District Disclosure

	ACC Metropolitan District
Contact Information for District:	c/o Special District Management Services, Inc. 141 Union Boulevard, Suite 150 Lakewood, CO 80228 (303) 987-0835
District Website:	https://accmd.colorado.gov/
District Boundaries:	See attached map.
Purpose of the District:	Metropolitan district organized pursuant to C.R.S. § 32-1-101 et seq. The District was created to assist with the planning, design, acquisition, construction, installation, operation, maintenance, relocation, and financing of certain public improvements serving the Aurora Commerce Center located the City of Aurora, Colorado and described further in the District's Service Plan. A copy of the District's Service Plan can be found on the District's website or by contacting the District at the District contact information above.
Authorized Types of District Taxes:	**Debt Mill Levy** and **Operations and Maintenance Mill Levy** These mill levies result in taxes you will owe to the District and are described further below.
District's Total Debt Issuance Authorized per District's Service Plan:	$75,000,000
District Improvements Financed by Debt:	The District intends to, or has already issued debt to pay for ***[list major Public Improvement categories, and where appropriate identify specific improvements by name (i.e. specific roads, parks, etc.)]***
Maximum Debt Mill Levy that may be levied annually on properties within the District to pay back debt:	Maximum Debt Mill Levy: 50.000 Mills The Maximum Debt Mill Levy may adjust based on changes in the residential assessment ratio occurring after January 1, 2004.
Ongoing Operations and Maintenance Services of the District:	The District intends to impose an Operations and Maintenance Mill Levy to pay for eligible ongoing administration expenses

District Fees:	***[For transparency, District should indicate that the Board may choose to impose operations and maintenance fees in the future]***
Other Taxing Entities to which you will pay taxes to:	TAX YEAR 2024 Adams County: 26.944 mills Aurora: 6.613 mills Regional Transportation District: 0.000 mills School District 28J-Aurora: 71.331 mills Urban Drainage and Flood Control District: 0.900 mills Urban Drainage South Platte: 0.100 mills

Sample Calculation of Taxes Owed for a Residential Property within the District:

Assumptions:
Average market value of home in
District is $_____ Debt Mill Levy is 50 mills
Operations and Maintenance Mill Levy is ____mills
Total Metropolitan District mill levies = 60 mills

Calculation of Metropolitan District Taxes:
$_____x .0715 = $_____(Assessed Valuation)
$_____x .060 mills = **$_____per year in taxes owed solely to the Metro District**

Total Additional Mill Levies from Other Taxing Entities:_____mills = $_____annual taxes

TOTAL [YEAR] PROPERTY TAXES FOR A HOME COSTING $_____= $_____

THIS ESTIMATE ONLY PROVIDES AN ILLUSTRATION OF THE AMOUNT OF THE NEW PROPERTY TAXES THAT MAY BE DUE AND OWING AFTER THE PROPERTY HAS BEEN REASSESSED AND, IN SOME INSTANCES, RECLASSIFIED AS RESIDENTIAL PROPERTY. THIS ESTIMATE IS NOT A STATEMENT OF THE ACTUAL AND FUTURE TAXES THAT MAY BE DUE. FIRST YEAR PROPERTY TAXES MAY BE BASED ON A PREVIOUS YEAR'S TAX CLASSIFICATION, WHICH MAY NOT INCLUDE THE FULL VALUE OF THE PROPERTY AND, CONSEQUENTLY, TAXES MAY BE HIGHER IN SUBSEQUENT YEARS. A SELLER HAS COMPLIED WITH THIS DISCLOSURE STATEMENT AS LONG AS THE DISCLOSURE IS BASED UPON A GOOD-FAITH EFFORT TO PROVIDE ACCURATE ESTIMATES AND INFORMATION.

ACKNOWLEDGED AND AGREED TO BY BUYER:

Name: _____

Date:_____

EXHIBIT E

Intergovernmental Agreement between the District and Aurora

SECOND AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF AURORA, COLORADO
AND
ACC METROPOLITAN DISTRICT

THIS AGREEMENT is made and entered into as of this 12th day of May, 2025, by and between the CITY OF AURORA, a home-rule municipal corporation of the State of Colorado ("City"), and ACC METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado (the "District"). The City and the District are collectively referred to as the Parties.

RECITALS

WHEREAS, the District was organized on November 12, 2003 to provide those services and to exercise powers as are more specifically set forth in a Service Plan approved by the City on September 3, 2003 (the "2003 Service Plan"), which was amended by the District's First Amended and Restated Service Plan approved by the City on August 22, 2011, and as amended by that certain First Amendment to First Amended and Restated Service Plan approved by the City on May 21, 2018 (the "2018 Amendment") and as further amended and restated pursuant to a Second Amended and Restated Service Plan approved by the City on _____ ____, 2025 ("Second Amended and Restated Service Plan" or "Service Plan"); and

WHEREAS, in connection with the 2003 Service Plan, the District and the City entered into an Intergovernmental Agreement (the "Original IGA");

WHEREAS, in connection with the 2018 Amendment, the District and the City entered into an Amended and Restated Intergovernmental Agreement (the "Amended and Restated IGA");

WHEREAS, as certain provisions from the 2003 Service Plan have been modified by the Second Amended and Restated Service Plan, and the Second Amended and Restated Service Plan makes reference to the execution of an intergovernmental agreement between the City and the District, as required by the Aurora City Code; and

WHEREAS, the City and the District have determined it to be in the best interests of their respective taxpayers, residents and property owners to enter into this Amended and Restated Intergovernmental Agreement ("Agreement").

NOW, THEREFORE, in consideration of the covenants and mutual agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

COVENANTS AND AGREEMENTS

1. Operations and Maintenance. The District shall dedicate the Public Improvements (as defined in the Service Plan) to the City or other appropriate jurisdiction or owners association in a manner consistent with the Approved Development Plan and other rules

and regulations of the City and applicable provisions of the City Code. The District shall not be authorized to operate and maintain any part or all of the Public Improvements, other than park and recreation improvements, unless the provision of such operation and maintenance is pursuant to an intergovernmental agreement with the City.

The District shall be authorized, but not obligated to, operate and maintain park and recreation improvements without any intergovernmental agreement with the City, provided that any Fee imposed by the District for access to such park and recreation improvements shall not result in Non-District City residents paying a user fee that is greater than, or otherwise disproportionate to, similar fees and taxes paid by residents of the District. However, the District shall be entitled to impose an administrative fee as necessary to cover additional expenses associated with Non-District City residents to ensure that such costs are not the responsibility of District residents. All such Fees shall be based upon the District's determination that such Fees do not exceed reasonable annual market fee for users of such facilities. Notwithstanding the foregoing, all parks and trails owned by the Districts shall be open to the general public and Non-District City residents, subject to the rules and regulations of the District as adopted from time to time. Trails which are interconnected with a city or regional trail system shall be open to the public free of charge and on the same basis as residents and owners of taxable property within the District.

2. Fire Protection. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain fire protection facilities or services, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City. The authority to plan for, design, acquire, construct, install, relocate, redevelop or finance fire hydrants and related improvements installed as part of the water system shall not be limited by this provision.

3. Television Relay and Translation. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain television relay and translation facilities and services, other than for the installation of conduit as a part of a street construction project, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City.

4. Golf Course Construction. The District shall not be authorized to plan, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain a golf course unless such activity is pursuant to an intergovernmental agreement with the City.

5. Construction Standards. The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction and of those special districts that qualify as "interested parties" under Section 32-1-204(1), C.R.S., as applicable. The District will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work.

6. Issuance of Privately Placed Debt. Prior to the issuance of any privately placed Debt, the District shall obtain the certification of an External Financial Advisor substantially as follows:

We are [I am] an External Financial Advisor within the meaning of the District's Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

7. Inclusion Limitation. The District shall not include within any of their boundaries any property outside the Service Area without the prior written consent of the City. The District shall not include within any of its boundaries any property inside the inclusion area boundaries without the prior written consent of the City except upon petition of the fee owner or owners of 100 percent of such property as provided in Section 32-1-401(1)(a), C.R.S.

8. Overlap Limitation. The District shall not consent to the organization of any other district organized under the Special District Act within the Service Area which will overlap the boundaries of the District unless the aggregate mill levy for payment of Debt of such proposed districts will not at any time exceed the Maximum Debt Mill Levy of the District.

9. Initial Debt. On or before the effective date of approval by the City of an Approved Development Plan (as defined in the Service Plan), the District shall not: (a) issue any Debt; nor (b) impose a mill levy for the payment of Debt by direct imposition or by transfer of funds from the operating fund to the Debt service funds; nor (c) impose and collect any fees used for the purpose of repayment of Debt.

10. Total Debt Issuance. The District shall not issue Debt in excess of Seventy-Five Million Dollars ($75,000,000) in the aggregate; provided, however, that any Debt issued by the District for ARI Regional Improvements shall not be included within this limitation and shall be subject to the limitations set forth in Section VI of the Service Plan.

11. Fee Limitation. The District may impose and collect Fees as a source of revenue for repayment of debt, capital costs, and/or for operations and maintenance. No Fee related to the funding of costs of a capital nature shall be authorized to be imposed upon or collected from Taxable Property owned or occupied by an End User which has the effect, intentional or otherwise, of creating a capital cost payment obligation in any year on any Taxable Property owned or occupied by an End User. Notwithstanding any of the foregoing, the restrictions in this definition shall not apply to any Fee imposed upon or collected from Taxable Property for the purpose of funding operation and maintenance costs of the District.

12. Debt Issuance Limitation. The District shall not be authorized to incur any indebtedness until such time as the District has approved and executed the IGA and approved the imposition of the Aurora Regional Improvement Mill Levy (as defined in the Service Plan) upon all taxable property located within the boundaries of the District.

13. Monies from Other Governmental Sources. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other funds available from or through governmental or non-profit entities that the City is eligible to apply for, except pursuant to an intergovernmental agreement with the City. This Section shall not apply to specific ownership taxes which shall be distributed to and a revenue source for the District without any limitation.

14. Consolidation. The District shall not file a request with any Court to consolidate with another Title 32 district without the prior written consent of the City.

15. Bankruptcy. All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and

(b) Are, together with all other requirements of Colorado law, included in the "political or governmental powers" reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the "regulatory or electoral approval necessary under applicable nonbankruptcy law" as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term, shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S. and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

16. Website. When a district is required to have a website in accordance with the requirements of C.R.S. Section 32-1- 104.5, the District shall establish, maintain and annually update a public website or provide information on a shared community website, on which the District will timely post all information and documents required by C.R.S. § 32-1- 104.5.

17. Dissolution. Upon an independent determination of the City Council by resolution that the purposes for which the District was created have been accomplished and the City is satisfied that the City will not be responsible for any obligations formerly provided by the District, the District agrees to file petitions in the appropriate District Court for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until the District has provided for the payment or discharge of all of their outstanding indebtedness and other financial obligations as required pursuant to State statutes.

18. Disclosure to Purchasers. The District will use reasonable efforts to assure that all developers of the property located within the District provide written notice to all purchasers of property in the District regarding the Maximum Debt Mill Levy, as well as a general description of the District's authority to impose and collect rates, Fees, tolls and charges. The notice shall

conform with the City's standard model disclosure attached as Exhibit D to the Service Plan as may be amended from time to time. The City shall be provided a copy of the notice prior to the initial issuance of the Debt of the District imposing the mill levy which is the subject of the Maximum Debt Mill Levy.

19. Service Plan Amendment Requirement. Actions of the District which violate the limitations set forth in V.A.1-14 or VII.B-G of the Service Plan shall be deemed to be material modifications to the Service Plan and the City shall be entitled to all remedies available under State and local law to enjoin such actions of the District.

20. Annual Report. The District shall be responsible for submitting an annual report to the Manager of the Office of Development Assistance of the City Manager's Office no later than August 1st of each year following the year in which the Order and Decree creating the District has been issued, pursuant to the City Code and containing the information set forth in Section VIII of the Service Plan.

21. Regional Improvements. The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment and a contribution to the funding of the Regional Improvements and fund the administration and overhead costs related to the provisions of the Regional Improvements incurred as a result of participation in the alternatives set forth in Section VI.A, B or C of the Service Plan.

The District shall impose the ARI Mill Levy and shall convey it as follows:

(a) If the District has executed an ARI Authority Establishment Agreement and the City has been offered the opportunity to execute an ARI Authority Establishment Agreement, the terms of which provide for the City to appoint no less than thirty percent (30%) and no more than forty-nine percent (49%) of the Board members who will serve as the board of directors of the ARI Authority to be established by such ARI Authority Establishment Agreement, regardless as to whether the City approves the execution of such ARI Authority Establishment Agreement, the revenue from the ARI Mill Levy shall be conveyed to the ARI Authority for the planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements in the ARI Master Plan and for the operations of such ARI Authority; or

(b) If the City and the District have executed an intergovernmental agreement then the revenue from the ARI Mill Levy shall be conveyed to the City for use in planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements which benefit the service users and taxpayers of the District in accordance with such agreement; or

(c) If neither Section VI.A nor VI.B of the Service Plan is applicable then the revenue shall be conveyed to the City and (i) the City shall place in a special account all revenues received from the ARI Mill Levy imposed in the Service Area under Section VI of the Service Plan and shall not expend such revenue until an intergovernmental agreement is executed between the District establishing the terms and conditions for the provision of the Regional Improvements; and (ii) if the intergovernmental agreement is not executed within two

(2) years from the date of the approval of the Service Plan by the City and neither Section VI.A nor VI.B of the Service Plan above have occurred within two (2) years from the date of the approval of the Service Plan by the City, then the revenue from the ARI Mill Levy shall be conveyed to the City for use by the City in the planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements which benefit the service users or taxpayers of the District as prioritized and determined by the City.

As set forth in the definition of the ARI Mill Levy, the District may, pursuant to any intergovernmental agreement with the City, extend the terms for application of the ARI Mill Levy beyond the years set forth in Sections VI.A and VI. B of the Service Plan. The Maximum Mill Levy Imposition Term shall include the terms and any extension of such terms, as set forth in Sections A, B and C of the definition of the ARI Mill Levy.

The Regional Improvements shall be limited to the provision of the planning, design, acquisition, construction, installation, relocation and/or redevelopment of street and transportation related improvements as defined in the Special District Act and the administration and overhead costs incurred as a result of participation in the alternative set forth in Section VI.A., B or C of the Service Plan, unless the City has agreed otherwise in writing; provided, however in no event shall the Regional Improvements include water or sanitary sewer improvements unless such improvements are necessary as a part of completing street and transportation related improvements. The District shall cease to be obligated to impose, collect and convey to the City the revenue from the ARI Mill Levy described in Section VI of the Service Plan at such time as the area within the District's boundaries is included within a different district organized under the Special District Act, or a General Improvement District organized under Section 31-25-601, et seq., C.R.S., or Business Improvement District organized under Section 31-25-1201, et seq., C.R.S., which other district has been organized to fund a part or all of the Regional Improvements.

22. Maximum Debt Mill Levy. The "Maximum Debt Mill Levy" shall be the maximum mill levy the District is permitted to impose upon the taxable property within the District for payment of Debt, and shall be determined as follows:

(a) For the portion of any aggregate District's Debt which exceeds fifty percent (50%) of the District's assessed valuation, the Maximum Debt Mill Levy for such portion of Debt shall be fifty (50) mills less the number of mills necessary to pay unlimited mill levy Debt described in Section VII.C.2 of the Service Plan; provided that if, on or after January 1, 2004, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2004, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

(b) For the portion of any aggregate District's Debt which is equal to or less than fifty percent (50%) of the District's assessed valuation, either on the date of issuance or at

any time thereafter, the mill levy to be imposed to repay such portion of Debt shall not be subject to the Maximum Debt Mill Levy and, as a result, the mill levy may be such amount as is necessary to pay the Debt service on such Debt, without limitation of rate.

(c) For purposes of the foregoing, once Debt has been determined to be within Section VII.C.2 of the Service Plan, so that the District is entitled to pledge to its payment an unlimited ad valorem mill levy, the District may provide that such Debt shall remain secured by such unlimited mill levy, notwithstanding any subsequent change in the District's Debt to assessed ratio. All Debt issued by the District must be issued in compliance with the requirements of Section 32-1-1101, C.R.S. and all other requirements of State law.

To the extent that the District is composed of or subsequently organized into one or more subdistricts as permitted under Section 32-1-1101, C.R.S., the term "District" as used herein shall be deemed to refer to the District and to each such subdistrict separately, so that each of the subdistricts shall be treated as a separate, independent district for purposes of the application of this definition.

The Maximum Debt Mill Levy shall not apply to the District's Operations and Maintenance Mill Levy for the provision of operation and maintenance services to the District's taxpayers and service users.

23. Maximum Debt Mill Levy Imposition Term. The District shall have the authority to impose the ARI Mill Levy for the terms as set forth in Section VI of the Service Plan. Other than the ARI Mill Levy, the District shall not impose a levy for repayment of any and all Debt (or use the proceeds of any mill levy for repayment of Debt) on any single property developed for residential uses which exceeds forty (40) years after the year of the initial imposition of such mill levy unless a majority of the Board of Directors of the District are residents of the District and have voted in favor of a refunding of a part or all of the Debt and such refunding will result in a net present value savings as set forth in Section 11-56-101, C.R.S.; et seq.

24. Notices. All notices, demands, requests or other communications to be sent by one party to the other hereunder or required by law shall be in writing and shall be deemed to have been validly given or served by delivery of same in person to the address or by courier delivery, via United Parcel Service or other nationally recognized overnight air courier service, or by depositing same in the United States mail, postage prepaid, addressed as follows:

To the District:
ACC Metropolitan District
c/o Special District Management Services, Inc.
141 Union Boulevard, Suite 150
Lakewood, CO 80228
Attn: David Solin
Phone: (303) 987-0835
Email: dsolin@sdmsi.com

With a copy to:
McGeady Becher Cortese Williams P.C.
450 E. 17th Avenue, Suite 400
Denver, CO 80203

Phone: (303) 592-4380
Email: legalnotices@specialdistrictlaw.com

To the City: City of Aurora
15151 E. Alameda Pkwy., 5th Floor
Aurora, CO 80012
Attn: Pete Schulte, City Attorney
Phone: (303) 739-7030
Fax: (303) 739-7042

All notices, demands, requests or other communications shall be effective upon such personal delivery or one (1) business day after being deposited with United Parcel Service or other nationally recognized overnight air courier service or three (3) business days after deposit in the United States mail. By giving the other party hereto at least ten (10) days written notice thereof in accordance with the provisions hereof, each of the Parties shall have the right from time to time to change its address.

25. Amendment. This Agreement may be amended, modified, changed, or terminated in whole or in part only by a written agreement duly authorized and executed by the Parties hereto and without amendment to the Service Plan.

26. Assignment. Neither Party hereto shall assign any of its rights nor delegate any of its duties hereunder to any person or entity without having first obtained the prior written consent of the other Party, which consent will not be unreasonably withheld. Any purported assignment or delegation in violation of the provisions hereof shall be void and ineffectual.

27. Default/Remedies. In the event of a breach or default of this Agreement by any Party, the non-defaulting Party shall be entitled to exercise all remedies available at law or in equity, specifically including suits for specific performance and/or monetary damages. In the event of any proceeding to enforce the terms, covenants or conditions hereof, the prevailing Party in such proceeding shall be entitled to obtain as part of its judgment or award its reasonable attorneys' fees.

28. Governing Law and Venue. This Agreement shall be governed and construed under the laws of the State of Colorado.

29. Inurement. Each of the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

30. Integration. This Agreement constitutes the entire agreement between the Parties with respect to the matters addressed herein. All prior discussions and negotiations regarding the subject matter hereof are merged herein.

31. Parties Interested Herein. Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon, or to give to, any person other than the District and the City any right, remedy, or claim under or by reason of this Agreement or any covenants, terms, conditions, or provisions thereof, and all the covenants, terms, conditions, and provisions

in this Agreement by and on behalf of the District and the City shall be for the sole and exclusive benefit of the District and the City.

32. Severability. If any covenant, term, condition, or provision under this Agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such covenant, term, condition, or provision shall not affect any other provision contained herein, the intention being that such provisions are severable.

33. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document.

34. Paragraph Headings. Paragraph headings are inserted for convenience of reference only.

35. Defined Terms. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Service Plan.

[SIGNATURE PAGE 1 OF 2 TO INTERGOVERNMENTAL AGREEMENT]

ACC METROPOLITAN DISTRICT

By: _____
John Strabel, Director

Attest:

_____
David Solin, Secretary

[SIGNATURE PAGE 2 OF 2 TO INTERGOVERNMENTAL AGREEMENT]

CITY OF AURORA, COLORADO

By: _____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

_____
BRIAN J. RULLA, Assistant City Attorney

SECOND AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF AURORA, COLORADO
AND
ACC METROPOLITAN DISTRICT

THIS AGREEMENT is made and entered into as of this 12th day of May, 2025, by and between the CITY OF AURORA, a home-rule municipal corporation of the State of Colorado ("City"), and ACC METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado (the "District"). The City and the District are collectively referred to as the Parties.

RECITALS

WHEREAS, the District was organized on November 12, 2003 to provide those services and to exercise powers as are more specifically set forth in a Service Plan approved by the City on September 3, 2003 (the "2003 Service Plan"), which was amended by the District's First Amended and Restated Service Plan approved by the City on August 22, 2011, and as amended by that certain First Amendment to First Amended and Restated Service Plan approved by the City on May 21, 2018 (the "2018 Amendment") and as further amended and restated pursuant to a Second Amended and Restated Service Plan approved by the City on _____ ____, 2025 ("Second Amended and Restated Service Plan" or "Service Plan"); and

WHEREAS, in connection with the 2003 Service Plan, the District and the City entered into an Intergovernmental Agreement (the "Original IGA");

WHEREAS, in connection with the 2018 Amendment, the District and the City entered into an Amended and Restated Intergovernmental Agreement (the "Amended and Restated IGA");

WHEREAS, as certain provisions from the 2003 Service Plan have been modified by the Second Amended and Restated Service Plan, and the Second Amended and Restated Service Plan makes reference to the execution of an intergovernmental agreement between the City and the District, as required by the Aurora City Code; and

WHEREAS, the City and the District have determined it to be in the best interests of their respective taxpayers, residents and property owners to enter into this Amended and Restated Intergovernmental Agreement ("Agreement").

NOW, THEREFORE, in consideration of the covenants and mutual agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

COVENANTS AND AGREEMENTS

1. Operations and Maintenance. The District shall dedicate the Public Improvements (as defined in the Service Plan) to the City or other appropriate jurisdiction or owners association in a manner consistent with the Approved Development Plan and other rules

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and regulations of the City and applicable provisions of the City Code. The District shall not be authorized to operate and maintain any part or all of the Public Improvements, other than park and recreation improvements, unless the provision of such operation and maintenance is pursuant to an intergovernmental agreement with the City.

The District shall be authorized, but not obligated to, operate and maintain park and recreation improvements without any intergovernmental agreement with the City, provided that any Fee imposed by the District for access to such park and recreation improvements shall not result in Non-District City residents paying a user fee that is greater than, or otherwise disproportionate to, similar fees and taxes paid by residents of the District. However, the District shall be entitled to impose an administrative fee as necessary to cover additional expenses associated with Non-District City residents to ensure that such costs are not the responsibility of District residents. All such Fees shall be based upon the District's determination that such Fees do not exceed reasonable annual market fee for users of such facilities. Notwithstanding the foregoing, all parks and trails owned by the Districts shall be open to the general public and Non-District City residents, subject to the rules and regulations of the District as adopted from time to time. Trails which are interconnected with a city or regional trail system shall be open to the public free of charge and on the same basis as residents and owners of taxable property within the District.

2. Fire Protection. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain fire protection facilities or services, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City. The authority to plan for, design, acquire, construct, install, relocate, redevelop or finance fire hydrants and related improvements installed as part of the water system shall not be limited by this provision.

3. Television Relay and Translation. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain television relay and translation facilities and services, other than for the installation of conduit as a part of a street construction project, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City.

4. Golf Course Construction. The District shall not be authorized to plan, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain a golf course unless such activity is pursuant to an intergovernmental agreement with the City.

5. Construction Standards. The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction and of those special districts that qualify as "interested parties" under Section 32-1-204(1), C.R.S., as applicable. The District will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work.

6. Issuance of Privately Placed Debt. Prior to the issuance of any privately placed Debt, the District shall obtain the certification of an External Financial Advisor substantially as follows:

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We are [I am] an External Financial Advisor within the meaning of the District's Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

7. Inclusion Limitation. The District shall not include within any of their boundaries any property outside the Service Area without the prior written consent of the City. The District shall not include within any of its boundaries any property inside the inclusion area boundaries without the prior written consent of the City except upon petition of the fee owner or owners of 100 percent of such property as provided in Section 32-1-401(1)(a), C.R.S.

8. Overlap Limitation. The District shall not consent to the organization of any other district organized under the Special District Act within the Service Area which will overlap the boundaries of the District unless the aggregate mill levy for payment of Debt of such proposed districts will not at any time exceed the Maximum Debt Mill Levy of the District.

9. Initial Debt. On or before the effective date of approval by the City of an Approved Development Plan (as defined in the Service Plan), the District shall not: (a) issue any Debt; nor (b) impose a mill levy for the payment of Debt by direct imposition or by transfer of funds from the operating fund to the Debt service funds; nor (c) impose and collect any fees used for the purpose of repayment of Debt.

10. Total Debt Issuance. The District shall not issue Debt in excess of Seventy-Five Million Dollars ($75,000,000) in the aggregate; provided, however, that any Debt issued by the District for ARI Regional Improvements shall not be included within this limitation and shall be subject to the limitations set forth in Section VI of the Service Plan.

11. Fee Limitation. The District may impose and collect Fees as a source of revenue for repayment of debt, capital costs, and/or for operations and maintenance. No Fee related to the funding of costs of a capital nature shall be authorized to be imposed upon or collected from Taxable Property owned or occupied by an End User which has the effect, intentional or otherwise, of creating a capital cost payment obligation in any year on any Taxable Property owned or occupied by an End User. Notwithstanding any of the foregoing, the restrictions in this definition shall not apply to any Fee imposed upon or collected from Taxable Property for the purpose of funding operation and maintenance costs of the District.

12. Debt Issuance Limitation. The District shall not be authorized to incur any indebtedness until such time as the District has approved and executed the IGA and approved the imposition of the Aurora Regional Improvement Mill Levy (as defined in the Service Plan) upon all taxable property located within the boundaries of the District.

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13. Monies from Other Governmental Sources. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other funds available from or through governmental or non-profit entities that the City is eligible to apply for, except pursuant to an intergovernmental agreement with the City. This Section shall not apply to specific ownership taxes which shall be distributed to and a revenue source for the District without any limitation.

14. Consolidation. The District shall not file a request with any Court to consolidate with another Title 32 district without the prior written consent of the City.

15. Bankruptcy. All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

a. Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and

b. Are, together with all other requirements of Colorado law, included in the "political or governmental powers" reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the "regulatory or electoral approval necessary under applicable nonbankruptcy law" as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term, shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S. and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

16. Website. When a district is required to have a website in accordance with the requirements of C.R.S. Section 32-1- 104.5, the District shall establish, maintain and annually update a public website or provide information on a shared community website, on which the District will timely post all information and documents required by C.R.S. § 32-1- 104.5.

17. Dissolution. Upon an independent determination of the City Council by resolution that the purposes for which the District was created have been accomplished and the City is satisfied that the City will not be responsible for any obligations formerly provided by the District, the District agrees to file petitions in the appropriate District Court for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until the District has provided for the payment or discharge of all of their outstanding indebtedness and other financial obligations as required pursuant to State statutes.

18. Disclosure to Purchasers. The District will use reasonable efforts to assure that all developers of the property located within the District provide written notice to all purchasers of property in the District regarding the Maximum Debt Mill Levy, as well as a general description of the District's authority to impose and collect rates, Fees, tolls and charges. The notice shall

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conform with the City's standard model disclosure attached as Exhibit D to the Service Plan as may be amended from time to time. The City shall be provided a copy of the notice prior to the initial issuance of the Debt of the District imposing the mill levy which is the subject of the Maximum Debt Mill Levy.

19. Service Plan Amendment Requirement. Actions of the District which violate the limitations set forth in V.A.1-14 or VII.B-G of the Service Plan shall be deemed to be material modifications to the Service Plan and the City shall be entitled to all remedies available under State and local law to enjoin such actions of the District.

20. Annual Report. The District shall be responsible for submitting an annual report to the Manager of the Office of Development Assistance of the City Manager's Office no later than August 1st of each year following the year in which the Order and Decree creating the District has been issued, pursuant to the City Code and containing the information set forth in Section VIII of the Service Plan.

21. Regional Improvements. The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment and a contribution to the funding of the Regional Improvements and fund the administration and overhead costs related to the provisions of the Regional Improvements incurred as a result of participation in the alternatives set forth in Section VI.A, B or C of the Service Plan.

The District shall impose the ARI Mill Levy and shall convey it as follows:

a. If the District has executed an ARI Authority Establishment Agreement and the City has been offered the opportunity to execute an ARI Authority Establishment Agreement, the terms of which provide for the City to appoint no less than thirty percent (30%) and no more than forty-nine percent (49%) of the Board members who will serve as the board of directors of the ARI Authority to be established by such ARI Authority Establishment Agreement, regardless as to whether the City approves the execution of such ARI Authority Establishment Agreement, the revenue from the ARI Mill Levy shall be conveyed to the ARI Authority for the planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements in the ARI Master Plan and for the operations of such ARI Authority; or

b. If the City and the District have executed an intergovernmental agreement then the revenue from the ARI Mill Levy shall be conveyed to the City for use in planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements which benefit the service users and taxpayers of the District in accordance with such agreement; or

c. If neither Section VI.A nor VI.B of the Service Plan is applicable then the revenue shall be conveyed to the City and (i) the City shall place in a special account all revenues received from the ARI Mill Levy imposed in the Service Area under Section VI of the Service Plan and shall not expend such revenue until an intergovernmental agreement is executed between the District establishing the terms and conditions for the provision of the Regional Improvements; and (ii) if the intergovernmental agreement is not executed within two

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(2) years from the date of the approval of the Service Plan by the City and neither Section VI.A nor VI.B of the Service Plan above have occurred within two (2) years from the date of the approval of the Service Plan by the City, then the revenue from the ARI Mill Levy shall be conveyed to the City for use by the City in the planning, designing, constructing, installing, acquiring, relocating, redeveloping or financing of the Regional Improvements which benefit the service users or taxpayers of the District as prioritized and determined by the City.

As set forth in the definition of the ARI Mill Levy, the District may, pursuant to any intergovernmental agreement with the City, extend the terms for application of the ARI Mill Levy beyond the years set forth in Sections VI.A and VI. B of the Service Plan. The Maximum Mill Levy Imposition Term shall include the terms and any extension of such terms, as set forth in Sections A, B and C of the definition of the ARI Mill Levy.

The Regional Improvements shall be limited to the provision of the planning, design, acquisition, construction, installation, relocation and/or redevelopment of street and transportation related improvements as defined in the Special District Act and the administration and overhead costs incurred as a result of participation in the alternative set forth in Section VI.A., B or C of the Service Plan, unless the City has agreed otherwise in writing; provided, however in no event shall the Regional Improvements include water or sanitary sewer improvements unless such improvements are necessary as a part of completing street and transportation related improvements. The District shall cease to be obligated to impose, collect and convey to the City the revenue from the ARI Mill Levy described in Section VI of the Service Plan at such time as the area within the District's boundaries is included within a different district organized under the Special District Act, or a General Improvement District organized under Section 31-25-601, et seq., C.R.S., or Business Improvement District organized under Section 31-25-1201, et seq., C.R.S., which other district has been organized to fund a part or all of the Regional Improvements.

22. Maximum Debt Mill Levy. The "Maximum Debt Mill Levy" shall be the maximum mill levy the District is permitted to impose upon the taxable property within the District for payment of Debt, and shall be determined as follows:

a. For the portion of any aggregate District's Debt which exceeds fifty percent (50%) of the District's assessed valuation, the Maximum Debt Mill Levy for such portion of Debt shall be fifty (50) mills less the number of mills necessary to pay unlimited mill levy Debt described in Section VII.C.2 of the Service Plan; provided that if, on or after January 1, 2004, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2004, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

b. For the portion of any aggregate District's Debt which is equal to or less than fifty percent (50%) of the District's assessed valuation, either on the date of issuance or at

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any time thereafter, the mill levy to be imposed to repay such portion of Debt shall not be subject to the Maximum Debt Mill Levy and, as a result, the mill levy may be such amount as is necessary to pay the Debt service on such Debt, without limitation of rate.

c. For purposes of the foregoing, once Debt has been determined to be within Section VII.C.2 of the Service Plan, so that the District is entitled to pledge to its payment an unlimited ad valorem mill levy, the District may provide that such Debt shall remain secured by such unlimited mill levy, notwithstanding any subsequent change in the District's Debt to assessed ratio. All Debt issued by the District must be issued in compliance with the requirements of Section 32-1-1101, C.R.S. and all other requirements of State law.

To the extent that the District is composed of or subsequently organized into one or more subdistricts as permitted under Section 32-1-1101, C.R.S., the term "District" as used herein shall be deemed to refer to the District and to each such subdistrict separately, so that each of the subdistricts shall be treated as a separate, independent district for purposes of the application of this definition.

The Maximum Debt Mill Levy shall not apply to the District's Operations and Maintenance Mill Levy for the provision of operation and maintenance services to the District's taxpayers and service users.

23. Maximum Debt Mill Levy Imposition Term. The District shall have the authority to impose the ARI Mill Levy for the terms as set forth in Section VI of the Service Plan. Other than the ARI Mill Levy, the District shall not impose a levy for repayment of any and all Debt (or use the proceeds of any mill levy for repayment of Debt) on any single property developed for residential uses which exceeds forty (40) years after the year of the initial imposition of such mill levy unless a majority of the Board of Directors of the District are residents of the District and have voted in favor of a refunding of a part or all of the Debt and such refunding will result in a net present value savings as set forth in Section 11-56-101, C.R.S.; et seq.

24. Notices. All notices, demands, requests or other communications to be sent by one party to the other hereunder or required by law shall be in writing and shall be deemed to have been validly given or served by delivery of same in person to the address or by courier delivery, via United Parcel Service or other nationally recognized overnight air courier service, or by depositing same in the United States mail, postage prepaid, addressed as follows:

To the District:	ACC Metropolitan District c/o Special District Management Services, Inc. 141 Union Boulevard, Suite 150 Lakewood, CO 80228 Attn: David Solin Phone: (303) 987-0835 Email: dsolin@sdmsi.com
With a copy to:	McGeady Becher Cortese Williams P.C. 450 E. 17th Avenue, Suite 400 Denver, CO 80203

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Phone: (303) 592-4380
Email: legalnotices@specialdistrictlaw.com

To the City: City of Aurora
15151 E. Alameda Pkwy., 5th Floor
Aurora, CO 80012
Attn: Pete Schulte, City Attorney
Phone: (303) 739-7030
Fax: (303) 739-7042

All notices, demands, requests or other communications shall be effective upon such personal delivery or one (1) business day after being deposited with United Parcel Service or other nationally recognized overnight air courier service or three (3) business days after deposit in the United States mail. By giving the other party hereto at least ten (10) days written notice thereof in accordance with the provisions hereof, each of the Parties shall have the right from time to time to change its address.

25. Amendment. This Agreement may be amended, modified, changed, or terminated in whole or in part only by a written agreement duly authorized and executed by the Parties hereto and without amendment to the Service Plan.

26. Assignment. Neither Party hereto shall assign any of its rights nor delegate any of its duties hereunder to any person or entity without having first obtained the prior written consent of the other Party, which consent will not be unreasonably withheld. Any purported assignment or delegation in violation of the provisions hereof shall be void and ineffectual.

27. Default/Remedies. In the event of a breach or default of this Agreement by any Party, the non-defaulting Party shall be entitled to exercise all remedies available at law or in equity, specifically including suits for specific performance and/or monetary damages. In the event of any proceeding to enforce the terms, covenants or conditions hereof, the prevailing Party in such proceeding shall be entitled to obtain as part of its judgment or award its reasonable attorneys' fees.

28. Governing Law and Venue. This Agreement shall be governed and construed under the laws of the State of Colorado.

29. Inurement. Each of the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

30. Integration. This Agreement constitutes the entire agreement between the Parties with respect to the matters addressed herein. All prior discussions and negotiations regarding the subject matter hereof are merged herein.

31. Parties Interested Herein. Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon, or to give to, any person other than the District and the City any right, remedy, or claim under or by reason of this Agreement or any covenants, terms, conditions, or provisions thereof, and all the covenants, terms, conditions, and provisions

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in this Agreement by and on behalf of the District and the City shall be for the sole and exclusive benefit of the District and the City.

32. Severability. If any covenant, term, condition, or provision under this Agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such covenant, term, condition, or provision shall not affect any other provision contained herein, the intention being that such provisions are severable.

33. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document.

34. Paragraph Headings. Paragraph headings are inserted for convenience of reference only.

35. Defined Terms. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Service Plan.

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[SIGNATURE PAGE 1 OF 2 TO INTERGOVERNMENTAL AGREEMENT]

ACC METROPOLITAN DISTRICT

By: John Edwin Strabel
John Strabel, Director

Attest:

David Solin, Secretary

Doc ID: 868da88708e84c7a0575319199ba3a55f962fe59

[SIGNATURE PAGE 2 OF 2 TO INTERGOVERNMENTAL AGREEMENT]

CITY OF AURORA, COLORADO

By: _____
MIKE COFFMAN, Mayor

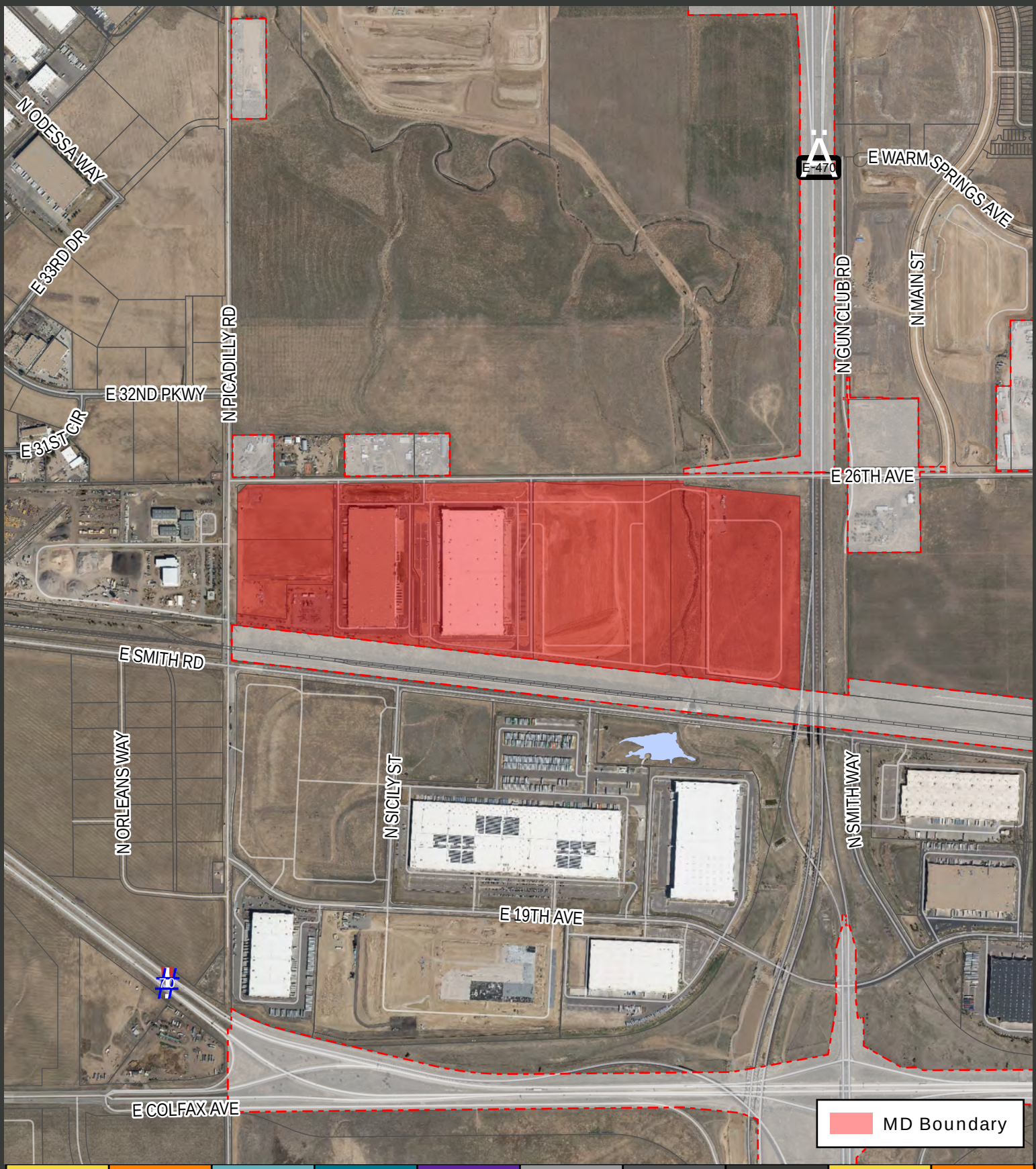
ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

_____
BRIAN J. RULLA, Assistant City Attorney

Doc ID: 868da88708e84c7a0575319199ba3a55f962fe59



Planning and Business Development

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

City of Aurora, Colorado

ACC
Metropolitan District

Miles
0 0.075 0.15

5/6/2025 I:\GIS\Arc10_MXDs\Planning\Jake C\2025\2621_ACC_MD.aprx

CITY OF AURORA
Council Agenda Commentary

Item Title: Lease - Purchase Certificates of Participation (COP) Financing – Animal Shelter (Ordinance)
Item Initiator: Teresa Sedmak, City Treasurer, Finance
Staff Source/Legal Source: Teresa Sedmak, City Treasurer, Finance / Hanosky Hernandez, Senior 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Teresa Sedmak, City Treasurer, Finance / Hanosky Hernandez, Senior 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: Management & Finance

Policy Committee Date: 5/7/2025

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.)*

Last year, City Council authorized a resolution declaring the intent of the City to reimburse itself for prior expenditures related to the new animal shelter with proceeds of a municipal lease-purchase financing to be issued at a later date.

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

The attached ordinance authorizes the use of lease-purchase financing (COPs) for the construction of a new animal shelter. The facility is expected to include space for services typical for this type of facility, including public areas, pet adoption, animal care, animal holding, staff offices, back-of-house support and other support functions. It is also anticipated to include site parking and outdoor animal spaces. The facility will be funded through a combination of capital impact fees, capital projects funds, ARPA funds, and the proceeds of COPs.

The ordinance specifies a maximum par amount of $27 million, a maximum maturity of 30 years and a maximum interest rate of 6.00%.

The COPs are expected to be issued in August of this year.

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.)

$1.7 million per year for 30 years, or a total of $51 million over the term of the bonds, **ASSUMING CURRENT INTERST RATES.**

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 City Council approve of this item moving forward to the next regularly scheduled City Council meeting?

LEGAL COMMENTS

The City of Aurora is authorized to enter into long-term or short-term rental or leasehold agreements in order to provide necessary land, buildings, equipment, and other property for governmental or proprietary purposes, which agreements may include an option to purchase and acquire title to such leased or rented property, and may have a term, at the discretion of the City, in excess of 30 years. Sec. 31-15-801, C.R.S.; City Code Sec. 2-683. Any use of lease-purchase financing by the City shall be approved by ordinance. City Charter Art. 5-3. (Hernandez)

MEMORANDUM

City of Aurora

Worth Discovering ▪ auroragov.org

Housing and Community Services
15151 E. Alameda Parkway, Suite 4500
Aurora, Colorado 80012 303.739.7581

TO: Jessica Prosser, Director, Housing and Community Services
John Wesolowski, Deputy Director, Housing and Community Services

FROM: Anthony Youngblood, Manager, Animal Services Division

DATE: May 8, 2025

SUBJECT: Arapahoe County IGA and other shelter information

As the City moves forward with the development and construction of a new animal shelter, we were asked to provide information on the current IGA the City has with Arapahoe County Animal Control, what other cities are doing to provide animal shelter, and to reach out to other jurisdictions to determine if there was interest in contributing to the construction costs of a new shelter in exchange for services/shelter space.

Arapahoe County IGA
This agreement was signed in February of 2016. By the terms of the agreement, Arapahoe County estimated they would bring approximately 220 animals a year to the Aurora animal shelter for which they pay $30,000 yearly.

Based on the City's fee list for 2025, the first day of impound is $66. Then $21 daily cost of care until the end of the stray wait period, which by ordinance is 5 days. We do not count the days the shelter is closed, as the owner cannot come claim the animal. From Jan. 1, 2020 - Apr. 25, 2025, Aurora's animal shelter took in 612 animals total from Arapahoe County animal control officers compared to 3000-4000 animals yearly from City residents.

For any stray animals that are from Arapahoe County and not claimed by an owner during the stray wait period, the City puts them through a medical and behavioral evaluation. If the animal is adopted, the City keeps the proceeds. If the stray animal is claimed by the owner during the stray wait period, the City keeps the fees charged in association with the impound as well.

In the same time period of, 1/1/2020 - 4/25/2025, the revenue earned from these adoptions and reclaims has been $31,219.30 or approximately $6000 yearly, **for a total of approximately $36,000 yearly revenue from the IGA.**

Arapahoe County's average number of animals sheltered at the Aurora animal shelter was approximately 120 per year. The average length of stay for dogs in the shelter is 11 days. Of the 612 Arapahoe County animals taken in over the 5 plus years over 85% of them were dogs.

That average of 120 per year x $66 impound fee = $7,920
120 animals x $21 cost of care x 11 days for average length of stay = $27,720
For a total of approximately $35,640 yearly cost from the IGA.

With the construction of a new animal shelter, City staff have begun discussions with Arapahoe County regarding renegotiating our current IGA. However, given the historical data with regards to their usage and the revenue we generate to offset some of those costs, we do not anticipate the County requiring any large increase in shelter space that would necessitate either significant increased revenue contributions to the city or major financial contributions to the construction of a new shelter.

Animal Shelter Services in Other Jurisdictions:

- *Denver Animal Services:* City and County of Denver
- *Foothills:* Jefferson County, Westminster, Lakewood, Littleton, Englewood, Arvada, Golden, Wheatridge, Broomfield and Sheridan
- *Humane Colorado (Buddy Center):* Castle Rock, Lone Tree, Greenwood Village, Douglas County and Parker
- *Humane Society of the Boulder Valley:* City and County of Boulder, Dacono, Erie, Louisville, Layfette and Fredrick
- *Humane Society of the Pikes Peak Region:* Centennial, El Paso County, Colorado Springs and Pueblo
- *Riverdale:* Adams County, Thornton, Brighton, Commerce City, Northglenn, Federal Heights, and Town of Bennett. Also has IGA's with Lochbuie and Hudson

At this time, contacted surrounding jurisdictions are under contract for their animal services needs (e.g. Centennial/Humane Society of the Pikes Peak Region) and did not have any immediate needs to use the Animal Shelter in Aurora. As the construction of new shelter proceeds, staff will continue discussions with surrounding jurisdictions that may potentially seek services in the future.

ORDINANCE NO. 2025-____

A BILL

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

WHEREAS, the City of Aurora, Colorado, (the "City"), is a home rule municipality, organized and existing under and by virtue of Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, the City is authorized pursuant to Section 31-15-801, C.R.S., as amended, the City's home rule powers, and Section 2-683 of the City Code to enter into long-term or short-term rental or leasehold agreements in order to provide necessary land, buildings, equipment, and other property for governmental or proprietary purposes, which agreements may include an option to purchase and acquire title to such leased or rented property, and may have a term, at the discretion of the City, in excess of 30 years; and

WHEREAS, in order to provide for the capital asset needs of the City, the City Council of the City (the "Council") hereby determines that it is necessary and in the best interests of the City and its citizens that the City undertake lease-purchase financing for the construction of an animal shelter (the "Project") for use by the City for governmental or proprietary purposes; and

WHEREAS, the City wishes to fund the Project from the proceeds of a lease-purchase financing (the "Financing") to be completed within 12 months of the date hereof; and

WHEREAS, the City is the owner in fee simple of the certain real property upon which the improvements for the Project are to be situated (the "Leased Property"); and

WHEREAS, in order to finance the costs of the Project, the Council desires to demise to Aurora Capital Leasing Corporation ("ACLC"), pursuant to that certain Site Lease to be dated as of its dated date (the "Site Lease") between the City, as lessor, and ACLC, as lessee, a leasehold interest in the Leased Property for a lump-sum payment of not more than $28,000,000 and sublease the Leased Property back with improvements from ACLC pursuant to that certain Lease Purchase Agreement dated as of the date of the Site Lease (the "Lease") between ACLC, as sublessor, and the City, as sublessee; and

WHEREAS, the City Manager has determined that the completion of the Financing as a negotiated public offering would be to the best advantage of the City; and

WHEREAS, as part of the Financing, ACLC shall assign its right, title and interest in the Lease to a trustee bank (the "Trustee") approved by the Authorized Officers of the City pursuant to a Mortgage and Indenture of Trust dated as of the date of the Site Lease (the "Indenture"), and

the Trustee shall deliver, pursuant to the Indenture, Certificates of Participation representing interests in the right to receive base rent payable by the City (the "Certificates"), subject to annual appropriation by the Council; and

WHEREAS, there have been filed for public inspection with the City Clerk in connection herewith the proposed forms of the Site Lease, the Lease and the Indenture (collectively, the "Financing Documents").

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO.

Section 1. *Ratification of Actions*. All actions heretofore taken, not inconsistent with the provisions of this Ordinance, by the Council or the officers of the City, directed toward the completion of the Project and the preparation of any of the Financing Documents are hereby ratified, approved and confirmed.

Section 2. *The Project*. The City is hereby authorized to obtain lease-purchase financing for all or any portion of the Project through a lease with ACLC, provided that any such Lease shall be executed and delivered within 12 months of the date hereof.

Section 3. *Final Terms*. The principal amount of the Financing shall not exceed $28,000,000, the interest component of rental payments to be made by the City shall accrue at a rate not to exceed six percent (6.00%), and the total term (including any renewal terms) of any Lease hereunder shall not exceed thirty (30) years. Rental payments may be made annually, semi-annually, or at any other convenient interval as determined by the Director of Finance. Prior to the execution of the Financing Documents or any other instrument contemplated by this Ordinance, the final forms thereof and the final terms of the Financing, not inconsistent herewith, shall be approved by a certificate (a "Final Terms Certificate") signed by the Director of Finance or an Authorized Officer of the City. The City Manager shall certify to the Council that such method of sale is to the best advantage of the City in accordance with Section 11-25 of the City Charter.

Section 4. *Findings; Authorizations*. The Council hereby finds and determines, pursuant to the City's home rule powers and the laws of the State of Colorado, that the construction of the Project is necessary, convenient, and in furtherance of the governmental purposes of the City and in the best interests of the City and its citizens; and the Council hereby authorizes the funding of such construction by means of lease-purchase financing.

Section 5. *Agency Relationship*. Pursuant to the Lease, the City shall act as the agent of ACLC solely for the purposes of construction of the Project, solely with proceeds of the Financing.

Section 6. *Approval and Execution of Documents; Authorized Officers*. The Financing Documents, and the Official Statement, in substantially the forms filed in the office of the City Clerk prior to the final adoption of this Ordinance are in all respects approved, authorized and confirmed. The Mayor is hereby authorized and directed to execute and deliver, and the City Clerk is hereby authorized and directed to affix the seal of the City to, and attest, each Financing Document hereunder in substantially the form filed with the City Clerk, with such changes as are

not inconsistent with the intent of this Ordinance and are approved by the City Attorney. The Council hereby designates the Director of Finance or her or his designee to act as "Authorized Officers of the City" under the Lease.

Section 7. *Additional Documents*. The City Clerk is hereby authorized and directed to attest all signatures and acts of any official of the City in connection with the matters authorized by this Ordinance. The Mayor and the Authorized Officers are hereby authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the transactions and other matters authorized by this Ordinance.

Section 8. *No General Obligation or Other Indebtedness*. The obligation of the City to make rental payments under the Lease is subject to annual appropriation by the Council and constitutes an undertaking of the City to make current expenditures. Such payments are subject to termination and nonrenewal by the City in accordance with the provisions of the Lease. No provision of this Ordinance or any Lease hereunder shall be construed as constituting or giving rise to a general obligation or other indebtedness or multiple fiscal year financial obligation of the City within the meaning of any home rule, constitutional or statutory debt limitation nor a mandatory charge or requirement against the City in any ensuing fiscal year beyond the current fiscal year.

Section 9. *Expression of Need*. The City hereby declares its current need for the Project. It is hereby declared to be the present intention and expectation of the Council that the Lease will be renewed annually until all of ACLC's interest in the Leased Property is acquired by the City pursuant to the Lease; but this declaration shall not be construed as contractually obligating or otherwise binding on the City.

Section 10. *Reasonable Rentals*. The Council hereby determines and declares that, after execution and delivery of the Lease within the parameters authorized in Section 3 of this Ordinance, the rental payments due thereunder will represent the fair value of the use of the Leased Property and the Purchase Option Price, as defined therein, will represent, as of any date upon which the City may exercise its option to purchase such Leased Property, the fair purchase price of such Leased Property. The Council further hereby determines and declares that, after the execution and delivery of the Lease, the rental payments due thereunder will not exceed a reasonable amount so as to place the City under economic or practical compulsion to renew the Lease or to exercise its option to purchase the Leased Property pursuant to the Lease. In making such determinations, the Council has given consideration to the cost of acquiring the Leased Property, the uses and purposes for which the Leased Property will be employed by the City, the benefit to the citizens of the City by reason of the acquisition and use of the Leased Property pursuant to the terms and provisions of the Lease, the City's option to purchase the Leased Property, and the expected eventual vesting of title to, or other indicia of ownership of, the Leased Property in the City. The Council hereby determines and declares that, after execution and delivery of the Lease, the maximum duration of the portion of the Lease allocable to any item of the Leased Property separately identified in the payment schedule appended thereto will not exceed the weighted average useful life of such Leased Property, and any item of Leased Property that is real property shall be amortized separately from any other item of Leased Property that is personal property.

Section 11. *Severability*. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 12. *Repealer*. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Section 13. *Publication*. Pursuant to Section 5-5 of the City Charter, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 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

Hanosky Hernandez
_____
HANOSKY HERNANDEZ, Sr. Assistant City Attorney

City of Aurora
New Animal Shelter

Management & Finance Policy Committee

May 7, 2025

Project Description

Vision: Plan, design, and build a new Aurora Animal Shelter facility which provides effective animal sheltering and animal control, along with the potential to expand programs offered by the shelter.

Mission: Collaboratively deliver a new Aurora Animal Shelter facility that meets the immediate needs of stakeholders, staff, and community within budget, on time, and best positions Aurora for future growth and maintenance of this City asset.

Current State & Need

- Existing facility is more than 40 years old and is not Pet Animal Care and Facilities Act (PACFA) compliant
- Remodel and renovation options were explored but are also not PACFA compliant
- Facility Needs Assessment conducted September 2024 concluded that the existing shelter is, “too small in almost every functional area”
- The Facility Needs Assessment recommended that a new animal shelter building should be designed and constructed to provide a modern, PACFA compliant animal housing facility

Project Location

Shelter is planned to be built on an existing City owned property near the existing Animal Shelter



Project Description

Anticipated Project Scope:

- Modern, PACFA compliant animal care facility which provides safe, best practice animal housing
- 38,000+ SF new facility
- Includes over 250 animal housing units across dogs, cats, small mammals, birds, reptiles, and medical rooms
- Outdoor dog space at both kennels and meet & greet yards
- New community experience at lobby for adoption and animal intake

Project Funding Sources

Source	Amount	Notes
General Government Capital Impact Fees	$16,000,000	
Capital Project Fund 25/26	$5,000,000	
ARPA – 6.1q Animal Shelter Renovations	$2,900,000	
Estate Gift	$400,000	
COP Debt Issuance	$27,000,000	If approved by City Council
Total	**$51,300,000**	

Project Budget & Market Conditions

Anticipated construction budget is approximately $39M including contingencies and project escalation

Project Budget Relevant Soft Costs

- Design - $3.1M
- Contingencies (outside construction) - $2.4M
- FF&E - $1.7M
- Project Management - $1.4M
- Utilities - $1.0M
- Permit - $975k
- Other Soft Costs (commissioning, inspections, estimating, technology, etc.) - $1.7M

Market Conditions

- Looking back –
  - Market indices show ~4% increase in construction costs in 2024 (RLB 4%; Turner 3.9%)
- Looking forward –
  - Project budget anticipates ~5% escalation over the next year
  - RLB market index currently projects ~3.7% escalation over the next year
  - Recent FMI projections show a possible 5-7% increases in material prices this year
- Primary factors which affect market pricing are demand (material & labor) and interest rates

Project Financing

- A significant investment is needed to address the existing shelter deficiencies and provide for current and future animal care needs

- COP financing will provide approximately $27M toward constructions costs, with an estimated debt service payment of between $1.6M and $1.8M for 30-year term.

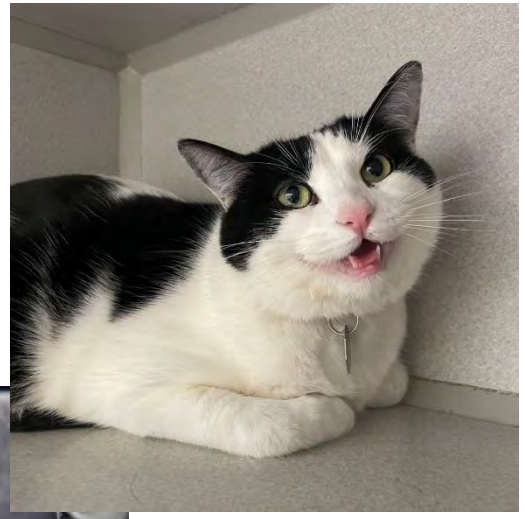
- $2.9M in ARPA funds, $5M in Capital Project Funds (CPF) and $16M in general government capital impact fees have been programmed in the city's capital plan. These sources are proposed toward the construction costs and will effectively offset/"buy down" the total cost/debt payments for a new animal shelter.

Construction Budget & Timeline

Timeline:

- Design – thru Q2 2026
- Permitting – Q2 2026
- CM/GC Contractor Procurement – May thru July 2025
- Construction Begins – 2026
  - Planned phased construction beginning with site grading
  - Expected construction duration of 18 to 24 months, pending contractor validation and market conditions







QUESTIONS?

CITY OF AURORA
Council Agenda Commentary

Item Title: DUAL LISTING: Cabaret License Modifications (Ordinance)
Item Initiator: Trevor Vaughn, Manager of Licensing, Finance
Staff Source/Legal Source: Trevor Vaughn, Manager of Licensing, Finance / Tim Joyce, 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: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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: Danielle Jurinsky, Council Member
Trevor Vaughn, Manager of Licensing, Finance / Tim Joyce, 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: Public Safety, Courts & Civil Service

Policy Committee Date: 6/12/2025

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 June 12th Public Safety Committee meeting. The committee supported moving the item for full Council consideration with an amendment to require cabaret licensees to have insurance.

This item was presented to the Business Advisory Board on May 19th. The majority of the board present supported the item with two oppositions relating to the expansion of the license requirement to event centers. A feedback letter is being drafted and will be presented to the committee. The BAB also requested outreach take place to the impacted event centers. A letter was emailed to the identified impacted event centers on May 27th seeking feedback on the ordinance and inviting them to a meeting on June 11th.

The City of Aurora has required a Cabaret License for more than 40 years for liquor-licensed establishments that feature a dance floor. However, the current license does not allow for a standing-room-only environment. A large venue in Aurora has expressed interest in this operational model, prompting the need for an updated license class.

In addition, the city continues to experience significant violence and noise disturbances stemming from private event centers that do not hold liquor licenses but operate similarly to cabarets. The absence of a liquor license in these venues reduces accountability for managing events and ensuring public safety. Of the twelve event centers expected to be subject to the new licensing requirement, six have hosted events that should have required a liquor license but failed to obtain one.

In 2024 alone, four shootings—including one homicide—occurred at event centers, with poor oversight and lack of event monitoring identified as common contributing factors. Historically, event centers have been sites of serious violence and neighborhood disruption, including a mass shooting at an event center at Mississippi and Peoria in 2021 (resulting in five people shot and one fatality), and another shooting on East Colfax that same year, where five people were also shot.

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

The proposed ordinance establishes a new *Open-Floor Cabaret* license class for businesses with a capacity of over 250 persons that intend to operate with a standing-room-only environment. This new license class requires a fire department-approved crowd control plan and prohibits the service of glass bottles, bottle buckets, or bottle service unless patrons are provided with a table and seating.

The ordinance also adds new requirements for all cabarets regarding VIP bottle service. These include limiting distilled spirit bottles to 750ml and restricting bottle service to parties of at least three patrons. Additionally, all cabarets will be required to maintain at least 14 days of video surveillance.

Event centers without a liquor license will now be subject to the cabaret license requirement if they allow alcohol consumption and feature a dance floor, similar to liquor-licensed establishments. This change ensures that event center operators are accountable for managing noise and other negative impacts on surrounding neighborhoods. Such venues will also be required to either utilize liquor-licensed caterers or develop a liquor control plan for events serving alcohol after 10 p.m., even if those events do not otherwise require a liquor permit. Approximately 10 businesses are expected to be affected by these modifications.

The catering license, though included in the Colorado liquor code, has not yet been funded and will require further legislative action. Once operational, this license is expected to allow catering companies—who will not have control of the premises—to provide responsible alcohol service at private events.

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.)

Addition of 10 cabaret licenses with a $249 application fee and $635 annual license fee for a total of $8,840.

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.)

The workload will be absorbed with existing staff initially and future addition of $6,350 to cover future staff increases if required by workload, fully offset by license fees.

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.)

Additional workload for new license type and expansion of licenses to event centers.

QUESTIONS FOR COUNCIL

Does city council approve forwarding the ordinance for formal consideration?

LEGAL COMMENTS

City Council has the power to make and publish ordinances not inconsistent with the laws of the state for carrying into effect or discharging the powers and duties conferred by the state constitution, statute or city Charter and such as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city and its inhabitants. (Aurora, Colo. Code § 2-32). (TJoyce)

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 6-136, 6-137, 6-142, 6-143, 6-145, 6-171 AND 6-172 RELATING TO THE REGULATION OF CABARETS

WHEREAS, the City of Aurora, Colorado ("City"), desires to amend its cabaret code to be more permissive for business operations that desire to operate large concert and entertainment venues within the City contributing to the economic vitality of the City; and

WHEREAS, the City seeks to ensure the public's safety through reasonable regulations of event and entertainment venues where intoxicating liquors will be consumed; and

WHEREAS, the City has had multiple shootings in 2024 at unlicensed event centers where alcohol beverages were consumed, and the City seeks to ensure event centers are properly regulated to prevent adverse impacts, acts of violence, noise, illegal events, and disorderly conduct from occurring at these facilities and ensure the operators of these facilities are held to the same standards as those holding permanent liquor licenses with regard to their impacts on the community.

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

Section 1. That section 6-136 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 6-136. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means any person who is applying for, but has not yet received, a cabaret license pursuant to this division.

Cabaret means a location **that is open to the public, or available to be rented for private events, or charges an entry fee or membership fee, where** ~~licensed for the sale of~~ intoxicating liquors will be consumed ~~for consumption~~ on the premises **whether or not the location of the cabaret is licensed for the sale of intoxicating liquors,** wherein entertainment may be either live or recorded vocal or instrumental music ~~and no other entertainment shall be permitted~~ and where dancing by the customers is permitted.

***Open-floor Cabaret* means a cabaret with a capacity of at least 250 that permits the entry of more persons than the available seating.**

Section 2. That section 6-137 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 6-137. Exceptions

(1) For the purpose of this division, clubs or lodges with statewide, nationwide or larger memberships or affiliation **holding a Club license in accordance with C.R.S § 44-3-418 as amended** shall not be considered as cabarets.

(2) A cabaret license shall not be required for a location with a business that does not regularly engage in renting the facility for private or public events and the events are secondary to the primary use of the location and which only permits the consumption of alcohol in association with events that hold a special event liquor permit or festival liquor permit approved by the local licensing authority in accordance with the Colorado Liquor Code.

Section 3. That section 6-142 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 6-142. ~~Seating of patrons~~ Premises.

(1) Unless licensed as an open-floor cabaret, ~~Patrons~~ **patrons** or guests of **a** ~~any class~~ cabaret shall not be crowded into an area or space insufficient to seat them comfortably, and they shall be required to be seated at all times except when dancing, coming to and from the dance floor area or restrooms or while entering or leaving the establishment.

(2) Open-floor cabarets shall abide by the operational plan approved by the City and the National Fire Protection Association's Life Safety Code requirements, as amended, as it pertains to crowd control.

(3) Cabarets shall maintain video surveillance of both the interior and exterior of their premises with video retention of at least 14 days. Such surveillance video shall be subject to inspection at any time by law enforcement and the Local Licensing Authority.

(4) It shall be unlawful to fail to permit the inspection of the premises by city officials conducting inspections for purposes of administering City Codes.

(5) It shall be unlawful for a cabaret licensed business to be open for business with fire exits that are blocked or that are not operational.

(6) It shall be unlawful for a licensed cabaret to exceed the maximum occupancy or capacity limits as set by the certificate of occupancy for the establishment.

Section 4. That section 6-143 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 6-143.. ~~Menus.~~**Service Requirements.**

(1) Menus shall be provided **to** guests of cabarets on request~~., which~~ **Menus** shall legibly set forth the price of food or drink available, together with any minimum or cover charge and sales tax payable. No greater charge shall be made for food or drink than that shown on ~~such~~ **a** menu.

(2) When patrons of an open-floor cabaret who have not been provided with a table and a seating area, those patrons shall not be served:

(a) Any alcohol beverages or non-alcohol beverages in glass containers;

(b) More than two alcohol beverages at a time;

(c) Alcohol beverages in a bucket or similar container that can hold more than two beverages at one time; and

(d) Food or beverages in a volume or manner such as in buckets or pitchers that the patron will not practicably be able to hold while standing.

(3) Patrons who purchase bottles of spiritous liquors, whether individually or as part of bottle service or similar premium seating package, shall not be permitted to consume directly from the bottle of spirituous liquors. If patrons are permitted to pour their own drinks from the bottles, the bottles shall not be served to groups smaller than three (3) and not in bottles larger than 750ml. The cabaret shall have adequate staff employed to monitor service and prevent service to persons exhibiting signs of visible intoxication.

(4) For private or public events at a licensed cabaret event center where alcohol beverages will be consumed after 10:00 p.m. and the event has not obtained a special event liquor permit or a festival permit, and the cabaret is not licensed for the consumption or sale of alcohol, and when such permit or license is not required by the Colorado Liquor Code, the licensed cabaret event center shall require the event to hire a liquor licensed catering company to serve and control the alcohol beverages.

(5) Subsection (4) of this section shall not apply if the licensed cabaret event center submits a Liquor Control plan approved by the Local Licensing Authority. Such Liquor Control Plan will be approved if the licensed cabaret event center only has servers who have completed a server training program and the service of alcohol will be controlled in such a manner satisfactory to the Local Licensing Authority demonstrating the service of alcohol will not endanger or jeopardize the public health, welfare, and safety.

Section 5. That section 6-145 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 6-145. ~~Conduct of establishment~~. **Conduct of the Establishment**.

The licensee, and every employee or agent of the licensee, shall conduct business in a decent, orderly, and respectable manner. The following is strictly prohibited from occurring in or on the licensed premises, upon any adjoining grounds or property under the control or management of the licensee, or upon any parking area(s) under the control or management of the licensee:

(1) Permit the loitering of a known habitual drunkard or any person displaying any visible signs of intoxication without an acceptable purpose;

(2) Permit any activity or acts of disorderly conduct as defined by C.R.S. § 18-9-106;

(3) Permit any unlawful act prohibited by chapter 94 of the City Code; or

(4) Permit any activity or acts of rowdiness, undue noise, or other disturbances or activities offensive to the senses of the average citizen, or to the residents of the neighborhood in which the licensed establishment is located.

(5) It shall be unlawful for any cabaret licensee to fail to adequately monitor and maintain control of their premises, including preventing any violations of the Colorado Liquor Code or this section by any person at an event rental.

(6) It shall be unlawful to provide escort services or paid companionship at a cabaret licensed establishment.

Section 6. That section 6-171 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 6-171. Required.

It is unlawful to operate any establishment or business as a cabaret **or an open-floor cabaret** without having first obtained a valid license to do so as provided in this division. No person shall offer or provide any entertainment other than that permitted under the license issued.

Section 7. That section 6-172 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 6-172. Application.

Application for a cabaret license shall be made to the finance director or his or her designee upon forms to be provided by him or her for that purpose, which forms shall contain the following information:

(1) Name and address of the applicant and manager of the establishment or business if they are not one and the same person.

(2) Name and address of the establishment or business for which application is made.

(3) Type and class of license applied for.

(4) Type of entertainment to be offered or provided.

(5) Floor space and seating capacity of the establishment for which application is being made.

(6) **Open-floor cabarets shall submit such information as determined necessary by the Aurora Fire Chief or designee for crowd control in accordance with National Fire Protection Association's Life Safety Code.**

(7) Such other information or evidence as reasonably may be required to establish to the satisfaction of the licensing authority that the character and reputation of the applicant is such ~~so~~ as to warrant the confidence of the licensing authority that the establishment or business will be lawfully operated and that the health, welfare and morals of the community will not be adversely affected should the license issue.

(8) No person shall apply for a cabaret license for the same location more frequently than once every two years.

Section 8. 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 9. 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 10. 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:

PETER A. SCHULTE, CITY ATTORNEY

By: _____
TIM JOYCE, Assistant City Attorney



CABARET LICENSE AMENDMENTS

SPONSOR : COUNCILMEMBER DANIELLE JURINSKY
STAFF : TREVOR VAUGHN, MANAGER OF LICENSING

City of Aurora

CABARET LICENSE

- License required for businesses serving alcohol with dancing
- Entertainment / Nightclub Licenses are common to address public safety and neighborhood impacts

MODIFICATIONS

1. Creation of Open-Floor Cabaret Class for Standing Room Only
2. Inclusion of event centers with liquor consumption but are not required to have a liquor license

OPEN FLOOR CABARET LICENSE

Standing Room Only Permitted:

- Capacity > 250
- Fire Department approved crowd control plan
- No glass bottles, bottle service, bottle buckets unless table and place to sit is provided

NEW: All cabarets must limit bottle service to 750ML, 3 or more patrons, adequate staff to monitor

Also, must have 14 days video surveillance

EVENT CENTERS

INCLUSION OF EVENT CENTERS

- Event Centers with no liquor license but liquor is consumed
- Impacts = bar / nightclub or worse due to lack of accountability. Noise, overconsumption, violence, DUI
- 2024: 4 shootings at event centers.
- Many with illegal events. Underground nightclubs
- Colorado Springs night club raid was event center

EVENT CENTERS

APPROX 11 TO GET LICENSED WHEN:

1. Alcohol Consumption is permitted, and
2. Dancing is permitted

***Exemption if event is secondary and has a liquor permit (Not regularly an event center)

EVENT CENTERS

WILL REQUIRE PRIVATE EVENT CENTERS TO:

- Hire a liquor licensed caterer or have an approved alcohol service plan for late night events.
- No deleterious impacts to the neighborhood.
- Good moral character.
- Monitor events for compliance with liquor code.

EVENT CENTERS

Does Council approve of the changes?

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, PROPOSED AMENDMENTS TO ARTICLES 2-2, 3-10, 3-14, 3-15, 3-16, 3-17, 5-2, 6-5, 7-4, 8-2, 10-1, 10-5, 10-8, 11-2, 11-3, 12-7, 14-9, AND 15-9 OF THE CITY CHARTER CONCERNING NON-SUBSTANTIVE UPDATES TO THE CITY CHARTER TO CREATE GENDER NEUTRALITY

Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney

Staff Source/Legal Source: Jason Batchelor, City Manager/ Peter Schulte, 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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: 6/9

Regular Meeting: N/A

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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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)
_____	_____ 06.02.25.
Agenda Item Initiator Signature Date	Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Amendments to the City Charter Concerning Non-Substantive Updates to the City Charter to Create Gender Neutrality (Ordinance)
Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney
Staff Source/Legal Source: Jason Barchelor, City Manager/Peter Schulte, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Jason Batchelor, City Manager / Peter Schulte, 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.)*

This ordinance would refer a question to the voters asking if the City Charter should be amended to remove gender specific language.

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 city council shall have the power to submit any number of charter amendments to a vote of the registered electors without the receipt of a petition. Charter amendments shall be referred to the registered electors by ordinance. *(City Code §54-146)*. (Wood)

ORDINANCE NO. 2025- _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, PROPOSED AMENDMENTS TO ARTICLES 2-2, 3-10, 3-14, 3-15, 3-16, 3-17, 5-2, 6-5, 7-4, 8-2, 10-1, 10-5, 10-8, 11-2, 11-3, 12-7, 14-9, AND 15-9 OF THE CITY CHARTER CONCERNING NON-SUBSTANTIVE UPDATES TO THE CITY CHARTER TO CREATE GENDER NEUTRALITY.

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empowers home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, the existing Charter contains gendered language, including pronouns and titles that presume a specific gender for city officials, employees and citizens; and

WHEREAS, the proposed amendments do not alter the substantive meaning or legal effect of any provision of the Charter, but rather update terminology to promote clarity, equality, and consistency; and

WHEREAS, amending the City Charter requires approval by the registered electors of the City; and

WHEREAS, the City Council desires to submit this proposed amendment to the voters at the next regular municipal election.

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

Section 1. That Article 2-2 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

2-2 Election commission

There is hereby created a nonpartisan election commission consisting of five (5) members. The members of the election commission shall be registered electors of the city appointed by city council to four-year terms which terms shall be staggered as provided by ordinance. Said appointed members, during their term of office, shall not hold any elective federal, state, county or city office, nor be employed by the city, nor shall they be candidates for any elective office in the city. The election commission shall select a ~~chairman~~ **chairperson** from among its appointed, voting members. The member so selected shall serve as ~~chairman~~ **chairperson** for the duration of ~~his~~

that person's term of office as a member. The city clerk or ~~his~~ designee shall be a nonvoting member of the election commission.

Section 2. That Article 3-10 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

3-10 Powers withheld from council.

Neither the council nor any of its committees or members shall direct or request the appointment of any person to, or ~~his~~ removal from, employment by the city manager, or in any manner take part in the appointment or removal of employees in the administrative service of the city, except as otherwise provided in this Charter. The council and its members shall deal with that portion of the administrative service for which the city manager is responsible solely through the manager, and neither the council nor any member thereof shall give orders to any employee of the city either publicly or privately. Any violation of the provisions of this section by a member of the council shall constitute misconduct and shall be punishable in such manner as may be in the discretion of the other members of the council.

Section 3. That Article 3-14 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

3-14 Police department, who constitutes, duties and powers.

(1) The Police Department shall be composed of the Chief of Police who shall be appointed by the City Manager with approval of a majority of City Council and such subordinate officers and police officers as shall be authorized by City Council as necessary to preserve the peace, protect persons and property, and enforce laws and ordinances. All members of the Department, except the Chief, Deputy Chief(s), Division Chiefs, and Commanders as hereafter provided for, shall be determined to be members of the Civil Service and shall be appointed pursuant to Civil Service requirements.

(2) The Civil Service of the Police Department shall consist of the following ranks and grades:
Captain
Lieutenant
Sergeant
Police Agent
Police Officer 1st Grade
Police Officer 2nd Grade
Police Officer 3rd Grade
Police Officer 4th Grade

(3) Additional grades or ranks may be created by at least seven (7) votes of the City Council. When created, they shall become a grade in the Civil Service, subject to Civil Service regulations.

Any grade or rank created by a vote of the council may be thereafter abolished by at least seven (7) votes of the City Council. Positions allocated to such grade or rank may only be filled pursuant to Civil Service examination and certification.

(4) The Chief of Police may be appointed from the ranks of the Police Department and, in such an event, during the time shall retain and have accrued said time as active service in the Police Department and in the Civil Service thereof, for all purposes in connection with retirement, pension and medical benefits, sick and injury leave, vacation leave, terminal pay, ~~benefits to his or her spouse~~ **spousal** and dependent ~~children~~ **child benefits** upon death, and all other benefits of the Civil Service of the Police Department which may now be in force or hereafter be provided, other than salary, on the same basis and with the same effect as if during such time the Chief had remained in active service in the Police Department and in the Civil Service thereof, in the rank which was held in the Civil Service when appointed.

(5) The Chief of Police may, from time to time, with the approval of the City Manager, assign not more than the number corresponding to .5% of the number of authorized sworn officers rounded to the nearest whole number of officers to positions designated as Division Chief, and not more than the number corresponding to 1.5% of the number of authorized sworn officers rounded to the nearest whole number of officers as Commanders. In order to increase the designated number of either Division Chief(s) or Commander(s), a two-thirds affirmative vote of City Council shall be required. At the request of the Chief of Police and approval of the City Manager, there may be one (1) Deputy Chief of Police position added when the Aurora Police Department authorized sworn strength reaches at least 800 authorized sworn members and an additional Deputy Chief of Police position may be added when the Aurora Police Department sworn strength reaches at least 1500 authorized sworn members. Unless otherwise stated or allowed by another provision of this Charter, Deputy Chief(s) shall be selected from the position of Division Chief. The positions of Division Chief and Commander shall be selected from the ranks of either Captain or Lieutenant. Persons holding these positions shall perform those duties designated by the Chief. All shall serve at the pleasure of the Chief of Police. A Deputy Chief's salary must be at least one pay step higher than the salary paid to a Division Chief. A Division Chief's salary must be at least one pay step higher than the salary paid to a Commander. A Commander's salary must be at least one pay step higher than the salary paid to a Captain. During such period of time as a Commander, Captain or Lieutenant shall serve in such capacity, they shall retain and have accrued said time as active service in the Police Department and in the Civil Service thereof, for all purposes in connection with retirement, pension and medical benefits, sick and injury leave, vacation leave, terminal pay, ~~benefits to his or her spouse~~ **spousal** and dependent ~~children~~ **child benefits** upon death, and all other benefits of the Civil Service of the Police Department in existence at that time, or hereafter provided, other than salary, on the same basis and with the same effect as if during such time the Chief or Commander had remained in active service in the Police Department and in the Civil Service thereof, and the rank which was held in the Civil Service when appointed.

(6) It shall be the duty of the Police Force to suppress all riots, disturbances and breaches of the peace and apprehend any and all persons in the act of committing any offense against the laws of

the State or of the ordinances, and to forthwith bring such persons before the proper court or other competent authority pursuant to law; and, at all times, to diligently and faithfully enforce all such laws, ordinances and regulations for the preservation of good order and the public welfare as the Council may enact.

(7) Notwithstanding any provision to the contrary in the City Charter or ordinances, the Chief of Police shall, at ~~his or her~~ **that person's** discretion, with approval of the City Manager, be empowered to select a Deputy Chief(s) and/or one or more Division Chiefs who have had no previous employment with the City of Aurora Police Department. Such individuals must meet, at a minimum, the educational and command experience requirements for the rank of Captain in the Aurora Police Department, and shall be Colorado P.O.S.T. certified. These individuals shall not be considered members of the civil service of the City of Aurora. At no time shall Division Chiefs selected from outside the Department comprise more than one-half of the total number of Division Chiefs. This provision is intended to permit the Chief of Police to advertise, and recruit, utilizing a competitive selection process, a Deputy Chief(s) and/or Division Chief(s) who, in the Chief's opinion, would provide qualifications and background that would be beneficial to the Aurora Police Department.

Section 4. That Article 3-15 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

3-15 Fire department, who constitutes, duties and powers

(1) The Fire Department shall be composed of the Chief of the Fire Department, who shall be appointed by the City Manager, with approval of a majority of City Council, and such subordinate officers and firefighters as shall be authorized by City Council as they are deemed necessary to protect the City against fire and other emergency incidents. All members of the Department, except the Chief, the Assistant Chief, the Deputy Chiefs, Commanders, and the Battalion Chiefs, shall be determined to be members of the Civil Service and shall be appointed pursuant to Civil Service requirements.

The Chief of the Fire Department may, with the approval of the City Manager, appoint an Assistant Chief and Deputy Chiefs from the rank of Battalion Chief or Commander within the Aurora Fire Department. All persons appointed to the position of Assistant Chief or Deputy Chief shall serve at the pleasure of the Fire Chief. Persons holding these positions shall perform those duties designated by the Fire Chief. An Assistant Chief's salary must be at least one pay step higher than the salary paid to the highest paid Deputy Chief. A Deputy Chief's salary must be at least one pay step higher than the salary paid to the highest paid Commander and a Commander must be at least one pay step higher than the salary paid to the highest paid Battalion Chief. During such period of time as an Assistant Chief, Deputy Chief or a Commander is performing in such capacity, ~~he or she~~ **that person** shall retain and have accrued ~~to him or her~~ said time as active service in the Aurora Fire Department and in the Civil Service thereof, for all purposes in connection with retirement, pension and medical benefits, sick and injury leave, vacation leave, terminal pay, ~~benefits to his~~

~~or her spouse~~ **spousal** and dependent ~~children~~ **child benefits** upon death, and all other benefits of the Civil Service of the Aurora Fire Department in existence at that time, or hereafter provided, other than salary, on the same basis and with the same effect as if during such time the Assistant Chief, Deputy Chiefs, or Commanders had remained in active service in the Aurora Fire Department and in the Civil Service thereof, and the rank which was held in the Civil Service when appointed.

The Chief of the Fire Department may, with the approval of the City Manager, appoint Commanders from the rank of Battalion Chief and Battalion Chiefs from the rank of Captain or Lieutenant within the Aurora Fire Department, utilizing a competitive selection process. All persons appointed to the position of Commander or Battalion Chief shall serve at the pleasure of the Fire Chief. Persons holding these positions shall perform those duties designated by the Fire Chief. A Battalion Chief's salary must be at least one pay step higher than the salary paid to the highest paid Captain. During such period of time as a Battalion Chief is performing in such capacity, ~~he or she~~ **that person** shall retain and have accrued ~~to him or her~~ said time as active service in the Fire Department and in the Civil Service thereof, for all purposes in connection with retirement, pension and medical benefits, sick and injury leave, vacation leave, terminal pay, ~~benefits to his or her spouse~~ **spousal** and dependent ~~children~~ **child benefits** upon death, and all other benefits of the Civil Service of the Fire Department in existence at that time, or hereafter provided, other than salary, on the same basis and with the same effect as if during such time the Battalion Chief had remained in active service in the Aurora Fire Department and in the Civil Service thereof, and the rank which was held in the Civil Service when appointed.

(2) The Civil Service of the Fire Department shall consist of the following ranks and grades:
Captain
Lieutenant
Engineer
Firefighter 1st Grade
Firefighter 2nd Grade
Firefighter 3rd Grade
Firefighter 4th Grade

Additional grades or ranks may be created by at least seven (7) votes of the City Council, and any such grade or rank, if so created, shall thereafter become a grade or rank in the Civil Service and subject to Civil Service regulations. Any grade or rank created by a vote of the Council may be thereafter abolished by at least seven (7) votes of the City Council. Positions allocated to such grade or rank may only be filled pursuant to Civil Service examination and certification.

(3) The Chief of the Fire Department may be appointed from the ranks of the Fire Department and, in such an event, during the time shall retain and have accrued said time as active service in the Fire Department and in the Civil Service thereof, for all purposes in connection with retirement, pension and medical benefits, sick and injury leave, vacation leave, terminal pay, ~~benefits to his or her spouse~~ **spousal** and dependent ~~children~~ **child benefits** upon death, and all other benefits of

the Civil Service of the Fire Department presently in existence or hereafter provided, other than salary, on the same basis and with the same effect as if during such time the chief had remained in active service in the Fire Department and in the Civil Service thereof, in the rank which was held in the Civil Service when appointed.

(4) Notwithstanding any provision to the contrary in the City Charter or ordinances, the Fire Chief shall, ~~at his or her discretion,~~ with approval of the City Manager, be empowered to select an Assistant Chief or one (1) or more Deputy Chiefs who have had no previous employment with the City of Aurora Fire Department. Such individuals must meet, at a minimum, the educational and command experience requirements for the rank of Battalion Chief in the Aurora Fire Department. These individuals shall not be considered members of the Civil Service of the City of Aurora. At no time shall Deputy Chiefs selected from outside the department comprise more than one-half of the total number of Deputy Chiefs. This provision is intended to permit the Fire Chief to advertise, and recruit, utilizing a competitive selection process, an Assistant Chief or Deputy Chief(s) who, in the Chief's opinion, would provide qualifications and background that would be beneficial to the Aurora Fire Department.

Section 5. That Article 3-16 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

3-16 Police and fire department, service requirements, disciplinary procedures, salaries.

(1) The service requirements, disciplinary procedures, and methods of establishing salary scales for members of the Civil Service shall be the same for both Departments and as outlined hereafter.

(2) *Probationary appointment, grades of firefighters and police officers.* Every original appointment in the Civil Service shall have a period of probation of one year from the end of the Department's academy training. If a probationary employee takes a cumulative amount of leave, for any purpose, of more than 4 weeks, the probation period will be extended beyond one year by the equivalent amount of time. If a probationary employee is on restricted duty for more than a cumulative 4 weeks, and the duty restrictions were such that a full performance of the conduct and capacity of the employee could not be fully evaluated, as determined by the Chief, the probation period will be extended beyond one year by the equivalent amount of time. At the end of the period of probation following an original appointment, if the conduct and capacity of the person appointed has been satisfactory, the member shall be permanently appointed; otherwise, the member shall be involuntarily separated. Service during the period of probation following an original appointment shall be deemed active service in the civil service of the Departments and shall be included and credited in determining eligibility for advancement, promotion, retirement, pension, increased salary or compensation based on length of service, and other benefits of the Civil Service. A member of the Police or Fire Department is, during the period of probation following original appointment, a member of such Department in Civil Service for all purposes, except for tenure of the employment or position to which the member has been so appointed. During the period of probationary appointment the person appointed shall be classified as a police officer 4th grade or

firefighter 4th grade. Members of the Departments, while serving during the probationary period, may be separated from the Service in the following manner:

During the probationary period after the date of appointment, the member shall be separated at any time by written notification (indicating the date of separation and stating the reason for separation) by the Chief of the Department with the approval of the City Manager or a designee within the City Manager's office. The chief's action shall be final.

(3) *Advancement standards for Police Officers and Firefighters 1st Grade, 2nd Grade and 3rd Grade.* A Police Officer 3rd Grade, or a Firefighter 3rd Grade, shall be one who has served for more than one (1) year but less than two (2) years in the service of the Department; a Police Officer 2nd Grade, or a Firefighter 2nd Grade, shall be one who has served for more than two (2) years, but less than three (3) years in the service of the Department; and a Police Officer 1st Grade, or a Firefighter 1st Grade, shall be one who has served more than three (3) years in the service of the Department.

(4) *Work force reduction.* When the force in either Department is reduced, the person last certified to such Department for employment shall be the first laid off; and when the force in such Department is increased, persons laid off shall be reinstated in the order of their original certification in accordance with the rules of the Civil Service Commission consistent with this provision; and, for the purposes of determining tenure and longevity, all time served, whether or not interrupted, shall be computed.

(5) *Service in Armed Forces.* Involuntary service in the Armed Forces of the United States shall be deemed and considered active service in the Civil Service of the Police or Fire Department, if performed by a member of either such Department and while a member thereof; provided that, after discharge from the Armed Forces, the member has sought reentrance into the Civil Service in said Department within such time and under such conditions as provided for by the rules of the Civil Service Commission. If the probationary period following an original appointment is interrupted by service in the Armed Forces and the appointee is thereafter readmitted to active service, the appointee shall complete the remaining portion of such period of probation before being permanently appointed.

(6) *Promotion.* All ranks in the Civil Service of the Police and Fire Departments above the grades of Police Offer 1st Grade and Firefighter 1st Grade shall be filled by promotion from within the respective Departments, under such service requirements and examination procedures as shall hereafter be outlined by the Civil Service Commission; provided that all such rules and regulations outlining qualifications and service requirements for both applicants for original appointment and for promotion be promulgated without any reference to political or religious opinions or affiliations, or race, creed, color, or gender. All promotions shall be made by appointing the first person on the eligibility list for the position as certified by the Civil Service Commission. The person so appointed shall complete a probationary period after appointment of twelve months' duration, at the end of which period ~~he or she~~ **that person** shall either be permanently appointed

to said grade or rank or demoted to ~~his or her~~ **the person's** former position, in accordance with the following procedure:

Between ten (10) and fifteen (15) days prior to the end of the probationary period, the Chief shall have the right to serve an order of demotion upon the officer, in the event an officer, having been duly certified and promoted, fails to satisfactorily perform the duties of the **promotional** position ~~to which he was promoted~~, in the opinion of the Chief of ~~his~~ **the** Department. A copy shall be filed with the Civil Service Commission. The order of demotion shall state with specificity the reasons said officer did not satisfactorily perform ~~his~~ **the required** duties and shall be approved by the City Manager or a designee within the City Manager's office. The order of demotion shall be served upon the member no later than ten (10) days prior to the end of the probationary period. If the member cannot be personally served with the order of demotion, a copy of the order shall be transmitted by certified mail to the member's official address as shown in the department records. If it is necessary to mail the order of demotion, the date of service shall be the date upon which the order is deposited in the United States mail. If no order of demotion is served within the specified time period, the promotion shall become permanent at the conclusion of the probationary period. Within ten (10) days after receipt of an order of demotion, the Civil Service Commission shall approve or disapprove said action, and the decision of the Commission in this matter shall be final, subject only to judicial review.

Commission may extend such list, one time only, for a period not to exceed ninety (90) days.

(7) *Organization charts, creation of and filling vacant positions.* The Chiefs of the respective Departments, with approval of the City Manager, shall, in conjunction with the proposed annual budget, supply City Council with an organization chart setting forth the number of positions in the Civil Service which will be necessary to perform the duties assigned to their Departments. The City Council shall, in accordance with authority vested in them, determine thereafter the number of positions to be allocated, based upon the budget available to said department. A vacant position, other than entry level, having been created or one which shall have become vacant by the promotion, death, retirement, resignation, or discharge of the holder thereof, shall be filled within sixty (60) days or said position shall be declared abolished for the remainder of the budget year. However, in the event the Civil Service Commission does not have a current certified list for a vacant or newly created position, the sixty (60) day period within which said position must be filled or abolished shall not begin until such list shall become available.

Nothing in this provision shall prevent City Council from creating new positions at any time, as the needs of the respective Departments may require; however, any new positions so created shall be filled in accordance with Civil Service Commission requirements and with the terms of this section.

A certified list for original appointment shall be prepared by using applicants taken from a pool of eligible candidates for which testing shall take place whenever the commission, in consultation with city management, determines that it is appropriate to conduct the testing in order to meet

staffing requirements. The certified list for original appointment to positions in the civil service shall expire upon the effective date of a newly established list of eligible candidates. A certified list for promotional appointments shall contain the names of applicants who passed required testing, which testing shall take place no less than once per year; such list shall expire after one year, except that in the event a vacancy should exist in one of the Departments and the certified list for that position is scheduled to expire and a new list is not available, the Civil Service Commission may extend such list, one time only, for a period not to exceed ninety (90) days.

(8) *Disciplinary and appeal procedure.*

(a) The rules governing the conduct of the members of the civil service in the Police and Fire Departments shall be set forth as written rules and regulations by the Chiefs of each of the respective departments, with the approval of the City Manager or a designee; provided that such rules and regulations shall not contain any political, religious, race, creed, or gender qualifications or disqualifications. Any member of the civil service shall be subject to discipline for a violation of such rules and regulations.

(b) Prior to the imposition of any discipline other than a reprimand, the member shall be provided with a predisciplinary hearing before the Chief or a designee. At this hearing, the member shall be given: (i) a copy of the specification of the charges; (ii) a copy of the written report of the evidence supporting the charges; (iii) a copy of the summary of the disciplinary record of the member, if any; and (iv) an opportunity to make a statement in response to the charges and written report. The statement, if made, shall be transcribed. The member shall have the right to submit a written statement to the Chief within three (3) days after the predisciplinary hearing. At the expiration of the three (3) day period, the Chief may proceed in accordance with the provisions of this section. If an appeal is filed by the member, all of the above-referenced documents shall be transmitted by the Chief to the Civil Service Commission. No other documentary materials shall be initially provided to the Civil Service Commission.

(c) Discipline shall be by written command signed by the Chief of the Department. If discipline involves a monetary impact on the member greater than one-third (1/3) of the member's monthly salary, the disciplinary order must be approved by the City Manager or a designated Deputy City Manager. A disciplinary order submitted for City Manager approval shall be accompanied by all the materials described in (b). The City Manager or a designated Deputy City Manager shall, by endorsement or other written document, within five (5) business days approve, modify or disapprove the disciplinary order.

(d) A copy of the written command with the endorsement by the City Manager or a designated Deputy City Manager shall be served on the member. If personal service of the order cannot be made within five (5) days because of the inability to locate the member within the City of Aurora, the copy of the order shall be mailed by certified mail, return receipt requested, to the last known address of the member as shown by the records of the

department. If service is by certified mail, it shall be complete upon return of the mailing receipt regardless of whether the order has been accepted.

(e) A member shall have ten (10) business days from the service of the order to file an appeal of the disciplinary order with the Civil Service Commission. The appeal shall be in writing and contain the name and address of the appealing member, a copy of the written command being appealed and a brief summary of the reasons for the appeal. A member may express a desire to have the hearing closed to the public. Upon receipt of an appeal, the Commission shall promptly provide a copy of it to the office of the City Attorney.

(f) The Commission shall conduct a hearing on the appeal not less than fifteen (15) nor more than thirty (30) days after receipt of the appeal. After a hearing date has been set, it may be continued only upon agreement of all the parties or upon good cause shown to the Commission. The notice of the hearing shall indicate whether the hearing will be public.

(g) At the hearing before the Commission, each side may offer evidence and cross examine witnesses. The member may be represented by a representative of their choosing and the City Manager-Department shall be represented by the City Attorney or a designee. The hearing shall be recorded by a reporter or an electronic recording device. The Commission may adopt rules for the conduct of the hearing. The City Manager and Chief of the Department, through the office of the City Attorney as counsel, shall offer evidence and justification of the departmental action. The rules of evidence shall conform, to the extent practicable, with those in civil nonjury cases in the District Courts. However, when necessary to do so in order to ascertain facts affecting the substantial rights of the parties to the proceeding, the Commission may receive and consider evidence not admissible under such rules if such evidence possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs.

(h) Commission hearings may be conducted by less than all of its members, but in no event by less than a majority of the members. After the hearing, the Commission shall issue a written decision affirming, reversing or modifying the disciplinary order, provided that the commission may not increase the level of discipline imposed by the order. In reviewing the disciplinary order, the Commission shall give due consideration to the necessity for maintaining administrative control of the Department by the Chief. The decision by the Commission must be concurred in by a majority of the members of the Commission hearing the appeal.

(i) Appeals of Civil Service decisions reviewing disciplinary orders shall be made pursuant to the Colorado Rules of Civil Procedure applicable to judicial review of quasijudicial activities. Any appeal must be filed within thirty (30) days of the decision of the Commission. Judicial review of the decision shall not be further than to determine if the Commission has exceeded its jurisdiction or abused its discretion under the provisions of this Charter.

(j) Written and oral reprimands are not subject to the hearing and appeal procedure set out in this section. The Chiefs of the respective Departments shall have the power and authority to suspend with pay any member of the Civil Service pending an investigation and the initiation of disciplinary action, provided that the written specification of charges as heretofore set out is served upon the member, or such suspension must be terminated within thirty (30) days. If the investigation is still continuing at the expiration of the initial thirty (30) day period, the City Manager or ~~his~~ designee is authorized to extend the period of suspension with pay for up to an additional thirty (30) day period upon a finding that it is in the best interests of the affected Department to continue the suspension. Where a predisciplinary hearing is convened in accordance with the provisions heretofore set forth and before the expiration of the suspension, the disciplinary action emanating from such hearing shall supersede the suspension. Indictment of a member of the Civil Service, or the filing of an information or felony complaint against ~~him~~ **the member** by a prosecuting agency, charging any felony shall be cause for an immediate and indefinite suspension without pay upon order of the Chief, provided that such suspension shall be terminated by restoration to the service or by discharge as soon as the decision of the court becomes final. If **the pre-suspension position of** the member of the Civil Service is restored ~~to his position~~, ~~he~~ **the member** shall receive full pay for the entire period of such suspension and ~~his~~ eligibility for other benefits of the Service shall not be deemed to have been interrupted by such suspension. The conviction of a member of the Civil Service for a felony shall result in discharge from the Civil Service. A member of the Civil Service may be subject to discipline for the failure to answer questions concerning their own or any other member's conduct and activities as part of an internal departmental investigation only under the following circumstances:

(a) The subject matter of the statement or questions must be reasonably related to a member's work performance and/or fitness to hold ~~his or her~~ **that person's** position and related to the specific charge or complaint being investigated;

(b) The member shall be afforded the appropriate legal assurances that said statement(s) will be used solely for the internal investigation pertaining to continuing employment;

(c) The statement or answers to questions shall not be used in any criminal proceeding against the member making the statement or answering the questions;

(d) The statement shall be confidential and neither the statement, any information contained therein nor the answers to questions shall be disclosed to anyone except:

(1) The statement or information may be disclosed to persons within the member's department on a need-to-know basis as determined by the Chief of the Department;

(2) The statement of or information learned from a member not being investigated for misconduct may be disclosed to representatives of the District Attorney or City Attorney on a need-to-know basis as determined by the Chief of the Department; and

(3) The statement or answers may be offered as evidence to the Civil Service Commission in an appeal brought by a member challenging any discipline imposed; and

(e) The member is advised in writing of the conditions contained in this section prior to giving the statement or answering any questions.

Section 6. That Article 3-17 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

3-17 Civil service commission, members, how appointed, duties, powers.

(1) There is hereby created a Civil Service Commission composed of not less than three (3) members nor more than five (5) members, as determined by the City Council by ordinance, who shall serve three (3) year overlapping terms, and who will be charged with the responsibility of administering the separate Civil Service System hereby created and covering the members of the Civil Service. The Commissioners shall be residents of and registered electors in the City of Aurora prior to their appointment. Should a Commissioner cease to be a resident or elector of the City of Aurora, the Commissioner shall cease to hold office and a successor shall be appointed as hereafter provided.

(2) All appointments shall be for a three (3) year period. No person may serve more than three (3) consecutive terms. Commissioners shall be selected and appointed by a majority vote of the City Council. All members of the Civil Service Commission shall serve at the pleasure of Council and may be removed at any time, with or without cause, upon an affirmative vote of eight (8) members of City Council.

No member of the Civil Service Commission may hold any other position in the City of Aurora for which ~~he~~ **the member** receives either per diem or salary compensation and this provision may not be circumvented by a waiver of any such compensation, nor may ~~he~~ **the member** be an appointive member of any other board or Commission serving the City of Aurora. Each member of the Civil Service Commission shall receive such compensation as shall be established by resolution of the City Council.

(3) *Duties, powers.* The Civil Service Commission shall be responsible for examination and certification of all applicants to positions in the Civil Service. They shall determine qualifications for, and examine for promotion within the Civil Service. Promotions in the Civil Service shall be from within the respective Departments and those eligible for taking a promotional examination

must be members of the Civil Service of the rank or grade immediately below the rank or grade for which they are being examined, except that (1) Police Officers 1st Grade, with the proper length of service in grade, shall be eligible to take the examination for Sergeant; (2) Firefighters 1st Grade, with the proper length of service in grade, shall be eligible to take the examination for Technician, Engineer or Lieutenant; (3) members of the Departments, with the proper length of service, shall be eligible to take the examination for a rank of equal status but different title. No member may take an examination for a position ~~he~~ **the member** officially holds. If it is determined by the Civil Service Commission that there are no qualified members within the Civil Service to take such promotional examinations the Civil Service Commission may undertake either open recruitment or designate additional ranks or grades which may be eligible for that particular examination only. All examinations for promotion shall be competitive among such members of each Department as are qualified and desire to submit themselves to examination. The Commission shall submit to the appointing authority the list with the names of all members who have satisfactorily passed the entire examination, in the order in which their grades placed them, and the appointing authority, after having received a list duly certified, shall make promotions therefrom in the order in which they appear subject to other provisions of this Charter. The method of examining, the rules governing the same, and the method of certifying may be the same, as near as possible, as provided for applicants for original appointments.

The Council shall furnish the Commission with suitable offices, office furniture, examination rooms, books, stationery, and all other necessary supplies and provide for the payment of the same as may be necessary in carrying out the provisions of this Article. The Commission shall be provided with sufficient funds to hire a Commission Administrator who will also be the Chief Examiner for the Commission and shall serve at the Commission's pleasure and perform such duties as the Commission shall, from time to time assign. Such other employees as shall be approved by Council, and shall be needed by the Commission from time to time, may be provided, and any such employees shall serve at the pleasure of the Commission. The Commission shall have the power to make and enforce rules for the purposes of carrying out the provisions of this Charter, which rules shall be printed for distribution. Copies shall be made available to the Chiefs of the Police and Fire Departments and the presidents of any employee organizations recognized pursuant to Article XIV and XV of the Charter. A copy shall be provided to a member upon request. The Commission shall have the power to investigate all breaches of this Article and to conduct hearings in disciplinary matters as herein provided and while conducting such an investigation or hearing the Commission shall have the authority to compel the attendance of witnesses and the production of books and papers. The Commission, with approval of the City Manager, may make use of existing City facilities and, as circumstances dictate, temporarily use other City employees to aid and assist the Commission in performing its duties.

Section 7. That Article 5-2 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

5-2 Voting.

The ayes and nays shall be taken upon the passage of all ordinances, resolutions and motions, and entered upon the journal of the council proceedings. Every ordinance shall require the affirmative vote of the majority of the membership of the entire council for final passage. Resolutions and motions shall require the affirmative vote of a majority of the members present. Every member, when present, must vote upon ordinances, resolutions and motions, except ~~he~~ **one** shall be excused from voting on matters involving the consideration of ~~his~~ **the member's** own official conduct or when ~~his~~ **the member's** personal or financial interest is involved.

Section 8. That Article 6-5 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

6-5 Procedure.

Within ten days from the filing of any initiative or referendum petition, the city clerk shall ascertain whether the petition is signed by the requisite number of registered electors, and if sufficient shall attach thereto ~~his~~ **that person's** certificate of sufficiency showing the result of such examination. If the petition be insufficient, ~~he~~ **that person** shall forthwith in writing notify one or more of the persons designated on the petition as filing the same. The petition may then be amended within ten days from the filing of the certificate. The city clerk, within five days after such amendment, shall make like examination of the amended petition and attach thereto ~~his~~ **that person's** certificate of the result. If still insufficient, ~~he~~ **the city clerk** shall return the petition to one of the persons designated therein as filing it, without prejudice to the filing of a new petition for the same purpose, but such petition shall not be refiled within one year after return by the clerk.

Section 9. That Article 7-4 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

7-4 Powers and duties

The city manager shall be responsible to the council for the proper administration of all affairs of the city placed in ~~his~~ **the city manager's** charge, and to that end ~~he~~ **the city manager** shall have the power and duty to:

(a) Enforce the laws and ordinances of the city;

(b) Appoint, suspend, transfer and remove all employees of the city, except as otherwise provided herein, subject to the personnel regulations of the city adopted by council;

(c) Make appointments on the basis of executive and administrative ability and of the training and experience of such appointees in the work which they are to perform;

(d) Prepare a proposed budget annually and submit it to the council, and be responsible for the administration of the budget after its adoption;

(e) Prepare and submit to the council as of the end of the fiscal year a complete report on finances and administrative activities of the city for the preceding year, and upon request of the council make written or verbal reports at any time concerning the affairs of the city under ~~his~~ **the city manager's** supervision;

(f) Keep the council advised of the financial condition and future needs of the city and make such recommendations to the council for adoption as ~~he~~ **the city manager** may deem necessary or expedient;

(g) Exercise supervision and control over all administrative departments and recommend to council any proposal relevant to the establishment, consolidation or abolishment of such departments;

(h) Enforce all terms and conditions imposed in favor of the city or its inhabitants in any contract or public utility franchise, and upon knowledge of any violation thereof, report the same to the council for such action and proceedings as may be necessary to enforce the same;

(i) Attend council meetings and participate in discussions with the council in an advisory capacity;

(j) Inform the public concerning plans and activities of the council and of the city administration;

(k) Establish a system of accounting and auditing for the city; show that legal provisions have been complied with and reflect the financial condition, and financial operation of the city; establish cost accounting systems whenever practicable;

(l) Be responsible for engineering, architectural, maintenance, construction and work equipment services required by the city; and

(m) Perform such other duties as may be prescribed by this Charter or by ordinance, required by council and not inconsistent with this Charter.

Section 10. That Article 8-2 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

8-2 Operation of departments.

All departments of the city, except as otherwise provided in this Charter, shall be under the supervision and control of the city manager, and ~~he~~ **the city manager** shall have the right to divide such departments into separate divisions and to assign the various functions and duties to the different departments and divisions.

Section 11. That Article 10-1 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

10-1 Appointment.

The city council shall appoint a city attorney who shall be the legal representative of the city and shall advise the council and city officials in matters relating to their official powers and duties. The city attorney shall be an attorney at law admitted to practice in Colorado, and have a minimum of five (5) years' experience in the active practice of law. The council may provide the city attorney with such assistants as council may deem necessary. Council shall establish compensation for the city attorney, ~~his assistants~~ **assistant city attorneys**, and special counsel.

Section 12. That Article 10-5 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

10-5 Contracts and conveyances.

The mayor shall sign when required by ordinance those contracts and agreements to which the city is a party and ~~he~~ **the mayor** shall also sign all documents effecting a conveyance by the city of an interest in land. The city clerk shall attest the mayor's signature under the seal of the city.

Section 13. That Article 10-8 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

10-8 Bonding.

Before any officer or employee of the city who handles city funds or inventories of materials and supplies shall be permitted to enter upon the duties of ~~his~~ **that person's** office or employment, ~~he~~ **that officer or employee** shall obtain and file with risk management a fidelity bond from a bonding company authorized to do business in the State of Colorado, in an amount to be fixed by council. The cost of such bonds shall be borne by the City.

Section 14. That Article 11-2 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

11-2 Proposed annual budget.

Not later than September first of each year the city manager shall submit to the council a proposed annual budget which shall present a complete financial plan for the city for the ensuing fiscal year. The proposed budget shall be arranged to show comparative figures for revenues and expenditures for the preceding year and for the current year, and the city manager's recommendations for the

ensuing year. It shall also include a plan for proposed capital improvements. As a part of the proposed budget the city manager shall also present ~~his~~ **a** budget message.

Section 15. That Article 11-3 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

11-3 The budget.

The budget shall contain the recommendations of the city manager concerning the fiscal policy of the city; a description of the important features of the budget plan; an explanation of all major increases or decreases in budget recommendations as compared with prior years, and a summary of the proposed budget showing comparisons similar to those required in the budget proper, itemized by principal sources of revenue and the main items of expenditure; an estimate of the cash supplies in each fund at the end of the current fiscal year, or of the deficit in each fund to be made up by appropriation; and the balance between the total estimated expenditure and total anticipated revenue from all sources, taking into account the estimated surpluses or deficits in the various funds.

As a part of the budget, the city manager shall present a program of proposed capital improvement projects for the ensuing fiscal year and for the four fiscal years thereafter. ~~He~~ **The city manager** shall recommend to council those projects to be undertaken during the ensuing fiscal year and the method of financing the same.

Section 16. That Article 12-7 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

12-7 Term, compensation, restriction.

No franchise shall be granted for a period longer than twenty years, or without reserving to the city such fair fee arising from the use thereof as shall be fixed in the grant of such franchise. This compensation shall not exempt the grantee or ~~his~~ assignees from any lawful assessment upon ~~his~~ **the** property or from other tax not related to the franchise privilege, or pertaining to the physical operation thereof, but shall exempt the grantee or ~~his~~ assignees from any occupancy tax, license tax, permit charge, inspection fee, or similar tax on the privilege of doing business or in connection with the physical operation thereof, as shall be fixed in the grant of any franchise. The franchisee fee established by ordinance shall be paid as provided and be subject to mutual periodic renegotiation, and failure to pay such fee shall result in forfeiture of franchise at the option of the council.

Section 17. That Article 14-9 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

14-9 Impasse resolution.

In the event that the certified employee organization and the City's duly designated representative are unable within thirty (30) days from and including the date of their first meeting, to reach agreement on a contract, any and all unresolved issues subject to collective bargaining shall be submitted to advisory fact-finding.

Within three (3) days from and after the expiration of the time period referred to above, the employee organization or the City's representative shall inform the American Arbitration Association, or its successor organization, that advisory fact finding is desired. Within ten (10) days thereafter, the appropriate arbitration association shall submit simultaneously to each party an identical list of seven (7) names of those to act in the capacity of an advisory fact finder. The parties shall, within seven (7) days, alternately strike one (1) name from the list until one (1) individual is selected. Upon completion of the selection process, the advisory fact finder shall have twenty-five (25) days in which to start hearings between the parties. A subsequent period of seven (7) days shall be allowed for the conduct of such hearing and the parties shall have (5) days to submit briefs after the conclusion of the hearing. The advisory fact finder shall be given a period of up to fifteen (15) days in which to render recommendation(s).

The advisory fact finder shall consider, weigh and be guided by the following criteria:

(1) The lawful authority of the City;

(2) Stipulations of the parties;

(3) The interest and welfare of the public and the financial ability of the City to bear the costs involved;

(4) Comparison of the wages, hours, benefits and other terms or conditions of employment of the employees involved with the other employees performing similar services in public employment in comparable communities;

(5) The cost of living; and

(6) The overall compensation presently received by the employees including direct wage compensation; vacation, holidays and other excused time; insurance and pensions; medical and hospitalization benefits; the continuity and stability of employment; and all other benefits received. The advisory fact finder shall make written findings, conclusions, and recommendations. The fact finder may use any criteria or factors generally accepted in arriving at ~~his~~ **those** findings, conclusions and recommendations.

The advisory fact finder shall consider the final offer of the City and the final offer of the employee organization. The fact finder may recommend the final offer of the City or the final offer of the employee organization or any combination thereof, or any intermediate position which ~~he~~ **the**

advisory fact finder deems appropriate. The advisory fact finder shall state ~~his~~ **the** reasons for ~~his~~ **the** recommendations.

The recommendations of the fact finder shall be advisory only. Within twelve (12) days of the receipt of the recommendations of the fact finder, the City and employee organization shall meet and simultaneously, and in writing, notify each other of their respective determination to accept or reject the recommendations of the fact finder. Only the unresolved issues remaining after this meeting shall be submitted to the special election set forth in Section 14-10. Nothing in this Charter shall prohibit the parties from reaching a settlement on any or all issues prior to the last date that the City Council can revoke or cancel any scheduled special election.

All fees and expenses related to advisory fact finding will be shared equally by the City and the employee organization.

Section 18. That Article 15-9 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

15-9 Impasse resolution.

In the event that the certified employee organization and the City's duly designated representative are unable within thirty (30) days from and including the date of their first meeting, to reach agreement on a contract, any and all unresolved issues subject to collective bargaining shall be submitted to advisory fact finding.

Within three (3) days from and after the expiration of the time period referred to above, the employee organization or the city's representative shall inform the American Arbitration Association, or its successor organization, that advisory fact finding is desired. Within ten (10) days thereafter, the appropriate arbitration association shall submit simultaneously to each party an identical list of seven (7) names of those to act in the capacity of an advisory fact finder. The parties shall, within seven (7) days, alternately strike one (1) name from the list until one (1) individual is selected. Upon completion of the selection process, the advisory fact finder shall have twenty-five (25) days in which to start hearings between the parties. A subsequent period of seven (7) days shall be allowed for the conduct of such hearing and the parties shall have five (5) days to submit briefs after the conclusion of the hearing. The advisory fact finder shall be given a period of up to fifteen (15) days in which to render recommendation(s).

The advisory fact finder shall consider, weigh and be guided by the following criteria:

(1) The lawful authority of the City;

(2) Stipulations of the parties;

(3) The interests and welfare of the public and the financial ability of the City to bear the costs involved;

(4) Comparison of the wages, hours, benefits and other terms or conditions of employment of the employees involved with the other employees performing similar services in public employment in comparable communities;

(5) The cost of living; and

(6) The overall compensation presently received by the employees including direct wage compensation; vacation, holidays and other excused time; insurance and pensions; medical and hospitalization benefits; the continuity and stability of employment; and all other benefits received.

The advisory fact finder shall make written findings, conclusions and recommendations. The fact finder may use any criteria or factors generally accepted in arriving at ~~his~~ **those** findings, conclusions and recommendations.

The advisory fact finder shall consider the final offer of the City and the final offer of the employee organization. The fact finder may recommend the final offer of the City or the final offer of the employee organization or any combination thereof, or any intermediate position which ~~he~~ **the advisory fact finder** deems appropriate. The advisory fact finder shall state ~~his~~ **the** reasons for ~~his~~ **the** recommendations.

The recommendations of the fact finder shall be advisory only. Within twelve (12) days of the receipt of the recommendations of the fact finder, the City and employee organization shall meet and simultaneously, and in writing, notify each other of their respective determination to accept or reject the recommendations of the fact finder. Only the unresolved issues remaining after this meeting shall be submitted to the special election set forth in Section 15-10. Nothing in this Charter shall prohibit the parties from reaching a settlement on any or all issues prior to the last date that the City council can revoke or cancel any scheduled special election.

All fees and expenses related to advisory fact finding will be shared equally by the City and the employee organization

Section 19. The following question shall be submitted to a vote of the registered electors of the City at the general election on November 4, 2025:

"Amending the City Charter to Use Gender-Neutral Language."

Shall Articles 2-2, 3-10, 3-14, 3-15, 3-16, 3-17, 5-2, 6-5, 7-4, 8-2, 10-1, 10-5, 10-8, 11-2, 11-3, 12-7, 14-9, and 15-9 of the City Charter of the City of Aurora, Colorado be hereby amended to replace gender-specific language with gender-neutral terms to promote clarity, equality, and consistency without changing the meaning or intent of any Charter provision?

YES _____ NO _____

Section 20. The City Attorney is authorized to make additional changes to the City Charter that are not substantive and that comply with the principals and goals of this ordinance if additional specific instances of gender specific language are identified.

Section 21. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 4, 2025.

Section 22. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 23. The City Clerk shall secure from each county the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 24. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

Section 25. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 26. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 27. 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.

INTRODUCED, READ, AND ORDERED PUBLISHED this_____day of_____, 2025

PASSED AND ORDERED PUBLISHED BY REFERENCE this____day of _____, 2025

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIQUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, City Attorney

By: Andrea Wood _____
Andrea Wood, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, PROPOSED AMENDMENTS TO ARTICLE 3-7 OF THE CITY CHARTER CONCERNING FILLING CITY COUNCIL VACANCIES BASED ON THE TIMING OF THE VACANCY.

Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney

Staff Source/Legal Source: Jason Batchelor, City Manager/ Peter Schulte, 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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: 6/9

Regular Meeting: N/A

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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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.

_____
Agenda Item Initiator Name

Jason Batchelor
_____
Late Submission Approver Name (Council Appointee or DCM)

_____
Agenda Item Initiator Signature Date

Jason Batchelor 06.02.25
_____
Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Amendments to the City Charter Concerning Filling City Council Vacancies Based on the Timing of the Vacancy (Ordinance)
Item Initiator: Jason Batchelor, City Manager / Peter Schulte, City Attorney
Staff Source/Legal Source: Jason Batchelor, City Manager / Peter Schulte, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Jason Batchelor, City Manager / Peter Schulte, 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.)*

An ordinance for a ballot question asking the voters if the City Charter should be amended with regard to how Council vacancies are filled depending on the timing of the vacancy.

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 city council shall have the power to submit any number of charter amendments to a vote of the registered electors without the receipt of a petition. Charter amendments shall be referred to the registered electors by ordinance. *(City Code §54-146)*. (Wood)

ORDINANCE NO. 2025 - _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, PROPOSED AMENDMENTS TO ARTICLE 3-7 OF THE CITY CHARTER CONCERNING FILLING CITY COUNCIL VACANCIES BASED ON THE TIMING OF THE VACANCY.

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empower home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, special elections are authorized by Article 2-4 of the City Charter, and should be held within conformity to C.R.S. 31-10-108;

WHEREAS, the Aurora City Council (Council) finds that filling vacancies on the Council in a timely and democratic manner is in the public interest; and

WHEREAS, the Council seeks to establish a clear process for filling vacancies based on the timing of the vacancy in relation to the next regularly scheduled election for that seat;

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

Section 1. That Article 3-7 of the City Charter of the City of Aurora, Colorado is hereby amended to read as follows:

A council seat shall become vacant whenever any councilmember is recalled, dies, becomes incapacitated, resigns, attains another elective office, is involuntarily removed from office, or becomes a nonresident of the city or ward from which elected. In **the** case of a vacancy **which occurs one calendar year or less, but more than ninety (90) days before the next regular election for that seat**, the remaining councilmembers shall appoint by majority vote, no later than forty-five (45) days after such vacancy occurs, a duly qualified person to fill such vacancy. **In the case of a vacancy which occurs 90 days or less before the next regular municipal election for that seat, the vacancy will remain until filled by election in the regular municipal election in November. In the case of a vacancy which occurs more than one calendar year before the next regular election for that seat, the vacancy will be filled by special municipal election or at the next regular municipal election, whichever comes first, if applicable timeline requirements can be met. Any person elected in a special municipal election or regular municipal election where that seat is not up for election, shall serve only until the time of the next regular election for that seat.** ~~An appointment which occurs ninety~~

~~(90) days or more before a regular election shall be in effect only until the date of the upcoming regular election. An appointment which occurs less than ninety (90) days before the upcoming regular election shall be in effect until the subsequent regular election unless the term expires at the upcoming election.~~ If there are no candidates on the ballot to fill a vacancy, city council may appoint a duly qualified person for **up to** two (2) years. ~~If more than five (5) vacancies occur simultaneously, the remaining councilmembers shall call for a special election to fill such vacancies provided there will not be a regular municipal election within ninety (90) days.~~

Section 2. The following question shall be submitted to a vote of the registered electors of the City at the regular municipal election on November 4, 2025:

"Direction establishing procedures for filling vacancies on City Council based on the timing of the vacancy."

Shall Article 3-7 of the City Charter of the City of Aurora, Colorado be amended to provide a comprehensive procedure for filing vacant seats on City Council based on the timing of the vacancy?

YES _____ NO _____

Section 3. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 4, 2025.

Section 4. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 5. The City Clerk shall secure, from each county, the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 6. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

Section 7. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 8. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 9. 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.

INTRODUCED, READ, AND ORDERED PUBLISHED this ___day of_____, 2025

PASSED AND ORDERED PUBLISHED BY REFERENCE this ___day of_____, 2025

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIQUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, City Attorney

By: Andrea Wood _____
Andrea Wood, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 7-1 OF THE CITY CHARTER CONCERNING THE RESIDENCY REQUIREMENT FOR THE CITY MANAGER

Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney

Staff Source/Legal Source: Jason Batchelor, City Manager/ Peter Schulte, 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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: 6/9

Regular Meeting: N/A

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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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.

_____
Agenda Item Initiator Name

Jason Batchelor
_____
Late Submission Approver Name (Council Appointee or DCM)

_____
Agenda Item Initiator Signature Date

06.02.25
_____
Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Amendment to the City Charter Concerning the Residency Requirement for the City Manager (Ordinance)
Item Initiator: Jason Batchelor, City Manager/ Peter Schulte, City Attorney
Staff Source/Legal Source: Jason Batchelor, City Manager / Peter Schulte, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Jason Batchelor, City Manager / Peter Schulte, 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.)*

An ordinance creating a ballot question which would ask the voters if the City Charter should be amended to remove the City residency requirement for 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 city council shall have the power to submit any number of charter amendments to a vote of the registered electors without the receipt of a petition. Charter amendments shall be referred to the registered electors by ordinance. *(City Code §54-146)*. (Wood)

ORDINANCE NO. 2025 - _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 7-1 OF THE CITY CHARTER CONCERNING THE RESIDENCY REQUIREMENT FOR THE CITY MANAGER.

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empower home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, the City Charter currently requires that the City Manager reside within the city limits as a condition of employment; and

WHEREAS, the residency requirement may limit the pool of qualified candidates for the position of City Manager; and

WHEREAS, the City Council finds that removing the residency requirement will enhance flexibility in recruitment and support equitable access to leadership positions within the city; and

WHEREAS, amending the City Charter to remove the residency requirement requires approval by the voters at a municipal election; and

WHEREAS, the City Council finds it in the best interest of the City to submit the proposed charter amendment to the voters for their consideration.

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

Section 1. That Article 7-1 of the City Charter of the City of Aurora, Colorado is hereby amended to read as follows:

The council shall appoint a city manager who shall be the chief executive and administrative officer of the city. Such appointment shall be without definite term at a salary to be fixed by **the** council. The city manager shall be chosen by the council ~~of~~ **on** the basis of executive and administrative qualifications with particular emphasis on actual experience and knowledge of the accepted practice in respect to the duties of the office. ~~At the time of appointment, the city manager need not be a resident of the city or state, but prior to taking the oath of office, the city manager shall reside within the city.~~ No councilmember shall be appointed city manager during or within one year after the termination of a term as a member of the council.

Section 2. The following question shall be submitted to a vote of the registered electors of the City at the regular municipal election on November 4, 2025:

"Amending the City Charter to Remove the Residency Requirement for the City Manager."

Shall Article 7-1 of the City Charter of the City of Aurora, Colorado be amended to eliminate the requirement that the City Manager reside within the city limits?

YES _____ NO _____

Section 3. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 4, 2025.

Section 4. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 5. The City Clerk shall secure, from each county, the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 6. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

Section 7. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 8. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 9. 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.

INTRODUCED, READ, AND ORDERED PUBLISHED this ___day of_____, 2025

PASSED AND ORDERED PUBLISHED BY REFERENCE this ___day of_____, 2025

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIQUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, City Attorney

By: Andrea Wood AK
Andrea Wood, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 3-3 OF THE CITY CHARTER CONCERNING ELECTIVE PUBLIC OFFICE.

Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney

Staff Source/Legal Source: Jason Batchelor, City Manager/ Peter Schulte, 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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: 6/9

Regular Meeting: N/A

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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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)
_____	_____ 06.02.25.
Agenda Item Initiator Signature Date	Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Amendment to the City Charter Concerning Elective Public Office (Ordinance)
Item Initiator: Jason Batchleor, City Manager/Peter Schulte, City Attorney
Staff Source/Legal Source: Jason Batchelor, City Manager / Peter Schulte, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Jason Batchelor, City Manager / Peter Schulte, 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.)*

An ordinance for a ballot question asking the voters if the City Charter should be amended to allow a person to hold more than one public office at once.

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 city council shall have the power to submit any number of charter amendments to a vote of the registered electors without the receipt of a petition. Charter amendments shall be referred to the registered electors by ordinance. *(City Code §54-146)*. (Wood)

ORDINANCE NO. 2025 - _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 3-3 OF THE CITY CHARTER CONCERNING ELECTIVE PUBLIC OFFICE.

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empower home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, the City Charter currently prohibits elected officials of the City from simultaneously holding another elective public office; and

WHEREAS, this prohibition may unnecessarily limit the civic engagement and public service opportunities of individuals elected to municipal office; and

WHEREAS, elected officials are accountable to the voters and subject to ethical and legal standards that govern conflicts of interest and the responsible exercise of public duties; and

WHEREAS, the City Council recognizes that service in another elective office may bring valuable experience, regional collaboration, and broader perspective to the role of a City elected official; and

WHEREAS, the City Council finds that voters should have the opportunity to determine whether a candidate holding another elective office is best suited to represent them at the local level; and

WHEREAS, amending the City Charter to eliminate the restriction on holding another elective public office requires approval by the voters at a municipal election; and

WHEREAS, the City Council desires to submit this proposed amendment to the registered electors of the City for their consideration at the next regular municipal election.

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

Section 1. That Article 3-3 of the City Charter of the City of Aurora, Colorado is hereby amended to read as follows:

Each councilmember when elected shall be a registered elector, shall be a citizen of the United States of America, and shall have resided in the City of Aurora for at least one year prior to the date of the election and shall have reached their twenty-first birthday prior to the date of the election. Councilmembers elected from wards shall also be one-year residents and registered electors of the respective wards from which they were elected. A person who has been convicted of a felony shall not become a candidate for nor hold elective office. No councilmember shall ~~hold any other elective public office nor~~ be a salaried employee of the City of Aurora.

Section 2. The following question shall be submitted to a vote of the registered electors of the City at the regular municipal election on November 4, 2025:

"Amending the City Charter to Remove the Prohibition on Elected Officials Holding Another Elective Public Office."

Shall Article 3-3 of the City Charter of the City of Aurora, Colorado be amended to remove the prohibition on City elected officials simultaneously holding another elective public office, thereby allowing voters to determine whether a candidate or officeholder may serve in more than one elected position?

YES _____ NO _____

Section 3. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 4, 2025.

Section 4. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 5. The City Clerk shall secure, from each county, the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 6. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the

City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

Section 7. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 8. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 9. 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.

INTRODUCED, READ, AND ORDERED PUBLISHED this ___day of_____, 2025

PASSED AND ORDERED PUBLISHED BY REFERENCE this ___day of _____, 2025

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIQUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, City Attorney

By: Andrea Wood _____
Andrea Wood, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: A PROPOSED AMENDMENT TO ARTICLE 3-6 OF THE CITY CHARTER ESTABLISHING THE SALARIES OF THE MAYOR AND CITY COUNCIL MEMBERS BASED ON THE SALARY OF AN ARAPAHOE COUNTY COMMISSIONER

Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney

Staff Source/Legal Source: Jason Batchelor, City Manager/ Peter Schulte, 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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: 6/9

Regular Meeting: N/A

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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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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 06.03.25 _____
Agenda Item Initiator Signature Date	Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Amendment of the City Charter Establishing the Salaries of the Mayor and City Council Members (Ordinance)
Item Initiator: Jason Batchelor, City Manager/ Peter Schulte, City Attorney
Staff Source/Legal Source: Jason Batchelor, City Manager / Peter Schulte, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Jason Batchelor, City Manager / Peter Schulte, 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 as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ 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.)*

N/A

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

An Ordinace which would create a ballot question asking voters if the City Charter should be amended to establish the Mayor and City Council salaries based on that of an Arapahoe County Commissioner.

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 city council shall have the power to submit any number of charter amendments to a vote of the registered electors without the receipt of a petition. Charter amendments shall be referred to the registered electors by ordinance. *(City Code §54-146)*. (Wood)

ORDINANCE NO. 2025 - _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 3-6 OF THE CITY CHARTER ESTABLISHING THE SALARIES OF THE MAYOR AND CITY COUNCIL MEMBERS BASED ON THE SALARY OF AN ARAPAHOE COUNTY COMMISSIONER

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empower home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, the Aurora City Council (Council) desires to ensure fair and competitive compensation for the Mayor and City Council Members commensurate with public responsibilities and time commitments; and

WHEREAS, the Council believes tying compensation to that of elected officials in similarly situated jurisdictions is an appropriate and transparent method of setting compensation

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

Section 1. That Article 3-6 of the City Charter of the City of Aurora, Colorado is hereby amended to read as follows:

~~The annual base salaries of the council of the City of Aurora for 2018 shall be as follows:~~

~~**Effective January 1, 2018**~~	
~~Mayor~~	~~$80,000~~
~~Mayor Pro Tem~~	~~$20,550~~
~~Members of the Council~~	~~$18,550~~

~~and said salaries shall be modified annually in an amount equal to that cost of living increase or decrease occurring during the previous calendar year as determined by the United States Department of Labor Consumer Price Index for the region which includes the Denver metropolitan area or the average increase or decrease given to all city employees, whichever is less.~~

~~Such salaries shall be in addition to any other emoluments of office and said cost of living increase or decrease shall not be deemed or construed to be an increase or decrease of those salaries set forth herein and paid during the term of any councilmember.~~

The Mayor shall receive an annual salary equal to that of an Arapahoe County Commissioner. Any change in the salary of an Arapahoe County Commissioner shall automatically result in a corresponding adjustment in the Mayor's salary, effective on the same date.

Each City Council Member shall receive an annual salary equal to fifty percent (50%) of the Mayor's salary.

Section 2. The following question shall be submitted to a vote of the registered electors of the City at the regular municipal election on November 4, 2025:

"Charter Amendment to Set Mayor and City Council Salaries Based on Arapahoe County Commissioner Pay."

Shall Article 3-6 of the City Charter of the City of Aurora, Colorado be amended to provide that the Mayor shall receive an annual salary equal to that of an Arapahoe County Commissioner, and each City Council member shall receive an annual salary equal to fifty percent (50%) of the Mayor's salary, with salaries adjusting automatically to reflect changes in the Arapahoe County Commissioner salary?

YES _____ NO _____

Section 3. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 4, 2025.

Section 4. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 5. The City Clerk shall secure, from each county, the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 6. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the

City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

Section 7. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 8. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 9. 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.

INTRODUCED, READ, AND ORDERED PUBLISHED this____day of_____, 2025

PASSED AND ORDERED PUBLISHED BY REFERENCE this___day of_____, 2025

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIQUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, City Attorney

By: Andrea Wood MK
_____
Andrea Wood, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: A PROPOSED AMENDMENT TO ARTICLE 3-5 OF THE CITY CHARTER SEPARATING TERM LIMITS FOR WARD AND AT-LARGE CITY COUNCIL POSITIONS AND PERMITTING CONSECUTIVE SERVICE IN BOTH POSITIONS

Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney

Staff Source/Legal Source: Jason Batchelor, City Manager/ Peter Schulte, 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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: 6/9

Regular Meeting: N/A

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 Jason Batchelor, City Manager/Peter Schulte, City Attorney

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 06.03.25 _____
Agenda Item Initiator Signature Date	Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Amendment to the City Charter Separating Term Limits for Ward and At-Large (Ordinance)
Item Initiator: Jason Batchelor, City Manager/Peter Schulte, City Attorney
Staff Source/Legal Source: Jason Batchelor, City Manager/Peter Schulte, 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: 6/9/2025

Regular Meeting: 6/23/2025

2nd Regular Meeting (if applicable): 7/14/2025

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)

Jason Batchelor, City Manager / Peter Schulte, 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.)*

An Ordinance for a ballot question asking voters if the City Charter should be amended to indemnify Mayor, at-large council members, and ward specific council members as separation positions with regard to term limits.

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 city council shall have the power to submit any number of charter amendments to a vote of the registered electors without the receipt of a petition. Charter amendments shall be referred to the registered electors by ordinance. *(City Code §54-146)*. (Wood)

ORDINANCE NO. 2025 - _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 4, 2025, A PROPOSED AMENDMENT TO ARTICLE 3-5 OF THE CITY CHARTER SEPARATING TERM LIMITS FOR WARD AND AT-LARGE CITY COUNCIL POSITIONS AND PERMITTING CONSECUTIVE SERVICE IN BOTH POSITIONS.

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empower home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, the City Council finds that distinguishing term limits between ward and at-large council positions enhances representation and provides additional opportunities for civic engagement; and

WHEREAS, the City Council seeks to clarify that term limits applicable to ward-elected council members shall not affect nor be affected by term limits applicable to at-large council members.

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

Section 1. That Article 3-5 of the City Charter of the City of Aurora, Colorado is hereby amended to read as follows:

3-5 Terms.

(a) Terms of the mayor and each council member shall begin at the commencement of the first regular council meeting in December after election in the year elected. Before entering upon the duties of office, the mayor and each councilmember shall take an oath or affirmation supporting the Constitution of the United States of America, the Constitution of the State of Colorado, the Charter and ordinances of the City of Aurora, and faithfully perform the duties of office. Elections shall be nonpartisan. Two (2) council members at large, the mayor, and Ward IV, V, and VI council members shall be elected at one election. Council members from Ward I, Ward II, Ward III and two (2) council members at large shall be elected at the next election. The term of office of all elected council members and the mayor shall be for four (4) years.

(b) Neither the mayor nor any council member shall serve more than three (3) consecutive four-year terms of office in their respective offices. Terms of office shall be considered consecutive unless they are at least four (4) years apart. For purposes of this section, the office of mayor**, at-**

large council members, and **ward specific council members** ~~office of council member~~ shall **each** be considered different offices.

(c) When a vacancy has occurred in any elective office and has been filled pursuant to section 3-7 of this Charter, the term to be filled at the next ensuing election for that office shall be two (2) years where necessary to ensure compliance with the provisions of subsection (a) of this section governing the timing of elections.

Section 2. The following question shall be submitted to a vote of the registered electors of the City at the regular municipal election on November 4, 2025:

"Designating Ward and At-Large City Council Members as Separate Offices for Purposes of Term Limits."

Shall Article 3-5 of the City Charter of the City of Aurora, Colorado be amended to consider at-large council members and ward specific council members separate offices, like the office of the Mayor, for purposes of the term limits established by this section of the City Charter?

YES _____ NO _____

Section 3. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 4, 2025.

Section 4. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 5. The City Clerk shall secure, from each county, the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 6. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

Section 7. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 8. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 9. 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.

INTRODUCED, READ, AND ORDERED PUBLISHED this ____day of_____, 2025

PASSED AND ORDERED PUBLISHED BY REFERENCE this ___day of _____, 2025

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIQUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, City Attorney

By: Andrea Wood _____
Andrea Wood, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Consideration to Appoint One (1) Member to the Planning and Zoning 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: 6/9/2025

Regular Meeting: 6/23/2025

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 as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☒ 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.)*

The Planning & Zoning Commission is composed of seven (7) members appointed by City Council. Each member is appointed for a term of three (3) years and may serve up to three (3) consecutive terms.

City Council has sole discretion and final approval concerning appointments. Council may initiate the interview process for new applicants or reappoint members seeking to serve another term.

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

The Planning and Zoning Commission has one (1) vacancy due to the removal of Bob Roth on 4/7/2025. The online application closed on April 25, 2025. Council received two (2) applications seeking appointment.

Among the applicants were:
Michael Riley
Johnny Watson

Applicant Johnny Watson withdrew his application before being interviewed. The interview with Michael Riley was conducted by Council on June 9, 2025.

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 appoint Michael Riley to the Planning and Zoning 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 planning and zoning commission shall consist of seven members. All members shall be registered electors for at least one year immediately preceding their appointment. (Aurora, Colo. Code § 106-29). Commission members are appointed for a three year term and may serve up to three consecutive terms. (Aurora, Colo. Code § 2-772 and Resolution R2013-03). (TJoyce)

TO: Mayor and Council Members

FROM: Kadee Rodriguez, City Clerk

DATE: April 21, 2025

RE: Planning & Zoning Commission Vacancy

Board Member Roster

Name	Term Ends
Melvin Bush	2025
Robert Gaiser	2025
Sonda 'Sunny' Banka	2026
Gayle Jetchick	2026
Becky Hogan	2027
Garrett Walls	2027
Vacancy	2027

Commission Composition

- **Composition:** Seven (7) members
- **Term Length:** Three (3) year overlapping terms
- **Term Expiration Date:** December 31st
- **Term Limit:** Three (3) consecutive terms. Members who are term limited must wait one full term before reapplying.

References

City Code (UDO): https://aurora.municipal.codes/UDO/146-5.1.2

Online application

Planning And Zoning Commission

Applicant Package - Ward II

Planning And Zoning Commission - Ward II

Term 01 Jan 2025 - 31 Dec 2027
Positions Available 1

Number of applicants in this package 1

- Riley, Michael

Received: 04/19/2025
Ward II Resident & Registered Voter
Adams County
Vetted: 04/21/2025
Marcus Bond

Name: Riley, Michael

Address: [redacted]

Email: [redacted]

Board Name: Planning and Zoning Commission

How long have you lived in Aurora?:

July 2023

Home Phone Number:

[redacted]

Mobile Phone Number:

[redacted]

Are you registered to vote? :

Yes

Date of Birth (Month/Day/Year) (Required to Verify Voter Registration):**

[redacted]

Years of Education Completed :

Doctorate level

Degree(s) Received:

BA, MPA, MS, EdD

College(s) Attended:

The Citadel, Golden Gate University, George Mason University, Capella University

Employer Name:

Edgesource Corporation

Employer Address:

1199 N. Fairfax Street, Suite 1000, Alexandria, VA 22314

Current Position:

Director, Business Development

Years with Current Employer:

12

1.Previous Employer Name:

US Marine Corps

Position:

Colonel

Years with Previous Employer:

31

Reason for Leaving:

Retired

2.Previous Employer Name:

Town of Dumfries

Position:

Town Manager

Years with Previous Employer:

2

Reason for leaving:

Professional Development

3. Previous Employer Name:

US Congress

Position:

Congressional Staff Member

Years with Previous Employer:

8

Reason for Leaving:

Professional Development

Do you presently serve in other appointed position(s) on any city of Aurora board, committee or commission?:

No

If yes, what board, committee or commission?:

NA

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

No

Why do you desire this appointment? :

As my resume attests, my professional and personal career is filled with examples of public service. I have a passion for participating in my community and contributing my knowledge and perspective for the betterment and sustainment of those who live and work in these communities. Since purchasing a home in Aurora in July 2023, I have taken the initiative to attend Aurora Council Meetings and Study Sessions, participate in Engage Aurora, track development and planning legislation and meet legislators in the Colorado General Assembly, learn about the Fitzsimons Innovation Community, and be selected to participate on the Second Creek Ranch Metropolitan District's Community Advisory Committee. My role as a Planning and Zoning Commissioner would enable me to shape Aurora and influence decisions that will directly impact the lives of Aurora residents. I am prepared to contribute to the well-being of our community by addressing critical issues like housing, infrastructure, and economic development. With a background as a Town Manager, appointments on commissions for economic development, transportation, finance and bonds, and school development, Chamber Board Member, and as a staff member for a US Congressman, I have experienced the needs of communities in areas of growth, economic development, and citizen services. As Aurora continues to grow, my role as a commissioner will enable me to share and acquire valuable insights about local government, develop new skills while collaborating with colleagues, elected officials, and those impacted in the community, and make a lasting, positive difference in Aurora through my participation.

List your interests and activities.

:

Cycling, fishing, softball, lacrosse, community engagement, Highline Canal clean-up, CoOp Board Member, Community Advisory Committee, and Veterans and St. Patrick's Day parade planning committees.

List licenses, special training and certificates related to this board or that you would like to share with us. :

None

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

Yes

If yes, please explain. :

I currently am a member of a Metro District Community Advisory Committee that I would need to resign from.

Full Name:

Brian Moseley

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

William Chesarek

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Aaron Rosenberg

Address:

[redacted]

Phone Number:

[redacted]

How did you hear about us? :

Word of Mouth;Other

ACKNOWLEDGMENT I hereby acknowledge:

1. Any law enforcement agency, administrator, state, municipal or federal agency, motor vehicle agency, institution, school or university (public or private), information service bureau, employer, or insurance company may furnish any and all background information requested by Global Solution Services.

2. If I continue through this process, the report on my criminal background check may become public record subject to release under Colorado's Open Records Act. Additionally, my criminal history may be discussed in public meetings.:

I agree

DECLARATION

I declare that to be a Commissioner for the Planning & Zoning Commission I must meet the following requirements as outlined in Section 146-5.1.2 of the City Code:

• Be a "Registered Elector", as defined in Aurora City Code Section 54-2, for at least one year immediately preceding appointment

• Reside within the municipal boundaries of the City of Aurora, Colorado

• Not hold any paid office or position in the city administration:

I agree

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

I agree

Signature:

MK Riley

Date:

19 April 2025

Time of Submission: 04/19/25 5:02:11 PM

Attachments

- MKR Resume March 2025.pdf

MICHAEL "MIKE" K. RILEY, COLONEL, US MARINE CORPS (RETIRED), EDD

[redacted]

Active Clearance

SUMMARY OF QUALIFICATIONS

Senior executive manager with extensive and progressively responsible experience in:

- Program Management
- Attention to Detail
- Congressional Liaison
- Policy Development
- Strategic Planning
- Training and Teaching
- Public Speaking
- Generating Results
- Personnel Management
- Problem Solving
- Team Building
- Managing Expectations

PROFESSIONAL EXPERIENCE

EDGESOURCE CORPORATION 2023-2025
Director, Business Development

- Responsible for developing customer relations and securing contracts with the Department of Defense, Department of State, and Counter-small Unmanned Aerial System opportunities.

EDGESOURCE CORPORATION 2022-2023
Program Manager

- Manage and direct a staff in support of the Department of Homeland Security's, Cybersecurity and Critical Infrastructure Agency's (CISA), Stakeholder Engagement Division (SED), providing administrative and management functions for strategic outreach to government and private industry stakeholders. Provide advice to the customer on synergies established through coordination with other CISA divisions, public and private partners, Regions, and States, Localities, Tribes, and Territories. Oversee recruitment and placement of qualified staff; support the Contracting Officer's Representative for performance, delivery, invoicing and required reports, develop solutions; analyze and prepare solutions for SED issues; address sensitive matters related to customers and stakeholders; review and address complex policies and relationships; prepare written reports of sensitive stakeholder engagements; and address risks and offer mitigation strategies.

OBXTEK, INC. 2020-2022
Program Manager

- Manage and direct a staff in support of the Department of State's, Bureau of Diplomatic Security's Office of Technical Security Engineering technology services program; oversee and ensure delivery of all contract performance requirements; assists and advise on the technical scope of the contract; work directly with the Contracting Officer's Representative andGovernment Technical Monitors for performance, delivery, invoicing and reporting; provide quality recruiting, hiring, personnel management, training, and support of all personnel/positions; supervise, oversee, and direct ongoing strategy to mitigate risk and maintain continuity of operations; and plan, establish, and review compensation actions and enforce policies and procedures.

EDGESOURCE CORPORATION 2017-2020
Program Manager

- Manage and direct a staff in support of the Department of State's, Bureau of Administration's information technology services program; ensure exceptional customer support and delivery of services; lead the conduct of deliberate and strategic planning with disparate information technology teams and divergent points of view; collaborate with the Contracting Officers Representative on

budget planning and execution; oversee and provide guidance to .Net (emergency management and information parsing tools) and ServiceNow (invoice, and time and attendance tools) development and business process management teams; implement cloud technologies, oversee and provide guidance to an Operations and Maintenance Team providing network, server, systems, database and data management, production, multicast broadcast, and application development support; review and prepare Assessment and Authorization documentation; oversee application of a test and evaluation laboratory; prepare and deliver reports; implement Department policies; communicate results to stakeholders; and supervise personnel, allocate, manage and make human resource and recruiting decisions, conduct evaluations and recommend professional development

- Develop a division strategic plan and shared services program, highlighting cost and time saving applications and market to customers
- Oversee a development team that maintains a data warehouse application providing rental and lease, utilities, space utilization, parking, and permit information for Department buildings.
- Develop and provide solutions for modernizing or retiring applications applying cloud policies
- Engage Department stakeholders to implement innovative solutions and raise awareness of software and hardware products

EDGESOURCE CORPORATION 2010-2017
Program Manager/Business Developer

- Manage and direct a staff in support of the Department of State's, Bureau of Diplomatic Security's information assurance, role-based training program for information technology (IT) professionals with significant security responsibilities; develop and implement information assurance policies; implement training provisions of the Federal Information Security Modernization Act (FISMA) of 2014; apply National Institute of Standards and Technology requirements, guidance, and policies toward role-based training requirements; apply cybersecurity best practices; evaluate course content and instructional quality; conduct deliberate planning for program goals; and administer a $5.6 million program budget; supervise personnel, allocate, manage and make human resource and recruiting decisions, conduct evaluations and recommend professional development
- Implement and manage a blended learning online tool program to augment FISMA training
- Implement, manage, and promote a Department of Homeland Security Information Systems Security Line Of Business (ISSLOB) to senior level officials, provide cybersecurity training through interagency agreements to federal and state IT security professionals, and provide representation at professional development conferences and forums
- Develop, facilitate, foster, and manage intergovernmental relationships with federal Departments and Agencies, and States to advise, draft, and implement interagency agreements for information assurance and cybersecurity training
- Develop Statements of Work, Requests for Proposals, and award contracts
- Develop and pursue business development strategies

UNITED STATES MARINE CORPS 1979-2010
Director, Regional Contingency Plans (Colonel), Marine Corps National Capital Region Command, Quantico, VA (2001-2010)

- As staff director, develop and implement courses of action for a new Marine Corps organization; consolidate similar functions, reduce personnel requirements, and return savings to the government; plan, coordinate, and collaborate on land homeland defense and civil support in the National Capital Region (NCR) area; ensure compliance with federal regulations
- Independently prepare and present briefings in a clear and concise manner to senior level government, military, and private leadership
- Develop, implement, centralize, and train for emergency preparedness, anti-terrorism/force protection,

critical infrastructure protection (CIP), biological, nuclear, and chemical defense postures and responses, information technology, information assurance and data management, and physical security actions and awareness for three major Marine Corps organization within the NCR

- Plan, participate in or lead NCR interagency continuity of operations exercises, national level exercises, and emergency preparedness exercises with four military service counterparts, first responders from four local community, two state and three local government agencies, and seven federal agencies; includes modeling and simulation, and testing
- Weekly working group participation in risk analysis, decision making and intelligence gathering and presentation of recommended courses of action for threats to senior military and government leaders; conducted assessments of threats and operational capabilities
- Led the deliberate planning and execution of a twenty-three interagency federal, state, and local government team and private industry for the Opening and Dedication of the National Museum of the Marine Corps
- Author, collaborate on, and participate in the development of seven joint homeland security/homeland defense plans and policies with Joint Force Headquarters-National Capital Region (JFHQ-NCR)
- Author, collaborate on, and participate in the development of the Presidential State Funeral Plan and executed operations for Presidents Reagan and Ford State Funerals with JFHQ-NCR
- Author, collaborate on, and plan Marine Corps support of the 2005 and 2009 Presidential Inaugurations with JFHQ-NCR, employing over 1,000 Marines

Senior Marine Liaison Officer (Colonel), Iraq Theatre of Operations (November 2008 – January 2010)

- Independently advise on the force employment of 25,000 Marine Corps forces
- Independently monitor and report on operational requirements at the United States Forces-Iraq higher headquarters
- Independently coordinate Marine Corps requirements and capabilities at the higher headquarters level
- Daily participation in risk analysis, decision making and intelligence gathering, using wargaming and threat modeling and instructing staff on these methodologies; advising senior military and government leaders on recommendations, and conducting strategic and operational assessments
- Daily interaction with senior level military officials and US Embassy personnel

RGII TECHNOLOGIES, INC. 2000-2001

Project Manager for the Tri-Services Infrastructure Management Program Office (TIMPO) contract

- Administer the personnel and training program for twenty-seven TIMPO personnel
- Coordinate and implement Local Area Network upgrades to 2400 Department of Defense (DoD) Military Treatment Facilities
- Develop Statements of Work, Statements of Objectives, and Requests for Proposals
- Develop and pursue business development strategies

TOWN OF DUMFRIES 1999-2000

Town Manager

- Administer a $2 million budget and supervise twenty-four employees
- Orchestrate intergovernmental relationships between six local, state and federal government agencies to enhance service delivery to town citizens; interpret and ensure compliance with local, state and federal regulations; facilitate collaboration among entities
- Develop the Town's first legislative plan
- Develop an emergency preparedness plan that incorporates federal, state, regional, and local interagency support
- Develop and implement a business and economic development plan

- Develop, prioritize, and implement a capital improvement plan
- Develop a historical district renovation program
- Redesign and implement a personnel appraisal and pay system; encourage professional development

U.S REPRESENTATIVE JAMES P. MORAN 1990-1998
Staff Member

- Provide community service assistance, conduct staff operations and office administration, administer personnel and human resource requirements, and conduct constituent relations with significant multi-cultural exposure
- Conduct interagency liaison with 42 elected and appointed federal, state and local officials, 15 government agencies and private sector organizations to address constituent service needs
- Represent and prepare testimony for the Congressman at organizational meetings, town hall forums, Base Realignment and Closure hearings, and constituent service functions

COMMUNITY SERVICE

Member, Second Creek Ranch Metropolitan District Community Advisory Committee, Member of the International City/County Managers Association; Member Board of Directors (BOD) Clinton Mews Cooperative; Member Manassas Ballet Theater BOD; Member, Inisfail, Inc BOD; Member Veterans Parade BOD; Member Hylton Performing Arts Center Development Committee; member Prince William Regional Chamber of Commerce and former BOD member; American Legion;Veterans of Foreign Wars; former Head Coach, high school lacrosse team; Chairman's appointee to thePrince William County Economic Development Alliance; Prince William County Citizen Appointee to Transportation Committee, Finance/Bond Committee, and School Development Strategy Committee

EDUCATION AND TRAINING

Doctor of Education, specialization in Performance Improvement Leadership, Capella University, Minneapolis, MN
Master of Science, Biodefense and Homeland Security, George Mason University, Fairfax, VA
Master of Public Administration, Golden Gate University, Ft. Myer, VA campus
Bachelor of Arts in Political Science, The Citadel, Charleston, SC
Proficient in Microsoft Word, Excel, and SharePoint skills

AWARDS

Legion of Merit (2), Meritorious Service Medal (2), Navy Commendation Medal, Joint Service Commendation Medal, Navy Achievement Medal, Iraqi Campaign Medal, Military Outstanding Volunteer Service Medal

PUBLICATION

International City/County Management Association. (2018). *Veterans guide to finding a job in local government*. Washington, DC.