NOTICE OF COUNCIL MEETING

Monday, May 5, 2025

Members of the Aurora City Council will participate in the May 5, 2025 Council Meeting.

Members of the public and media are invited to attend the Aurora City Council Meetings in person or remotely through the options listed below.

View or Listen Live

Live streamed at www.auroraTV.org

Youtube.com/TheAuroraChannel

Cable Channels 8 and 880 in Aurora

In-person Participation

Members of the public may attend in-person at the Aurora Municipal Center, Paul Tauer Aurora City Council Chamber, 15151 E. Alameda Pkwy.

Public comment is welcome for items appearing on the agenda or on any matter of city concern. Individuals must appear in person and speak from the podium.

- **Public Comment Listening Session:** Forty (40) minutes are dedicated at 6:00 p.m. to public comment on non-agenda matters of city concern. Individuals may sign up to speak by completing the Public Comment Listening Session online form between 8 a.m. on the Friday before the council meeting, and 1 p.m. on the day of the council meeting, or in person with the city clerk on the day of the council meeting, between 5 p.m. and 5:45 p.m. Individuals are allotted a maximum of two (2) minutes to speak. Verified Aurora residents are given priority and placed before non-resident speakers. Visit the Addressing the City Council webpage for more information.
- **Public Comment on Agenda Item:** Thirty minutes are dedicated to public comment per agenda item, with the exception of Public Hearings. Individuals are invited to comment in support of or to oppose any item listed on the agenda. Those wishing to comment on an agenda item must register in advance by completing the 'Public Comment on Agenda Item' online request form between 8 a.m. on the Friday before the council meeting, and 1 p.m. on the day of the council meeting. Individuals are allotted a maximum of three (3) minutes to speak on items listed on the agenda.

  Those wishing to comment on an agenda item listed under the PUBLIC HEARING category may either register online as noted above, or sign up in person with the clerk starting at 5:00 p.m at the Paul Tauer Aurora City Council Chamber. Sign up must be completed before the Public Hearing agenda item title is read. Visit the Addressing the City Council webpage for more information.

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, May 5, 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, May 5, 2025

EXECUTIVE SESSION

(Closed to the Public)

AURORA ROOM

4:40 p.m.

STUDY SESSION OF THE AURORA CITY COUNCIL

(Open to the Public via live stream in the Paul Tauer Aurora City Council Chamber)

AURORA ROOM

5:00 p.m.

PUBLIC COMMENT LISTENING SESSION

(Open to the Public)

PAUL TAUER AURORA CITY COUNCIL CHAMBER

6:00 p.m.

REGULAR MEETING OF THE AURORA CITY COUNCIL

(Open to the Public)

PAUL TAUER AURORA CITY COUNCIL CHAMBER

6:45 p.m.

AGENDA

Regular Meeting of the Aurora City Council

Monday, May 5, 2025, 6:45 p.m.
Paul Tauer Aurora City Council Chamber
15151 E Alameda Parkway
Aurora, CO 80012

Pages

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION/MOMENT OF SILENCE

4. PLEDGE OF ALLEGIANCE

5. EXECUTIVE SESSION UPDATE

6. APPROVAL OF MINUTES

   6.a April 21, 2025 Meeting Minutes 10

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) Youth Member to the Aurora Youth Commission** 18

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

9.c.2 **Consideration to Remove One (1) Adult Member from the Aurora Youth Commission** 28

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

9.c.3 **Consideration to Appoint One (1) Member to the Human Relations Commission** 32

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

10. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

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

10.a Resolutions

10.a.1 **Buckley Space Force Unmanned Aircraft Systems (UAS) Intergovernmental Agreement (IGA)** 48

R2025-42 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEEMENT BETWEEN THE AURORA POLICE DEPARTMENT, THE FBI, AND BUCKLEY SPACE FORCE BASE, COLORADO

Chris Juul, Deputy Chief, Police / Megan Platt, Deputy City Attorney

10.a.2 **Adams County Cooperative Agreement** 59

R2025-43 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEEMENT BETWEEN THE AURORA POLICE DEPARTMENT AND ADAMS COUNTY ADULT PROTECTIVE SERVICES

Todd Chamberlain, Chief, Police / Megan Platt, Deputy City Attorney

10.a.3 **38th Avenue Reimbursement Agreement** 70

R2025-44 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING AN AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, AND MAJESTIC COMMERCENTER II, LLC, A DELAWARE LIMTED LIABILITY COMPANY REGARDING ROADWAY CONSTRUCTION AND COST REIMBURSEMENT

Waiver of reconsideration requested, since the funding for the reimbursement has been approved through the council budgeting process, and the waiver will allow the project to move to construction expeditiously.

Haley Johansen, City Engineer, Development Services / Brian Rulla, Assistant City Attorney

10.a.4 **Firefighter Trust Legislation SB24-089** 116

R2025-45 A RESOLUTION OF THE AURORA CITY COUNCIL ADOPTING AND ENTERING INTO THE TRUST AGREEMENT FOR THE COLORADO FIREFIGHTER HEART, CANCER, AND BEHAVIORAL HEALTH BENEFITS TRUST AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH

Renee Pettinato Mosley, Senior Manager of Risk, Finance / Kim Skaggs, Assistant City Attorney

10.a.5 **Rules of Order and Procedure: Amendment Concerning Council Member Testimony** 122

R2025-46 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERING PUBLIC COMMUNICATION

Sponsor: Angela Lawson, Council Member

Liz Rogers, Intergovernmental Relations Manager, General Management / George Koumantakis, Deputy City Attorney

10.a.6 **Rules of Order and Procedure: Amendment Concerning Virtual Meetings** 128

R2025-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERNING VIRTUAL ATTENDANCE AT CITY COUNCIL MEETINGS; CAMERAS AND RECORDING DEVICES IN THE CHAMBERS; AND ONE PERSON AT THE PODIUM

Sponsor: Françoise Bergan, Council Member

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

10.a.7 **W2 Dillon Companies, LLC Incentive** 136

R2025-48 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO ("CITY") AND DILLON COMPANIES, LLC

Sponsor: Steve Sundberg, Council Member

Tom Oldenburg, Project Manager, Planning and Business Development / Rachel Allen, Deputy City Attorney

10.a.8 **2025 Central Colorado Mountains River Basin Weather Modification Intergovernmental Agreement (IGA)** 161

R2025-49 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT

Alexandra Davis, Assistant General Manager of Water Supply and Demand, Aurora Water / Ian Best, Assistant City Attorney

10.a.9 **Fourth Amendment to Drainage and Flood Control Improvements Intergovernmental Agreement (IGA) for Cherry Creek Restoration at Arapahoe Road** 210

R2025-50 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE FOURTH AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, D/B/A MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY, AND ARAPAHOE COUNTY REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

James DeHerrera, Planning Services Manager, Aurora Water / Ian Best, Assistant City Attorney

10.a.10 **Joint Wet Weather and Discharge Permit Activities Intergovernmental Agreement (IGA)** 328

R2025-51 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF AURORA, COLORADO, BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, D/B/A MILE HIGH FLOOD DISTRICT, THE CITY AND COUNTY OF DENVER, AND THE CITY OF LAKEWOOD REGARDING FUNDING OF JOINT WET WEATHER MONITORING AND OTHER COLORADO DISCHARGE PERMIT ACTIVITIES

Todd Brewer, Deputy Director of Water Quality and Treatment, Aurora Water / Ian Best, Assistant 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 **Urban Cottages Jewell - Zoning Map Amendment** 395

2025-06 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 3.91 ACRES OF LAND TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2), LOCATED SOUTH OF THE INTERSECTION OF EAST JEWELL AVENUE AND SOUTH JOLIET STREET (URBAN COTTAGES ON JEWELL REZONE)

This item was continued to the July 14, 2025 City Council Meeting

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

11.b **Amendments to Crestone Peak Resources Operator Agreement** 450

R2025-52 A PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR REVISIONS TO EXHIBITS A AND B OF THE CRESTONE PEAK RESOURCES OPERATOR AGREEMENT

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

Outside Speaker: Dan Harrington, Asset Development Manager, Civitas Resources

11.c **Quiktrip 4263 Site Plan Appeal** 475

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

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

11.d Quiktrip 4263 Conditional Use Appeal 570

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

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

12. INTRODUCTION OF ORDINANCES

12.a GERP Code Amendments Relating to Short-Term and Long-Term Disability 665

2025-42 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 102 AND 147 OF THE CITY CODE CODE PERTAINING TO UPDATES TO THE GENERAL EMPLOYEES RETIREMENT PLAN

Nancy Wishmeyer, Controller, Finance / Hanosky Hernandez, Senior Assistant City Attorney

12.b 2025 Spring Supplemental 671

2025-43 AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2023-52, 2024-18, AND 2024-80 FOR THE 2024 FISCAL YEAR AND ORDINANCE NO. 2024-72 FOR THE 2025 FISCAL YEAR

Tyler Phillips, Budget Program Manager, Finance / Hanosky Hernandez, Senior Assistant City Attorney

12.c **Stanley 98 Street Vacation 3.0** 733

2025-44 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING ORDINANCE NO. 2025-15 AS A DUPLICATE OF ORDINANCE NO. 2025-13 DUE TO AN ADMINISTRATIVE ERROR AND CORRECTING SAID ERROR WITH THIS ORDINANCE VACATING A PORTION OF A 16-FOOT WIDE ALLEY RIGHT-OF-WAY, N BLOCK 104 DEDICATED BY THE PLAT OF JOHNSON-HICKAM SUBDIVISION AT RECEPTION NUMBER 480782, SITUATED IN THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M. LOCATED NORTH OF EAST 25TH AVENUE, AND BETWEEN JAMAICA STREET AND JOLIET STREET (STANLEY 98 STREET VACATIONS)

Ariana Muca, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney

12.d **Property Acquisitions - Aero 70 Project** 749

2025-45 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE AERO 70 PROJECT

Hector Reynoso, Real Property Services Manager, Public Works / Michelle Gardner, Senior Assistant 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 **Determination of Final Candidates to be Interviewed for the Planning and Zoning Commission Vacancy** 774

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

16.b **Discussion and Possible Action Regarding Future In-Person or Virtual Council Meetings** 821

Peter Schulte, City Attorney

17. REPORTS

17.a Mayor

17.b Council

18. ADJOURNMENT

MINUTES

Regular Meeting of the Aurora City Council

Monday, April 21, 2025

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

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1. CALL TO ORDER

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

2. ROLL CALL

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer/a moment of silence for the April 21, 2025 meeting.

4. PLEDGE OF ALLEGIANCE

(All Standing)

Mayor Coffman read a land acknowledgment.

5. EXECUTIVE SESSION UPDATE

Mayor Coffman provided an update on the Executive Session, stating they were briefed on the Quasi-Judicial hearing information only and property acquisition was discussed.

6. APPROVAL OF MINUTES

6.a April 7, 2025 Meeting Minutes

Moved by: Amsalu Kassaw

Second by: Ruben Medina

Does Council wish to approve the minutes of the April 7, 2025 meeting?

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

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

7. PROCLAMATIONS OR CEREMONIES

8. ADOPTION OF THE AGENDA

Moved by: Alison Coombs

Second by: Amsalu Kassaw

Does Council wish to adopt the agenda as presented, with Item 9.c.2 removed?

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

9. CONSENT CALENDAR - MOTIONS

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

Moved by: Alison Coombs

Second by: Crystal Murillo

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

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

9.a Motions

9.b Planning Matters

9.c Appointments to Boards and Commissions

9.c.1 Consideration to Appoint One (1) Member to the Election Commission

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

9.c.2 Consideration to Appoint One (1) Member to the Citizens' Advisory Committee on Housing and Community Development

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

9.c.3 Consideration to Reappoint One (1) Member and to Appoint One (1) Member to the Parks and Recreation Board

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

10. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

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

Moved by: Alison Coombs

Second by: Amsalu Kassaw

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

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

10.a Resolutions

10.a.1 2025 Intergovernmental Agreement (IGA) with Adams County to Fund Colorado Landlord/Tenant Legal Services Program

R2025-35 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY, COLORADO LEGAL SERVICES, THE CITIES OF AURORA, THORNTON, FEDERAL HEIGHTS, BRIGHTON, COMMERCE CITY, WESTMINSTER, AND NORTHGLENN, AND THE CITY AND COUNTY OF BROOMFIELD REGARDING CONTRIBUTIONS TOWARD A LANDLORD/TENANT LEGAL SERVICES PROGRAM

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.2 Homelessness Resolution Program (HRP) Intergovernmental Agreement (IGA)

R2025-36 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 AND THE STATE OF COLORADO'S DEPARTMENT OF LOCAL AFFAIRS FOR THE BENEFIT OF HOUSING FOR A GRANT FROM THE STATE FOR THE CITY'S HOMELESSNESS PREVENTION PROGRAM

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.3 Youth Violence Prevention Program Intergovernmental Agreement (IGA) with Cherry Creek School District

R2025-37 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA-YOUTH VIOLENCE PREVENTION PROGRAM AND CHERRY CREEK SCHOOL DISTRICT NO. 5 FOR THE CONTINUED EFFORTS TO HELP YOUTH STAY SAFE, REDUCE YOUTH VIOLENCE, AND BUILD A CULTURE OF RESPECT AND UNDERSTANDING

Sponsor: Angela Lawson, Council Member

Lisa Battan, Division Manager of Intervention Programs, Housing and Community Services / Angela Garcia, Senior Assistant City Attorney

10.a.4 Youth Violence Prevention Program Intergovernmental Agreement (IGA) with Aurora Public Schools

R2025-38 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA-YOUTH VIOLENCE PREVENTION PROGRAM AND AURORA PUBLIC SCHOOLS DISTRICT NO. 5 FOR THE CONTINUED EFFORTS TO HELP YOUTH STAY SAFE, REDUCE YOUTH VIOLENCE, AND BUILD A CULTURE OF RESPECT AND UNDERSTANDING

Sponsor: Angela Lawson, Council Member

Lisa Battan, Division Manager of Intervention Programs, Housing and Community Services / Angela Garcia, Senior Assistant City Attorney

10.a.5 Youth Violence Prevention Program Intergovernmental Agreement (IGA) with Juvenile Assessment Center

R2025-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA-YOUTH VIOLENCE PREVENTION PROGRAM AND THE 18TH JUDICIAL JUVENILE ASSESSMENT CENTER FOR THE CONTINUED EFFORTS TO HELP YOUTH STAY SAFE, REDUCE YOUTH VIOLENCE, AND BUILD A CULTURE OF RESPECT AND UNDERSTANDING

Sponsor: Angela Lawson, Council Member

Lisa Battan, Division Manager of Intervention Programs, Housing and Community Services / Angela Garcia, Senior Assistant City Attorney

10.a.6 Red-tailed Hawk Park Master Plan Amendment

R2025-40 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE RED-TAILED HAWK COMMUNITY PARK MASTER PLAN AMENDMENT

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

10.a.7 Easement Conveyance to WES DJ Gathering LLC

R2025-41 A RESOLUTION OF THE CITY COUNCIL OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR THE CITY TO CONVEY A PERMANENT AND TEMPORARY EASEMENT INTEREST TO WES DJ GATHERING LLC

Hector Reynoso, Manager of Real Property Services, Public Works / Stephen Cann, Senior Assistant City Attorney

10.b Finalizing of Ordinances

Ordinances approved unanimously at first reading.

10.b.1 Series 2025 First-Lien Sewer Revenue Bond

2025-40 AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, OF FIRST-LIEN SEWER REVENUE BONDS, SERIES 2025, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $85,000,000, FOR THE PURPOSE OF FINANCING, IN WHOLE OR IN PART, THE COST OF ADDITIONS AND IMPROVEMENTS TO THE SEWER SYSTEM OPERATED BY THE UTILITY ENTERPRISE, PLEDGING CERTAIN FUNDS AND REVENUES OF THE ENTERPRISE TO THE PAYMENT OF SUCH BONDS, PRESCRIBING THE FORM OF SUCH BONDS, AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH

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

10.b.2 2025 Information Technology (IT) Lease Purchase Authority

2025-41 AN ORDINANCE AUTHORIZING THE CHIEF INFORMATION TECHNOLOGY OFFICER TO ACQUIRE CERTAIN TANGIBLE AND INTANGIBLE INFORMATION TECHNOLOGY PROPERTY, EITHER BY PURCHASE OR PURSUANT TO THE TERMS OF LEASE-PURCHASE AGREEMENTS TO BE ENTERED INTO BETWEEN THE CITY, AS LESSEE, AND LEASE INVESTORS, VENDORS OR THE AURORA CAPITAL LEASING CORPORATION, EACH AS LESSOR, AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY

Scott Newman, Chief Information Officer, Information Technology / Hanosky Hernandez, Senior Assistant City Attorney

11. PUBLIC HEARINGS

Public hearings with or without related ordinances.

12. INTRODUCTION OF ORDINANCES

13. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

14. ANNEXATIONS

15. RECONSIDERATIONS AND CALL UPS

16. GENERAL BUSINESS

16.a Discussion Regarding Urban Cottages Jewell - Zoning Map Amendment

Peter Schulte, City Attorney

Peter Schulte explained that the Planning and Zoning Commission notified us that they will not have a chance to review the plat without getting more information from the applicant. Therefore, he asked that Council continue this until either June 23rd or July 14th to give time for that.

Moved by: Françoise Bergan

Second by: Crystal Murillo

Does Council wish to continue this item to the July 14, 2025 Council Meeting?

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

Absent: (1): Curtis Gardner

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

Peter Schulte, City Attorney

No action was taken.

17. REPORTS

17.a Mayor

Mayor Coffman expressed that he had a very successful Town Hall Meeting last Saturday, and thanked CM Hancock for presenting her local and state initiatives

concerning vehicle registration enforcement, and thanked Kathleen Chandler, RTD Director, for her presentation on mass transit. He also gave a presentation on the new Aurora Homeless Navigation Resource Center and the strategy behind it, which will be operational in November. He thanked Library and Cultural Services Director and staff, as they did an incredible job in working with all of the schools throughout Aurora to do the annual Aurora Scholars Award, where they pick and recognize outstanding students. He added that he attended the Sprouts ribbon cutting with CM Medina and it is very exciting to have them open their second store in Aurora.

17.b Council

CM Coombs thanked the staff and community members who attended Engage Aurora Live, which gave people the opportunity to comment on a variety of plans and proposals that will be coming forward in the city, including the Connecting Aurora Plan. She said there will be a discussion on Connecting Aurora tomorrow, at the Central Library, from 6:30 to 8:30. She added there is also a survey online that people can take and comment on the plan at engageaurora.org.

CM Kassaw attended the Aurora Scholars Award Ceremony last week with Mayor Coffman, which was great, and was organized by Aurora Public Library. He also attended the University of Denver and met a lot of Aurora college students, and participated in the Ward 2 Town Hall Meeting alongside MPT Sundberg.

CM Murillo reminded that her next Town Hall is April 24th, 6-7:30 p.m., at Moorhead Recreation Center, and she gave an update from the Aurora Sister Cities Board that she sits on. She explained that part of their process is developing official sister cities with a formal agreement signed between mayors of different cities to enter into a friendship city, and they approved another friendship city in Nepal. She added that a delegation from the Nepal Embassy is coming to visit them during Global Fest this year. She thanked CM Kassaw for meeting with their board chair on how they could rebuild the Ethiopian city sister relationship. She also acknowledged that yesterday was 26 years since the Columbine shooting and offered condolences, thoughts, and prayers to the families and community members that were directly impacted by that, and to everyone else who is continuing to have to endure these mass shootings.

CM Medina attended the ribbon cutting at Sprouts, alongside Mayor Coffman, and expressed that it is a good addition to their community and wished it much success.

CM Gardner, Jurinsky, Sundberg, Hancock, Bergan, and Lawson had no report.

18. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of City Council.

_____

MIKE COFFMAN, MAYOR

ATTEST:

_____

KADEE RODRIGUEZ, CITY CLERK

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

CITY OF AURORA
Council Agenda Commentary

Item Title: Consideration to Appoint One (1) Youth Member to the Aurora Youth 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: 4/21/2025

Regular Meeting: 5/5/2025

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 Aurora Youth Commission's role is to advise city council, the city manager and the director of the Department of Parks, Recreation & Open Space regarding the interests of youth in Aurora. The Commission's mission is to better the well-being of Aurora's youth through representation, service and action.

The Aurora Youth Commission consists of twenty-two (22) members; sixteen (16) members between the ages of 14-20, and six (6) members must be twenty-one years of age or older. The term length is two (2) years, and members may serve up to two (2) 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 Aurora Youth Commission currently has two (2) youth member vacancies and two (2) adult member vacancies. The Commission received one (1) new application and an interview was conducted on March 25, 2025 for the youth vacancies.

Among the applicants were:
Ryan Okolie - Youth
Ebenezer Yimam - Youth

Upon conducting the interview, the Aurora Youth Commission respectfully recommends the appointment of the following candidate:

Ryan Okolie (Youth) – Partial term beginning 8/1/2023 and ending on 7/31/2025 and approved for 1st full term beginning 8/1/2025 ending on 7/31/2027

FISCAL IMPACT

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

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

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

N/A

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

N/A

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

N/A

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does Council wish to support the appointment of Ryan Okolie to the Aurora Youth 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 Aurora Youth Commission shall consist of twenty-two voting members. Of the voting members, sixteen members shall be ages 14 through 20. Six members shall be adults of the age of 21 or over. The composition of the Commission shall represent school districts, private schools, and home school participation to the extent possible through the nomination process. Commission members must be residents of the City, except that any student currently enrolled in a secondary school within the City is a qualified member regardless of their city of residence. Each commissioner serves a two-year term. (Aurora, Colo. Code § 2-902). Each commissioner may serve a maximum of four consecutive terms. (Resolution R2013-03). (TJoyce)

MEMORANDUM

City of Aurora

AuroraGov.org

To: Mayor Coffman and Members of City Council

From: David Wagner, Staff Liaison/Supervisor of Youth Services, Aurora Youth Commission

Through: Marcus Bond, City Clerk Analyst
Brian Green, Director, Parks, Recreation and Open Space Department
Wynter Stieger, Acting Recreation Services Manager, Recreation Division, PROS
Donna Hunt, Superintendent of Youth Services, Recreation Programs, PROS

Date: March 26th, 2025

Subject: New Appointment to the Aurora Youth Commission

Board or Commission Name: Aurora Youth Commission

Number of Vacancies: 2 youths, 2 adults

Interview Information

Date of Interviews: March 25th, 2025

Applicant Names: Ryan Okolie

Applicants Interviewed: 1 youth

Recommendation

Suggested Appointment: Ryan Okolie

Summary: Ryan is passionate about addressing issues like social media addiction and exclusion, which impact youth by lowering self-esteem and increasing stress. They've volunteered through book reviews, trash clean-ups, NHS events, and community theater. For the Aurora Youth Commission, they want to promote inclusivity and expand clean-up efforts to improve the community's image. Friends would describe them as academically driven, reserved, and motivated with a good sense of humor. Overall, Ryan shows strong potential to positively impact the commission and the community.

The Aurora Youth Commission strongly supports the appointment of Ryan Okolie as a member on the Aurora Youth Commission **to serve out the remaining partial term from 8/1/2023 ending on 7/31/2025 and be appointed to 1st term beginning on 8/1/2025 ending on 7/31/2027**.

Aurora Youth Commission

Applicant Package - Ward IV

Aurora Youth Commission - Ward IV

Term 01 Aug 2024 - 31 Jul 2026
Positions Available 6

Number of applicants in this package 1

- Okolie, Ryan

Received: 02/28/2025
Ward IV Student & Aurora Charter High School
Arpahoe County
Vetted: 02/28/2025
Marcus Bond

Name: Okolie, Ryan

Address: [redacted]

Email: [redacted]

Board Name: Aurora Youth Commission

Date of Birth:
[redacted]

Home Phone Number:
[redacted]

Work Phone Number:
[redacted]

How long have you lived in Aurora?:
My whole life

Are you registered to vote?:

No

Years of Education Completed:
10

Degree(s) Received:
None so far

College(s) Attended:
None as of now

Employer Name:
DNE

Employer Address:
DNE

Current Position:
DNE

Years with Current Employer:
DNE

Work Experience:
DNE

Certification(s):
DNE

How are you involved in your community?:
I contribute to my community by writing book reviews, participating in trash clean up, and performing in theatre productions at my school (open to the Aurora community).

List your interests and activities.:
Reading, web browsing, listening to music, theatre, watching movies, having my rational challenged (debate)

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

No

If yes, enter the board name and position:
DNE

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

No

Why do you desire this appointment?:
To further my connection to this community while spending investing time in order to have more of Aurora's Youth represented in the decision-making process.

How much time do you anticipate being able to spend on this appointment each month?:
1-2 hours a day, 2-3 days a week

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

No

If yes, please explain:
DNE

Reference 1: Full Name, Phone Number and Address:
DNE

Reference 2: Full Name, Phone Number and Address:
DNE

Reference 3: Full Name, Phone Number and Address:
DNE

How did you hear about us?:

Word of Mouth

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

Time of Submission: 02/28/25 12:38:22 AM

Attachments

- report.pdf

Aurora Youth Commission

Applicant Package - Ward III

Aurora Youth Commission - Ward III

Term 01 Aug 2024 - 31 Jul 2026
Positions Available 6

Number of applicants in this package 1

- Yimam, Ebenezer

Received: 02/19/2025
Ward III Student & Aurora Charter High School
Arapahoe County
Vetted: 02/19/2025
Marcus Bond

Name: Yimam, Ebenezer

Address: [redacted]

Email: [redacted]

Board Name: Aurora Youth Commission

Date of Birth:
[redacted])

Home Phone Number:
[redacted]

Work Phone Number:
N/A

How long have you lived in Aurora?:
15 Years

Are you registered to vote?:

Yes

Years of Education Completed:
10

Degree(s) Received:
N/A

College(s) Attended:
N/A

Employer Name:
N/A

Employer Address:
N/A

Current Position:
N/A

Years with Current Employer:
N/A

Work Experience:
N/A

Certification(s):
N/A

How are you involved in your community?:
I consider myself fairly active in my community due to my participation in various programs. First, I teach 2nd graders (formerly 2nd/3rd graders) alongside my sister at Addis Kidan Evangelical Church. Furthermore, with my school, I've started volunteering at a soup kitchen in downtown Denver. Finally, during last summer and September, I participated in two youth activism programs (YAASPA's Summer of Activism, and Activism@Work), fostering a desire to be active in my community.

List your interests and activities.:

Academically, I'm interested in biology--including animal biology, sports science, and medicine-and atmospheric sciences. Moreover, I am a member of my school's Speech & Debate team, participating in a wide array of activities throughout my tenure in the club. On a more personal note, I'm interested in uplifiting my community through active work and empowerment through the formation of a Black Student Association at my school. Although the club hasn't been completely approved yet, I feel as if its intention exemplifies my aspirations as a community member.

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 believe that Aurora Youth Commission's goal of empowering youth throughout the Denver Metro Area aligns with my visions as a community member.

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

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

No

If yes, please explain:
N/A

Reference 1: Full Name, Phone Number and Address:
Gail Scobee, [redacted]

Reference 2: Full Name, Phone Number and Address:
Rachel Shearer, [redacted]

Reference 3: Full Name, Phone Number and Address:
Chris Nguyen, [redacted]

How did you hear about us?:

Word of Mouth

By clicking APPLY and submitting this application, I certify that the forgoing information is true and correct:
Ebenezer Sileshi Yimam

Time of Submission: 02/19/25 1:04:56 PM

Attachments

- ebenezer_yimam_hs_transcript.pdf

CITY OF AURORA
Council Agenda Commentary

Item Title: Consideration to Remove One (1) Adult Member from the Aurora Youth 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: 4/21/2025

Regular Meeting: 5/5/2025

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 Aurora Youth Commission's role is to advise city council, the city manager and the director of the Department of Parks, Recreation & Open Space regarding the interests of youth in Aurora. The Commission's mission is to better the well-being of Aurora's youth through representation, service and action.

The Aurora Youth Commission consists of twenty-two (22) members; sixteen (16) members between the ages of 14-20, and six (6) members must be twenty-one years of age or older. The term length is two (2) years, and members may serve up to two (2) 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.)*

In accordance with the Bylaws for the Aurora Youth Commission the attendance policy states as follows:

Article V, Section C – Meeting Attendance
A. Commissioners shall attend all regularly scheduled Commission meetings.
B. Members shall give prior notice to the Chair, or the staff liaison, of an absence from a regularly scheduled meeting. Absence from a regularly scheduled meeting without prior notification will be considered unexcused.
C. Members who accrue two consecutively unexcused absences or four excused absences in a twelve-month period may be referred to City Council for dismissal.

Demetria Martinez has not attended a meeting since October, 2024 and has not given prior notification of being absent. The Commission attempted to contact Demetria Martinez on February 20, 2025 regarding her excessive asbences. Demetria has not responded to multiple email attempts to contact her.

Due to abscences and failure to respond to emails, the Aurora Youth Commission respectfully recommends the removal of Demetria Martinez from the Aurora Youth Commission.

FISCAL IMPACT

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

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

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

N/A

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

N/A

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

N/A

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does Council wish to support the removal of Demetria Martinez from the Aurora Youth 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 Aurora Youth Commission shall consist of twenty-two voting members. Of the voting members, sixteen members shall be ages 14 through 20. Six members shall be adults of the age of 21 or over. The composition of the Commission shall represent school districts, private schools, and home school participation to the extent possible through the nomination process. Commission members must be residents of the City, except that any student currently enrolled in a secondary school within the City is a qualified member regardless of their city of residence. Each commissioner serves a two-year term. (Aurora, Colo. Code § 2-902). Each commissioner may serve a maximum of four consecutive terms. (Resolution R2013-03). (TJoyce)

MEMORANDUM

City of Aurora

AuroraGov.org

To: Mayor Coffman and Members of City Council

From: Sydnye Sierk, Chair, Aurora Youth Commission

Through: Donna Hunt, Youth services and Marcus Bond, City Clerk Analyst

Date: March 31, 2025

Subject: Consideration to Remove a member from the Aurora Youth Commission

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The Aurora Youth Commission respectfully recommends the removal of Demetria Martinez from the Aurora Youth Commission for the following reason(s):

Demetria has not attended a meeting since October of 2024 and has not given prior notification of being absent.

In accordance with the Bylaws, Article V, Section C:

Members who accrue two consecutive unexcused absences or four excused absences in a twelve-month period may be referred to City Council for dismissal.

The board member was contacted on the following days regarding the Aurora Youth Commission's concerns:
Wednesday February 20th, 2025

The board member's response was as follows: Demetria did not respond to multiple email attempts to contact.

Recommendation

The Aurora Youth Commission respectfully recommends to city council the removal of Demetria Martinez as a member on the Aurora Youth Commission.

CITY OF AURORA
Council Agenda Commentary

Item Title: Consideration to Appoint One (1) Member to the Human Relations 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: 4/21/2025

Regular Meeting: 5/5/2025

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 Human Relations Commission is to promote a mutual understanding and respect among all people, isseminate information and educational materials to eliminate prejudice, promote human relations, and investigate complaints of this nature.

The Human Relations Commission consists of twelve (12) members appointed by the Aurora City Council. The term length is three (3) years and members may serve up to three (3) terms. All eligible applications received within the last year are forwarded to the Board to be considered for interviews.

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

The Human Relations Commission currently has eight (8) vacancies. The Commission received four (4) applications (one applicant withdrew on April 7, 2025) and interviews were conducted on March 5, 2025 and March 31, 2025.

Among the applicants were:
Brandon Brown
Nicole Rodriguez
Alexander Papageorgiou

Upon conducting interviews, the Human Relations Commission respectfully recommends the appointment of the following candidate:

Brandon Brown – 1st term beginning 1/1/2025 and ending on 12/31/2027

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 City Council wish to appoint Brandon Brown to the Human Relations 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 human relations commission consists of twelve voting members, including a youth member, one nonvoting member (appointed by the City Manager), one alternate nonvoting member, and one nonvoting youth alternate. The twelve voting members and the alternate members shall be of voting age and be registered electors. The members shall be broadly representative of all citizens, and shall reflect, as far as possible, the religious, ethnic, and age groups of the community. (Aurora, Colo. Code § 82-27). Each member serves a three-year term and may serve a maximum of 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: Chair Wiles, Chair, Human Relations Commission and Marcus Bond, City Clerk Analyst

Through: Ryan Lantz, Human Resources

Date: April 3, 2025

Subject: Consideration to Appoint a Member to the Human Relations Commission

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Board or Commission Name: Human Relations Commission

Number of Vacancies: 8

Interview Information

Date of Interviews: Bernard Celestin interviewed 3/5/2025 and Brandon Brown interviewed 3/31/25

Applicant Names: Alexander Papageorgiou, Nicole Rodriguez, Brandon Brown and Bernard Celestin

Applicants Interviewed: Bernard Celestin and Brandon Brown

Summary

Summary of suggested appointment(s):

Brandon Brown submitted an application to the HRC on March 9, 2025. Brandon has been a resident of Aurora for 10 years. Brandon is biologist and is currently working with Colorado Health Network. Brandon works to represent the underserved in our community and is very eager to the join the Human Relations Commission, believing his background and passion for community service will aid the Commission in their mission.

Bernard Celestin withdrew their application.

Recommendation

The Human Relations Commission strongly supports the appointment of Brandon Brown **as a member on the Human Relations Commission.**

Human Relations Commission

Applicant Package - Ward V

Human Relations Commission - Ward V

Term 01 Jan 2023 - 31 Dec 2026
Positions Available 8

Number of applicants in this package 1

- Rodriguez, Nicole

Received: 12/18/2024
Ward V Resident & Registered Voter
Arapahoe County
Vetted: 12/19/2024
Marcus Bond

Name: Rodriguez, Nicole

Address: [redacted]

Email: [redacted]

Board Name: Human Relations Commission

Date of Birth:
[redacted]

Home Phone Number:
[redacted]

Work Phone Number:
[redacted]

How long have you lived in Aurora?:
25 + years

Are you registered to vote?:

Yes

Years of Education Completed:
20

Degree(s) Received:
MA in Psychology

College(s) Attended:
MSU Denver, Regis University

Employer Name:
Cherry Creek Schools

Employer Address:
4351 S. Pitkin St Aurora, CO 80015

Current Position:
Director/Teacher

Years with Current Employer:
5

Work Experience:
Human Relations Commissioner, teacher.

Certification(s):
Na

How are you involved in your community?:
NAACP, HRC, helping others when needed.

List your interests and activities.:
Working with children dancing, shopping and helping others achieve their goals.

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

Yes

If yes, enter the board name and position:
Human Relations Commission, and NAACP

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

Yes

Why do you desire this appointment?:
I love helping out and working in the community. I think it is important work thd HRC does and want to see it achieve more.

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

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

No

If yes, please explain:
None

Reference 1: Full Name, Phone Number and Address:
Debra Shaw [redacted]

Reference 2: Full Name, Phone Number and Address:
Crystal Meyer [redacted]

Reference 3: Full Name, Phone Number and Address:
Manuel Sanchez [redacted]

How did you hear about us?:

Word of Mouth

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

Time of Submission: 12/18/24 12:33:29 PM

Attachments

- Resume%202019%5b3582%5d.pdf

Nicole Rodriguez

[redacted] [redacted] [redacted]

PROFILE

- Trained in various psychology and counseling techniques and theoretical orientations
- Over 2 years of experience in therapeutic, in-home care with children, adults, and families
- Commitment to diversity and equity; experience working with people from diverse backgrounds as a result of professional roles in counseling, law enforcement, education, and volunteering

EDUCATION

Master of Arts in Applied Psychology December, 2018
Regis University, Denver, CO

- Dean's List (every academic semester)

Bachelor of Arts in Psychology May, 2001
Metropolitan State University Denver, CO

PROFESSIONAL EXPERIENCE

Assistant Manager
Peakview Elementary School, Centennial, CO 2013-2015

- Planned, prepared, cooked and served meals in large quantities to students, clients, and staff in a cafeteria setting; maintained required food service and production records.

In-Home Therapist
Touching Hearts at Home, Denver, CO 2013-2014

- Sought to make a difference in the lives of clients by providing companionship, counseling, crisis intervention, resource and support system development.
- Met with clients and family members to assist the family and help them to function more effectively while helping the client reach their treatment goals.

Daycare Owner/Teacher
Nikki's Daycare*, *Aurora, CO 2006-2014

- Founded and operated in-home daycare center for children aging from two to ten years of age, teaching and providing care.
- Supervised and monitored the safety of children while providing, developing, and implementing lesson plans, schedules, and routines.

Office Manager
US Taekwondo Center, Aurora, CO 2010-2013

- Scheduled and delegated work load to staff, maintaining customer database, generating action reports to staff, producing marketing material, ordering and organizing inventory, updating and maintaining event calendars, and making and maintaining contact with customers.

Lead Teacher
Primrose School of Saddle Rock, Aurora, CO 2005-2006
Responsible for the academic, social-emotional growth and development of all children in my care and developing partnerships with parents/child's caregivers to engage and encourage parent participation.

Inbound Customer Service Representative
ADT Security Services Aurora, CO 1994-2003

- Served as the first line of defense in safeguarding the lives and property of customers.
- Dedicated to handling alarm signals, customer inquiries, and providing support to customers and helping them to protect what matters most to them and helping them through stressful situations.

Deputy Probation Officer
18th Judicial District, Arapahoe County, Aurora, CO 2000-2001
Supervising people who have been placed on probation. Duties included preparing, updating, and maintaining documents for each assigned case. Communicating the requirements of the probationary period to the offenders so they can remain compliant. Conditions included discussing and helping them with addiction, anger management, and rehabilitation to help offenders see how these factors have affected their criminal behaviors. Worked closely with parole officers, non-profit agencies, correctional facilities, mental health providers, and transitional agencies to help offenders complete their probation successfully.

Therapist Intern
Educational Placement with Local Family (MSU), Aurora, CO 2000-2001
- Designed and implemented a program of transition that aided in the re-entry of this Autistic child into the mainstream classroom.

SERVICE AND COMMUNITY ENGAGEMENT

Human Relations Commissioner 2015- present
City of Aurora, Aurora, CO
Appointed by the Mayor of Aurora, Colorado. Duties include disseminating information and educational materials to eliminate prejudice to promote human relations and investigate complaints. Working to promote a mutual understanding and respect among all people working with all sectors of the community, elected officials, business leaders, community advocates, clergy, and Aurora residents.

Community Volunteer/Legal Redress
NAACP 2015-present
Attending monthly meetings and working to ensure the educational, social and economic equality of all citizens. Working to achieve equal rights and eliminate prejudice among citizens here in the United States. To seek enactment and enforcement of federal, state, and local laws helping to secure civil rights. To inform the public of the adverse effects of racial discrimination working to seek its elimination.

Volunteer
Food Bank of the Rockies, Aurora, CO 2016-present
Providing support to Colorado residents by providing food and companionship for the citizens in need of food.

Human Relations Commission

Applicant Package - Ward I

Human Relations Commission - Ward I

Term 01 Jan 2023 - 31 Dec 2026
Positions Available 7

Number of applicants in this package 1

- Brown, Brandon

Received: 03/09/2025
Ward I Resident & Registered Voter
Arapahoe County
Vetted: 03/10/2025

Marcus Bond

Name: Brown, Brandon

Address: [redacted]

Email: [redacted]

Board Name: Human Relations Commission

Date of Birth:
[redacted]

Home Phone Number:
[redacted]

Work Phone Number:
[redacted]

How long have you lived in Aurora?:
9.5

Are you registered to vote?:

Yes

Years of Education Completed:
20

Degree(s) Received:
BS in Biology MS in Clinical Laboratory Science

College(s) Attended:
Loyola Marymount University Rutgers University-School of Health Professions

Employer Name:
Colorado Health Network

Employer Address:
936 E. 18th Ave, Denver, CO. 80218

Current Position:
Preventions Services Coordinator

Years with Current Employer:
8 months

Work Experience:
• Provide individualized risk reduction counseling to PWUD (People Who Use Drugs), as well as people living with HIV/AIDS; members of the LGBTQ+ community; people experiencing or at risk for homelessness; and other populations that may benefit from education and services related to sexual health and/or harm reduction. • Provide in-person support during the operation of the syringe access program including, but not limited to, safe disposal; distribution of syringes and safe injection/snorting supplies; overdose education; data entry; and intakes. • Maintains current understanding of overdose, HIV/HCV/STI prevention issues and trends. • Maintains and develop community partnerships & referral network of PWUD support/preventions services and provides linkage to care as needed. • Created partnerships with Wholly Kicks, The Local Lighthouse, and GraceFull Home. • Sourced resources from Wholly Kicks, Costco Wholesale, Smilemakers, and Worthy Socks.

Certification(s):
MLS (American Society of Clinical Pathology)

How are you involved in your community?:
I'm actively involved in my community through my work at Colorado Health Network, where I help provide harm reduction and prevention services. Beyond my job, I'm a part of leadership programs like the Queer Compass Leadership Cohort and the Urban Leaders Foundation of Colorado Connect Leadership Program, which allow me to grow as a leader and advocate for marginalized communities. My involvement is centered on public health, harm reduction, and supporting LGBTQ+ and underserved populations.

List your interests and activities.:
Reading Movies Local Entertainment (Comedy shows, concerts, sports events) Arts & Crafts

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

Yes

If yes, enter the board name and position:
Health Equity Leadership Council via ONE Colorado

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

No

Why do you desire this appointment?:
I want a position on the Human Relations Commission because I am passionate about equity, inclusion, and community well-being. Through my work in public health, health equity, harm reduction, and leadership development, I've seen firsthand how systemic barriers impact people's access to resources, opportunities, and basic human rights. I want to help bridge those gaps and ensure that Aurora remains a city where all residents feel valued, heard, and supported. With my experience in community outreach, advocacy, and prevention services, I bring a unique perspective on how policies and programs can be designed to promote social justice, address disparities, and create a more inclusive environment for marginalized populations. Whether it's addressing housing insecurity, LGBTQ+ rights, racial equity, or public health concerns, I am committed to fostering meaningful change. Serving on this commission would allow me to advocate for fair policies, engage with the community, and help drive initiatives that make Aurora a more just and equitable place for everyone.

How much time do you anticipate being able to spend on this appointment each month?:
20

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:
Ben Bloom, [redacted]

Reference 2: Full Name, Phone Number and Address:
Tony Lucero, [redacted]

Reference 3: Full Name, Phone Number and Address:
Daniel Harper, [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:
Brandon Brown

Time of Submission: 03/09/25 6:56:08 PM

Attachments

Human Relations Commission

Applicant Package - Ward V

Human Relations Commission - Ward V

Term 01 Jan 2023 - 31 Dec 2026
Positions Available 8

Number of applicants in this package 1

- Papageorgiou, Alexander

Received: 01/07/2025
Ward V Resident & Registered Voter
Arapahoe County
Vetted: 01/07/2025
Marcus Bond

Name: Papageorgiou, Alexander

Address: [redacted]

Email: [redacted]

Board Name: Human Relations Commission

Date of Birth:
[redacted]

Home Phone Number:
[redacted]

Work Phone Number:
[redacted]

How long have you lived in Aurora?:
8 Years

Are you registered to vote?:

Yes

Years of Education Completed:
4 year college bachelor degree

Degree(s) Received:
Criminology Law and Justice with minor in Poliitcal Science

College(s) Attended:
University of Illinois at Chicago

Employer Name:
Ananeo- Sober Living

Employer Address:
9121 E. 14th Ave Aurora, CO 80010

Current Position:
Case Manager

Years with Current Employer:
1

Work Experience:
Complete intake and intake assessments with clients to identify needs Work with clients individually to develop a plan for reentry into the community and employment Conduct multiple weekly groups, presenting topics to different households on pyschoeducation topics Refer clients to employment agencies and work with clients on finding work Work with clients on developing daily structure and networking Work with clients on de-escalation, and providing assistance for clients in high need Work with a team to manage client cases Complete discharge paperwork for clients who have left program

Certification(s):
Held a Crisis Prevention Intervention Teaching license until 05/24

How are you involved in your community?:
Very; I have worked in Community Mental Health since 2016.

List your interests and activities.:
Hiking, Walking Dogs, Running and History

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 want to make a larger impact in my community and serve the people of the state of Colorado. I feel like I would bring a lot of experience of the community to this job

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

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

No

If yes, please explain:
N/A

Reference 1: Full Name, Phone Number and Address:
Tabatha Navvaro-[redacted]

Reference 2: Full Name, Phone Number and Address:
Meghan Lalittle[redacted]

Reference 3: Full Name, Phone Number and Address:
Emily Polarny[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:
Alexander Papageorgiou

Time of Submission: 01/07/25 2:51:11 PM

CITY OF AURORA
Council Agenda Commentary

Item Title: Buckley Space Force Unmanned Aircraft Systems (UAS) Intergovernmental Agreement (IGA) (Resolution)
Item Initiator: Danelle Carrel, Executive Support Manager, Police
Staff Source/Legal Source: Chris Juul, Deputy Chief, Police / Megan Platt, Deputy City Attorney
Outside Speaker: N/A
Strategic Outcome: Safe: Promoting safety in our built environment through effective administration of city codes and ordinances and responding to emergencies appropriately to preserve and enhance the community's sense of security and well-being.

COUNCIL MEETING DATES:

Study Session: 4/21/2025

Regular Meeting: 5/5/2025

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)

Chris Juul, Deputy Chief, Police / Megan Platt, 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: Public Safety, Courts & Civil Service

Policy Committee Date: 4/10/2025

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

☐ Recommends Approval ☐ Does Not Recommend Approval

☒ Forwarded Without Recommendation ☐ Minutes Not Available

☐ Minutes Attached

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

N/A

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

To provide an agreement between Buckley Space Force Base (BSFB or Buckley), the City of Aurora, Colorado, Police Department (APD), and the Denver Field Office of the Federal Bureau of Investigation (FBI) to assist, respond, detect, dtain, and investigate Unmanned Aerial System (UAS) operators that commit installation incursions or operate UAS in Department of Defense (DoD) restricted airspace.

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 resolution to approve the MOA?

LEGAL COMMENTS

Attorney enters legal comments here

MEMORANDUM OF AGREEMENT

BETWEEN

THE AURORA COLORADO POLICE DEPARTMENT

AND

BUCKLEY SPACE FORCE BASE, COLORADO

AND

FEDERAL BUREAU OF INVESTIGATION, DENVER FIELD OFFICE

1. **PURPOSE:** To provide an agreement between Buckley Space Force Base (BSFB or Buckley), the City of Aurora, Colorado, Police Department (APD), and the Denver Field Office of the Federal Bureau of Investigation (FBI) to assist, respond, detect, detain, and investigate Unmanned Aerial System (UAS) operators that commit installation incursions or operate UAS in Department of Defense (DoD) restricted airspace. When discussed together, BSFB, APD, and the FBI will be referred to as "the parties."

2. **AUTHORITY:** *Interservice and Intragovernmental Support* (DoDI 4000.19); *Support Agreements* (AFPD 25-2), and other directives, as appropriate. The Aurora Police Department, is authorized to enter into this agreement by Colo. Const, art. XTV, § 18(2), C.R.S. § 29-1-203 and Article 10-12 of the Aurora City Charter.

3. **GENERAL:**

a. **SCOPE:** This Memorandum of Agreement (MOA) describes the primary law enforcement responsibilities of Buckley law enforcement and the APD/FBI for off-installation UAS operators flying UAS in BSFB's restricted airspace. This agreement does not declare additional jurisdiction nor limit or modify the existing jurisdiction vested in the parties. This agreement is intended only to provide primary responsibilities for the specific subject matter of UAS incursions into BSFB airspace from outside the installation. Nothing in this agreement shall be constructed to prevent or prohibit variance from its terms on a case-by-case basis based on the sound judgment of all parties involved and the contingency of the situation at hand. Except as otherwise provided in this Agreement, prosecution of crimes committed by persons subject to the Uniform Code of Military Justice will be solely the responsibility of military authorities on BSFB.

b. **BACKGROUND FACTS:** UAS operation over installations and in DoD restricted airspace has continued to grow in capability and frequency and poses a threat to the installation and DoD assets. Military law enforcement has limited or no jurisdiction to detain operators located off the installation, or to obtain pertinent information without the assistance of civilian law enforcement departments. At other DoD installations, responses to UAS incursions over DoD restricted airspace would have been greatly enhanced if response requirements and expectations were previously coordinated. This agreement will foster an effective liaison partnership and will greatly enhance base defense for BSFB.

c. **ASSUMPTIONS:** This partnership aims to foster cooperation, coordination, and mutual support in addressing potential threats to BSFB and DoD assets. Each party has determined that this

agreement is in the best interests of its organization. As such, each party has established a proper purpose for funding required under this agreement and is aware of its own jurisdictional limitations.

4. DEFINITIONS:

a. BSFB LAW ENFORCEMENT AGENCIES: Refers to federal law enforcement agencies assigned to BSFB, including the 460th Security Forces Squadron (460 SFS and other federal and Department of Defense investigative agencies.)

b. APD: Refers to all bureaus and divisions within the Aurora Police Department.

c. INDIVIDUALS SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE (UCMJ): These individuals include active-duty personnel, cadets, aviation cadets, midshipmen and under certain circumstances, retired personnel and members of the Reserves not on active duty.

d. FBI: refers to the Denver Field Office of the Federal Bureau of Investigation and its associated personnel and investigative units.

5. RESPONSIBILITIES OF THE PARTIES:

a. Upon notification (either by BSFB or other sources) of UAS activity near BSFB, APD and/or the FBI agrees to respond in a timely and effective manner, in accordance with their standard operating procedures and applicable laws.

(1) APD shall objectively assess the situation to determine the level of law enforcement response required and will notify the Base Defense Control Center (BDOC) when responding to an off-base UAS incident within five miles of BSFB's perimeter and the outcome of the response. FBI will coordinate with BSFB and APD when responding to a UAS incident within five miles of the BSFB perimeter.

(2) To the extent legally permissible, BSFB shall provide information and support regarding 460 SFS's detection, identification, and/or tracking of UAS pursuant to 460 SFS's standard operating procedures.

(3) The Parties will work together to both identify the location of any off-base UAS operator and relay key information to the appropriate federal law enforcement agency for action.

b. Once the identity of the UAS operator can be determined, BSFB law enforcement agencies will have primary responsibility for investigating offenses committed by (1) individuals subject to the UCMJ; and (2) individuals not subject to the UCMJ but who operate a UAS within the concurrent jurisdiction area of BSFB. APD will have primary responsibility to detain individuals not subject to the UCMJ or who operate a UAS outside the concurrent jurisdiction area of BSFB, as necessary, until the appropriate federal law enforcement agency can respond. The U.S. Code provisions for which APD will detain individuals for violating include (but is not limited to) the following:

- C.R.S. 18-8-102 (1) -Obstructing Government Operations

- C.R.S. 18-4-501 (1)- Criminal Mischief
- 18 USC 39B(a)(1)-(2): Unsafe Operation of a UAS
- 18 USC 39B(b)(1): Runway Exclusion Zone
- 18 USC 40A: Operation of UAS Over Wildfires (Felony)
- 18 USC 32(5): Endangering Operator of an Aircraft
- 18 USC 795: Photographing Defense Installations
- 18 USC 796: Use of Aircraft for Photographing Defense Installations
- 49 USC 46307: National Defense Airspace
- 49 USC 46306(b)(5) & (6): Failure to Register
- 49 USC 46306(b)(7) & (8): Operation Without Certificate

c. The Parties should mutually plan, schedule, and participate in training exercises to enhance their response capabilities and coordination.

d. The Parties' public affairs offices may coordinate and/or separately provide public service announcements to their respective populations regarding the proper use, operation and compliance with applicable laws and directives regarding UAS.

e. All parties are the custodians of their respective records and any responses to a request made pursuant to the Freedom of Information Act or the Colorado Criminal Justice Records Act will be coordinated amongst the parties.

6. MISCELLANEOUS

a. Nothing in this Agreement shall be construed as a waiver by APD of the protections afforded pursuant to the Colorado Governmental Immunity Act ("CGIA"), C.R.S. § 24-10-101 et seq., as the Act may be amended from time to time. Specifically, no Party to this Agreement waives the monetary limitations or any other rights, immunities or protections afforded by the CGIA or otherwise available at law.

b. To the extent allowed by law and not prohibited by the Colorado or United States Constitution, APD and BSFB agree to mutually indemnify and hold the other harmless, as well as the other's employees from and against any and all claims and damages, including attorney's fees, arising from the performance of service by the indemnifying party and their employees under this Agreement.

c. Each party agrees to notify the other in the event of receipt of a civil claim arising from this MOA. All parties agree to cooperate fully with one another in the event of any investigation arising from alleged negligence or misconduct arising from the operational relationship. Nothing in this paragraph prevents any party from conducting an independent administrative review of any incident giving rise to a claim.

d. Congress has provided that the exclusive remedy for the negligent or wrongful act or omission of an employee of the U.S. Government, acting within the scope of his or her employment, shall be an action against the United States under the Federal Tort Claims Act, 28 U.S.C. § 1346(b), and §§ 2671-2680.

7. AGREEMENT AND ADMINISTRATION:

a. This MOA will become effective when signed by all parties. It will expire 10 years from the effective date.

b. POINTS OF CONTACT (POC). The following POCs will be used by the Parties to communicate matters concerning this MOA. Each Party may change its POC upon reasonable notice to the other Party.

(1) For BSFB:

a. Primary: 1st Lt Wade Williams, Operations Officer, S3, 720-847-9241, wade.williams.8@spaceforce.mil

b. Alternate: SMSgt Jared L. Rosier, Operations Superintendent, S3O, 720-847-9238

(2) For APD:

a. Chief of Police (303-739-6021)
Aurora Police Department,
150001 E. Alameda Parkway
Aurora, CO 80012

b. Attn: Aurora City Attorney's Office (303-739-7030)
15151 E. Alameda Parkway, Suite 5300
Aurora, CO 80012

(3) For FBI:

a. SSA Ashley Thorne, 303-472-0407, abthorne@fbi.gov; or
FBI Operations Center, (303) 629-7171, dn_opscenter@fbi.gov.

8. REVIEW/MODIFICATION OF AGREEMENT: This MOA will be reviewed annually. This MOA may only be modified by the written agreement of the Parties, duly signed by their authorized representatives. This MOA can be terminated by mutual agreement of the parties or by unilateral action of one party by giving the other party ninety (90) days written notice.

9. ENTIRE AGREEMENT: It is expressly understood and agreed that this MOA embodies the entire agreement between the Parties regarding the MOA's subject matter, thereby merging and superseding all prior agreements and representations by the Parties with respect to such the subject matter. (Signatures below)

SIGNATURES

BUCKLEY SPACE FORCE BASE

HEIDI L. DEXTER, Colonel, USSF
Commander, Space Base Delta 2

11 MAR 25
Date

CITY OF AURORA

TODD CHAMBERLAIN
Chief of Police

Date

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

Megan Platt
MEGAN PLATT, Assistant City Attorney

FEDERAL BUREAU OF INVESTIGATION
DENVER FIELD OFFICE

MARVIN S. MASSEY III
Assistant Special Agent in Charge

March 14, 2025
Date

RESOLUTION NO. R 2025 – ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEEMENT BETWEEN THE AURORA POLICE DEPARTMENT, THE FBI, AND BUCKLEY SPACE FORCE BASE, COLORADO

WHEREAS, the City is constitutionally and statutorily empowered pursuant to Colo. Const., Article XIV, §18 and Sections 29-1-201, et seq., C.R.S. to cooperate or contract via intergovernmental agreement with one another to provide functions, services or facilities authorized to each cooperating government; and

WHEREAS, Section 10-12 of the City Charter authorizes the City Council, by resolution, to enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment, or facilities, and for the furnishing or receiving of services; and

WHEREAS, this agreement between Buckley Space Force Base (BSFB or Buckley), The Federal Bureau of Investigation (FBI), and City of Aurora, Colorado, Police Department (APD) sets forth agreement pertaining to the investigation of Unmanned Aerial System (UAS) operators that commit installation incursions or operate UAS in Department of Defense (DoD) restricted airspace.

WHEREAS, UAS operation over installations and in DoD restricted airspace has continued to grow in capability and frequency and poses a threat to the installation and DoD assets. Military law enforcement has limited or no jurisdiction to detain operators located off the installation, or to obtain pertinent information without the assistance of civilian law enforcement departments. At other DoD installations, responses to UAS incursions over DoD restricted airspace would have been greatly enhanced if response requirements and expectations were previously coordinated. This agreement will foster an effective liaison partnership and will greatly enhance base defense for BSFB.

WHEREAS, this agreement is mutually beneficial to all parties in outlining expectations related to investigation of UAS operators in restricted airspace.

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

Section 1. The Intergovernmental Agreement between the Aurora Police Department City of Aurora, Colorado and Buckley Space Force regarding concurrent jurisdiction is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement in substantially the form presented at this meeting with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney.

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

RESOLVED AND PASSED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

BY: Megan Platt
MEGAN PLATT, Deputy City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Adams County Cooperative Agreement (Resolution)
Item Initiator: Danelle Carrel, Executive Support Manager, Police
Staff Source/Legal Source: Todd Chamberlain, Chief, Police / Megan Platt, Deputy City Attorney
Outside Speaker: N/A
Strategic Outcome: Safe: Promoting safety in our built environment through effective administration of city codes and ordinances and responding to emergencies appropriately to preserve and enhance the community's sense of security and well-being.

COUNCIL MEETING DATES:

Study Session: 4/21/2025

Regular Meeting: 5/5/2025

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)

Todd Chamberlain, Chief, Police / Megan Platt, 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.)*

N/A

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

Cooperative Agreement between Adams County Department of Human Servies and County Attorney, County Sherriff, District Attorney of the 17th Judicial District and Police Departments for investigation of reports involving possible mistreatment of at-risk adults.

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 resolution approving the Adult Protective Services (APS) Cooperative Agreement?

LEGAL COMMENTS

City Council may, by resolution, enter Into Intergovernmental 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 §10-12). (Platt)

Adult Protective Services (APS) Cooperative Agreement

Between

The Adams County Department of Human Services

And

X County Attorney

X County Sheriff

X District Attorney, 17th Judicial District

X Police Department(s)

I. SUBJECT: Adams County Adult Protective Services (APS) Cooperative Agreement for investigation of reports involving possible mistreatment of at-risk adults.

II. PURPOSE: To clarify the coordinated duties and responsibilities of agencies involved in reporting, responding, and investigating reports regarding the abuse, caretaker neglect, and exploitation (mistreatment) of at-risk adults.

III. TERM OF AGREEMENT: This Agreement will commence upon the date of the date its fully executed and will be in effect for no more than five (5) years. Changes in the Agreement may be made in writing at any time by mutual consent of the County Department (herein referred to as APS) and Law Enforcement Agency (LEA). Nothing in this Agreement shall substitute or represent a change in either agency's legally mandated responsibilities.

IV. BACKGROUND AND BASIS FOR THE AGREEMENT:

Per Section 26-3.1-103(2), each county department, law enforcement agency, district attorney's office, and other agency responsible under federal law or the laws of this state to investigate mistreatment of at-risk adults shall develop and implement cooperative agreements to coordinate the investigative duties of such agencies. The focus of such agreement shall be to ensure the best protection for at-risk adults. The agreements shall provide for special requests by one agency for assistance from another agency and for joint investigations. The agreements shall further provide that each agency shall maintain the confidentiality of the information exchanged pursuant to such joint investigations.

V. PRINCIPLES OF THE AGREEMENT

In accordance with the above-cited statute, this Agreement is made to ensure coordinated response during all hours, provide for special requests for assistance from one agency to another, and arrange for joint investigation(s) when needed to maximize the effectiveness of the civil and criminal investigative processes.

It is understood that joint investigations may be used as a means to coordinate the efforts of the involved agencies, and that each individual agency remains accountable to its own rules, policies, and statutes.

It is understood that all agencies involved in this Agreement shall accept reports of known or suspected mistreatment or self-neglect of at-risk adults and share those reports with the agencies in this Agreement within 24 hours or next business day of receipt.

VI. BUSINESS AND NON-BUSINESS HOUR PROCESSES

APS is required by program rule to have an established process to receive reports during business and non-business hours.

The Adams County Department, herein known as Adult Protective Services (APS), receives reports during business hours at 720-523-2057 or Spanish Hotline at 720-523-2058. Business Hours are Monday-Friday 8:00AM-5:00PM.

Reports made during non-business hours are received by the State Hotline at 1-844-CO4-KIDS or can be e-mailed to Adultprotection@adcogov.org . The agency receiving reports during non-business hours should fax or E-mail the reports to APS on the next business day at fax number 720-523-2069 or E-mail Adultprotection@adcogov.org The agency receiving reports during non-business hours should submit the reports to APS within 24 hours.

VII. DISPOSITION OF REPORTS

A copy of all reports of mistreatment made to APS shall be forwarded to Law Enforcement Agency (LEA) within twenty four hours of receipt of the report. Adams County Adult Protection sends all reports including Self Neglect and the Law Enforcement Agency can make the determination on how to proceed. A copy of all reports of mistreatment and self-neglect made to the LEA and the district attorney's office shall be forwarded to APS within one business day of receipt of the report. When mistreatment is identified by APS after the original report was shared with the LEA, APS must immediately make a report of the newly identified mistreatment to Law Enforcement Agency (LEA) as required by §18-6.5-108(1), C.R.S.

Reports of mistreatment of at-risk elders, 70 years of age or older, or an at-risk adult with an intellectual and developmental disability (at-risk adult with IDD), will be reviewed and evaluated by APS to determine if the at-risk elder or at-risk adult with IDD meets the statutory requirements of an at-risk adult pursuant to §26-3.1-101, C.R.S. before the report is screened in for investigation and provision of services.

The report shall include: name, age, and address of the at-risk adult; the name and address of the at-risk adult's caretaker, if any; the suspected nature and extent of the at-risk adult's injury, if any; the nature and extent of the condition that will reasonably result in mistreatment or self neglect; and other pertinent information.

Reports involving criminal allegations of mistreatment, exploitation, including caretaker neglect shall be immediately referred to local law enforcement and/or district attorney. When criminal allegations are not initially apparent, the caseworker shall refer to both law enforcement and the district attorney's office as soon as there are reasonable suspicions that a crime has been committed.

VIII. AGENCY ROLES

Adult Protective Services is responsible for investigating reports of suspected mistreatment and/or self-neglect of at-risk adults.

The County Attorney's Office is responsible for reviewing reports of mistreatment of at-risk adults when a review is requested, when APS is considering filing for legal authority of an at-risk adult, and when an investigation involves complaints of alleged criminal activity.

Law Enforcement Agency's (LEA's) are primarily responsible for the coordination and investigation of criminal allegations involving at-risk adults, at-risk elders, and at-risk adults with an IDD.

The District Attorney's Office is responsible for reviewing reports of criminal actions or threats of mistreatment of at-risk adults, at-risk elders, and at-risk adults with an IDD to determine possibility of prosecution.

IX. INVESTIGATION PROCEDURE AND GUIDELINES

APS and LEAs have different legal requirements related to investigations that must be followed. The agencies agree to the following considerations when investigating either jointly or independently.

Any agency that is a partner in this cooperative agreement may request stand-by assistance from another agency.

While APS may accommodate a request by law enforcement to temporarily delay an investigation or interview, APS will only delay until the 45th day following the date of the report.

APS may jointly investigate reports with law enforcement when the adult is "at-risk" by APS statutory definition and there is mistreatment. APS cannot jointly investigate if these criteria are not met. Either APS or the LEA may request a joint investigation.

*APS is unable to jointly investigate if the investigative process has already begun.

When a joint investigation is required, the APS caseworker, law enforcement officer(s), and/or the District Attorney's Office may conduct joint interviews, compare notes, and clarify information following interviews. Information may be shared, as outlined in the Confidentiality section, below.

LEAs will share information, such as police reports and summaries of evidence, as requested by APS whether investigating independently or jointly. APS will share information and evidence that they

collect during an investigation, whether independent or joint, when sharing that information is allowed by statute (§26-3.1-102(7), C.R.S.), outlined in Section X, Confidentiality.

The LEA shall be considered the lead agency in criminal joint investigations. APS shall be considered the lead agency in non-criminal joint investigations.

Intellectual and developmental disability investigators, ombudsmen, or other agencies with legal authority to investigate mistreatment may be present as part of the joint investigative team.

When joint investigation is required, the APS caseworker, law enforcement officer(s), and/or District Attorney's Office may conduct joint interviews, compare notes and clarify information following interviews. Law Enforcement shall be considered the lead agency in criminal joint investigations. APS shall be considered the lead agency in non-criminal joint investigations. Developmental disability or mental health staff may be present as part of the joint investigative team.

Joint investigation may be utilized when the following pertain to an at-risk adult:

1. There is pain and/or physical injury, as demonstrated by, but not limited to, substantial or multiple skin bruising, bleeding, malnutrition, dehydration, burns, bone fractures, poisoning, subdural hematoma, soft tissue swelling or suffocation.
2. Unreasonable confinement or restraint has been imposed.
3. There is nonconsensual sexual conduct or contact classified as a crime under Colorado law.
4. Caretaker neglect threatens the at-risk adult's safety or well-being.
5. Exploitation has occurred and/or is occurring and the exploitation is a crime under Colorado law.
6. Threats of violence, presence of firearms, intoxication, or any illegal activity is present and threatens the at-risk adult or APS caseworker's safety.
7. Specialized interviewing skills might be required.

X. CONFIDENTIALITY

APS report, investigative, and case information is confidential and may only be shared without a court order under very specific exceptions, as outlined in §26-3.1-103(2), C.R.S. This report, investigative, and case information includes, but is not limited to the name and address of the at-risk adult, members of the adult's family, reporting party's name and address, findings on the alleged perpetrator, and any other information or evidence obtained in the report or during the investigation and subsequent casework related to the report.

Exceptions to the requirement of a court order for sharing information that are most relevant to this agreement include:

- §26-3.1-102(7)(b)(III), C.R.S. Sharing information during a joint investigation. APS can share information and evidence collected throughout the investigation, including the finding on the alleged perpetrator(s) only when the LEA is actively investigating with APS.
- Sharing information in order to provide services to an at-risk adult, such as when a protective order may be necessary.
- §26-3.1-102(7)(b)(I), C.R.S. When a criminal investigation into an allegation of mistreatment is being conducted and APS report and case information is relevant to the investigation.

- §26-3.1-102(7)(b)(I), C.R.S. When a criminal complaint, information, or indictment is filed and APS report and case information is relevant to the investigation.
- §26-3.1-102(7)(b)(I), C.R.S. When a review of death by a coroner is being conducted when the death is suspected to be related to mistreatment and APS report and case information is relevant to the investigation.
- §26-3.1-102(7)(b)(II), C.R.S. When there is a death of a suspected at-risk adult from mistreatment or self-neglect and a LEA files a formal charge or a grand jury issues an indictment in connection with the death.

Unless necessary for filing criminal charges and/or for court proceedings the identity of the reporting party should not be disclosed to other parties by either APS or the LEA.

This agreement is valid until _____.
Date

SIGNED BY:

_____ _____
Katie McDougal, Director Adams County DHS Date

_____ _____
Brian Mason, District Attorney, 17th Judicial District Date

_____ _____
Gene Claps, Adams County Sheriff Date

_____ _____
Norm Haubert, Chief of Westminster Police Department Date

_____ _____
Matthew Domenico, Chief of Brighton Police Department Date

_____ _____
Robert Grado, Chief of Federal Heights Police Department Date

_____ _____
Greg Reeves, Chief of Thornton Police Department Date

_____	_____
Todd Chamberlain, Chief of Aurora Police Department	Date
_____	_____
James May, Chief of Northglenn Police Department	Date
_____	_____
Darrel Guadnola, Chief of Commerce City Police Department	Date

RESOLUTION NO. R 2025 – ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEEMENT BETWEEN THE AURORA POLICE DEPARTMENT AND ADAMS COUNTY ADULT PROTECTIVE SERVICES

WHEREAS, the City and The Adams County Department Adult Protective Services are constitutionally and statutorily empowered pursuant to Colo. Const., Article XIV, §18 and Sections 29-1-201, et seq., C.R.S. to cooperate or contract via intergovernmental agreement with one another to provide functions, services or facilities authorized to each cooperating government; and

WHEREAS, Section 10-12 of the City Charter authorizes the City Council, by resolution, to enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment, or facilities, and for the furnishing or receiving of services; and

WHEREAS, This Agreement is to clarify the coordinated duties and responsibilities of agencies involved in reporting, responding, and investigation reports regarding the abuse, caretaker neglect, and exploitation of at risk adults and;

WHEREAS, This Agreement sets forth the respective roles and responsibilities in joint investigations and allows for special requests by one agency for assistance from the other agency when needed.

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

Section 1. The Intergovernmental Agreement between the Adams County Adult Protective Services and the City of Aurora, Colorado regarding the extension of police powers and authority 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

Megan Platt

_____

MEGAN PLATT, Deputy City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: 38th Avenue Reimbursement Agreement (Resolution)
Item Initiator: Haley Johansen, City Engineer, Development Services
Staff Source/Legal Source: Haley Johansen, City Engineer, Development Services / Brian Rulla, Assistant City Attorney**Staff Source/Legal Source:** Haley Johansen, City Engineer, Development Services / Brian Rulla, Assistant City Attorney
Outside Speaker: N/a
Strategic Outcome: Economically Strong: Building a conducive development climate, a diverse mix of industries and housing options, and fostering economic growth so that our community thrives and remains resilient.

COUNCIL MEETING DATES:

Study Session: 4/21/2025

Regular Meeting: 5/5/2025

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)

Waiver of reconsideration requested, since the funding for the reimbursement has been approved through the council budgeting process, and the waiver will allow the project to move to construction expeditiously.
Haley Johansen, City Engineer, Development Services / Brian Rulla, Assistant City Attorney
Waiver of reconsideration requested, since the funding for the reimbursement has been approved through the council budgeting process, and the waiver will allow the project to move to construction expeditiously
Haley Johansen, City Engineer, Development Services / Brian Rulla, 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: Transportation, Airports & Public Works

Policy Committee Date: 4/17/2025

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.)*

Majestic is a commercial/light industrial park located generally northwest of 26th Avenue and E-470 to 38th and Tower on the north and west (vicinity map attached). The Majestic property, west of Picadilly, originally annexed into the City in the early 1970s (Majestic Commercenter I). Since that time the development has steadily continued to build out with various commercial and light industrial users. In early 2019 additional property east of Picadilly Road was annexed into the City. The total area of Majestic now includes approximately 1,464 acres. The updated and consolidated Framework Development Plan (FDP) was approved by Council in April of 2019. Uses include Retail, Commercial, Office, and Industrial. No residential uses are planned in the project.

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

The City is obligated to reimburse Majestic Commercenter ("Majestic") for certain portions of roadway, including the south half section of roadway for a portion of 38th Avenue beginning from Himalaya, heading east. The obligation is defined in the Vesting Development Agreement (VDA) between Majestic and the City, which was approved by the Council, and formally executed in April 2020. Along with providing vested property rights for the project, the agreement was also intended to consolidate information and obligations that were contained in the original annexation agreements regarding future roadway improvements. This VDA included the funding of this portion of 38th Avenue by the city. The VDA is attached for reference.

The total cost for the improvements is $5,605,051. To support the construction funding, Majestic provided a cost estimate for the work, which the city reviewed and approved. The 38th Avenue project is included in ARTA's master plan and it is anticipated that the City will reimbursed. It is anticipated that an IGA will move forward to City Council for approval in the next few months.

Per the approved Vesting Development Agreement, this reimbursement agreement is for the construction of southern one-half of East 38th Ave. from Himalaya, east toward Picadilly Rd. The improvements include but are not limited to the road, median, sidewalks and landscaping, all curb and gutter. The city is not responsible for dry and wet utilities in this portion of roadway. Detailed design plans have been prepared and were reviewed and approved through the standard City process. Construction of East 38th Avenue will not only serve the Majestic property but also provide regional connectivity to other surrounding developments including Green Valley Ranch East and The Aurora Highlands.

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.)

Funding required for this reimbursement has already been approved through the council budget process.

The org/account is 49639 68410.

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.)

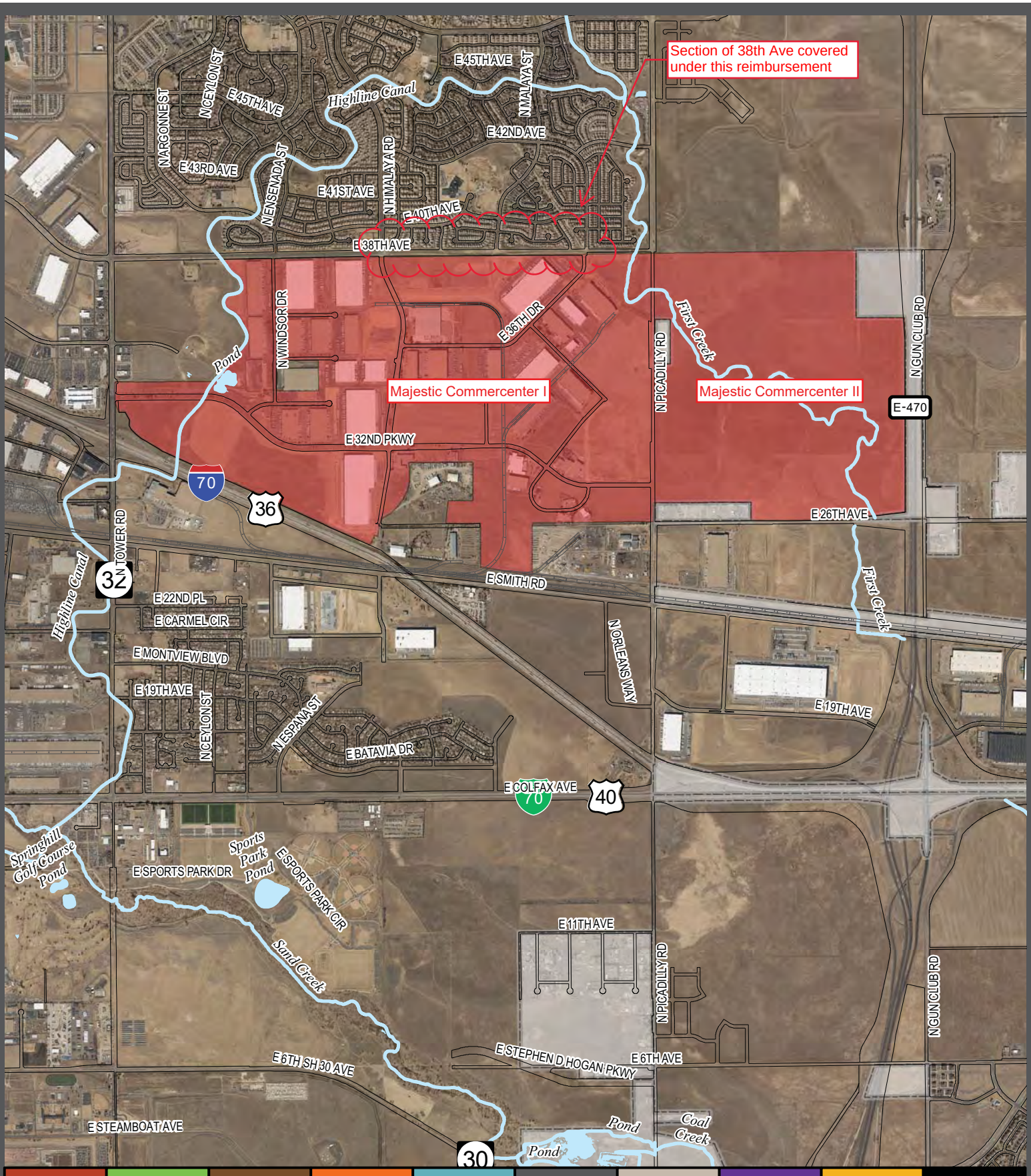
N/A

QUESTIONS FOR COUNCIL

Does Council support approving the Resolution for the Reimbursement Agreement between the City of Aurora and Majestic Commercenter for 38th Avenue, between Himalaya and Odessa?

LEGAL COMMENTS

Purchase orders or contracts in any amount may be awarded without benefit of formal competitive bidding when the contracts is with a developer for the construction of public improvements whereby the City shares in the cost of construction as may be required by this Code or as the result of an annexation agreement or a similar agreement in kind. (City Code § 2-674(1)). (Rulla)



Planning & Development Services

15151 E. Alameda Pkwy
Aurora CO 80012 USA
www.auroragov.org
303-739-7250
GIS@auroragov.org

Feet
0 1,250 2,500

City of Aurora, Colorado

Majestic Commercenter I and II Vicinity Map

October 25, 2019

Legend

- Railroad Lines
- Water Lines
- Parcels
- Lakes
- Tower Metropolitan District
- Outside Aurora City Limits

10/25/2019 I:\GIS\Arc10_MXDs\Planning\ODA\Tower Metro District.mxd

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING AN AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, AND MAJESTIC COMMERCENTER II, LLC, A DELAWARE LIMTED LIABILITY COMPANY REGARDING ROADWAY CONSTRUCTION AND COST REIMBURSEMENT

WHEREAS, Majestic Commercenter II, LLC ("Developer") is the owner of certain real property located within the City of Aurora, Colorado ("City"), consisting of approximately 422 acres (the "Property"); and

WHEREAS, Developer and the City previously entered into a Vesting Development Agreement, dated April 2, 2020 and recorded in Adams County, Colorado on September 18, 2020 at Reception #2020000093552 (the "Vesting Development Agreement"), which obligates the City to fund, design and construct certain improvements; and

WHEREAS, in connection with development of the Property, Developer intends to design and construct a portion of the southern one-half of East 38th Avenue (including, but not limited to the road, median, sidewalks and landscaping, all curb and gutter improvements, and any applicable crossings) from Himalya Road to Odessa Steet (the "Improvements"); and

WHEREAS, to facilitate installation of the Improvements in advance of the time that the City is prepared or obligated to do so, Developer is willing to undertake the installation of the Improvements and to advance 100% of the cost thereof. The City shall not be required to pay any additional installation costs, fees, or incentives for acceleration of the Improvements; and

WHEREAS, pursuant to City Code Section 2-674(1), purchase orders or contracts in any amount may be awarded without benefit of formal competitive bidding when the contracts is with a developer for the construction of public improvements whereby the City shares in the cost of construction as may be required by this Code or as the result of an annexation agreement or a similar agreement in kind; and

WHEREAS, the City Council of the City of Aurora finds and determines that it is in the best interests of the City and its citizens to authorize the execution of this Agreement.

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

Section 1. The Roadway Construction and Cost Reimbursement Agreement (East 38th Avenue between Himalaya Road and Odess Street) between the City and Developer is hereby approved.

Section 2. The City Manager is hereby authorized to execute the attached agreement in substantially the form presented at this meeting with such technical additions, deletions and variations as may be deemed necessary or appropriate by the City Attorney.

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

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: _____ RLA
BRIAN J. RULLA, Assistant City Attorney

Roadway Construction and Cost Reimbursement Agreement
(East 38th Avenue between Himalya Road and Odessa Street)

This Roadway Construction and Cost Reimbursement Agreement (this "Agreement"), is entered into this _____ day of _____, 2025, (the "Effective Date"), by and among Majestic Realty Co., a California corporation ("Developer"), and the City of Aurora, Colorado, a Colorado municipal corporation of the counties of Adams, Arapahoe, and Douglas, State of Colorado (the "City"), acting on its own behalf. City and Developer shall be referred to herein as "Party, and collectively as "Parties".

Recitals

This Agreement is made on the basis of the following facts:

A. Developer is the developer of certain real property located within the City, consisting of approximately 14.6 acres (the "Property").

B. Developer and the City previously entered into a Vesting Development Agreement, dated April 2, 2020 and recorded in Adams County, Colorado on September 18, 2020 at Reception #2020000093552 (the "Vesting Development Agreement"), which obligates the City to fund, design and construct certain improvements.

C. In connection with development of the Property, Developer intends to design and construct a portion of the southern one-half of East 38th Avenue (including, but not limited to the road, median, sidewalks and landscaping, all curb and gutter improvements, and any applicable crossings) from Himalya Road to Odessa Steet (the "Improvements").

D. To facilitate installation of the Improvements in advance of the time that the City is prepared or obligated to do so, Developer is willing to undertake the installation of the Improvements and to advance 100% of the cost thereof. The City shall not be required to pay any additional installation costs, fees, or incentives for acceleration of the Improvements.

E. Consistent with the Vesting Development Agreement the City is willing to reimburse Developer for the specified costs associated with installation of the Improvements in accordance with this Agreement.

Agreement

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Improvements. Attached hereto and incorporated herein as Exhibit A are the approved construction civil plans (City-issued EDN 224360), which more particularly describe and define the Improvements to be constructed under this Agreement. Revisions to the approved civil plan depicting the Improvements may be submitted to the City for review and approval through the City's standard civil plan revision process. City approval of civil plan revisions does not constitute approval of a change order. Exhibit A may be superseded by the City's approval of civil plan revisions, and further incorporated into this Agreement at a later date upon the City's approval of the revision. The Improvements will be built and designed in accordance with all applicable City standards and subject to all applicable ordinances, rules, and regulations of the City, including, but not limited to the Roadway Design and Construction Specifications Manual, current as of the date of the final approved design plans for the Improvements. All Improvements as depicted on the final

approved design plans shall further be subject to the warranty provisions as set forth in the Roadway Design and Construction Specifications Manual. The Improvements eligible for reimbursement shall include, but may not be limited to, the following: grading, asphalt paving, medians, curb and gutter, sidewalk, street lighting, landscaping, dry and wet utilities, and stormwater drainage infrastructure.

2. General Contractor. Developer may hire a general contractor (the "General Contractor") for the construction of the Improvements. The Developer or General Contractor will contract for the construction of the Improvements, provide cost estimating for construction to the City, and review and certify pay requests for completed construction.

   (a) Bids. Developer will execute contracts for performance of the work. The Developer or General Contractor shall obtain a minimum of three bids from separate subcontractors for each contract awarded. Bid documents must include all work to be performed for complete construction of the Improvements within preferred time periods. Developer shall provide all information from the subcontractor bids to the City at least three weeks prior to contract award. The City reserves the right to reject any subcontractor bid pursuant to Aurora City Code Section 2-670(f).

   (b) Reimbursement Amount. Upon receipt of the Developer's estimate for construction of the Improvements, Developer and the City will agree on the not to exceed amount to be reimbursed to Developer for design and construction of the Improvements, including permit or other fees payable in connection with the work ("Eligible Reimbursement Amount"). The Eligible Reimbursement Amount shall include only actual costs associated with the design and construction of the Improvements. The Eligible Reimbursement Amount, including any claim amounts approved under Section 3 below, shall not exceed $5,605,051. No interest will be added to the Eligible Reimbursement Amount. Administration costs from master developer, General Contractor, contract administrators, and others working on the Improvements will not be included for reimbursement. This Agreement shall not be effective until approved by Aurora City Council.

   (c) Supervision. Under the direction of the City, and in accordance with the subsection 2(a) above, Developer and General Contractor will supervise all bidding processes and construction of the Improvements through completion of construction, dedication to and acceptance by the City (the "Project Completion").

   (d) Payment Administration. Developer and/or General Contractor will review subcontractor pay requests and submit pay requests to the Developer for payment of the costs of the Improvements.

   (e) Change Order Management. The General Contractor, Developer, and the City may request change orders. Developer and/or General Contractor will prepare, review, and make a recommendation on change orders. Only those change orders approved by Aurora City Engineer or designee in writing prior to the work being performed will be included in the Eligible Reimbursement Amount. At such time as the change order is approved, the Parties will update the Eligible Reimbursement Amount to include the amount of the change order that is to be included in the Eligible Reimbursement Amount.

   (f) Initial Payment of Improvement Costs. Pursuant to Section 3 below, Developer shall pay 100% of the Improvement costs in the manner set forth in this Section 2.

3. Reimbursement Payment. The City will reimburse Developer only up to the Eligible Reimbursement Amount. All Parties shall confirm in writing the final amount owed to Developer for reimbursement. All reimbursements must be reviewed and certified by the General Contractor, and reviewed and authorized by the City Engineer or designee before payment. Reimbursement will be structured as follows: 80% upon completion of the Improvements and initial acceptance by the City, 10% upon final acceptance of the Improvements after the one year warranty period, and the final 10% one year after the warranty period.

4. Claims. A claim is any demand, contention, or assertion by the Developer seeking additional reimbursement other than change orders approved pursuant to subsection 2(e) above. Claims by the Developer must be made in writing as specified herein. Claims from the Developer must contain all of the following:

   (a) A narrative statement referencing and attaching the supporting documentation and specifically describing the legal, factual and contractual basis of the claim;

   (b) If the claim alleges delay to the work, the claim must include the precise number of days claimed, all alleged impacts, financial or otherwise, on the work, and the specific amount of money, if any, claimed as a result of the delay as well as a detailed critical path schedule analysis illustrating that the delays claimed were on the critical path of the project;

   (c) The City shall not pay any costs for acceleration; and

   (d) If the claim is for additional compensation, the claim must include a detailed calculation of the precise amount claimed with all supporting documentation. All claims must reference the specific contract provisions relied upon to support the claim. All claims must specifically reference, by name, this Section and the fact that the claim is being submitted under this Section. Any writing or other form of notice, however designated, which fails to specifically reference this Section, by name, shall not be deemed to constitute a valid claim hereunder.

   Subsections (a) through (d) above shall hereinafter be referred to as the "Final Accounting." A claim notice must be made in writing within three business days after the occurrence of the event. Within six days a complete claim request shall be submitted in writing to the City giving rise to the claim, or the right to submit a claim is waived. The Developer shall submit all information reasonably available that is otherwise required in the Final Accounting at the time of the claim. Failure to timely provide the Final Accounting shall constitute a waiver of the claim.

   All requests for additional reimbursement by the Developer shall be considered a separate claim and shall follow the claim procedures specified above. All information required in the Final Accounting must be submitted within the time limits established herein, and no supplementation of the information shall be permitted. Any attempted reservation of the right to submit or supplement an earlier-made claim shall be void.

   After review of the claim, City shall make a decision whether the Developer is entitled to a change order for such claim. If in the opinion of the City, the Developer is entitled to a change order, the City shall initiate a written change order. If in the opinion of the City, the Developer is not entitled to a change order, the Developer shall receive notice of the decision in writing from the City within

five business days of receipt of the claim by the City. The Developer may submit an appeal of the decision in writing to the City within five days of receipt of the decision from the City.

Claims shall be sent electronically to the following:

Aurora City Engineer
City of Aurora
15151 E Alameda Parkway, Suite 3200
Aurora, CO 80012

5. Term. The term of this Agreement shall cease ten years after the approved date of this agreement. The term of this Agreement may be extended by five year intervals if Developer has not been reimbursed the full Eligible Reimbursement Amount. If the Developer has not commenced the Improvements within one year of the Effective Date, the City may revisit the terms of this Agreement, provided, however, that Aurora's reimbursement obligations hereunder shall not terminate.

6. Dedication to and Acceptance of Improvements by City. Upon completion and acceptance of the Improvements, Developer shall dedicate, by special warranty deed, the Improvements to the City and provide a one year warranty that the Improvements are constructed in substantial accordance with approved plans. The City shall process any such conveyance or dedication and shall issue any necessary acceptance of the Improvements in a reasonable timeframe. Upon acceptance of the Improvements by the City (the "Initial Acceptance") the Improvements shall become the property of the City. Developer's warranty responsibilities for the Improvements shall be as specified in the Roadway Design & Construction Specifications. The City shall be responsible for the operation and maintenance of the Improvements after final acceptance.

7. Metropolitan Districts. Developer may organize one or more metropolitan districts ("District") to finance and be responsible for certain obligations, including Developer's obligations pursuant to this Agreement. Upon the formation of a District, such district may assume the obligations of Developer with respect to the Improvements ("Assumed Obligation") by executing an assumption agreement ("Assumption Agreement") whereby (a) the District assumes the duties of Developer with respect to the Assumed Obligation, and (b) agrees to perform the obligations and make the deposits required to be performed and paid hereunder by Developer with respect to the Assumed Obligation. Notwithstanding the assumption of an Assumed Obligation by a District, Developer will remain responsible for an Assumed Obligation, and if a District fails to perform and/or timely pay an Assumed Obligation, then Developer will perform and timely pay such Assumed Obligation. Nothing in this Section 7 will be construed as an approval by the City of creation of a District.

8. Non-Appropriation. The Parties acknowledge and understand that any financial obligations of the City payable after the current fiscal year are contingent upon funds for that purpose being budgeted and appropriated by the City's governing body. Accordingly, should the City's governing body exercise its right not to appropriate funds for any fiscal year sufficient for the continued performance by the City of its obligations under this Agreement, this Agreement shall terminate at the close of the fiscal year for which funds were last appropriated without penalty or recourse to the City.

9. Relationship of Parties. Nothing contained herein will be construed or interpreted as (a) creating a joint venture, partnership, or other similar relationship between Developer or the Parties; (b) obligating any party to perform any of the terms, covenants or provisions of the Annexation Agreement; (c) entitling any person or entity not a party to this Agreement to any of the benefits of

this Agreement; (d) appointing a party to this Agreement as agent of the others or authorizing a party to this Agreement to make contracts in the name of the others; or (e) creating, establishing or imposing a fiduciary duty owned by one party to the other hereunder or in any way creating a fiduciary relationship between the parties.

10. Notices. Any notice provided for or required to be given hereunder will be in writing and will be deemed given (a) the date personally delivered or transmitted by facsimile or email transmission to the recipient of such notice at the facsimile numbers or email addresses hereinafter identified; or (b) three days after the date deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to the recipient of such notice at such place as a Party may designate in writing for such purpose or, in the absence of such designation. Notices shall be provided as follows:

If to City:

Aurora City Engineer
City of Aurora
15151 East Alameda Parkway, Suite 3200
Aurora, CO 80012
Haley Johansen, email: hjohanse@auroragov.org

If to Developer:

Majestic Realty Co.
Attention: Michael V. Kapoor
20100 East 32nd Parkway
Suite 150
Aurora, Colorado 80011
Telephone: 303-574-8903

And:

Majestic Realty Co.
Attention: Randall C. Hertel
20100 East 32nd Parkway
Suite 150
Aurora, Colorado 80011
Telephone: 303-574-8901

11. Captions. Captions to paragraphs are for convenience and reference purposes only and will not affect the construction of the meaning of the terms and provisions of this Agreement.

12. Successors and Assignability. Subject to Section 7, this Agreement shall not be assignable without the formal approval of the City.

13. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Colorado.

14. Counterparts. This Agreement may be executed in one or more counterparts, each of which will constitute an original agreement, but all of which together will constitute a single agreement. A facsimile transmitted copy of this Agreement executed by one of the Parties hereto will be accepted as an originally executed copy of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date. By the signature of its representative below, each party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

DEVELOPER:

MAJESTIC REALTY CO.,
a California corporation

By: _____
Name: RANDALL C. HERTEL
Title: Executive Vice President

MJK

CITY:

CITY OF AURORA, COLORADO

_____ _____

Jason Batchelor, City Manager Date

APPROVED AS TO FORM FOR AURORA:

_____ _____ _____

Brian J. Rulla Date ACS #
Assistant City Attorney

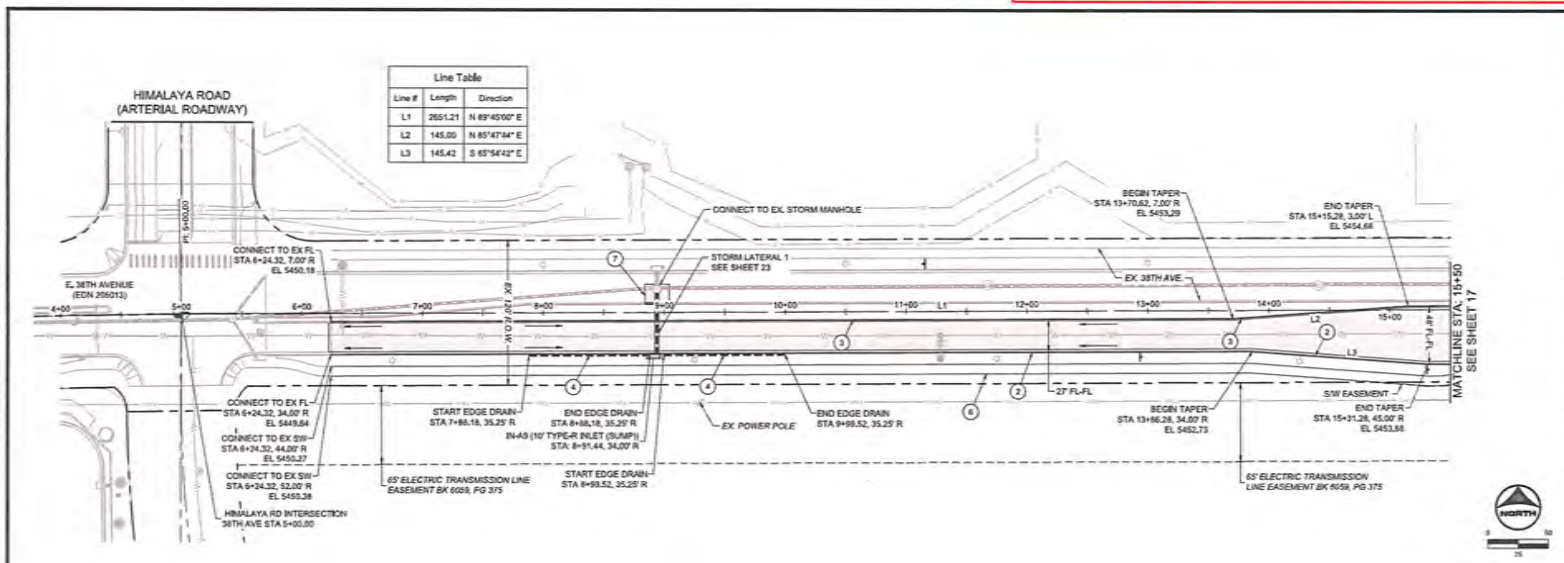
EXHIBIT A

Improvements

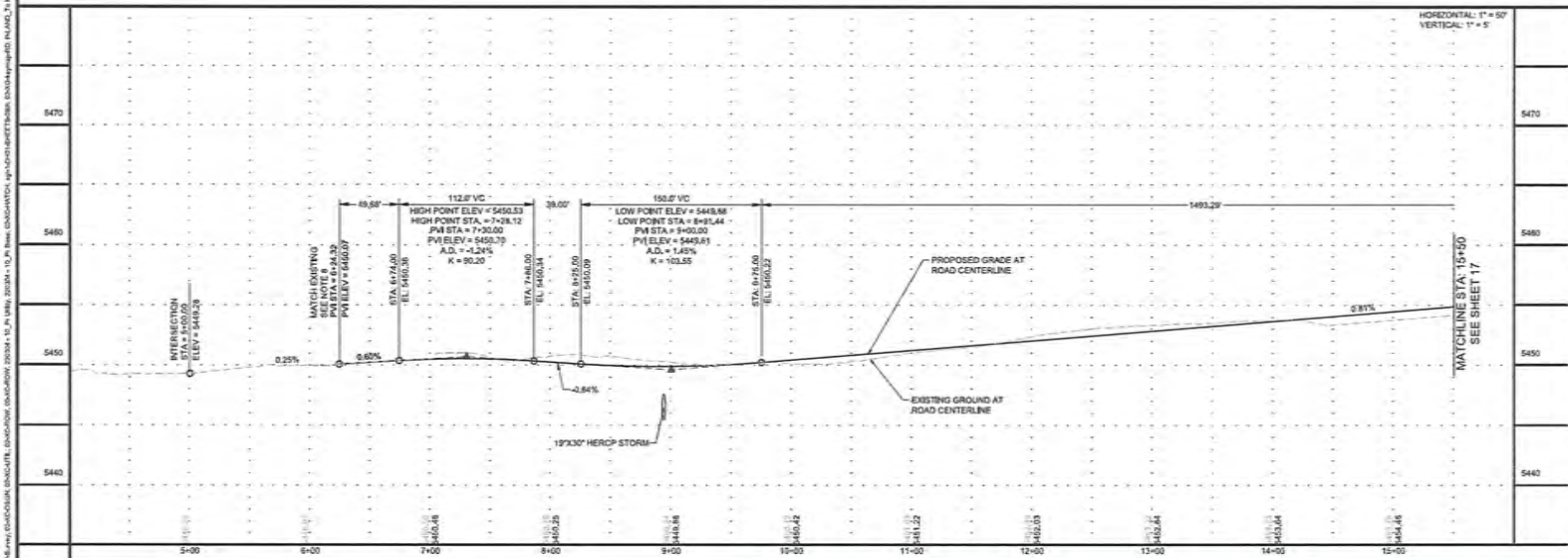
[Excerpted Approved Roadway plans for the Improvements – Not to Scale]

[Use City-approved Civil Plan set for construction – EDN 224360]

Exhibit A - Excerpted Plan Sheets from EDN 224360, Reprinted for reference, Not to Scale, Refer to full civil plan set



E. 38TH AVENUE - MAJOR ARTERIAL (4 LANE)





KEY MAP

CONSTRUCTION NOTES:

1. ALL ROADWAY CONSTRUCTION WILL CONFORM TO CITY OF AURORA "ROADWAY DESIGN AND CONSTRUCTION SPECIFICATIONS," LATEST REVISION.
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7. ASPHALT TRENCH PATCHING, COA DETAIL S10.1

RANGE BOX (CONTRACTOR RESPONSIBLE FOR INSTALLATION)

EDGE DRAIN
STREET FLOW DIRECTION ARROW

PROPOSED ASPHALT PAVEMENT

FACSIMILE
This electronic plan is a facsimile of the signed and sealed pdf on:

Ashley M. Crabtree — 12-10-24
Date

SITE BENCHMARK:

CITY OF AURORA BENCHMARK 3SB626NW008 BEING A 3" DIAM. BRASS CAP STAMPED "COA BM 3SB626NW008, 2007" LOCATED ON THE NORTHWEST CORNER OF A CONCRETE APRON FOR POWER TOWER #36 (3RD POWER TOWER EAST OF HIMALAYA ROAD AND EAST 38TH AVE, EXTENDED), +/- 140 FEET WEST OF HIMALAYA STREET AND EAST 38TH AVENUE EXTENDED

ELEVATION = 5474.92 (NAVD88)

DRAWN BY: STM | JOB DATE: 11/15/2024
APPROVED: ANC | JOB NUMBER: 2202959
CAD DATE: 12/10/2024
CAD FILE: \\hrgreen.com\HRD\Data\2022\2202959\CAD\Dwgs\C\38thAve\COs\02-RDP&P

BAR IS ONE INCH ON ORIGINAL DRAWINGS. IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.

NO.	DATE	BY	REVISION DESCRIPTION

HR GREEN - DENVER
5613 DTC PARKWAY SUITE 500
GREENWOOD VILLAGE, CO 80111
PHONE: 720.602.4999 | TOLL FREE: 800.726.7555
FAX: 844.273.1557 | HRGreen.com

E. 38TH AVENUE - HIMALAYA RD TO ODESSA ST
TOWER METROPOLITAN DISTRICT
AURORA, COLORADO

CONSTRUCTION DOCUMENTS
ROADWAY PLAN AND PROFILE

SHEET RD1 | 16

APPROVED ON 12/23/2024

Exhibit A - Excerpted Plan Sheets from EDN 224360, Reprinted for reference, Not to Scale, Refer to full civil plan set

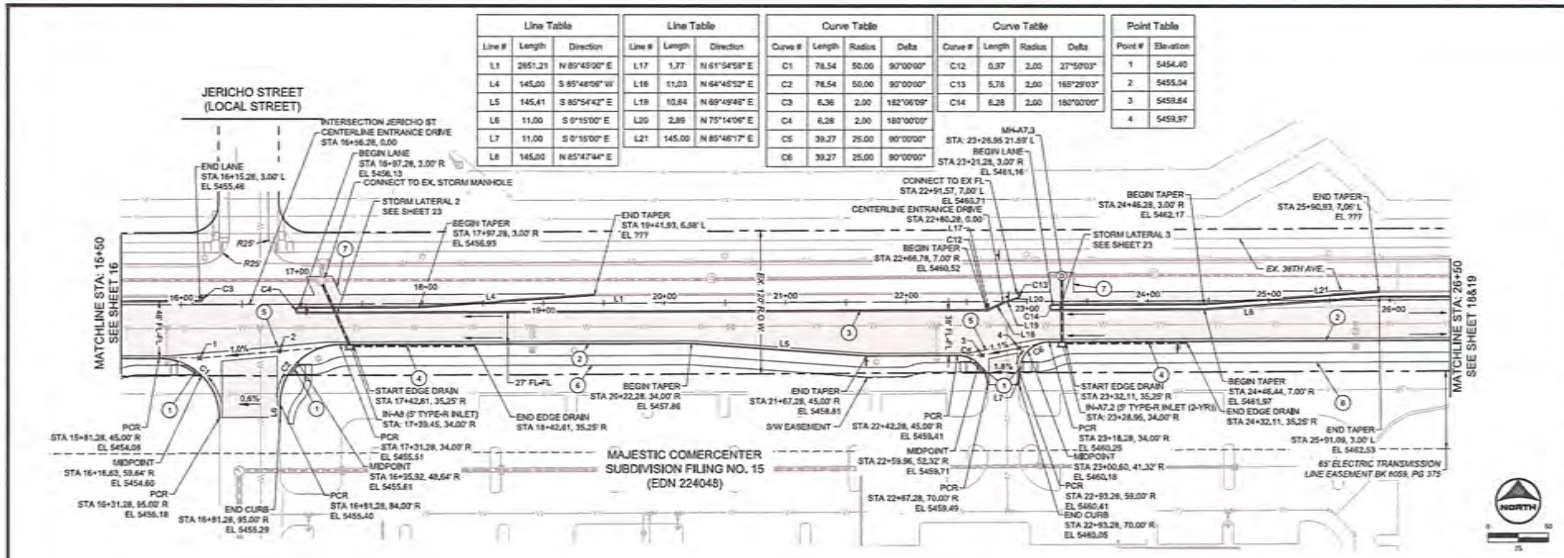
Line Table		
Line #	Length	Direction
L1	2851.21	N 89°45'00" E
L4	145.00	S 85°48'06" W
L5	145.41	S 85°54'42" E
L6	11.00	S 0°15'00" E
L7	11.00	S 0°15'00" E
L8	145.00	N 85°47'44" E

Line Table		
Line #	Length	Direction
L17	1.77	N 61°54'58" E
L18	11.03	N 64°45'52" E
L19	10.84	N 69°49'48" E
L20	2.89	N 75°14'06" E
L21	145.00	N 85°46'17" E

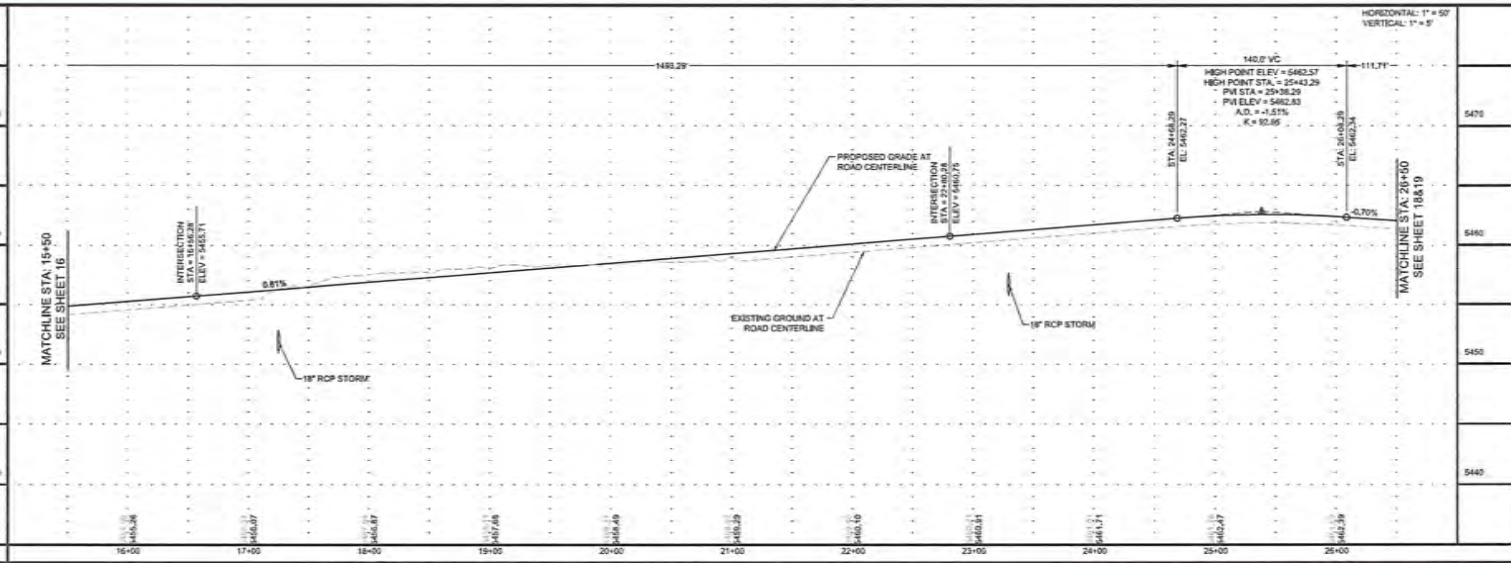
Curve Table				
Curve #	Length	Radius	Delta
C1	78.54	50.00	90°00'00"
C2	78.54	50.00	90°00'00"
C3	6.36	2.00	182°06'09"
C4	6.28	2.00	180°00'00"
C5	39.27	25.00	90°00'00"
C6	39.27	25.00	90°00'00"

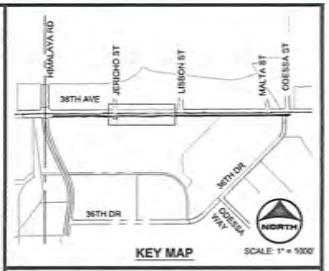
Curve Table				
Curve #	Length	Radius	Delta
C12	0.37	2.00	27°50'03"
C13	5.78	2.00	165°29'03"
C14	6.28	2.00	180°00'00"

Point Table	
Point #	Elevation
1	5454.40
2	5455.04
3	5459.64
4	5459.97



E. 38TH AVENUE - MAJOR ARTERIAL (4 LANE)





KEY MAP SCALE: 1" = 1000'

CONSTRUCTION NOTES:

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RANGE BOX (CONTRACTOR RESPONSIBLE FOR INSTALLATION)

EDGE DRAIN
STREET FLOW DIRECTION ARROW

PROPOSED ASPHALT PAVEMENT

FACSIMILE
This electronic plan is a facsimile of the signed and sealed pdf set.

Ashley N. Crispin — 12-10-24 Date

SITE BENCHMARK:

CITY OF AURORA BENCHMARK 3S8626NW008 BEING A 3" DIAM. BRASS CAP STAMPED "COA BM 3S8626NW008, 2007" LOCATED ON THE NORTHWEST CORNER OF A CONCRETE APRON FOR POWER TOWER #36 (3RD POWER TOWER EAST OF HIMALAYA ROAD AND EAST 38TH AVE, EXTENDED), +/- 140 FEET WEST OF HIMALAYA STREET AND EAST 38TH AVENUE EXTENDED

ELEVATION = 5474.92 (NAVD88)

DRAWN BY: STM	JOB DATE: 11/15/2024	BAR IS ONE INCH ON ORIGINAL DRAWINGS. IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.	
APPROVED: ANC	JOB NUMBER: 220295		
CAD DATE: 12/10/2024			
CAD FILE: \\hrgreen.com\HRO\Data\2022\220295\CADD\xrgd\C30thAve\COv102-RDP&P			

NO.	DATE	BY	REVISION DESCRIPTION

HR GREEN - DENVER
5613 DTC PARKWAY SUITE 900
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 402-4999 | TOLL FREE: 855.720.7503
FAX: 844.273.3107 | HRGreen.com

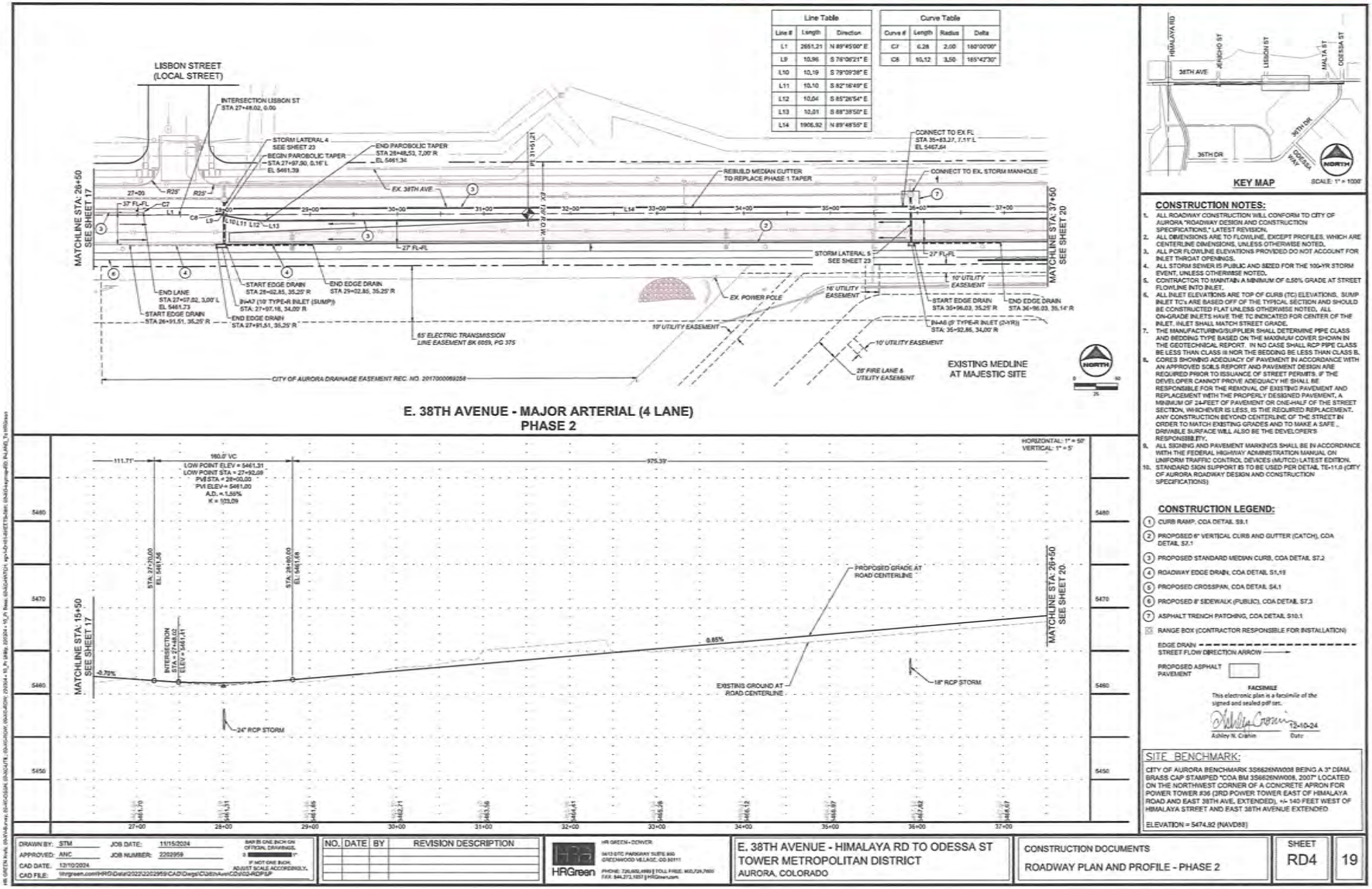
E. 38TH AVENUE - HIMALAYA RD TO ODESSA ST
TOWER METROPOLITAN DISTRICT
AURORA, COLORADO

CONSTRUCTION DOCUMENTS
ROADWAY PLAN AND PROFILE

SHEET RD2 | 17

APPROVED ON 12/23/2024

Exhibit A - Excerpted Plan Sheets from EDN 224360, Reprinted for reference, Not to Scale, Refer to full civil plan set



Line Table		
Line #	Length	Direction
L1	2651.21	N 89°45'00" E
L9	10.96	S 76°06'21" E
L10	10.19	S 79°09'26" E
L11	10.10	S 82°16'49" E
L12	10.04	S 85°26'54" E
L13	10.01	S 88°38'50" E
L14	1906.92	N 89°48'55" E

Curve Table			
Curve #	Length	Radius	Delta
C7	6.28	2.00	180°00'00"
C8	10.12	3.50	165°42'30"

KEY MAP SCALE: 1" = 1000'

E. 38TH AVENUE - MAJOR ARTERIAL (4 LANE) PHASE 2

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EDGE DRAIN
STREET FLOW DIRECTION ARROW

PROPOSED ASPHALT PAVEMENT

FACSIMILE
This electronic plan is a facsimile of the signed and sealed pdf set.

Ashley N. Crabtree — 12-10-24
Ashley N. Crabtree — Date

SITE BENCHMARK:

CITY OF AURORA BENCHMARK 3S66S26NW008 BEING A 3" DIAM. BRASS CAP STAMPED "COA BM 3S66S26NW008, 2007" LOCATED ON THE NORTHWEST CORNER OF A CONCRETE APRON FOR POWER TOWER #36 (3RD POWER TOWER EAST OF HIMALAYA ROAD AND EAST 38TH AVE. EXTENDED), +/- 140 FEET WEST OF HIMALAYA STREET AND EAST 38TH AVENUE EXTENDED

ELEVATION = 5474.92 (NAVD88)

DRAWN BY: STM	JOB DATE: 11/15/2024	BAR IS ONE INCH ON ORIGINAL DRAWINGS. IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.	
APPROVED: ANC	JOB NUMBER: 2202959		
CAD DATE: 12/10/2024			
CAD FILE: \\hrgreen.com\HRG\Data\2022\2202959\CAD\Dwgs\C36thAveCDs\02-RDP.dgn			

NO.	DATE	BY	REVISION DESCRIPTION

HR GREEN - DENVER
5613 DTC PARKWAY SUITE 650
GREENWOOD VILLAGE, CO 80111
PHONE: 720.602.4900 | TOLL FREE: 800.726.7650
FAX: 844.272.1937 | HRGreen.com

E. 38TH AVENUE - HIMALAYA RD TO ODESSA ST
TOWER METROPOLITAN DISTRICT
AURORA, COLORADO

CONSTRUCTION DOCUMENTS
ROADWAY PLAN AND PROFILE - PHASE 2

SHEET RD4 | 19

APPROVED ON 12/23/2024

Sheet 18 is duplicated sheet and not included

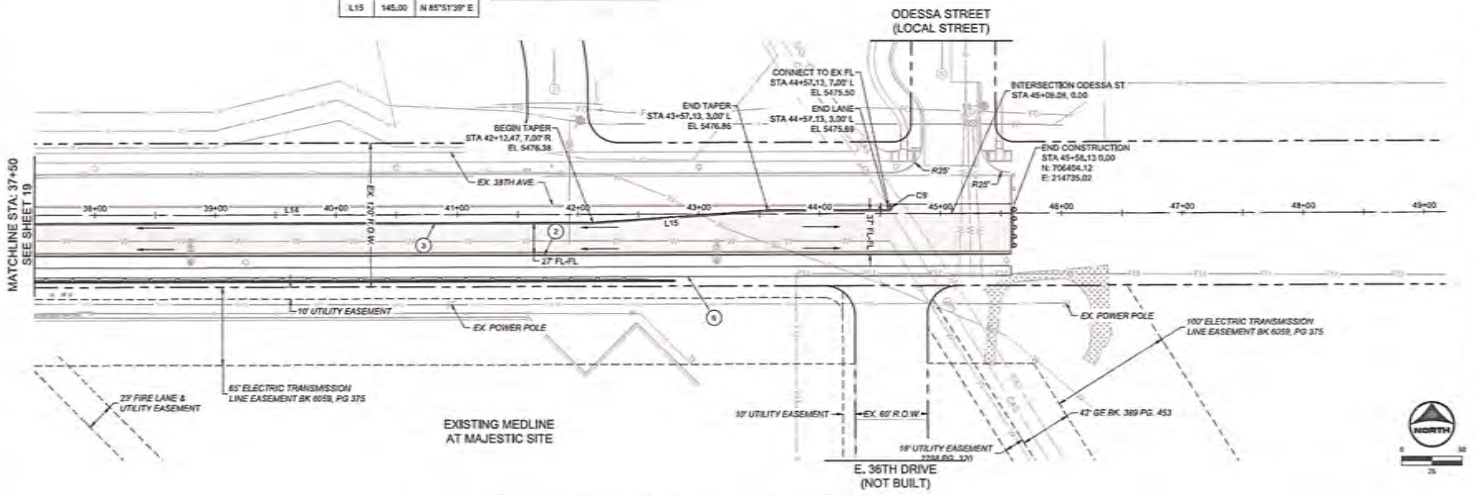
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20

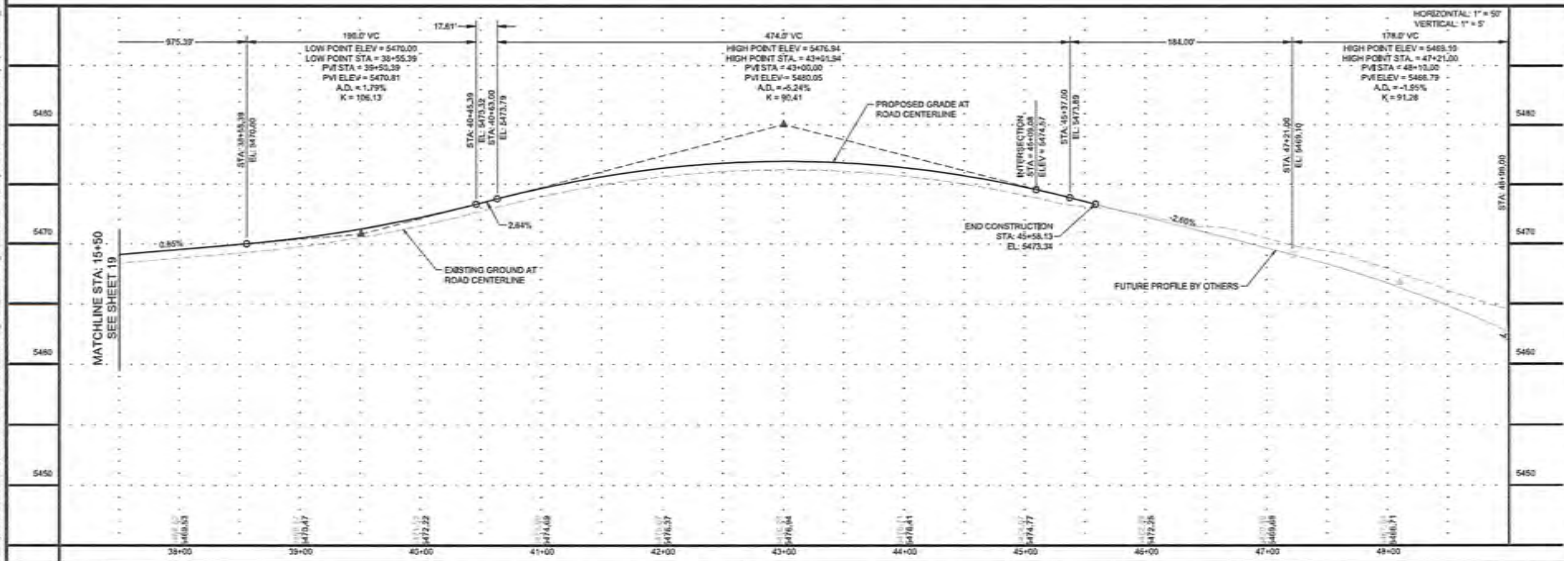
224360

Line Table		
Line #	Length	Direction
L14	1906.92	N 89°46'55" E
L15	145.00	N 85°51'39" E

Curve Table			
Curve #	Length	Radius	Delta
C9	6.28	2.00	180°00'00"



E. 38TH AVENUE - MAJOR ARTERIAL (4 LANE)





KEY MAP SCALE: 1" = 1000'

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Ashley N. Crahin — 12-10-24
Ashley N. Crahin — Date

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CITY OF AURORA BENCHMARK 35S626NW008 BEING A 3" DIAM. BRASS CAP STAMPED "COA BM 35S626NW008, 2007" LOCATED ON THE NORTHWEST CORNER OF A CONCRETE APRON FOR POWER TOWER #36 (3RD POWER TOWER EAST OF HIMALAYA ROAD AND EAST 38TH AVE, EXTENDED), +/- 140 FEET WEST OF HIMALAYA STREET AND EAST 38TH AVENUE EXTENDED

ELEVATION = 5474.92 (NAVD88)

DRAWN BY: STM	JOB DATE: 11/15/2024	BAR IS ONE INCH ON ORIGINAL DRAWINGS. IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.	
APPROVED: ANC	JOB NUMBER: 2202959		
CAD DATE: 12/10/2024			
CAD FILE: \\hrgreen.com\HRD\Data\2022\2202959\CAD\Dwgs\C\36thAveCOs\02-RDP.dwg			

NO.	DATE	BY	REVISION DESCRIPTION

HR GREEN - DENVER
5613 DTC PARKWAY SUITE 650
GREENWOOD VILLAGE, CO 80111
PHONE: 720.602.4990 | TOLL FREE: 800.726.7555
FAX: 844.273.1507 | HRGreen.com

E. 38TH AVENUE - HIMALAYA RD TO ODESSA ST
TOWER METROPOLITAN DISTRICT
AURORA, COLORADO

CONSTRUCTION DOCUMENTS
ROADWAY PLAN AND PROFILE

SHEET RD5 | 20

APPROVED ON 12/23/2024

87

Roadway Construction and Cost Reimbursement Agreement
(East 38th Avenue between Himalya Road and Odessa Street)

This Roadway Construction and Cost Reimbursement Agreement (this "Agreement"), is entered into this _____ day of _____, 2025, (the "Effective Date"), by and among Majestic Realty Co., a California corporation ("Developer"), and the City of Aurora, Colorado, a Colorado municipal corporation of the counties of Adams, Arapahoe, and Douglas, State of Colorado (the "City"), acting on its own behalf. City and Developer shall be referred to herein as "Party, and collectively as "Parties".

Recitals

This Agreement is made on the basis of the following facts:

A. Developer is the developer of certain real property located within the City, consisting of approximately 14.6 acres (the "Property").

B. Developer and the City previously entered into a Vesting Development Agreement, dated April 2, 2020 and recorded in Adams County, Colorado on September 18, 2020 at Reception #2020000093552 (the "Vesting Development Agreement"), which obligates the City to fund, design and construct certain improvements.

C. In connection with development of the Property, Developer intends to design and construct a portion of the southern one-half of East 38th Avenue (including, but not limited to the road, median, sidewalks and landscaping, all curb and gutter improvements, and any applicable crossings) from Himalya Road to Odessa Steet (the "Improvements").

D. To facilitate installation of the Improvements in advance of the time that the City is prepared or obligated to do so, Developer is willing to undertake the installation of the Improvements and to advance 100% of the cost thereof. The City shall not be required to pay any additional installation costs, fees, or incentives for acceleration of the Improvements.

E. Consistent with the Vesting Development Agreement the City is willing to reimburse Developer for the specified costs associated with installation of the Improvements in accordance with this Agreement.

Agreement

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Improvements. Attached hereto and incorporated herein as Exhibit A are the approved construction civil plans (City-issued EDN 224360), which more particularly describe and define the Improvements to be constructed under this Agreement. Revisions to the approved civil plan depicting the Improvements may be submitted to the City for review and approval through the City's standard civil plan revision process. City approval of civil plan revisions does not constitute approval of a change order. Exhibit A may be superseded by the City's approval of civil plan revisions, and further incorporated into this Agreement at a later date upon the City's approval of the revision. The Improvements will be built and designed in accordance with all applicable City standards and subject to all applicable ordinances, rules, and regulations of the City, including, but not limited to the Roadway Design and Construction Specifications Manual, current as of the date of the final approved design plans for the Improvements. All Improvements as depicted on the final

approved design plans shall further be subject to the warranty provisions as set forth in the Roadway Design and Construction Specifications Manual. The Improvements eligible for reimbursement shall include, but may not be limited to, the following: grading, asphalt paving, medians, curb and gutter, sidewalk, street lighting, landscaping, dry and wet utilities, and stormwater drainage infrastructure.

2. General Contractor. Developer may hire a general contractor (the "General Contractor") for the construction of the Improvements. The Developer or General Contractor will contract for the construction of the Improvements, provide cost estimating for construction to the City, and review and certify pay requests for completed construction.

   (a) Bids. Developer will execute contracts for performance of the work. The Developer or General Contractor shall obtain a minimum of three bids from separate subcontractors for each contract awarded. Bid documents must include all work to be performed for complete construction of the Improvements within preferred time periods. Developer shall provide all information from the subcontractor bids to the City at least three weeks prior to contract award. The City reserves the right to reject any subcontractor bid pursuant to Aurora City Code Section 2-670(f).

   (b) Reimbursement Amount. Upon receipt of the Developer's estimate for construction of the Improvements, Developer and the City will agree on the not to exceed amount to be reimbursed to Developer for design and construction of the Improvements, including permit or other fees payable in connection with the work ("Eligible Reimbursement Amount"). The Eligible Reimbursement Amount shall include only actual costs associated with the design and construction of the Improvements. The Eligible Reimbursement Amount, including any claim amounts approved under Section 3 below, shall not exceed $5,605,051. No interest will be added to the Eligible Reimbursement Amount. Administration costs from master developer, General Contractor, contract administrators, and others working on the Improvements will not be included for reimbursement. This Agreement shall not be effective until approved by Aurora City Council.

   (c) Supervision. Under the direction of the City, and in accordance with the subsection 2(a) above, Developer and General Contractor will supervise all bidding processes and construction of the Improvements through completion of construction, dedication to and acceptance by the City (the "Project Completion").

   (d) Payment Administration. Developer and/or General Contractor will review subcontractor pay requests and submit pay requests to the Developer for payment of the costs of the Improvements.

   (e) Change Order Management. The General Contractor, Developer, and the City may request change orders. Developer and/or General Contractor will prepare, review, and make a recommendation on change orders. Only those change orders approved by Aurora City Engineer or designee in writing prior to the work being performed will be included in the Eligible Reimbursement Amount. At such time as the change order is approved, the Parties will update the Eligible Reimbursement Amount to include the amount of the change order that is to be included in the Eligible Reimbursement Amount.

   (f) Initial Payment of Improvement Costs. Pursuant to Section 3 below, Developer shall pay 100% of the Improvement costs in the manner set forth in this Section 2.

3. Reimbursement Payment. The City will reimburse Developer only up to the Eligible Reimbursement Amount. All Parties shall confirm in writing the final amount owed to Developer for reimbursement. All reimbursements must be reviewed and certified by the General Contractor, and reviewed and authorized by the City Engineer or designee before payment. Reimbursement will be structured as follows: 80% upon completion of the Improvements and initial acceptance by the City, 10% upon final acceptance of the Improvements after the one year warranty period, and the final 10% one year after the warranty period.

4. Claims. A claim is any demand, contention, or assertion by the Developer seeking additional reimbursement other than change orders approved pursuant to subsection 2(e) above. Claims by the Developer must be made in writing as specified herein. Claims from the Developer must contain all of the following:

    (a) A narrative statement referencing and attaching the supporting documentation and specifically describing the legal, factual and contractual basis of the claim;

    (b) If the claim alleges delay to the work, the claim must include the precise number of days claimed, all alleged impacts, financial or otherwise, on the work, and the specific amount of money, if any, claimed as a result of the delay as well as a detailed critical path schedule analysis illustrating that the delays claimed were on the critical path of the project;

    (c) The City shall not pay any costs for acceleration; and

    (d) If the claim is for additional compensation, the claim must include a detailed calculation of the precise amount claimed with all supporting documentation. All claims must reference the specific contract provisions relied upon to support the claim. All claims must specifically reference, by name, this Section and the fact that the claim is being submitted under this Section. Any writing or other form of notice, however designated, which fails to specifically reference this Section, by name, shall not be deemed to constitute a valid claim hereunder.

    Subsections (a) through (d) above shall hereinafter be referred to as the "Final Accounting." A claim notice must be made in writing within three business days after the occurrence of the event. Within six days a complete claim request shall be submitted in writing to the City giving rise to the claim, or the right to submit a claim is waived. The Developer shall submit all information reasonably available that is otherwise required in the Final Accounting at the time of the claim. Failure to timely provide the Final Accounting shall constitute a waiver of the claim.

    All requests for additional reimbursement by the Developer shall be considered a separate claim and shall follow the claim procedures specified above. All information required in the Final Accounting must be submitted within the time limits established herein, and no supplementation of the information shall be permitted. Any attempted reservation of the right to submit or supplement an earlier-made claim shall be void.

    After review of the claim, City shall make a decision whether the Developer is entitled to a change order for such claim. If in the opinion of the City, the Developer is entitled to a change order, the City shall initiate a written change order. If in the opinion of the City, the Developer is not entitled to a change order, the Developer shall receive notice of the decision in writing from the City within

five business days of receipt of the claim by the City. The Developer may submit an appeal of the decision in writing to the City within five days of receipt of the decision from the City.

Claims shall be sent electronically to the following:

Aurora City Engineer
City of Aurora
15151 E Alameda Parkway, Suite 3200
Aurora, CO 80012

5. Term. The term of this Agreement shall cease ten years after the approved date of this agreement. The term of this Agreement may be extended by five year intervals if Developer has not been reimbursed the full Eligible Reimbursement Amount. If the Developer has not commenced the Improvements within one year of the Effective Date, the City may revisit the terms of this Agreement, provided, however, that Aurora's reimbursement obligations hereunder shall not terminate.

6. Dedication to and Acceptance of Improvements by City. Upon completion and acceptance of the Improvements, Developer shall dedicate, by special warranty deed, the Improvements to the City and provide a one year warranty that the Improvements are constructed in substantial accordance with approved plans. The City shall process any such conveyance or dedication and shall issue any necessary acceptance of the Improvements in a reasonable timeframe. Upon acceptance of the Improvements by the City (the "Initial Acceptance") the Improvements shall become the property of the City. Developer's warranty responsibilities for the Improvements shall be as specified in the Roadway Design & Construction Specifications. The City shall be responsible for the operation and maintenance of the Improvements after final acceptance.

7. Metropolitan Districts. Developer may organize one or more metropolitan districts ("District") to finance and be responsible for certain obligations, including Developer's obligations pursuant to this Agreement. Upon the formation of a District, such district may assume the obligations of Developer with respect to the Improvements ("Assumed Obligation") by executing an assumption agreement ("Assumption Agreement") whereby (a) the District assumes the duties of Developer with respect to the Assumed Obligation, and (b) agrees to perform the obligations and make the deposits required to be performed and paid hereunder by Developer with respect to the Assumed Obligation. Notwithstanding the assumption of an Assumed Obligation by a District, Developer will remain responsible for an Assumed Obligation, and if a District fails to perform and/or timely pay an Assumed Obligation, then Developer will perform and timely pay such Assumed Obligation. Nothing in this Section 7 will be construed as an approval by the City of creation of a District.

8. Non-Appropriation. The Parties acknowledge and understand that any financial obligations of the City payable after the current fiscal year are contingent upon funds for that purpose being budgeted and appropriated by the City's governing body. Accordingly, should the City's governing body exercise its right not to appropriate funds for any fiscal year sufficient for the continued performance by the City of its obligations under this Agreement, this Agreement shall terminate at the close of the fiscal year for which funds were last appropriated without penalty or recourse to the City.

9. Relationship of Parties. Nothing contained herein will be construed or interpreted as (a) creating a joint venture, partnership, or other similar relationship between Developer or the Parties; (b) obligating any party to perform any of the terms, covenants or provisions of the Annexation Agreement; (c) entitling any person or entity not a party to this Agreement to any of the benefits of

this Agreement; (d) appointing a party to this Agreement as agent of the others or authorizing a party to this Agreement to make contracts in the name of the others; or (e) creating, establishing or imposing a fiduciary duty owned by one party to the other hereunder or in any way creating a fiduciary relationship between the parties.

10. Notices. Any notice provided for or required to be given hereunder will be in writing and will be deemed given (a) the date personally delivered or transmitted by facsimile or email transmission to the recipient of such notice at the facsimile numbers or email addresses hereinafter identified; or (b) three days after the date deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to the recipient of such notice at such place as a Party may designate in writing for such purpose or, in the absence of such designation. Notices shall be provided as follows:

If to City:
Aurora City Engineer
City of Aurora
15151 East Alameda Parkway, Suite 3200
Aurora, CO 80012
Haley Johansen, email: hjohanse@auroragov.org

If to Developer:
Majestic Realty Co.
Attention: Michael V. Kapoor
20100 East 32nd Parkway
Suite 150
Aurora, Colorado 80011
Telephone: 303-574-8903

And:

Majestic Realty Co.
Attention: Randall C. Hertel
20100 East 32nd Parkway
Suite 150
Aurora, Colorado 80011
Telephone: 303-574-8901

11. Captions. Captions to paragraphs are for convenience and reference purposes only and will not affect the construction of the meaning of the terms and provisions of this Agreement.

12. Successors and Assignability. Subject to Section 7, this Agreement shall not be assignable without the formal approval of the City.

13. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Colorado.

14. Counterparts. This Agreement may be executed in one or more counterparts, each of which will constitute an original agreement, but all of which together will constitute a single agreement. A facsimile transmitted copy of this Agreement executed by one of the Parties hereto will be accepted as an originally executed copy of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date. By the signature of its representative below, each party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

DEVELOPER:

MAJESTIC REALTY CO.,
a California corporation

By: _____
Name: _____
Title: _____

CITY:

CITY OF AURORA, COLORADO

_____ _____
Jason Batchelor, City Manager Date

APPROVED AS TO FORM FOR AURORA:

_____ _____ _____
Brian J. Rulla Date ACS #
Assistant City Attorney

EXHIBIT A

Improvements

[Approved plans for the Improvements to be attached]

VESTING DEVELOPMENT AGREEMENT

Approval of this Vesting Development Agreement and the FDP referenced herein constitutes approval of a Site Specific Development Plan that creates vested property rights pursuant to Article 68 of Title 24, C.R.S., as amended.

This Vesting Development Agreement (this "**Agreement**") is made and entered into as of April 2, 2020, by and among Majestic Commercenter II, LLC, a Delaware limited liability company ("**MCC II**"), Majestic Realty Co., a California corporation ("**Majestic**", and together with MCC II, collectively, "**Developer**"), and the City of Aurora, a home rule municipal corporation of the counties of Adams, Arapahoe, and Douglas, State of Colorado (the "**City**"). The City and Developer are sometimes hereinafter referred to together as the "**Parties**" and individually as a "**Party**".

RECITALS:

A. Developer (either directly or through its subsidiaries) owns and hold the fee simple interests in and to certain real property in the City, as more particularly described on **Exhibit A** hereto (the "**Property**"), and which is commonly referred to as the Majestic Commercenter II. Developer has developed portions of the Property and desires to develop or cause to be developed the remaining portions of the Property in accordance with applicable laws and regulations.

B. The FDP Property has been annexed into the City pursuant to two annexation agreements, the first being made originally between the City and Freund Investments, a partnership, dated August 28th, 1973, and recorded October 10, 1973, in Book 1893 at Page 166 of the records of Adams County, Colorado (the "**MCC I Annexation Agreement**"), as amended by the First Amendment to Annexation Agreements by and between the City and Aurora Business Center, a Colorado limited partnership, dated August 11th, 1980, and recorded October 14, 1980, in Book 2499 at Page 493 of the records of Adams County, Colorado (the "**Annexation Amendment**" and together with the MCC I Annexation Agreement, the "**Original Annexation Agreement**"), and the second having been made between MCC II and the City on January 28th, 2019, (the "**New Annexation Agreement**" and together with the Original Annexation Agreement, collectively, the "**Annexation Agreements**").

C. The City has approved the Majestic Commercenter Framework Development Plan for the approximately 1,600 acre property, commonly referred to as the Majestic Commercenter (the "**FDP Property**), which governs the development of the FDP Property. The FDP serves to implement the land uses for the FDP Property provided for under the applicable zoning for the FDP Property. The Property forms a portion of the FDP Property.

D. Developer and the City mutually agree that development of the FDP Property will serve a substantial public purpose, provide material public benefits to the City and promote the health, safety and welfare of the community. Accordingly, in consideration of these benefits, Developer desires to receive assurance that it may proceed with development, completion and use of the FDP Property. Therefore, it is the intent of the Parties to enter into this Agreement pursuant to

Sections 24-68-101, *et seq.* of the Colorado Revised Statues, as amended, in effect as of the Effective Date, and the City Code.

AGREEMENT:

In consideration of the foregoing premise and the covenants, promises, and agreements of each of the Parties, to be kept and performed by each of them, IT IS AGREED:

Article 1 DEFINITIONS

1.1 "**City Code**" shall mean the City Code of the City.

1.2 "**City Council**" shall mean and refer to the city council of the City.

1.3 "**Crossings**" shall mean and refer to all bridges, culverts, or other types of facilities or structures used to cross roadways, drainage ways, or storm drainage areas.

1.4 "**CSP**" shall mean the Contextual Site Plan (or its equivalent) for portions of the FDP Property, approved by the City from time to time.

1.5 "**Drainage Facility**" shall mean any manmade structures or natural watercourses which are used for the conveyance, control or storage of stormwater arising within the city limits or within drainage basins which discharge into the city limits.

1.6 "**FDP**" shall mean the Framework Development Plan (or its equivalent) approved by the City on April 15, 2019, as amended from time to time.

1.7 "**FEMA**" shall mean the Federal Emergency Management Agency.

1.8 "**First Creek Drainage Facility**" shall mean any Drainage Facility in the First Creek Floodplain Area.

1.9 "**First Creek Floodplain Area**" shall mean the area in the Property designated by FEMA as the First Creek Floodplain.

1.10 "**Interceptor**" shall mean the First Creek regional sewer interceptor.

1.11 "**LOMR**" shall mean a Letter of Map Revision issued by FEMA that revises the effective data shown on a property's Flood Insurance Rate Map or Flood Insurance Study.

1.12 "**Municipal Services**" shall mean police and fire protection, water and waste water, storm water drainage and detention, open space, transportation and street maintenance, general administrative services including code enforcement and any other municipal services provided by the City within the municipality.

1.13 "**Private Streets**" shall mean and refer to private streets and roadways in the FDP Property, and maintained by an entity.

1.14 "**Public Streets**" shall mean and refer to public local, residential, commercial, collector, minor; and principal arterial streets, highways, expressways, and roadways, and maintained by the City.

1.15 **"Utility Enterprise"** shall mean the utility activity business owned by the City, which business receives under 10% of its annual revenues in grants from all state and local governments combined and which is authorized to issue its own revenue bonds pursuant to the City Code or other applicable law. The Utility Enterprise may also be referred to hereinafter as "**Aurora Water**".

Article 2 RELATIONSHIP TO ANNEXATION AGREEMENTS, FDP AND CSP'S

2.1 Development of the Property is governed by various agreements and documents required or allowed by current City Code. The Parties acknowledge that it is possible that unintended conflicts may exist among the documents, or that conflicts may appear as circumstances change in the future. To aid the Parties to interpret the documents properly in the event of ambiguity or implied conflict, the Parties agree that the following items are to be read as complimentary agreements and documents expressing the rights and obligations of the parties with respect to development of the Property:

A) the New Annexation Agreement;

B) this Agreement;

C) the FDP; and

D) Contextual Site Plans for the Property.

2.2 Notwithstanding anything to the contrary, in the event of any ambiguity, conflict, or dispute in the interpretation of the rights of the parties concerning development of the Property, the Parties agree that the following rules of interpretation shall apply:

A) This Agreement shall govern where it addresses matters in question that are not addressed in a document that falls within the rules below. Otherwise, the rules set forth in subsections 2.2(B) through 2.2(D) shall govern.

B) The specific shall govern over the general.

C) The more detailed diagram shall govern over the less detailed diagram.

D) Where possible, all provisions in question which are not expressly in conflict with the other shall be read in concert with an attempt to harmonize their meaning and give meaning to each provision without negating any other provision.

Article 3 ZONING AND VESTING

3.1 The Parties recognize that it is the intent and desire of Developer to develop the FDP Property in accordance with the FDP. The permitted uses of the FDP Property, the density, and intensity of use are vested property rights which shall confer on Developer the right to undertake and complete the development and use of the FDP Property under the land uses, density, and lot sizes contained in the FDP.

3.2 The City shall not by any zoning or land use action or pursuant to an initiated measure, alter, impair, prevent, diminish, impose a moratorium on the land uses, density and lot sizes permitted for the development, or otherwise delay the development or use of the FDP Property as vested in the FDP, except:

A) With the consent of Developer or subsequent property owner; or

B) Upon the discovery of natural or man-made hazards on or in the immediate vicinity of the FDP Property, which hazards could not reasonably have been discovered at the time of the FDP approval, and which hazards, if uncorrected, would pose a serious threat to the public health, safety, and welfare.

3.3 The establishment of a vested property right herein shall not preclude the application of ordinances or regulations which are general in nature and are applicable to all property subject to land use regulation by the City, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes. The vested property rights shall not preclude the application of any water restrictions, tap allocations, or rate modifications that the City Council enacts under its police power, including but not limited to drought management plans and regulations adopted by the City Council and /or the Director of Water.

3.4 The vested property rights shall have a duration as specified herein, instead of the five years prescribed by the City Code § 146-205.

A) Beginning on the Effective Date, the vested property rights shall have an initial term of 25 years (the "**Vesting Period**"). The computation of time elapsed during the Vesting Period shall be suspended for the duration of any moratorium imposed by the City or other action by the City that adversely affects Developer's ability to exercise its rights to develop the FDP Property pursuant to the FDP or this Agreement.

B) The Vesting Period shall automatically be extended an additional 10 years, provided 5,000,000 square feet of commercial space is constructed on the FDP Property between April 15, 2019 and the expiration of the initial Vesting Period.

C) Extensions of the Vesting Period pursuant to Section 3.4(B) shall, in no event, extend the Vesting Period for more than 35 years.

3.5 The effective date of this Agreement is the date the ordinance approving this Agreement (the "**Ordinance**") is effective after its publication in accordance with the City Code (the "**Effective Date**").

Article 4 STREETS AND ROADWAYS

4.1 Street and road rights-of-way and improvements shall be dedicated and provided in accordance with the street sections and other substantive right-of-way standards and criteria established within the FDP, and in accordance with the phasing requirements of the Public Improvements Plan for discrete Planning Areas.

4.2 Picadilly Road.

A) The City shall fully fund, design, and construct the improvements for the entire width of Picadilly Road (limited to the road, median, and all curb and gutter improvements) that are adjacent to the FDP Property. Notwithstanding the foregoing, the City shall not be responsible for any dry or wet utilities for Picadilly Road.

B) If Developer desires early construction of any portions of Picadilly Road that are adjacent to the FDP Property, then Developer may design and construct such improvements at Developer's cost, provided that the City shall reimburse Developer up to a maximum of $5,740,000.00 for costs associated with the design and construction of the applicable portion of Picadilly Road designed or constructed early per a mutually agreeable reimbursement agreement based on the City's standard form. Any such improvements will be constructed in accordance with City standards per City Code and shall be coordinated with any applicable East 38th Avenue improvements.

C) The City shall be responsible for maintaining all the Picadilly Road improvements (excluding any landscaping) upon completion of construction and dedication of Picadilly Road to the City, subject to acceptance by the City and subject to Developer's warranty period of one year (if constructed by Developer).

4.3 First Creek Crossing (Picadilly Bridge).

A) The City shall fully fund, design, and construct the improvements for the entire First Creek Crossing (Picadilly Bridge) adjacent to the FDP Property.

B) If Developer desires early construction of the Picadilly Bridge adjacent to the FDP Property, then Developer may design and construct such improvements at Developer's cost, provided that the City shall reimburse Developer up to a maximum of $5,000,000.00 for costs associated with the design and construction of the Picadilly Bridge designed or constructed early per a mutually agreeable reimbursement agreement based on the City's standard form. Any such improvements will be constructed in accordance with City standards per City Code.

C) The City shall be responsible for maintaining all the Picadilly Bridge improvements upon completion of construction and dedication of Picadilly Road to the City, subject to acceptance by the City and subject to Developer's warranty period of one year (if constructed by Developer).

4.4 East 38th Avenue Between Himalaya Road and Picadilly Road.

A) Developer shall not be responsible for any of the funding, design, or construction of the improvements to the southern one-half of East 38th Avenue (limited to the road, median, sidewalk and landscaping, and all curb and gutter improvements, and Crossings) from Himalaya Road to Picadilly Road. Notwithstanding the foregoing, the City shall not be responsible for any dry or wet utilities for the southern one-half of East 38th Avenue Road between Himalaya Road and Picadilly Road.

B) If Developer desires early construction of any portions of East 38th Avenue between Himalaya Road and Picadilly, then Developer may design and construct such improvements at Developer's cost, provided that the City shall reimburse Developer for reasonable costs associated with the design and construction of the applicable portion of East 38th Avenue designed or constructed early per a separate reimbursement agreement, substantially in the form attached hereto as **Exhibit B**. Any such improvements will be constructed in accordance with City standards per City Code and shall be coordinated with any applicable Picadilly Road.

4.5 East 38th Avenue Between Picadilly Road and Colorado Highway E-470.

A) The City shall fully fund, design, and construct the improvements for the southern one-half of East 38th Avenue (including, but not limited to the road, median, sidewalks and landscaping, all curb and gutter improvements, dry and wet utilities, and Crossings) from Picadilly Road to Colorado Highway E-470 ("**E-470**"). Developer shall have no obligation to provide or pay for any improvements of, for, necessitated by, or associated with E-470 or any Crossings of E-470, or any interchange improvements, such as approach roads, entry and exit ramps, and traffic signalization (the "**E-470 Improvements**"). The provision of any E-470 Improvements will not constitute or act in any way or in any respect as a condition to or requirement for development within the Property. The City shall not impose any mill levy on the FDP Property for the E-470 Improvements.

B) If Developer desires early construction of any portions of East 38th Avenue between Picadilly Road and E-470, then Developer may design and construct said improvements at Developer's cost, provided that the City shall reimburse Developer up to a maximum of $3,840,000.00 for costs associated with the design and construction of the applicable portion of East 38th Avenue designed or constructed early per a mutually agreeable reimbursement agreement based on the City's standard form.. Any such improvements will be constructed in accordance with City standards per City Code and shall be coordinated with any applicable Picadilly Road or E-470 Improvements.

C) The City shall be responsible for maintaining all East 38th Avenue improvements (excluding any landscaping) upon completion of construction and dedication of East 38th Avenue to the City, subject to acceptance by the City and subject to Developer's warranty period of one year (if constructed by Developer).

4.6 East 26th Avenue.

A) Except as otherwise provided in this Agreement, Developer shall be responsible for the design and construction of the improvements to the northern one half of East 26th Avenue that are adjacent to the Property, including, if required, one half of a paved and striped or landscaped median. All East 26th Avenue improvements will be constructed in accordance with City standards, per City Code. Developer shall not be responsible for the design or construction of the portions of East 26th Avenue (including one-half of a paved and striped or landscaped median) that are not adjacent to the Property.

B) Notwithstanding anything in this Agreement or the FDP to the contrary, in order to provide east-west connectivity between East 26th Avenue and East 32nd Parkway at Picadilly Road, either East 26th Avenue or East 32nd Parkway shall be realigned to connect to the other. In order to accomplish the foregoing, Developer, in its sole discretion, may elect to realign either East 26th Avenue or East 32nd Parkway. The re-alignment of East 26th Avenue or East 32nd Parkway will be determined by Developer at the first CSP for Planning Areas 5, 6 or 13. Upon Developer's election, Developer shall only be responsible for half of the costs pertaining to the design and construction of such realignment and the City shall be responsible for the remaining half, and the City shall pay for or reimburse Developer for its reasonable costs and expenses per a mutually agreeable reimbursement agreement based on the City's standard form.

C) If Developer desires early construction of any portions of East 26th Avenue or the realignment of East 26th Avenue or East 32nd Parkway, then Developer may design and construct said improvements at Developer's cost provided that the City shall reimburse Developer for all of Developer's costs associated with the design and construction of the applicable improvements designed or constructed early per a mutually agreeable reimbursement agreement based on the City's standard form.

D) The City shall be responsible for maintaining all applicable East 26th Avenue improvements (excluding any landscaping) and East 32nd Parkway improvements(excluding any landscaping), as the case may be, upon completion of construction and dedication of such improvements to the City, subject to acceptance by the City and subject to Developer's warranty period of one year.

4.7 Subject to approval from the necessary City departments, the City shall allow Developer to use the maintenance road for the Interceptor as a multi-purpose

roadway supporting creek maintenance, fire access, private access and future dry or wet utility easements. The City shall only fund the design and construction of the maintenance path for the Interceptor. The remaining costs to build and maintain all other enhancements to support the other uses on the multi-purpose roadway will be paid by Developer. Any changes to the multi-purpose roadway because of changes to the First Creek channel shall be solely at Developer's expense.

4.8 Internal Private Streets shall be constructed in compliance with City Code. All Private Streets shall remain under the ownership and maintenance of Developer or the Metro District in perpetuity. Developer may close the Private Streets as development dictates, subject to adequate on-site circulation. All Private Streets shall be fully described on applicable CSP's and will be subject to City approval.

Article 5 WATER AND SEWER

5.1 Developer shall reasonably determine the location of any water wells drilled on the Property by the City pursuant to Section 3.10 of the New Annexation Agreement.

5.2 The City has designed and allocated capital funding for construction of the Interceptor with an anticipated completion in the second calendar quarter of 2020. The City shall coordinate the construction of the Interceptor (from the downstream First Creek lift station and through the Property) with Developer to aid completion of the Interceptor to allow for the issuance of Certificates of Occupancy.

5.3 The City will coordinate and communicate schedules with Developer to promote a feasible construction timeline to commence work on the Interceptor improvements. In the event the anticipated construction timeline is delayed beyond a reasonable period, Developer may elect to enter into a reimbursement agreement with the City, the total reimbursement sum of which shall not exceed the current allocated City amounts for the Interceptor project, and Developer may, thereafter, construct the Interceptor and any related improvements necessary to provide service and allow the issuance of Certificates of Occupancy for developments on the Property. Should Developer make this election, Developer will provide reasonable notice to the City consistent with the provisions of this Agreement.

Article 6 STORM DRAINAGE

6.1 No storm drainage development fees or other related fees shall be required to be paid by Developer for land dedicated to the City by Developer in the First Creek flood plain area or regional detention ponds.

6.2 The City shall not unreasonably withhold any Certificates of Occupancy on the Property for any First Creek Drainage Facilities which are the responsibility of the Urban Drainage and Flood Control District with the understanding that when the Urban Drainage and Flood Control District and Developer have entered into a Fee-in-lieu agreement for the construction of First Creek Drainage Facilities, and Developer has funded said agreement, Developer's public improvement obligation shall be considered satisfied prior to completion of construction of said Drainage

Facilities. Until First Creek Drainage Facilities are completed, each planning area shall provide onsite detention in addition to water quality facilities. Developer acknowledges that interim channel improvements, such as bank stabilization, may be required as planning areas develop to ensure downstream facilities are not adversely impacted by developed outfalls.

Article 7 PUBLIC LAND DEDICATION

7.1 Developer's dedication of regional detention ponds to the City (or applicable metropolitan districts) shall count towards the City's public land dedication requirement, which dedication requirement shall not be applicable to any portion of the FDP Property west of Picadilly Road.

7.2 Developer shall design and construct the First Creek Regional Trail in accordance with the Parks, Recreation & Open Space Department regional trail standards prior to its dedication to the City. The completed trail may be located entirely or partially within the 100 year flood plain, but not within the 10 year floodplain, except for creek Crossings and other limited cases, as approved by the Parks, Recreation & Open Space Department.

7.3 Developer, or its successors, shall be entitled to plat, proceed with development, and receive certificates of occupancy for those portions of the Property adjacent to the First Creek floodplain, and shall not be required to dedicate the floodplain along First Creek until such area has been modified and re-delineated to reflect the effects of the channel improvements by a LOMR approved by FEMA. The City shall support Developer's pursuit of the LOMR upon receipt of acceptable engineering calculations and mapping.

Article 8 PUBLIC ART

8.1 The City hereby waives all public art fees for the portions of the FDP Property west of Picadilly Road.

Article 9 CITY COOPERATION

9.1 The City shall act reasonably with respect to the processing of development requests for the FDP Property and shall not unreasonably withhold, condition or delay consent to or approval of a development request or permit. The City will cooperate with Developer to obtain licenses, easements and rights-of-way from third parties, including governmental and quasi-governmental entities, when necessary to provide Municipal Facilities, other public facilities, and Municipal Services to the FDP Property. Developer may request the City to exercise its rights and authority to acquire the requisite real property interests through the imposition of exactions as a condition of development approvals and/or through the exercise of its powers of eminent domain, either of which the City may determine to exercise in its legislative judgment, taking into account the importance of the proposed improvement to the extension of City facilities in accordance with City plans. If the City elects to exercise its powers of eminent domain in connection with the acquisition of property necessary for the construction of any such facilities, Developer shall reimburse the City for its

reasonable expenses incurred and just compensation paid in acquiring the requisite real property interests through the exercise of its powers of eminent domain, discounted by the public benefit derived to the City and other developments in the area.

9.2 The City shall provide Developer with a streamlined development review process regarding City review of permitting and entitlements, including, but not limited to the following:

A) Assigning senior staff to work on Developer projects;

B) Encouraging department staff to call Developer when issues arise before response deadlines;

C) Support from the City Manager in helping to motivate applicable City departments when schedules are critical; and

D) Setting up in-person meetings to discuss comments when ready.

Article 10 DEFAULT AND REMEDIES

10.1 Any failure of the City or Developer to perform any covenant, agreement, obligation, or provision of this Agreement constitutes a default under this Agreement.

10.2 In the event either Party alleges that the other is in default, the non-defaulting Party shall first notify the defaulting Party In writing of such default, and specify the exact nature of the default in such notice. The defaulting Party shall have 30 business days from receipt of such notice within which to cure such default before the non-defaulting Party may exercise any of its remedies hereunder; provided that (A) such default is capable of being cured, and (B) the defaulting Party diligently prosecutes such cure to completion. If the default is of such a nature that it cannot cured within the 30 business day period, corrective action must be commenced within such period by the defaulting Party and, thereafter, diligently pursued to completion.

10.3 Subject to Section 10.2, upon default, the non-defaulting Party's sole remedy shall be the equitable remedies of specific performance or injunction, the Parties hereby waiving any rights to money damages for any such breach or default. Notwithstanding the foregoing, in the event of a default by the City to fund or reimburse its share of any infrastructure costs contained within this Agreement, Developer shall have the right to take whatever action, at law or in equity, which appears necessary or desirable to collect the monies then due and thereafter to become due, limited to the cost to construct said infrastructure and reasonable attorneys' fees.

10.4 Time is of the essence in the performance of the Parties' obligations hereunder. However, neither Party shall be liable for any delay or failure to perform its obligations under this Agreement caused by events beyond the reasonable control of, and without the fault or negligence of such Party, Including, without limitation: (A) changes in state, county, or federal law; (B) Acts of God; (C) sudden action of the element such as floods, earthquakes, hurricanes, or tornadoes; (D) sabotage; (E) terrorism; (F) war; (G) riots; (H) explosion; (I) severe cold or hot weather; (J)

snow over eight inches during one, continuous event; (K) drought; (L) extreme weather conditions; (M) blockades; (N) insurrection; (O) actions by state, county, federal, municipal, or other governmental agencies other than the City; and (P) inability, despite due diligence, to obtain required licenses, permits, or approvals.

Article 11 GENERAL PROVISIONS

11.1 This agreement shall be recorded with the Clerk and Recorder in Adams County, Colorado, shall run with the land, and shall be binding upon and inure to the benefit of the heirs, successors, and assigns of the Parties. Developer shall have the right to assign or transfer all or any portion of its interest, right, obligations under this Agreement to third parties acquiring an interest or estate in the Property, or of any improvements now or hereafter located on the Property, provided that to the extent Developer assigns any of its obligations under this Agreement, the assignee of such obligations shall expressly assume such obligations. The express assumption of any of Developer's obligations under this Agreement by its assignee or transferee shall, upon written notice to the City, thereby relieve Developer of any further obligations under this Agreement with respect to the matter so assumed. Every part of the Property shall at all times remain subject to all the obligations of this Agreement with respect to each and every part of the Property.

11.2 Developer shall have no obligation to develop all or any portion of the FDP Property and shall have no liability under this Agreement to the City or to any other person for its failure to develop all or any part of the FDP Property. Developer and the City contemplate that the FDP Property will be developed in stages. Developer shall have no obligation to develop all or any portion of any stage, notwithstanding the development or non-development of any other stage, and Developer shall have no liability under this Agreement to the City or any other person for its failure to develop all or any portion of any state of the FDP Property.

11.3 All fees recited in this Agreement shall be subject to amendment by the City Council. Any amendment to fees shall be incorporated into this Agreement as if originally set forth herein. Notwithstanding the foregoing to the contrary, all future fees imposed on the FDP Property by the City shall be imposed on a uniform and non-discriminatory basis on the same terms are in effect generally throughout the City and in accordance with the City Code as in effect at the time Developer's obligation to pay such fee accrues. Nothing in this agreement shall prevent, prohibit, diminish, or impair the City's home rule governmental authority to adopt fees or regulations to address the impacts of development on a uniform and non-discriminatory basis.

11.4 It is understood and agreed by the Parties that if any part, term, or provision of this Agreement is by the courts held to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if this Agreement did not contain the particular part, term, or provision held to be invalid.

11.5 This Agreement, together with the FDP and the Annexation Agreements, embodies the whole agreement of the Parties. There are no promises, terms,

conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the Parties. Any and all changes to this Agreement, in order to be effective and binding upon the Parties and their successors, must be in writing and duly executed by the signatories or their respective heirs, successors or assigns.

11.6 This Agreement shall terminate and expire upon the completion of the development of the FDP Property and satisfaction of all the obligations herein. Thereafter, so long as the Property is located within the municipal boundaries of the City, it shall continue to be subject to the charter, ordinances, and rules and regulations of the City.

11.7 It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties, their heirs, successors, and assigns, and nothing contained in this Agreement shall give or allow any claim or right of action by any other or third person under this Agreement. It is the express intention of the Parties that any person other than the Parties receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

11.8 Any and all obligations of the City for water, sewer, and drainage improvements shall be the sole obligation of the City's Utility Enterprise and as such, shall not constitute a multiple fiscal year direct or indirect debt or other financial obligation of the City within the meaning of any constitutional, statutory, or charter limitation. Any and all obligations of the City for public improvements other than water, sewer, and storm drainage improvements shall be subject to annual appropriation by the City Council.

11.9 No form of joint venture or partnership exists between the City and Developer and nothing contained in this Agreement shall be construed as making Developer and the City joint ventures or partners.

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

11.11 The addresses of the Parties to this Agreement are listed below. Any and all notices allowed or required to be given in accordance with this Agreement are deemed to have been given when delivered to the other Party or three days following the date the same is deposited In the United States mail, registered or certified mall, postage prepaid, return receipt requested, addressed to the other Party at the addresses noted, or such address as is subsequently endorsed in writing, or in the event of transfer of the Property to the address of such grantee as indicated in the recorded instrument whereby such grantee acquired an interest in the Property.

If to City:

City Manager

City of Aurora
15151 E. Alameda Parkway
Aurora, Colorado 80012
Telephone: 303-739-7010

With a required copy to:

City Attorney
City of Aurora
15151 E. Alameda Parkway
Aurora, Colorado 80012
Telephone: 303-739-7030

If to Developer:

Majestic Commercenter II, LLC
Majestic Realty Co.
Attention: Michael V. Kapoor
20100 East 32nd Parkway
Suite 150
Aurora, Colorado 80011
Telephone: 303-574-8903

And:

Majestic Commercenter II, LLC
Majestic Realty Co.
Attention: Randall C. Hertel
20100 East 32nd Parkway
Suite 150
Aurora, Colorado 80011
Telephone: 303-574-8901

With a required copy to:

Chief Financial Officer
Majestic Realty Co.
13191 Crossroads Parkway North
Sixth Floor
City of Industry, CA 91746

11.12 Any waiver of any provisions of this Agreement shall be set forth in a writing executed by the Party waiving such provisions. No waiver of one or more of the terms of this Agreement shall constitute a waiver of other terms. No waiver of any provision of this Agreement in any instance shall constitute a waiver of such provision in other instances unless reflected in an amendment to this Agreement.

11.13 Upon written request, the City and Developer shall provide the other written verification regarding the status, performance, or completion of any action required of the City or Developer under this Agreement or by the terms of any other agreement within a reasonable period after receipt of such request.

11.14 This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

11.15 All future assessments and fees imposed on the FDP Property by the City and not otherwise expressly addressed in other provisions of this Agreement shall be imposed on a general and non-discriminatory basis on the same terms as are in effect generally throughout the City for similarly situated property and in accordance with the City Code as in effect at the time Developer's obligation to pay such assessment or fee accrues. The terms of this section shall not be construed as prohibiting the City and Developer from agreeing to the creation of a special improvement district with respect to some or all of the FDP Property.

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

MCC II:

MAJESTIC COMMERCENTER II, LLC,
a Delaware limited liability company

By: Majestic Realty Co.
a California corporation
Its: Manager's Agent

By: _____
Name: EDWARD P. ROSKI, JR.
Title: President and Chairman of the Board

By: _____
Name: Randall C. Hertel
Title: Executive Vice President

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

LESLIE IVINSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134078197
MY COMMISSION EXPIRES DECEMBER 12, 2021

The foregoing instrument was acknowledged before me this 10th day of January, 2020 by Randall C. Hertel as Executive Vice President of Majestic Realty Co., a California corporation, as Manager's Agent of Majestic Commercenter II, LLC, a Delaware limited liability company.

WITNESS my hand and official seal.

My Commission expires:

December 12, 2021

_____
Notary Public

CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of LOS ANGELES)

On JANUARY 15th 2020 before me, DANIELLA NOEL GARCIA, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared EDWARD P. ROSKI JR. who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Daniella Noel Garcia (Seal)

DANIELLA NOEL GARCIA
Notary Public - California
Los Angeles County
Commission # 2160178
My Comm. Expires Jul 17, 2020

MAJESTIC:

MAJESTIC REALTY CO.,
a California corporation

By: _____
Name: EDWARD P. ROSKI, JR.
Title: President and Chairman of the Board

By: _____
Name: Randall C. Hertel
Title: Executive Vice President

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

LESLIE IVINSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134076197
MY COMMISSION EXPIRES DECEMBER 12, 2021

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WITNESS my hand and official seal.

My Commission expires:

December 12, 2021

_____
Notary Public

CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of LOS ANGELES)

On JANUARY 15th, 2020 before me, DANIELLA NOEL GARCIA, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared EDWARD P. ROSKI JR. who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Daniella Noel Garcia (Seal)

DANIELLA NOEL GARCIA
Notary Public - California
Los Angeles County
Commission # 2160178
My Comm. Expires Jul 17, 2020

CITY:

CITY OF AURORA, COLORADO

By: _____
Bob LeGare, Mayor

ATTEST:

_____
Stephen J. Ruger, City Clerk

APPROVED AS TO FORM:

_____
Brian J. Rulla, Assistant City Attorney

Exhibit A

Legal Description of the Property

A PARCEL OF LAND IN SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 25 AND CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 25 TO BEAR NORTH 89°33'37" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO: THENCE NORTH 89°33'37" EAST ALONG SAID NORTH LINE A DISTANCE OF 30 FEET TO THE EAST RIGHT-OF-WAY LINE OF PICADILLY ROAD AND THE **POINT OF BEGINNING.**

THENCE NORTH 89°33'37" EAST CONTINUING ALONG SAID NORTH LINE A DISTANCE OF 2611.78 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 25;
THENCE NORTH 89°32'32" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25 A DISTANCE OF 1321.75 FEET;
THENCE SOUTH 00°13'08" EAST A DISTANCE OF 1324.11 FEET;
THENCE NORTH 89°32'39" EAST A DISTANCE OF 931.29 FEET TO THE WESTERLY RIGHT-OF-WAY OF HIGHWAY E-470 AS DESCRIBED IN BOOK 5414 AT PAGE 645 OF THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER;
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:
1)SOUTH 03°48'50" EAST A DISTANCE OF 427.14 FEET;
2)SOUTH 00°00'02" WEST A DISTANCE OF 3372.10 FEET;
3)SOUTH 83°34'42" WEST A DISTANCE OF 1006.75 FEET;
4)SOUTH 00°29'32" EAST A DISTANCE OF 40.00 FEET TO THE NORTHERLY RIGHT-OF-WAYLINE OF EAST 26TH AVENUE;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:
1)SOUTH 89°30'28" WEST A DISTANCE OF 1267.94 FEET;
2)SOUTH 89°31'54" WEST A DISTANCE OF 745.69 FEET;
THENCE NORTH 00°10'59" WEST A DISTANCE OF 361.50 FEET;
THENCE SOUTH 89°31'54" WEST A DISTANCE OF 1867.71 FEET TO SAID EAST RIGHT-OF-WAY LINE;
THENCE NORTH 00°11'05" WEST ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF2258.39 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 15;
THENCE NORTH 00°10'52" WEST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE ADISTANCE OF 462.35 FEET;
THENCE NORTH 89°34'28" EAST A DISTANCE OF 300.36 FEET;
THENCE NORTH 00°11'05" WEST A DISTANCE OF 862.50 FEET;
THENCE SOUTH 89°32'44" WEST A DISTANCE OF 300.31 FEET TO SAID EAST RIGHT-OF-WAY LINE;
THENCE NORTH 00°10'52" WEST ALONG EAST RIGHT-OF-WAY LINE A DISTANCE OF1324.68 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS AN AREA OF 23,453,362 SQUARE FEET, OR 538.415 ACRES, MORE OR LESS.

CITY OF AURORA
Council Agenda Commentary

Item Title: Firefighter Trust Legislation SB24-089 (Resolution)
Item Initiator: Renee Pettinato Mosley, Senior Manager of Risk, Finance
Staff Source/Legal Source: Renee Pettinato Mosley, Senior Manager of Risk, Finance / Kim Skaggs, Assistant City Attorney
Outside Speaker: None
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: 4/21/2025

Regular Meeting: 5/5/2025

2nd Regular Meeting (if applicable): Click or tap to enter a date or type 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)

Renee Pettinato Mosley, Senior Manager of Risk, Finance / Kim Skaggs, 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: Management & Finance

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.)*

Type history here or if none, type N/A

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

The legislature mandated that the city of Aurora join the Firefighter Heart, Cancer and Behavioral Benefit Trust per SB 24-089: the city had been self-insuring these benefits prior to this legislation's passage. City Council must pass a resolution and approve the trust agreement in order for the city to join the Heart trust and fulfill its statutory obligation

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.)

None

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.)

31010 is the budget that will be impacted. The Heart Trust will be funded by the State annually; the City must apply to DOLA for the money based on the number of eligible firefighters and use that money to pay the premiums to the trust. Cancer claims under the presumptive statute are budgeted for in the workers' compensation budget.

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.)

Further discussion and consultation with our workers' compensation attorneys revealed that joining the cancer trust is optional in spite of the way the statute reads. This is because although the State has appropriated some funds for the cost of trust membership, the funds are currently insufficient to cover the entire cost to the City. In that situation, membership becomes voluntary. if the City joins the Cancer Trust, the presumption statute no longer applies to firefighter worker's compensation claims, meaning each individual firefighter will be required to prove employment at the City caused their cancer. Under the presumption statute, it is presumed that the firefighter's cancer was caused by employment with the City unless the City proves otherwise.

If the City chose to join the cancer trust at this time, it would increase the Risk Fund's costs to $374/per firefighter or $112,000 annually based on 300 eligible firefighter. The average annual cost for cancer claims under workers' compensation is $35,532.

The cost for the required physicals required in SB24-089 for law enforcement personnel are unknown at this time; our understanding is that a trust is being created to pay for these health screenings and we are researching this plan and costs associated with it.

The behavioral trust no additional costs to the City to join the trust. The monies appropriated by the state for that benefit, however, funds from the state are limited.

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.)

Risk Management's workload won't change, but our tasks will change with respect to the Heart trust. Claims will no longer be handled through workers' compensation, but firefighters will receive assistance with filing claims with the trust from our staff.

QUESTIONS FOR COUNCIL

Does Council approve of the Resolution and accompanying Trust Agreement?

LEGAL COMMENTS

Every purchase order or contract is subject to the appropriation of necessary funds by the city council on an annual basis, notwithstanding automatic renewal clauses or any other provisions extending the purchase or contract beyond the calendar year in which it is executed. (City Code Sec. 2-669.) Colorado municipalities, unless exempt, are required to enter into a trust to maintain firefighter heart and circulatory malfunction benefits; cancer benefits; and behavioral health benefits, except that participation on the cancer trust and behavior health trust becomes voluntary where the state funding provided is insufficient to cover the cost of the program. (Colo. Rev. Stat. §§ 29-5-301 et seq., 29-5-401 et seq., 29-5-501 et seq.) (Skaggs)

RESOLUTION NO. - ___

A RESOLUTION OF THE AURORA CITY COUNCIL ADOPTING AND ENTERING INTO THE TRUST AGREEMENT FOR THE COLORADO FIREFIGHTER HEART, CANCER, AND BEHAVIORAL HEALTH BENEFITS TRUST AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, under Colorado law, specifically Sections 29-5-301 *et seq.*, of the Colorado Revised Statutes (C.R.S.), an employer as defined therein is required to maintain certain firefighter heart and circulatory malfunction benefits in accordance with and subject to the requirements and limitations of Part 3, Article 5 of Title 29, C.R.S.; and

WHEREAS, under Colorado law, specifically Sections 29-5-401, C.R.S. *et seq.*, an employer as defined therein may participate in the voluntary firefighter cancer benefits program to provide certain cancer benefits in accordance with and subject to the requirements and limitations of Part 4, Article 5 of Title 29, C.R.S.; and

WHEREAS, under Colorado law, specifically Sections 29-5-501, C.R.S. *et seq.*, an employer as defined therein may provide a firefighter behavioral health benefits program in accordance with and subject to the requirements and limitations of Part 5, Article 5 of Title 29, C.R.S.; and

WHEREAS, in order to provide such benefits, an employer, including City of Aurora is authorized to participate in a multiple employer health trust; and

WHEREAS**,** City Council has authority under Article XIV, Section 18(2)(a) of the Colorado Constitution, and Section 10-3-903.5, C.R.S.; Sections 29-1-201, C.R.S. *et seq.*; Sections 29-5-301, C.R.S. *et seq.*; Sections 29-5-401, C.R.S. *et seq.*; and/or Sections 29-5-501, C.R.S. *et seq.*, as amended, to participate with other employers in a multiple employer health trust for the provision of such benefits and for related claims handling, risk management, and other functions and services related to such benefits; and

WHEREAS, City Council has reviewed the Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust, a copy of which is attached hereto as Exhibit A, by and through which the Members (as defined therein) desire to establish a trust (the "Trust") and provide a benefit plan that provides firefighter heart and circulatory malfunction benefits, a benefit plan that provides cancer benefits, or behavioral health benefits consistent with the provisions of Parts 3, 4, and 5 of Article 5 of Title 29, C.R.S., as specified in the Colorado Firefighter Heart and Circulatory Malfunction Benefits Plan, Colorado Firefighter Cancer Benefits Plan, and the Colorado Firefighter Behavioral Health Plan (collectively, the "Plan"); and

WHEREAS**,** City Council finds that the payment of contributions into the Trust and Plan benefits for firefighters is required under Colorado law; and

WHEREAS**,** the Members intend that the Trust, together with the Plan, shall constitute an irrevocable trust exempt from taxation under Internal Revenue Code § 115; and

WHEREAS, City Council finds that membership and participation in the Trust and Plan would be in the best interests of the City of Aurora, its employees, and its taxpayers in that it is required by Colorado law; and

WHEREAS, City Council by this enactment meets the statutory requirements to enter into the Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust, and to take other actions in connection therewith.

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

Section 1. City Council approves the contract titled "Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust," a copy of which is attached hereto as Exhibit A and incorporated into this Resolution by this reference (the "Trust Agreement").

Section 2. City Council authorizes the Mayor to execute the Trust Agreement on behalf of the City of Aurora.

Section 3. City Council directs the City Manager to transmit the executed and attested copies of this Resolution and Trust Agreement by mail and electronic mail to the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust (the "Trust").

Section 4. City Council directs the City Manager to designate an individual as the City of Aurora's primary Member Representative and to provide name and appropriate contact information to the Trust Administrator.

Section 5. City Council directs the City Manager to designate a second individual as the City of Aurora's alternate Member Representative and to provide name and appropriate contact information to the Trust Administrator.

Section 6. City Council understands that, with the adoption of this Resolution and subject to the terms of the Trust Agreement, the City of Aurora becomes a Member of the Trust, with its participation to commence effective as of the date determined in accordance with the Trust Agreement. City Council hereby requests, unless other dates are later designated by City Council, that coverage should begin on the following dates for the following type of coverage:

Heart and Circulatory Award Coverage: June 1, 2025
Behavioral Health Benefits: June 1, 2025

RESOLVED AND PASSED this _____ day of _____, 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, City Attorney

By: _____
KIMBERLY SKAGGS, Assistant City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: Resolution To Amend The Council Rules Regarding Council Member Testimony
Item Initiator: Council Member, Angela Lawson
Staff Source/Legal Source: Liz Rogers, Intergovernmental Relations Manager/George Koumantakis, Deputy 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 has been requested by Council Member, Angela Lawson

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COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study Session: N/A

Regular Meeting: 4/21/2025

EXPLANATION:

This item is being requested by Council Member, Angela Lawson. 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.

	Roberto Venegas
_____	_____
Agenda Item Initiator Name	Late Submission Approver Name (Deputy City Manager)
_____	_____ 4/7/25
Agenda Item Initiator Signature Date	Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Rules of Order and Procedure: Amendment Regarding Council Member Testimony
Item Initiator: Angela Lawson, Council Member
Staff Source/Legal Source: Liz Rogers, Intergovernmental Relations Manager, General Management / George Koumantakis, Deputy City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 5/5/2025

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

Item requires a Public Hearing: ☐ Yes ☒ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

R2025-42 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERING PUBLIC COMMUNICATION
Sponsor: Angela Lawson, Council Member
Liz Rogers, Intergovernmental Relations Manager, General Management / George Koumantakis, 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: Federal, State & Intergovernmental Relations

Policy Committee Date: 4/4/2025

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 FSIR Meeting on April 4, 2025. Council Member Angela Lawson requested that this item be brought to the 4/21 Regular Council Meeting.

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

N/A

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 City Council wish to support the Resolution?

LEGAL COMMENTS

The City Council shall prescribe rules of procedure to govern meetings. (City Charter Art. 3-8) The City Council shall determine its own rules and procedures and order of business and shall keep a journal of its proceedings. It may compel attendance of members and may punish members for misconduct. (Section 2-32 City Code). (Koumantakis)

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERNING PUBLIC COMMUNICATION

WHEREAS, the Aurora City Council (Council) believes the election of an individual to the Council imposes a heavy responsibility to observe those tenets and requirements which flow from the solemn oath administered at the time of installation to office; and

WHEREAS, the Council wants the Rules for the Council to facilitate the fulfillment of the duties and responsibilities contained in the oath of office; and

WHEREAS, the Council desires to make certain changes to the Rules; and

WHEREAS, as authorized under Article III, Section 8 of the City Charter, the Council promulgates the Rules to govern meetings.

WHEREAS, the City Council is committed to maintaining transparency, accountability, and clarity in all matters relating to public communication and legislative procedures: and

WHEREAS, it is important that all members of the public and other stakeholders understand that testimony or communication by a City Council member in their official capacity as an individual member is of their own views, as opposed to representing the position or views of the entire City Council.

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

Section 1. The Aurora City Council hereby amends Appendix G, Section G of the Council Rules of Order and Procedure to read as follows:

> Public Communication. Council Members retain all their rights to freedom of speech granted them under the Federal Constitution and the Bill of Rights. Nevertheless, when a Council Member speaks to a member of the public **or comments or testifies on proposed legislation**, the Council Member should be careful to emphasize the fact that the Council Member is expressing his or her own views **and not that of the City Council or the Council Member's constituents**, unless the City Council has formally, as a body, adopted ~~a~~ **the same** position on the issue being discussed.
>
> **Example statement: "I [name] am speaking in my individual capacity, expressing my own views, and not those of the City Council or my constituents."**

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

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: _____
GEORGE KOUMANTAKIS, Deputy City Attorney

CITY OF AURORA
Late Submission Approval for Agenda Item

Item Title: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERNING VIRTUAL ATTENDANCE AT CITY COUNCIL MEETINGS; CAMERAS AND RECORDING DEVICES IN THE CHAMBERS; AND ONE PERSON AT THE PODIUM

Item Initiator: Jason Batchelor, City Manager

Staff Source/Legal Source: Jason Batchelor, City Manager/Andrea Wood, Assistant City Attorney

Outside Speaker: N/A

Council Goal: 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

CRITERIA - PLEASE CONSIDER ITEM FOR LATE SUBMISSION FOR THE FOLLOWING REASON:

☐ There is a time-sensitive legal requirement that must be met and cannot be met by a future meeting date

☐ The delay will result in an adverse financial impact to the city

☐ The item is related to a disaster and must be addressed before the next available meeting

☒ The item was requested by Council Member, Francoise Bergan

COUNCIL MEETING DATES FOR LATE SUBMISSION:

Study SessionN/A

Regular Meeting: 5/5/2025

EXPLANATION: *(Please provide a detailed explanation as to why the item falls into one or more of the above criteria and why it may not be set for a future meeting date.)*

This item was requested by Council Member Francoise Bergan.

I understand the agenda item will not be added to the agenda without submitting this completed form as an attachment in e-Scribe. The agenda item will not be added to the agenda if the workflow is not completed by the WORKFLOW COMPLETED date indicated on the agenda deadline calendar.

_____	Jason Batchelor _____
Agenda Item Initiator Name	Late Submission Approver Name (Council Appointee or DCM)
_____	_____ 04.25.25
Agenda Item Initiator Signature Date	Late Submission Approver Signature Date

CITY OF AURORA
Council Agenda Commentary

Item Title: Rules of Order and Procedure: Amendment Concerning Virtual Meetings
Item Initiator: Françoise Bergan, Council Member
Staff Source/Legal Source: Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 5/5/2025

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

Item requires a Public Hearing: ☐ Yes ☒ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

R2025-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERNING VIRTUAL ATTENDANCE AT CITY COUNCIL MEETINGS; CAMERAS AND RECORDING DEVICES IN THE CHAMBERS; AND ONE PERSON AT THE PODIUM
Sponsor: Françoise Bergan, Council Member
Jason Batchelor, City Manager / Andrea Wood, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item and Move Forward to Regular Meeting

☐ Information Only

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

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☒ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

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

☐ Recommends Approval ☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation ☐ Minutes Not Available

☐ Minutes Attached

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

N/A

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

Resolution to amend Council Rules.

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 Resolution?

LEGAL COMMENTS

The council shall prescribe rules of procedure to govern meetings. (Article 3-8 City Charter). The council shall determine its own rules and procedures and order of business and shall keep a journal of its proceedings. It may compel attendance of members and may punish members for misconduct. (Section 2-32 City Code). (Wood)

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERNING VIRTUAL ATTENDANCE AT CITY COUNCIL MEETINGS; CAMERAS AND RECORDING DEVICES IN THE CHAMBERS; AND ONE PERSON AT THE PODIUM.

WHEREAS, the Aurora City Council (Council) believes the election of an individual to the Council imposes a heavy responsibility to observe those tenets and requirements which flow from the solemn oath administered at the time of installation to office; and

WHEREAS, the Council wants the Rules for the Council to facilitate the fulfillment of the duties and responsibilities contained in the oath of office; and

WHEREAS, the Council desires to make certain changes to the Rules; and

WHEREAS, as authorized under Article III, Section 8 of the City Charter, the Council promulgates the Rules to govern meetings.

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

Section 1. The Aurora City Council hereby amends Section A.10. of the Council Rules of Order and Procedure to read as follows:

> Virtual Attendance at Meetings. Council Members may appear remotely, including off camera, at City Council Meetings, Special Council Meetings, Study Sessions, Special Study Sessions, and Executive Sessions ~~to accommodate conditions defined in Section A(9), in a declared emergency, or by giving notice to the City Clerk~~ ~~24 hours in advance~~.

Section 2. The Aurora City Council hereby amends Section E.5. of the Council Rules of Order and Procedure to read as follows:

> Guide of Procedures. The Mayor and City Attorney shall use as a guide for parliamentary procedures O. Garfield Jones, *Parliamentary Procedures at a Glance*, unless it is in conflict with City Council's Rules of Order and Procedure herein set forth, in which event these Rules shall prevail. The provisions of the Rules of Procedure, including the right to reconsider an item, may be suspended by a two-thirds vote of those present and voting.
>
> **a. The use of cameras or any other recording device is prohibited in the well of the City Council Chambers during any meeting or public comment session, except by City staff. Cameras and recording devices used in the designated seating areas of the chambers must not obstruct views, interfere with the session, or disrupt the decorum of the session.**

Section 3. The Aurora City Council hereby amends Section E.5. of the Council Rules of Order and Procedure to read as follows:

Public comment listening session will be a separate session, not part of a City Council Meeting agenda, limited to 40 minutes, and will take place from 6:00 p.m. to 6:40 p.m. on the same Mondays as Regular City Council meetings. Public comment listening session is limited to City related topics which are not on the agenda for the regular Council meeting. Persons wishing to address Council at a public comment listening session shall sign up to do so with the City Clerk on a first-come, first-served basis. Except that any individual who, when signing up, provides acceptable proof of Aurora residency to the City Clerk shall be placed in order before those who have not provided such proof. Proof of Aurora residency may include, but is not limited to, a government-issued identification card, utility bill, or lease agreement. Those wishing to address Council may sign up online before 1:00pm on the day of the public comment listening session, or may sign up in-person with the City Clerk no earlier than 5:00 p.m. and no later than 5:45 p.m. on the date they wish to be heard. Speakers shall provide their first and last name, address, phone number, and email address on the form when they sign up. Speakers shall appear at the public comment listening session in-person and speak from the podium in the Council Chambers of the Aurora Municipal Center. **Only one person will be permitted at the podium at a time. There may be more than one person at the podium only if a parent accompanies a minor child, or an interpreter accompanies a person needing assistance with the English language.** Council Members can join either in the Council Chambers on the dais or join virtually from a separate location, but will not interact with speakers, but may follow up later at their discretion. Once at the podium, the speaker shall state their true name and whether or not they are an Aurora resident. Speakers shall be limited to a maximum of two minutes of speaking time. The City Clerk or his/her designee will facilitate the public comment listening session.

a. whenever feasible, individuals or groups wishing to address the same topic are encouraged to coordinate and designate a single spokesperson to present their views on behalf of the group, in order to ensure efficient use of time, thereby giving other speakers the opportunity to be heard on various topics of interest.
b. If a public comment listening session, or the regular City Council meeting becomes disrupted to the extent that it jeopardizes the ability to conduct City business and Council decides to move the Council meeting to a virtual format, the City Manager is directed to order the Aurora Municipal Center closed to the public.
c. Upon a closure of the building during a public comment session, any remaining public comment time will be ~~suspended~~ **deemed to have expired**. Upon a closure of the building during a regular Council meeting, the City Council meeting will transition to a virtual format, and Council Members will not return to the dais.
d. If a closure of the building occurs prior to agenda items, members of the public who properly signed up to speak on a specific agenda item will be directed to an alternate location to participate virtually.

Section 4. The Aurora City Council hereby amends Section E.6. of the Council Rules of Order and Procedure to read as follows:

Public Comment on Agenda Items. In addition to the public comment session on non-agenda items, persons may speak during the regular Council meeting on any item scheduled for consideration on the regular meeting agenda. Speakers may only speak on the specific agenda item. Those wishing to address Council on any scheduled item must sign up online by 1:00pm on the day of the Council Meeting. The 1:00pm deadline does not apply to those signing up for items scheduled as public hearings. Speakers shall provide their first and last name, address, phone number, and email address when they sign up. As indicated in section E.5., those who provide acceptable proof of Aurora residency to the City Clerk shall be placed in order before those who have not provided such proof. The online sign up shall also indicate whether the speaker is for or against the agenda item. That information will then be relayed from the City Clerk to the Council Members by 5:00pm. Speakers shall appear in-person and speak from the podium. **Only one person will be permitted at the podium at a time. There may be more than one person at the podium only if a parent accompanies a minor child, or an interpreter accompanies a person needing assistance with the English language.** Once at the podium, the speaker shall state their true name and whether or not they are an Aurora resident. Speakers shall be limited to a maximum of three minutes. Public comment on agenda items will be limited to a total of 30 minutes, with the exception of those speaking on items scheduled as public hearings.

a. whenever feasible, individuals or groups wishing to address the same topic are encouraged to coordinate and designate a single spokesperson to present their views on behalf of the group, in order to ensure efficient use of time, thereby giving other speakers the opportunity to be heard on various topics of interest.

Section 5. The Aurora City Council hereby amends Section E.9.(a)(iv) of the Council Rules of Order and Procedure to read as follows:

Members of the public may speak on the specific topic of the public hearing, provided that they have submitted a speaker's slip to the City Clerk prior to the opening of the public hearing. Speakers shall appear in-person and speak from the podium. **Only one person will be permitted at the podium at a time. There may be more than one person at the podium only if a parent accompanies a minor child, or an interpreter accompanies a person needing assistance with the English language.** Each speaker shall state their true name, whether or not they are an Aurora resident, and indicate whether they support, oppose, or are neutral about the proposal. Presentations by members of the public shall be limited to three (3) minutes.

Section 6. The Aurora City Council hereby amends Section E.9.(b)(v) of the Council Rules of Order and Procedure to read as follows:

Members of the public may speak on the specific topic of the public hearing. Speakers shall appear in-person and speak from the podium. **Only one person will be permitted at the podium at a time. There may be more than one person at the podium only if a**

parent accompanies a minor child, or an interpreter accompanies a person needing assistance with the English language. Each speaker shall state their true name, whether or not they are an Aurora resident, and indicate whether they support, oppose, or are neutral about the item on appeal. Presentations by members of the public shall be limited to three (3) minutes.

Section 7. All resolutions or part of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: Andrea Wood _____
ANDREA WOOD, Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: W2 Dillon Companies, LLC Incentive
Item Initiator: Tom Oldenburg, Project Manager, Planning and Business Development
Staff Source/Legal Source: Tom Oldenburg, Project Manager, Planning and Business Development / Rachel Allen, Deputy City Attorney
Outside Speaker: NA
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: NA

Regular Meeting: 5/5/2025

2nd Regular Meeting (if applicable): NA

Item requires a Public Hearing: ☐ Yes ☒ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

R2025-48 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO ("CITY") AND DILLON COMPANIES, LLC
Sponsor: Steve Sundberg, Council Member
Tom Oldenburg, Project Manager, Planning and Business Development / Rachell 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.)*

Dillon Companies, LLC (King Soopers / Kroger) is requesting consideration of an incentive to develop a 29.2-acre parcel at the southeast corner of 56th Avenue and Picadilly Road. The incentive is requested to build out the site before the area population is sufficient to warrant construction at the location.

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

The development will be anchored by a 123,000-square-foot King Soopers Marketplace store. The King Soopers will include a pharmacy with a drive-through and more aisles of general merchandise than a smaller store. The build out will also include a 24,000-square-foot junior anchor on the east side of King Soopers, a 7,200-square-foot multi-tenant retail building on the west side, and a total of nine retail pad sites located along both 56th Avenue and Picadilly Road frontages. One of these pad sites will contain the King Soopers fuel center.

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.)

The project will generate new sales tax revenue for the city.

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.)

50% of the new project revenue will fund the incentive up to $4.5 million.

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.)

Existing staff will manage the incentive.

QUESTIONS FOR COUNCIL

Does Council wish to approve the incentive agreement?

LEGAL COMMENTS

Notwithstanding any law to the contrary, the city may negotiate with any taxpayer who establishes, expands, or redevelops a commercial or industrial enterprise in the city for the waiver of sales or use taxes levied by the city upon such taxpayer as an incentive to the establishment, expansion, or redevelopment of such enterprise. (City Code Sec. 130-298).

(a) The terms and conditions of any sales or use tax waiver granted by the city shall be set forth in a written agreement between the city and the taxpayer, approved by resolution of the city council, and executed by the mayor.

(b) The city council may consider the following factors in determining whether to enter into an agreement for the waiver of sales or use tax:

(1) The length of time during which the taxpayer intends to operate the commercial or industrial enterprise.

(2) The number of jobs in the city which are likely to be generated directly or indirectly as a result of the commercial or industrial enterprise.

(3) The extent to which the taxpayer establishing, expanding, or redeveloping the commercial or industrial enterprise intends to encourage its employees at the commercial or industrial enterprise to reside within the city and to recruit new employees from residents of the City.

(4) The extent to which the taxpayer establishing, expanding, or redeveloping the commercial or industrial enterprise intends to contract with city residents and city-based companies for services and goods at the commercial or industrial enterprise.

(5) The extent of capital investment in the City by the taxpayer.

(6) The extent to which the commercial or industrial enterprise will generate other tax revenue for the City, county, and state.

(7) The extent of the public benefits to be derived from the agreement.

(c) At a minimum, any agreement relating to the waiver of city sales or use tax shall be subject to the following requirements:

(1) The taxpayer shall establish, expand, or redevelop a commercial or industrial enterprise in the city and maintain full operations at such facility for such period of time as determined by the city council;

(2) The taxpayer shall warrant to the city that the commercial or industrial enterprise shall be in compliance with all applicable zoning and other federal, state, county, and city statutes, rules, regulations, and ordinances; and

(3) The terms of the agreement between the city and the taxpayer shall provide for sanctions, including but not limited to termination of the agreement and reimbursement of sales or use tax waived by the city with reasonable interest thereon, if the taxpayer fails to meet its obligations thereunder. Such agreement shall further provide procedures and remedies to enforce all terms and conditions therein, including but not limited to the imposition of liens upon real and personal property.

(d) The decision whether to enter into an agreement for the waiver of city sales or use tax shall be at the sole discretion of the city council. No such agreement shall be entered into by the city pursuant to this section prior to the approval of such agreement by the city attorney as to form. (City Code Sec. 130-299).

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO (“CITY”) AND DILLON COMPANIES, LLC

WHEREAS, Dillon Companies, LLC, a Kansas Limited Liability Company (“Developer”), is engaged in the acquisition, development and investment of commercial real estate property; and

WHEREAS, Developer has committed to developing a 29.2 acre site at the southeast corner of 56th Avenue and Picadilly Road by placing into operation (a) a 123,000 square foot King Soopers Marketplace, (b) a King Soopers fuel center and approximately (8) eight additional pad sites along Picadilly Road and 56th Avenue, (c) a Jr. anchor retail store of approximately 24,000 square feet, (d) an approximately 7,200 square feet multi-tenant retail building (the "Project") and adjacent public improvements; and

WHEREAS, This Agreement will result in substantial economic benefit to the City and its residents; and

WHEREAS, The proposed construction of adjacent public improvements will improve traffic flow and safety along 56th Avenue and Picadilly Road; and

WHEREAS, Chapter 130, Article II, Division 8, Sections 130-296 and 130-299, (the "Sales and Use Tax Waivers for Commercial and Industrial Enterprises Ordinance"), constituting a part of the Aurora City Code (the "Code"), authorizes the City to enter into an economic development incentive agreement with the Developer of a new retail project which will stimulate economic development and result in the creation of new jobs; and

WHEREAS, Chapter 130-299 of the City Code requires the terms and conditions of any sales and use tax incentive be set forth in a written agreement between the Parties, which agreement must be approved by resolution by the City Council and executed by the Mayor; and

WHEREAS, The City Council wishes to utilize the methods authorized in the Sales and Use Tax Waivers for Commercial and Industrial Enterprises Ordinance to encourage Developer to proceed with the Project in the form contemplated by this Agreement.

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

Section 1. The Economic Development Incentive Agreement Between the City of Aurora and Dillon Companies, LLC, a Kansas Limited Liability Company, regarding the King Soopers Marketplace and Fuel Center is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement in substantially the form presented at this meeting with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney.

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

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: _____
RACHEL ALLEN, Deputy City Attorney

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ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, AND DILLON COMPANIES, LLC

THIS AGREEMENT (the "Agreement"), made and entered into as of the _____day of _____, 2025, by and between the CITY OF AURORA, COLORADO, a home rule municipal corporation and political subdivision of the State of Colorado (the "City"), and DILLON COMPANIES, LLC, a Kansas limited liability Company (the “Developer”). City and Developer may hereinafter be referred to individually as a "Party" and collectively as the "Parties."

WITNESSETH:

WHEREAS, Developer is engaged in theacquisition, development and investment of commercial real estate property; and

WHEREAS, Developer has committed to developing a 29.2 acre site at the southeast corner of 56th Avenue and Picadilly Road by placing into operation (a) a 123,000 square foot King Soopers Marketplace, (the “Grocery Store”) (b) a King Soopers fuel center (the “Fuel Center”) and approximately (8) eight additional pad sites along Picadilly Road and 56th Avenue, (c) a junior anchor retail store of approximately 24,000 square feet, (d) an approximately 7,200 square feet multi-tenant retail building (the "Project") and adjacent public improvements; and

WHEREAS, Chapter 130, Article II, Division 8, Sections 130-296 and 130-299, (the "Sales and Use Tax Waivers for Commercial and Industrial Enterprises Ordinance"), constituting a part of the Aurora City Code (the "Code"), authorizes the City to enter into an economic development incentive agreement with the Developer of a new retail project which will stimulate economic development and result in the creation of new jobs; and

WHEREAS, The Agreement will result in substantial economic benefit to the City and its residents; and

WHEREAS, The proposed development and adjacent infrastructure will stimulate continued development in Northeast Aurora, growing the City's tax base and bringing new revenue to the City; and

WHEREAS, The proposed construction of adjacent public improvements will improve traffic flow and safety along 56th Avenue and Picadilly Road; and

WHEREAS, Based upon the representations made by Developer to the City, the Project is expected to generate economic benefits for City residents and generate a high level of taxable sales per square foot and net new sales in the City and have a reasonable expectation of long-term operations in the City; and

WHEREAS, Developer has requested that the City enter into this Economic Development Incentive Agreement with Developer pursuant to the Sales and Use Tax Waivers for Commercial and

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Industrial Enterprises Ordinance; and

WHEREAS, The City Council wishes to utilize the methods authorized in the Sales and Use Tax Waivers for Commercial and Industrial Enterprises Ordinance to encourage Developer to proceed with the Project in the form contemplated by this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and provisions herein contained, the Parties hereto covenant and agree as follows:

ARTICLE I.
REPRESENTATIONS AND COVENANTS

Section 1.01. Representations of the City. The City represents that:

(a) The City is a home rule municipal corporation of the State of Colorado;
(b) There is no litigation or administrative proceeding pending or, to the knowledge of the City threatened, seeking to question the authority of the City to enter into or perform this Agreement;
(c) The City has authority, and the Council has properly and regularly authorized the City to enter into this Agreement and to fully perform all of the obligations and undertakings of the City hereunder; and
(d) The Project is, for all purposes, an appropriate and proper development project as contemplated under the Sales and Use Tax Waivers for Commercial and Industrial Enterprises Ordinance.

Section 1.02. Covenants of the City. The City covenants that:

(a) The City will create a special tax allocation account (the "Tax Allocation Account") as contemplated by the Sales and Use Tax Waivers for Commercial and Industrial Enterprises Ordinance.

(b) Each year, the City Manager shall include in the budget presented to the Council pursuant to Article XI, Part 1 of the Aurora City Charter (the "Charter") the appropriation of the Allocated Revenues (as defined below) for payment to Developer as provided in this Agreement. Nothing in this Section shall be construed as obligating the Council to appropriate the Allocated Revenues in any fiscal year; and

(c) The City will work with the Developer in timely implementation of Planning Approvals (as defined below) in such a manner as to allow Developer to complete the Project pursuant to the deadlines set forth in this Agreement.

Section 1.03. Representations of Developer. Developer represents that:

(a) Developer is a limited liability company, duly organized and validly existing under the laws of the State of Kansas, is authorized to do business in the State of Colorado, is not in

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violation of any provisions of its organizational documents or, to its knowledge, the laws of the State of Colorado, and has the power and legal right to enter into this Agreement and has duly authorized the execution, delivery and performance of this Agreement by proper action, which Agreement shall be enforceable against Developer in accordance with its terms;

(b) The consummation of the transactions contemplated by this Agreement will not violate any provisions of the governing documents of the Developer or, to its knowledge, constitute a default or result in the breach of any term or provision of any contract or agreement to which Developer is a Party or by which it is bound; and

(c) To its knowledge, there is no litigation, proceeding, or investigation contesting the power or authority of Developer with respect to the Project or this Agreement, and Developer is unaware of any such litigation, proceeding, or investigation that has been threatened.

Section 1.04. **Covenants of Developer.** Developer covenants that:

(a) Developer shall submit a site plan to the City in accordance with all applicable procedures set forth in Chapter 146 of the City Code (the "Site Plan"). Developer shall develop the Project, inclusive of all public improvements, with appropriate care and diligence and cause the Project to be constructed in a manner consistent with the Site Plan, as approved in accordance with all applicable procedures set forth in Chapter 146 of the City Code (the Site Plan and any amendments thereto are collectively referred to herein as the "Planning Approvals'');

(b) If the project moves forward, Developer will cause the Project site to be developed in accordance with the Project description outlined in the attached Appendix B.

(c) In developing the Project site and placing the Project in operation, Developer will comply with all applicable zoning and land use requirements and other applicable federal, state, county, and City statutes, rules, regulations, and ordinances.

(d) Developer will use commercially reasonable efforts to begin construction of the offsite improvements, onsite infrastructure, Grocery Store and Fuel Center construction prior to July 1, 2026.

(e) Developer will use commercially reasonable efforts to cause the construction of the offsite improvements, onsite infrastructure, Grocery Store and Fuel Center construction to be complete to allow for occupancy prior to July 1, 2027.

(f) Developer shall provide to the Manager of Retail and Redevelopment of the City (i) evidence of the ownership of the land associated with the Project prior to obtaining the building permits for construction of the Grocery Store or Fuel Center; (ii) a copy of the articles of incorporation for the entity under contract to purchase the land associated with the Project as of the date of this Agreement; (iii) a copy of the operative provisions of the operating agreement that transfers the legal ownership of the parcels associated with the Project for the

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Grocery Store and Fuel Center to Developer; and (iv) a copy of the documents evidencing the land transfer to Dillon Companies, LLC (Developer), upon execution of such transfer;

(g) Developer shall use reasonable efforts to notify the City within thirty (30) days of the execution of all lease, purchase or sale agreements with a new tenant or buyer for any portion of the Project;

(h) Developer shall ensure that any monetary encumbrance or lien that has been or may have been created on or attached, whether by voluntary act of Developer or otherwise, to all or any portion of any improvement, title to which is to be dedicated to the City, shall be removed in its entirety before the conveyance of such improvement to the City; and

ARTICLE II.
PROJECT TAX REVENUES; ALLOCATED REVENUES

Section 2.01. **Allocation of Sales Taxes.** In consideration of the performance by Developer of its representations and covenants under this Agreement, the City agrees to:

(a) Share the allocation of the sales tax pursuant to the terms of this Agreement Section 2.07 with the Developer for a period of up to ten (10) years commencing on the date of the City's issuance of a final Certificate of Occupancy for the Grocery Store, or July 1, 2027, whichever occurs first (the "Sales Tax Allocation Period");

(b) Account for all sales tax revenues received by the City and attributable to retail sales of tangible personal property and taxable services by Developer and any other occupant, tenant, owner and/or licensee conducting business at the project site in each succeeding twelve-month period following the commencement of the Sales Tax Allocation Period ("Project Sales Tax Revenues"); and

(c) Credit fifty percent (50%) of Project Sales Tax Revenues to the Tax Allocation Account as provided in Section 2.07 as of the last day of the month during which the City receives such revenues (the 'Sales Tax Allocation Date'), except as otherwise provided in Section 2.07.

As used in this Agreement, references to "sales tax" shall have the meaning ascribed to such term in Chapter 130, Article II of the Code, but shall expressly exclude the .25% sales tax dedicated to increased staffing of the City police department and operation and maintenance of the City detention facility that is not included in any rebate, credit and incentive from the City to the Developer.

Section 2.02. **Determination of Project Sales Tax Revenues.** The Director of Finance of the City shall determine, from sales tax returns and other appropriate financial records of the City, the amount of Project Sales Tax Revenues for each twelve- month period during the term of this Agreement. Project Sales Tax Revenues shall include only the amount of sales taxes reported on such returns and actually remitted to the City in such month by Developer and any other occupant, tenant, owner and/or licensee conducting business at the Project site, but shall exclude the amount of any

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sales taxes credited or refunded to, or retained by Developer and any other retailer conducting business at the Project Site in accordance with the provisions of Chapter 130, Article II of the Code.

Section 2.03. Computation of Project Sales Tax Revenues. The City's Director of Finance shall determine the amount of Project Sales Tax Revenues received by the City in accordance with the Incentives Ordinance and Code. Developer acknowledges that the sales tax returns filed by any other retailer conducting business at the Project are confidential and agrees not to request such returns from the City, provided, however, Developer shall be entitled to request and receive from the City an accounting of the City's determination of Project Sales Tax Revenues.

Section 2.04. Allocation of Use Taxes. In consideration of the performance by Developer of its obligations under this Agreement, the City agrees to:

(a) For a period of fifteen (15) months, commencing on the date of the Building Permit for the Grocery Store (the 'Use Tax Allocation Period'), account for all use tax revenues received by the City attributable to the storage, use, or consumption of construction materials to build, construct, or improve the Grocery Store and Fuel Center. ("King Soopers Use Tax Revenues"); and

(b) Credit all such King Soopers Use Tax Revenues to the Tax Allocation Account as provided in Section 2.07 as of the last day of the month in which such revenues are received by the City (the 'Use Tax Allocation Date').

As used in this Agreement, references to use tax shall have the meaning ascribed to such term in Chapter 130, Article II of the Code, but shall exclude the .25% use tax dedicated to increased staffing of the Aurora Police Department and operation and maintenance of the City detention facility.

Section 2.05. Determination of Amount of King Soopers Use Tax Revenues Received by the City. The Director of Finance of the City shall determine, from building permits and other appropriate financial records of the City, the amount of King Soopers Use Tax Revenues for each month during the Use Tax Allocation Period. King Soopers Use Tax Revenues shall include only the amount of use taxes reported on such permits and actually remitted to the City in such month with respect to the Grocery Store and the Fuel Center.

Section 2.06. Computation of King Soopers Use Tax Revenues. The determination of the amount of Project Use Tax Revenues received shall be made by the City's Director of Finance in accordance with the Incentives Ordinance and Code.

Section 2.07. Allocated Revenues. The City will retain fifty percent (50%) of Project Sales Tax Revenues. An amount equal to fifty percent (50%) of Project Sales Tax Revenues identified each month during the Sales Tax Allocation Period and term of this Agreement, and fifty percent (50%) of the King Soopers Use Tax Revenues identified each month during the Use Tax Allocation Period (collectively, the "Allocated Revenues"), shall be credited to the Tax Allocation Account. The total aggregate amount to be credited to the Tax Allocation Account from Project Sales Tax Revenues and

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King Soopers Use Tax Revenues shall not exceed Four Million Five Hundred Thousand and 00/100 Dollars ($4,500,000.00) (the "Incentive").

Section 2.08. Budget and Appropriation of Payments. The City Manager of the City (or any other officer or employee at the time charged with the responsibility of formulating budget proposals for the City) is hereby directed to include in the budget proposals submitted to the Council, in each year before termination of this Agreement, amounts sufficient to meet the obligation of the City hereunder, to the extent the City shall have received such amounts, or anticipates receiving such amounts from Project Sales Tax Revenues. The City hereby represents that it presently intends to fully appropriate the amounts under this Agreement to the extent permitted by the law; provided, however, that nothing in this Section shall be construed as obligating the Council to appropriate the Allocated Revenues in any fiscal year.

Section 2.09. Payments to Developer Limited to Amounts of Allocated Revenues Actually Received by the City. The City shall in no event be required to pay the Developer, with respect to any period, any amount greater than the Allocated Revenues actually received by the City during such period and credited to the Tax Allocation Account. The Developer acknowledges that the generation of Project Sales Tax Revenues and King Soopers Use Tax Revenue is entirely dependent upon the successful development and operation of the Project and agrees that the City is in no way responsible for the amount of Project Sales Tax Revenues and King Soopers Use Tax Revenues actually generated.

Section 2.10. Inclusion of Retailer-Owned Property. In the event that the Developer sells any portion of the Project to a project retailer or retailers in compliance with Section 6.03, such property and project retailer or retailers shall continue to be considered a part of the Project for all purposes under this Agreement, including without limitation, the calculation of Project Sales Tax Revenues and King Soopers Use Tax Revenues.

ARTICLE III.
PAYMENTS BY THE CITY

Section 3.01. General. The City shall make payments to the Developer from amounts credited to the Tax Allocation Account, in accordance with Section 3.02, for the public purpose of encouraging Developer to develop, rehabilitate and to place the Project in service (payments for this purpose being referred to herein as "Incentive Payments").

Section 3.02. Incentive Payments. The City shall make Incentive Payments monthly. Developer is first eligible to receive Incentive Payments on the last day of the month following the month in which all the following are satisfied: (i) the Grocery Store and Fuel Center are open to the public, (ii) the Developer has completed construction of the offsite, onsite, grocery store and fuel center improvements, and (iii) the Developer has provided written proof of the actual project costs (using the form attached hereto as Appendix C) to the Manager of Business Development and Redevelopment of the City. (the 'Initial Payment Date'). Succeeding incentive payments shall be made monthly following the Initial Payment Date throughout the term of this Agreement (the "Succeeding Payment Dates"). Notwithstanding anything contained herein to the contrary, in no event will the

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actual costs as set forth on the Actual Cost Report increase the Incentive under this Agreement.

The City shall collect the King Soopers Use Tax Revenues from the Developer and shall rebate fifty (50%) of the collected Project Use Tax Revenues back to Developer beginning within forty-five (45) days of the Developer's request for the rebate and the Developer providing proof to the City's reasonable satisfaction as determined by the Manager of Business Development and Redevelopment that (i) the Grocery Store and Fuel Center are open to the public, (ii) offsite, onsite, grocery store and fuel center improvements are completed to meet occupancy requirements for the grocery store and fuel center (Temporary Certificate of Occupancy), (iii) the Developer has provided the Actual Cost Report to the Manager of Business Development and Redevelopment of the City (the "Initial Payment Date"). Such Project Use Tax Revenues rebates shall continue on Succeeding Payment Dates.

Section 3.03. No Debt or Pecuniary Liability; No Multiple-Fiscal Year Obligation. All Incentive Payments hereunder in any year shall be expressly subject to annual appropriation by the Council and the Council may, in its reasonable discretion, decline to appropriate the funds for such payments. The Developer understands and agrees that the obligation of the City to make Incentive Payments hereunder shall constitute a currently budgeted expense of the City and nothing contained herein shall constitute a mandatory liability, charge, or requirement of or against the City in any ensuing fiscal year beyond the then current fiscal year. None of the obligations of the City hereunder to the Developer shall be payable from any source other than the Allocated Revenues. This Agreement shall never constitute a debt, indebtedness, or multiple fiscal year financial obligation of the City within the meaning of the Constitution or laws of the State of Colorado.

Section 3.04. Annual Amounts Due. The amounts to be paid to the Developer under the terms of this Agreement shall not in any event exceed the amount of Allocated Revenues available therefore in the Tax Allocation Account as of the date the Incentive Payment obligation is determined. No delay in payment of such amounts due to a lack of sufficient Allocated Revenues shall ever be a default hereunder. Developer shall have no right to any adjustment for inflation or the cost of funds, regardless of the time that may elapse between the time that Project Sales Tax Revenues and Project Use Tax Revenues are generated, identified, collected and allocated by the City, and the time that such Revenues are paid to Developer.

Section 3.05. Prepayment of Incentive. Nothing in this Agreement shall be construed so as to preclude the City in its sole discretion from prepaying, at any time during the term of this Agreement, all or a portion of the outstanding Incentive balance from any lawfully available funds of the City.

ARTICLE IV.
COMPLIANCE AND REPORTING

Section 4.01. Retailers' Reports. To enable the City to make appropriate credits to the Tax Allocation Account, the Developer agrees that it will submit annually to the Manager of Business Development and Redevelopment of the City an alphabetical list (the "Retailers' Report") of all Project occupants in the Project during the prior year. The Retailers' Report shall contain all occupants either owning property in the Project or having leases and/or licenses over thirty (30) days but less than one (1) year ('Short Term Leases') and all retailers with leases and/or licenses over one

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(1) year ('Long Term Leases'). The Developer agrees to submit a yearly Retailers' Report to the Manager of Business Development of the City no later than January 31 of each year, which shall list all retailers with Short-Term Leases and Long-Term Leases that were active in the Project during the year. Subject to City verification, the Retailers' Report will be used as the basis for allocations of Project Sales Tax Revenues and Project Use Tax Revenues to the Tax Allocation Account. No corrections of the Retailers' Reports submitted in any calendar year shall be made by Developer after January 31 of the following calendar year.

Section 4.02. Project Costs Report. By no later than August 31, 2027, Developer shall submit to the Manager of Business Development and Redevelopment of the City the Actual Cost Report, as reflected in Appendix C

ARTICLE V.
DEFAULTS AND REMEDIES

Section 5.01. Events of Default. Each of the following shall constitute an Event of Default under this Agreement:

(a) **Defaults by the City.** Events of Default by the City hereunder shall be limited to the following:

(1) Failure to account for Project Sales Tax Revenues and/or Project Use Tax Revenues as provided herein; or

(2) Failure to allocate Project Sales Tax Revenues and/or Project Use Tax Revenues to the Tax Allocation Account as provided herein; or

(3) Subject to Section 3.03, failure to pay the Allocated Revenues to the Developer as provided herein; or

(4) Failure of City to perform any of its covenants under Article II hereunder; or

(5) Failure of City to perform any other material obligation of City under this Agreement, in each case subject to the giving of not less than thirty (30) days' notice in writing by the Developer, specifying the nature of the Event of Default and requesting that it be corrected within that period (the "City's Cure Period"). No act, event, or omission shall be an Event of Default hereunder so long as the City has in good faith commenced and is diligently pursuing efforts to correct the condition specified in such notice or if City's failure to perform is caused by Force Majeure or by any act, omission, or Event of Default by Developer.

(b) **Defaults by Developer.** Events of Default hereunder by Developer shall be limited to the following:

(1) Any representation or warranty made herein by Developer was materially and

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knowingly inaccurate when made during the term of this Agreement; or

(2) Developer has attempted or permitted any assignment of its rights under this Agreement that is not expressly permitted under Section 6.03 hereof, or agreed to by the City; or

(3) The City shall determine that Developer has substantially ceased work on the Project for reasons other than Force Majeure (as defined below) for any period more than six (6) consecutive months; or

(4) Failure of Developer to perform any of its covenants under Article I hereof; or

(5) Failure of Developer to provide required reports and/or documents to the Manager of Business Development and Redevelopment of the City; or

(6) Failure of the Developer to perform any other material obligation of the Developer under this Agreement; or

(7) Failure of the Developer to meet any construction deadline for the Developer under this Agreement, unless caused by the delay or inaction of the City and/or anyone acting by, through or under the City.

In each case subject to the giving of not less than thirty (30) days' notice in writing by the City, specifying the nature of the Event of Default and requesting that it be corrected within the that period (the "Developer's Cure Period"), and, in the City's sole discretion, tolling the passage of time after any applicable notice and cure period for purposes of ceasing all payments hereunder until the condition specified in such notice is remedied to the City's satisfaction. No act, event, or omission shall become an Event of Default hereunder if the Developer's failure to perform is caused by Force Majeure or by any act, omission or Event of Default by the City.

Section 5.02. Remedies. The following remedies shall be available for Events of Default hereunder:

(a) **Remedies of the City.** The City's remedies for an Event of Default by Developer that is not cured within the applicable Developer's Cure Period shall be strictly limited to the right to terminate this Agreement by delivery of written notice to Developer, effective as of the date such notice is delivered.

(b) **Remedies of the Developer.** Developer's remedies for an Event of Default by the City not cured within the applicable City's Cure Period, provided the City Manager budgets as required in Section 2.08 above during the term of this Agreement, shall be strictly limited to an action requiring the City to:

(1) Account for the Project Sales Tax Revenues and/or King Soopers Use Tax Revenues; and

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(2) Pay the Developer any Allocated Revenues that have been appropriated pursuant to Section 3.03 and that are owing to Developer under the terms of this Agreement.

Section 5.03. Excess Payment. The Developer specifically covenants and agrees that it will reimburse to the City any amounts determined to have been wrongfully, mistakenly, or incorrectly paid to Developer by the City in excess of the Incentive.

ARTICLE VI.
MISCELLANEOUS

Section 6.01. Effective Date of Allocation. The City's commitment to allocate Project Sales Tax Revenues and the King Soopers Use Tax Revenues to the Tax Allocation Account described herein shall become effective upon the full execution of this Agreement and shall terminate on the date that the payment obligations of the City under Article III hereof have been paid in full, unless terminated earlier pursuant to the terms of this Agreement.

Section 6.02. Binding Effect. This Agreement and the rights and obligations created hereby shall be binding upon and inure to the benefit of the City, the Developer and their respective successors and assigns, if any.

Section 6.03. Assignability. The qualifications of Developer are of particular concern to the City. It is because of those qualifications that the City has entered into this Agreement with the Developer. Additionally, the Parties agree that the successful commercial profitability of the Project is based on the retail activity and regional public improvement by Developer because Developer's presence and commercial activity during the term of this Agreement will significantly contribute to the profitability, viability and success of the Project.

No successor in interest of the Developer shall acquire any interest under this Agreement except by means of (a) a transfer to an affiliate of Developer, (b) a transfer of stock to a publicly held corporation created by, related to, or affiliated with Developer, or (c) the transfer of the beneficial interest in any publicly held partnership or real estate investment trust created by, related to, or affiliated with Developer. For purposes of this Agreement, any such entity to which any such interest under this Agreement has been transferred shall be referred to as a "Qualified Assignee" in accordance with the following requirements:

(a) The net assets of the assignee entity shall not be less than the net assets of the Developer at the time of such an assignment.

(b) Such assignee shall possess qualifications commensurate with Developers, with a minimum of 10 (ten) years expertise in the field.

(c) Such assignee shall continue to operate the business conducted on the Project in the same manner as Developer and pursuant to all the provisions of this Agreement.

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(d) Such assignee shall assume for the benefit of the City in writing all the Developer's obligations hereunder and Developer shall provide the City with a copy of such assignment which shall be in form and substance reasonably satisfactory to the City.

(e) The Developer continues to remain liable on this agreement for the performance of all terms.

(f) The Developer shall provide the City with written notice of the aforementioned transactions.

This Agreement is not assignable by Developer or transferable by operation of law or otherwise; provided, however, that the Developer or any permitted successor to the Developer shall have the right to assign this Agreement to a Qualified Assignee, as outlined in this Section. Any assignment or other transfer by Developer in violation of this Section shall be void and shall vest no rights in the purported assignee or transferee but shall not constitute an Event of Default hereunder.

For purposes of this Agreement, the term "affiliate" shall mean a corporation, limited liability company, partnership, joint venture, association, business trust or similar entity organized under the laws of the United States of America or a state thereof which directly or indirectly controls, is controlled by, or is under common control with the Developer and, as to natural persons, shall also include the immediate family, spouse, parents, lineal descendants and siblings of such persons, and any other person who resides with the identified persons. For purposes of this definition and this Agreement, "control" means the power to direct the management and policies of a person through the ownership of at least a majority of its voting securities or otherwise, or the right to designate or elect at least a majority of the members of its governing body by contract or corporate membership rights or otherwise; and the term "person" means an individual, association, unincorporated organization, corporation (for profit or nonprofit), limited liability company, partnership, joint venture, business trust or government or agency or a political subdivision thereof, or any other entity.

The foregoing restrictions on assignment shall not apply to any pledge or encumbrance of Developer's or any permitted successor's rights under this Agreement in favor of any lender or other person providing financing for development or operating costs for the Project, provided that the foreclosure or other disposition of Developer's rights pursuant to such pledge or encumbrance shall never be permitted to occur separately from a foreclosure upon the Project itself and that the City shall never be required to make payments under this Agreement to anyone other than Developer or a Qualified Assignee to the extent permitted hereunder. Upon any foreclosure, such foreclosing lender shall be deemed for all purposes a Qualified Assignee hereunder.

The Developer shall pay the City Two Thousand and 00/100 Dollars ($2,000.00) for fees and administrative expenses for the execution of any assignment.

Section 6.04. Amendments. This Agreement may be modified, amended, or changed, in whole or in part, only by an agreement in writing duly authorized and executed by both Parties with the same formality as this Agreement.

Section 6.05. Waiver. The waiver of any breach of any provision of this Agreement by any Party shall not constitute a continuing waiver of any subsequent breach of such Party, for either breach

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of the same or any other provision of this Agreement.

Section 6.06. Entire Agreement. Except as may otherwise be provided herein, this Agreement represents the entire understanding of the Parties with respect to the subject matter hereof and neither Party has relied upon any fact or representation not expressly set forth herein.

Section 6.07. Headings for Convenience. The headings and captions used herein are for the convenience of the Parties only and shall have no effect upon the interpretation of this Agreement.

Section 6.08. No Implied Terms. No obligations, agreements, representations, warranties, or certificates, express or implied, shall be implied from this Agreement, beyond those expressly stated herein.

Section 6.09. Effect of Invalidity. Each section of this Agreement is intertwined with the others and is not severable unless by mutual consent of the Parties. Should the credit of Allocated Revenues to the Tax Allocation Account, or their payment from the Tax Allocation Account to Developer, be judicially judged illegal, invalid or unenforceable under present laws effective during the term of this Agreement or contrary to public policy by a court of competent jurisdiction in a final non-appealable judgment, this Agreement shall immediately terminate. Otherwise, should any one or more provisions of this Agreement be judicially adjudged illegal, invalid or unenforceable under present or future laws effective during the term of this Agreement or contrary to public policy by a court of competent jurisdiction in a final non-appealable judgment without a corresponding determination being made with regard to such allocation or payments, and the basis of the bargain between the Parties hereto is not destroyed or rendered ineffective thereby, the remainder of this Agreement, or the application of such provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby.

Section 6.10. Governing Law; Venue. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Colorado, without regard to the choice of law thereof. The Parties agree that venue for any litigated disputes regarding this Agreement shall be the federal and state courts in and for Arapahoe County, Colorado. Each Party hereby agrees that any litigated dispute regarding this Agreement shall be tried to a judge without a jury, and expressly waives any right to a trial by jury.

Section 6.11. Entitlements. Approval of this Agreement by the City does not imply the approval of any development plan related to the Project, and the City makes no expressed or implied representation, assurance or commitment that Developer may lawfully construct, occupy, and operate the Project. Developer is required to engage in the normal City approval processes, which may include zoning, building, licensing, inspection and other requirements before constructing, occupying or operating the Project. Developer hereby warrants to the City that, as of the date of this Agreement to the Developer's knowledge, the Project shall be in material compliance with all applicable zoning and other federal, state, county, and City statutes, rules, regulations, and ordinances, subject to any waivers or variances that Developer may obtain.

Section 6.12. Open Records. The City will comply with the Colorado Open Records Act in

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connection with any requests for this Agreement or any documents or information related to or prepared in connection therewith, and if the City receives a request for information under such act, the City will promptly notify Company of the request.

Section 6.13. Multiple Originals. This Agreement may be simultaneously executed in any number of counterparts, each of which shall be deemed original but all of which constitute one and the same Agreement

Section 6.14. No Attorney's Fees or Costs. In the event of any litigation, mediation, arbitration or other dispute resolution process arising out of this Agreement, the Parties agree that each shall be responsible for its own costs and fees associated with any such legal action.

Section 6.15. Expenses and Apportionment. Except as otherwise expressly set forth in this Agreement, each of the Parties will bear its own expenses in connection with the transactions contemplated by this Agreement.

Section 6.16. Joint Draft. The Parties agree they drafted this Agreement jointly with each having the advice of legal counsel and an equal opportunity to contribute to its content.

Section 6.17. Intent of Agreement. This Agreement is intended to describe the rights and responsibilities of and between the Parties and is not intended to and shall not be deemed to confer any rights or responsibilities upon any persons or entities not signatories hereto.

Section 6.18. Joint Draft. The Parties agree they drafted this Agreement jointly with each having the advice of legal counsel and an equal opportunity to contribute to its content.

Section 6.19. Intent of Agreement. This Agreement is intended to describe the rights and responsibilities of and between the Parties and is not intended to, and shall not be deemed to confer any rights or responsibilities upon any persons or entities not signatories hereto.

Section 6.20. Notices. All notices, consents, reports, demands, requests and other communications required or permitted hereunder ("Notices") shall be in writing, and shall be: (a) personally delivered with a written receipt of delivery; (b) sent by a nationally recognized overnight delivery service requiring a written acknowledgement of receipt or providing a certification of delivery or attempted delivery; or (c) sent by PDF or email with an original copy thereof transmitted to the recipient by one of the means described in subsections (a) or (b). All Notices shall be deemed effective when actually delivered as documented in a delivery receipt; provided, however, that if the Notice was sent by overnight courier or mail as aforesaid and is affirmatively refused or cannot be delivered during customary business hours by reason of the absence of a signatory to acknowledge receipt, or by reason of a change of address with respect to which the addressor did not have either knowledge or written notice delivered in accordance with this

To the City:
15151 East Alameda Parkway
Aurora, Colorado 80012

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Attention: Manager of Business Development and Redevelopment
Email: roliva@auroragov.org

Copy to:
15151 East Alameda Parkway, 5th Floor
Aurora, Colorado 80012
Attention: City Attorney
Email: rallen@auroragov.org

To Developer:
Dillon Companies, LLC
c/o The Kroger Co.
1014 Vine Street,
Cincinnati, OH 45202
Attention: Danielle Polak, Director of Economic Development
Email: danielle.polak@kroger.com

Either Party may designate a different notice address by written notice to the other Party delivered in accordance with this Section.

Section 6.21. Force Majeure. If either Party is rendered unable, wholly or in part, by acts of God, strikes, supply interruptions, labor interruptions, lockouts or other major industrial disturbances, acts of public enemies, wars, terrorism, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, unusual and severe weather conditions, delays in work to be performed by others, interruptions by government or utility providers not due to the fault of the Parties, civil disturbances, explosions, litigation initiated by third parties seeking to overturn or enjoin any approval granted by the City relating to the Project, or other events beyond the reasonable control of the Parties ("Force Majeure") to carry out any or all of its obligations under this Agreement, then the obligations of such Party, so far as it is affected by such Force Majeure, shall be suspended during the continuance of any inability so caused, but for no longer period, and such cause shall, so far as possible, be remedied within a reasonable time.

Section 6.22. Scheduled Termination. Unless terminated earlier pursuant to the terms of this Agreement, this Agreement shall terminate upon the earlier of:

(a) The date upon which the payment obligations of the City under Article III hereof have been paid in full; or

(b) Subject to extension for events of Force Majeure, the tenth (10th) anniversary of the Initial Payment Date.

(c) The Parties shall execute such documents to evidence such termination as may be reasonably required by each of them.

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Section 6.23. Termination by the City. In addition to the reasons set forth in Section 6.22, the City may terminate this Agreement if any of the following occur:

(a) An Event of Default by Developer occurs and is continuing after notice has been provided to Developer and Developer has failed to cure such Event of Default within the time allowed under Section 5.01;

(b) Developer is unable to obtain Planning Approvals for the Project; or

(c) Developer has failed to obtain all necessary Permits and planning Approvals and commence construction by July 1, 2026.

(d) Developer has failed to substantially complete construction of the Grocery Store and Fuel Center in accordance with the Project description set forth in the attached Appendix B and place the Grocery Store and Fuel Center in service by July 1, 2027, subject to Force Majeure.

Termination of this Agreement under this Section shall be accomplished by written notification delivered by the City to Developer in accordance with Section 6.20. Termination shall be effective on the date specified in such notice.

Section 6.24. Termination by Developer. In addition to the reasons set forth in Section 6.22, Developer may terminate this Agreement if any of the following occur:

(a) Developer is unable to acquire the Project site on terms acceptable to Developer in its sole discretion; or

(b) Developer is unable to obtain Planning Approvals.

Termination of this Agreement under this Section shall be accomplished by written notification delivered by Developer to the City in accordance with Section 6.20. Termination shall be effective on the date specified in such notice.

Section 6.25. Effect of Termination. If this Agreement is terminated pursuant to Section 6.22 or 6.23, then this Agreement shall be null and void and of no further effect, and no action, claim or demand may be based on any provision of this Agreement except for a claim by the City against Developer for the repayment of Incentive Payments pursuant to Section 5.02(a)(ii). If this Agreement terminates pursuant to Section 6.22(b), then the City shall not be liable to pay any remaining Outstanding Incentive Balance, and this Agreement shall be null and void and of no further effect.

(Balance of this page intentionally left blank)

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IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective as of the day and year first written above.

CITY

CITY OF AURORA, COLORADO

_____

Mike Coffman, Mayor

Date of Signature_____

ATTEST:

_____

Kadee Rodriguez, City Clerk

_____

Date of Signature

APPROVED AS TO FORM:

_____

RACHEL ALLEN, Deputy City Attorney

04/18/2025

Date of Signature

DEVELOPER

DILLON COMPANIES, LLC, a Kansas Limited Liability Company_

Lisa Helton

_____

Name: Lisa Helton

Title: Assistant Treasurer

Date: 4/18/2025

_____

Title: _____

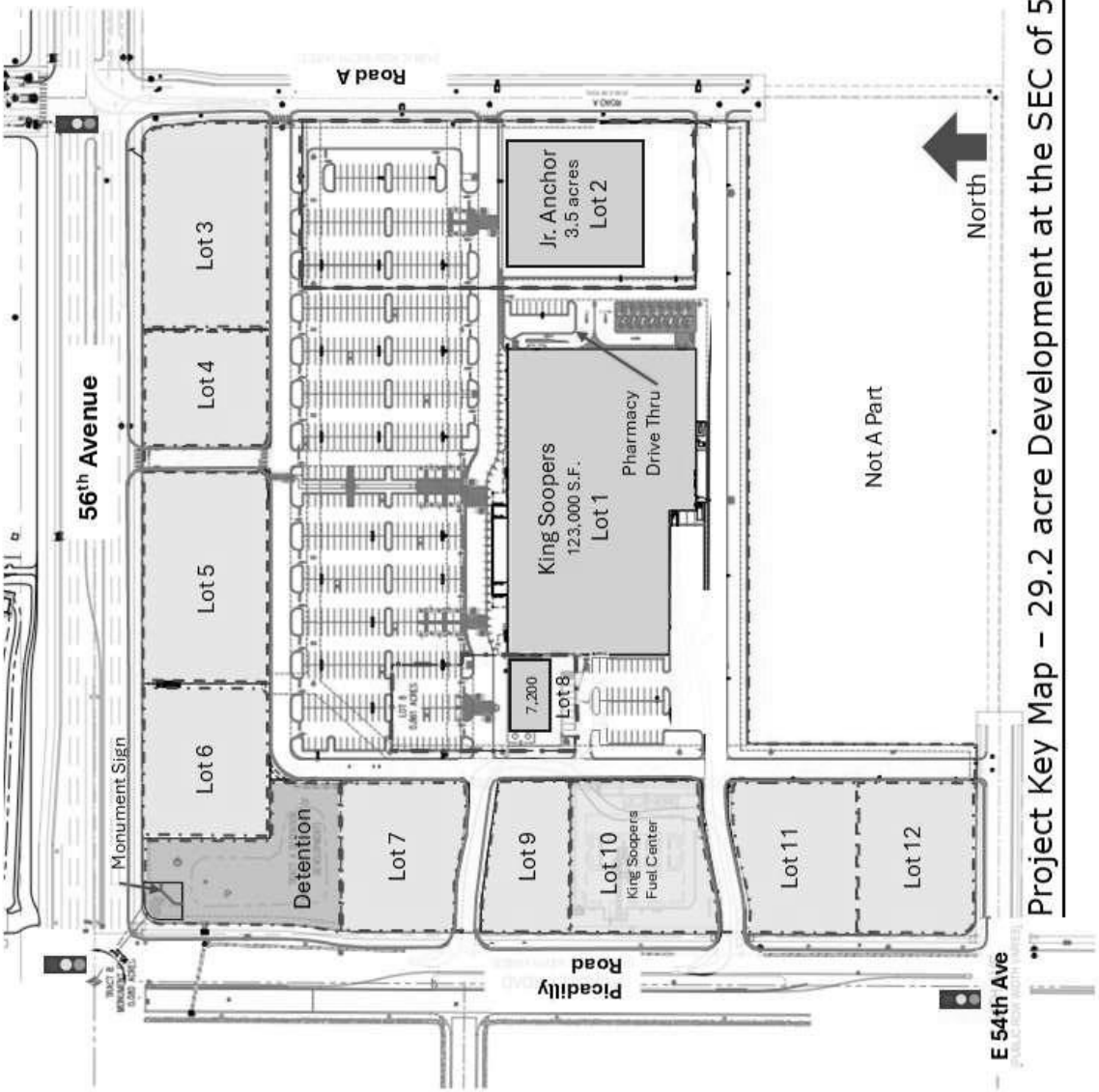
Date: _____

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APPENDIX A - PROJECT KEY MAP

Lot 1:	123,000 square foot King Soopers Marketplace
Lot 2:	Junior Anchor
Lots 3-7,9:	6 Pad Sites
Lot 8:	7,200 square foot multi-tenant Retail Building
Lot 10:	King Soopers Fuel Center
Lots 11-12:	2 Pad Sites



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APPENDIX B - PROJECT DESCRIPTION

Developer has committed to developing a 29.2 acre site at the Southeast corner of 56th Avenue and Picadilly Road.

Based upon Developer's representations that the Project will:

(a) include a King Soopers grocery store marketplace concept and a King Soopers fuel center owned by The Developer, a Jr. Anchor on a 3.5-acre parcel, an approximately 7,200 Square foot multi-tenant retail building adjacent to the King Soopers Grocery Store, and a total of eight additional pad sites along 56th Avenue and Picadilly Road

(b) include the construction of the adjacent public improvements

(c) generate a high level of taxable sales per square foot and net new sales in the city.

(d) have a reasonable expectation of long-term operations in the city.

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APPENDIX C - ACTUAL PROJECT COSTS

The Developer shall provide written proof of the actual project costs broken out using CSI cost codes on an AIA G703 Forms to the Manager of Business Development and Redevelopment Services of the City.

AIA Document G703™ – 1992

Continuation Sheet

AIA Document G702™–1992, Application and Certificate for Payment, or G732™–2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.
In tabulations below, amounts are in US dollars.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO:
APPLICATION DATE:
PERIOD TO:
ARCHITECT'S PROJECT NO:

A	B	C	D	E	F	G	H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED: FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED: THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C – G)	RETAINAGE (If variable rate)
	GRAND TOTAL								

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G703™ – 1992. Copyright © 1963, 1965, 1966, 1967, 1970, 1978, 1983 and 1992 by The American Institute of Architects. All rights reserved. WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org.

Sample

CITY OF AURORA
Council Agenda Commentary

Item Title: 2025 Central Colorado Mountains River Basin Weather Modification Intergovernmental Agreement (IGA)
Item Initiator: Abba Ahmed, Water Resources Project Manager, Aurora Water
Staff Source/Legal Source: Alexandra Davis, Assistant General Manager of Water Supply and Demand, Aurora Water / Ian Best, Assistant City Attorney
Outside Speaker: N/A
Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 5/5/2025

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.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name, title, department / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

R2025-49 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT
Alexandra Davis, Assistant General Manager of Water Supply and Demand, Aurora Water / Ian Best, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item as Proposed at Study Session

☐ Approve Item and Move Forward to Regular Meeting

☒ Approve Item as Proposed at Regular Meeting

☐ Information Only

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

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Water Policy

Policy Committee Date: 4/16/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☒ Minutes Attached

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

On November 17, 2021, the Water Policy Committee supported moving a Resolution regarding the approval of the Central Colorado Mountains River Basin Weather Modification Program cost-sharing Intergovernmental Agreement forward to Study Session.

On December 20, 2021, the City Council of the City of Aurora APPROVED A RESOLUTION regarding the Central Colorado Mountains River Basin Weather Modification cost-sharing sharing Intergovernmental Agreement as item 10d.

On January 18, 2023, the Water Policy Committee supported moving a Resolution regarding the approval of the Central Colorado Mountains River Basin Weather Modification Program cost-sharing Intergovernmental Agreement forward to Study Session.

On February 13, 2023, the City Council of the City of Aurora APPROVED A RESOLUTION regarding the Central Colorado Mountains River Basin Weather Modification cost-sharing sharing Intergovernmental Agreement as item 10.a.1.

On February 21, 2024, the Water Policy Committee supported moving a Resolution regarding the approval of the Central Colorado Mountains River Basin Weather Modification Program cost-sharing Intergovernmental Agreement forward to Study Session.

On March 25, 2024, the City Council of the City of Aurora APPROVED A RESOLUTION regarding the Central Colorado Mountains River Basin Weather Modification cost-sharing sharing Intergovernmental Agreement as item 11.a.1.

On April 16, 2025, the Water Policy Committee supported moving a Resolution regarding the approval of the Central Colorado Mountains River Basin Weather Modification Program cost-sharing Intergovernmental Agreement forward to the May 5, 2025 council meeting.

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

This proposed intergovernmental agreement (IGA) provides for multiple water agencies to cost share weather modification (cloud seeding) services conducted under the Central Colorado Mountains River Basin (CCMRB) Weather Modification Program. The CCMRB program is a statewide collaboration and is operated by Western Weather Consultants LLC. Cloud seeding occurs only when specific winter cloud seeding criteria are met. The target area includes the watersheds for Aurora's Homestake, Busk-Ivanhoe, and Twin Lakes water supply systems. The 2024-2025 CCMRB budget, is approximately $336,000.00, supports 2,835 hours from both manually and remotely operated cloud nucleating generators in over 20 locations that may be operated from November 1, 2024, to April 15, 2025. An annual accounting will be provided and will include documentation to support decisions to initiate or suspend the seeding events.

The proposed IGA allows Aurora to share in the costs for cloud seeding services in the program target area of the Upper Colorado River Basin in Pitkin, Eagle, Summit and Grand Counties. Aurora's cost share will be $25,000.00 of the $231,750.00 committed by several different entities through this 2024-2025 CCMRB program cost share agreement. The Colorado River District will coordinate funding and administer the contract with the program consultants. The $231,750.00 from this IGA will be used in conjunction with approximately $205,000.00 from the Colorado Water Conservation Board, and additional amounts received from other funding sources. The Colorado River District anticipates contracting approximately $436,750.00 on behalf of the CCMRB program which includes additional funding from Winter Park and from the Desert Research Institute.

The CCMRB is one of many weather modification programs used throughout the nation. Recent studies indicate these programs may increase precipitation in targeted areas by 10% to 15%. The program data collected each year provides for increased accuracy and efficiency. The cost share of $25,000.00 is minor for the potential increase in water supply that these weather modification services may provide to Aurora.

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.)

Funding for the Cost-Sharing Agreement in the amount of $25,000.00 will be from the Water Fund Operating Budget

ORG: 52033 (Arkansas Valley Range Project): Account: 64947 (IGA Payment)

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 APPROVE A RESOLUTION for the Central Colorado Mountains River Basin Weather Modification Program cost-sharing agreement?

LEGAL COMMENTS

The City is authorized to cooperate and contract with any political subdivision of the State of Colorado, to provide any function, service, or facility lawfully authorized to each of the contracting or cooperating units of government (Article XIV of the Colorado Constitution and C.R.S. 29-1-203). The City Charter authorizes the City by resolution to enter into contracts or agreements with other governmental units, including special districts, for the joint use of buildings, equipment or facilities or for furnishing or receiving commodities and services (Charter Section 10-12). (Best)

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT

WHEREAS, the Central Colorado Mountains River Basin Weather Modification Program is designed to obtain weather monitoring services and to provide education programs for the program target area of the Upper Colorado River Basin; and

WHEREAS, the River District on behalf of the parties to the agreement will administer the contract with the consultants who will carry out the program including collecting funds from the parties and reimbursing the consultants; and

WHEREAS, Aurora Water's share of the costs to participate in the program is $25,000.00 and no party shall be responsible for the payment of another party; and

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

WHEREAS, Section 10-12 of the City Charter authorizes the City by resolution to enter into contracts or agreements with other governmental units, including special districts, for the joint use of buildings, equipment or facilities or for furnishing or receiving commodities and services; and

WHEREAS, Aurora City Code Section 138-28 authorizes the City's Utility Enterprise to acquire, construct, operate, maintain, improve and extend water, wastewater, and storm drainage facilities within or without the corporate boundaries of Aurora, and to make contracts, acquire lands, and do all things that are necessary or convenient therefore.

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

Section 1. The Central Colorado Mountains River Basin Weather Modification Program Cost-Sharing Agreement 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. The City Council hereby authorizes Aurora Water to administratively approve (via action by the General Manager of Aurora Water (or designee)) up to three annual renewals or extensions of this intergovernmental agreement.

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

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

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

Weather Modification Cost Share Agreement 2024-2025
Colorado Water Conservation Board (CWCB)

STATEMENT OF WORK
Central Colorado Mountains River Basin Program (CCMRB Program)

Supported by:
Colorado River District (CRD), Fiscal and Technical Oversight Manager

Funding Request:
CWCB provides $231,750 State of Colorado via Contract or Purchase Order (PO) to CRD for CCMRB Program Wintertime Cloud Seeding Operations. CRD combines these PO funds along with funding from other CCMRB partners.

Funding Timeline:
This collaborative cloud seeding effort involves various local, State, and regional funding and an extended timeframe due to the nature of cloud seeding operations, snowpack accumulation, runoff, reporting, and subsequently associated fieldwork that does not comport to a standard 12-month calendar year.

The performance period for cloud seeding activities and reporting is through July 31, 2025; this provides sufficient time to complete all the tasks listed in this purchase order to comply with CWCB requirements and allows for sufficient time to operate and to manage the operations and costs of the CCMRB program.

The funding participants consist of at least one ski areas, a collaborative of up to ten cooperating water providers; these funds supplement the funding provided by this Purchase Order. All funding reimbursement requests from the CRD are anticipated to occur before July 31, 2025.

Total Anticipated Funding Sources: up to approximately $450,000 from all sources and partners, including CWCB; these are estimated in Table 1.

I. Introduction and Program Background:

In the Central Mountains of Colorado, there is a network of up to 25 ground-based silver iodide, glaciogenic, ice nuclei generators for wintertime cloud seeding designed to stimulate additional snowfall and increase snowmelt-derived water resources to the Colorado River Basin (CRB). These seeders can be both manually and/or remotely operated. There are two cloud seeding contractors operating in the CCMRB permit area in 2024-25, anticipated to be funded by this PO.

Western Weather Consultants (WWC), is the cloud seeding permit holder, and WWC provides meteorologically informed cloud seeding services for the CCMRB Program Sponsors (Sponsors) for the majority of seeding generators.

Additionally, North American Weather Consultants (NAWC) may be contracted to provide meteorologically informed cloud seeding services related to the operation of two remotely operated seeding generators in the Grand County area.

The Colorado River District is the contracting entity with all contractors operating in the permit area and provides fiscal management services for all related funding for the CCMRB program. Together with additional cooperative funding from partners, the CWCB funding under this PO helps support all CCMRB Program activities, including the hiring of contractors, consultants and related experts, as needed (for example including, but not necessarily limited to, WWC, NAWC, Desert Research Institute (DRI) and the National Oceanic and Atmospheric Administration, NOAA).

Table 1 summarizes the anticipated activities and the funding detail for the CCMRB Program for 2024-25.

Table 1: Proposed Budget

2024 – 2025 CCMRB Program Partner Contributions.

Sponsors	Funding	% of Contributions	Proportional Seeding Hours*	Billing Period/Invoices/Amount
CWCB (incl. Lower Colorado River Basin States)	$231,750	53%	1653 hrs[1]	Payable to CRD by lump sum invoice, according to PO
Local CCMRB Cooperators (FRWC, River District, and Winter Park)	$205,000	47%	1467 hrs [1]	Payable to CRD by lump sum invoice, according to a cooperative agreement
Carry over funding	$0	0%	0 hrs[1]	Not applicable – would be payable by CRD to contractors
Total Budget	**$436,750**	**100%**	**3117 hours[1]**	

* Seeding hours cost estimates are based historical average projection, hours may be higher or lower. The contracted operator documents seeding hours and costs based on suitability and operational decisions.

[1]Proportional estimate, based upon funding contributions divided by all projected expenditures.

II. Tasks and Deliverables:

Task 1 – **Extended operations for cloud seeding activities including support for remotely operated IPC generators** (WWC) – may include, but are not limited to, acquisition, preparation, operation, and maintenance of cloud seeding generators and all associated fieldwork throughout the season including costs related to operations, maintenance, and telemetry associated with two Idaho Power Company fabricated remotely-controlled cloud-seeding generators, three Desert Research Institute fabricated remotely-controlled cloud-seeding generators, and one Desert Research Institute fabricated remotely-controlled (aka “backpack”) cloud-seeding generator.

Task 2 – **Operational support for two remotely operated generators** (NAWC and/or WWC) – includes costs related to operations, maintenance, and telemetry associated with the two North American Weather Consultants remotely-controlled cloud seeding generators in Grand County.

Task 3 – **Accounting and Reporting of CCMRB activities** by contractors, including Target Control Study Report to be prepared and submitted (NAWC) with a transmittal letter, as appropriate, to the CWCB, as permit administrator.

Task 4 – **Program Support, including satellite communications, membership dues, travel staff time, contingency**
Reimbursement of CRD direct expenses related to cloud seeding activities, including education, outreach, membership dues, travel, and technical staff time, as appropriate.

Task 5 –**Fiscal management (Cost Recovery)** - CRD assesses 3% of the gross contracted amount of CWCB PO for fiscal and technical management, according to CRD Board Policy.

Table 2: Projected CCMRB Program Expenditures 2023-24

Task	Description	Estimated Cost
1	Extended operations for cloud seeding activities and program support for remotely operated generators (WWC)	$370,000
2	Program support for two remotely operated generators (NAWC)	$32,500
3	Accounting and Reporting of CCMRB activities (NAWC)	$4,000
4	Program Support, including satellite communications, membership dues, travel staff time, contingency	$23,500
5	Fiscal management (mandated cost recovery of 3% CWCB contributed funds)	$6,750
	Estimated totals	$436,750

NOTE: It is agreed that the above-mentioned budgeted tasks are approximate, and funds may be shifted, as needed to meet the goals and/or objectives of the program. If total program monies collected do not exceed expenditures, it is further agreed that any unexpended funds will be applied to cloud seeding activities in future years.

III. Program Background and History:

In 2016, the CRD began fiscal and technical management of the CCMRB program on behalf of the program sponsors, including the Front Range Water Council (FRWC) and Winter Park Ski Area. The FRWC is an ad-hoc collection of water providers that are located on the Front Range and that rely upon water supplies diverted from the Colorado River Basin.

The CWCB has provided wintertime cloud seeding funding for the Central Colorado Mountains since approximately 2004. Through annual agreements, the Lower Colorado River Basin States have provided funding to support Colorado weather modification programs since 2007. Previous sponsors have included Denver Water (WM Permit 2007-1) and Colorado Springs Utilities (WM Permit 2007-2) in this target area since 2002. Currently, WWC is responsible for CCMRB operations on behalf of the project sponsors under the current 5-year permit #2022-01.

The CRD does not perform any cloud seeding duties but may assist the CWCB and others, as requested and as appropriate, to help coordinate CCMRB activities, such as communications and to related activities associated with permit conditions such as temporary program suspensions.

IV. Regulatory Responsibilities and Limitations:

The statute requires the CWCB through its permitting program "to protect health, safety and the environment." The permit holder, Western Weather Consultants, monitors conditions in and nearby the target areas ensuring daily operations stay within defined thresholds and below suspension criteria using automated snowpack data collection and reporting tools (*e.g.,* NRCS SNOTEL sites). In addition, the Colorado Avalanche Information Center (CAIC) information publishes on their website avalanche hazard levels to ensure operations comply with suspension criteria, as defined by conditions in WM Permit #2022-01.

Lower Colorado River Basin Partner Funding Limitations:

There are some Lower Basin funding restrictions and provisions in the "Base Agreement" and annual amendments between the Colorado River Water Users in the Lower Basin and the CWCB. These conditions apply to the CCMRB Program consultants and some participants. For example, some participants in the CCMRB Program (i.e., CRD) and some contributors are named as additional insured for weather modification activities. Lower Basin funding shall not cover administration fees or costs.

Terms and Conditions:

The Annual Final Reports submitted by NAWC and/or WWC on behalf of CRD shall include documentation to support the decision-making process used to initiate and/or suspend the seeding event(s) (i.e., a combination of SNOTEL data, precipitation gauge data, ski reports, photos, etc.). To ensure compliance with all reporting requirements established within the contract between the CRD and WWC, the CWCB reserves the right to withhold a minimum of $5,000 until CRD and CWCB are satisfied with WWC's reporting requirements.

V. Additional Budget Details and Expenditures for CCMRB Operations:

CCMRB Program funding allocations are in Table 1. The following expenditures and/or revenues are anticipated to be made to contractors and consultants and/or to be received from participants, to implement the CCMRB Program. For example,

1. Annual Target/Control evaluations (approximately $4,000) of precipitation or snow water equivalent (per Rule 13B of the State Weather Modification Rules and Regulations) anticipated to be performed by North American Weather Consultants (NAWC).
2. In addition to the funds contributed to the CCMRB activities, the Winter Park ski area directly and separately contributes to a third party seeding contractor (i.e,, DRI) to support additional seeding hours to enhance snow accumulation for skiing conditions on their property and related snowsheds.
3. The combined funding contributions cover all the seasonal seeding operations and associated tasks and ancillary needs. Program costs are estimated in advance with invoiced vendor expenditures and final operational hours reconciled at the end of each operational season.

CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT

This Central Colorado Mountains River Basin Weather Modification Program Cost-Sharing Agreement (this "Agreement") is made and entered into on November 1, 2024, by and between the following entities:

The Colorado River Water Conservation District ("River District"), whose contact information is 201 Centennial Street, Suite 200, Glenwood Springs, Colorado, 81601, (970) 945-8522; c/o Dave Kanzer, (dkanzer@crwcd.org).

The Northern Colorado Water Conservancy District ("Northern"), whose contact information is 220 Water Avenue, Berthoud, Colorado, 80513, (970) 622-2259; c/o Kyle Whitaker, (kwhitaker@northernwater.org). Annual billing will be sent via email to:

Name: _____

Email: _____.

The Southeastern Colorado Water Conservancy District ("Southeastern"), whose contact information is 31717 United Avenue, Pueblo, Colorado, 81001, (719) 948-2400; c/o Leann Noga (leann@secwcd.com). Annual billing will be sent via email to:

Name: _____

Email: _____.

City of Aurora, Colorado, acting by and through its utility enterprise, ("Aurora Water"), whose contact information is 15151 E Alameda Pkwy #3600, Aurora, Colorado, 80012, (303) 739-7370; c/o Rick Kienitz (rkienitz@auroragov.org). Annual billing will be sent via email to:

Name: _____

Email: _____.

The Board of Water Works of Pueblo, Colorado ("Pueblo"), whose contact information is 319 West Fourth Street, Pueblo, Colorado, 81003, (970) 584-0235; c/o Alan Ward (award@pueblowater.org). Annual billing will be sent via email to:

Name: _____

Email: _____.

The City and County of Denver, acting by and through its Board of Water Commissioners ("Denver Water"), whose contact information is 1600 West 12th Avenue, Denver, Colorado, 80204, (303) 628-6762; c/o Jeff Bandy (jeff.bandy@denverwater.org). Annual billing will be sent via email to:

Name: _____

Email: _____.

The Colorado Springs Utilities ("Colorado Springs"), acting by and through its Board Members, whose contact information is 111 S. Cascade Avenue, Colorado Springs, Colorado, 80903, (303) 628-6762; c/o Maria Pastore (mpastore@csu.org). Annual billing will be sent via email to:

Name: _____

Email: _____.

The Intrawest/Winter/Winter Park Operation Corporation ("Winter Park"), whose contact information is P.O. Box 36, 85 Parsenn Road, Winter Park, Colorado, 80482, (970) 726-1564; c/o Heather Ruth (hruth@winterparkresort.com). Annual billing will be sent via email to:

Name: _____

Email: _____.

The Twin Lakes Reservoir and Canal Company ("Twin Lakes"), whose contact information is 331 Main Street, Ordway, Colorado 81603, (719) 267-4411; c/o Alan Ward. Annual billing will be sent via email to:

Name: _____

Email: _____.

The foregoing entities may be referred to herein individually as a "Party" and collectively as the "Parties."

The Parties wish to enter into this Agreement to obtain weather modification services for the program target area of the Upper Colorado River Basin, generally above 8,500 feet in elevation, in Pitkin, Eagle, Summit, and Grand Counties, with some exclusion areas, during the 2024-2025 winter season and to provide public outreach and education regarding the Central Colorado Mountains River Basin Weather Modification Program (the "CCMRB Program").

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. The Parties agree that the River District, on behalf of the Parties, manages and administers all contributions and expenditures necessary to carry out the objectives of the CCMRB Program. In addition to the monies contributed by the Parties hereto, the River District will solicit, accept, and administer monies from additional parties to support the CCMRB Program. This amount includes but may not be limited to approximately $231,750.00, less a three (3) percent management fee, contributed by the Colorado Water Conservation Board ("CWCB") in furtherance of the CCMRB Program.

   Furthermore, the Parties hereto agree that the River District may deduct up to $12,500.00 (Twelve Thousand Five Hundred Dollars) for River District staff time and related cost recovery for the administration of the CCMRB Program on behalf of the Parties.

   As the administrator of the CCMRB Program, the River District will review invoices and reports, monitor activities and performance, distribute information, collect funds from the Parties, and reimburse the consultants retained to carry out the CCMRB Program. The River District will act as the administrator of the CCMRB Program only and will not direct or perform the operational activities contemplated by the CCMRB Program. In administering the CCMRB Program, the River District assumes no responsibility for the outcome or consequences of the CCMRB Program. The River District shall not be responsible for any damages to persons or property which may result from the CCMRB Program.

2. The Parties authorize the River District to enter into professional services agreement(s) with one or more consultants to carry out the CCMRB Program consistent with the Scope of Services and the CCMRB Cost Estimates attached and incorporated hereto as Exhibit A.

3. The Work shall be performed at all times in compliance with all applicable local, state, and federal laws, rules, and regulations.

4. The Parties agree to pay the following amounts as participants in the CCMRB Program:

   A. Front Range Water Council Members:

i.	Northern	$25,000
ii.	Southeastern	$25,000
iii.	Aurora Water	$25,000
iv.	Pueblo	$12,500
v.	Denver Water	$25,000
vi.	Colorado Springs	$25,000

vii.	Twin Lakes	$12,500
B.	River District	$50,000
C.	Winter Park	$5,000

No Party shall be responsible for payment of the obligations of any other Party under this Agreement. Furthermore, a Party's individual payment obligation as stated above shall be triggered upon that Party's execution of this Agreement indicated below, regardless of whether another Party fails to execute this Agreement or meet any of the obligations set forth herein.

5. The River District will invoice each Party for its portion of the costs of the work upon execution of this Agreement. These invoices shall be payable upon receipt.

6. This Agreement shall automatically terminate on October 31, 2025. The Parties' obligation to pay the River District their respective portion of the costs shall survive termination of this Agreement.

7. Nothing in this Agreement is intended or shall be construed to create a multiple fiscal year financial obligation or debt of any Party. Where activities or payment obligations provided in the Agreement extend beyond the current fiscal year, continued expenditures or appropriations are contingent on the approval of that Party's governing body. Any unexpended contributed funds may be carried forward and used to fund any future CCMRB Program activities, at the discretion of the River District program administrator.

8. This Agreement is the entire Agreement between the Parties regarding the subject matter hereof and shall be modified by the Parties only by a duly executed written instrument approved by all the Parties.

9. This Agreement may be executed in any number of counterparts.

IN WITNESS WHEREOF, the Parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions stated above.

[Signatures on following page]

By: _____ Date: _____
Andrew A. Mueller, General Manager
Colorado River Water Conservation District

By: _____ Date: _____
Bradley D. Wind, General Manager
Northern Colorado Water Conservancy District

By: _____ Date: _____
Leann Noga, Executive Director
Southeastern Colorado Water Conservancy District

By: _____ Date: _____
Seth Clayton, Executive Director
The Board of Water Works of Pueblo, Colorado

By: _____ Date: _____
Sky Foulkes, President/COO
The Intrawest/Winter Park Operation Corporation

By: _____ Date: _____
Lisa Barbato, Chief System Planning & Projects Officer
Colorado Springs Utilities

By: _____ Date: _____
Alan Ward, Board President
Twin Lakes Reservoir and Canal Company

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

_____ Date: _____
Mike Coffman, Mayor

ATTEST:

_____ Date: _____
Kadee Rodriguez, City Clerk

Approved as to form for Aurora:

Ian J Best on behalf of _____ 3/31/2025 25019574
Stephen Cann Date ACS #
Senior Assistant City Attorney, Water Rights

STATE OF COLORADO)
) SS
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Mike Coffman, Mayor, acting on behalf of the Utility Enterprise of the City of Aurora, Colorado.

Witness my hand and official seal.

_____
Notary Public

My commission expires: _____

(Seal)

CITY AND COUNTY OF DENVER,
acting by and through its
BOARD OF WATER COMMISSIONERS

By: _____
Richard B. Marsicek, Chief Water
Resource Strategy Officer

DATE:

APPROVED AS TO FORM:

By: _____
Office of General Counsel

REGISTERED AND COUNTERSIGNED:
CITY AND COUNTY OF DENVER

By: _____
Timothy M. O'Brien, CPA
Auditor

Weather Modification Cost Share Agreement 2024-2025
Colorado Water Conservation Board (CWCB)

STATEMENT OF WORK
Central Colorado Mountains River Basin Program (CCMRB Program)

Supported by:
Colorado River District (CRD), Fiscal and Technical Oversight Manager

Funding Request:
CWCB provides $231,750 State of Colorado via Contract or Purchase Order (PO) to CRD for CCMRB Program Wintertime Cloud Seeding Operations. CRD combines these PO funds along with funding from other CCMRB partners.

Funding Timeline:
This collaborative cloud seeding effort involves various local, State, and regional funding and an extended timeframe due to the nature of cloud seeding operations, snowpack accumulation, runoff, reporting, and subsequently associated fieldwork that does not comport to a standard 12-month calendar year.

The performance period for cloud seeding activities and reporting is through July 31, 2025; this provides sufficient time to complete all the tasks listed in this purchase order to comply with CWCB requirements and allows for sufficient time to operate and to manage the operations and costs of the CCMRB program.

The funding participants consist of at least one ski areas, a collaborative of up to ten cooperating water providers; these funds supplement the funding provided by this Purchase Order. All funding reimbursement requests from the CRD are anticipated to occur before July 31, 2025.

Total Anticipated Funding Sources: up to approximately $442,000 from all sources and partners, including CWCB; these are estimated in Table 1.

I. Introduction and Program Background:

In the Central Mountains of Colorado, there is a network of up to 25 ground-based silver iodide, glaciogenic, ice nuclei generators for wintertime cloud seeding designed to stimulate additional snowfall and increase snowmelt-derived water resources to the Colorado River Basin (CRB). These seeders can be both manually and/or remotely operated. There are two cloud seeding contractors operating in the CCMRB permit area in 2024-25, anticipated to be funded by this PO.

Western Weather Consultants (WWC), is the cloud seeding permit holder, and WWC provides meteorologically informed cloud seeding services for the CCMRB Program Sponsors (Sponsors) for the majority of seeding generators.

Additionally, North American Weather Consultants (NAWC) may be contracted to provide meteorologically informed cloud seeding services related to the operation of two remotely operated seeding generators in the Grand County area.

The Colorado River District is the contracting entity with all contractors operating in the permit area and provides fiscal management services for all related funding for the CCMRB program. Together with additional cooperative funding from partners, the CWCB funding under this PO helps support all CCMRB Program activities, including the hiring of contractors, consultants and related experts, as needed (for example including, but not necessarily limited to, WWC, NAWC, Desert Research Institute (DRI) and the National Oceanic and Atmospheric Administration, NOAA).

Table 1 summarizes the anticipated activities and the funding detail for the CCMRB Program for 2024-25.

Table 1: Proposed Budget

2024 – 2025 CCMRB Program Partner Contributions.

Sponsors	Funding	% of Contributions	Proportional Seeding Hours*	Billing Period/Invoices/Amount
CWCB (incl. Lower Colorado River Basin States)	$231,750	52%	1653 hrs[1]	Payable to CRD by lump sum invoice, according to PO
Local CCMRB Cooperators (FRWC, River District, and Winter Park)	$210,000	48%	1467 hrs [1]	Payable to CRD by lump sum invoice, according to a cooperative agreement
Carry over funding	$0	0%	0 hrs[1]	Not applicable – would be payable by CRD to contractors
Total Budget	**$441,750**	**100%**	**3117 hours[1]**	

* Seeding hours cost estimates are based historical average projection, hours may be higher or lower. The contracted operator documents seeding hours and costs based on suitability and operational decisions.

[1]Proportional estimate, based upon funding contributions divided by all projected expenditures.

II. Tasks and Deliverables:

Task 1 – **Extended operations for cloud seeding activities including support for remotely operated IPC generators** (WWC) – may include, but are not limited to, acquisition, preparation, operation, and maintenance of cloud seeding generators and all associated fieldwork throughout the season including costs related to operations, maintenance, and telemetry associated with two Idaho Power Company fabricated remotely-controlled cloud-seeding generators, three Desert Research Institute fabricated remotely-controlled cloud-seeding generators, and one Desert Research Institute fabricated remotely-controlled (aka “backpack”) cloud-seeding generator.

Task 2 – **Operational support for two remotely operated generators** (NAWC and/or WWC) – includes costs related to operations, maintenance, and telemetry associated with the two North American Weather Consultants remotely-controlled cloud seeding generators in Grand County.

Task 3 – **Accounting and Reporting of CCMRB activities** by contractors, including Target Control Study Report to be prepared and submitted (NAWC) with a transmittal letter, as appropriate, to the CWCB, as permit administrator.

Task 4 – **Program Support, including satellite communications, membership dues, travel staff time, contingency**
Reimbursement of CRD direct expenses related to cloud seeding activities, including education, outreach, membership dues, travel, and technical staff time, as appropriate.

Task 5 –**Fiscal management (Cost Recovery)** - CRD assesses 3% of the gross contracted amount of CWCB PO for fiscal and technical management, according to CRD Board Policy.

Table 2: Projected CCMRB Program Expenditures 2024-25

Task	Description	Estimated Cost
1	Extended operations for cloud seeding activities and program support for remotely operated generators (WWC)	$370,000
2	Program support for two remotely operated generators (NAWC)	$32,500
3	Accounting and Reporting of CCMRB activities (NAWC)	$4,000
4	Program Support, including satellite communications, membership dues, travel staff time, contingency	$28,500
5	Fiscal management (mandated cost recovery of 3% CWCB contributed funds)	$6,750
	Estimated totals	$441,750

NOTE: It is agreed that the above-mentioned budgeted tasks are approximate, and funds may be shifted, as needed to meet the goals and/or objectives of the program. If total program monies collected do not exceed expenditures, it is further agreed that any unexpended funds will be applied to cloud seeding activities in future years.

III. Program Background and History:

In 2016, the CRD began fiscal and technical management of the CCMRB program on behalf of the program sponsors, including the Front Range Water Council (FRWC) and Winter Park Ski Area. The FRWC is an ad-hoc collection of water providers that are located on the Front Range and that rely upon water supplies diverted from the Colorado River Basin.

The CWCB has provided wintertime cloud seeding funding for the Central Colorado Mountains since approximately 2004. Through annual agreements, the Lower Colorado River Basin States have provided funding to support Colorado weather modification programs since 2007. Previous sponsors have included Denver Water (WM Permit 2007-1) and Colorado Springs Utilities (WM Permit 2007-2) in this target area since 2002. Currently, WWC is responsible for CCMRB operations on behalf of the project sponsors under the current 5-year permit #2022-01.

The CRD does not perform any cloud seeding duties but may assist the CWCB and others, as requested and as appropriate, to help coordinate CCMRB activities, such as communications and to related activities associated with permit conditions such as temporary program suspensions.

IV. Regulatory Responsibilities and Limitations:

The statute requires the CWCB through its permitting program "to protect health, safety and the environment." The permit holder, Western Weather Consultants, monitors conditions in and nearby the target areas ensuring daily operations stay within defined thresholds and below suspension criteria using automated snowpack data collection and reporting tools (*e.g.,* NRCS SNOTEL sites). In addition, the Colorado Avalanche Information Center (CAIC) information publishes on their website avalanche hazard levels to ensure operations comply with suspension criteria, as defined by conditions in WM Permit #2022-01.

Lower Colorado River Basin Partner Funding Limitations:

There are some Lower Basin funding restrictions and provisions in the "Base Agreement" and annual amendments between the Colorado River Water Users in the Lower Basin and the CWCB. These conditions apply to the CCMRB Program consultants and some participants. For example, some participants in the CCMRB Program (i.e., CRD) and some contributors are named as additional insured for weather modification activities. Lower Basin funding shall not cover administration fees or costs.

Terms and Conditions:

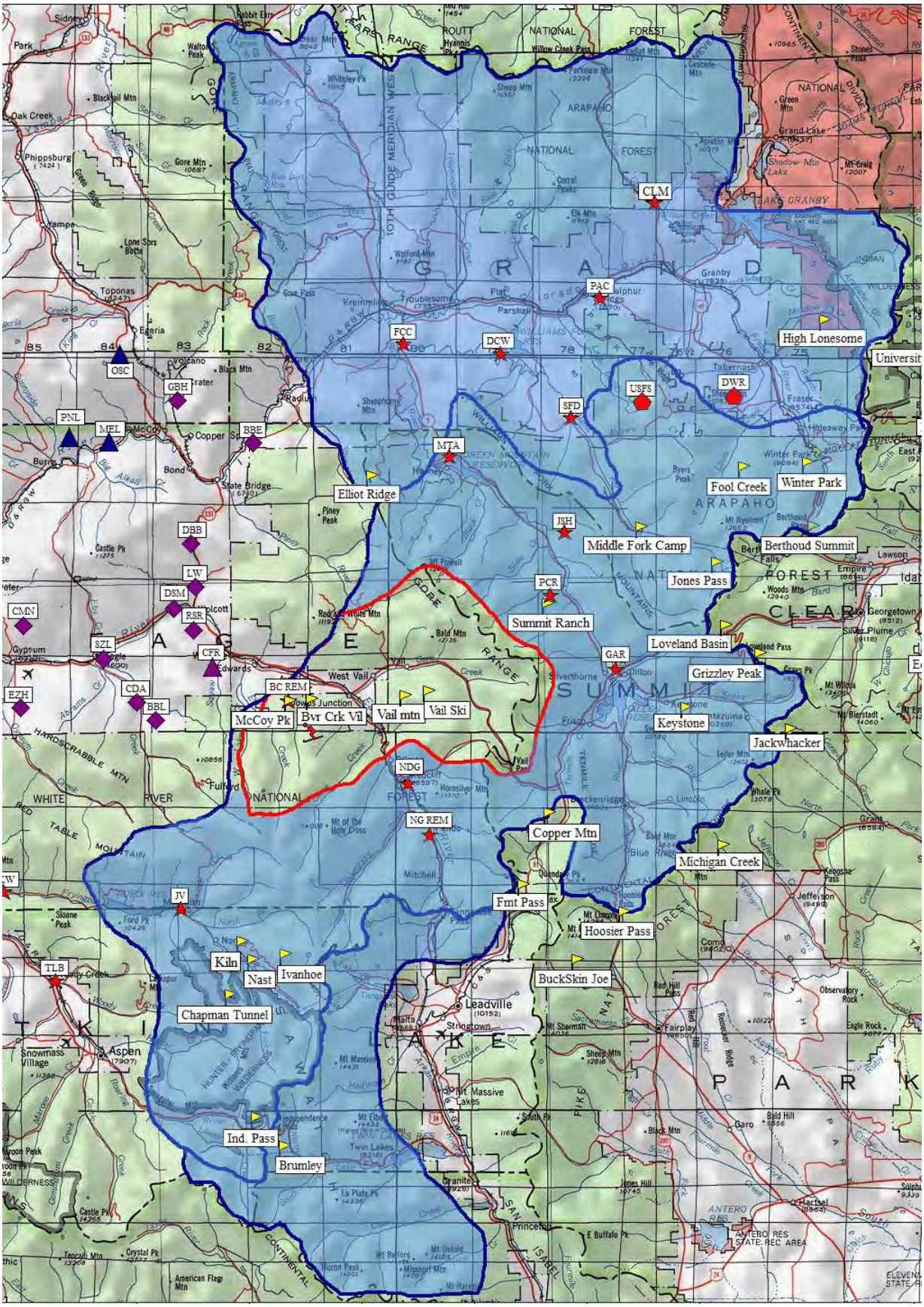
The Annual Final Reports submitted by NAWC and/or WWC on behalf of CRD shall include documentation to support the decision-making process used to initiate and/or suspend the seeding event(s) (i.e., a combination of SNOTEL data, precipitation gauge data, ski reports, photos, etc.). To ensure compliance with all reporting requirements established within the contract between the CRD and WWC, the CWCB reserves the right to withhold a minimum of $5,000 until CRD and CWCB are satisfied with WWC's reporting requirements.

V. Additional Budget Details and Expenditures for CCMRB Operations:

CCMRB Program funding allocations are in Table 1. The following expenditures and/or revenues are anticipated to be made to contractors and consultants and/or to be received from participants, to implement the CCMRB Program. For example,

1. Annual Target/Control evaluations (approximately $4,000) of precipitation or snow water equivalent (per Rule 13B of the State Weather Modification Rules and Regulations) anticipated to be performed by North American Weather Consultants (NAWC).
2. In addition to the funds contributed to the CCMRB activities, the Winter Park ski area directly and separately contributes to a third party seeding contractor (i.e,, DRI) to support additional seeding hours to enhance snow accumulation for skiing conditions on their property and related snowsheds.
3. The combined funding contributions cover all the seasonal seeding operations and associated tasks and ancillary needs. Program costs are estimated in advance with invoiced vendor expenditures and final operational hours reconciled at the end of each operational season.

2025 Central Colorado Mountains River Basin (CCMRB) Program Weather Modification
Target Area Map



Water Policy Committee (WPC) Meeting
November 17, 2021

Members Present: Council Member Allison Hiltz Vice Chair (Absent); Council Member Alison Coombs

Absent: Council Member Crystal Murillo Chair

Others Present: Casey Rossman, Leiana Baker, Greg Baker, Gail Thrasher, Steve Sciba, Kathy Kitzmann, Abba Ahmed, Sarah Young, Laura Perry, Christine McKenney, Alex Davis, Marshall Brown, Fernando Aranda, Jack Bajorek, Ian Best, Dan Brotzman, Chad DiFalco, Rory Franklin, Sonya Gonzalez, Greg Hansen, Rick Kienitz, Janet Marlow, John Murphy, Stephanie Neitzel

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1. Approval of Minutes
The October 20, 2021, meeting minutes were approved as presented.

2. Consent Items
A. Construction Change Order Summary Report
B. Monthly Water Supply Update
C. Quarterly Financial Report

Summary of Issue and Discussion: Council Member Coombs asked, what is the outlook for precipitation this winter. M. Brown replied, the forecast is not optimistic for this winter. We will watch our storage levels and maximize our Prairie Waters as much as we can to put us in a better place for next year.

Outcome: The Consent items were supported as presented.

Follow-Up Action: The Consent items were supported as presented.

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3. Central Colorado Mountains River Basin (CCMRB) Weather Modification Program Cost Sharing Agreement

Summary of Issue and Discussion: A. Ahmed gave a presentation. The proposed agreement allows Aurora to share in the costs for cloud seeding services in the program target area of the Upper Colorado River Basin in Pitkin, Eagle, Summit and Grand counties. Aurora's cost share will be $9,600 of the $100,000 committed by several different entities through this 2021-2022 CCMRB program cost share agreement. The Colorado River District will coordinate funding and administer the contract with the program consultants. The $100,000 from this agreement will be used in conjunction with approximately $125,000 from the Colorado Water Conservation Board, $27,000 in carry over funding from last years' program, and additional amounts received from other funding sources. The Colorado River District anticipates contracting approximately $269,000 on behalf of the CCMRB program which includes additional funding from Winter Park and from the Desert Research Institute.

Council Member Coombs asked, the most recent citations for the articles was 2009. Is that because the studies have been going on since the 1960's and was they studied as much as they could and it's not ongoing? A. Ahmed replied, yes. Council Member Coombs asked, we see no particular impact to human life, plants and water supplies. Did any of the studies look at the soil and any particular changes to or impacts to the soil? A. Ahmed replied, looking into the soil is all part of the equation and we can suggest them to add to the study. M. Brown added, my guess is there is something in the studies and we can go back and look at that. Council Member Coombs added, I was curious and can go back and look at the studies.

Outcome: The Committee supports the Central Colorado Mountains River Basin Weather Modification Program Cost Sharing Agreement and forwarded to Study Session for consideration.

Follow-Up Action: The Committee supports the Central Colorado Mountains River Basin Weather Modification Program Cost Sharing Agreement and will forward to Study Session for consideration.

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4. Piney Lake Trails LLC Water and Sewer Services Agreement

Summary of Issue and Discussion: S. Young shared a map showing the proposed development outside of Aurora City limits that has requested water and sewer service from Aurora Water to serve 180 single family homes and common area irrigation. The low density "Piney Lake Trails" development is located south of County Line Road and the Blackstone Country Club, between S. Powhaton Road and S. Monaghan Road.

Council Member Coombs asked, what are the lot sizes and are they irrigating the backyard? S. Young replied, one acre. They have the ability to decrease the turf size and thus decrease the calculation of the connection fees to help encourage the use of less irrigation on those large lots. M. Brown added, they are also eligible through the allocation agreement, which is voluntary. A large lot is going to trigger their connection fee to go up. These properties are paying one and a half times the rates and fees. There are strong financial incentives for them to create efficiencies in outdoor irrigation. These lots will have no turf in the front yards.

Follow-Up Action: The Committee supports the Piney Lake Trails LLC Water and Sewer Services Agreement and forwarded to Study and will forward to Study Session for consideration.

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5. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: M. Brown stated, there are a couple of reimbursement agreements that were due to go to the December meeting. Can we give an overview today and move them on to the next Study Session? The Committee was given an overview of the agreements by S. Young. The Committee agreed to move them to next study session.

Outcome: The Committee supports these agreements and forwarded to next Study Session for consideration.

Follow-Up Action: The Committee supports these agreements and will forward to the next Study Session for consideration.

6. Confirm Next Meeting

There will be no meeting in December.

X Steve Sundberg (Jan 20, 2022 13:28 MST)

Steve Sundberg
Chair, Water Policy Committee

11-17-21 WPC Minutes Draft

Final Audit Report 2022-01-20

Created:	2022-01-20
By:	Casey Rossman (crossman@auroragov.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjbrPwaSqorzh75mgV8D-IkZUCoTK28UZ

"11-17-21 WPC Minutes Draft" History

Document created by Casey Rossman (crossman@auroragov.org)
2022-01-20 - 2:02:41 PM GMT- IP address: 63.149.121.82

Document emailed to Steve Sundberg (steve.sundberg@auroragov.org) for signature
2022-01-20 - 2:03:11 PM GMT

Email viewed by Steve Sundberg (steve.sundberg@auroragov.org)
2022-01-20 - 8:36:58 PM GMT- IP address: 67.177.254.240

Document e-signed by Steve Sundberg (steve.sundberg@auroragov.org)
Signature Date: 2022-01-20 - 8:38:48 PM GMT - Time Source: server- IP address: 67.177.254.240

Agreement completed.
2022-01-20 - 8:38:48 PM GMT

Adobe Sign

Water Policy Committee (WPC) Meeting
January 18, 2023

Members Present: Council Member Steve Sundberg Chair, Council Member Alison Coombs Vice Chair, Council Member François Bergan

Absent:

Others Present: Casey Rossman, Greg Baker, Marshall Brown, Rachel Allen, Fernando Aranda, Ian Best, Dan Brotzman, Steve Cann, Alex Davis, Dick Eason, Steve Fiori, Michelle Gardner, Sonya Gonzalez, Dan Mikesell, John Murphy, Gail Thrasher, Tim York, Sarah Young, Adam Waters, Abba Ahmed, Morgan Hopkins-Crawly, Diana Denwood, Eric Schneider

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1. Approval of Minutes

The December 20, 2022, meeting minutes were approved as presented.

2. Consent Items

A. Construction Change Order Report
B. Monthly Water Supply Update

Summary of Issue and Discussion: CM Bergan asked how the reservoirs are doing in terms of storage? J. Murphy replied, at the end of December, we are about 55% of storage capacity. CM Sundberg asked, how does that compare to last year? J. Murphy replied, at the end of December of last year, the reservoirs had 10,000 acre feet more of storage than this year. G. Baker added, we can project out to early April when we start to see run-off and we will probably be about 48-49% of storage capacity which is lower than we have been since 2013.

Outcome: The Consent items were supported as presented.

Follow-Up Action: The Consent items were supported as presented.

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3. Citizen's Water Advisory Committee (CWAC) Quarterly Report

Summary of Issue and Discussion: D. Eason gave an overview of who CWAC is, their purpose and what the Water Policy Committee can expect to hear with their quarterly reports.

Outcome: Informational only.

Follow-Up Action: Informational only.

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4. Central Colorado Mountains River Basin Weather Modification Program Cost-Sharing Agreement

Summary of Issue and Discussion: A. Ahmed gave a presentation.

CM Bergan asked, if the cloud-seeding only took place until April? A. Ahmed responded, yes, it takes place from November to April and is based on climate, we cannot seed without the right temperature. CM Bergan asked, why Colorado Springs had pulled out of the agreement? A. Davis replied, it had a lot to do with the leadership at Colorado Springs, who were opposed to the program. However, with new leadership, we are hoping they will participate in the program again.

CM Coombs asked, with the escalating costs, if more partners were involved, would that lower the cost for each partner and if we will expect a continued escalation of the cost of actual materials for this project? A. Ahmed responded, yes, the more partners that are involved, the lower the cost depending on each partner's budget. However, costs are also dependent on market forces which are also a factor in the increasing cost, this is especially true when transitioning from manual to automatic generators.

CM Bergan asked, is the transition to the automatic generators a significant cost difference? Or are we just trying to phase those in? A. Ahmed replied, we are slowly phasing in the automatic generators, but the manual generators are still effective.

Outcome: The Committee supports the Central Colorado Mountains River Basin Weather Modification Program Cost-Sharing Agreement and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supports the Central Colorado Mountains River Basin Weather Modification Program Cost-Sharing Agreement and will forward to the next Study Session for consideration.

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5. Citizen's Water Advisory Committee (CWAC) Restructure Proposal

Summary of Issue and Discussion: M. Brown discussed restructuring CWAC to become more involved with challenges in the water supply space including evaluating water supply proposals, reviewing large projects who may use a lot of water but may add a substantial economic value to the city, evaluating extra territorial requests to provide water outside our service area, and annexations that may have water supply implications. CWAC is supportive of the restructure.

CM Bergan responded with concerns about adding bureaucracy to the process, especially on annexations and large projects which is Council's responsibility to make decisions on. CM Bergan added, she did not have an issue with CWAC reviewing water supply proposals but has concerns with the other suggestions which may add an extra step when they can come to executive session for evaluation. M. Brown responded, that we do bring the extra territorial and annexation request to executive session however, the large projects proposals are not historically brought to executive session and are evaluated by staff based on potential water usage. CM Bergan suggested developing formal guidelines for evaluating large projects and bringing those to Council for approval. M. Brown responded, we are planning on doing that for potential large users, but we would be able to utilize CWAC for users proposing large gallon per day usage. The developer will have the opportunity to present to CWAC which will provide an additional perspective as well as an alternative to developers lobbying to individual Council Member's. CM Bergan stated she is agreeable to CWAC evaluating water supply proposals and large projects but would prefer the extra territorial requests and annexations continue to be presented to Council. M. Brown agreed.

CM Coombs added, she would like to see CWAC evaluate the budget as well due to the high interest from residents. M. Brown stated, CWAC would still be involved in reviewing the budget but would add water supply as a main focus.

M. Brown also proposed adding and additional commercial entity to the committee for a total of two on the committee whose terms would be staggered. Additionally, members of the committee would be selected based on basic qualifications including some water supply knowledge, completed water tours of facilities, completed Aurora Water courses and/or some level of exposure or familiarity with water supply in the West. CM Coombs had some concerns with residents who would like to be involved but do not meet those basic qualifications. M. Brown replied, that as long as potential members are willing to demonstrate an interest in water supply and willing to invest time in water supply education they would qualify.

M. Brown stated that the department in conjunction with the City Attorney's office and the City Clerk's office would work to draft the new bylaws and ordinance and will return to the Water Policy Committee to present once they are completed.

Outcome: Informational only.

Follow-Up Action: Information only.

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6. Water Availability Resolution – Stage 1

Summary of Issue and Discussion: G. Baker gave a presentation on the advancement of the water availability stage 1 drought restrictions to be enacted in May 2023 based on the state of our current reservoir storage capacity levels.

CM Bergan asked to explain what stage 1 would entail. G. Baker stated, it would mean only two (2) days a week for outdoor irrigation instead of the three (3) day a week schedule currently in place. This will achieve a 20% savings to our storage capacity. CM Bergan was concerned for residents as the turf ordinance was already enacted as well as a ban on water features. She was also concerned with homeowner's associations (HOA's) fining residents for having brown grass due to the restrictions. M. Brown responded, those measures associated with this drought restriction are for long-term sustainability instead of responding to short-term emergencies. Part of the reasoning of bringing this to Council early is to distribute communications quickly so residents are aware and HOA's understand that we are in severe drought conditions and not to fine residents for brown grass. Additionally, if conditions improve, the Stage 1 restrictions will be lifted.

Outcome: The Committee supports the Water Availability Resolution – Stage 1 and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supports the Water Availability Resolution – Stage 1 and will forward to the next Study Session for consideration.

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7. Proposed Drought Surcharge Adjustment to the Rate Ordinance

Summary of Issue and Discussion: F. Aranda gave a presentation.

CM Sundberg asked, if the impacts of the surcharge are small, how is that a dissuading factor for outdoor water usage? Additionally, wouldn't the rate increase that was just passed act as discouragement? M. Brown responded, historically, rate increases, and drought stage 1 water restrictions have not led to great reductions in outdoor water usage with residents' opting to water for longer time periods on their scheduled two-days a week. The goal with the surcharge is to offer a financial incentive to those residents who follow the suggested watering reductions. Residents who continue to water the same amount as last year, with no reduction in water usage, will see an increase in their water bill by 20%.

CM Bergan asked, if residents not using over 5,000 gallons per day are not receiving surcharges now, why would we change what we are doing? M. Brown responded, since we are not currently in a drought stage, surcharges are not in effect. CM Bergan asked, so the theory is if you go from three (3) days of outdoor watering to two (2) days of outdoor watering you would not receive the surcharges? M. Brown responded, the surcharge will be on all outdoor irrigation, but if you reduce watering to two (2) days a week, your bill will look exactly the same as last year even with the inclusion of the surcharge. Additionally, with the use of zone monitoring or smart sprinkler systems, which could provide further cost-savings through reduced outdoor watering. CM Bergan asked, if conditions improve, will the stage 1 drought restriction be lifted? M. Brown stated yes, and the surcharges will go dormant.

CM Coombs suggested looking at how we can assist residents with large back yards who cannot afford to replace their turf. M. Brown agreed.

Outcome: The Committee supports the Proposed Drought Surcharge Adjustment to the Rate Ordinance and forwarded to the next Study Session.

Follow-Up Action: The Committee supports the Proposed Drought Surcharge Adjustment to the Rate Ordinance and will forward to the next Study Session.

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8. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: None.

Outcome: Informational only.

Follow-Up Action: Information only.

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9. Confirm Next Meeting

The next meeting is scheduled for February 15, 2023, 10:30 a.m. via WebEx.

X Steve Sundberg (Feb 21, 2023 14:02 MST)

Steve Sundberg
Chair, Water Policy Committee

MINUTES

Regular Meeting of the **Aurora City Council**
Monday, December 20, 2021

1. **RECONVENE REGULAR MEETING OF DECEMBER 20, 2021, CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council for December 20, 2021, at 6:30 p.m.

2. **ROLL CALL** – Kadee Rodriguez, City Clerk

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

Council Member Jurinsky had connection issues and could not be counted at the time.

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

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

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

5. **APPROVAL OF MINUTES**

5.a. December 6, 2021, Meeting Minutes

Motion by Gardner, second by Zvonek, to approve the minutes of the December 6, 2021, City Council meeting, as amended.

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

6. **PROCLAMATIONS/CEREMONY**

None

7. **PUBLIC INVITED TO BE HEARD**

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

Voting Nay: Mayor Coffman, Bergan, Gardner, Jurinsky, Sundberg, Zvonek

10.d. Central Colorado Mountain River Basin (CCMRB) Weather Modification Program

R2021-147 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT

Abba Ahmed, Water Resources Project Manager, Aurora Water / Christine McKenney, Manager of Client Services, City Attorney

Alexandra Davis, Deputy Director of Water Resources, Aurora Water, gave a summary of the item.

Motion by Bergan, second by Gardner, to approve item 10d.

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

10.e. Support to Create a Business Safety and Security Update Grant Program

R2021-148 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO CREATE A BUSINESS SAFETY & SECURITY UPGRADE GRANT PROGRAM

Curtis Gardner, Council Member / Tim Joyce, Assistant City Attorney

Council heard public call-in testimony on the item.

Council Member Gardner provided an overview of the item.

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

Council Member Jurinsky stated her support for the item. She expressed concerns that bigger corporations with multiple locations in the City would have their multiple locations approved in one application ahead of the single operator owners and asked for verbiage to that effect be added to the resolution. Council Member Gardner stated he intentionally left the resolution generic because he felt the purpose of a resolution was to give policy direction to staff. He stated he would like to see City staff create an implementation program and bring it to Council for review of those specifics. He stated he would be supportive of that language, but he did not want to be overly prescriptive in the policy direction.

Mayor Coffman pointed out Council was voting on policy now so that was a problem.

♦ ***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.***

MINUTES

Regular Meeting of the **Aurora City Council**

Monday, February 13, 2023

1. **RECONVENE REGULAR MEETING OF FEBRUARY 13, 2023, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for February 13, 2023, at 6:30 p.m.

2. **ROLL CALL**– Kadee Rodriguez, City Clerk

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

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

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

Mayor Coffman led the prayer and followed by reading the Land Acknowledgement after the 8:20 p.m. brief recess.

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

5. **APPROVAL OF MINUTES**

5.a **January 30, 2023, Meeting Minutes**

Motion by Sundberg, second by Coombs, to approve the minutes of January 30, 2023, as presented.

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

6. **PROCLAMATIONS OR CEREMONIES**

None.

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

7. **PUBLIC INVITED TO BE HEARD**

(non-agenda-related issues only)

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

8. **ADOPTION OF THE AGENDA**

Motion by Coombs, second by Sundberg to adopt the agenda.

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

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.a.1 **Consideration to AWARD A SOLE SOURCE CONTRACT in the Amount of $200,000.00 to Falck Rocky Mountain Inc, Aurora, Colorado to Provide Medical Health Staffing Services for the Aurora Mobile Response Team**

Courtney Tassin, Crisis Intervention Program Manager, Housing and Community Services / Dave Lathers, Senior Assistant City Attorney

9.a.2 **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to A-1 Chipseal Co., Denver, Colorado in the Amount of $3,691,069.03 for the 2023 Surface Treatment Program. Project No. 5818A (Second Extension Year)**

Staff requests a waiver of reconsideration due the length of the project and sensitivity to weather conditions that can cause delays.

♦ ***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.***

Lynne Center, Deputy Director of Public Works Operations / Dave Lathers, Senior Assistant City Attorney

9.a.3 **Consideration to EXTEND A SINGLE SOURCE CONTRACT to Quantum Water & Environment, Lakewood, Colorado in the Not-to-Exceed Amount of $265,549.55 for Continued Highway 30 Landfill Investigation, Monitoring and Reporting Services**

Jeffrey Moore, Manager of Oil and Gas / Dave Lathers, Senior Assistant City Attorney

9.a.4 **Consideration to AWARD A COMPETITIVELY BID CONTRACT TO B&M Roofing, Frederick, CO in the Amount of $2,119,623.00 for the Aurora Municipal Center (AMC) Roof Replacement; Project 5903A**

John Perkins, Public Works / Dave Lathers, Senior Assistant City Attorney

9.b **Planning Matters**

9.c **Appointments to Boards and Commissions**

9.c.1 **Consideration to Appoint Two (2) Members to the Human Relations Commission**

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

Motion by Gardner, second by Bergan to adopt the agenda.

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

10. **CONSENT CALENDAR - RESOLUTIONS AND 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.***

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 **Central Colorado Mountains River Basin Weather Modification Program**

R2023-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT

Abba Ahmed, Water Resources Project Manager, Aurora Water / Ian Best, Assistant City Attorney

10.a.2 **Stage 1 – Water Availability**

R2023-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S DECLARATION OF STAGE I WATER AVAILABILITY CONDITIONS EFFECTIVE MAY 1ST, 2023

Greg Baker, Manager of Public Relations, Aurora Water / Ian Best, Assistant City Attorney

10.a.3 **Auto Theft Penalty Enhancement**

R2023-15 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, URGING THE STATE OF COLORADO GENERAL ASSEMBLY TO PASS LEGISLATION IN 2023 TO REMOVE THE ELEMENT OF "VALUE" FOR MOTOR VEHICLE THEFT AND TO INCREASE THE PENALTY FOR COMMITTING MOTOR VEHICLE THEFT AND RELATED OFFENSES

Sponsor: Dustin Zvonek, Council Member

Pete Schulte, Public Safety Client Group Manager, City Attorney

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

DIRECTORS OF THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NO 2

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Hanosky Hernandez, Senior Assistant City Attorney

10.b **Finalizing of Ordinances**

Ordinances approved unanimously at first reading

Motion by Gardner, second by Bergan to approve the consent calendar for Resolutions and Ordinances with items 10.a.3 and 10.a.4 removed.

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

11. **PUBLIC HEARINGS**

Public hearings with or without related ordinances

11.a **Cielo Service Plan 2023**

R2023-19 A PUBLIC HEARING FOR CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE SERVICE PLAN FOR CIELO METROPOLITAN DISTRICT AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND THE DISTRICT

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Brian Rulla, Assistant City Attorney

Mayor Coffman opened the public hearing.

Cesarina Dancy, Senior Development Project Manager, provided a summary of the item.

♦ ***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.***

Water Policy Committee (WPC) Meeting

February 21, 2024

Members Present: Council Member Steve Sundberg (Chair), Council Member Stephanie Hancock (Vice Chair), Council Member François Bergan

Absent:

Others Present: Rachel Allen, Greg Baker, Ian Best, Dan Brotzman, Marshall Brown, Stephen Cann, Alexandra Davis, James DeHerrera, Michelle Gardner, Elizabeth Gillitzer-Gallardo, Sonya Gonzalez, Marena Lertch, John Murphy, Cat Olukotun, Casey Rossman, Sam Scorza, Oona Sullivan, Earl Wilkinson, Sarah Young

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1. Approval of Minutes

The January 17, 2024, meeting minutes were approved as presented.

2. Consent Items

A. Construction Change Order Report
B. Monthly Water Supply Update
C. Quarterly Financial Update

Summary of Issue and Discussion: CM Bergan asked if we could look at a 100-year average of snowfall in our basins to review the cyclical patterns of snowpack over time. A. Davis responded, we likely do not have information going that far back but that we would be happy to look back at our data and put together a summary.

CM Hancock asked, if we projected a drought this year, or are we secure with where our storage is now? J. Murphy responded, we are in better shape this year than we have been in previous years. G. Baker added, the largest snow that will impact us usually takes place in March and April which will also bring us more moisture and storage. Additionally, there is a drought monitoring group that meets regularly to discuss snowfall and its impacts to the city.

CM Bergan asked, why is the lead project listed under capital costs when it is an operating cost? C. Olukotun stated, it was because it falls under a larger project taking place from 2023 until 2027 and this is just a small portion of the larger project. M. Brown added, the lead replacement project is defined under the capital projects category since this is a onetime replacement with no anticipated future operating costs once the project is complete.

CM Bergan asked, is finance able to work with the planning department to project future water connection fees? C. Olukotun responded, yes, the projections for further growth from are taken into consideration when developing our financial planning for connection fees.

Outcome: The consent items were supported as presented.

Follow-Up Action: None.

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3. Prairie Waters Pipeline Common Use Agreement Amendment

Summary of Issue and Discussion: S. Young gave a presentation on a relocation amendment of the Common Use Agreement between the City of Aurora and the E-470 Public Highway regarding a new interchange located at E-470 and 38th Ave. which requires a modification of the Prairie Waters Pipeline alignment.

Outcome: The Committee supports an Amendment to the Prairie Waters Pipeline Common Use Agreement and forwarded to the next Council Meeting.

Follow-Up Action: An Amendment to the Prairie Waters Pipeline Common Use Agreement will be forwarded to the next Council Meeting.

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4. First Amendment to Drainage and Flood Control Improvements for Unnamed Creek Upstream of Jericho Way

Summary of Issue and Discussion: S. Scorza gave a presentation on an amendment to an Intergovernmental Agreement between the City of Aurora and the Urban Drainage and Flood Control District, d/b/a Mile High Flood District regarding construction of flood and drainage improvements for Unnamed Creek upstream of South Jericho Way.

CM Bergan asked, does Mile High Flood District make all the recommendations for drainage improvements? S. Scorza responded, yes, the majority of the drainage improvements are identified in the master plans that Mile High Flood District leads. The City is able to review and approve what is published in those master plans, then incorporate the suggestions into our prioritization tool. Aurora can also make recommendations for drainage improvements. CM Bergan asked, is there ever any conflict on which project to pursue? S. Scorza stated, no, it is all based on the greatest need and benefit in prioritizing projects with all final decisions about wat is improved based on the City's request.

CM Sundberg asked, is the issues with this area the lack of drainage? S. Scorza responded, yes, the narrow drainageway makes it difficult for maintenance crews to get down there and clear debris and since the area is undersized, it requires regrading which will allow the water to flow properly to the nearby pond.

CM Hancock asked, how large is the area? S. Scorza responded, it is less than a half of a mile but would find out the exact size and follow up.

Outcome: The Committee supports the First Amendment to the Drainage and Flood Control Improvements for Unnamed Creek Upstream of Jericho Way and forwarded to the next Council Meeting.

Follow-Up Action: An Amendment to the Drainage and Flood Control Improvements for Unnamed Creek Upstream of Jericho Way will be forwarded to the next Council Meeting.

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5. Cost-sharing Agreement for the Central Colorado River Basin Weather Modification Program

Summary of Issue and Discussion: A. Davis gave a presentation on an Intergovernmental Agreement between multiple water agencies to cost-share weather modification services conducted under the Central Colorado Mountains River Basin Weather Modification Program.

CM Bergan asked, how much rain does the program produce? A. Davis responded, that it can increase precipitation from 10% to 15% in the form of snow.

CM Hancock asked, are there specific times of the year when this is done? And what is the determined efficacy? A. Davis responded, the program usually runs during the winter months, so the precipitation is in the form of snow and there is scientific work that has been done to determine the efficacy but not readily available. A. Davis added that she would follow up with further details. CM Hancock also asked for further details regarding the amount of monies spent in relation to how much water we are able to produce and if there is an environmental impact in artificially producing precipitation. A. Davis stated, the silver dioxide has not been determined to be an environmental factor. M. Brown added, there are several resources we can send to the committee that go into further detail and will further explain the project, its impacts to the environment and the impacts to the City long term.

Outcome: The Committee supports a Cost-sharing Agreement for the Central Colorado River Basin Weather Modification Program and forwarded to the next Study Session.

Follow-Up Action: A Cost-sharing Agreement for the Central Colorado River Basin Weather Modification Program will be forwarded to the next Study Session.

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6. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: CM Bergan asked for an update on communication with the Homeowners Associations' and surrounding Metro District's to further education on the turf ordinance, artificial turf, and landscaping plans. She clarified the disconnect in some of the

master planned developments on what is appropriate and not and it may be nice to have some formal communication sent out.

Outcome: Informational only.

Follow-Up Action: Informational only.

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7. Confirm Next Meeting

The next meeting is scheduled for March 20, 2024, 10:30 a.m. via Teams.

X Steve Sundberg (Mar 20, 2024 16:36 MDT)

Steve Sundberg
Chair, Water Policy Committee

MINUTES

Regular Meeting of the Aurora City Council

Monday, March 25, 2024

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

1. CALL TO ORDER

Mayor Coffman convened the regular meeting of City Council at 6:30 p.m.

2. ROLL CALL

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer.

4. PLEDGE OF ALLEGIANCE

(All Standing)

5. EXECUTIVE SESSION UPDATE

Mayor Coffman provided an update on the Executive Session, stating personnel matters, property acquisition and litigation matters were discussed.

6. APPROVAL OF MINUTES

6.a February 26, 2024 Meeting Minutes

Moved by Steve Sundberg

Second by Curtis Gardner

Does Council wish to approve the minutes of the February 26, 2024 meeting?

Voting Aye: (10): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Mayor Coffman, Françoise Bergan, Crystal Murillo, Curtis Gardner, Ruben Medina, and Dustin Zvonek

7. PROCLAMATIONS OR CEREMONIES

7.a Child Abuse Prevention Month

Mayor Coffman proclaimed April 2024 as Child Abuse Prevention Month.

7.b International Day for the Elimination of Racial Discrimination

Mayor Coffman proclaimed March 21, 2024 as International Day for the Elimination of Racial Discrimination.

7.c Cesar Chavez Day of Service and Learning

Mayor Coffman proclaimed March 31, 2024 as Cesar Chavez Day of Service and Learning.

8. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

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

9. ADOPTION OF THE AGENDA

Moved by Curtis Gardner

Second by Françoise Bergan

Does Council wish to adopt the agenda as presented?

Voting Aye: (10): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Mayor Coffman, Françoise Bergan, Crystal Murillo, Curtis Gardner, Ruben Medina, and Dustin Zvonek

10. 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.

10.a Motions

10.b Planning Matters

10.c Appointments to Boards and Commissions

11. 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 Curtis Gardner

Second by Crystal Murillo

Does Council wish to approve the Resolutions and Ordinances consent calendar?

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

Voting Aye: (9): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Françoise Bergan, Crystal Murillo, Curtis Gardner, Ruben Medina, and Dustin Zvonek

11.a Resolutions

11.a.1 Central Colorado Mountains River Basin Weather Modification Program 2024

R2024-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT

Alexandra Davis, Assistant General Manager of Water Supply and Demand, Aurora Water / Ian Best, Assistant City Attorney

11.a.2 Grant Agreement Between the City of Aurora and Great Outdoors Colorado (GOCO) for the Generation Wild Interim Program for 2024-2025

R2024-32 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

A waiver of reconsideration is being requested to ensure funding can be used for the project.

Brian Green, Deputy Director of Operations, Parks, Recreation, and Open Space / Tim Joyce, Assistant City Attorney

11.a.3 An Intergovernmental Agreement (IGA) Between the City of Aurora Youth Violence Prevention Program and Cherry Creek School District for Data Sharing

R2024-33 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, YOUTH VIOLENCE PREVENTION PROGRAM AND CHERRY CREEK SCHOOL DISTRICT NO. 5 FOR THE PURPOSE OF SHARING STUDENT DATA AND INFORMATION TO REDUCE AND PREVENT YOUTH VIOLENCE

Austin Burdette, Youth Violence Prevention Program Data Analyst, Housing and Community Services / Angela Garcia, Senior Assistant City Attorney

11.a.4 First Amendment to the Intergovernmental Agreement (IGA) with E-470 for the Temporary Traffic Signals at Gartrell Road and E-470

R2024-34 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE E-470 PUBLIC HIGHWAY AUTHORITY REGARDING TEMPORARY TRAFFIC SIGNALS AT GARTRELL ROAD AND E-470

Carlie Campuzano, Traffic Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.b Finalizing of Ordinances

Ordinances approved unanimously at first reading

11.b.1 Station 60 Infrastructure Site Plan – Street Vacation

2024-06 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY FOR NORFOLK STREET, LOCATED BETWEEN EAST COLFAX AVENUE AND EAST 17TH PLACE, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO (NORFOLK STREET VACATION)

Stephen Gubrud, Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

12. PUBLIC HEARINGS

Public hearings with or without related ordinances

12.a Aurora Center for Health, Wealth and Well-Being (Zoning Map Amendment)

2024-07 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 2 ACRES OF LAND TO MIXED-USE CORRIDOR DISTRICT (MU-C), LOCATED AT THE SOUTHEAST CORRIDOR OF COLFAX AVENUE AND AIRPORT BOULEVARD

Liz Fuselier, Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff provided a brief summary of the item.

Mayor Coffman closed the public hearing.

Moved by Curtis Gardner

Second by Crystal Murillo

Does the City Council wish to approve Ordinance 2024-07 for the Zoning Map Amendment to re-zone the parcel of land from R-R and R-3 zone districts to the MU-C zone district?

Voting Aye: (9): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Françoise Bergan, Crystal Murillo, Curtis Gardner, Ruben Medina, and Dustin Zvonek

13. INTRODUCTION OF ORDINANCES

13.a Lease-Purchase of Golf Maintenance Equipment

2024-08 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA AUTHORIZING THE DIRECTOR OF PARKS, RECREATION AND OPEN SPACE (PROS) TO ACQUIRE CERTAIN GOLF MAINTENANCE EQUIPMENT DURING THE 2024 FISCAL YEAR, PURSUANT TO THE TERMS OF LEASE-PURCHASE AGREEMENTS TO BE ENTERED INTO BETWEEN THE CITY, AS LESSEE, AND LEASE INVESTORS, VENDORS OR THE AURORA CAPITAL LEASING CORPORATION, EACH AS LESSOR, AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY

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

Staff provided a brief presentation of the item.

Moved by Curtis Gardner

Second by Françoise Bergan

Does City Council wish to approve Ordinance 2024-08?

Voting Aye: (9): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Françoise Bergan, Crystal Murillo, Curtis Gardner, Ruben Medina, and Dustin Zvonek

13.b Increase the E-911 Surcharge Imposed on Phone Service

2024-09 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA AMENDING SECTION 58-1 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO AN INCREASE OF THE E-911 SURCHARGE

Scott Newman, Chief Information Officer / Hanosky Hernandez, Senior Assistant City Attorney

Director of 911 provided a brief statement on the item.

Mayor Coffman commented on how impressed he is every time he watches them do their job.

Moved by Steve Sundberg

Second by Stephanie Hancock

Does Council Support Ordinance 2024-09 for the increase of the E911 fee as presented?

Voting Aye: (9): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Françoise Bergan, Crystal Murillo, Curtis Gardner, Ruben Medina, and Dustin Zvonek

13.c An Ordinance Authorizing Eminent Domain for the Buckley and Iliff Intersection Improvements Project

2024-10 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE ILIFF AND BUCKLEY INTERSECTION IMPROVEMENTS PROJECT

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

Outside Speaker: Don Ostrander, HROP Law, Outside Legal Counsel

The Council heard public testimony on the agenda item.

Staff provided a brief presentation on the item.

CM Bergan asked if two property owners were in agreement that they need this in case they have to do imminent domain to meet the deadline.

Mr. Reynoso stated that was correct, it is a negotiated settlement that allows them to obtain possession of the necessary property interest so they project can move forward.

CM Sundberg stated he receives emails on backup traffic and need for expansion of traffic flows around the city, and appreciates staff working with the owner of the land.

Moved by Crystal Murillo

Second by Angela Lawson

Does Council approve of Ordinance 2024-10 Authorizing Eminent Domain for the Buckley and Iliff Intersection Improvements Project?

Voting Aye: (9): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Françoise Bergan, Crystal Murillo, Curtis Gardner, Ruben Medina, and Dustin Zvonek

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading

15. ANNEXATIONS

16. RECONSIDERATIONS AND CALL UPS

17. GENERAL BUSINESS

17.a Determination of Final Candidates to be Interviewed for the Planning and Zoning Commission

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

CM Murillo voiced she was not comfortable with the proposal and thinks they should move forward with the process. She did not support the motion.

MPT Zvonek said he saw where CM Murillo was coming from, but looking at the reviews, it is obvious that Bob Roth has the majority of the Council already, and it was not fair to the other applicants or this body to have them make their case when it is clear that he has the votes to be appointed.

Moved by Danielle Jurinsky

Second by Dustin Zvonek

Appoint Bob Roth to Planning and Zoning Commission

Voting Aye: (8): Stephanie Hancock, Steve Sundberg, Danielle Jurinsky, Angela Lawson, Mayor Coffman, Françoise Bergan, Curtis Gardner, and Dustin Zvonek

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

18. REPORTS

18.a Mayor

Mayor Coffman did not have a report.

18.b Council

CM Jurinsky gave a reminder for the At-large Town Hall on April 18th, at the Southeast Rec Center, at 6:30, and the first annual Aurora Water Wise event on May 18th, at the Water Wise Garden, at 9 a.m.

CM Murillo announced her monthly town hall at Moorhead Recreation Center, March 28th, at 6 p.m. She stated there was a conflict with the Navigation Campus public meeting, and was told the meetings would be recorded and was given feedback to try to keep a status check on things are going.

CM Hancock expressed she had the opportunity to go to Buckley Space Force Base, and it was an exciting tour to talk about the synergy and collaboration between APD and Buckley Space Force Base for emergency preparedness and things to keep the city safe. She stated her town hall is on April 11th, at Colorado Early Colleges. She said the Council works for the people and they are good stewards of their money, time, and energy and there to serve, protect, and defend their city.

CM Lawson announced she has two town halls in April, one on April 20th, at Heather Garden, from 10-11:30, and one on April 30, at Central Rec Center, from 6:30-8, to talk about the budget.

CM Bergan said she attended one of the Crimes Against Businesses Meetings, and thanked 18th Judicial, APD, and BAB for putting that on. She expressed they had a great attendance at her town hall last week. She noted there was a lot going on with E-470, and they had a report from the community engagement effort, talked about the Quebec Interchange IGA, and eliminating sales force and be 100% net use. She stated she serves as the chair on the Opioid Governance Board for Arapahoe County, and they approved $1.2 million continued funding of the current program, and additionally allocated $100,000 for a campaign for prevention and awareness, as well as $100,000 for workforce development.

Council members Gardner, Zvonek, Sundberg, and Medina did not have a report.

19. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of City Council.

MIKE COFFMAN, MAYOR

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

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: Fourth Amendment to Drainage and Flood Control Improvements Intergovernmental Agreement (IGA) for Cherry Creek Restoration at Arapahoe Road
Item Initiator: Sam Scorza, Engineer II, Aurora Water
Staff Source/Legal Source: James DeHerrera, Planning Services 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: N/A

Regular Meeting: 5/5/2025

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

Item requires a Public Hearing: ☐ Yes ☒ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

R2025-50 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE FOURTH AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, D/B/A MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY, AND ARAPAHOE COUNTY REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD
James DeHerrera, Planning Services 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: 4/16/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☒ Minutes Attached

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

On October 20, 2021, the Water Policy Committee supported an Intergovernmental Agreement regarding Drainage and Flood Control improvements for the Cherry Creek Restoration at Arapahoe Road and forwarded to Study Session.

On November 8, 2021, the City Council of the City of Aurora approved an Intergovernmental Agreement for Drainage and Flood Control Improvements for the Cherry Creek Restoration at Arapahoe Road as item 11m.

On October 19, 2022, the Water Policy Committee supported an Amendment to an Intergovernmental Agreement for Drainage and Flood Control improvements for the Cherry Creek Restoration at Arapahoe Road and forwarded to Regular Session.

On November 14, 2022, the City Council of the City of Aurora approved an Amendment to an Intergovernmental Agreement for Drainage and Flood Control Improvements for the Cherry Creek Restoration at Arapahoe Road as item 11m.

On August 10, 2023, the Water Policy Committee supported Amendment to an Intergovernmental Agreement for Drainage and Flood Control improvements for the Cherry Creek Restoration at Arapahoe Road and forwarded to Regular Session.

On August 28, 2023, the City Council of the City of Aurora approved an Amendment to an Intergovernmental Agreement for Drainage and Flood Control Improvements for the Cherry Creek Restoration at Arapahoe Road as item 11a4.

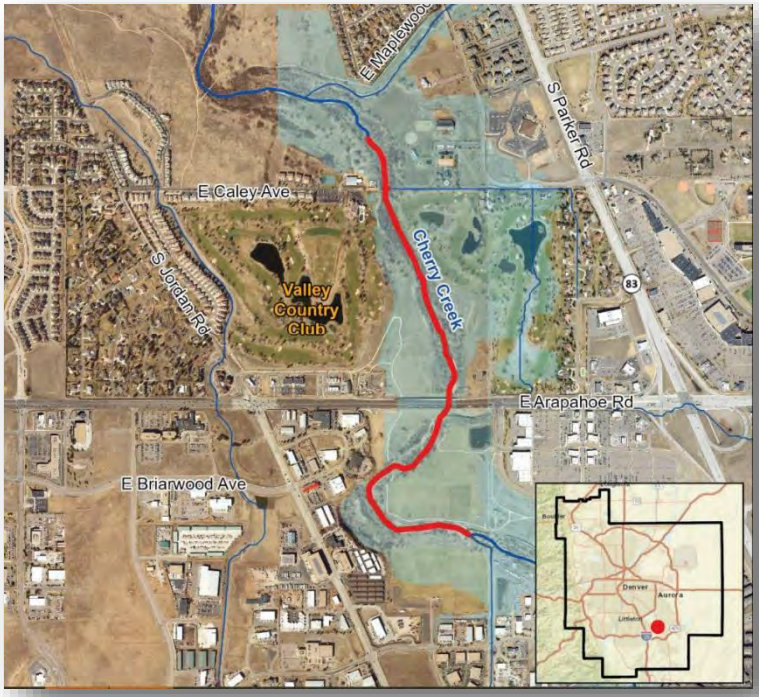
On June 12, 2024, the Water Policy Committee supported Amendment to an Intergovernmental Agreement for Drainage and Flood Control improvements for the Cherry Creek Restoration at Arapahoe Road and forwarded to Regular Session.

On July 8, 2024, the City Council of the City of Aurora approved an Amendment to an Intergovernmental Agreement for Drainage and Flood Control Improvements for the Cherry Creek Restoration at Arapahoe Road as item 11a2.

On April 16, 2025, the Water Policy Committee supported the Fourth Amendment to an Intergovernmental Agreement for Drainage and Flood Control improvements for the Cherry Creek Restoration at Arapahoe Road and forwarded to the May 5, 2025 council meeting.

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

Background: In 2004, the Mile High Flood District (MHFD) and Aurora completed a Master Drainageway Plan for the Cherry Creek Basin Upstream of the Cherry Creek reservoir. The Master Plan identified the need for bank stabilization and grade control to mitigate significant erosion concerns. Since that time, some grade control structures have been installed and portions of the reach have been improved. However, there is still significant erosion occurring in several other locations within the channel between the Cherry Creek Soccer Complex and the confluence with Piney Creek.



Scope:
The Scope of this Intergovernmental Agreement (IGA) is to identify ways to mitigate the erosion in the remaining portions of the channel. Future amendments will be required to complete mitigation design, and to construct identified projects.

Cost:
MHFD requested that all participating parties contribute to this study. Based on tributary area, Aurora previously contributed $650,000.00, the Mile High Flood District contributed $925,000.00, the Southeast Metro Stormwater Authority (SEMSWA) contributed $370,000.00 and the Cherry Creek Basin Water Quality Authority (CCBWQA) contributed $635,000.00. This amendment increases each party's contribution except Aurora - $400,000.00 from the MHFD, $200,000 from CCBWQA, and $200,000.00 from SEMSWA. This percentage share more equitably matches each jurisdiction's tributary drainage area within the project boundary. Aurora will pause contributions until a design alternative is selected and an equitable construction cost split by jurisdiction is determined.

In addition to these funds, the District identified a previous project account from 2015 with an identical scope and thus was able to transfer the remaining project funds to the project including $90,513.66 from Aurora, $115,276.50 from MHFD, $1,790.74 from SEMSWA, and $81,247.40 from CCBWQA. This transfer was approved in the second amendment in 2023.

	Previous Contribution	Previous Special Transfer	Contribution through this Amendment	Total Contribution
MHFD	$925,000.00	$115,276.50	$400,000.00	$1,440,276.50
Aurora	$650,000.00	$90,513.66	$0	$740,513.66
SEMSWA	$370,000.00	$1,790.74	$200,000.00	$571,790.74
CCBWQA	$635,000.00	$81,247.40	$200,000.00	$916,247.40
TOTAL	$2,580,000.00	$288,828.30	$800,000.00	$3,668,828.30

Further Amendments are anticipated as the project advances to the construction phase.

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 APPROVE A RESOLUTION of the Fourth Amendment to an Intergovernmental Agreement between the City of Aurora, acting by and through its Utility Enterprise, the Urban Drainage and Flood Control District, d/b/a Mile High Flood District, Southeast Metro Stormwater Authority, the Cherry Creek Basin Water Quality Authority, and Arapahoe County regarding final design, right-of-way acquisition, and construction of drainage and flood control improvements for Cherry Creek restoration at Arapahoe Road?

LEGAL COMMENTS

The City is authorized to cooperate and contract with any political subdivision of the State of Colorado, to provide any function, service, or facility lawfully authorized to each of the contracting or cooperating units of government (Article XIV of the Colorado Constitution and C.R.S. 29-1-203). The City Charter authorizes the City by resolution to enter into contracts or agreements with other governmental units, including special districts, for the joint use of buildings, equipment or facilities or for furnishing or receiving commodities and services (Charter Section 10-12). (Best)

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE FOURTH AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY, AND ARAPAHOE COUNTY REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

WHEREAS, the City of Aurora, acting by and through its Utility Enterprise ("Aurora Water"), the Urban Drainage and Flood Control District d/b/a Mile High Flood District ("District"), Southeast Metro Stormwater Authority ("SEMSWA"), the Cherry Creek Basin Water Quality Authority ("CCBWQA"), and Arapahoe County ("Arapahoe") have agreed to further fund and proceed with the design, right-of-way acquisition, and construction of drainage and flood control improvements for Cherry Creek restoration at Arapahoe Road; and

WHEREAS, the project costs funded through this amendment to the Intergovernmental Agreement include final design services, delineation and description and acquisition of right of way and easements, construction of improvements and necessary contingencies ("Project Costs"); and

WHEREAS, Aurora Water will make no additional financial contribution to the Project Costs through this fourth amendment; and

WHEREAS, a summary of Project Cost contributions to date is set forth in the table below:

	Previous Contribution	Previous Special funds Transfer	Contribution through this Amendment	Total Contribution
District	$925,000	$115,276.50	$400,000	$1,440,276.50
Aurora	$650,000	$90,513.66	$0	$740,513.66
SEMSWA	$370,000	$1,790.74	$200,000	$571,790.74
CCBWQA	$635,000	$81,247.40	$200,000	$916,247.40
TOTAL	$2,580,000	$288,828.30	$800,000	$3,668,828.30

; and

WHEREAS, the work performed pursuant to the Intergovernmental Agreement and this amendment is necessary for the health, safety, and welfare of the people of Aurora; and

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

WHEREAS, Section 10-12 of the City Charter authorizes the City by resolution to enter into contracts or agreements with other governmental units, including special districts, for the joint use of buildings, equipment or facilities or for furnishing or receiving commodities and services.

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

Section 1. The fourth amendment to the Intergovernmental Agreement between the City of Aurora, the District, SEMSWA, CCBWQA, and Arapahoe regarding final design, right-of-way acquisition, and construction of drainage and flood control improvements for Cherry Creek Restoration at Arapahoe Road is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement in substantially the form presented at this meeting with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney.

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

RESOLVED AND PASSED this _____ day of _____ 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

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

FOURTH AMENDMENT TO
AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

Agreement No. 21-06.17D
Project No. 108670

THIS FOURTH AMENDMENT TO AGREEMENT (hereinafter called "FOURTH AMENDMENT"), by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT (hereinafter called "DISTRICT") and CITY OF AURORA, Colorado, a Colorado home rule municipal corporation of the counties of Adams, Arapahoe, and Douglas acting by and through its Utility Enterprise (hereinafter called "CITY"); SOUTHEAST METRO STORMWATER AUTHORITY (hereinafter called "SEMSWA"); CHERRY CREEK BASIN WATER QUALITY AUTHORITY (hereinafter called "CCBWQA") and collectively known as "PARTIES"; and ARAPAHOE COUNTY, Colorado (hereinafter called "Arapahoe County") ONLY as to Paragraphs 10 and 11 of the original AGREEMENT;

WITNESSETH:

WHEREAS, PARTIES have entered into " Agreement Regarding Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road " (Agreement No. 21-06.17) dated December 21, 2021, as amended (hereinafter called "AGREEMENT"); and

WHEREAS, PARTIES now desire to proceed with the design, right-of-way acquisition and construction of drainage and flood control improvements for Cherry Creek Restoration at Arapahoe Road (hereinafter called "PROJECT"); and

WHEREAS, PARTIES desire to increase the level of funding by $800,000; and

WHEREAS, DISTRICT's Board of Directors has authorized additional DISTRICT financial participation for PROJECT (Resolution No. 14, Series of 2025); and

WHEREAS, the City Council of City; Board of Directors of SEMSWA; Board of Directors of CCBWQA; and the Board of Directors of DISTRICT have authorized, by appropriation or resolution, all of PROJECT costs of the respective PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. Paragraph 4. PROJECT COSTS AND ALLOCATION OF COSTS is deleted and replaced as follows:

4. PROJECT COSTS AND ALLOCATION OF COSTS

A. PARTIES agree that for the purposes of this AGREEMENT, PROJECT costs shall consist of and be limited to the following:

1. Final design services;

2. Delineation, description and acquisition of required rights-of-way/ easements;
3. Construction of improvements;
4. Contingencies mutually agreeable to PARTIES.

B. It is understood that PROJECT costs as defined above are not to exceed $3,668,828.30 without amendment to this AGREEMENT.

PROJECT costs for the various elements of the effort are estimated as follows:

	ITEM	AS AMENDED	PREVIOUSLY AMENDED
1.	Final Design	$ 1,000,000	$ 1,000,000
2.	Right-of-way	$ -0-	$ -0-
3.	Construction	$ 2,468,828.30	$ 1,668,828.30
4.	Contingency	$ 200,000	$ 200,000
	Grand Total	$ 3,668,828.30	$ 2,868,828.30

* It is anticipated that additional funding for construction will be added through future amendments.

This breakdown of costs is for estimating purposes only. Costs may vary between the various elements of the effort without amendment to this AGREEMENT provided the total expenditures do not exceed the maximum contribution by all PARTIES plus accrued interest.

C. At the request of the CITY, SEMSWA, and CCBWQA, the following CITY, SEMSWA, CCBWQA, and DISTRICT funds pursuant to a prior amendment have been transferred to PROJECT from a separate special fund held by DISTRICT: Transfer from: Cherry Creek at Arapahoe Road; Project No. 100407; Account No. 5603; Agreement No. 12-08.04 Amendment E; Amount: $288,828.30.

D. Based on total PROJECT costs, the maximum percent and dollar contribution by each party shall be:

	Percentage Share	Previously Contributed	Special Funds Transfer from Account No. 5603	Additional Contribution	Maximum Contribution
DISTRICT Special Funds Transfer	39.26%	$925,000	$115,276.50	$400,000	$1,440,276.50
CITY Special Funds Transfer	20.18%	$650,000	$90,513.66	$0	$740,513.66
SEMSWA Special Funds Transfer	15.59%	$370,000	$1,790.74	$200,000	$571,790.74
CCBWQA Special Funds Transfer	24.97%	$635,000	$81,247.40	$200,000	$916,247.40
TOTAL	100.00%	$2,580,000	$288,828.30	$800,000	$3,668,828.30

E. DISTRICT Acknowledges that (i) CCBWQA does not by this Agreement irrevocably pledge present cash reserves for payments in future fiscal years, and (ii) It is understood and agreed that notwithstanding any other provision contained herein to the contrary, any additional contribution obligation of CCBWQA hereunder, whether direct or contingent, shall extend only to funds duly and lawfully appropriated and encumbered by the Board of Directors of CCBWQA for the purposes of the Agreement, and paid into the Treasury of CCBWQA, and shall under no circumstances exceed $916,247.40 without CCBWQA's prior express written consent.

2. Paragraph 5. MANAGEMENT OF FINANCES is deleted and replaced as follows:

5. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may come from its own revenue sources or from funds received from state, federal or other sources of funding without limitation and without prior DISTRICT approval. Payment of each PARTY's full share (CITY - $740,513.66; SEMSWA - $571,790.74; CCBWQA - $916,247.40; DISTRICT - $1,440,276.50), to the extent not previously paid, shall be made to DISTRICT subsequent to execution of this AGREEMENT and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES,

and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to PARTIES of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share of such monies, which shares shall be computed as were the original shares; or at CITY, SEMSWA, and CCBWQA request, CITY, SEMSWA, or CCBWQA share of remaining monies shall be transferred to another special fund held by DISTRICT.

3. All other terms and conditions of this AGREEMENT shall remain in full force and effect.

WHEREFORE, PARTIES hereto have caused this FOURTH AMENDMENT to be executed by properly authorized signatories as of the date and year written below.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT D/B/A
MILE HIGH FLOOD DISTRICT

By_____

Name Laura A. Kroeger

Title Executive Director

Date_____

_____
Checked By

CITY OF AURORA, COLORADO,
ACTING BY AND THROUGH ITS
UTILITY ENTERPRISE

_____ _____
Mike Coffman, Mayor Date

ATTEST:

_____ _____
Kadee Rodriguez, City Clerk Date

APPROVED AS TO FORM FOR AURORA:

Ian J Best 4/1/2025 25011187
_____ _____ _____
Ian Best, Assistant City Attorney Date ACS#

STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Mike Coffman, Mayor, acting on behalf of the Utility Enterprise of the City of Aurora, Colorado.

Witness my hand and official seal. _____
Notary Public

My commission expires: _____

(SEAL)

CHERRY CREEK BASIN
WATER QUALITY AUTHORITY

By_____

Name_____

Title_____

Date_____

_____
CCBWQA Checked By

ATTEST:

_____

APPROVED AS TO FORM FOR CCBWQA:

_____
Timothy J. Flynn, General Counsel

Date: _____

SOUTHEAST METRO STORMWATER AUTHORITY

By_____

Name_____

Title_____

Date_____

Water Policy Committee (WPC) Meeting
October 20, 2021

Members Present: Council Member Crystal Murillo Chair; Council Member Allison Hiltz Vice Chair (Absent); Council Member Alison Coombs

Others Present: Leiana Baker, Casey Rossman, Jo Ann Giddings, Steve Sciba, Laura Perry, Sam Miller, Janet Marlow (CWAC), Sarah Young, Marshall Brown, Christine McKenney, Alex Davis, Ian Best, Angie Binder (CWAC), Ted Hartfelder, Rick Kienitz, John Murphy, Stephanie Neitzel, Swirvine Nyirenda, Jeffrey Sipes, Gail Thrasher

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1. Approval of Minutes

The September 7, 2021, meeting minutes were approved as presented.

2. Consent Items

A. Construction Change Order Summary Report
B. Monthly Water Supply Update

Summary of Issue and Discussion: Council Member Coombs stated, it looks like we're doing ok in the Arkansas and Colorado basins. What is on the horizon with the Colorado River. M. Brown replied, there was a shortage declaration and that triggered some reductions primarily in Arizona and concerns in Nevada. Most of our water comes from the South Platte Basin. Council Member Coombs stated, if we are expected to reduce our use from the Colorado River what would we do? M. Brown replied, about 20% of our supply comes from the Colorado River. We can take water from the Prairie Waters System and we can add further restrictions to outdoor watering.

Outcome: The Consent items were supported as presented.

Follow-Up Action: The Consent items were supported as presented.

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3. Citizens' Water Advisory Committee Quarterly Update

Summary of Issue and Discussion: J. Marlow gave an overview of the quarterly update.

- Kathy Kitzmann gave an update on state bills.
- Virtual water tour presentation.
- 2022 Budget presentation.
- Water tour was cancelled for this year.
- SEAM building update.
- Rocky Ford tour.
- Engage Aurora website presentation.

Outcome: Informational only.

Follow-Up Action: Informational only.

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4. Amendment to an Intergovernmental Agreement (IGA) with the City and County of Denver regarding the Gateway Lift Station

Summary of Issue and Discussion S. Young stated, the need to amend the 2018 IGA is to reflect the Gateway Lift Station's actual baseline capacity and anticipated capacities associated with the proposed phased capacity movements.

Outcome: The Committee supports the Amendment to an Intergovernmental Agreement (IGA) regarding the Gateway Lift Station and forwarded to Regular Session for consideration.

Follow-Up Action: The Committee supports the Amendment to an Intergovernmental Agreement (IGA) regarding the Gateway Lift Station and will forward to Regular Session for consideration.

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5. Intergovernmental Agreement (IGA) regarding the Design and Construction and Flood Improvements for Cherry Creek Restoration at Arapahoe Road

Summary of Issue and Discussion S. Miller stated, this IGA is to identify ways to mitigate the erosion in the remaining portions of channel and to complete a design for those mitigation measures.

Council Member Coombs asked, what is the cost percentages between the entities? S. Miller replied, we expect the percentages to increase next year. S. Young added, it depends on the entities that are involved in the project determines the percentages.

Outcome: The Committee supports the Intergovernmental Agreement (IGA) regarding the Design and Construction and Flood Improvements for Cherry Creek Restoration at Arapahoe Road and forwarded to Study Session for consideration.

Follow-Up Action: The Committee supports the Intergovernmental Agreement (IGA) regarding the Design and Construction and Flood Improvements for Cherry Creek Restoration at Arapahoe Road and will forward to Study Session for consideration.

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6. Resolution approving an Intergovernmental Agreement (IGA) between the City of Aurora and the United States Department of Agriculture Animal and Plant Health Inspection Service

Summary of Issue and Discussion: A. Davis stated, this agreement would ensure Rocky Ford Ditch lands would continue to remain in compliance with the Water Court Decrees. The agreement would target areas where the native grass is most threatened and areas where there are neighboring farmlands in danger of being overrun and damaged by prairie dogs.

Council Member Murillo asked, are we exterminating the prairie dogs? A. Davis replied, yes. It is very difficult action to take. Not all prairie dogs will be exterminated. and some will be moved, however, we are not able to move them all. There are limited options regarding this. Council Member Coombs asked, is the issue that there are too many to move? A. Davis replied, yes. The population has grown so much that not all the prairie dogs can be moved. We are required by

decree to keep the revegetation of the native grasses. M. Brown added, we did try some alternative ideas years ago and they didn't work. Council Member Murillo stated, there is a study of non-lethal evacuations regarding prairie dogs. M. Brown replied, we're happy to look at other options. Council Members and staff agree that this is a difficult decision and continue to look for other alternatives. Council Member Murillo stated, is there a timeline, within the next month? A. Davis replied, there is a certain time of the year when the process happens that is more humane and helps to ensure that other wildlife will not be impacted. The item will go to Study Session November 15.

Outcome: The Committee supports moving this Resolution of the Intergovernmental Agreement between the City of Aurora and the United States Department of Agriculture Animal and Plant Health Inspection Service to Study Session for consideration.

Follow-Up Action: The Committee supports moving this Resolution of the Intergovernmental Agreement between the City of Aurora and the United States Department of Agriculture Animal and Plant Health Inspection Service to Study Session for consideration.

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7. Northeast Aurora Potable Water Pipeline Project and Front Range Airport

Summary of Issue and Discussion: S. Young stated, the Aurora Water Department completed the Integrated Water Master Plan (IWMP) in 2016. The IWMP identified a potable water pipeline extension to Northeast Aurora by 2025. The pipeline will provide service along the 26th Avenue corridor, service to the Transport development (dba Port Colorado) and a tie-in location for the Front Range Airport (FRA dba Colorado Air and Space Port (CASP)) to meet the obligations under the existing water services agreement.

Outcome: Informational only.

Follow-Up Action: Informational only.

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8. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: None.

Outcome: N/A

Follow-Up Action: N/A

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9. Confirm Next Meeting

The next meeting is scheduled for November 17, 2021, 9:00 a.m. via WebEx.

X Crystal Murillo
Crystal Murillo (Nov 22, 2021 18:25 MST)

Crystal Murillo
Chair, Water Policy Committee

MINUTES

Regular Meeting of the **Aurora City Council**
Monday, November 22, 2021

1. **RECONVENE REGULAR MEETING OF NOVEMBER 22, 2021, CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council for November 22, 2021, at 6:30 p.m.

2. **ROLL CALL**– Kadee Rodriguez, City Clerk

COUNCIL MEMBERS PRESENT: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Lawson, Marcano, Murillo

Call-in instructions were provided in both English and Spanish.

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

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated legal advice was discussed in Executive Session.

6. **APPROVAL OF MINUTES**

6.a. September 13, 2021, Meeting Minutes

Motion by Bergan, second by Coombs, to approve the minutes of the September 13, 2021, City Council meeting, as presented.

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

6.b. October 11, 2021, Meeting Minutes

Motion by Coombs, second by Lawson, to approve the minutes of the October 11, 2021, City Council meeting, as presented.

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

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

6.c. October 25, 2021, Meeting Minutes

Motion by Berzins, second by Bergan, to approve the minutes of the October 25, 2021, City Council meeting, as presented.

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

7. PROCLAMATIONS OR CEREMONIES

7.a. Small Business Saturday

Mayor Coffman read the proclamation declaring November 27, 2021 as Small Business Saturday.

8. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

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

9. ADOPTION OF THE AGENDA

Motion by Bergan, second by Berzins, to approve the agenda.

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

10. CONSENT CALENDAR

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

10.a. Consideration to AWARD A SINGLE SOURCE CONTRACT to Liberty Industrial Group, Inc., Arvada, Colorado in the amount of $318,855.00 for the Binney Water Purification Facility Sodium Hydroxide Tank Rehabilitation (Phase 2) Project.

Elizabeth Carter, Principal Engineer, Aurora Water / Ian Best, Assistant City Attorney

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10.b. Consideration to APPROVE A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $112,000 IN 2022 between the city of Aurora, and Aurora Sister Cities International

Ricardo Gambetta, Manager of the Office of International and Immigrant Affairs / Hanosky Hernandez, Assistant City Attorney

Outside Speaker: Karlyn Shorb, Executive Director, Aurora Sister Cities International

10.c. Consideration to AWARD AN OPENLY SOLICITED contract to Saunders Construction, Englewood, Colorado in the amount of $6,138,838.00 for the Work Package 4 of the Southeast Aurora Maintenance (SEAM) Facility Project, Project No. R-5661

Waiver of reconsideration requested due to market conditions and material procurement lead times.

Andrea Long, Senior Engineer, Aurora Water / Brian Rulla, Assistant City Attorney

10.d. Consideration to Award a Single Source Contract to Innovest Portfolio Solutions LLC in the amount of $64,500 for investment advisory consulting services associated with the City's 457 and 401(a) plans through December 31, 2022

Nancy Wishmeyer, Controller / Hanosky Hernandez, Assistant City Attorney

10.e. Consideration to AWARD A SINGLE SOURCE CONTRACT to AM Signal, LLC., Littleton, Colorado in the amount of $134,376.96 for the purchase of twenty-four (24) TrafiSense 2 Thermal Sensors and Video Detectors and related components.

Staff requests a waiver or reconsideration as these detection cameras are needed urgently to maintain functionality of the City's traffic signals as maintenance stock is low and the lead time on these cameras is 6 months due to current industry wide supply chain issues.

Carlie Campuzano, Traffic Manager, Public Works / Ian Best, Assistant City Attorney

10.f. Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Liberty Waste Management, Englewood, Colorado in the not-to-exceed amount of $80,600.00 for portable toilet rental services required through November 30, 2022.

John Wesolowski, Manager of Parks and Forestry / Ian Best, Assistant City Attorney

10.g. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Keesen Landscape Management, Inc., Englewood, Colorado in the not-to-exceed amount of $210,000.00 for abatement services as required through March 31, 2022. (B-4543)

Sandra Youngman, Manager of Code Enforcement / Ian Best, Assistant City Attorney

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10.h. Consideration to AWARD A SINGLE SOURCE CONTRACT to Accurate Legal Support Services, LLC, Littleton, Colorado in the not-to-exceed amount of $88,600.00 for subpoena process services as required through December 31, 2022. (B-4630)

Julie Heckman, Deputy City Attorney / Ian Best, Assistant City Attorney

Motion by Bergan, second by Hiltz, to approve items 10a – 10h.

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

10.i. Consideration to AWARD A SOLE SOURCE CONTRACT to ZETX Inc., Chandler, AZ in the amount of $239,986.58 to purchase two each Drive Test Scanner Suites for the Police RAVEN Task Force

Chief Vanessa Wilson, Police / Megan Platt, Asst. City Attorney

Acting Division Chief Mark Hildebrand, Aurora Police, provided a summary of the item.

Council Member Marcano asked staff to speak to the City's fiduciary responsibility in this regard. Acting Division Chief Hildebrand did so. Council Member Marcano stated his understanding the item made efforts more efficient but did not do anything the police could not already do.

Acting Division Chief Hildebrand concurred.

Council Member Coombs stated her understanding the item did not violate anyone's privacy rights and it did not secure anyone's data.

Acting Division Chief Hildebrand concurred.

Council Member Hiltz suggested a larger Data Governance policy should be created for the City going forward.

Motion by Marcano, second by Bergan, to approve item 10i.

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

10.j. Consideration to AWARD CHANGE ORDER #1 TO AN OPENLY SOLICITED CONTRACT to J. Brower Psychological Services, Denver, CO in the total amount of $110,000.00 to provide psychological counseling services for the Aurora Police Dept. through 5/31/2022. (R-2081)

Chief Vanessa Wilson, Police / Ian Best, Asst. City Attorney

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Motion by Bergan, second by Hiltz, to approve item 10j.

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

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

11. **RESOLUTIONS**

11.a. Parkside at City Centre BID 2022 Operating Plan and Budget

R2021-128 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE PARKSIDE AT CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

Jennifer Orozco, Dev Project Mgr, PDS / Hans Hernandez Perez, Assistant City Attorney

Nancy Wishmeyer, Controller, provided a summary of items 11a – 11j.

Motion by Berzins, second by Gardner, to approve item 11a.

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

11.b. Painted Prairie No. 1 BID 2022 Operating Plan and Budget

R2021-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER ONE

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

Motion by Gardner, second by Coombs, to approve item 11b.

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

11.c. Painted Prairie No. 2 BID 2022 Operating Plan and Budget

R2021-130 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER TWO

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

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Motion by Bergan, second by Berzins, to approve item 11c.

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

11.d. Porteos BID 2022 Operating Plan and Budget

R2021-131 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE PORTEOS BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

Motion by Marcano, second by Lawson, to approve item 11d.

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

11.e. Tower BID 2022 Operating Plan and Budget

R2021-132 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE TOWER BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

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

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

11.f. Windler No. 1 BID 2022 Operating Plan and Budget

R2021-133 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.1

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

Motion by Bergan, second by Berzins, to approve item 11f.

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

11.g. Windler No. 2 BID 2022 Operating Plan and Budget (Resolution)

R2021-134 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,

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

COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.2

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

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

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

11.h. 2022 Operating Plan and Budget for the Citadel on Colfax Business Improvement District

R2021-135 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE CITADEL ON COLFAX BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting, Finance / Hans Hernandez Perez, Assistant City Attorney

Council Member Murillo referenced p. 4 and noted there were two serving and three vacant positions on the board and asked staff if that was common. Ms. Wishmeyer answered no. Council Member Murillo asked if a vacancy like this has been seen before with this group. Ms. Wishmeyer answered affirmatively. Council Member Murillo asked when that occurred. Ms. Wishmeyer stated it was noted last year when the item was reviewed. Council Member Murillo expressed concerns that there were only two out of five board members making these decisions.

Motion by Bergan, second by Berzins, to approve item 11h.

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

11.i. 2022 Operating Plan and Budget for the Fitzsimons Business Improvement District

R2021-136 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE FITZSIMONS BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hans Hernandez, Assistant City Attorney

Motion by Berzins, second by Lawson, to approve item 11i.

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

11.j. Havana Business Improvement District - Operation Plan and Budget

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R2021-137 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2022 OPERATING PLAN AND BUDGET FOR THE HAVANA BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hans Hernandez, Assistant City Attorney

Outside Speaker: Chance Horiuchi, Executive Director, Havana BID

Motion by Marcano, second by Berzins, to approve item 11j.

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

11.k. Property Negotiations - Solar Lease at NE Corner of 6th Ave and Tower Road

R2021-138 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE LEASE OF CITY OWNED LAND CONTAINING APPROXIMATELY 43.6 ACRES FOR A SOLAR GARDEN PROJECT AT THE NORTHEAST CORNER OF 6TH AVENUE AND TOWER ROAD

Karen Hancock, Principal Planner / Michelle Gardner, Senior Assistant City Attorney

Karen Hancock, Principal Planner, provided a summary of the item.

Motion by Coombs, second by Gardner, to approve item 11k.

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

11.l. Rocky Ford Land Management IGA

R2021-139 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE COOPERATIVE SERVICE AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, AND UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE WILDLIFE SERVICES

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

Alexandra Davis, Deputy Director of Water Resources, provided a summary of the item.

Mayor Pro Tem Bergan asked Ms. Davis to speak to the agricultural benefits of the item. Ms. Davis did so.

Council Member Marcano stated prairie dog removal was of great concern to some of his constituents. He asked if the City has attempted to trap and relocate them. Ms. Davis

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answered no and discussed the capture and relocating process. She stated the City was looking into a US Fish & Wildlife Black-footed Ferret Project where the prairie dogs would become food for an endangered species. Council Member Marcano stated the City had to act sooner than that to remain in compliance.

Ms. Davis concurred.

Council Member Murillo acknowledged Ms. Davis and staff's effort in this regard. She asked Ms. Davis to speak to the timeline for substantial compliance. Ms. Davis did so. Council Member Murillo asked if an affirmative vote would allow the City to participate in the US Fish & Wildlife program. Ms. Davis answered no and explained the program process.

Mayor Pro Tem Bergan asked Ms. Davis to speak to the time element for compliance. Ms. Davis did so. Mayor Pro Tem Bergan stated her understanding the issue needed to be addressed right away.

Ms. Davis concurred.

Council Member Coombs asked Ms. Davis to speak to whether the City could consider other options if they came into compliance in the first year rather than finishing out the three-year contract and if so, what the likelihood was for that to occur. Ms. Davis stated the City could not utilize non-lethal management methods due to the sheer number of prairie dogs. She stated the City would work to preserve one whole colony and relocate others. Council Member Coombs asked Ms. Davis why some of the prairie dogs could not be relocated to northwesterly areas. Ms. Davis discussed prairie dog habitability and vegetation in those areas.

Council Member Murillo stated she was uncertain about supporting lethal options. She asked Ms. Davis to speak to the timeline to perhaps implement non-lethal methods. Ms. Davis did so.

Mayor Pro Tem Bergan stated she understood her colleagues' concerns and asked them to take the timeline into consideration. She noted alternative methods could be pursued moving forward.

Motion by Bergan, second by Berzins, to end discussion and call for the vote on the item.

Voting Aye: Bergan, Berzins, Gardner, Gruber, Hiltz, Lawson, Murillo

Voting Nay: Coombs, Marcano

Motion by Gardner, second by Bergan, to approve item 11l.

Voting Aye: Bergan, Berzins, Gardner, Gruber, Lawson

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Voting Nay: Coombs, Hiltz, Marcano, Murillo

Council Member Coombs stated she might have gotten to an affirmative vote if she had been allowed to ask all her questions. She addressed Mayor Coffman and suggested he not move to the question without allowing people to ask all their questions.

11.m. Drainage and Flood Control Improvements for the Cherry Creek Restoration at Arapahoe Road

R2021-140 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, AND THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

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

Sarah Young, Deputy Director, Aurora Water, provided a summary of the item.

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

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

11.n. Larson Farms & Feeding LLC, Farming and Grazing Lease with Water Use Agreement

R2021-141 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE FARMING AND GRAZING LEASE WITH WATER USE AGREEMENT ON CITY-OWNED LAND IN WELD COUNTY BETWEEN CITY OF AURORA AND LARSON FARMS & FEEDING LLC

Hector Reynoso, Manager of Real Property Services / Dawn Jewell, Water Resources Supervisor / Michelle Gardner, Senior Assistant City Attorney

Hector Reynoso, Manager of Real Property Services, provided a summary of the item.

Motion by Marcano, second by Lawson, to approve item 11n.

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

11.o. Ford Farms LLC - Farm, Grazing and Property Lease with Water Use Agreement

♦ ***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.***

R2021-142 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE FARM, GRAZING AND PROPERTY LEASE WITH WATER USE AGREEMENT ON CITY-OWNED LAND IN WASHINGTON AND LOGAN COUNTIES BETWEEN CITY OF AURORA AND FORD FARMS LLC

Hector Reynoso, Manager of Real Property Services / Dawn Jewell, Water Resources Supervisor, Aurora Water / Michelle Gardner, Sr. Asst. City Attorney

Hector Reynoso, Manager of Real Property Services, provided a summary of the item.

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

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

11.p. Consent Decree Agreement

R2021-143 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL FOR ENTERING INTO THE STIPULATED CONSENT DECREE AGREEMENT WITH THE STATE OF COLORADO ATTORNEY GENERAL PURSUANT TO C.R.S. § 24-31-113

Staff is requesting a waiver of reconsideration to accommodate the prompt filing of the Agreement with the Court.

Jim Twombly, City Manager / Peter Schulte, Public Safety Client Group Manager

Jason Batchelor, Deputy City Manager, and Peter Schulte, Public Safety Client Group Manager, gave presentations on the item.

Mayor Pro Tem Bergan referenced the resolution and asked staff to speak to Council's role in the consent decree. Mr. Schulte did so, noting this was the point where Council approved these steps.

Council Member Marcano asked staff to speak to what part labor organizations played in crafting the decree. Mr. Schulte did so.

Council Member Hiltz expressed appreciation to staff for their efforts in this regard. She stated the City had a lot of work to do and has for a long time in terms of policing. She stated it was unfortunate that it took this process to get it done, noting there were those in the City who did not want to have these discussions.

Council Member Lawson echoed Council Member Hiltz's thanks of staff. She referenced 317, Civil Service Commission, and noted it was rather broad. She asked Mr. Schulte to speak to how Council would be a part of the implementation process. Mr. Schulte did so.

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Council Member Hiltz gave a shout-out to former Council Member Johnston for her efforts in having the Chiefs provide input into the item. She discussed her experience in 2020 working on the Public Safety Committee where their efforts were dismissed, and they were called anti-police when now two separate independent investigations confirmed their concerns.

Council Member Berzins stated she heard the unions were not very involved which concerned her as that was their job. She asked staff if the unions had a seat at the negotiations table. Mr. Bachelor answered no, noting everything that was being negotiated was a management right as it had to do with department operations. He stated the item was reviewed with the unions to answer their questions once it was made public.

Mr. Schulte stated the unions would be an integral part once the policies were instilled.

Council Member Berzins expressed concerns related to the waiver of reconsideration because the role of Attorney General was a political position. She asked staff to speak to how a change in that position would impact the item. Mr. Batchelor stated the waiver of reconsideration was simply a Council procedural rule. Council Member Berzins asked if the consent decree could be changed at some point. Mr. Schulte answered no, noting it became an order of the court once it was approved and signed by the Court.

Troy Eid, outside counsel, explained the consent decree process.

Council Member Berzins stated her understanding Council was giving power to a judge.

Mr. Eid disagreed, noting progress and timeframes were very clear in the framework.

Council Member Berzins expressed concerns that crime would continue to increase as it did after 217 passed and wondered if this would help public safety at all. She stated Council cared about the consent decree only because they were intrinsically involved but noted the average person did not care about it as they just wanted to be safe.

Mr. Schulte discussed how the item was different from a Department of Justice consent decree.

Council Member Berzins stated she wanted to see the specifics in it before it passed. She expressed appreciation to staff for their efforts in this regard and restated her concerns that crime was on the rise.

Mr. Batchelor discussed the role of the independent monitor as called out in the decree.

Mayor Pro Tem Bergan expressed appreciation to staff for their efforts in this regard. She noted some of the trainings and reform were currently in place which expedited the process. She noted additionally the metrics were in place to ensure the City remained in compliance.

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Mr. Schulte concurred.

Mayor Pro Tem Bergan stated more information provided more transparency to the public.

Mr. Schulte concurred.

Council Member Coombs expressed appreciation to staff for their attendance and for providing information. She referenced hiring and recruitment and noted backgrounding was not specifically addressed. She discussed the current situation where a disproportionate number of persons of color were being disqualified and lateral hires had significant backgrounding issues. She asked staff to speak to how those issues would be addressed. Mr. Batchelor did so, noting that process was not specified but having a qualified and diverse work force was a part of the requirement and it would be reached through input from an outside expert.

Mr. Schulte concurred, noting the background checks would go through the Human Resources and Police and Fire Departments.

Council Member Coombs referenced the waiver of reconsideration and asked staff to speak to what would happen should there not be a waiver of reconsideration and the item was called up, and Council chose not to support it. Mr. Schulte stated the Attorney General's Office would file a lawsuit and the City would litigate it.

Mr. Eid stated the Attorney General had a complaint and he would go to court and sue the City therefore either the City stated they disagreed with it and stipulated to a judgement, or they rolled the dice and went to court. He discussed the problem with going to court in this regard.

Mr. Schulte stated things could change until the agreement was signed and that was why staff was stressing the waiver.

Council Member Coombs referenced bias-based policing goals and measurements and asked if those offenses and related offenses were required to be included and what the related offenses were and why were they chosen. Mr. Schulte stated all three offenses would be included and he discussed how they related to misdemeanors.

Mr. Batchelor discussed the importance of ensuring Use of Force was proportional to the offense.

Motion by Hiltz, second by Coombs, to approve item 11p.

Council Member Hiltz stated her appreciation for the conversation and noted the importance of recognizing not all people in Aurora were safe and that was due in large part to racially biased policing. She stated Chief Wilson and many City police officers have worked hard,

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were committed to moving forward in a better direction and were being mindful of those policing policies but there was also police union leadership who were undermining that every step of the way. She stated she supported the item because the City had a problem they have not been able to address because of representation that was fighting against it which caused more harm. She stated she was not an expert on youth violence but noted the importance of listening to the community. She stated Aurora's problems began long before Chief Wilson and she applauded the Chief's efforts in making the necessary changes in this regard. She stated it was evidenced by the actions of the police union leadership that Aurora needed a court order to force them to do better because it was very clear it was not happening organically. She addressed those officers who were attempting to do better to treat people as they should be treated, and she applauded their efforts. She stated this would be her final vote on a resolution of Council and it was very fitting considering the work that has been done over the last several years.

Council Member Marcano concurred and expressed appreciation to Council Member Hiltz for her comments. He added this was a framework for a conversation to come as there was nothing prescriptive in the decree and he expressed his hope the community would be largely involved in that discussion. He addressed Council and discussed the importance of digging into the root causes such as wages, healthcare, childcare, housing, food access and recreational opportunities that led to people getting involved with law enforcement to begin with. He noted these issues were within Council's policy-making wheelhouse and pointed out leaving them unaddressed would result in another big incident in the future. He stated his support for the item and expressed appreciation to staff for their efforts in this regard.

Council Member Murillo expressed appreciation to all those who worked hard to bring the item forward. She stated it was an understatement to state Aurora experienced a nationally organized movement that they never should have. She stated as a result, they had to react with the utmost care in terms of how to move forward. She stated she found peace in the process that the direction provided did not rely on opinion but rather on independent objective third-party recommendations. She stated the City has not resolved these issues on their own and the consent decree provided a framework of how the City could do better. She stated the consent decree allowed the City to be proactive in a reactive situation, to take control of what could be changed and to be cooperative with the opinions around policing in Aurora. She supported the item and looked forward to working with the community and staff to move Aurora forward because they owed it the community to do so.

Council Member Hiltz also expressed appreciation to Fire Chief Fernando Gray, Aurora Fire, for his efforts in this regard.

Council Member Coombs expressed appreciation to Council Members Hiltz, Murillo and Marcano for their comments and to staff for their hard work, thoughtfulness and swiftness in this regard. She stated her support for the item.

Mayor Coffman stated Aurora made tremendous progress prior to the consent decree and would continue to do so irrespective of it.

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Dan Brotzman, City Attorney, asked if the waiver of reconsideration was included in the motion.

Mayor Coffman asked Council Member Coombs if it was included in her motion. Council Member Coombs answered affirmatively.

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

Voting Nay: Berzins

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

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

12.a. 2021 International Building Code Adoption

2021-65 FOR AN ORDINANCE AMENDING CHAPTER 22 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, REGARDING BUILDING AND BUILDING REGULATIONS, AND THE ADOPTION BY REFERENCE OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, AND THE INTERNATIONAL SWIMMING POOL AND SPA CODE

Jose Rodriguez, Building Plan Review Manager / Michelle Gardner, Sr. Assistant Attorney

Mayor Coffman opened the public hearing on the item and hearing none, closed the public hearing.

Jose Rodriguez, Building Plan Review Manager, provided a summary of the item.

Mayor Pro Tem Bergan pointed out the item was presented to the Joint Task Force who also supported the item.

Mr. Rodriguez concurred.

Motion by Marcano, second by Lawson, to approve item 12a.

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

12.b. 2021 International Fire Code Adoption

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2021-66 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 66 OF THE CITY CODE ENTITLED "FIRE PREVENTION AND PROTECTION" RELATED TO THE ADOPTION OF THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE AND LOCAL AMENDMENTS THERETO

Deputy Chief Caine G. Hills / Angela Garcia, Senior Assistant City Attorney

Mayor Coffman opened the public hearing on the item.

Commander Steven Wright, Aurora Fire Rescue, provided a summary of the item.

Mayor Coffman closed the public hearing on the item.

Motion by Marcano, second by Coombs, to approve item 12b.

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

12.c. Battery Powered Electric Fence Ordinance

2021-67 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTIONS 22-642, 66-37, AND 146-4.7.9.U, TO THE CITY CODE, AND AMENDING TABLE 3.2-1, SECTIONS 146-4.7.9.E.1, 146-4.7.9.M, AND 146-6.2 OF THE CITY CODE PERTAINING TO BATTERY- OPERATED ALARMED ELECTRIC FENCES

Jason Batchelor, Deputy City Manager / Tim Joyce, Assistant City Attorney

Sponsor: Council Member Gardner

Mayor Coffman opened the public hearing on the item.

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

Council Member Marcano asked if there was any potential liability of a business owner if someone was injured by the battery powered fence.

Tim Joyce, Assistant City Attorney, stated someone could always bring a lawsuit as it depended on the circumstances. He noted there was no liability on the part of the City.

Motion by Gardner, second by Berzins, to approve item 12c.

Mayor Coffman closed the public hearing on the item.

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Council Member Gardner recognized staff for their efforts in this regard.

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

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

None

14. **INTRODUCTION OF ORDINANCES**

14.a. 2021 Fall Supplemental

2021-68 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2020-53, AND 2021-17 FOR THE 2021 FISCAL YEAR

Mike Franks, Budget and Finance Manager / Hanosky Hernandez, Assistant City Attorney

Greg Hayes, Budget Officer, provided a summary of the item.

Motion by Marcano, second by Bergan, to introduce item 14a.

Council Member Hiltz expressed appreciation to Mr. Hayes and staff for their efforts in this regard.

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

Mayor Coffman asked Council if there was objection to combining items 15a – 15e in one vote and hearing none, proceeded to do so.

15. **FINALIZING OF ORDINANCES**

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

15.a. Municipal Court Surcharges (Correction of Ordinance)

2021-60 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 50-37 OF THE CITY CODE OF THE CITY OF

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AURORA, COLORADO, RELATING TO MUNICIPAL COURT SURCHARGES, PROVIDING FUNDING FOR COMMUNITY SERVICE AGENCIES AND PROGRAMS, AND OTHER RELATED MATTERS

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

15.b. Repeal of Stable License (Ordinance)

2021-61 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING THE REQUIREMENT FOR STABLE LICENSES

Trevor Vaughn, Manager of Tax and Licensing / Hanosky Hernandez Perez, Assistant City Attorney

15.c. Alcohol Beverage Festival Permit (Ordinance)

2021-62 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING A NEW SECTION TO THE CITY CODE PERTAINING TO ALCOHOL BEVERAGE FESTIVAL PERMIT

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

15.d. Short Term Rental Regulations

2021-63 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 26 RELATING TO THE SALES OF LODGING IN PRIVATE RESIDENCES

Trevor Vaughn, Manager of Tax and Licensing / Hanosky Hernandez Perez, Assistant City Attorney

15.e. Tax Administration Clarifications

2021-64 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING ARTICLE II OF SECTION 130 OF THE CITY CODE RELATING TO CLARIFICATIONS ON SALES AND USE TAX

Trevor Vaughn, Manager of Tax and Licensing / Hanosky Hernandez Perez, Assistant City Attorney

Motion by Bergan, second by Berzins, to approve items 15a – 15e.

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

16. **PLANNING MATTERS**

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None

17. **ANNEXATIONS**

None

18. **RECONSIDERATIONS AND CALL UPS**

None

19. **GENERAL BUSINESS**

19.a. Consideration to appoint one (1) member to the Civil Service Commission

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

Motion by Marcano, second by Hiltz, to appoint Desmond McNeil to the Civil Service Commission.

Council Member Marcano stated Mr. McNeil had a great understanding of how the commission operated and he had thoughtful responses to Council's questions.

Mayor Pro Tem Bergan expressed appreciation to all three candidates as they all had good comments but noted her support for Mr. McNeil as he had experience and straight-forward answers to Council's questions.

Council Member Coombs concurred. She stated Mr. McNeil was very prepared and thoughtful in his interview.

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

19.b. Consideration to reappoint two (2) members to the Board of Adjustments and Appeals

Kadee Rodriguez, City Clerk, General Management / David Lathers, Senior Assistant City Attorney

Motion by Bergan, second by Gardner, to reappoint Kari Gallo and Andris Berzins, to the Board of Adjustments and Appeals.

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

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19.c. Consideration to appoint one (1) member to the General Employees Retirement Board

Kadee Rodriguez, City Clerk, General Management / David Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Marcano, to appoint Michelle Reding to the General Employees Retirement Board.

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

19.d. 2021 and 2022 Council Meeting Calendars

James Twombly, City Manager

James Twombly, City Manager, provided a summary of the item.

Motion by Bergan, second by Gardner, to cancel the December 27, 2021 study session meeting.

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

20. **REPORTS**

20.a. Report by the Mayor

Mayor Coffman noted everyone has been consumed by the recent tragedies in Aurora and he confirmed Council and City staff would continue to work to find a way forward once all the facts become known. He pointed out City Council has done a lot in terms of youth violence prevention, and he assured everyone they would continue to do so.

20.b. Reports by the Council

Mayor Pro Tem Bergan discussed her attendance at the recent Day Resource Center Thanksgiving Lunch and expressed appreciation to Greg Baker, Public Relations Manager, Aurora Water, and Tim York, Water Preservation Specialist, Aurora Water, for their presentation at the recent Ward VI Town Hall meeting. She stated she was saddened and troubled by the recent shootings at Central and Hinkley High Schools and how it made students fearful to go to school when schools should be safe. She echoed Chief Wilson's comments regarding the importance of parents, friends and the community helping each other in checking in with local youth. She stated School Resource Officers (SROs) in schools were important, but felt it was up to parents and the community to come together to help

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solve the issue. She noted her hope the City's Youth Violence Program would move forward to help youth in preventing crime.

Council Member Lawson echoed Mayor Pro Tem Bergan's comments and sent her thoughts and prayers out to those youth involved. She expressed appreciation to community leaders and Council for coming together and discussed the importance of listening to kids. She expressed her hope the City could move forward with the Youth Violence Prevention Program to provide adequate services and support initiatives in this regard. She discussed her participation in the Day Resource Center Thanksgiving Luncheon. She provided FSIR and NLC Conference updates.

Council Member Hiltz discussed her attendance at the recent Light of Dawn reopening and the State of Emergency on Youth Violence meetings. She expressed appreciation to Council Member Lawson for her efforts in that regard. She discussed the importance of listening to kids as they were the most impacted. She expressed her hope Council would support Council Member Lawson in her efforts moving forward.

Council Member Gardner discussed his and Council Member Hiltz's efforts in helping the non-profit Wholly Kicks restore what was lost when their storage unit was broken into. He recognized Amazon for their efforts in that regard. He discussed his attendance at the recent Southlands Christmas parade and expressed appreciation to Local #1290 for allowing him to ride along with Santa. He recognized these were challenging times and noted it weighed heavily on him. He pointed out government could not solve these problems. He stated they could contribute through more mental health funding and youth programming. He discussed the impact the last 18 months have had on youth's mental health and the need for everyone including parents and faith leaders to help by listening to and loving others.

Council Member Murillo announced the next Ward I Town hall was scheduled for Thursday, January 20, 2022, and she encouraged all those interested in attending to do so. She discussed staff's efforts in working to provide a hybrid model for the meetings. She echoed Council's comments related to youth and gun violence. She agreed it was everyone's responsibility to address and listen to youth in the City. She noted as the youngest council member ever elected, she empathized with people not hearing someone because of their youth. She discussed her attendance at recent Town Halls where youth were front and center speaking about their issues and the need for safe, physical spaces and things to do. She noted the importance of being responsive to and honoring of the City's youth. She stated they discussed mental health, conflict resolution, and feeling the need to be armed for self-protection. She stated a holistic approach was needed and she looked forward to continuing those conversations. She stated not one policy would fix it because it was an ever-evolving process, but she resolved to work collaboratively with youth and other leaders to solve these complex issues in the City.

Council Member Berzins concurred. She stated it came down to parents and caretakers to help youth because they could not grow up alone. She stated they needed someone to talk

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to such as church youth groups and pastors to work out their problems. She stated there were many leaders in the community who were willing to help with the youth and Council needed to use those leaders and point the City's youth in the right direction. She discussed the negative impact social media had on youth and noted there was a lot of hate going on. She echoed Council Member Gardner's comment that everyone needed to focus more on loving each other and taking care of each other. She stated it was a long process, but youth were at stake, and they were the future. She asked parents and neighbors to step up and reach out to help a young person as they gave out signs when they were troubled. She discussed her attendance at the recent annual Visit Aurora meeting and encouraged everyone to visit the Cirque Dreams Holidaze Christmas event at the Gaylord Rockies.

Council Member Marcano discussed the success of the recent Aurora Sister Cities Fall Fundraiser and expressed appreciation to Mayor Coffman, Debi Hunter-Holen and Bill Holen for their efforts in that regard. He acknowledged and echoed his colleagues' comments on the recent tragedies in Aurora. He discussed a pastor's comment where he begged youth to talk about what was going on and noted adults have failed to take meaningful steps to address the root causes of youth violence. He referenced the Educational Fund to Stop Gun Violence and listed their primary reasons behind gun violence. He noted the importance of providing more youth resources, having difficult conversations, and providing mental health services as the world was much more complicated for this generation. He believed it would take everyone pulling together to address the problem because they were failing future leaders today.

Council Member Coombs expressed appreciation to her colleagues for their comments related to youth violence and the recent violent incidents. She stated the tone of the youth was fear and they and their parents stated they needed the City to use their power to act. She stated parents were working hard to support their families and while they were responsible, they also needed support through programming and adequate childcare. She noted other issues that arose from the youth was they did not feel accepted for who they were from those places they were supposed to feel safe, seek resources and be heard. She stated it was important to listen to them about their needs but also about their experience because they were not feeling supported or listened to by the adults they were turning to. She stated it was everyone's responsibility to convey acceptance, care and love and a part of loving people was for them to know they were loved for who they were. She stated it was also important to take their issues seriously because not all their experiences were the same. She stated it was not only social media that made those experiences not the same. She expressed appreciation to the youth and their parents for their courage in being very real with their leaders in this regard. She discussed her participation at the recent Young Invincibles program event. She provided Visit Aurora, DRCOG, Mile High Behavioral Healthcare, Mayoral Mission to El Salvador and State of Recycling and Compost Colorado updates.

Mayor Coffman called for a brief recess of Council to determine if Council Member Gruber could be made available to provide a report. He returned from the recess and announced Council Member Gruber was unable to speak due to technical issues.

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21. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

22. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council at 9:46 p.m.

MIKE COFFMAN, MAYOR

ATTEST:

KADEE RODRIGUEZ, CITY CLERK

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Water Policy Committee (WPC) Meeting
October 19, 2022

Members Present: Council Member Steve Sundberg Chair, Council Member Angela Lawson Vice-Chair, Council Member Curtis Gardner

Absent:

Others Present: Rachel Allen, Greg Baker, Ian Best, Todd Brewer, Marshall Brown, Melina Bourdeau, Steve Cann, Alex Davis, Rick Kienitz, Sam Miller, Swirvine Nyirenda, Casey Rossman, Rich Vidmar, Sarah Young, Daniel Pershing

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1. Approval of Minutes
The September 21, 2022, meeting minutes were approved as presented.

2. Consent Items
A. Construction Change Order Report
B. Monthly Water Supply Update

Summary of Issue and Discussion: None.

Outcome: The Consent items were supported as presented.

Follow-Up Action: The Consent items were supported as presented.

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3. Water Education Colorado Water Fluency Program

Summary of Issue and Discussion: Council Member Coombs – not available.

Outcome: Informational only.

Follow-Up Action: Informational only.

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4. Consideration to appoint one (1) member to the Homestake Steering Committee

Summary of Issue and Discussion: M. Brown stated, Aurora Water is requesting Mathew Allsopp be appointed to serve the remainder of Steve Sciba's appointment ending in December 2023 and an additional three (3) years from December 2023 to December 2026.

Outcome: The Committee supports the Consideration to reappoint one (1) member to the Homestake Steering Committee.

Follow-Up Action: Forward to Study Session for consideration.

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5. Consideration to appoint one (1) member to the Joint Water Authority

Summary of Issue and Discussion: M. Brown stated, Aurora Water is requesting Mathew Allsopp be appointed to serve the remainder of Steve Sciba's appointment ending in December 2023 and an additional three (3) years from December 2023 to December 2026.

Outcome: The Committee supports the Consideration to reappoint one (1) member to the Joint Water Authority.

Follow-Up Action: Forward to Study Session for consideration.

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6. First Amendment to Drainage and Flood Control Improvements for Westerly Creek at Alameda and Dakota Avenue

Summary of Issue and Discussion: S. Miller gave a presentation.

Outcome: The Committee supports the First Amendment to Drainage and Flood Control Improvements for Westerly Creek at Alameda and Dakota Avenue.

Follow-Up Action: Forward to Regular Session for consideration.

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7. First Amendment to Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road

Summary of Issue and Discussion: S. Miller gave a presentation. Council Member Sundberg asked, what length of stream needs to be repaired? S. Miller replied, I don't have the exact length, it is quite a bit but not every foot of it is going to need to be included in this project.

Outcome: The Committee supports the First Amendment to Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road.

Follow-Up Action: Forward to Regular Session for consideration.

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8. Rockinghorse Reimbursement Agreement

Summary of Issue and Discussion: S. Young and D. Pershing gave an overview of the agreement.

Outcome: The Committee supports the Rockinghorse Reimbursement Agreement.

Follow-Up Action: Forward to Study Session for consideration.

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9. Colorado State Forest Service Funding Agreement

Summary of Issue and Discussion: R. Vidmar gave an overview of the agreement.

Outcome: The Committee supports the Colorado State Forest Service Funding Agreement.

Follow-Up Action: Forward to Study Session for consideration.

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10. Stewardship West Memorandum of Understanding

Summary of Issue and Discussion: R. Vidmar gave an overview of the Memorandum of Understanding. Council Member Sundberg asked, what type of physical work is performed in that 500 acres to mitigate? R. Vidmar replied, several things are done. There is pre-removal of standing dead or what we call groupie clumpy. It's basically thinning within the forest to limit that crown movement of fire and to get the fire to go back to the ground so that it can be fought and stopped on the ground. That is the primary method being used in this area and is set up by the U.S. Forest Service.

Outcome: The Committee supports the Stewardship West Memorandum of Understanding.

Follow-Up Action: Forward to Study Session for consideration.

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11. Joint Water Authority Second Amendment to a Water Transmission Agreement

Summary of Issue and Discussion: A. Davis gave an overview of the agreement.

Outcome: The Committee supports the Joint Water Authority Second Amendment to a Water Transmission Agreement.

Follow-Up Action: Forward to Regular Session for consideration.

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12. Intergovernmental (IGA) Water Lease Agreement with the Board of Water Works of Pueblo

Summary of Issue and Discussion: A. Davis gave an overview of the IGA. Council Member Sundberg asked, what is the value for this water in your opinion? A. Davis replied, It's expensive, but we think it's worth it because it's that high mountain pristine water and it's fully consumable. It's the same price that we are paying in our long-term lease with Pueblo.

Outcome: The Committee supports the IGA Water Lease Agreement with the Board of Water Works of Pueblo.

Follow-Up Action: Forward to Study Session for consideration.

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13. PFAS Update Presentation

Summary of Issue and Discussion: T. Brewer gave a presentation regarding PFAS. Council Member Gardner asked, does the Environmental Protection Agency (EPA) put out an advance notice that they are looking at doing some type of regulation and asking for comments? T. Brewer replied, the EPA process takes a while. They have to do a draft proposed rule in the

office of management and budget, a cost benefit analysis and to make sure that what they're doing can stand up to litigation and have it open for public comment. Currently they have a draft regulation that is under review in their budget office. Council Member Lawson asked, how much testing do we do on our pipes in the city and do we have PVC pipes? T. Brewer replied, we do have some PVC pipes in our system, and we have done sampling at the plants to see what's going out into the system.

Outcome: The Committee supports the PFAS updated.

Follow-Up Action: Forward to Study Session for consideration.

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14. Future Development Water Supply Needs and Constraints

Summary of Issue and Discussion: S. Young gave a presentation on how utilities are planned for new development from the Aurora Places Comprehensive Plan through construction by the development community.

Outcome: Informational only.

Follow-Up Action: Informational only.

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15. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: Council Member Sundberg asked about the intersection of Chambers and 6th Avenue. Chambers northbound has been shut down for quite a while is that a water project? G. Baker replied, it's an XCEL project for new gas lines. Relative to the regional conservation Memorandum of Understanding (MOU), Council Member Gardner asked, what is the definition of non-functional turf? M. Brown replied, the definition is left for each individual municipality to define their own. Aurora created our definition during the Water Conservation Ordinance process and some others are following our lead. Council Member Gardner asked, are we being proactive with asking or incentivizing residents to remove existing turf? M. Brown replied, we've enhanced our rebate programs for residential and commercial properties starting January 1, 2023.

Outcome: Informational only.

Follow-Up Action: Information only.

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7. Confirm Next Meeting

The next meeting is scheduled for November 16, 2022, 10:30 a.m. via WebEx.

X Steve Sundberg (Nov 22, 2022 14:42 MST)

Steve Sundberg
Chair, Water Policy Committee

MINUTES

Regular Meeting of the **Aurora City Council**
Monday, November 14, 2022

1. **RECONVENE REGULAR MEETING OF NOVEMBER 14, 2022, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for November 14, 2022, at 6:30 p.m.

2. **ROLL CALL**– Kadee Rodriguez, City Clerk

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

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

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

Mayor Coffman led the prayer and followed by reading the Land Acknowledgement.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated that during the executive session, the council discussed settlement negotiations and police chief recruitment.

6. **APPROVAL OF MINUTES**

6.a. **October 24, 2022, Meeting Minutes**

Motion by Bergan, second by Sundberg, to approve the minutes of October 24, 2022 as presented.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **National Homeless and Hunger Awareness Week**

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Mayor Coffman proclaimed November 12th through 20th, 2022 as National Homeless and Hunger Awareness Week.

Mayor Coffman recognized the presence of Cub Scout Pack 11-27.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda-related issues only)

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

9. **ADOPTION OF THE AGENDA**

9.a. **Grand Avenue Townhome Site Plan with an Adjustment (Item 13.a.)**

Applicant presentation: 15 minutes permitted under Council Rules

Appellant presentation: 15 minutes allowed if approved by Council

MPT Bergan explained that they normally approve the 15-minute presentations during the adoption of the agenda, and they will present at the beginning of the designated item. Mayor Coffman asked if they should move it to the end of the meeting since it would be lengthy.

CM Gardner expressed his opposition to the motion to move the item to the end of the agenda. CM Marcano mentioned that they previously had presentations during their designated slot, or they are moved earlier in the meeting.

CM Murillo expressed her opposition to moving the item to the end of the meeting but wants to approve the appellant's presentation. She offered a substitute motion.

Motion by Bergan, second by Lawson to adopt the agenda with the appellant presentation and move item 13a to the end of the agenda.

SUBSTITUTE MOTION

Motion by Murillo, second by Bergan to adopt the agenda with the appellant presentation.

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

10. **CONSENT CALENDAR**

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

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10.a. **Consideration to EXTEND A SINGLE SOURCE CONTRACT with GolfNow, Chicago, Illinois in the Amount of $69,000.00 for the Golf Course Point of Sale Software for the Points of Sale at the Five City of Aurora Owned Golf Courses through December 31, 2023**

Doug McNeil, Manager of Golf / Dave Lathers, Senior Assistant City Attorney

10.b. **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Republic Services of Denver, Commerce City, Colorado in the Amount of $113,000.00 for Trash Collection – South Side of the City through August 31, 2023**

Lynne Center, Deputy Director of Public Works / David Lathers, Senior Assistant City Attorney

10.c. **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Republic Services of Denver, Commerce City, Colorado in the Amount of $130,000.00 for Trash Collection – North Side of the City through August 31, 2023**

Lynne Center, Deputy Director of Public Works / David Lathers, Senior Assistant City Attorney

10.d. **ARPA Nonprofit Grant Agreements**

Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney

Nancy Wishmeyer, Controller, provided a summary of the item.

MPT Bergan requested to make a motion to table item 10d until the next meeting to have more time to review it. CM Marcano mentioned that there had been frustration from some council members in the past for postponing items due to the inability to read through them all. He asked if there are specific items that MPT Bergan had questions about.

CM Gardner asked how the $313,598 for East Colfax Community Collective would be used. N. Wishmeyer answered that it would be for legal services, the community navigator which will help residents and small businesses go through the application process for grant sources, and translation services. CM Coombs stated that she does not see a reason to delay already vetted grants since October 3rd when they've had over a month to review them, and they had larger grant awards. MPT Bergan said that they delayed the youth grant awards. She explained that she is asking to postpone to go more in-depth.

CM Marcano commented that he encountered a similar issue with the federal and state priorities that were readily available for comment and review weeks prior to the meeting. He mentioned that CM Lawson will be bringing forward a proposal to make being in Council a full-time paying job. He stressed that he does not like delaying city business since they were given ample opportunity to read through the items and check in with staff and other council members.

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Motion by Bergan, second by Lawson to table the item to the next regular Council Meeting.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

10.e. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Innovest Portfolio Solutions LLC in the Amount of $67,750 for Investment Advisory Services Associated with the City's 457 and 401(a) Plans through December 31, 2023**

Nancy Wishmeyer, Controller / Hanosky Hernandez, Senior Assistant City Attorney

10.f. **Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to LOOMIS, Aurora, Colorado in the Amount Not-to-exceed $65,000.00 for Armored Car Services. (RFP-1972)**

Nancy Wishmeyer, Controller / Hanosky Hernandez, Senior Assistant City Attorney

10.g. **Consideration to AWARD A SOLE SOURCE CONTRACT to MMLJ INC., Houston, Texas in the Amount of $68,000.00 for the Purchase of a Portable Dustless Blasting System**

Sandra Youngman, Code Enforcement Manager / David Lathers, Senior Assistant City Attorney

10.h. **Granular Activated Carbon for Binney Water Purification Facility**

Consideration to AWARD A COMPETITIVELY BID CONTRACT to Cabot Norit Americas, Inc., Marshall, Texas, in the Amount of $480,240.00 for the Purchase of Granular Activated Carbon Water Treatment Media for the Binney Water Purification Facility, Invitation for Bid B-4667.

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

10.i. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to American Civil Constructors, Inc., Littleton CO in the Amount of $8,443,892.50 for the High Line Canal Trail Improvements; Project 5890A**

Waiver of reconsideration is requested to accommodate the completion of the award process before the expiration of construction bids. This project is a DRCOG TIP project and required multiple CDOT approvals before this award could be brought forward for Council's consideration resulting in a compressed award schedule.

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

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10.j. **First Creek Interceptor Connection to Prologis Lift Station Project, Project No. 5906A**

Consideration to AWARD A COMPETITIVELY BID CONTRACT to American West Construction LLC, Denver, CO, in the amount of $2,394,100 for the First Creek Interceptor Connection to Prologis Lift Station Project, Project No. 5906A, with $500,000 to be funded and awarded in 2022

Andrea Long, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.k. **Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Cumming Management Group, Inc., Englewood, CO in the Amount of $300,000.00 for Staff Augmentation for Aurora Water Project Management Services, Project NO. R-2295**

Sarah Young, Deputy Director Planning and Engineering / Dave Lathers, Senior Assistant City Attorney

10.l. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to Morton Electric, Inc., Pueblo, CO in the amount of $2,419,708.30 for the 2022 Traffic Signal Construction; Project 5900A.**

Carlie Campuzano, Manager of Traffic, Public Works / Dave Lathers, Senior Assistant City Attorney

10.m. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Flexential Corporation, Charlotte, NC in the Amount of $234,306.00 for Hosted Datacenter Services.**

Waiver of reconsideration was requested to allow for a quicker transition to the new provider due to the critical services provided at the City datacenters.

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

10.n. **Consideration to AWARD A SOLE SOURCE CONTRACT to Cadre Research Labs, Evanston, IL in the Amount of $130,900.00 for the Purchase of a Top Match-3D High Capacity Imaging and Analysis System.**

Tim Dufour, Lieutenant, Police / Dave Lathers, Senior Assistant City Attorney

10.o. **Consideration of a Professional Services Agreement with Capitol Capital in the amount of $71,000 for the 2023 State Lobbying Contract**

Sponsor: Angela Lawson, Council Member

Roberto Venegas, Deputy City Manager

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10.p. **Consideration of a Professional Services Agreement with Holland & Knight in the Amount of $120,000 for the 2023 Federal Lobbying Contract**

Sponsor: Angela Lawson, Council Member

Roberto Venegas, Deputy City Manager

Motion by Bergan, second by Sundberg to approve the consent calendar items 10a through 10c, and 10e through 10p.

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

11. RESOLUTIONS

11.a. Homeless Initiative

R2022-195 A RESOLUTION FROM THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S DESIRE TO REDUCE THE NUMBER OF PEOPLE EXPERIENCING HOMELESSNESS THROUGH EMPLOYMENT-BASED PROGRAMMING AND CONDITIONS-BASED TRANSITIONAL HOUSING THAT LEADS TO SELF-SUFFICIENCY. THE CITY COUNCIL DIRECTS THE CITY MANAGER AND HIS STAFF TO SUPPORT THIS EFFORT BY DEVELOPING AND EXECUTING A COMPREHENSIVE APPROACH THAT ALIGNS WITH THE NECESSARY SUPPORT TO MEET THE NEEDS OF THE DIVERSE HOMELESS POPULATION IN AURORA

Sponsor: Mike Coffman, Mayor

Council heard public in-person testimony.

Mayor Mike Coffman provided a summary of the item.

Discussion on the Bergan Amendment

Mayor Coffman asked G. Koumantakis to speak to Mayor Pro Tem Bergan's previous amendment. G. Koumantakis explained that Mayor Pro Tem Bergan's previous amendment requires the campus to be operated by a nonprofit organization but does not allow the use of general fund revenues for construction, maintenance, or operations. G. Koumantakis said that Mayor Coffman wants to change this into the city being responsible for maintaining the facility and reimbursing the operator for the cost of the low-barrier emergency shelter. Mayor Pro Tem Bergan asked if the city would only be responsible for maintenance but not operations. Mayor Coffman confirmed this. He explained that Colorado Springs Rescue Mission was reimbursed by the city for the first phase. They raised money from foundations, grants, and CDBG money, but not general funds for Colorado Springs to provide programming and transitional housing, and work. Rescue Mission also mentioned that Aurora may not need general fund revenue to support the low-barrier emergency shelter.

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Mayor Pro Tem Bergan asked for confirmation if the language states that they would maintain the shelter versus they "might." Mayor Coffman explained that they are referring to the mechanical parts of the facility such as the roof. Mayor Pro Tem Bergan expressed concern about possible high-cost facility maintenance. She said that she does not want taxpayers to be responsible for a building that they are not constructing. Mayor Coffman said that they are. Mayor Pro Tem Bergan said that they are constructing using money from the state. Mayor Coffman said that they have a commitment from Adams and Arapahoe County in addition to the money that they are applying for from the state. He added that they are using the city's ARPA dollars dedicated to capital construction. He explained that it will be a city-owned facility that will be operated by a nonprofit contractor.

CM Coombs pointed out that they don't have commitments from Adams and Arapahoe Counties and that the state grant applications are competitive. J. Prosser explained that they don't have a formal written commitment. However, the item has gone before both Board of County Commissioners through Study Session. Arapahoe County has already agreed. Adams County would have to go back to the County Commissioners on December 6th. CM Coombs asked what the counties are supporting. J. Prosser answered that they presented a concept plan for the Navigation Campus to include an emergency shelter, transitional housing, and a day center that would include navigation services such as mental health, medical, laundry, and food. A commitment to those participating in funding the facility would be part of the RFP and selection process for an operator wherein the specifics of the operations would be discussed. CM Coombs pointed out that they did not say that they were on board with what is in the resolution, but they approve of having a say in the operator and operations if they give their funds. J. Prosser reiterated that they presented a conceptual plan but the discussion on operations would come later. Mayor Coffman said that this provides a direction in terms of how the campus will operate programmatically. He said that the state and the counties will come on board.

MPT offered a different change to her amendment to remove the language regarding funding but retain that the campus will be operated by a nonprofit. Mayor Coffman considered this a friendly amendment.

Discussion on Marcano Amendment (self-reliance)

CM Marcano mentioned that some of his amendments were adopted in the Whereas clauses, but the bulk was unaddressed. He said that he does not believe that the County partners would support a Treatment or Work-First program. He mentioned that the commissioners and the state are looking for evidence-based solutions that are not exclusive to Housing-First and other best practices.

CM Marcano presented his first amendment to strike "self-sufficiency" throughout the text and replace it with "self-reliance". He explained that self-reliance empowers people to have control over their decision-making. However, self-sufficiency means depending on nobody else but yourself. Mayor Coffman urged a no vote and stated that self-sufficiency is an aspirational goal.

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Discussion on Marcano Amendment (4th Whereas Clause)

CM Marcano presented his next amendment to replace "include employment-based programming and conditions-based transitional housing to increase the number of people who exit homelessness on an annual basis" with "that empower individuals experiencing homelessness to choose for themselves their path to self-reliance, to include mental and physical health care, job training, educational assistance, and low-barrier housing" in the 4th Whereas Clause.

Mayor Coffman urged a no vote and said that it waters down the program. He reiterated that the people opt to participate and are given a navigation plan by a case manager. Mayor Pro Tem Bergan urged a no-vote and said that people should have a plan.

CM Marcano reiterated that the project was meant to be a regional campus and they are trying to get state support. He said that it would be unlikely to get support if they are insistent on a narrow work-first scope of programming. He added that they must set themselves up for success and serve as many people as possible. He mentioned that they have niche programs such as Bridge House that are workforce focused. But people must be of sound mind, willing, able, and sober to participate in the program. However, a percentage of the unhoused population is not. He stressed that they should not be tailoring a large project to a niche population since it would not make them attractive for grants and it would not be as effective. He urged a yes vote. Mayor Pro Tem Bergan asked if those on the low barrier would still be receiving services. Mayor Coffman said yes.

Discussion on Marcano Amendment 8

CM Marcano presented his amendment which adds another bullet to Section 1.

Mayor Coffman stated that this contradicts other parts of the resolution that states they are not going to accept federal funds if it compromises the program. He said this is not the direction they want to go with the program. He stressed the outcome they want is for people to get back on their feet, get job training, and acquire jobs. CM Lawson said that intergovernmental collaboration will be important if they are seeking funding. Mayor Coffman said the language is unnecessary because the resolution already speaks to working with other entities and establishing IGAs. He mentioned that permanent supportive housing is successful for those who cannot work. He expressed concern that the amendment might be interpreted as Aurora negotiating its approach with everybody. He said they should show the state and counties that this is what Aurora wants to do and they can either come along or not. Mayor Coffman said he believes that the Governor would be in support of the program.

CM Coombs pointed out that the language may only either be unnecessary because it is implied or it is contradictory, but it cannot be both. She pointed to the program in Houston that showed leadership in regional collaboration. She stressed that they are relying on other jurisdictions' money as well and they should show leadership by working together and recognizing each other as equals. Mayor Pro Tem Bergan said they do not know what the development of necessary infrastructure implies. She

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pointed out that the amendment is unnecessary since they already do work with federal, state, and local governments.

CM Zvonek expressed concerns about the amendment potentially tieing them to the federal government's preferred Housing-First Policy which only works for a small segment of the unhoused population who are unable to reach self-reliance. He stated that they should encourage regional and state partners to do differently, take an all-of-the-above approach, and not treat everything with a one-size-fits-all policy such as Housing-First which does not work. He expressed his opposition to the amendment. CM Zvonek mentioned the official position of the city to request a waiver or a block grant from the federal government to give cities and the state more flexibility on how to spend funding for homelessness. He mentioned that they have an opportunity to help people with behavioral, mental, or addiction issues who are being left untreated unless they want to. Through this resolution, they can encourage these people and incentivize them to become self-reliant. He stressed that if this ultimately leads to not getting funding, then they should still do something differently rather than going down the same failed path as Housing First.

Mayor Pro Tem Bergan asked if there is expected funding from philanthropic organizations. Mayor Coffman said that it would be for the operations but not for the construction.

CM Marcano stressed that Housing First is the most effective approach that they can take to solve homelessness. He mentioned that they could secure once-in-a-lifetime funding for Aurora through intergovernmental collaboration. He stated that narrowly tailoring the resolution against the best evidence available is setting Aurora and the state up for failure. He encouraged other council members to rethink their approach and lean into cooperation. CM Coombs pointed out that they are presenting a rhetoric that Aurora does not care about others' input on the project. She said that this kind of thinking results in different entities using resources and pulling in different directions rather than putting all resources together in the same direction.

CM Gardner asked if they could still collaborate with other jurisdictions and governmental agencies if the amendment would not be added. G. Koumantakis said that there is language present in the resolution.

Discussion on Marcano Amendment 9

CM Marcano presented his amendment which revises "co-locate necessary services" to "co-locate necessary services to the maximum extent possible" in Section 1.

Mayor Coffman expressed his support for the amendment and said that it was already expressed in the language but reinforcing it would not be a problem. He further stated that their goal is to have partner agencies for mental health, addiction recovery, and job training on campus.

CM Lawson commented on why they did not approve of reinforcing collaboration with federal, state, and local partners.

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CM Marcano explained that he is forwarding this amendment because it is important to stress that they are doing these to the maximum extent possible and not send a message to staff or partners that all services must be co-located. He wanted to demonstrate flexibility in the spirit of cooperation. Mayor Coffman added that it reinforces the spirit of the proposal. However, the prior amendment would cause the city to negotiate or compromise the direction that they want to take.

Discussion on Marcano Amendment 10

CM Marcano presented his amendment which revises the word "arranged" to "sought" in Section 1 which states "Provide a navigation center to offer short-term bridge housing along with supportive services while long-term housing is being arranged."

Mayor Coffman said that the amendment is unnecessary, and people are going to be participating in programs. He stressed the importance of people going through the programs, so they do not go back on the street. He expressed concern that this amendment would swerve the resolution into a different approach and would take people into housing instead of going through case management and participating in addiction recovery and job training. CM Coombs clarified that the amendment more broadly encompasses what people would get at the Navigation Center since it includes case management and other supportive services. She explained that the only difference is that the amendment says that the Navigation Center would offer short-term bridge housing, which is also the intent of providing transitional housing.

CM Coombs offered an amendment to change "short-term bridge housing" into "transitional housing." Mayor Coffman said that transitional housing is in the latter phase. CM Marcano considered this as a friendly amendment. CM Marcano pointed out that the Navigation Center programs do not preclude case management. He stressed that any program addressing homelessness requires case management. He explained that the amendment adds clarity, and it specified that the Navigation Center is not simply a rebranded congregant shelter. It bridges the unhoused population to move towards self-reliance and independence.

Discussion on Marcano Amendment 11

Mayor Pro Tem Bergan commented that the resolution should be fairly simple, but they are discussing numerous amendments. Mayor Coffman responded that the resolution sets a direction for the campus. CM Coombs mentioned that they did not finish discussing all the amendments last time because some council members requested the mayor to revise the resolution and bring it back. However, the Mayor did not participate in further discussions before bringing it to the floor again. Mayor Pro Tem Bergan said that they don't have to do several amendments to a resolution. Mayor Coffman explained that he had the amendments before him and added some to the resolution, including ones that passed during the previous Regular Meeting.

CM Marcano forwarded his amendment that adds "Provide Rapid Re-Housing (RRH) services to ensure a quick exit from homelessness for low-acuity individuals and families" to Section 1. He explained that this is for people who are down on their luck

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and do not need to be on campus. This reiterates to partners that it is a priority for Aurora to ensure that no one falls through.

Mayor Pro Tem Bergan asked if the city does rapid rehousing. J. Prosser said that they currently offer rapid rehousing through different service providers and some federal funding. CM Zvonek asked if anyone could go into rapid rehousing and if there are conditions. J. Prosser said it would be people that can afford their rent or a portion of it. The program has a two-year time limit and comes with case management. CM Zvonek asked if they could avail of the program for any reason that they're experiencing homelessness. J. Prosser said that people can apply regardless of the reason why they are unhoused. CM Coombs clarified that there are conditions to this. She mentioned that she referred people to the program but have not qualified.

Mayor Pro Tem Bergan said that there must be conditions for not bringing drugs into pallet homes. J. Prosser clarified that pallet homes are not considered rapid rehousing but bridge or transitional housing. She added that those in pallet shelters may eventually qualify for rapid rehousing.

Mayor Coffman asked if there were directions to have partner nonprofits deal with families and not have families on the campus. G. Koumantakis said that there is a warehouse clause stating that the city shall be responsible for identifying an alternative location to provide for the needs of homeless families while providing emergency shelter until a transfer can occur. Mayor Coffman asked if this is done out of the Day Resource Center. J. Prosser answered that rapid rehousing is done out of partner agencies like Mile-High and the Salvation Army. It is partially funded through federal funds like HUD, HOME, and ESG. It is also funded through the city's Flex Fund which is a one-time assistance.

Mayor Coffman clarified that even though off-campus partner agencies would deal with family issues, the resolution states that they will relocate them under emergency purposes. Mayor Coffman expressed his support for the amendment. He asked if this is current policy. J. Prosser said yes. G. Koumantakis clarified that he was only explaining that the resolution also has something in place for families.

CM Medina asked what the availability of rapid rehousing is. J. Prosser answered that the funds are limited. She added that she will get back to the Council on the exact number of families and individuals that utilize the program yearly. Mayor Pro Tem Bergan suggested changing the language from "provide" to "if possible." CM Marcano explained that using "provide" shows a commitment to the strategy and emphasizes Aurora's priorities. He stressed the importance of collaboration and consolidating resources.

Mayor Coffman expressed concerns about other funds being diverted from the supportive services to rapid rehousing. J. Prosser explained that the funding from HUD for rapid rehousing could not be used for addiction recovery since it is specific that a certain portion must go to sheltering. She added that this would be worked out in the operations agreement with the partners and operator. CM Coombs clarified that organizations that provide supportive services use different sources of funding from

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housing funds. She stressed that they are different buckets of money and that funds would not be diverted to rapid rehousing from supportive services.

Discussion on Marcano Amendment 13

CM Marcano presented Amendment 13 which replaces "offer workforce development opportunities" with "provide opportunities for workforce development through job training and educational assistance in coordination with case management."

Mayor Coffman said that it is unnecessary language and could be interpreted in a way that is contrary to the intent of the proposal. He added that educational assistance will be broad and that earning degrees does not necessarily lead to jobs that pay a living wage.

CM Jurinsky expressed her disappointment regarding all the unnecessary amendments despite the Mayor and CM Marcano being requested to hash out the resolution before bringing it back. CM Marcano explained that he also would have preferred sitting down with the Mayor, and revising it, but it did not happen. He added that the resolution did not even go to a policy committee. Mayor Coffman urged a no vote on the amendment.

Discussion on Marcano Amendment 14

CM Marcano presented his amendment that replaces "Continuously measure success by more than meals served and beds provided and instead centered around the number of people who reach self-sufficiency," with:

Continuously measure, for everyone enrolled in the program, the efficacy of the program as follows:

- Their utilization of supportive services.
- Their utilization of workforce development opportunities.
- Their housing status and income sources for 36 months beginning from their move-in date.
- Their employment status and income level for 36 months beginning from their move-in date.

Mayor Coffman said that it is unnecessary since these issues will be in the RFP.

Discussion on Marcano Amendment 15

CM Marcano presented his amendment that replaces "Reliance on community support (individuals, business community, and foundations) rather than federal support if it comes with inflexible requirements," with:

Develop an initiative to supplement Federal funding and City staffing and funding by generating financial and volunteer support from:

- Individuals

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- Private businesses
- Non-Governmental Organizations
- Philanthropic Foundations

Mayor Coffman stated that it is unnecessary.

Discussion on Marcano Amendment 17

CM Marcano presented his amendment that adds "Develop a strategy to reach out to jurisdictions throughout the metropolitan region with the goal of building consensus on a shared regional strategy utilizing evidence-based best practices to reduce homelessness, sharing resources, and eliminating redundancies where appropriate to maximize the effectiveness of our collective efforts," to Section 1.

Mayor Coffman said that the resolution already has language on working with surrounding jurisdictions and developing IGAs.

Discussion on Marcano Amendment 12

CM Marcano presented his amendment which replaces "Incentivize participation in supportive services and require conditions for transitional housing," with "Provide Permanent Supportive Housing (PSH) services to ensure stability and supported recovery for individuals and families for whom Rapid Re-Housing alone would not be enough to prevent homelessness," in Section 1.

CM Marcano explained that this is a "yes, and..." He reiterated the importance of regional collaboration on projects where federal dollars and other jurisdictions are involved. He mentioned that Aurora is an outlier in its opposition to Permanent Supportive Housing. Mayor Coffman said that this is unnecessary and that other organizations are doing Permanent Supportive Housing.

Discussion on the Resolution

CM Marcano expressed his disappointment with the continuous abuse of calling for the question. He said that they should be as clear as possible with their intent when crafting resolutions. They need to signal to partners that they are willing to collaborate and that they have a clear idea of the potential of the Campus. He expressed his opposition to the resolution as it is not a wise use of resources, and they will not be able to garner regional support. He mentioned that this is signaling that they are opposed to following successful policy and utilizing evidence to address issues in the city.

CM Jurinsky commented on being accused of abuse by someone joining the meeting virtually while other Council members showed up in City Hall. CM Marcano explained that he is recovering from surgery.

Mayor Pro Tem Bergan commented that they have had amendments to resolutions, but not this many. CM Marcano said that the resolution should have been brought to a

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policy committee or Mayor Coffman could have accepted his multiple offers to meet up and discuss the resolution.

Mayor Coffman explained that he was able to review CM Marcano's amendments beforehand and added in ones that he agreed with. He said that the resolution is a major policy initiative, and it allows Aurora to lead in a different direction than previous failed attempts. He added that it will be a tough-love approach in moving people into self-sufficiency through work and dealing with addiction and mental health challenges. He mentioned that not all people experiencing homelessness are in encampments, and some are couch surfing or do not have stable housing. He highlighted that this would move Aurora in a different direction and become a leader in addressing homelessness. He urged a yes vote on the resolution.

CM Coombs expressed her opposition to the resolution and stated that they should start within Aurora if they want to lead.

Motion by Bergan, second by Coffman to approve the Bergan amendment which adds "it would be operated by a non-profit."

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

Motion by Marcano, second by Coombs to approve the Marcano Amendment which replaces self-sufficiency with self-reliance.

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

Voting Nay: Gardner, Jurinsky, Sundberg, Zvonek

Motion by Marcano, second by Coombs to approve the Marcano amendment which revises the 4th Whereas Clause.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Marcano, second by Coombs to approve Marcano Amendment 8 which adds "foster and strengthen intergovernmental collaboration with the Federal government, the State government, County governments, as well as other Municipal governments, in the

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development of the necessary infrastructure to address homelessness as expeditiously and effectively as possible," to Section 1.

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

Voting Nay: Mayor Coffman, Bergan, Gardner, Jurinsky, Sundberg, Zvonek

Motion by Marcano, second by Coombs to approve Marcano Amendment 9 which revises "co-locate necessary services" to "co-locate necessary services to the maximum extent possible" in Section 1.

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

Voting Nay: Sundberg

Motion by Marcano, second by Coombs to approve Marcano Amendment 10 which revises "provide a navigation center to offer short-term bridge housing along with supportive services while long-term housing is being arranged" to "provide a navigation center to offer transitional housing along with supportive services while long-term housing is being arranged being sought" in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Marcano, second by Coombs to approve the Marcano Amendment 11 that adds "provide Rapid Re-Housing (RRH) services to ensure a quick exit from homelessness for low-acuity individuals and families," to Section 1.

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

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

Motion by Jurinsky, second by Bergan to end debate on Marcano Amendment 13.

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

Voting Nay: Coombs, Medina, Murillo

♦ ***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.***

Motion by Marcano, second by Coombs to approve the Marcano Amendment 13 that replaces "offer workforce development opportunities" with "provide opportunities for workforce development through job training and educational assistance in coordination with case management," in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Zvonek to end debate on Marcano Amendment 14.

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

Voting Nay: Coombs, Medina, Marcano, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 14 which replaces "Continuously measure success by more than meals served and beds provided and instead centered around the number of people who reach self-sufficiency," with "Continuously measure, for everyone enrolled in the program, the efficacy of the program as follows: their utilization of supportive services, their utilization of workforce development opportunities, their housing status and income sources for 36 months beginning from their move-in date, and their employment status and income level for 36 months beginning from their move-in date," in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Zvonek to end debate on Marcano Amendment 15.

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

Voting Nay: Coombs, Medina, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 15 which replaces "Reliance on community support (individuals, business community, and foundations) rather than federal support if it comes with inflexible requirements," with "Develop an initiative to supplement Federal funding and City staffing and funding by generating financial and volunteer support from individuals, private businesses, non-governmental organizations, and philanthropic foundations," in Section 1.

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Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Jursinky to end debate on Marcano Amendment 17.

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

Voting Nay: Coombs, Medina, Marcano, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 17 which adds "Develop a strategy to reach out to jurisdictions throughout the metropolitan region with the goal of building consensus on a shared regional strategy utilizing evidence-based best practices to reduce homelessness, sharing resources, and eliminating redundancies where appropriate to maximize the effectiveness of our collective efforts," to Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Jursinky to end debate on Marcano Amendment 12.

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

Voting Nay: Coombs, Medina, Marcano, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 12 which replaces "Incentivize participation in supportive services and require conditions for transitional housing," with "Provide Permanent Supportive Housing (PSH) services to ensure stability and supported recovery for individuals and families for whom Rapid Re-Housing alone would not be enough to prevent homelessness," in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Zvonek to approve item 11a.

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

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Voting Nay: Coombs, Marcano, Murillo

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

11.b. **Citadel on Colfax BID 2023 Operating Plan and Budget**

R2022-200 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE CITADEL ON COLFAX BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

Motion by Sundberg, second by Medina to approve item 11b.

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

Absent: Coombs, Gardner, Marcano

11.c. **Painted Prairie No. 1 BID 2023 Operating Plan and Budget**

R2022-201 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER ONE

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

Motion by Sundberg, second by Medina to approve item 11c.

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

Absent: Coombs, Gardner

11.d. **Painted Prairie No. 2 BID 2023 Operating Plan and Budget**

R2022-202 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER TWO

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

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

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

11.e. **Porteos BID 2023 Operating Plan and Budget**

R2022-203 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PORTEOS BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

Council heard public in-person testimony.

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

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

CM Coombs made a motion to move item 13a ahead. Mayor Pro Tem Bergan commented that they are only doing this because they had to vote on several amendments in item 11a. CM Gardner expressed his opposition. He mentioned that he previously brought forward an item to address the issue of dealing with perfunctory resolutions.

Motion by Coombs, second by Murillo to move item 13a after 11e.

Voting Aye: Mayor Coffman, Coombs, Medina, Murillo, Zvonek

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

11.f. **Tower BID 2023 Operating Plan and Budget**

R2022-204 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE TOWER BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

CM Coombs called for a point of order. She asked if all the remaining resolutions may be taken in a single vote since they all moved unanimously out of the Study Session. K. Rodriguez said that they were advised to vote on the items separately since they are budget items.

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Motion by Sundberg, second by Lawson to approve item 11f.

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

11.g. **Windler No. 1 BID 2023 Operating Plan and Budget**

R2022-205 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.1

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

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

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

11.h. **Windler No. 2 BID 2023 Operating Plan and Budget**

R2022-206 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.2

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

Motion by Sundberg, second by Jurinsky to approve item 11h.

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

11.i. **Fitzsimons Business Improvement District - Operation Plan and Budget**

R2022-207 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE FITZSIMONS BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Chad Argentar, Senior Development Project Manager, provided a summary of the item.

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

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

11.j. **Fitzsimons Business Improvement District – New Board Member Appointment**

R2022-208 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS OF THE FITZSIMONS BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Chad Argentar, Senior Development Project Manager, provided a summary of the item.

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

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

11.k. **Havana Business Improvement District - Operation Plan and Budget**

R2022-209 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE HAVANA BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Chad Argentar, Senior Development Project Manager, provided a summary of the item.

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

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

11.l. **Parkside at City Centre BID 2023 Operating Plan and Budget**

R2022-210 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PARKSIDE AT CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

Jennifer Orozco, Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Jennifer Orozco, Development Project Manager, provided a summary of the item.

CM Coombs asked if the funds being used for maintenance will be directed toward repairing any damage caused. She mentioned that the explosion caused damage to

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other infrastructure and not just the utility room. J. Orozco said that the operating budget is small and is already spoken for budget audit and snowplow maintenance. She mentioned that the Metro District might provide additional funding.

Motion by Bergan, second by Gardner to approve item 11l.

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

11.m. **First Amendment to Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road**

R2022-211 CONSIDERATION OF THE CITY COUNCIL TO APPROVE A RESOLUTION FOR THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, D/B/A MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY, AND ARAPAHOE COUNTY REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

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

Vern Adam, Engineering Services Manager of Aurora Water, provided a summary of the item.

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

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

11.n. **First Amendment to Drainage and Flood Control Improvements for Westerly Creek at Alameda and Dakota Avenue**

R2022-212 CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA FOR AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE-HIGH FLOOD DISTRICT REGARDING FINAL DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR WESTERLY CREEK AT ALAMEDA AND DAKOTA AVENUE.

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

Vern Adam, Engineering Services Manager of Aurora Water, provided a summary of the item.

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CM Sundberg asked how many entities will be sharing the $600,000 cost. V. Adam said that it would only be Mile High and the city of Aurora.

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

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

11.o. **Joint Water Authority Second Amendment to a Water Transmission Agreement**

R2022-213 CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL FOR THE SECOND AMENDMENT TO EXTEND THE FIRST REVISED WATER TRANSMISSION SERVICE CONTRACT AMOUNT THE AURORA AND COLORADO SPRINGS JOINT WATER AUTHORITY

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

Alexandra Davis, Deputy Director of Water Resources, provided a summary of the item.

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

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

11.p. **Colfax Sable Metropolitan District Board of Directors Appointment**

R2022-214 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF THE COLFAX SABLE METROPOLITAN DISTRICT

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Brian Rulla, Assistant City Attorney II

Cesarina Dancy, Senior Development Project Manager, provided a summary of the item.

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

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

11.q. **The Point Metropolitan District Director Disqualification and Appointment**

R2022-215 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF THE POINT METROPOLITAN DISTRICT

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Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Brian Rulla, Assistant City Attorney II

Cesarina Dancy, Senior Development Project Manager, provided a summary of the item.

Mayor Pro Tem Bergan asked if vacancies occurred due to disqualifications. C. Dancy said that there was a property transfer in 2019 and they were inadvertently disqualified. Council for the Metro District just saw the error recently.

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

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

11.r. **Windler Business Improvement District No. 1 Board of Directors Appointments**

R2022-216 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS OF THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO 1

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Hanosky Hernandez, Senior Assistant City Attorney

Cesarina Dancy, Senior Development Project Manager, provided a summary of the item.

Motion by Sundberg, second by Lawson to approve item 11r.

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

11.s. **Windler Business Improvement District No. 2 Board of Directors Appointments**

R2022-217 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS OF THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO 2

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Hanosky Hernandez, Senior Assistant City Attorney

Cesarina Dancy, Senior Development Project Manager, provided a summary of the item.

Motion by Sundberg, second by Medina to approve item 11s.

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

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11.t. **Cherry Creek School District and Aurora Police Department Intergovernmental Agreement**

R2022-218 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CHERRY CREEK SCHOOL DISTRICT AND THE CITY OF AURORA REGARDING SCHOOL RESOURCE OFFICERS

Daniel J. Oates, Interim Chief of Police / Megan Platt, Assistant City Attorney

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

MPT asked how many school resource officers would be allocated between different schools. M. Platt answered that there will be eight in high schools, and as-needed services would be available for middle schools.

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

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

11.u. **Intergovernmental Agreement with the City and County of Denver for the Colfax Bus Rapid Transit Project**

R2022-219 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN DENVER AND AURORA REGARDING FUNDING, DESIGN AND PRECONSTRUCTION OF THE EAST COLFAX AVENUE BUS RAPID TRANSIT PROJECT

Carlie Campuzano, Traffic Manager / Michelle Gardner, Senior Assistant City Attorney

Carlie Campuzano, Traffic Manager, provided a summary of the item.

Motion by Gardner, second by Coombs to approve item 11u.

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

11.v. **Peoria Crossing Bridge Maintenance Intergovernmental Agreement**

R2022-220 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE CITY AND COUNTY OF DENVER REGARDING THE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES FOR THE PEORIA CROSSING PROJECT

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

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

Mayor Pro Tem Bergan asked if the maintenance would include snow removal and trash services. M. Kosakowski confirmed this. He said that Denver is currently plowing the bridge and Aurora is conducting the street-sweeping.

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

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

11.w. **Rockinghorse Reimbursement Agreement**

R2022-221 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND NASH INSPIRATION, LLC

Sarah Young, Deputy Director of Planning and Engineering, Aurora Water / Ian Best, Assistant City Attorney

Vern Adam, Engineering Services Manager of Aurora Water, provided a summary of the item.

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

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

11.x. **Colorado State Forest Service Funding Agreement**

R2022-222 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, ACTING BY AND THROUGH COLORADO STATE UNIVERSITY FOR THE USE AND BENEFIT OF THE COLORADO STATE FOREST SERVICE

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

Alexandra Davis, Deputy Director of Water Resources at Aurora Water, provided a summary of the item.

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

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

11.y. **Stewardship West Memorandum of Understanding**

R2022-223 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND STEWARDSHIP WEST

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

Alexandra Davis, Deputy Director of Water Resources at Aurora Water, provided a summary of the item.

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

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

11.z. **Water Lease Intergovernmental Agreement with Board of Water Works of Pueblo**

R2022-224 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL WATER LEASE AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE BOARD OF WATER WORKS OF PUEBLO COLORADO

Alexandra Davis, Deputy Director of Water Resources, Aurora Water / Stephen Cann, Senior Assistant City Attorney

Alexandra Davis, Deputy Director of Water Resources at Aurora Water, provided a summary of the item.

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

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

11.aa. **Creation of Ad Hoc Citizen's Charter Review Task Force**

R2022-225 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING CITY COUNCIL'S DIRECTION TO THE CITY MANAGER TO HAVE APPROPRIATE CITY STAFF CREATE AN AD HOC CITIZEN'S CHARTER REVIEW TASK FORCE, EXISTING FOR FOUR MONTHS, WITH THE PURPOSE OF THE TASK FORCE BEING DETERMINING WHETHER ANY PROPOSED CHANGES TO THE CITY

♦ ***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.***

CHARTER SHOULD BE RECOMMENDED TO THE AD HOC CHARTER REVIEW COMMITTEE OF CITY COUNCIL AND TO REVIEW AND PROVIDE FEEDBACK, IN A WRITTEN REPORT, TO THE AD HOC CHARTER REVIEW COMMITTEE OF CITY COUNCIL ON ANY PROPOSED CHARTER AMENDMENTS RECOMMENDED BY THAT TASK FORCE

Sponsor: Alison Coombs, Council Member

Dave Lathers, Senior Assistant City Attorney / George Koumantakis, Manager of Client Services, City Attorney

Councilmember Alison Coombs provided a summary of the item.

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

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

11.ab. **Dedicate the City Council Chambers in the Name of Former Mayor Paul Tauer, Sr.**

R2022-226 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,

COLORADO, CHANGING THE OFFICIAL NAME DESIGNATION OF THE "AURORA CITY COUNCIL CHAMBERS" TO THE "PAUL TAUER AURORA CITY COUNCIL CHAMBERS" AND DIRECTING THE CITY MANAGER TO PREPARE AN APPROPRIATE DEDICATION PLAQUE FOR DISPLAY IN THE CHAMBERS AS WELL AS CHANGING CITY SIGNAGE AND DOCUMENTS TO REFLECT THE NEW DESIGNATION OF THE CHAMBERS. THIS RESOLUTION SUPERSEDES RESOLUTION R93-37 PERTAINING TO NAMING OF CITY PARKS AND BUILDINGS, BUT IN THIS INSTANCE ONLY

Sponsor: Curtis Gardner, Council Member Dave Lathers, Senior Assistant City Attorney

Councilmember Curtis Gardner provided a summary of the item.

Motion by Gardner, second by Sundberg to approve item 11ab.

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

11.ac. **Rules of Order and Procedure: Backup Material For Council Member Sponsored Items**

R2022-227 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL REGARDING BACKUP MATERIAL FOR COUNCIL MEMBER SPONSORED ITEMS

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Sponsored: Danielle Jurinsky, Council Member

Daniel L. Brotzman, City Attorney / Jack Bajorek, Deputy City Attorney

Councilmember Danielle Jurinsky provided a summary of the item.

Gardner Amendment

CM Gardner presented an amendment. CM Jurinsky considered this as a friendly amendment.

Discussion on the Resolution

CM Murillo expressed her support. She asked if there were anything in the resolution that would preclude staff from providing input regarding their concerns. CM Jurinsky said that they can circle back with staff if they feel that staff has not been able to fully explain something. J. Twombly said that the resolution does not present any issues for staff.

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

Motion by Jurinsky, second by Gardner to approve the Gardner Amendment which requires any information or presentations presented at Study Session or Regular City Council Meetings be included in the backup packet to be provided before the meeting.

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

Motion by Jurinsky, second by Zvonek to end debate.

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

Voting Nay: Coombs, Murillo

Motion by Jurinsky, second by Gardner to approve item 11ac as amended.

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

11.ad. **Resolution to Establish a Fitzsimons Innovation Community Subcommittee to Update the Master Plan and GDP**

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R2022-228 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING MEMBERS TO THE FITZSIMONS INNOVATION COMMUNITY MASTER PLAN AND GENERAL DEVELOPMENT PLAN SUBCOMMITTEE

Sponsor: Dustin Zvonek, Council Member

Brian Rulla, Assistant City Attorney / Rachel Allen, Client Group Manager, City Attorney

Councilmember Dustin Zvonek provided a summary of the item.

Mayor Pro Tem Bergan asks if the subcommittees would then come back to Council for information only when it concludes. CM Zvonek explained that it is highly likely that the recommendations for the updated master plan and mobility plan will require changes to the GDP that will need approval.

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

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

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

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

12.a. **Standards for Other Types of Signs**

2022-71 FOR AN ORDINANCE AMENDING CHAPTER 146 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO STANDARDS FOR OTHER TYPES OF SIGNS

Brandon Cammarata, Planning Manager / George Koumantakis, Manager of Client Services, City Attorney

Mayor Coffman opened the public hearing.

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

Mayor Coffman closed the public hearing.

CM Zvonek explained that the City Code requires pennants to have a permit, have a limitation on how long they could be hung, and must be in good condition. Having these requirements, other than pennants being in good condition, is an undue burden on businesses. He mentioned that the pennants oftentimes are used to advertise sales and events. He added that they have received complaints from constituents regarding the need for code enforcement and having these requirements in place takes time away from code enforcement for other pressing matters. CM Coombs expressed her support. She commented that constituents expressed concerns regarding code changes that

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would take code enforcement away from other issues that may seem trivial but are big concerns of residents like the placement of trash cans.

Motion by Zvonek, second by Jurinsky to approve item 12a.

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

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

13.a. **Public Hearing and Appeal of the October 12, 2022, Planning Commission's Approval of the Grand Avenue Townhome Site Plan with an Adjustment**

Stephen Rodriguez, Planning Supervisor / Daniel L. Money, Senior Assistant City

Attorney Outside Speaker: Nathan Adams, CEO of redT Homes

Mayor Coffman opened the public hearing.

Stephen Rodriguez, Planning Supervisor, provided a summary of the item.

CEO of redT Homes Nathan Adams and Project Manager Joshua Botts discussed the background of redT Homes and how the development met all the necessary criteria for application in Aurora.

The appellants expressed concerns regarding the high cost of homes provided by the development which could not be attained by low-income families, including the immigrant and refugee population, within the community. They stressed the importance of building affordable housing.

Council heard public in-person testimony.

Mayor Pro Tem Bergan asked if the applicant conducted their market studies and what their investment is in construction costs. She asked if they could lower the price point. N. Adams said that the total investment with be over $20 million to build 53 townhomes. He added that they spent $200,000 per door on land, architecture, tap fees, and infrastructure before they were able to build vertically. He said that the land cost was around $57,000 per door. If the price moves lower, they need construction costs to come down. Mayor Pro Tem Bergan asked if anybody showed interest in the vacant lot prior to redT Homes. S. Rodriguez said that they were not aware of any. N. Adams mentioned that the property was on the market for some time, and they were the only ones interested.

CM Gardner highlighted that the development meets all the criteria of the comprehensive plan. He asked if they have a legal requirement to approve it and what the potential liabilities would be if it were denied. D. Money explained that the Council must review the appeal based on the standards and criteria of the UDO, and the decision of the planning commission, and ensure that the development is compatible

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with the neighborhood. He added that the zoning district in question is mixed-use and is designed for a diversity of housing types for a diversity of income. It is Council's role and prerogative how to apply the standards of the UDO. He further explained that the land is use-by-right, and if the city says that they cannot build on or use it, then it would set the city up for a potential lawsuit. This would have to be litigated in court and determined if the government did a takings.

CM Marcano asked what the estimated HOA dues would be. N. Adams said that they will intentionally be kept low, around $70 to $100 a month. He added that it may be on the lower end since they have an obligation to put one water line to each property. This fee includes snow removal and landscape maintenance. He stressed that the project has no swimming pools, gyms, or fitness centers. CM Marcano asked if they estimated the impact the development might have on comparable rent in the area or on property taxes. N. Adams said no since they are a for-sale development and are not looking at rents. He explained that they are adding inventory on the site. He added that they did not look at taxes since policymakers are the ones that set them.

CM Coombs mentioned that the cost of parking requirements often increases the cost of development. She asked for the estimated amount of cost per home and the cost to develop in line with the parking requirements of the city. N. Adams said that they are building a one-car garage and additional off-street space for most of the units to keep the cost down. Constructing a one-car garage costs $12,000. Some properties would have two-car garages. He explained that the only they could do to bring the cost lower is to build it to a LEED gold certification standard, which is non-negotiable for the company.

CM Coombs asked about the density of the site as it relates to parking requirements. N. Adams said that there are exactly two spaces per unit, totaling 106 parking spaces. He highlighted that this would seem to be the right amount for three and four-bedroom units. He added that they were intentional about adding multi-bedroom townhomes to appeal to people that are currently in the neighborhood.

CM Coombs pointed out that the area has more access to transit than the rest of the city. She asked if the developer looked at transit-oriented development and the impact that may have on parking requirements. N. Adams reiterated that they do not set the policy and only follow the parking requirement of the city. He said that they would love to see more people taking public transportation, but there are not a lot of people waiting for the bus on Colfax. CM Coombs said that people are using the bus along Colfax. She mentioned that they can get waivers associated with TOD, which the development would qualify for. Therefore, if they are looking for ways to encourage transit use, there is a policy in place to enable this and bring down the cost of development.

CM Coombs asked if the city looked at the site for land banking. J. Twombly said no. CM Coombs commented that this is an opportunity that would be beneficial for the city moving forward. She asked if they are permitted to utilize the housing plan in deciding whether to approve or deny the proposal. C. Money said that the judge would strictly go by code and other adopted city regulations, which this developed complies with and

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where the housing plan would be taken into account. They would also decide based on conditions specifically applied to the development by the Planning and Zoning Commission or City Council and a prior decision affecting the property. He explained that it would depend on how it would be interpreted.

CMM Coombs mentioned that if they have data demonstrating a compelling government interest, then they could use this as an argument against being found to have engaged in illegal regulatory takings. The conducted housing study has demonstrated a cost burden for housing for the community, including this area. She asked if this could be used as a defense against any potential takings claim. D. Money said they would use all they can as a defense, should they go to court. He explained that if the government takes land or prevents its use, then the government must pay for it. The payment would be either through a lawsuit that has higher damages or through buying the land.

CM Gardner asked how removing all parking would impact the ability to obtain financing. N. Adams said that it would be difficult, but not impossible. He explained that they must raise equity and produce an economically viable project with a high probability of selling to get financing. He added that they are only near buses, but not light rail. CM Marcano mentioned that the Colfax Corridor has the most heavily utilized bus in the network. The Corridor is also about to become a Bus Rapid Transit (BRT) corridor, which will be a big asset to the city and the project. He asked if the developers currently own the land. N. Adams said yes.

CM Marcano asked if they are aware of how long previous owners owned it. N. Adams said they do not know, and it was not relevant to whether it made sense to develop on the site. CM Marcano explained that he wants to know if the previous owners were intending to develop the land or if they were hoping to sell it to development that would increase the cost in the community. N. Adams said that they do not have any insight. CM Marcano asked staff for records of the property. B. Cammarata said that the County Assessor would have the information.

Mayor Coffman mentioned that residents in the area expressed concern regarding four boarded-up homes that were continually broken into and were nests for illegal activity. They wanted something done with the property for their safety. Mayor Coffman pointed out that they are not tearing down low-income property and replacing it with higher income. They are simply redeveloping a vacant parcel that is crime infested. CM Sundberg requested the spreadsheet on the work done by Mr. Green on providing $3 million in rental assistance. He mentioned that Aurora has 20 affordable housing projects in the pipeline including Weatherstone, Elevate Aurora, etc. He pointed to a testimony from an apartment complex manager indicating that there is not a big disparity between current homes there that could sell for over $500,000. CM Sundberg mentioned testimonies indicating that the project could improve lighting, safety, speeding, and drug use in the area. He stressed that these improvements were also indicated by the developer. He thanked the developer for providing a service to the city.

Mayor Coffman closed the public hearing.

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Mayor Pro Tem Bergan thanked the individuals that shared testimonies. She mentioned that she sat on a hearing for a developer trying to bring in affordable housing to CHFA to get state grants. However, these grants are few and far between and there are only so many per year that a developer can apply for across the state. She said that there are ways to work on getting affordable housing and reducing construction costs on some standards in the city. She stressed that the property is currently on vacant land with no interest from other developers to provide affordable housing. She said that it is heartbreaking to hear stories from residents, but it is a good project that will improve the neighborhood.

CM Gardner thanked the residents that provided their testimonies. He expressed frustration that the developers have been put through a lot by organizations that are not in Aurora. He stressed that the developers have the right to build, and Council does not have the legal right to turn it down. He stated that those from Aurora that were urged to speak were lied to by organizations and used as pawns to push rent control. He added that this was not an argument regarding affordable housing, gentrification, or displacement; rather, it was how the project complies with the UDO and the city's comprehensive plan. He stated that they will continue to support affordable housing projects that are appropriate for the city but will not be bullied by organizations from Denver.

CM Jurinsky stressed that there is a housing shortage at every price point and there are people that could afford $500,000 but have not been able to find a home due to bidding wars. She said that these new home builds would avoid these bidding wars. She mentioned that she received past criticism when she stood up to a developer who she felt was displacing people in businesses. However, she could not find how this project would displace anyone as it is a vacant lot. She expressed her support for the project.

CM Medina stressed how every change and development in the area, including The Stanley, affected people in the community. He referred to a study saying that The Stanley did not know how to reach out to the community and 90% of the people who lived a block away did not know that The Stanley existed. He stressed the importance of talking to the residents, including them in meetings, and reaching out to the immigrant and refugee populations. They should not assume that everybody speaks English, has access to a computer, or has time to go to meetings. He stated that he will look at ways to mitigate these issues in the future.

CM Jurinsky mentioned that they received an email stating that Nano has been involved with the developer for some time. Mayor Pro Tem Bergan said that the notice goes out to every neighborhood, registered neighborhood associations, residents within, and adjacent property owners. N. Adams said that they have engaged with Nano and Del Mar who were both previously in opposition. N. Adams met and compromised with them and changed their position to support them by allowing them to have a say in the development. He added that most of the people in opposition are from the East Colfax Collective, which is not a registered neighborhood organization. He mentioned that they refused to engage despite being given his direct contact details until they came into his office on Thursday of last week.

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Mayor Pro Tem Bergan asked if they attended the meetings. N. Adams said that ECC did not attend any meetings. But they started the development process in 2021. CM Gardner referred to the memo from the police chief stating that there has been a 60% decrease in crime events, a 75% reduction in drug crimes, and a 60% reduction in motor vehicle thefts since they increased focus on crime in the area. He highlighted that this development would continue to turn crime around and make residents feel safer.

CM Marcano said that the amenities of the project are great and would love to see this development all over the city but for a reasonable price. He mentioned that it may be a little over-parked given the proximity to the busiest transit corridor in the metro. He stated that the median income in Aurora is $67,700 a year. To afford this, the minimum income required would be $140,000. He stressed how this development in the most diverse and lowest-income part of town would lead to displacement by raising property values in the area. He added that they would then end up with a larger public safety issue by not addressing the root cause of crime. CM Marcano stated that they should prioritize people living in the community and work with developers that would provide a hood housing product at an affordable rate. He said that they should utilize this vacant lot for community benefit and deter crime, but not by building million-dollar townhomes in an area with a $36,000 to $40,000 median income. CM Marcano pointed to the UDO which requires the application to mitigate any adverse impacts on the surrounding area to the maximum degree possible. He mentioned how the developers did not study how the project will impact existing residents and property owners and how it may trigger displacement.

CM Coombs mentioned that the proposal was submitted for late submission approval and was specifically asked to be moved to today's meeting despite numerous resolutions. She said that the mayor is the one that asked for this and is the only person that sees and sets the agenda. She highlighted how this impacted people's ability to stay and participate. She suggested opening the agenda-setting process. She added that one of the organizations involved in speaking for the appellant was specifically called out during the ARPA Grant Item. CM Coombs said that she hopes that this was not an effort at intimidation. CM Coombs pointed out that the top five professions in the area cannot afford a cost of a home in this development. She highlighted that construction is one of the most lucrative jobs among those professions and is prevalent in wage theft. She mentioned the importance of actual attainable missing middle housing which this development is not. She suggested looking into the housing study to acknowledge the reality in the city.

CM Murillo expressed her appreciation for CM Coombs for calling out the delayed vote on ARPA dollars that have already been vetted by staff for projects. She mentioned that the organization, despite being from Denver, also has Aurora members. She expressed her disappointment to the applicant referring to the appellant's comments as straight-out lies despite their testimonies being rooted in the impact of the project and not directed at the business. CM Murillo pointed out the positives of the development including being near BRT and being LEED certified. She stressed the importance of acknowledging the housing plan, affordability, and the reality of the people living in the area. She highlighted that people are not against development and a safe community. However, they want to see development that will have long-term benefits. CM Murillo

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thanked the work of APD regarding the decrease in crime. However, she pointed out that these improvements were not due to housing development. She stressed the importance of pushing for safer communities regardless of the price of the homes. She thanked the organizations like the East Colfax Community Collective for empowering people and providing testimony.

Motion by Gardner, second by Zvonek to approve item 13a.

Motion by Sundberg, second by Jurinsky to end debate.

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

Voting Nay: Medina, Murillo

Motion by Gardner, second by Zvonek to approve item 13a.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

14. **INTRODUCTION OF ORDINANCES**

14.a. **Gun Club Road Rights-Of-Way Vacation No. 2**

2022-72 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, VACATING TWO PORTIONS OF THE PUBLIC RIGHT-OF-WAY FOR GUN CLUB ROAD, LOCATED EAST OF E-470, BETWEEN EAST 38TH AVENUE AND EAST 48TH AVENUE, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO (GUN CLUB ROAD RIGHTS-OF-WAY VACATIONS NO. 2)

Deborah Bickmire, Senior Planner / Daniel L. Money, Senior Assistant City Attorney

Deborah Bickmire, Senior Planner, provided a summary of the item.

Motion by Sundberg, second by Bergan to approve item 14a.

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

14.b. **2022 Fall Supplemental Ordinance**

2022-73 FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2021-56, AND 2022-24 FOR THE 2022 FISCAL YEAR

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Jackie Ehmann, Budget Program Manager / Hanosky Hernandez, Senior Assistant City Attorney

Jackie Ehmann, Budget Program Manager, provided a summary of the item.

Motion by Gardner, second by Sundberg to approve item 14b.

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

15. **FINALIZING OF ORDINANCES**

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

15.a. **Harvest Mile Initial Zoning**

2022-56 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ZONING APPROXIMATELY 308.6 ACRES OF LAND, MORE OR LESS, GENERALLY LOCATED NORTH AND SOUTH OF SMITH ROAD AND WEST OF POWHATON ROAD, COUNTY OF ADAMS, STATE OF COLORADO, TO BUSINESS/TECH ZONE DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY (HARVEST MILE INITIAL ZONING)

Aja Tibbs, Senior Planner / Dan Money, Senior Assistant City Attorney

15.b. **Best Box Self Storage – 26th Ave. Initial Zoning**

2022-57 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ZONING APPROXIMATELY FIVE- ACRES OF LAND, MORE OR LESS, GENERALLY LOCATED 400 FEET EAST OF THE NORTHEAST CORNER OF PICADILLY ROAD AND EAST 26TH AVENUE, COUNTY OF ADAMS, STATE OF COLORADO, TO BUSINESS/TECH ZONE DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY (26TH AVENUE INITIAL ZONING)

Erik Gates, Planner / Dan Money, Senior Assistant City Attorney

Outside speaker: Beau Reinberg, BCN Management Partners / Michael Cleary, Strategic Site Design LLC

15.c. **2023 Adopting Budget**

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2022-58 AN ORDINANCE OF THE CITY OF AURORA, COLORADO, ADOPTING AN OPERATING AND CAPITAL IMPROVEMENTS PROJECTS BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Greg Hays, Budget Officer / Hanosky Hernandez, Senior Assistant City Attorney

Greg Hays, Budget Officer, provided a summary of the item.

CM Coombs expressed her opposition. CM Murillo expressed her opposition due to decisions made regarding the DEI office and the independent monitor. CM Lawson mentioned that she will be supporting the budget for things made for the residents. However, she expressed her disappointment in having the independent monitor and DEI positions cut. CM Marcano expressed his opposition to the budget due to items that were cut.

Motion by Gardner, second by Sundberg to approve item 15c.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

15.d. **2023 Budget Appropriations**

2022-59 AN ORDINANCE OF THE CITY OF AURORA, COLORADO, APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Greg Hays, Budget Officer / Hanosky Hernandez, Senior Assistant City Attorney

Greg Hays, Budget Officer, provided a summary of the item.

Motion by Coombs, second by Gardner to approve item 15d.

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

15.e. **Transportation Maintenance Fund Creation**

2022-60 FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO, CREATING THE TRANSPORTATION MAINTENANCE FUND

Greg Hays, Budget Officer / Hans Hernandez, Senior Assistant City Attorney

15.f. **2023 Tax Levy**

2022-61 FOR AN ORDINANCE ESTABLISHING THE TAX LEVY ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF AURORA, COLORADO,

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FOR THE TAX COLLECTION YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Greg Hays, Budget Officer / Hanosky Hernandez, Senior Assistant City Attorney

15.g. **Water Rate Ordinance**

2022-62 CONSIDERATION OF THE CITY COUNCIL OF THE CITY OF AURORA TO APPROVE AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 138 OF THE CITY CODE OF THE CITY OF AURORA RELATING TO SERVICES FOR THE PROVISION OF WATER

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

Marshall Brown, General Manager of Aurora Water, provided a summary of the item.

CM Gardner expressed his opposition. Mayor Pro Tem Bergan asked what the consequences will be if they do not pass the water rate. M. Brown explained that they would rethink how to cover the operating costs and may cut into water reserves. They have to rethink operations that they do proactively to exceed regulatory requirements such as PFAS lead service line removals. He added that there would be consequences for the confidence of the public in the water system and they would have to send public notices out explaining the delay and deferral of some operations.

Mayor Pro Tem Bergan asked if they would still be required to raise rates next year by a higher amount. M. Brown confirmed this. He mentioned that the rate increases would compound the regulatory items. They could be delayed for a year or two, but they would eventually be required to comply which will destroy public confidence and still raise the rates. Mayor Pro Tem Bergan asked if the budget has been approved. M. Brown said yes.

Motion by Coombs, second by Marcano to approve item 15g.

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

Voting Nay: Gardner, Jurinsky, Lawson, Zvonek

15.h. **General Improvement District 3-2008 (Meadow Hills Country Club) 2023 Operating Budget**

2022-63 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 3-2008 (MEADOW HILLS COUNTRY CLUB) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

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Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.i. **General Improvement District 2-2011 (Aurora Conference Center) 2023 Operating Budget**

2022-64 AN ORDINANCE OF THE AURORA CONFERENCE CENTER GENERAL IMPROVEMENT DISTRICT (NO. 2-2011) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.j. **General Improvement District 1-2007 (Cherry Creek Racquet Club) 2023 Operating Budget**

2022-65 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 1-2007 (CHERRY CREEK RACQUET CLUB) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.k. **Cobblewood General Improvement District 1-2016 2023 Operating Budget**

2022-66 AN ORDINANCE OF COBBLEWOOD GENERAL IMPROVEMENT DISTRICT 1-2016 (COBBLEWOOD GENERAL IMPROVEMENT DISTRICT) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.l. **General Improvement District 1-2008 (Peoria Park) 2023 Operating Budget**

2022-67 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 1-2008 (PEORIA PARK) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

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15.m. **Pier Point 7 General Improvement District 2-2009 2023 Operating Budget**

2022-68 AN ORDINANCE OF PIER POINT 7 GENERAL IMPROVEMENT DISTRICT

2-2009 ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.n. **2023 Ward Redistricting**

2022-69 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING AN UPDATED MAP OF WARD BOUNDARIES PURSUANT TO THE MANDATE OF SECTION 54-5(B) OF THE CITY CODE

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

15.o. **Ward Realignment Recommendation Deadline**

2022-70 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 54-5 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, BY ADOPTING ADDITIONAL CLARIFYING LANGUAGE TO SUBSECTIONS (b) AND (c) TO DIRECT THE AURORA ELECTION COMMISSION TO COMPLETE ITS REVIEW OF WARD BOUNDARIES AND SUBSEQUENT RECOMMENDATIONS FOR REALIGNMENT OF WARD BUNDARIES, IF ANY, AND TO TRANSMIT THE SAME TO CITY COUNCIL NO LATER THAN THE FIFTEENTH (15TH) DAY OF OCTOBER IN THE YEAR PRECEDING THE YEAR IN WHICH THE REALIGNMENT SHALL TAKE EFFECT, CURRENTLY IN CALENDAR YEARS ENDING IN "3" AND "9"

Sponsor: Juan Marcano, Council Member Dave Lathers, Senior Assistant City Attorney

Motion by Sundberg, second by Marcano to approve items 15a, 15b, 15e, 15f, 15h through 15o.

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

16. **PLANNING MATTERS**

17. **ANNEXATIONS**

18. **RECONSIDERATIONS AND CALL UPS**

19. **GENERAL BUSINESS**

♦ ***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.***

19.a. **Consideration to Appoint Two (2) Members to the Aurora Immigrant and Refugee Commission**

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

Motion by Bergan, second by Sundberg to appoint Carlos Diaz and Coralie Betrand-Guerrero to the Aurora Immigrant and Refugee Commission

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

19.b. **Consideration to Appoint One (1) Member to the Library Board**

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

Motion by Coombs, second by Lawson to appoint Hannah Poertner to the Library Board.

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

19.c. **Consideration to Reappoint One (1) Member to the General Employees' Retirement Board**

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

Motion by Marcano, second by Bergan to reappoint Tom Tobiassen to the General Employees Retirement Board.

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

19.d. **Consideration to Appoint One (1) Member to the Joint Water Authority**

Marshall Brown, General Manager, Aurora Water / Rachel Allen, Client Group Manager, City Attorney

Motion by Coombs, second by Marcano to appoint Mathew Allsopp to the Joint Water Authority.

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

19.e. **Consideration to Appoint One (1) Member to the Homestake Steering Committee**

Marshall Brown, General Manager, Aurora Water / Rachel Allen, Client Group Manager, City Attorney

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

Motion by Coombs, second by Sundberg to appoint Mathew Allsopp to the Homestake Steering Committee.

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

20. REPORTS

20.a. Report by the Mayor

None.

20.b. Reports by the Council

CM Lawson gave her condolences to Dr. Jules Smith of the Rising Star Missionary Baptist Church and Mr. Ernie Clark.

CM Jurinsky also gave her condolences. She wished everyone a Happy Thanksgiving.

CM Murillo extended her condolences. She mentioned that one of AFR's family members also passed away. She announced that her town hall would be moved to December 1st at the Moorhead Recreation Center. She wished everyone a Happy Thanksgiving.

CM Marcano thanked the residents who voted in the elections and the candidates who ran. He congratulated the winners and is optimistic about the collaborative opportunities Aurora has in the coming years with new state and county-level partners. He announced that the next Ward IV meeting would be on January 12th at the Colorado Early Colleges from 6:30 PM. Arapahoe County District 4 Commissioner would be in attendance to discuss her role on the county commission and collaboration between Arapahoe County and Aurora.

CM Coombs echoed the condolences. She added that Mr. Ernie Clark's volunteers and daughters intend to continue his legacy of providing bikes for the community. She announced that the Ward V Town Hall would be on November 15th at the Central Recreation Center and WebEx.

Mayor Pro Tem expressed her condolences to Mr. Clark. She announced that her Town Hall would be on November 16th with topics on crime, motor vehicle theft, and prosecuting crime. She wished everyone a Happy Thanksgiving.

Councilmembers Gardner, Zvonek, Sundberg, and Medina did not have reports.

21. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of the City Council.

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

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.***

Water Policy Committee (WPC) Meeting

August 10, 2023

Members Present: Council Member Steve Sundberg (Chair), Council Member Alison Coombs (Vice Chair), Council Member François Bergan

Absent:

Others Present: Rachel Allen, Greg Baker, Todd Brewer, Marshall Brown, Michael Bryant, Steve Cann, James DeHerrera, Rory Franklin, Sonya Gonzalez, John Murphy, Swirvine Nyirenda, Cat Olukotun, Casey Rossman, Earl Wilkinson, Eric Schneider, Sam Scorza, Gail Thrasher, Sarah Young

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1. Approval of Minutes

The July 19, 2023, meeting minutes were approved as presented.

2. Consent Items

A. Construction Change Order Report
B. Monthly Water Supply Update
C. Quarterly Financial Report

Summary of Issue and Discussion: Regarding the construction change order report, CM Sundberg asked, what was the material that would cause this type of erosion to the pipe referenced in the change order for this month? S. Nyirenda responded, corrugated metal pipe which was popular several years ago but is no longer being used due to corrosion issues.

Regarding the quarterly financial report, CM Sundberg asked, are the revenue decreases the result of a decrease in construction and connection fees? M. Brown responded yes. CM Coombs asked, is the rate revenue down because of lower demand? C. Olukotun responded, yes.

CM Coombs asked, how many full-time employees does the vacancy savings represent in regard to personnel services? M. Brown responded, we are slightly over 10%, so roughly 40 plus positions are currently open. CM Coombs asked, how is that impacting workloads for current employees? M. Brown responded, we are accruing additional overtime, primarily in treatment, field crews, construction and repairs, and inspections. The department is also utilizing outside contractors in the interim to fill some our positions. CM Coombs asked if it was an authority issue that Council can provide to fill those positions? M. Brown responded, no, we have the authority, it is mostly the job market affecting the utility and while we are competitive in pay, we are still trying to figure out ways of streamlining the hiring process. We are also hoping there

will be some improvements with vacancies once we move to the Southeast Area Maintenance Facility.

CM Bergan asked, with employees retiring, is there a way we can bring them back as contractors part-time? M. Brown responded, we have done that, most recently with Dan Mikesell who returned for nine months. Additionally, we have contracted with not just retirements but other employees that have left the city.

CM Sundberg asked if the Southeast Area Maintenance Facility cost is reflected in the second quarter financial report? M. Brown responded, the facility is out of the budget as it is near completion and was previously programmed in the capital improvements budget. The contract for the moving company went through council a few weeks ago which is the last of the major costs associated with construction. The cost of the facility was roughly $147,000,000.00 which was ideal timing wise, if we would have built in today's market it would have been closer to $250,000,000.00. S. Young added, the contractor, Saunders, worked proactively in ordering materials such as steel prior to fabrication to lock in prices which allowed us to come in on budget.

CM Bergan stated, constituents continue to ask her about rate increases with increased development while they are being asked to conserve water. M. Brown responded, the rate increases help us operate the water system. Conservation creates resiliency and sustainability for existing customers and helps to meet the needs of additional growth. A lot of our projects associated with water supply and resiliency are split between rate and fee revenue. CM Bergan stated, she has further discussed with constituents that while the population in Aurora has grown substantially, we have actually reduced the water supply need. M. Brown confirmed her statement and added, our growth is a far steeper curve than the increase in water use. We are also continuing to be aggressive in water supply acquisitions to meet future demands. Additionally, if development slows, we are still working on projects associated with growth so the rate payer, bond ratings, etc. allow us to issue debt which will be carried through non-developmental periods.

Outcome: The consent items were supported as presented.

Follow-Up Action: The consent items were supported as presented.

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3. Major Drainageway Planning for East Toll Gate Creek Tributaries Intergovernmental Agreement

Summary of Issue and Discussion: S. Scorza, gave a presentation regarding an Intergovernmental Agreement between the City of Aurora, Mile High Flood District, and the Southeast Metro Stormwater Authority for the funding of major drainageway planning for the East Toll Gate Creek tributaries. The proposed work will include mapping, compilation of

existing data, field work, and development and evaluation of alternatives to provide the most feasible drainage and flood control master plan for the study area. The total cost of the project is $200,000.00 with Aurora Water contributing $90,000.00.

Outcome: The Committee supports the major drainageway planning for East Toll Gate Creek Tributaries intergovernmental agreement and forwarded to the next Study Session for consideration

Follow-Up Action: The Committee supports the major drainageway planning for East Toll Gate Creek Tributaries intergovernmental agreement and will forward to the next Study Session for consideration

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4. Second Amendment to an Intergovernmental Agreement for Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road

Summary of Issue and Discussion: S. Scorza gave a presentation discussing the second amendment to an intergovernmental agreement between the City of Aurora, the Mile High Flood District, the Southeast Metro Stormwater Authority, and the Cherry Creek Basin Water Quality Authority identifying ways to mitigate erosion occurring between the Cherry Creek Soccer Complex and the confluence with Piney Creek. The total cost of the project is $2,203,828.30 with Aurora Water's total contribution at $740,258.84.

CM Sundberg asked, will this restoration include the area just South of the reservoir where the road has been washed out in a couple of places? S. Scorza responded, this project is further upstream. That specific area is entirely within Cherry Creek Basin Water Quality Authorities jurisdiction. S. Young added, there are future discussions planned with Mile High Flood District and the Cherry Creek Basin Water Quality Authorities to discuss what to do in that area not only to protect the Rampart Pipeline but mitigate the amount of sediment going into the reservoir. There will be an interim fix that the Cherry Creek Basin Water Quality Authorities insurance will pay for, but they are looking at a permanent solution.

CM Coombs asked, was there flooding in the area of this project? S. Scorza responded, yes, while no structures have been impacted, there has been an increase in the degradation of the stream and sediment movement.

Outcome: The Committee supports the second amendment to an intergovernmental agreement for drainage and flood control improvements for Cherry Creek Restoration at Arapahoe Road and forwarded to the next Council Meeting for consideration.

Follow-Up Action: The Committee supports the second amendment to an intergovernmental agreement for drainage and flood control improvements for Cherry Creek Restoration at Arapahoe Road and will forward to the next Council Meeting for consideration.

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5. Drainage and Flood Control Improvements for Unnamed Creek Upstream of S. Jericho Way Intergovernmental Agreement.

Summary of Issue and Discussion: S. Scorza gave a presentation discussing an intergovernmental agreement between the City of Aurora and the Mile High Flood District for the rehabilitation of the Unnamed Creek upstream of S. Jericho Way to reduce street flooding in the area, provide additional water quality volume, provide maintenance feasibility for the upstream forebays, reduce sediment buildup, and enhance the community. The total cost of the project is $1,100,000.00 with Aurora Water contributing $700,000.00.

CM Sundberg asked, why can't Mile High Flood District contribute more equitably? S. Scorza responded, since this project is moving from a maintenance project to a capital project, Mile High Flood district is reappropriating the maintenance funds over to capital projects. Next year, they will contribute additional funds through the approval of their board.

CM Bergan asked, how does the Mile High Flood District get their revenues? S. Young responded, through mill levy collected by county then the funds are split up between the jurisdictions within those counties.

Outcome: The Committee supports the intergovernmental agreement for drainage and flood control improvements for Unnamed Creek upstream of S. Jericho Way and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supports the intergovernmental agreement for drainage and flood control improvements for Unnamed Creek upstream of S. Jericho Way and will forward to the next Study Session for consideration.

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6. 2024 Proposed Fee Increase Presentation

Summary of Issue and Discussion: C. Olukotun gave a presentation on the proposed 2024 connection fee increases.

CM Bergan asked, if the average summer usage were tiered in the presentation as the difference seems lower that previously stated. CM Coombs asked if CM Bergan was accounting for storm and wastewater fees as the displayed chart only accounted for water. M. Brown added, the storm and wastewater would be in addition to the water increase. CM Bergan stated she realized she was only looking at the water increase and not accounting for storm and wastewater.

Regarding the scenarios in the presentation, CM Bergan asked, in scenario one and two, is 7,000 square feet single-family homes what we are seeing come from developer plans? M. Brown stated, there is variability in the plans coming in, however, 7,000 square feet is the average lot size the Dever-Metro area has settled on for comparison. This gives us a more accurate way to compare against surrounding utilities. CM Bergan stated, we will hear from the development

community that the fee increases will affect the price of housing. M. Brown stated, correct, however, in comparison, the only other utility below Aurora is Denver and that is because they are not currently pursuing water rights which would increase their fees. Additionally, they are not seeing the same amount of development that is driving water use demands.

CM Bergan asked, so when developers are saying our connection fees are higher, that is not correct? M. Brown responded, it is not correct in the single family residential space which is what most of our development is. We are also cheaper than other utilities for low water commercial use and very competitive in the multifamily, however, high-use development connection fees are significantly higher in Aurora.

CM Coombs asked, if Denver is developing in such a way that they get water savings, what would Aurora's development look like from a physical standpoint that would give us water savings instead of increased water use? M. Brown responded, the urban redevelopment space is where they are redeveloping spaces with a lot of outdoor irrigation into more efficient areas with more waterwise landscaping and multi-story buildings which results in water savings. Aurora does not have much redevelopment going on, so we do not have the same opportunities this year for water savings that Denver does.

CM Coombs asked if there was anything we can do to be more competitive in the multi-family space? And can we put together some multi-family scenarios to understand how we can be more competitive? M. Brown responded, yes, we can put some examples together, we will also analyze how the conservation ordinance that has been implemented affects those types of developments since they have separate meters for indoor use and irrigation. With those changes, it is likely we will be cheaper than surrounding utilities except for Denver.

CM Sundberg suggested that when this is presented at Study Session to highlight the inevitable cost increases of energy, natural gas, etc. CM Sundberg reiterated the importance of highlighting cost increases and highlighting the comparison of our costs to surrounding utilities. CM Bergan added, it would also be good to present on where we have tried to create savings and efficiencies in the system. Additionally, the misconception that residents are responsible for paying for new development. M. Brown stated that we will be sure to highlight those areas and also include that 2% of the 2023 5% increase were due to federal mandates to keep drinking water free of PFAS and the costs associated with the removal which can reach roughly $2,000,000.00 a year.

Outcome: The Committee supports the 2024 Proposed Fee Presentation and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supports the 2024 Proposed Fee Presentation and will forward to the next Study Session for consideration.

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7. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: CM Sundberg reminded the committee of the water tour on August 15 and August 16.

Regarding the credit card fee presentation from the July Water Policy Committee meeting, M. Brown stated that the debit card payments for water bills is charged as a credit card not an ACH payment since the payments are managed by VISA. We will continue to encourage residents to switch to ACH payments that do not go through a bank card to avoid the processing fee.

CM Bergan suggested a presentation on innovation for the next Water Policy Committee meeting.

Outcome: Informational only.

Follow-Up Action: Informational only.

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8. Confirm Next Meeting

The next meeting is scheduled for September 20, 2023, 10:30 a.m. via WebEx.

X Steve Sundberg (Oct 22, 2023 10:51 MDT)

Steve Sundberg
Chair, Water Policy Committee

11.a.4 **Second Amendment to Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road**

R2023-97 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE SECOND AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY, AND ARAPAHOE COUNTY REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

James DeHerrera, Planning Services Manager, Aurora Water / Ian Best, Assistant City Attorney

11.a.5 **Senac Site Historic Landmark Nomination**

R2023-98 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO APPROVE DESIGNATING THE SENAC SITE LOCATED AT 5800 SOUTH POWHATAN ROAD, AURORA RESERVOIR VICINITY, AURORA, COLORADO, AS A LOCAL HISTORIC LANDMARK

T. Scott Williams, Museum Supervisor, Library and Cultural Services / Tim Joyce, Assistant City Attorney

Outside Speakers: Dr. Gordon Tucker Jr. and Todd McMahon, Historic Preservation Commission Members

11.a.6 **Property Acquisition for the Parker Quincy Smoky Hill Improvements Project**

R2023-99 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR THE ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE PARKER QUINCY SMOKY HILL IMPROVEMENTS PROJECT IN THE AMOUNT NOT TO EXCEED $766,000 PLUS INCIDENTAL EXPENSES AND CLOSING COSTS

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

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

11.b **Finalizing of Ordinances**

11.b.1 **Tower Crossings South Zoning Map Amendment**

2023-36 CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 22.4 ACRES MORE OR LESS AT THE SOUTHEAST CORNER OF TOWER RD AND E 32ND PKWY FROM BUSINESS/TECH DISTRICT (I-1) TO MIXED-USE CORRIDOOR (MU-C) AND AMENDING THE ZONING MAP ACCORDINGLY (TOWER CROSSINGS SOUTH ZONING MAP AMENDMENT)

Erik Gates, Planner, Planning and Development Services / Rachel Allen, Client Services Manager, City Attorney

11.b.2 **2023 IT Lease Purchase Authority**

2023-37 FOR AN ORDINANCE AUTHORIZING THE CHIEF INFORMATION TECHNOLOGY OFFICER TO ACQUIRE CERTAIN TANGIBLE AND INTANGIBLE INFORMATION TECHNOLOGY PROPERTY DURING THE 2023 FISCAL YEAR, EITHER BY PURCHASE OR PURSUANT TO THE TERMS OF LEASE-PURCHASE AGREEMENTS TO BE ENTERED INTO BETWEEN THE CITY, AS LESSEE, AND LEASE INVESTORS, VENDORS OR THE AURORA CAPITAL LEASING CORPORATION, EACH AS LESSOR, AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY

Scott Newman, Chief Information Officer / Hanosky Hernandez, Senior Assistant City Attorney

11.b.3 **Single Subject Ballot Initiatives**

2023-38 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 54-121 AND 54-131 OF THE CITY CODE PERTAINING TO BALLOT INITIATIVES

Sponsor: Curtis Gardner, Mayor Pro Tem

Dan Brotzman, City Attorney / Jack Bajorek, Deputy City Attorney

Outside Speakers: Julie Gamec and Alicia Khine, THK Associates

Motion by Gardner, second by Lawson to approve the Consent Calendar - Resolutions and 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.***

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

12. **PUBLIC HEARINGS**

Public hearings with or without related ordinances

12.a **Unified Development Ordinance (UDO) Amendments to Clarify Parks and Opens Spaces**

2023-40 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING VARIOUS SECTIONS OF CHAPTER 146 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO TO PROVIDE CORRECTIONS, CLARIFICATIONS AND UPDATES TO THE LAND USE REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

Nicole Ankeney, Planning, Design and Construction Manager of Parks, Recreation and Open Space / Michelle Gardner, Senior Assistant City Attorney

Mayor Coffman opened the public hearing.

Nicole Ankeney, Manager of Planning, Design, and Construction, provided a summary of the item.

Mayor Coffman closed the public hearing.

Motion by Bergan, second by Marcano to approve 12.a.

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

12.b **Unified Development Ordinance (UDO) Amendments to Update Various Sections in the Landscape, Dimensional, and Parking Standards**

2023-41 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING VARIOUS SECTIONS OF CHAPTER 146 OF THE CITY CODE, TO ADDRESS LANDSCAPE, DIMENSIONAL AND PARKING STANDARDS WITHIN THE CITY

Brandon Cammarata, Planning Manager, Planning and Development Services / Rachel Allen, Client Services Manager, City Attorney

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

Water Policy Committee (WPC) Meeting

June 12, 2024

Members Present: Council Member Steve Sundberg (Chair), Council Member Stephanie Hancock (Vice Chair), Council Member François Bergan

Absent:

Others Present: Rachel Allen, Greg Baker, Ian Best, Marshall Brown, Melina Bourdeau, Stephen Cann, Alexandra Davis, Denver Gazette, Rory Franklin, James DeHerrera, Sonya Gonzalez, Kathy Kitzmann, Luz Lopez, Brenda Mendoza-Ortega, John Murphy, Swirvine Nyirenda, Cat Olukotun, Casey Rossman, Eric Schneider, Sam Scorza, Oona Sullivan, Cheinette Van Wyk, Earl Wilkinson, Jenny Wynn, Tim York, Sarah Young

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1. Approval of Minutes

The May 15, 2024, meeting minutes were approved as presented.

2. Consent Items

A. Construction Change Order Report
B. Monthly Water Supply Update
C. Quarterly Financial Update

Summary of Issue and Discussion: CM Began asked, why is Twin Lakes so low? M. Brown responded, this time of year, the higher reservoirs have lower levels because we move the water down lower in the system to increase our capacity to catch runoff. CM Bergan asked, are the fires up in that area impacting the reservoirs? M. Brown stated there was not an imminent threat on infrastructure as of now however, we may see some debris from the fire runoff into the water supply.

Outcome: The consent items were supported as presented.

Follow-Up Action: None.

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3. Third Amendment to a Intergovernmental Agreement Regarding Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road

Summary of Issue and Discussion: S. Scorza gave a presentation regarding an intergovernmental agreement between the Mile High Flood District (MHFD) and Aurora Water to identify ways to

mitigate erosion in the remaining portions of the channel. Future amendments will be required to complete mitigation design, and to construct identified projects.

Outcome: The Committee supports the Intergovernmental Agreement Amendment regarding Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road and forwarded to the next Council meeting.

Follow-Up Action: The Intergovernmental Agreement Amendment regarding Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road will be forwarded to the next Council meeting.

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4. Fifteenth Amendment to a Intergovernmental Agreement Regarding Drainage and Flood Control Improvements for First Creek Detention Upstream of I-70

Summary of Issue and Discussion: S. Scorza gave a presentation regarding an intergovernmental agreement between the Mile High Flood District (MHFD) and Aurora Water to develop a final design of the First Creek Detention Pond including land acquisition, mapping, compilation of existing data, necessary field work, development of final design, and services during construction.

CM Bergan asked, why is there such a large increase in funding for this amendment? S. Scorza responded, the increase is largely due to the surge inflation. CM Bergan asked, when is the estimated completion date? S. Scorza responded, design should be complete this year with construction beginning mid-2025. CM Bergan asked, is there a way we can lock in the rates and costs in a contract to avoid inflation? S. Scorza stated, the plan is to pay the contractor the increased price now to avoid further inflation of costs. M. Brown added, we try to lock in pricing when we can but do that where we can, but it is more difficult on a stormwater project because the price is largely based on labor and design costs rather than procuring materials. CM Bergan asked, is this pond bordering Denver and if so, are they contributing? S. Scorza responded, this project is within the City of Aurora so Denver is not contributing to this one.

Outcome: The Committee supports the Intergovernmental Agreement Amendment regarding Drainage and Flood Control Improvements for First Creek Detention Upstream of I-70 and forwarded to the next Council meeting.

Follow-Up Action: The Intergovernmental Agreement Amendment regarding Drainage and Flood Control Improvements for First Creek Detention Upstream of I-70 will be forwarded to the next Council meeting.

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5. Metro Water Recovery, Denver Water, and Aurora Water Regional Water Reuse Feasibility Study Intergovernmental Agreement

Summary of Issue and Discussion: M. Brown gave a presentation on an Intergovernmental Agreement between Metro Water Recovery, Denver Water, and Aurora Water regarding a regional water reuse feasibility study which will identify and evaluate potential future regional water reuse opportunities and partnership solutions.

CM Bergan asked, why are we contributing to this study if we already have a plan for reuse? M. Brown responded, this study is to better understand our reuse needs in the northeast Aurora area in conjunction with Metro Water Recovery and Denver.

CM Sundberg asked, will this affect development in that area? M. Brown stated, it will eventually if we cannot develop a reuse plan.

Outcome: The Committee supports the Intergovernmental Agreement regarding a Regional Water Reuse Feasibility Study and forwarded to the next Study Session.

Follow-Up Action: The Intergovernmental Agreement regarding a Regional Water Reuse Feasibility Study will be forwarded to the next Study Session.

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6. PFAS Infrastructure Grant

Summary of Issue and Discussion: L. Lopez gave a presentation on a Colorado Department of Public Health and Environment infrastructure grant for the design of a granular activated carbon or ion exchange facility to treat Perfluoroalkyl/Polyfluoroalkyl (PFAS) in the water prior to sending it to the Water Purification Facilities (where no PFAS removal is provided).

CM Bergan asked, is this only for the design? L. Lopez responded yes, for now, since we are not shovel ready. CM Bergan asked, once we are done with the planning then we can apply for the construction grant? L. Lopez responded yes, but it will be a grant that the city of Aurora will need to match funding on.

CM Sundberg asked, where will this facility be located? M. Brown responded, it could be located near the Cherry Creek wells by Coner Star or downstream prior to an existing water treatment process. L. Lopez added, the potential treatment locations are Griswold, Quincy Reservoir or Wemlinger

Outcome: The Committee supports the PFAS Infrastructure Grant Agreement and forwarded to the next Council meeting.

Follow-Up Action: The Agreement regarding a PFAS Infrastructure Grant will be forwarded to the next Council meeting.

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7. Artificial Turf Presentation

Summary of Issue and Discussion: T. York gave a presentation on impacts to the use of artificial turf relating to Senate Bill 24-005 Article 99, "Prohibition of Nonfunctional Turf, Artificial Turf, and Invasive Plant Species". The presentation will also include Aurora's current allowances for artificial turf and required changes per SB 24-005.

CM Bergan asked, are sports areas still allowed to have turf? T. York responded, yes. CM Bergan asked, so nothing other than the percentage of shrubs has changed with the residential side? T. York responded, no, that was an Aurora guideline, there was nothing changed for residential at the state level. CM Bergan asked, do the sports fields not want artificial turf because of the potential chemical emissions? M. Brown responded, chemicals was one of the concerns as well as heat. CM Bergan asked, if the Homeowner's Associations (HOA's) and Metro Districts could still prohibit artificial turf. T. York responded yes, the Metro Districts and HOA's can still prohibit artificial turf in the front yard but they cannot prohibit water wise landscaping.

CM Bergan asked, are we going to send out communication to the development community that the new Unified Development Ordinance's that will take effect? M. Brown stated, we will time the communication closer to when the changes will occur which are required by the end of 2026.

Outcome: Informational only.

Follow-Up Action: Informational only.

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8. Grass Replacement Incentive Program Proposed Changes

Summary of Issue and Discussion: T. York gave a presentation on changes to the Grass Replacement Incentive Program (GRIP). The GRIP program provides financial incentive for the conversion of high-water use Kentucky bluegrass to water-wise landscape. Proposed changes will create an improved customer experience for our citizens, administrative efficiencies for staff, and programmatic equity across customer classes.

CM Bergan asked, how is the square footage of each yard being measured? T. York responded, with our free design program, we go and measure for the customer or we can utilize our GIS data. We are also working on a potential option for customers to be able to measure their own lawn and submit the measurements online.

CM Bergan asked, with the new calculations, will customers still be able to qualify for the full $4,000 rebate? T. York responded, it is dependent on how large your yard is. Since we are offering $3.00 per square foot, if your yard is 1,000 square feet, you would qualify for $3,000.

CM Sundberg asked, is the 500 square foot requirement still in place? T. York responded, yes, if the area is less than 500 square feet, the customer is required to convert the entire area to qualify.

CM Bergan asked, do we provide grass removal? T. York responded, we previously partnered with Resource Central who would offer turf removal and we would help subsidize it but the participation was very low so it didn't make financial sense to continue our partnership.

Outcome: Informational only.

Follow-Up Action: Informational only.

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9. 2025 Proposed Rates Presentation

Summary of Issue and Discussion: C. Olukotun gave a presentation on the proposed 2025 rate increases based on the most current financial plan. Aurora Water understands the significant impacts rate increases have on our customers, and therefore, the policy of the utility is, whenever possible, to have small incremental rate increases instead of infrequent large rate increases.

CM Bergan asked, are the operational costs just to maintain our system and not add to it and the costs to add to the system are paid by fees from developers? M. Brown responded, correct, however, projects that are a benefit to not only the customers but to growth will be split between rates and fees. CM Bergan asked, so looking at Wild Horse once the project is completed and paid off will that be removed from costs? M. Brown responded, we will likely be paying debt service on the Wild Horse project for a long period of time.

CM Sundberg asked, will the 2025 proposed rate increase line up with what was presented last year? C. Olukotun responded yes, however, the only change was to the sewer rate increases due to Metro Water Recovery increasing their rates.

CM Bergan asked, with the grant money that we will be receiving for PFAS, will that reduce our costs? M. Brown responded, the grant will only pay for 50% of the project and Aurora Water will be responsible for funding the other 50%. Additionally, a portion of the rate increase is due to the ongoing operational costs of treating PFAS. L. Lopez added, the grant process is competitive so there is a chance we will not receive the grant so want to budget accordingly. CM Bergan asked, will the PFAS settlement money help to offset the rate increases? M. Brown stated, since the settlement will be divided throughout the country, we will likely only receive $10 yes, but $15 million which will be spread out over several years which will not have a large impact on our rates.

Outcome: Informational only.

Follow-Up Action: Informational only.

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10. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: CM Bergan asked, will there be a WISE presentation coming to a future meeting? M. Brown replied, once we have completed our negotiations with Dominion, we will bring an update as well as a presentation on WISE.

CM Sundberg asked how the negotiations with Dominion were progressing. M. Brown stated, the discussion are centered around shifting their water our of the Rampart system and developing a scheduled frequency of water delivery. The 570 agreement volume will come out this fall, the 250 agreement volume will come out next spring and the 230 agreement water will come out in 2031. We are also awaiting a response from Dominion on our proposed drought restrictions when Aurora Water declares a drought state. We have also requested they make their WISE connection by October of this year because we will no longer be delivering any of the 570 agreement water through Rampart, they will have to take it through their new connection.

Outcome: Informational only.

Follow-Up Action: Informational only.

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11. Confirm Next Meeting

The next meeting is scheduled for July 17, 2024, 10:30 a.m. at the Southeast Area Maintenance Facility or via Teams

X S

Steve Sundberg
Chair, Water Policy Committee

Signature: Steve Sundberg (Jul 17, 2024 21:44 MDT)

Email: steve.sundberg@auroragov.org

MINUTES

Regular Meeting of the Aurora City Council

Monday, July 8, 2024

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

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1. CALL TO ORDER

Mayor Coffman reconvened the regular meeting of the City Council at 6:30 p.m.

2. ROLL CALL

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

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer for the July 8, 2024 meeting.

4. PLEDGE OF ALLEGIANCE

All standing.

5. EXECUTIVE SESSION UPDATE

Mayor Coffman provided an update on the Executive Session, stating personnel matters, property acquisition and security were discussed.

6. APPROVAL OF MINUTES

6.a June 10, 2024 Meeting Minutes

Moved by: Steve Sundberg

Second by: Stephanie Hancock

Does Council wish to approve the minutes of the meeting on June 10, 2024?

Voting Aye: (10): Mayor Coffman, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Crystal Murillo, Steve Sundberg, and Dustin Zvonek

Absent: (1): Ruben Medina

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.

6.b June 24, 2024 Meeting Minutes

Moved by: Françoise Bergan

Second by: Alison Coombs

Does Council wish to approve the minutes of the meeting on June 24, 2024?

Voting Aye: (10): Mayor Coffman, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Crystal Murillo, Steve Sundberg, and Dustin Zvonek

Absent: (1): Ruben Medina

7. PROCLAMATIONS OR CEREMONIES

7.a Swearing-in Ceremony for Interim City Attorney Jack Bajorek

Shawn Day, Presiding Judge, Aurora Municipal Court

7.b Colombian Cultural Week

Mayor Coffman proclaimed the week of July 15 - 21, 2024 as Colombian Cultural Week.

Mayor Coffman read a land acknowledgement.

8. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

Council heard public testimony on non-agenda related items.

9. ADOPTION OF THE AGENDA

The agenda was adopted as amended.

Amendment:

Moved by: Stephanie Hancock

Second by: Françoise Bergan

Does Council wish to adopt the agenda with the proposed amendment to remove items 11.a.4, 11.a.5, 11.a.10 and 11.a.11?

Voting Aye: (8): Mayor Coffman, Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Voting Nay: (2): Alison Coombs, and Crystal Murillo

Absent: (1): Ruben Medina

Moved by: Danielle Jurinsky

Second by: Dustin Zvonek

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

Voting Aye: (7): Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Voting Nay: (3): Mayor Coffman, Alison Coombs, and Crystal Murillo

Absent: (1): Ruben Medina

10. CONSENT CALENDAR - MOTIONS

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

Moved by: Dustin Zvonek

Second by: Stephanie Hancock

Does Council wish to conduct the meeting virtually?

Voting Aye: (8): Mayor Coffman, Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

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

Moved by: Françoise Bergan

Second by: Dustin Zvonek

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

Voting Aye: (8): Mayor Coffman, Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

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

10.a Motions

10.b Planning Matters

10.c Appointments to Boards and Commissions

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

10.c.1 Consideration to Appoint One (1) Member to the Aurora Fox Arts Center Board

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

10.c.2 Council Direct Appointment of One (1) Member to the Aurora Fox Arts Center Board

Sponsor: Danielle Jurinsky, Council Member

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

11. 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: Dustin Zvonek

Second by: Françoise Bergan

Does Council wish to approve the Resolutions and Ordinances Consent Calendar with Item 11.a.9 removed for discussion?

Voting Aye: (7): Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

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

11.a Resolutions

11.a.1 Fifteenth Amendment Regarding the Design and Construction of Drainage Flood Control Improvements for First Creek Detention Upstream of I-70

R2024-78 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE FIFTEENTH AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR FIRST CREEK DETENTION UPSTREAM OF I-70

James DeHerrera, Planning Services Manager, Aurora Water / Ian Best, Assistant City Attorney

11.a.2 Third Amendment to Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road

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.

R2024-79 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE THIRD AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY, AND ARAPAHOE COUNTY REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

James DeHerrera, Planning Services Manager, Aurora Water / Ian Best, Assistant City Attorney

11.a.3 PFAS Infrastructure Grant

R2024-80 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT WATER QUALITY CONTROL DIVISION REGARDING GRANT FUNDS TO PLAN, DESIGN, AND CONSTRUCT PUBLIC WATER INFRASTRUCTURE FOR TREATMENT OF PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)

Cat Olukotun, Deputy Director of Business Services, Aurora Water / Ian Best, Assistant City Attorney

11.a.4 Intergovernmental Agreement (IGA) Between the City of Aurora and City & County of Denver for the Operations and Maintenance Plan for a Portion of 68th Avenue

R2024-81 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE CITY AND COUNTY OF DENVER FOR THE OPERATIONS AND MAINTENANCE PLAN OF A PORTION OF 68TH AVENUE

Haley Johansen, City Engineer, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.a.5 TUMO Center

R2024-82 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ENDORSING AND SUPPORTING ARMENIANS OF COLORADO INC.'S EFFORTS TO ESTABLISH A TUMO CENTER IN AURORA, AND DIRECTING THE CITY MANAGER TO REPORT TO THE CITY COUNCIL ON SUCH PROSPECTS

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.

Sponsor: Alison Coombs, Council Member / Mike Coffman, Mayor

Jason Batchelor, City Manager / Jack Bajorek, Deputy City Attorney

11.a.6 Transitioning Domestic Violence Cases Out of Aurora Municipal Court

R2024-83 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DIRECTING THE CITY MANAGER, CITY ATTORNEY, COURT ADMINISTRATOR, AND PRESIDING JUDGE TO COLLABORATE WITH KEY STAKEHOLDERS TO DEVELOP A PLAN FOR TRANSITIONING THE PROSECUTION OF DOMESTIC VIOLENCE CASES OUT OF THE AURORA MUNICIPAL COURT

Sponsor: Dustin Zvonek, Mayor Pro Tem

Jason Batchelor, City Manager / Peter Schulte, Client Group Manager, City Attorney

11.a.7 Directing the City Attorney to Evaluate a Legal Challenge and Challenge Colorado House Bill 24-1437

R2024-84 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DIRECTING THE CITY ATTORNEY TO EVALUATE A LEGAL CHALLENGE AND CHALLENGE COLORADO HOUSE BILL 24-1437, PROHIBITING FLAT FEE CONTRACTS FOR DEFENDING INDIGENT CLIENTS, ON THE GROUNDS THAT IT VIOLATES THE COLORADO CONSTITUTION INCLUDING HOME RULE AUTHORITY

Sponsor: Dustin Zvonek, Mayor Pro Tem

Jason Batchelor, City Manager / Peter Schulte, Client Group Manager, City Attorney

11.a.8 Tax Rebate Agreement – Project Waterfall

R2024-85 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 PROJECT WATERFALL ("TAXPAYER")

Chad Argentar, Senior Project Manager, Planning and Business Development / Rachel Allen, Client Group Manager, City Attorney

11.a.9 Ballot Question – Ownership of Pit Bulls Ordinance

R2024-86 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, SUBMITTING TO A VOTE OF REGISTERED ELECTORS OF THE CITY AT THE SPECIAL MUNICIPAL ELECTION OF NOVEMBER 5, 2024, A BALLOT QUESTION PERTAINING TO THE OWNERSHIP OF PIT BULLS WITHIN THE CITY OF AURORA, COLORADO

Sponsor: Danielle Jurinsky, Council Member / Co-Sponsor: Mike Coffman, Mayor

Anthony Youngblood, Manager of Animal Services, Housing and Community Services; Angela Garcia, Senior Assistant City Attorney

CM Jurinsky stated the reason for pulling the item is because she has received a lot of emails from the public stating they are worried with the way it is worded and concerned about it passing. She said it has come to her attention that it has to be worded this way.

Staff provided a brief summary and explanation of the item.

Moved by: Danielle Jurinsky

Second by: Françoise Bergan

Does Council wish to support Resolution R2024-86?

Voting Aye: (7): Françoise Bergan, Curtis Gardner, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

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

11.a.10 Aurora Pride Sponsorship

R2024-87 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S DESIRE TO SPONSOR THE 2024 AURORA PRIDE EVENT AT THE AURORA RESERVOIR IN THE AMOUNT OF $15,000

Sponsor: Alison Coombs, Council Member

Alison Coombs, At-Large Council Member / Andrea Wood, Assistant City Attorney

11.a.11 Kilyn Lewis Resolution

R2024-88 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APOLOGY AND CONDOLENCES TO THE FAMILY OF KILYN LEWIS

Sponsor: Alison Coombs, Council Member

Alison Coombs, Council Member / Jack Bajorek, Deputy City Attorney

11.b Finalizing of Ordinances

Ordinances approved unanimously at first reading.

11.b.1 Hours of Operation for Retail Marijuana Stores

2024-31 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 146-3.3.5.S.3 OF THE

UNIFORM DEVELOPMENT ORDINANCE PERTAINING TO THE HOURS OF OPERATION FOR RETAIL MARIJUANA STORES

Sponsor: Curtis Gardner, Council Member

Brandon Cammarata, Planning Manager, Planning and Business Services / Lena McClelland, Assistant City Attorney

12. PUBLIC HEARINGS

Public hearings with or without related ordinances.

13. INTRODUCTION OF ORDINANCES

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

15. ANNEXATIONS

16. RECONSIDERATIONS AND CALL UPS

17. GENERAL BUSINESS

18. REPORTS

18.a Mayor

Mayor Coffman expressed that any loss of life is always a tragedy. He stated there is a process for an officer involved shooting and an ongoing investigation by the 18th Judicial District, Critical Response and investigation team as per state law. He said there is also an internal investigation by the Aurora Police Department on whether the officer adhered to the standards, training, and procedures. He said it is fair to allow those processes to occur before they comment on the case. He extended his condolences to the family.

18.b Council

CM Jurinsky wished her dad a happy 80th birthday.

CM Sundberg thanked the police department and said people in society realize now more than ever that they need the police department.

CM Hancock stated she and MPT Zvonek will be hosting a town hall at the Colorado Early Colleges on July 11th. She commented that she saw a lot online about Fredrick Douglas' speech on why slaves should celebrate the 4th of July, and she read a portion of his speech and stated it is not a holiday for black people or white people, but a holiday for all Americans. She expressed that she believes in the constitution and principles of this country and would be happy to help anyone who will not stand for the pledge, or acknowledge this country is great, pack their bags and leave, because this country is worth fighting for.

CM Lawson gave her FSIR legislative update, stated the Senate Appropriations Committee will begin markups for spending bills, and said the city is watching to see

if their congressional directive spending requests will make the cut this week. The city is also working with state partners to address issues for the next legislative sessions in 2025. The next FSIR meeting is July 19th, virtual, at 1 p.m.

CM Bergan thanked the Metro District of Flagstone for letting them have a meeting. She also attended the Aurora Highlands ribbon cutting of the 38th Avenue Interchange and bridge.

CM Gardner and MPT Zvonek did not have a report. CM Coombs, CM Medina, and CM Murillo were absent for reports.

19. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of City Council.

MIKE COFFMAN, MAYOR

ATTEST:

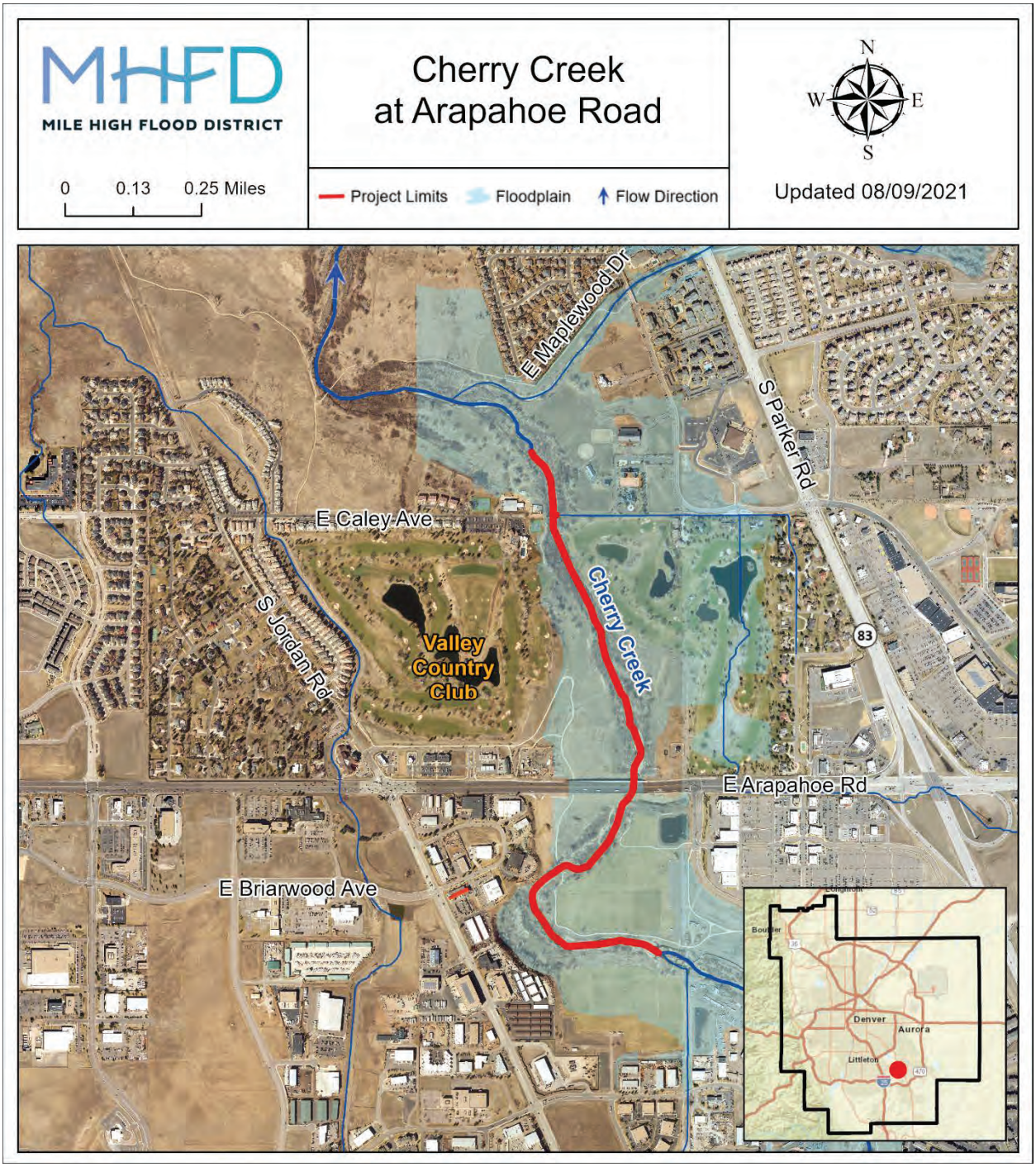
KADEE RODRIGUEZ, CITY CLERK

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.

AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

Agreement No. 21-06.17

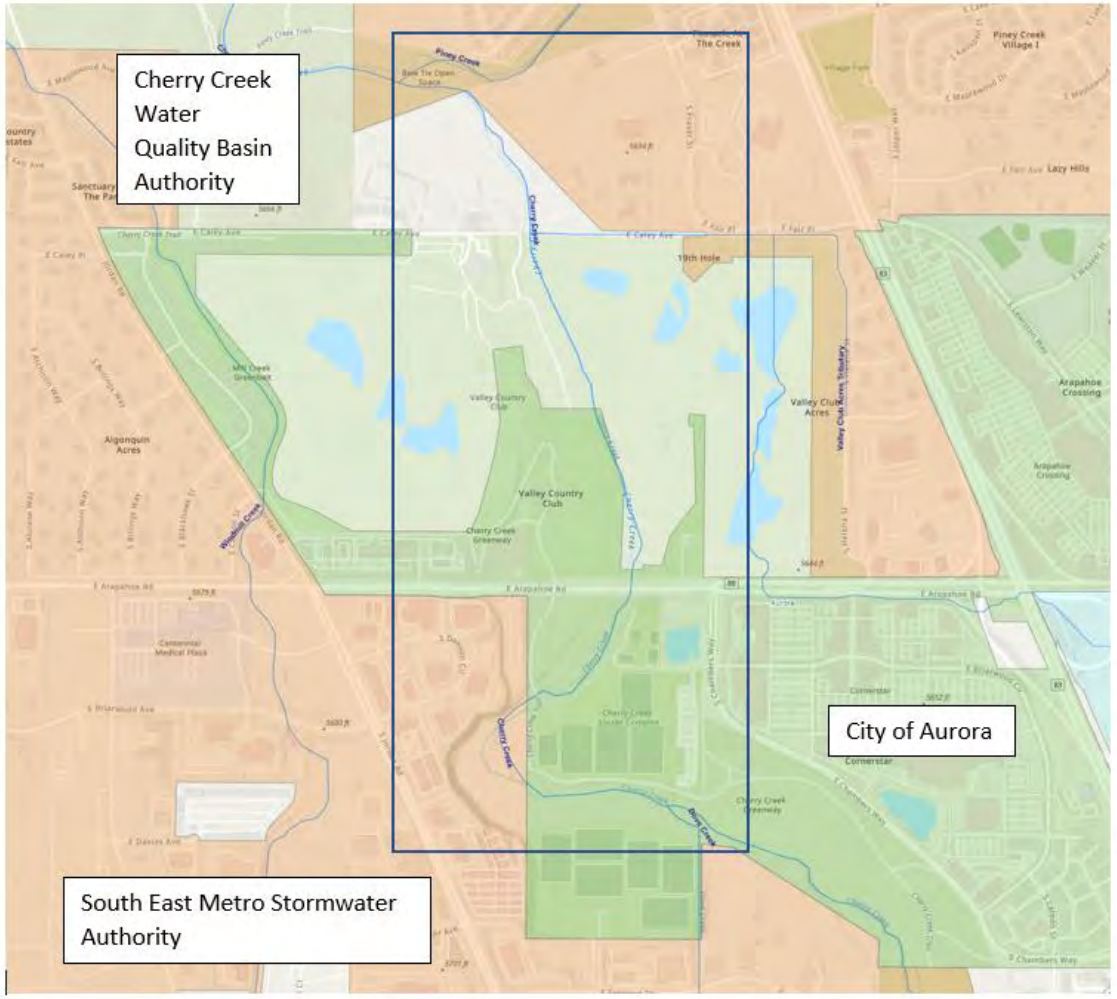
Exhibit A



Mile High Flood District IGAs

Agreements between MHFD and Aurora
2025

Cherry Creek Stream Restoration at Arapahoe Road



- The last master plan for this area was completed in 2004, only some of the capital projects have been constructed.
- Project Details
  - Identify, design and construct a project to address worsening erosion.

Cherry Creek Stream Restoration at Arapahoe Road

	Previous share	Transfer	This amendment contribution	Total
MHFD	$925,000	$115,276.50	$400,000	$1,440,276.50
City of Aurora	$650,000	$90,513.66	$0	$740,513.66
SEMSWA	$370,000	$1,790.74	$200,000	$571,790.74
CCBWQA	$635,000	$81,247.40	$200,000	$916,247.40
Total	$2,580,000	$288,828.30	$800,000	$3,668,828.30

- Aurora Water's total contribution is approximately 20% of the total funds.
- Other agencies are increasing their share in this and future amendments.

Cherry Creek Stream Restoration at Arapahoe Road

Does the Water Policy Committee support moving this item forward to Regular Council?

CITY OF AURORA
Council Agenda Commentary

Item Title: Joint Wet Weather and Discharge Permit Activities Intergovernmental Agreement (IGA)
Item Initiator: Jessica LaPierre, Environmental Compliance Superintendent, Aurora Water
Staff Source/Legal Source: Todd Brewer, Deputy Director of Water Quality and Treatment, Aurora Water / Ian Best, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Healthy: Connecting natural and built environments with multimodal networks, ensuring access to parks and recreation, and preserving sustainable water supplies.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 5/5/2025

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

Item requires a Public Hearing: ☐ Yes ☒ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

R2025-51 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF AURORA, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRCT, D/B/A MILE HIGH FLOOD DISRICT, THE CITY AND COUNTY OF DENVER, AND THE CITY OF LAKEWOOD REGARDING FUNDING OF JOINT WET WEATHER MONITORING AND OTHER COLORADO DISCHARGE PERMIT ACTIVITIES
Todd Brewer, Deputy Director of Water Quality and Treatment, 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: 4/16/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☒ Minutes Attached

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

The City of Aurora has had agreements in place with the Mile High Flood District (previously the Urban Drainage and Flood Control District) since 1993 to address a variety of permitting requirements contained within the City's Municipal Separate Storm Sewer (MS4) Permit. The original agreement with the District was approved in 1993 and 13 addenda covered the period from 1994 through 2009. From 2010 through 2013, new intergovernmental agreements (IGAs) were reached between the parties.

The agreement for calendar year 2013 was supported by the Infrastructure and Operations Policy Committee (IOPC) on April 17, 2013, and subsequently approved by City Council at the May 6, 2013, City Council Meeting.

Funding from previous assessments was sufficient to support activities in 2014 and 2015. On August 16, 2016, the Water Policy Committee supported forwarding an agreement regarding funding of joint wet weather monitoring and other Colorado Discharge Permit System (CDPS) activities to City Council Regular Session. The term of that agreement was two years to cover 2016 and 2017. Council approved the agreement on September 12, 2016.

On January 11, 2018, the Water Policy Committee supported moving the Joint Wet Weather Monitoring and other Colorado Discharge Permit System (CDPS) activities for calendar year 2018 forward to the next City Council meeting (Aurora's contribution was $22,000.00).

On March 14, 2019, the Water Policy Committee moving the Joint Wet Weather Monitoring and other Colorado Discharge Permit System activities for calendar year 2019 forward to Study Session (Aurora's contribution was $20,000.00).

On April 15, 2019, City Council approved the agreement regarding the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2019 as item 10a (Aurora's contribution was $20,000.00).

On November 14, 2019, the Water Policy Committee supported moving the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2020 forward to the next Council Meeting (Aurora's contribution was $24,000.00).

On December 2, 2019, City Council approved the agreement regarding the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2020 as item 16d (Aurora's contribution was $24,000.00).

On January 27, 2021, the Water Policy Committee supported moving the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2021 forward to the next Council Meeting (Aurora's contribution was $24,000.00).

On February 22, 2021, City Council approved the agreement regarding the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2021 as item 10c (Aurora's contribution was $24,000.00).

On February 16, 2022, the Water Policy Committee supported moving the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2022 forward to the next Council Meeting (Aurora's contribution was $24,000.00).

On March 14, 2022, City Council approved the agreement regarding the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2022 as item 11a (Aurora's contribution was $24,000.00).

On March 15, 2023, the Water Policy Committee supported moving the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2023 forward to the next Council Meeting (Aurora's contribution was $29,000.00).

On April 10, 2023, City Council approved the agreement regarding the Joint Funding for Wet Weather Monitoring and other CDPS activities for calendar year 2022 as item 11a1 (Aurora's contribution was $29,000.00).

On March 20, 2023, the Water Policy Committee supported moving the Joint Funding for West Weather Monitoring and other CDPS activities for the calendar year of 2024 forward to the next Council Meeting (Aurora's contribution is $29,000.00).

On March 20, 2024 the Water Policy Committee supported moving the Joint Funding for West Weather Monitoring and other CDPS activities for the calendar year of 2024 forward to the April 8, 2024 council meeting. (Aurora's contribution is $29,000.00).

On April 8, 2024, City Council approved the Intergovernmental Agreement regarding the Joint Funding for Wet Weather Monitoring and other CDPS activities for the calendar year of 2024 as item 11a2. (Aurora's contribution is $29,000.00)

On April 16, 2025, the Water Policy Committee supported moving the Joint Funding for West Weather Monitoring and other CDPS activities for the calendar year of 2025 forward to the May 5, 2025 council meeting. (Aurora's contribution is $29,000.00).

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

The cities of Aurora, Denver, and Lakewood were originally issued Municipal Separate Storm Sewer (MS4) Discharge permits in June 1996. Those permits were renewed in April 2003 and then again in March 2009. The current agreement between Aurora, Denver, Lakewood and the Mile High Flood District, along with previous agreements with Urban Drainage, have been in place to address a number of permit requirements, in particular wet weather monitoring, required within the MS4 permits.

Wet weather monitoring involves collecting runoff at a number of automated stations in the metro area and analyzing the water quality for specific pollutants as agreed upon in the original MS4 permit in 1996. Historic records are kept to determine levels of pollutants in runoff and if any trends are occurring. A trend analysis report is prepared after four years of data collection and an assessment is made regarding whether concentrations of certain parameters appear to be increasing or decreasing. When completed, the trend analysis is provided as part of the City's MS4 annual report. In addition, a data collection report is prepared annually and submitted to the Water Quality Control Division as part of the annual reporting requirements of Aurora's MS4 permit.

Aurora, in conjunction with Denver and Lakewood, have continued to work cooperatively with the Mile High Flood District (previously the Urban Drainage and Flood Control District) since 1996 to meet a number of permit conditions through these agreements. Aurora's share of the overall project cost is 20%. The overall project cost for 2025 is expected to be $145,000 and thus Aurora's share of that cost will be a maximum of $29,000. The term of the agreement will be for one 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.)

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.)

Funding for this Intergovernmental Agreement will be from the Wastewater Fund operating budget in an amount not to exceed $29,000.

ORG USED: Environmental Compliance -Storm (52035)

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 APPROVE A RESOLUTION expressing support of an Intergovernmental Agreement among the City of Aurora, Colorado, by and through its Utility Enterprise, the Urban Drainage and Flood Control District, d/b/a Mile High Flood District, the City and County of Denver, and the City of Lakewood regarding funding of Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities?

LEGAL COMMENTS

The City is authorized to cooperate and contract with any political subdivision of the State of Colorado, to provide any function, service, or facility lawfully authorized to each of the contracting or cooperating units of government (Article XIV of the Colorado Constitution and C.R.S. 29-1-203). The City Charter authorizes the City by resolution to enter into contracts or agreements with other governmental units, including special districts, for the joint use of buildings, equipment or facilities or for furnishing or receiving commodities and services (Charter Section 10-12). (Best)

RESOLUTION NO. R2025- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF AURORA, COLORADO, BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, THE CITY AND COUNTY OF DENVER, AND THE CITY OF LAKEWOOD REGARDING FUNDING OF JOINT WET WEATHER MONITORING AND OTHER COLORADO DISCHARGE PERMIT ACTIVITIES

WHEREAS, the City of Aurora, acting by and through its Utility Enterprise ("Aurora Water"), the Urban Drainage and Flood Control District d/b/a Mile High Flood District ("District"), City and County of Denver ("Denver"), and the City of Lakewood ("Lakewood") intend to enter into an annual intergovernmental agreement ("Intergovernmental Agreement)" to fund joint wet-weather monitoring and other Colorado Discharge Permit System Permit activities; and

WHEREAS, the purpose of this Intergovernmental Agreement is to comply with certain portions of each sponsor's state issued permit; and

WHEREAS, the project costs funded through this Intergovernmental Agreement include monitoring and reporting of wet-weather stormwater runoff, development of education and outreach programs and materials, field testing of stormwater best management practices ("BMPs"), development of BMP selection and design guidance, and development of compliance strategies for state regulations ("Project Costs"); and

WHEREAS, Aurora's portion of the Project Costs shall be $29,000.00 or twenty percent (20%) of the $145,000.00 total; and

WHEREAS, a summary of cost contributions from the parties is set forth below:

	Contribution
District	$48,330 (33.33%)
Denver	$43,500 (30.00%)
Aurora Water	$29,000 (20.00%)
Lakewood	$24,170 (16.67%)
Total	$145,000 (100%)

and;

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

WHEREAS, Section 10-12 of the City Charter authorizes the City of Aurora by resolution to enter into contracts or agreements with other governmental units, including special districts, for the joint use of buildings, equipment or facilities or for furnishing or receiving commodities and services.

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

Section 1. The Agreement Regarding Funding of Joint Wet Weather Monitoring and CDPS Activities between Aurora Water, the District, Denver, and Lakewood is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement in substantially the form presented at this meeting with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney.

Section 3. That the Mayor of Aurora, City Clerk, and City Attorney are authorized to take such action and to execute such documents as necessary to implement the intent of this resolution.

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

RESOLVED AND PASSED this _____ day of _____. 2025.

_____
MIKE COFFMAN, Mayor

ATTEST:

_____
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

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

AGREEMENT REGARDING FUNDING OF
JOINT WET WEATHER MONITORING AND
OTHER CDPS PERMIT ACTIVITIES

Agreement No. 25-02.22
Project No. 104918
Agreement Amount $145,000

THIS AGREEMENT, by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT (hereinafter called "DISTRICT") and CITY AND COUNTY OF DENVER (hereinafter called "DENVER"), CITY OF AURORA (hereinafter called "AURORA"), and CITY OF LAKEWOOD (hereinafter called "LAKEWOOD"); (hereinafter DENVER, AURORA and LAKEWOOD shall be known as "PROJECT SPONSOR(S)" and DISTRICT and PROJECT SPONSOR(S) shall be collectively known as "PARTIES");

WHEREAS, PARTIES have periodically, each year since 1993, entered into "Agreement Regarding Funding of Joint Monitoring and Other Colorado Discharge Permit System (CDPS) Permit Activities" (Agreement No. 24-01.25 and all previous agreements referenced therein); and

WHEREAS, DISTRICT has heretofore annually assisted PROJECT SPONSORS with implementation of their CDPS stormwater discharge permits (hereinafter called "PERMITS"); and

WHEREAS, DISTRICT has annually conducted a wet-weather monitoring program and assisted with development and printing of public education brochures on behalf of PROJECT SPONSORS; and

WHEREAS, PERMITS issued by the State of Colorado (hereinafter called "STATE") to PROJECT SPONSORS require the continuation of the wet-weather monitoring program and public education/outreach programs; and

WHEREAS, PARTIES have budgeted funds in 2025 for joint activities in PERMITS and now desire to commit and obligate these funds; and

WHEREAS, DISTRICT has previously established a work program for 2025 (Resolution No. 82, Series of 2024) which includes coordination and assistance to local governments in their efforts to comply with municipal NPDES stormwater discharge permits.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

Part 1

1.01 SCOPE OF AGREEMENT

This Agreement defines the responsibilities and financial commitments of PARTIES with respect to PROJECT.

1.02 SCOPE OF PROJECT

The purpose of this joint effort is to comply with certain portions of each PROJECT SPONSOR's PERMIT issued by STATE. DISTRICT shall provide technical support and advice to PROJECT

SPONSORS during the issuance period. PROJECT SPONSORS shall include DISTRICT in all discussions with STATE leading towards agreeing to conditions that may affect the jointly funded elements of each PERMIT. The scope of joint activities covered by this Agreement includes the following activities:

- Monitoring and reporting of wet-weather stormwater runoff,
- Development of education and outreach programs and materials, and
- Development of compliance strategies for regulations as revised by STATE.

1.03 PUBLIC NECESSITY

PARTIES agree that the work performed pursuant to this Agreement is necessary for the health, safety, comfort, convenience, and welfare of all the people of the State, and is of particular benefit to the inhabitants of PARTIES and to their property therein.

1.04 PROJECT COSTS AND ALLOCATION OF COSTS

A. PARTIES agree that for the purposes of this Agreement project costs shall consist of, and be limited to, services in support of Paragraph 1.02. SCOPE OF PROJECT and related services and contingencies mutually agreeable to PARTIES. Project costs are not to exceed $145,000 without amendment to this Agreement, as detailed in Paragraph 5.

B. Based on total PROJECT costs, the maximum percent and dollar contribution by each party shall be:

	Percentage Share	Maximum Contribution
DISTRICT	33.33%	$48,330
DENVER	30.00%	$43,500
AURORA	20.00%	$29,000
LAKEWOOD	16.67%	$24,170
TOTAL	100%	$145,000

1.05 MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a PROJECT SPONSOR's share may come from its own revenue sources or from funds received from state, federal or other sources of funding without limitation and without prior DISTRICT approval.

Payment of each party's full share (DISTRICT - $48,330; DENVER - $43,500; AURORA - $29,000; and LAKEWOOD - $24,170 shall be made to DISTRICT subsequent to execution of this Agreement and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide accounting of PROJECT funds as well as a notification to PROJECT SPONSOR of any unpaid obligations upon request. Any interest earned by the monies

contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 2.03).

Within one year of completion of PROJECT if there are monies including interest earned remaining in excess of $10,000 which are not committed, obligated, or disbursed, each party shall receive a share of such monies, which shares shall be computed as were the original shares; or, at PROJECT SPONSOR request, PROJECT SPONSOR share of remaining monies shall be transferred to another special fund held by DISTRICT.

1.06 PUBLISHED REPORTS AND PROJECT DATA

DISTRICT will provide to each SPONSOR a copy of any data and/or report that DISTRICT receives from its consultant(s) or contractor(s), or that DISTRICT collects or develops under this Agreement.

1.09 RESPONSIBILITIES OF PARTIES

DISTRICT shall be responsible for coordinating with PROJECT SPONSOR the information developed by the various consultants hired by DISTRICT and for obtaining all concurrences from PROJECT SPONSOR needed to complete PROJECT in a timely manner. PROJECT SPONSOR agrees to review all concept plans, preliminary design plans, and final plans and specifications; and to provide comments within 21 calendar days after the drafts have been provided by DISTRICT to PROJECT SPONSOR.

1.10 PUBLIC RELATIONS

It shall be at PROJECT SPONSOR's sole discretion to initiate and to carry out any public relations program to inform the residents in PROJECT area as to the purpose of PROJECT and what impact it may have on them. Technical information shall be presented to the public by the selected engineer, if requested by PROJECT SPONSOR. In any event DISTRICT shall have no responsibility for a public relations program but shall assist PROJECT SPONSOR as needed and appropriate.

1.11 EXECUTION IN COUNTERPARTS – ELECTRONIC SIGNATURES

Electronic signatures shall be permitted to bind the PARTIES to this Agreement, and all subsequent documents requiring the signatures of the PARTIES to this Agreement. Documents requiring notarization may also be notarized by electronic signatures. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, CRS §§ 24-71.3-101 to 121. However, the PARTIES agree that only electronic signatures created by electronic signature software including but not limited to DocuSign shall be permitted.

Part 2

2.01 TERM OF AGREEMENT

The term of this Agreement shall commence upon execution and shall terminate three (3) years after the final payment is made and the final accounting of funds on deposit at DISTRICT is provided to all PARTIES pursuant to Paragraph 1.05 herein.

2.02 LIABILITY

Each party hereto shall be responsible for any suits, demands, costs or actions at law resulting from its own negligent or wrongful acts or omissions and may insure against such liabilities as appropriate.

2.03 CONTRACTING OFFICERS

A. The contracting officer for DENVER shall be the Manager of Public Works, 201 West Colfax Avenue, Department 608, Denver, Colorado 80202.

B. The contracting officer for AURORA shall be the General Manager of Aurora Water, 26791 E Quincy Ave Aurora, CO 80016

C. The contracting officer for LAKEWOOD shall be the City Manager, 480 S. Allison Parkway, Lakewood, Colorado 80226.

D. The contracting officer for DISTRICT shall be the Executive Director, 12575 West Bayaud Avenue, Lakewood, Colorado 80228.

C. The contracting officers for PARTIES each agree to designate and assign a PROJECT representative to act on the behalf of said PARTIES in all matters related to PROJECT undertaken pursuant to this Agreement. Each representative shall coordinate all PROJECT related issues between PARTIES, shall attend all progress meetings, and shall be responsible for providing all available PROJECT-related file information to the engineer upon request by DISTRICT or PROJECT SPONSOR. Said representatives shall have the authority for all approvals, authorizations, notices or concurrences required under this Agreement. In the case of amendments to this Agreement, contracting officers shall determine which PARTIES are impacted by the amendment and ensure that such PARTIES provide their approval in writing. Unaffected PARTIES shall only be required to acknowledge the amendment in writing, and their acknowledgement shall be sufficient to meet the requirements of this Agreement.

2.04 AMENDMENTS

This Agreement contains all of the terms agreed upon by and among PARTIES. Any amendments to this Agreement shall be in writing. Amendments affecting only specific PARTIES, whether through changes in scope or additional funding contributions, shall require the written approval of the impacted PARTIES. All other PARTIES unaffected by the amendment shall acknowledge the amendment in writing, and their acknowledgement shall be sufficient to meet the requirements of this Agreement.

2.05 SEVERABILITY

If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable clause or provision shall not affect the validity of the Agreement as a whole and all other clauses or provisions shall be given full force and effect.

2.06 APPLICABLE LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Jurisdiction for any and all legal actions regarding this Agreement shall be in the State of Colorado and venue for the same shall lie in the county where PROJECT is located.

2.07 ASSIGNABILITY

No party to this Agreement shall assign or transfer any of its rights or obligations hereunder without the prior written consent of the other party or parties to this Agreement.

2.08 BINDING EFFECT

The provisions of this Agreement shall bind and shall inure to the benefit of PARTIES hereto and to their respective successors and permitted assigns.

2.09 ENFORCEABILITY

PARTIES hereto agree and acknowledge that this Agreement may be enforced in law or in equity, by decree of specific performance or damages, or such other legal or equitable relief as may be available subject to the provisions of the laws of the State of Colorado.

2.10 TERMINATION OF AGREEMENT

This Agreement may be terminated upon thirty (30) days' written notice by any party to this Agreement, but only if there are no contingent, outstanding contracts. If there are contingent, outstanding contracts, this Agreement may only be terminated upon the cancellation of all contingent, outstanding contracts. All costs associated with the cancellation of the contingent contracts shall be shared between PARTIES in the same ratio(s) as were their contributions.

2.11 NO DISCRIMINATION IN EMPLOYMENT

In connection with the performance of work under this Agreement, PARTIES agree not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified because of race, color, ancestry, creed, religion, national origin, gender, age, military status, sexual orientation, gender identity, marital status, or physical or mental disability and further agree to insert the foregoing provision in all subcontracts hereunder.

2.12 APPROPRIATIONS

Notwithstanding any other term, condition, or provision herein, each and every obligation of the PARTIES stated in this Agreement is subject to the requirement of a prior appropriation of funds therefore by the appropriate governing body of the respective PARTIES .

2.13 NO THIRD PARTY BENEFICIARIES

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to PARTIES, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person on such Agreement. It is the express intention of PARTIES that any person or party other than PARTIES receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

2.14 GOVERNMENTAL IMMUNITIES

PARTIES hereto intend that nothing herein shall be deemed or construed as a waiver by any party of any rights, limitations, or protections afforded to them under the Colorado Governmental Immunity Act (§ 24-10-101, *et seq*., C.R.S.) as now or hereafter amended or otherwise available at law or equity.

2.15 INTENT OF AGREEMENT

Except as otherwise stated herein, this Agreement is intended to describe the rights and responsibilities of and between PARTIES and is not intended to and shall not be deemed to confer rights upon any person or entities not named as PARTIES, nor to limit in any way the powers and responsibilities of PROJECT SPONSOR, DISTRICT or any other entity not a party hereto.

WHEREFORE, PARTIES hereto have caused this instrument to be executed by properly authorized signatories as of the date and year first above written.

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
D/B/A
MILE HIGH FLOOD DISTRICT

By_____

Name Laura A. Kroeger

Title Executive Director

Date_____

_____
Checked By

CITY AND COUNTY OF DENVER SIGNATURE PAGE

CITY OF AURORA, COLORADO,
ACTING BY AND THROUGH ITS
UTILITY ENTERPRISE

_____ _____
Mike Coffman, Mayor Date

ATTEST:

_____ _____
Kadee Rodriguez City Clerk Date

APPROVED AS TO FORM FOR AURORA:

Ian J Best 4/21/2025 25011242
Ian Best Date ACS #
Assistant City Attorney

STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this _____ day of _____, 20___, by Mike Coffman, Mayor, acting on behalf of the Utility Enterprise of the City of Aurora, Colorado.

Witness my hand and official seal. _____
Notary Public

My commission expires: _____

CITY OF LAKEWOOD

(SEAL)

By_____

ATTEST:

Title Kathleen E. Hodgson, City Manager

Date_____

_____
Jay Robb, City Clerk

APPROVED AS TO FORM:

_____
Carolyn R. Wolf, Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Max Kirschbaum, Director of Public Works

_____
Holly Björklund, Director of Finance

CITY OF LAKEWOOD

(SEAL)

By_____

ATTEST:

Title Kathleen E. Hodgson, City Manager

Date

_____

Jay Robb, City Clerk

APPROVED AS TO FORM:

Carolyn R. Wolf, Assistant City Attorney

APPROVED AS TO CONTENT:

Max Kirschbaum, Director of Public Works

Holly Björklund, Director of Finance

Infrastructure and Operations Policy Committee Meeting
April 17, 2013

Members Present: Council Member Bob Roth, Chair; Council Member Molly Markert; Council Member Sally Mounier

Others Present: Nancy Freed, Jack Bajorek, Greg Baker, Marshall Brown, Mac Callison, Larry Catalano, Dave Chambers, Lisa Darling, Karen Hancock, Pam Hensley, Sean Lieske, Christine McKenney, Tom McMinimee, Dan Mikesell, Melissa Miles, Elly Watson, Don Kado (CWAC), Jim Mitchell (CWAC)

VII. Intergovernmental Agreement (IGA) with Urban Drainage for CPDS (Stormwater) Permit Activities

S. Lieske said we have an annual agreement with Urban Drainage for some cooperative efforts that include both sampling and public education material that is put out between Urban Drainage, Denver, Lakewood, and Aurora. The IGA is a funding agreement between Aurora and the other three entities for these ongoing efforts. This year the total cost is around $168,000. Aurora's share is 20% or about $33,600. Staff requests that the IGA be forwarded to the regular City Council agenda since this has been an annual agreement since 1996.

Comments: Council Member Roth asked how the share is determined. S. Lieske said his understanding that when it was initially developed in 1996 it was based off of the 1990 census. It is based on the 1990 populations of those cities. Council Member Mounier asked about the verbiage on page 80 of 84 of the agenda packet that contains language related to the topic of not contracting with an illegal alien is standard. C. McKenney replied that the language is standard and required by the state of Colorado to be in all of our contracts.

Outcome: The Committee approved this item and forwarded it to a regular City Council agenda.

Follow-up Action: This item will be added to May 6, 2013, regular City Council agenda.

Council Member Markert stated her opposition to the item because a policy should be a simple document and not a dissertation.

Council Member Peterson stated her opposition to the item.

Voting Aye: Berzins, Broom, Cleland, Hunter Holen, LeGare, Mounier, Pierce, Roth

Voting Nay: Markert, Peterson

♦ d. **R2013-25**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Utility Relocation Agreement between the City and the Regional Transportation District for the I-225 Rail Line project.

Motion by LeGare, second by Cleland, to approve item 10d.

Voting Aye: Berzins, Broom, Cleland, Hunter Holen, LeGare, Markert, Mounier, Peterson, Pierce, Roth

♦ e. **R2013-26**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement by and between the Urban Drainage Flood Control District, the City and County of Denver, the City of Lakewood, and the City regarding funding of joint wet weather monitoring and other CDPS activities.

Motion by Broom, second by Peterson, to approve item 10e.

Voting Aye: Berzins, Broom, Cleland, Hunter Holen, LeGare, Markert, Mounier, Peterson, Pierce, Roth

11. **ORDINANCES FOR INTRODUCTION**

♦ a. **2013-13**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, appropriating sums of money in addition to those appropriated in Ordinance Nos. 2011-39, 2012-22, and 2012-53 for the 2012 fiscal year and Ordinance No. 2012-44 for the 2013 fiscal year.

Motion by Roth, second by LeGare, to introduce item 11a.

Voting Aye: Berzins, Broom, Cleland, Hunter Holen, LeGare, Markert, Mounier, Peterson, Pierce, Roth

♦ b. **2013-14**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending Sections 130-31 and 130-157 of the City Code relating to exempting coins and precious metal bullion from sales tax.

Motion by LeGare, second by Roth, to introduce item 11b.

♦ ***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.***

Water Policy Committee (WPC) Meeting
August 16, 2016

Members Present: Council Member Bob Roth, Chair; Council Member Barbara Cleland, Vice Chair (Absent); Council Member Bob LeGare

Others Present: Greg Baker, Marshall Brown, Alex Davis, Steve Fiori, Abby Fitch, Angela Garcia, Jo Ann Giddings, Pam Hensley, Jill Piatt Kemper, Sean Lieske, John Murphy, Kelley Neumann, Linda Whited

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I. Approval of Minutes

The minutes of the July 19, 2016, Water Policy Committee meeting were approved as presented.

II. Consent Items

A. Monthly Water Supply Update
B. Construction Change Order Summary Report
C. Quarterly Financial Report

Comments:
Council Member LeGare asked about the Quarterly Financial Report memo which states S&P Global and Fitch rated the bonds AA+, and Fitch updated the sewer bonds to AAA. Council Member LeGare wanted to confirm that AAA is above AA+. J. Giddings replied, yes, and it is as high as you can go.

III. IGA with Urban Drainage for CDPS (Stormwater) Permit Activities

S. Lieske gave a presentation on an agreement with Urban Drainage and Flood Control District since 1998 to address a variety of permit conditions associated with the City's Municipal Separate Storm Sewer System (MS4) Permit.

The cities of Aurora, Denver, and Lakewood were each issued Municipal Stormwater Discharge Permits by the Colorado Department of Public Health and Environment Water Quality Control Division pursuant to the requirements of the Federal Clean Water Act effective June 10, 1996. The permits were renewed in April 2003, and a second time in March 2009. For this renewal, Aurora's share of the project costs is $16,000 with a term of two years.

Comments:
Council Member LeGare stated, looking at the minutes from 2013, the total amount was $168,000. Does the amount fluctuate every year? S. Lieske replied, yes, based on the expectations of what the wet weather monitoring will be.

Outcome:
The Committee supported forwarding this item to Regular City Council meeting.

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intersection of South Millbrook Way and Davies Drive, City of Aurora, County of Arapahoe, State of Colorado, and reserving a trail and a utility easement therein (Serenity Ridge Commercial- Street Vacation) STAFF SOURCE: Libby Tart Schoenfelder, Senior Planner II, Planning & Development Service

♦ j. 2016-40
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending the 2009 Aurora Comprehensive Plan by including the Fitzsimons Station Area Plan and changing all references to Montview Station to Fitzsimons Station accordingly. STAFF SOURCE: Chad Argentar, Economic and Business Development Supervisor

♦ k. 2016-42
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, to amend the Eagle Bend General Development Plan to establish phasing of public improvements over parcels described as C4A, C4B, and C4C, in the City of Aurora, County of Arapahoe, State of Colorado (Eagle Bend GDP) STAFF SOURCE: Libby Tart Schoenfelder, Senior Planner II, Planning & Development Service

Motion by Pierce, second by Roth, to approve items 9i – 9k.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Pierce, Richardson, Roth

10. RESOLUTIONS

♦ a. R2016-67
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to reimburse itself with the proceeds of a municipal lease or bond financing for capital expenditures related to the construction of the central recreation facility, identifying such capital expenditures, and providing other matters in connection therewith. STAFF SOURCE: Mike Shannon, Debt and Financing Administrator, Finance

Motion by Roth, second by Mounier, to approve item 10a.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Pierce, Richardson, Roth

♦ b. R2016-69
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, for an Intergovernmental Agreement by and between the Urban Drainage & Flood Control District, the City and County of Denver, the City of Lakewood, and the City regarding funding of joint wet weather monitoring and other CDPS activities. STAFF SOURCE: Dan Mikesell, Deputy Director of Operations and WQEP, Aurora Water

Motion by Peterson, second by Lawson, to approve item 10b.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Pierce, Richardson, Roth

♦ c. R2016-70
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the execution of an Intergovernmental Agreement between the City of Aurora and the Board of County Commissioners of the County of Arapahoe approving the installation of one 24-hour mail ballot drop-off box for Arapahoe County

♦ ***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.***

Water Policy Committee (WPC) Meeting
January 11, 2018

Members Present: Council Member Bob Roth, Chair; Council Member Francoise Bergan, Vice Chair - Absent; Council Member Bob LeGare

Others Present: Greg Baker, Leiana Baker, Marshall Brown, Steve Fiori, Pam Hensley, Sean Lieske, Christine McKenney, Dan Mikesell, John Murphy, Stephanie Neitzel, Rich Vidmar, Jill Piatt-Kemper, Tom Coker (CWAC), Jim Mitchell (Citizen)

IV. INTERGOVERNMENTAL AGREEMENT (IGA) WITH URBAN DRAINAGE FOR COLORADO DISCHARGE PERMIT SYSTEM (CDPS) PERMIT ACTIVITIES

Summary of Issue and Discussion: S. Lieske stated, this has been an agreement we've had with Urban Drainage, Lakewood, and Denver since 1993, and is associated with wet weather monitoring, some educational material, and conducting some efforts on our behalf associated with the City's municipal separate storm sewer permit (MS4). This year's IGA will be good for about a year. The overall project costs will be about $110,000.00 of which $22,000.00 will be Aurora's share.

Council Member Roth asked, why these three entities, and what is the percentage based on, is it population? S. Lieske replied, the percentage is based on the population of a 1990 census. When we entered into the agreement they were the three entities that had Phase 1 MS4 Permits and worked with Urban Drainage at the time.

Outcome: The Committee supports the IGA with Urban Drainage for CDPS Permit Activities, and forwarded the matter to Regular Session for consideration.

Follow-Up Action: The Committee supports the IGA with Urban Drainage for CDPS Permit Activities, and will forward to Regular Session for consideration.

City of Aurora

City Council and Commission Voting Results

Select a Type of Meeting: City Council

Meeting: 02-05-2018 - City Council Regular Meeting

Questions?
Call: 303-739-7094 or Email

Agenda Item	Vote (Yes-No-Abstain-Absent)
5. Approval of the minutes from January 22, 2018	Carried: 10-0-1-0
9. Consent Calendar 9a-g	Carried: 11-0-0-0
9a. HVAC System Annual Maintenance & Repairs for Water	Carried: 11-0-0-0
9b. Water Treatment Chemical	Carried: 11-0-0-0
9c Rampart Raw Waterline Phase V Engineering Services Contract	Carried: 11-0-0-0
9d. Ford OEM Vehicle Parts and Repair Services	Carried: 11-0-0-0
9e. Wagner Equipment OEM Parts and Services	Carried: 11-0-0-0
9f. Emergency One Fire Trucks	Carried: 11-0-0-0
9g. Waterless On-Site Restrooms for Saddle Rock Golf Course	Carried: 11-0-0-0
9h*. Ordinance regarding Smoking in Cars With Children Present	Carried: 6-5-0-0
9h1*. Amendment to 2018-02	Not Carried: 4-6-0-0
10a*. IGA with Urban Drainage for CDPS Permit Activities	**Carried: 10-0-0-0**

Full Agenda Item Title:
Consideration to APPROVE A RESOLUTION approving the Intergovernmental Agreement among the City of Aurora, Colorado, by and through its Utility Enterprise, The Urban Drainage and Flood Control District, the City and County of Denver, and the City of Lakewood regarding the joint funding of wet weather monitoring and other Colorado discharge permit system activities

Bergan - Ward VI	Yes
Berzins - Ward III	Yes
Gruber - At-Large	Yes
Hiltz - At-Large	Yes
Hogan - Mayor	
Johnston - Ward II	Yes
Lawson - At-Large	Yes
LeGare - At-Large	Yes
Murillo - Ward I	Yes
Richardson - Ward IV	Yes
Roth - Ward V	Yes

11a*. Rezone Sharma Property at The Point (Regatta Plaza)	Carried: 10-0-0-0
14a. Appoint one (1) Member to the Veterans Affairs Commission	Carried: 11-0-0-0

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15151 East Alameda Parkway, Second Floor | Aurora, Colorado 80012

contract. (B-4274) STAFF SOURCE: Lynne Center, Acting Deputy Director Street Operations, Public Works

Motion by Watson second by Gruber to approve items 9a – 9g with a waiver of reconsideration on item 9e.

Voting Aye: Mayor LeGare, Bergan, Berzins, Gruber, Hiltz, Johnston, Murillo, Richardson, Watson

Final Ordinances

♦ h. **2019-14**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, amending Section 146-1207 of the Aurora City Code, to give Council Authority to Approve Operator Agreements for Oil and Gas Operations in the City. STAFF SOURCE: Christine McKenney, Client Group Manager, City Attorney

Sonia Skakich-Scrima stated her support of operator agreements but only if they were scientifically informed.

Motion by Gruber, second by Berzins, to approve item 9h.

Council Member Johnston stated she would support the item but noted she agreed with Ms. Skakich-Scrima's point regarding the process. She stated she did not support rushed operator agreements moving forward because health and safety issues for the community need to be taken into consideration.

Council Member Watson stated the item related to providing the City Council with the ability to negotiate oil and gas operator agreements in the future.

Voting Aye: Bergan, Berzins, Gruber, Hiltz, Johnston, Murillo, Richardson, Watson

10. **RESOLUTIONS**

a. **R2019-21**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, Approving an Intergovernmental Agreement among the City of Aurora, Colorado, by and through its Utility Enterprise, the Urban Drainage and Flood Control District, the City and County of Denver, and the City of Lakewood regarding the joint funding for wet weather monitoring and other Colorado discharge permit system activities. STAFF SOURCE: Dan Mikesell, Aurora Water Director of Operations, Aurora Water

Motion by Berzins, second by Bergan, to approve item 10a.

Voting Aye: Bergan, Berzins, Gruber, Hiltz, Johnston, Murillo, Richardson, Watson

11. **PUBLIC HEARING WITH RELATED ORDINANCE**

♦ a. **2019-15**
Public Hearing and INTRODUCTION FOR AN ORDINANCE of the City Council of the City of Aurora, Colorado, rezoning 1047 acres more or less in the vicinity of 38th Avenue and Tower Road, E-470 and I-70 from Master Planned Industrial Park (MPIP) And Light Industrial District (M1) to E-470 Light Industrial/Flex Office subarea and amending the zoning map accordingly (MAJESTIC COMMERCENTER REZONE) STAFF SOURCE: Brandon Cammarata, Senior Planner, Planning & Development Services

♦ ***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.***

Water Policy Committee (WPC) Meeting
November 14, 2019

Members Present: Council Member Nicole Johnston Vice Chair (via phone); Council Member Francoise Bergan

Members Absent: Council Member Marsha Berzins, Chair

Others Present: Greg Baker, Alex Davis, Steve Fiori, Rory Franklin, Jo Ann Giddings, Pam Hensley, Sean Lieske, Janet Marlow (CWAC), Christine McKenney, Dan Mikesell, John Murphy, Stephanie Neitzel, Sarah Young, Samantha Dhainin (Metro State University), Angela Goodman, Greg Hansen

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5. JOINT WET WEATHER MONITORING AND OTHER CDPS PERMIT ACTIVITIES

Summary of Issue and Discussion: S. Lieske stated, wet weather monitoring involves collecting runoff at a number of automated stations in the metro area and analyze the water quality for specific pollutants in runoff and if any trends are occurring. A trend analysis report is prepared after four years of data collection and an assessment is made regarding whether concentrations of certain parameters appear to be increasing or decreasing. The data collection report is prepared annually and submitted to the Water Quality Control Division as part of the requirements of Aurora's MS4 permit. Aurora, in conjunction with Denver and Lakewood, have continued to work cooperatively with Urban Drainage and Flood Control District DBA Mile High Flood District to meet a number of permit conditions through these agreements. Aurora's costs for the calendar year 202 is a maximum of $24,000.00 and the term of the agreement is one year.

Council Member Bergan stated, with the reports on contaminants have there been any major surprises. S. Lieske replied, no. Council Member Bergan stated, if there were a lot of rainfall and caused some flooding would that bring contaminants into the water. S. Lieske replied, it's to make sure that municipalities are doing what they can to control contaminants as best as they can.

Outcome: The Committee recommends the Joint Wet Weather Monitoring and Other CDPS Permit Activities and forwarded to Regular Session for consideration.

Follow-Up Action: The Committee recommends the Joint Wet Weather Monitoring and Other CDPS Permit Activities and will forward to Regular Session for consideration.

Motion by Marcano, second by Murillo, to approve item 16b.

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

♦ c. R2019-119
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Amendment to the Revised Water Transmission Service Contract among the Aurora Colorado Springs Joint Water Authority, the City of Aurora, Colorado, acting by and through its Utility Enterprise and the City of Colorado Springs, Colorado.
Presenter: Alexandra Davis, Deputy Director/Water Resource, Aurora Water

Motion by Berzins, second by Bergan, to approve item 16c.

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

♦ d. R2019-120
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Intergovernmental Agreement amount the City of Aurora, Colorado, by and through its Utility Enterprise, The Urban Drainage and Flood Control District, The City and County of Denver, and the City of Lakewood regarding the Joint Funding for Wet Weather Monitoring and Other Colorado Discharge Permit System Activities.
Presenter: Sean Lieske, Environmental Permitting Mgr, Aurora Water

Motion by Coombs, second by Bergan, to approve item 16d.

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

♦ e. R2019-121
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the submission of an application to Great Outdoors Colorado for a grant in the amount of $110,000 to partially fund design documents and construction of the Sixth Avenue elementary school playground renovation project.
Presenter: Tracy Young, Manager of PROS Plan, Desn Cons, Parks, Recreation & Open Space

Motion by Murillo, second by Lawson, to approve item 16e.

Council Member Murillo stated the item related to Aurora making a contribution to renovating an elementary school playground and everyone could agree that was a good thing.

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

17. RECONSIDERATIONS AND CALL-UPS

Motion by Gruber, second by Bergan, to reconsider resolution 2019-103.

♦ ***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.***

Water Policy Committee (WPC) Meeting
January 27, 2021

Members Present: Council Member Crystal Murillo, Chair; Council Member Allison Hiltz Vice Chair; Council Member Alison Coombs

Others Present: Casey Rossman, Alison Coombs, Sean Lieske, Janet Marlow, Greg Baker, Dawn Jewell, James DeHerrera, Alex Davis, Christine McKenney, John Murphy, Marshall Brown, Dan Mikesell, Gail Thrasher, Jo Ann Giddings, Stephanie Neitzel, Sarah Young, Steve Fiori, Nancy Freed, Leiana Baker, Dan Brotzman, Rory Franklin, Greg Hansen,

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5. Joint Wet Weather Monitoring and Other Discharge Permitting Activities Intergovernmental Agreement (IGA)

Summary of Issue and Discussion: S. Lieske stated, Aurora, in conjunction with Denver and Lakewood, have continued to work cooperatively with the Mile High Flood District (previously the Urban Drainage and Flood Control District) since 1996 to meet a number of permit conditions through these agreements. Aurora's share of the overall project cost is 20%. The overall project cost for 2021 is expected to be $120,000 and thus Aurora's share of that cost will be a maximum of $24,000. The term of the agreement will be for one year.

Outcome: The Committee supports the Joint West Weather Monitoring and Other Discharge Permitting Activities IGA and forwarded both to Regular Session for consideration.

Follow-Up Action: The Committee supports the Joint West Weather Monitoring and Other Discharge Permitting Activities IGA and will forward to Regular Session for consideration.

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

10.c. JOINT WET WEATHER MONITORING IGA

R2021-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF AURORA, COLORADO, BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, THE CITY AND COUNTY OF DENVER, AND THE CITY OF LAKEWOOD REGARDING FUNDING OF JOINT WET WEATHER MONITORING AND OTHER COLORADO DISCHARGE PERMIT ACTIVITIES

Sean Lieske, Environmental Permitting Manager, Aurora Water / Christine McKenney, Client Group Manager

Motion by Coombs, second by Marcano, to approve item 10c.

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

11. **PUBLIC HEARING WITH RELATED ORDINANCE**

None

12. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

None

13. **INTRODUCTION OF ORDINANCES**

13.a. MODIFICATION OF THE EXEMPTION FOR LONG TERM LODGING

2021- 07 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, AMENDING ARTICLE IV OF SECTION 130 RELATING TO THE MODIFICATION OF THE EXEMPTION FOR LONG TERM LODGING

Trevor Vaughn, Manager of Tax and Licensing/Hans Hernandez, Assistant City Attorney

Call-in instructions were provided for the benefit of the public.

Mayor Coffman called for a five-minute break to allow for those wishing to speak on an agenda item to call in.

♦ ***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.***

Water Policy Committee (WPC) Meeting
February 16, 2022

Members Present: Council Member Steve Sundberg Chair, Council Member Angela Lawson Vice-Chair, Council Member Curtis Gardner

Absent:

Others Present: Casey Rossman, Greg Baker, Jo Ann Giddings, John Murphy, Laura Perry, Rachel Allen, Marshall Brown, Rick Kienitz, Sarah Young, Sean Lieske, Steve Fiori, Tony Tran, Sherry Scaggiari, Ian Best, Fernando Aranda-Perozo, Dick Eason, Rory Franklin, Sonya Gonzalez, Gail Thrasher, Leiana Baker

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1. Approval of Minutes
The January 19, 2022, meeting minutes were approved as presented.

2. Consent Items
A. Construction Change Order Report
B. Water Supply Update
C. Fourth Quarter Water Financial Report
D. Tentative 2022 Schedule and 2021 Recap

Summary of Issue and Discussion:
Council Member Lawson suggested August for the Water Tour. Council Member Lawson requested a future topic regarding density and sprawl impacts on water. M. Brown replied, it is addressed in the Master Plan that looks at 100 years, and we can add some type of detail for density and sprawl effects regarding water use in the Master Plan and bring a presentation to the committee in the future.

Outcome: The Consent items were supported as presented.

Follow-Up Action: The Consent items were supported as presented.

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3. Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities Intergovernmental Agreement (IGA)

Summary of Issue and Discussion: S. Lieske gave an overview of the IGA. Aurora, in conjunction with Denver and Lakewood, have continued to work cooperatively with the Mile High Flood District (previously the Urban Drainage and Flood Control District) since 1996 to meet a number of permit conditions. Aurora's share of the overall project costs 20%. The overall project cost for 2022 is expected to be $120,000.00 and Aurora's share will be a maximum of $24,000.00. The term of this agreement is one year.

Outcome: The Committee supports the Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities and forwarded to next Regular Session for consideration.

Follow-Up Action: The Committee supports the Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities and will forward to the next Regular Session for consideration.

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4. Westfield Stanley Apartments Reimbursement Agreement

Summary of Issue and Discussion: S. Young gave an overview of utility reimbursement agreements. T. Tran provided a location overview and summarized the proposed reimbursement agreement for the cost of the regional storm sewer improvements. The regional 60-inch equivalent storm pipe in 23rd Avenue will reduce flood risk and allow for site development of the Stanley Apartments site. The reimbursement amount is to not exceed $442,565.12 plus a 10% contingency ($44,257) without further council approval.

Council Member Lawson asked, does the agreement costs include the operational or the maintenance over the years? T. Tran replied, this agreement is for the reimbursement of the construction costs associated with the regional storm sewer improvements that will be publicly owned and maintained. There are no long-term maintenance costs included with this reimbursement agreement. S. Young added, the developer pays connection fees as well as monthly storm drainage usage fees and those fees go towards long term maintenance and operation of the City's utility assets.

Outcome: The Committee supports the Westfield Stanley Apartments Reimbursement Agreement and forwarded to next Study Session for consideration.

Follow-Up Action: The Committee supports the Westfield Stanley Apartments Reimbursement Agreement and will forward to the next Study Session for consideration.

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5. Intergovernmental (IGA) Cost-Sharing Agreement to Fund an Interlocal Funding Agreement for Colorado River Conservation Project

Summary of Issue and Discussion: A. Davis gave a presentation. The agreement allows Aurora to share in the costs for the Interlocal Funding Agreement of an alfalfa pilot study program. Aurora's cost share will be $7,500.00. Denver Water will coordinate funding and administer the contract with the N-Drop technology system program consultants.

Council Member Gardner asked, what are a couple of practical conservation measures for agriculture with respect to this project program? A. Davis replied, flood irrigation is where most agricultural irrigation started. There are different types of sprinklers and drip systems which allow you to divert only the water that is needed. This technology is gravity powered so it's cheaper than other sprinkler systems which rely on pumps and electricity to operate.

Outcome: The Committee supports the IGA Cost-Sharing Agreement to Fund an Interlocal Funding Agreement for Colorado River Conservation Project and forwarded to next Study Session for consideration.

Follow-Up Action: The Committee supports the IGA Cost-Sharing Agreement to Fund an Interlocal Funding Agreement for Colorado River Conservation Project and will forward to the next Study Session for consideration.

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6. The Board of Water Works of Pueblo Water Lease Agreement

Summary of Issue and Discussion: A. Davis and R. Kienitz gave a presentation. This agreement will become effective in 2024 and be in effect for ten (10) years with an opportunity to renew at the end of that period for an additional ten (10) years. The cost of the water will increase from a cost in 2021 of $256.38 per acre-foot to $775.51 per acre-foot in 2024. Any subsequent increase in price will be that percentage increase in the rate that Pueblo Board of Water Works charges their customers, if any.

Council Member Lawson asked, whatever the rate increase is for the payers in Pueblo is that what we will always go by in terms of the leasing agreements when it renews? R. Kienitz replied, yes. A. Davis added, there are different ways to structure increases when there is a long term lease and Pueblo chose the structure. Council Member Sundberg asked, it looks like the rate may have tripled since the last time it was negotiated. Do you think these rates are fair? M. Brown replied, the rate went up significantly and we tried to negotiate a lower rate which didn't work out. M. Brown explained that the price increase is not that different from what we have implemented in what we charge those entities to whom we lease water.

Outcome: The Committee supports the Board of Water Works of Pueblo Lease and forwarded to next Regular Session for consideration.

Follow-Up Action: The Committee supports the Board of Water Works of Pueblo Lease and will forward to the next Regular Session for consideration.

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7. River Compacts Presentation

Summary of Issue and Discussion: A. Davis gave a presentation.

Council Member Lawson asked, on the map where it states 19 states rely on the Colorado water, do we look at population? I'm sure that it has an impact on if they're getting a lot of our water. A. Davis replied, water that is allocated to another state is their water and not our water. Most states entered into these compacts in order to ensure water was available for future population growth.

Outcome: Informational only.

Follow-Up Action: Informational only.

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8. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: Council Member Sundberg asked, for the superfund site, by the landfill, what amount of water is being used to clean the site and what is the water source. M. Brown replied, they are using groundwater. A. Davis added, we do augment their groundwater

pumping up to 9 acre-feet per year (we put 9 acre-feet into the South Platte river system to partially offset some of their pumping).

Outcome: Informational only.

Follow-Up Action: Information only,

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6. Confirm Next Meeting

The next meeting is scheduled for March 16, 2022, 10:30 a.m. via WebEx.

X Steve Sundberg (Mar 22, 2022 07:32 MDT)

Steve Sundberg
Chair, Water Policy Committee

Sarah Young, Deputy Director of Planning and Engineering, Aurora Water / Ian Best Assistant City Attorney

Motion by Bergan, second by Lawson, to approve items 10a – 10j.

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

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

11. **RESOLUTIONS**

11.a. **Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities Intergovernmental Agreement.**

R2022-53 Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, expressing the Aurora City Council's support of an Intergovernmental Agreement among the City of Aurora, Colorado, by and through its Utility Enterprise, the Urban Drainage and Flood Control District, d/b/a Mile High Flood District, the City and County of Denver and the City of Lakewood regarding funding of Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities.

Sean Lieske, Environmental Services Manager, Aurora Water / Ian Best, Assistant City Attorney

11.b. **Conveyance of an easement to Morgan County Rural Electric Association (MCREA) on City-owned land in Washington County.**

R2022-54 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CONVEYANCE OF EASEMENT AREA CONTAINING APPROXIMATELY 0.911 ACRES OF CITY-OWNED LAND IN WASHINGTON COUNTY TO MORGAN COUNTY RURAL ELECTRIC ASSOCIATION (MCREA)

Tom Clark, Senior Real Estate Specialist, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.c. **Appointing Directors to the Hilltop at DIA Metropolitan District Nos. 1-3 Board of Directors**

R2022-55 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING DIRECTORS TO FILL VACANCIES ON HILLTOP AT DIA METROPOLITAN DISTRICT NOS. 1-3 BOARD OF DIRECTORS

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Brian Rulla, Assistant Attorney II

♦ ***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.***

Water Policy Committee (WPC) Meeting

March 15, 2023

Members Present: Council Member Steve Sundberg (Chair), Council Member Alison Coombs (Vice Chair), Council Member François Bergan

Absent:

Others Present: Rachel Allen, Fernando Aranda, Greg Baker, Ian Best, Todd Brewer, Dan Brotzman, Marshall Brown, Melinda Bourdeau, Alex Davis, James DeHerrera, Steve Fiori, Rory Franklin, Sonya Gonzalez, Kevin Linder, Dan Mikesell, John Murphy, Swirvine Nyirenda, Casey Rossman, Sherrie Scaggiari, Catherine Schumacher, Gail Thrasher, Rich Vidmar, Tim York, Sarah Young, Cheinette Van Wyk

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1. Approval of Minutes

The February 15, 2023, meeting minutes were approved as presented.

2. Consent Items

A. Construction Change Order Report
B. Monthly Water Supply Update

Summary of Issue and Discussion: CM Coombs asked if the forecasted rain and snow for tonight (3/15/2023) in the high country will result in faster than expected snow melt, how will it impact our reservoirs, and concerns regarding flooding? J. Murphy responded, if the rain is significant, it can affect the melting of the snowpack which would not be beneficial to us since our water rights will not become active until April. CM Coombs asked if the reduction in snowpack would negatively impact Aurora? J. Murphy replied, it could potentially negatively impact us if the water rights in affect now, downstream of the South Platte where larger irrigation reservoirs are located, are filling up due to early snowmelt and higher stream flows which will decrease the amount of water we can collect. However, J. Murphy stated he is not seeing that the stream flows have increased in the data thus far. M. Brown added, the moisture content of the snow is higher this year as well which is an additional benefit to the city.

CM Sundberg asked, will we see Quincy reservoir and Aurora reservoir down to the point where there is concern? J. Murphy stated the Aurora reservoir is full right now as a result of operationally moving water down from reservoirs higher in the system. M. Brown added, historically, we always keep Aurora and Quincy reservoirs full to reduce operational risk to the city. Where you will see the largest impact to the reservoirs is Homestake or Spinney where there are dramatically lower water levels. CM Sundberg stated, hopefully the councilmembers in

doubt of the lower reservoir levels will be able to participate in the water tour this year to understand the impact of the drought.

Outcome: The consent items were supported as presented.

Follow-Up Action: The consent items were supported as presented.

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3. Large Water User Restriction

Summary of Issue and Discussion: S. Young gave a presentation discussing a newly developed matrix system which will grade potential large water users that do not return wastewater flow back to the system which is important to recapture. The goal of the matrix is to is to evaluate customers with a high water use and potentially taking water out of the system and suggesting they not be allowed to in the system due to the impacts on sustainability. With customers whose water use is high, and the recoverable use is high we want to discuss conservation efforts and evaluate the positive impacts they may have to the city including employment/high value jobs, capital investment to the city, diversity in employee base, national recognition, and support of an existing employment center. This will allow the city to determine if the benefits will outweigh the high water use.

CM Bergan asked if the criteria were weighted especially with organizations that may fall into the red categories? S. Young responded, currently it is not, but the aim is to refine the terms in the matrix and start utilizing it. M. Brown added, the first goal is to try to work with the large organizations to move them out of the red through conservation efforts or efficiencies in landscape designs to drive their water use down. The dark red portion of the matrix will not be allowed whereas the lighter red will require further discussions and evaluations. CM Bergan asked, will this be an evaluation of new and current users? S. Young responded, yes, this will be for new users. M. Brown added, while the matrix will not be used for existing users, we are already having conversations with them about conservation including nonfunctional turf.

CM Coombs asked, are we able to require other sustainability measures that may relate to climate change and greenhouse gas reduction to address the high impact they are having environmentally? M. Brown responded, in the comprehensive plan, the sustainability section addresses other environmental issues in addition to water use and conservation and will be considered through further development of the matrix and criteria.

CM Sundberg asked, what are some of the other water users industrially that don't allow recapture? S. Young stated, other users that would land in the deep red would be a concrete batch plant which is high water use and the water leaves the system or canning operations. M. Brown added, beverage and food processing would also land in the dark red.

CM Coombs asked, where on the matrix would fracking fall as far as volumetric use and water quality? S. Young stated, she would look into it further and reach out to CM Coombs directly to follow-up.

Outcome: Informational only.

Follow-Up Action: Informational only.

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4. Joint Wet Weather Monitoring Intergovernmental Agreement

Summary of Issue and Discussion: S. Scaggiari gave an overview of the IGA. Aurora, in conjunction with Denver and Lakewood, have continued to work cooperatively with the Mile High Flood District (previously the Urban Drainage and Flood Control District) since 1996 to meet a number of permit conditions related to municipal separate storm sewer (MS4). Aurora's share of the overall project costs is 20%. The overall project cost for 2023 is expected to be $145,000.00 with Aurora's share at a maximum of $29,000.00. The term of this agreement is one year.

Outcome: The Committee supports the Joint West Weather Monitoring and other Colorado Discharge Permit Activities and forwarded to the next Council Meeting for consideration.

Follow-Up Action: The Committee supports the Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities and will forward to the next Council Meeting for consideration.

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5. Storage Project Update Presentation

Summary of Issue and Discussion: R. Vidmar gave a presentation.

CM Bergan asked, there is still a lot of land that needs to be acquired, is that something that is stalled, or we are waiting on an agreement? R. Vidmar responded, we held off on the land acquisition until the feasibility study was completed after the reconfiguration of the dam. Since the feasibility study has concluded, we will continue with the land acquisitions. CM Bergan asked, is it necessary to acquire that much land, especially on the northside where the land looks detached from the reservoir. R. Vidmar responded, yes, the land will include the reservoir and the buffer around the reservoir. The additional land will also allow for greater watershed protection.

CM Bergan asked, regarding the East reservoir, will the oil and gas operations be taken into consideration as part of the land investigations? R. Vidmar responded, yes, we will evaluate the oil and gas operations as part of the land investigation.

CM Bergan asked if there was anything the councilmembers can do to assist in the permitting process for Wild Horse? A. Davis responded, her team has a great relationship with the Bureau of Land Management, (BLM) and they have been very supportive. Additionally, the BLM has assigned an incredibly qualified project manager to the project.

CM Sundberg asked, so there are two conceivable future reservoirs East? M. Brown responded, yes, it has been narrowed down to two feasible sites. We are prioritizing East storage to take advantage of the reuse coming off the South Platte train but will only choose one of the two potential sites.

Outcome: Informational only.

Follow-Up Action: Informational only.

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6. Direct Potable Reuse Presentation

Summary of Issue and Discussion: C. Schumacher and K. Linder gave a presentation.

CM Bergan asked, are we looking at the Sand Creek River because the South Platte River water is not very clean? M. Brown responded, right now, our reusable water is going to Metro Water Recovery where it is being treated and then released into the South Platte River. We do take some of that water into the Sand Creek facility and use it for irrigation purposes. However, the technology is now available to clean up the reuse water directly instead of routing it to Metro which will increase cost effective efficiencies in our system. It will also improve water quality.

CM Coombs asked, since the cost of chemicals to treat the water have gone up and we would be processing more water through Sand Creek, is that going to increase costs, or will they be offset with direct potable reuse? M. Brown responded, while the costs of chemicals and electricity will increase for our facilities, we will avoid higher costs to Metro which reduces treatment cost redundancies.

Outcome: Informational only.

Follow-Up Action: Informational only.

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7. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: M. Brown thanked staff at Aurora Water for all their hard work and expertise.

Outcome: Informational only.

Follow-Up Action: Informational only.

8. Confirm Next Meeting

The next meeting is scheduled for April 19, 2023, 10:30 a.m. via WebEx.

X Steve Sundberg (Apr 21, 2023 02:58 MDT)

Steve Sundberg
Chair, Water Policy Committee

MINUTES

Regular Meeting of the **Aurora City Council**
Monday, April 10, 2023

1. **RECONVENE REGULAR MEETING OF APRIL 10, 2023, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for April 10, 2023, at 6:30 p.m.

2. **ROLL CALL**– Kadee Rodriguez, City Clerk

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

COUNCIL MEMBERS ABSENT: Mayor Pro Tem Gardner

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

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

Mayor Coffman led the prayer for the April 10th Council Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman proceeded with an update on the executive session, where participants had discussed negotiations on contracts and legal advice on rulemaking.

6. **APPROVAL OF MINUTES**

6.a. **March 13, 2023 Meeting Minutes**

Motion by Sundberg, second by Bergan to approve March 13, 2023 meeting minutes.

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

6.b. **March 27, 2023 Meeting Minutes**

Motion by Sundberg, second by Bergan to approve March 27, 2023 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.***

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **Genocide Awareness and Prevention Month**
Mayor Coffman proclaimed April 2023 as Genocide Awareness and Prevention Month, condemning all acts of genocide and crimes against humanity, and urging the community to embrace diversity, speak kindly, and treat everyone with kindness.

7.b. **Aurora Arbor Week**
Mayor Coffman proclaimed April 21st, 2023, as Aurora Arbor Week.

7.c. **Arab American Heritage Month**
CM Lawson read a proclamation declaring April 2023 as Arab American Heritage Month.

7.d. **Child Abuse Prevention Month**
CM Lawson read a proclamation declaring April 2023 as Child Abuse Prevention Month and invited citizens to raise awareness and increase prevention efforts.

8. **PUBLIC INVITED TO BE HEARD**

(Non-agenda-related issues only)

Council heard public In-person testimonies on non-agenda-related items.

9. **ADOPTION OF THE AGENDA**

Motion by Marcano, second by Zvonek to adopt the agenda.

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

10. **CONSENT CALENDAR - MOTIONS**

10.a. **Motions**

10.a.1 **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Keesen Landscape Management, Inc., Englewood, CO in the Not-to-Exceed Amount of $250,000.00 for Abatement Services as Required Through March 31, 2024. (B- 4543)**

Sandra Youngman, Manager of Code Enforcement / Dave Lathers, Senior Assistant City Attorney

Sandra Youngman, Manager of Code Enforcement, provided a summary of the item.

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CM Sundberg asked if Keesen had been able to keep up with the daily demand for abatements and if they had enough crew to handle the job. Sandra Youngman, Manager of Code Enforcement in Housing and Community Services, confirmed that Keesen had been keeping up with code enforcement abatements.

CM Sundberg also inquired about Keesen's landscaping services and if they were related to homeless services and abatement. S. Youngman clarified that the contract with Keesen was specifically for weed, trash, and debris abatement, and they were not involved in cutting trees.

Motion by Sundberg, second by Lawson to approve item 10.a.1.

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

10.a.2 Channel Aggradation Study and Remediation Plan Phase 1 – Stantec Consulting Services – Amendment Nine

Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Stantec Consulting Services, Inc., Fort Collins, Colorado in the Amount of $35,000.00 to Add Required Survey and Letter of Map Revisions Submittal Process for the Channel Aggradation Study and Remediation Plan Phase 1 Project, R-1725.

Andrea Long, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.a.3 Tetra Tech, Inc. Professional Engineering Services for Wild Horse Dam and Reservoir

Consideration to AMEND AN OPENLY SOLICITED CONTRACT to Tetra Tech, Inc., Denver, Colorado in the Amount of $10,496,837.00 for Providing Professional Engineering Services for the Feasibility Design, and Permitting Support for Wild Horse Dam and Reservoir

John P. Clark, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.a.4 Consideration to APPROVE AN AMENDMENT TO AN OPENLY SOLICITED CONTRACT to Dewberry Engineers, Inc., Denver, Colorado in the Amount of $970,308.00 for 30% Engineering Design for the Wild Horse Reservoir Pipelines, RFP R-2100

John P. Clark, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.a.5 Consideration to AWARD A COMPETITIVELY BID CONTRACT with US Distributing, Inc. Denver, Colorado in the Amount of $90,000.00 for AC Delco OEM Parts as Required by Fleet Through March 31, 2024. (B-4687)

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

10.a.6 Consideration to AWARD A SINGLE SOURCE CONTRACT to Iron Code Technologies, Denver, CO in the Amount of $225,000.00 for a Municipal Court Case Management System

Due to the workload of the City Prosecutors, the risk of sanctions from the Courts, and the time required to implement the solution, staff request a waiver of reconsideration so work can commence as soon as possible.

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

10.b. **Planning Matters**

10.c. **Appointments to Boards and Commissions**

10.c.1 Consideration to Appoint One (1) Member to the Veterans Affairs Commission

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

10.c.2 Consideration to Appoint One (1) Member to the Open Space Advisory Board

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

10.c.3 Consideration to Appoint Three (3) Members to the Golf Course Advisory Committee

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

Motion by Bergan, second by Marcano to approve the Consent Calendar – Motions with item 10.a.1 removed.

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

11. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

11.a. Resolutions

11.a.1 Joint Wet Weather Monitoring and Other Colorado Discharge Permit Activities Intergovernmental Agreement

R2023-37 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,

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

COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF AURORA, COLORADO, BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, THE CITY AND COUNTY OF DENVER, AND THE CITY OF LAKEWOOD REGARDING FUNDING OF JOINT WET WEATHER MONITORING AND OTHER COLORADO DISCHARGE PERMIT ACTIVITIES

Sherry Scaggiari, Manager of Environmental Permitting, Aurora Water / Ian Best, Assistant City Attorney

11.a.2 Daniel P. Mikesell Water Operations Facility Dedication Plaque

R2023-38 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR THE DEDICATION PLAQUE TO BE PLACED IN THE DANIEL P. MIKESELL WATER OPERATIONS FACILITY

Greg Baker, Manager of Water Public Relations, Aurora Water / Ian Best, Assistant City Attorney

11.a.3 Intergovernmental Agreement for Voter Service Polling Centers (VSPC) and Ballot Drop Box Locations

R2023-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN ARAPAHOE COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTIONS TO BE HELD NOVEMBER 7, 2023 AND NOVEMBER 5, 2024

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

11.b. Finalizing of Ordinances

Ordinances approved unanimously at first reading.

11.b.1 Consideration to Update City Code that Governs Purchasing - City Code Chapter 2 Administration, Article VI Purchases and Contracts

2023-08 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING IN ITS ENTIRETY ARTICLE VI OF CHAPTER 2 OF THE CITY CODE PERTAINING TO CONTRACTS AND PURCHASING TO ACCOMMODATE AND INCORPORATE CURRENT CITY ORGANIZATIONAL CHART POSITION TITLES, TO CONFORM TO LONGSTANDING CITY PURCHASING PRACTICES AS REFLECTED IN ADOPTED PURCHASING PROCEDURE LETTERS AND TO REFLECT ADOPTED CITY BUSINESS PRACTICES MEMORANDA, AND REMOVING REFERENCES TO DISCARDED PURCHASING PRACTICES, AND GENERALLY CLARIFYING THE LANGUAGE OF THE ARTICLE

Bryn Fillinger, Manager of Purchasing Services, Finance / Dave Lathers, Senior Assistant City Attorney

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Motion by Bergan, second by Lawson to approve the Consent Calendar - Resolutions and Ordinances.

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

12. **PUBLIC HEARINGS**

12.a. **Majestic Commercenter II as a Blighted Area Designation**

2023-10 A PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DESIGNATING THE PROPOSED MAJESTIC COMMERCENTER II URBAN RENEWAL AREA AS A BLIGHTED AREA APPROPRIATE FOR URBAN RENEWAL

Jennifer Orozco, Senior Development Project Manager, Planning and Development Services / Rachel Allen, Manager of Client Services, City Attorney

Mayor Coffman opened the public hearing.

Jennifer Orozco, Senior Development Project Manager, provided a summary of the item.

CM Bergan asked about the minimum requirement for blighting factors. J. Orozco explained that at least four factors must be met for an urban renewal project, but in this case, with a single property owner, they could have as few as one factor of blight.

Mayor Coffman closed the public hearing.

Motion by Sundberg, second by Bergan to approve item number 12.a.

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

12.b. **Majestic 5280 RV Storage Zoning Map Amendment**

2023-11 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 2.14 ACRES, MORE OR LESS, LOCATED AT THE SOUTHWEST CORNER OF SMITH ROAD AND SABLE BOULEVARD, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, FROM MIXED-USE CORRIDOR ZONE DISTRICT (MU-C) TO BUSINESS/TECH ZONE DISTRICT (I-1) AND AMENDING THE ZONING MAP ACCORDINGLY (5280 RV STORAGE ZONING MAP AMENDMENT)

Liz C Fuselier, Planner, Planning and Development Services / Dan Money, Senior Assistant City Attorney

Mayor Coffman opened the public hearing.

Liz Fuselier, Planner, provided a summary of the item.

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Council heard public in-person testimony.

CM Murillo asked staff to address the concerns raised in the public testimony. L. Fuselier responded.

CM Murillo asked about the drainage issues mentioned in the public testimony. L. Fuselier responded that the drainage issues were reviewed by Public Works and have been approved by the city through the site plan.

CM Coombs asked for clarification regarding any additional drainage to address the concerns expressed. Jessica Melton with JL Melton Construction, representing the property owner, explained that a drainage study had been conducted and the drainage would comply with city regulations and requirements.

CM Murillo asked if there were other mixed-use zoned areas nearby and the reasoning behind the initial zoning. Liz Fuselier responded. CM Murillo expressed her concerns about the highest and best use for the property and asked about access to bus stations. Liz Fuselier confirmed there are bus stops on Sable and Smith Road and explained that infrastructure will be brought up to code.

CM Murillo sought clarification on whether the RV storage was the best and highest use for the property, as it is currently zoned for alternative development. L. Fuselier confirmed that the RV storage is a use permitted under I-1 zoning. J. Melton added additional information.

CM Marcano asked about the access points for the overall project. L. Fuselier mentioned that there would be access off of Sable Boulevard, and J. Melton provided a site plan.

CM Marcano then asked if there was a possibility to create a pedestrian path along the northern side of the property to address the concerns raised by the community members. J. Melton explained that it might not be realistic due to a small triangle of land owned by a separate party.

CM Marcano appreciated the new sidewalks but sought clarification on whether a pedestrian path could be incorporated along the perimeter of the property instead of cutting through it. J. Melton expressed concerns that creating such a path could potentially not be in the best interest of the area and the community.

CM Marcano asked for more details on the environmental concerns and why the area would be unsuitable for certain uses based on previous activity at or near the site. L. Fuselier responded.

CM Coombs asked if there was a reason why the area would not be suited for other types of commercial activities, such as retail services, that would benefit the neighborhood and community. L. Fuselier clarified that only two acres of the eight-acre parcel were zoned MU-C and that the development opportunity for that northeast corner would be just for MU-C. She confirmed that most of the parcel was already industrial, and they were trying to rezone the MU-C portion to match the rest of the area.

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CM Bergan pointed out that there had been no desire from developers to develop that one corner for its current zoning, and L. Fuselier agreed, mentioning that they had received numerous pre-applications for the entire parcel that typically included requests for rezoning. CM Bergan noted that it made sense from a compatibility perspective to keep the zoning consistent, as having just one portion zoned as MU-C was odd.

Mayor Coffman closed the public hearing.

Motion by Jurinsky, second by Sundberg to approve item number 12.b.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

12.c. **Crestone Peak Resources Operator Agreement Revisions to Exhibits A and B**

R2023-40 A PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF REVISIONS TO EXHIBITS A AND B OF THE CRESTONE PEAK RESOURCES OPERATOR AGREEMENT

Jeffrey S. Moore, Manager of Oil and Gas Division, Planning and Development Services / Ian Best, Assistant City Attorney

Outside speaker: Dan Harrington, Asset Development Lead, Civitas Resources

Mayor Coffman opened the public hearing.

Jeffrey Moore, Manager of Oil and Gas, and Dan Harrington, the Asset Development lead at Citivas Resources, provided a summary of the item.

Mayor Coffman closed the public hearing.

Motion by Sundberg, second by Zvonek to approve item number 12.c.

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

13. **INTRODUCTION OF ORDINANCES**

14. **FINALIZING OF ORDINANCES**

14.a. **Northeast Aurora Planning and Annexation Boundary Expansion Comprehensive Plan Amendment**

2023-07 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO ENLARGE THE PLANNING AND ANNEXATION BOUNDARY LOCATED IN THE NORTHEAST SECTION OF THE CITY AND

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DESIGNATING A PLACETYPE OF INDUSTRIAL HUB TO THE AREA (NORTHEAST PLANNING AND ANNEXATION BOUNDARY EXPANSION COMPREHENSIVE PLAN AMENDMENT)

Daniel Krzyzanowski, Planning Supervisor, Planning and Development Services / Daniel L. Money, Senior Assistant City Attorney

Council heard public in-person testimony.

Daniel Krzyzanowski from the Planning and Development Services Department and Brian Gaffney, the Principal of EPS, provided a summary of the item.

CM Coombs expressed concerns about the 12-square mile area and leapfrog development, and asked if the staff had an analysis of a smaller area immediately adjacent to the current city annexation boundaries, including the Chelsea property.
D. Krzyzanowski and B. Gaffney responded.

Mayor Coffman emphasized that the current discussion was only the first step and not an annexation itself. The Council would still have the ability to accept, or decline based on further analysis if the applicant decided to annex into the city.

CM Sundberg mentioned that there was a city-approved alternative smaller annexation plan that they received information on and suggested it might be a good alternative to consider as a substitute motion for the current discussion.

CM Coombs expressed her support for the substitute motion, citing that the concerns about leapfrog development are not applicable to this site since it is adjacent to the city and fills a small gap in the current planning and annexation boundary. She also noted that it is not speculative in nature for a significant portion of the site.

CM Marcano echoed CM Combs' sentiments and expressed appreciation for the applicant demonstrating that the proposal is not speculative. He believes the proposed use makes sense given the industry in the area and is happy to support the smaller expansion.

Motion by Sundberg, second by Bergan to approve the substitute motion to 14.a.

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

14.b. **Ordinance to Amend A.M.C Section 134**

2023-09 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING ARTICLE X CHAPTER 134 OF THE CITY CODE PERTAINING TO THE AURORA PARKING AND TRAFFIC ENFORCEMENT BUREAU AND AUTOMATED VEHICLE IDENTIFICATION SYSTEM CITATIONS

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

Lieutenant Carrigan Bennett provided a summary of the item.

Motion by Medina, second by Marcano to approve item number 14.b.

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

15. **ANNEXATIONS**

16. **RECONSIDERATIONS AND CALL UPS**

17. **GENERAL BUSINESS**

18. **REPORTS**

18.a. **Mayor**

Mayor Coffman announced that he would be hosting a Town Meeting on April 15th from 2:00 to 3:30 pm at the Central Library. The meeting would cover topics such as an update on the Consent Decree, homeless issues, and law enforcement issues, with Interim Chief Art Acevedo also presenting. The Mayor encouraged people to attend.

18.b. **Council**

CM Lawson reported that the most significant issue currently being discussed by the FSIR Committee is Senate Bill 213, the Land Use Bill, which has many amendments being considered. She stated that she and CM Sundberg attended the End Veteran Suicide Gala organized by Warriors Now, which aimed to raise money and awareness for Veteran suicide prevention. The event was successful and raised close to $40,000, which will be used for programs to support Veterans and help develop a wellness center.

CM Jurinsky announced that the next At-Large Town Hall will be held on June 15th at the People's Building on Colfax at 6:00 p.m., with all four At-Large Council Members in attendance.

CM Zvonek shared that DRCOG held a special board meeting to discuss Senate Bill 213, the Governor's Statewide Land Use Bill. The board voted to actively oppose the bill, as did several local jurisdictions, counties, cities, and CML. DRCOG will continue working to improve the bill but opposes it in its current state. Additionally, they discussed the EPA's Climate Pollution Reduction Grants and the possibility of DRCOG being the lead agency to facilitate them. CM Zvonek mentioned that he will circulate a letter to his colleagues suggesting their support and exploring ways for Aurora to apply for grants, particularly for equipment funding from the federal government.

CM Murillo attended several events over the weekend and expressed gratitude to Somos Dance Studio for their grand opening in Ward I. She highlighted the importance of supporting BIPOC-owned small businesses and building a local infrastructure for fun experiences. She also attended a charity event by the Heavy Hands, Heavy Hearts Foundation, supporting their Gloves Up, Guns Down initiative for youth violence prevention. Lastly, she announced her monthly Town Hall meeting scheduled for Thursday, April 27th at 6:00 p.m. at the MLK Library.

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CM Sundberg shared his wife's experience as a survivor of the Rwandan genocide and the power of forgiveness. He mentioned being a court-appointed special advocate and encouraged others to volunteer. He talked about attending various events, including the End Veteran Suicide gala, Somos Dance Studio opening, and the Chamber Awards Event. He and Councilwoman Jurinsky are visiting an Adams 12 Law Enforcement Crime Scene Pathway Curriculum to learn how young people are being introduced to careers in law enforcement and crime scene investigation. Lastly, he announced the Ward II Town Hall on the 20th, where they will discuss alternative energy solutions, oil and gas, and other issues.

CM Medina mentioned hosting a Town Hall last week with a robust agenda that included open space, budget, and the Consent Decree. Many questions arose about the Consent Decree, and community members felt disconnected from the information. He plans to work on finding a better way to present and share information about the Consent Decree, as well as how it's being monitored in the community.

CM Marcano announced the final public hearing for the Charter Review Committee, which will take place on April 13th at 7:00 p.m. in the Council Chambers. He encouraged people to submit comments online or in person at the hearing. He also mentioned the upcoming Ward IV meeting on April 13th at 6:30 p.m. at Colorado Early Colleges, featuring an overview of the 2023 Budget and light appetizers from Nile Ethiopian.

CM Coombs mentioned that her next Ward Town Hall took place on Tuesday at 6:00 p.m. at Central Rec Center, with a hybrid format. The event featured a presentation on the Consent Decree and County Assessor PK Kaiser discussing property valuations and appeals for the upcoming property tax cycle. Representatives from the PAR Department and Fire Department were also present.

CM Bergan mentioned that those recommended for the Golf Commission, Veterans Commission, and Open Space Board had been approved as part of the consent calendar. Despite missing some evening events due to illness, she participated in virtual meetings, including the Region 9 opioid meeting. They finalized scopes of work for different subgroups, prepared to finalize the RFQ document and evaluation rubric, and planned to advertise the RFQ. After evaluating applications, they will allocate the opioid settlement money to help address the opioid addiction problem in the city and country. The settlement funds will continue for 18 years beyond this first phase.

Mayor Coffman mentioned that he participates in a public safety rotation. He recently went on a ride along with Officer Madison Burzynski from District 3, who is a three-year veteran of the Aurora Police Department. The week before, he observed operations at the detention facility. He clarified that he was observing and not in detention himself. Next weekend, he plans to observe the Marshals' interface with the weekend court.

19. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of the City Council.

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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.***

Water Policy Committee (WPC) Meeting

March 20, 2024

Members Present: Council Member Steve Sundberg (Chair), Council Member Stephanie Hancock (Vice Chair), Council Member François Bergan

Absent:

Others Present: Rachel Allen, Greg Baker, Ian Best, Dan Brotzman, Marshall Brown, Melina Bourdeau, Shonnie Cline, Mayor Mike Coffman, Alexandra Davis, James DeHerrera, Jessica LaPierre, Marena Lertch, Luz Lopez, John Murphy, Swirvine Nyirenda, Casey Rossman, Sam Scorza, Jessi Scott, Oona Sullivan, Cheinette Can Wyk, Richard Vidmar, Earl Wilkinson, Tim York, Sarah Young

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1. Approval of Minutes

The February 21, 2024, meeting minutes were approved as presented.

2. Consent Items

A. Construction Change Order Report
B. Monthly Water Supply Update

Summary of Issue and Discussion: None.

Outcome: The consent items were supported as presented.

Follow-Up Action: None.

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3. Fifth Amendment to the 22nd Ave. Outfall to Westerly Creek Improvement Project Intergovernmental Agreement (IGA) between the City of Aurora and Mile High Flood District

Summary of Issue and Discussion: S. Scorza gave a presentation on the fifth amendment to an Intergovernmental Agreement between the City of Aurora and the Mile High Flood District regarding the final design and construction of drainage and flood control improvements for the 22nd Avenue outfall to Westerly Creek.

CM Bergan asked, will this be the last amendment for this project? S. Scorza responded, there will likely be one more amendment following this one that will complete this project.

CM Hancock asked, have we started construction on this project yet? S. Scorza responded, we are still in the design phase so we are not ready for construction yet. There is still a lot of ongoing communication between the stakeholders that will lead us to the best possible design including more curvature to the stream. CM Hancock asked, will the new curvature help with the flow of the stream to prevent flooding? S. Scorza stated, yes, the stream will be moved away from properties that have the potential to flood and allow flood waters to move more effectively downstream.

Outcome: The Committee supports the Fifth Amendment to the 22nd Aven Outfall to Westerly Creek Improvement Project Agreement between the City of Aurora and Mile High Flood District and forwarded to the next Council Meeting.

Follow-Up Action: A Fifth Amendment to the 22nd Ave Outfall to Westerly Creek Improvement Project Agreement will be forwarded to the next Council Meeting.

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4. Joint Wet Weather Monitoring and Other Colorado Discharge Permit Activities Intergovernmental Agreement (IGA)

Summary of Issue and Discussion: J. LaPierre gave a presentation on the Joint West Weather Monitoring IGA with the Urban Drainage and Flood Control District, d/b/a Mile High Flood District, the City and County of Denver, and the City of Lakewood, which involves collecting runoff at a number of automated stations in the metro area and analyzing the water quality for specific pollutants as agreed upon in the original Municipal Separate Storm Sewer (MS4) permit in 1996.

CM Hancock asked, where are we in the process of implementing this project? J. LaPierre responded, the season for sampling is from April 1st through October 31st, and the sampling will take place along the South Platte River up near Sand Creek and West Tollgate Creek. The data will then be collected and submitted in our annual MS4 report to the State which is a regulatory requirement for our MS4 permit. CM Hancock asked, what does the sampling consist of? J. LaPierre responded, the sampling records the streamflow and precipitation data after any major streamflow events including heavy snowmelt and heavy rainstorms.

Outcome: The Committee supports the Joint Wet Weather Monitoring and Other Colorado Discharge Permit Activities Intergovernmental Agreement and forwarded to the next Council Meeting.

Follow-Up Action: The Joint Wet Weather Monitoring and Other Colorado Discharge Permit Activities Intergovernmental Agreement will be forwarded to the next Council Meeting.

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5. Turf Transformation for Water Conservation and Hydroelectric Energy Recovery Project Grant

Summary of Issue and Discussion: L. Lopez gave a presentation on a proposed grant that will assist the City in enhancing water and energy efficiency, utilize resources judiciously, achieve additional cost savings, reduce its greenhouse gas foot print, enhance water conservation, and enhance biodiversity through the Sustainable Turf Transformation for Water Conservation and Hydroelectric Energy Recovery Project with help from the Department of the Interior, Bureau of Reclamation, Water Resources and Planning Office.

CM Began asked, what are the anticipated savings in water usage from the turf conversion and how long will it take to recoup the $408,000 in grant funding? M. Brown responded, we are paying roughly $20,000 to $25,000 per acre foot to acquire water rights multiplied by the 31.5 acre feet of water saved per year which is roughly $800,000 in savings. This savings does not account for additional costs associated with water supply, including treatment, however, with the inclusion of the grant, the cost benefit is great.

CM Bergan asked, what will go in place of the turf? M. Brown responded, some of the replacement will be the Tahoma 31 Bermuda grass and some will be replaced with native grasses. With the native grass, we will essentially remove any need for irrigation with a slightly higher cost-savings benefit than with the Tahoma 31 Bermuda grass.

CM Sundberg asked, when will we find out if the grant has been accepted? L. Lopez responded, we should find out if our grant application has been accepted by the end April 2024.

Outcome: Informational only.

Follow-Up Action: Informational only.

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6. Aurora Watershed Management and Source Water Protection Plan

Summary of Issue and Discussion: R. Vidmar gave a presentation on the Aurora Watershed Management and Source Water Protection Plan which formalizes Aurora Water's approach to source water protection.

CM Bergan asked, is the State open to thinning the forest? R. Vidmar responded, if we are working on any public or federal land, any prescription thinning has to go through the National Environmental Policy Act to evaluate the impacts of doing a thinning project. Therefore, the City works closely with the Forest Service during those projects, including the project funded last year at Miller Gulch. CM Bergan asked, is there a benefit to doing those projects? R. Vidmar responded, yes, it creates a defensible space to get the fire to the ground where it is easier to fight.

CM Sundberg asked, are we happy with the States efforts? R. Vidmar responded, yes, there is a lot of communication and engagement with the Colorado State Forest Service and the Colorado State University in that regard.

Mayor Coffman asked, how are we doing with our Federal Partners? R. Vidmar responded, we do have staff that is solely focused on watershed health, and has been doing very good work on establishing relationships with the National Forest Service on a Federal level. Mayor Coffman asked, what are some of our most difficult areas regarding fuel build-up when it comes to overgrowth in our watershed? R. Vidmar responded, one of our most difficult areas is the slow pace of tagging trees to be removed because it is all done by hand. Additionally, the type of trees that are being cut are not attractive to the lumber industry, making it difficult to get rid of the additional timber. Mayor Coffman asked, if we have a catastrophic fire that is so hot it sterilizes the soil, what do we do? R. Vidmar responded, after a large burn, the Burn Area Response Team, a U.S. Forest service led team, responds to assess the damage and potential impacts of the fire. The best things we can do both pre and post-fire is to create sediment basins to avoid any burn sediment from reaching the base of the canyon and entering the main stems of waterways.

CM Sundberg asked, is there a targeted area for beetle kill trees? R. Vidmar responded yes, there are targeted areas for removing those trees however, the forest service will leave some of those as to not disrupt the ecosystem for birds and other animals.

Outcome: Informational only.

Follow-Up Action: Informational only.

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7. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: M. Brown stated the water conservation event is scheduled for May 18, 2024, starting at 9:00 a.m. in the water-wise garden at the Aurora Municipal Center. This will be a community-wide event and is open for any of the Councilmembers to be present and meet with community members. Additionally, the annual Youth Water Festival is scheduled for May 16, 2024, which is a great opportunity for Councilmembers to meet with students from all over Aurora.

Outcome: Informational only.

Follow-Up Action: Informational only.

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8. Confirm Next Meeting

The next meeting is scheduled for April 17, 2024, 10:30 a.m. via Teams.

X Stephanie Hancock
Stephanie Hancock (Apr 17, 2024 16:02 MDT)

Stephanie Hancock
Vice Chair, Water Policy Committee

MINUTES

Regular Meeting of the Aurora City Council

Monday, April 8, 2024

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

1. CALL TO ORDER

Mayor Coffman convened the regular meeting of City Council at 6:30 p.m.

2. ROLL CALL

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

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer.

Mayor Coffman read a land acknowledgement.

4. PLEDGE OF ALLEGIANCE

(All Standing)

5. EXECUTIVE SESSION UPDATE

Mayor Coffman provided an update on the Executive Session, stating litigation matters, union negotiations, land acquisition, and personnel matters were discussed.

6. APPROVAL OF MINUTES

6.a March 11, 2024 Meeting Minutes

6.b March 25, 2024 Meeting Minutes

Moved by Françoise Bergan

Second by Steve Sundberg

Does Council wish to approve the minutes of the March 11, 2024 and March 25, 2024 meetings?

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

7. PROCLAMATIONS OR CEREMONIES

7.a National Donate Life Month

Mayor Coffman proclaimed April 2024 as National Donate Life Month.

7.b Month of the Military Child

Mayor Coffman proclaimed April 2024 as Month of the Military Child.

7.c Aurora Arbor Week Proclamation

Mayor Coffman proclaimed April 15, 2024 through April 20, 2024 as Aurora Arbor Week.

7.d National Public Safety Telecommunicators Week

Mayor Coffman proclaimed April 14, 2024 through April 20, 2024 as National Public Safety Telecommunicators Week.

7.e Eid al-Fitr

Mayor Coffman proclaimed April 10, 2024 as Eid al-Fitr.

8. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

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

9. ADOPTION OF THE AGENDA

Moved by Curtis Gardner

Second by Steve Sundberg

Does Council wish to adopt the agenda with Item 11.a.5 (tabled) and Item 12.b. removed?

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

10. CONSENT CALENDAR - MOTIONS

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

Moved by Curtis Gardner

Second by Alison Coombs

Does Council wish to approve the Motions consent calendar?

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

10.a Motions

10.b Planning Matters

10.c Appointments to Boards and Commissions

10.c.a Consideration to Appoint One (1) Member and Reappoint Two (2) Members to the Golf Course Advisory Committee

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

10.c.b Consideration to Appoint One (1) Member to the Veterans Affairs Commission

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

10.c.c Consideration to Appoint Two (2) Members to the Citizens Advisory Committee on Housing and Community Development

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

10.c.d Consideration to Appoint One (1) Member to the Board of Adjustment and Appeals

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

11. 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 Curtis Gardner

Second by Françoise Bergan

Does Council wish to approve the Resolutions and Ordinances consent calendar with item 11.a.4. removed?

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

11.a Resolutions

11.a.1 Fifth Amendment to the 22nd Ave Outfall to Westerly Creek Improvement Project between the City of Aurora and Mile High Flood District

R2024-35 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR 22ND AVENUE OUTFALL TO WESTERLY CREEK

James DeHerrera, Planning Services Manager, Aurora Water / Ian Best, Assistant City Attorney

11.a.2 Joint Wet Weather Monitoring and Other Colorado Discharge Permit Activities Intergovernmental Agreement

R2024-36 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF AURORA, COLORADO, BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, THE CITY AND COUNTY OF DENVER, AND THE CITY OF LAKEWOOD REGARDING FUNDING OF JOINT WET WEATHER MONITORING AND OTHER COLORADO DISCHARGE PERMIT ACTIVITIES

Todd Brewer, Deputy Director of Treatment and Environmental Services, Aurora Water / Ian Best, Assistant City Attorney

11.a.3 Supporting the Flight Operations at Buckley Space Force Base

R2024-37 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S STRONG SUPPORT OF THE 140TH WING OF THE COLORADO AIR NATIONAL GUARD'S FLIGHT OPERATIONS AT BUCKLEY SPACE FORCE BASE

Sponsors: Danielle Jurinsky, Council Member / Mike Coffman, Mayor

George Koumantakis, Manager of Client Services, Office of the City Attorney

Council heard public comment on the agenda-related-item.

11.a.4 Solution for Unsafe Traffic Conditions on North Bound Interstate 225 Between E. 2nd and E. Alameda Ave.

R2024-38 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, STRONGLY CALLING ON THE COLORADO DEPARTMENT OF TRANSPORTATION TO STUDY AND IMPLEMENT A SOLUTION FOR THE UNSAFE TRAFFIC CONDITIONS ON NORTH BOUND INTERSTATE 225 BETWEEN EAST 2ND AVENUE AND EAST ALAMEDA AVENUE

Sponsors: Mike Coffman, Mayor / Steve Sundberg, Council Member

Ryan Germeroth, Deputy Director of Transportation and Mobility, Public Works / Lena McClelland, Assistant City Attorney

CM Sundberg explained he pulled the item to bring attention to the important safety issue in their city. He talked about all the accidents that were occurring at excessive speeds here, and you can see marks and scrapes on the concrete barriers and debris from crashed vehicles when driving through. He expressed CDOT was planning to conduct a study this summer for an award to fix the issues next year sometime, but they want to implore CDOT to hurry up and get the project fixed so more people do not die from car crashes here.

Staff provided a brief statement on the item.

Mayor Coffman thanked staff for their work on this and CM Sundberg for bringing the issue forward.

CM Coombs added that the young woman that was killed in the most recent accident was a member of the Mon community that came to the US for safety for their family. She said they owe it to everyone in their community to provide safety.

CM Bergan stated it was also important that everyone wear a seatbelt.

Moved by Steve Sundberg

Second by Alison Coombs

Does Council wish to support Resolution R2024-38 to call on the Colorado Department of Transportation to Study and Implement a solution for the unsafe traffic conditions on northbound Interstate 225 between East 2nd Avenue and East Alameda Avenue?

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

11.a.5 Rules of Order and Procedure: Amendment to Public Comment for City Council Meetings

R2024-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL CONCERNING PUBLIC COMMENT FOR CITY COUNCIL MEETINGS

Sponsor: Curtis Gardner, Council Member

Andrea Wood, Assistant City Attorney

11.b Finalizing of Ordinances

Ordinances approved unanimously at first reading

11.b.1 Aurora Center for Health, Wealth and Well-Being (Zoning Map Amendment)

2024-07 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 2 ACRES OF LAND TO MIXED-USE CORRIDOR DISTRICT (MU-C), LOCATED AT THE SOUTHWEST CORRIDOR OF COLFAX AVENUE AND AIRPORT BOULEVARD

Liz Fuselier, Planner, Planning and Business Development / Lena McClelland, Assistant City Attorney

11.b.2 Lease-Purchase of Golf Maintenance Equipment

2024-08 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA AUTHORIZING THE DIRECTOR OF PARKS, RECREATION AND OPEN SPACE (PROS) TO ACQUIRE CERTAIN GOLF MAINTENANCE EQUIPMENT DURING THE 2024 FISCAL YEAR, PURSUANT TO THE TERMS OF LEASE-PURCHASE AGREEMENTS TO BE ENTERED INTO BETWEEN THE CITY, AS LESSEE, AND LEASE INVESTORS, VENDORS OR THE AURORA CAPITAL LEASING CORPORATION, EACH AS LESSOR, AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY

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

11.b.3 Increase the E-911 Surcharge Imposed on Phone Service

2024-09 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA AMENDING SECTION 58-1 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO AN INCREASE OF THE E-911 SURCHARGE

Scott Newman, Chief Information Officer / Hanosky Hernandez, Senior Assistant City Attorney

11.b.4 An Ordinance Authorizing Eminent Domain for the Buckley and Iliff Intersection Improvements Project

2024-10 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE ILIFF AND BUCKLEY INTERSECTION IMPROVEMENTS PROJECT

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

Outside Speaker: Don Ostrander, HROP Law, Outside Legal Counsel

12. PUBLIC HEARINGS

Public hearings with or without related ordinances

12.a Proposed Comprehensive Plan Amendment to Adopt the Parks, Recreation, and Open Space (PROS) Master Plan

2024-11 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO ADOPT BY REFERENCE THE "OUR PARKS, OUR PLACES: A PLAN FOR AURORA'S PARKS, RECREATION, AND OPEN SPACE" PLAN ("PROS MASTER PLAN")

Daniel Krzyzanowski, Planning Supervisor, Planning and Business Development / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff provided a brief summary of the item.

Council heard public testimony on the agenda-related-item.

Mayor Coffman closed the public hearing.

Moved by Danielle Jurinsky

Second by Curtis Gardner

Does the City Council wish to support Ordinance 2024-11 amending the 2018 Comprehensive Plan to adopt by reference the "Our Parks, Our Places: A Plan for Aurora's Parks, Recreation and Open Space Plan" Plan ("PROS Master Plan")?

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

12.b Adopt the 2020 Model Traffic Code

2024-12 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 134-1, and 134-8; AND REPEALING SECTION 134-2(n)(3) OF THE CITY CODE PERTAINING TO ADOPTION OF THE 2020 MODEL TRAFFIC CODE AND LOCAL AMENDMENTS

Chris Poppe, Police Commander / Andrea Wood, Assistant City Attorney

12.c Horizon Amended Vesting Development Agreement

2024-13 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE APPROVING AN AMENDED AND RESTATED VESTED RIGHTS DEVELOPMENT AGREEMENT BETWEEN THE CITY OF AURORA COLORADO, LENDLEASE HORIZON, LLC, AND HULAND1, LLC CONTAINING PROVISIONS FOR A VESTED PROPERTY RIGHT PURSUANT TO ARTICLE 68 OF TITLE 24, C.R.S. FOR CERTAIN LANDS LOCATED IN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO

Jacob Cox, Interim Director of Development Services / Brian Rulla, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff provided a brief presentation on the item.

CM Coombs asked what guarantees they had that the development will be carried out within the timeframe set.

J. Cox stated the goal was to allow them more time to bring commercial to market in the area.

CM Sundberg mentioned he met with the developer and partners and toured the development, and the developer really wants to leave a legacy of building community in a positive way with a walkable neighborhood, Pre-K through 8th school, dog park, and other wonderful amenities.

Mayor Coffman closed the public hearing.

Moved by Curtis Gardner

Second by Danielle Jurinsky

Does City Council wish to approve Ordinance 2024-13 regarding the amended vesting development agreement?

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

13. INTRODUCTION OF ORDINANCES

13.a Elected Officials and Executive Personnel (EOEP) Code Amendments Related to Secure 2.0 Act

2024-14 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING ARTICLE VIII OF CHAPTER 102, OF THE CITY CODE OF THE CITY OF AURORA RELATED TO THE ELECTED OFFICIALS AND EXECUTIVE PERSONNEL DEFINED BENEFIT PENSION PLAN

Sponsor: Curtis Gardner, Council Member

Nancy Wishmeyer, Controller, Finance / Hanosky Hernandez Senior Assistant City Attorney

Staff gave a brief presentation on the item.

Moved by Curtis Gardner

Second by Alison Coombs

Does Council support Ordinance 2024-14?

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

13.b General Employees' Retirement Plan (GERP) Code Amendments Related to Secure 2.0 Act

2024-15 FOR AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 102 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO THE GENERAL EMPLOYEES' RETIREMENT PLAN, AND OTHER RELATED MATTERS

Sponsor: Curtis Gardner, Council Member

Nancy Wishmeyer, Controller, Finance / Hanosky Hernandez Senior Assistant City Attorney

Staff gave a brief presentation on the item.

Moved by Curtis Gardner

Second by Danielle Jurinsky

Does the Council wish to support Ordinance 2024-15?

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

13.c Judicial Performance Commission

2024-16 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 50-102 OF THE CITY CODE PERTAINING TO THE COMPOSITION AND MEMBERSHIP OF THE JUDICIAL PERFORMANCE COMMISSION

Sponsor: Danielle Jurinsky, Council Member

Candace Atkinson, Director of Courts and Detention / Angela Garcia, Senior Assistant City Attorney

Staff gave a brief presentation on the item.

Moved by Danielle Jurinsky

Second by Alison Coombs

Does City Council approve Ordinance 2024-16 for the Judicial Performance Committee amendments?

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

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading

15. ANNEXATIONS

15.a Allen Parcel Annexation Findings of Fact

R2024-40 A PUBLIC HEARING AND CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2 AND THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE (Allen Annexation) 41.028 ACRES

Jacob Cox, Interim Director of Development Services / Brian Rulla, Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff gave a brief presentation on the item.

Moved by Alison Coombs

Second by Françoise Bergan

Does Council wish to continue Item 15.a. and Item 15.b. to April 22, 2024 (including public hearing)?

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

15.b Allen Parcel Annexation

2024-17 FOR AN ORDINANCE ANNEXING A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2 AND THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE (Allen Annexation) 41.028 ACRES

Jacob Cox, Interim Director of Development Services / Brian Rulla, Assistant City Attorney

16. RECONSIDERATIONS AND CALL UPS

17. GENERAL BUSINESS

18. REPORTS

18.a Mayor

Mayor Coffman stated he spent time with AFR for a 24-hour shift, and encouraged other council members to do the same to see all they do. He also attended an awards event for the firefighters. He added he would be having Town Meeting on April 20th, with presentations by Chief Morris, Chief Oughton, and a representative from Highline Canal. He said he will confirm the location and time on his Facebook page tomorrow.

18.b Council

CM Coombs reported she visited several mosques and it was wonderful to see the coming together of community and deepening sense of compassion despite their struggles, and she thanked them for allowing her to join. She noted she will be unable to attend the At-Large Town Hall Meeting on the 18th, because she will be attending the city's lobbying trip to D.C.

CM Gardner stated he would also be unable to attend the At-Large Town Hall Meeting on the 18th, and addressed 11.a.5. He explained he decided to pull that because the city is currently paying several thousand dollars a month to

maintain the public comment line, but they very rarely have public commenters call in, but will be looking to find a more cost effective option.

CM Jurinsky announced she will be co-hosting the Ward 4 Town Hall on April 11th, Ward 5 Town Hall on April 16th, and hosting the At-Large Town Hall on April 18th, at 6:30, at the Southeast Rec Center with MPT Zvonek. She also mentioned the Water Wise Event on May 18th, at 9 a.m., at City Hall in the Water Wise Garden, where they will have many vendors and opportunities to look at conserving water and saving money.

MPT Zvonek explained a bill that was introduced a few weeks ago that was introduced, HB14-37, which is an attempt to subvert local control. He said one of their options to avoid that is to review whether or not they want to continue subsidizing Arapahoe and Adams County for prosecuting domestic violence cases not reaching a felony level in their courts. He said he would be bringing an ordinance to the next Public Safety Meeting to start the conversation on whether or not they should continue or allow the legislature determine how they handle public defense and contract out with public defenders. He stated he would also be bringing a resolution asking the City Manager to cost out what the taxpayers of Aurora are subsidizing those two counties to handle those cases in our court.

CM Murillo announced her monthly Town Hall on April 25th at the Aurora Fox Center, that she will be co-hosting with CM Coombs. She extended an invitation for everyone to come to the Aurora Cultural Arts District to check out a city owned venue.

CM Sundberg noted a bar and grill that had a chronic dine and dasher that came back in recently and physically threatened the bartender when confronted, but police were not able to get him. He attended the Warrior Now End Suicide Event with CM Bergan and CM Hancock, which is to prevent veteran suicide. He said it was positive and they raised over $50,000. He also mentioned a graduation for the Aurora Armed Forces Wellness Court on April 22nd for someone who has been sober for a year. He announced his Town Hall for April 18th, at the Central Recreation Center, at 6:30, to talk about grocery stores in Ward 2 and to meet the new Library Services Director.

CM Medina announced his Town Hall for April 9th, at the Central Library.

CM Hancock discussed attending the Veteran Suicide Gala, stating there was a compelling speech on how veterans return home with a lack of purpose and choose other means to get needs met, but this program wraps around veterans and helps them reintegrate into society. She said she went to the opening of the new Xfinity Store in Ward 4, which show businesses are still coming to Aurora. She stated she would be co-hosting her Ward 4 Town Hall with CM Jurinsky on April 11th, at Colorado Early College, with 911 attending and having a discussion on budget, safety, and other things they have been doing. She encouraged everyone to come out.

CM Lawson gave the FSIR update, voicing there was 30 days left of the state legislative session with over 600 bills introduced, and the Colorado Senate approved the 40.6 billion dollar budget for the next fiscal year for the state. She stated SB24-035, strengthening the enforcement of human trafficking, was sent to the Governor for signature to be passed into law. Congress is back in session and will focus on foreign aid and homeland security. She announced the next FSIR Meeting is on April 12th, and the Ward 5 Town Halls will be April 20th, at Heather Garden, from 10-11:45 and April 30th, at Central Rec Center, from 6:30-8. Both Town Halls will be discussing the budget and the Aurora Fire Rescue Strategic Plan. She noted that anyone could attend.

CM Bergan announced the new Executive Director for the E-470 Executive Board. She attended the Veterans Suicide Gala, and said a lot of court judges were there. She said she also attended the State FBLA Awards Ceremony, and congratulated all the students who won awards.

19. 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: Urban Cottages Jewell - Zoning Map Amendment
Item Initiator: Rachid Rabbaa, Planner III, Planning and Business Development
Staff Source/Legal Source: Rachid Rabbaa, Planner III / Lena McClelland, Assistant City Attorney
Outside Speaker: Todd Johnson, Applicant, Urban Cottages LLC / Alan Cunningham, Agent, PCS Group INC
Council Goal: 2012: 5.6--Continue to plan for high quality neighborhoods with a balanced housing stock

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 3/10/2025

2nd Regular Meeting (if applicable): 3/24/2025

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)

2025-06 A PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 3.91 ACRES OF LAND TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2), LOCATED SOUTH OF THE INTERSECTION OF EAST JEWELL AVENUE AND SOUTH JOLIET STREET (URBAN COTTAGES ON JEWELL REZONE)
Rachid Rabbaa, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item as Proposed at Study Session

☐ Approve Item and Move Forward to Regular Meeting

☒ Approve Item as Proposed at Regular Meeting

☐ Information Only

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

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

Policy Committee Date: 1/8/2025

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 and Site Plan request at a regular meeting held on January 8, 2025. Following staff's presentation, public comments were given at the hearing. The commission voted to make recommendation of approval for the Zoning Map Amendment. The commission voted to table the Site Plan request. A copy of the Planning Commission Meeting Minutes are attached for reference.

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

The applicant, Urban Cottages, LCC, is requesting approval of a Zoning Map Amendment (Rezone) for 3.91 acres from the Rural Residential (R-R) to Medium-Density Residential (R-2) District. The subject property is located south of E. Jewell Avenue, a collector street, approximately 900' east of S. Havana Street. The site is bounded by single-family attached and detached residential development to the north, a park to the east, a large lot rural residential development to the west, and single-family detached residential development and vacant land to the south. The subject property lies within the Established Neighborhood placetype in the Aurora Places Comprehensive Plan and is located in direct proximity to Havana Heights, a low-density single-family neighborhood.

The purpose of the R-2 Medium Density District is to promote and preserve various types of medium density housing with adequate amounts of usable common space and amenities. This district is intended for use close to collector streets and public transit facilities. The surrounding area includes a variety of land uses with commercial on Havana and Ponderosa Elementary school to the east. Residential uses include single family detached, townhome and multifamily all nearby. Based on the approval criteria regarding the consistency with the Comprehensive Plan, purpose statement of the zoning district, scale of the proposal and compatibility with the surrounding area, the proposed Zoning Map Amendment complies with the approval criteria in the City Code.

Neighborhood comments were received during the first review cycle regarding infrastructure, parking, and traffic concerns. Based on the comments and concerns, a neighborhood meeting was held on Tuesday, May 31, 2022. The applicant addressed the concerns raised at the meeting.

FISCAL IMPACT

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

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

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

N/A

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

N/A

WORKLOAD IMPACT

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

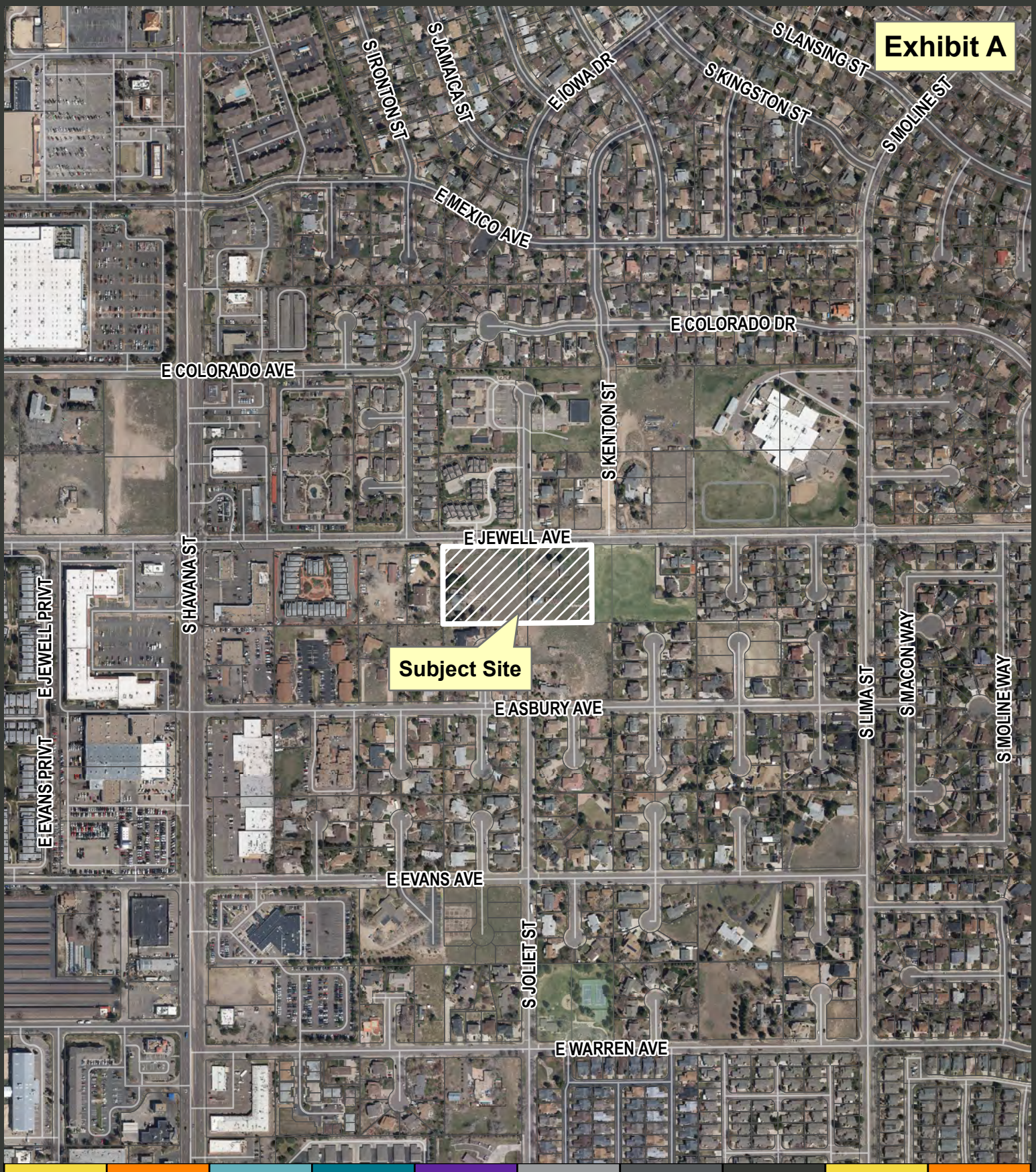
N/A

QUESTIONS FOR COUNCIL

Does the City Council wish to approve the ordinance to rezone 3.91 acres of Rural Residential (R-R) to Medium Density Residential (R-2) for the Urban Cottages Jewell 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 0.04 0.08

City of Aurora, Colorado

Urban Cottages Jewell
Zoning Map Amendment
Site Plan w/ Adjustments

N W E S

Case Numbers: 1984-2057-02, 2022-4026-00
Development Application: #2300-00

12/12/2024 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro_Arial.aprx

Project No: DA-2309-00
Public Hearing
Aurora City Council
January 27, 2025

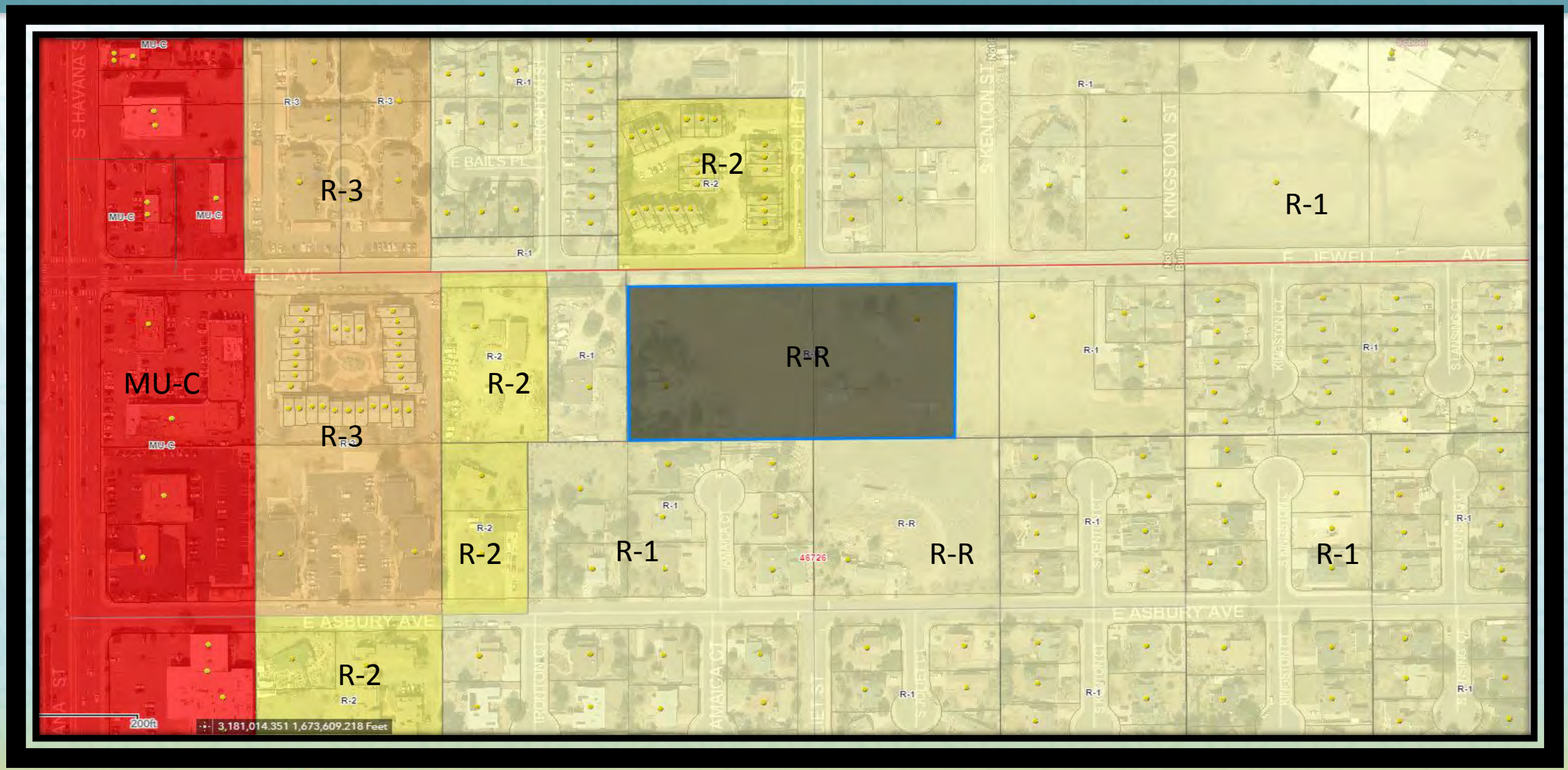
APPLICATION

- **Request:** Zoning Map Amendment from RR- to R-2
- **Location:** The subject property is located south of the intersection of E Jewell Avenue and S Joliet Street approximately 900’ east of S Havana Street
- **Applicant:** Urban Cottages, LLC. (Todd Johnson)
- **Agent:** PCS Group, INC. (Liam Hogan)
- **Current Zoning:** R-R (Rural Residential) District
- **Proposed Zoning**: R-2 (Medium Density Residential) District
- **Placetype:** Established Neighborhood

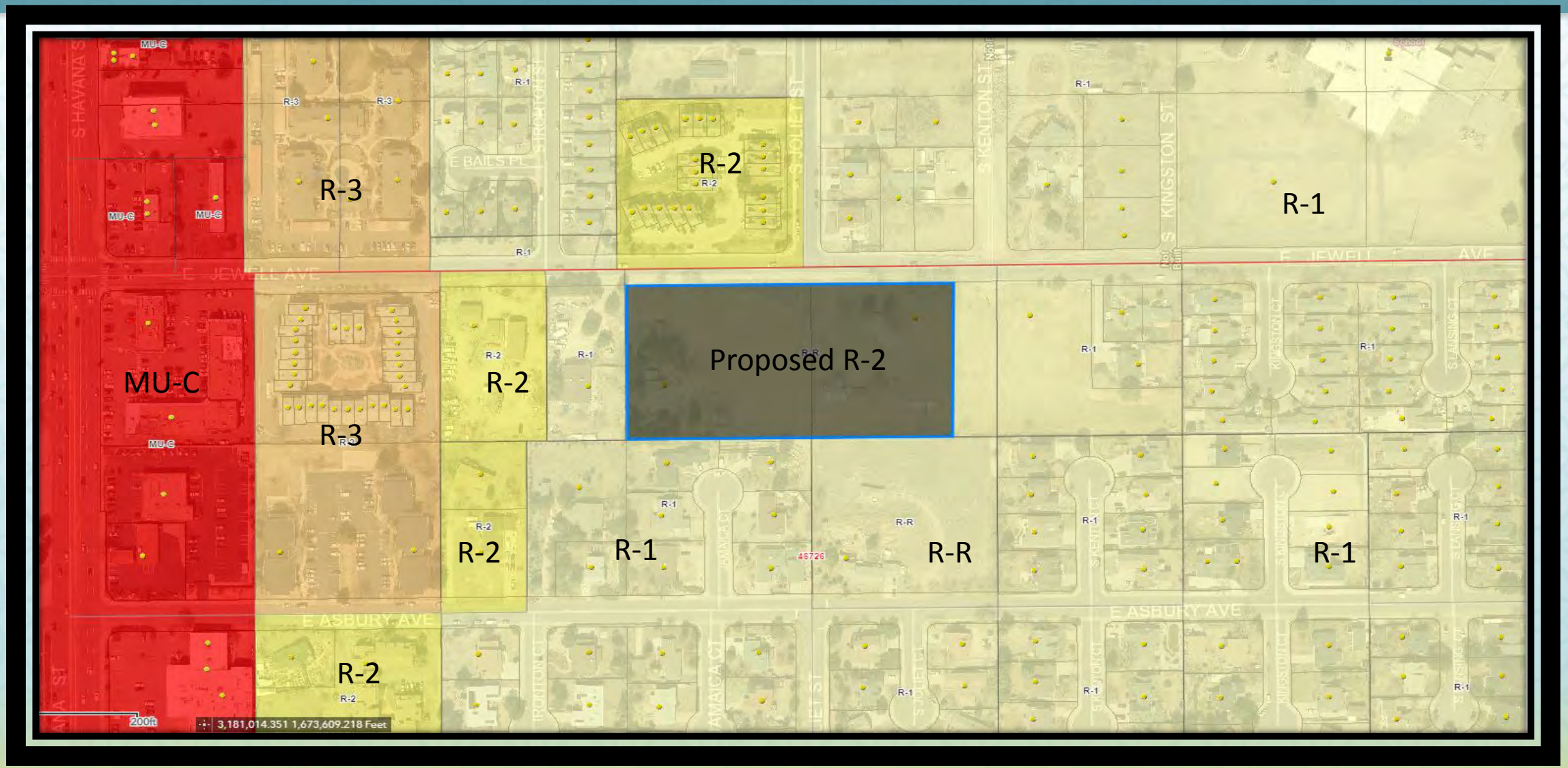
AERIAL MAP



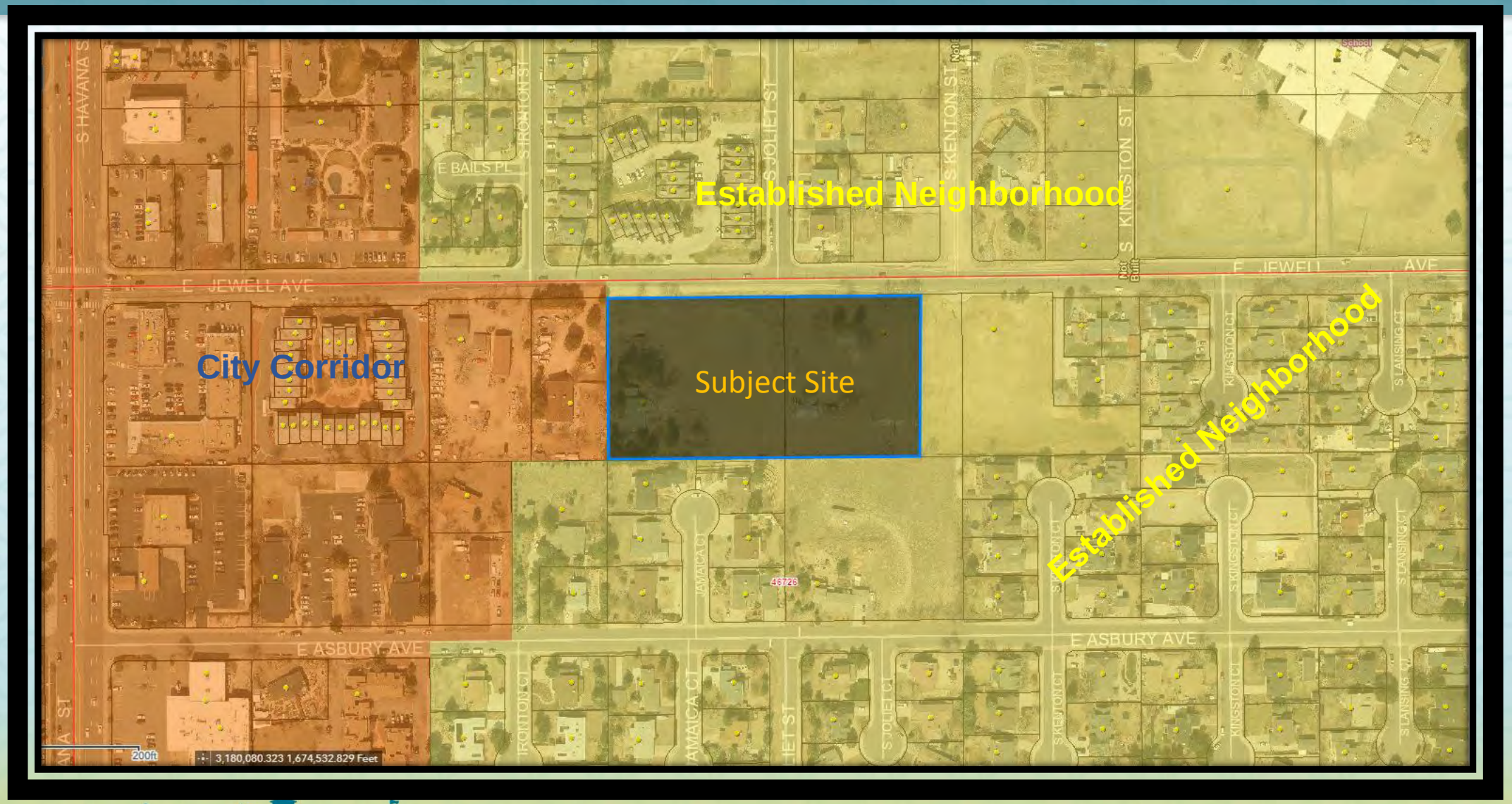
ZONING MAP AMENDMENT (Existing Zoning)



ZONING MAP AMENDMENT (Proposed Zoning)



PLACETYPE 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.*

ZONING MAP AMENDMENT PROPOSAL
LETTER OF JUSTIFICATION

ZONING MAP AMENDMENT PROPOSAL
LETTER OF JUSTIFICATION

The 11000 E. Jewell Ave site sits between S. Havana St and 225 and north of S. Parker Rd. As can be seen on the attached graphics, this site currently falls within a R-R zoning map designation.

In terms of context, the character of the surrounding 11000 E. Jewell project consists mainly of R-1 zoning designated parcels to the east & south, with higher intensity uses to the west and a mix of R-1, R-2 and educational uses to the north. Along the eastern border of the site sits Havana Heights Pond Park and directly north, opposite of the 11000 E. Jewell site is a R-2 parcel designation, with existing town home development of approximately 10 du/ac . In close proximity, as you move west towards S. Havana St., there are some MU-C zoned parcels situated within a short walking distance to the 11000 E. Jewell Ave Site as well as more R-2 and R-3 zoned parcels.

With our Zoning Map Amendment proposal we are requesting to revise the zoning designation on the 11000 E. Jewell Ave property to be rezoned from R-R to R-2. The purpose of the R-2 district is to promote and preserve various types of medium density housing with adequate amounts of usable common space and amenities. Our proposed change in zoning designation to R-2 with the use of Two-Family Dwellings (Duplex), will allow for an increase in the diversity of residential housing types within the context of the surrounding neighborhood, providing a mix of options and price points within this part of Aurora. Additionally, the direct adjacency to Havana Heights Pond Park assures adequate usable open space and amenities for the future residents of this infill development.

The applicant believes that this zoning map amendment request will be beneficial for the city and that it should be approved for several reasons. First, as depicted within Aurora Places, the 11000 E. Jewell site is located within an Established Neighborhood “placetype.” Accordingly, this placetype is predominantly characterized as “residential areas with a variety of unit types including single-family detached, single-family attached, and multifamily.” The 11000 E. Jewell Ave community is being designed as a well-defined and connected neighborhood that provides a paired home unit type to ensure consistency with the current surrounding residential character while also creating a transition in density between the single family detached homes to the south, and the higher density town home development across Jewell Ave.

In addition to the Comprehensive Plan compliance, the requested change to the R-2 zone district is also consistent with many of the zone districts located along Jewell Ave. For instance, in the mile long stretch of E. Jewell Ave between S. Lima St and S Daytona Street, that is bisected by Havana St, and is relevant to this site’s frontage, this is the only site that is currently zoned R-R. In fact, this site is the only property zoned R-R west of I-225 along E. Jewell Ave. Otherwise, the aforementioned stretch of Jewell Ave consists of less than 25 % of the frontage as R-1 zone district, with the remaining frontage consisting of R-2 or higher zone districts, along with a small part of the frontage being attributed to the Ponderosa Elementary School . As such, the requested zoning change on this property is in keeping with the existing development patterns along Jewell. Additionally, the majority of R-R and R-1 zoned property exists to the south and east of this site, much of which is buffered by Havana Heights Pond Park. With respect to the existing R-R zone district and homes to the south, we are addressing the relationship to the south by turning our proposed units sideways to the property, and by incorporating and additional 10’ buffer and new privacy fence along that interface.

Furthermore, as explained in the City of Aurora Housing Strategy study, it has been acknowledged that the City of Aurora is experiencing continual growth and increase in resident population and home prices each year. The 11000 E. Jewell Ave site plan with paired homes will provide more attainable housing options, and diversity of home types within this portion of the City of Aurora. The concept for Urban Cottages is to be attainable by design, meaning the site design approach focuses on creating modestly sized homes on smaller lots. These missing middle design features allow walkable, medium density, infill housing near public transportation and amenities. Missing middle housing caters to households usually overlooked in home design and planning, including seniors, singles, and young families.

Overall, when considering the mixture of the surrounding site character; the Established Neighborhood placetype in the comprehensive plan, and the City of Aurora Housing Strategy study, the Zoning Map Amendment request associated with the 11000 E. Jewell community is warranted and will ultimately benefit the City of Aurora. By providing additional variety of residential uses to support the ultimate housing demand in the area, while at the same time fitting within the general site context of the area, the 11000 E. Jewell community will ensure the creation of a cohesive and beneficial neighborhood on this infill site. In this regard, the proposed site plan for 11000 E. Jewell Ave. will fulfill the City's approval criteria by creating a residential community which will promote diversity and affordable housing for the City of Aurora. The City's approval criteria are included below.

Section 5.4.1.C.3.A - Criteria Approval.
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
As far as we know there has not been an error in the Zoning Map that needs correcting.

ii. The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:
There have been changes in the surrounding area as this part of the City has continued to evolve and more multi-family developments have occurred. Additionally, circumstances and conditions have changed on the subject property as existing buildings are now sitting vacant and in a state of disrepair.

(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);
As outlined above, the rezoning of this property from R-R to R-2 is consistent with the spirit and intent of the Comprehensive Plan and the integration within the Established Neighborhoods placetype, as well as the purpose statement of the R-2 zone district. Additionally, it is consistent with several Comprehensive Plan Principles such as: the Housing for All Principle which envisions high-quality housing options that enable people across all socioeconomic levels, cultural practices and stages of life to establish and manage households, and the Easy Mobility and Active Transportation Principle with an easy to use transportation network with multiple choices for travel. In essence, the requested Zoning Map Amendment will allow this site to develop in an infill manner, filling a need within the City of Aurora for housing diversity, and attainability within the missing middle of housing product.

(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

As a neighborhood of paired residential homes, the size, scale, height, density and multi-modal traffic impacts are appropriate for an infill development site along a city thoroughfare such as Jewell Ave. The proposed residential product is similar in height to the surrounding residential uses, and given the grade difference between this property and the residential units to the south, there will be very little impact to those existing homes. The size and scale of the homes are smaller than some surrounding residences, but as outlined above, this is geared towards providing much needed housing diversity to a missing segment of the market that is in desperate need of housing options. Providing options such as this often results in increased density, but given the adjacency to E. Jewell Ave and the higher density uses located along it, the applicant believes that this proposed development is a compatible, transitioning use that will fit cohesively into the fabric of the greater neighborhood.

(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.

The change in zoning will not create significant dislocations of occupants of the property, as the buildings are currently sitting vacant and in a state of disrepair. As such, the redevelopment of this site will help progress it towards the goals of the Comprehensive Plan and advance it beyond its' current state.



Contextual Birdseye View of the Site

LEGAL DESCRIPTION
EXHIBIT A
SHEET 1 OF 2

A PARCEL OF LAND LYING SITUATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, ALSO BEING PLOT FOUR (4) AND A PORTION OF PLOT FIVE (5), MALONE SUBDIVISION, RECORDED IN BOOK 9, PAGE 48, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED UPON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26, ASSUMED TO BEAR NORTH 89°20'02" EAST, A DISTANCE OF 2,626.00 FEET, FROM THE NORTHWEST CORNER OF SAID SECTION 26 TO THE NORTH QUARTER CORNER OF SAID SECTION 26;

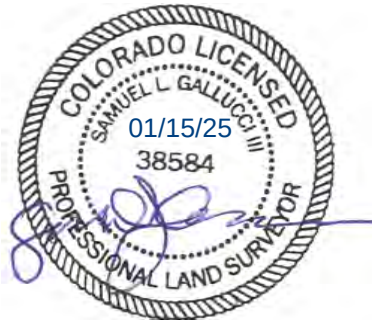
COMMENCING AT SAID NORTHWEST CORNER OF SECTION 26; THENCE ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER, NORTH 89°20'02" EAST, A DISTANCE OF 984.93 FEET; THENCE SOUTH 00°11'48" EAST, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID PLOT FOUR (4), ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINES OF SAID PLOTS FOUR (4) AND FIVE (5), ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF JEWELL AVENUE, AS RECORDED AT BOOK 9, PAGE 48 OF SAID COUNTY RECORDS, NORTH 89°20'02" EAST, A DISTANCE OF 578.43 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 4583 AT PAGE 506;
THENCE ALONG THE WEST LINE OF SAID PARCEL OF LAND SOUTH 00°14'21" EAST, A DISTANCE OF 300.88 FEET TO THE SOUTH LINE OF SAID PLOT FIVE (5);
THENCE ALONG THE SOUTH LINES OF SAID PLOTS FIVE (5) AND FOUR (4), SOUTH 89°21'07" WEST, A DISTANCE OF 578.65 FEET, TO THE SOUTHWEST CORNER OF SAID PLOT FOUR (4);
THENCE ALONG THE WEST LINE OF SAID PLOT FOUR (4) NORTH 00°11'48" WEST, A DISTANCE OF 300.70 FEET, TO THE POINT OF BEGINNING;

CONTAINING 174,012 SQUARE FEET OR 3.995 ACRES, MORE OR LESS.

ALL LINEAL UNITS ARE REPRESENTED IN U.S. SURVEY FEET.
ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

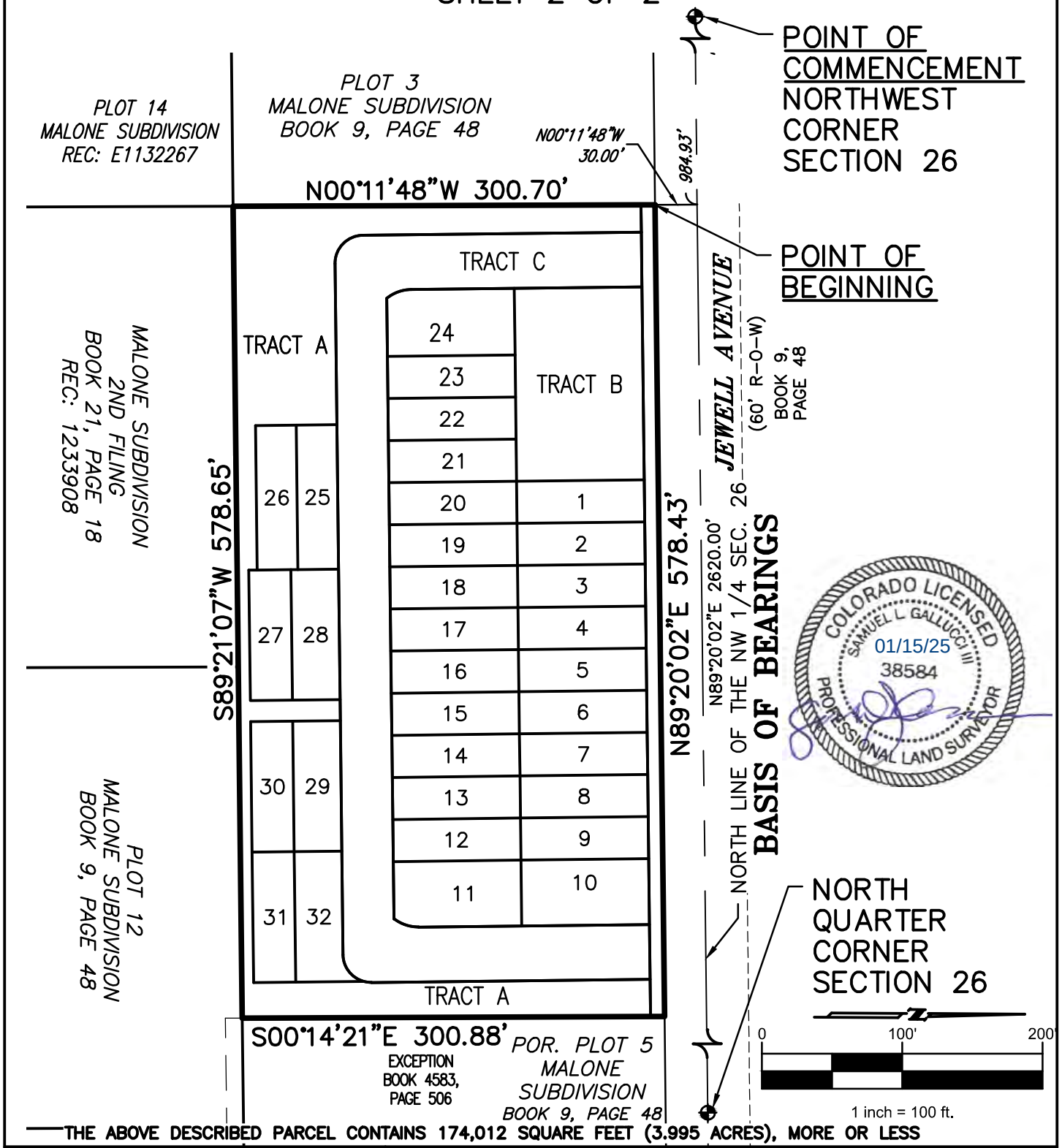


SAMUEL L. GALLUCCI III, PLS 38584
FOR AND ON BEHALF OF
EMK CONSULTANTS, INC.

ILLUSTRATION FOR

EXHIBIT A

SHEET 2 OF 2



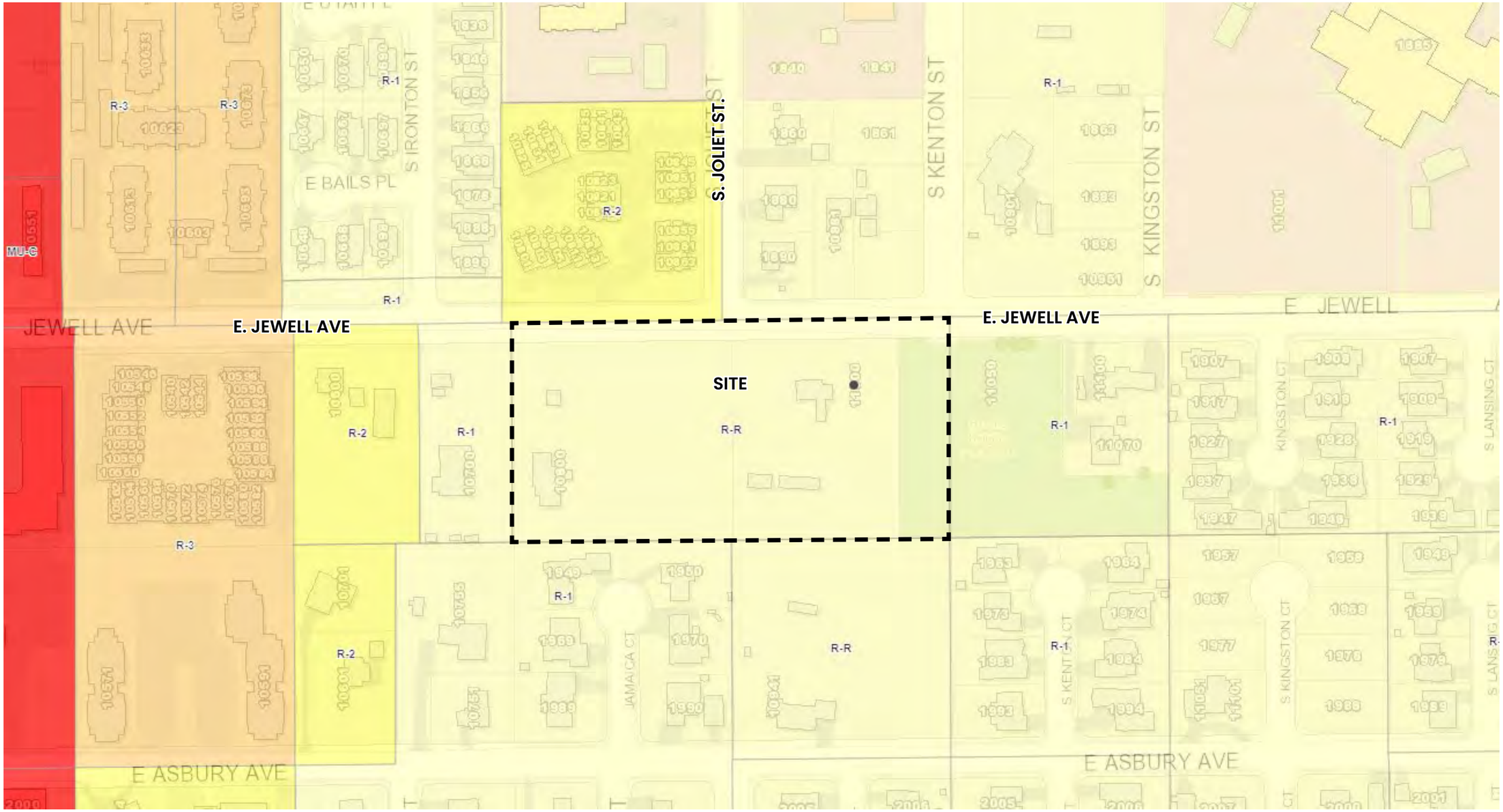
COLORADO LICENSED SAMUEL L. GALLUCCI III 38584 PROFESSIONAL LAND SURVEYOR 01/15/25

THE ABOVE DESCRIBED PARCEL CONTAINS 174,012 SQUARE FEET (3.995 ACRES), MORE OR LESS

CITY OF AURORA, COLORADO		
DRAWN BY: SLG3	SCALE: 1"=100'	R.O.W. FILE NO.
CHECKED BY: JTH	DATE: 01/15/25	JOB NO.: 13298

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 26, T4S, R67W, 6TH P.M. CITY OF AURORA, ARAPAHOE COUNTY, COLORADO

ZONING MAP: EXISTING R-R ZONE DISTRICT



ZONING MAP: PROPOSED R-2 ZONE DISTRICT

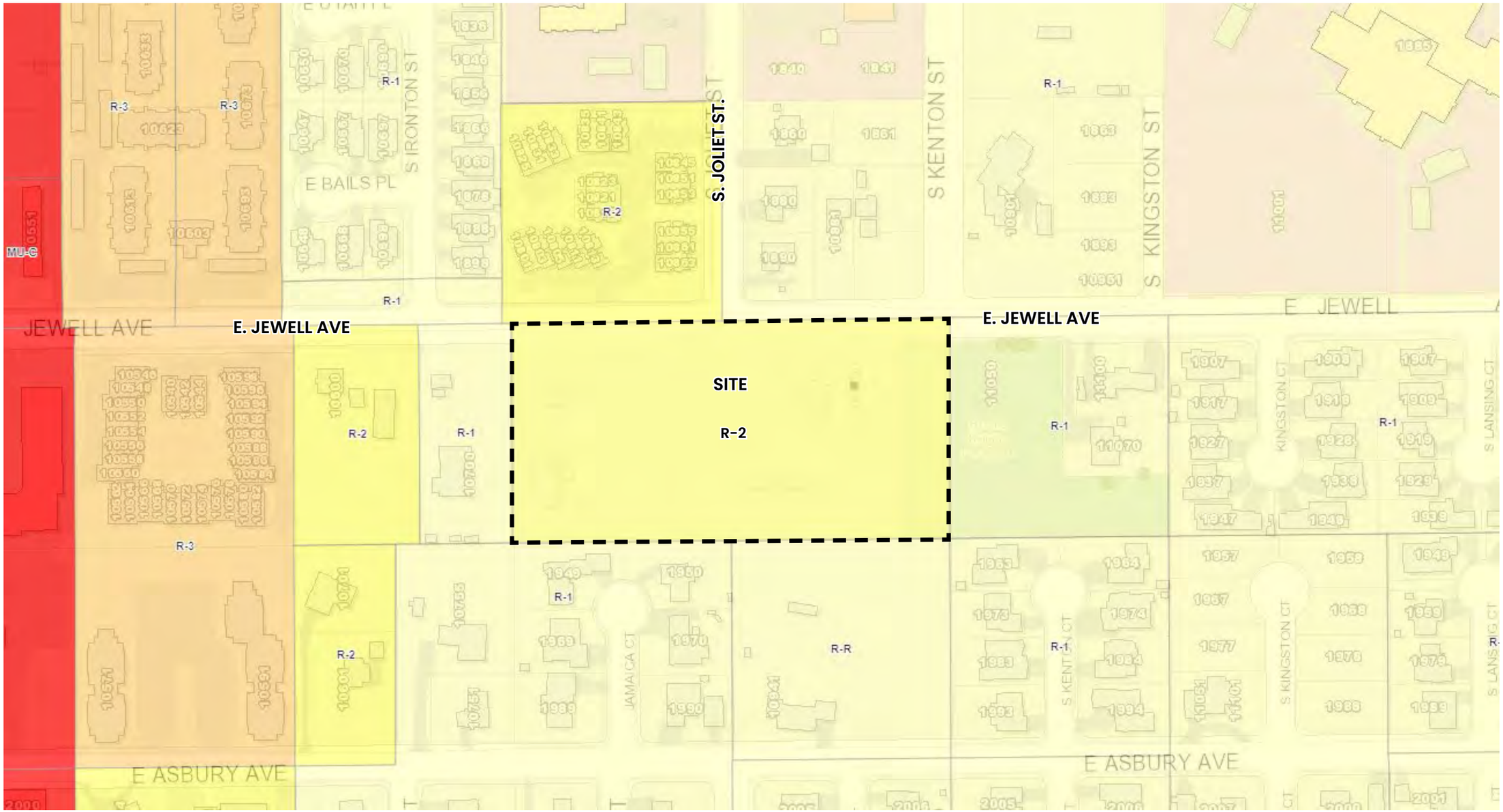


EXHIBIT D - CONCEPTUAL SITE PLAN



Conceptual Site Plan:

- Site Area: 3.91 AC
- 32 Paired Home Units
- Alley Loaded Product Placing Front Architecture along Jewell Ave.
- Buffering of Adjacent Properties with Setbacks, Landscape and Side Orientation.
- 72 Parking Spaces
  - 64 Residential
  - 12 Parallel

8gh. URBAN COTTAGES – ZONING MAP AMENDMENT AND SITE PLAN WITH ADJUSTMENTS

The applicant, Urban Cottages, LCC, is requesting a recommendation of approval of a Zoning Map Amendment (Rezone) for 3.91 acres from the Rural Residential (R-R) to Medium-Density Residential (R-2) District; and is requesting approval of a Site Plan with 16 two-family duplexes (24 units) and green courts (eight units). The subject property is located south of the intersection of E. Jewell Avenue and S. Joliet Street, approximately 900' east of S. Havana Street. The site is bounded by single-family attached and detached residential development to the north, a park and pond to the east, a large lot rural residential development to the west, and single-family detached residential development and vacant land to the south. The subject property lies within the Established Neighborhood placetype in the *Aurora Places Comprehensive Plan* and five (5) adjustments are requested with the application.

As mentioned, the proposed Site Plan includes two-family duplexes and green courts. An internal private street, E. Jewell Place, loops through the development providing access for the duplexes and green courts. Five (5) alley-served duplexes (10 units) will have direct pedestrian access to E. Jewell Avenue. The remaining seven alley-served duplexes (14 units) will have direct access to E. Jewell Place as a private internal street. E. Jewell Place incorporates an attached sidewalk along the west and east sides. The southern and northern perimeter include a detached sidewalk with a tree lawn and street trees. The end green court units will have direct pedestrian access to the attached sidewalk along E. Jewell Place. Vehicular access to the units is provided via Alley 2 and Alley 3. The green courts face and open to a 25'- special landscape buffer on the east end and a robust tract of on-site open space to the west. Also, on-site detention is provided.

The proposed architectural design of the duplexes strives to be consistent with the surrounding neighborhood by reflecting the building massing, articulation, and varied materials that characterize the existing single-family homes in the area.

The Site Plan proposal includes five (5) adjustment requests regarding lot area. Of the five adjustments requested, two (2) concern green courts, one (1) landscape, and (1) setback. Staff support the adjustment requests as proposed.

Twenty-one (21) registered neighborhood organizations and seventeen (17) adjacent property owners were notified of the Site Plan application. Neighborhood comments were received as part of the first review regarding infrastructure, parking, and traffic concerns; and a neighborhood meeting was held on Tuesday, May 31, 2022. The applicant addressed the concerns raised at the meeting.

Testimony Given at the Hearing:
Rachid Rabbaa, Case Manager, gave a presentation on the item, including the staff recommendation.

Commissioner Jetchick asked staff to confirm that five adjustments were requested by the applicant.

R Rabba, case manager, confirmed this understanding was correct.

Todd Johnson, Urban Cottages, 4601 DTC Boulevard Ste 525, Denver, CO 80237, applicant, gave a presentation on the item. T Johnson reviewed the intent of the intent of the proposal, to provide what they feel is a good fit for urban infill projects

Alan Cunningham, PCS Group, Inc. 200 Kalamath Street, Denver, CO 80223, agent representing the applicant, gave a presentation on the item. A Cunningham argued that the rezoning request is in keeping with the surrounding zone districts and neighborhood character. A Cunningham stressed it is also necessary to move forward with the site plan with adjustments proposed. Proposed is to develop 32 paired home units, 16 buildings total. Design, landscaping and parking information was reviewed.

Eric Pearson, CAGE Engineering, 8475 Oak Way, Arvada, CO 80005, agent representing the applicant, was available for questions.

Orly Babakhanov, 1918 S Kingston Cir, Aurora, CO 80014, citizen, gave public comment on the item. O Babakhanov spoke in opposition to the proposal stating concerns for overcrowding, safety neighborhood fit and noticing completed.

Gary Pettersen, 11070 E Jewell Avenue, Aurora, CO 80012, 720-388-5496 citizen, gave public comment on the item. G Petterson questioned the applicability of the rezoning request for this community. Concerns were raised regarding the limited information offered on the pricing of the proposed units and the time delay of the noticing for the project from the initial referral. G Petterson urged the commission to deny the project for these reasons.

Sue Miranda, 10941 E Asbury Avenue, Aurora, CO 80014, 319-621-0543 citizen, gave public comment on the item. S Miranda spoke in opposition to the proposal and stressed that the negative impact it would have on Havana Heights.

Fred Cottingham, 19526 E Basset Drive, Aurora, CO 80018, citizen, gave public comment on the item. F Cottingham noted residing the area of the proposal for 50 years. F Cottingham stated that the rezoning request goes against the original plan of zoning for Havana Heights. Concerns were voiced regarding the potential negative impacts of the rezoning and the site plan with adjustments requested. These concerns included overcrowding, traffic, and inadequate buffer from adjacent properties

Arnie Schultz, Village East Neighborhood Association, 1137 S Oakland Street, Aurora, CO 80012, 720-281-2880 citizen, submitted a speaker slip but did not provide public comment when called upon to speak. Several attempts were made to allow the citizen to provide comment.

Shayna Shabatura, 1950 S Jamaica Court, Aurora, CO 80014, 651-334-3816 citizen, gave public comment on the item. S Shabatura voice interest in the commission tabling the project to allow the applicant to conduct additional studies and provide data to

interested parties. S Shabatura stressed concerns amongst residents that the applicant did not adequately address the impacts of the rezoning and compatibility with surrounding development. It was noted that residents have not been informed whether the proposed units will be for low income or affordable housing. S Shabatura opposed the project for these reasons but also due to drainage and design concerns.

Kyle Weber, 1950 S Jamaica Court, Aurora, CO 80014, citizen, gave public comment on the item. K Weber stressed that neighboring developments were constructed without the number of adjustments requested by this applicant. K Weber stressed the proposal was not a good fit for the area. Concerns were raised about wildlife impacts.

Gary Ravdel, 10744 E Colorado Ave, Aurora, CO 80012, citizen, gave public comment on the item. G Ravdel opposed the project due to concerns that it will significantly change the neighborhood, in a negative way.

Darryl Goodwin 10821 E Jewel, Aurora, CO 80012 citizen, gave public comment on the item. D Goodwin spoke about traffic congestion that may be caused by the development. D Goodwin opposed the project.

Alina Katanov, 1927 S Kingston Court, Aurora, CO 80014, citizen, gave public comment on the item agreed with previous concerns raised on traffic impacts due to the proposal. Safety issues for students of the adjacent Ponderosa Elementary school while walking to school were voiced. A Katanov expressed doubts that adequate noticing took place.

Alex Katanov, 1927 S Kingston Court, Aurora, CO 80014, gave public comment on the item. A Katanov noted that there are already existing traffic and safety concerns due to speeding vehicles in the area where this project is planned to be built. Collaboration with Aurora Police Departments is being made. A Katanov stressed that this project will only make matters worse.

Aharon Molokondo, 1917 S Kingston Court, Aurora, CO 80014, citizen, agreed with comments made by his neighbors. A Molokondo indicated there are concerns that the children who attend the adjacent school will not be safe due to traffic issues exacerbated by the development.

Sunny Malachi, 1947 S Kingston Court, Aurora, CO, 80014, citizen, stated that this project does not fit the neighborhood.

Alan Cunningham, PCS Group, responded to citizen commentary. A Cunningham indicated that, coordinating with city staff, it was determined that due to the number of units proposed traffic impacts were too low for the city to require a full traffic impact study. A Cunningham stressed that traffic numbers are expected to be low. A Cunningham then addressed concerns regarding the type of housing being proposed by noting it will be market rate. Information was provided on the compatibility of the rezone with surrounding zone districts and uses.

Todd Johnson, Urban Cottages, acknowledged that this project has been in the making for some time. T Johnson stated that a neighborhood meeting was conducted, and staff has been worked closely with to address any concerns. T Johnson also spoke about drainage plans, setbacks, and proposed detached sidewalks. T Johnson stated that a

traffic study was conducted, though not required. It was stressed there are low traffic impacts projected.

Arthur Simonov, 11040 E Colorado Drive, Aurora, CO 80012, citizen, asked confirmation if a traffic report was completed.

Chair Walls indicated that the citizens' question has already been addressed by the applicant.

A Simonov stated concerns due to impacts of traffic for the community and existing safety issues.

Commissioner Hogan asked staff when the last time noticing for the project was completed.

Rachid Rabbaa stated that notices were mailed to abutting property owners and neighborhood groups in December and a Public Hearing notice was posted on the site.

Chair Walls closed public comment.

Chairman Walls indicated support for postponing the project to allow the applicant to complete additional neighborhood meetings.

Commissions Gayle and Banka agreed with Chairman Walls.

Commissioner Hogan expressed support for the rezoning but not the site plan due to the number of adjustments requested and the density of the proposed housing.

Commissioner Bush agreed with Commissioner Hogan and stated that postponing may not be the answer as this may not have a significant impact on the neighbors.

Chairman Walls also agreed with general support for the rezoning but not the site plan due to the adjustments and issues noted in public comment, noting support for postponing that decision for a future meeting. Chairman Walls also expressed concerns regarding the traffic.

Planning Commission Results

AGENDA ITEM 8g – ZONING MAP AMENDMENT TO REZONE FROM RURAL RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL

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

MOVE TO RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL OF THE ZONING MAP AMENDMENT FROM RURAL RESIDENTIAL (R-R) TO MEDIUM-DENSITY (R-2) DISTRICT BECAUSE THE PROPOSAL COMPLIES WITH THE CRITERIA IN CODE SECTION 146-5.4.1.C.3 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. THE PROPOSED ZONING MAP AMENDMENT IS REQUESTED TO ADDRESS HOUSING TREND CHANGES IN THE SURROUNDING AREA AND CITY-WIDE, WHICH INCLUDE THE INCREASING NEED FOR AFFORDABLE HOUSING OPTIONS AND HOUSING AVAILABILITY NOT MEETING GROWTH DEMAND;
2. THE CITY OF AURORA HOUSING PLAN IDENTIFIES THESE TRENDS AND RECOMMENDS SUPPORTING MIXED-INCOME NEIGHBORHOODS THAT OFFER A VARIETY OF HOUSING OPTIONS AND BREAKING BARRIERS TO HOME OWNERSHIP, ESPECIALLY FOR LOW-INCOME HOUSEHOLDS;
3. THE APPLICATION IS CONSISTENT WITH THE SPIRIT AND INTENT OF THE AURORA PLACES PLAN BECAUSE IT IS CONSISTENT WITH THE "ESTABLISHED NEIGHBORHOOD PLACETYPE".
4. THE APPLICANT HAS DEMONSTRATED THAT THE PROPOSED SIZE, SCALE, HEIGHT, DENSITY, AND MULTI-MODAL TRAFFIC IMPACTS OF THIS PROPOSAL ARE COMPATIBLE WITH THE SURROUNDING DEVELOPMENT BY PROVIDING A SITE PLAN AND TRAFFIC ANALYSIS ILLUSTRATING DUPLEX DWELLING UNITS IN THE SAME SIZE, SCALE, HEIGHT, AND MULTI-MODAL TRAFFIC IMPACTS OF THE SURROUNDING DEVELOPMENT; AND,
5. THIS REZONING APPLICATION WILL NOT DISLOCATE TENANTS OR OCCUPANTS OF THE PROPERTY.

Further Discussion:

Chair Walls voiced concerns regarding the proposal and suggested postponing the decision to allow the applicant to respond to public concerns, noting that the applicant conducted the last neighborhood meeting some time ago. Chair Walls also indicated concerns regarding the number of adjustments requested for item 8h.

Commissioner Jetchick stated, that though she made a motion on item 8g, she was inclined to deny. Commissioner Jetchick agreed with Chair Walls comments on 8g and 8h.

Commissioner Banka also agreed that the decision should be postponed to allow additional neighborhood meetings.

Commissioner Hogan stated comfort with the rezoning application, 8g, but not the site plan, 8h, due to the number of adjustments requested. Commissioner Hogan stated that more communication on the plan would help the applicant and the neighbors.

Commissioner Bush agreed with Commissioner Hogan. Commissioner Bush then noted that postponing may not yield different comments from the neighbors regarding 8h. The preferred approach for Commissioner Bush would be to deny 8h.

Chair Walls voiced agreement with the comments provided by Commissioners Hogan and Bush's recommendation of approval for 8g for the Zoning Map Amendment but not approval of the 8h Site Plan with Adjustments. Chair Walls reiterated that additional work on the site plan may be needed, with public collaboration. Chair Walls stated that development in this area would be an asset but traffic issues due to the neighboring

school would need to be considered. Chair Walls indicated an inclination to move forward with a vote on 8g and tabling 8h for a future undetermined date.

COMMISSIONER JETCHICK DENIED

MOTION APPROVED

AGENDA ITEM 8h – SITE PLAN WITH ADJUSTMENTS

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

MOVE TO DENY AGENDA ITEM 8h FOR THE REASONS TO BE STATE FOLLOWING A MOTION TO SECOND IF THAT MOTION IS SECONDED.

COMMISSIONER BANKA SECONDED

Commissioner Hogan asked if there would be an option to postpone the decision to a certain date rather than deny it.

Chair Walls stated that those would be options that would in order. Chair Walls stated that two options would be to postpone until a date certain or lay on the table which does not require a specific date but would require a motion to remove it from the table in the future.

Lena McClelland, City Attorney, stated that if the desire to postpone the decision to a date certain there is a presidential motion on the floor. The commission would need to have that motion withdrawn or vote on that motion, and if it fails, vote on a new motion if the commission would like to move forward with postponement.

Chair Walls asked for clarification that a motion to postpone to a certain day can apply to a main motion.

L. McClelland stated this would be applicable.

COMMISSIONER BUSH WITHDREW THE MOTION ON AGENDA ITEM 8h, COMMISSIONER BANKA CONCEDED TO WITHDRAWING THE MOTION.

Chair Walls entertained a motion to postpone the agenda item to a date certain or to table it to a date uncertain.

L. McClelland reminded the commission that a motion to table the decision will require a motion to remove it from the table at a future undetermined date. L. McClelland advised postponing it to a certain date but deferred to the commission to decide.

Commissioner Banka stated one of the concerns is the number of units in the space. Commissioner Banka stated that time will be needed for the applicant to address the issues therefore it may be difficult to determine a future date to consider the item.

Chair Walls commented that the commission can work with staff to determine when the applicant has addressed issues of concern. At that time, a decision to remove the item from the table can be placed on the agenda for a commission meeting.

L. McClelland concurred that this procedure would be acceptable.

CHAIR WALLS MOVED TO LAY AGENDA ITEM 8h ON THE TABLE TO BE RECONSIDERED AT A LATER DATE AND COMMISSIONER HOGAN SECONDED.

Further Discussion:

There was no further discussion

MOTION APPROVED UNANIMOUSLY TO TABLE AGENDA ITEM 8h

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 3.91 ACRES OF LAND TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2), LOCATED SOUTH OF THE INTERSECTION OF EAST JEWELL AVENUE AND SOUTH JOLIET STREET (URBAN COTTAGES ON JEWELL REZONE)

WHEREAS, the applicant has requested that approximately 3.91 acres of land located south of the intersection of East Jewell Avenue and South Joliet Street, County of Arapahoe, State of Colorado (the "Property"), be rezoned from Rural Residential District (R-R) to Medium-Density Residential District (R-2); and

WHEREAS, Section 146-5.4.1.C.3 of the Uniform Development Ordinance provides that all applications for the rezoning of property within the City of Aurora, Colorado (the "City"), shall be presented for a public hearing, both to the Planning and Zoning Commission, who shall render a recommendation to City Council, and to City Council for final decision; and

WHEREAS, on January 8, 2025, following a public hearing, the Planning and Zoning Commission voted to recommend the rezoning of the Property.

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

Section 1. Based on the evidence presented at tonight's public hearing, City Council finds and determines that: the rezoning is consistent with the spirit and intent of the Comprehensive Plan, is compatible with surrounding development, and would not result in a significant dislocation of tenants or occupants of the Property.

Section 2. The Property, as more particularly described in "Exhibit A" attached hereto and incorporated herein, is zoned Medium-Density Residential District (R-2) and the zoning map is hereby amended in accordance with said zoning.

Section 3. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 4. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the

extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 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:

BY: Lena McClelland RLA
LENA MCCLELLAND, Assistant City Attorney

LEGAL DESCRIPTION
EXHIBIT A
SHEET 1 OF 2

A PARCEL OF LAND LYING SITUATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, ALSO BEING PLOT FOUR (4) AND A PORTION OF PLOT FIVE (5), MALONE SUBDIVISION, RECORDED IN BOOK 9, PAGE 48, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED UPON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26, ASSUMED TO BEAR NORTH 89°20'02" EAST, A DISTANCE OF 2,626.00 FEET, FROM THE NORTHWEST CORNER OF SAID SECTION 26 TO THE NORTH QUARTER CORNER OF SAID SECTION 26;

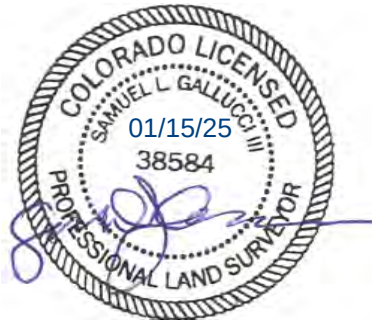
COMMENCING AT SAID NORTHWEST CORNER OF SECTION 26; THENCE ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER, NORTH 89°20'02" EAST, A DISTANCE OF 984.93 FEET; THENCE SOUTH 00°11'48" EAST, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID PLOT FOUR (4), ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINES OF SAID PLOTS FOUR (4) AND FIVE (5), ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF JEWELL AVENUE, AS RECORDED AT BOOK 9, PAGE 48 OF SAID COUNTY RECORDS, NORTH 89°20'02" EAST, A DISTANCE OF 578.43 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 4583 AT PAGE 506;
THENCE ALONG THE WEST LINE OF SAID PARCEL OF LAND SOUTH 00°14'21" EAST, A DISTANCE OF 300.88 FEET TO THE SOUTH LINE OF SAID PLOT FIVE (5);
THENCE ALONG THE SOUTH LINES OF SAID PLOTS FIVE (5) AND FOUR (4), SOUTH 89°21'07" WEST, A DISTANCE OF 578.65 FEET, TO THE SOUTHWEST CORNER OF SAID PLOT FOUR (4);
THENCE ALONG THE WEST LINE OF SAID PLOT FOUR (4) NORTH 00°11'48" WEST, A DISTANCE OF 300.70 FEET, TO THE POINT OF BEGINNING;

CONTAINING 174,012 SQUARE FEET OR 3.995 ACRES, MORE OR LESS.

ALL LINEAL UNITS ARE REPRESENTED IN U.S. SURVEY FEET.
ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

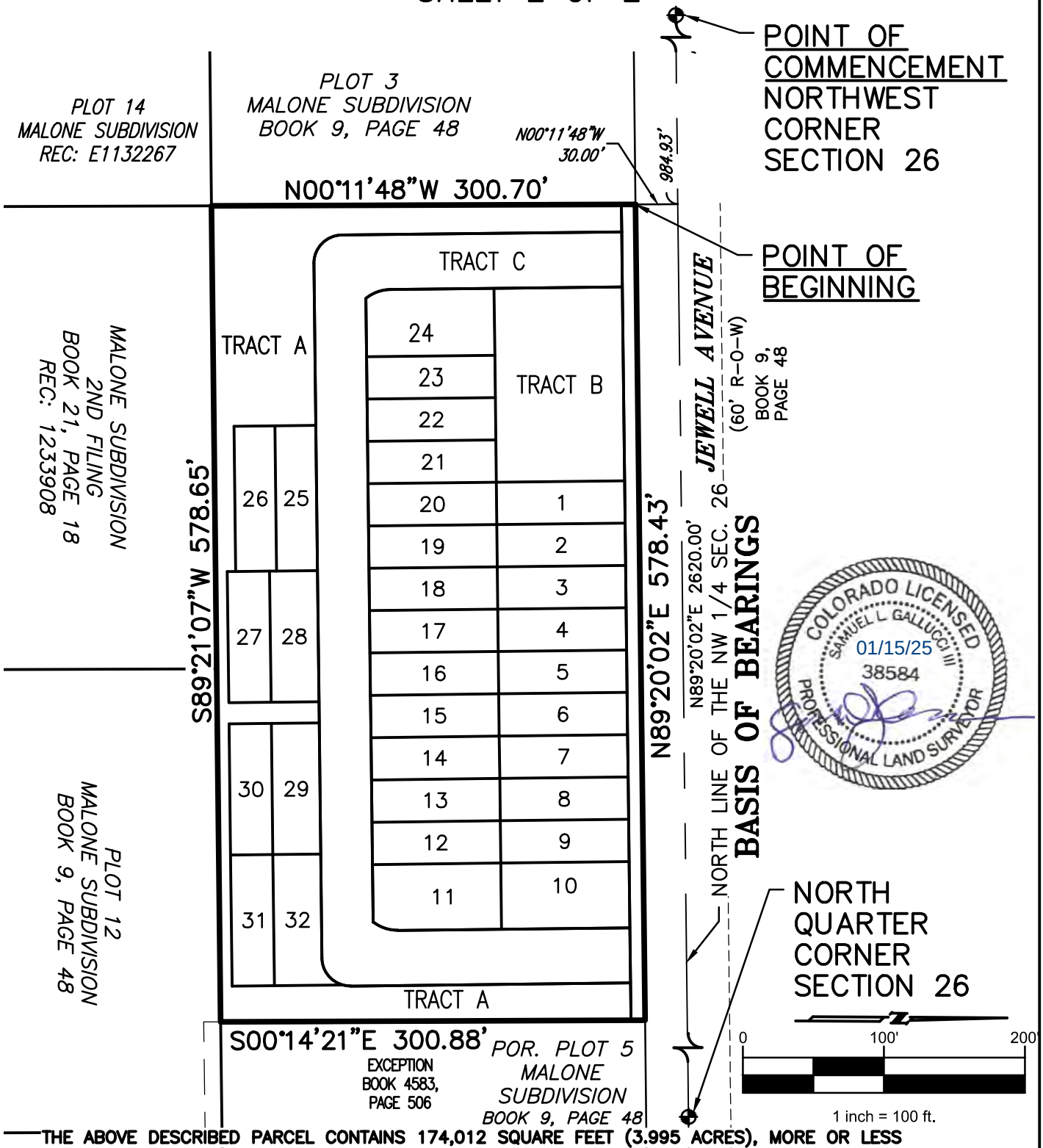


SAMUEL L. GALLUCCI III, PLS 38584
FOR AND ON BEHALF OF
EMK CONSULTANTS, INC.

ILLUSTRATION FOR

EXHIBIT A

SHEET 2 OF 2



COLORADO LICENSED SAMUEL L. GALLUCCI III 38584 PROFESSIONAL LAND SURVEYOR 01/15/25

THE ABOVE DESCRIBED PARCEL CONTAINS 174,012 SQUARE FEET (3.995 ACRES), MORE OR LESS

CITY OF AURORA, COLORADO		
DRAWN BY: SLG3	SCALE: 1"=100'	R.O.W. FILE NO.
CHECKED BY: JTH	DATE: 01/15/25	JOB NO.: 13298

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 26, T4S, R67W, 6TH P.M. CITY OF AURORA, ARAPAHOE COUNTY, COLORADO

From: Zapata, Cecilia
To: CouncilAgenda
Subject: FW: A neighborhood presentation regarding Case # 1984-2057-02 for Zoning Map Amendment from R-R to R-2 on E Jewell Ave
Date: Tuesday, March 25, 2025 8:00:57 AM
Attachments: A Neighborhood Presentation Opposing UCJ.pdf
image001.png

Hello,

Here's another email for Urban Cottages. Thank you.

Cecilia Zapata, CMC
Deputy City Clerk
City Clerk's Office | City of Aurora
office 303-739-7787

THE CORE 4
Integrity • Customer Service
Respect • Professionalism

From: Rabbaa, Rachid [redacted]
Sent: Monday, March 24, 2025 11:11 AM
To: Rodriguez, Kadee [redacted]; Zapata, Cecilia [redacted]
Cc: Rodriguez, Stephen E [redacted]
Subject: FW: A neighborhood presentation regarding Case # 1984-2057-02 for Zoning Map Amendment from R-R to R-2 on E Jewell Ave

Urban Cottages - This one too. Please

From: Shayna Shabatura [redacted]
Sent: Friday, March 21, 2025 9:11 AM
To: Coffman, Michael [redacted]; Batchelor, Jason [redacted] Murillo, Crystal [redacted]; Sundberg, Steve [redacted] Medina, Ruben [redacted] Hancock, Stephanie [redacted] Lawson, Angela [redacted] Bergan, Francoise [redacted] Coombs, Alison [redacted]; Gardner, Curtis [redacted]; Jurinsky, Danielle [redacted] Kassaw, Amsalu [redacted]
Subject: A neighborhood presentation regarding Case # 1984-2057-02 for Zoning Map Amendment from R-R to R-2 on E Jewell Ave

This Message Is From an External Sender
This message came from outside your organization.
Report Suspicious

Dear Mayor Coffman and Aurora City Council members,

My name is Shayna Shabatura and I spoke at the most recent City Council meeting, opposing the rezoning request by Urban Cottages, LLC to upzone from R-R to R-2 on a small site on E Jewell Ave for Item 11a on the agenda for the 3/24 City Council Meeting.

As I mentioned in my previous email with the petition (sent moments ago), attached is a detailed presentation regarding the opposition to the rezoning. Please give the appropriate weight to these arguments.

Thank you,
Shayna Shabatura

From: Zapata, Cecilia
To: CouncilAgenda
Subject: FW: Documents for City Council
Date: Tuesday, March 25, 2025 8:02:42 AM
Attachments: image001.png
A Neighborhood Presentation Opposing UCJ.pdf
A Neighborhood Presentation Opposing UCJ.pdf
image001.png

Third email. The attachments may be the same. If so, you can just attach them once. Thank you.

Cecilia Zapata, CMC
Deputy City Clerk
City Clerk's Office | City of Aurora
office 303-739-7787

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From: Rabbaa, Rachid [redacted]
Sent: Monday, March 24, 2025 11:14 AM
To: Rodriguez, Kadee [redacted] Zapata, Cecilia [redacted]
Cc: Rodriguez, Stephen E [redacted]
Subject: FW: Documents for City Council

Urban Cottages - And this one too. I am requesting all the three emails with the attachments to be entered into the record.

Thank you so much!
Rachid Rabbaa

From: Shayna Shabatura [redacted]
Sent: Friday, March 21, 2025 2:57 PM
To: Rabbaa, Rachid [redacted]
Cc: AOL.MAIL [redacted] Rodriguez, Stephen E [redacted]
McClelland, Lena [redacted] Rustad, Jeannine [redacted]
Subject: Re: Documents for City Council

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Hey there Rachid,
Welcome to the end of the week, and happy Friday.
Earlier today, you were copied on 2 emails from me to City Council Committee Members

with visual attachments - both PDFS are attached here as well.
Councilwoman Bergan replied, “Our City Attorney has reminded me that it is not appropriate for a council member to receive information or other evidence outside of the Public Hearing process when the City Council is acting in its quasi-judicial function. As such, I invite you to attend the City Council meeting and present the information and testimony you would like Council to consider when making its decision.”

I am in Minnesota next week, so I need an alternative option. My husband Kyle will be in attendance, but I need an alternative option to submit my visuals. If I sign up to speak, can another individual play a video of me presenting this information? Could you play the video? If you were in my shoes, what would you do?

My end goal - my ultimate hope - is for the City Council members to review these PDF documents during their rigorous assessment of the site and the Case(s). Please let me know of any alternatives to a physical presence at the City Council meeting and I would appreciate confirmation once these documents/images have been uploaded to the Case files.

Hope your weekend ahead is lovely.

Anyone on the internet with the link can safely view the PDF document link to the Petition here:
https://drive.google.com/file/d/1Jc_lxFIEDy012m61z-L0nXOT5OkRw-_T/view?usp=sharing

Shayna

On Mon, Mar 17, 2025 at 8:29 PM Rabbaa, Rachid [redacted] wrote:

> Happy St. Patrick's Day to you too!
>
> I haven't received any information from Urban Cottages yet.
>
> Best,
> Rachid
>
> ---
>
> **From:** Shayna Shabatura [redacted]
> **Sent:** Monday, March 17, 2025 12:33 PM
> **To:** Rabbaa, Rachid [redacted]
> **Cc:** AOL.MAIL [redacted] Rodriguez, Stephen E [redacted]

McClelland, Lena [redacted]; Rustad, Jeannine [redacted]
Subject: Re: Documents for City Council

Happy St. Patrick's Day Rachid,
At this time, we do not have any updates. Has Urban Cottages shared with you their 4th revised site plan or any of the engineering studies/plans/reviews?

Thank you,
Shayna

On Mon, Mar 17, 2025 at 10:21 AM Rabbaa, Rachid [redacted] wrote:

> Good morning Shayna and Gary,
>
> Do you have any updates on the documentation you plan to provide to staff before the upcoming City Council hearing ?
>
> Thank you,
>
> Rachid Rabbaa
> Planner III
> Planning and Business Development | City of Aurora
> *office 303-739-7541 email* [redacted]
>
> THE CORE Respect Integrity Professionalism Customer Service LIVE IT EVERY DAY
>
> Facebook | Twitter | Instagram | Nextdoor | AuroraTV.org

From: Zapata, Cecilia
To: CouncilAgenda
Subject: FW: Petition Opposing Urban Cottages Jewell
Date: Tuesday, March 25, 2025 8:00:05 AM
Attachments: image001.png

Hi Jocelyn,

Can you make sure the attached map and the email below are added as back up to the Urban Cottages item that was continued to May. You may already know, but anytime emails are added as backup, we must redact the email addresses.

I'll be sending over a couple more emails over for the same item. Thank you.

Cecilia Zapata, CMC
Deputy City Clerk
City Clerk's Office | City of Aurora
office 303-739-7787

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From: Rabbaa, Rachid [redacted]
Sent: Monday, March 24, 2025 11:10 AM
To: Rodriguez, Kadee [redacted] Zapata, Cecilia [redacted]
Cc: Rodriguez, Stephen E [redacted]
Subject: FW: Petition Opposing Urban Cottages Jewell

Good morning Kadee,

Regarding the Urban Cottage project, please ensure this information is entered into the record. I will be asking for it to be recorded during my update this evening.

Thank you,
Rachid

From: Shayna Shabatura [redacted]
Sent: Friday, March 21, 2025 9:10 AM
To: Coffman, Michael [redacted] Batchelor, Jason [redacted] Murillo, Crystal [redacted]; Sundberg, Steve [redacted] Medina, Ruben [redacted] Hancock, Stephanie [redacted] Lawson, Angela [redacted] Bergan, Francoise [redacted] Coombs, Alison [redacted] Gardner, Curtis [redacted] Jurinsky, Danielle [redacted] Kassaw, Amsalu [redacted]
Subject: Petition Opposing Urban Cottages Jewell

This Message Is From an External Sender
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Report Suspicious

Dear Aurora City Council members,

My name is Shayna Shabatura and I spoke at the most recent City Council meeting, opposing the rezoning request by Urban Cottages, LLC to upzone from R-R to R-2 on a small site on E Jewell Ave, across from 3 educational facilities and next to Havana Heights Retention Pond Park. More specifically, Case # 1984-2057-02 and subsequent Case # 2022-4026-00 (site plan).

I am following up on my email from January 27, with the subject, "Time Sensitive PETITION for 1/27 City Council Meeting."
Anyone on the internet with the link can view the PDF document via Google Drive: https://drive.google.com/file/d/1GSivZZ-PQ2ZHhSADx5HuL1VZ6GhZY_1P/view?usp=drive_link

Attached is a visual representation of the neighborhood households who signed the petition. n=96 homes. *A modified version of this slide will appear in a presentation, which will be emailed separately.*

Please give appropriate weight to the opinion of the neighborhood. Thank you and hope your weekend ahead is the one you deserve.

Sincerely,
Shayna Shabatura

A neighborhood presentation to the Aurora City Council Members regarding Case # 1984-2057-02 Zoning Map Amendment from R-R to R-2 on E Jewell Ave

March 2025

OVERVIEW

- ❑ Parcel information
- ❑ Reason #1: Rezoning this parcel to R-2 will NOT match the neighborhood
- ❑ Reason #2: Our Petition
- ❑ Reason #3: Site and Perimeter Constraints
- ❑ Reason #4: More information is needed
- ❑ R-2 is a terrible fit; Support R-1 instead

Parcel information

- South of the intersection of E Jewell Ave and S Joliet St
- 10800 E Jewell Ave → Parcel ID 1973-26-2-01-014 -AND- 11000 E Jewell Ave → Parcel ID 1973-26-2-01-037
- The parcel is at the northern perimeter of the Havana Heights neighborhood, opposite the Village East neighborhood and 3 youth educational facilities (next slides)



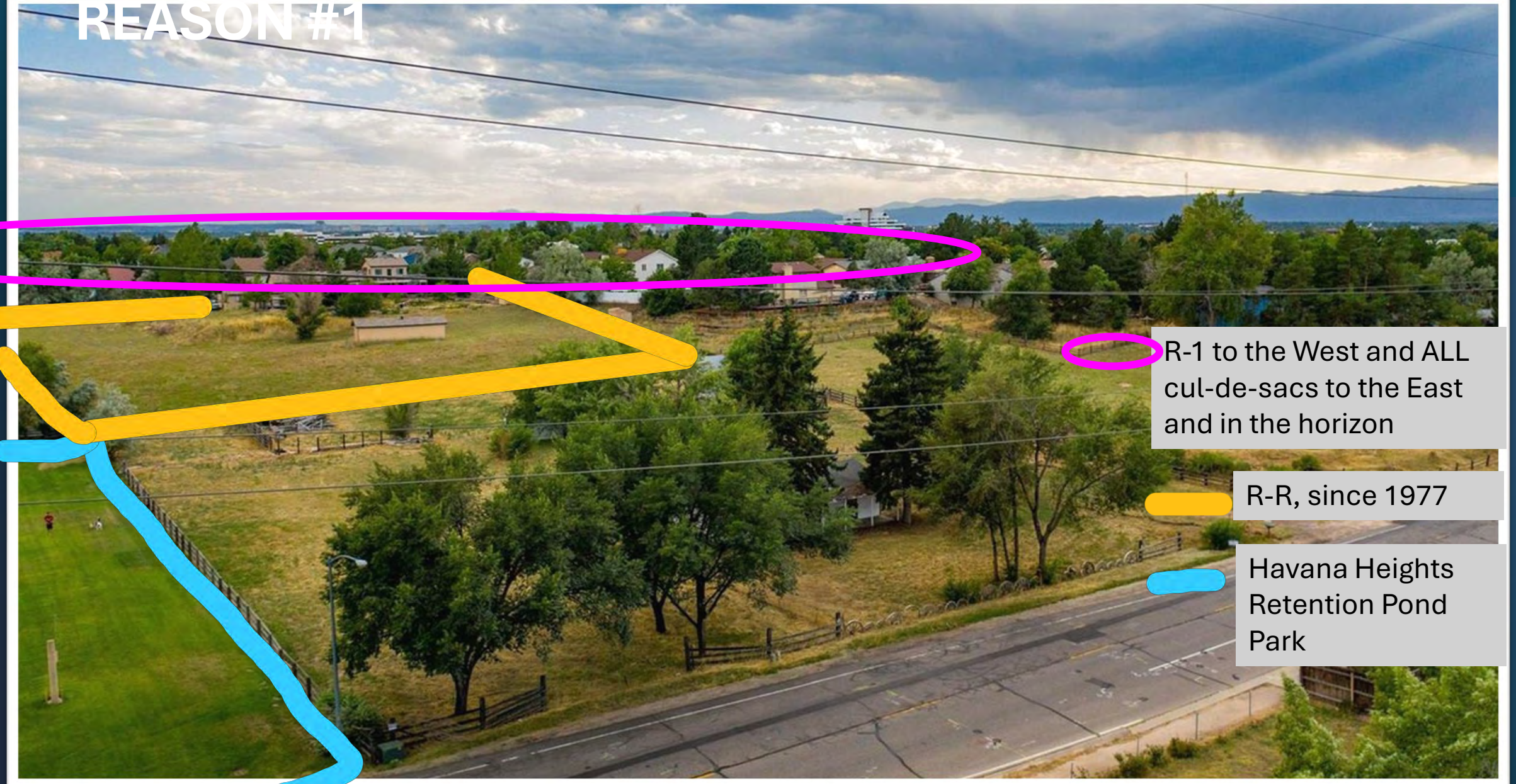
REASON #1

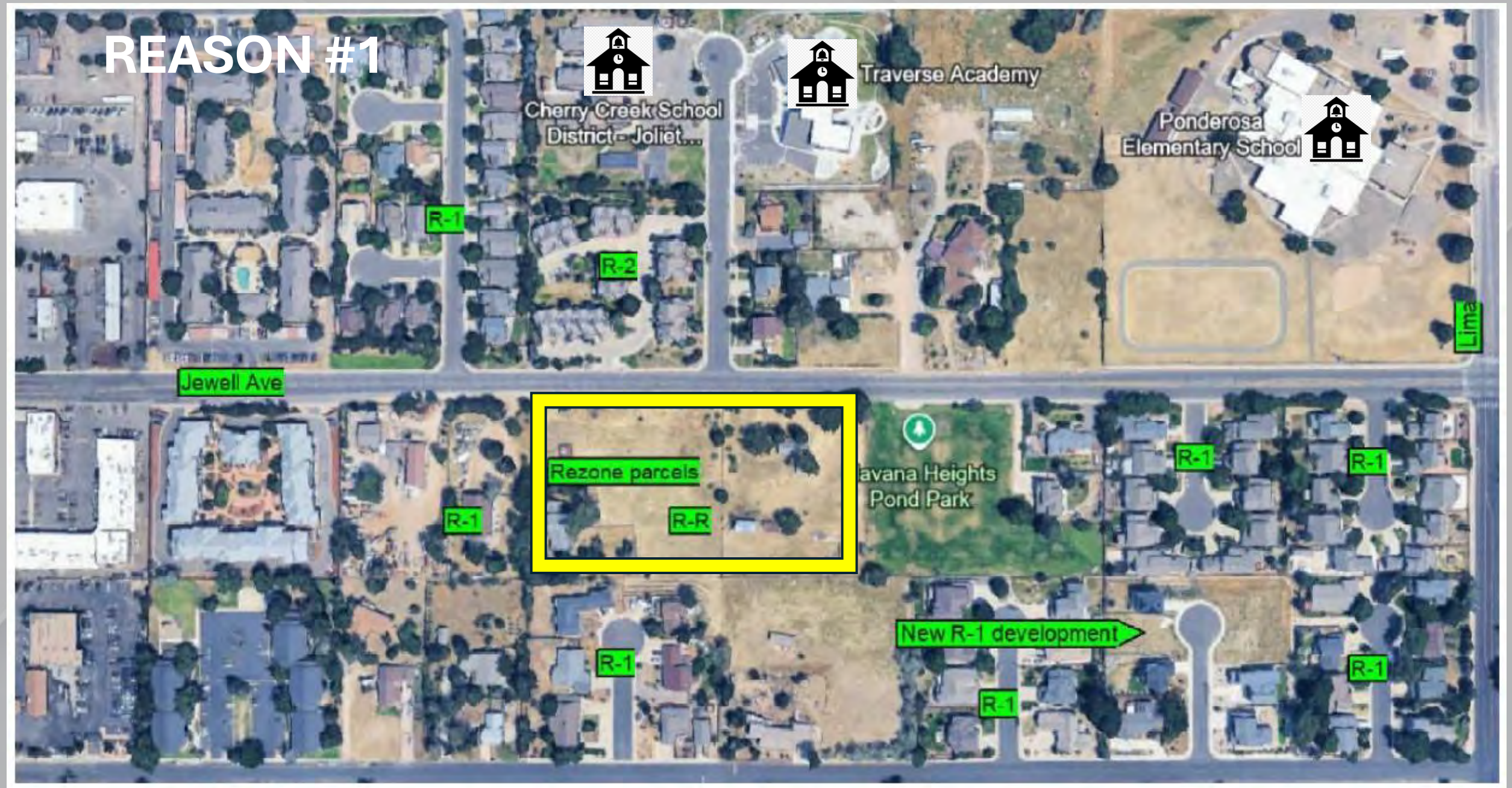
Rezoning this parcel to R-2 will NOT match the neighborhood

The Havana Heights neighborhood is primarily R-R or R-1 with a cul-de-sac neighborhood, including the Habitat for Humanity Mountain View Community that's still under construction (pictured right)

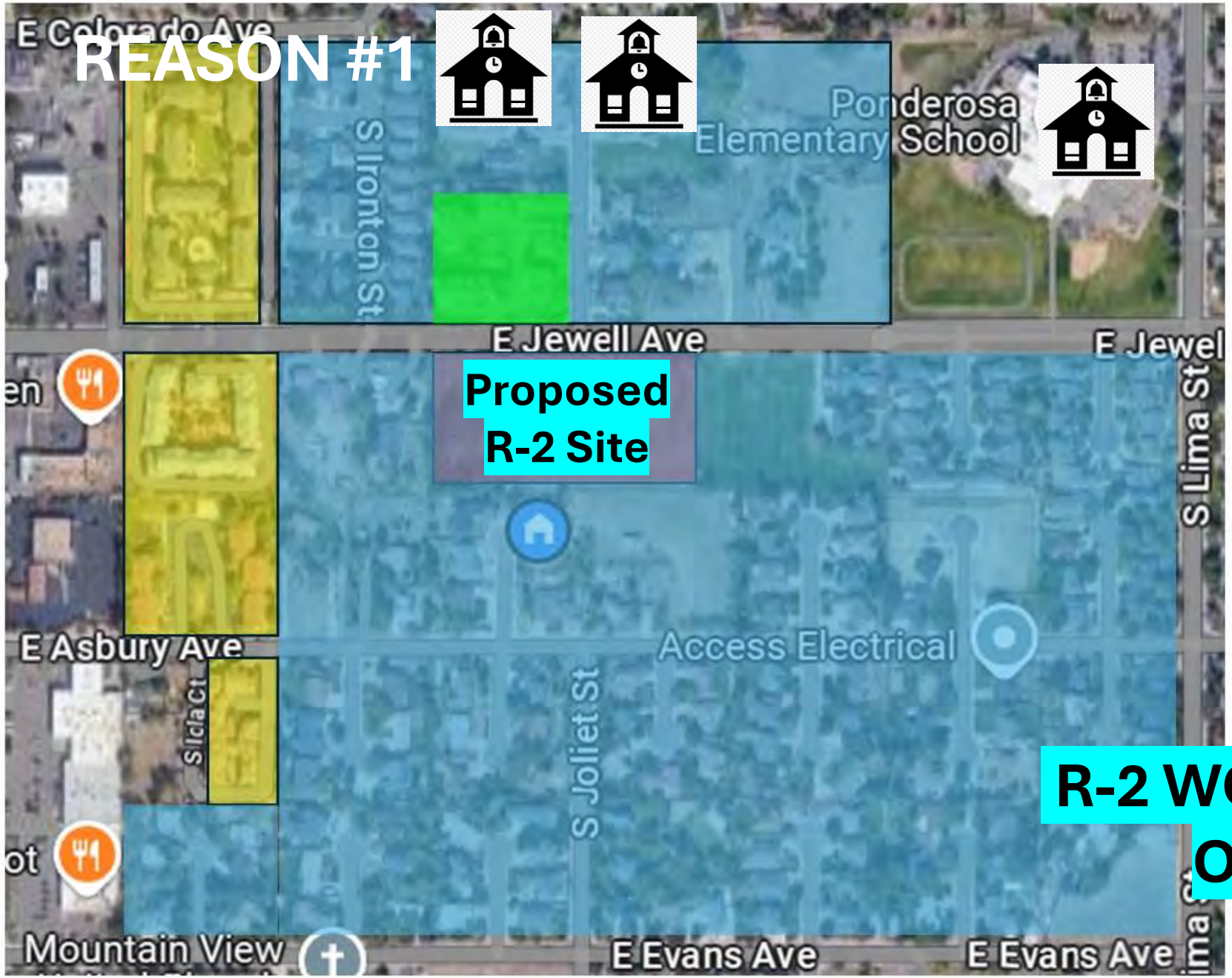


REASON #1


R-1 to the West and ALL cul-de-sacs to the East and in the horizon
R-R, since 1977
Havana Heights Retention Pond Park


REASON #1
Cherry Creek School District - Joliet...
Traverse Academy
Ponderosa Elementary School
Lima
Jewell Ave
R-1
R-2
Rezone parcels
R-R
avana Heights Pond Park
New R-1 development

REASON #1



Cul de Sac and/or R-1

Apartment

Multi story townhomes

Youth Educational Facility

R-2 WOULD BE GROSSLY OUT OF PLACE

REASON #1 SUMMARY

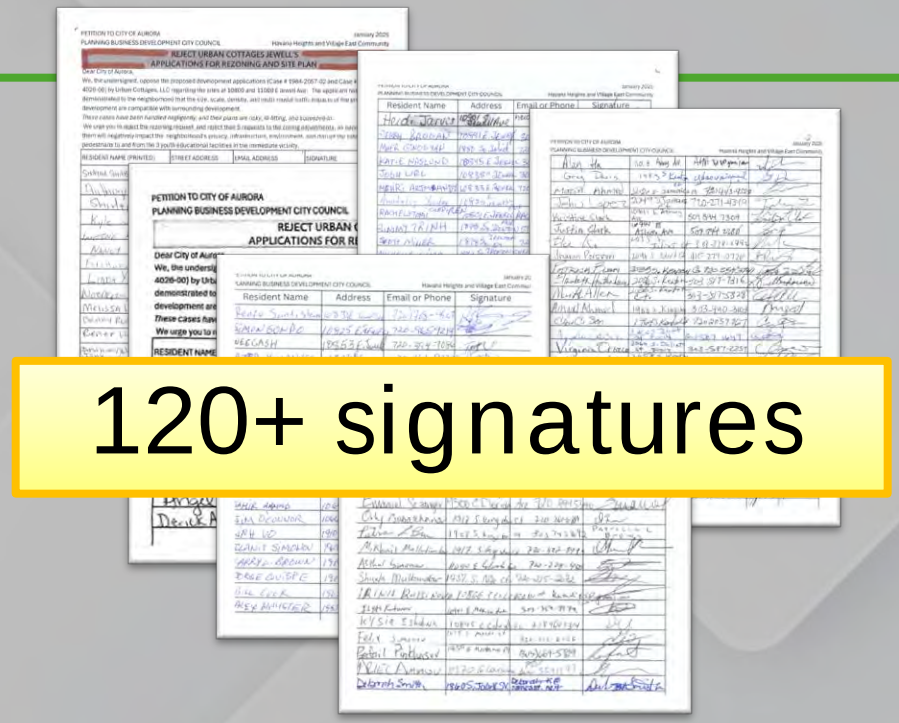
Rezoning this parcel to R-2 will NOT match the neighborhood

- Urban Cottages has admitted that their vision is not a match, using “transition” as the key word
- In addition to cul-de-sac design, there are 3 immediate youth educational facilities and a retention pond park which would contrast with R-2
- Urban Cottages has excused themselves from providing any add-ons, or “microelements”, using their in-fill status and constraints of the site as reasons
- The area is already under traffic stress with no effective traffic calming measures or policing of speeding violations because E Jewell is a hospital and school route

REASON #2

Our Petition

"We, the undersigned, oppose the proposed development applications (Case # 1984-2057-02 and Case # 2022-4026-00) by Urban Cottages, LLC regarding the sites at 10800 and 11000 E Jewell Ave. The applicant has NOT demonstrated to the neighborhood that the size, scale, density, and multi-modal traffic impacts of the proposed development are compatible with surrounding development.
These cases have been handled negligently, and their plans are risky, ill-fitting, and squeezed-in.
We urge you to reject the rezoning request."



Anyone on the internet with the link can view the PDF document:

https://drive.google.com/file/d/1Jc_lxFIEDy012m61z-L0nXOT5OkRw-_T/view?usp=sharing

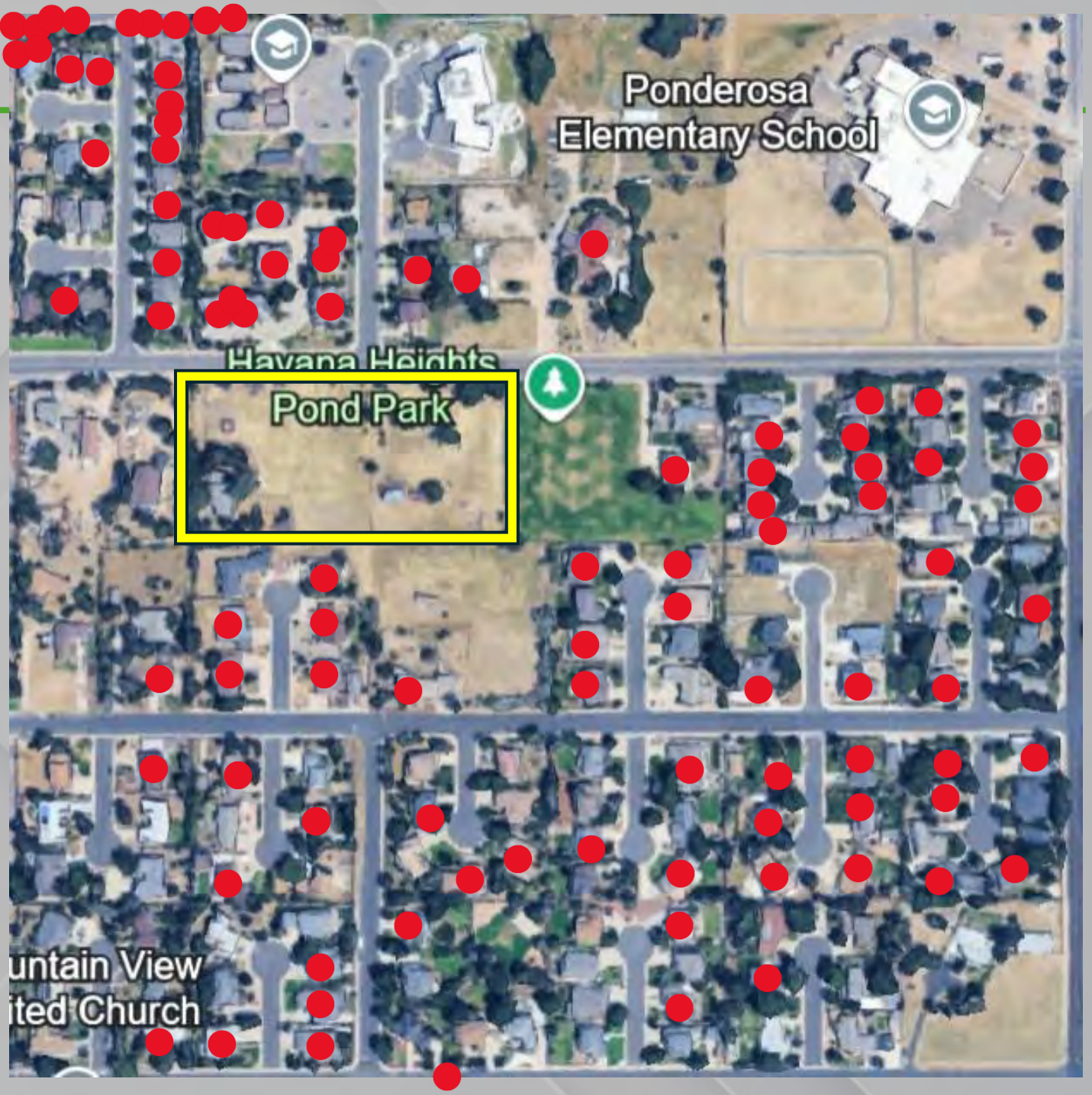
REASON #2

Our Petition

Visual representation of the neighborhood Petition signatures against R-2 zoning surrounding the parcel (yellow box)

Each **red dot** represents one household signed

- n= 96



REASON #3

Site and Perimeter Constraints

- Perimeter property #1 of 3 (pictured right): 1950 S Jamaica Ct
  - 16-20 ft. drop
  - Significant investment in retaining walls
- Non-migratory red-tailed hawk habitat
- Unique and complex topography
- Too small for R-2 / in-fill project
- *Key words used by the Urban Cottages team during Q&As include*, “**squeezed-in**”, “atypical”, “drainage at nauseam”, and “**limited**”
  - Upwards of a 40% grade and 20% slope (source: Preliminary Drainage Report)
  - Part of Havana Heights Drainage Basin



REASON #4

More information is needed

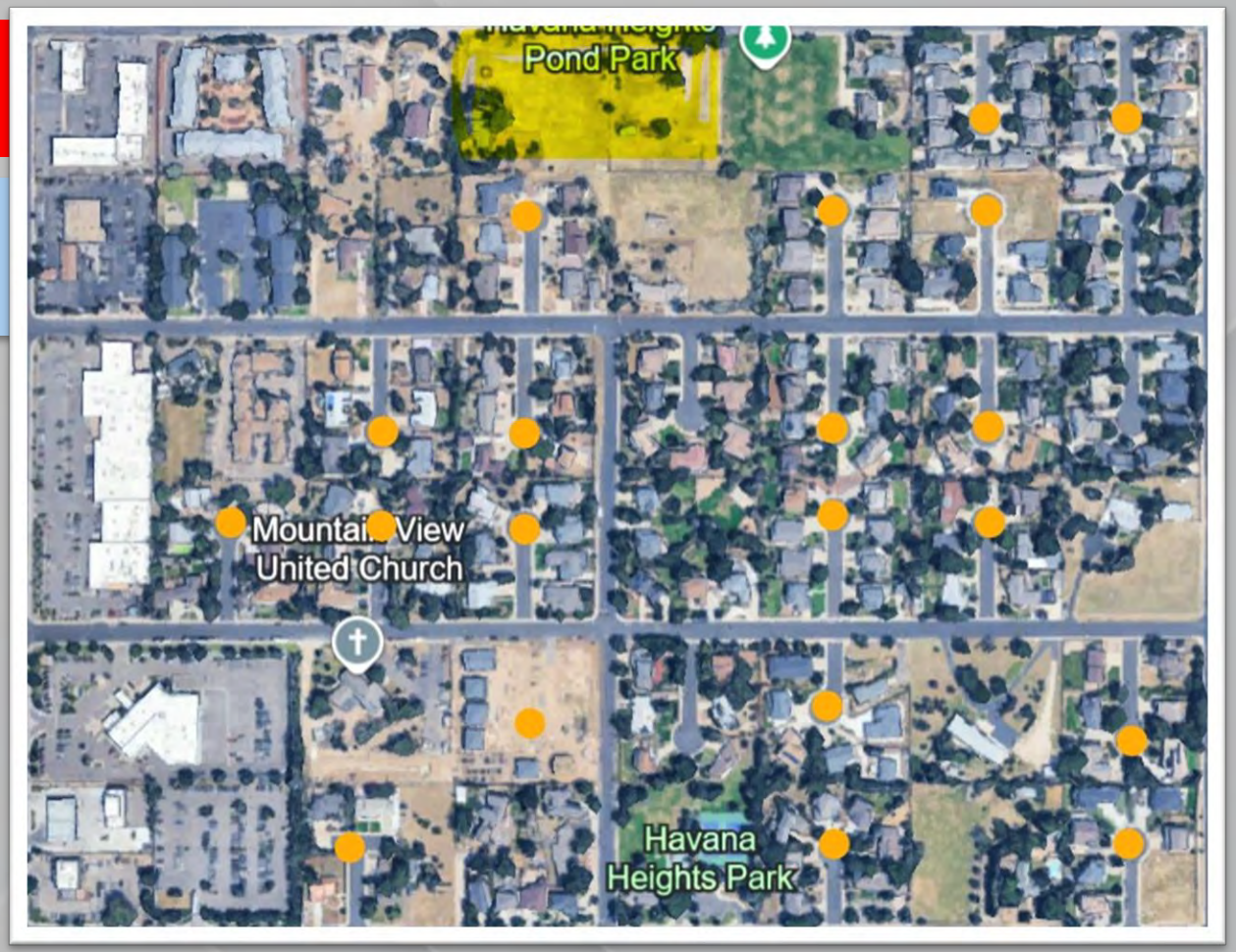
- The expectation is for City Staff to provide ethical due diligence – to thoroughly review, carefully examine, and provide rigorous assessment before deciding, but these cases are seriously flawed enough to plant the idea seed that this separated and out-of-touch project is smoke-and-mirrors, *just* to approve the R-2 rezoning
- Improve the opportunity for success on this wonderfully unique and challenging parcel
  - It really is in an ideal neighborhood, with the local church referencing their property as **God's Backyard** (Source: https://sentinelcolorado.com/metro/aurora-church-turns-vacant-gods-backyard-land-into-affordable-housing/)
  - Reduce the chances of this project going South – Urban Cottages is not ready!
  - Urban Cottages has been neglecting vital information that was provided to them about the area at the beginning of the project
- A great deal about their project is **undecided** and **unspecified**
  - *How can a decision be made when City Staff and the neighborhood have incomplete or missing information?*
  - No builder or engineer is under contract
  - Not able to commit to a site plan
  - Original proposal was for 38 units with 5 zoning adjustment requests
  - City staff expressed concern and confusion about definitions of zoning, density, and visiting the parcel

R-2 IS A TERRIBLE FIT

Support R-1 instead

Please, at minimum, discuss bumping it back to the Planning and Business Development Board to pair this rezoning request with Urban Cottage's 3rd revised site plan.

This would allow the Urban Cottages team time to assemble and produce up-to-date paperwork, to be reviewed with their site plan and zoning adjustment requests.



Pictured above is the Havana Heights neighborhood with each gold dot representing one cul de sac

● n = TWENTY CUL-DE-SACS

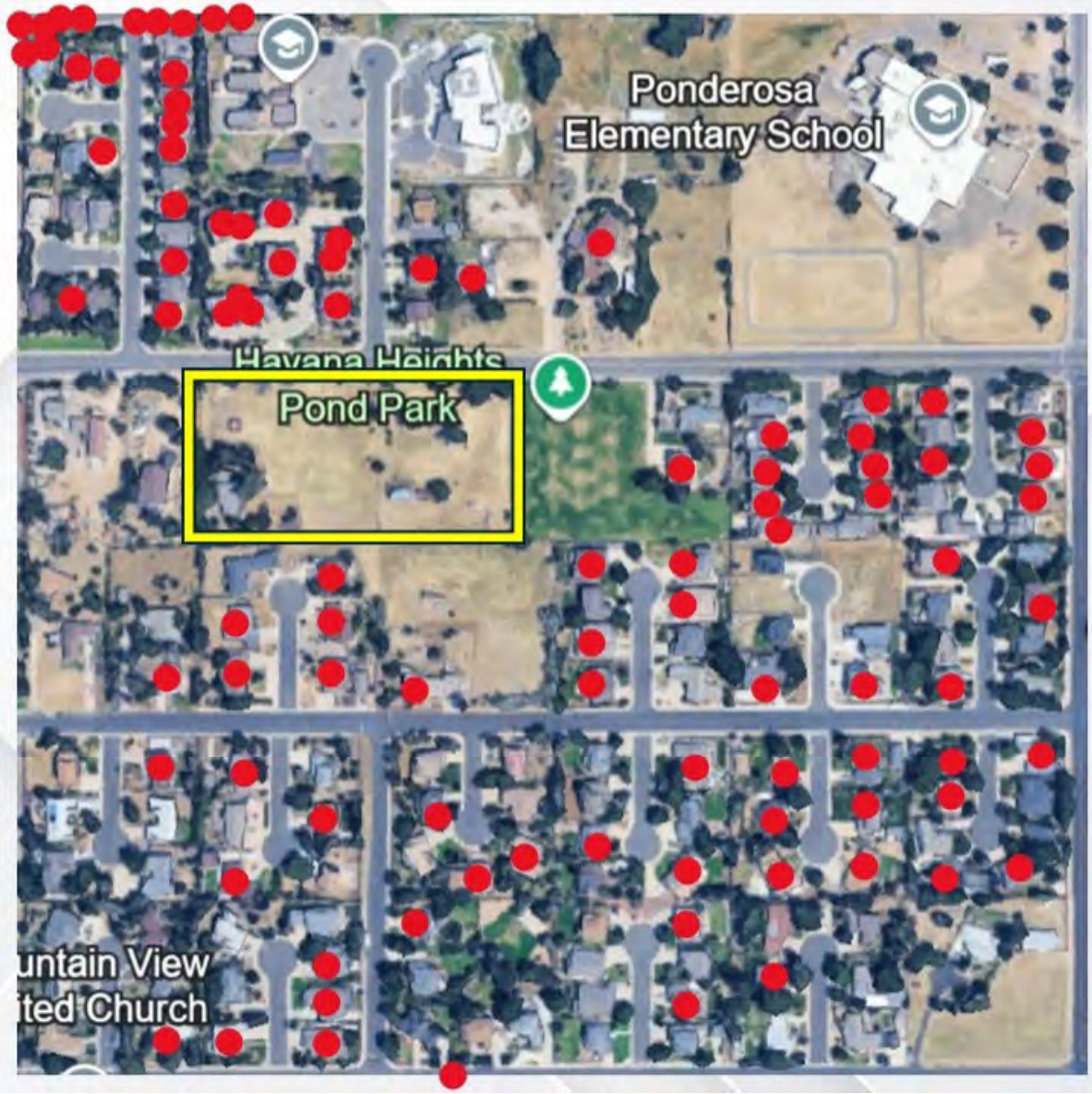
PETITION

Visual representation of the neighborhood petition signatures opposing the rezoning request by Urban Cottages LLC to upzone from R-R to R-2 for the parcels at 10800 and 11000 E Jewell Ave in the Havana Heights neighborhood

Case # 1984-2057-02

Each **red dot** represents one household signed

● n= 96



From: Rodriguez, Kadee
To: Shields, Jocelyn; Zapata, Cecilia
Subject: FW: Regarding the Urban Cottages Jewell DA-2309-00
Date: Monday, April 28, 2025 4:15:39 PM

Please add the email from Arnold Schultz to the backup in eScribe for this item.

Thanks!

Kadee Rodriguez, CMC
City Clerk | City of Aurora

From: Schulte, Peter [redacted]
Sent: Sunday, April 27, 2025 6:24 PM
To: Rodriguez, Kadee [redacted]
Cc: McClelland, Lena [redacted] Allen, Rachel [redacted] Bajorek, Jack [redacted]
Subject: Fwd: Regarding the Urban Cottages Jewell DA-2309-00

FYI. For inclusion in the backup

_____

Peter A. Schulte
City Attorney
[redacted]
Phone: [redacted]
E-mail: [redacted]

This email and any accompanying documents may be privileged and/or confidential.

Sent from my iPhone... Please pardon any grammatical and/or spelling mistakes...

Begin forwarded message:

From: "Hancock, Stephanie" [redacted]
Date: April 27, 2025 at 7:47:30 PM EDT
To: "Schulte, Peter" [redacted]
Subject: Fw: Regarding the Urban Cottages Jewell DA-2309-00

Stephanie Hancock
Councilmember Ward IV
[redacted]

Get Outlook for iOS

From: Arnie Schultz [redacted]
Sent: Sunday, April 27, 2025 4:54:36 AM
To: Hancock, Stephanie [redacted]
Subject: Regarding the Urban Cottages Jewell DA-2309-00

This Message Is From an Untrusted Sender
You have not previously corresponded with this sender.

Report Suspicious

nt

Dear Council Member Hancock,

My name is Arnie Schultz, and I am the referral contact for the Village East Neighborhood Association (VENA) in Ward IV and have been for several years.

I am aware the City Council will be discussing DA-2309-00 | Urban Cottages Jewell Rezone application at your May 5th Council Meeting.

The VENA Board of Directors is opposed to this rezone for the following reasons:

In their Letter of Introduction, dated April 16, 2025, the applicant states this property is the only one zoned R-R along E. Jewell Ave to the west of I-225. As illustrated in the attached zoning map for Urban Cottages Jewel, it is shown that there is an R-R zone property directly south of the proposed site for the Urban Cottages Jewell.

Several years ago, there was another development application for apartments on this same site. At the Neighborhood Meeting, after discussing the rezone with the neighbors within the one-mile referral radius, the applicant withdrew the development application as the neighbors had convinced the applicant that this rezone was not warranted and would not be approved.

Please let me know if you have any questions. Thank you.

Sincerely yours,

Arnie Schultz,
Referral contact for VENA.


E. JEWELL AVE
SITE
R-R
R-1
R-2
R-1
R-1
R-2
R-R
R-1
JAMAICA CT
S KENT CT

CITY OF AURORA
Council Agenda Commentary

Item Title: Amendments to Exhibit A and B of the Crestone Peak Resources Operator Agreement (Resolution)
Item Initiator: Jeffrey Moore, Manager, Energy and Environment Division
Staff Source/Legal Source: Jeffrey Moore, Manager, Energy and Environment Division / David Scott, Assistant City Attorney
Outside Speaker: Dan Harrington, Asset Development Manager, Civitas Resources
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: 4/21/2025

Regular Meeting: 5/5/2025

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)

Jeffrey Moore, Manager, Energy and Environment Division / David Scott, Assistant City Attorney
Outside Speaker: Dan Harrington, Asset Development Manager, Civitas Resources
Estimated time: 15 mins

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

☐ Approve Item and Move Forward to Study Session

☒ Approve Item and Move Forward to Regular Meeting

☐ Information Only

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

☒ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☐ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning & Economic Development

Policy Committee Date: 4/9/2025

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

☒ Recommends Approval

☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation

☐ Minutes Not Available

☐ Minutes Attached

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

This item is originating at PED on April 9, 2025.

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

On June 5, 2019, the City entered into an Operator Agreement with ConocoPhillips Company. Among other items, the Agreement listed specific Well Sites (well pads) that would be developed in the future and the number of wells to be permitted at each Well Site. In November 2019, the Agreement was assigned to Crestone Peak Resources (Crestone), and the assignment was approved by the City.

The Operator Agreement, in Section AGREEMENT, item #2, gives Crestone the right to revise Exhibits A and B of the Operator Agreement at any time upon approval by City Council after a public hearing. Crestone has previously requested and received revisions to the Well Sites and number of wells in January 2021, and January 2023. Crestone has requested to revise Exhibits A and B again per the terms of the Operator Agreement, to complete the following:

1. Cancellation of a previously approved Well Site, which was <2,000' from 2 residences
2. Reduction in the number of total wells and total Well Sites
3. Addition of 6 wells to the Reserve North Well Site (increasing to 15 wells)

The Energy & Environment Division has fully reviewed this request, and is supportive of the changes proposed by Crestone based on a reduction of impacts to community members, the surface, and roads. Crestone must still submit an application to both the City and the Colorado Energy & Carbon Management Commission for the new wells. We believe these changes can be made and provide protection for public health, safety, welfare, the environment, and wildlife resources.

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 understand the rights of Crestone to revise the Well Sites and New Wells (Exhibits A and B) per the Operator Agreement?
Does Council understand the changes being proposed by Crestone Peak Resources?
Does Council wish to support the resolution to revise Exhibits A and B of the Crestone Peak Resources Operator Agreement?

LEGAL COMMENTS

Operator may amend Exhibit A and B by submitting revisions to the City. Any Revision to Exhibit A and B must be approved by the City Council after Public Hearing. (Crestone Operator Agreement, Section 2 Term and Scope). (Scott)

Updating Exhibits A and B
Crestone Peak Operator Agreement

Planning and Business
Development Department

Jeffrey S. Moore, P.G.
Manager, Energy & Environment Division

We steward access to the natural resources under our authority with integrity and respect for our people, businesses, and the environment.

Proposed Revisions

- Operator Agreement allows revisions to New Wells and Well Sites, after a Public Hearing at City Council
  - Previous revisions approved in January 2021, January 2023

- Crestone is requesting:
  - Cancellation of a previously approved Well Site, which was <2,000’ from 2 residences
  - Reduction in the number of total wells and total Well Sites
  - Addition of 6 wells to the Reserve North Well Site (increasing to 15 wells)

Summary of Staff Review

- Energy & Environment Division has fully reviewed this request
- Benefits to the City:
  - Reduced impact to residents (Cancel an approved site that was <2,000’ from 2 residences)
  - Reduced surface impact (Removing an approved future Well Site)
  - Reduced traffic and road impact (Expanded Well Site is much closer to Interstate 70)
  - Expanded Well Site zoned Airport District (AD)
  - Additional wells will require a new permit from both the city and ECMC
  - Provide greater protection for public health, safety, welfare, the environment, and wildlife resources

- Energy & Environment Division is fully supportive of this change
  - Recommend moving forward to Study Session on April 21

Thank You!

Planning and Business
Development Department

Backup Slides

Planning and Business
Development Department

Operator Agreement

2. **Term and Scope.** This Agreement is effective from the Effective Date and will continue in effect as long as the Operator owns an interest in and operates wells at the Well Sites ("**Term**"). This Agreement only applies to the Well Sites shown on **Exhibit A** and listed on **Exhibit B**. Operator may amend Exhibit A and B by submitting revisions to the City. Any revisions to Exhibit A and B must be approved by the City Council after public hearing.

Aurora-Crestone Peak Resources LLC Oil and Gas Operator Agreement

Application for Exhibits A & B Amendment

April 2025

Agenda

01 Summary

02 Overview Map

03 Reserve North Exhibit B proposed modification

04 Exhibit B proposed modification (elimination of Cottonwood Creek North site)

CIVITAS

Summary

Crestone Peak Resources LLC (a wholly owned subsidiary of Civitas Resources Inc) is seeking to modify Exhibits A and B of the Aurora-Crestone Operator Agreement (OA), concerning two locations

1. Reserve North: increasing allowed wells from 9 to 15 (+6 well slots)
2. Cottonwood Creek North: eliminating site (-7 well slots)

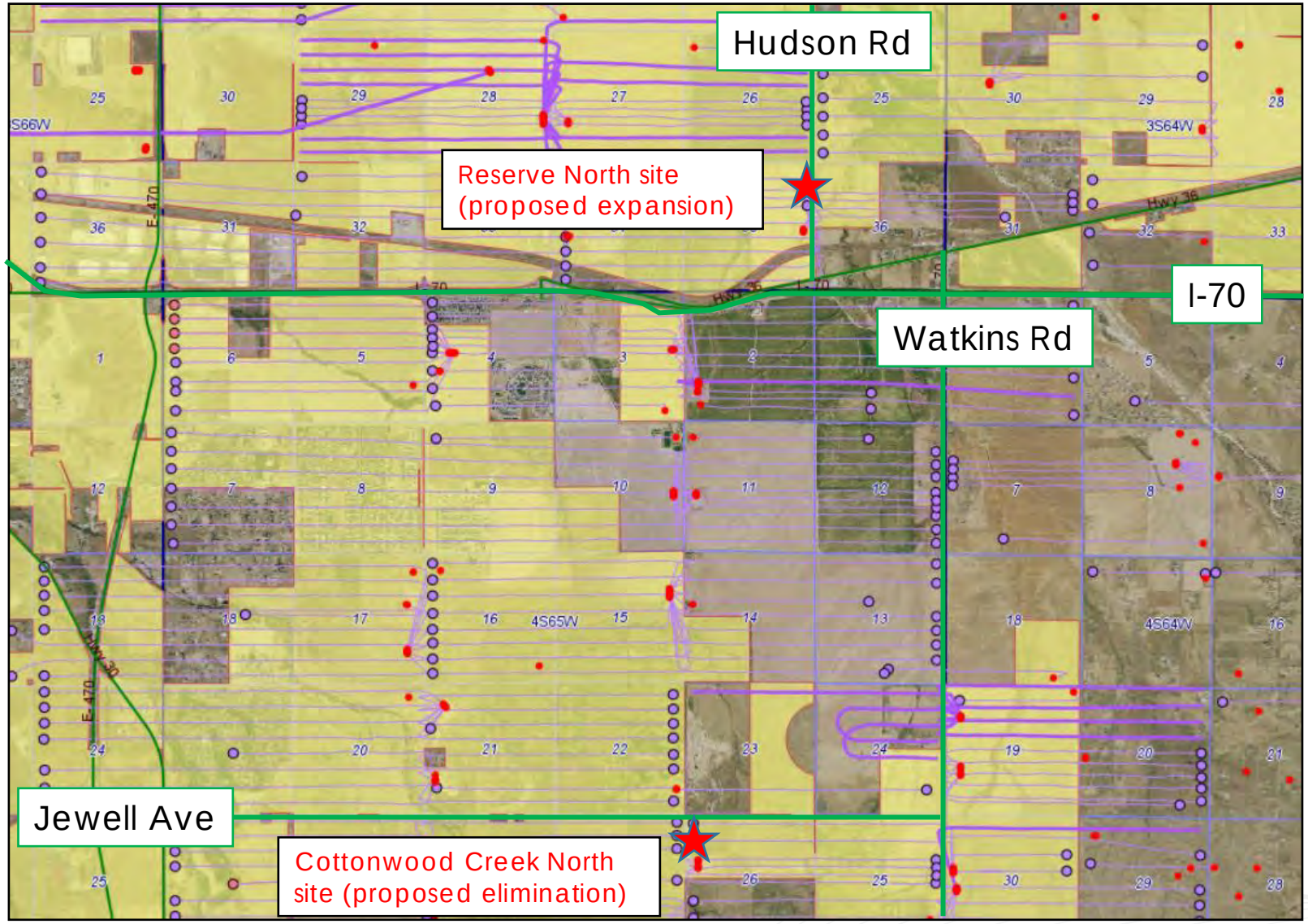
Proposed modifications to Exhibits A & B will not result in any impact to any contractual language of the Operator Agreement

Net effect on the Operator Agreement planned development:

- 1x fewer site and 1x fewer wells
- Consolidation of new well operations onto an existing site, and elimination of a potential future OGM site

CIVITAS

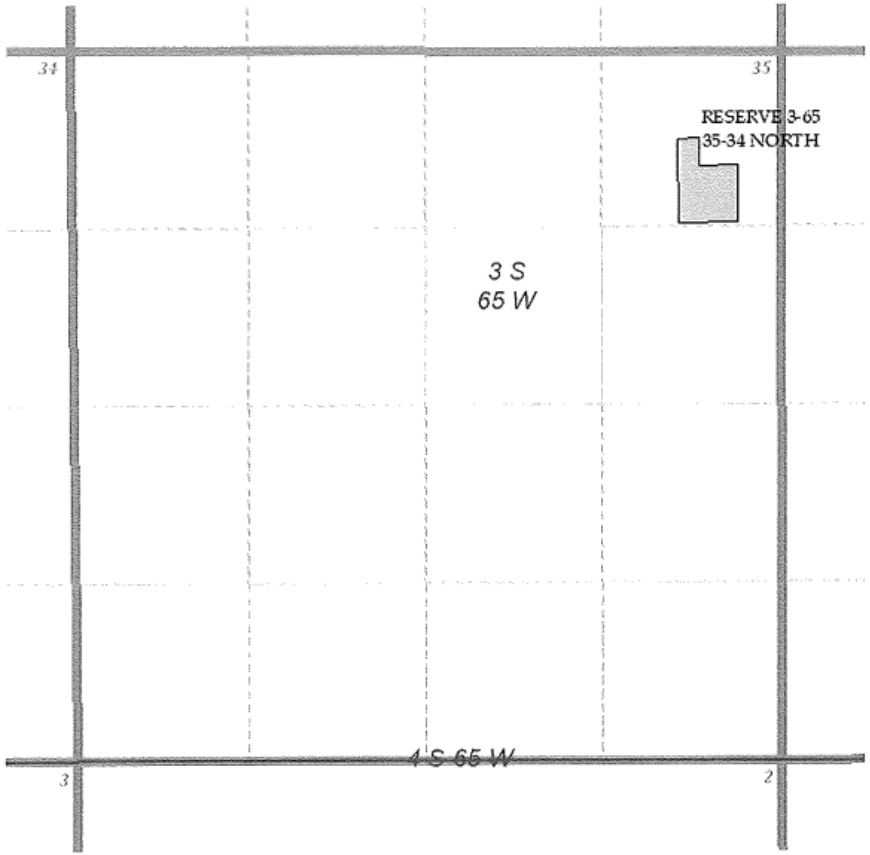
Overview Map



CIVITAS

Reserve North

Well Site Name	Reserve 3-65 35-34 North
Legal Description:	NE/4NE/4, Section 35 T3S, R65W
Number of Planned Wells:	~~9~~ 15
Construction Status:	Phase 1 built; Phase 2 ~~under construction~~ built Phase 3 to be built
Permit Status:	Approved Phase 3 to be permitted
BMP Exemptions:	15.1.3 (Pneumatic Devices - only as to Reserve 3-65 34-35 #1H) 48.3 (Setbacks from Reservoirs)
Distance to closest residence:	Greater than 1320'



Proposed Modifications

- The Reserve North currently allows a maximum of 9x wells; this OA Amendment proposal will increase that number to 15x wells
- The new six-well expansion is subject to City of Aurora permitting (as "Phase 3"), as well as State permitting

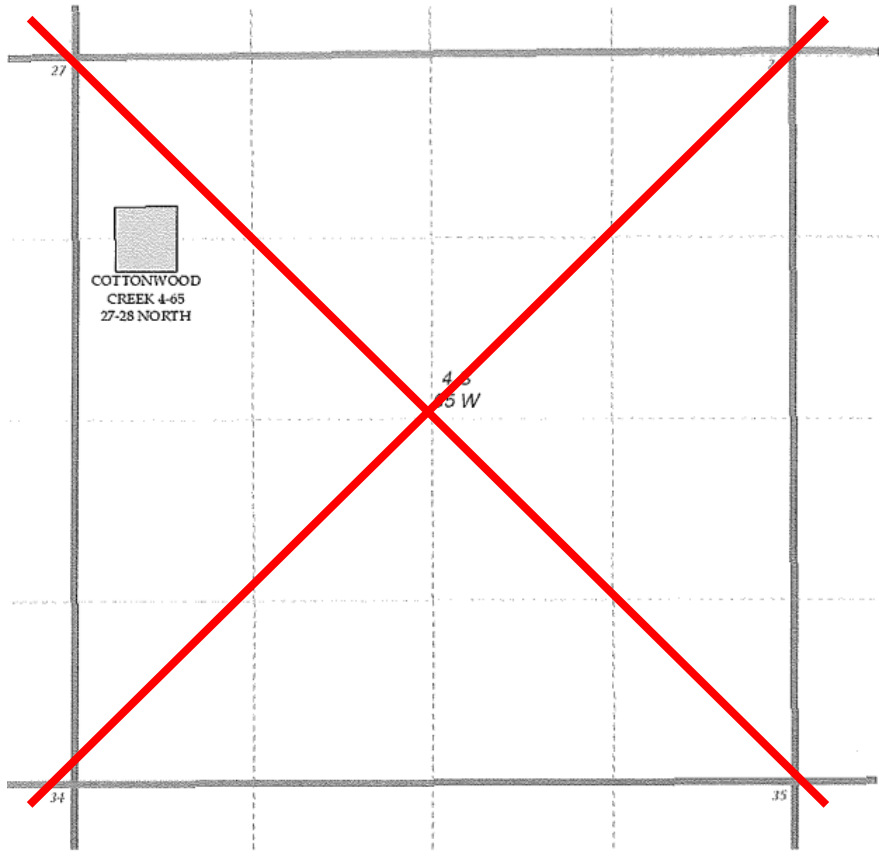
Benefits

- There are limited potential surface sites for new oil and gas development near the Reserve North pad, and all carry surface impact and permitting challenges
- By allowing an increase of the well count allowed at the Reserve North site, Crestone will be able to consolidate its new operations on the existing site, and avoid the need for another nearby site along E Colfax Ave
- Due to the current configuration of the Reserve North site, the well slot expansion can be accomplished with limited additional long-term surface disturbance

Cottonwood Creek North

Well Site Name	Cottonwood Creek 4-65 27-28 North
Legal Description:	W/2 NW/4, Section 26, T45, R65W
Number of Planned Wells:	7
Construction Status:	Not built
Permit Status:	Approved
BMP Exemptions:	None
Distance to closest residence:	Greater than 1320'

Removed from Operator Agreement (Exhibit A and B)



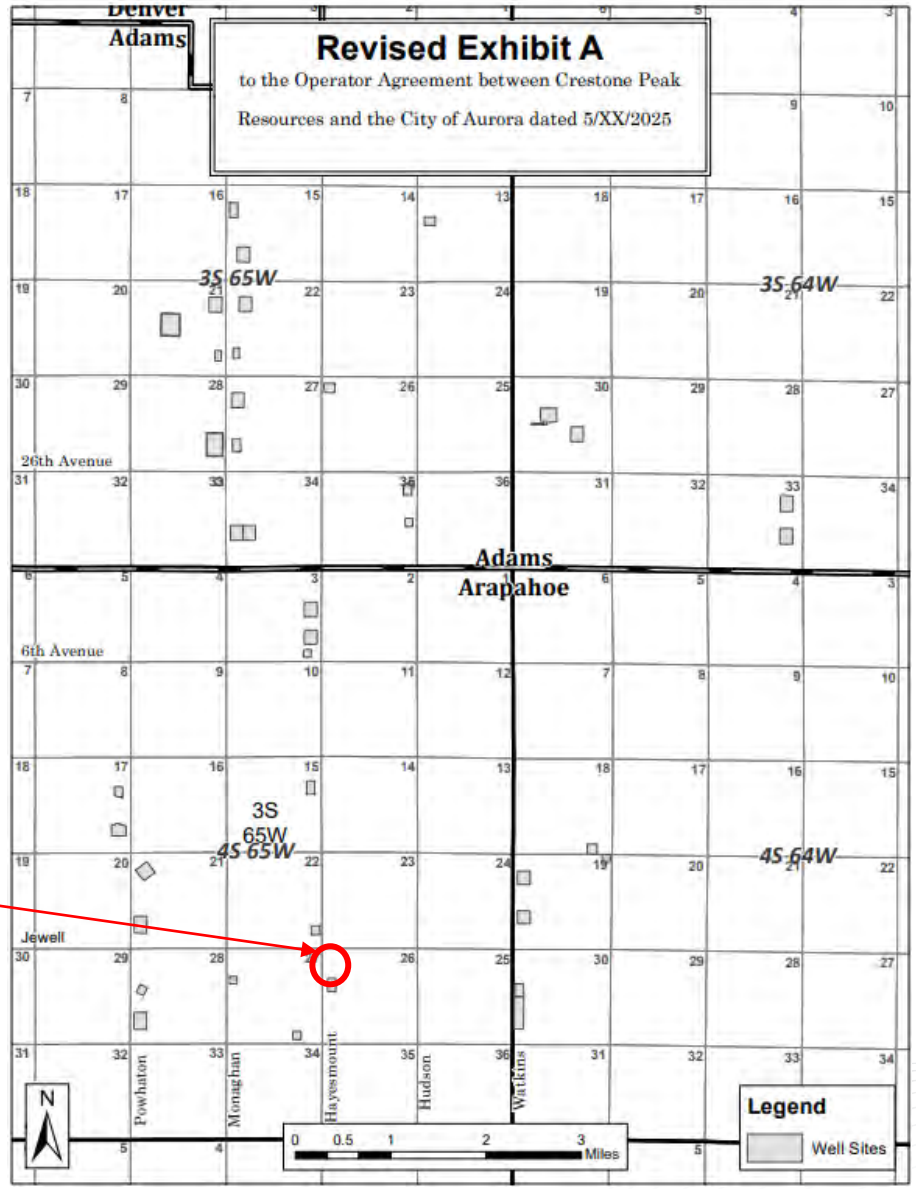
Proposed Modifications

- The Cottonwood Creek North well site and its associated wells (7x) will be removed from the Operator Agreement

Benefits

- The contemplated Cottonwood Creek North well site is within 1400' of two residences, and is not considered a good candidate for development

Proposed New Exhibit A

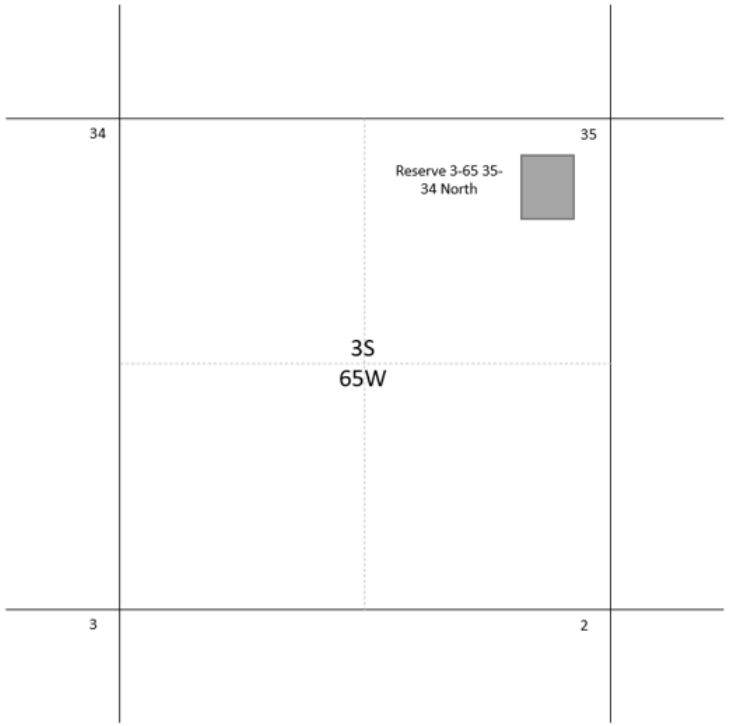


Cottonwood Creek North removed

CIVITAS

Proposed New Exhibit B pages

Well Site Name	Reserve 3-65 35-34 North
Legal Description:	NE/4 NE/4 Section 35 T3S, R65W
Number of Wells Planned:	15
Construction Status:	Phase 1 and Phase 2 built; Phase 3 to be built
Permit Status:	Approved (Phase 1, 2); Unapproved (Phase 3)
BMP Exemptions:	15.1.3 (Pneumatic Devices - only as to Reserve 3-65 34-35 #1H) 48.3 (Setbacks from Reservoirs)
Distance to closest residence:	Greater than 1320'



Well Site Name	Cottonwood Creek 4-65 27-28 North

Removed from Operator Agreement

Thank You



CIVITAS

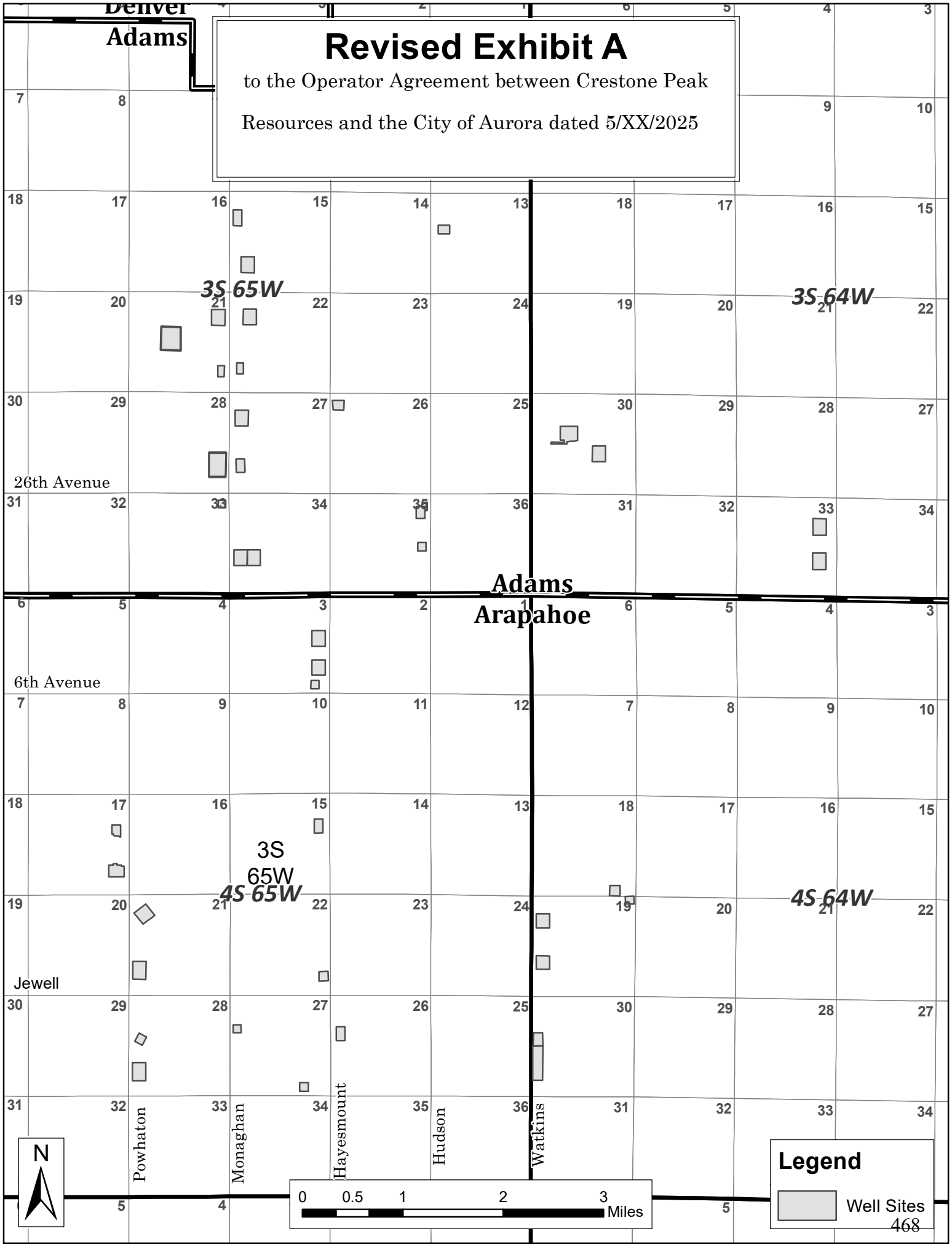
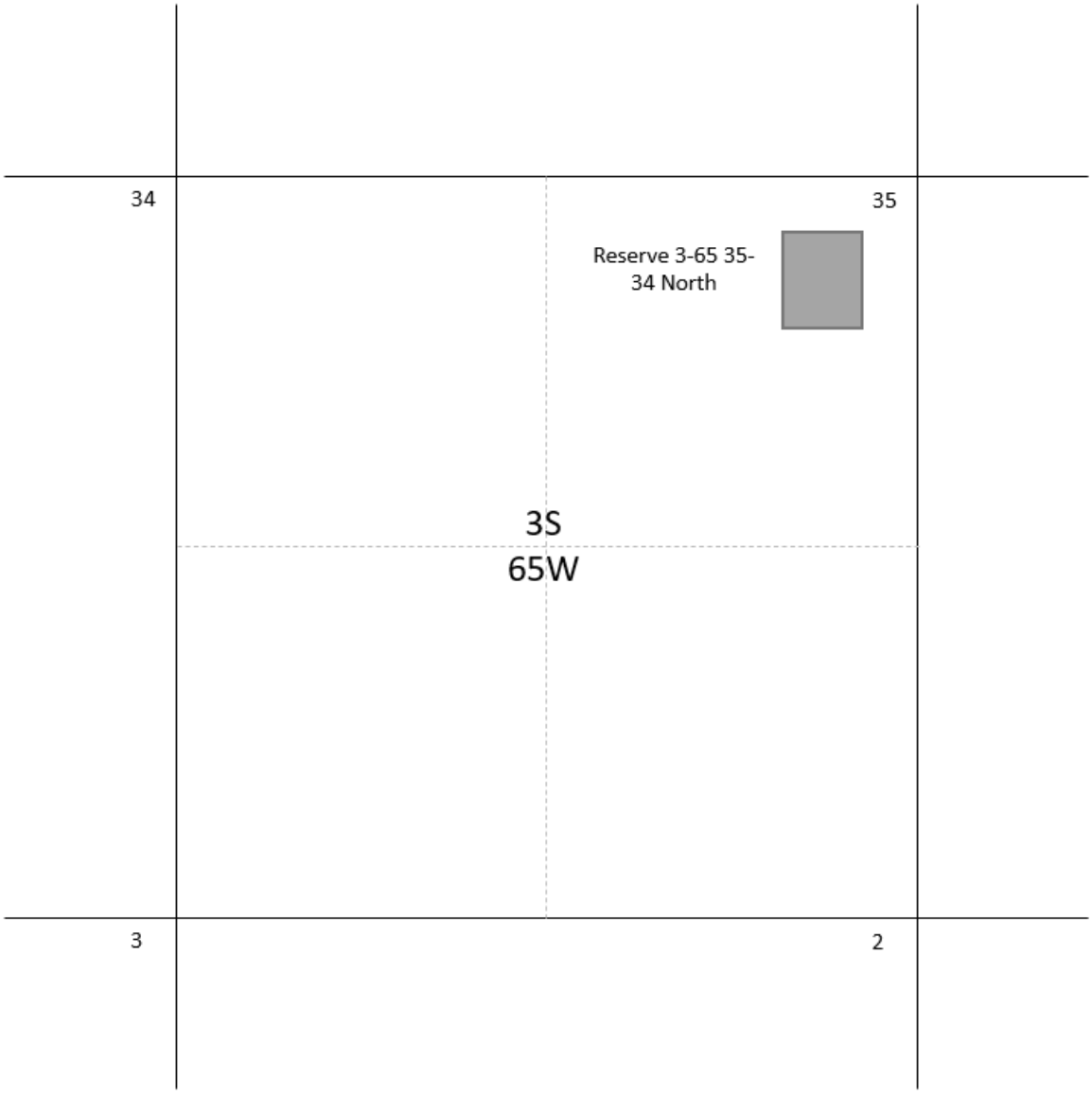

Denver
Adams
Revised Exhibit A
to the Operator Agreement between Crestone Peak
Resources and the City of Aurora dated 5/XX/2025
3S 65W
3S 64W
26th Avenue
Adams
Arapahoe
6th Avenue
3S
65W
4S 65W
4S 64W
Jewell
Powhaton
Monaghan
Hayesmount
Hudson
Watkins
N
0 0.5 1 2 3
Miles
Legend
Well Sites

Exhibit B

To the Operator Agreement between Crestone Peak, resources, LLC and city of Aurora dated June 5, 2019, as amended on January 21, 2021, April 10, 2023, and May XX, 2025

Well Site Name	Reserve 3-65 35-34 North
Legal Description:	NE/4 NE/4 Section 35 T3S, R65W
Number of Wells Planned:	15
Construction Status:	Phase 1 and Phase 2 built; Phase 3 to be built
Permit Status:	Approved (Phase 1, 2); Unapproved (Phase 3)
BMP Exemptions:	15.1.3 (Pneumatic Devices - only as to Reserve 3-65 34-35 #1H) 48.3 (Setbacks from Reservoirs)
Distance to closest residence:	Greater than 1320'



Well Site Name Cottonwood Creek 4-65 27-28 North

Removed from Operator Agreement

RESOLUTION NO. R2025-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR REVISIONS TO EXHIBITS A AND B OF THE CRESTONE PEAK RESOURCES OPERATOR AGREEMENT

WHEREAS, ConocoPhillips Company entered into an Operator Agreement with the City of Aurora ("City") on June 5, 2019; and

WHEREAS, on November 24, 2019, the Operator Agreement was subsequently assigned to Crestone Peak Resources Watkins Holdings LLC ("Crestone") with such assignment approved by the City Manager on January 15, 2020; and

WHEREAS, Exhibits A and B of the Operator Agreement provide for specific New Wells and Well Sites within the City; and

WHEREAS, in January 2021 and January 2023, Exhibits A and B of the Operator Agreement were previously revised and approved with unanimous support of the Aurora City Council; and

WHEREAS, Crestone now seeks to revise Exhibits A and B of the Operator Agreement to reduce the total number of approved Wells and total Well Sites, to cancel a previously-approved Well Site that is less than 2,000 feet from 2 residences, and to add six Wells to the existing Reserve North Well Site, thus increasing the site to 15 Wells; and

WHEREAS, notice for the public hearing shall be provided pursuant to Aurora City Code section 135-7(c).

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

Section 1. The City Council approves amending the existing Operator Agreement between Crestone and the City with the revisions to Exhibits A and B in a form not inconsistent with this Resolution.

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

David Scott RLA
_____
By: DAVE SCOTT, Assistant City Attorney

MEMO

TO: MAYOR COFFMAN AND MEMBERS OF THE AURORA CITY COUNCIL

FROM: BRAD PIERCE, CHAIR OIL AND GAS ADVISORY COMMITTEE

SUBJECT: OIL AND GAS ADVISORY COMMITTEE COMMENTS CRESTONE PEAK'S REQUEST TO CHANGE EXHIBITS A AND B TO OPERATOR AGREEMENT

DATE: APRIL 21, 2025

Dear Mayor Coffman and Members of the Aurora City Council:

I am pleased to provide comments from the Oil & Gas Advisory Committee pertaining to Crestone Peak's request to change Exhibits A and B of their Operator Agreement.

On April 1, 2025 Chair Brad Pierce called a special meeting of the Oil & Gas Advisory Committee. The special meeting was held on April 8, 2025 on Microsoft Teams. Jeffrey Moore presented the details of the request from Crestone Peak to change Exhibits A and B to their Operator Agreement.

Generally changes consist of the following:

- Reserve North: increasing allowed wells from 9 to 15 (+6 well slots)
- Cottonwood Creek North: eliminating site (-7 well slots)

Benefits to the City include:

- Reduced impact to residents (Cancel an approved site that was <2,000' from 2 residences)
- Reduced surface impact (Removing an approved future Well Site)
- Reduced traffic and road impact (Expanded Well Site is much closer to Interstate 70, and existing site is already served by natural gas and oil pipelines.)
- Expanded Well Site is zoned Airport District (AD)
- Additional wells will require a new permit from both the city and ECMC
- Provide greater protection for public health, safety, welfare, the environment, and wildlife resources

On April 8, 2025 we voted unanimously to recommend to City Council to adopt Crestone Peak's request to change Exhibits A and B to their Operator Agreement.

Please contact me with any questions.

Respectfully submitted,

Brad Pierce
Chair, Oil & Gas Advisory Committee

CITY OF AURORA
Council Agenda Commentary

Item Title: Quiktrip 4263 Site Plan Appeal
Item Initiator: James Schireman, Planner I, Planning and Business Development
Staff Source/Legal Source: James Schireman, Planner I, Planning and Business Developemt / Lena McClelland, Assistant City Attorney
Outside Speaker: Foster Graham Milstein & Calisher, LLP – Agent
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: 5/5/2025

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

Item requires a Public Hearing: ☒ Yes ☐ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

A PUBLIC HEARING AND CONSIDERATION WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY THE APPLICANT REGARDING THE PLANNING AND ZONING COMISSION DECISION OF DENIAL FOR THE QUIKTRIP 4263 SITE PLAN AND CONDITIONAL USE
James Schireman, Planner I, Planning and Business Development / Lena McClelland, Assistant City Attorney
A PUBLIC HEARING AND CONSIDERATION WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY THE APPLICANT REGARDING THE PLANNING AND ZONING COMISSION DECISION OF DENIAL FOR THE QUIKTRIP 4263 SITE PLAN AND CONDITIONAL USE
James Schireman, Planner I, Planning and Business Development / Lena McClelland, Assistant City Attorney

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
☐ Approve Item as Proposed at Policy Committee
☐ Approve Item as Proposed at Study Session
☒ Approve Item as Proposed at Regular Meeting

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: 2/12/2025

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.)*

The Planning and Zoning Commission, on February 12, 2025, reviewed the applicant's request for a site plan and a conditional use for a QuikTrip motor vehicle refueling station in the Mixed-Use Corridor (MU-C) zoning district at 2580 S Havana Street. The motion to approve the conditional use failed by a vote of 1 in favor and 5 against. By denying the conditional use, the Planning Commission deemed the site plan denied by extension and a moot point for further discussion. The Planning Commission Staff Report with Exhibits, the Planning Commission Result Letter, and the applicant's appeal have been attached for reference (Exhibits H).

At the February hearing, James Schireman, Staff Planner, presented the Quiktrip 4263 Site Plan and Conditional Use with a recommendation for its approval. Staff affirmed that the application remained in compliance with both the conditional use approval criteria in section 146-5.3.13.A, as well as the site plan criteria found in section 146-5.4.3.B.2 . Following the staff presentation, several members of the public raised concerns regarding the significant amount of gas stations already existing in the area, with Chair Walls affirming this opinion by noting 11 gas stations existing within one mile of the site. Overall, the Commission found the proposed additional gas station would not appropriately mitigate the adverse impacts of the use, and subsequently voted to deny the conditional use. With the conditional use denied, the planning commission found the site plan use related criteria impossible to satisfy, and deemed the site plan denied by extension.

An appeal of the Planning Commission decision was filed by the applicant's agent, Foster Graham Milstein & Calisher, on February 21, 2025, in accordance with section 146-5.3.13.A. The appellant contends that the Quiktrip 4263 complies with both the Conditional Use approval criteria outlined in Section 146-5.4.3.A.3 and the Site plan criteria found in section 146-5.4.3.B.2. Furthermore, the appellant asserts that the Planning Commission did not apply the Conditional Use criteria correctly when rendering their decision to deny. The complete appellant letter of introduction and attached material is provided for your reference (Exhibit B, C and D).

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

The applicant’s agent, on behalf of the QuikTrip Corporation, requests approval of a Site Plan application and Conditional Use permit for a convenience store and fueling station in the triangular shopping center bound by S. Parker Road and S. Havana Street. The subject property is located entirely within an MU-C zone district and is bordered by adjacent MU-C zoning to the north and south, with a small pocket of MU-OI zoning to the east. A park managed by the City of Denver is located to the West across Havana Street. The proposed Quiktrip is located on a parcel that contains a multi-tenant commercial center, proposed to remain, while the now closed Sam’s Diner restaurant in the Northwest corner is proposed to be demolished and replaced with the proposed Quiktrip use. The proposed QuikTrip will include an approximately 5,312 square-foot single-story convenience store and a 9-pump traditional vehicle fueling station with a canopy. The fueling station, convenience store, and associated parking will occupy 1.288 acres of the overall 4.834 Acre site. No separate diesel canopy is proposed.

The proposed convenience store building will be constructed primarily of masonry brick, will include glazing on all elevations, and features accents of aluminum and stucco. Vehicular access to the site will be provided through existing access points off S. Parker Road and S Havana Street. The proposed site plan design meets all applicable requirements and ensures that all potential negative impacts are mitigated and that the proposed use's size, scale, height, density, and traffic impacts are compatible with existing nearby development.

The fueling station would operate 24 hours a day, 7 days a week. The facility would employ approximately 22 people, with 4 employees working per shift and 3 shifts per day. Due to being located along a primary commuter corridor, the location expects peak visitation during the morning and evening rush-hour, specifically 6am-9am and 4pm-6pm.

Exhibits:
Exhibit A – Vicinity Map
Exhibit B – Introduction letter and Operations Plan
Exhibit C – Site Plan
Exhibit D – Conditional Use Response
Exhibit E – 1483-03 PC Staff Report
Exhibit F – 2-12 PC Presentation Quiktrip 4263
Exhibit G – 2-12 PC Meeting Minutes
Exhibit H – Appeal Letter
Exhibit I – Appeal Presentation

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 uphold, modify, or overturn the decision of the Planning and Zoning Commission?

LEGAL COMMENTS

Unless otherwise specified by the UDO, any decision of the Planning and Zoning Commission may be appealed to the City Council. Appeals may be submitted by an affected applicant or by the owner of a property that is adjacent to the property that was the subject of the application. The notice of appeal

must be filed with the City Manager within 10 calendar days after the decision, and shall specifically state the Section or the City regulation that has not been applied correctly. (UDO §146-5.3.13.A.1) City Council shall schedule a public hearing according to the procedures described in UDO §146-5.3.8 (Public Hearings). City Council shall review the appeal based on the standards and criteria in the UDO and the record of decision and shall act to uphold, modify, or overturn the decision as necessary to bring the decision into compliance with the standards and criteria of the UDO. (UDO §146-5.3.13.A.2).

Criteria for Approval of a Major Site Plan. A Major Site Plan shall be approved only if:

(a) the application complies with applicable standards in the UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;

(b) the City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable;

(c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable;

(d) the application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers;

(e) the application is compatible with surrounding uses in terms of size, scale and building façade materials;

(f) the application mitigates any adverse impacts on the surrounding area to the degree practicable. (UDO §146-5.4.3.B.2.c). (McClelland)



Planning and Business Development

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

Miles 0 0.0375 0.075

City of Aurora, Colorado

QuikTrip 4263
Site Plan and Conditional Use

Case Number: 2000-6044-07
Development Application: #1483-03

2/5/2025 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro_Arial.aprx

June 4, 2024

City of Aurora
Office of Development Assistance
15151 E. Alameda Parkway, Suite 5200
Aurora, CO 80012

Re: ***Site Plan Letter of Intent***
QuikTrip 4263
Parker Road and Havana Street, Aurora, Colorado

To Whom It May Concern,

Kimley-Horn and Associates, Inc. is pleased to be submitting the Site Plan Package for the above-referenced project on behalf of QuikTrip Corporation (the "Site Developer"). General project information and anticipated scope of work related to the site improvements is further summarized below.

General Project Information

The Site is located on Parker Road, situated in the southwest quarter of Section 26, Township 4 South, Range 67 West of the 6th Principal Meridian, City of Aurora, County of Arapahoe, State of Colorado.

The Site lies within a portion of an existing developed lot, with a Burger King to the north, and surrounded by mixed uses to the south such as Epic Mountain Gear and Advance Auto Parts with associated sidewalks, pavement, and parking. The total existing lot contains a total of ±4.834 acres, however the proposed improvements anticipate impacting approximately ±2.07 acres of the total site.

The proposed improvements consist of the demolition of the existing structure on the northern portion of the site to develop a new convenience store and gas station.

Stormwater

Runoff developed on-site will be collected in private roof and storm drain systems and will be conveyed to a new below grade detention and water quality system for treatment and attenuation prior to being released to the existing storms ewer system in Havana Street. Refer to the Preliminary Drainage Report for more detailed information and analysis.

Site Access

The site access will be via the existing full movement points of access on Havana Street and Parker Road. The northern cross access point to the adjacent lot is proposed to be closed as part of this development. This has been coordinated with the property owner and is not anticipated to impact either lot, as the cross access is currently blocked with barriers in the existing condition.

Utilities

There is an existing 2-inch water meter along Parker Road, which is being investigated to understand if the meter can be reused and is appropriate for the site development. If the existing meter will not be reused, a modified tap size in the existing location will be proposed.

There is an existing sanitary sewer main along Havana Street which is anticipated to serve the site. Additionally, there is an existing sanitary sewer service through the site to the east appearing to serve Lot 1 of the Parker Exchange Subdivision. This sanitary sewer is planned to remain in place.

Electric, cable, and telephone services are anticipated to be included as part of this Project and will meet service load requirements of the Project. The appropriate utility service providers will be contacted for design and necessary service extensions, facilities, and easements for the new buildings. Coordination with Xcel regarding the demolition and connection to the existing power is ongoing. No new gas lines are proposed with the project.

Landscape

Landscaping and irrigation will be proposed along the property boundary and throughout the Project meeting the City of Aurora requirements.

Consistent with the Subarea Plan for this region, new detached sidewalks with landscape tree lawns are proposed as part of this development.

Signage

Signage for the Project will be provided per the City Code. Allowable signage for the Site will be coordinated with the City. It is anticipated the existing monument sign along Parker Road will be relocated to the new back of curb. The existing monument sign along Havana Street is currently planned to remain in place.

QuikTrip Operations Plan

The convenience store with fuel sales will be open 24hrs per day. Each location employs an average of 22 people, 4 employees per shift, 3 shifts per day. The peak visitation to the site correlates with normal business travel hours. In the morning from 6am-9am as people are heading to work, from 11am to 1pm as people are searching out lunch options, then from 4pm to 6pm when people are on their way home from work. The number of customers during these peak hours is directly dependent on the number of residents within the immediate area and traffic that currently uses the adjacent roadway system.

All deliveries will be scheduled during daytime hours so as to not have an adverse effect on the neighboring properties, there will not be any outdoor storage of materials, and there are no hazardous materials stored on site.

Conditional Use Criteria

It is understood that a gas station and convenience store is a Conditional Use under the current MU-C zoning designation. Below is a summary of the eight (8) conditional use criteria and descriptions of how the proposed site plan demonstrates compliance with the criteria.

1. The compatibility of the proposed use with existing and planned uses on abutting properties.
    - *Response: The proposed development is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site.*
      The convenience store will offer the surrounding neighborhoods a new option for high quality to-go food as the store is equipped with a full-service kitchen preparing grab-and-go meals, coffee and drinks.

2. Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area
   - *Response: The proposed convenience store and fuel station will not negatively impact the density in this area and will actively serve the community. The convenience provided with the QuikTrip store will serve as a local community amenity offering high quality to-go food. The proposed site will also provide pedestrian amenities such as sidewalks/paths and outdoor seating areas around the building. .*

3. The proposed use will not change the predominant character of the surrounding area.
   - *Response: The zoning for the proposed site and surrounding properties is Mixed Use Corridor as noted previously.*

4. The ability to mitigate adverse and undesirable impacts to the surrounding area, including but not limited to visual impacts, air emissions, noise, vibrations, glare, heat odors, water pollution, electromagnetic interference, and other nuisance effects;
   - *Response: Visually, the proposed development will be partially screened with landscaping and amenities from view of the adjacent ROW utilizing tree lawns and decorative landscaping.*
     The convenience store will have food/store deliveries as needed on a Monday through Friday daytime delivery schedule. Fuel delivery will occur as needed based on sales as replenishment is needed, these deliveries are anticipated to occur during daytime non-peak hours whenever possible to limit the possible vehicle congestion on the site. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated.
     Parking is not proposed at abut Tower Road, mitigating negative glare and visual impact along the primary road corridor.
     Consistent with the city standards, stormwater quality treatment for runoff is proposed on-site to improve water quality and mitigate water pollution. All of the underground fuel storage tanks are equipped with state of the art real-time leak detection systems.

5. Amount of traffic generated and capacity and design of roadways to handle anticipated traffic;
   - *Response: This project includes a Traffic Impact Study. This Traffic Study outlines the proposed QuikTrip Conditional Use development. As part of the TIS, a 16 fueling position gas station with 5,312 SF convenience store was accessed for the overall development. Access to the project site from the adjacent rights-of-way are consistent with the TIS recommendations for access movements. With the addition of the project and improvements, all intersections are expected to operate in the near term acceptably during both the AM Peak Hour and the PM Peak Hour in the current configurations.*

6. The effect on infrastructure including water, wastewater, stormwater, utilities, and streets;
   - *Response: The proposed QuikTrip site is not anticipated to negatively impact the existing utilities or adjacent roadways. Consistent with the existing commercial development, the existing water, sanitary and storm sewer system has adequate capacity to serve the project site and proposed use. Consistent with the Traffic Impact Study, the adjacent roadways are adequate for the anticipated traffic demands.*

7. The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use
    - *Response: QuikTrip is committed to providing a high level of architecture design for both the proposed Convenience Store and Fuel Canopy, both structures will be compliant with the City UDO. The proposed landscaping on the QT is consistent with the City UDO and provides new detached sidewalks with tree lawns and a plaza area west of the building.*

8. The city council, planning commission, or planning director are authorized to consider the past performance of an applicant in their consideration of any conditional use. The planning commission, city council, or planning director may use as a basis for denial whether the applicant or developer is determined to be in violation of any requirements, conditions, or representations on a prior development.
    - *Response: QuikTrip is historically one of the best in the convenience store business and year after year commit to delivering a high level of quality service the community. We greatly appreciate the opportunity to partner with the City of Aurora on this development and look forward to being a part of the community.*

We hope this Letter of Intent assists in your review of the QuikTrip Site Plan submittal. We are excited to work with the City on this project and look forward to delivering a project that the City and this project team are extremely proud of.

If you have any questions or comments during your review, please do not hesitate to contact me at 303-228-2327 or shelby.madrid@kimley-horn.com.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



Shelby Madrid, PE,

QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST ¼ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE COLORADO CENTRAL ZONE 0502, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE GROUND UNITS. BEING THE SOUTH LINE OF THE SOUTHWEST ¼ OF SECTION 26, BEARING N89°49'35"E, BETWEEN MONUMENTS SHOWN HEREON.

BENCHMARK

VERTICAL RELIEF WAS MADE FROM AN ON THE GROUND SURVEY, CONTOURS SHOWN HEREON ARE AT 1' INTERVALS USING THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), GEOID 12A. SITE VERTICAL WAS ESTABLISHED BY USING CITY OF AURORA BENCH MARK "4S67726SW010"

3" BRASS CAP LOCATED AT INLET STRUCTURE AT THE NORTHWEST CORNER OF HARVARD DR. AND YALE AVE.

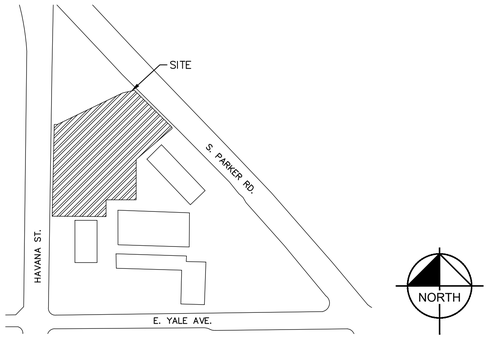
ELEVATION = 5589.80 FEET (NAVD 1988)

LEGAL DESCRIPTION

LOT 1, BLOCK 1, LA BELLE SUBDIVISION, RECORDED AT RECEPTION NUMBER 1303028, BOOK 22, PAGE 71 IN THE OFFICIAL RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, BEING IN THE SW ¼ OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO

CITY OF AURORA SITE PLAN NOTES:

1. THE DEVELOPER, SUCCESSORS OR ASSIGNS, INCLUDING THE HOMEOWNERS OR MERCHANTS ASSOCIATION, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL FIRE LANE SIGNS AS REQUIRED BY THE CITY OF AURORA.
2. RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON, AND THROUGH ANY AND ALL PRIVATE ROADS, WAYS, FIRE LANES EASEMENTS OR FIRE LANE CORRIDORS NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY. WHERE DEDICATED AS A FIRE LANE EASEMENT OR DESIGNATED AS A FIRE LANE CORRIDOR, THE ROADWAY SHALL BE POSTED "NO PARKING – FIRE LANE".
3. "ACCESSIBLE EXTERIOR ROUTES" SHALL BE PROVIDED FROM PUBLIC TRANSPORTATION STOPS, ACCESSIBLE PARKING, ACCESSIBLE PASSENGER LOADING ZONES AND PUBLIC SIDEWALKS TO THE ACCESSIBLE BUILDING ENTRANCE THEY SERVE. AT LEAST 50% OF ALL BUILDING ENTRANCES SHALL BE THE MOST PRACTICAL DIRECT ROUTE. NO SLOPE ALONG THIS ROUTE MAY EXCEED 1:20 WITHOUT PROVIDING A RAMP WITH A MAXIMUM SLOPE OF 1:12 AND HANDRAILS. CROSSWALKS ALONG THIS ROUTE SHALL BE WIDE ENOUGH TO WHOLLY CONTAIN THE CURB RAMP WITH A MINIMUM WIDTH OF 36" AND SHALL BE PAINTED WITH WHITE STRIPES. REQUIRED ACCESSIBLE MEANS OF EGRESS SHALL BE CONTINUOUS FROM EACH REQUIRED ACCESSIBLE OCCUPIED AREA TO THE PUBLIC WAY. THE "ACCESSIBLE EXTERIOR ROUTES" SHALL COMPLY WITH IBC 2021 CHAPTER 11, AND 2017 ICC A117.1.
4. THE APPLICANT HAS THE OBLIGATION TO COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE AMERICAN WITH DISABILITIES ACT.
5. THE DEVELOPER, SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL LANDSCAPING MATERIALS SHOWN OR INDICATED ON THE APPROVED SITE PLAN OR LANDSCAPE PLAN ON FILE IN THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. ALL LANDSCAPING WILL BE INSTALLED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
6. ALL CROSSINGS OR ENCROACHMENTS BY PRIVATE LANDSCAPE IRRIGATION LINES OR SYSTEMS AND/OR PRIVATE UTILITIES INTO EASEMENTS AND STREET RIGHTS-OF-WAY OWNED BY THE CITY OF AURORA ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO CITY OF AURORA'S USE AND OCCUPANCY OF THE SAID EASEMENTS OR RIGHTS-OF-WAY. THE UNDERSIGNED, THEIR SUCCESSORS AND ASSIGNS, HEREBY AGREE TO INDEMNIFY THE CITY OF AURORA FOR ANY LOSS, DAMAGE OR REPAIR TO CITY FACILITIES THAT MAY RESULT FROM THE INSTALLATION, OPERATION OR MAINTENANCE OF SAID PRIVATE IRRIGATION LINES OR SYSTEMS AND/OR PRIVATE UTILITIES.
7. IN LOCATIONS WHERE UTILITY EASEMENTS OVERLAP DRAINAGE EASEMENTS, ONLY SUBSURFACE UTILITIES SHALL BE PERMITTED WITHIN THE PORTION OF THE UTILITY EASEMENT THAT OVERLAPS THE DRAINAGE EASEMENT. INSTALLATION OF ABOVE GROUND UTILITIES WITHIN A DRAINAGE EASEMENT REQUIRES PRIOR WRITTEN APPROVAL BY THE CITY ENGINEER.
8. PRIOR TO FINAL ACCEPTANCE OF PUBLIC IMPROVEMENTS, IF THE ADJACENT SITE IS NOT UNDER CONSTRUCTION, THE CURB CUT/CURB RETURNS AND CROSS PAN MUST BE REMOVED AND REPLACED WITH SIDEWALK, LANDSCAPING AND CURB AND GUTTER AT THE DEVELOPER'S EXPENSE. THE DEVELOPER ACKNOWLEDGES THE RISK OF CONSTRUCTING THE CURB CUT WITHOUT APPROVED CIVIL PLANS FOR THE ADJACENT SITE SHOWING THE CURB CUT.
9. THE APPROVAL OF THIS DOCUMENT DOES NOT CONSTITUTE FINAL APPROVAL OF GRADING, DRAINAGE, UTILITY, PUBLIC IMPROVEMENTS AND BUILDING PLANS. CONSTRUCTION PLANS MUST BE REVIEWED AND APPROVED BY THE APPROPRIATE AGENCY PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
10. ALL BUILDING ADDRESS NUMBERS SHALL COMPLY WITH SECTIONS 126-271 AND 126-278 OF THE AURORA CITY CODE.
11. NOTWITHSTANDING ANY SURFACE IMPROVEMENTS, LANDSCAPING, PLANTING OR CHANGES SHOWN IN THESE SITE OR CONSTRUCTION PLANS, OR ACTUALLY CONSTRUCTED OR PUT IN PLACE, ALL UTILITY EASEMENTS MUST REMAIN UNOBSTRUCTED AND FULLY ACCESSIBLE ALONG THEIR ENTIRE LENGTH TO ALLOW FOR ADEQUATE MAINTENANCE EQUIPMENT. ADDITIONALLY, NO INSTALLATION, PLANTING, CHANGE IN THE SURFACE, ETC., SHALL INTERFERE WITH THE OPERATION OF THE UTILITY LINES PLACED WITHIN THE EASEMENT. BY SUBMITTING THESE SITE OR CONSTRUCTION PLANS FOR APPROVAL, THE LANDOWNER RECOGNIZES AND ACCEPTS THE TERMS, CONDITIONS AND REQUIREMENTS OF THIS NOTE.
12. ALL ROOFTOP MECHANICAL EQUIPMENT AND VENTS GREATER THAN EIGHT (8) INCHES IN DIAMETER MUST BE SCREENED. SCREENING MAY BE DONE EITHER WITH AN EXTENDED PARAPET WALL OR A FREESTANDING SCREEN WALL. SCREENS SHALL BE AT LEAST AS HIGH AS THE EQUIPMENT THEY HIDE. IF EQUIPMENT IS VISIBLE BECAUSE SCREENS DON'T MEET THIS MINIMUM HEIGHT REQUIREMENT, THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES MAY REQUIRE CONSTRUCTION MODIFICATIONS PRIOR TO THE ISSUANCE OF A PERMANENT CERTIFICATE OF OCCUPANCY.
13. ALL INTERESTED PARTIES ARE HEREBY ALERTED THAT THIS SITE PLAN IS SUBJECT TO ADMINISTRATIVE CHANGES AND AS SHOWN ON THE ORIGINAL SITE PLAN ON FILE IN THE AURORA CITY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. A COPY OF THE OFFICIAL CURRENT PLAN MAY BE OBTAINED THERE. LIKEWISE, SITE PLANS ARE REQUIRED TO AGREE WITH THE APPROVED SUBDIVISION PLAT OF RECORD AT THE TIME OF A BUILDING PERMIT; AND IF NOT, MUST BE AMENDED TO AGREE WITH THE PLAT AS NEEDED, OR VICE VERSA.
14. ERRORS IN APPROVED SITE PLANS RESULTING FROM COMPUTATIONS OR INCONSISTENCIES IN THE DRAWINGS MADE BY THE APPLICANT ARE THE RESPONSIBILITY OF THE PROPERTY OWNER OF RECORD. WHERE FOUND, THE CURRENT MINIMUM CODE REQUIREMENTS WILL APPLY AT THE TIME OF BUILDING PERMIT. PLEASE BE SURE THAT ALL PLAN COMPUTATIONS ARE CORRECT.
15. ALL REPRESENTATIONS AND COMMITMENTS MADE BY APPLICANTS AND PROPERTY OWNERS AT PUBLIC HEARINGS REGARDING THIS PLAN ARE BINDING UPON THE APPLICANT, PROPERTY OWNER, AND ITS HEIRS, SUCCESSORS, AND ASSIGNS.
16. ARCHITECTURAL FEATURES, SUCH AS BAY WINDOWS, FIREPLACES, ROOF OVERHANGS, GUTTERS, EAVES, FOUNDATIONS, FOOTINGS, CANTILEVERED WALLS, ETC., ARE NOT ALLOWED TO ENCROACH INTO ANY EASEMENT OR FIRE LANE.
17. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, SHOWN ON THE SIGNING AND STRIPING PLAN FOR DEVELOPMENT.
18. FIRE LANE AND HANDICAPPED PARKING SIGNS, SIGN DETAILS, HANDICAPPED PARKING STALL DETAILS, AND LOCATIONS SHALL BE APPROVED WITH THE CIVIL PLANS, "SIGNAGE AND STRIPING" PACKAGE.
19. THIS SITE HAS THE FOLLOWING CONDITIONAL USE APPROVAL(S):
20. FINAL GRADE SHALL BE AT LEAST SIX (6) INCHES BELOW ANY EXTERIOR WOOD SIDING ON THE PREMISES.
21. THE STREETLIGHT OR PEDESTRIAN LIGHT INSTALLATION WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE DESIGNED, FUNDED, AND CONSTRUCTED BY THE DEVELOPER/OWNER. OWNERSHIP AND MAINTENANCE OF THE STREET/PEDESTRIAN LIGHTS SHALL BE THE RESPONSIBILITY OF THE CITY OF AURORA ONCE THEY HAVE BEEN ACCEPTED. STREET LIGHT AND/OR PEDESTRIAN PHOTOMETRICS PLANS SHALL BE PREPARED AND SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL AND SHALL BECOME A PART OF THE APPROVED CIVIL CONSTRUCTION PLANS FOR THE PROJECT. SEPARATE PERMITS FOR STREET LIGHTS WILL BE REQUIRED; ONE FOR PUBLIC IMPROVEMENTS AND ONE FOR A BUILDING PERMIT FOR ELECTRICAL. THE BUILDING PERMIT SUBMITTAL WILL NEED TO INCLUDE AN ELECTRICAL PLAN SHOWING SITE LOCATION OF LIGHTS, ELECTRIC METER LOCATION, ELECTRICAL ONE LINE AND GROUNDING DETAILS AND ANY ADDITIONAL ELECTRICAL INFORMATION FOR APPROVAL. THE OWNER IS RESPONSIBLE FOR OBTAINING AN ADDRESS FOR THE METER(S) FROM THE PLANNING DEPARTMENT. CERTIFICATE OF OCCUPANCIES WILL NOT BE ISSUED UNTIL THE STREET AND/OR PEDESTRIAN LIGHTING PLANS ARE APPROVED, CONSTRUCTED, AND INITIALLY ACCEPTED.
22. ALL CROSSINGS OR ENCROACHMENTS INTO EASEMENTS AND RIGHTS-OF-WAY OWNED BY THE CITY OF AURORA ("CITY") IDENTIFIED AS BEING PRIVATELY-OWNED AND MAINTAINED HEREIN ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO CITY'S USE AND OCCUPANCY OF SAID EASEMENTS OR RIGHTS-OF-WAY. THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, FURTHER AGREES TO REMOVE, REPAIR, REPLACE, RELOCATE, MODIFY, OR OTHERWISE ADJUST SAID CROSSINGS OR ENCROACHMENTS UPON REQUEST FROM THE CITY AND AT NO EXPENSE TO THE CITY. THE CITY RESERVES THE RIGHT TO MAKE FULL USE OF THE EASEMENTS AND RIGHTS-OF-WAY AS MAY BE NECESSARY OR CONVENIENT AND THE CITY RETAINS ALL RIGHTS TO OPERATE, MAINTAIN, INSTALL, REPAIR, REMOVE OR RELOCATE ANY CITY FACILITIES LOCATED WITHIN SAID EASEMENTS AND RIGHTS-OF-WAY AT ANY TIME AND IN SUCH A MANNER AS IT DEEMS NECESSARY OR CONVENIENT.



VICINITY MAP
SCALE 1"= 250'

SHEET LIST TABLE	
Sheet Number	Sheet Title
1	COVER SHEET
2	OVERALL SITE PLAN
3	DETAILED SITE PLAN
4	OPERATIONS PLAN
5	GRADING PLAN
6	UTILITY PLAN
7	SITE DETAIL SHEET
8	SITE DETAIL SHEET
9	TREE MITIGATION PLAN
10	LANDSCAPE PLAN
11	LANDSCAPE SCHEDULES
12	LANDSCAPE DETAILS
13	LANDSCAPE DETAILS
14	LANDSCAPE DETAILS
15	BUILDING ELEVATIONS
16	BUILDING FLOORPLAN (A101)
17	BUILDING ELEVATIONS (A201)
18	BUILDING ELEVATIONS (A202)
19	CANOPY ELEVATIONS
20	PHOTOMETRIC SITE PLAN
21	PHOTOMETRIC DETAILS
22	PHOTOMETRIC DETAILS
23	PHOTOMETRIC DETAILS
24	PHOTOMETRIC DETAILS
25	PHOTOMETRIC DETAILS
26	SIGNAGE PLAN

SITE DATA

AREA OF PROPOSED IMPROVEMENTS ± 1.288 ACRES
LAND AREA WITHIN PROPERTY LINE ± 4.834 ACRES
BUILDING COVERAGE ± 5,312 SF, 0.12 ACRES
CANOPY COVERAGE ± 8,346 SF, 0.19 ACRES
HARDSCAPE ± 3.405 ACRES
LANDSCAPE ± 0.401 ACRES
NUMBER OF BUILDINGS 1
MAXIMUM ALLOWABLE HEIGHT OF BUILDINGS 75.0 FT
MAXIMUM PROPOSED HEIGHT OF BUILDINGS 22'-6"
NUMBER OF ENCLOSURES / CANOPIES 1
MINIMUM CANOPY HEIGHT 15 FT (APPROX)
MAXIMUM HEIGHT OF ENCLOSURES / CANOPIES 22.5 FT (APPROX)
PRESENT ZONING CLASSIFICATION MIXED USE CORRIDOR (MU-C)
PROPOSED USE MOTOR VEHICLE FUEL DISPENSING STATION (CONDITIONAL USE) & RETAIL SALES, SMALL
2021 IBC OCCUPANCY CLASSIFICATION (ENCLOSURES) M
2021 IBC OCCUPANCY CLASSIFICATION (CANOPIES) U
2021 IBC OCCUPANCY CLASSIFICATION (MAIN BUILDING) M
CONSTRUCTION TYPE (ENCLOSURES) NON-SPRINKLERED
CONSTRUCTION TYPE (CANOPIES) NON-SPRINKLERED
CONSTRUCTION TYPE (MAIN BUILDING) NON-SPRINKLERED
TOTAL PERMITTED SIGN AREA 184.06 SQ. FT.
PROPOSED TOTAL SIGN AREA
TOTAL PERMITTED SIGN AREA (QUIKTRIP SPECIFIC) 184'6"
QUIKTRIP SINGLE TENANT SIGN AREA 47.3 SF (23.65 SF PER SIDE)
CANOPY SIGN AREA (2 @ 14 SF EA) 28 SF
QUIKTRIP BUILDING SIGNAGE (2 @ 52 SF EA) 104 SF
TOTAL SIGN AREA 179.3 SF
TOTAL PERMITTED SIGN AREA (MULTI-TENANT SIGNAGE) 400 SF
SECONDARY MULTI-TENANT HAVANA ST. 90 SF (45 SF PER SIDE)
SECONDARY MULTI-TENANT PARKER ROAD 118 SF (54 SF PER SIDE)
TOTAL MULTI-TENANT SIGNAGE 208 SF
PROPOSED NUMBER OF SIGNS 5
LOADING SPACES REQUIRED AS PER CODE 1
TOTAL NUMBER OF PROPOSED PARKING SPACES 36

PARKING SUMMARY:

BICYCLE PARKING — 2 REQ. — 2 PROVIDED

IMPROVED PORTION OF LOT 1	EXISTING	REQUIRED	PROPOSED
STANDARD CUSTOMER (3 PER 1000 GROSS FLOOR AREA):	113	16	26
STANDARD EMPLOYEE (1 PER EMPLOYEE):	N/A	6	6
ACCESSIBLE (1 PER 25 SPACES):	1	1	1
ACCESSIBLE (VAN COMPLIANT) (1 PER 6 ACCESSIBLE SPACES):	1	1	1
TOTAL:	115	24	34

AMENDMENTS

NO.	REVISION	BY	DATE	APPR.

LEGAL DESCRIPTION: LOT 1 BLOCK 1, LA BELLE SUBDIVISION, COUNTY OF ARAPAHOE, STATE OF COLORADO

THIS SITE PLAN AND ANY AMENDMENTS HERETO, UPON APPROVAL BY THE CITY OF AURORA AND RECORDING, SHALL BE BINDING UPON THE APPLICANTS THEREFORE, THEIR SUCCESSORS AND ASSIGNS. THIS PLAN SHALL LIMIT AND CONTROL THE ISSUANCE AND VALIDITY OF ALL BUILDING PERMITS, AND SHALL RESTRICT AND LIMIT THE CONSTRUCTION, LOCATION, USE, OCCUPANCY AND OPERATION OF ALL LAND AND STRUCTURES WITHIN THIS PLAN TO ALL CONDITIONS, REQUIREMENTS, LOCATIONS AND LIMITATIONS SET FORTH HEREIN. ABANDONMENT, WITHDRAWAL OR AMENDMENT OF THIS PLAN MAY BE PERMITTED ONLY UPON APPROVAL OF THE CITY OF AURORA.

IN WITNESS THEREOF, QUIKTRIP, AS ITS INTEREST MAY APPEAR OF RECORD HAS CAUSED THESE PRESENTS TO BE EXECUTED

THIS _____ DAY OF _____ AD. _____.

BY: _____
TITLE: AUTHORIZED SIGNATORY

STATE OF _____

COUNTY OF _____

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS ____ DAY OF 20____.

_____ NOTARY SEAL
(NOTARY PUBLIC)

MY COMMISSION EXPIRES _____

NOTARY BUSINESS ADDRESS:

CLERK AND RECORDER'S CERTIFICATE

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ADAMS COUNTY, COLORADO ON THIS_____ DAY OF _____, 20____A.D. AT_____O'CLOCK___M.

_____ _____
COUNTY CLERK AND RECORDER DEPUTY .

_____

PAGE NO.: _____

RECEPTION NO.: _____

CITY OF AURORA APPROVALS

CITY ATTORNEY:

PLANNING DIRECTOR:

PLANNING COMMISSION:

CITY COUNCIL:

ATTEST:

DATABASE APPROVAL:

CONTACTS

DEVELOPER
QUIKTRIP CORPORATION
12000 WASHINGTON ST. STE 175
THORNTON, CO 80241
PHONE: (303) 248-0435
CONTACT: JESSICA GLAVAS

SURVEYOR
ALTURA LAND CONSULTANTS
6950 S. TUCSON WAY, UNIT C
CENTENNIAL, CO 80112
TEL: (720) 531-4663
CONTACT: MARTIN BRAUNS, PLS

CIVIL ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
6200 S SYRACUSE WAY #300
GREENWOOD VILLAGE, CO 80111
TEL: (303) 228-2327
CONTACT: SHELBY MADRID, P.E.

LANDSCAPE ARCHITECT
KIMLEY-HORN AND ASSOCIATES, INC.
6200 S SYRACUSE WAY #300
GREENWOOD VILLAGE, CO 80111
TEL: (303) 228-2319
CONTACT: CHRIS HEPLER, PLA

811 Know what's below. Call before you dig.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
COVER SHEET

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_CV.DWG

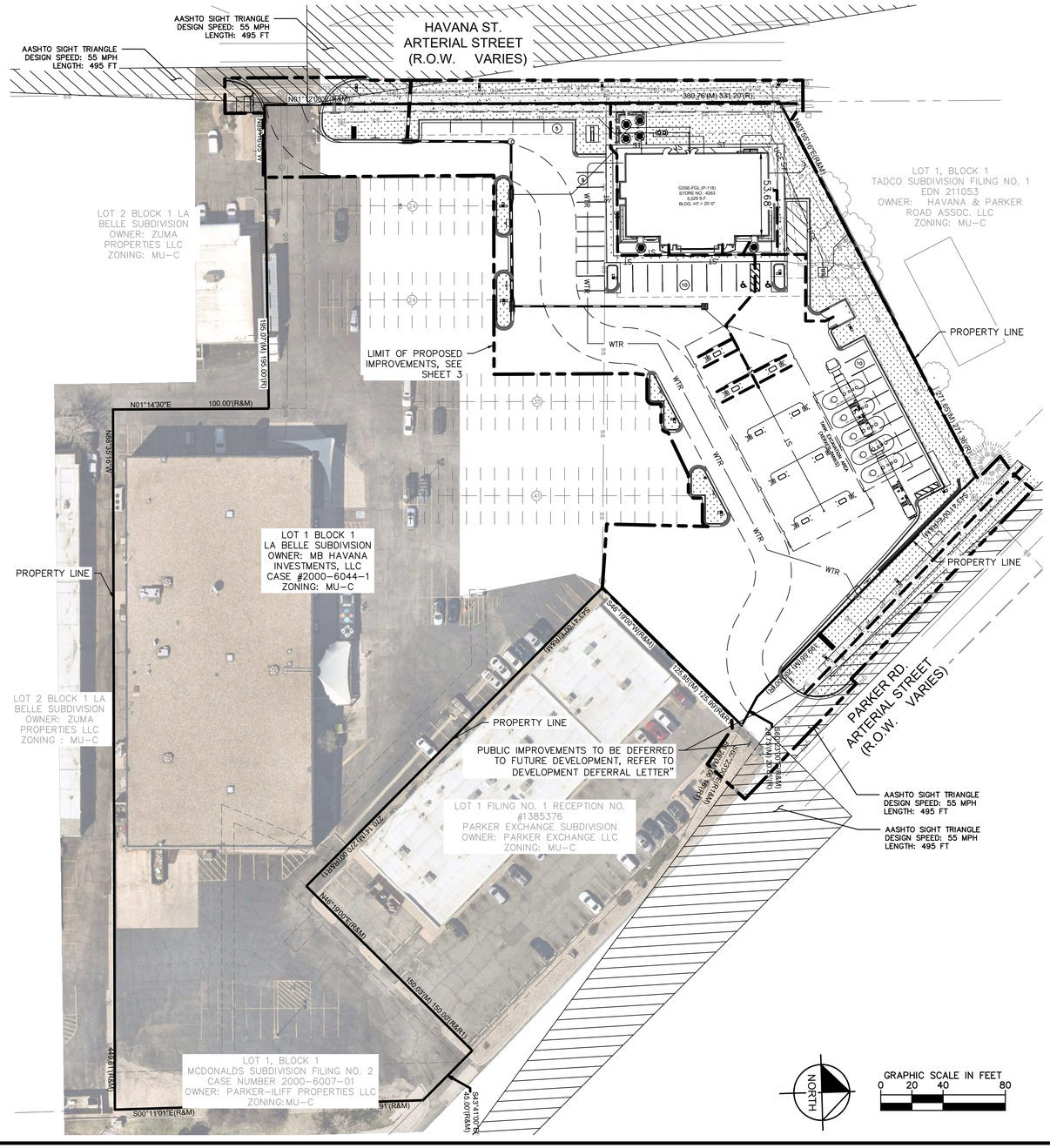
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- LIMIT OF PROPOSED IMPROVEMENTS
- EXISTING EASEMENT
- PROPOSED EASEMENT
- ACCESSIBLE PATH
- 6" CURB PER COA STD DTL S7.1
- PROPOSED CONCRETE
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPE
- AASHTO SIGHT TRIANGLE
- (XX) NUMBER OF PROPOSED PARKING SPACES
- (XX) NUMBER OF EXISTING PARKING SPACES
- PROPOSED SITE LIGHTING
- EXISTING SITE LIGHTING TO REMAIN
- PROPOSED STORM INLET
- PROPOSED MANHOLE
- EXISTING TREE TO REMAIN

PARKING COUNT:

LOT 1 PROPERTY EXISTING (TOTAL):	
STANDARD	287
ADA	4
LOT 1 PROPERTY PROPOSED	
STANDARD STALLS	214
ADA	4
IMPROVEMENT AREA	
EXISTING STANDARD STALLS	113
EXISTING ADA STALLS	2
	TOTAL: 115
PROPOSED PARALLEL STANDARD STALLS	5
PROPOSED STANDARD 90 DEGREE STALLS	27
PROPOSED ADA STALLS	2
	TOTAL: 34

SUBAREA A FRONTAGE SUMMARY:

HAVANA ST. FRONTAGE	295.90 FT
PARKER ROAD FRONTAGE	178.55 FT
TOTAL FRONTAGE	474.45 FT
ALLOWABLE SURFACE PARKING FRONTAGE	25%
ALLOWABLE FOR SITE	118 FT
PROPOSED SURFACE PARKING FRONTAGE (5 PARALLEL PARKING SPOTS)	101 FT

SITE PLAN NOTES

1. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, AND SHOWN ON THE SIGNING AND STRIPING PLAN FOR THE DEVELOPMENT.

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
OVERALL SITE PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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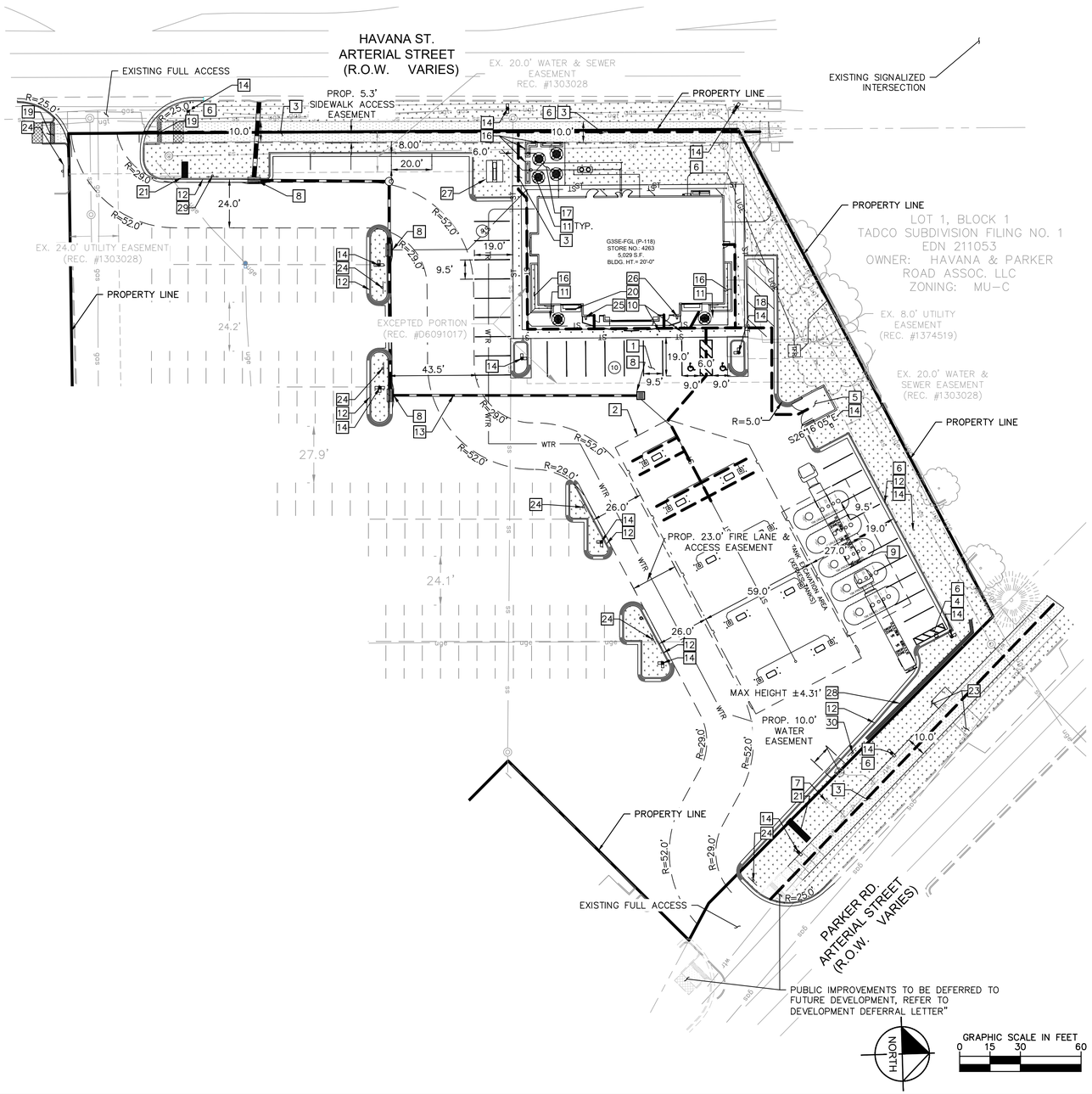
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- ACCESSIBLE PATH
- 6" VERTICAL CURB PER COA STD DTL S7.1
- PROPOSED CONCRETE
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPE
- (XX) NUMBER OF PROPOSED PARKING SPACES
- (XX) NUMBER OF EXISTING PARKING SPACES
- PROPOSED SITE LIGHTING
- EXISTING SITE LIGHTING TO REMAIN
- PROPOSED STORM INLET
- PROPOSED STORM MANHOLE
- EXISTING TREE TO REMAIN

GENERAL NOTES:

1. DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. SIGNS TO COMPLY WITH MUTCD LATEST EDITION, UNLESS NOTED.
3. ALL PROPOSED PARKING STALLS ARE 90 DEGREES, 9.5' WIDE AND 18' LONG UNLESS OTHERWISE NOTED.
4. ALL ABOVE GRADE UTILITY BOXES SHALL BE PER THE UTILITY PROVIDER.
5. LANDSCAPING SHALL BE PROVIDED PER THE LANDSCAPE PLAN.
6. REFER TO LIGHTING AND PHOTOMETRIC PLANS FOR SITE LIGHT DETAILS
7. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, AND SHOWN ON THE SIGNING AND STRIPING PLAN FOR THE DEVELOPMENT.

SITE PLAN NOTES:

1. VAN ACCESSIBLE PARKING
2. FUEL CANOPY
3. PROPOSED SIDEWALK, WIDTH PER PLAN
4. AIR STATION (REFER TO SHEET 12)
5. TRASH ENCLOSURE
6. LANDSCAPE AREA (REFER TO LANDSCAPE PLANS)
7. EXISTING FIRE HYDRANT ASSEMBLY
8. STORM INLET (REFER TO GRADING PLAN)
9. UNDERGROUND FUEL TANKS (5-15,000 GAL)
10. ADA PARKING SIGNAGE (REFER TO SHEET 12)
11. OUTDOOR SEATING (REFER TO SHEET 12)
12. CONCRETE CURB & GUTTER
13. STORM SEWER MANHOLE
14. SITE LIGHT
15. EXISTING MULTI-TENANT SIGNAGE TO REMAIN, TYPE PER PLAN
16. LANDSCAPE PLANTER (TYP.) (REFER TO LANDSCAPE PLANS)
17. 431 SF PATIO AREA W/ PATTERNED CONCRETE
18. 16' X 40' LOADING SPACE
19. PROPOSED ACCESSIBLE RAMP
20. BIKE RACK (REFER TO SHEET 13)
21. RELOCATED MULTI-TENANT MONUMENT SIGN (REFER TO SIGNAGE PLAN)
22. NOT USED
23. RELOCATED BUS STOP PAD AND LOADING AREA
24. PROPOSED "NO PARKING" FIRE LANE SIGNAGE (REFER TO SHEET 12)
25. EMERGENCY FUEL SHUTOFF SWITCH (REFER TO SHEET 13)
26. KNOX BOX
27. PROPOSED SINGLE TENANT MONUMENT SIGN
28. PROPOSED WALL (REFER TO SHEET 5)
29. PROPOSED "FIRE LANE CONNECTS TO HAVANA" SIGNAGE (REFER TO SHEET 12)
30. PROPOSED "FIRE LANE CONNECTS TO PARKER" SIGNAGE (REFER TO SHEET 12)

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6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
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DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
DETAILED SITE PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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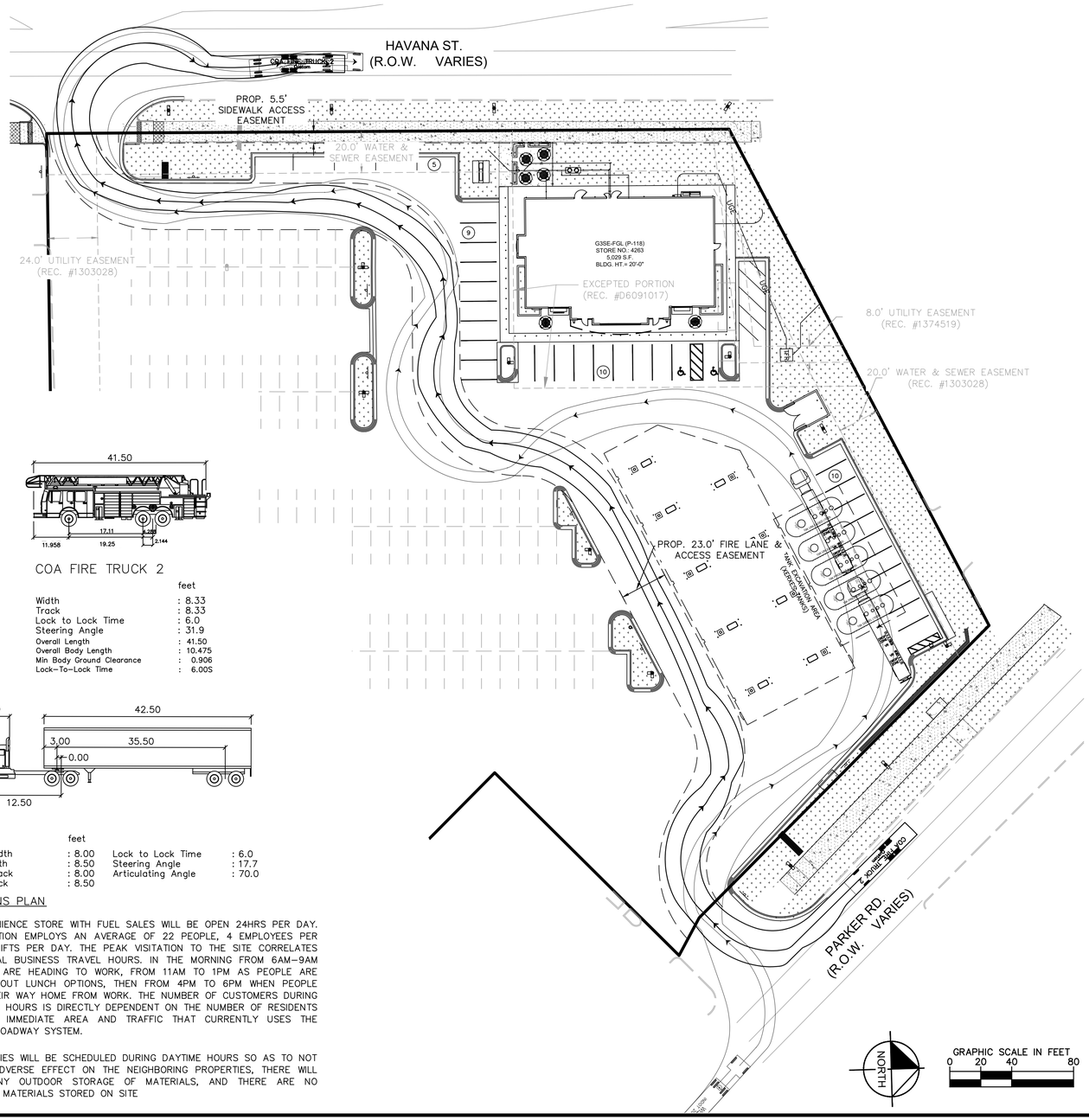
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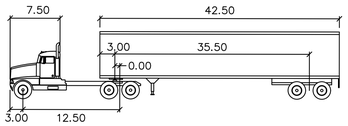
SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



COA FIRE TRUCK 2

	feet
Width	: 8.33
Track	: 8.33
Lock to Lock Time	: 6.0
Steering Angle	: 31.9
Overall Length	: 41.50
Overall Body Length	: 10.475
Min Body Ground Clearance	: 0.906
Lock-To-Lock Time	: 6.00S



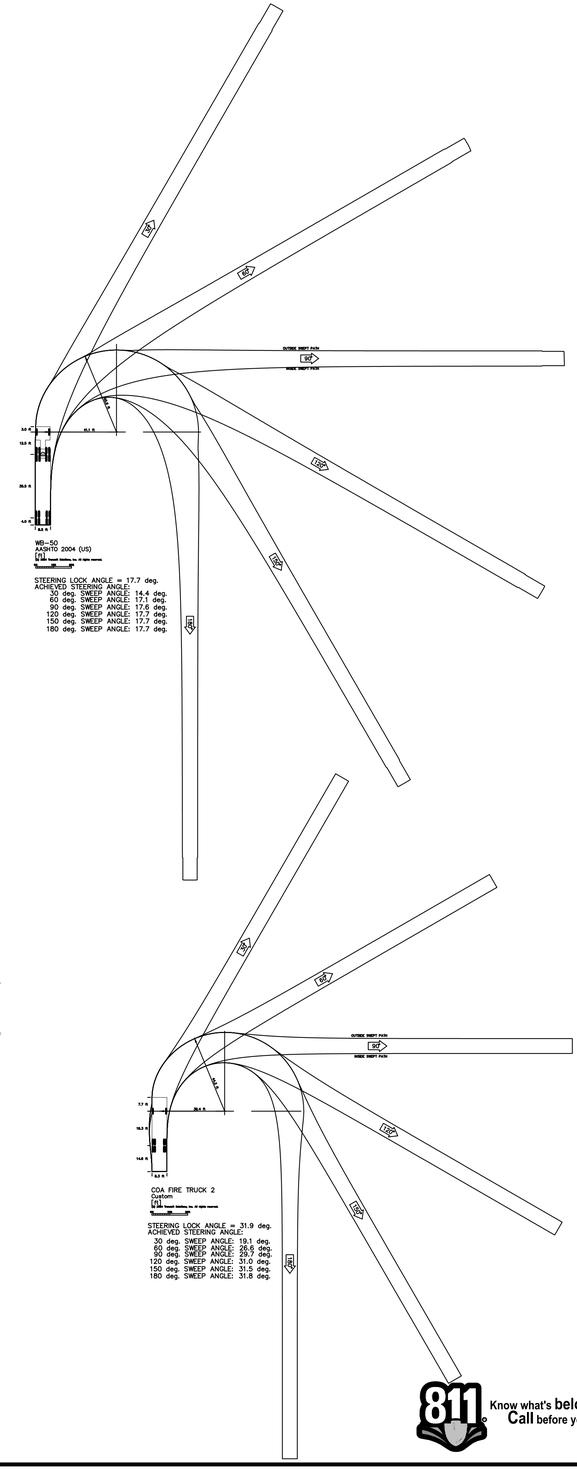
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	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		

OPERATIONS PLAN

THE CONVENIENCE STORE WITH FUEL SALES WILL BE OPEN 24HRS PER DAY. EACH LOCATION EMPLOYS AN AVERAGE OF 22 PEOPLE, 4 EMPLOYEES PER SHIFT, 3 SHIFTS PER DAY. THE PEAK VISITATION TO THE SITE CORRELATES WITH NORMAL BUSINESS TRAVEL HOURS. IN THE MORNING FROM 6AM-9AM AS PEOPLE ARE HEADING TO WORK, FROM 11AM TO 1PM AS PEOPLE ARE SEARCHING OUT LUNCH OPTIONS, THEN FROM 4PM TO 6PM WHEN PEOPLE ARE ON THEIR WAY HOME FROM WORK. THE NUMBER OF CUSTOMERS DURING THESE PEAK HOURS IS DIRECTLY DEPENDENT ON THE NUMBER OF RESIDENTS WITHIN THE IMMEDIATE AREA AND TRAFFIC THAT CURRENTLY USES THE ADJACENT ROADWAY SYSTEM.

ALL DELIVERIES WILL BE SCHEDULED DURING DAYTIME HOURS SO AS TO NOT HAVE AN ADVERSE EFFECT ON THE NEIGHBORING PROPERTIES, THERE WILL NOT BE ANY OUTDOOR STORAGE OF MATERIALS, AND THERE ARE NO HAZARDOUS MATERIALS STORED ON SITE



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PARKER RD. & HAVANA
SITE PLAN
OPERATIONS PLAN

PRELIMINARY
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Kimley»Horn
Kimley-Horn and Associates, Inc.

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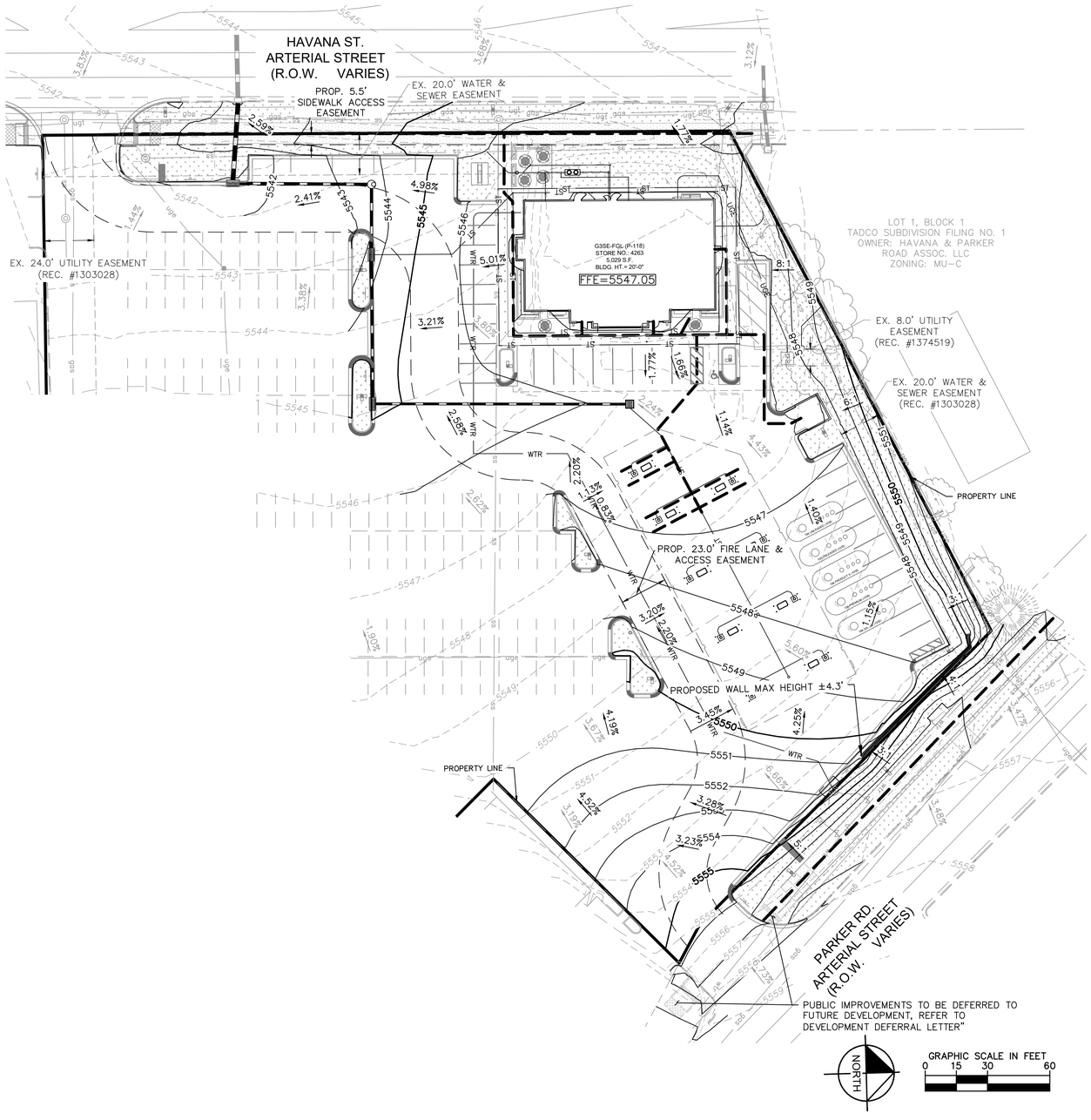
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED CURB & GUTTER
- ACCESSIBLE PATH
- 5499 PROPOSED CONTOUR
- 5499 EXISTING CONTOUR
- WTR PROPOSED WATER LINE
- SS PROPOSED SANITARY SEWER
- ST PROPOSED STORM LINE
- PROPOSED STORM
- X.XX% PROPOSED FLOW PATH
- X.XX% EXISTING FLOW PATH
- PROPOSED INLET
- PROPOSED MANHOLE

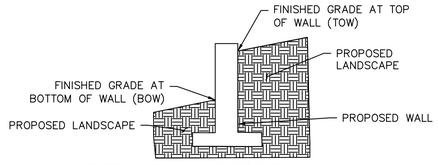
GENERAL NOTES:

1. MINIMUM SLOPE ON UNPAVED AREAS IS 2% MINIMUM SLOPE ON ASPHALT IS 1% AND MINIMUM SLOPE ON CONCRETE IS 0.5%.
2. THE MAXIMUM SLOPE WITHIN ROW IS 4:1, THE MAXIMUM SLOPE FOR PROPERTY OUTSIDE OF THE ROW IS 3:1.
3. THE SLOPE AWAY FROM THE BUILDING IN NON-PAVED AREAS SHALL HAVE A MINIMUM GRADE OF FIVE (5) PERCENT FOR THE FIRST TEN FEET OR TO THE PROPERTY LINE, WHICHEVER OCCURS FIRST, THEN A MINIMUM OF ONE & ONE HALF (1.50) PERCENT UNTIL THE SLOPE REACHES THE SWALE AROUND THE BUILDING. IF PHYSICAL OBSTRUCTIONS OR LOT LINES PROHIBIT THE TEN FEET OF HORIZONTAL DISTANCE, A FIVE (5) PERCENT SLOPE SHALL BE PROVIDED TO AN APPROVED ALTERNATIVE METHOD OF DIVERTING STORM RUNOFF AWAY FROM THE FOUNDATION. IMPERVIOUS SURFACES WITHIN TEN FEET OF THE BUILDING FOUNDATION SHALL BE SLOPED A MINIMUM OF TWO (2) PERCENT AWAY FROM THE BUILDING.
4. THE MAXIMUM PERMISSIBLE LONGITUDINAL GRADE FOR FIRE LANES IS 10%. THE MAXIMUM TRANSVERSE GRADE FOR A FIRE LANE IS FOUR (4) PERCENT WITH A RESULTANT MAXIMUM SLOPE OF TEN PERCENT.
5. THE RESULTANT GRADE IN ANY DIRECTION WITHIN ACCESSIBLE PARKING AREAS SHALL NOT EXCEED TWO PERCENT.
6. THE MAXIMUM CROSS SLOPE IN AN ACCESSIBLE PATH SHALL NOT EXCEED TWO PERCENT. THE MAXIMUM LONGITUDINAL SLOPE IN AN ACCESSIBLE PATH SHALL NOT EXCEED FIVE PERCENT.
7. DETAILED LAYOUT AND DESIGN FOR PROPOSED CURB RAMPS WITHIN RIGHT OF WAY OR ALONG AN ACCESSIBLE ROUTE WILL BE COMPLETED WITH THE CIVIL PLANS.

UNADJUSTED EARTHWORK

CUT: 3,0484 CY
FILL: 1,352 CY
NET: 1,692 CY (CUT)

NOTE: EARTHWORK QUANTITIES ARE BASED ON THE PROPOSED FINISHED GRADE AND DO NOT ACCOUNT FOR SHRINK, SWELL, PAVEMENT SECTIONS OR OVER EXCAVATION.



TYPICAL WALL SECTION

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6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
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DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
GRADING PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
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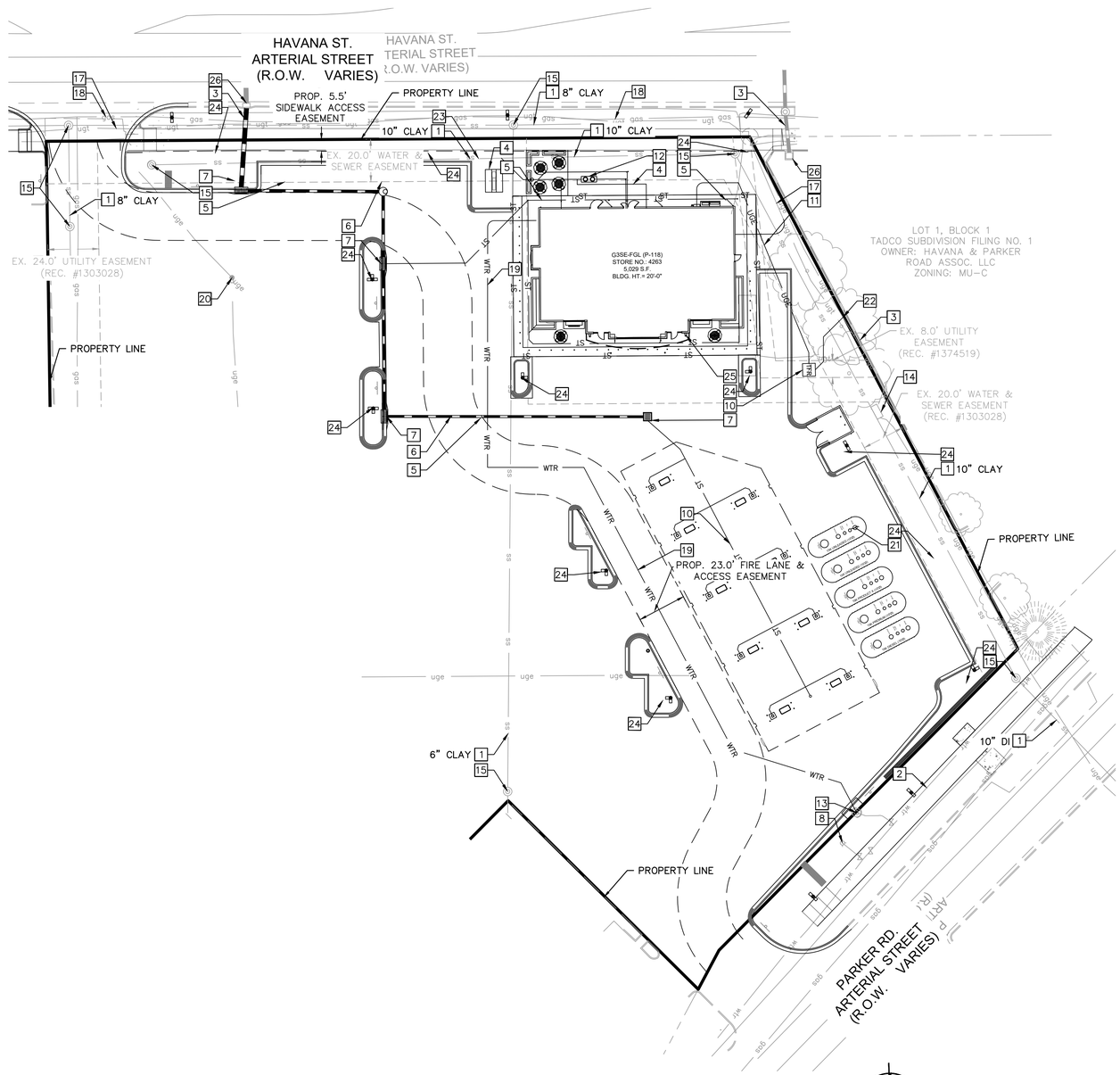
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- WTR — PROPOSED WATER LINE
- SS — PROPOSED SANITARY SEWER LINE
- ST — PROPOSED STORM
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- ss — EXISTING SANITARY SEWER
- gas — EXISTING GAS LINE
- ugt — EXISTING COMMUNICATION LINE
- PROPOSED SITE LIGHTING
- EXISTING SITE LIGHTING TO REMAIN
- PROPOSED STORM INLET
- PROPOSED MANHOLE
- TFR — PROPOSED TRANSFORMER

SITE PLAN NOTES:

1. EXISTING SANITARY SEWER LINE, KNOWN INFORMATION PROVIDED ON PLAN
2. EXISTING WATER MAIN
3. EXISTING STORM SEWER
4. PROPOSED SANITARY SEWER SERVICE LINE
5. PROPOSED STORM LINE
6. PROPOSED STORM SEWER MANHOLE
7. PROPOSED STORM INLET
8. EXISTING FIRE HYDRANT TO REMAIN
9. NOT USED
10. RELOCATED TRANSFORMER
11. PROPOSED ELECTRIC CONDUIT LINE
12. PROPOSED GREASE TRAP
13. PROPOSED 1.5-INCH WATER METER (IN EXISTING METER LOCATION)
14. EXISTING ELECTRICAL EQUIPMENT
15. EXISTING SANITARY SEWER MANHOLE TO REMAIN
16. NOT USED
17. EXISTING UNDERGROUND COMMUNICATION LINE
18. EXISTING GAS LINE
19. PROPOSED DOMESTIC WATER SERVICE
20. EXISTING SITE LIGHTING
21. PROPOSED BELOW GRADE FUEL TANKS
22. CONNECTION TO EXISTING ELECTRIC LINE
23. CONNECTION TO EXISTING SANITARY SEWER LINE
24. PROPOSED SITE LIGHTING
25. PROPOSED EMERGENCY FUEL SHUTOFF SWITCH
26. EXISTING STORM INLET

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6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
UTILITY PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

NOT FOR CONSTRUCTION

LANDSCAPE CODE REQUIREMENTS:

ZONE: MU-C MIXED USE CORRIDOR DISTRICT
HAVANA OVERLAY DISTRICT CONDITION 1
LOT SIZE: 1.288 AC (55,757 SF)
LANDSCAPE AREA: 0.401 AC (17,468 SF)

	WIDTH	LENGTH	REQUIRED	PROVIDED
PARKING LOT PERIMETER SCREENING:				
3'-4' DOUBLE ROW OF SHRUBS 3' O.C. >50% DECIDUOUS FLOWERING SHRUBS	-	-	DOUBLE ROW SHRUBS	DOUBLE ROW SHRUBS
PARKING LOT ISLAND LANDSCAPE:				
1 TREE AND 6 SHRUBS PER 9'X19' ISLAND	5 ISLANDS	-	5 TREES AND 30 SHRUBS	5 TREES* AND 34 SHRUBS
2 TREES AND 12 SHRUBS PER 9'X38' ISLAND	4 ISLANDS	-	8 TREES AND 48 SHRUBS	8 TREES AND 74 SHRUBS
* TREE SUBSTITUTED AT A RATE OF 10 FIVE GAL SHRUBS PER TREE				
CURBSIDE LANDSCAPING / TREE LAWN ONE TREE PER 40 LF ONE SHRUB PER 40 SF				
PARKER RD.				
TREES	10'	179 LF	4 TREES	4 TREES
SHRUBS	1,858 SF	-	47 SHRUBS	50 SHRUBS
HAVANA ST.				
TREES	10'	277 LF	7 TREES	70 T.E.*
SHRUBS	2,984 SF	-	75 SHRUBS	80 SHRUBS
* TREES SUBSTITUTED AT A RATE OF 10 FIVE GAL SHRUBS PER TREE				
BUILDING PERIMETER LANDSCAPING 1 TREE EQUIVALENT (T.E.) PER 40 LF				
NORTH	-	54'	1.4 T.E.	1.4 T.E.
SOUTH	-	54'	1.4 T.E.	1.4 T.E.
EAST	-	92'	2.3 T.E.	2.4 T.E.
WEST	-	92'	2.3 T.E.	2.3 T.E.
TRASH AREA SCREENING				
EVERGREEN PLANTINGS AROUND WALL	-	-	EVERGREEN ROW	EVERGREEN ROW

HAVANA OVERLAY DISTRICT STREET PERIMETER BUFFER LANDSCAPING
TWO TREE EQUIVALENTS (T.E.) PER 40 LF OF FRONTAGE

	AMOUNT	BUFFER REQUIRED	BUFFER PROVIDED	PLANTING REQUIRED	PLANTING PROVIDED
WEST - HAVANA ST.	330 LF	9' WIDTH	5' WIDTH*	16.5 T.E.	18.8 T.E.
EAST - PARKER RD.	220 LF	9' WIDTH	16.5' WIDTH	11 T.E.	14.8 T.E.
NON-STREET BUFFER LANDSCAPING ONE TREE AND FIVE SHRUBS PER 40 LF					
NORTH	272 LF	10' WIDTH	10' - 21' WIDTH	7 TREES & 34 SHRUBS	7 EVRGRN TREES & 56 SHRUBS

*DOUBLE ROW OF SHRUBS PROVIDED BECAUSE BUFFER DEPTH REDUCED TO 5' (TABLE 4.7-2)

LANDSCAPE NOTES

1. ALL UTILITY EASEMENT SHALL REMAIN UNOBSTRUCTED AND FULLY ACCESSIBLE ALONG THEIR ENTIRE LENGTH FOR MAINTENANCE EQUIPMENT ENTRY.
2. FOUR CUBIC YARDS OF ORGANIC MATERIAL PER 1,000 SF OF LANDSCAPE AREA IS REQUIRED FOR SOIL AMENDMENT.
3. THE DEVELOPER, HIS SUCCESSORS AND ASSIGNS, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL LANDSCAPING MATERIALS SHOWN OR INDICATED ON THE APPROVED SITE PLAN OR LANDSCAPE PLAN ON FILE IN THE PLANNING DEPARTMENT. ALL LANDSCAPING WILL BE INSTALLED AS DELINEATED ON THE PLAN, PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY.
4. ALL LANDSCAPED AREAS AND PLANT MATERIAL, EXCEPT FOR NON-IRRIGATED NATIVE, RESTORATIVE, AND DRYLAND GRASS AREAS, MUST BE WATERED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. IRRIGATION SYSTEM DESIGN, INSTALLATION, OPERATION, AND MAINTENANCE SHALL CONFORM TO REQUIREMENTS FOUND IN THE CITY OF AURORA IRRIGATION ORDINANCE.
5. THE PROPOSED FREE STANDING LIGHTS ARE THE EVOLVE-LED SCALABLE AREA LIGHT (EASC SERIES). THE EVOLVE-EASC IS AN LED SQUARE FIXTURE MOUNTED TO A SQUARE POLE AT 25'. TYPE 4 LIGHTING DISTRIBUTION IS PROPOSED THROUGHOUT THE PROPERTY AREA, WHILE TYPE 3 LIGHTING DISTRIBUTION IS PROPOSED AT THE PERIMETER OF THE PROPERTY. LIGHTING DISTRIBUTION SHIELDS ARE USED AT SPECIFIC POLE LOCATIONS TO INHIBIT LIGHTING SPILL-OVER TO ADJACENT PROPERTIES
6. SIDEWALKS WILL BE A CONCRETE SLAB. VEHICULAR DRIVES AND PARKING LOTS WILL BE ASPHALT.
7. ALL PLANTING BEDS TO HAVE 3/4 " THICK RIVER ROCK MULCH PLACED AT A DEPTH OF 3", INCLUDING AROUND TREES AND SHRUBS
8. ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10

FIRE SAFETY LANDSCAPE NOTES

1. LANDSCAPE MATERIAL PLACEMENT SHALL NOT BE PLACED OR KEPT NEAR FIRE HYDRANTS, FIRE DEPARTMENT INLET CONNECTIONS OR FIRE PROTECTION CONTROL VALVES IN A MANNER THAT WOULD PREVENT SUCH EQUIPMENT OR FIRE HYDRANTS FROM BEING IMMEDIATELY DISCERNIBLE. THE FIRE DEPARTMENT SHALL NOT BE DETERRED OR HINDERED FROM GAINING IMMEDIATE ACCESS TO FIRE PROTECTION EQUIPMENT OR HYDRANTS.
2. A 5-FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS.
3. LANDSCAPING MATERIAL SHOWN WITHIN THE SITE PLAN CANNOT ENCROACH INTO ROADWAYS THAT ARE DEDICATED (OR DESIGNATED) AS FIRE LANE EASEMENTS (OR CORRIDORS).

WATER USAGE TABLE

WATER USAGE	SQUARE FOOTAGE	% OF TOTAL LA AREA
LOW	5,634 SF	29%
MEDIUM	13,651 SF	71%
HIGH	0 SF	0%

NATIVE SEED MIX
SEEDING RATE: 15 PLS/ACRE

COMMON NAME	PERCENTAGE
WESTERN WHEATGRASS	20%
SLENDER WHEATGRASS	20%
BLUE GRAMA	15%
BUFFALOGRASS	15%
SODAR STREAMBANK WHEATGRASS	15%
SHERMAN BIG BLUEGRASS	10%
CANADA WILDRYE	5%
TOTALS	100%

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300 Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: AMC
DRAWN BY: AMC
CHECKED BY: CPH
DATE: 12/13/2024

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
LANDSCAPE SCHEDULES

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
MUNICIPALITY

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

NOT FOR CONSTRUCTION

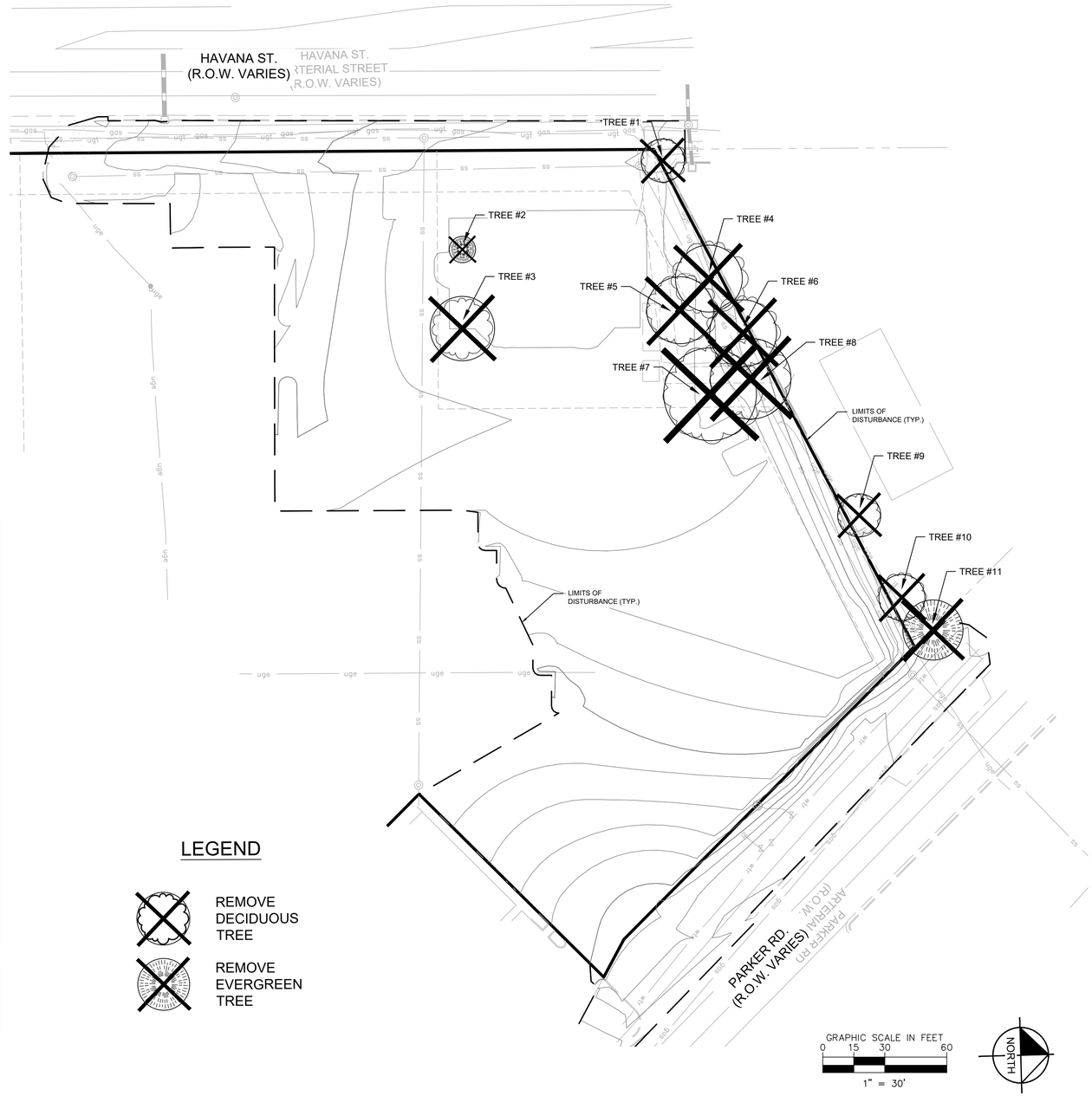
TREE OBSERVATIONS

TREE #	SPECIES	DIAMETER	MITIGATION VALUE	COMMENTS
1	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
2	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
3	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
4	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
5	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
6	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
7	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
8	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
9	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
10	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
11	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
		TOTAL :	$$$	

TREE PROTECTION NOTES

1. *PRIOR TO THE BEGINNING OF CONSTRUCTION, ESTABLISH THE TREE PROTECTION ZONE BY INSTALLING TREE PROTECTION FENCING AROUND ALL EXISTING TREES TO REMAIN. LOCATE FENCING AT THE OUTSIDE OF THE DRIP LINE OF THE TREES OR AT A DISTANCE FROM THE TREE TRUNK OF ONE(1) FOOT OF RADIUS FOR EVERY INCH OF TRUNK DIAMETER, WHICHEVER IS GREATER. FOR GROUPS OF TREES, THE MINIMUM DISTANCE BETWEEN THE TREE TRUNK AND THE FENCING SHALL BE ONE(1) FOOT FOR EACH INCH OF TRUNK DIAMETER. FOLLOWING INSTALLATION OF FENCING, REQUEST INSPECTION BY THE CITY OF AURORA PARKS & FORESTRY DIVISION (303-739-7177) OR AUTHORIZED DESIGNEE.*
2. *TREE PROTECTION FENCING SHALL BE 4' HEIGHT, ORANGE MESH FENCING ATTACHED TO "T" POSTS. FENCING SHALL BE INSPECTED AND MAINTAINED DAILY.*
3. *CONTRACTORS SHALL BE RESPONSIBLE FOR ALL OF THEIR WORKERS, SUBCONTRACTORS AND SUPPLIERS UNDER THIS REQUIREMENT. WITHIN THE TREE PROTECTION ZONE, THE FOLLOWING CONSTRUCTION ACTIVITIES SHALL NOT BE ALLOWED EXCEPT AS NECESSARY TO EXECUTE DETAILS TP-2.0, 2.1, 3.1 & 3.2:*
   - *A. EQUIPMENT USE AND STORAGE*
   - *B. MATERIAL DELIVERY OR STORAGE*
   - *C. VEHICLE TRAFFIC, PARKING, USE OR STORAGE*
   - *D. SPREADING, EXCAVATING, COMPACTING OR STOCKPILING OF SOIL*
   - *E. CONCRETE WASH-OUT AREAS AND RUN-OFF FROM CONCRETE WASH-OUT AREAS*
   - *F. FOOT TRAFFIC*
   - *G. RUN-OFF CONTAINING HARMFUL LIQUIDS SUCH AS OIL, GAS, PAINT, SOLVENTS, FERTILIZER, ASPHALT, MORTAR, TAR OR SIMILAR MATERIALS*
4. *VIOLATION OF THE TREE PROTECTION ZONE SHALL RESULT IN A FINE OF $500 PER INCIDENCE AND MAY BE INCREASED BASED ON THE PERCENTAGE OF THE ZONE AFFECTED MULTIPLIED BY THE FULL VALUE OF THE TREE (OR TREES) ESTABLISHED PRIOR TO CONSTRUCTION. IF MORE THAN 30% OF THE TREE PROTECTION ZONE IS DAMAGED, THE FINE SHALL BE THE FULL VALUE OF THE ADJACENT TREE (OR TREES). FOR THE PURPOSE OF THESE REQUIREMENTS, CONSTRUCTION FENCING (LOCATED AT THE LIMITS OF CONSTRUCTION) SHALL BE TREATED AS TREE PROTECTION FENCING AND SHALL ESTABLISH A TREE PROTECTION ZONE FOR NEARBY TREES.*
5. *DAMAGE TO THE MAIN TRUNKS OF TREES IS PROHIBITED. DAMAGE NOT PREVIOUSLY DOCUMENTED SHALL RESULT IN A FINE BASED ON THE PERCENTAGE OF THE CIRCUMFERENCE AFFECTED. DAMAGE GREATER THAN 30% OF THE CIRCUMFERENCE OR AFFECTING THE STRUCTURAL INTEGRITY OF THE TREE WILL RESULT IN A FINE EQUAL TO THE FULL VALUE OF THE TREE.*
6. *LIMB REMOVAL IS PROHIBITED, UNLESS APPROVED PRIOR TO CONSTRUCTION OR AS AUTHORIZED BY THE CITY OF AURORA PARKS & FORESTRY DIVISION. LIMB REMOVAL, IF APPROVED, SHALL BE DONE PRIOR TO THE START OF CONSTRUCTION. DAMAGED BRANCHES SHALL BE PRUNED WITHIN 10 DAYS OF THE OCCURRENCE UTILIZING ANSI A300 STANDARDS. UNAUTHORIZED LIMB DAMAGE OR REMOVAL CAN RESULT IN A FINE OF $500 PER BRANCH AS MAY BE DETERMINED BY THE CONSTRUCTION MANAGER OR HIS FORESTRY CONSULTANT. LIMB REMOVAL AND ALL OTHER APPROVED PRUNING SHALL BE PERFORMED BY A PROFESSIONAL COMPANY THAT IS LICENSED BY THE CITY OF AURORA FORESTRY DIVISION.*
7. *IF ROOTS GREATER THAN ONE(1) INCH DIAMETER REQUIRE CUTTING/REMOVAL, A CLEAN CUT SHALL BE ACCOMPLISHED USING A SHARP HAND TOOL. A MAXIMUM OF TWO(2) 3-INCH DIAMETER ROOTS PER TREE ARE PERMITTED FOR REMOVAL. THE REMOVAL OF ADDITIONAL ROOTS 3-INCHES OR GREATER IN DIAMETER REQUIRES APPROVAL OF THE CITY FORESTER OR AUTHORIZED DESIGNEE.*
8. *EXISTING TREES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE IMMEDIATELY REPAIRED AND IF DAMAGED BEYOND REPAIR, REPLACED PER THE MITIGATION SPECIFICATIONS OUTLINED IN SECTION IV, SUBSECTION A, ITEM 3 OF THE TREE PRESERVATION POLICY. THE MITIGATION PLAN FOR THESE TREES SHALL FOLLOW THAT APPROVED THROUGH THE SITE PLAN SUBMITTAL.*

AURORA	*City of Aurora* *Parks, Recreation & Open Space Dept.* *Date: October 2020*	*TREE PROTECTION NOTES*	***PROS TP-1.0***



LEGEND

REMOVE DECIDUOUS TREE

REMOVE EVERGREEN TREE

NO.	REVISION	BY	DATE	APPR.

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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
TREE MITIGATION PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

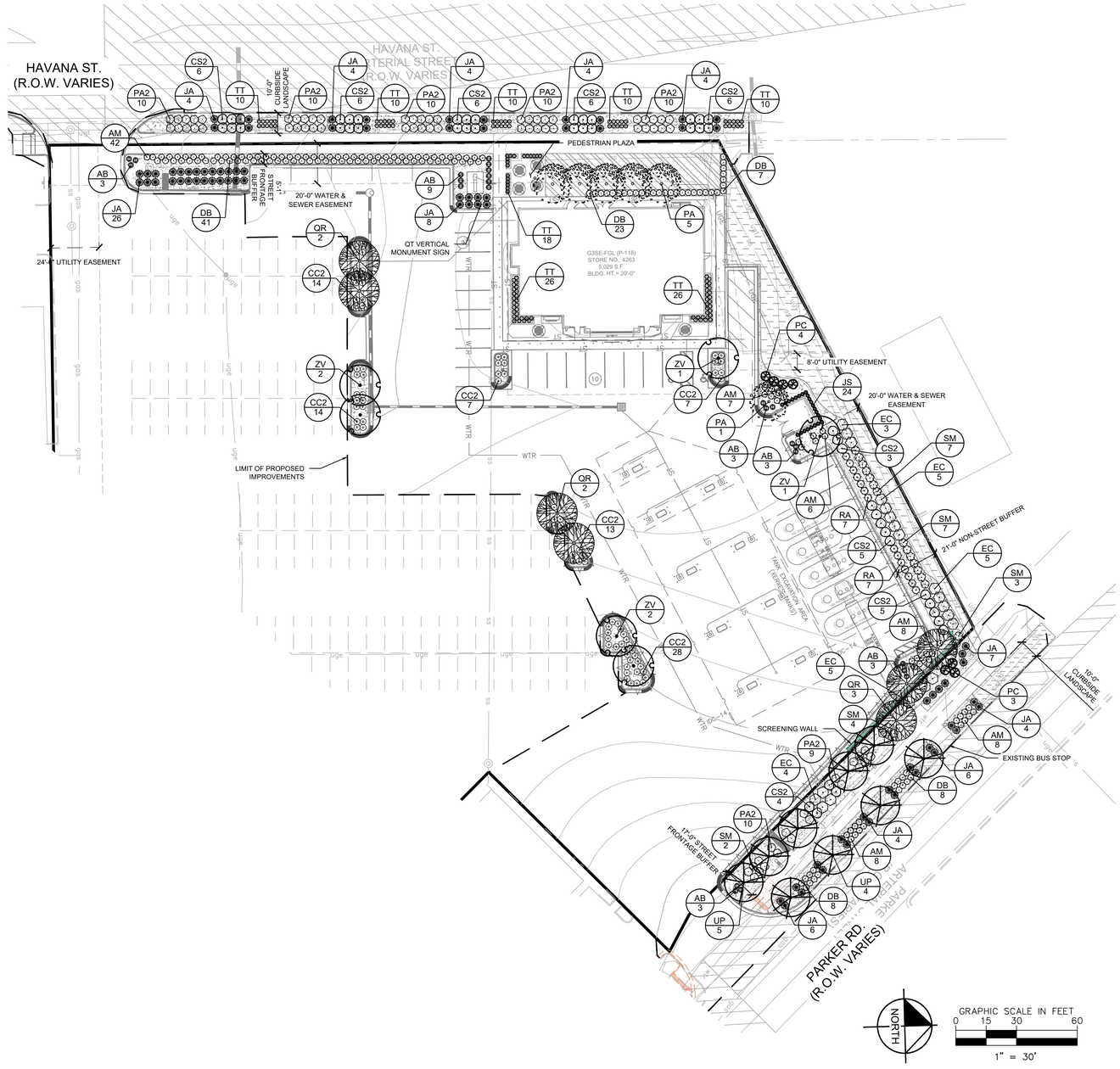
NOT FOR CONSTRUCTION

LANDSCAPE NOTES

1. *ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10'*

Landscape Schedule

SYMBOL	CODE	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
TREES						
	PA	6	ARISTOCRAT CALLERY PEAR PYRUS CALLERYANA `ARISTOCRAT` TM	B & B	2" CAL MIN	8` - 10` HT. MIN.
	UP	9	LACEBARK ELM ULMUS PARVIFOLIA	B & B	2.5" CAL MIN	10` - 12` HT. MIN.
	QR	7	NORTHERN RED OAK QUERCUS RUBRA	B & B	2.5" CAL MIN	10` - 12` HT. MIN.
	ZV	6	VILLAGE GREEN JAPANESE ZELKOVA ZELKOVA SERRATA 'VILLAGE GREEN'	B & B	2.5" CAL MIN	10` - 12` HT. MIN.
EVERGREEN TREES						
	PC	7	CUPRESSINA NORWAY SPRUCE PICEA ABIES 'CUPRESSINA'	B & B		6` HT MIN
SYMBOL	CODE	QTY	COMMON / BOTANICAL NAME	CONT	SPACING	SIZE
DECIDUOUS SHRUBS						
	RA	14	ALPINE CURRANT RIBES ALPINUM	5 GAL	SEE PLAN	18" HT MIN
	CC2	83	BLUE MIST SPIREA "DARK KNIGHT" CARYOPTERIS CLANDONENSIS	5 GAL	SEE PLAN	18" FULL
	EC	22	COMPACT BURNING BUSH EUONYMUS ALATUS 'COMPACTUS'	5 GAL	SEE PLAN	24" FULL
	SM	23	DWARF KOREAN LILAC SYRINGA MEYERI 'PALIBIN'	5 GAL	SEE PLAN	24" FULL
	PA2	69	RUSSIAN SAGE PEROVSKIA ATRIPLICIFOLIA	5 GAL	SEE PLAN	18" HT MIN
EVERGREEN SHRUBS						
	JA	81	ARCADIA JUNIPER JUNIPERUS SABINA 'ARCADIA'	5 GAL	SEE PLAN	24" SPRD. MIN.
	DB	87	BRIGGS MOONLIGHT DAPHNE DAPHNE X BURKWOODII 'BRIGGS MOONLIGHT'	5 GAL	SEE PLAN	
	AM	79	MANZANITA 'PANCHITO' ARCTOSTAPHYLOS MANZANITA	5 GAL	SEE PLAN	18" FULL
	JS	24	SKYROCKET JUNIPER JUNIPERUS SCOPULORUM 'SKYROCKET'	5 GAL	SEE PLAN	36" HT MIN
	CS2	47	SPANISH GOLD BROOM CYTISUS PURGANS `SPANISH GOLD`	5 GAL	SEE PLAN	36" FULL
	TT	120	TATER TOT ARBORVITAE THUJA OCCIDENTALIS 'TATER TOT'	5 GAL	SEE PLAN	
ORNAMENTAL GRASSES						
	AB	24	BLUE AVENA HELICTOTRICHON SEMPERVIRENS	1 GAL	SEE PLAN	12" HT MIN
SYMBOL	CODE	QTY	COMMON / BOTANICAL NAME	CONT	SIZE	SPACING
GROUND COVERS						
	R	13,651 SF	2"-3" ROCK COBBLE MULCH RIVER ROCK MULCH	-	ROCK	-
	BD2	1,611 SF	BUFFALO GRASS SEED BOUTELOUA DACTYLOIDES	SEED		
	NS	4,023 SF	LOWLAND SEED NATIVE SHORTGRASS SEED MIX	SEED	-	-



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PARKER RD. & HAVANA
SITE PLAN
LANDSCAPE PLAN

PRELIMINARY
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Kimley-Horn and Associates, Inc.

PROJECT NO.
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SITE PLAN AND CONDITIONAL USE

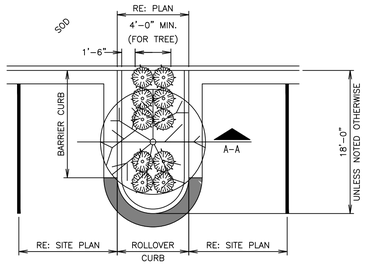
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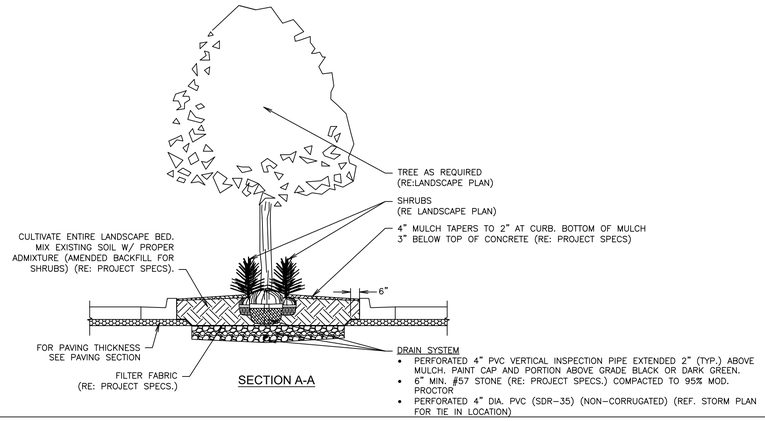
RE: LANDSCAPE PLAN FOR SHRUB PLACEMENT AND QUANTITY.

LANDSCAPE PARKING ISLANDS ARE TO BE IRRIGATED WITH A DRIP LINE SYSTEM. A SPRAY OR ROTARY HEAD SPRINKLER SYSTEM IS NOT AN ACCEPTABLE IRRIGATION METHOD FOR LANDSCAPE PARKING ISLANDS. (RE: PROJECT SPECS.)

RE: STORM PLAN TO DETERMINE IF USE OF LANDSCAPE BED DRAIN PIPE IS REQUIRED

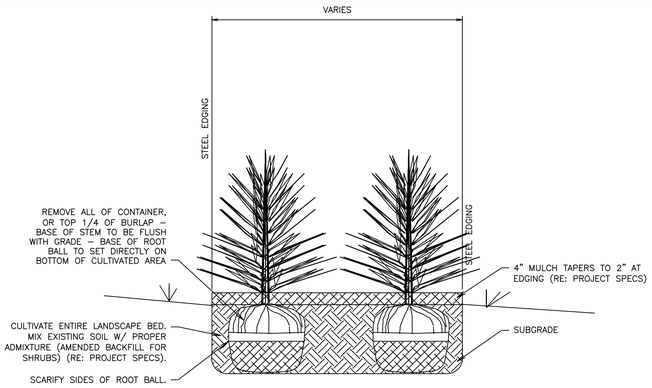


PLAN

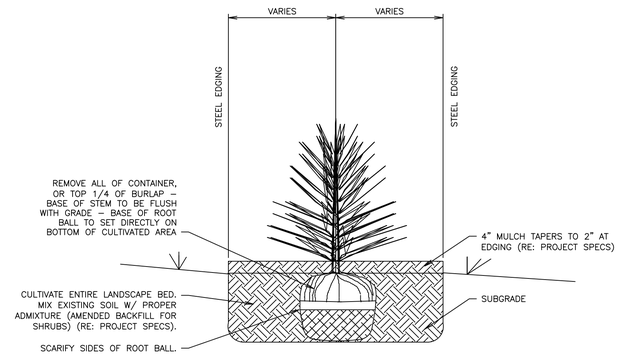


SECTION A-A

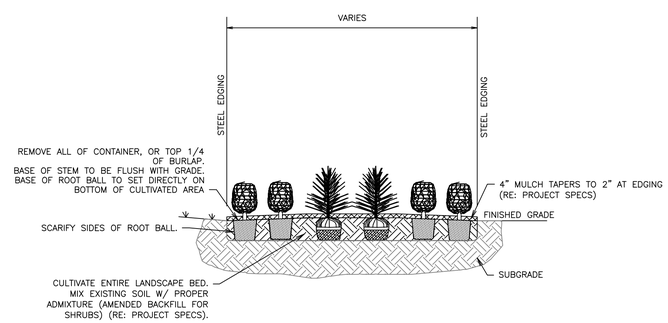
L1	PARKING ISLAND W/ SHRUBS & TREE LANDSCAPE DETAIL (ADJACENT TO CURB & GUTTER)
NTS	SN: LD012A011



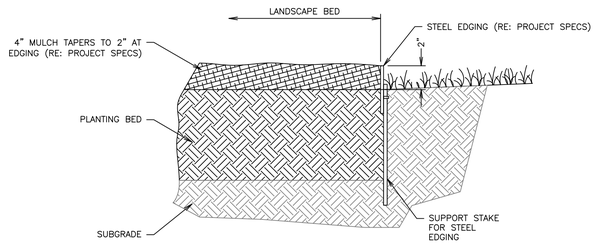
A11	SHRUB SCREENING SECTION B-B
NTS	SN: LD005A004



F1	SINGLE SHRUB SCREENING SECTION B-B
NTS	SN: LD026A001



F6	SHRUB PLANTING SECTION A-A
NTS	SN: LD003A005



F11	LANDSCAPE STEEL EDGING DETAIL
NTS	SN: LD006A004

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PARKER RD. & HAVANA
SITE PLAN
LANDSCAPE DETAILS

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SITE PLAN AND CONDITIONAL USE

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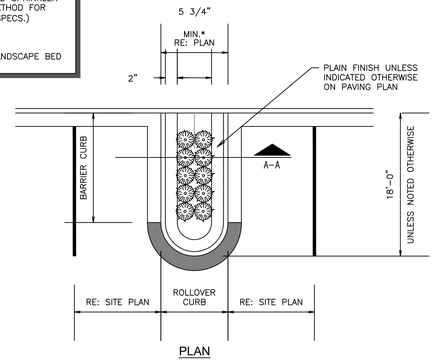
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RE: LANDSCAPE PLAN FOR SHRUB PLACEMENT AND QUANTITY.

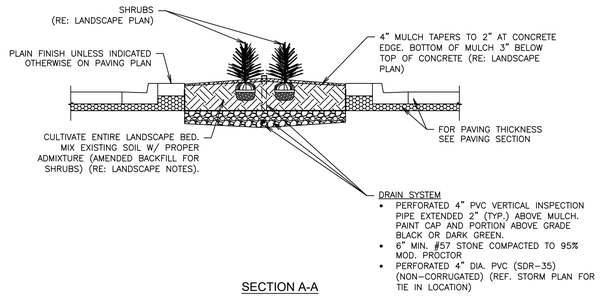
LANDSCAPE PARKING ISLANDS ARE TO BE IRRIGATED WITH A DRIP LINE SYSTEM. A SPRAY OR ROTARY HEAD SPRINKLER SYSTEM IS NOT AN ACCEPTABLE IRRIGATION METHOD FOR LANDSCAPE PARKING ISLANDS. (RE: PROJECT SPECS.)

*FOR DOUBLE ROW SHRUBS

RE: STORM PLAN TO DETERMINE IF USE OF LANDSCAPE BED DRAIN PIPE IS REQUIRED



PLAN



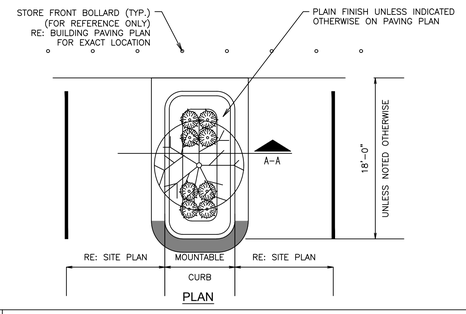
SECTION A-A

F1	PARKING ISLAND W/ SHRUBS LANDSCAPE DETAIL (ADJACENT TO CURB & GUTTER)
NTS	SN: LD010A012

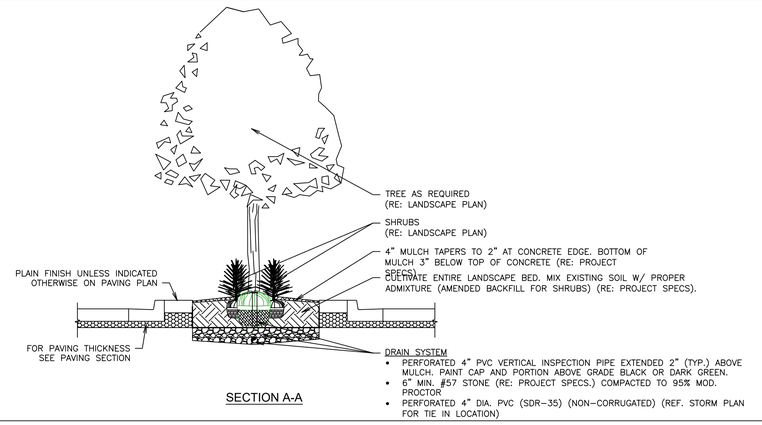
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RE: STORM PLAN TO DETERMINE IF USE OF LANDSCAPE BED DRAIN PIPE IS REQUIRED



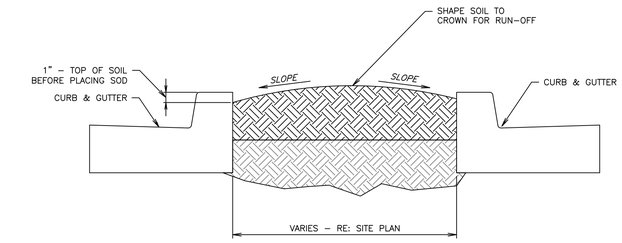
PLAN



SECTION A-A

A6	PARKING ISLAND W/ SHRUBS & TREE LANDSCAPE DETAIL (W/ RADIUS PROTECTOR)
NTS	SN: LD011A012

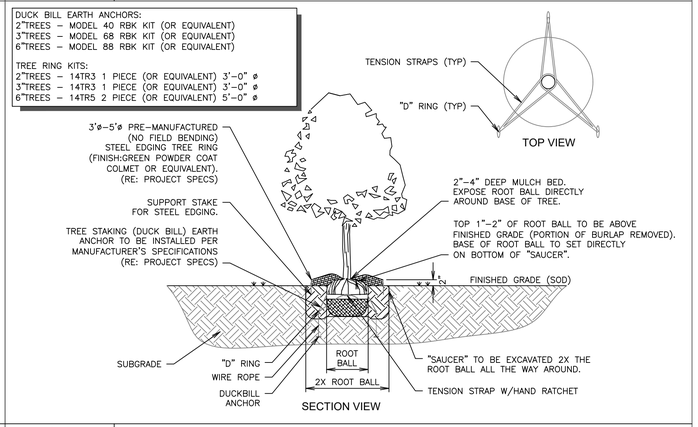
NOTE: SLOPE ON LAWN AREAS NOT TO EXCEED 3:1 UNLESS NOTED OTHERWISE (RE: GRADING PLAN)



F1	TYPICAL LAWN SECTION
NTS	SN: LD007A002

DUCK BILL EARTH ANCHORS:
2"TREES - MODEL 40 RBK KIT (OR EQUIVALENT)
3"TREES - MODEL 68 RBK KIT (OR EQUIVALENT)
6"TREES - MODEL 88 RBK KIT (OR EQUIVALENT)

TREE RING KITS:
2"TREES - 14TR3 1 PIECE (OR EQUIVALENT) 3'-0" ø
3"TREES - 14TR3 1 PIECE (OR EQUIVALENT) 3'-0" ø
6"TREES - 14TR5 2 PIECE (OR EQUIVALENT) 5'-0" ø



SECTION VIEW

A6	TREE PLANTING DETAIL - DUCKBILL
NTS	SN: LD008B006

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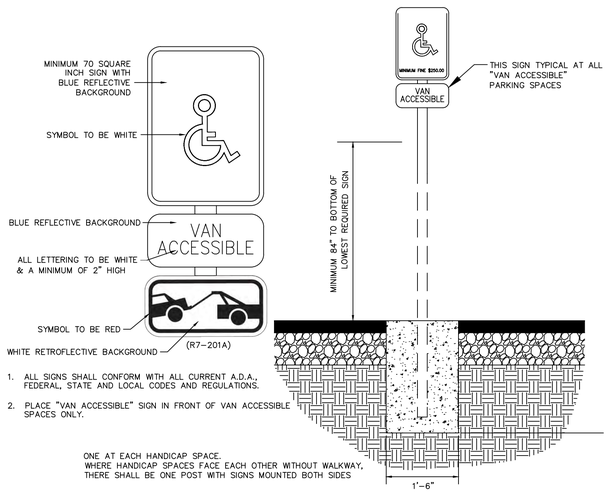
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SITE PLAN AND CONDITIONAL USE

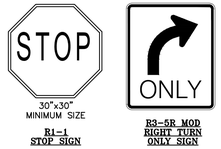
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

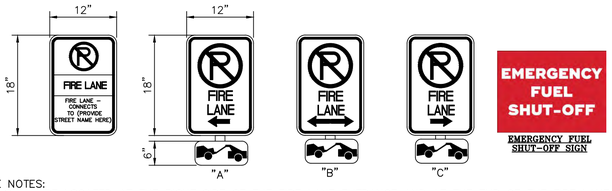


HANDICAP PARKING SIGN

N.T.S.

SIGN LEGEND:





FIRE LANE NOTES:
1. SIGNS SHALL BE LOCATED AT THE RIGHT SIDE OF THE FIRE LANE ENTRANCE AND AT THE END OF THE FIRE LANE. THE INTERMEDIATE SIGNS SHALL HAVE DOUBLE HEADED ARROWS POINTING IN BOTH DIRECTIONS.

2. TYPICALLY, THE MAXIMUM SPACING OF THE FIRE LANE SIGNS IS 100' ON CENTER WITH SIGNS BEING PLACED ON BOTH SIDES OF THE FIRE LANE EASEMENT. WHERE EXCESSIVE CURVATURE OF THE FIRE LANE EXISTS, THE SPACING OF THE FIRE LANE SIGNAGE WILL BE INCREASED AS NEEDED.

3. THE SIGNS SHALL BE SET AT ANGLE OF NOT LESS THAN 30 DEGREES AND NOT MORE THAN 45 DEGREES WITH THE CURB OR LINE OF TRAFFIC FLOW.

4. FIRE LANE SIGNS SHOULD BE INSTALLED 2' BEHIND CURB OR SIDEWALK.

5. THE CLEARANCE TO THE BOTTOM OF THE SIGN SHALL BE 7 FEET. THERE SHALL BE NO OTHER SIGNS ATTACHED TO THE SIGN OR POST.

6. PLACEMENT OF THESE SIGNS CANNOT ENCROACH INTO THE 29' INSIDE TURNING RADIUS OF THE FIRE LANE EASEMENT, OBSTRUCT ANY FIRE HYDRANT OR FIRE DEPARTMENT CONNECTION OR ENCROACH INTO THE ACCESSIBLE ROUTE OF THE SIDEWALK AREA.

7. SIGNS SHALL BE INSTALLED PER COA DETAIL TE-11

8. SIGNS SHALL BE SET AT AN ANGLE OF NOT LESS THAN 30 DEGREES AND NOT MORE THAN 45 DEGREES WITH THE CURB OR LINE OF TRAFFIC FLOW.

9. SIGNS SHALL BE SPACED 50-FEET ON ALTERNATING SIDES OF THE FIRE LANE IN ACCORDANCE WITH 2015-IFC

10. SIGNS SHALL BE INSTALLED 2 FEET BEHIND CURB OR SIDEWALK

11. FIRE LANE SIGN DETAIL SHALL SHOW L, R, B (OR SIMILAR) IDENTIFICATION FOR EACH SIGN UTILIZED TO MATCH LOCATIONS ON PLANS

12. LOWEST SIGN SHALL BE MOUNTED 7 FEET ABOVE GRADE

FIRE LANE SIGN

N.T.S.



DATE	E.C.O	REV.	BY	APPROVED
27FEB12	ADD TABLE TOP		RN	
29MAR11	ILLUSTRATION		DK	

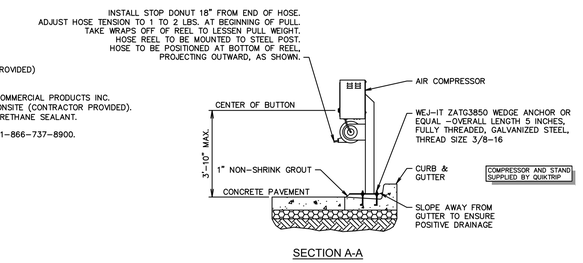
BENCHMARK DESIGN GROUP
456 OSCEOLA AVENUE
JACKSONVILLE, FL. 32250

TCW file location: F: Rebecca / Umb & Clusters / 3-seater / CLU1077-A1052-AL-UH-BD

CLIENT:	QUIKTRIP
LOCATION:	TULSA, OK
DESCRIPTION:	3-SEAT PRESTON CLUSTER (ADA COMPLIANT)
MATERIAL:	ALL ALUMINUM

OUTDOOR SEATING DETAIL

N.T.S.



AIR SERVICE INSTALL PLAN (RIGHT HAND INSTALL)

N.T.S.

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Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
SITE DETAIL SHEET

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO. 096888046

DRAWING NAME 096888046_DT.DWG

12

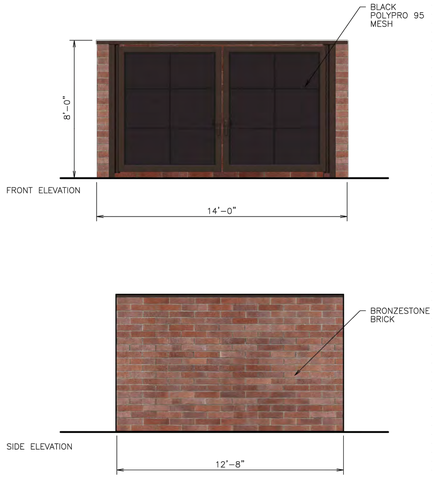
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

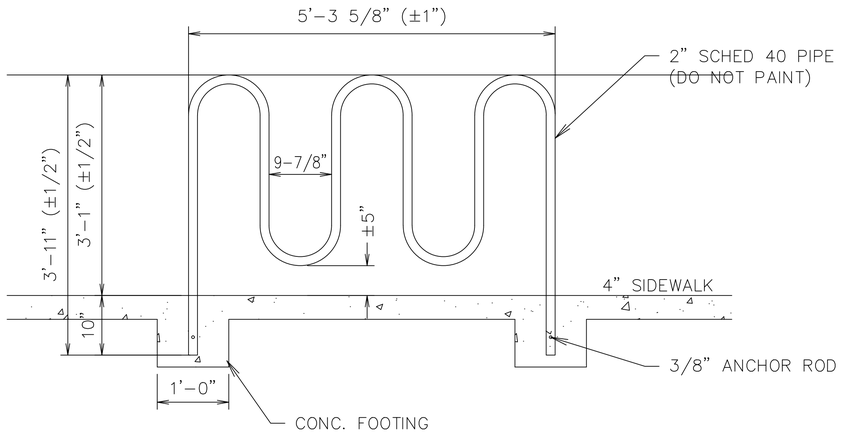
MODEL: BELSON OUTDOORS MODEL: H36-7-G-IG
(PROVIDED BY CONTRACTOR)



TRASH ENCLOSURE DETAILS

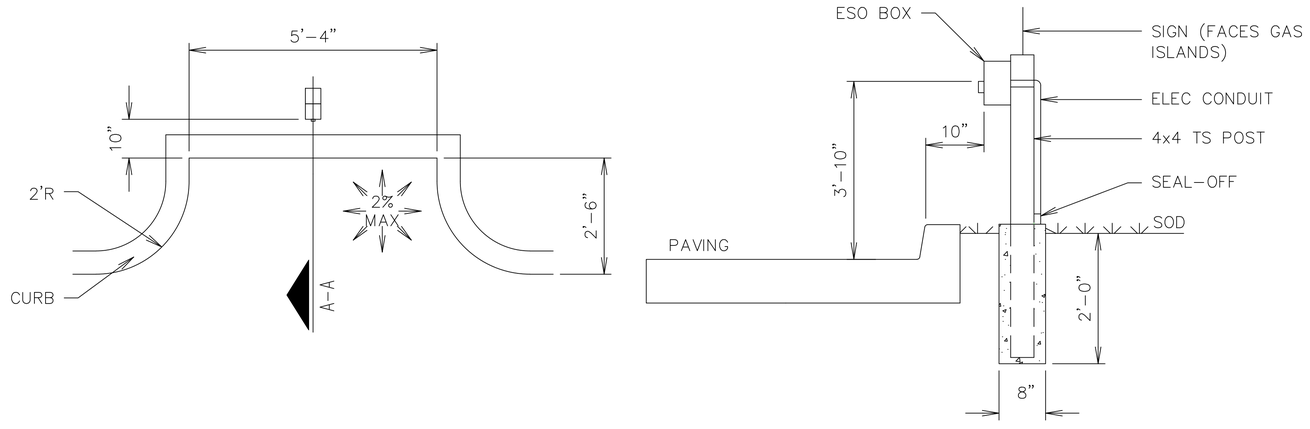
N.T.S.

GC TO PROVIDE AND INSTALL EMERGENCY SHUTOFF SWITCH SIGNAGE AS REQUIRED BY LOCAL JURISDICTION



GEN III BIKE RIBBON RACK DETAIL

N.T.S.



SECTION A-A

EMERGENCY SHUT OFF DETAIL

N.T.S.

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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
SITE DETAIL SHEET

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Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Brightness Table		
	TOTAL	BRIGHT COLOR
FRONT FACADE:	1635 SF	152 SF 9%
RIGHT FACADES:	899 SF	31 SF 3%
REAR FACADE:	1477 SF	96 SF 6%





QuikTrip
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #		Address:	City, State:
4263	G3SE Building Elevations	Parker & Havana	Aurora, CO

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
83-4263-G3SE	1/8"=1'-0"	08.16.24	JK	

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#	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	BRUSHED ALUMINUM	REYNOBOND	FASCIA
4	QT RED	SHERWIN-WILLIAMS	STANDING SEAM AWNING
5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
6	QT BROWN	SHERWIN - WILLIAMS	METAL PAINT
7	CL-44	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
8	CL-46R	ALLEN INDUSTRIES	SIGNAGE
9	ONYX	QUALITY STONE VENEER	STACKED STONE

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DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
BUILDING ELEVATIONS

PRELIMINARY
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Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_EL.DWG

14

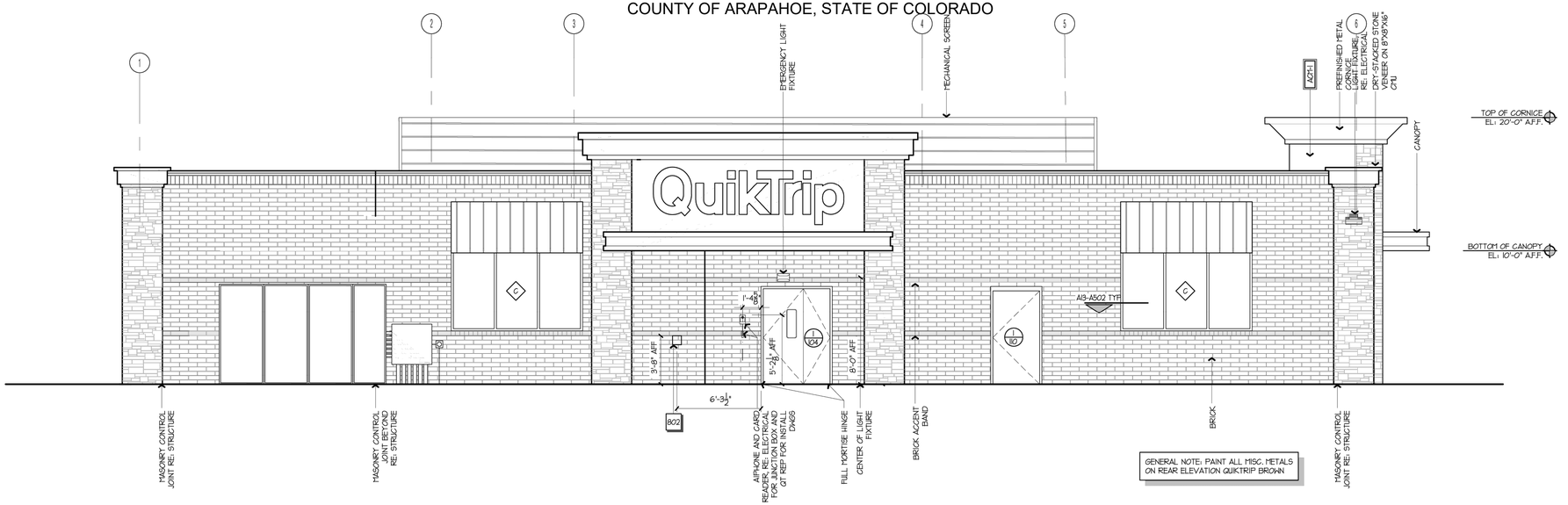
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

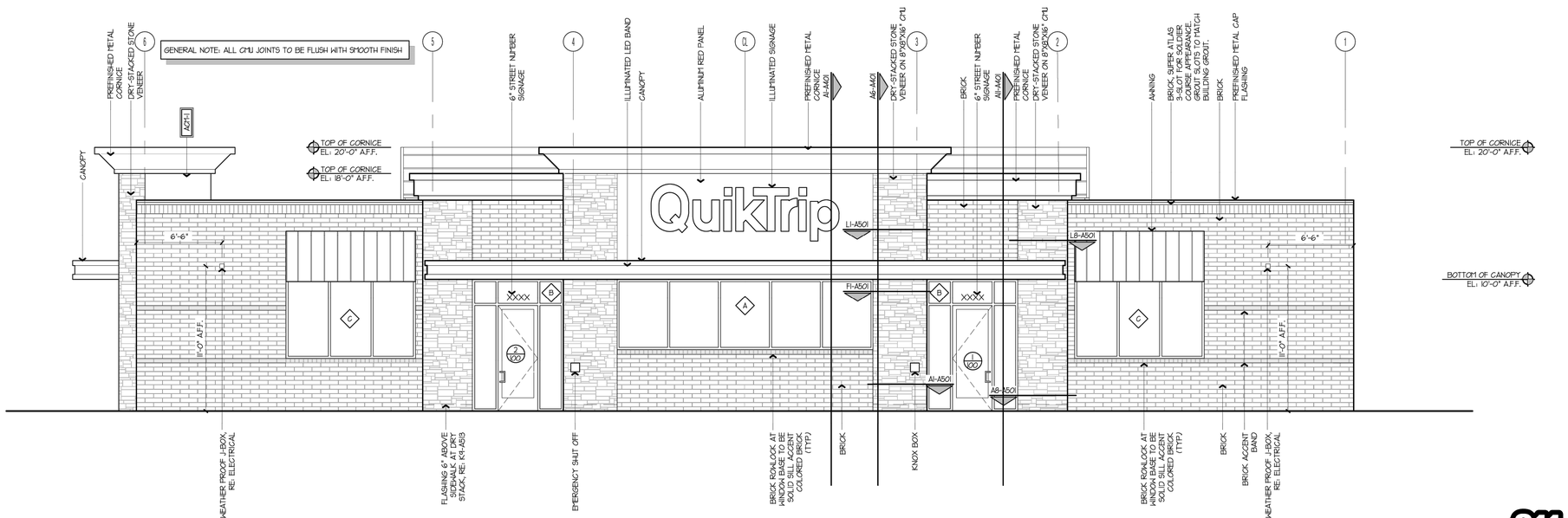
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

GENERAL NOTE: ALL CMU JOINTS TO BE FLUSH WITH SMOOTH FINISH



GENERAL NOTE: PAINT ALL MISC. METALS ON REAR ELEVATION QUIKTRIP BROWN

REAR ELEVATION
N.T.S



FRONT ELEVATION
N.T.S

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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
BUILDING ELEVATIONS (A201)

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Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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15

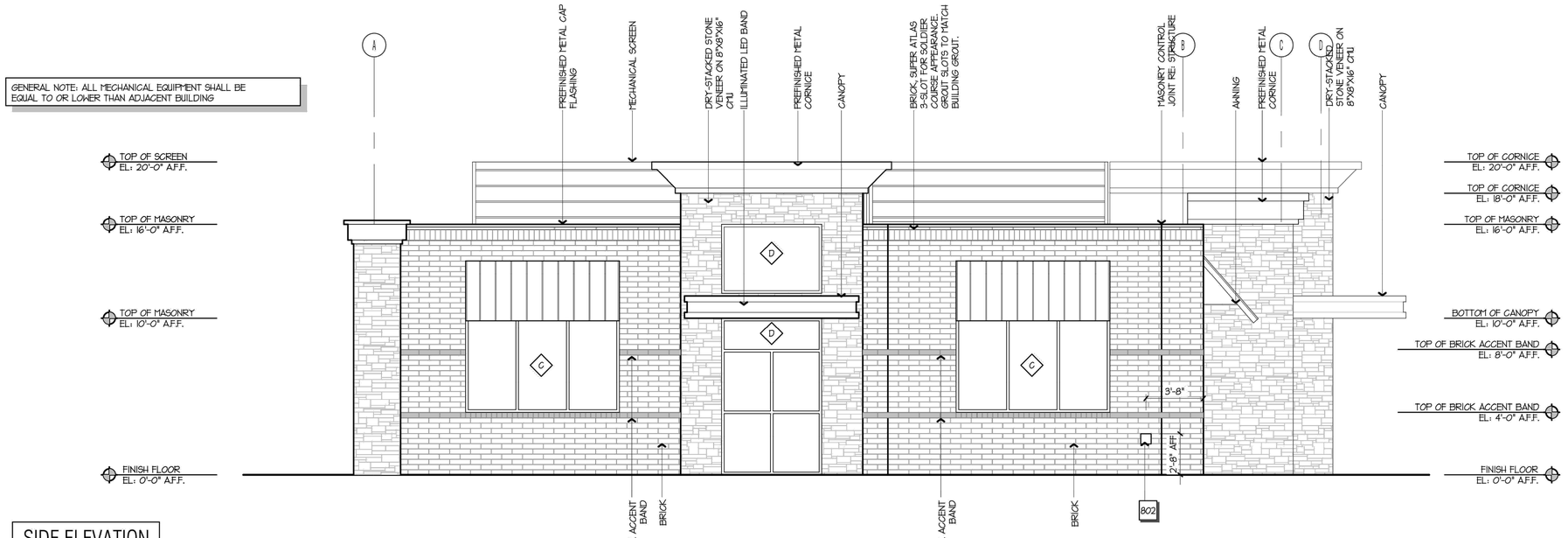
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING



SIDE ELEVATION

$\frac{1}{4}$" = 1'-0"

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING

SIDE ELEVATION

$\frac{1}{4}$" = 1'-0"

Kimley»Horn
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Greenwood Village, Colorado 80111 (303) 228-2300

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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
BUILDING ELEVATIONS (A202)

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Kimley-Horn and Associates, Inc.

PROJECT NO.
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16

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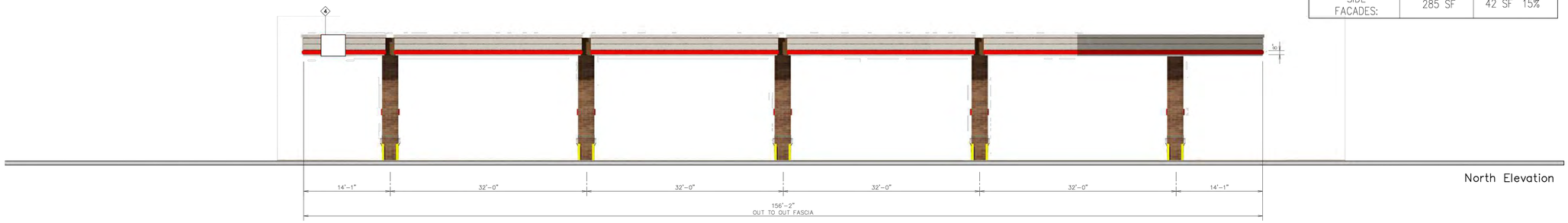
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QUIKTRIP 4263

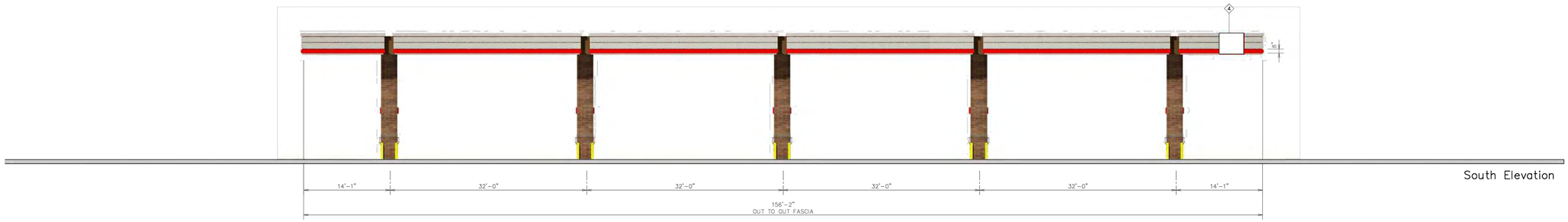
SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

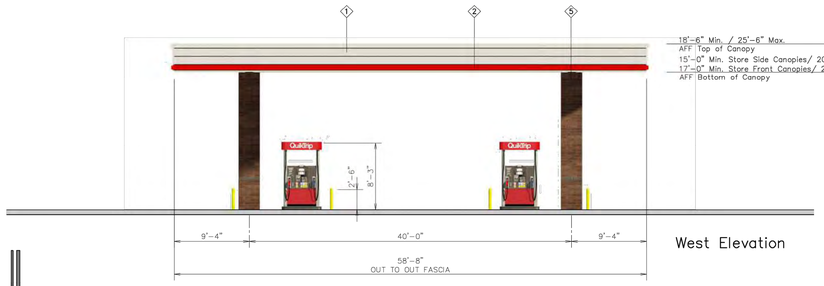
Brightness Table		
	TOTAL	BRIGHT COLOR
FRONT/REAR FACADE:	736 SF	146 SF 20%
SIDE FACADES:	285 SF	42 SF 15%



North Elevation



South Elevation



West Elevation



East Elevation

QuikTrip
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #	Address:	City, State:
4263 Double Stack 9 Canopy Elevations	Parker & Havana	Aurora, CO

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
83-4263-GD09	1/8"=1'-0"	08.15.24	JK	

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#	FINISH	MANUFACTURER	SPECIFICATION
1	BRUSHED ALUMINUM	REYNOBOND	CANOPY
2	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
3	QT BROWN	SHERWIN – WILLIAMS	METAL/PAINT
4	QC-14	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
5	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
6	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH

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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
CANOPY ELEVATIONS

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PROJECT NO.
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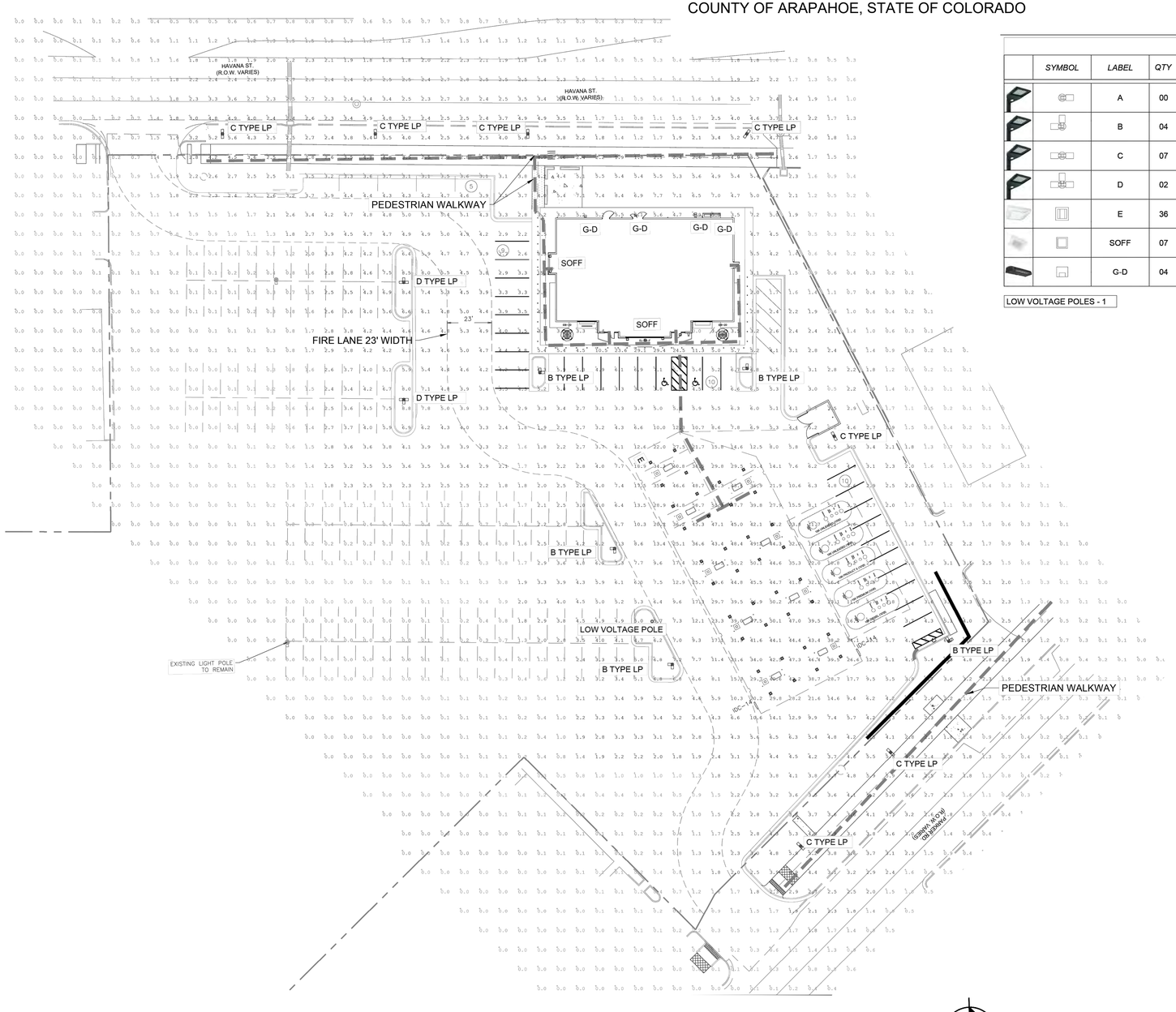
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

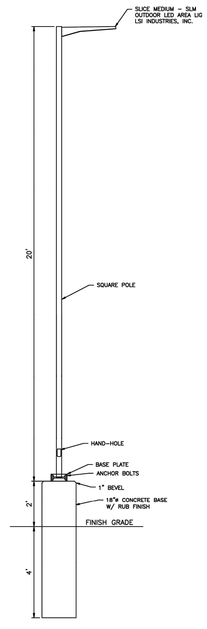
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LUMINAIRE SCHEDULE

	SYMBOL	LABEL	QTY	ARRANGEMENT	MOUNTING HEIGHT	LUMENS PER LAMP	LLF	DESCRIPTION	TOTAL WATTS	FINISH
		A	00	SINGLE	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		B	04	2 @ 90°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		C	07	2 @ 180°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		D	02	3 @ 90°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		E	36	SINGLE	17'	12,793	0.90	SCV-LED-13L-SC-40	83.6	WHITE
		SOFF	07	SINGLE	10'	6,041	0.90	XSPS-S-LED-VHO-NW-DFL	48.7	WHITE
		G-D	04	SINGLE	12'	12,793	0.90	XWM-3-LED-06-40	54.0	BLACK

LOW VOLTAGE POLES - 1



AUTO SIDE LIGHT STANDARD
NOT TO SCALE

NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

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DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC SITE PLAN

PRELIMINARY
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Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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18

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QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog # :
Project :
Prepared By :
Date :

Slice Medium - SLM
Outdoor LED Area Light



The Slice's sleek design makes it perfectly-suited for Commercial & Industrial applications, while its cost-effective die-cast aluminum housing makes its acquisition cost very competitive. The Slice offers high performance silicone optics, die cast aluminum housing, #2000+ lumens and is available with integral AirLink Synapse controls.

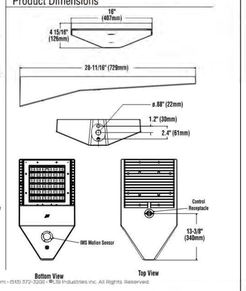
Features & Specifications

Optical System
- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP66 rated sealed optical chamber in 1 component.
- Proprietary silicone refracter optics provide exceptional coverage and uniformity in IES Types 2, 3, SW, FT and FTA.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K, 3000K, and 2700K color temperatures per ANSI C78.377, Optional 5700K CCT available in 90CRI only.
- Minimum CRI of 70. Optional 80 and 90 CRI available, consult factory for lead time.
- Integral Louver (IL) option available for improved back-light control without sacrificing street side performance. See page 5 for more details.

Electrical
- High-performance driver features over-voltage, under-voltage, short-circuit and over temperature protection.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours (See Lumen Maintenance on Page 3)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to +50°C (-40°F to +122°F). 42L lumen package rated to +40°C.
- Power factor: >.90
- Input power stays constant over life.
- Field replaceable surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Terminal block provided accepts up to 10ga wire.
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.

IP66

Product Dimensions



LSI Industries Inc. 10000 Alliance Rd. Cincinnati, OH 45242 • www.lsi-industries.com • (513) 372-3200 • LSI Industries Inc. All Rights Reserved.

Slice Medium - SLM
Outdoor LED Area Light

Features & Specifications (Cont.)

Construction
- Rugged die-cast aluminum housing contains factory prewired driver and optical unit. Cast aluminum wiring access door located underneath.
- Designed to mount to square poles.
- Luminaire is proudly manufactured in the U.S.of U.S. and imported parts.
- IP66 rated luminaire protects integral components from harsh environments.
- 3G rated for ANSI C136.31 high vibration applications
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 30 lbs in carton.

Controls
Wireless Controls System

To make this fixture AirLink ready, simply order one of the following options:
a. The integrated Wireless Lighting Controller: ALSC or ALSCH (see ordering guide) as the controls option, or
b. Integrated Wireless Controller option (above) with integrated motion sensor: ALSCS (ordering guide for mounting height) or
c. The 7-Pin Photoelectric Control Receptacle: CR7P as the controls option; and either the 5-Pin or 7-Pin Twist Lock Controller: ALSC UNV TLS or ALSC UNV TL7 as an accessory

To see how the components of AirLink system work together, reference the diagram in the controls section of this specsheet. For more information on our AirLink products, visit our website: www.lsi-airlink.com/airlink-synapse/

Stand-Alone Controls
- The integral passive infrared motion sensor (IMS) activates switching of luminaire light levels (see the controls section for more details).
- The 7-pin ANSI C136.41-2013 photocontrol receptacle option (CR7P) is available for twist lock photocontrols or wireless control modules.
- The Button Type Photocells (PCI) are capable of switching luminaires ON/OFF in response to the amount of available daylight.

Installation
- A single fastener secures the hinged door, underneath the housing and provides quick & easy access to the electrical compartment for installing/servicing.
- Included terminal block provides quick and easy on-site wiring.
- Utilizes LSI's traditional 3" drill pattern for easy fastening of LSI products. (See drawing on page 1)

Warranty
- LSI LED Fixtures carry a 5-year warranty.

Listings
- Listed to UL 1598 and UL 8750.
- RoHS Compliant.
- American Recovery and Reinvestment Act Funding Compliant.
- IDA compliant: with 3000K color temperature selection.
- Title 24 Compliant; see local ordinance for qualification information.
- Suitable For wet Locations.
- IP66 rated Luminaire. IP66 rated optical chamber.
- 3G rated for ANSI C136.31 high vibration applications

Performance

ELECTRICAL DATA (AMPS)*

Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	68.2	0.6A	0.3A	0.3A	0.3A	0.2A	0.1A
12L	93.1	0.8A	0.4A	0.4A	0.3A	0.3A	0.2A
18L	140.5	1.2A	0.7A	0.6A	0.5A	0.4A	0.3A
24L	186.8	1.6A	0.9A	0.8A	0.7A	0.5A	0.4A
30L	248.6	2.1A	1.2A	1.0A	0.9A	0.7A	0.5A
36L	317.9	2.6A	1.5A	1.3A	1.1A	0.9A	0.7A
42L	393.4	3.3A	1.9A	1.6A	1.4A	1.1A	0.8A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

ELECTRICAL DATA - PHOSPHOR CONVERTED AMBER (AMPS)*

Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	74.3	0.6A	0.4A	0.3A	0.3A	0.2A	0.2A
12L	100.9	0.9A	0.5A	0.4A	0.4A	0.3A	0.2A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

RECOMMENDED LUMEN MAINTENANCE(24-42L)

Ambient	Initial¹	25 hr²	50 hr²	75 hr²	100 hr²
0-40 C	100%	100%	97%	94%	92%

RECOMMENDED LUMEN MAINTENANCE(9-18L)

Ambient	Initial¹	25 hr²	50 hr²	75 hr²	100 hr²
0-50 C	100%	99%	91%	87%	83%

1 - Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
2 - In accordance with IESNA TM-21-11. Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
3 - In accordance with IESNA TM-21-11. Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing.

DELIVERED LUMENS*

Lumen Package	Distribution	Phosphor Converted Amber Delivered Lumens	Efficacy	BUG Rating	Wattage
9L	2	3956	86	B2-U0-G3	74
	3	3735	81	B3-U0-G3	
	5	4196	83	B1-U0-G3	
	3-IL	4205	56	B0-U0-G3	
	SW	5528	74	B3-U0-G3	
	FT	5622	76	B1-U0-G3	
	FT-IL	3712	50	B0-U0-G3	
	FTA	5997	80	B2-U0-G3	
	FTA-IL	4254	57	B0-U0-G3	
12L	2	7059	75	B2-U0-G3	103
	3-IL	4798	46	B0-U0-G3	
	3	7965	76	B2-U0-G3	
	5-IL	5335	52	B0-U0-G3	
	5	7913	68	B2-U0-G3	
	FT	7913	73	B2-U0-G3	
	FT-IL	4739	46	B0-U0-G3	
	FTA	7998	74	B2-U0-G3	
	FTA-IL	5997	57	B0-U0-G3	

*LED Chips are frequently updated therefore values are nominal

LUMINAIRE EPA CHART - SLM

Tilt Degree	0	30	45
Single	0.5	2.1	2.6
D180°	1.1	2.1	2.6
D90°	0.9	2.5	3.1

Tilt Degree	0	30	45
TN4°	1.2	2.9	3.6
TN120°	1.3	4.4	5.4
QUAD	1.2	2.9	3.6

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DELIVERED LUMENS*

Lumen Package	Distribution	CRI	2700K CCT Delivered Lumens	2700K CCT Efficacy	2700K CCT BUG Rating	3000K CCT Delivered Lumens	3000K CCT Efficacy	3000K CCT BUG Rating	4000K CCT Delivered Lumens	4000K CCT Efficacy	4000K CCT BUG Rating	5000K CCT Delivered Lumens	5000K CCT Efficacy	5000K CCT BUG Rating	Wattage
9L	2	70	3540	122	B2-U0-G2	3676	125	B2-U0-G2	3996	137	B2-U0-G2	3744	143	B2-U0-G2	69
	3	70	3339	115	B3-U0-G2	3470	118	B3-U0-G2	3771	129	B3-U0-G2	3535	135	B3-U0-G2	
	5	70	3751	129	B1-U0-G2	3896	132	B1-U0-G2	4235	145	B1-U0-G2	3970	152	B1-U0-G2	
	3-IL	70	3759	87	B0-U0-G2	3904	90	B0-U0-G2	4243	98	B0-U0-G2	3977	92	B0-U0-G2	
	SW	70	4944	170	B3-U0-G2	5135	176	B3-U0-G2	5581	192	B3-U0-G2	5230	200	B3-U0-G2	
	FT	70	5027	173	B1-U0-G2	5221	180	B1-U0-G2	5675	195	B1-U0-G2	5319	204	B1-U0-G2	
	FT-IL	70	3319	114	B0-U0-G2	3447	119	B0-U0-G2	3747	129	B0-U0-G2	3511	135	B0-U0-G2	
	FTA	70	5362	184	B2-U0-G2	5569	192	B2-U0-G2	6053	208	B2-U0-G2	5671	217	B2-U0-G2	
	FTA-IL	70	3805	131	B0-U0-G2	3951	136	B0-U0-G2	4296	148	B0-U0-G2	4026	155	B0-U0-G2	
12L	2	70	5031	122	B2-U0-G2	5224	126	B2-U0-G2	5679	137	B2-U0-G2	5321	144	B2-U0-G2	94
	3	70	4745	115	B3-U0-G2	4929	119	B3-U0-G2	5358	130	B3-U0-G2	5021	136	B3-U0-G2	
	5	70	5330	129	B1-U0-G2	5536	133	B1-U0-G2	6018	146	B1-U0-G2	5639	153	B1-U0-G2	
	3-IL	70	5341	87	B0-U0-G2	5547	91	B0-U0-G2	6030	98	B0-U0-G2	5649	92	B0-U0-G2	
	SW	70	7024	170	B3-U0-G2	7297	176	B3-U0-G2	7931	192	B3-U0-G2	7431	200	B3-U0-G2	
	FT	70	7142	173	B1-U0-G2	7419	180	B1-U0-G2	8063	195	B1-U0-G2	7557	204	B1-U0-G2	
	FT-IL	70	4716	114	B0-U0-G2	4898	119	B0-U0-G2	5323	129	B0-U0-G2	4988	135	B0-U0-G2	
	FTA	70	7619	184	B2-U0-G2	7914	192	B2-U0-G2	8601	208	B2-U0-G2	8058	217	B2-U0-G2	
	FTA-IL	70	5405	131	B0-U0-G2	5614	136	B0-U0-G2	6104	148	B0-U0-G2	5720	155	B0-U0-G2	
18L	2	70	7554	122	B2-U0-G2	7844	126	B2-U0-G2	8526	137	B2-U0-G2	7989	144	B2-U0-G2	150
	3	70	7123	115	B3-U0-G2	7399	119	B3-U0-G2	8044	130	B3-U0-G2	7538	136	B3-U0-G2	
	5	70	8000	129	B1-U0-G2	8309	133	B1-U0-G2	9032	146	B1-U0-G2	8464	153	B1-U0-G2	
	3-IL	70	8017	87	B0-U0-G2	8327	91	B0-U0-G2	9051	98	B0-U0-G2	8480	92	B0-U0-G2	
	SW	70	10545	170	B3-U0-G2	10951	176	B3-U0-G2	11902	192	B3-U0-G2	11152	200	B3-U0-G2	
	FT	70	10719	173	B1-U0-G2	11132	180	B1-U0-G2	12101	195	B1-U0-G2	11339	204	B1-U0-G2	
	FT-IL	70	7078	114	B0-U0-G2	7348	119	B0-U0-G2	7985	129	B0-U0-G2	7482	135	B0-U0-G2	
	FTA	70	11429	184	B2-U0-G2	11871	192	B2-U0-G2	12902	208	B2-U0-G2	12087	217	B2-U0-G2	
	FTA-IL	70	8108	131	B0-U0-G2	8421	136	B0-U0-G2	9156	148	B0-U0-G2	8580	155	B0-U0-G2	
24L	2	70	10059	122	B2-U0-G2	10448	126	B2-U0-G2	11358	137	B2-U0-G2	10642	144	B2-U0-G2	187
	3	70	9490	115	B3-U0-G2	9858	119	B3-U0-G2	10716	130	B3-U0-G2	10043	136	B3-U0-G2	
	5	70	10660	129	B1-U0-G2	11072	133	B1-U0-G2	12043	146	B1-U0-G2	11279	153	B1-U0-G2	
	3-IL	70	10681	87	B0-U0-G2	11093	91	B0-U0-G2	12064	98	B0-U0-G2	11299	92	B0-U0-G2	
	SW	70	14049	170	B3-U0-G2	14594	176	B3-U0-G2	15862	192	B3-U0-G2	14862	200	B3-U0-G2	
	FT	70	14283	173	B1-U0-G2	14838	180	B1-U0-G2	16126	195	B1-U0-G2	15107	204	B1-U0-G2	
	FT-IL	70	9431	114	B0-U0-G2	9797	119	B0-U0-G2	10647	129	B0-U0-G2	9973	135	B0-U0-G2	
	FTA	70	15238	184	B2-U0-G2	15828	192	B2-U0-G2	17203	208	B2-U0-G2	16115	217	B2-U0-G2	
	FTA-IL	70	10810	131	B0-U0-G2	11228	136	B0-U0-G2	12208	148	B0-U0-G2	11439	155	B0-U0-G2	
30L	2	70	12574	122	B2-U0-G2	13060	126	B2-U0-G2	14197	137	B2-U0-G2	13303	144	B2-U0-G2	247
	3	70	11862	115	B3-U0-G2	12322	119	B3-U0-G2	13395	130	B3-U0-G2	12553	136	B3-U0-G2	
	5	70	13325	129	B1-U0-G2	13840	133	B1-U0-G2	15053	146	B1-U0-G2	14099	153	B1-U0-G2	
	3-IL	70	13351	87	B0-U0-G2	13867	91	B0-U0-G2	15079	98	B0-U0-G2	14124	92	B0-U0-G2	
	SW	70	17561	170	B3-U0-G2	18243	176	B3-U0-G2	19828	192	B3-U0-G2	18577	200	B3-U0-G2	
	FT	70	17854	173	B1-U0-G2	18547	180	B1-U0-G2	20157	195	B1-U0-G2	18884	204	B1-U0-G2	
	FT-IL	70	11789	114	B0-U0-G2	12246	119	B0-U0-G2	13309	129	B0-U0-G2	12466	135	B0-U0-G2	
	FTA	70	19048	184	B2-U0-G2	19785	192	B2-U0-G2	21504	208	B2-U0-G2	20144	217	B2-U0-G2	
	FTA-IL	70	13513	131	B0-U0-G2	14035	136	B0-U0-G2	15260	148	B0-U0-G2	14299	155	B0-U0-G2	
36L	2	70	14089	122	B2-U0-G2	14633	126	B2-U0-G2	15909	137	B2-U0-G2	14907	144	B2-U0-G2	317
	3	70	13285	115	B3-U0-G2	13805	119	B3-U0-G2	15011	130	B3-U0-G2	14064	136	B3-U0-G2	
	5	70	14929	129	B1-U0-G2	15507	133	B1-U0-G2	16864	146	B1-U0-G2	15798	153	B1-U0-G2	
	3-IL	70	14958	87	B0-U0-G2	15537	91	B0-U0-G2	16897	98	B0-U0-G2	15829	92	B0-U0-G2	
	SW	70	19674	170	B3-U0-G2	20436	176	B3-U0-G2	22217	192	B3-U0-G2	20810	200	B3-U0-G2	
	FT	70	20005	173	B1-U0-G2	20780	180	B1-U0-G2	22584	195	B1-U0-G2	21157	204	B1-U0-G2	
	FT-IL	70	13205	114	B0-U0-G2	13717	119	B0-U0-G2	14911	129	B0-U0-G2	13966	135	B0-U0-G2	
	FTA	70	21346	184	B2-U0-G2	22171	192	B2-U0-G2	24098	208	B2-U0-G2	22573	217	B2-U0-G2	
	FTA-IL	70	15156	131	B0-U0-G2	15741	136	B0-U0-G2	17105	148	B0-U0-G2	16024	155	B0-U0-G2	
42L	2	70	16581	122	B2-U0-G2	17220	126	B2-U0-G2	18723	137	B2-U0-G2	17541	144	B2-U0-G2	390
	3	70	15635	115	B3-U0-G2	16243	119	B3-U0-G2	17663	130	B3-U0-G2	16547	136	B3-U0-G2	
	5	70	17567	129	B1-U0-G2	18249	133	B1-U0-G2	19842	146	B1-U0-G2	18587	153	B1-U0-G2	
	3-IL	70	17602	87	B0-U0-G2	18285	91	B0-U0-G2	19881	98	B0-U0-G2	18624	92	B0-U0-G2	
	SW	70	23153	170	B3-U0-G2	24051	176	B3-U0-G2	26144	192	B3-U0-G2	24486	200	B3-U0-G2	
	FT	70	23544	173	B1-U0-G2	24457	180	B1-U0-G2	26584	195	B1-U0-G2	24902	204	B1-U0-G2	
	FT-IL	70	15538	114	B0-U0-G2	16142	119	B0-U0-G2	17545	129	B0-U0-G2	16433	135	B0-U0-G2	
	FTA	70	25122	184	B2-U0-G2	26100	192	B2-U0-G2	28361	208	B2-U0-G2	26566	217	B2-U0-G2	
	FTA-IL	70	17833	131	B0-U0-G2	18523	136	B0-U0-G2	20132	148	B0-U0-G2	18857	155	B0-U0-G2	

*LED Chips are frequently updated therefore values are nominal

Specifications and dimensions subject to change without notice.

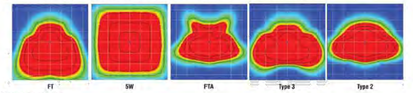
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Slice Medium - SLM
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Performance (Cont.)

All published luminaire photometric testing performed to IESNA LM-79 standards. ISO footcandle plots below demonstrate the Slice (SLM) light patterns only. Not for total fixture output. For complete specifications and IES files, see website.



Ordering Guide

TYPICAL ORDER EXAMPLE: **SLM LED 36L SIL FTA UNV DIM 50 70CRI ALSCS04 BRZ IL**

Luminaire Prefix	Light Source	Lumen Package*	Light Output	Distribution	Orientation*	Voltage	Driver
SLM Slice Medium	LED	9L - 9,000 lms 12L - 12,000 lms 18L - 18,000 lms 24L - 24,000 lms 30L - 30,000 lms 36L - 36,000 lms 42L - 42,000 lms *Consult factory for programmable wattages and lumen packages	SIL - Silicone	2 - Type 2 3 - Type 3 SW - Type 5 Wide FT - Forward Throw FTA - Forward Throw: Automotive	(blank) - standard L - Optics rotated left 90 R - Optics rotated right 90	UNV - Universal Voltage (120-277V) HV - High Voltage (347-480V)	DIM - 0-10V Dimming (0-10%)

Color Temp	Color Rendering	Controls (Choose One)	Finish	Options
5T - 5,700 CCT[3,4,5] 5K - 5,000 CCT 4K - 4,000 CCT 3K - 3,000 CCT 27 - 2,700 CCT[3] AMB - Phosphor Converted Amber[6]	70CRI - 70 CRI 80CRI - 80 CRI[7] 90CRI - 90 CRI[7,8]	(Blank) - None **Wireless Controls Options** ALSC - AirLink Synapse Control System[9] ALSCH - AirLink Synapse Control System Hood / Satellite[10] ALSCS01 - AirLink Synapse Control System with 8-12' Motion Sensor[11] ALSCH01 - AirLink Synapse Control System Hood / Satellite with 8-12' Motion Sensor[11] ALSCS02 - AirLink Synapse Control System with 12-20' Motion Sensor[11] ALSCH02 - AirLink Synapse Control System Hood / Satellite with 12-20' Motion Sensor[11] ALSCS04 - AirLink Synapse Control System with 20-40' Motion Sensor[11] ALSCH04 - AirLink Synapse Control System Hood / Satellite with 20-40' Motion Sensor[11] **Stand-Alone Controls** EXT - 0-10v Dimming (from external signal) IMSSM01 - Integral Motion Sensor 8-12' 120-277V[12] IMSSM02 - Integral Motion Sensor 12-20' 120-277V[12] IMSSM04 - Integral Motion Sensor 20-40' 120-277V[12] IMSSM01HV - Integral Motion Sensor 8-12' 347-480V[12,13] IMSSM02HV - Integral Motion Sensor 12-20' 347-480V[12,13] IMSSM04HV - Integral Motion Sensor 20-40' 347-480V[12,13] CR7P - 7 Pin Control Receptacle ANSI C136.41[14] **Button Type Photocells** PCI120 - 120V PCI208-277 - 208-277V PCI347 - 347V	(Blank) - None BRZ - Bronze BLK - Black GPT - Graphite MSV - Metallic Silver WHT - White PLP - Platinum Plus SVG - Satin Verde Green	(Blank) - None IL - Integral Louver HSS[15]

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Accessory Ordering Information[8]

Description	Order Number	Description	Order Number
PCI120 Photocell for use with CR7P option (120V)[7]	120514	DPK208L-240 Double Fusing (208V, 240V)	DPK240
PCI208-277 Photocell for use with CR7P option (208V, 240V, 277V)[7]	122335	DPK480 Double Fusing (480V)	DPK480
PCI347 Photocell for use with CR7P option (347V)[7]	122516	DPK347 Double Fusing (347V)	DPK347
PCI480 Photocell for use with CR7P option (480V)[7]	122516B	RSRPP – Round Pole Adapter for 9' Poles[1]	379983CLR
ALSC UNV TLS – AirLink 5Pin Twist Lock Controller[16]	661409	IL – Integral Louver HSS	684812
ALSC UNV TL7 – AirLink 7Pin Twist Lock Controller[16]	661416	Universal Mounting Bracket (UMB)[1]	684476DLR
PMR524 – 24V Pole-Mount Occupancy Sensor (ALSCH Compatible)[16]	665284DLR	Adjustable Slip Fitter (ASF)[1]	688138DLR
IMS-PC Remote Configurator Tool	594929	Pole Quick Mount Bracket – Square Pole[1]	687873DLR
SSRPP – Round Pole Adapter for 5" Round Tapered Poles[1]	438378DLR	Pole Quick Mount Bracket – 4-5' Round Pole[1]	688085DLR
SARPP – Round Pole Adapter for 4" Poles[1]	379967DLR	13" Tilt Pole Quick Mount Bracket - Square Pole[1]	688083DLR
PA120 Single Fusing (120V)	PA120	13" Tilt Pole Quick Mount Bracket - 4-5' Round Pole[1]	688080DLR
PA277 Single Fusing (277V)	PA277	RMQ 5900 WAP - QLN Wall Mount Bracket[1]	350132DLR

FOOTNOTES:
1 - Not available on "Type V" distribution
2 – Consult Factory for availability.
3 – Only available in 9L and 12L Lumen Packages
4 – Only available in 5T
5 – Consult Factory for Site Layout
6 – IMS is field adjustable, via a hand held Remote Configurator Tool, which must be ordered separately. See Accessory Ordering Information.
7 - Control device must be ordered separately. 7 pin standard. See Accessory Ordering Information.
8 – Accessories are shipped separately and field installed.
9 – ALSC or ALSCH with ALSCS Motion Sensor. See Options.
10 – Only available with ALSC Controls
11 - "DLR" denotes finish. See Finish options
12 – Only available in 5700K 90CRI for screen packages 24L-42L

Accessories/Options

Integral Louver (IL)

Accessory Integral Louver available for improved back-light control without sacrificing street side performance. LSI's Integral Louver (IL) option delivers backlight control that significantly reduces light spill behind the pole for applications with pole locations close to adjacent properties. The integrated louvers' design maximizes forward-reflected light while - reducing glare, maintaining the optical distribution selected, and most importantly, eliminating light trespass. The Integral louver rotates with the optical distribution.

Luminaire Shown with Integral Louver (IL)



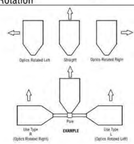
7 Pin Photoelectric Control

7-pin ANSI C136.41-2013 control receptacle option available for twist lock photocontrols or wireless control modules. Control accessories sold separately. Dimming leads from the receptacle will be connected to the driver dimming leads (Consult factory for alternate wiring).

Fixture Shown with CR7P



Optics Rotation



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Slice Medium - SLM
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Stand-alone Controls: Occupancy Sensor (IMS)

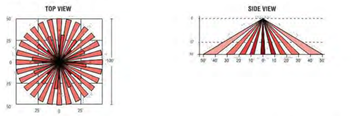
The integral passive infrared motion sensor activates switching of luminaire light levels. Standard Factory settings: High level light is activated and increased to full bright upon detection of motion. Low/light level (10% maximum drive current) is activated when target zone is absent of motion activity for ~5 minutes. See coverage diagram for detection cone.

The Remote Configurator Tool allows for easy and safe programming of each luminaire from ground level.
See the Remote Configurator User Guide for programming instructions.

When ordering the Stand-alone Occupancy Sensor on the fixture, you must include IMS (see ordering guide for mounting height options) as the controls option in the fixture nomenclature.

To order as a motion sensor with the AirLink Wireless Control System, see ordering guide under "Wireless Controls System" and select the ALSCS controls option with the desired mounting height.

IMS Coverage Diagrams



Remote Configurator Tool



Luminaire Shown with IMS



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09/28/18

Slice Medium - SLM
Outdoor LED Area Light

AirLink
enabled by Synapse®

The AirLink enabled by Synapse Wireless Lighting Control System is the perfect solution for commercial, industrial and municipal applications, such as: auto dealerships, parking lots, garages, shopping complexes and warehouses.

AirLink utilizes robust wireless communication via 2.4 GHz Self-Healing Mesh Network which not only increases reliability and accuracy of system, but also eliminates single point of failure.

The flexibility of the system make it perfect for new construction and retrofit projects. The user-friendly AirLink web application is accessible through any device with an internet connection and allows for complete customization of the system's features.

Some capabilities of the system include: occupancy/vacancy sensing, daylight harvesting, scheduling, high-end trim, dimming, zone control, BMS integration and energy monitoring.

The AirLink System

Wireless controls & sensors



Centralized control & integration



Simple-to-use software

AirLink Site Manger: Lighting control web app

Contact LSI Controls

Sales
controls.sales@lsi-industries.com

Support
controls.support@lsi-industries.com
1 (800) 436-7800 (support, option 8)

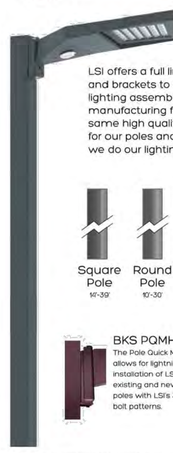
More information
For more information on AirLink, visit our website at www.lsi-airlink.com

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09/28/18

Slice Medium - SLM
Outdoor LED Area Light

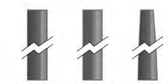
poles & Brackets



LSI offers a full line of poles and brackets to complete your lighting assembly. Our USA manufacturing facility has the same high quality standards for our poles and brackets as we do our lighting fixtures.



BKA UMB CLR
The 3G rated Universal Mounting Bracket (UMB) allows for seamless integration of LSI Luminaires onto existing or new construction poles. The UMB bracket was designed specifically for square or round (tapered/straight) poles with (2) mounting hole spaces between 3.5"-5".





BKA ASF CLR
The adjustable Slip Fitter is a 3G rated rugged die cast aluminum adapter to mount LSI luminaires onto a 2" (51mm) IP, 2.375" (60mm) O.D. tenon. The Adjustable Slip Fitter can be rotated 180° allowing for tilting LSI luminaires up to 45 and 90 when using a vertical tenon.

BKS PQMH CLR
The Pole Quick Mount Bracket allows for lightning fast installation of LSI luminaires onto exist

QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project:
Prepared By: Date: Type:

XSPS
LED Soffit Light

OVERVIEW	
Lumen Package	4000 - 8000
Wattage Range	43 -97
Efficacy Range (LPW)	96 -104
Weight lbs (kg)	7.6 (3.5)

QUICK LINKS
Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Housing is die-formed aluminum with diffuse acrylic lens providing a water-resistant seal. Enclosure contains factory prewired driver and optical unit containing LEDs.
- Recess mount into an enclosed soffit with screws through the mounting frame. 8" clearance required for ease of installation.
- Finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling, and is guaranteed for five full years. Standard color is gloss white.
- Shipping weight: 7.6 lbs in carton.
- Suitable for wet locations.

Optical System
- Symmetric distribution with excellent uniformity and a BUG rating of B2-U0-G1. Diffuse lens is standard to minimizing visibility of LEDs.
- Select high-brightness LEDs.
- Available in 5000K, 4000K and 3000K
- Color temperatures per ANSI C78.377.
- Minimum CRI of 80.

Electrical
- High-performance factory programmable driver features over-voltage, under voltage, short-circuit and over temperature protection with integral surge protection that meets IEEE C62.41.2 and ANSI C82.77. -5 Location Category C Low standards.
- 0-10 volt dimming (10% - 100%) standard.
- 120-347VAC 50/60Hz
- Thermal protector standard on 5000-8000 lumen versions.
- L80 Calculated Life: >100k Hours (See Lumen Maintenance chart)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to 40°C (-40°F to 104°F) for HO and VHO. -40°C to 45°C (-40°F to 113°F) for SS. -40°C to 35°C (-40°F to 95°F) for SHO .
- Power factor: >0.90
- Input power stays constant over life.
- High-efficacy LEDs with integrated circuit board mount to the housing to maximize heat dissipation and promote long life.
- Driver components are fully encased in potting material for moisture resistance. Driver complies with FCC standards.

Warranty
- LSI luminaires carry a 5-year limited warranty. Refer to https://www.lsicorp.com/resources/terms-conditions-warranty/ for more information.

Listings
- Listed to UL 1598 and UL 8750
- Suitable For Damp Locations
- Meets Buy American Act requirements.
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.
- IDA compliant with 3000K or lower color temperature.

Type:

XSPS LED Soffit Light

ORDERING GUIDE

Back to Quick Links

TYPICAL ORDER EXAMPLE: **XSPS S LED SS CW 120 GWT DFL**

Prefix	Distribution	Light Source	Drive Current	Color Temperature	Input Voltage	Finish	Lens	Options
XSPS - LED Soffit	**S** - Symmetric	**LED**	**SS** - 6,000 Lumens **HO** - 8,000 Lumens **VHO** - 8,000 Lumens **SHO** - 8,000 Lumens	**CW** - 5000K 80 CRI **NW** - 4000K 80 CRI **WW** - 3000K 80 CRI	**120** - 120V **208** - 208V **240** - 240V **277** - 277V **347** - 347V	**GWT** - Gloss White	**DFL** - Diffused Acrylic Lens	**CMT** - Channel Bar Mounting Kit **BB** - Emergency Battery Pack[1]

1 - Emergency Battery Pack only available on the SS - 4000 lumen version (120, 208, 240 & 277V versions).

PERFORMANCE

DELIVERED LUMENS

Lumen Package	Distribution	Lens Type	CRI	3000K CCT			4000K CCT			5000K CCT			Wattage
				Delivered Lumens	Efficacy	Bug Rating	Delivered Lumens	Efficacy	Bug Rating	Delivered Lumens	Efficacy	Bug Rating	
SS	S	DFL	80	3816	123	B2-U0-G1	4022	129	B2-U0-G1	3966	128	B2-U0-G1	31
HO	S	DFL	80	4756	120	B3-U0-G1	5011	127	B2-U0-G1	4941	125	B2-U0-G1	40
VHO	S	DFL	80	5733	116	B3-U0-G1	6041	124	B2-U0-G1	5957	122	B2-U0-G1	49
SHO	S	DFL	80	7539	113	B3-U0-G1	7965	119	B3-U0-G1	7853	118	B3-U0-G1	67

LEDs are frequently updated therefore values are nominal.

Electrical Data (Amps)*

Lumen Package	Wattage	120V	208V	240V	277V	347V
SS	31	0.26	0.15	0.13	0.11	0.09
HO	40	0.33	0.19	0.16	0.14	0.11
VHO	49	0.41	0.23	0.2	0.18	0.14
SHO	67	0.56	0.32	0.28	0.24	0.19

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%.

RECOMMENDED LUMEN MAINTENANCE

Ambient Temp C	Initial[2]	25K hrs.[1]	50K hrs.[1]	75K hrs.[1]	100K hrs.[1]
25 C	100%	95%	91%	86%	82%

1 - In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
2 - In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing.

Type:

XSPS LED Soffit Light

PHOTOMETRICS

Back to Quick Links

Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.
For complete specifications and IES files, see website.

XSPS S LED HO NW DFL

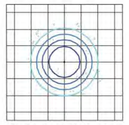
Luminaire Data

Type 5 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	5,011
Watts	39.5
Efficacy	127
IES Type	Type VS - Very Short
BUG Rating	B2-U0-G1

Zonal Lumen Summary

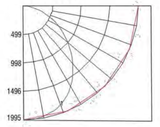
Zone	Lumens	%Luminaire
Low (0-30°)	1538	31%
Medium (30-60°)	2565	51%
High (60-80°)	826	16%
Very High (80-90°)	84	2%
Uplight (90-180°)	0	0%
Total Flux	5011	100%

ISO FOOTCANDLE PLOT



10' Mounting Height/10' Grid Spacing
5 FC 2 FC 1 FC 0.5 FC

POLAR CURVE

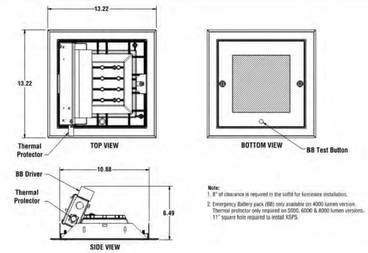


Type:

XSPS LED Soffit Light

PRODUCT DIMENSIONS

Back to Quick Links



Note:
1. 8" of clearance is required in the soffit for luminaire installation.
2. Emergency Battery pack (BB) only available on 4000 lumen version. Thermal protector only required on 5000, 6000 & 8000 lumen versions.
11" square hole required to install SQFS.

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_PH.DWG

20

K:\DEN_Civil\096888046_QuikTrip 4263 Aurora\CADD\PlanSheets\Site Plan\096888046_PH.dwg DeHoyos, Schuyler 12/13/2024 11:44 AM

QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project:
Prepared By: Date: Type:

Mirada Large (MRL)
Outdoor LED Area Light

IP66

OVERVIEW	
Lumen Package	40,000 – 78,000
Wattage Range	286 – 648
Efficacy Range (LPW)	115 – 154
Weight lbs(kg)	60 (272)

QUICK LINKS: Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Rugged die-cast aluminum housing, optical frame, and driver access cover.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 68 lbs in carton.

Optical System
- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP66 rated sealed optical chamber in 1 component.
- Proprietary silicone refractor optics provide exceptional coverage and uniformity in IES Types 2, 3, SW, FT, FTA, and AM.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K, and 3000K color temperatures per ANSI C78.377.
- Minimum CRI of 70.
- Integral louver (IL) and house-side shield (IH) options available for improved backlight control without sacrificing street side performance. See page 5 for more details.

Electrical
- High-performance programmable driver features over-voltage, under-voltage, short-circuit and over temperature protection. Custom lumen and wattage packages available.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L90 Calculated Life: >100k Hours (See Lumen Maintenance on Page 4)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to +50°C (-40°F to +122°F). 65L and 78L lumen packages rated to +40°C.
- Power factor: >.90
- Input power stays constant over life.
- Field replaceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.

Controls
- Optional integral passive infrared Bluetooth™ motion and photocell sensor (see page 5 for more details). Fixtures operate independently and can be commissioned via iOS or Android configuration app.
- LSI's AirLink™ wireless control system options reduce energy and maintenance costs while optimizing light quality 24/7. (see page 8 for more details).

Installation
- Designed to mount to square or round poles.
- A single fastener secures the hinged door, underneath the housing and provides quick & easy access to the electrical compartment for installing/servicing.
- Included terminal block accepts up to 12 ga. wire.
- Utilizes both B3 and B5 drill patterns for easy fastening of LSI products. (See drawing on page 8)

Warranty
- LSI LED Fixtures carry a 5-year warranty.

Listings
- Listed to UL 1598 and UL 8750.
- State of California Title 24 Compliant; with IMSBT, ALSC, or ALSCH Options.
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.
- Meets Buy American Act requirements.
- IDA compliant; with 3000K color temperature selection.
- Suitable for wet locations.
- IP66 rated Luminaire per IEC 60598.
- 3G rated for ANSI C136.31 high vibration applications are qualified.
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

Specifications and dimensions subject to change without notice.

Type:

Mirada Large Outdoor LED Area Light

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ORDERING GUIDE

TYPICAL ORDER EXAMPLE: MRL LED 40L SIL FTA L UNV DIM 50 70CRI ALSCS04 BRZ IL

Prefix	Lens	Lumen Package	Lens	Distribution	Orientation[2]	Voltage
MRL - Mirada Large	LED	40L - 40,000 lms 50L - 50,000 lms 65L - 65,000 lms 78L - 78,000 lms Custom Lumen Packages[1]	SIL - Silicone	2 - Type 2 3 - Type 3 SW - Type 5 Wide FT - Forward Throw FTA - Forward Throw Automotive AM - Automotive Merchandise	(Blank) - Standard L - Optics rotated left 90° R - Optics rotated right 90°	UNV - Universal Voltage (120-277V) HV - High Voltage (347 - 480V)

Driver	Color Temperature	Color Rendering	Controls	Finish	Options
DIM - 0-10v Dimming (10-100%)	50 - 5,000 CCT 40 - 4,000 CCT 30 - 3,000 CCT	70CRI - 70 CRI	(Blank) - None **Wireless Controls System** ALSC - AirLink Synapse Control System ALSCH1 - AirLink Synapse Control System High / Satellite with 12-20' Motion Sensor[3] ALSCH2 - AirLink Synapse Control System High / Satellite with 12-32' Motion Sensor[3] ALSCS04 - AirLink Synapse Control System with 20-40' Motion Sensor[3] ALSCH04 - AirLink Synapse Control System Host / Satellite with 20-40' Motion Sensor[3] ALBC01 - AirLink Blue Wireless Motion & Photo Sensor Controller (8-24'mounting height)[4] ALBC02 - AirLink Blue Wireless Motion & Photo Sensor Controller (25-40' mounting height)[4] **Stand-Alone Controls** EXT - 0-10v Dimming leads extended to housing exterior CR7P - 7 Pin Control Receptacle ANSI C136.41* IMSBT1 - Integral Bluetooth® Motion and Photocell Sensor (8-24' MH)[5] IMSBT2 - Integral Bluetooth® Motion and Photocell Sensor (25-40' MH)[5] **Button Type Photocells** PCI120 - 120V PCI208-277 - 208-277V PCI347 - 347V	BLK - Black BRZ - Dark Bronze GMG - Gun Metal Grey GPT - Graphite MDV - Metallic Silver PLP - Platinum Plus SVG - Satin Verde Green WHT - White	(Blank) - None IH - Integral Houseside Shield[6] IL - Integral Louver (Sharp Spill Light Cutoff)[6]

Accessory Ordering Information[7]

Controls Accessories

Description	Order Number
Twist Lock Photocell (120V) for use with CR7P*	1205514
Twist Lock Photocell (208-277) for use with CR7P*	1205515
Twist Lock Photocell (347V) for use with CR7P*	1205516
Twist Lock Photocell (480V) for use with CR7P*	1205180
AirLink 5 Pin Twist Lock Controller*	6814496
AirLink 5 Pin Twist Lock Controller*	6814410
Pole-Mounted Occupancy Sensor (PASY-)*	6603845LR
Shorting Cap for use with CR7P*	146028

Fusing Accessories[11]

Description	Order Number
Single Fusing (120V)	PA120
Single Fusing (120V)	PA277
Double Fusing (480V)	DPA480
Double Fusing (347V)	DPA347

Mounting Accessories[8]

Description	Order Number
Universal Mounting Bracket	6946185LR
Adjustable Slip Fitter (3" - 3.5/8" Tenon)	6881385LR
Quick Mount Pole Bracket (Square Pole)	6815730LR
Quick Mount Pole Bracket (4.5" Round Pole)	6896883LR
15 TR Quick Mount Pole Bracket (Square Pole)	6896903LR
15 TR Quick Mount Pole Bracket (4.5" Round Pole)	6896902LR
Wall Mount Bracket	3821320LR
Mixed Pole Bracket (4" Minimum Pole Diameter)	7512190LR

Shielding & Miscellaneous Accessories

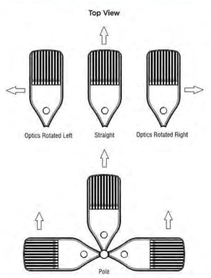
Description	Order Number
Integral Louver(Sharp)	7404118
Internal Houseside Shield	6864185
18" Linear Bird Spike Kit (4' Recommended per Luminaires)	736785

FOOTNOTES:
1. Custom lumen and wattage packages available, consult factory. Values are within industry standard tolerances but not DLC listed.
2. Not available with 1UV distribution
3. Consult Factory for Site Layout
4. Not Available in HV
5. IMSBT is field configurable via the LSI app that can be downloaded from your smartphone's native app store. Consult Factory for 347-480V.
6. Control device or shorting cap must be ordered separately. See Accessory Ordering Information.
7. Accessories are shipped separately and field installed.
8. Factory installed CR7P option required. See Options.
9. "CL/R" denotes finish. See Finish options
10. Only available with ALSC/ALSCH control options.
11. Fusing must be located in hand-hole of pole.

Type:

Mirada Large Outdoor LED Area Light

OPTICS ROTATION



ACCESSORIES/OPTIONS

Integral Louver (IL) and House-Side Shield (IH)

Accessory louver and shield available for improved backlight control without sacrificing street side performance. LSI's Integral Louver (L) and Integral House-Side Shield (IH) options deliver backlight control that significantly reduces spill light behind the poles for applications with pole locations close to adjacent properties. The design maximizes forward reflected light while reducing glare, maintaining the optical distribution selected, and most importantly eliminating light trespass. Both options rotate with the optical distribution.

Luminaire Shown with IMSBT & IL/IH Options



7 Pin Photoelectric Control

7-pin ANSI C136.41-2013 control receptacle option available for twist lock photocontrols or wireless control modules. Control accessories sold separately. Dimming leads from the receptacle will be connected to the driver dimming leads (Consult factory for alternate wiring).

Luminaire Shown with CR7P



Type:

Mirada Large Outdoor LED Area Light

Back to Quick Links

PERFORMANCE

Delivered Lumens*

Lumen Package	Distribution	CRI	3000K CCT Delivered Lumens	3000K CCT Efficacy	3000K CCT BUG Rating	4000K CCT Delivered Lumens	4000K CCT Efficacy	4000K CCT BUG Rating	5000K CCT Delivered Lumens	5000K CCT Efficacy	5000K CCT BUG Rating	Wattage
40L	2	70	39770	139	B3-U0-G4	41255	144	B3-U0-G4	42884	150	B3-U0-G4	286
	3		40747	142	B3-U0-G4	42286	148	B4-U0-G4	43917	154	B4-U0-G4	
	SW		40392	141	B3-U0-G4	41901	147	B5-U0-G4	43533	152	B5-U0-G4	
	FT		40542	141	B4-U0-G4	41846	146	B4-U0-G5	43482	152	B4-U0-G5	
	FTA		40673	142	B4-U0-G4	42192	148	B4-U0-G4	43838	153	B4-U0-G4	
	AM		41923	143	B4-U0-G3	42347	148	B4-U0-G3	43998	154	B4-U0-G3	
50L	2	70	49872	132	B3-U0-G4	51216	137	B5-U0-G4	53213	142	B5-U0-G4	376
	3		50096	135	B4-U0-G5	52475	140	B4-U0-G5	54021	145	B4-U0-G5	
	SW		50145	134	B3-U0-G4	52018	139	B5-U0-G4	54047	144	B5-U0-G4	
	FT		50082	134	B4-U0-G5	51992	139	B4-U0-G5	53978	144	B4-U0-G5	
	FTA		50493	135	B5-U0-G4	52379	140	B5-U0-G4	54422	145	B5-U0-G4	
	AM		50689	135	B4-U0-G3	52572	140	B4-U0-G3	54622	146	B4-U0-G3	
65L	2	70	63338	172	B3-U0-G4	65660	177	B5-U0-G5	68253	182	B5-U0-G5	318
	3		64694	175	B5-U0-G5	67267	179	B5-U0-G5	69932	185	B5-U0-G5	
	SW		64303	174	B5-U0-G5	66732	179	B5-U0-G5	69324	184	B5-U0-G5	
	FT		64259	174	B5-U0-G5	66636	179	B5-U0-G5	69237	184	B5-U0-G5	
	FTA		64766	175	B5-U0-G5	67195	180	B5-U0-G5	69900	185	B5-U0-G5	
	AM		65005	175	B4-U0-G3	67432	180	B4-U0-G3	70082	186	B5-U0-G3	
78L	2	70	74867	115	B3-U0-G5	77456	120	B5-U0-G5	80478	124	B5-U0-G5	648
	3		74967	115	B5-U0-G5	77455	120	B5-U0-G5	80478	124	B5-U0-G5	
	SW		74919	114	B5-U0-G5	75792	118	B5-U0-G5	78777	133	B5-U0-G5	
	FT		73925	114	B5-U0-G5	76685	118	B5-U0-G5	79676	123	B5-U0-G5	
	FTA		74532	115	B5-U0-G5	77315	119	B5-U0-G5	80330	124	B5-U0-G5	
	AM		74805	115	B5-U0-G3	77599	120	B5-U0-G3	80625	124	B5-U0-G3	

*LEDs are frequently updated therefore values are nominal.

ELECTRICAL DATA (AMPS)*

Lumens	120V	208V	240V	277V	347V	480V
40L	2.38	1.38	1.19	1.03	0.82	0.60
50L	3.13	1.80	1.56	1.35	1.08	0.78
65L	4.32	2.49	2.16	1.87	1.49	1.08
78L	5.40	3.12	2.70	2.34	1.87	1.35

*Electrical data at 25°C (77°F). Actual wattage may differ by +/-10%

RECOMMENDED LUMEN MAINTENANCE*

Ambient	1Khr[2]	25Khr	50Khr	75Khr	100Khr
0 C - 40C	100%	100%	97%	94%	92%

FOOTNOTES:
1. Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
2. In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
3. In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing.

Type:

Mirada Large Outdoor LED Area Light

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PHOTOMETRICS

Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.

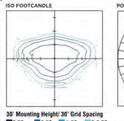
See https://www.lsicorp.com/knowledge/mirada-large/ for detailed photometric data.

MRL-LED-65L-SIL-2-40-70CRI

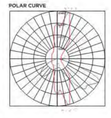
LUMINAIRE DATA	
Type 2 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	65,660
Watts	518
Efficacy	127
IES Type	Type II - Short
BUG Rating	B5-U0-G5

Zonal Lumen Summary		
Zone	Lumens	%Luminaire
Low (0-30°)	11003	16%
Medium (30-60°)	41936	62%
High (60-80°)	13243	20%
Very High (80-90°)	588	1%
Uplight (90-180°)	0	0%
Total Flux	66860	100%

ISO FOOTCANDLE



POLAR CURVE

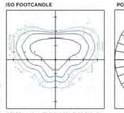


MRL-LED-65L-SIL-3-40-70CRI

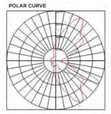
LUMINAIRE DATA	
Type 3 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	67,307
Watts	518
Efficacy	130
IES Type	Type III - Short
BUG Rating	B5-U0-G5

Zonal Lumen Summary		
Zone	Lumens	%Luminaire
Low (0-30°)	6960	10%
Medium (30-60°)	31977	48%
High (60-80°)	21783	32%
Very High (80-90°)	727	1%
Uplight (90-180°)	0	0%
Total Flux	67361	100%

ISO FOOTCANDLE



POLAR CURVE

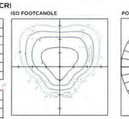


MRL-LED-65L-SIL-FT-40-70CRI

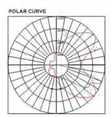
LUMINAIRE DATA	
Type FT Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	65,928
Watts	518
Efficacy	129
IES Type	Type IV - Short
BUG Rating	B4-U0-G5

Zonal Lumen Summary		
Zone	Lumens	%Luminaire
Low (0-30°)	9142	13%
Medium (30-60°)	31955	39%
High (60-80°)	25973	38%
Very High (80-90°)	1069	2%
Uplight (90-180°)	0	0%
Total Flux	66858	100%

ISO FOOTCANDLE



POLAR CURVE



Type:

Mirada Large Outdoor LED Area Light

PHOTOMETRICS (CONT)

MRL-LED-65L-SIL-SW-40-70CRI

LUMINAIRE DATA	
Type SW Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	66,722
Watts	519
Efficacy	129
IES Type	Type VS - Short
BUG Rating	B5-U0-G5

Zonal Lumen Summary		
Zone	Lumens	%Luminaire
Low (0-30°)	6319	10%
Medium (30-60°)	33193	50%
High (60-80°)	26806	40%
Very High (80-90°)	433	1%
Uplight (90-180°)	0	0%
Total Flux	66732	100%

ISO FOOTCANDLE

POLAR CURVE

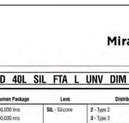


MRL-LED-65L-SIL-FTA-40-70CRI

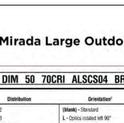
LUMINAIRE DATA	
Type FTA Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	67,185
Watts	518
Efficacy	130
IES Type	Type I - Very Short
BUG Rating	B5-U0-G5

Zonal Lumen Summary		
Zone	Lumens	%Luminaire
Low (0-30°)	14879	22%
Medium (30-60°)	39343	59%
High (60-80°)	12086	18%
Very High (80-90°)	874	1%
Uplight (90-180°)	0	0%
Total Flux	67183	100%

ISO FOOTCANDLE



POLAR CURVE

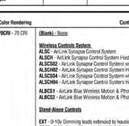


MRL-LED-65L-SIL-AM-40-70CRI

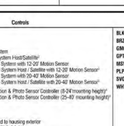
LUMINAIRE DATA	
Type AM Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	67,432
Watts	518
Efficacy	130
IES Type	Type III - Very Short
BUG Rating	B5-U0-G3

Zonal Lumen Summary		
Zone	Lumens	%Luminaire
Low (0-30°)	13837	9%
Medium (30-60°)	44854	43%
High (60-80°)	8162	44%
Very High (80-90°)	779	1%
Uplight (90-180°)	0	0%
Total Flux	67432	100%

ISO FOOTCANDLE



POLAR CURVE

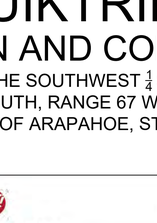


Type:

Mirada Large Outdoor LED Area Light

PRODUCT DIMENSIONS

Back to Quick Links



LUMINAIRE EPA CHART - MRL

Tilt Degree	0	30	45	Tilt Degree	0	30	45
Single	0.8	2.2	2.9	180°	2.0	3.8	4.5
D180°	1.6	2.2	2.9	TR120°	2.0	5.0	6.0
D90°	1.2	3.0	3.7	090°	2.0	3.8	4.5

CONTROLS

AirLink Wireless Lighting Controller

The AirLink integrated controller is a California Title 24 compliant lighting controller that provides real-time light monitoring and control with utility-grade power monitoring. It includes a 24V sensor input and power supply to connect a sensor into the outdoor AirLink wireless lighting system. The wireless integrated controller is compatible with this fixture.

Click the link below to learn more details about AirLink.

https://www.lsicorp.com/documents/datasheets/airlink-outdoor-specsheet.pdf

Integral Bluetooth™ Motion and Photocell Sensor (IMSBT)

Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is rated for cold and wet locations (-30° C to 70° C). Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Click the link below to learn more details about IMSBT.

https://www.lsicorp.com/documents/datasheets/imsbt-specsheet.pdf

AirLink Blue

Wireless Bluetooth Mesh Outdoor Lighting Control System that provides energy savings, code compliance and enhanced safety/security for parking lots and parking garages. Three key components: Bluetooth wireless radio/sensor controller, Time Keeper and an iOS App. Capable of grouping multiple fixtures and sensors as well as scheduling time-based events by zone. Radio/Sensor Controller is factory integrated into Area/Site, Wall Mounted, Parking Garage and Canopy luminaires.

Click the link below to learn more details about AirLink Blue.

https://www.lsi-airlink.com/airlink-blue/

Type:

Mirada Large Outdoor LED Area Light

POLES & BRACKETS

LSI offers a full line of poles and mounting accessories to complete your lighting assembly. Aluminum and steel in both square and round shafts. In addition, LSI offers round tapered, fluted and hinge based poles. Designed and engineered for durability and protected with our own baked DuraGrip Protection System. Also available with our DuraGrip+ Protection system for unmatched corrosion resistance and an extended warranty. American made in our Ohio facility with industry leading lead times.

Click the link below to learn more details about poles & brackets.

https://www.lsicorp.com/products/poles-and-brackets-area-street.aspx



BKA UMB CLR
The 3G rated UMB allows for seamless integration of LSI luminaires onto existing/ retrofit or new construction poles. The UMB was designed for square or round (tapered or straight) poles with two mounting hole spacings between 3.5" - 5".

BKA ASF CLR
The adjustable Slip Fitter is a 3G rated rugged die cast aluminum adapter to mount LSI luminaires onto a onto a 2" iron pipe. 2 3/8 OD tenon. The Adjustable Slip Fitter can be rotated 180° allowing for fitting LSI luminaires up to 45° and 90° when using a vertical tenon.

BKS PQMS CLR
The Pole Quick Mount Bracket allows for for preset 15° uplift of LSI luminaires for greater throw of light and increased vertical illumination as well as fast installation onto poles with LSI's 3" or 5" bolt pattern.

BKS PQMH CLR
The Pole Quick Mount Bracket allows for for tightning fast installation of LSI luminaires onto existing and new construction poles with LSI's B3 or B5 standard pole bolt patterns.

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO. 096888046

DRAWING NAME 096888046_PH.DWG

21

K:\DEN_Civil\096888046_QuikTrip 4263 Aurora\CADD\PlanSheets\Site Plan\096888046_PH.dwg DeHoyos, Schuyler 12/13/2024 11:44 AM

QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project:
Prepared By: Date: Type:

Mirada Medium Wall Sconce (XWM)
Outdoor Wall Sconce

IK08



OVERVIEW	
Lumen Range	3,000 - 21,000
Wattage Range	23 - 175
Efficacy Range (LPW)	125 - 158
Weight lbs(kg)	30 (13.6)

QUICK LINKS
Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Rugged die-cast aluminum housing contains factory prewired driver and optical unit. Hinged die-cast aluminum wiring access door located underneath.
- Galvanized-steel universal wall mount bracket comes standard with hinging mechanism to easily access the junction box wire connections without removing the luminaire.
- Optional pole-mounting bracket (XPMA) permits mounting to standard poles.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 30 lbs in carton.

Optical System
- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP65 rated sealed optical chamber in 1 component.
- Proprietary silicone refractor optics provide exceptional coverage and uniformity in Types 2, 3, and Forward Throw (FT) distributions.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K and 3000K color temperatures per ANSI C78.377. Also Available in Phosphor Converted Amber with Peak intensity at 610nm.
- Minimum CRI of 70.

Electrical
- High-performance programmable driver features over-voltage, under-voltage, short-circuit and over temperature protection. Custom lumen and wattage packages available.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours
- Total harmonic distortion: <20%
- -3L to 12L operating temperature: -40°C to +50°C (-40°F to +122°F)
- 15L operating temperature: -40°C to +45°C (-40°F to +113°F).
- 18L operating temperature: -40°C to +40°C (-40°F to +104°F).
- 25L operating temperature: -40°C to +35°C (-40°F to + 95°F).
- Power factor: > .90
- Input power stays constant over life.
- Optional 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed via hinged door.
- Optional integral emergency battery pack provides 90-minutes of constant power to the LED system, ensuring code compliance. A test switch/indicator button is installed on the housing for ease of maintenance. The fixture delivers 1500 lumens during emergency mode.

Controls
- Integral passive infrared Bluetooth™ motion and photocell sensor options. Fixtures operate independently and can be commissioned via an iOS or Android configuration app. Updates and modifications to the control strategy are easily implemented via an intuitive app.
- LSI's AirLink™ Blue lighting control system is a simple feature rich wireless Bluetooth mesh network. The integrated fixture sensor module provides wireless control of grouped fixtures based on motion sensors, daylight or a fully customizable schedule.

Installation
- Universal wall mounting plate easily mounts directly to 4" octagonal or square junction box.
- 2 fasteners secure the hinged door underneath the housing and provide quick & easy access to the electrical compartment for installing/servicing.
- Optional terminal block accepts up to 12 ga wire.

Warranty
- LSI LED Fixtures carry a 5-year warranty.
- 1 Year warranty on Battery Back-up option.

Listings
- Listed to UL 1598 and UL 8750.
- Meets Buy American Act requirements.
- IDA compliant; with 3000K or lower color temperature selection.
- Title 24 Compliant; see local ordinance for qualification information.
- Suitable for wet Locations.
- IP65 rated luminaire per IEC 60598.
- 3G rated for ANSI C136.31 high vibration applications when pole mounted (using optional XPMA bracket) or wall mounted.
- IK08 rated luminaire per IEC 60262 mechanical impact code
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

Type:

Mirada Wall Sconce (XWM)

ORDERING GUIDE
Back to Quick Links

TYPICAL ORDERING EXAMPLE: XWM 2 LED 6SL 30 UE BRZ ALSC

Family	Distribution	LED Technology	Lumen Package	Color Temperature	Voltage
XWM - Mirada Medium Wall Sconce	2 - Type 2 3 - Type 3 FT - Type 4 Forward Throw	6SA	3L - 3,000 lm 4L - 4,000 lm 6L - 6,000 lm 8L - 8,000 lm 10L - 10,000 lm 15L - 15,000 lm 18L - 18,000 lm 21L - 21,000 lm Custom Lumen Package*	3K - 3000K 4K - 4000K 5K - 5000K AM - Phosphor Converted Amber*	UE - Universal Voltage (120-277V) HV - High Voltage (347-480V)

Finish	Controls (Choose One)	Options
BLK - Black BRZ - Dark Bronze GPH - Graphite Grey GPT - Graphite WHT - Textured White PLP - Platinum Plus TBG - Dark Sandy Brown WHI - White	**Motion/Controls** ALSC - AirLink Sensorless Control System ALSCBZ - AirLink Sensorless Control System with 12-20' Motion Sensor ALSCBZ3 - AirLink Blue Wireless Motion & Photocell Sensor Controller (9-20' mounting height) ALSCBZ2 - AirLink Blue Wireless Motion & Photocell Sensor Controller (21-40' mounting height) **Standalone Controls** DIM - 0-10v Dimming Hook-up Wire (sold by housing volume) IMSBT - Integral Bluetooth™ Motion and Photocell Sensor (up to 20' mounting height)* IMSBT2 - Integral Bluetooth Motion and Photocell Sensor (max 21-40' mounting height)* **Button Type Photocells** PCCB - 120V PCUNV-277 - 208-277V PCUNV - 347V	BF - Battery Back-up (0°C)* CWBU - Cold Weather Battery Back-up (-20°C)* XPMA - Pole Mounting Bracket SPD - Shirt Surge Protection TB - Terminal Block

ACCESSORY ORDERING INFORMATION*

Description	Order Number	Description	Order Number
XWM Surface Mtg Adapter	DSXMSQA	HKSD - Sample Housing	HKSD*
10' Linear Wire Cable Mini 12' - Recommended per Luminaire	TDQ2	DRK - Shoebox Housing	DRKSD*
YKSD - Sample Housing	YKSD*	DRK - Shoebox Housing (DRKH)	DRKSD*
HKSD* - Sample Housing	HKSD*	DRK - Shoebox Housing (DRKH)	DRKSD*

1. Units Available in UL Luminaire Packages. Consult factory for lead time and availability.
2. Not available in HK.
3. Consult Factory for Side Lapsed.
4. IMSBT is field configurable via the LSI app that can be downloaded from your smartphone's native app store.
5. Fusing must be located in a hand hole for pole or in the junction box.
6. Custom lumen and wattage packages available must fall into a fixture, values are within industry standard tolerances but not SKU based.
7. Accessories are shipped separately and field installed.

Type:

Mirada Wall Sconce (XWM)

PERFORMANCE
Back to Quick Links

DELIVERED LUMENS*

Lumen Package	Distribution	CRI	3000K Delivered Lumens	3000K Efficacy	3000K BUG Rating	4000K Delivered Lumens	4000K Efficacy	4000K BUG Rating	5000K Delivered Lumens	5000K Efficacy	5000K BUG Rating	Wattage
3SL	2	70	3178	136	B1-U0-G2	3368	144	B1-U0-G2	3355	143	B1-U0-G2	23
	3	70	3224	140	B1-U0-G2	3416	148	B1-U0-G2	3364	145	B1-U0-G2	
	FT	70	3060	157	B1-U0-G2	3169	145	B1-U0-G2	3294	142	B1-U0-G2	
4SL	2	70	4250	139	B1-U0-G3	4483	147	B1-U0-G2	4400	145	B1-U0-G2	30
	3	70	4309	141	B1-U0-G3	4545	150	B1-U0-G2	4422	147	B1-U0-G2	
	FT	70	4206	159	B1-U0-G3	4458	167	B1-U0-G2	4395	164	B1-U0-G2	
6SL	2	70	6326	134	B2-U0-G3	6704	142	B2-U0-G2	6595	140	B2-U0-G2	47
	3	70	6417	136	B2-U0-G3	6805	144	B1-U0-G2	6689	142	B1-U0-G2	
	FT	70	6260	154	B2-U0-G2	6666	162	B2-U0-G2	6557	159	B2-U0-G2	
8SL	2	70	8566	128	B2-U0-G2	8954	135	B2-U0-G2	8583	131	B2-U0-G2	64
	3	70	8692	129	B2-U0-G2	8778	132	B2-U0-G2	8655	134	B2-U0-G2	
	FT	70	8520	126	B2-U0-G2	8605	134	B2-U0-G2	8461	132	B2-U0-G2	
12L	2	70	11967	146	B3-U0-G2	12758	155	B3-U0-G2	12507	153	B3-U0-G2	82
	3	70	12054	145	B3-U0-G2	12787	150	B2-U0-G2	12653	151	B2-U0-G2	
	FT	70	11737	143	B2-U0-G2	12286	149	B2-U0-G2	12187	154	B2-U0-G2	
15L	2	70	14662	142	B3-U0-G3	15625	145	B3-U0-G3	15324	142	B3-U0-G3	105
	3	70	14669	139	B2-U0-G2	15362	146	B2-U0-G3	15404	151	B2-U0-G3	
	FT	70	14322	139	B2-U0-G3	15252	148	B2-U0-G3	15259	154	B2-U0-G3	
18L	2	70	17403	134	B3-U0-G3	18384	139	B3-U0-G3	18065	140	B3-U0-G3	130
	3	70	17458	134	B3-U0-G3	18365	138	B3-U0-G3	18940	146	B3-U0-G3	
	FT	70	17259	133	B3-U0-G3	18265	140	B3-U0-G3	18245	144	B3-U0-G3	
21L	2	70	20388	127	B3-U0-G3	21563	132	B3-U0-G3	21059	130	B3-U0-G3	161
	3	70	20971	125	B3-U0-G3	22151	132	B3-U0-G3	22329	133	B3-U0-G3	
	FT	70	19575	121	B3-U0-G3	20684	128	B3-U0-G3	20915	130	B3-U0-G3	

*LEDs are frequently updated therefore values are nominal

ELECTRICAL DATA*

Lumen Package	120V	208V	240V	277V	347V	480V
3SL	0.19	0.11	0.10	0.09	0.07	0.05
4SL	0.25	0.15	0.13	0.11	0.09	0.06
6SL	0.39	0.23	0.20	0.17	0.14	0.10
8SL	0.54	0.31	0.27	0.23	0.19	0.13
12L	0.83	0.79	0.74	0.65	0.47	0.32
15L	1.07	0.56	0.49	0.38	0.28	0.22
18L	1.03	0.65	0.54	0.47	0.37	0.27
21L	1.24	0.77	0.67	0.58	0.46	0.34

*Electrical data at 25C (77°F). Actual wattage may differ by +/-10%.

DELIVERED LUMENS*

Lumen Package	Distribution	Amber Delivered Lumens	Amber Efficacy	Amber BUG Rating	Wattage
4L	2	1925	76	B1-U0-G2	25.5
	3	1935	76	B1-U0-G2	
	FT	1900	77	B0-U0-G2	

RECOMMENDED LUMEN MAINTENANCE (TL-B)†

Ambient Temperature C	Initial‡	25K hrs.†	50K hrs.†	75K hrs.†	100K hrs.†
0 - 50 C	100%	98%	95%	93%	90%

RECOMMENDED LUMEN MAINTENANCE (12L-21L)†

Ambient Temperature C	Initial‡	25K hrs.†	50K hrs.†	75K hrs.†	100K hrs.†
0 - 50 C	99%	97%	95%	93%	91%

† - Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
2 - In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
‡ - Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing times the IESNA LM-80-08 total test duration for the device under testing

Type:

Mirada Wall Sconce (XWM)

PHOTOMETRICS
Back to Quick Links

All published luminaire photometric testing performed to IESNA LM-79 standards. ISO footcandle plots below demonstrate the Mirada Wall Sconce (XWM) light patterns only. Not for total fixture output. For complete specifications and IES files, see website.

XWM-2-LED-6L-40

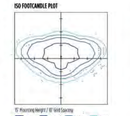
LUMINAIRE DATA

Type 2 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,435
Width	10.1"
Efficacy	155
IES Type	Type III - Medium
BUG Rating	B2-U0-G2

Zonal Lumen Summary

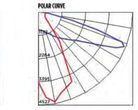
Zone	Lumens	%Luminaire
Low (0-30)°	801	12.4%
Medium (30-60)°	3918	60.9%
High (60-90)°	1614	18.1%
Very High (90-90)°	452	7.0%
Uplight (90-180)°	0.0	1.6%
Total Flux	6804	100%

ISO FOOTCANDLE PLOT



11" Mounting Height / 10' Grid Spacing
1.0K | 2.0K | 3.0K | 4.0K

POLAR CURVE



XWM-3-LED-6L-40

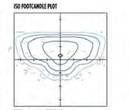
LUMINAIRE DATA

Type 3 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,435
Width	10.1"
Efficacy	155
IES Type	Type III - Medium
BUG Rating	B1-U0-G2

Zonal Lumen Summary

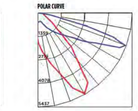
Zone	Lumens	%Luminaire
Low (0-30)°	1073	17%
Medium (30-60)°	3928.3	61.1%
High (60-90)°	1364.5	21.2%
Very High (90-90)°	367	5.5%
Uplight (90-180)°	6.1	0.1%
Total Flux	6432.1	100%

ISO FOOTCANDLE PLOT



10' Mounting Height / 10' Grid Spacing
1.0K | 2.0K | 3.0K | 4.0K

POLAR CURVE



XWM-FT-LED-6L-40

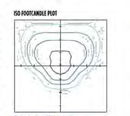
LUMINAIRE DATA

Type FT Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,458
Width	10.1"
Efficacy	156
IES Type	Type III - Short
BUG Rating	B1-U0-G2

Zonal Lumen Summary

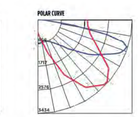
Zone	Lumens	%Luminaire
Low (0-30)°	770.6	11.9%
Medium (30-60)°	2934.9	45.2%
High (60-90)°	2520.1	38.7%
Very High (90-90)°	310.5	4.8%
Uplight (90-180)°	6.0	0.1%
Total Flux	6492.4	100.0%

ISO FOOTCANDLE PLOT



10' Mounting Height / 10' Grid Spacing
1.0K | 2.0K | 3.0K | 4.0K

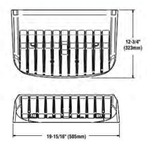
POLAR CURVE



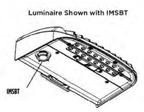
Type:

Mirada Wall Sconce (XWM)

PRODUCT DIMENSIONS
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Luminaire Shown with IMSBT



Surface Wiring Box



Wall location-rated surface wiring box features 1/2" and 3/4" knockouts for surface conduit

Luminaire Shown with PCI



CONTROLS

AirLink Wireless Lighting Controller

The AirLink integrated controller is a California Title 24 compliant lighting controller that provides real-time light monitoring and control with utility-grade power monitoring. It includes a 24V sensor input and power supply to connect a sensor into the outdoor AirLink wireless lighting system. The wireless integrated controller is compatible with this fixture.

Click here to learn more about AirLink.

Integral Bluetooth™ Motion and Photocell Sensor (IMSBT)

Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is rated for cold and wet locations (-30° C to 70° C). Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Click here to learn more about IMSBT.

AirLink Blue

Wireless Bluetooth Mesh Outdoor Lighting Control System that provides energy savings, code compliance and enhanced safety/security for parking lots and parking garages. Three key components: Bluetooth wireless radio/sensor controller, Time Keeper and an iOS App. Capable of grouping multiple fixtures and sensors as well as scheduling time-based events by zone. Radio/Sensor Controller is factory integrated into Area/Site, Wall Mounted, Parking Garage and Canopy luminaires.

Click here to learn more about AirLink Blue.

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_PH.DWG

22

K:\DEN_Civil\096888046_QuikTrip 4263 Aurora\CADD\PlanSheets\Site Plan\096888046_PH.dwg DeHoyos, Schuyler 12/13/2024 11:45 AM

QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project: Type:
Prepared By: Date:

Scottsdale Vertex™ (SCV)

Petroleum Canopy Light

IP66



OVERVIEW	
Lumen Package (lm)	9,000 – 23,000
Wattage Range (W)	67 – 188
Efficacy Range (LPW)	109 – 154
Weight lbs (kg)	18.5 (8.4)

QUICK LINKS

Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Rugged low-profile die-cast aluminum housing, optical unit, and driver cover.
- Below canopy access to optical chamber and driver housing for serviceability.
- IP66 rated luminaire protects integral components from dust and water.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling.
- Four fasteners secure the door frame to housing. Door frame also provides quick and easy access to the electrical compartment for servicing.
- Shipping weight: 18.5 lbs in carton.

Optical System
- Symmetrical distribution utilizes a clear tempered flat glass lens to uniformly illuminate the area under the gas canopy.
- Combination Forward Throw distribution uses clear tempered flat glass and optical grade PMMA acrylic lens to create an industry leading unique distribution pattern to illuminate the area under the gas canopy and the area between the gas canopy and convenience store eliminating the need for extra floodlights.
- Available in 5000K, 4000K and 3000K color temperatures.
- Minimum CRI of 80.

Electrical
- High-performance factory programmable driver, features include over-voltage, undervoltage, short circuit and over temperature protection.
- Integral 6kV surge protection that meets IEEE C62.41.2 and ANSI C82.77-5 Location Category C Low standards.
- Additional field replaceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- Custom lumen and wattage packages available.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours (See Lumen Maintenance on Page 2).
- Total harmonic distortion: <20%.
- Operating temperature: -40°C to +50°C (-40°F to +122°F) when mounted to Steel/Aluminum surfaces for 10L, 13L, & 15L Lumen Packages, +45°C for 20L Lumen Package, and +35°C for 23L Lumen Package. If mounted to a non-metallic surface, reduce ambient by 5°C.
- Power factor: >0.90.
- High-efficacy LEDs are mounted to (4) circuit boards to maximize heat dissipation.
- Driver components are fully encased in potting material for moisture resistance. Driver complies with FCC standards.

Hazardous Location
- Designed for lighter than air fuel applications. Product is suitable for Class 1 Division 2 with all lumen packages and distributions only when properly installed per LSI installation instructions. Models with optional controls are not approved for Class 1, Division 2 applications.
  - Gas Groups A, B, C, and D - Group A: Acetylene / Group B: Hydrogen / Group C: Propane and Ethylene / Group D: Benzene, Butane, Methane & Propane.

Installation (Standard)
- Installs in a 12" or 16" deck pan.
- Four fasteners are provided for use in single deck steel canopies. Other suitable fasteners may be required and provided by others.
- Unit is designed to quickly retrofit into existing Scottsdale (4") hole.
- Aluminum locking collar and gasket are included and required for complete seal and support of canopy deck.
- Retrofit panels are available for existing Encore, Richmond, 2x2 Universal, and more.
- Direct mount to surface or recessed J box with hardware bracket kit ordered separately as an accessory.

Installation (RED/Mount)
- Patent pending 3 piece quick mounting system; components include collar, capsule and connector.
- Designed to reduce canopy penetrations and increase installation efficiency.
- Installs in 12" or 16" deck pan.

Warranty
- LSI luminaires carry a 5-year limited warranty. Refer to https://www.lsicorp.com/resources/terms-conditions-warranty/ for more information.

Listings
- Listed to UL 1598 and UL 8750.
- Meets Buy American Act requirements.
- State of California Title 24 Compliant with IMSBT option.
- DesignLights Consortium® (DLC) Premium qualified product. Not all versions of this product may be DLC Premium qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.
- IDA compliant with 3000K or lower color temperature.

Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Type:

Have questions? Call us at (800) 436-7800

ORDERING GUIDE

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TYPICAL ORDER EXAMPLE:	SCV	LED	13L	SC	UNV	DIM	50	WHT	IMSBT2	REDI

Prefix	Light Source	Lumen Package	Distribution	Voltage	Driver	Color Temperature	Finish	Options	Mounting
SCV - Petroleum Canopy Luminaire	**LED**	**10L** – 10,000 Lumens **13L** – 13,000 Lumens **15L** – 15,000 Lumens **20L** – 20,000 Lumens **23L** – 23,000 Lumens Custom Lumen Packages[1] **23L (SCT)** – 23,000 Lumens **SCFT** – Combination Standard Symmetric and Forward Throw[2]	**SC** - Standard Symmetric	**UNV** - Universal Voltage (120-277VAC) **HV** - 347-480V[3]	**DIM** – 0-10V Dimming[4]	**30** - 3000K **40** - 4000K **50** - 5000K	**WHT** - White **BLK** - Black **BRZ** - Bronze	**Blank** - None **ALBC11** - AirLink Blue Wireless Motion & Photo Sensor Controller (25-40' mounting height) **IMSBT2L** - Integral Bluetooth® Motion and Photocell Sensor (0 - 24' mounting height)[5] **IMSBT2L** - Integral Bluetooth® Motion and Photocell Sensor (25 - 40' mounting height)[5] **RL** - Hazardous Location Class 1 Div 2[6]	**Blank** - None **RDM** - RED/Mount integrated junction box system[7]

Need more information? Click here for our glossary.

Have additional questions? Call us at (800) 436-7800

ACCESSORY ORDERING INFORMATION

Part Number	Description
67542582	Retrofit Panel Kit - EC / ECTA / SCI in SCV, for 16" Deck Panel with Lanyer openings)
67601382	Retrofit Panel Kit - EC / ECTA / SCI in SCV, for 12" Deck Panel
67542682	Retrofit Panel Kit - RECI/Richmond to SCV
67542782	Retrofit Panel Kit - ENV Universal 2x2 to SCV
357282	Retrofit 2x2 Cover Panel Blank (no holes)
354762	Retrofit RC Cover Panel Blank (no holes)
5571598WHT	26" X 26" Beauty Plate Kit (with 4" Center hole)
5641606WHT	26" X 32" Beauty Plate Kit (with 4" Center hole)

Part Number	Description
6874613	Junction Box
13295410	Kit - Hole Plugs and Sealant (enough for 25 retrofits)
67625182WHT	Rectangular Top Plate Kit (includes top plate and sealant)
67545382	Surface Mount Box
68748282	Retrofit Kit - CBATOR5 to SCV
744353	Retrofit Kit for SCM/SCV to upgrade SC/SCR/EC to White
75227282	Bracket SCM/SCV Direct Mount with Hardware

Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Type:

Have questions? Call us at (800) 436-7800

PERFORMANCE

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Delivered Lumens*

Lumen Package	3000K CCT			4000K CCT			5000K CCT			Wattage
	Delivered Lumens	Efficiency	BUG Ratings	Delivered Lumens	Efficiency	BUG Ratings	Delivered Lumens	Efficiency	BUG Ratings	
10L	9,952	144	B5-U0-G1	9,929	148	B5-U0-G1	10,337	154	B5-U0-G1	67
13L	12,567	140	B5-U0-G1	12,927	144	B5-U0-G1	13,443	149	B5-U0-G1	90
15L	13,999	137	B5-U0-G1	14,399	141	B5-U0-G1	14,965	147	B5-U0-G1	102
20L	18,755	141	B4-U0-G1	19,598	147	B4-U0-G1	20,254	152	B4-U0-G1	133
23L	21,783	141	B4-U0-G2	22,406	145	B4-U0-G2	23,284	150	B4-U0-G2	155
23L (SCT)	20,866	111	B5-U0-G5	23,187	123	B4-U0-G5	23,101	123	B5-U0-G5	188

*LEDs are frequently updated therefore values are nominal.

Recommended Lumen Maintenance - SCV 25L SC[1]

Ambient Temperature °C	Initial[2]	25k hr[3]	50k hr[3]	75k hr[3]	100k hr[3]
	Lumen Multiplier				
25	102%	97%	92%	88%	84%
30	102%	97%	92%	88%	84%
35	102%	97%	92%	88%	84%
40	102%	97%	92%	88%	84%
45	101%	95%	91%	86%	81%
50	101%	95%	90%	85%	80%

Recommended Lumen Maintenance - SCV 25 SCFT[4]

Ambient Temperature °C	Initial[2]	25k hr[3]	50k hr[3]	75k hr[3]	100k hr[3]
	Lumen Multiplier				
25	105%	88%	73%	62%	52%
30	105%	88%	73%	62%	52%
35	105%	88%	73%	62%	52%
40	105%	88%	73%	62%	52%

Recommended Lumen Maintenance - SCV 25 SC1

Ambient emperature °C	Initial[2]	25k hr[3]	50k hr[3]	75k hr[3]	100k hr[3]
	Lumen Multiplier				
25	102%	97%	92%	88%	84%
30	102%	97%	92%	88%	84%
35	102%	97%	92%	88%	84%
40	101%	96%	91%	86%	82%

Electrical Data - Current draw in AMPS*

Lumen Package	Wattage	120V	208V	240V	277V	347V	480V
10L	67	0.56	0.32	0.28	0.24	0.19	0.14
13L	90	0.75	0.43	0.37	0.32	0.26	0.19
15L	102	0.85	0.49	0.42	0.37	0.29	0.21
20L	133	1.1	0.64	0.55	0.48	0.38	0.28
23L (SC)	155	1.29	0.75	0.65	0.56	0.45	0.32
23L (SCT)	189	1.57	0.9	0.78	0.68	0.54	0.39

*Electrical data at 25°C (77°F). Actual wattage may differ by +/-10%.

1 Lumen maintenance values at 25°C are calculated per TM-21 based on LM-80 data and in-situ luminaire testing.
2 In accordance with IESNA TM-21-11, Projected Values represent interpolated values based on time durations that are within six times (6X) the IESNA LM-80-08 total test duration (in hours) for the driver(s) under testing (1000 hrs. 4hr packages/23 hrs).
3 In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times (6X) the total test duration (in hours) for the driver(s) under testing (1000 hrs. the packages/23 hrs).

Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Type:

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PHOTOMETRICS

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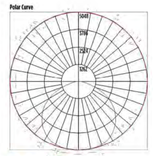
Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.
See the individual product page on https://www.lsicorp.com/ for detailed photometric data.

SCV-LED-15L-SC-50

Luminaire Data	
Wide Distribution	
Description	5000 Kelvins, 80 CRI
Delivered Lumens	15,410
Watts	103
Efficacy	150
IES Type	Type VS - Very Short
BUG Rating	B5-U0-G1

Zonal Lumen Summary		
Zone	Lumens	% Luminaire
Low (0-30°)	4,335.5	28.6%
Medium (30-60°)	8,286.4	54.8%
High (60-80°)	2,748.8	17.8%
Very High (80-90°)	177.4	1.1%
Uplight (90-180°)	1	0.0%
Total Flux	15,410.2	100%

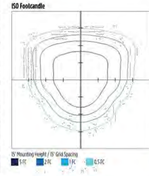


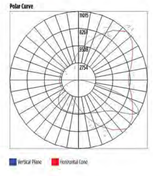


SCV-LED-23L-SCFT-50

Luminaire Data	
Wide Distribution	
Description	5000 Kelvins, 80 CRI
Delivered Lumens	24,364
Watts	163.5
Efficacy	149
IES Type	Type III - Short
BUG Rating	B5-U0-G2

Zonal Lumen Summary		
Zone	Lumens	% Luminaire
Low (0-30°)	4,368.4	17.9%
Medium (30-60°)	12,150.5	53.7%
High (60-80°)	6,966.6	28.6%
Very High (80-90°)	419.5	1.8%
Uplight (90-180°)	0	0.0%
Total Flux	24,136.0	100%





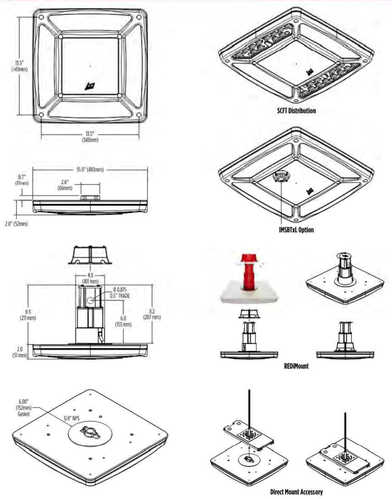
Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Type:

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PRODUCT DIMENSIONS

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Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Type:

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CONTROLS

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Integral Bluetooth™ Motion and Photocell Sensor (IMSBTIL, IMSBT2L)

Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is rated for cold and wet locations (-30° C to 70° C). Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Click here to learn more details about IMSBT2L

AirLink Blue (ALBC, ALBCS1, ALBCS2)

Wireless Bluetooth Mesh Lighting Control System that provides energy savings, code compliance and enhanced safety/security. Three key components; Bluetooth wireless radio/sensor controller, Time Keeper and an App. Capable of grouping multiple fixtures and sensors as well as scheduling time-based events by zone. Radio/Sensor Controller is factory integrated into luminaires.

Click here to learn more details about AirLink Blue

RETROFIT KITS

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LSI Industries offers a full line of Retrofit Kits for existing Encore, Richmond, 2x2 Universal and many more older canopy luminaires.

Click here to learn more details on all our Retrofit Kits

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Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
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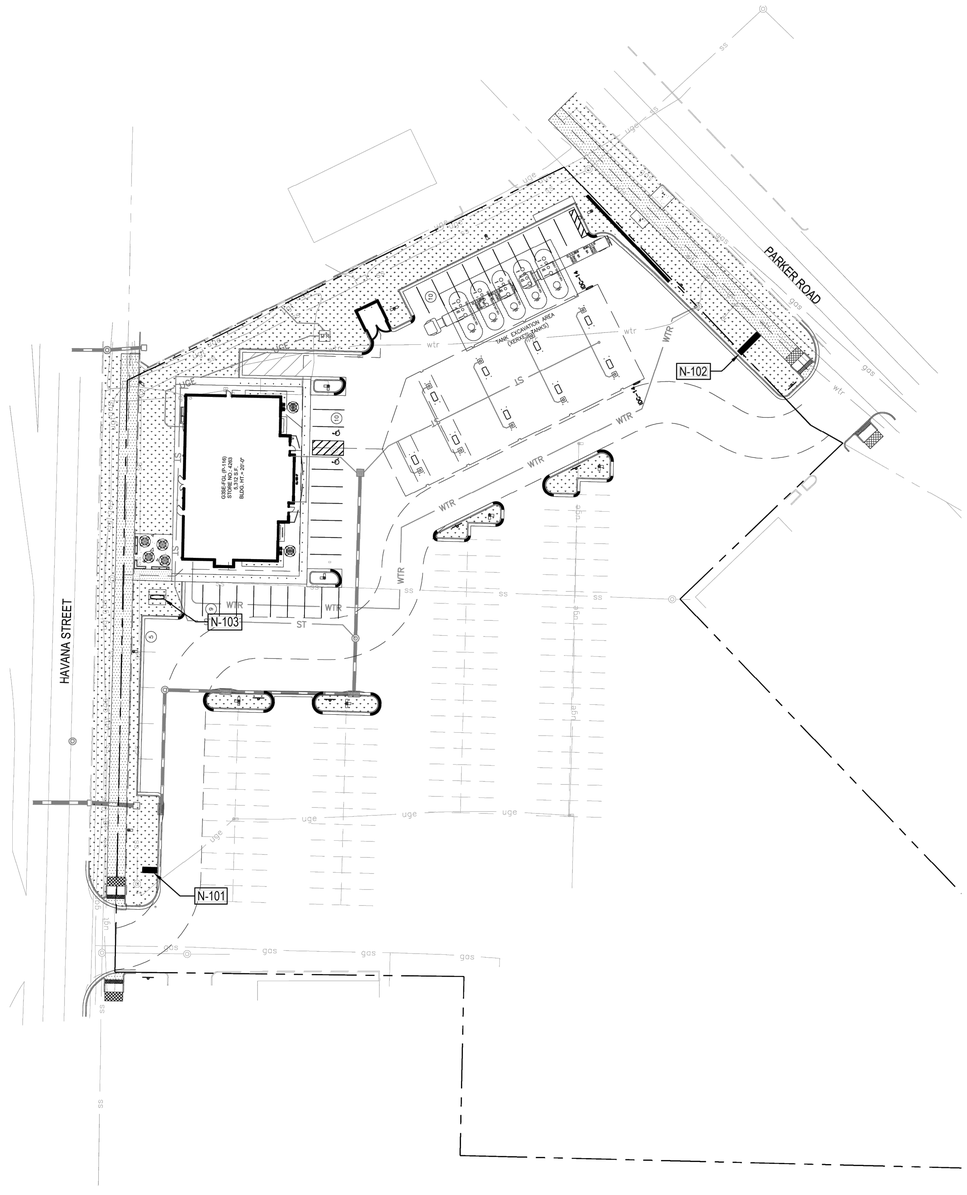
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO


PARKER ROAD
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N-102
N-103
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November 8, 2024

City of Aurora
Office of Development Assistance
15151 E. Alameda Parkway, Suite 5200
Aurora, CO 80012

Re: ***Site Plan – Conditional Use Criteria for Approval***
QuikTrip 4263
Parker Road and Havana Street, Aurora, Colorado

To Whom It May Concern,

Kimley-Horn and Associates, Inc. is pleased to be submitting the Site Plan Package for the above-referenced project on behalf of QuikTrip Corporation (the "Site Developer"). In conjunction with the project, we are responding the Criteria for Approval, ensuring our Site will align with Aurora's requirements within Section 146-5.4.3.3.A.3.

General Project Information

The Site is located on Parker Road, situated in the southwest quarter of Section 26, Township 4 South, Range 67 West of the 6th Principal Meridian, City of Aurora, County of Arapahoe, State of Colorado.

The Site lies within a portion of an existing developed lot, with a Burger King to the north, and surrounded by mixed uses to the south such as Epic Mountain Gear and Advance Auto Parts with associated sidewalks, pavement, and parking. The total existing lot contains a total of ±4.834 acres, however the proposed improvements anticipate impacting approximately ±2.07 acres of the total site.

The proposed improvements consist of the demolition of the existing structure on the northern portion of the site to develop a new convenience store and gas station.

Conditional Use Criteria

It is understood that a gas station and convenience store is a Conditional Use under the current MU-C zoning designation. Below is a summary of the seven (7) conditional use criteria and descriptions of how the proposed site plan demonstrates compliance with the criteria.

1. The application complies with the applicable standards in the UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.
    - *Response: There is no approved Master Plan that includes the property, but the proposed development is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site. The Site complies with the applicable standards in the UDO and City regulations per coordination with the City through the Pre-Application process. The Site proposes updated and accessible routes, ramps, and tree lawn improvements along Havana Street and Parker Road. There are no outstanding standards applied to the Site by a prior decision, ensuring that the proposed development complies with all applicable standards laid out.*

2. The application is consistent with the Comprehensive Plan
   - *Response: The proposed development is consistent with the Comprehensive Plan as the finished development will contribute to the economy with new jobs, improve mobility and transportation with a new detached sidewalk, which will provide accessible paths to and from the improved bus stop. This development will improve the existing condition by proposing more landscaping. These improvements will uplift the existing lot, aiding not only QuikTrip, but also the existing commercial businesses by aligning with Aurora's community principles and Comprehensive Plan.*

3. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surround area.
   - *Response: The proposed convenience store and fuel station will not negatively impact the density in this area and will actively serve the community while remaining compatible with the existing commercial stores within the Site's lot. A Traffic Study has been completed and accompanies the submittal package, confirming the Site does not create a negative impact and will be successfully incorporated into the roadway network. Visually, the proposed development will be partially screened with landscaping and amenities from view of the adjacent ROW utilizing tree lawns and decorative landscaping. QuikTrip is committed to providing a high level of architecture design for both the proposed Convenience Store and Fuel Canopy, both structures will be compliant with the City UDO. The proposed landscaping on the QT is consistent with the City UDO and provides new detached sidewalks with tree lawns and a plaza area west of the building.*

4. The proposed use will not change the predominant character of the surrounding area
   - *Response: The zoning for the proposed site and surrounding properties is Mixed Use Corridor. As the Site proposes a convenience store and fuel station, QuikTrip will contribute to the commercial lot by offering high quality to-go food, sidewalks/paths and outdoor seating areas around the building. The other stores within the lot are commercial, selling a variety of products for consumption. Additionally, the existing store that QuikTrip is redeveloping is a restaurant; therefore, the proposed Site will not change the predominant character of the area and surrounding stores.*

5. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable
   - *Response: The proposed development will create an accessible path along both Parker Road as well as Havana Street, including accessible ramps connecting pedestrians to surrounding commercial stores as well as the existing bus stop that will see improvements through this development.*

6. The application demonstrates that the proposed use will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.
   - *Response: The proposed Site has agreements in place with the surrounding uses, agreeing to mitigate any dislocations of tenant, occupants of the property, or decreasing lot visits. This is achieved by not closing off access to the Site during construction. This will aid in the compliance*

with the Comprehensive Plan, allowing the economy to still grow as no store will be temporary closed or experience reduction in trip circulations due to closed access point construction.

7. The application mitigates any adverse impacts on the surrounding area to the degree practicable.
   - *Response: The proposed development mitigates impacts on the surrounding area by working and maintaining contact with the surrounding owners. The Site is a lease on land, so QuikTrip is in consistent contact with the lot's owners and integrates their feedback and concerns into the Site's production and construction. This allows for the development to lessen the impact it has on the surrounding commercial stores to a practical degree, and once complete, contributes to the lot's success by bringing in additional customers and travelers alike through the store's elevated interior, pedestrian outdoor seating, and lot improvements.*

We hope this CUP Criteria Letter aids in your review of the QuikTrip Site Plan submittal. We are excited to work with the City on this project and look forward to delivering a project that the City and this project team are extremely proud of.

If you have any questions or comments during your review, please do not hesitate to contact me at 303-228-2327 or shelby.madrid@kimley-horn.com.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



Shelby Madrid, PE,

City of Aurora
Planning Commission Case Report

Project Title: QUIKTRIP 4263 - CONDITIONAL USE AND SITE PLAN
Development Application Number: DA-1483-03
Case Numbers: 2000-6044-07, 2000-6044-08
Case Manager: James Schireman
Applicant: QuikTrip Corporation – Shelby Madrid
General Location: S Havana St to the West, S Parker Rd to the Northeast
Ward: IV

Project Summary:
The applicant's agent, Kimley Horn and Associates, on behalf of the QuikTrip Corporation, requests approval of a Site Plan application and Conditional Use permit for a convenience store and fueling station in the triangular shopping center bound by S. Parker Rd. and S. Havana St. The subject property is located entirely within an MU-C zone district and is bordered by adjacent MU-C zoning to the north and south, with a small pocket of MU-OI zoning to the east. A park managed by the City of Denver is located to the West across Havana Street. The proposed Quiktrip is located on a parcel that contains a multi-tenant commercial center, which will remain, while the now closed Sam's Diner restaurant in the Northwest corner will be demolished and replaced with the proposed Quiktrip use. Specifically, the QuikTrip will include an approximately 5,312-square-foot single-story convenience store, and a 9-pump traditional vehicle fueling station with a canopy. The fueling station, convenience store, and associated parking will occupy 1.288 acres of the overall 4.834 Acre site. No separate diesel canopy is proposed.

The proposed convenience store building will be constructed primarily of masonry brick, will include glazing on all elevations, and features accents of aluminum and stucco. Vehicular access to the site will be provided through existing access points off S. Parker Rd. and S Havana St. The proposed site plan design meets all applicable requirements and ensures that all potential negative impacts are mitigated and that the proposed use's size, scale, height, density, and traffic impacts are compatible with existing nearby development.

The fueling station would operate 24 hours a day, 7 days a week. The facility would employ approximately 22 people, with 4 employees working per shift and 3 shifts per day. Due to being located along a primary commuter corridor, the location expects peak visitation during the morning and evening rush-hour, specifically 6am-9am and 4pm-6pm.

Applicant's Requests:
Site Plan and Conditional Use Approval

Neighborhood Comments:
No neighborhood comments were received during the review process. Therefore, no neighborhood meeting was held.

Major Issues Discussed During Development Review:
- **Building Frontage and Site Layout**
- **Pedestrian Accessibility**
- **Vehicle Circulation**
- **Public Safety**
- **Havana St. Placemaking**

Results of Development Review:

Building Frontage and Site Layout
UDO §146-3.3.5.OO.9 describes the use specific standards for Motor Vehicle Fuel Dispensing Stations within the City of Aurora. Regarding building orientation and street frontage this section states: "When site constraints such as easements, floodplains, utilities, or others do not impact building placement, primary buildings shall front the street and fueling area canopies shall be set back behind buildings, and no street frontage buffers for building perimeters shall be required."

This site features a unique constraint in that it is bound by two major arterial streets to the East and West, making almost the entire site visible from the public right of way. In order to accomplish the intent of the section to the maximum extent practicable, staff coordinated with the applicant to identify how the fueling canopy could be sited behind the convenience store.

Ultimately, the convenience store was sited directly along S. Havana St. with the fueling canopy being largely screened from the west and north by the proposed convenience store and existing drive through restaurant, respectively. While the fueling canopy will be visible for a small 200' stretch along S. Parker Rd, staff found the existing multi-tenant building and ski-equipment store will help screen the canopy from the southeast. This approach allowed staff to determine this criterion as satisfied and eliminated the need for an adjustment.

Pedestrian Accessibility
Being located between two major arterial streets, the opportunity to enhance pedestrian connectivity described in §146-4.5.4.D was prioritized during the review process. While a mid-block crossing along the northern property line to connect Havana St. and Parker Rd. was not feasible due to grading requirements and the nearby fuel storage, the applicant plans to provide upgraded pedestrian accessibility to the convenience store and overall shopping center. Along Havana St. the site plan would connect the convenience store entrance with a public amenity space and upgraded detached sidewalk while on the Parker Rd. frontage the proposed plans would further enhance pedestrian access by providing a detached sidewalk and coordinating with RTD to provide an upgraded bus stop.

While frontage improvements help enhance pedestrian accessibility to the site, updates to the site's parking lot promote safe and consistent vehicular circulation, resulting in a safe environment for pedestrians hoping to use the convenience store. Overall, staff found the intent for this section satisfied, especially considering the auto-oriented nature of this use.

Vehicular Circulation
UDO §146-4.2.3.F.3 requires that the internal streets and parking lots within development containing multiple buildings be broken up into smaller internal blocks to prioritize safe vehicular circulation. While the former restaurant located at this site only utilized the northwest corner of the shopping center parking, the proposed fuel station and convenience store use will expand the area to occupy much of the north half of the property. Moreover, the largely auto oriented and short-term stay associated with the proposed use would increase vehicular traffic in the shopping center. Staff worked with the applicant to satisfy the requirements of this section along with landscaping requirements to place capping landscaped islands, resulting in apparent and separate for looking to refuel. The proposed site plan enhances vehicular circulation at the existing site and aims coordinate travel among all users, whether they are refueling, using the convenience store, or looking to shop at one of the surrounding retail uses.

Public Safety
In order to promote a safe environment for the 24 hour fueling station, staff reviewed the photometric plans to ensure the areas surrounding the building and fueling canopy were well lit, while new light poles were placed within parking lot island to help illuminate the parking lot. Extra plantings were also placed along the Havana

Street frontage to create a natural barriers and prevent informal footpaths from appearing behind the storefront and instead encouraging customers to use the well-lit areas in view of the store.

While user safety is paramount for a 24-hour use, the QuikTrip corporation demonstrated full compliance with state fueling safety standards in their environmental responsibility letter included as Exhibit E. By going above state and federal requirements regarding leaks detection, the site promotes public safety at the commercial level.

Havana St. Placemaking
Because this site sits near the southernmost end of the Havana St. Corridor, it acts as an impactful landmark to those leaving or departing the Havana Corridor. Moreover, because this site will receive users from both the Havana St. frontage and internal fueling area, staff applied the primary façade standards to both the east and west building elevations to enhance the overall architecture of the site. The streetscape was enhanced to align with the pedestrian friendly vision for the Havana Corridor by triggering condition of 1 of § 146-2.6.7.B.2, providing curbside landscape area, 10' detached walk, and landscape buffer. In addition, the proposed monument signs fronting along Havana feature the "On Havana" placemaking signage to unify this business with other users along the corridor, per §146-2.6.7.B.6

Summary of Staff Recommendation:
Staff recommends approval of the Site Plan as well as the conditional use proposed with this application.

Detailed Case Analysis

Public Notification: Legal notice appeared in the Aurora Sentinel on January 30th, 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 (15) registered neighborhood organizations within one mile of the project: TELEPGRAPH HILL II CONDOES, LITTLE TURTLE, RODEO DRIVE HOA, DAM EAST HOA, CHEROKEE I HOA, INNSBRUCK TH ASSOC, EASTRIDGE CIVIC ASSOCATION, PTARMIGAN PARK HOA, THE SHORES HOA, BERKSHIRE VILLAGE HOA, PEORIA PARK CIVIC ASSN, RAINTREE EAST, CLEAN, DAM WEST HOMEOWNERS ASSOCIATION, VILLAGE EAST NEIGHBORHOOD ASSOCIATION.

Conformance with Code Criteria:

1. Conditional Use Criteria
Per Section 146-5.4.3.A.3. the Conditional Use shall be approved, approved with conditions, or denied based on the following criteria:
(a) The application complies with the applicable standards in this UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property. (b) The application is consistent with the Comprehensive Plan. (c) The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area. (d) The proposed use will not change the predominant character of the surrounding area. (e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable. (f) The application demonstrates that the proposed use 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. (g) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

The Conditional Use complies with the code criteria regarding adherence to applicable City Code and mitigation of ext. Therefore, the application as proposed:

- Complies with the standards of the UDO;
- Is consistent with the goals of the Commercial Hub Comprehensive Plan placetype;
- Is compatible with the surrounding development;
- Mitigates negative external effects on nearby uses; and
- Will not change the predominant character of the area.

2. Site Plan Criteria

Per Section 146-5.4.3.B.2. the Site Plan shall be approved, approved with conditions, or denied based on the following criteria:
(a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property. (b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable. (c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable. (d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers. (e) The application is compatible with surrounding uses in terms of size, scale and building façade materials. (f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

The Site Plan complies with the code criteria regarding design, circulation, landscaping, building architecture, and compatibility. Therefore, the application as proposed:

- Complies with the standards of the UDO:
- Is compatible with the surrounding development;
- Provides for high quality four-sided architecture;
- Mitigates negative external effects on nearby uses; and
- Establishes adequate vehicular and pedestrian circulation and connectivity.

Applicant Information:

Applicant: Kimley Horn and Associates
Owner: QuikTrip Corporation
Project Manager: Jessica Glavas & Shelby Madrid

Exhibits:

Exhibit A - Vicinity Map
Exhibit B - Letter of Introduction
Exhibit C - Site Plan
Exhibit D - Response to Conditional Use Criterion
Exhibit E – Environmental Responsibility Letter

Project Statistics:

Land Use Analysis

Item	Existing	Permitted or Required	Proposed
Zoning	MU-C (Mixed-Use Corridor)	N/A	No Change
Land Use	Restaurant	Proposed Use Permitted with Conditional Use Approval	Motor Vehicle Fuel Dispensing Station and Convenience Store
Parcel Size	4.834 acres	N/A	1.288 acres improved
% Hard Surface Area	N/A	N/A	70%
% Landscape Area	N/A	N/A	31%
% Building Coverage	N/A	N/A	24%
Building Height	N/A	75 feet	22.5’ feet
Total Sign Area	N/A	Per City Code	184.5’ sf
Number of On-Site Parking Spaces	N/A	22 Traditional Vehicle Stalls 2 Accessible Stalls	32 Traditional Vehicle Stalls 2 Accessible Stalls

Surrounding Properties

Direction	Zoning	Actual Use
North	MU-C (Mixed-Use Corridor)	Drive-through Restaurant (Burger King)
East 1	MU-OI (Mixed-Use Office & Institutional)	Offices (Havana Parker Office Center)
East 2	MU-C (Mixed-Use Corridor)	Multi-Tenant Retail Building
South	MU-C (Mixed-Use Corridor)	Multi-Tenant Retail and Epic Mtn Gear
West	City of Denver OS-A (Open Space Public Parks)	Babi Yar Park

Staff Recommendation:

Agenda Item 8a: Conditional Use
Recommend approval of the Conditional Use because the proposal complies with the criteria in Section 146-5.4.3.A.3. for the following reasons:

- Complies with the standards of the UDO;
- Is consistent with the goals of the Commercial Hub Comprehensive Plan placetype;
- Is compatible with the surrounding development;
- Mitigates negative external effects on nearby uses; and
- Will not change the predominant character of the area.

Agenda Item 8b: Site Plan
Approve Site Plan because the proposal complies with the requirements of Code Section 146-5.4.3.B.2 of the Unified Development Ordinance for the following reasons:

- Complies with the standards of the UDO:
- Is compatible with the surrounding development;
- Provides for high quality four-sided architecture;
- Mitigates negative external effects on nearby uses; and
- Establishes adequate vehicular and pedestrian circulation and connectivity.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Planning and Zoning Commission

Planning and Business Development Department

Planning and Zoning Commission
City of Aurora

THE REGULAR MEETING WILL START AT 6:10 PM

TO SPEAK ON AN AGENDA ITEM PLEASE SIGN UP:

- Please use this QR code to complete the Speaker Sign-Up Form:
- If you have already completed the form, no further action is necessary.

For more information: https://auroragov.org/PC
OR search for “City of Aurora Planning Commission” on your web browser.

Please make sure your home or computer microphone is on mute, unless you are speaking. The Planning and Zoning Commission meeting is a quasi-judicial hearing. There is no swearing-in of those who will give testimony, but it is presumed that all parties are telling the truth. When addressing the commission, please state your name and address for the record.

For each agenda item, there will be an initial presentation by city staff. Afterward, commissioners may ask questions of staff. Discussion of agenda items, by Commissioners, will be conducted only following a motion and a second.



Following the staff presentation, the applicant, or their representative, may choose to make a presentation, or answer questions. The applicant will have 10 minutes for their presentation. Commissioners may ask questions.

Members of the public, that have signed up to speak, will each have 3 minutes to speak on the agenda item during this public comment period. It is asked that only new information be presented; the same arguments should not be repeated. Commissioners may ask questions of the public, following their comments. After public comments, the applicant will have 5 minutes to address public comments. Commissioners may ask questions of the applicant.



The chair will ensure all commissioners have no further questions of the applicant or staff. The chair will then call for the question. After a motion has been made and seconded, the commissioners will then discuss the case amongst themselves.

After the discussion, the chair will call the question. Commissioners are finders of fact and will vote based on their evaluation of the evidence presented, as compared to Code Section 146.



All rulings by the Planning Commission are normally final. Exceptions are zoning map amendments, zoning code amendments, and comprehensive plan amendments that need City Council approval. Decisions by the Commission can be appealed to City Council by presenting a written appeal to the City Manager within ten calendar days of the public hearing. City Council also has the discretion to call up any case whether an appeal has been made.

Notices for this virtual meeting were published, posted to the city website, and the development projects were posted with signs on the properties. Notices were also mailed to adjacent landowners per city requirements.



AGENDA

Regular Meeting of the Planning and Zoning Commission

February 12, 2025, 5:00 pm
VIRTUAL MEETING

1. **Study Session - Planning and Zoning Commission 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**
5. **Approval of the Planning Commission Minutes**
   - 5.a **Draft January 22, 2025 Planning and Zoning Commission Minutes**
6. **Adoption of Agenda**
7. **Consent Agenda**
8. **General Business**
   - 8.a **QuikTrip 4263 - Conditional Use - Project Number 1810914 - Ward IV**

     CASE MANAGER: James Schireman APPLICANT: QuikTrip Corporation
     Development Application: DA-1483-03 Case Number(s): 2000-6044-08
     General Location: S Havana Street to the west, S Parker Road to the northeast
   - 8.b **QuikTrip 4263 - Site Plan - Project Number 1810914 - Ward IV**

     CASE MANAGER: James Schireman APPLICANT: QuikTrip Corporation
     Development Application: DA-1483-03 Case Number(s): 2000-6044-07
     General Location: S Havana Street to the west, S Parker Road to the northeast
9. **Public Invited to be Heard (non-agenda related issues)**
10. **Commissioner Comments/Miscellaneous Items of Business**
11. **Reports**
    - 11.a **Report by Planning Division Manager**
    - 11.b **Report by City Attorney**
12. **Adjournment**

Project Name: Quiktrip 4263

Project No: DA-1483-03
Public Hearing
Aurora Planning & Zoning Commission
February 12, 2025

Request

- Site Plan and Conditional Use Approval for a vehicle fueling station and convenience store in the MU-C district.

- Applicant: Kimley Horn & Associates
- Owner: Quiktrip
- Current Zoning: Mixed-Use Corridor (MU-C)

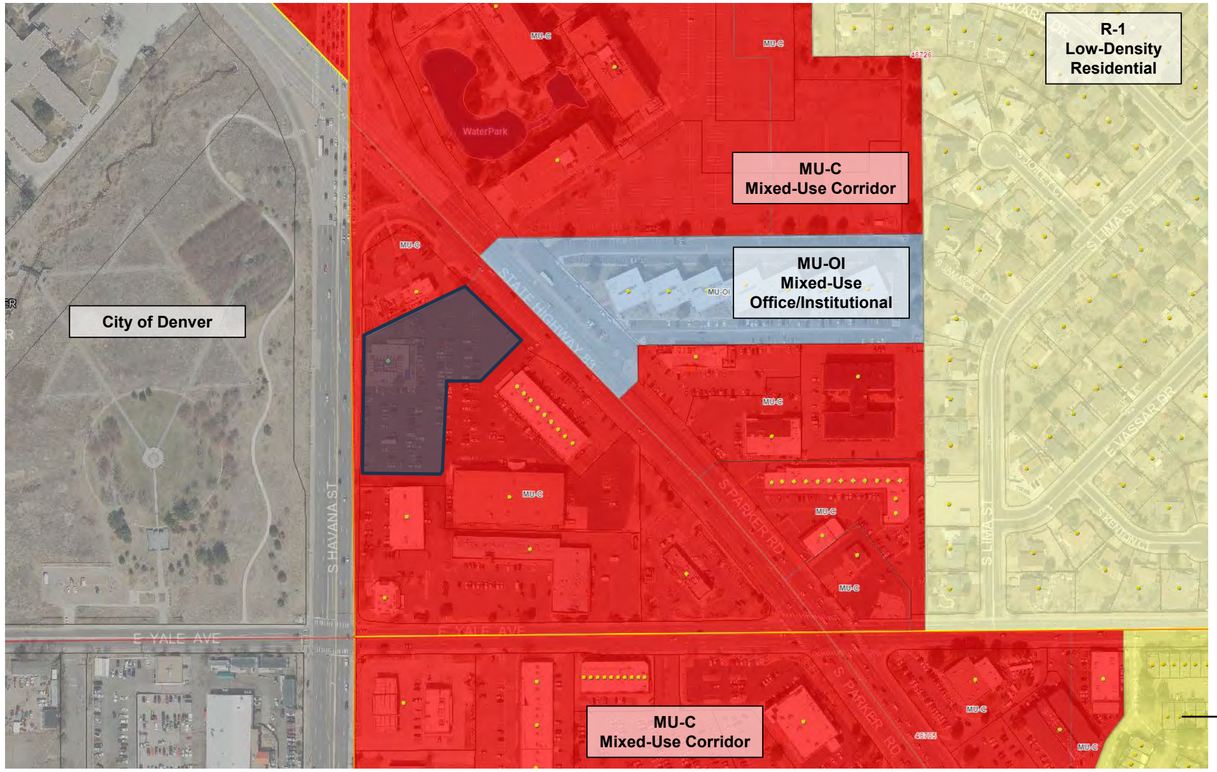
Vicinity Map



Aerial Map



Zoning Map


City of Denver
MU-C
Mixed-Use Corridor
MU-OI
Mixed-Use
Office/Institutional
R-1
Low-Density
Residential
MU-C
Mixed-Use Corridor
R-2
Medium-
Density
Residential
S HAVANA ST
E YALE AVE
S PARKER RD
S DIRECTA
S LIMA ST
E VASSAR DR
WaterPark

Site Photo – East Facing View



Site Photo –North Facing View



Site Photo – South Facing View



Site Photo – West Facing View



Community Response

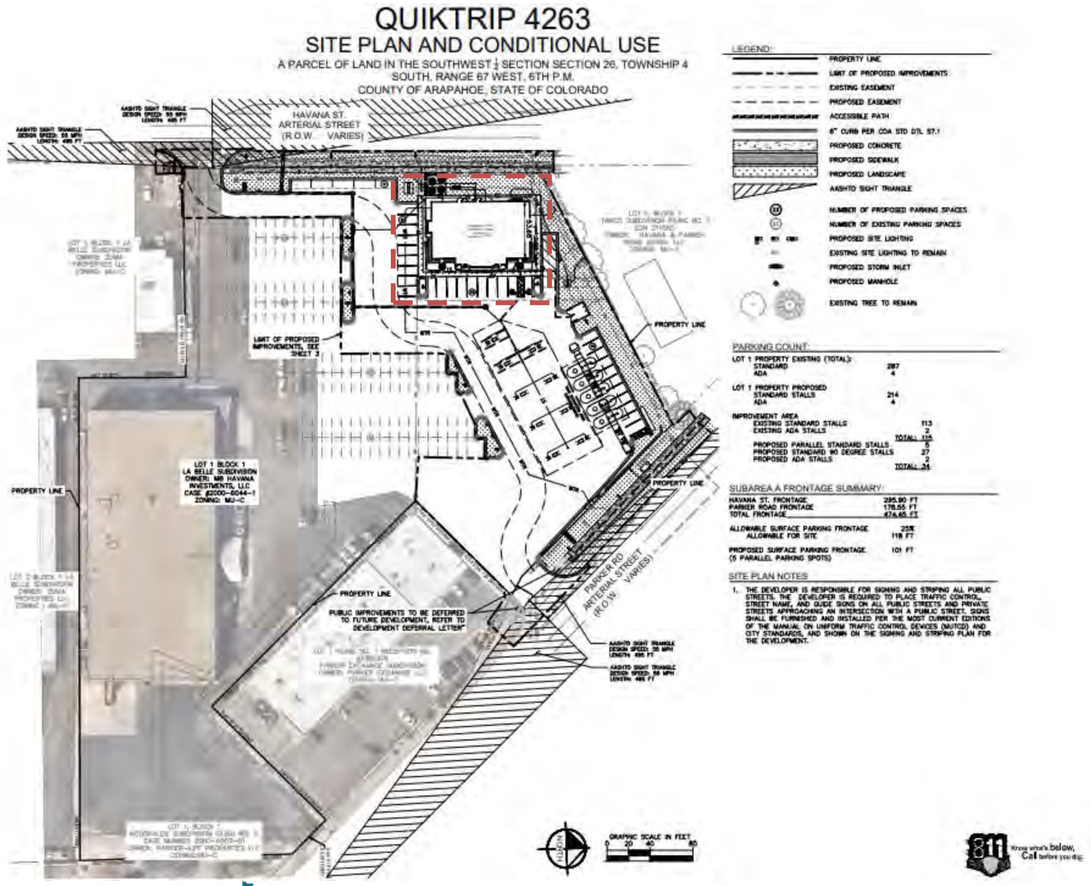
7 adjacent property owners and 15 registered neighborhood organizations were notified.

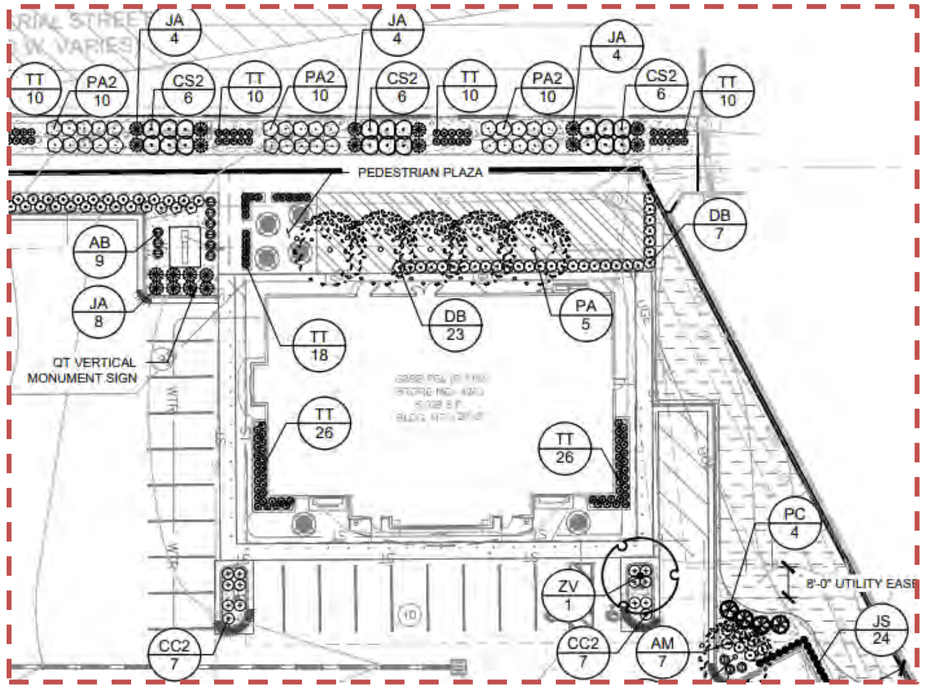
A neighborhood meeting was not held.

Notice of Hearing Boards and Mailings were posted and sent.

A comment from an HOA rep was received yesterday. The Case Planner responded to the nearby HOA rep. No comments were received during review.

Site Plan

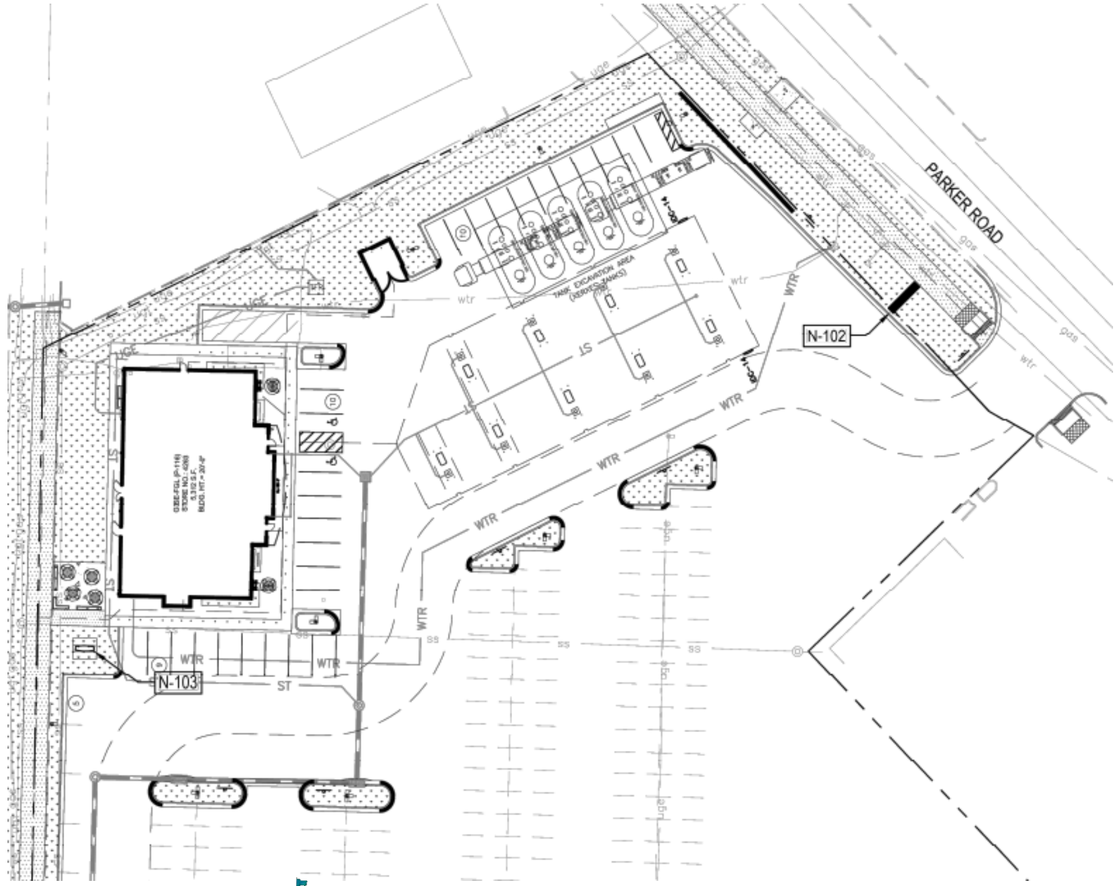

QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST ¼ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO
HAVANA ST.
ARTERIAL STREET
(R.O.W. VARIES)
PARKER RD
ARTERIAL STREET
(R.O.W. VARIES)
LIMIT OF PROPOSED IMPROVEMENTS, SEE SHEET 2
PROPERTY LINE
LOT 1 BLOCK 1
LA BELLE SUBDIVISION
OWNER: MR HAVANA INVESTMENTS, LLC
CASE #2000-6044-1
ZONING: MU-C
PUBLIC IMPROVEMENTS TO BE DEFERRED TO FUTURE DEVELOPMENT, REFER TO DEVELOPMENT DEFERRAL LETTER
AASHTO SIGHT TRIANGLE DESIGN SPEED: 50 MPH LENGTH: 495 FT
LEGEND:
PROPERTY LINE
LIMIT OF PROPOSED IMPROVEMENTS
EXISTING EASEMENT
PROPOSED EASEMENT
ACCESSIBLE PATH
6" CURB PER COA STD D7L ST.1
PROPOSED CONCRETE
PROPOSED SIDEWALK
PROPOSED LANDSCAPE
AASHTO SIGHT TRIANGLE
NUMBER OF PROPOSED PARKING SPACES
NUMBER OF EXISTING PARKING SPACES
PROPOSED SITE LIGHTING
EXISTING SITE LIGHTING TO REMAIN
PROPOSED STORM INLET
PROPOSED MANHOLE
EXISTING TREE TO REMAIN
PARKING COUNT:
LOT 1 PROPERTY EXISTING (TOTAL): 287
STANDARD 4
ADA
LOT 1 PROPERTY PROPOSED 214
STANDARD STALLS 4
ADA
IMPROVEMENT AREA
EXISTING STANDARD STALLS 113
EXISTING ADA STALLS 2
TOTAL: 115
PROPOSED PARALLEL STANDARD STALLS 5
PROPOSED STANDARD 90 DEGREE STALLS 27
PROPOSED ADA STALLS 2
TOTAL: 34
SUBAREA A FRONTAGE SUMMARY:
HAVANA ST. FRONTAGE 295.90 FT
PARKER ROAD FRONTAGE 178.55 FT
TOTAL FRONTAGE 474.45 FT
ALLOWABLE SURFACE PARKING FRONTAGE 25% 118 FT
PROPOSED SURFACE PARKING FRONTAGE (5 PARALLEL PARKING SPOTS) 101 FT
SITE PLAN NOTES
1. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, AND SHOWN ON THE SIGNING AND STRIPING PLAN FOR THE DEVELOPMENT.
GRAPHIC SCALE IN FEET
0 20 40 80
811 Know what's below. Call before you dig.


JA 4
TT 10
PA2 10
CS2 6
PEDESTRIAN PLAZA
DB 7
AB 9
JA 8
QT VERTICAL MONUMENT SIGN
TT 18
DB 23
PA 5
TT 26
PC 4
8'-0" UTILITY EASE
ZV 1
CC2 7
AM 7
JS 24

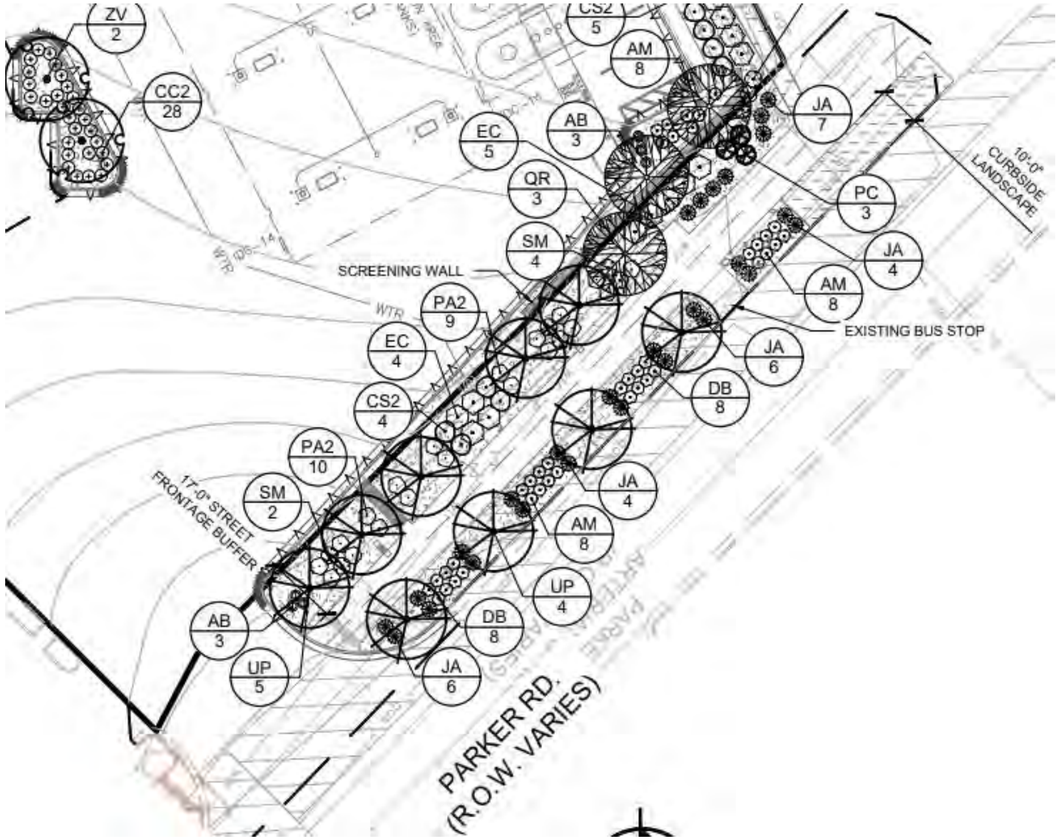
Issues Resolved

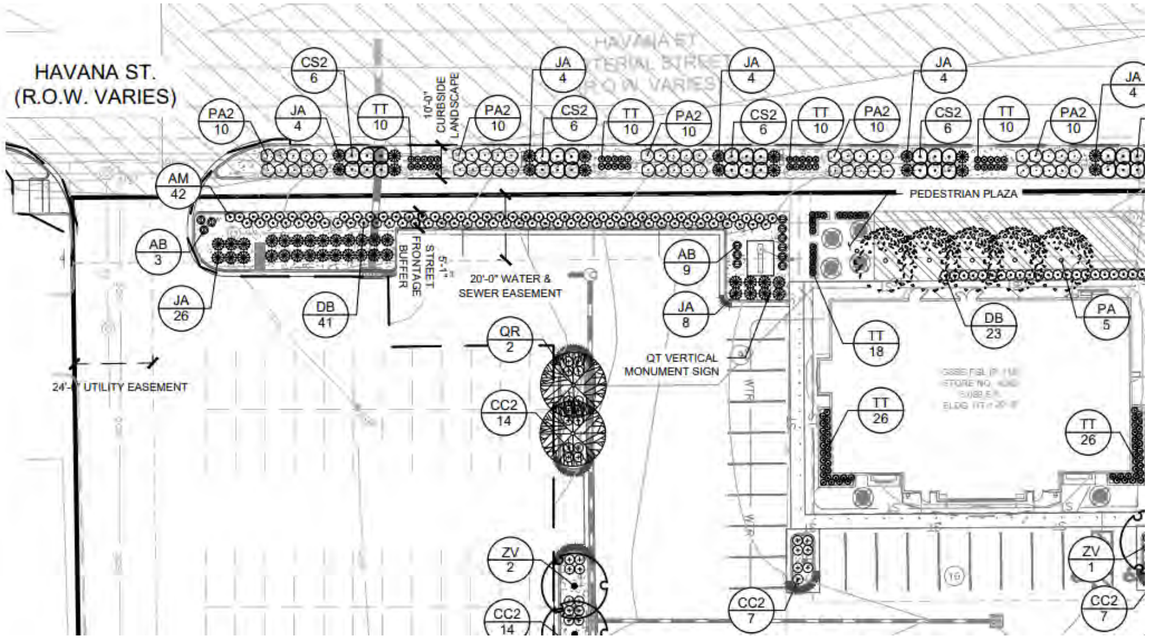
- Building Frontage and Site Layout
- Pedestrian Accessibility
- Vehicle Circulation
- Public Safety
- Havana St. Placemaking

Building Frontage and Site Layout

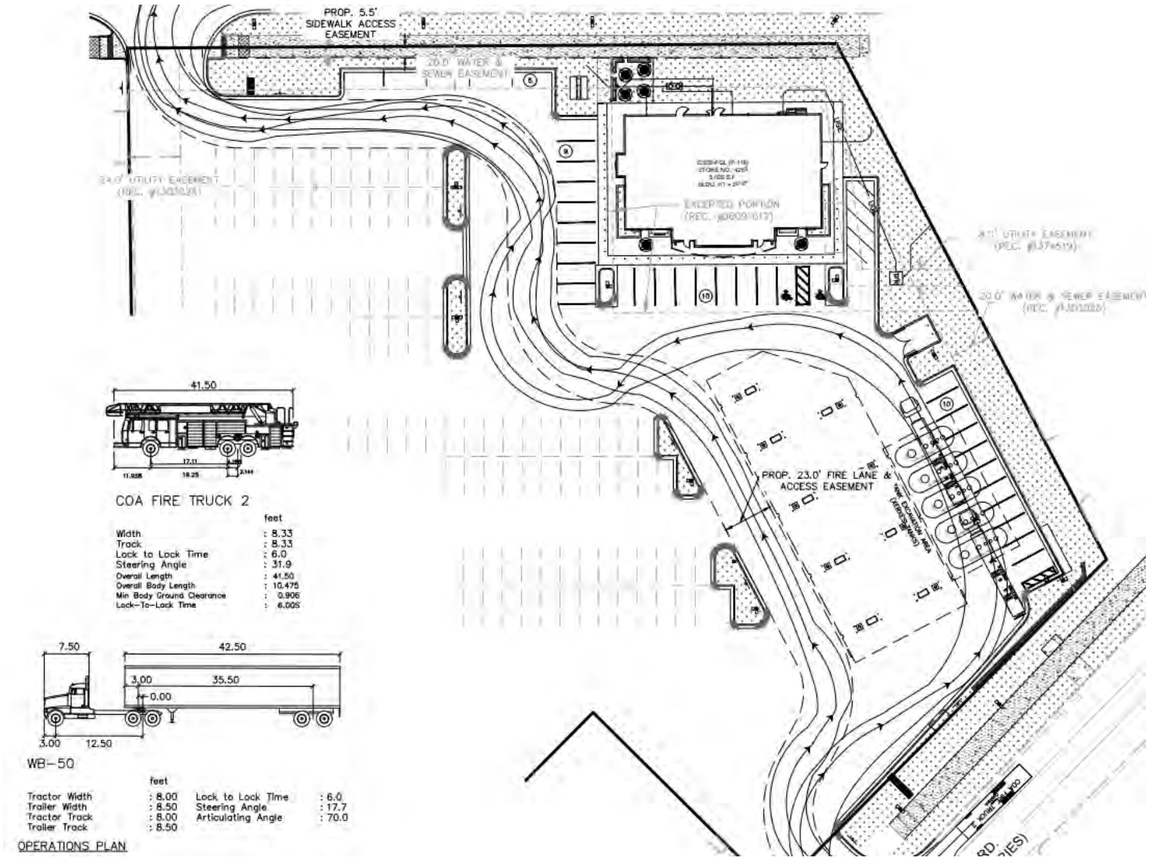


Pedestrian Accessibility

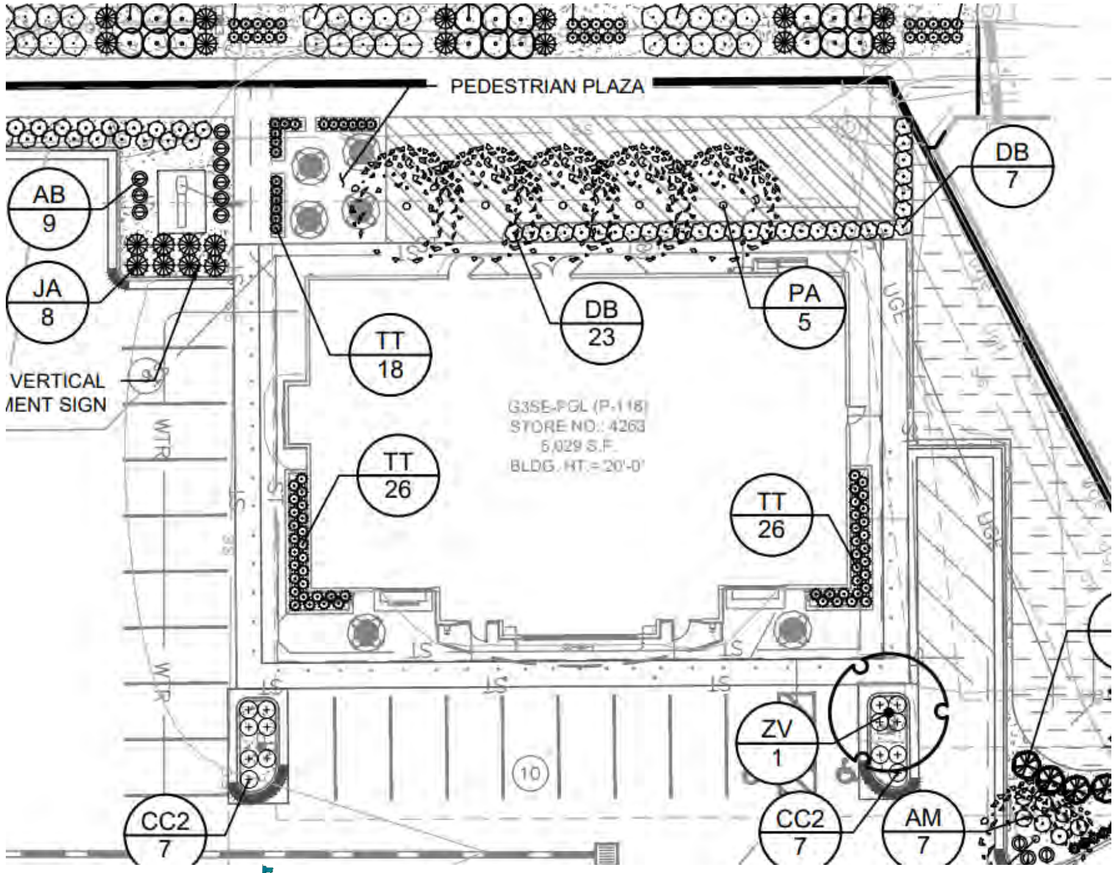




Vehicle Circulation

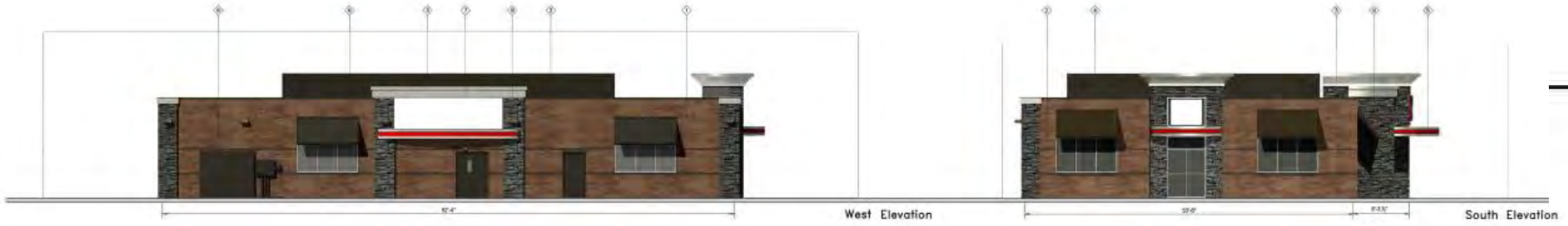


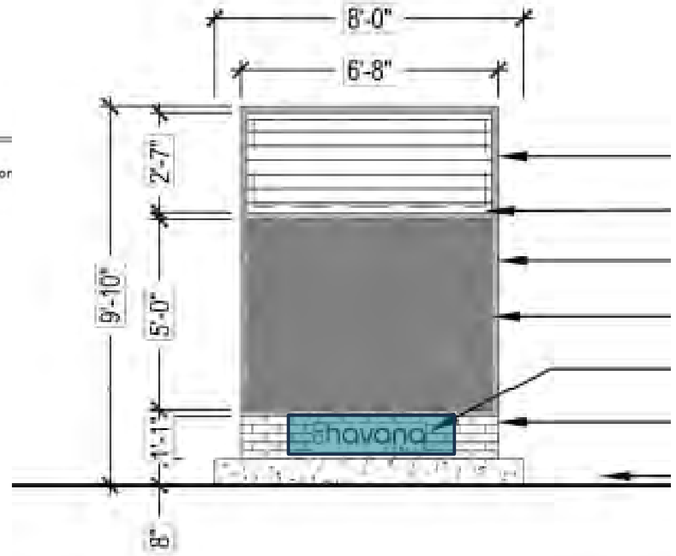
Public Safety



Havana St. Placemaking







Conditional Use Approval Criteria

In compliance with the City of Aurora Zoning Code, Sec. 5.4.3.A.3, Conditional Use:

- The conditional use complies with the applicable standards of the UDO;
- The application is consistent with the Comprehensive Plan “Commercial Hub” Placetype;
- The application is compatible with adjacent and nearby development;
- Mitigates negative external effects on nearby uses; and
- Will not change the predominant character of the area.

Site Plan Approval Criteria

In compliance with the City of Aurora Zoning Code, Sec. 146-5.4.3.2.B.c, Site Plan:

- The site plan complies with the applicable standards of the UDO and the Aurora Places Comprehensive Plan;
- The application is compatible with adjacent and nearby development;
- The application provides for high quality four-sided building architecture;
- The proposal mitigates negative external effects on nearby uses and;
- Establishes adequate vehicle and pedestrian circulation and connectivity



Staff Findings

Agenda Item 8a

City of Aurora UDO, Section 146-5.4.3.A.3, Conditional Use

- Recommend Approval

Agenda Item 8b

City of Aurora UDO, Section 146-5.4.3.B.2.c, Site Plan

- Recommend Approval with conditions
- Condition #1: Resolution of all outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.

Planning and Zoning Commission
February 12, 2025

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

Commissioner Roth left the meeting at 6:14 pm.

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. January 22, 2025, Draft Minutes
   A MOTION WAS MADE BY CHAIRMAN WALLS AND SECONDED BY COMMISSIONER JETCHICK TO APPROVE THE MINUTES AS SUBMITTED.

   MINUTES APPROVED UNANIMOUSLY.

6. **Adoption of Agenda**
   A MOTION WAS MADE BY CHAIRMAN WALLS AND SECONDED BY COMMISSIONER HOGAN.

   MOVE TO APPROVE THE DRAFT AGENDA AS THE PERMANENT AGENDA. AGENDA ITEMS 8ab 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

8ab. QUICKTRIP 4263 – CONDITIONAL USE FOR CONVENIENCE STORE AND MOTOR VEHICLE FUELING IN MU-C ZONE DISTRICT AND SITE PLAN

The applicant's agent, Kimley-Horn, and Associates, on behalf of the QuikTrip Corporation, requests approval of a Site Plan application and Conditional Use permit for a convenience store and fueling station in the triangular shopping center bound by S. Parker Road and S. Havana Street. The subject property is located entirely within a Mixed-Use Corridor (MU-C) zone district. It is bordered by adjacent MU-C zoning to the north and south, with a small pocket of Mixed-Use Office/Industrial (MU-OI) zoning to the east. A park managed by the City of Denver is located to the West across Havana Street. The proposed QuikTrip is situated on a parcel that contains a multi-tenant commercial center, which will remain, while the now-closed Sam's Diner restaurant on the northwest corner will be demolished and replaced with the proposed QuikTrip use. Specifically, the QuikTrip will include an approximately 5,312-square-foot single-story convenience store and a nine-pump traditional vehicle fueling station with a canopy. The fueling station, convenience store, and associated parking will occupy 1.288 acres of the overall 4.834-acre site. No separate diesel canopy is proposed.

The proposed convenience store building will be constructed primarily of masonry brick, will include glazing on all elevations, and will feature accents of aluminum and stucco. Vehicular access to the site will be provided through existing access points off S. Parker Rd. and S Havana St. The proposed site plan design meets all applicable requirements and ensures that all potential negative impacts are mitigated and that the proposed use's size, scale, height, density, and traffic impacts are compatible with existing nearby development.

The fueling station would operate 24 hours a day, seven days a week. The facility would employ approximately 22 people, with four employees working per shift and three shifts per day. Due to being located along a primary commuter corridor, the location expects peak visitation during the morning and evening rush hour, specifically 6am-9am and 4pm-6pm.

Seven (7) abutting property owners and fifteen (15) registered neighborhood organizations were notified of the application. No comments were received during the review process. Therefore, no neighborhood meeting was held.

Testimony Given at the Hearing:

Commissioners Walls, Jetchick, Hogan, Banka, and Bush visited the site.

James Schireman, Case Manager, gave a presentation of the item, including the staff recommendation of approval.

Chair Walls commented on the Blue Sheet Amendment provided to the commission by staff. Chair Walls asked staff about the status of the third round review of comments, specifically, if the site plan submitted in the staff report reflects the applicants' response to those review comments.

J. Schireman clarified that the most recent site plan was submitted. Outstanding comments from the third round of review are to be addressed at the technical review stage by the applicant.

Jessica Glavas, QuikTrip Corporation, representing the applicant, gave a presentation of the item. J. Glavas provided information on the history of QuikTrip and its expansion throughout the country. J. Glavas also noted that the QuikTrip model is to donate 5% of net profits to organizations in the community.

Shelby Madrid, Kimley-Horn & Associates, agent representing the applicant, gave a presentation of the item. S Madrid reviewed the conditional use request for a fueling station in the Mixed-Use Corridor (MU-C) zone district. Information on the compatibility of the project with the surrounding uses and businesses was reviewed. Access points to the site were detailed as were building elevations and design plans proposed. S. Madrid noted that the existing building was planned to be demolished, causing no displacement of tenants.

Commissioner Hogan voiced concern that the introduction of a QuikTrip may negatively impact the business of other smaller fueling stations in the area.

J. Glavas replied that QuikTrip feels they may galvanize surrounding businesses through the increased competition. J. Glavas stated that should neighboring fuel stations be unable to adjust to the increased competition this may bring an opportunity for new businesses in those locations.

Commissioner Hogan commented that the majority of the neighboring fueling stations are new locations.

Commissioner Hogan stated that the signature block on the site plan submitted to the commission should read Arapahoe County not Adams. J. Glavas stated this would be corrected.

Commissioner Jetchick asked if the Havana Business Improvement District, HBID, would be worked with on their events to encourage business in the area. J. Glavas responded that they were happy to work with the district.

Chair Walls expressed concerns about the topography of the site and the placement of fuel storage on top of a hill. S. Madrid replied with details on mitigation measures available to prevent fuel spills and contamination into downstream water sources.

Chair Walls stated that 11 fuel stations are within one mile of the site. Chair Walls also stated there is a lack of electronic vehicle (EV) infrastructure in the area, and, there appears to be no EV proposed in the applicants' plan. J. Glavas replied that they feel their project would provide the best fueling station offering in the area.

There were no further questions from the commission for staff or the applicant.

Stephanie Hancock, City of Aurora Councilmember, speaking as a citizen, provided public comment on the item. S. Hancock stated she did not receive notice regarding this application and expressed concerns about this. S. Hancock spoke in opposition to the project and stressed there is an oversaturation of fueling stations in the area. S. Hancock also expressed concerns that the proposed QuikTrip may negatively impact the existing fuel stations due to business competition and may also exacerbate traffic issues at the site.

Commissioner Banka asked staff, and the applicant if any of the neighboring gas stations are driven out of business by the QuikTrip what will happen to the land on which it was located. Questions were posed on whether future fueling stations could be at those locations and when that would be safely allowed.

Chair Walls noted that staff and the applicant may respond to questions at the end of the public comment period.

Chance Horiuchi, Executive Director of Havana Business Improvement District (HBID), a citizen, provided public comment on the item. C. Horiuchi stated that constituents of HDIB have voiced opposition to the proposal. Concerns regarding oversaturation of gas stations in the area were expressed and a lack of EV charging options in the area. C. Horiuchi stated that restaurant businesses have expressed interest in the former Sams 3 site, which would be impacted due to the proposal to demolish the building for the fueling station. C. Horiuchi invited the applicant to work with HBID to address concerns.

Sherri Reiss, a citizen, provided public comment on the item. S. Reiss opposed the project, noting that there are already many existing fuel stations in the area and that the site may be of better use to the community by offering residents family-friendly businesses.

Arnie Schultz, Village East Neighborhood Association, a citizen, provided public comment on the item reiterating concerns about the number of gas stations already in the area and how a QuikTrip may hurt those businesses due to the competition.

Jessica Glavas, QuikTrip Corporation, responded to public comments and commissioner questions. J. Glavas expressed support for working with surrounding businesses and residents regarding the proposal. J. Glavas also spoke on concerns that increased competition may harm the surrounding businesses stressing that if a fueling station were to go out of business the property could be reused as these are highly desirable locations. Information was provided on policy for environmental remediation that would take place at any shuttered fueling station sites. Information was provided on additional offerings with QuikTrip, like full-service kitchens, that set them apart from traditional fueling stations, and noted that QuikTrip is open to discussions of offering EV charging if the community desires it.

Planning Commission Results

AGENDA ITEM 8a – CONDITIONAL USE FOR A FUELING STATION IN MU-C

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

MOVE TO APPROVE THE CONDITIONAL USE FOR A CONVENIENCE STORE AND FUELING STATION IN THE MIXED-USE CORRIDOR (MU-C) ZONE DISTRICT BECAUSE THE PROPOSAL COMPLIES WITH THE CRITERIA IN SECTION 146-5.4.3.A.3. OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. COMPLIES WITH THE STANDARDS OF THE UDO;
2. IS CONSISTENT WITH THE GOALS OF THE COMMERCIAL HUB COMPREHENSIVE PLAN PLACETYPE;
3. IS COMPATIBLE WITH THE SURROUNDING DEVELOPMENT;
4. MITIGATES NEGATIVE EXTERNAL EFFECTS ON NEARBY USES; AND
5. WILL NOT CHANGE THE PREDOMINANT CHARACTER OF THE AREA.

Further Discussion:
Commissioner Jetchick stated concerns that an activity center is intended for the area and noted that the proposal is likely a lease and would not support the motion.

Commissioner Bush stated that insurance coverage is required to address environmental contamination concerns should neighboring fueling stations be closed.

Chair Walls commented that the concerns expressed have largely been regarding the time frame in which a shuttered fueling site may remain vacant while the remediation occurs.

Commissioner Gaiser also stated that state financing can be available to help with environmental remediation.

Commissioner Hogan voiced opposition to the proposal, despite support for the business model, due to its use at the proposed location. Commissioner Hogan also encouraged the applicant to work further with the Havana Business Improvement District, HBID.

Chair Walls recused themselves from the decision due to their current involvement with HBID. Chair Walls voiced opposition to the item because of concerns for compatibility with existing uses and potential adverse impacts with the introduction of another fueling station in the area.

Commissioner Jetchick noted a historical involvement with HBID, but having retired five years prior, had no perceived conflicts in deciding on the item.

MOTION FAILED WITH COMMISSIONER'S WALLS, HOGAN, BANKA, GAISER, AND JETCHICK DENYING, AND BUSH APPROVING.

AGENDA ITEM 8b – SITE PLAN

DUE TO THE DENIAL OF THE CONDITIONAL USE, THE SITE PLAN WAS ALSO CONSIDERED DENIED BY EXTENSION AND THEREFOR A MOOT POINT. NO FURTHER DISCUSSION WAS HELD.

9. Public Invited to be Heard
There was no public comment.

10. Commissioner Comments/Miscellaneous Items of Business
Chair Walls spoke about the attendance record of Commissioner Roth, who has been absent for 43% of meetings and proposed that the commission make a recommendation to the City Council for the removal of Commissioner Roth. Chair Walls encouraged comments from fellow commissioners regarding the issue of attendance and this proposal.

Commissioner Gaiser spoke about the necessity of attending meetings reflecting on the experience as a council member for the City and County of Broomfield as well as a member of many commissions.

Commissioner Hogan echoed Commissioner Gaiser's concerns and stated that an active participant in the commission is necessary. Commissioner Hogan noted that the attendance record of Commissioner Roth has been unusual.

A MOTION WAS MADE BY CHAIR WALLS AND SECONDED BY COMMISSIONER HOGAN TO RECOMMEND TO THE CITY COUNCIL THE REMOVAL OF COMMISSIONER ROTH FROM THE PLANNING AND ZONING COMMISSION.

MOTION PASSED UNANIMOUSLY

Commissioner Banka requested a copy of the PowerPoint presentation from the February Policy and Economic Development (PED) Committee meeting.

Jeannine Rustad, Planning Director, provided information on the online publishing of materials for the PED but also stated that staff would share the requested materials with the commissioner.

11. Reports

10a. Report by Planning Division Manager

Brandon Cammarata, Panning Division Manager, reviewed the Administrative Decisions made over the past two weeks. Projects include Chico 4-65 26-25 North and Blue Eagle Logistics Park.

Chair Walls asked for clarification on the policies regarding noticing metro districts for development applications. B. Cammarata responded that it is not within the scope of the code to provide notice to metro districts.

Commissioner Hogan asked for additional information regarding why or how a district would be noticed. B. Cammarata indicated that within the current apparatus, it would be recommended for a district, such as HBID, to register as an HOA with the city to be included in such notice.

A general discussion ensued.

J. Rustad asked for additional time to discuss this issue with legal and Housing and Community Development before providing the requested additional information to the commission.

Commissioner Hogan encouraged that feedback from staff within the next month would be appreciated.

10b. Report by City Attorney

Lena McClelland, Assistant City Attorney, was available for questions.

Commissioner Hogan asked for information regarding the 2025 state legislative session.

L. McClelland stated that the 2025 session has started, and land use bills are being considered. L. McClelland briefly reviewed land use bills approved in 2024. L. McClelland then reviewed bills proposed for 2025, noting that the largest bill being considered is regarding land uses near religious or educational institutions. The bill includes an allowance for residential uses on adjacent property that is owned by such institutions. The city has voiced opposition to the bill.

Commissioner Banka spoke about the proposed bill and what impact this would have on the city. Commissioner Banka also spoke on potential bills concerning construction defects.

L. McClelland stated she would keep the commission well informed of any such bills.

Chair Walls spoke in support of the Planning and Zoning Commissioners' hard work they have done for the city.

12. Adjournment

Chairman Walls adjourned the meeting at 7:27 p.m. until February 26, 2025.

FOSTER GRAHAM MILSTEIN & CALISHER, LLP
ATTORNEYS AT LAW

360 South Garfield Street
6th Floor Denver, CO 80209
T 303-333-9810 F 303-333-9786

fostergraham.com

February 21, 2025

Via Electronic Mail: jbatchel@auroragov.org
City Manager, Jason Batchelor

15151 E. Alameda Parkway

Aurora, CO 80012

Re: Appeal of Planning and Zoning Commission Decision – Denial of Conditional Use and Site Plan - DA-1483-03 ("Appeal")

Dear Mr. Batchelor:

Foster Graham Milstein & Calisher, LLP ("FGMC") represents QuikTrip Corporation (the "Applicant") regarding its application DA-1483-03 for a Conditional Use and Site Plan for a motor vehicle fueling station (the "Application") for real property located at the intersection of South Havana Street and South Parker Road (the "Property"). The City of Aurora (the "City") Planning and Zoning Commission (the "Commission") held a public hearing on February 12, 2025, and denied the Application. This letter constitutes the Applicant's appeal of the Commission's denial of the Application and is timely filed pursuant to Section 146-5.3.13 of the Aurora Unified Development Ordinance (the "Code").

The Applicant appeals the Commission's denial because the Application meets all applicable review criteria and therefore, the Commission erred in denying the Application. The following narrative discusses Code Sections 146-5.4.3.A.3 and 146-5.4.3.B.2.C and how the Application complies with these approval criteria. The Applicant respectfully requests that City Council reconsider the Application and approve the Application.

I. Code Section 146-5.3.13 – Notice of Appeal Requirements

Section 146-5.3.13 of the Code states that, "Appeals may be submitted by an affected applicant or by the owner of a property that is adjacent to the property that was the subject of the application. The notice of appeal must be filed with the City Manager within 10 calendar days

after the decision, and shall specifically state the Section or the City regulation that has not been applied correctly."

This Appeal complies with Code Section 146-5.3.13. QuikTrip is the affected Applicant for which its Application for a conditional use site plan was denied by the Commission. The denial of the Application occurred on February 12, 2025, and this appeal is timely filed within ten (10) calendar days, prior to the deadline of February 24, 2025. Sections 146-5.4.3.A.3. and 146-5.4.3.B.2.C were incorrectly applied, and in many instances, not applied at all, as more specifically described in paragraphs II and III herein.

II. 146-5.4.3.A.3 – Conditional Use Approval Criteria

Section 146.5.4.3.A.3 sets forth the criteria that must be met in order for a conditional use to be approved. The Application meets each of the criteria as follows:

a. The application complies with the applicable standards in this UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;

The Application complies with the applicable standards of the Code because as shown in the site plan, the design of the Application meets all of the requirements in Section 146-5.4.5.B.2.C. Furthermore, the Application is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site. Lastly, there is no approved master plan that includes the Property, and there are no outstanding standards applied to the Property by a prior decision, ensuring that the Application complies with all applicable standards required by the criterion.

b. The application is consistent with the Comprehensive Plan;

The Property is located within a Commercial Hub place type per the Comprehensive Plan. The Application is consistent with the goals of the Commercial Hub place type in the Comprehensive Plan. Commercial Hub place types are characterized by "shopping centers and areas that provide a cluster of compatible businesses. It may be located along the city's corridors, often at the intersection of two arterial streets."[1] Primary uses in the Commercial Hub are retail, commercial service, and restaurants, as well as shared outdoor areas and social gathering spaces.[2]

The Property is located between two arterial streets and proposes a commercial services and retail use consistent with the Comprehensive Plan. Fueling stations are commercial service

[1] Aurora Places Comprehensive Plan, Page 46.
[2] Aurora Places Comprehensive Plan, Page 46.

uses, and QuikTrip's business model includes a robust retail element in which fresh food can be purchased on site with gathering areas to rest and eat. Therefore, the Application fits squarely within the Commercial Hub place type, and is consistent with the Comprehensive Plan.

The Connecting Places chapter of the Comprehensive Plan states that "Places are physically connected by the streets, sidewalks, open space, waterways, rail, trails and utilities that serve them. Residents and visitors rely on a safe and convenient way to move throughout the community—from home, work and school to shopping, services and entertainment."[3] The Application is consistent with the Comprehensive Plan because the Applicant will install and improve multi-modal transportation options including new sidewalks along Havanna Street and Parker Road, as well as improving the bus stop on Parker Road. Thus, the Application meets the Comprehensive Plan goal of connecting places.

The Commission did not cite any reasons related to the Comprehensive Plan when denying the Application, but listed personal preferences and opinions that the Property should be used for a restaurant and that a fueling station does not fit the character of the area despite fueling stations being a retail and commercial service use explicitly allowed in Commercial Hub place type. Therefore, this criterion was not applied correctly by the Commission.

c. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area;

The proposed convenience store and fuel station in the Application will not negatively impact the density in this area and will actively serve the community while remaining compatible with the existing commercial stores that surround the Property. A traffic study was completed and accompanies the submittal package, confirming the Property does not create a negative impact and will be successfully incorporated into the roadway network. Visually, the proposed development will be partially screened with landscaping and amenities from view of the adjacent ROW utilizing tree lawns and decorative landscaping. QuikTrip is committed to providing a high level of architecture design for the proposed convenience store and fuel canopy and both structures will be compliant with the Code. The proposed landscaping in the Application is consistent with the Code and provides new detached sidewalks with tree lawns and a plaza area west of the building. Therefore, the size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with the existing and planned uses in the surrounding area.

d. The proposed use will not change the predominant character of the surrounding area;

The zoning for the Property and surrounding properties is Mixed Use Corridor. The Application proposes a convenience store and fueling station which will contribute to the commercial character of the area because in addition to fuel, QuikTrip offers fresh food, sidewalks, paths, and outdoor seating areas around the building. The surrounding properties are also

[3] Aurora Places Comprehensive Plan, Page 49.

commercial and retail in nature, selling a variety of products for consumption. Therefore, the Application proposes a use that is complementary to the predominate character of the surrounding area.

Members of the Commission and public stated that they would like the Property to become another restaurant as they were disappointed in the closure of the former Sam's No. 3 on the Property. This preference is not a criterion for a conditional use, and convenience stores and fueling stations are consistent with the character of the surrounding area per the Comprehensive Plan.[4] Commissioners also denied the Application in part because of the existence of other gas stations in the area. Denying the Application because of the opinion that the fueling station use does not fit the character of the area while simultaneously stating that the area has other fueling stations is contradictory and has no relation to the Code criteria. Therefore, the Commission erred in championing their preference for the future of the Property over the application criteria in the Code.

e. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable; and

This criterion is met because the Applicant is making improvements to the existing infrastructure and public amenities. The development proposed by the Application will create an accessible path along both Parker Road and Havana Street, including new detached sidewalks and accessible ramps that connect pedestrians to surrounding commercial stores and the existing bus stop. The Application also includes improvements to that bus stop, making it larger and bringing it into conformance with current RTD standards. Furthermore, please see the Traffic Study that states no adverse traffic impacts will affect the surrounding properties.

f. The application demonstrates that the proposed use will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.

The owner of the Property has agreements in place with the surrounding tenants agreeing to mitigate any tenant dislocation or decrease in business due to activity on the Property. Access to the surrounding properties will not be closed during construction of the development proposed by the Application. Therefore, the Application does not create any dislocation of tenants or occupants of the Property and will contribute improvements to the Property and surrounding areas as described in detail in (e) above.

[4] Aurora Places Comprehensive Plan, Page 46.

g. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

As stated in the Staff Report, the Application mitigates the potential adverse impacts to the surrounding area. The development proposed by the Application will be partially screened with landscaping and amenities to soften the view of the adjacent ROW through the installation of tree lawns and decorative landscaping. The convenience store will have food and store deliveries as needed on a Monday through Friday daytime delivery schedule. Fuel delivery will occur based on sales as replenishment is needed, but these deliveries are anticipated to occur during daytime non-peak hours whenever possible to limit potential vehicle congestion around the Property. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated. Parking is not proposed to abut Parker Road, which will mitigate negative glare and visual impact along the primary corridor. Consistent with the City standards, a stormwater quality treatment system exists off-site to treat runoff, improve water quality, and mitigate water pollution. All of the underground fuel storage tanks are equipped with state-of-the-art real-time leak detection systems.

The Application also mitigates impacts on the surrounding area because the Property owner and Applicant work and maintain contact with the surrounding property owners. The Property will operate under a land lease, so the Applicant is in consistent contact with the surrounding tenants and integrated their feedback and concerns into the Applications production and construction. This allows the development to lessen the impact it has on the surrounding commercial stores to a practical degree, and once complete, contributes to the entire area's success by bringing in additional customers through the store's elevated interior, pedestrian outdoor seating, and lot improvements. For the foregoing reasons, this criterion is met.

The Commissioners said that due to negative effects on external businesses, the Application should be denied. However, they did not include any specific examples of such negative effects and failed to consider the broad mitigation strategies offered by the Applicant. Therefore, this criterion was misapplied by the Commission.

III. 146-5.4.3.B.2.C – Site Plan General Requirements

The Major Site Plan shall be approved only if:

(a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

The Application complies with the applicable standards of the Code because as shown in the site plan, the design of the Application meets all of the requirements in Section 146-5.4.5.B.2.C. Furthermore, the Application is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site. Lastly, there is no approved master plan that includes the Property, and there are no outstanding standards applied to the Property by a prior decision, ensuring that the Application complies with all applicable standards required by the criterion.

(b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.

The Applicant has worked with City staff during the review process of this Application and through appropriate drainage and traffic studies, confirmed that the City's existing infrastructure and public improvements are adequate to serve the proposed development. Nonetheless, the development proposed by the Application will add an accessible path along both Parker Road and Havana Street, including accessible ramps that connect pedestrians to surrounding commercial stores and the existing bus stop in which the Applicant will improve if the Application is approved. The Applicant will also install an on-site stormwater drainage treatment system to treat runoff, improve water quality, and mitigate water pollution. Therefore, this criterion is satisfied.

(c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.

The Property is not located in a natural area, ridgeline, swale, nor wetland, but rather, it is located in a historically urban and commercial environment. To ensure the Property fits into this environment, the Application includes high-quality four-sided architecture to seamlessly integrate the convenience store building into the character of the commercial area. The Application also includes a state-of-the-art fuel storage and tank system to ensure that water quality is protected and gas leakage, though highly unlikely, can be identified and stopped very quickly. Therefore, this criterion is met.

(d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.

As shown on the site plan, the Application establishes adequate vehicular and pedestrian circulation and connectivity. Furthermore, the Application will improve and expand the multi-modal connection with adjacent properties because as stated herein, new sidewalks will be added along Parker Road and Havana Street, and the bus station located on Parker Road will be improved. Lastly, the adjacent properties will not be affected by the construction of the Application because there are already agreements in place to keep the shopping area surrounding the Property open with full access to those businesses. Therefore, the application satisfies this criterion because it improves and expands pedestrian and public transportation means to adjacent sites, neighborhoods, and urban centers.

(e) The application is compatible with surrounding uses in terms of size, scale and building façade materials.

The Application proposes a convenience store and canopy that integrates four-sided architecture to ensure that the physical and aesthetic appearance, as well as the customer experience, is of a high quality. The size and scale of the Application is appropriate for the Property, and complies with all dimensional requirements of the Code. Therefore, the Application is compatible with the surrounding uses in terms of size, scale, and building façade materials.

(f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

As stated in the Staff Report, the Application mitigates the potential adverse impacts to the surrounding area. The development proposed by the Application will be partially screened with landscaping and amenities to soften the view of the adjacent ROW through the installation of tree lawns and decorative landscaping. The convenience store will have food and store deliveries as needed on a Monday through Friday daytime delivery schedule as not cause excess noise and light in the nighttime. Fuel delivery will occur as needed based on sales, but these deliveries are anticipated to occur during daytime non-peak hours whenever possible to limit potential vehicle congestion around the Property. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated. Parking is not proposed to abut Parker Road, which will mitigate negative glare and visual impact along the primary corridor. Consistent with the City standards, the existing downstream stormwater quality treatment system exists off site to treat runoff. All of the underground fuel storage tanks are equipped with state-of-the-art real-time leak detection systems. Therefore, the Application implements multiple

techniques and amenities to not only mitigate adverse impacts to the surrounding area, but improve the area.

IV. Conclusion

For the foregoing reasons, the Applicant respectfully requests that the City Council approve the Conditional Use Site Plan because the Application meets all of the criteria in Code Sections 146-5.4.3.A.3. and 146-5.4.3.B.2.C.

We look forward to the opportunity to present to you at a public hearing. We respectfully request that all materials and items of record submitted to the Commission in advance of the Hearing, and at the Hearing, be included in the public record for the City Council hearing such that the City Council has the ability to apply the applicable review criteria and reverse the Commission's denial pursuant to Code Section 146-5.3.13. Furthermore, the Applicant hereby reserves the right to submit more materials and evidence supporting the Application's compliance with the applicable approval criteria into the record at or before the City Council hearing.

Thank you for your attention to this matter.

Sincerely,



David Wm. Foster



Erik N. Carlson

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

cc via e-mail:

Director of Planning, Jeannine Rustad (jrustad@auroragov.org)
Planning Department Attorney, Lena Mclelland (lmcclell@auroragov.org)
James Schireman (JSchirem@auroragov.org)
Shelby Madrid (shelby.madrid@kimley-horn.com)
Ryan Harding (rharding@quiktrip.com)
Jessica Glavas (jglavas@quiktrip.com)

City Council

DA-1483-03: Quiktrip 4263 Appeal

Planning and Business Development Department

May 5th 2025

Appeal Of Planning Commission Denial

Agenda Item: Appeal by agent of applicant regarding Planning Commission's denial of a Site Plan & Conditional Use for a motor vehicle fueling station and 5,312 square foot convenience store located on 4.834 acres
Location: S Havana Street to the West, S Parker Road to the Northeast
Zoning, Subarea, & Placetype: MU-C, Mixed Use Corridor; Subarea A; Urban District Placetype
Applicant: Kimley Horn and Associates, on behalf of the QuikTrip Corporation
Appellant: Foster Graham Milstein & Calisher, LLP, on behalf of the QuikTrip Corporation

Vicinity Map



Site Photos

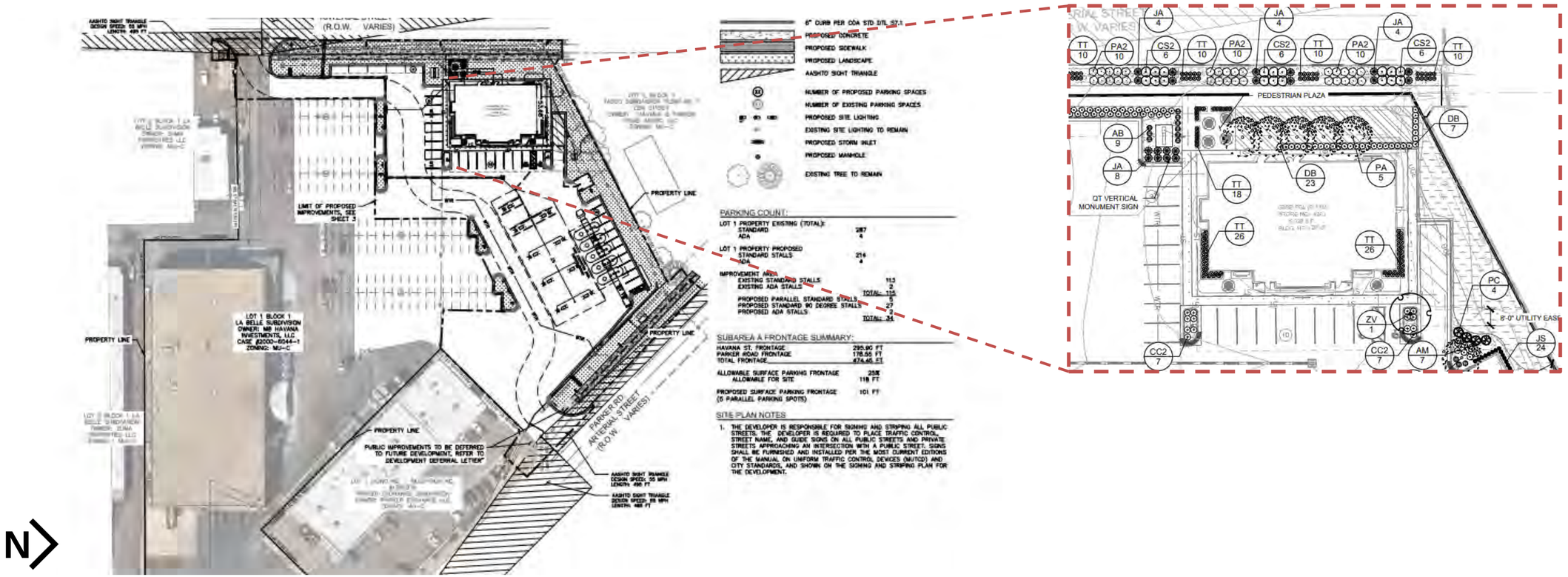


On Parker Road, Facing West

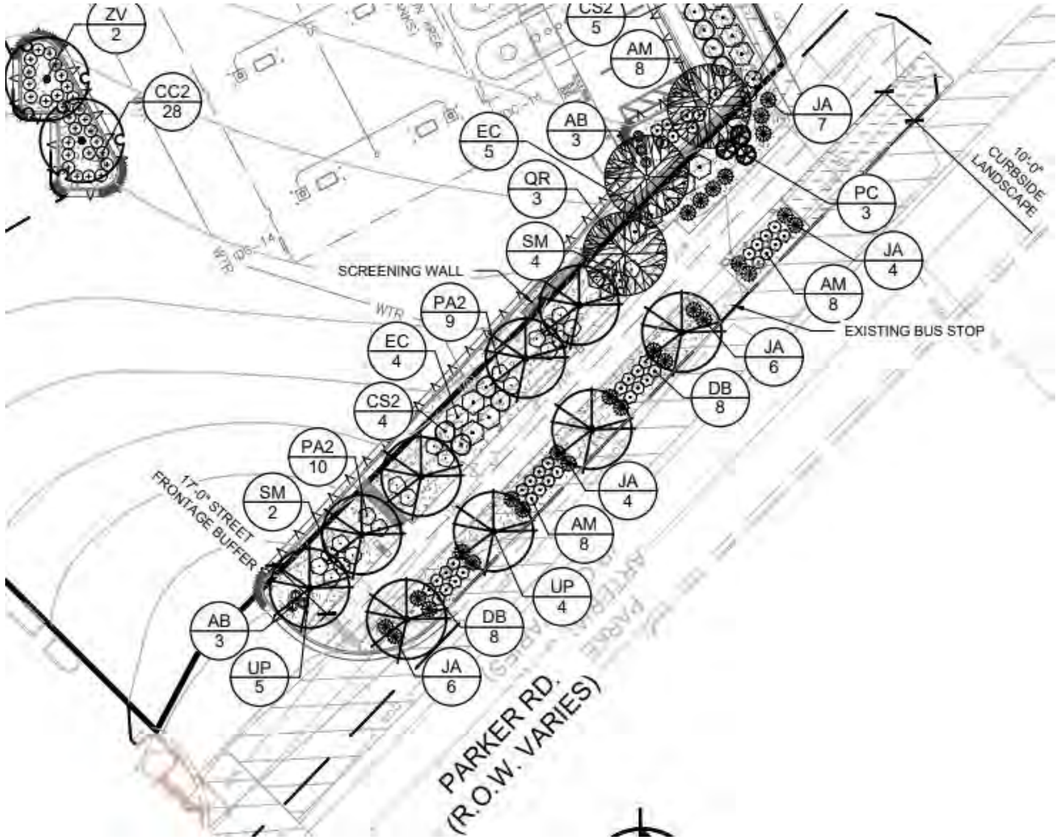


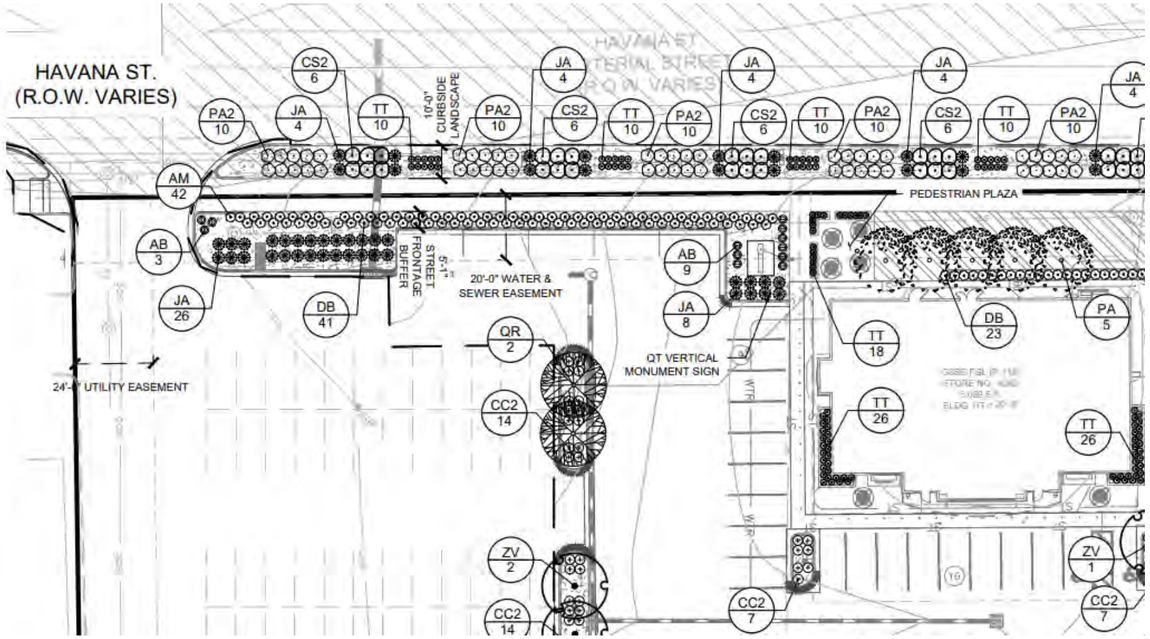
On Havana Street, Facing East

Proposed Site Plan



Proposed Landscape Plan





Proposed Elevation



East Elevation



West Elevation

PC Summary

- Planning Commission hearing occurred on February 12th, 2025.
- Staff presented the application for both the conditional use and site plan with a recommendation of approval with one condition.
- Applicant presented the proposal after the city staff presentation.
- Afterwards several members of the public raised concern regarding the number of gas stations already in the area.
- The Planning Commission affirmed this concern and denied the conditional use aspect of the application.
- By denying the conditional use, the Planning Commission deemed the site plan denied by extension.

Conditional Use Approval Criteria

§146-5.4.3.A.3

3. Criteria for Approval. A conditional use shall be approved only if the Planning and Zoning Commission determines that:

a. The application complies with the applicable standards in this UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;

b. The application is consistent with the Comprehensive Plan;

c. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area;

d. The proposed use will not change the predominant character of the surrounding area;

e. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable; and

f. The application demonstrates that the proposed use 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.

g. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

Site Plan Approval Criteria

§146-5.4.3.B.2.c

i. General. The Major Site Plan shall be approved only if:

(a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

(b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.

(c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.

(d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.

(e) The application is compatible with surrounding uses in terms of size, scale and building façade materials.

(f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

City Council Action

§146-5.3.13.A.2

The City Council shall review the appeal based on the standards and criteria in this UDO and the record of decision and shall act to **uphold, modify, or overturn** the Planning Commission's decision as necessary to bring the decision into compliance with the standards and criteria of this UDO.

CITY OF AURORA
Council Agenda Commentary

Item Title: Quiktrip 4263 Conditional Use Appeal
Item Initiator: James Schireman, Planner I, Planning and Business Development
Staff Source/Legal Source: James Schireman, Planner I, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker: Foster Graham Milstein & Calisher, LLP – Agent
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: 5/5/2025

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

Item requires a Public Hearing: ☒ Yes ☐ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

A PUBLIC HEARING AND CONSIDERATION WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY THE APPLICANT REGARDING THE PLANNING AND ZONING COMISSION DECISION OF DENIAL FOR THE QUIKTRIP 4263 SITE PLAN AND CONDITIONAL USE
James Schireman, Planner I, Planning and Business Development / Lena McClelland, Assistant City Attorney

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: 2/12/2025

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.)*

The Planning and Zoning Commission, on February 12, 2025, reviewed the applicant's request for a site plan and a conditional use for a QuikTrip motor vehicle refueling station in the Mixed-Use Corridor (MU-C) zoning district at 2580 S. Havana Street. The motion to approve the conditional use failed by a vote of 1 in favor and 5 against. By denying the conditional use, the Planning Commission deemed the site plan denied by extension and a moot point for further discussion. The Planning Commission Staff Report with Exhibits, the Planning Commission Result Letter, and the applicant's appeal have been attached for reference (Exhibits E, G and H).

At the February hearing, James Schireman, Staff Planner, presented the Quiktrip 4263 Site Plan and Conditional Use with a recommendation for its approval. Staff affirmed that the application remained in compliance with both the conditional use approval criteria in section 146-5.3.13.A, as well as the site plan criteria found in section 146-5.4.3.B.2. Following the staff presentation, several members of the public raised concerns regarding the significant amount of gas stations already existing in the area, with Chair Walls affirming this opinion by noting 11 gas stations existing within one mile of the site. Overall, the Commission found the proposed additional gas station would not appropriately mitigate the adverse impacts of the use, and subsequently voted to deny the conditional use. With the conditional use denied, the Planning Commission found the site plan use related criteria impossible to satisfy, and deemed the site plan denied by extension.

An appeal of the Planning Commission decision was filed by the applicant's agent, Foster Graham Milstein & Calisher, on February 21, 2025, in accordance with section 146-5.3.13.A. The appellant contends that the Quiktrip 4263 complies with both the Conditional Use approval criteria outlined in Section 146-5.4.3.A.3 and the Site Plan criteria found in section 146-5.4.3.B.2. Furthermore, the appellant asserts that the Planning Commission did not apply the Conditional Use criteria correctly when rendering their decision to deny. The complete appellant letter of introduction and accompanying documents are provided for your reference (Exhibits B, C and D).

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

The applicant’s agent, on behalf of the QuikTrip Corporation, requests approval of a Site Plan application and Conditional Use permit for a convenience store and fueling station in the triangular shopping center bound by S. Parker Road and S. Havana Street. The subject property is located entirely within an MU-C zone district and is bordered by adjacent MU-C zoning to the north and south, with a small pocket of MU-OI zoning to the east. A park managed by the City of Denver is located to the West across Havana Street. The proposed Quiktrip is located on a parcel that contains a multi-tenant commercial center, which will remain, while the now closed Sam’s Diner restaurant in the Northwest corner is proposed to be demolished and replaced with the proposed Quiktrip use. Specifically, the proposed QuikTrip will include an approximately 5,312-square-foot single-story convenience store and a 9-pump traditional vehicle fueling station with a canopy. The fueling station, convenience store, and associated parking will occupy 1.288 acres of the overall 4.834 Acre site. No separate diesel canopy is proposed.

The proposed convenience store building will be constructed primarily of masonry brick, will include glazing on all elevations, and features accents of aluminum and stucco. Vehicular access to the site will be provided through existing access points off S. Parker Road and S Havana Street. The proposed site plan design meets all applicable requirements and ensures that all potential negative impacts are mitigated and that the proposed use's size, scale, height, density, and traffic impacts are compatible with existing nearby development.

The proposed fueling station will operate 24 hours a day, 7 days a week. The facility will employ approximately 22 people, with 4 employees working per shift and 3 shifts per day. Due to being located along a primary commuter corridor, the location expects peak visitation during the morning and evening rush-hour, specifically 6am-9am and 4pm-6pm.

Exhibits:

Exhibit A – Vicinity Map
Exhibit B – Introduction letter and Operations Plan
Exhibit C – Site Plan
Exhibit D – Conditional Use Response
Exhibit E – 1483-03 PC Staff Report
Exhibit F – 2-12 PC Presentation Quiktrip 4263
Exhibit G – 2-12 PC Meeting Minutes
Exhibit H – Appeal Letter
Exhibit I – Appeal Presentation

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 uphold, modify, or overturn the decision of the Planning and Zoning Commission?

LEGAL COMMENTS

Unless otherwise specified by the UDO, any decision of the Planning and Zoning Commission may be appealed to the City Council. Appeals may be submitted by an affected applicant or by the owner of a property that is adjacent to the property that was the subject of the application. The notice of appeal must be filed with the City Manager within 10 calendar days after the decision, and shall specifically state the Section or the City regulation that has not been applied correctly. (UDO §146-5.3.13.A.1) City Council shall schedule a public hearing according to the procedures described in UDO §146-5.3.8 (Public Hearings). City Council shall review the appeal based on the standards and criteria in the UDO and the record of decision and shall act to uphold, modify, or overturn the decision as necessary to bring the decision into compliance with the standards and criteria of the UDO. (UDO §146-5.3.13.A.2)

Criteria for Approval of a Conditional Use. A conditional use shall be approved only if the Planning and Zoning Commission determines that

(a) the application complies with the applicable standards in the UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed condition use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;

(b) the application is consistent with the Comprehensive Plan;

(c) the size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area;

(d) the proposed use will not change the predominant character of the surrounding area;

(e) the City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable;

(f) the application demonstrates that the proposed use 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; and

(g) the application mitigates any adverse impacts on the surrounding area to the degree practicable. (UDO §146-5.4.3.A.3). (McClelland)



Planning and Business Development

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

Miles 0 0.0375 0.075

City of Aurora, Colorado

QuikTrip 4263
Site Plan and Conditional Use

Case Number: 2000-6044-07
Development Application: #1483-03

2/5/2025 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro_Arial.aprx

June 4, 2024

City of Aurora
Office of Development Assistance
15151 E. Alameda Parkway, Suite 5200
Aurora, CO 80012

Re: ***Site Plan Letter of Intent***
QuikTrip 4263
Parker Road and Havana Street, Aurora, Colorado

To Whom It May Concern,

Kimley-Horn and Associates, Inc. is pleased to be submitting the Site Plan Package for the above-referenced project on behalf of QuikTrip Corporation (the "Site Developer"). General project information and anticipated scope of work related to the site improvements is further summarized below.

General Project Information

The Site is located on Parker Road, situated in the southwest quarter of Section 26, Township 4 South, Range 67 West of the 6th Principal Meridian, City of Aurora, County of Arapahoe, State of Colorado.

The Site lies within a portion of an existing developed lot, with a Burger King to the north, and surrounded by mixed uses to the south such as Epic Mountain Gear and Advance Auto Parts with associated sidewalks, pavement, and parking. The total existing lot contains a total of ±4.834 acres, however the proposed improvements anticipate impacting approximately ±2.07 acres of the total site.

The proposed improvements consist of the demolition of the existing structure on the northern portion of the site to develop a new convenience store and gas station.

Stormwater

Runoff developed on-site will be collected in private roof and storm drain systems and will be conveyed to a new below grade detention and water quality system for treatment and attenuation prior to being released to the existing storms ewer system in Havana Street. Refer to the Preliminary Drainage Report for more detailed information and analysis.

Site Access

The site access will be via the existing full movement points of access on Havana Street and Parker Road. The northern cross access point to the adjacent lot is proposed to be closed as part of this development. This has been coordinated with the property owner and is not anticipated to impact either lot, as the cross access is currently blocked with barriers in the existing condition.

Utilities

There is an existing 2-inch water meter along Parker Road, which is being investigated to understand if the meter can be reused and is appropriate for the site development. If the existing meter will not be reused, a modified tap size in the existing location will be proposed.

There is an existing sanitary sewer main along Havana Street which is anticipated to serve the site. Additionally, there is an existing sanitary sewer service through the site to the east appearing to serve Lot 1 of the Parker Exchange Subdivision. This sanitary sewer is planned to remain in place.

Electric, cable, and telephone services are anticipated to be included as part of this Project and will meet service load requirements of the Project. The appropriate utility service providers will be contacted for design and necessary service extensions, facilities, and easements for the new buildings. Coordination with Xcel regarding the demolition and connection to the existing power is ongoing. No new gas lines are proposed with the project.

Landscape

Landscaping and irrigation will be proposed along the property boundary and throughout the Project meeting the City of Aurora requirements.

Consistent with the Subarea Plan for this region, new detached sidewalks with landscape tree lawns are proposed as part of this development.

Signage

Signage for the Project will be provided per the City Code. Allowable signage for the Site will be coordinated with the City. It is anticipated the existing monument sign along Parker Road will be relocated to the new back of curb. The existing monument sign along Havana Street is currently planned to remain in place.

QuikTrip Operations Plan

The convenience store with fuel sales will be open 24hrs per day. Each location employs an average of 22 people, 4 employees per shift, 3 shifts per day. The peak visitation to the site correlates with normal business travel hours. In the morning from 6am-9am as people are heading to work, from 11am to 1pm as people are searching out lunch options, then from 4pm to 6pm when people are on their way home from work. The number of customers during these peak hours is directly dependent on the number of residents within the immediate area and traffic that currently uses the adjacent roadway system.

All deliveries will be scheduled during daytime hours so as to not have an adverse effect on the neighboring properties, there will not be any outdoor storage of materials, and there are no hazardous materials stored on site.

Conditional Use Criteria

It is understood that a gas station and convenience store is a Conditional Use under the current MU-C zoning designation. Below is a summary of the eight (8) conditional use criteria and descriptions of how the proposed site plan demonstrates compliance with the criteria.

1. The compatibility of the proposed use with existing and planned uses on abutting properties.
    - *Response: The proposed development is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site.*
      The convenience store will offer the surrounding neighborhoods a new option for high quality to-go food as the store is equipped with a full-service kitchen preparing grab-and-go meals, coffee and drinks.

2. Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area
   - *Response: The proposed convenience store and fuel station will not negatively impact the density in this area and will actively serve the community. The convenience provided with the QuikTrip store will serve as a local community amenity offering high quality to-go food. The proposed site will also provide pedestrian amenities such as sidewalks/paths and outdoor seating areas around the building. .*

3. The proposed use will not change the predominant character of the surrounding area.
   - *Response: The zoning for the proposed site and surrounding properties is Mixed Use Corridor as noted previously.*

4. The ability to mitigate adverse and undesirable impacts to the surrounding area, including but not limited to visual impacts, air emissions, noise, vibrations, glare, heat odors, water pollution, electromagnetic interference, and other nuisance effects;
   - *Response: Visually, the proposed development will be partially screened with landscaping and amenities from view of the adjacent ROW utilizing tree lawns and decorative landscaping.*
     The convenience store will have food/store deliveries as needed on a Monday through Friday daytime delivery schedule. Fuel delivery will occur as needed based on sales as replenishment is needed, these deliveries are anticipated to occur during daytime non-peak hours whenever possible to limit the possible vehicle congestion on the site. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated.
     Parking is not proposed at abut Tower Road, mitigating negative glare and visual impact along the primary road corridor.
     Consistent with the city standards, stormwater quality treatment for runoff is proposed on-site to improve water quality and mitigate water pollution. All of the underground fuel storage tanks are equipped with state of the art real-time leak detection systems.

5. Amount of traffic generated and capacity and design of roadways to handle anticipated traffic;
   - *Response: This project includes a Traffic Impact Study. This Traffic Study outlines the proposed QuikTrip Conditional Use development. As part of the TIS, a 16 fueling position gas station with 5,312 SF convenience store was accessed for the overall development. Access to the project site from the adjacent rights-of-way are consistent with the TIS recommendations for access movements. With the addition of the project and improvements, all intersections are expected to operate in the near term acceptably during both the AM Peak Hour and the PM Peak Hour in the current configurations.*

6. The effect on infrastructure including water, wastewater, stormwater, utilities, and streets;
   - *Response: The proposed QuikTrip site is not anticipated to negatively impact the existing utilities or adjacent roadways. Consistent with the existing commercial development, the existing water, sanitary and storm sewer system has adequate capacity to serve the project site and proposed use. Consistent with the Traffic Impact Study, the adjacent roadways are adequate for the anticipated traffic demands.*

7. The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use
    - *Response: QuikTrip is committed to providing a high level of architecture design for both the proposed Convenience Store and Fuel Canopy, both structures will be compliant with the City UDO. The proposed landscaping on the QT is consistent with the City UDO and provides new detached sidewalks with tree lawns and a plaza area west of the building.*

8. The city council, planning commission, or planning director are authorized to consider the past performance of an applicant in their consideration of any conditional use. The planning commission, city council, or planning director may use as a basis for denial whether the applicant or developer is determined to be in violation of any requirements, conditions, or representations on a prior development.
    - *Response: QuikTrip is historically one of the best in the convenience store business and year after year commit to delivering a high level of quality service the community. We greatly appreciate the opportunity to partner with the City of Aurora on this development and look forward to being a part of the community.*

We hope this Letter of Intent assists in your review of the QuikTrip Site Plan submittal. We are excited to work with the City on this project and look forward to delivering a project that the City and this project team are extremely proud of.

If you have any questions or comments during your review, please do not hesitate to contact me at 303-228-2327 or shelby.madrid@kimley-horn.com.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



Shelby Madrid, PE,

QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST ¼ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE COLORADO CENTRAL ZONE 0502, NORTH AMERICAN DATUM (NAD) OF 1983. DISTANCES SHOWN HEREON ARE GROUND UNITS. BEING THE SOUTH LINE OF THE SOUTHWEST ¼ OF SECTION 26, BEARING N89°49'35"E, BETWEEN MONUMENTS SHOWN HEREON.

BENCHMARK

VERTICAL RELIEF WAS MADE FROM AN ON THE GROUND SURVEY, CONTOURS SHOWN HEREON ARE AT 1' INTERVALS USING THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), GEOID 12A. SITE VERTICAL WAS ESTABLISHED BY USING CITY OF AURORA BENCH MARK "4S67726SW010"

3" BRASS CAP LOCATED AT INLET STRUCTURE AT THE NORTHWEST CORNER OF HARVARD DR. AND YALE AVE.

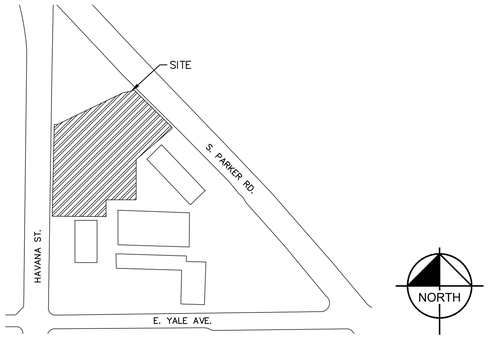
ELEVATION = 5589.80 FEET (NAVD 1988)

LEGAL DESCRIPTION

LOT 1, BLOCK 1, LA BELLE SUBDIVISION, RECORDED AT RECEPTION NUMBER 1303028, BOOK 22, PAGE 71 IN THE OFFICIAL RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, BEING IN THE SW ¼ OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO

CITY OF AURORA SITE PLAN NOTES:

1. THE DEVELOPER, SUCCESSORS OR ASSIGNS, INCLUDING THE HOMEOWNERS OR MERCHANTS ASSOCIATION, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL FIRE LANE SIGNS AS REQUIRED BY THE CITY OF AURORA.
2. RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON, AND THROUGH ANY AND ALL PRIVATE ROADS, WAYS, FIRE LANES EASEMENTS OR FIRE LANE CORRIDORS NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY. WHERE DEDICATED AS A FIRE LANE EASEMENT OR DESIGNATED AS A FIRE LANE CORRIDOR, THE ROADWAY SHALL BE POSTED "NO PARKING – FIRE LANE".
3. "ACCESSIBLE EXTERIOR ROUTES" SHALL BE PROVIDED FROM PUBLIC TRANSPORTATION STOPS, ACCESSIBLE PARKING, ACCESSIBLE PASSENGER LOADING ZONES AND PUBLIC SIDEWALKS TO THE ACCESSIBLE BUILDING ENTRANCE THEY SERVE. AT LEAST 50% OF ALL BUILDING ENTRANCES SHALL BE THE MOST PRACTICAL DIRECT ROUTE. NO SLOPE ALONG THIS ROUTE MAY EXCEED 1:20 WITHOUT PROVIDING A RAMP WITH A MAXIMUM SLOPE OF 1:12 AND HANDRAILS. CROSSWALKS ALONG THIS ROUTE SHALL BE WIDE ENOUGH TO WHOLLY CONTAIN THE CURB RAMP WITH A MINIMUM WIDTH OF 36" AND SHALL BE PAINTED WITH WHITE STRIPES. REQUIRED ACCESSIBLE MEANS OF EGRESS SHALL BE CONTINUOUS FROM EACH REQUIRED ACCESSIBLE OCCUPIED AREA TO THE PUBLIC WAY. THE "ACCESSIBLE EXTERIOR ROUTES" SHALL COMPLY WITH IBC 2021 CHAPTER 11, AND 2017 ICC A117.1.
4. THE APPLICANT HAS THE OBLIGATION TO COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE AMERICAN WITH DISABILITIES ACT.
5. THE DEVELOPER, SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL LANDSCAPING MATERIALS SHOWN OR INDICATED ON THE APPROVED SITE PLAN OR LANDSCAPE PLAN ON FILE IN THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. ALL LANDSCAPING WILL BE INSTALLED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
6. ALL CROSSINGS OR ENCROACHMENTS BY PRIVATE LANDSCAPE IRRIGATION LINES OR SYSTEMS AND/OR PRIVATE UTILITIES INTO EASEMENTS AND STREET RIGHTS-OF-WAY OWNED BY THE CITY OF AURORA ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO CITY OF AURORA'S USE AND OCCUPANCY OF THE SAID EASEMENTS OR RIGHTS-OF-WAY. THE UNDERSIGNED, THEIR SUCCESSORS AND ASSIGNS, HEREBY AGREE TO INDEMNIFY THE CITY OF AURORA FOR ANY LOSS, DAMAGE OR REPAIR TO CITY FACILITIES THAT MAY RESULT FROM THE INSTALLATION, OPERATION OR MAINTENANCE OF SAID PRIVATE IRRIGATION LINES OR SYSTEMS AND/OR PRIVATE UTILITIES.
7. IN LOCATIONS WHERE UTILITY EASEMENTS OVERLAP DRAINAGE EASEMENTS, ONLY SUBSURFACE UTILITIES SHALL BE PERMITTED WITHIN THE PORTION OF THE UTILITY EASEMENT THAT OVERLAPS THE DRAINAGE EASEMENT. INSTALLATION OF ABOVE GROUND UTILITIES WITHIN A DRAINAGE EASEMENT REQUIRES PRIOR WRITTEN APPROVAL BY THE CITY ENGINEER.
8. PRIOR TO FINAL ACCEPTANCE OF PUBLIC IMPROVEMENTS, IF THE ADJACENT SITE IS NOT UNDER CONSTRUCTION, THE CURB CUT/CURB RETURNS AND CROSS PAN MUST BE REMOVED AND REPLACED WITH SIDEWALK, LANDSCAPING AND CURB AND GUTTER AT THE DEVELOPER'S EXPENSE. THE DEVELOPER ACKNOWLEDGES THE RISK OF CONSTRUCTING THE CURB CUT WITHOUT APPROVED CIVIL PLANS FOR THE ADJACENT SITE SHOWING THE CURB CUT.
9. THE APPROVAL OF THIS DOCUMENT DOES NOT CONSTITUTE FINAL APPROVAL OF GRADING, DRAINAGE, UTILITY, PUBLIC IMPROVEMENTS AND BUILDING PLANS. CONSTRUCTION PLANS MUST BE REVIEWED AND APPROVED BY THE APPROPRIATE AGENCY PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
10. ALL BUILDING ADDRESS NUMBERS SHALL COMPLY WITH SECTIONS 126-271 AND 126-278 OF THE AURORA CITY CODE.
11. NOTWITHSTANDING ANY SURFACE IMPROVEMENTS, LANDSCAPING, PLANTING OR CHANGES SHOWN IN THESE SITE OR CONSTRUCTION PLANS, OR ACTUALLY CONSTRUCTED OR PUT IN PLACE, ALL UTILITY EASEMENTS MUST REMAIN UNOBSTRUCTED AND FULLY ACCESSIBLE ALONG THEIR ENTIRE LENGTH TO ALLOW FOR ADEQUATE MAINTENANCE EQUIPMENT. ADDITIONALLY, NO INSTALLATION, PLANTING, CHANGE IN THE SURFACE, ETC., SHALL INTERFERE WITH THE OPERATION OF THE UTILITY LINES PLACED WITHIN THE EASEMENT. BY SUBMITTING THESE SITE OR CONSTRUCTION PLANS FOR APPROVAL, THE LANDOWNER RECOGNIZES AND ACCEPTS THE TERMS, CONDITIONS AND REQUIREMENTS OF THIS NOTE.
12. ALL ROOFTOP MECHANICAL EQUIPMENT AND VENTS GREATER THAN EIGHT (8) INCHES IN DIAMETER MUST BE SCREENED. SCREENING MAY BE DONE EITHER WITH AN EXTENDED PARAPET WALL OR A FREESTANDING SCREEN WALL. SCREENS SHALL BE AT LEAST AS HIGH AS THE EQUIPMENT THEY HIDE. IF EQUIPMENT IS VISIBLE BECAUSE SCREENS DON'T MEET THIS MINIMUM HEIGHT REQUIREMENT, THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES MAY REQUIRE CONSTRUCTION MODIFICATIONS PRIOR TO THE ISSUANCE OF A PERMANENT CERTIFICATE OF OCCUPANCY.
13. ALL INTERESTED PARTIES ARE HEREBY ALERTED THAT THIS SITE PLAN IS SUBJECT TO ADMINISTRATIVE CHANGES AND AS SHOWN ON THE ORIGINAL SITE PLAN ON FILE IN THE AURORA CITY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT. A COPY OF THE OFFICIAL CURRENT PLAN MAY BE OBTAINED THERE. LIKEWISE, SITE PLANS ARE REQUIRED TO AGREE WITH THE APPROVED SUBDIVISION PLAT OF RECORD AT THE TIME OF A BUILDING PERMIT; AND IF NOT, MUST BE AMENDED TO AGREE WITH THE PLAT AS NEEDED, OR VICE VERSA.
14. ERRORS IN APPROVED SITE PLANS RESULTING FROM COMPUTATIONS OR INCONSISTENCIES IN THE DRAWINGS MADE BY THE APPLICANT ARE THE RESPONSIBILITY OF THE PROPERTY OWNER OF RECORD. WHERE FOUND, THE CURRENT MINIMUM CODE REQUIREMENTS WILL APPLY AT THE TIME OF BUILDING PERMIT. PLEASE BE SURE THAT ALL PLAN COMPUTATIONS ARE CORRECT.
15. ALL REPRESENTATIONS AND COMMITMENTS MADE BY APPLICANTS AND PROPERTY OWNERS AT PUBLIC HEARINGS REGARDING THIS PLAN ARE BINDING UPON THE APPLICANT, PROPERTY OWNER, AND ITS HEIRS, SUCCESSORS, AND ASSIGNS.
16. ARCHITECTURAL FEATURES, SUCH AS BAY WINDOWS, FIREPLACES, ROOF OVERHANGS, GUTTERS, EAVES, FOUNDATIONS, FOOTINGS, CANTILEVERED WALLS, ETC., ARE NOT ALLOWED TO ENCROACH INTO ANY EASEMENT OR FIRE LANE.
17. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, SHOWN ON THE SIGNING AND STRIPING PLAN FOR DEVELOPMENT.
18. FIRE LANE AND HANDICAPPED PARKING SIGNS, SIGN DETAILS, HANDICAPPED PARKING STALL DETAILS, AND LOCATIONS SHALL BE APPROVED WITH THE CIVIL PLANS, "SIGNAGE AND STRIPING" PACKAGE.
19. THIS SITE HAS THE FOLLOWING CONDITIONAL USE APPROVAL(S):
20. FINAL GRADE SHALL BE AT LEAST SIX (6) INCHES BELOW ANY EXTERIOR WOOD SIDING ON THE PREMISES.
21. THE STREETLIGHT OR PEDESTRIAN LIGHT INSTALLATION WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE DESIGNED, FUNDED, AND CONSTRUCTED BY THE DEVELOPER/OWNER. OWNERSHIP AND MAINTENANCE OF THE STREET/PEDESTRIAN LIGHTS SHALL BE THE RESPONSIBILITY OF THE CITY OF AURORA ONCE THEY HAVE BEEN ACCEPTED. STREET LIGHT AND/OR PEDESTRIAN PHOTOMETRICS PLANS SHALL BE PREPARED AND SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL AND SHALL BECOME A PART OF THE APPROVED CIVIL CONSTRUCTION PLANS FOR THE PROJECT. SEPARATE PERMITS FOR STREET LIGHTS WILL BE REQUIRED; ONE FOR PUBLIC IMPROVEMENTS AND ONE FOR A BUILDING PERMIT FOR ELECTRICAL. THE BUILDING PERMIT SUBMITTAL WILL NEED TO INCLUDE AN ELECTRICAL PLAN SHOWING SITE LOCATION OF LIGHTS, ELECTRIC METER LOCATION, ELECTRICAL ONE LINE AND GROUNDING DETAILS AND ANY ADDITIONAL ELECTRICAL INFORMATION FOR APPROVAL. THE OWNER IS RESPONSIBLE FOR OBTAINING AN ADDRESS FOR THE METER(S) FROM THE PLANNING DEPARTMENT. CERTIFICATE OF OCCUPANCIES WILL NOT BE ISSUED UNTIL THE STREET AND/OR PEDESTRIAN LIGHTING PLANS ARE APPROVED, CONSTRUCTED, AND INITIALLY ACCEPTED.
22. ALL CROSSINGS OR ENCROACHMENTS INTO EASEMENTS AND RIGHTS-OF-WAY OWNED BY THE CITY OF AURORA ("CITY") IDENTIFIED AS BEING PRIVATELY-OWNED AND MAINTAINED HEREIN ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO CITY'S USE AND OCCUPANCY OF SAID EASEMENTS OR RIGHTS-OF-WAY. THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, FURTHER AGREES TO REMOVE, REPAIR, REPLACE, RELOCATE, MODIFY, OR OTHERWISE ADJUST SAID CROSSINGS OR ENCROACHMENTS UPON REQUEST FROM THE CITY AND AT NO EXPENSE TO THE CITY. THE CITY RESERVES THE RIGHT TO MAKE FULL USE OF THE EASEMENTS AND RIGHTS-OF-WAY AS MAY BE NECESSARY OR CONVENIENT AND THE CITY RETAINS ALL RIGHTS TO OPERATE, MAINTAIN, INSTALL, REPAIR, REMOVE OR RELOCATE ANY CITY FACILITIES LOCATED WITHIN SAID EASEMENTS AND RIGHTS-OF-WAY AT ANY TIME AND IN SUCH A MANNER AS IT DEEMS NECESSARY OR CONVENIENT.



VICINITY MAP
SCALE 1"= 250'

SHEET LIST TABLE	
Sheet Number	Sheet Title
1	COVER SHEET
2	OVERALL SITE PLAN
3	DETAILED SITE PLAN
4	OPERATIONS PLAN
5	GRADING PLAN
6	UTILITY PLAN
7	SITE DETAIL SHEET
8	SITE DETAIL SHEET
9	TREE MITIGATION PLAN
10	LANDSCAPE PLAN
11	LANDSCAPE SCHEDULES
12	LANDSCAPE DETAILS
13	LANDSCAPE DETAILS
14	LANDSCAPE DETAILS
15	BUILDING ELEVATIONS
16	BUILDING FLOORPLAN (A101)
17	BUILDING ELEVATIONS (A201)
18	BUILDING ELEVATIONS (A202)
19	CANOPY ELEVATIONS
20	PHOTOMETRIC SITE PLAN
21	PHOTOMETRIC DETAILS
22	PHOTOMETRIC DETAILS
23	PHOTOMETRIC DETAILS
24	PHOTOMETRIC DETAILS
25	PHOTOMETRIC DETAILS
26	SIGNAGE PLAN

SITE DATA

AREA OF PROPOSED IMPROVEMENTS ± 1.288 ACRES
LAND AREA WITHIN PROPERTY LINE ± 4.834 ACRES
BUILDING COVERAGE ± 5,312 SF, 0.12 ACRES
CANOPY COVERAGE ± 8,346 SF, 0.19 ACRES
HARDSCAPE ± 3.405 ACRES
LANDSCAPE ± 0.401 ACRES
NUMBER OF BUILDINGS 1
MAXIMUM ALLOWABLE HEIGHT OF BUILDINGS 75.0 FT
MAXIMUM PROPOSED HEIGHT OF BUILDINGS 22'-6"
NUMBER OF ENCLOSURES / CANOPIES 1
MINIMUM CANOPY HEIGHT 15 FT (APPROX)
MAXIMUM HEIGHT OF ENCLOSURES / CANOPIES 22.5 FT (APPROX)
PRESENT ZONING CLASSIFICATION MIXED USE CORRIDOR (MU-C)
PROPOSED USE MOTOR VEHICLE FUEL DISPENSING STATION (CONDITIONAL USE) & RETAIL SALES, SMALL
2021 IBC OCCUPANCY CLASSIFICATION (ENCLOSURES) M
2021 IBC OCCUPANCY CLASSIFICATION (CANOPIES) U
2021 IBC OCCUPANCY CLASSIFICATION (MAIN BUILDING) M
CONSTRUCTION TYPE (ENCLOSURES) NON-SPRINKLERED
CONSTRUCTION TYPE (CANOPIES) NON-SPRINKLERED
CONSTRUCTION TYPE (MAIN BUILDING) NON-SPRINKLERED
TOTAL PERMITTED SIGN AREA 184.06 SQ. FT.
PROPOSED TOTAL SIGN AREA
TOTAL PERMITTED SIGN AREA (QUIKTRIP SPECIFIC) 184'6"
QUIKTRIP SINGLE TENANT SIGN AREA 47.3 SF (23.65 SF PER SIDE)
CANOPY SIGN AREA (2 @ 14 SF EA) 28 SF
QUIKTRIP BUILDING SIGNAGE (2 @ 52 SF EA) 104 SF
TOTAL SIGN AREA 179.3 SF
TOTAL PERMITTED SIGN AREA (MULTI-TENANT SIGNAGE) 400 SF
SECONDARY MULTI-TENANT HAVANA ST. 90 SF (45 SF PER SIDE)
SECONDARY MULTI-TENANT PARKER ROAD 118 SF (54 SF PER SIDE)
TOTAL MULTI-TENANT SIGNAGE 208 SF
PROPOSED NUMBER OF SIGNS 5
LOADING SPACES REQUIRED AS PER CODE 1
TOTAL NUMBER OF PROPOSED PARKING SPACES 36

PARKING SUMMARY:

BICYCLE PARKING — 2 REQ. — 2 PROVIDED

IMPROVED PORTION OF LOT 1	EXISTING	REQUIRED	PROPOSED
STANDARD CUSTOMER (3 PER 1000 GROSS FLOOR AREA):	113	16	26
STANDARD EMPLOYEE (1 PER EMPLOYEE):	N/A	6	6
ACCESSIBLE (1 PER 25 SPACES):	1	1	1
ACCESSIBLE (VAN COMPLIANT) (1 PER 6 ACCESSIBLE SPACES):	1	1	1
TOTAL:	115	24	34

AMENDMENTS

NO.	REVISION	BY	DATE	APPR.

LEGAL DESCRIPTION: LOT 1 BLOCK 1, LA BELLE SUBDIVISION, COUNTY OF ARAPAHOE, STATE OF COLORADO

THIS SITE PLAN AND ANY AMENDMENTS HERETO, UPON APPROVAL BY THE CITY OF AURORA AND RECORDING, SHALL BE BINDING UPON THE APPLICANTS THEREFORE, THEIR SUCCESSORS AND ASSIGNS. THIS PLAN SHALL LIMIT AND CONTROL THE ISSUANCE AND VALIDITY OF ALL BUILDING PERMITS, AND SHALL RESTRICT AND LIMIT THE CONSTRUCTION, LOCATION, USE, OCCUPANCY AND OPERATION OF ALL LAND AND STRUCTURES WITHIN THIS PLAN TO ALL CONDITIONS, REQUIREMENTS, LOCATIONS AND LIMITATIONS SET FORTH HEREIN. ABANDONMENT, WITHDRAWAL OR AMENDMENT OF THIS PLAN MAY BE PERMITTED ONLY UPON APPROVAL OF THE CITY OF AURORA.

IN WITNESS THEREOF, QUIKTRIP, AS ITS INTEREST MAY APPEAR OF RECORD HAS CAUSED THESE PRESENTS TO BE EXECUTED

THIS _____ DAY OF _____ AD. _____.

BY: _____
TITLE: AUTHORIZED SIGNATORY

STATE OF _____

COUNTY OF _____

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS ____ DAY OF 20____.

_____ NOTARY SEAL
(NOTARY PUBLIC)

MY COMMISSION EXPIRES _____

NOTARY BUSINESS ADDRESS:

CLERK AND RECORDER'S CERTIFICATE

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ADAMS COUNTY, COLORADO ON THIS_____ DAY OF _____, 20____A.D. AT_____O'CLOCK___M.

_____ _____
COUNTY CLERK AND RECORDER DEPUTY .

PAGE NO.: _____
RECEPTION NO.: _____

CITY OF AURORA APPROVALS

CITY ATTORNEY:

PLANNING DIRECTOR:

PLANNING COMMISSION:

CITY COUNCIL:

ATTEST:

DATABASE APPROVAL:

CONTACTS

DEVELOPER
QUIKTRIP CORPORATION
12000 WASHINGTON ST. STE 175
THORNTON, CO 80241
PHONE: (303) 248-0435
CONTACT: JESSICA GLAVAS

SURVEYOR
ALTURA LAND CONSULTANTS
6950 S. TUCSON WAY, UNIT C
CENTENNIAL, CO 80112
TEL: (720) 531-4663
CONTACT: MARTIN BRAUNS, PLS

CIVIL ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
6200 S SYRACUSE WAY #300
GREENWOOD VILLAGE, CO 80111
TEL: (303) 228-2327
CONTACT: SHELBY MADRID, P.E.

LANDSCAPE ARCHITECT
KIMLEY-HORN AND ASSOCIATES, INC.
6200 S SYRACUSE WAY #300
GREENWOOD VILLAGE, CO 80111
TEL: (303) 228-2319
CONTACT: CHRIS HEPLER, PLA

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2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
COVER SHEET

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_CV.DWG

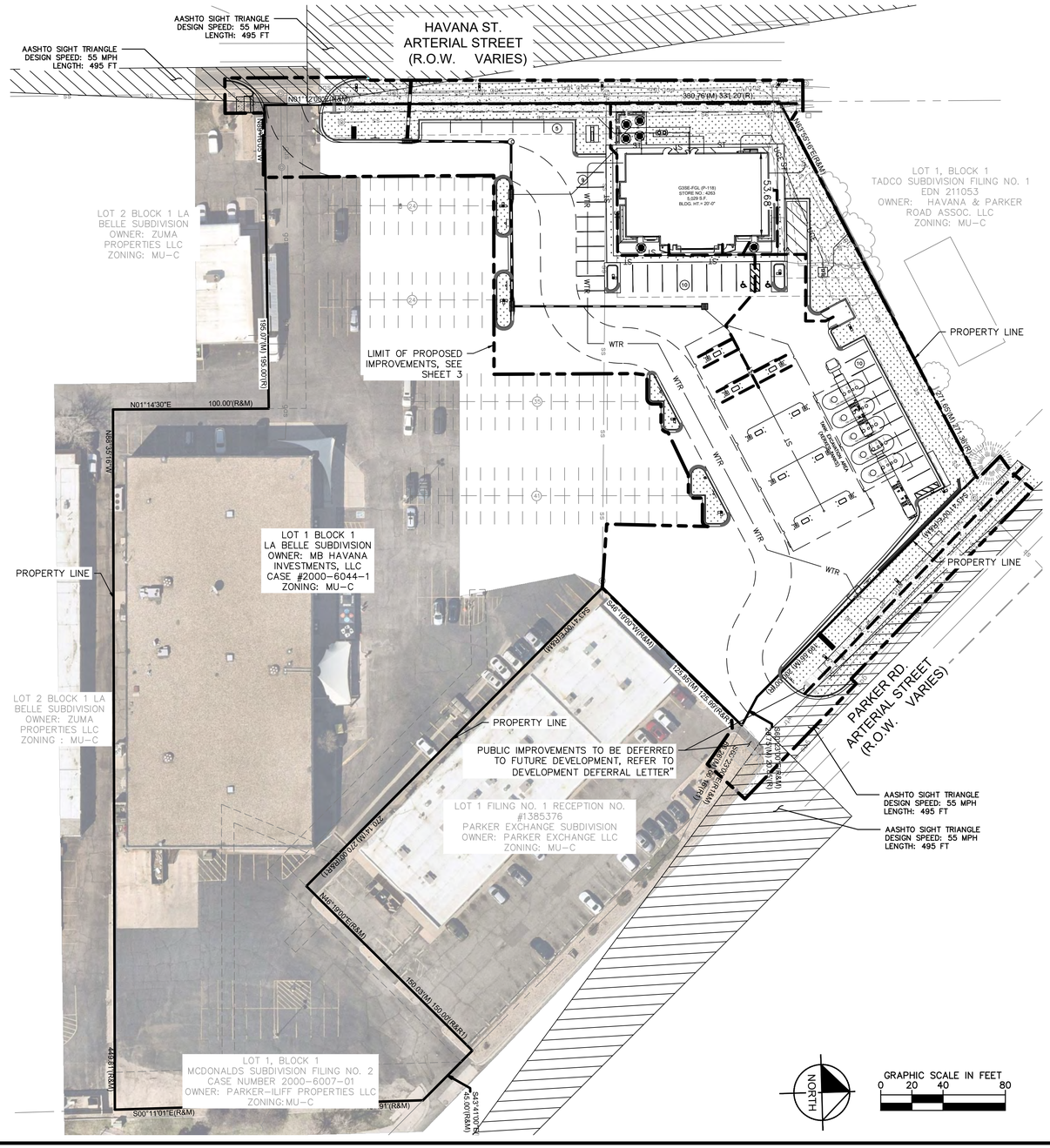
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- LIMIT OF PROPOSED IMPROVEMENTS
- EXISTING EASEMENT
- PROPOSED EASEMENT
- ACCESSIBLE PATH
- 6" CURB PER COA STD DTL S7.1
- PROPOSED CONCRETE
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPE
- AASHTO SIGHT TRIANGLE
- (XX) NUMBER OF PROPOSED PARKING SPACES
- (XX) NUMBER OF EXISTING PARKING SPACES
- PROPOSED SITE LIGHTING
- EXISTING SITE LIGHTING TO REMAIN
- PROPOSED STORM INLET
- PROPOSED MANHOLE
- EXISTING TREE TO REMAIN

PARKING COUNT:

LOT 1 PROPERTY EXISTING (TOTAL):	
STANDARD	287
ADA	4
LOT 1 PROPERTY PROPOSED	
STANDARD STALLS	214
ADA	4
IMPROVEMENT AREA	
EXISTING STANDARD STALLS	113
EXISTING ADA STALLS	2
	TOTAL: 115
PROPOSED PARALLEL STANDARD STALLS	5
PROPOSED STANDARD 90 DEGREE STALLS	27
PROPOSED ADA STALLS	2
	TOTAL: 34

SUBAREA A FRONTAGE SUMMARY:

HAVANA ST. FRONTAGE	295.90 FT
PARKER ROAD FRONTAGE	178.55 FT
TOTAL FRONTAGE	474.45 FT
ALLOWABLE SURFACE PARKING FRONTAGE	25%
ALLOWABLE FOR SITE	118 FT
PROPOSED SURFACE PARKING FRONTAGE (5 PARALLEL PARKING SPOTS)	101 FT

SITE PLAN NOTES

1. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, AND SHOWN ON THE SIGNING AND STRIPING PLAN FOR THE DEVELOPMENT.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
OVERALL SITE PLAN

PRELIMINARY
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Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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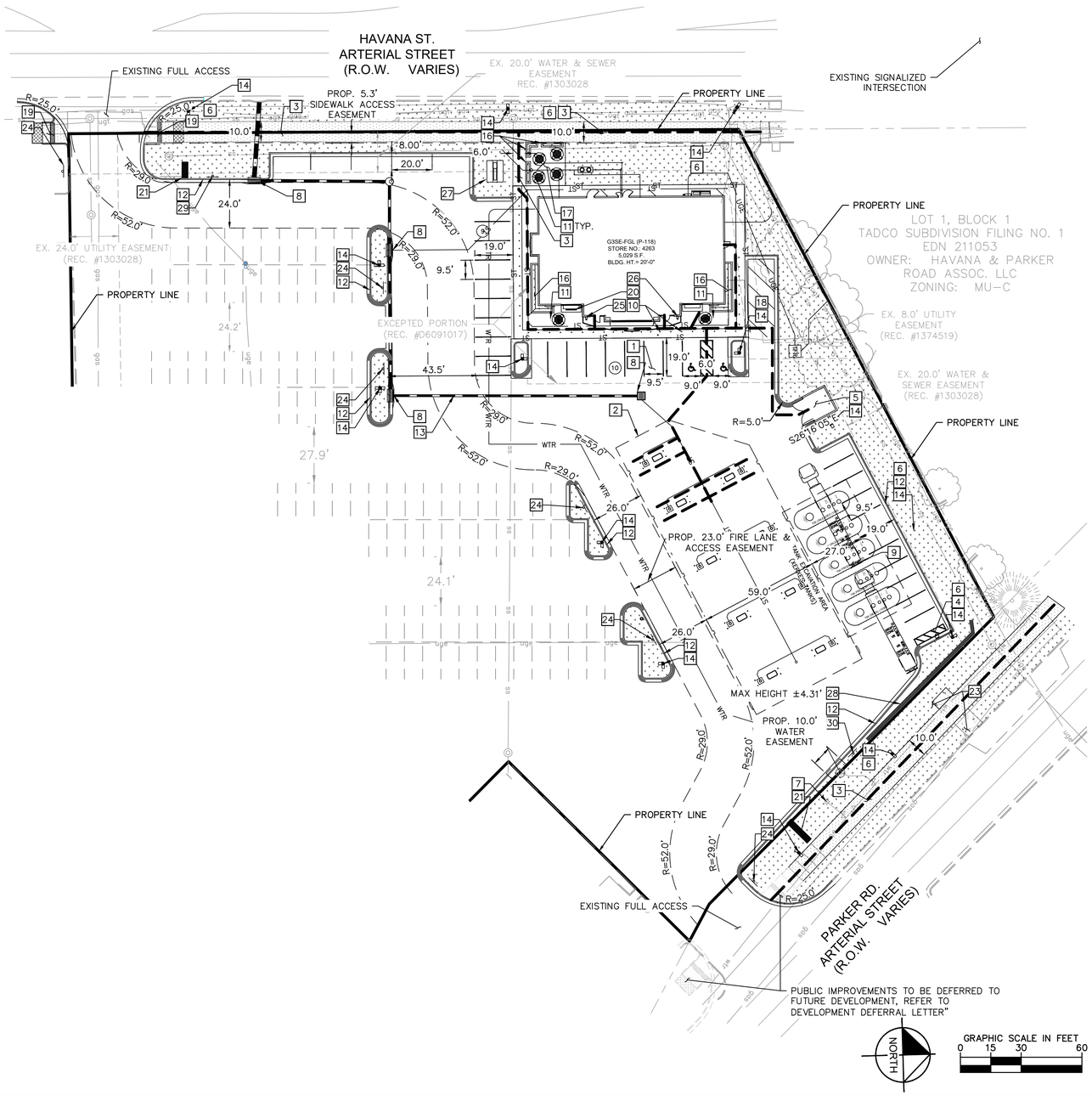
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- ACCESSIBLE PATH
- 6" VERTICAL CURB PER COA STD DTL S7.1
- PROPOSED CONCRETE
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPE
- (XX) NUMBER OF PROPOSED PARKING SPACES
- (XX) NUMBER OF EXISTING PARKING SPACES
- PROPOSED SITE LIGHTING
- EXISTING SITE LIGHTING TO REMAIN
- PROPOSED STORM INLET
- PROPOSED STORM MANHOLE
- EXISTING TREE TO REMAIN

GENERAL NOTES:

1. DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. SIGNS TO COMPLY WITH MUTCD LATEST EDITION, UNLESS NOTED.
3. ALL PROPOSED PARKING STALLS ARE 90 DEGREES, 9.5' WIDE AND 18' LONG UNLESS OTHERWISE NOTED.
4. ALL ABOVE GRADE UTILITY BOXES SHALL BE PER THE UTILITY PROVIDER.
5. LANDSCAPING SHALL BE PROVIDED PER THE LANDSCAPE PLAN.
6. REFER TO LIGHTING AND PHOTOMETRIC PLANS FOR SITE LIGHT DETAILS
7. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, AND SHOWN ON THE SIGNING AND STRIPING PLAN FOR THE DEVELOPMENT.

SITE PLAN NOTES:

1. VAN ACCESSIBLE PARKING
2. FUEL CANOPY
3. PROPOSED SIDEWALK, WIDTH PER PLAN
4. AIR STATION (REFER TO SHEET 12)
5. TRASH ENCLOSURE
6. LANDSCAPE AREA (REFER TO LANDSCAPE PLANS)
7. EXISTING FIRE HYDRANT ASSEMBLY
8. STORM INLET (REFER TO GRADING PLAN)
9. UNDERGROUND FUEL TANKS (5-15,000 GAL)
10. ADA PARKING SIGNAGE (REFER TO SHEET 12)
11. OUTDOOR SEATING (REFER TO SHEET 12)
12. CONCRETE CURB & GUTTER
13. STORM SEWER MANHOLE
14. SITE LIGHT
15. EXISTING MULTI-TENANT SIGNAGE TO REMAIN, TYPE PER PLAN
16. LANDSCAPE PLANTER (TYP.) (REFER TO LANDSCAPE PLANS)
17. 431 SF PATIO AREA W/ PATTERNED CONCRETE
18. 16' X 40' LOADING SPACE
19. PROPOSED ACCESSIBLE RAMP
20. BIKE RACK (REFER TO SHEET 13)
21. RELOCATED MULTI-TENANT MONUMENT SIGN (REFER TO SIGNAGE PLAN)
22. NOT USED
23. RELOCATED BUS STOP PAD AND LOADING AREA
24. PROPOSED "NO PARKING" FIRE LANE SIGNAGE (REFER TO SHEET 12)
25. EMERGENCY FUEL SHUTOFF SWITCH (REFER TO SHEET 13)
26. KNOX BOX
27. PROPOSED SINGLE TENANT MONUMENT SIGN
28. PROPOSED WALL (REFER TO SHEET 5)
29. PROPOSED "FIRE LANE CONNECTS TO HAVANA" SIGNAGE (REFER TO SHEET 12)
30. PROPOSED "FIRE LANE CONNECTS TO PARKER" SIGNAGE (REFER TO SHEET 12)

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6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
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DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
DETAILED SITE PLAN

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PROJECT NO.
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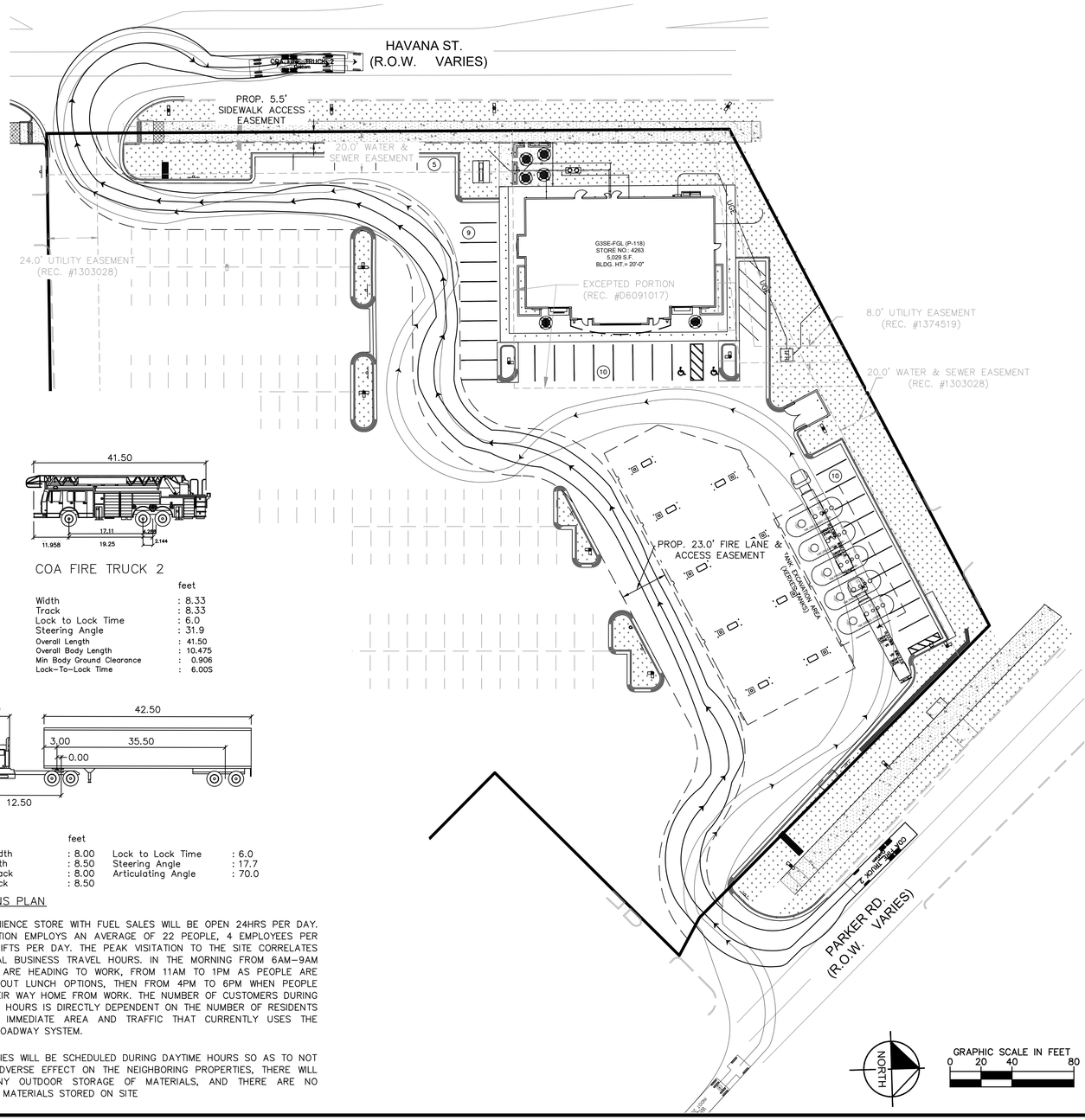
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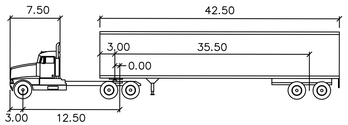
SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



COA FIRE TRUCK 2

	feet
Width	: 8.33
Track	: 8.33
Lock to Lock Time	: 6.0
Steering Angle	: 31.9
Overall Length	: 41.50
Overall Body Length	: 10.475
Min Body Ground Clearance	: 0.906
Lock-To-Lock Time	: 6.00S



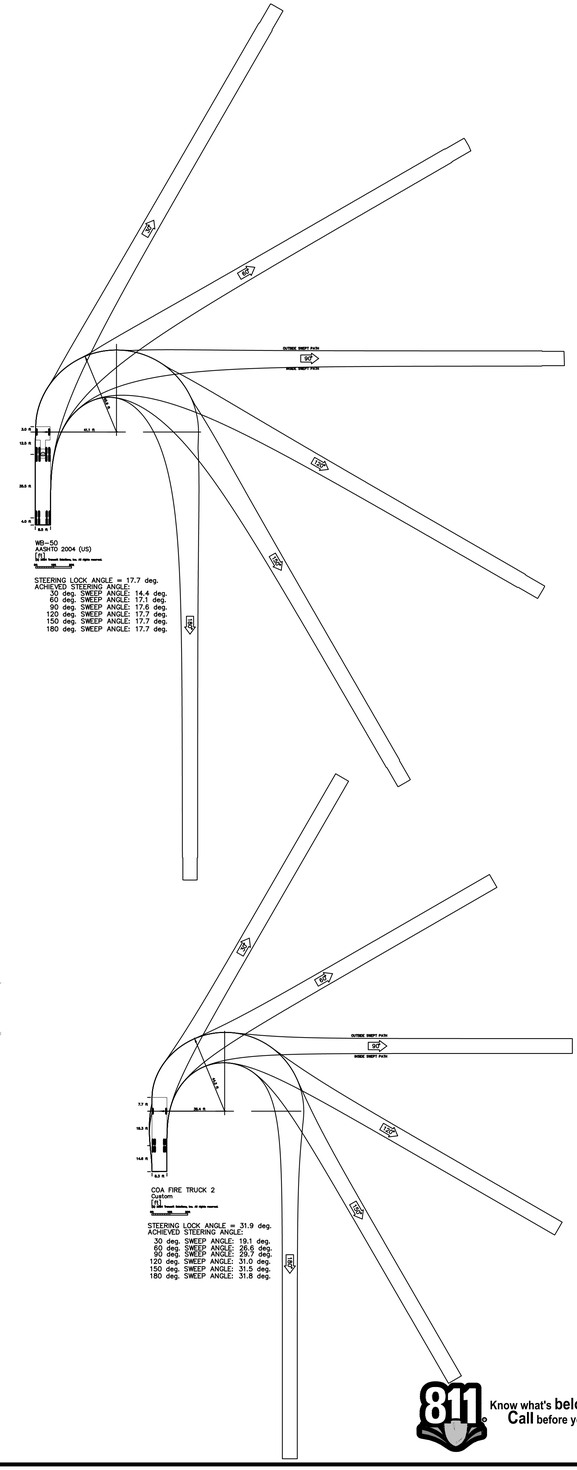
WB-50

	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		

OPERATIONS PLAN

THE CONVENIENCE STORE WITH FUEL SALES WILL BE OPEN 24HRS PER DAY. EACH LOCATION EMPLOYS AN AVERAGE OF 22 PEOPLE, 4 EMPLOYEES PER SHIFT, 3 SHIFTS PER DAY. THE PEAK VISITATION TO THE SITE CORRELATES WITH NORMAL BUSINESS TRAVEL HOURS. IN THE MORNING FROM 6AM-9AM AS PEOPLE ARE HEADING TO WORK, FROM 11AM TO 1PM AS PEOPLE ARE SEARCHING OUT LUNCH OPTIONS, THEN FROM 4PM TO 6PM WHEN PEOPLE ARE ON THEIR WAY HOME FROM WORK. THE NUMBER OF CUSTOMERS DURING THESE PEAK HOURS IS DIRECTLY DEPENDENT ON THE NUMBER OF RESIDENTS WITHIN THE IMMEDIATE AREA AND TRAFFIC THAT CURRENTLY USES THE ADJACENT ROADWAY SYSTEM.

ALL DELIVERIES WILL BE SCHEDULED DURING DAYTIME HOURS SO AS TO NOT HAVE AN ADVERSE EFFECT ON THE NEIGHBORING PROPERTIES, THERE WILL NOT BE ANY OUTDOOR STORAGE OF MATERIALS, AND THERE ARE NO HAZARDOUS MATERIALS STORED ON SITE



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PARKER RD. & HAVANA
SITE PLAN
OPERATIONS PLAN

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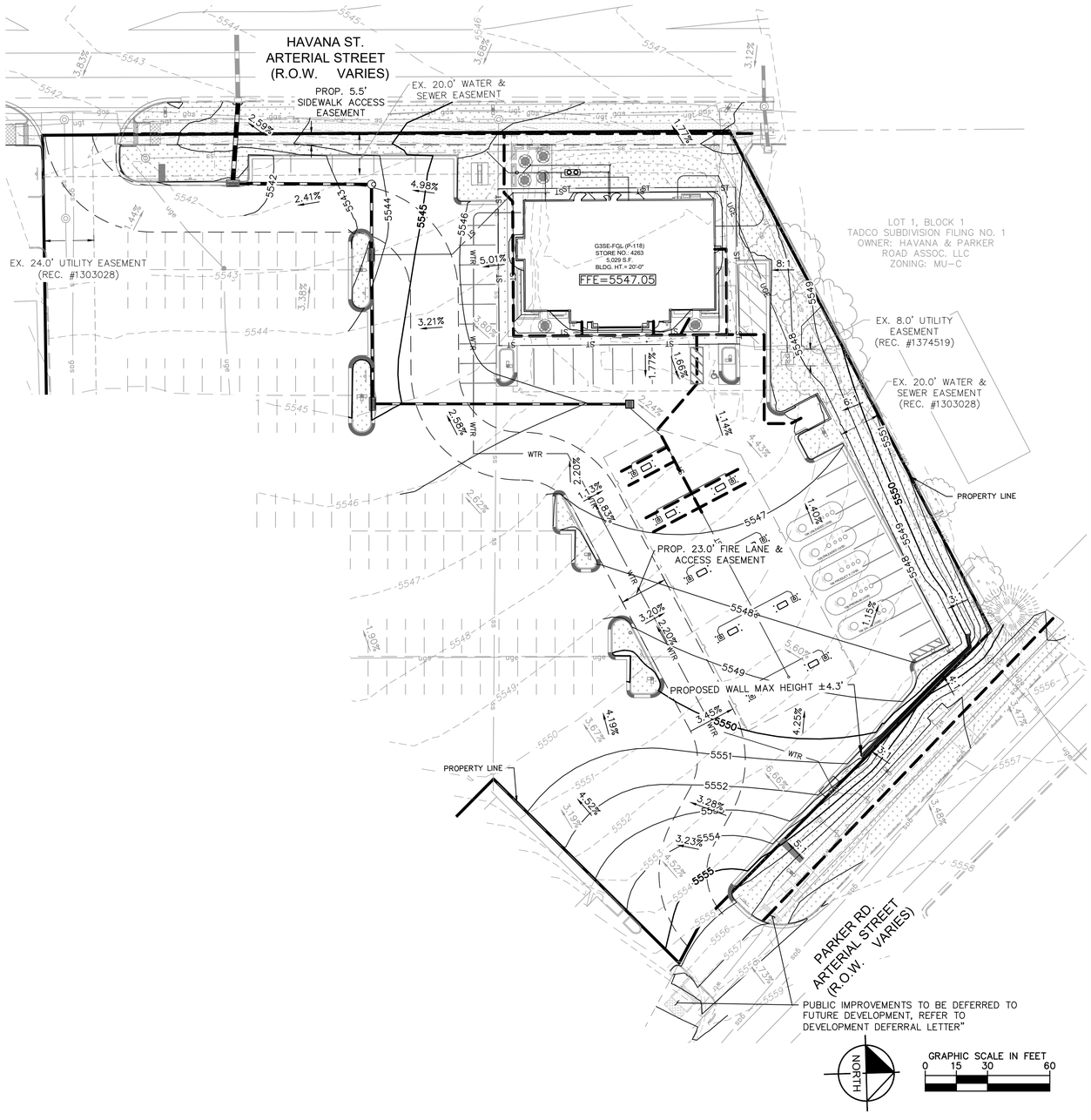
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED CURB & GUTTER
- ACCESSIBLE PATH
- 5499 PROPOSED CONTOUR
- 5499 EXISTING CONTOUR
- WTR PROPOSED WATER LINE
- SS PROPOSED SANITARY SEWER
- ST PROPOSED STORM LINE
- PROPOSED STORM
- X.XX% PROPOSED FLOW PATH
- X.XX% EXISTING FLOW PATH
- PROPOSED INLET
- PROPOSED MANHOLE

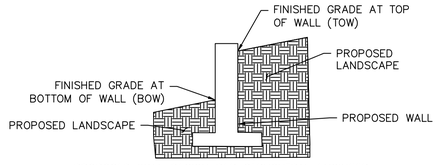
GENERAL NOTES:

1. MINIMUM SLOPE ON UNPAVED AREAS IS 2% MINIMUM SLOPE ON ASPHALT IS 1% AND MINIMUM SLOPE ON CONCRETE IS 0.5%.
2. THE MAXIMUM SLOPE WITHIN ROW IS 4:1, THE MAXIMUM SLOPE FOR PROPERTY OUTSIDE OF THE ROW IS 3:1.
3. THE SLOPE AWAY FROM THE BUILDING IN NON-PAVED AREAS SHALL HAVE A MINIMUM GRADE OF FIVE (5) PERCENT FOR THE FIRST TEN FEET OR TO THE PROPERTY LINE, WHICHEVER OCCURS FIRST, THEN A MINIMUM OF ONE & ONE HALF (1.50) PERCENT UNTIL THE SLOPE REACHES THE SWALE AROUND THE BUILDING. IF PHYSICAL OBSTRUCTIONS OR LOT LINES PROHIBIT THE TEN FEET OF HORIZONTAL DISTANCE, A FIVE (5) PERCENT SLOPE SHALL BE PROVIDED TO AN APPROVED ALTERNATIVE METHOD OF DIVERTING STORM RUNOFF AWAY FROM THE FOUNDATION. IMPERVIOUS SURFACES WITHIN TEN FEET OF THE BUILDING FOUNDATION SHALL BE SLOPED A MINIMUM OF TWO (2) PERCENT AWAY FROM THE BUILDING.
4. THE MAXIMUM PERMISSIBLE LONGITUDINAL GRADE FOR FIRE LANES IS 10%. THE MAXIMUM TRANSVERSE GRADE FOR A FIRE LANE IS FOUR (4) PERCENT WITH A RESULTANT MAXIMUM SLOPE OF TEN PERCENT.
5. THE RESULTANT GRADE IN ANY DIRECTION WITHIN ACCESSIBLE PARKING AREAS SHALL NOT EXCEED TWO PERCENT.
6. THE MAXIMUM CROSS SLOPE IN AN ACCESSIBLE PATH SHALL NOT EXCEED TWO PERCENT. THE MAXIMUM LONGITUDINAL SLOPE IN AN ACCESSIBLE PATH SHALL NOT EXCEED FIVE PERCENT.
7. DETAILED LAYOUT AND DESIGN FOR PROPOSED CURB RAMPS WITHIN RIGHT OF WAY OR ALONG AN ACCESSIBLE ROUTE WILL BE COMPLETED WITH THE CIVIL PLANS.

UNADJUSTED EARTHWORK

CUT: 3,0484 CY
FILL: 1,352 CY
NET: 1,692 CY (CUT)

NOTE: EARTHWORK QUANTITIES ARE BASED ON THE PROPOSED FINISHED GRADE AND DO NOT ACCOUNT FOR SHRINK, SWELL, PAVEMENT SECTIONS OR OVER EXCAVATION.



TYPICAL WALL SECTION

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6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
GRADING PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
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PROJECT NO.
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DRAWING NAME
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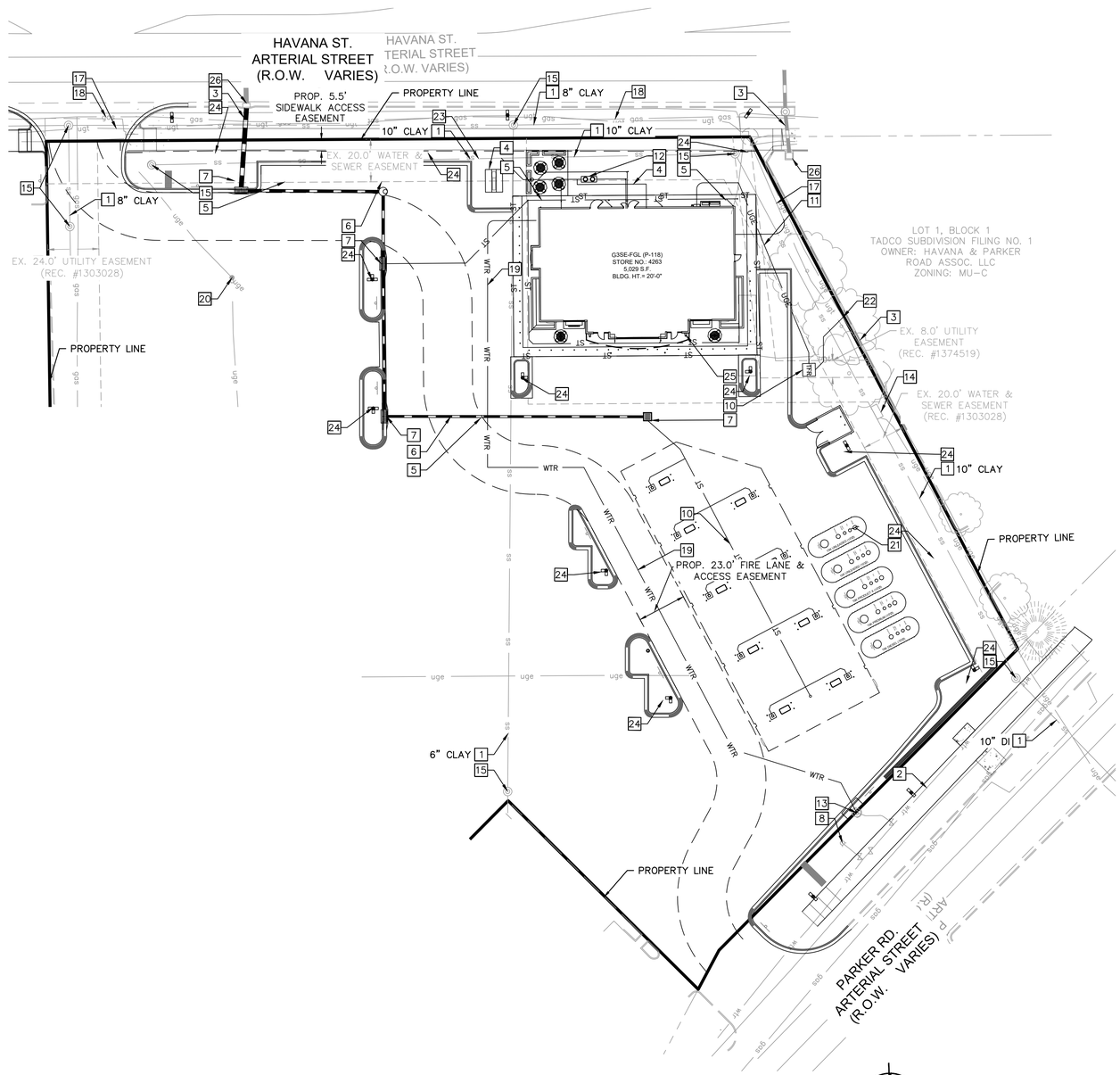
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- WTR — PROPOSED WATER LINE
- SS — PROPOSED SANITARY SEWER LINE
- ST — PROPOSED STORM
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- ss — EXISTING SANITARY SEWER
- gas — EXISTING GAS LINE
- ugt — EXISTING COMMUNICATION LINE
- PROPOSED SITE LIGHTING
- EXISTING SITE LIGHTING TO REMAIN
- PROPOSED STORM INLET
- PROPOSED MANHOLE
- TFR — PROPOSED TRANSFORMER

SITE PLAN NOTES:

1. EXISTING SANITARY SEWER LINE, KNOWN INFORMATION PROVIDED ON PLAN
2. EXISTING WATER MAIN
3. EXISTING STORM SEWER
4. PROPOSED SANITARY SEWER SERVICE LINE
5. PROPOSED STORM LINE
6. PROPOSED STORM SEWER MANHOLE
7. PROPOSED STORM INLET
8. EXISTING FIRE HYDRANT TO REMAIN
9. NOT USED
10. RELOCATED TRANSFORMER
11. PROPOSED ELECTRIC CONDUIT LINE
12. PROPOSED GREASE TRAP
13. PROPOSED 1.5-INCH WATER METER (IN EXISTING METER LOCATION)
14. EXISTING ELECTRICAL EQUIPMENT
15. EXISTING SANITARY SEWER MANHOLE TO REMAIN
16. NOT USED
17. EXISTING UNDERGROUND COMMUNICATION LINE
18. EXISTING GAS LINE
19. PROPOSED DOMESTIC WATER SERVICE
20. EXISTING SITE LIGHTING
21. PROPOSED BELOW GRADE FUEL TANKS
22. CONNECTION TO EXISTING ELECTRIC LINE
23. CONNECTION TO EXISTING SANITARY SEWER LINE
24. PROPOSED SITE LIGHTING
25. PROPOSED EMERGENCY FUEL SHUTOFF SWITCH
26. EXISTING STORM INLET

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
UTILITY PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

NOT FOR CONSTRUCTION

LANDSCAPE CODE REQUIREMENTS:

ZONE: MU-C MIXED USE CORRIDOR DISTRICT
HAVANA OVERLAY DISTRICT CONDITION 1
LOT SIZE: 1.288 AC (55,757 SF)
LANDSCAPE AREA: 0.401 AC (17,468 SF)

	WIDTH	LENGTH	REQUIRED	PROVIDED
PARKING LOT PERIMETER SCREENING:				
3'-4' DOUBLE ROW OF SHRUBS 3' O.C. >50% DECIDUOUS FLOWERING SHRUBS	-	-	DOUBLE ROW SHRUBS	DOUBLE ROW SHRUBS
PARKING LOT ISLAND LANDSCAPE:				
1 TREE AND 6 SHRUBS PER 9'X19' ISLAND	5 ISLANDS	-	5 TREES AND 30 SHRUBS	5 TREES* AND 34 SHRUBS
2 TREES AND 12 SHRUBS PER 9'X38' ISLAND	4 ISLANDS	-	8 TREES AND 48 SHRUBS	8 TREES AND 74 SHRUBS
* TREE SUBSTITUTED AT A RATE OF 10 FIVE GAL SHRUBS PER TREE				
CURBSIDE LANDSCAPING / TREE LAWN ONE TREE PER 40 LF ONE SHRUB PER 40 SF				
PARKER RD.				
TREES	10'	179 LF	4 TREES	4 TREES
SHRUBS	1,858 SF	-	47 SHRUBS	50 SHRUBS
HAVANA ST.				
TREES	10'	277 LF	7 TREES	70 T.E.*
SHRUBS	2,984 SF	-	75 SHRUBS	80 SHRUBS
* TREES SUBSTITUTED AT A RATE OF 10 FIVE GAL SHRUBS PER TREE				
BUILDING PERIMETER LANDSCAPING 1 TREE EQUIVALENT (T.E.) PER 40 LF				
NORTH	-	54'	1.4 T.E.	1.4 T.E.
SOUTH	-	54'	1.4 T.E.	1.4 T.E.
EAST	-	92'	2.3 T.E.	2.4 T.E.
WEST	-	92'	2.3 T.E.	2.3 T.E.
TRASH AREA SCREENING				
EVERGREEN PLANTINGS AROUND WALL	-	-	EVERGREEN ROW	EVERGREEN ROW

HAVANA OVERLAY DISTRICT STREET PERIMETER BUFFER LANDSCAPING
TWO TREE EQUIVALENTS (T.E.) PER 40 LF OF FRONTAGE

	AMOUNT	BUFFER REQUIRED	BUFFER PROVIDED	PLANTING REQUIRED	PLANTING PROVIDED
WEST - HAVANA ST.	330 LF	9' WIDTH	5' WIDTH*	16.5 T.E.	18.8 T.E.
EAST - PARKER RD.	220 LF	9' WIDTH	16.5' WIDTH	11 T.E.	14.8 T.E.
NON-STREET BUFFER LANDSCAPING ONE TREE AND FIVE SHRUBS PER 40 LF					
NORTH	272 LF	10' WIDTH	10' - 21' WIDTH	7 TREES & 34 SHRUBS	7 EVRGRN TREES & 56 SHRUBS

*DOUBLE ROW OF SHRUBS PROVIDED BECAUSE BUFFER DEPTH REDUCED TO 5' (TABLE 4.7-2)

LANDSCAPE NOTES

1. ALL UTILITY EASEMENT SHALL REMAIN UNOBSTRUCTED AND FULLY ACCESSIBLE ALONG THEIR ENTIRE LENGTH FOR MAINTENANCE EQUIPMENT ENTRY.
2. FOUR CUBIC YARDS OF ORGANIC MATERIAL PER 1,000 SF OF LANDSCAPE AREA IS REQUIRED FOR SOIL AMENDMENT.
3. THE DEVELOPER, HIS SUCCESSORS AND ASSIGNS, SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL LANDSCAPING MATERIALS SHOWN OR INDICATED ON THE APPROVED SITE PLAN OR LANDSCAPE PLAN ON FILE IN THE PLANNING DEPARTMENT. ALL LANDSCAPING WILL BE INSTALLED AS DELINEATED ON THE PLAN, PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY.
4. ALL LANDSCAPED AREAS AND PLANT MATERIAL, EXCEPT FOR NON-IRRIGATED NATIVE, RESTORATIVE, AND DRYLAND GRASS AREAS, MUST BE WATERED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. IRRIGATION SYSTEM DESIGN, INSTALLATION, OPERATION, AND MAINTENANCE SHALL CONFORM TO REQUIREMENTS FOUND IN THE CITY OF AURORA IRRIGATION ORDINANCE.
5. THE PROPOSED FREE STANDING LIGHTS ARE THE EVOLVE-LED SCALABLE AREA LIGHT (EASC SERIES). THE EVOLVE-EASC IS AN LED SQUARE FIXTURE MOUNTED TO A SQUARE POLE AT 25'. TYPE 4 LIGHTING DISTRIBUTION IS PROPOSED THROUGHOUT THE PROPERTY AREA, WHILE TYPE 3 LIGHTING DISTRIBUTION IS PROPOSED AT THE PERIMETER OF THE PROPERTY. LIGHTING DISTRIBUTION SHIELDS ARE USED AT SPECIFIC POLE LOCATIONS TO INHIBIT LIGHTING SPILL-OVER TO ADJACENT PROPERTIES
6. SIDEWALKS WILL BE A CONCRETE SLAB. VEHICULAR DRIVES AND PARKING LOTS WILL BE ASPHALT.
7. ALL PLANTING BEDS TO HAVE 3/4 " THICK RIVER ROCK MULCH PLACED AT A DEPTH OF 3", INCLUDING AROUND TREES AND SHRUBS
8. ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10

FIRE SAFETY LANDSCAPE NOTES

1. LANDSCAPE MATERIAL PLACEMENT SHALL NOT BE PLACED OR KEPT NEAR FIRE HYDRANTS, FIRE DEPARTMENT INLET CONNECTIONS OR FIRE PROTECTION CONTROL VALVES IN A MANNER THAT WOULD PREVENT SUCH EQUIPMENT OR FIRE HYDRANTS FROM BEING IMMEDIATELY DISCERNIBLE. THE FIRE DEPARTMENT SHALL NOT BE DETERRED OR HINDERED FROM GAINING IMMEDIATE ACCESS TO FIRE PROTECTION EQUIPMENT OR HYDRANTS.
2. A 5-FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS.
3. LANDSCAPING MATERIAL SHOWN WITHIN THE SITE PLAN CANNOT ENCROACH INTO ROADWAYS THAT ARE DEDICATED (OR DESIGNATED) AS FIRE LANE EASEMENTS (OR CORRIDORS).

WATER USAGE TABLE

WATER USAGE	SQUARE FOOTAGE	% OF TOTAL LA AREA
LOW	5,634 SF	29%
MEDIUM	13,651 SF	71%
HIGH	0 SF	0%

NATIVE SEED MIX
SEEDING RATE: 15 PLS/ACRE

COMMON NAME	PERCENTAGE
WESTERN WHEATGRASS	20%
SLENDER WHEATGRASS	20%
BLUE GRAMA	15%
BUFFALOGRASS	15%
SODAR STREAMBANK WHEATGRASS	15%
SHERMAN BIG BLUEGRASS	10%
CANADA WILDRYE	5%
TOTALS	100%

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300 Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: AMC
DRAWN BY: AMC
CHECKED BY: CPH
DATE: 12/13/2024

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
LANDSCAPE SCHEDULES

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

NOT FOR CONSTRUCTION

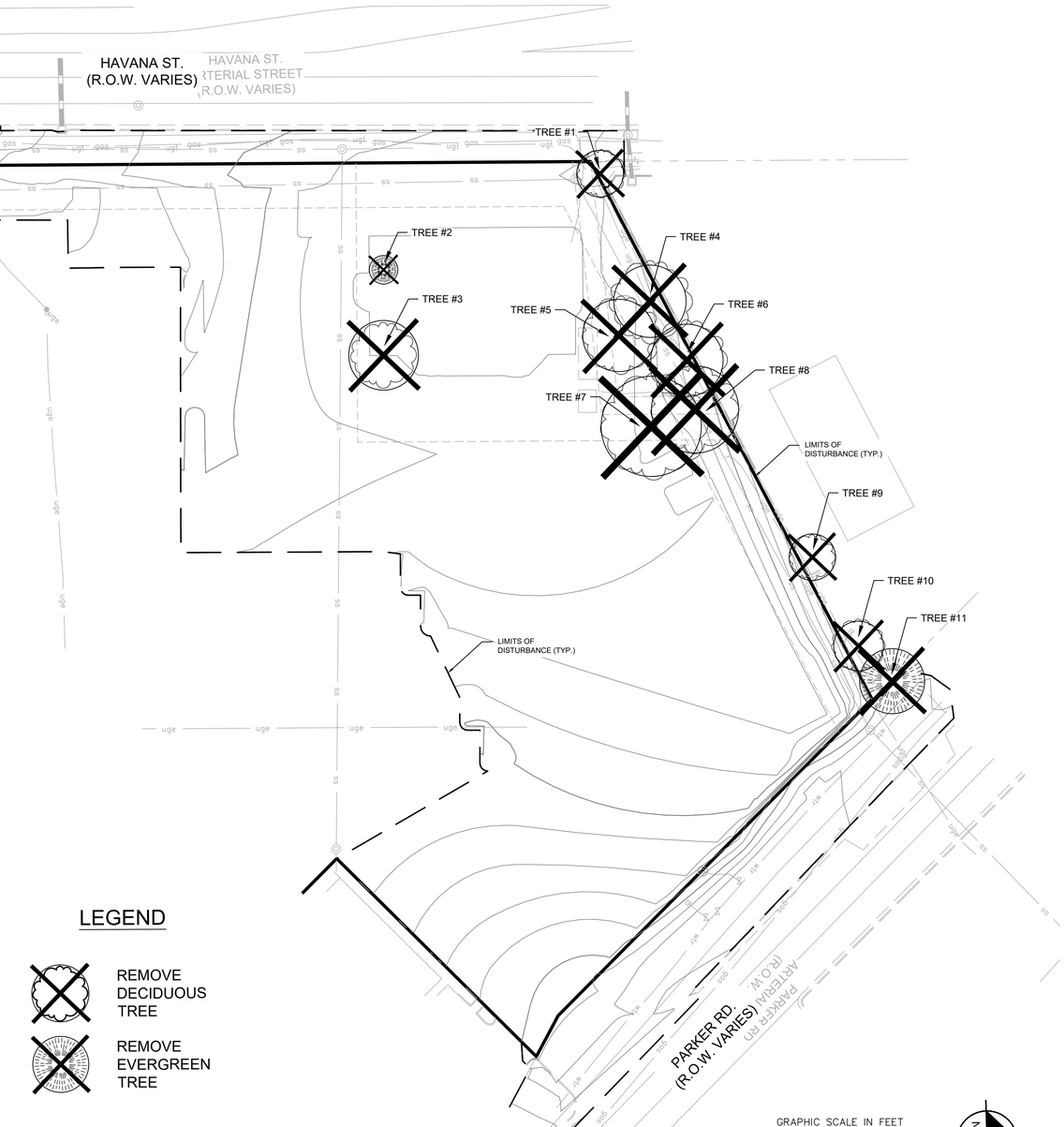
TREE OBSERVATIONS

TREE #	SPECIES	DIAMETER	MITIGATION VALUE	COMMENTS
1	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
2	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
3	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
4	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
5	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
6	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
7	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
8	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
9	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
10	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
11	TBD	TBD	TBD	AMOUNT TO BE PAID TO CITY OF AURORA TREE PLANTING FUND
		TOTAL :	$$$	

TREE PROTECTION NOTES

1. *PRIOR TO THE BEGINNING OF CONSTRUCTION, ESTABLISH THE TREE PROTECTION ZONE BY INSTALLING TREE PROTECTION FENCING AROUND ALL EXISTING TREES TO REMAIN. LOCATE FENCING AT THE OUTSIDE OF THE DRIP LINE OF THE TREES OR AT A DISTANCE FROM THE TREE TRUNK OF ONE(1) FOOT OF RADIUS FOR EVERY INCH OF TRUNK DIAMETER, WHICHEVER IS GREATER. FOR GROUPS OF TREES, THE MINIMUM DISTANCE BETWEEN THE TREE TRUNK AND THE FENCING SHALL BE ONE(1) FOOT FOR EACH INCH OF TRUNK DIAMETER. FOLLOWING INSTALLATION OF FENCING, REQUEST INSPECTION BY THE CITY OF AURORA PARKS & FORESTRY DIVISION (303-739-7177) OR AUTHORIZED DESIGNEE.*
2. *TREE PROTECTION FENCING SHALL BE 4' HEIGHT, ORANGE MESH FENCING ATTACHED TO "T" POSTS. FENCING SHALL BE INSPECTED AND MAINTAINED DAILY.*
3. *CONTRACTORS SHALL BE RESPONSIBLE FOR ALL OF THEIR WORKERS, SUBCONTRACTORS AND SUPPLIERS UNDER THIS REQUIREMENT. WITHIN THE TREE PROTECTION ZONE, THE FOLLOWING CONSTRUCTION ACTIVITIES SHALL NOT BE ALLOWED EXCEPT AS NECESSARY TO EXECUTE DETAILS TP-2.0, 2.1, 3.1 & 3.2:*
   - *A. EQUIPMENT USE AND STORAGE*
   - *B. MATERIAL DELIVERY OR STORAGE*
   - *C. VEHICLE TRAFFIC, PARKING, USE OR STORAGE*
   - *D. SPREADING, EXCAVATING, COMPACTING OR STOCKPILING OF SOIL*
   - *E. CONCRETE WASH-OUT AREAS AND RUN-OFF FROM CONCRETE WASH-OUT AREAS*
   - *F. FOOT TRAFFIC*
   - *G. RUN-OFF CONTAINING HARMFUL LIQUIDS SUCH AS OIL, GAS, PAINT, SOLVENTS, FERTILIZER, ASPHALT, MORTAR, TAR OR SIMILAR MATERIALS*
4. *VIOLATION OF THE TREE PROTECTION ZONE SHALL RESULT IN A FINE OF $500 PER INCIDENCE AND MAY BE INCREASED BASED ON THE PERCENTAGE OF THE ZONE AFFECTED MULTIPLIED BY THE FULL VALUE OF THE TREE (OR TREES) ESTABLISHED PRIOR TO CONSTRUCTION. IF MORE THAN 30% OF THE TREE PROTECTION ZONE IS DAMAGED, THE FINE SHALL BE THE FULL VALUE OF THE ADJACENT TREE (OR TREES). FOR THE PURPOSE OF THESE REQUIREMENTS, CONSTRUCTION FENCING (LOCATED AT THE LIMITS OF CONSTRUCTION) SHALL BE TREATED AS TREE PROTECTION FENCING AND SHALL ESTABLISH A TREE PROTECTION ZONE FOR NEARBY TREES.*
5. *DAMAGE TO THE MAIN TRUNKS OF TREES IS PROHIBITED. DAMAGE NOT PREVIOUSLY DOCUMENTED SHALL RESULT IN A FINE BASED ON THE PERCENTAGE OF THE CIRCUMFERENCE AFFECTED. DAMAGE GREATER THAN 30% OF THE CIRCUMFERENCE OR AFFECTING THE STRUCTURAL INTEGRITY OF THE TREE WILL RESULT IN A FINE EQUAL TO THE FULL VALUE OF THE TREE.*
6. *LIMB REMOVAL IS PROHIBITED, UNLESS APPROVED PRIOR TO CONSTRUCTION OR AS AUTHORIZED BY THE CITY OF AURORA PARKS & FORESTRY DIVISION. LIMB REMOVAL, IF APPROVED, SHALL BE DONE PRIOR TO THE START OF CONSTRUCTION. DAMAGED BRANCHES SHALL BE PRUNED WITHIN 10 DAYS OF THE OCCURRENCE UTILIZING ANSI A300 STANDARDS. UNAUTHORIZED LIMB DAMAGE OR REMOVAL CAN RESULT IN A FINE OF $500 PER BRANCH AS MAY BE DETERMINED BY THE CONSTRUCTION MANAGER OR HIS FORESTRY CONSULTANT. LIMB REMOVAL AND ALL OTHER APPROVED PRUNING SHALL BE PERFORMED BY A PROFESSIONAL COMPANY THAT IS LICENSED BY THE CITY OF AURORA FORESTRY DIVISION.*
7. *IF ROOTS GREATER THAN ONE(1) INCH DIAMETER REQUIRE CUTTING/REMOVAL, A CLEAN CUT SHALL BE ACCOMPLISHED USING A SHARP HAND TOOL. A MAXIMUM OF TWO(2) 3-INCH DIAMETER ROOTS PER TREE ARE PERMITTED FOR REMOVAL. THE REMOVAL OF ADDITIONAL ROOTS 3-INCHES OR GREATER IN DIAMETER REQUIRES APPROVAL OF THE CITY FORESTER OR AUTHORIZED DESIGNEE.*
8. *EXISTING TREES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE IMMEDIATELY REPAIRED AND IF DAMAGED BEYOND REPAIR, REPLACED PER THE MITIGATION SPECIFICATIONS OUTLINED IN SECTION IV, SUBSECTION A, ITEM 3 OF THE TREE PRESERVATION POLICY. THE MITIGATION PLAN FOR THESE TREES SHALL FOLLOW THAT APPROVED THROUGH THE SITE PLAN SUBMITTAL.*

AURORA	*City of Aurora* *Parks, Recreation & Open Space Dept.* *Date: October 2020*	*TREE PROTECTION NOTES*	***PROS TP-1.0***



LEGEND

REMOVE DECIDUOUS TREE

REMOVE EVERGREEN TREE

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: AMC
DRAWN BY: AMC
CHECKED BY: CPH
DATE: 12/13/2024

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
TREE MITIGATION PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
MUNICIPALITY

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

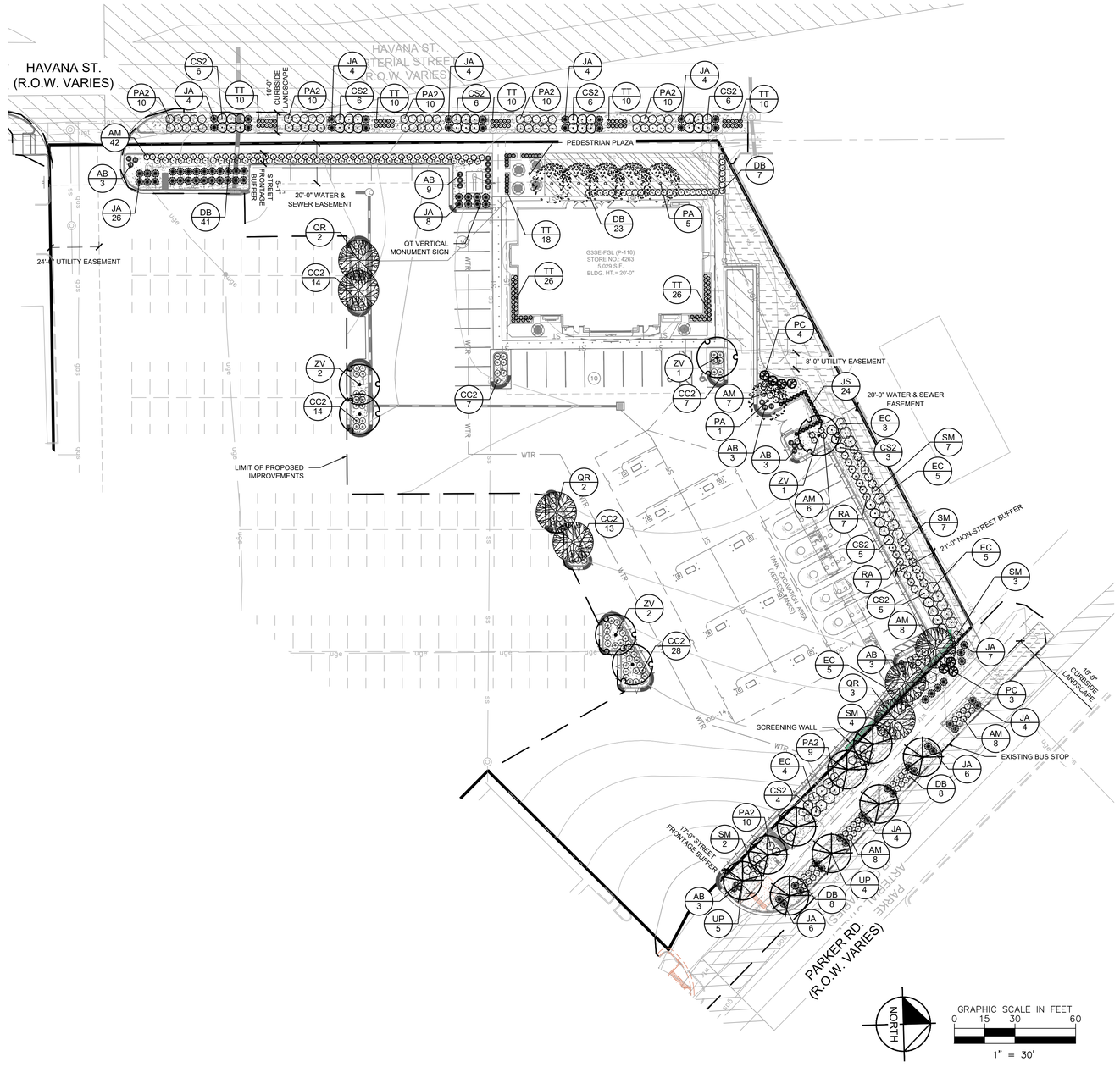
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LANDSCAPE NOTES

1. *ALL PROPOSED LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE IN COMPLIANCE WITH COA ROADWAY SPECIFICATIONS, SECTION 4.04.2.10'*

Landscape Schedule

SYMBOL	CODE	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
TREES						
	PA	6	ARISTOCRAT CALLERY PEAR PYRUS CALLERYANA `ARISTOCRAT` TM	B & B	2" CAL MIN	8` - 10` HT. MIN.
	UP	9	LACEBARK ELM ULMUS PARVIFOLIA	B & B	2.5" CAL MIN	10` - 12` HT. MIN.
	QR	7	NORTHERN RED OAK QUERCUS RUBRA	B & B	2.5" CAL MIN	10` - 12` HT. MIN.
	ZV	6	VILLAGE GREEN JAPANESE ZELKOVA ZELKOVA SERRATA 'VILLAGE GREEN'	B & B	2.5" CAL MIN	10` - 12` HT. MIN.
EVERGREEN TREES						
	PC	7	CUPRESSINA NORWAY SPRUCE PICEA ABIES 'CUPRESSINA'	B & B		6` HT MIN
SYMBOL	CODE	QTY	COMMON / BOTANICAL NAME	CONT	SPACING	SIZE
DECIDUOUS SHRUBS						
	RA	14	ALPINE CURRANT RIBES ALPINUM	5 GAL	SEE PLAN	18" HT MIN
	CC2	83	BLUE MIST SPIREA "DARK KNIGHT" CARYOPTERIS CLANDONENSIS	5 GAL	SEE PLAN	18" FULL
	EC	22	COMPACT BURNING BUSH EUONYMUS ALATUS 'COMPACTUS'	5 GAL	SEE PLAN	24" FULL
	SM	23	DWARF KOREAN LILAC SYRINGA MEYERI 'PALIBIN'	5 GAL	SEE PLAN	24" FULL
	PA2	69	RUSSIAN SAGE PEROVSKIA ATRIPLICIFOLIA	5 GAL	SEE PLAN	18" HT MIN
EVERGREEN SHRUBS						
	JA	81	ARCADIA JUNIPER JUNIPERUS SABINA 'ARCADIA'	5 GAL	SEE PLAN	24" SPRD. MIN.
	DB	87	BRIGGS MOONLIGHT DAPHNE DAPHNE X BURKWOODII 'BRIGGS MOONLIGHT'	5 GAL	SEE PLAN	
	AM	79	MANZANITA 'PANCHITO' ARCTOSTAPHYLOS MANZANITA	5 GAL	SEE PLAN	18" FULL
	JS	24	SKYROCKET JUNIPER JUNIPERUS SCOPULORUM 'SKYROCKET'	5 GAL	SEE PLAN	36" HT MIN
	CS2	47	SPANISH GOLD BROOM CYTISUS PURGANS `SPANISH GOLD`	5 GAL	SEE PLAN	36" FULL
	TT	120	TATER TOT ARBORVITAE THUJA OCCIDENTALIS 'TATER TOT'	5 GAL	SEE PLAN	
ORNAMENTAL GRASSES						
	AB	24	BLUE AVENA HELICTOTRICHON SEMPERVIRENS	1 GAL	SEE PLAN	12" HT MIN
SYMBOL	CODE	QTY	COMMON / BOTANICAL NAME	CONT	SIZE	SPACING
GROUND COVERS						
	R	13,651 SF	2"-3" ROCK COBBLE MULCH RIVER ROCK MULCH	-	ROCK	-
	BD2	1,611 SF	BUFFALO GRASS SEED BOUTELOUA DACTYLOIDES	SEED		
	NS	4,023 SF	LOWLAND SEED NATIVE SHORTGRASS SEED MIX	SEED	-	-



NO.	REVISION	BY	DATE	APPR.

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DESIGNED BY: AMC
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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
LANDSCAPE PLAN

PRELIMINARY
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

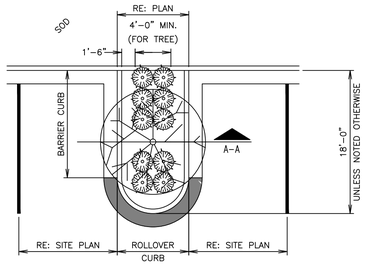
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
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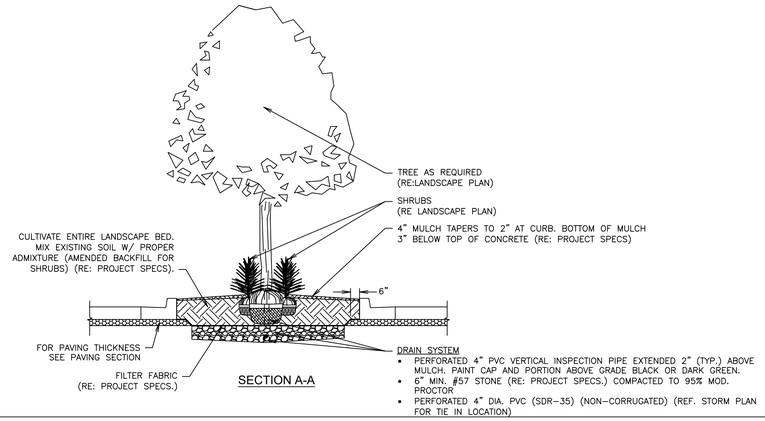
RE: LANDSCAPE PLAN FOR SHRUB PLACEMENT AND QUANTITY.

LANDSCAPE PARKING ISLANDS ARE TO BE IRRIGATED WITH A DRIP LINE SYSTEM. A SPRAY OR ROTARY HEAD SPRINKLER SYSTEM IS NOT AN ACCEPTABLE IRRIGATION METHOD FOR LANDSCAPE PARKING ISLANDS. (RE: PROJECT SPECS.)

RE: STORM PLAN TO DETERMINE IF USE OF LANDSCAPE BED DRAIN PIPE IS REQUIRED



PLAN

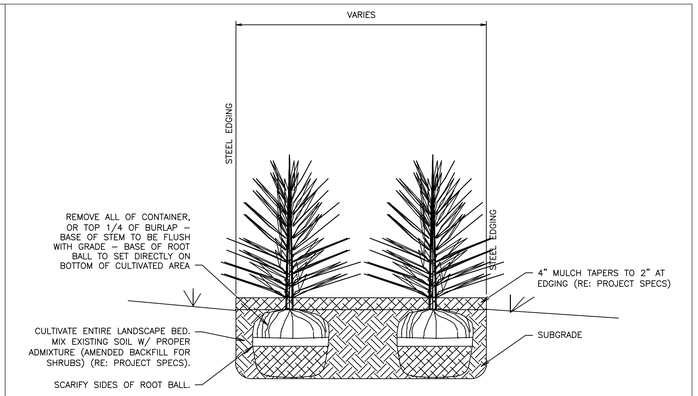


SECTION A-A

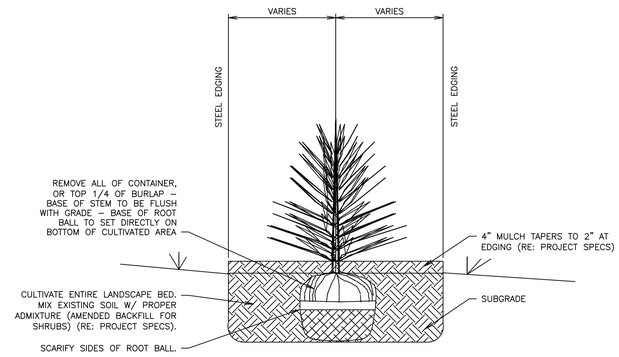
DRAIN SYSTEM

- PERFORATED 4" PVC VERTICAL INSPECTION PIPE EXTENDED 2" (TYP.) ABOVE MULCH. PAINT CAP AND PORTION ABOVE GRADE BLACK OR DARK GREEN.
- 6" MIN. #57 STONE (RE: PROJECT SPECS.) COMPACTED TO 95% MOD. PROCTOR
- PERFORATED 4" DIA. PVC (SDR-35) (NON-CORRUGATED) (REF. STORM PLAN FOR TIE IN LOCATION)

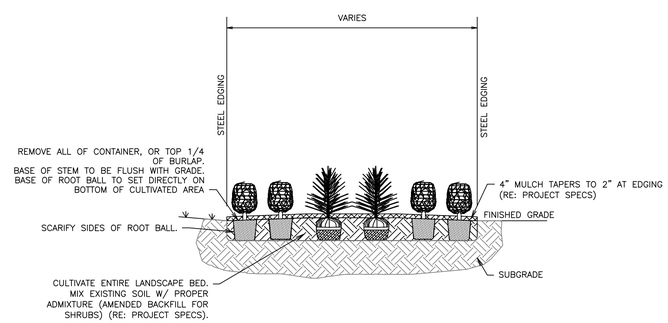
L1	PARKING ISLAND W/ SHRUBS & TREE LANDSCAPE DETAIL (ADJACENT TO CURB & GUTTER)
NTS	SN: LD012A011



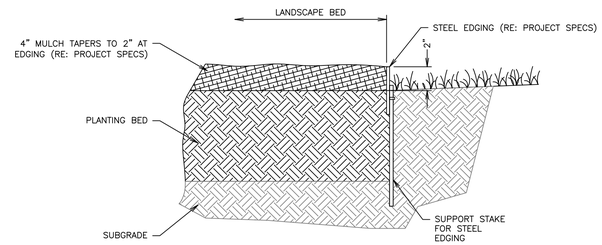
A11	SHRUB SCREENING SECTION B-B
NTS	SN: LD005A004



F1	SINGLE SHRUB SCREENING SECTION B-B
NTS	SN: LD026A001



F6	SHRUB PLANTING SECTION A-A
NTS	SN: LD003A005



F11	LANDSCAPE STEEL EDGING DETAIL
NTS	SN: LD006A004

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: AMC
DRAWN BY: AMC
CHECKED BY: CPH
DATE: 12/13/2024

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
LANDSCAPE DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
MUNICIPALITY

10

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

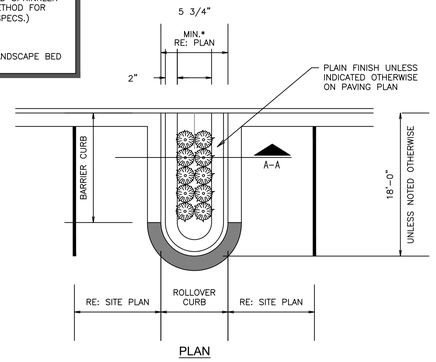
NOT FOR CONSTRUCTION

RE: LANDSCAPE PLAN FOR SHRUB PLACEMENT AND QUANTITY.

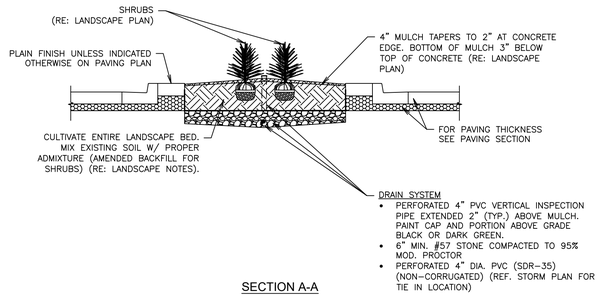
LANDSCAPE PARKING ISLANDS ARE TO BE IRRIGATED WITH A DRIP LINE SYSTEM. A SPRAY OR ROTARY HEAD SPRINKLER SYSTEM IS NOT AN ACCEPTABLE IRRIGATION METHOD FOR LANDSCAPE PARKING ISLANDS. (RE: PROJECT SPECS.)

*FOR DOUBLE ROW SHRUBS

RE: STORM PLAN TO DETERMINE IF USE OF LANDSCAPE BED DRAIN PIPE IS REQUIRED



PLAN



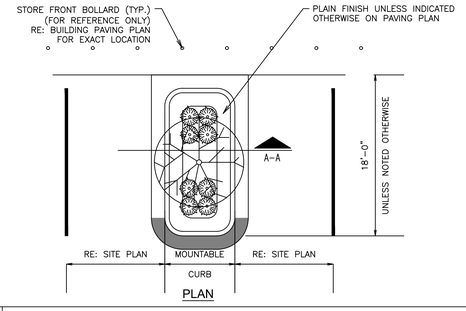
SECTION A-A

F1	PARKING ISLAND W/ SHRUBS LANDSCAPE DETAIL (ADJACENT TO CURB & GUTTER)
NTS	SN: LD010A012

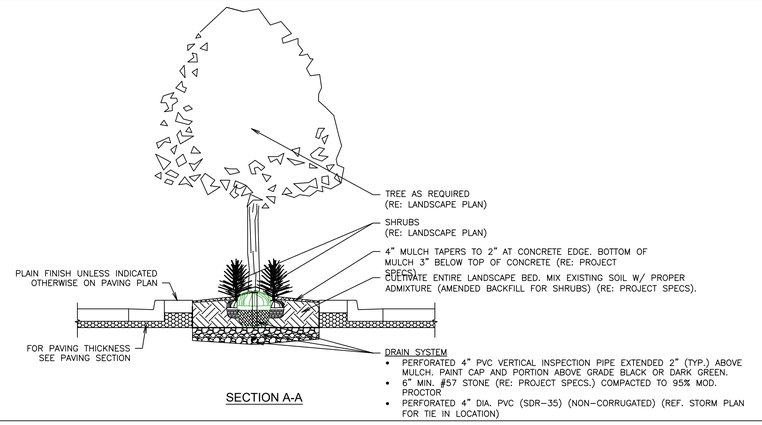
RE: LANDSCAPE PLAN FOR SHRUB PLACEMENT AND QUANTITY.

LANDSCAPE PARKING ISLANDS ARE TO BE IRRIGATED WITH A DRIP LINE SYSTEM. A SPRAY OR ROTARY HEAD SPRINKLER SYSTEM IS NOT AN ACCEPTABLE IRRIGATION METHOD FOR LANDSCAPE PARKING ISLANDS. (RE: PROJECT SPECS.)

RE: STORM PLAN TO DETERMINE IF USE OF LANDSCAPE BED DRAIN PIPE IS REQUIRED



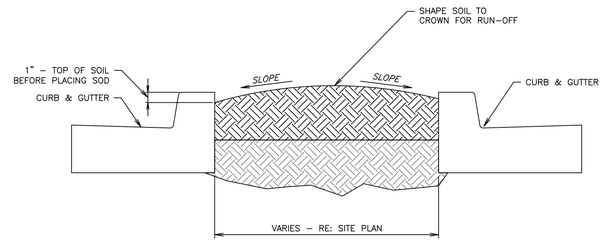
PLAN



SECTION A-A

	PARKING ISLAND W/ SHRUBS & TREE LANDSCAPE DETAIL (W/ RADIUS PROTECTOR)
NTS	SN: LD011A012

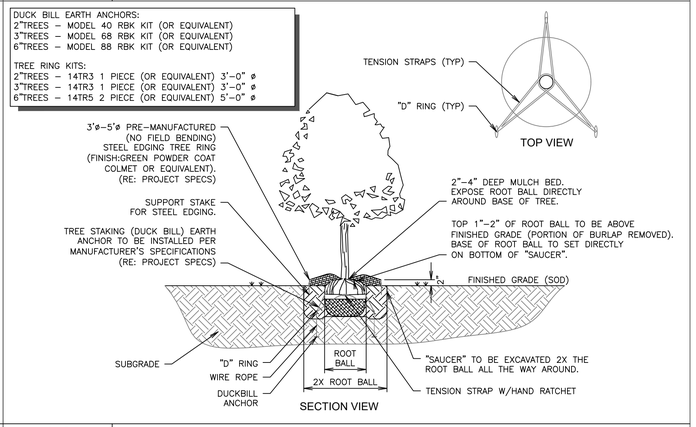
NOTE: SLOPE ON LAWN AREAS NOT TO EXCEED 3:1 UNLESS NOTED OTHERWISE (RE: GRADING PLAN)



	TYPICAL LAWN SECTION
NTS	SN: LD007A002

DUCK BILL EARTH ANCHORS:
2"TREES - MODEL 40 RBK KIT (OR EQUIVALENT)
3"TREES - MODEL 68 RBK KIT (OR EQUIVALENT)
6"TREES - MODEL 88 RBK KIT (OR EQUIVALENT)

TREE RING KITS:
2"TREES - 14TR3 1 PIECE (OR EQUIVALENT) 3'-0" ø
3"TREES - 14TR3 1 PIECE (OR EQUIVALENT) 3'-0" ø
6"TREES - 14TR5 2 PIECE (OR EQUIVALENT) 5'-0" ø



SECTION VIEW

A6	TREE PLANTING DETAIL - DUCKBILL
NTS	SN: LD008B006

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

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DESIGNED BY: AMC
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CHECKED BY: CPH
DATE: 12/13/2024

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
LANDSCAPE DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
MUNICIPALITY

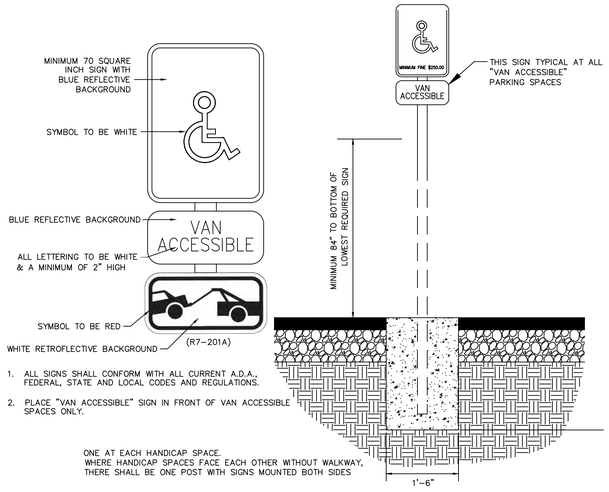
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

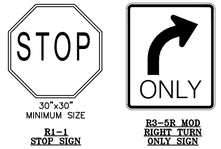
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

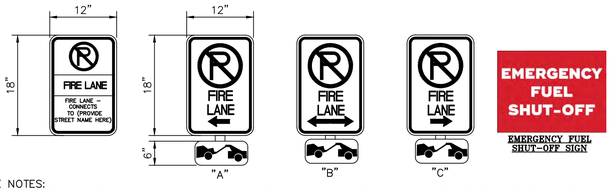


HANDICAP PARKING SIGN

N.T.S.

SIGN LEGEND:





FIRE LANE NOTES:
1. SIGNS SHALL BE LOCATED AT THE RIGHT SIDE OF THE FIRE LANE ENTRANCE AND AT THE END OF THE FIRE LANE. THE INTERMEDIATE SIGNS SHALL HAVE DOUBLE HEADED ARROWS POINTING IN BOTH DIRECTIONS.

2. TYPICALLY, THE MAXIMUM SPACING OF THE FIRE LANE SIGNS IS 100' ON CENTER WITH SIGNS BEING PLACED ON BOTH SIDES OF THE FIRE LANE EASEMENT. WHERE EXCESSIVE CURVATURE OF THE FIRE LANE EXISTS, THE SPACING OF THE FIRE LANE SIGNAGE WILL BE INCREASED AS NEEDED.

3. THE SIGNS SHALL BE SET AT ANGLE OF NOT LESS THAN 30 DEGREES AND NOT MORE THAN 45 DEGREES WITH THE CURB OR LINE OF TRAFFIC FLOW.

4. FIRE LANE SIGNS SHOULD BE INSTALLED 2' BEHIND CURB OR SIDEWALK.

5. THE CLEARANCE TO THE BOTTOM OF THE SIGN SHALL BE 7 FEET. THERE SHALL BE NO OTHER SIGNS ATTACHED TO THE SIGN OR POST.

6. PLACEMENT OF THESE SIGNS CANNOT ENCROACH INTO THE 29' INSIDE TURNING RADIUS OF THE FIRE LANE EASEMENT, OBSTRUCT ANY FIRE HYDRANT OR FIRE DEPARTMENT CONNECTION OR ENCROACH INTO THE ACCESSIBLE ROUTE OF THE SIDEWALK AREA.

7. SIGNS SHALL BE INSTALLED PER COA DETAIL TE-11

8. SIGNS SHALL BE SET AT AN ANGLE OF NOT LESS THAN 30 DEGREES AND NOT MORE THAN 45 DEGREES WITH THE CURB OR LINE OF TRAFFIC FLOW.

9. SIGNS SHALL BE SPACED 50-FEET ON ALTERNATING SIDES OF THE FIRE LANE IN ACCORDANCE WITH 2015-IFC

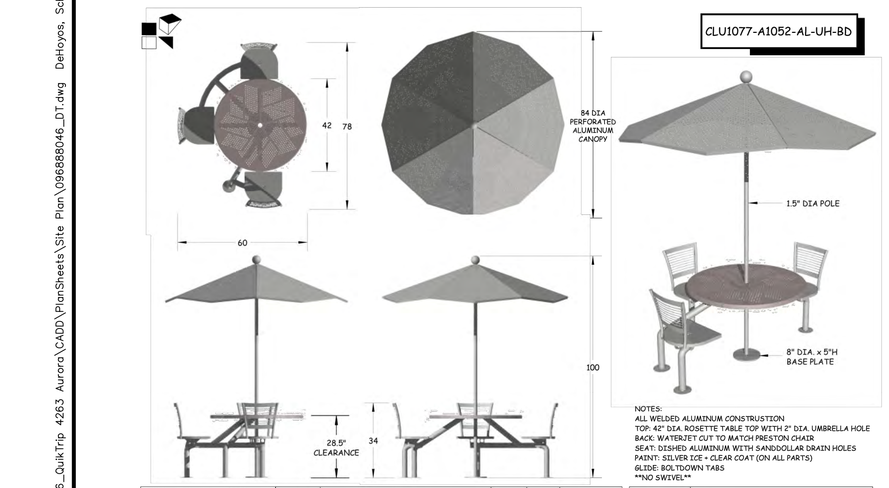
10. SIGNS SHALL BE INSTALLED 2 FEET BEHIND CURB OR SIDEWALK

11. FIRE LANE SIGN DETAIL SHALL SHOW L, R, B (OR SIMILAR) IDENTIFICATION FOR EACH SIGN UTILIZED TO MATCH LOCATIONS ON PLANS

12. LOWEST SIGN SHALL BE MOUNTED 7 FEET ABOVE GRADE

FIRE LANE SIGN

N.T.S.



NOTES:
ALL WELDED ALUMINUM CONSTRUSTION
TOP: 42" DIA. ROSETTE TABLE TOP WITH 2" DIA. UMBRELLA HOLE
BACK: WATERJET CUT TO MATCH PRESTON CHAIR
SEAT: DISHED ALUMINUM WITH SANDDOLLAR DRAIN HOLES
PAINT: SILVER ICE + CLEAR COAT (ON ALL PARTS)
GLIDE: BOLTDOWN TABS
NO SWIVEL

DATE	E.C.O	REV.	BY	APPROVED
27FEB12	ADD TABLE TOP		RN	
29MAR11	ILLUSTRATION		DK	

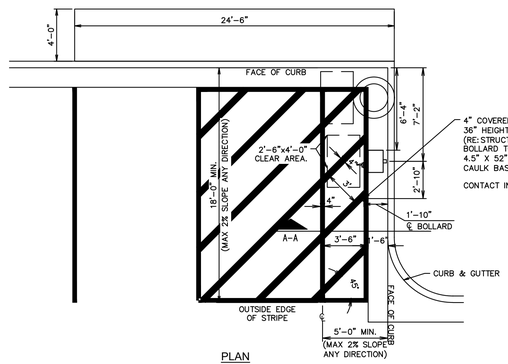
BENCHMARK DESIGN GROUP
456 OSCEOLA AVENUE
JACKSONVILLE, FL. 32250

TCW file location: F: Rebecca / Umb & Clusters / 3-seater / CLU1077-A1052-AL-UH-BD

CLIENT:	QUIKTRIP
LOCATION:	TULSA, OK
DESCRIPTION:	3-SEAT PRESTON CLUSTER (ADA COMPLIANT)
MATERIAL:	ALL ALUMINUM

OUTDOOR SEATING DETAIL

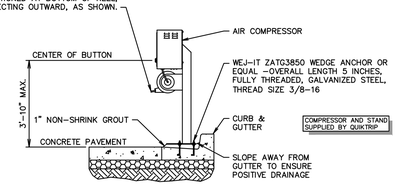
N.T.S.



4" COVERED STRUCTURAL BOLLARD (QT PROVIDED)
36" HEIGHT ABOVE FINISHED GRADE.
(RE:STRUCT FOR BOLLARD INSTALL).
BOLLARD TO BE COVERED WITH ENCORE COMMERCIAL PRODUCTS INC.
4.5" X 52" YELLOW SLEEVE, CUT TO FIT ONSITE (CONTRACTOR PROVIDED).
CAULK BASE W/MASTERSEAL SL-2 POLYURETHANE SEALANT.

CONTACT INFO: WWW.POSTGUARD.COM OR 1-866-737-8900.

INSTALL STOP DONUT 18" FROM END OF HOSE.
ADJUST HOSE TENSION TO 1 TO 2 LBS. AT BEGINNING OF PULL.
TAKE WRAPS OFF OF REEL TO LESSEN PULL WEIGHT.
HOSE REEL TO BE MOUNTED TO STEEL POST.
HOSE TO BE POSITIONED AT BOTTOM OF REEL, PROJECTING OUTWARD, AS SHOWN.



SECTION A-A

AIR SERVICE INSTALL PLAN (RIGHT HAND INSTALL)

N.T.S.

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
SITE DETAIL SHEET

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO. 096888046

DRAWING NAME 096888046_DT.DWG

12

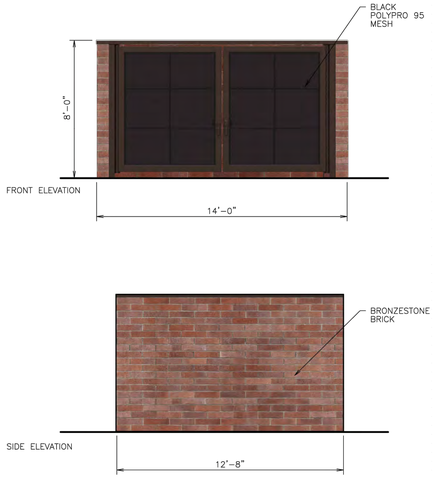
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

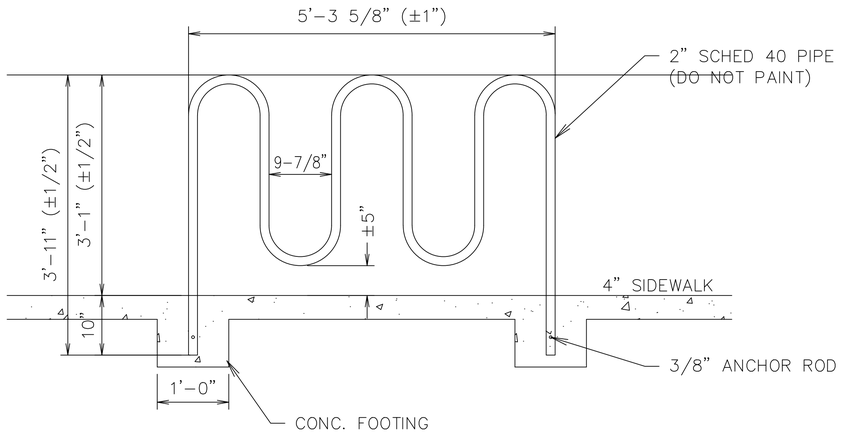
MODEL: BELSON OUTDOORS MODEL: H36-7-G-IG
(PROVIDED BY CONTRACTOR)



TRASH ENCLOSURE DETAILS

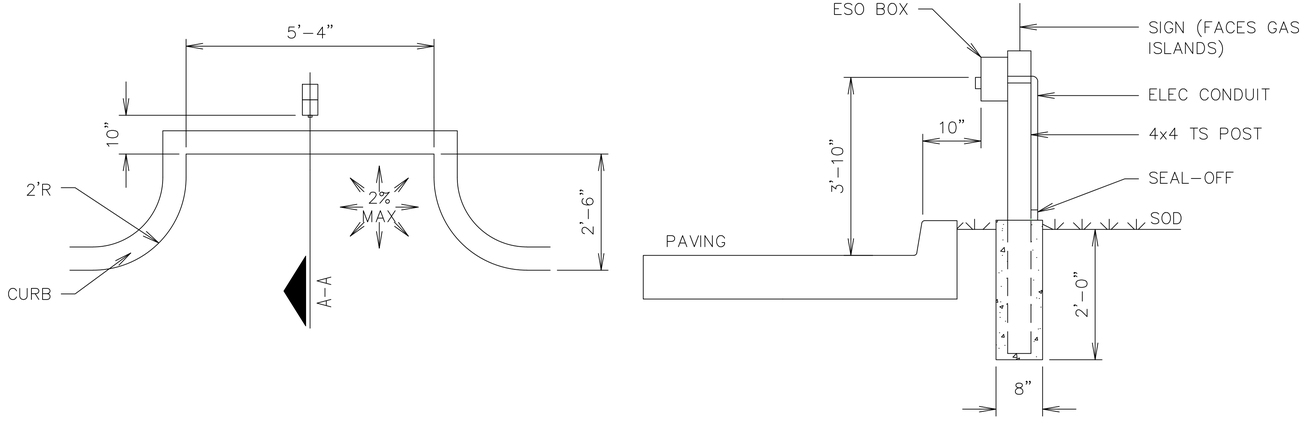
N.T.S.

GC TO PROVIDE AND INSTALL EMERGENCY SHUTOFF SWITCH SIGNAGE AS REQUIRED BY LOCAL JURISDICTION



GEN III BIKE RIBBON RACK DETAIL

N.T.S.



SECTION A-A

EMERGENCY SHUT OFF DETAIL

N.T.S.

Know what's below. Call before you dig.

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Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
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DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
SITE DETAIL SHEET

PRELIMINARY
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Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_DT.DWG

13

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Brightness Table		
	TOTAL	BRIGHT COLOR
FRONT FACADE:	1635 SF	152 SF 9%
RIGHT FACADES:	899 SF	31 SF 3%
REAR FACADE:	1477 SF	96 SF 6%





QuikTrip
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #		Address:	City, State:
4263	G3SE Building Elevations	Parker & Havana	Aurora, CO

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
83-4263-G3SE	1/8"=1'-0"	08.16.24	JK	

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#	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	BRUSHED ALUMINUM	REYNOBOND	FASCIA
4	QT RED	SHERWIN-WILLIAMS	STANDING SEAM AWNING
5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
6	QT BROWN	SHERWIN - WILLIAMS	METAL PAINT
7	CL-44	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
8	CL-46R	ALLEN INDUSTRIES	SIGNAGE
9	ONYX	QUALITY STONE VENEER	STACKED STONE

811 Know what's below. Call before you dig.

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2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
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DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
BUILDING ELEVATIONS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_EL.DWG

14

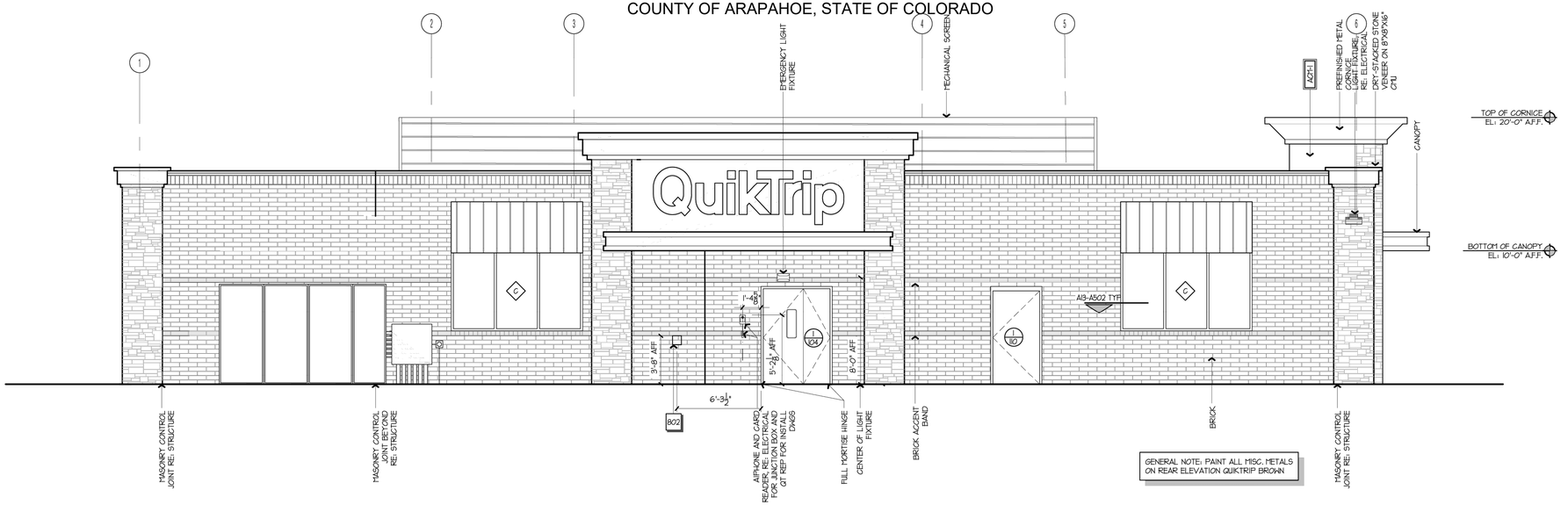
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

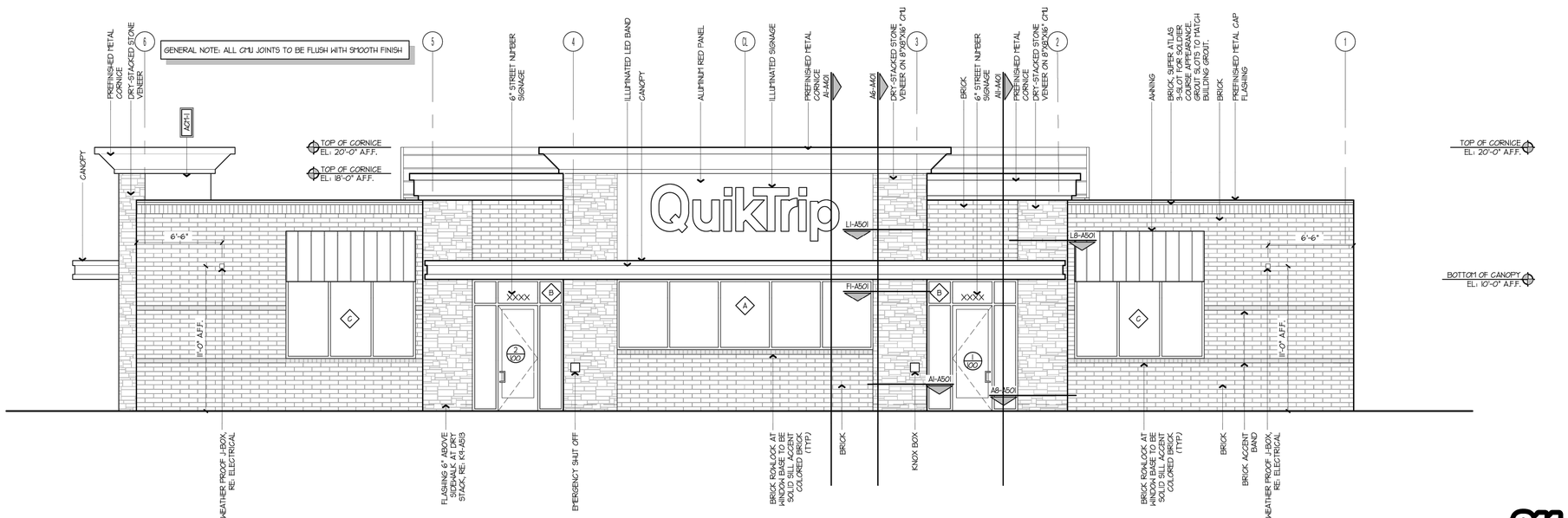
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

GENERAL NOTE: ALL CMU JOINTS TO BE FLUSH WITH SMOOTH FINISH



GENERAL NOTE: PAINT ALL MISC. METALS ON REAR ELEVATION QUIKTRIP BROWN

REAR ELEVATION
N.T.S



FRONT ELEVATION
N.T.S

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

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2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
BUILDING ELEVATIONS (A201)

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_EL.DWG

15

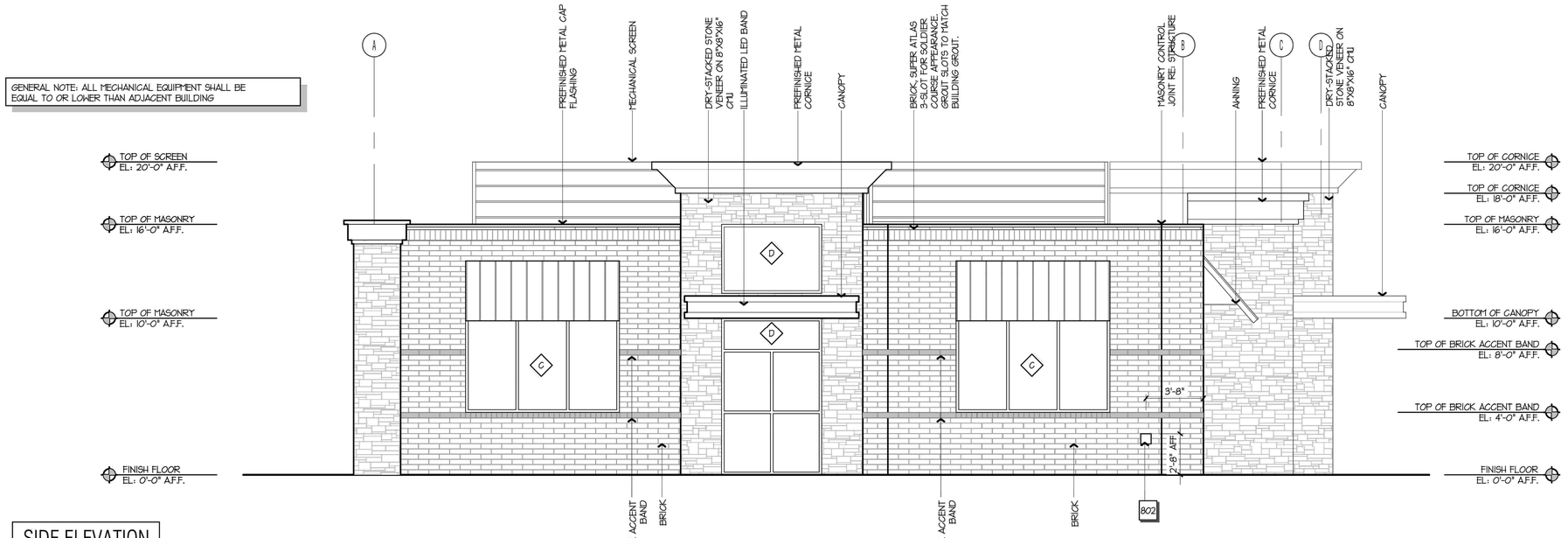
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

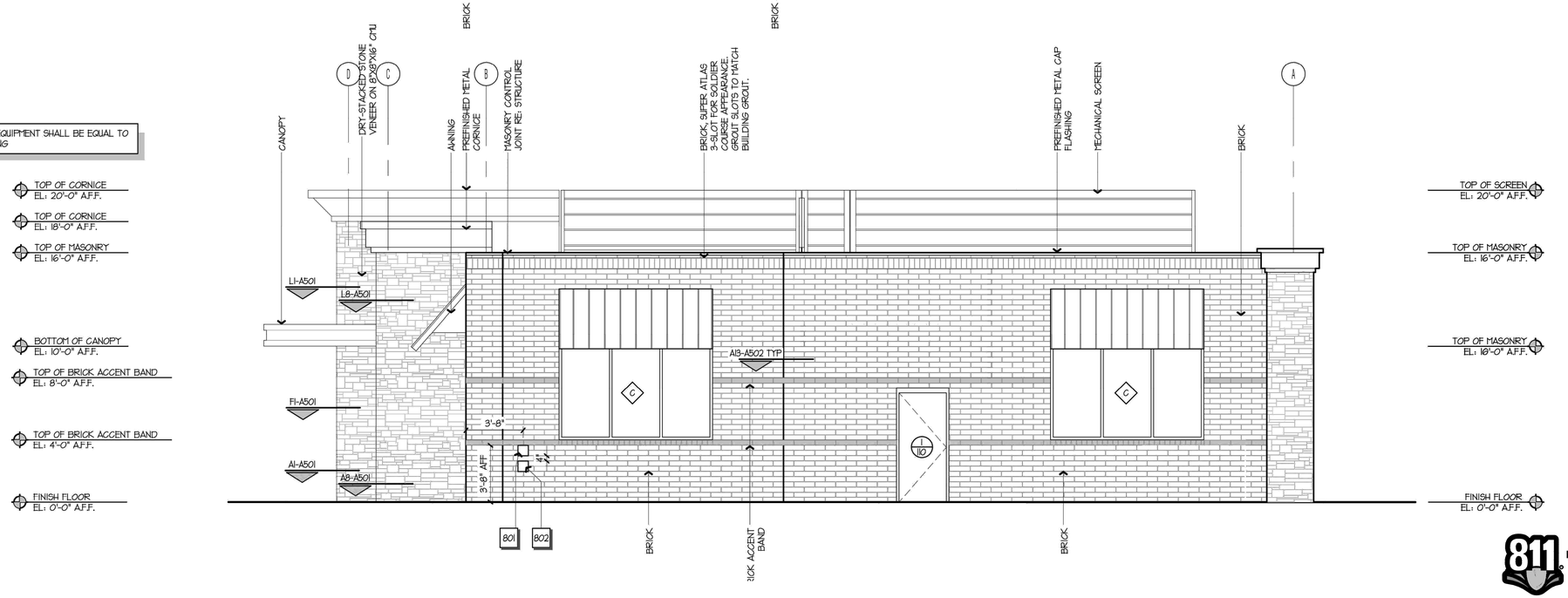
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COUNTY OF ARAPAHOE, STATE OF COLORADO

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING



SIDE ELEVATION
$\frac{3}{16}$" = 1'-0"

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING



SIDE ELEVATION
$\frac{3}{16}$" = 1'-0"

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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
BUILDING ELEVATIONS (A202)

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096888046_EL.DWG

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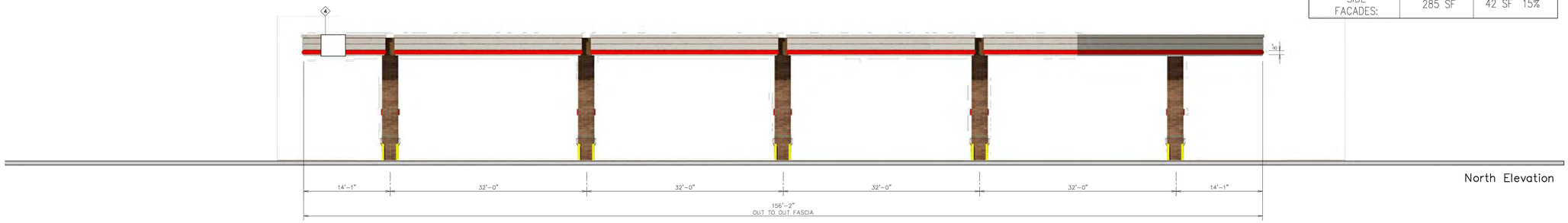
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QUIKTRIP 4263

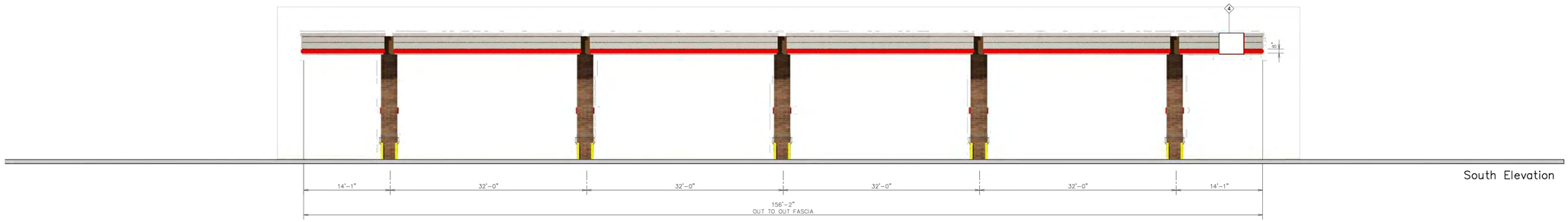
SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

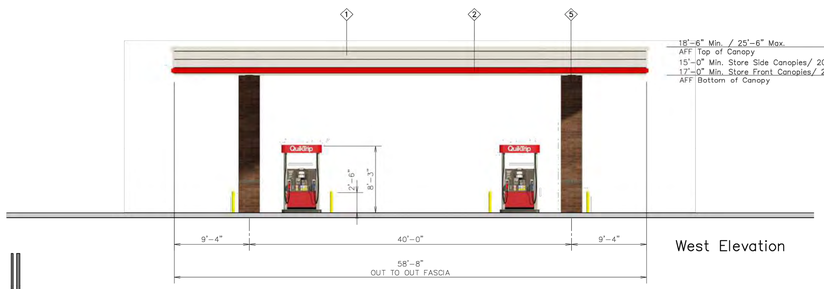
Brightness Table		
	TOTAL	BRIGHT COLOR
FRONT/REAR FACADE:	736 SF	146 SF 20%
SIDE FACADES:	285 SF	42 SF 15%



North Elevation



South Elevation



West Elevation



East Elevation

QuikTrip
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #	Address:	City, State:
4263 Double Stack 9 Canopy Elevations	Parker & Havana	Aurora, CO

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
83-4263-GD09	1/8"=1'-0"	08.15.24	JK	

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#	FINISH	MANUFACTURER	SPECIFICATION
1	BRUSHED ALUMINUM	REYNOBOND	CANOPY
2	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
3	QT BROWN	SHERWIN – WILLIAMS	METAL/PAINT
4	QC-14	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
5	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
6	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
CANOPY ELEVATIONS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_EL.DWG

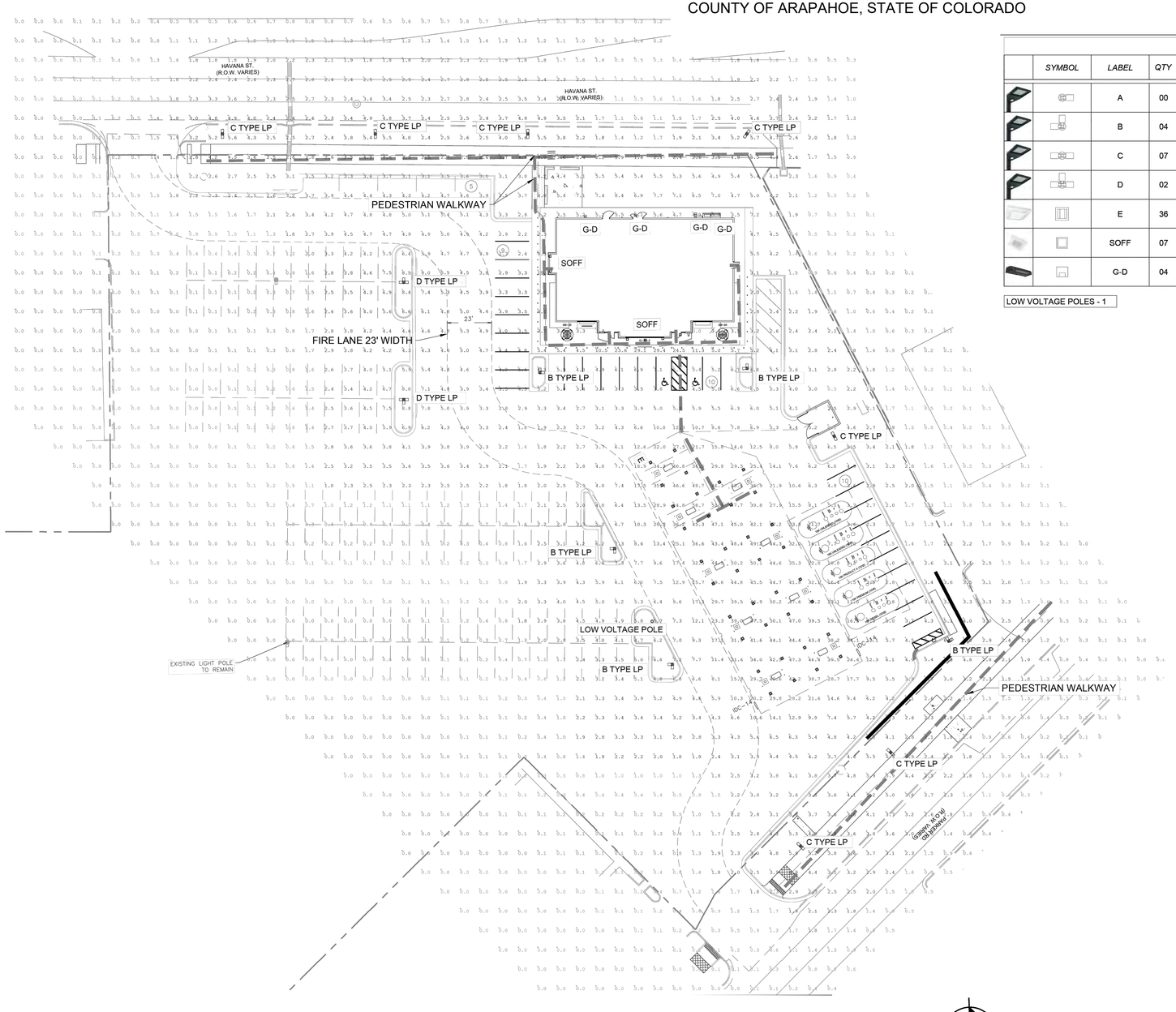
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

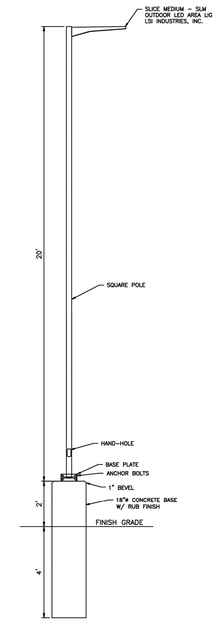
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



LUMINAIRE SCHEDULE

	SYMBOL	LABEL	QTY	ARRANGEMENT	MOUNTING HEIGHT	LUMENS PER LAMP	LLF	DESCRIPTION	TOTAL WATTS	FINISH
		A	00	SINGLE	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		B	04	2 @ 90°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		C	07	2 @ 180°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		D	02	3 @ 90°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1	BLACK
		E	36	SINGLE	17'	12,793	0.90	SCV-LED-13L-SC-40	83.6	WHITE
		SOFF	07	SINGLE	10'	6,041	0.90	XSPS-S-LED-VHO-NW-DFL	48.7	WHITE
		G-D	04	SINGLE	12'	12,793	0.90	XWM-3-LED-06-40	54.0	BLACK

LOW VOLTAGE POLES - 1



AUTO SIDE LIGHT STANDARD
NOT TO SCALE

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC SITE PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_PH.DWG

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QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog # :
Project :
Prepared By :
Date :

Slice Medium - SLM
Outdoor LED Area Light



The Slice's sleek design makes it perfectly-suited for Commercial & Industrial applications, while its cost-effective die-cast aluminum housing makes its acquisition cost very competitive. The Slice offers high performance silicone optics, die cast aluminum housing, #2000+ lumens and is available with integral Airlink Synapse controls.

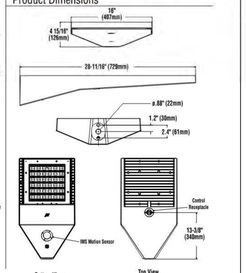
Features & Specifications

Optical System
- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP66 rated sealed optical chamber in 1 component.
- Proprietary silicone refracter optics provide exceptional coverage and uniformity in IES Types 2, 3, SW, FT and FTA.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K, 3000K, and 2700K color temperatures per ANSI C78.377, Optional 5700K CCT available in 90CRI only.
- Minimum CRI of 70. Optional 80 and 90 CRI available, consult factory for lead time.
- Integral Louver (IL) option available for improved back-light control without sacrificing street side performance. See page 5 for more details.

Electrical
- High-performance driver features over-voltage, under-voltage, short-circuit and over temperature protection.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours (See Lumen Maintenance on Page 3)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to +50°C (-40°F to +122°F). 42L lumen package rated to +40°C.
- Power factor: >.90
- Input power stays constant over life.
- Field replaceable surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Terminal block provided accepts up to 10ga wire.
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.

IP66

Product Dimensions



LSI Industries Inc. 10000 Alliance Rd. Cincinnati, OH 45242 • www.lsi-industries.com • (513) 372-3200 • LSI Industries Inc. All Rights Reserved.

Slice Medium - SLM
Outdoor LED Area Light

Features & Specifications (Cont.)

Construction
- Rugged die-cast aluminum housing contains factory prewired driver and optical unit. Cast aluminum wiring access door located underneath.
- Designed to mount to square poles.
- Luminaire is proudly manufactured in the U.S.of U.S. and imported parts.
- IP66 rated luminaire protects integral components from harsh environments.
- 3G rated for ANSI C136.31 high vibration applications
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 30 lbs in carton.

Controls
Wireless Controls System

To make this fixture AirLink ready, simply order one of the following options:
a. The integrated Wireless Lighting Controller: ALSC or ALSCH (see ordering guide) as the controls option, or
b. Integrated Wireless Controller option (above) with integrated motion sensor: ALSCS (ordering guide for mounting height) or
c. The 7-Pin Photoelectric Control Receptacle: CR7P as the controls option; and either the 5-Pin or 7-Pin Twist Lock Controller: ALSC UNV TLS or ALSC UNV TL7 as an accessory

To see how the components of AirLink system work together, reference the diagram in the controls section of this specsheet. For more information on our AirLink products, visit our website: www.lsi-airlink.com/airlink-synapse/

Stand-Alone Controls
- The integral passive infrared motion sensor (IMS) activates switching of luminaire light levels (see the controls section for more details).
- The 7-pin ANSI C136.41-2013 photocontrol receptacle option (CR7P) is available for twist lock photocontrols or wireless control modules.
- The Button Type Photocells (PCI) are capable of switching luminaires ON/OFF in response to the amount of available daylight.

Installation
- A single fastener secures the hinged door, underneath the housing and provides quick & easy access to the electrical compartment for installing/servicing.
- Included terminal block provides quick and easy on-site wiring.
- Utilizes LSI's traditional 3" drill pattern for easy fastening of LSI products. (See drawing on page 1)

Warranty
- LSI LED Fixtures carry a 5-year warranty.

Listings
- Listed to UL 1598 and UL 8750.
- RoHS Compliant.
- American Recovery and Reinvestment Act Funding Compliant.
- IDA compliant: with 3000K color temperature selection.
- Title 24 Compliant; see local ordinance for qualification information.
- Suitable For wet Locations.
- IP66 rated Luminaire. IP66 rated optical chamber.
- 3G rated for ANSI C136.31 high vibration applications

Performance

ELECTRICAL DATA (AMPS)*

Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	68.2	0.6A	0.3A	0.3A	0.3A	0.2A	0.1A
12L	93.1	0.8A	0.4A	0.4A	0.3A	0.3A	0.2A
18L	140.5	1.2A	0.7A	0.6A	0.5A	0.4A	0.3A
24L	186.8	1.6A	0.9A	0.8A	0.7A	0.5A	0.4A
30L	248.6	2.1A	1.2A	1.0A	0.9A	0.7A	0.5A
36L	317.9	2.6A	1.5A	1.3A	1.1A	0.9A	0.7A
42L	393.4	3.3A	1.9A	1.6A	1.4A	1.1A	0.8A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

ELECTRICAL DATA - PHOSPHOR CONVERTED AMBER (AMPS)*

Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	74.3	0.6A	0.4A	0.3A	0.3A	0.2A	0.2A
12L	100.9	0.9A	0.5A	0.4A	0.4A	0.3A	0.2A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

RECOMMENDED LUMEN MAINTENANCE(24-42L)

Ambient	Initial¹	25 hr²	50 hr²	75 hr²	100 hr²
0-40 C	100%	100%	97%	94%	92%

RECOMMENDED LUMEN MAINTENANCE(9-18L)

Ambient	Initial¹	25 hr²	50 hr²	75 hr²	100 hr²
0-50 C	100%	99%	91%	87%	83%

1 - Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
2 - In accordance with IESNA TM-21-11. Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
3 - In accordance with IESNA TM-21-11. Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing.

DELIVERED LUMENS*

Lumen Package	Distribution	Phosphor Converted Amber Delivered Lumens	Efficacy	BUG Rating	Wattage
9L	2	3956	86	B2-U0-G3	74
	3	3735	81	B3-U0-G3	
	3	4196	83	B3-U0-G3	
	3/L	4295	56	B0-U0-G3	
	SW	5528	74	B3-U0-G3	
	FT	5622	76	B1-U0-G2	
	FT-L	3712	50	B0-U0-G1	
	FTA	5997	80	B2-U0-G2	
	FTA-L	4264	57	B0-U0-G1	
12L	2	7959	73	B2-U0-G2	103
	3	4798	46	B0-U0-G1	
	3	7965	76	B2-U0-G2	
	3/L	5335	52	B0-U0-G1	
	SW	7913	68	B3-U0-G3	
	FT	7913	73	B2-U0-G2	
	FTA	4799	46	B0-U0-G1	
	FTA	7998	74	B2-U0-G2	
	FTA-L	5997	57	B0-U0-G1	

*LED Chips are frequently updated therefore values are nominal

LUMINAIRE EPA CHART - SLM

Tilt Degree	0	30	45
Single	0.5	2.1	2.6
D180°	1.1	2.1	2.6
D90°	0.9	2.5	3.1

Tilt Degree	0	30	45
TN4°	1.2	2.9	3.6
TN120°	1.3	4.4	5.4
QUAD	1.2	2.9	3.6

Specifications and dimensions subject to change without notice.

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09/28/18

Slice Medium - SLM
Outdoor LED Area Light

DELIVERED LUMENS*

Lumen Package	Distribution	CRI	2700K CCT Delivered Lumens	Efficacy	BUG Rating	3000K CCT Delivered Lumens	Efficacy	BUG Rating	4000K CCT Delivered Lumens	Efficacy	BUG Rating	5000K CCT Delivered Lumens	Efficacy	BUG Rating	Wattage
9L	2	70	8340	172	B2-U0-G2	8576	175	B2-U0-G2	9396	177	B2-U0-G2	8184	143	B2-U0-G2	69
	3	70	7875	162	B2-U0-G2	8093	165	B2-U0-G2	8872	167	B2-U0-G2	7727	135	B2-U0-G2	
	3	70	8631	178	B1-U0-G2	8867	179	B1-U0-G2	9545	181	B2-U0-G2	10604	147	B2-U0-G2	
	3/L	70	4565	94	B0-U0-G2	4691	96	B0-U0-G2	5073	103	B0-U0-G2	7365	107	B0-U0-G2	
	SW	70	8153	119	B2-U0-G2	8380	122	B2-U0-G2	9181	134	B3-U0-G2	9560	140	B3-U0-G2	
	FT	70	8351	122	B2-U0-G2	8585	125	B2-U0-G2	9405	137	B3-U0-G2	8456	143	B3-U0-G2	
	FT-L	70	5393	79	B0-U0-G2	5542	81	B0-U0-G2	6069	89	B0-U0-G2	6320	92	B0-U0-G2	
	FTA	70	8499	124	B2-U0-G2	8737	127	B2-U0-G2	9570	139	B3-U0-G2	9973	145	B3-U0-G2	
	FTA-L	70	6280	91	B1-U0-G1	6069	93	B1-U0-G1	6878	102	B1-U0-G1	7266	106	B1-U0-G1	
12L	2	70	10472	115	B2-U0-G2	11126	122	B2-U0-G2	12258	134	B3-U0-G2	11853	130	B3-U0-G2	94
	3	70	9979	74	B1-U0-G1	7177	76	B1-U0-G2	7798	83	B1-U0-G2	8119	86	B1-U0-G2	
	3	70	10836	115	B2-U0-G2	11511	122	B2-U0-G2	12683	135	B3-U0-G2	12264	130	B3-U0-G2	
	3/L	70	5729	60	B0-U0-G2	6076	64	B0-U0-G2	6449	68	B0-U0-G2	7626	81	B0-U0-G2	
	SW	70	10980	116	B3-U0-G2	11199	119	B3-U0-G2	12038	131	B3-U0-G2	12778	136	B4-U0-G2	
	FT	70	11141	118	B2-U0-G2	11844	125	B2-U0-G2	12978	138	B3-U0-G2	13284	139	B3-U0-G2	
	FT-L	70	7267	77	B0-U0-G2	7401	79	B0-U0-G2	8116	86	B0-U0-G2	8446	90	B0-U0-G2	
	FTA	70	11324	120	B2-U0-G2	12072	128	B2-U0-G2	12725	135	B3-U0-G2	13267	141	B3-U0-G2	
	FTA-L	70	8380	89	B1-U0-G1	8611	91	B1-U0-G1	9325	99	B1-U0-G1	9715	103	B1-U0-G1	
18L	2	70	16614	118	B2-U0-G2	17328	123	B2-U0-G2	18258	130	B3-U0-G2	17966	128	B3-U0-G2	150
	2 L	70	15579	99	B1-U0-G2	15822	77	B1-U0-G2	17031	78	B1-U0-G2	17453	81	B1-U0-G2	
	3	70	17156	118	B2-U0-G2	17888	126	B2-U0-G2	19701	139	B3-U0-G2	19331	136	B3-U0-G2	
	3 L	70	12678	84	B1-U0-G2	11302	80	B1-U0-G2	14110	95	B1-U0-G2	14739	99	B1-U0-G2	
	SW	70	17384	119	B3-U0-G2	17726	121	B3-U0-G2	19054	134	B3-U0-G2	19536	137	B4-U0-G2	
	FT	70	18865	112	B2-U0-G2	17143	113	B2-U0-G2	18781	106	B3-U0-G2	19037	131	B3-U0-G2	
	FT-L	70	12824	85	B0-U0-G2	11655	77	B0-U0-G2	14253	96	B0-U0-G2	14445	97	B0-U0-G2	
	FTA	70	19104	113	B2-U0-G2	17365	116	B2-U0-G2	19052	127	B3-U0-G2	19648	131	B3-U0-G2	
	FTA-L	70	13413	83	B1-U0-G1	12725	89	B1-U0-G1	13969	93	B1-U0-G1	14404	97	B1-U0-G1	
24L	2	70	22800	132	B2-U0-G3	23731	137	B2-U0-G3	24176	140	B3-U0-G3	24764	143	B3-U0-G3	187
	3	70	23180	78	B1-U0-G2	16243	76	B1-U0-G2	23010	83	B1-U0-G2	23455	83	B1-U0-G2	
	3	70	23180	118	B2-U0-G3	23628	120	B2-U0-G3	24176	123	B3-U0-G3	24764	126	B3-U0-G3	
	3 L	70	15974	85	B1-U0-G1	17242	92	B1-U0-G1	19403	98	B1-U0-G1	19788	100	B1-U0-G1	
	SW	70	23824	122	B3-U0-G3	24376	125	B3-U0-G3	24376	125	B3-U0-G3	25000	128	B4-U0-G3	
	FT	70	21011	116	B2-U0-G4	23496	126	B3-U0-G4	25128	134	B3-U0-G4	25452	137	B3-U0-G4	
	FT-L	70	16174	86	B0-U0-G2	16174	86	B0-U0-G2	19596	104	B0-U0-G2	19596	104	B0-U0-G2	
	FTA	70	21496	115	B2-U0-G3	23571	126	B3-U0-G3	24992	134	B3-U0-G3	25515	136	B3-U0-G3	
	FTA-L	70	15726	85	B1-U0-G1	16926	89	B1-U0-G1	17793	96	B2-U0-G1	18073	97	B2-U0-G1	
30L	2	70	28581	109	B4-U0-G3	28930	117	B4-U0-G3	30903	125	B4-U0-G3	31561	128	B4-U0-G3	247
	3	70	29175	118	B2-U0-G3	29175	118	B2-U0-G3	31005	125	B3-U0-G3	31786	128	B3-U0-G3	
	3	70	27675	112	B2-U0-G4	30309	122	B3-U0-G4	32175	130	B3-U0-G4	32903	133	B3-U0-G4	
	3 L	70	20106	81	B1-U0-G2	20106	81	B1-U0-G2	24180	98	B2-U0-G2	24180	98	B2-U0-G2	
	SW	70	29295	119	B3-U0-G3	29295	119	B3-U0-G3	30528	124	B3-U0-G3	31278	127	B4-U0-G3	
	FT	70	27537	111	B2-U0-G4	29577	121	B3-U0-G4	31357	126	B3-U0-G4	31668	127	B3-U0-G4	
	FT-L	70	21000	73	B1-U0-G3	19957	77	B0-U0-G3	25205	92	B0-U0-G3	25205	92	B0-U0-G3	
	FTA	70	27365	111	B2-U0-G3	29252	119	B3-U0-G3	31818	129	B4-U0-G3	32482	132	B4-U0-G3	
	FTA-L	70	19994	73	B1-U0-G1	21525	81	B1-U0-G1	22537	85	B2-U0-G1	23000	87	B2-U0-G1	
36L	2	70	32214	102	B4-U0-G3	33225	111	B4-U0-G3	37454	116	B4-U0-G3	38738	121	B4-U0-G3	317
	3	70	32214	64	B1-U0-G2	21375	69	B1-U0-G2	32498	74	B1-U0-G2	33993	75	B1-U0-G2	
	3	70	33540	106	B3-U0-G4	36466	113	B3-U0-G4	38996	121	B3-U0-G4	38612	120	B3-U0-G4	
	3 L	70	24167	77	B1-U0-G3	24167	77	B1-U0-G3	29033	92	B2-U0-G3	29033	92	B2-U0-G3	
	SW	70	31832	101	B3-U0-G4	34838	109	B3-U0-G4	37313	117	B3-U0-G4	37785	119	B3-U0-G4	
	FT	70	33540	105	B3-U0-G4	36466	113	B3-U0-G4	38996	121	B3-U0-G4	39427	122	B3-U0-G4	
	FT-L	70	24975	67	B1-U0-G4	23968	73	B1-U0-G4	29484	79	B1-U0-G4	29255	79	B1-U0-G4	
	FTA	70	33540	104	B3-U0-G4	36466	113	B3-U0-G4	38996	121	B3-U0-G4	39427	122	B3-U0-G4	
	FTA-L	70	23868	74	B1-U0-G3	25541	81	B1-U0-G3	27315	86	B2-U0-G3	27886	88	B2-U0-G3	
42L	2	70	36786	94	B4-U0-G3	39994	103	B4-U0-G3	42768	110	B4-U0-G3	43663	113	B4-U0-G3	390
	3	70	37870	108	B3-U0-G4	37870	108	B3-U0-G4	42768	122	B4-U0-G4	43663	125	B4-U0-G4	
	3	70	38099	98	B3-U0-G5	41640	107	B4-U0-G5	44538	114	B4-U0-G5	45460	117	B4-U0-G5	
	3 L	70	28373	73	B1-U0-G4	28373	73	B1-U0-G4	34068	87	B2-U0-G4	34068	87	B2-U0-G4	
	SW	70	36540	95	B4-U0-G4	39920	100	B4-U0-G4	42561	106	B5-U0-G4	43145	111	B5-U0-G4	
	FT	70	38071	98	B3-U0-G4	41590	108	B4-U0-G4	44538	114	B4-U0-G4	45169	116	B4-U0-G4	
	FT-L	70	28492	68	B1-U0-G4	28206	67	B1-U0-G4	28045	72	B1-U0-G4	28537	73	B1-U0-G4	
	FTA	70	37870	97	B4-U0-G4	41174	106	B4-U0-G4	44038	113	B4-U0-G4	44651	115	B4-U0-G4	
	FTA-L	70	26809	69	B2-U0-G2	29160	75	B2-U0-G2	31188	80	B2-U0-G2	31841	82	B2-U0-G2	

*LED Chips are frequently updated therefore values are nominal

Specifications and dimensions subject to change without notice.

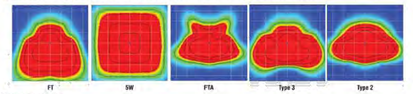
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09/28/18

Slice Medium - SLM
Outdoor LED Area Light

Performance (Cont.)

All published luminaire photometric testing performed to IESNA LM-79 standards. ISO footcandle plots below demonstrate the Slice (SLM) light patterns only. Not for total fixture output. For complete specifications and IES files, see website.



Ordering Guide

TYPICAL ORDER EXAMPLE: **SLM LED 36L SIL FTA UNV DIM 50 70CRI ALSCS04 BRZ IL**

Luminaire Prefix	Light Source	Lumen Package*	Light Output	Distribution	Orientation*	Voltage	Driver
SLM Slice Medium	LED	9L - 6,000 lms 12L - 12,000 lms 18L - 18,000 lms 24L - 24,000 lms 30L - 30,000 lms 36L - 36,000 lms 42L - 42,000 lms *Consult factory for programmable wattages and lumen packages	SIL - Silicone	2 - Type 2 3 - Type 3 SW - Type 5 Wide FT - Forward Throw FTA - Forward Throw: Automotive	(blank) - standard L - Optics rotated left 90 R - Optics rotated right 90	UNV - Universal Voltage (120-277V) HV - High Voltage (347-480V)	DIM - 0-10V Dimming (0-10%)

Color Temp	Color Rendering	Controls (Choose One)	Finish	Options
5T - 5,700 CCT[3,4,5] 5K - 5,000 CCT 4K - 4,000 CCT 3K - 3,000 CCT 27 - 2,700 CCT[4] AMB - Phosphor Converted Amber[6]	70CRI - 70 CRI 80CRI - 80 CRI[7] 90CRI - 90 CRI[7,8]	(Blank) - None **Wireless Controls Options** ALSC - AirLink Synapse Control System[9] ALSCH - AirLink Synapse Control System Hood / Satellite[10] ALSCS01 - AirLink Synapse Control System with 8-12' Motion Sensor[11] ALSCH01 - AirLink Synapse Control System Hood / Satellite with 8-12' Motion Sensor[11] ALSCS02 - AirLink Synapse Control System with 12-20' Motion Sensor[11] ALSCH02 - AirLink Synapse Control System Hood / Satellite with 12-20' Motion Sensor[11] ALSCS04 - AirLink Synapse Control System with 20-40' Motion Sensor[11] ALSCH04 - AirLink Synapse Control System Hood / Satellite with 20-40' Motion Sensor[11] **Stand-Alone Controls** EXT - 0-10v Dimming (from external signal) IMSSM01 - Integral Motion Sensor 8-12' 120-277V[12] IMSSM02 - Integral Motion Sensor 12-20' 120-277V[12] IMSSM04 - Integral Motion Sensor 20-40' 120-277V[12] IMSSM01HV - Integral Motion Sensor 8-12' 347-480V[12,13] IMSSM02HV - Integral Motion Sensor 12-20' 347-480V[12,13] IMSSM04HV - Integral Motion Sensor 20-40' 347-480V[12,13] CR7P - 7 Pin Control Receptacle ANSI C136.41[14] **Button Type Photocells** PCI120 - 120V PCI208-277 - 208-277V PCI347 - 347V	(Blank) - None BRZ - Bronze BLK - Black GPT - Graphite MSV - Metallic Silver WHT - White PLP - Platinum Plus SVG - Satin Verde Green	(Blank) - None IL - Integral Louver HSS[15]

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Slice Medium - SLM
Outdoor LED Area Light

Accessory Ordering Information[8]

Description	Order Number	Description	Order Number
PCI120 Photocell for use with CR7P option (120V)[7]	120514	DPK208L-240 Double Fusing (208V, 240V)	DPK240
PCI208-277 Photocell for use with CR7P option (208V, 240V, 277V)[7]	122335	DPK480 Double Fusing (480V)	DPK480
PCI347 Photocell for use with CR7P option (347V)[7]	122516	DPK347 Double Fusing (347V)	DPK347
PCI480 Photocell for use with CR7P option (480V)[7]	122516B	RSRPP – Round Pole Adapter for 9' Poles[16]	379983CLR
ALSC UNV TLS – AirLink 5Pin Twist Lock Controller[17]	661409	IL – Integral Louver HSS	684812
ALSC UNV TL7 – AirLink 7Pin Twist Lock Controller[17]	661416	Universal Mounting Bracket (UMB)[16]	684476CLR
PMR524 – 24V Pole Mount Occupancy Sensor (ALSCH Compatible)[10]	662364CLR	Adjustable Slip Fitter (ASF)[16]	688138CLR
IMS-PC Remote Configurator Tool	594929	Pole Quick Mount Bracket – Square Pole[16]	687873CLR
SQRPP – Round Pole Adapter for 3" Round Tapered Poles[16]	408378CLR	Pole Quick Mount Bracket – 4-5' Round Pole[16]	688085CLR
RARPP – Round Pole Adapter for 4" Poles[16]	379967CLR	13" Tilt Pole Quick Mount Bracket – Square Pole[16]	688083CLR
PA120 Single Fusing (120V)	PA120	13" Tilt Pole Quick Mount Bracket – 4-5' Round Pole[16]	688080CLR
PA277 Single Fusing (277V)	PA277	RMQ 5000 WAP – QLN Wall Mount Bracket[16]	350132CLR

FOOTNOTES:
1 - Not available on "Type V" distribution
2 – Consult Factory for availability.
3 – Only available in 9L and 12L Lumen Packages
4 – Only available in 70 CRI
5 – Consult Factory for Site Layout
6 – IMS is field adjustable, via a hand held Remote Configurator Tool, which must be ordered separately. See Accessory Ordering Information.
7 - Control device must be ordered separately. 7 pin standard. See Accessory Ordering Information.
8 – Accessories are shipped separately and field installed.
9 – ALSC or ALSCS for Wireless Control. See Options.
10 – Only available with ALSC Controls
11 - "CLR" denotes finish. See Finish options
12 – Only available in 5700K 90CRI for screen packages 24L-42L

Accessories/Options

Integral Louver (IL)

Accessory Integral Louver available for improved back-light control without sacrificing street side performance. LSI's Integral Louver (IL) option delivers backlight control that significantly reduces light spill behind the pole for applications with pole locations close to adjacent properties. The integrated louvers' design maximizes forward-reflected light while - reducing glare, maintaining the optical distribution selected, and most importantly, eliminating light trespass. The Integral louver rotates with the optical distribution.

Luminaire Shown with Integral Louver (IL)



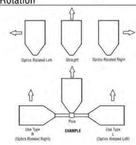
7 Pin Photoelectric Control

7-pin ANSI C136.41-2013 control receptacle option available for twist lock photocontrols or wireless control modules. Control accessories sold separately. Dimming leads from the receptacle will be connected to the driver dimming leads (Consult factory for alternate wiring).

Fixture Shown with CR7P



Optics Rotation



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Slice Medium - SLM
Outdoor LED Area Light

Stand-alone Controls: Occupancy Sensor (IMS)

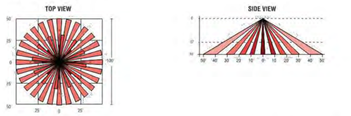
The integral passive infrared motion sensor activates switching of luminaire light levels. Standard Factory settings: High level light is activated and increased to full bright upon detection of motion. Low/light level (10% maximum drive current) is activated when target zone is absent of motion activity for ~5 minutes. See coverage diagram for detection cone.

The Remote Configurator Tool allows for easy and safe programming of each luminaire from ground level.
See the Remote Configurator User Guide for programming instructions.

When ordering the Stand-alone Occupancy Sensor on the fixture, you must include IMS (see ordering guide for mounting height options) as the controls option in the fixture nomenclature.

To order as a motion sensor with the AirLink Wireless Control System, see ordering guide under "Wireless Controls System" and select the ALSCS controls option with the desired mounting height.

IMS Coverage Diagrams



Remote Configurator Tool



Luminaire Shown with IMS



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Slice Medium - SLM
Outdoor LED Area Light

AirLink
enabled by Synapse®

The AirLink enabled by Synapse Wireless Lighting Control System is the perfect solution for commercial, industrial and municipal applications, such as: auto dealerships, parking lots, garages, shopping complexes and warehouses.

AirLink utilizes robust wireless communication via 2.4 GHz Self-Healing Mesh Network which not only increases reliability and accuracy of system, but also eliminates single point of failure.

The flexibility of the system make it perfect for new construction and retrofit projects. The user-friendly AirLink web application is accessible through any device with an internet connection and allows for complete customization of the system's features.

Some capabilities of the system include: occupancy/vacancy sensing, daylight harvesting, scheduling, high-end trim, dimming, zone control, BMS integration and energy monitoring.

The AirLink System

Wireless controls & sensors



Centralized control & integration



Simple-to-use software

AirLink Site Manger: Lighting control web app

Contact LSI Controls

Sales
controls.sales@lsi-industries.com

Support
controls.support@lsi-industries.com
1 (800) 436-7800 (support, option 8)

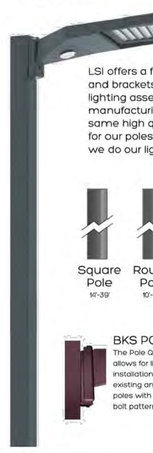
More information
For more information on AirLink, visit our website at www.lsi-airlink.com

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Slice Medium - SLM
Outdoor LED Area Light

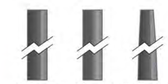
poles & Brackets



LSI offers a full line of poles and brackets to complete your lighting assembly. Our USA manufacturing facility has the same high quality standards for our poles and brackets as we do our lighting fixtures.



BKA UMB CLR
The 3G rated Universal Mounting Bracket (UMB) allows for seamless integration of LSI Luminaires onto existing or new construction poles. The UMB bracket was designed specifically for square or round (tapered/ straight) poles with (2) mounting hole spaces between 3.5"-5".





BKA ASF CLR
The adjustable Slip Fitter is a 3G rated rugged die cast aluminum adapter to mount LSI luminaires onto a 2" (51mm) IP, 2.375" (60mm) O.D. tenon. The Adjustable Slip Fitter can be rotated 180° allowing for tilting LSI luminaires up to 45 and 90 when using a vertical tenon.

BKS PQMH CLR
The Pole Quick Mount Bracket allows for lightning fast installation of LSI luminaires onto existing and new construction poles with LSI's 3" or 5"standard bolt patterns.



BKS PQM15 CLR
The Pole Quick Mount Bracket allows for preset 15° u

QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project:
Prepared By: Date: Type:

XSPS

LED Soffit Light

OVERVIEW	
Lumen Package	4000 - 8000
Wattage Range	43 -98
Efficacy Range (LPW)	96 -104
Weight lbs (kg)	7.6 (3.5)

QUICK LINKS

Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction

- Housing is die-formed aluminum with diffuse acrylic lens providing a water-resistant seal. Enclosure contains factory prewired driver and optical unit containing LEDs.
- Recess mount into an enclosed soffit with screws through the mounting frame. 8" clearance required for ease of installation.
- Finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling, and is guaranteed for five full years. Standard color is gloss white.
- Shipping weight: 7.6 lbs in carton.
- Suitable for wet locations.

Optical System

- Symmetric distribution with excellent uniformity and a BUG rating of B2-U0-G1. Diffuse lens is standard to minimizing visibility of LEDs.
- Select high-brightness LEDs.
- Available in 5000K, 4000K and 3000K
- Color temperatures per ANSI C78.377.
- Minimum CRI of 80.

Electrical

- High-performance factory programmable driver features over-voltage, under voltage, short-circuit and over temperature protection with integral surge protection that meets IEEE C62.41.2 and ANSI C82.77. -5 Location Category C Low standards.
- 0-10 volt dimming (10% - 100%) standard.
- 120-347VAC 50/60Hz
- Thermal protector standard on 5000-8000 lumen versions.
- L80 Calculated Life: >100k Hours (See Lumen Maintenance chart)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to 40°C (-40°F to 104°F) for HO and VHO. -40°C to 45°C (-40°F to 113°F) for SS. -40°C to 35°C (-40°F to 95°F) for SHO .
- Power factor: >0.90
- Input power stays constant over life.
- High-efficacy LEDs with integrated circuit board mount to the housing to maximize heat dissipation and promote long life.
- Driver components are fully encased in potting material for moisture resistance. Driver complies with FCC standards.

Warranty

- LSI luminaires carry a 5-year limited warranty. Refer to https://www.lsicorp.com/resources/terms-conditions-warranty/ for more information.

Listings

- Listed to UL 1598 and UL 8750
- Suitable For Damp Locations
- Meets Buy American Act requirements.
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.
- IDA compliant with 3000K or lower color temperature.

Type:

XSPS LED Soffit Light

ORDERING GUIDE

Back to Quick Links

TYPICAL ORDER EXAMPLE: **XSPS S LED SS CW 120 GWT DFL**

Prefix	Distribution	Light Source	Drive Current	Color Temperature	Input Voltage	Finish	Lens	Options
XSPS - LED Soffit	**S** - Symmetric	**LED**	**SS** - 6,000 Lumens **HO** - 8,000 Lumens **VHO** - 8,000 Lumens **SHO** - 8,000 Lumens	**CW** - 5000K 80 CRI **NW** - 4000K 80 CRI **WW** - 3000K 80 CRI	**120** - 120V **208** - 208V **240** - 240V **277** - 277V **347** - 347V	**GWT** - Gloss White	**DFL** - Diffused Acrylic Lens	**CMT** - Channel Bar Mounting Kit **BB** - Emergency Battery Pack[1]

1 - Emergency Battery Pack only available on the SS - 4000 lumen version (120, 208, 240 & 277V versions).

PERFORMANCE

DELIVERED LUMENS

Lumen Package	Distribution	Lens Type	CRI	3000K CCT			4000K CCT			5000K CCT			Wattage
				Delivered Lumens	Efficacy	Bug Rating	Delivered Lumens	Efficacy	Bug Rating	Delivered Lumens	Efficacy	Bug Rating	
SS	S	DFL	80	3816	123	B2-U0-G1	4022	129	B2-U0-G1	3966	128	B2-U0-G1	31
HO	S	DFL	80	4756	120	B3-U0-G1	5011	127	B2-U0-G1	4941	125	B2-U0-G1	40
VHO	S	DFL	80	5733	116	B3-U0-G1	6041	124	B2-U0-G1	5957	122	B2-U0-G1	49
SHO	S	DFL	80	7539	113	B3-U0-G1	7965	119	B3-U0-G1	7853	118	B3-U0-G1	67

LEDs are frequently updated therefore values are nominal.

Electrical Data (Amps)*

Lumen Package	Wattage	120V	208V	240V	277V	347V
SS	31	0.26	0.15	0.13	0.11	0.09
HO	40	0.33	0.19	0.16	0.14	0.11
VHO	49	0.41	0.23	0.2	0.18	0.14
SHO	67	0.56	0.32	0.28	0.24	0.19

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%.

RECOMMENDED LUMEN MAINTENANCE

Ambient Temp C	Initial[2]	25K hrs.[1]	50K hrs.[1]	75K hrs.[1]	100K hrs.[1]
25 C	100%	95%	91%	86%	82%

1 - In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
2 - In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing.

Type:

XSPS LED Soffit Light

PHOTOMETRICS

Back to Quick Links

Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.
For complete specifications and IES files, see website.

XSPS S LED HO NW DFL

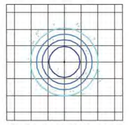
Luminaire Data

Type 5 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	5,011
Watts	39.5
Efficacy	127
IES Type	Type VS - Very Short
BUG Rating	B2-U0-G1

Zonal Lumen Summary

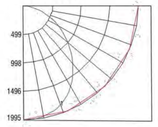
Zone	Lumens	%Luminaire
Low (0-30°)	1538	31%
Medium (30-60°)	2565	51%
High (60-80°)	826	16%
Very High (80-90°)	84	2%
Uplight (90-180°)	0	0%
Total Flux	5011	100%

ISO FOOTCANDLE PLOT



10' Mounting Height/10' Grid Spacing
5 FC 2 FC 1 FC 0.5 FC

POLAR CURVE

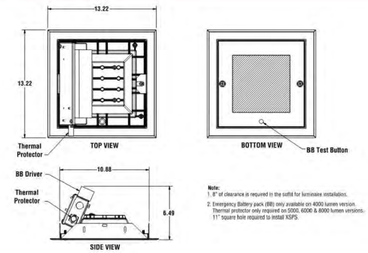


Type:

XSPS LED Soffit Light

PRODUCT DIMENSIONS

Back to Quick Links



Note:
1. 8" of clearance is required in the soffit for luminaire installation.
2. Emergency Battery pack (BB) only available on 4000 lumen version. Thermal protector only required on 5000, 6000 & 8000 lumen versions.
11" square hole required to install SQFS.

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_PH.DWG

20

K:\DEN_Civil\096888046_QuikTrip 4263 Aurora\CADD\PlanSheets\Site Plan\096888046_PH.dwg DeHoyos, Schuyler 12/13/2024 11:44 AM

QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project:
Prepared By: Date: Type:

Mirada Large (MRL)
Outdoor LED Area Light

IP66

OVERVIEW	
Lumen Package	40,000 – 78,000
Wattage Range	286 – 648
Efficacy Range (LPW)	115 – 154
Weight lbs(kg)	60 (272)

QUICK LINKS: Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Rugged die-cast aluminum housing, optical frame, and driver access cover.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 68 lbs in carton.

Optical System
- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP66 rated sealed optical chamber in 1 component.
- Proprietary silicone refractor optics provide exceptional coverage and uniformity in IES Types 2, 3, SW, FT, FTA, and AM.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K, and 3000K color temperatures per ANSI C78.377.
- Minimum CRI of 70.
- Integral louver (IL) and house-side shield (IH) options available for improved backlight control without sacrificing street side performance. See page 5 for more details.

Electrical
- High-performance programmable driver features over-voltage, under-voltage, short-circuit and over temperature protection. Custom lumen and wattage packages available.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L90 Calculated Life: >100k Hours (See Lumen Maintenance on Page 4)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to +50°C (-40°F to +122°F). 65L and 78L lumen packages rated to +40°C.
- Power factor: >.90
- Input power stays constant over life.
- Field replaceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.

Controls
- Optional integral passive infrared Bluetooth™ motion and photocell sensor (see page 5 for more details). Fixtures operate independently and can be commissioned via iOS or Android configuration app.
- LSI's AirLink™ wireless control system options reduce energy and maintenance costs while optimizing light quality 24/7. (see page 8 for more details).

Installation
- Designed to mount to square or round poles.
- A single fastener secures the hinged door, underneath the housing and provides quick & easy access to the electrical compartment for installing/servicing.
- Included terminal block accepts up to 12 ga. wire.
- Utilizes both B3 and B5 drill patterns for easy fastening of LSI products. (See drawing on page 8)

Warranty
- LSI LED Fixtures carry a 5-year warranty.

Listings
- Listed to UL 1598 and UL 8750.
- State of California Title 24 Compliant; with IMSBT, ALSC, or ALSCH Options.
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.
- Meets Buy American Act requirements.
- IDA compliant; with 3000K color temperature selection.
- Suitable for wet locations.
- IP66 rated Luminaire per IEC 60598.
- 3G rated for ANSI C136.31 high vibration applications are qualified.
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

Specifications and dimensions subject to change without notice.

Type:

ORDERING GUIDE
Back to Quick Links

TYPICAL ORDER EXAMPLE: MRL LED 40L SIL FTA L UNV DIM 50 70CRI ALSCS04 BRZ IL

Prefix	Lens	Lumen Package	Lens	Distribution	Orientation[4]	Voltage
MRL - Mirada Large	LED	40L - 40,000 lms 50L - 50,000 lms 65L - 65,000 lms 78L - 78,000 lms Custom Lumen Packages[1]	SIL - Silicone	2 - Type 2 3 - Type 3 SW - Type 5 Wide FT - Forward Throw FTA - Forward Throw Automotive AM - Automotive Merchandise	(Blank) - Standard L - Optics rotated left 90° R - Optics rotated right 90°	UNV - Universal Voltage (120-277V) HV - High Voltage (347 - 480V)

Driver	Color Temperature	Color Rendering	Controls	Finish	Options
DIM - 0-10v Dimming (10-100%)	50 - 5,000 CCT 40 - 4,000 CCT 30 - 3,000 CCT	70CRI - 70 CRI	(Blank) - None **Wireless Controls System** ALSC - AirLink Synapse Control System ALSCH1 - AirLink Synapse Control System High / Satellite with 12-20' Motion Sensor[2] ALSCH2 - AirLink Synapse Control System High / Satellite with 12-32' Motion Sensor[2] ALSCS04 - AirLink Synapse Control System with 20-40' Motion Sensor[2] ALSCH04 - AirLink Synapse Control System Host / Satellite with 20-40' Motion Sensor[2] ALBC01 - AirLink Blue Wireless Motion & Photo Sensor Controller (8-24'mounting height)[2] ALBC02 - AirLink Blue Wireless Motion & Photo Sensor Controller (25-40' mounting height)[2] **Stand-Alone Controls** EXT - 0-10v Dimming leads extended to housing exterior CR7P - 7 Pin Control Receptacle ANSI C136.41* IMSBT1 - Integral Bluetooth® Motion and Photocell Sensor (8-24' MH)[2] IMSBT2 - Integral Bluetooth® Motion and Photocell Sensor (25-40' MH)[2] **Button Type Photocells** PCI120 - 120V PCI208-277 - 208-277V PCI347 - 347V	BLK - Black BRZ - Dark Bronze GMG - Gun Metal Grey GPT - Graphite MDV - Medallic Silver PLP - Platinum Plus SVG - Satin Verde Green WHT - White	(Blank) - None IH - Integral Houseside Shield[3] IL - Integral Louver (Sharp Spill Light Cutoff)[3]

Accessory Ordering Information[1]

Controls Accessories

Description	Order Number
Twist Lock Photocell (120V) for use with CR7P*	1205514
Twist Lock Photocell (208-277) for use with CR7P*	1205515
Twist Lock Photocell (347V) for use with CR7P*	1205516
Twist Lock Photocell (480V) for use with CR7P*	1205180
AirLink 5 Pin Twist Lock Controller*	6814496
AirLink 5 Pin Twist Lock Controller*	6814410
Pole-Mounted Occupancy Sensor (PASY-)*	6820340LR
Shorting Cap for use with CR7P*	140328

Fusing Accessories[11]

Description	Order Number
Single Fusing (120V)	PA120
Single Fusing (120V)	PA277
Double Fusing (480V)	DPA480
Double Fusing (347V)	DPA347

Mounting Accessories[6]

Description	Order Number
Universal Mounting Bracket	6946185LR
Adjustable Slip Fitter (3" - 3.5/8" Tenon)	6881385LR
Quick Mount Pole Bracket (Square Pole)	6815730LR
Quick Mount Pole Bracket (4.5" Round Pole)	6896883LR
15 TR Quick Mount Pole Bracket (Square Pole)	6896903LR
15 TR Quick Mount Pole Bracket (4.5" Round Pole)	6896902LR
Wall Mount Bracket	3821320LR
Wood Pole Bracket (6" Minimum Pole Diameter)	7512190LR

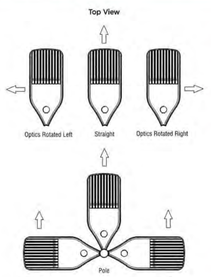
Shielding & Miscellaneous Accessories

Description	Order Number
Integral Louver(Sides)	7404148
Internal Houseside Shield	6864485
18' Linear Bird Spike Kit (4' Recommended per Luminaires)	7367185

FOOTNOTES:
1. Custom lumen and wattage packages available, consult factory. Values are within industry standard tolerances but not DLC listed.
2. Not available with 1VK distribution
3. Consult Factory for Site Layout
4. Not Available in HV
5. IMSBT is field configurable via the LSI app that can be downloaded from your smartphone's native app store. Consult Factory for 347-480V.
6. Control device or shorting cap must be ordered separately. See Accessory Ordering Information.
7. Accessories are shipped separately and field installed.
8. Factory installed CR7P option required. See Options.
9. "CLR" denotes finish. See Finish options
10. Only available with ALSC/ALSCH control options.
11. Fusing must be located in hand-hole of pole.

Type:

OPTICS ROTATION



ACCESSORIES/OPTIONS

Integral Louver (IL) and House-Side Shield (IH)
Accessory louver and shield available for improved backlight control without sacrificing street side performance. LSI's Integral Louver (L) and Integral House-Side Shield (IH) options deliver backlight control that significantly reduces spill light behind the poles for applications with pole locations close to adjacent properties. The design maximizes forward reflected light while reducing glare, maintaining the optical distribution selected, and most importantly eliminating light trespass. Both options rotate with the optical distribution.

Luminaire Shown with IMSBT & IL/IH Options



7 Pin Photoelectric Control
7-pin ANSI C136.41-2013 control receptacle option available for twist lock photocontrols or wireless control modules. Control accessories sold separately. Dimming leads from the receptacle will be connected to the driver dimming leads (Consult factory for alternate wiring).

Luminaire Shown with CR7P



Type:

PERFORMANCE
Back to Quick Links

Delivered Lumens*											
Lumen Package	Distribution	CRI	3000K CCT			4000K CCT			5000K CCT			Wattage
			Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	
40L	2	70	39770	139	B3-U0-G4	41255	144	B3-U0-G4	42884	150	B3-U0-G4	286
	3		40747	142	B3-U0-G4	42286	148	B4-U0-G4	43917	154	B4-U0-G4	
	SW		40392	141	B3-U0-G4	41901	147	B5-U0-G4	43533	152	B5-U0-G4	
	FT		40542	141	B4-U0-G4	41946	146	B4-U0-G5	43482	152	B4-U0-G5	
	FTA		40673	142	B4-U0-G4	42192	148	B4-U0-G4	43838	153	B4-U0-G4	
	AM		40923	143	B4-U0-G3	42347	148	B4-U0-G3	43998	154	B4-U0-G3	
50L	2	70	49872	132	B3-U0-G4	51216	137	B5-U0-G4	53213	142	B5-U0-G4	376
	3		50096	135	B4-U0-G5	52475	140	B4-U0-G5	54021	145	B4-U0-G5	
	SW		50145	134	B3-U0-G4	52018	139	B5-U0-G4	54047	144	B5-U0-G4	
	FT		50082	134	B4-U0-G5	51992	139	B4-U0-G5	53978	144	B4-U0-G5	
	FTA		50493	135	B5-U0-G4	52579	140	B5-U0-G4	54422	145	B5-U0-G4	
	AM		50689	135	B4-U0-G3	52572	140	B4-U0-G3	54622	146	B4-U0-G3	
65L	2	70	63338	172	B3-U0-G4	65660	177	B5-U0-G5	68253	182	B5-U0-G5	518
	3		64694	175	B5-U0-G5	67267	139	B5-U0-G5	69932	135	B5-U0-G5	
	SW		64303	124	B3-U0-G5	66702	129	B5-U0-G5	69324	134	B5-U0-G5	
	FT		64239	124	B5-U0-G5	66636	129	B5-U0-G5	69237	134	B5-U0-G5	
	FTA		64766	125	B5-U0-G5	67185	130	B5-U0-G5	69900	135	B5-U0-G5	
	AM		65005	125	B4-U0-G3	67432	130	B4-U0-G3	70060	135	B5-U0-G3	
78L	2	70	74867	115	B3-U0-G5	77456	120	B5-U0-G5	80478	124	B5-U0-G5	648
	3		74967	115	B5-U0-G5	77455	120	B5-U0-G5	80478	124	B5-U0-G5	
	SW		74519	114	B5-U0-G5	76792	118	B5-U0-G5	79777	123	B5-U0-G5	
	FT		73925	114	B5-U0-G5	76685	118	B5-U0-G5	79676	123	B5-U0-G5	
	FTA		74532	115	B5-U0-G5	77315	119	B5-U0-G5	80330	124	B5-U0-G5	
	AM		74805	115	B5-U0-G3	77599	120	B5-U0-G3	80625	124	B5-U0-G3	

*LEDs are frequently updated therefore values are nominal.

ELECTRICAL DATA (AMPS)*

Lumens	120V	208V	240V	277V	347V	480V
40L	2.38	1.38	1.19	1.03	0.82	0.60
50L	3.13	1.80	1.56	1.35	1.08	0.78
65L	4.32	2.49	2.16	1.87	1.49	1.08
78L	5.40	3.12	2.70	2.34	1.87	1.35

*Electrical data at 25°C (77°F). Actual wattage may differ by +/-10%

RECOMMENDED LUMEN MAINTENANCE*

Ambient	1kHrs[2]	25k[2]	50k[2]	75k[2]	100k[2]
0 C - 40C	100%	100%	97%	94%	92%

FOOTNOTES:
1. Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
2. In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
3. In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing.

Type:

PHOTOMETRICS
Back to Quick Links

Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.

See https://www.lsicorp.com/product/mirada-large/ for detailed photometric data.

MRL-LED-65L-SIL-2-40-70CRI

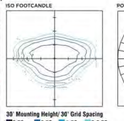
LUMINAIRE DATA

Type 2 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	65,660
Watts	518
Efficacy	127
IES Type	Type II - Short
BUG Rating	B5-U0-G5

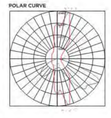
Zonal Lumen Summary

Zone	Lumens	%Luminaire
Low (0-30)°	11653	18%
Medium (30-60)°	41936	62%
High (60-80)°	13243	20%
Very High (80-90)°	588	1%
Uplight (90-180)°	0	0%
Total Flux	65660	100%

ISO FOOTCANDLE



POLAR CURVE



MRL-LED-65L-SIL-3-40-70CRI

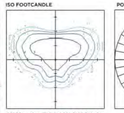
LUMINAIRE DATA

Type 3 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	67,307
Watts	518
Efficacy	130
IES Type	Type III - Short
BUG Rating	B5-U0-G5

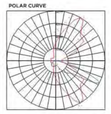
Zonal Lumen Summary

Zone	Lumens	%Luminaire
Low (0-30)°	6960	10%
Medium (30-60)°	31977	48%
High (60-80)°	21783	32%
Very High (80-90)°	727	1%
Uplight (90-180)°	0	0%
Total Flux	67361	100%

ISO FOOTCANDLE



POLAR CURVE



MRL-LED-65L-SIL-FT-40-70CRI

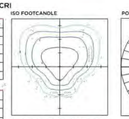
LUMINAIRE DATA

Type FT Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	65,928
Watts	518
Efficacy	129
IES Type	Type VI - Short
BUG Rating	B5-U0-G5

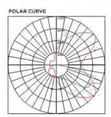
Zonal Lumen Summary

Zone	Lumens	%Luminaire
Low (0-30)°	9542	13%
Medium (30-60)°	31955	39%
High (60-80)°	25973	38%
Very High (80-90)°	1099	2%
Uplight (90-180)°	0	0%
Total Flux	66856	100%

ISO FOOTCANDLE



POLAR CURVE



Type:

PHOTOMETRICS (CONT)

MRL-LED-65L-SIL-SW-40-70CRI

LUMINAIRE DATA

Type SW Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	66,722
Watts	518
Efficacy	129
IES Type	Type VS - Short
BUG Rating	B5-U0-G5

Zonal Lumen Summary

Zone	Lumens	%Luminaire
Low (0-30)°	6319	10%
Medium (30-60)°	33193	50%
High (60-80)°	26806	40%
Very High (80-90)°	433	1%
Uplight (90-180)°	0	0%
Total Flux	66722	100%

ISO FOOTCANDLE

POLAR CURVE



MRL-LED-65L-SIL-FTA-40-70CRI

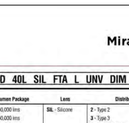
LUMINAIRE DATA

Type FTA Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	67,185
Watts	518
Efficacy	130
IES Type	Type I - Very Short
BUG Rating	B5-U0-G5

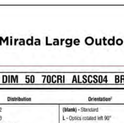
Zonal Lumen Summary

Zone	Lumens	%Luminaire
Low (0-30)°	14878	22%
Medium (30-60)°	39343	59%
High (60-80)°	12086	18%
Very High (80-90)°	874	1%
Uplight (90-180)°	0	0%
Total Flux	67185	100%

ISO FOOTCANDLE



POLAR CURVE



MRL-LED-65L-SIL-AM-40-70CRI

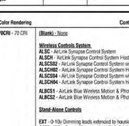
LUMINAIRE DATA

Type AM Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	67,432
Watts	518
Efficacy	130
IES Type	Type III - Very Short
BUG Rating	B5-U0-G3

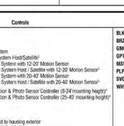
Zonal Lumen Summary

Zone	Lumens	%Luminaire
Low (0-30)°	13837	9%
Medium (30-60)°	44854	43%
High (60-80)°	8162	49%
Very High (80-90)°	779	1%
Uplight (90-180)°	0	0%
Total Flux	67432	100%

ISO FOOTCANDLE

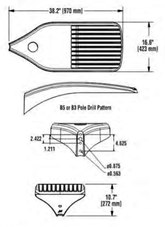


POLAR CURVE



Type:

PRODUCT DIMENSIONS
Back to Quick Links



LUMINAIRE EPA CHART - MRL

EPA Degree	0	30	45	EPA Degree	0	30	45
Single	0.8	2.2	2.9	180°	2.0	3.8	4.5
0180°	1.6	2.2	2.9	135/225°	2.0	5.0	6.0
090°	1.2	3.0	3.7	090°	2.0	3.8	4.5

CONTROLS

AirLink Wireless Lighting Controller
The AirLink integrated controller is a California Title 24 compliant lighting controller that provides real-time light monitoring and control with utility-grade power monitoring. It includes a 24V sensor input and power supply to connect a sensor into the outdoor AirLink wireless lighting system. The wireless integrated controller is compatible with this fixture.

Click the link below to learn more details about AirLink.
https://www.lsicorp.com/documents/datasheets/airlink-outdoor-specsheet.pdf

Integral Bluetooth™ Motion and Photocell Sensor (IMSBT)
Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is rated for cold and wet locations (-30° C to 70° C). Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Click the link below to learn more details about IMSBT.
https://www.lsicorp.com/documents/datasheets/imsbt-specsheet.pdf

AirLink Blue
Wireless Bluetooth Mesh Outdoor Lighting Control System that provides energy savings, code compliance and enhanced safety/security for parking lots and parking garages. Three key components: Bluetooth wireless radio/sensor controller, Time Keeper and an iOS App. Capable of grouping multiple fixtures and sensors as well as scheduling time-based events by zone. Radio/Sensor Controller is factory integrated into Area/Site, Wall Mounted, Parking Garage and Canopy luminaires.

Click the link below to learn more details about AirLink Blue.
https://www.lsi-airlink.com/airlink-blue/

Type:

POLES & BRACKETS

LSI offers a full line of poles and mounting accessories to complete your lighting assembly. Aluminum and steel in both square and round shafts. In addition, LSI offers round tapered, fluted and hinge based poles. Designed and engineered for durability and protected with our own baked DuraGrip Protection System. Also available with our DuraGrip+ Protection system for unmatched corrosion resistance and an extended warranty. American made in our Ohio facility with industry leading lead times.

Click the link below to learn more details about poles & brackets.
https://www.lsicorp.com/products/poles-and-brackets-area-street.aspx



BKA UMB CLR
The 3G rated UMB allows for seamless integration of LSI luminaires onto existing/ retrofit or new construction poles. The UMB was designed for square or round (tapered or straight) poles with two mounting hole spacings between 3.5" - 5".



BKA ASF CLR
The adjustable Slip Fitter is a 3G rated rugged die cast aluminum adapter to mount LSI luminaires onto a onto a 2" iron pipe, 2 3/8 OD tenon. The Adjustable Slip Fitter can be rotated 180° allowing for fitting LSI luminaires up to 45° and 90° when using a vertical tenon.



BKS PQMIS CLR
The Pole Quick Mount Bracket allows for for preset 15° uplift of LSI luminaires for greater throw of light and increased vertical illumination as well as fast installation onto poles with LSI's 3" or 5" bolt pattern.



BKS PQMH CLR
The Pole Quick Mount Bracket allows for for tightning fast installation of LSI luminaires onto existing and new construction poles with LSI's B3 or B5 standard pole bolt patterns.



Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

NO.	REVISION	BY	DATE	APPR.

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO. 096888046

DRAWING NAME 096888046_PH.DWG

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811 Know what's below. Call before you dig.

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QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project:
Prepared By: Date: Type:

Mirada Medium Wall Sconce (XWM)
Outdoor Wall Sconce

IK08



OVERVIEW	
Lumen Range	3,000 - 21,000
Wattage Range	23 - 175
Efficacy Range (LPW)	125 - 158
Weight lbs(kg)	30 (13.6)

QUICK LINKS
Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Rugged die-cast aluminum housing contains factory prewired driver and optical unit. Hinged die-cast aluminum wiring access door located underneath.
- Galvanized-steel universal wall mount bracket comes standard with hinging mechanism to easily access the junction box wire connections without removing the luminaire.
- Optional pole-mounting bracket (XPMA) permits mounting to standard poles.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 30 lbs in carton.

Optical System
- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP65 rated sealed optical chamber in 1 component.
- Proprietary silicone refractor optics provide exceptional coverage and uniformity in Types 2, 3, and Forward Throw (FT) distributions.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K and 3000K color temperatures per ANSI C78.377. Also Available in Phosphor Converted Amber with Peak intensity at 610nm.
- Minimum CRI of 70.

Electrical
- High-performance programmable driver features over-voltage, under-voltage, short-circuit and over temperature protection. Custom lumen and wattage packages available.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours
- Total harmonic distortion: <20%
- -3L to 12L operating temperature: -40°C to +50°C (-40°F to +122°F)
- 15L operating temperature: -40°C to +45°C (-40°F to +113°F).
- 18L operating temperature: -40°C to +40°C (-40°F to +104°F).
- 25L operating temperature: -40°C to +35°C (-40°F to + 95°F).
- Power factor: > .90
- Input power stays constant over life.
- Optional 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed via hinged door.
- Optional integral emergency battery pack provides 90-minutes of constant power to the LED system, ensuring code compliance. A test switch/indicator button is installed on the housing for ease of maintenance. The fixture delivers 1500 lumens during emergency mode.

Controls
- Integral passive infrared Bluetooth™ motion and photocell sensor options. Fixtures operate independently and can be commissioned via an iOS or Android configuration app. Updates and modifications to the control strategy are easily implemented via an intuitive app.
- LSI's AirLink™ Blue lighting control system is a simple feature rich wireless Bluetooth mesh network. The integrated fixture sensor module provides wireless control of grouped fixtures based on motion sensors, daylight or a fully customizable schedule.

Installation
- Universal wall mounting plate easily mounts directly to 4" octagonal or square junction box.
- 2 fasteners secure the hinged door underneath the housing and provide quick & easy access to the electrical compartment for installing/servicing.
- Optional terminal block accepts up to 12 ga wire.

Warranty
- LSI LED Fixtures carry a 5-year warranty.
- 1 Year warranty on Battery Back-up option.

Listings
- Listed to UL 1598 and UL 8750.
- Meets Buy American Act requirements.
- IDA compliant; with 3000K or lower color temperature selection.
- Title 24 Compliant; see local ordinance for qualification information.
- Suitable for wet Locations.
- IP65 rated luminaire per IEC 60598.
- 3G rated for ANSI C136.31 high vibration applications when pole mounted (using optional XPMA bracket) or wall mounted.
- IK08 rated luminaire per IEC 60262 mechanical impact code
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

Type:

Mirada Wall Sconce (XWM)

ORDERING GUIDE
Back to Quick Links

TYPICAL ORDERING EXAMPLE: XWM 2 LED 6SL 30 UE BRZ ALSC

Family	Distribution	LED Technology	Lumen Package	Color Temperature	Voltage
XWM - Mirada Medium Wall Sconce	2 - Type 2 3 - Type 3 FT - Type 4 Forward Throw	6SA	3L - 3,000 lm 4L - 4,000 lm 6L - 6,000 lm 8L - 8,000 lm 10L - 10,000 lm 15L - 15,000 lm 18L - 18,000 lm 21L - 21,000 lm Custom Lumen Package*	3K - 3000K 4K - 4000K 5K - 5000K AM - Phosphor Converted Amber*	UE - Universal Voltage (120-277V) HV - High Voltage (347-480V)

Finish	Controls (Choose One)	Options
BLK - Black BRZ - Dark Bronze GPH - Graphite Grey GPT - Graphite WHT - Textured White PLP - Platinum Plus TBG - Dark Sandy Brown WHI - White	Wireless Controls ALSC - AirLink Luminaire Control System ALSCSD - AirLink Sensor Control System with 12-20' Motion Sensor ALSCLS - AirLink Bluetooth Wireless Motion & Photocell Sensor Controller (9-20' mounting height) ALSCLT - AirLink Bluetooth Wireless Motion & Photocell Sensor Controller (21-40' mounting height) Standalone Controls DIM - 0-10v Dimming (wall controlled by housing customer) IMSBT - Integral Bluetooth® Motion and Photocell Sensor (up to 20' mounting height)* IMSBTD - Integral Bluetooth Motion and Photocell Sensor (up to 21-40' mounting height)* Button Type Photocells PCCB - 120V PCUN - 277 - 208 - 277V PCHV - 347V	BF - Button Style Leg (10"C)* CWBU - Cold Weather Battery Backup (-20°C)* XPMA - Pole Mounting Bracket SPD - 10kV Surge Protection TB - Terminal Block

ACCESSORY ORDERING INFORMATION*

Description	Order Number	Description	Order Number
XWM Surface Mtg Adpt Box	DSXMSQA	HKSD - Single Housing	HKSD*
10' Linear Wire Guide Box (2' Recommended per Luminaire)	YGBQ	DHK - Double Housing	DHK10U
YKSD - Single Housing	YKSD*	DHK - Double Housing (XWM)	DHKXW*
HKTT - Single Housing	HKTTF		

1. Units available in UL Luminaire Packages. Consult factory for lead time and availability.
2. Not available in HK.
3. Consult Factory for Side Lapmat.
4. IMSBT is field configurable via the CSI app that can be downloaded from your smartphone's native app store.
5. Housing must be bolted to a hard hole for grdn or in the junction box.
6. Custom lumen and wattage packages available must factory. Values are within industry standard tolerances but not ISO listed.
7. Accessories are shipped separately and field installed.

Type:

Mirada Wall Sconce (XWM)

PERFORMANCE
Back to Quick Links

DELIVERED LUMENS*

Lumen Package	Distribution	CRI	3000K Delivered Lumens	3000K Efficacy	3000K BUG Rating	4000K Delivered Lumens	4000K Efficacy	4000K BUG Rating	5000K Delivered Lumens	5000K Efficacy	5000K BUG Rating	Wattage
3SA	2	70	3178	136	B1-U0-G2	3368	144	B1-U0-G2	3355	143	B1-U0-G2	23
	3	70	3224	140	B1-U0-G2	3416	148	B1-U0-G2	3364	145	B1-U0-G2	
	FT	70	3060	157	B1-U0-G2	3169	145	B1-U0-G2	3294	142	B1-U0-G2	
6SA	2	70	4250	139	B1-U0-G3	4483	147	B1-U0-G2	4400	145	B1-U0-G2	30
	3	70	4309	141	B1-U0-G3	4545	150	B1-U0-G2	4422	147	B1-U0-G2	
	FT	70	4206	159	B1-U0-G3	4458	167	B1-U0-G2	4395	164	B1-U0-G2	
9SA	2	70	6326	134	B2-U0-G3	6704	142	B2-U0-G2	6595	140	B2-U0-G2	47
	3	70	6417	136	B2-U0-G3	6805	144	B2-U0-G2	6689	142	B2-U0-G2	
	FT	70	6260	154	B2-U0-G2	6666	162	B2-U0-G2	6557	159	B2-U0-G2	
12SA	2	70	8566	128	B2-U0-G2	8954	135	B2-U0-G2	8783	131	B2-U0-G2	64
	3	70	8692	129	B2-U0-G2	8778	137	B2-U0-G2	8615	134	B2-U0-G2	
	FT	70	8520	126	B2-U0-G2	9605	114	B2-U0-G2	9461	112	B2-U0-G2	
15A	2	70	11167	146	B3-U0-G3	11758	115	B3-U0-G3	11507	113	B3-U0-G2	87
	3	70	11324	148	B3-U0-G3	11927	150	B2-U0-G2	11953	157	B2-U0-G2	
	FT	70	11132	145	B2-U0-G2	12286	149	B2-U0-G2	12787	154	B2-U0-G2	
18A	2	70	14622	142	B3-U0-G3	15225	145	B3-U0-G3	15024	142	B3-U0-G3	105
	3	70	14665	139	B2-U0-G2	15362	145	B2-U0-G2	15404	151	B2-U0-G2	
	FT	70	14562	139	B2-U0-G2	15252	144	B2-U0-G2	15250	150	B2-U0-G2	
21A	2	70	17403	164	B3-U0-G3	18287	170	B3-U0-G3	18065	165	B3-U0-G2	130
	3	70	17458	154	B3-U0-G3	18365	159	B3-U0-G3	18940	166	B3-U0-G2	
	FT	70	17259	153	B2-U0-G3	18260	158	B2-U0-G2	18345	164	B2-U0-G2	
27A	2	70	20388	127	B3-U0-G3	21362	132	B3-U0-G3	21059	130	B3-U0-G3	161
	3	70	20971	125	B3-U0-G3	22151	132	B3-U0-G3	22329	133	B3-U0-G3	
	FT	70	20575	126	B3-U0-G3	21683	133	B3-U0-G3	21911	134	B3-U0-G3	

*LEDs are frequently updated therefore values are nominal

ELECTRICAL DATA*

Lumen Package	120V	208V	240V	277V	347V	480V
3SL	0.19	0.11	0.10	0.09	0.07	0.05
6SL	0.25	0.15	0.13	0.11	0.09	0.06
9SL	0.39	0.23	0.20	0.17	0.14	0.10
12SL	0.54	0.31	0.27	0.23	0.19	0.13
15L	0.59	0.35	0.31	0.26	0.21	0.15
18L	0.71	0.41	0.36	0.31	0.25	0.18
21L	1.08	0.62	0.54	0.47	0.37	0.27
27L	1.24	0.72	0.62	0.54	0.43	0.31

Electrical data at 25C (77F). Actual wattage may differ by +/-10%.

DELIVERED LUMENS*

Lumen Package	Distribution	Amber Delivered Lumens	Amber Efficacy	Amber BUG Rating	Wattage
9A	2	7025	79	B1-U0-G2	89
	3	7205	79	B1-U0-G2	
	FT	7260	77	B1-U0-G2	

RECOMMENDED LUMEN MAINTENANCE (TL-B)†

Ambient Temperature C	Initial‡	25K hrs.†	50K hrs.†	75K hrs.†	100K hrs.†
5C - 35C	100%	98%	95%	93%	90%

RECOMMENDED LUMEN MAINTENANCE (TL-2B)†

Ambient Temperature C	Initial‡	25K hrs.†	50K hrs.†	75K hrs.†	100K hrs.†
0 - 35 C	99%	97%	95%	93%	91%

† - Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
2 - In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
‡ - Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing times the IESNA LM-80-08 total test duration for the device under testing

Type:

Mirada Wall Sconce (XWM)

PHOTOMETRICS
Back to Quick Links

All published luminaire photometric testing performed to IESNA LM-79 standards. ISO footcandle plots below demonstrate the Mirada Wall Sconce (XWM) light patterns only. Not for total fixture output. For complete specifications and IES files, see website.

XWM-2-LED-6L-40

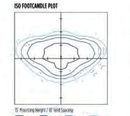
LUMINAIRE DATA

Type 2 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,425
Width	10.1"
Efficacy	155
BUG Rate	Type B - Medium
Mtd Ht Rating	B1-U0-G2

Zonal Lumen Summary

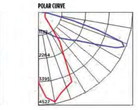
Zone	Lumens	%Luminaire
Low (0-30)°	801	12.4%
Medium (30-60)°	3918	60.9%
High (60-90)°	1641	38.1%
Very High (90-90)°	115	1.7%
Uplight (90-180)°	0.1	0.0%
Total Flux	6425.7	100%

ISO FOOTCANDLE PLOT



9' Mounting Height / 10' Grid Spacing
1.0K | 2.0K | 3.0K | 4.0K

POLAR CURVE



XWM-3-LED-6L-40

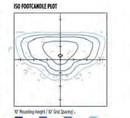
LUMINAIRE DATA

Type 3 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,425
Width	10.1"
Efficacy	155
BUG Rate	Type B - Medium
Mtd Ht Rating	B1-U0-G2

Zonal Lumen Summary

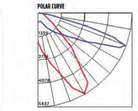
Zone	Lumens	%Luminaire
Low (0-30)°	1077	17%
Medium (30-60)°	3238.3	50.4%
High (60-90)°	1960.5	30.5%
Very High (90-90)°	367	5.9%
Uplight (90-180)°	0.1	0.0%
Total Flux	6425.2	100%

ISO FOOTCANDLE PLOT



16' Mounting Height / 10' Grid Spacing
1.0K | 2.0K | 3.0K | 4.0K

POLAR CURVE



XWM-FT-LED-6L-40

LUMINAIRE DATA

Type FT Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,666
Width	10.1"
Efficacy	162
BUG Rate	Type B - Medium
Mtd Ht Rating	B2-U0-G2

Zonal Lumen Summary

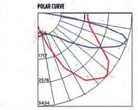
Zone	Lumens	%Luminaire
Low (0-30)°	779.6	11.7%
Medium (30-60)°	2934.9	44.1%
High (60-90)°	2,925.1	43.7%
Very High (90-90)°	310.5	4.8%
Uplight (90-180)°	0.1	0.0%
Total Flux	6,950.4	100.0%

ISO FOOTCANDLE PLOT



16' Mounting Height / 10' Grid Spacing
1.0K | 2.0K | 3.0K | 4.0K

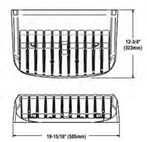
POLAR CURVE



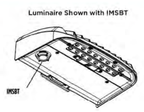
Type:

Mirada Wall Sconce (XWM)

PRODUCT DIMENSIONS
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Luminaire Shown with IMSBT



Surface Wiring Box



Wall location rated surface wiring box features 1/2" and 3/4" knockouts for surface conduit

Luminaire Shown with PCI



CONTROLS

AirLink Wireless Lighting Controller

The AirLink integrated controller is a California Title 24 compliant lighting controller that provides real-time light monitoring and control with utility-grade power monitoring. It includes a 24V sensor input and power supply to connect a sensor into the outdoor AirLink wireless lighting system. The wireless integrated controller is compatible with this fixture.

Click here to learn more about AirLink.

Integral Bluetooth™ Motion and Photocell Sensor (IMSBT)

Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is rated for cold and wet locations (-30° C to 70° C). Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Click here to learn more about IMSBT.

AirLink Blue

Wireless Bluetooth Mesh Outdoor Lighting Control System that provides energy savings, code compliance and enhanced safety/security for parking lots and parking garages. Three key components: Bluetooth wireless radio/sensor controller, Time Keeper and an iOS App. Capable of grouping multiple fixtures and sensors as well as scheduling time-based events by zone. Radio/Sensor Controller is factory integrated into Area/Site, Wall Mounted, Parking Garage and Canopy luminaires.

Click here to learn more about AirLink Blue.

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NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_PH.DWG

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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

Catalog #: Project: Type:
Prepared By: Date:

Scottsdale Vertex™ (SCV)

Petroleum Canopy Light

IP66



OVERVIEW	
Lumen Package (lm)	9,000 – 23,000
Wattage Range (W)	67 – 188
Efficacy Range (LPW)	109 – 154
Weight lbs (kg)	18.5 (8.4)

QUICK LINKS

Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction
- Rugged low-profile die-cast aluminum housing, optical unit, and driver cover.
- Below canopy access to optical chamber and driver housing for serviceability.
- IP66 rated luminaire protects integral components from dust and water.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling.
- Four fasteners secure the door frame to housing. Door frame also provides quick and easy access to the electrical compartment for servicing.
- Shipping weight: 18.5 lbs in carton.

Optical System
- Symmetrical distribution utilizes a clear tempered flat glass lens to uniformly illuminate the area under the gas canopy.
- Combination Forward Throw distribution uses clear tempered flat glass and optical grade PMMA acrylic lens to create an industry leading unique distribution pattern to illuminate the area under the gas canopy and the area between the gas canopy and convenience store eliminating the need for extra floodlights.
- Available in 5000K, 4000K and 3000K color temperatures.
- Minimum CRI of 80.

Electrical
- High-performance factory programmable driver, features include over-voltage, undervoltage, short circuit and over temperature protection.
- Integral 6kV surge protection that meets IEEE C62.41.2 and ANSI C82.77-5 Location Category C Low standards.
- Additional field replaceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- Custom lumen and wattage packages available.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours (See Lumen Maintenance on Page 2).
- Total harmonic distortion: <20%.
- Operating temperature: -40°C to +50°C (-40°F to +122°F) when mounted to Steel/Aluminum surfaces for 10L, 13L, & 15L Lumen Packages, +45°C for 20L Lumen Package, and +35°C for 23L Lumen Package. If mounted to a non-metallic surface, reduce ambient by 5°C.
- Power factor: >0.90.
- High-efficacy LEDs are mounted to (4) circuit boards to maximize heat dissipation.
- Driver components are fully encased in potting material for moisture resistance. Driver complies with FCC standards.

Hazardous Location
- Designed for lighter than air fuel applications. Product is suitable for Class 1 Division 2 with all lumen packages and distributions only when properly installed per LSI installation instructions. Models with optional controls are not approved for Class 1, Division 2 applications.
  - Gas Groups A, B, C, and D - Group A: Acetylene / Group B: Hydrogen / Group C: Propane and Ethylene / Group D: Benzene, Butane, Methane & Propane.

Installation (Standard)
- Installs in a 12" or 16" deck pan.
- Four fasteners are provided for use in single deck steel canopies. Other suitable fasteners may be required and provided by others.
- Unit is designed to quickly retrofit into existing Scottsdale (4") hole.
- Aluminum locking collar and gasket are included and required for complete seal and support of canopy deck.
- Retrofit panels are available for existing Encore, Richmond, 2x2 Universal, and more.
- Direct mount to surface or recessed J box with hardware bracket kit ordered separately as an accessory.

Installation (RED/Mount)
- Patent pending 3 piece quick mounting system; components include collar, capsule and connector.
- Designed to reduce canopy penetrations and increase installation efficiency.
- Installs in 12" or 16" deck pan.

Warranty
- LSI luminaires carry a 5-year limited warranty. Refer to https://www.lsicorp.com/resources/terms-conditions-warranty/ for more information.

Listings
- Listed to UL 1598 and UL 8750.
- Meets Buy American Act requirements.
- State of California Title 24 Compliant with IMSBT option.
- DesignLights Consortium® (DLC) Premium qualified product. Not all versions of this product may be DLC Premium qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.
- IDA compliant with 3000K or lower color temperature.

Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Have questions? Call us at (800) 436-7800

Type:

ORDERING GUIDE

Back to Quick Links

TYPICAL ORDER EXAMPLE:	SCV	LED	13L	SC	UNV	DIM	50	WHT	IMSBT2	REDI

Prefix	Light Source	Lumen Package	Distribution	Voltage	Driver	Color Temperature	Finish	Options	Mounting
SCV - Petroleum Canopy Luminaire	**LED**	**10L** - 10,000 Lumens **13L** - 13,000 Lumens **15L** - 15,000 Lumens **20L** - 20,000 Lumens **23L** - 23,000 Lumens Custom Lumen Packages[1] **23L (SCT)** - 23,000 Lumens **SCFT** - Combination Standard Symmetric and Forward Throw[2]	**SC** - Standard Symmetric	**UNV** - Universal Voltage (120-277VAC) **HV** - 347-480V	**DIM** - 0-10V Dimming[3]	**30** - 3000K **40** - 4000K **50** - 5000K	**WHT** - White **BLK** - Black **BRZ** - Bronze	**Blank** - None **ALBC51** - AirLink Blue Wireless Motion & Photo Sensor Controller (25-40' mounting height) **IMSBT2L** - Integral Bluetooth® Motion and Photocell Sensor (0 - 24' mounting height)[4] **IMSBT2L** - Integral Bluetooth® Motion and Photocell Sensor (25 - 40' mounting height)[4] **RL** - Hazardous Location Class 1 Div 2[5]	**Blank** - None **RED/M** - RED/Mount integrated junction box system[6]

Need more information? Click here for our glossary

Have additional questions? Call us at (800) 436-7800

ACCESSORY ORDERING INFORMATION

Part Number	Description
67542582	Retrofit Panel Kit - EC / ECTA / SCI in SCV, for 16" Deck Panel with Lanyer openings)
67601382	Retrofit Panel Kit - EC / ECTA / SCI in SCV, for 12" Deck Panel
67542682	Retrofit Panel Kit - RECI/Richmond to SCV
67542782	Retrofit Panel Kit - ENV Universal 2x2 to SCV
357282	Retrofit 2x2 Cover Panel Blank (no holes)
354762	Retrofit RC Cover Panel Blank (no holes)
5571598WHT	26" X 26" Beauty Plate Kit (with 4" Center hole)
5641606WHT	26" X 32" Beauty Plate Kit (with 4" Center hole)

Part Number	Description
6874613	Junction Box
1320540	Kit - Hole Plugs and Sealant (enough for 25 retrofits)
67625182WHT	Rectangular Top Plate Kit (includes top plate and sealant)
67545382	Surface Mount Box
68748282	Retrofit Kit - CBAT/DES to SCV
744353	Retrofit Kit for SCM/SCV to upgrade SC/SD/EC/ECTA White
75227282	Bracket SCM/SCV Direct Mount with Hardware

[1] Custom lumens and wattage packages available contact factory. Lumens per watts may vary from standard luminaire. Not for UL listed.
[2] Not available with RED/Mount.
[3] 0-10 low voltage wired dimming not available with RED/Mount.
[4] IMSBT is field configurable via the LSI App that can be downloaded from your smartphone's native app store.
[5] Is not compatible with AirLink, IMSBT, IMSBTR, or RED/Mount.
[6] Light fixture engine ships with RED/Mount attached.
[7] Ideal for 5" to 7" openings.
[8] Ideal for 7" openings.

Scottsdale Vertex™ (SCV) Petroleum Canopy Light

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Type:

PERFORMANCE

Back to Quick Links

Delivered Lumens*

Lumen Package	3000K CCT			4000K CCT			5000K CCT			Wattage
	Delivered Lumens	Efficiency	BUG Ratings	Delivered Lumens	Efficiency	BUG Ratings	Delivered Lumens	Efficiency	BUG Ratings	
10L	9,952	144	B5-U0-G1	9,929	148	B5-U0-G1	10,337	154	B5-U0-G1	67
13L	12,567	140	B5-U0-G1	12,927	144	B5-U0-G1	13,443	149	B5-U0-G1	90
15L	13,999	137	B5-U0-G1	14,399	141	B5-U0-G1	14,965	147	B5-U0-G1	102
20L	18,755	141	B4-U0-G1	19,598	147	B4-U0-G1	20,254	152	B4-U0-G1	133
23L	21,783	141	B4-U0-G2	22,406	145	B4-U0-G2	23,284	150	B4-U0-G2	155
23L (SCT)	20,866	111	B5-U0-G5	21,387	113	B4-U0-G5	23,101	123	B5-U0-G5	188

*LEDs are frequently updated therefore values are nominal.

Recommended Lumen Maintenance - SCV 25L SC[1]

Ambient Temperature °C	Initial[2]	25k hr[3]	50k hr[3]	75k hr[3]	100k hr[3]
25	102%	97%	92%	88%	84%
30	102%	97%	92%	88%	84%
35	102%	97%	92%	88%	84%
40	102%	97%	92%	88%	84%
45	103%	95%	91%	86%	81%
50	101%	95%	90%	85%	80%

Recommended Lumen Maintenance - SCV 25 SCFT[1]

Ambient Temperature °C	Lumen Multiplier				
	Initial[2]	25k hr[3]	50k hr[3]	75k hr[3]	100k hr[3]
25	105%	88%	73%	62%	52%
30	105%	88%	73%	62%	52%
35	105%	88%	73%	62%	52%
40	105%	88%	73%	62%	52%

Recommended Lumen Maintenance - SCV 25 SC1

Ambient emperature °C	Lumen Multiplier				
	Initial[2]	25k hr[3]	50k hr[3]	75k hr[3]	100k hr[3]
25	102%	97%	92%	88%	84%
30	102%	97%	92%	88%	84%
35	102%	97%	92%	88%	84%
40	101%	96%	91%	86%	82%

Electrical Data - Current draw in AMPS*

Lumen Package	Wattage	120V	208V	240V	277V	347V	480V
10L	67	0.56	0.32	0.28	0.24	0.19	0.14
13L	90	0.75	0.43	0.37	0.32	0.26	0.19
15L	102	0.85	0.49	0.42	0.37	0.29	0.21
20L	133	1.1	0.64	0.55	0.48	0.38	0.28
23L (SC)	155	1.29	0.75	0.65	0.56	0.45	0.32
23L (SCT)	189	1.57	0.9	0.78	0.68	0.54	0.39

*Electrical data at 25°C (77°F). Actual wattage may differ by +/-10%.

[1] Lumen maintenance values at 25°C are calculated per TM-21 based on LM-80 data and in-situ luminaire testing.
[2] In accordance with IESNA TM-21-11, Projected Values represent interpolated values based on time durations that are within six times (6X) the IESNA LM-80-08 total test duration (in hours) for the driven under testing (DUT) i.e. 4hr packaged LED array.
[3] In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times (6X) the IESNA LM-80-08 total test duration (in hours) for the driven under testing (DUT) i.e. the packaged LED chip.

Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Have questions? Call us at (800) 436-7800

Type:

PHOTOMETRICS

Back to Quick Links

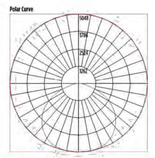
Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.
See the individual product page on https://www.lsicorp.com/ for detailed photometric data.

SCV-LED-15L-SC-50

Luminaire Data	
Wide Distribution	
Description	5000 Kelvins, 80 CRI
Delivered Lumens	15,410
Watts	103
Efficacy	150
IES Type	Type VS - Very Short
BUG Rating	B5-U0-G1

Zonal Lumen Summary		
Zone	Lumens	% Luminaire
Low (0-30°)	4,335.5	28.6%
Medium (30-60°)	8,286.4	54.8%
High (60-80°)	2,748.8	17.8%
Very High (80-90°)	177.4	1.1%
Uplight (90-180°)	1	0.0%
Total Flux	15,410.2	100%

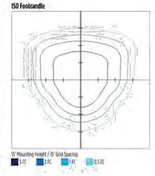


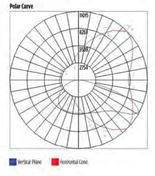


SCV-LED-23L-SCFT-50

Luminaire Data	
Wide Distribution	
Description	5000 Kelvins, 80 CRI
Delivered Lumens	24,364
Watts	163.5
Efficacy	149
IES Type	Type IV - Short
BUG Rating	B5-U0-G2

Zonal Lumen Summary		
Zone	Lumens	% Luminaire
Low (0-30°)	4,368.4	17.9%
Medium (30-60°)	12,550.5	51.7%
High (60-80°)	6,966.6	28.6%
Very High (80-90°)	419.5	1.8%
Uplight (90-180°)	0	0.0%
Total Flux	24,304.9	100%





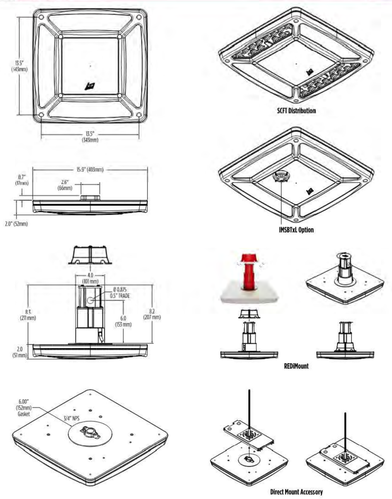
Scottsdale Vertex™ (SCV) Petroleum Canopy Light

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Type:

PRODUCT DIMENSIONS

Back to Quick Links



Scottsdale Vertex™ (SCV) Petroleum Canopy Light

Have questions? Call us at (800) 436-7800

Type:

CONTROLS

Back to Quick Links

Integral Bluetooth™ Motion and Photocell Sensor (IMSBTIL, IMSBT2L)

Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is rated for cold and wet locations (-30° C to 70° C). Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Click here to learn more details about IMSBTxL

AirLink Blue (ALBC, ALBCS1, ALBCS2)

Wireless Bluetooth Mesh Lighting Control System that provides energy savings, code compliance and enhanced safety/security. Three key components; Bluetooth wireless radio/sensor controller, Time Keeper and an App. Capable of grouping multiple fixtures and sensors as well as scheduling time-based events by zone. Radio/Sensor Controller is factory integrated into luminaires.

Click here to learn more details about AirLink Blue

RETROFIT KITS

Back to Quick Links

LSI Industries offers a full line of Retrofit Kits for existing Encore, Richmond, 2x2 Universal and many more older canopy luminaires.

Click here to learn more details on all our Retrofit Kits

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
2024 KIMLEY-HORN AND ASSOCIATES, INC.
6200 S South Syracuse Way #300
Greenwood Village, Colorado 80111 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: SPD
CHECKED BY: SAM
DATE: 08/30/24

QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
PHOTOMETRIC DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_PH.DWG

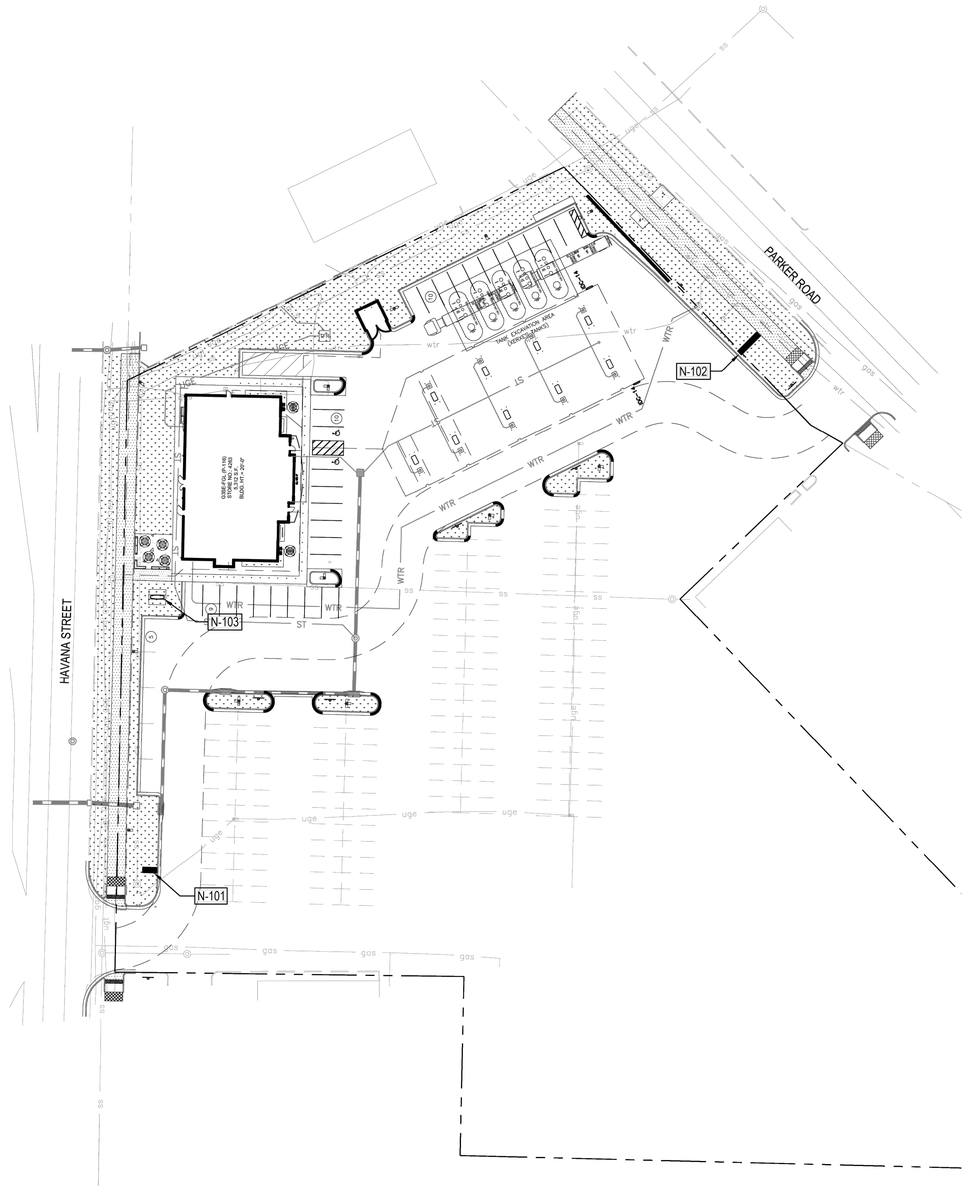
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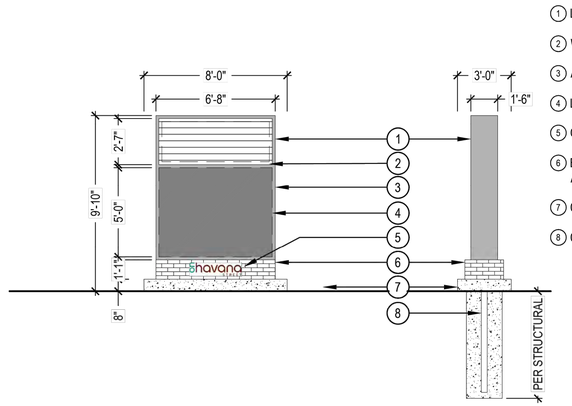
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QUIKTRIP 4263

SITE PLAN AND CONDITIONAL USE

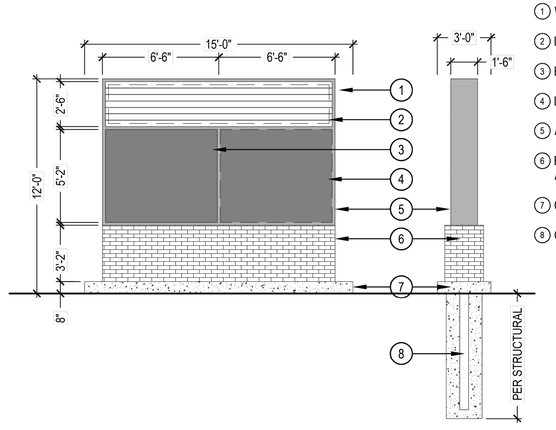
A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO





1 MULTI-TENANT | HAVANA STREET

SCALE: 1/4" = 1'-0"



2 MULTI-TENANT SIGN | PARKER ROAD

SCALE: 1/4" = 1'-0"

SIGNAGE REQUIREMENTS

CODE	SIGN TYPE	SIGN CLASSIFICATION	STREET CLASSIFICATION	PERMITTED SIGN HEIGHT	PROPOSED HEIGHT	PERMITTED SIGN AREA	SIGN FACE PER SIDE	PROPOSED TOTAL SIGN FACE
N-101	SECONDARY MULTI TENANT - HAVANA ST	MONUMENT / MULTI-TENANT	ARTERIAL	12'	9'-10"	200 SF	54 SF	108 SF
N-102	SECONDARY MULTI TENANT - PARKER ROAD	MONUMENT / MULTI-TENANT	ARTERIAL	12'	12'	200 SF	62 SF	168 SF
N-103	PRIMARY SINGLE TENANT - HAVANA ST	MONUMENT / SINGLE-TENANT	ARTERIAL	N/A	20'	184.75 SF	N/A	N/A
								TOTAL: 276 SF

* ALL SIGNS MUST COMPLY WITH THE COA UNIFIED DEVELOPMENT ORDINANCE SIGN CODE SECTION: 146-4.10.5.

** SIGNS ARE PERMITTED VIA A SEPARATE PERMIT

NORRIS DESIGN
PEOPLE + PLACEMAKING

811 Know what's below. Call before you dig.

NO.	REVISION	BY	DATE	APPR.

Kimley»Horn
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QUIKTRIP 4263
PARKER RD. & HAVANA
SITE PLAN
SIGNAGE PLAN

PRELIMINARY
NOT FOR CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888046

DRAWING NAME
096888046_SN.DWG

24

K:\DEN_Civil\096888046_QuikTrip 4263 Aurora\CADD\PlanSheets\Site Plan\096888046_SN.dwg DeHoyos, Schuyler 12/13/2024 11:46 AM

November 8, 2024

City of Aurora
Office of Development Assistance
15151 E. Alameda Parkway, Suite 5200
Aurora, CO 80012

Re: ***Site Plan – Conditional Use Criteria for Approval***
QuikTrip 4263
Parker Road and Havana Street, Aurora, Colorado

To Whom It May Concern,

Kimley-Horn and Associates, Inc. is pleased to be submitting the Site Plan Package for the above-referenced project on behalf of QuikTrip Corporation (the "Site Developer"). In conjunction with the project, we are responding the Criteria for Approval, ensuring our Site will align with Aurora's requirements within Section 146-5.4.3.3.A.3.

General Project Information

The Site is located on Parker Road, situated in the southwest quarter of Section 26, Township 4 South, Range 67 West of the 6th Principal Meridian, City of Aurora, County of Arapahoe, State of Colorado.

The Site lies within a portion of an existing developed lot, with a Burger King to the north, and surrounded by mixed uses to the south such as Epic Mountain Gear and Advance Auto Parts with associated sidewalks, pavement, and parking. The total existing lot contains a total of ±4.834 acres, however the proposed improvements anticipate impacting approximately ±2.07 acres of the total site.

The proposed improvements consist of the demolition of the existing structure on the northern portion of the site to develop a new convenience store and gas station.

Conditional Use Criteria

It is understood that a gas station and convenience store is a Conditional Use under the current MU-C zoning designation. Below is a summary of the seven (7) conditional use criteria and descriptions of how the proposed site plan demonstrates compliance with the criteria.

1. The application complies with the applicable standards in the UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.
    - *Response: There is no approved Master Plan that includes the property, but the proposed development is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site. The Site complies with the applicable standards in the UDO and City regulations per coordination with the City through the Pre-Application process. The Site proposes updated and accessible routes, ramps, and tree lawn improvements along Havana Street and Parker Road. There are no outstanding standards applied to the Site by a prior decision, ensuring that the proposed development complies with all applicable standards laid out.*

2. The application is consistent with the Comprehensive Plan
   - *Response: The proposed development is consistent with the Comprehensive Plan as the finished development will contribute to the economy with new jobs, improve mobility and transportation with a new detached sidewalk, which will provide accessible paths to and from the improved bus stop. This development will improve the existing condition by proposing more landscaping. These improvements will uplift the existing lot, aiding not only QuikTrip, but also the existing commercial businesses by aligning with Aurora's community principles and Comprehensive Plan.*

3. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surround area.
   - *Response: The proposed convenience store and fuel station will not negatively impact the density in this area and will actively serve the community while remaining compatible with the existing commercial stores within the Site's lot. A Traffic Study has been completed and accompanies the submittal package, confirming the Site does not create a negative impact and will be successfully incorporated into the roadway network. Visually, the proposed development will be partially screened with landscaping and amenities from view of the adjacent ROW utilizing tree lawns and decorative landscaping. QuikTrip is committed to providing a high level of architecture design for both the proposed Convenience Store and Fuel Canopy, both structures will be compliant with the City UDO. The proposed landscaping on the QT is consistent with the City UDO and provides new detached sidewalks with tree lawns and a plaza area west of the building.*

4. The proposed use will not change the predominant character of the surrounding area
   - *Response: The zoning for the proposed site and surrounding properties is Mixed Use Corridor. As the Site proposes a convenience store and fuel station, QuikTrip will contribute to the commercial lot by offering high quality to-go food, sidewalks/paths and outdoor seating areas around the building. The other stores within the lot are commercial, selling a variety of products for consumption. Additionally, the existing store that QuikTrip is redeveloping is a restaurant; therefore, the proposed Site will not change the predominant character of the area and surrounding stores.*

5. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable
   - *Response: The proposed development will create an accessible path along both Parker Road as well as Havana Street, including accessible ramps connecting pedestrians to surrounding commercial stores as well as the existing bus stop that will see improvements through this development.*

6. The application demonstrates that the proposed use will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.
   - *Response: The proposed Site has agreements in place with the surrounding uses, agreeing to mitigate any dislocations of tenant, occupants of the property, or decreasing lot visits. This is achieved by not closing off access to the Site during construction. This will aid in the compliance*

with the Comprehensive Plan, allowing the economy to still grow as no store will be temporary closed or experience reduction in trip circulations due to closed access point construction.

7. The application mitigates any adverse impacts on the surrounding area to the degree practicable.
   - *Response: The proposed development mitigates impacts on the surrounding area by working and maintaining contact with the surrounding owners. The Site is a lease on land, so QuikTrip is in consistent contact with the lot's owners and integrates their feedback and concerns into the Site's production and construction. This allows for the development to lessen the impact it has on the surrounding commercial stores to a practical degree, and once complete, contributes to the lot's success by bringing in additional customers and travelers alike through the store's elevated interior, pedestrian outdoor seating, and lot improvements.*

We hope this CUP Criteria Letter aids in your review of the QuikTrip Site Plan submittal. We are excited to work with the City on this project and look forward to delivering a project that the City and this project team are extremely proud of.

If you have any questions or comments during your review, please do not hesitate to contact me at 303-228-2327 or shelby.madrid@kimley-horn.com.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



Shelby Madrid, PE,

City of Aurora
Planning Commission Case Report

Project Title: QUIKTRIP 4263 - CONDITIONAL USE AND SITE PLAN
Development Application Number: DA-1483-03
Case Numbers: 2000-6044-07, 2000-6044-08
Case Manager: James Schireman
Applicant: QuikTrip Corporation – Shelby Madrid
General Location: S Havana St to the West, S Parker Rd to the Northeast
Ward: IV

Project Summary:
The applicant's agent, Kimley Horn and Associates, on behalf of the QuikTrip Corporation, requests approval of a Site Plan application and Conditional Use permit for a convenience store and fueling station in the triangular shopping center bound by S. Parker Rd. and S. Havana St. The subject property is located entirely within an MU-C zone district and is bordered by adjacent MU-C zoning to the north and south, with a small pocket of MU-OI zoning to the east. A park managed by the City of Denver is located to the West across Havana Street. The proposed Quiktrip is located on a parcel that contains a multi-tenant commercial center, which will remain, while the now closed Sam's Diner restaurant in the Northwest corner will be demolished and replaced with the proposed Quiktrip use. Specifically, the QuikTrip will include an approximately 5,312-square-foot single-story convenience store, and a 9-pump traditional vehicle fueling station with a canopy. The fueling station, convenience store, and associated parking will occupy 1.288 acres of the overall 4.834 Acre site. No separate diesel canopy is proposed.

The proposed convenience store building will be constructed primarily of masonry brick, will include glazing on all elevations, and features accents of aluminum and stucco. Vehicular access to the site will be provided through existing access points off S. Parker Rd. and S Havana St. The proposed site plan design meets all applicable requirements and ensures that all potential negative impacts are mitigated and that the proposed use's size, scale, height, density, and traffic impacts are compatible with existing nearby development.

The fueling station would operate 24 hours a day, 7 days a week. The facility would employ approximately 22 people, with 4 employees working per shift and 3 shifts per day. Due to being located along a primary commuter corridor, the location expects peak visitation during the morning and evening rush-hour, specifically 6am-9am and 4pm-6pm.

Applicant's Requests:
Site Plan and Conditional Use Approval

Neighborhood Comments:
No neighborhood comments were received during the review process. Therefore, no neighborhood meeting was held.

Major Issues Discussed During Development Review:
- **Building Frontage and Site Layout**
- **Pedestrian Accessibility**
- **Vehicle Circulation**
- **Public Safety**
- **Havana St. Placemaking**

Results of Development Review:

Building Frontage and Site Layout
UDO §146-3.3.5.OO.9 describes the use specific standards for Motor Vehicle Fuel Dispensing Stations within the City of Aurora. Regarding building orientation and street frontage this section states: "When site constraints such as easements, floodplains, utilities, or others do not impact building placement, primary buildings shall front the street and fueling area canopies shall be set back behind buildings, and no street frontage buffers for building perimeters shall be required."

This site features a unique constraint in that it is bound by two major arterial streets to the East and West, making almost the entire site visible from the public right of way. In order to accomplish the intent of the section to the maximum extent practicable, staff coordinated with the applicant to identify how the fueling canopy could be sited behind the convenience store.

Ultimately, the convenience store was sited directly along S. Havana St. with the fueling canopy being largely screened from the west and north by the proposed convenience store and existing drive through restaurant, respectively. While the fueling canopy will be visible for a small 200' stretch along S. Parker Rd, staff found the existing multi-tenant building and ski-equipment store will help screen the canopy from the southeast. This approach allowed staff to determine this criterion as satisfied and eliminated the need for an adjustment.

Pedestrian Accessibility
Being located between two major arterial streets, the opportunity to enhance pedestrian connectivity described in §146-4.5.4.D was prioritized during the review process. While a mid-block crossing along the northern property line to connect Havana St. and Parker Rd. was not feasible due to grading requirements and the nearby fuel storage, the applicant plans to provide upgraded pedestrian accessibility to the convenience store and overall shopping center. Along Havana St. the site plan would connect the convenience store entrance with a public amenity space and upgraded detached sidewalk while on the Parker Rd. frontage the proposed plans would further enhance pedestrian access by providing a detached sidewalk and coordinating with RTD to provide an upgraded bus stop.

While frontage improvements help enhance pedestrian accessibility to the site, updates to the site's parking lot promote safe and consistent vehicular circulation, resulting in a safe environment for pedestrians hoping to use the convenience store. Overall, staff found the intent for this section satisfied, especially considering the auto-oriented nature of this use.

Vehicular Circulation
UDO §146-4.2.3.F.3 requires that the internal streets and parking lots within development containing multiple buildings be broken up into smaller internal blocks to prioritize safe vehicular circulation. While the former restaurant located at this site only utilized the northwest corner of the shopping center parking, the proposed fuel station and convenience store use will expand the area to occupy much of the north half of the property. Moreover, the largely auto oriented and short-term stay associated with the proposed use would increase vehicular traffic in the shopping center. Staff worked with the applicant to satisfy the requirements of this section along with landscaping requirements to place capping landscaped islands, resulting in apparent and separate for looking to refuel. The proposed site plan enhances vehicular circulation at the existing site and aims coordinate travel among all users, whether they are refueling, using the convenience store, or looking to shop at one of the surrounding retail uses.

Public Safety
In order to promote a safe environment for the 24 hour fueling station, staff reviewed the photometric plans to ensure the areas surrounding the building and fueling canopy were well lit, while new light poles were placed within parking lot island to help illuminate the parking lot. Extra plantings were also placed along the Havana

Street frontage to create a natural barriers and prevent informal footpaths from appearing behind the storefront and instead encouraging customers to use the well-lit areas in view of the store.

While user safety is paramount for a 24-hour use, the QuikTrip corporation demonstrated full compliance with state fueling safety standards in their environmental responsibility letter included as Exhibit E. By going above state and federal requirements regarding leaks detection, the site promotes public safety at the commercial level.

Havana St. Placemaking
Because this site sits near the southernmost end of the Havana St. Corridor, it acts as an impactful landmark to those leaving or departing the Havana Corridor. Moreover, because this site will receive users from both the Havana St. frontage and internal fueling area, staff applied the primary façade standards to both the east and west building elevations to enhance the overall architecture of the site. The streetscape was enhanced to align with the pedestrian friendly vision for the Havana Corridor by triggering condition of 1 of § 146-2.6.7.B.2, providing curbside landscape area, 10' detached walk, and landscape buffer. In addition, the proposed monument signs fronting along Havana feature the "On Havana" placemaking signage to unify this business with other users along the corridor, per §146-2.6.7.B.6

Summary of Staff Recommendation:
Staff recommends approval of the Site Plan as well as the conditional use proposed with this application.

Detailed Case Analysis

Public Notification: Legal notice appeared in the Aurora Sentinel on January 30th, 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 (15) registered neighborhood organizations within one mile of the project: TELEPGRAPH HILL II CONDOES, LITTLE TURTLE, RODEO DRIVE HOA, DAM EAST HOA, CHEROKEE I HOA, INNSBRUCK TH ASSOC, EASTRIDGE CIVIC ASSOCATION, PTARMIGAN PARK HOA, THE SHORES HOA, BERKSHIRE VILLAGE HOA, PEORIA PARK CIVIC ASSN, RAINTREE EAST, CLEAN, DAM WEST HOMEOWNERS ASSOCIATION, VILLAGE EAST NEIGHBORHOOD ASSOCIATION.

Conformance with Code Criteria:

1. Conditional Use Criteria
Per Section 146-5.4.3.A.3. the Conditional Use shall be approved, approved with conditions, or denied based on the following criteria:
(a) The application complies with the applicable standards in this UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property. (b) The application is consistent with the Comprehensive Plan. (c) The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area. (d) The proposed use will not change the predominant character of the surrounding area. (e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable. (f) The application demonstrates that the proposed use 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. (g) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

The Conditional Use complies with the code criteria regarding adherence to applicable City Code and mitigation of ext. Therefore, the application as proposed:

- Complies with the standards of the UDO;
- Is consistent with the goals of the Commercial Hub Comprehensive Plan placetype;
- Is compatible with the surrounding development;
- Mitigates negative external effects on nearby uses; and
- Will not change the predominant character of the area.

2. Site Plan Criteria

Per Section 146-5.4.3.B.2. the Site Plan shall be approved, approved with conditions, or denied based on the following criteria:
(a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property. (b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable. (c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable. (d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers. (e) The application is compatible with surrounding uses in terms of size, scale and building façade materials. (f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

The Site Plan complies with the code criteria regarding design, circulation, landscaping, building architecture, and compatibility. Therefore, the application as proposed:

- Complies with the standards of the UDO:
- Is compatible with the surrounding development;
- Provides for high quality four-sided architecture;
- Mitigates negative external effects on nearby uses; and
- Establishes adequate vehicular and pedestrian circulation and connectivity.

Applicant Information:

Applicant: Kimley Horn and Associates
Owner: QuikTrip Corporation
Project Manager: Jessica Glavas & Shelby Madrid

Exhibits:

Exhibit A - Vicinity Map
Exhibit B - Letter of Introduction
Exhibit C - Site Plan
Exhibit D - Response to Conditional Use Criterion
Exhibit E – Environmental Responsibility Letter

Project Statistics:

Land Use Analysis

Item	Existing	Permitted or Required	Proposed
Zoning	MU-C (Mixed-Use Corridor)	N/A	No Change
Land Use	Restaurant	Proposed Use Permitted with Conditional Use Approval	Motor Vehicle Fuel Dispensing Station and Convenience Store
Parcel Size	4.834 acres	N/A	1.288 acres improved
% Hard Surface Area	N/A	N/A	70%
% Landscape Area	N/A	N/A	31%
% Building Coverage	N/A	N/A	24%
Building Height	N/A	75 feet	22.5’ feet
Total Sign Area	N/A	Per City Code	184.5’ sf
Number of On-Site Parking Spaces	N/A	22 Traditional Vehicle Stalls 2 Accessible Stalls	32 Traditional Vehicle Stalls 2 Accessible Stalls

Surrounding Properties

Direction	Zoning	Actual Use
North	MU-C (Mixed-Use Corridor)	Drive-through Restaurant (Burger King)
East 1	MU-OI (Mixed-Use Office & Institutional)	Offices (Havana Parker Office Center)
East 2	MU-C (Mixed-Use Corridor)	Multi-Tenant Retail Building
South	MU-C (Mixed-Use Corridor)	Multi-Tenant Retail and Epic Mtn Gear
West	City of Denver OS-A (Open Space Public Parks)	Babi Yar Park

Staff Recommendation:

Agenda Item 8a: Conditional Use
Recommend approval of the Conditional Use because the proposal complies with the criteria in Section 146-5.4.3.A.3. for the following reasons:

- Complies with the standards of the UDO;
- Is consistent with the goals of the Commercial Hub Comprehensive Plan placetype;
- Is compatible with the surrounding development;
- Mitigates negative external effects on nearby uses; and
- Will not change the predominant character of the area.

Agenda Item 8b: Site Plan
Approve Site Plan because the proposal complies with the requirements of Code Section 146-5.4.3.B.2 of the Unified Development Ordinance for the following reasons:

- Complies with the standards of the UDO:
- Is compatible with the surrounding development;
- Provides for high quality four-sided architecture;
- Mitigates negative external effects on nearby uses; and
- Establishes adequate vehicular and pedestrian circulation and connectivity.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Planning and Zoning Commission

Planning and Business Development Department

Planning and Zoning Commission
City of Aurora

THE REGULAR MEETING WILL START AT 6:10 PM

TO SPEAK ON AN AGENDA ITEM PLEASE SIGN UP:

- Please use this QR code to complete the Speaker Sign-Up Form:
- If you have already completed the form, no further action is necessary.

For more information: https://auroragov.org/PC
OR search for “City of Aurora Planning Commission” on your web browser.

Please make sure your home or computer microphone is on mute, unless you are speaking. The Planning and Zoning Commission meeting is a quasi-judicial hearing. There is no swearing-in of those who will give testimony, but it is presumed that all parties are telling the truth. When addressing the commission, please state your name and address for the record.

For each agenda item, there will be an initial presentation by city staff. Afterward, commissioners may ask questions of staff. Discussion of agenda items, by Commissioners, will be conducted only following a motion and a second.



Following the staff presentation, the applicant, or their representative, may choose to make a presentation, or answer questions. The applicant will have 10 minutes for their presentation. Commissioners may ask questions.

Members of the public, that have signed up to speak, will each have 3 minutes to speak on the agenda item during this public comment period. It is asked that only new information be presented; the same arguments should not be repeated. Commissioners may ask questions of the public, following their comments. After public comments, the applicant will have 5 minutes to address public comments. Commissioners may ask questions of the applicant.



The chair will ensure all commissioners have no further questions of the applicant or staff. The chair will then call for the question. After a motion has been made and seconded, the commissioners will then discuss the case amongst themselves.

After the discussion, the chair will call the question. Commissioners are finders of fact and will vote based on their evaluation of the evidence presented, as compared to Code Section 146.



All rulings by the Planning Commission are normally final. Exceptions are zoning map amendments, zoning code amendments, and comprehensive plan amendments that need City Council approval. Decisions by the Commission can be appealed to City Council by presenting a written appeal to the City Manager within ten calendar days of the public hearing. City Council also has the discretion to call up any case whether an appeal has been made.

Notices for this virtual meeting were published, posted to the city website, and the development projects were posted with signs on the properties. Notices were also mailed to adjacent landowners per city requirements.



AGENDA

Regular Meeting of the Planning and Zoning Commission

February 12, 2025, 5:00 pm
VIRTUAL MEETING

1. **Study Session - Planning and Zoning Commission 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**
5. **Approval of the Planning Commission Minutes**
   - 5.a **Draft January 22, 2025 Planning and Zoning Commission Minutes**
6. **Adoption of Agenda**
7. **Consent Agenda**
8. **General Business**
   - 8.a **QuikTrip 4263 - Conditional Use - Project Number 1810914 - Ward IV**

     CASE MANAGER: James Schireman APPLICANT: QuikTrip Corporation
     Development Application: DA-1483-03 Case Number(s): 2000-6044-08
     General Location: S Havana Street to the west, S Parker Road to the northeast
   - 8.b **QuikTrip 4263 - Site Plan - Project Number 1810914 - Ward IV**

     CASE MANAGER: James Schireman APPLICANT: QuikTrip Corporation
     Development Application: DA-1483-03 Case Number(s): 2000-6044-07
     General Location: S Havana Street to the west, S Parker Road to the northeast
9. **Public Invited to be Heard (non-agenda related issues)**
10. **Commissioner Comments/Miscellaneous Items of Business**
11. **Reports**
    - 11.a **Report by Planning Division Manager**
    - 11.b **Report by City Attorney**
12. **Adjournment**

Project Name: Quiktrip 4263

Project No: DA-1483-03
Public Hearing
Aurora Planning & Zoning Commission
February 12, 2025

Request

- Site Plan and Conditional Use Approval for a vehicle fueling station and convenience store in the MU-C district.

- Applicant: Kimley Horn & Associates
- Owner: Quiktrip
- Current Zoning: Mixed-Use Corridor (MU-C)

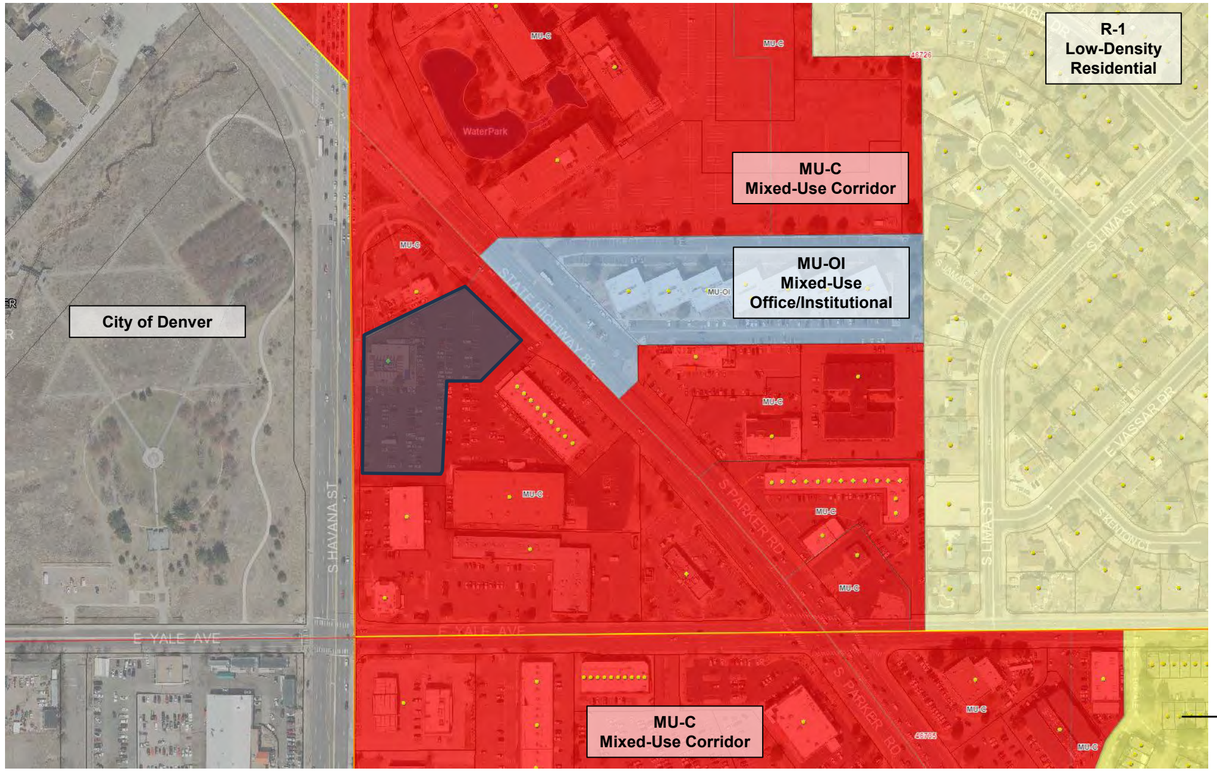
Vicinity Map



Aerial Map



Zoning Map


City of Denver
MU-C
Mixed-Use Corridor
MU-OI
Mixed-Use
Office/Institutional
R-1
Low-Density
Residential
MU-C
Mixed-Use Corridor
R-2
Medium-
Density
Residential
S HAVANA ST
E YALE AVE
S PARKER RD
S DIRECTA
S LIMA ST
E VASSAR DR
WaterPark

Site Photo – East Facing View



Site Photo –North Facing View



Site Photo – South Facing View



Site Photo – West Facing View



Community Response

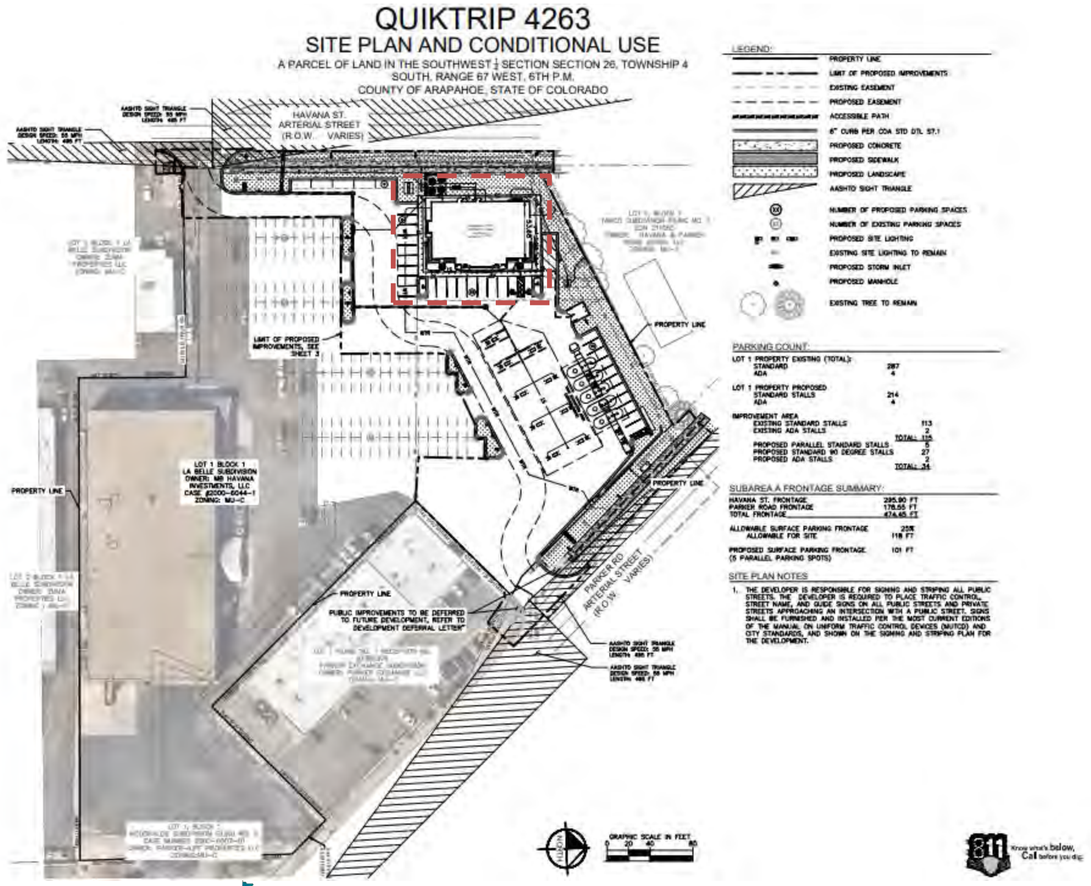
7 adjacent property owners and 15 registered neighborhood organizations were notified.

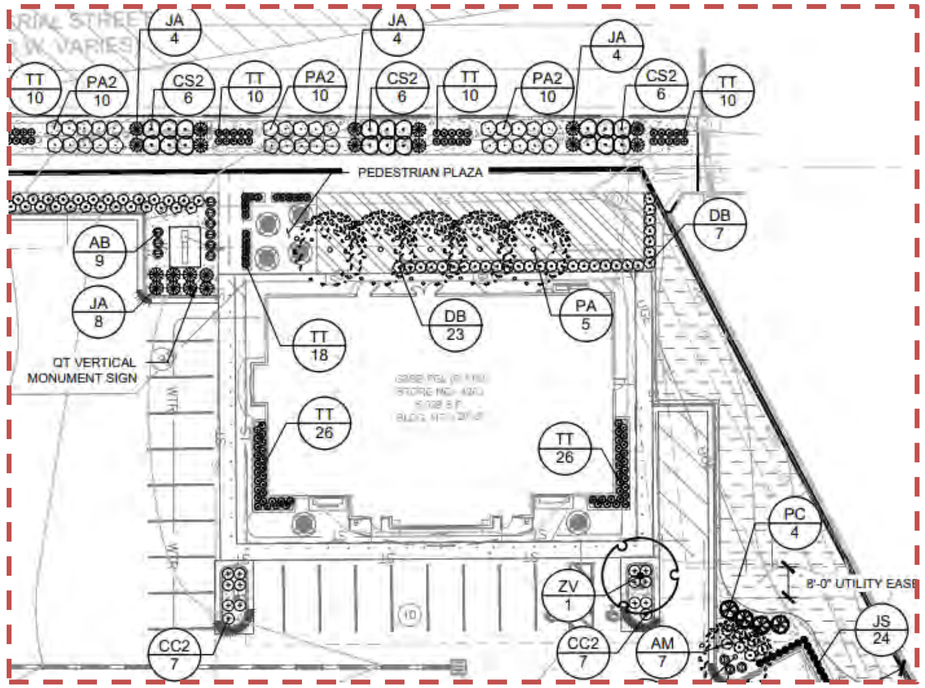
A neighborhood meeting was not held.

Notice of Hearing Boards and Mailings were posted and sent.

A comment from an HOA rep was received yesterday. The Case Planner responded to the nearby HOA rep. No comments were received during review.

Site Plan

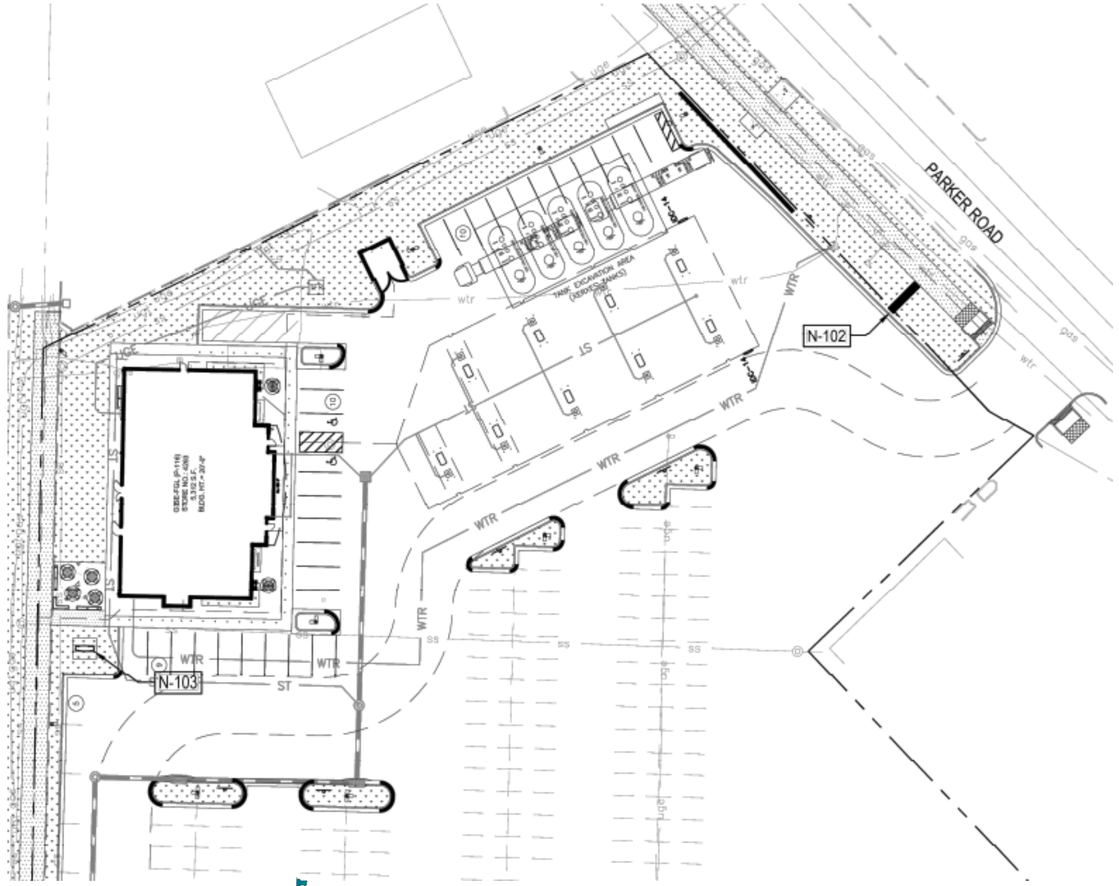

QUIKTRIP 4263
SITE PLAN AND CONDITIONAL USE
A PARCEL OF LAND IN THE SOUTHWEST ¼ SECTION SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO
HAVANA ST.
ARTERIAL STREET
(R.O.W. VARIES)
PARKER RD
ARTERIAL STREET
(R.O.W. VARIES)
LIMIT OF PROPOSED IMPROVEMENTS, SEE SHEET 2
PROPERTY LINE
LOT 1 BLOCK 1
LA BELLE SUBDIVISION
OWNER: MR HAVANA INVESTMENTS, LLC
CASE #2000-6044-1
ZONING: MU-C
PUBLIC IMPROVEMENTS TO BE DEFERRED TO FUTURE DEVELOPMENT, REFER TO DEVELOPMENT DEFERRAL LETTER
AASHTO SIGHT TRIANGLE
DESIGN SPEED: 55 MPH
LENGTH: 495 FT
DESIGN SPEED: 50 MPH
LENGTH: 495 FT
LEGEND:
PROPERTY LINE
LIMIT OF PROPOSED IMPROVEMENTS
EXISTING EASEMENT
PROPOSED EASEMENT
ACCESSIBLE PATH
6" CURB PER COA STD D7L ST.1
PROPOSED CONCRETE
PROPOSED SIDEWALK
PROPOSED LANDSCAPE
AASHTO SIGHT TRIANGLE
NUMBER OF PROPOSED PARKING SPACES
NUMBER OF EXISTING PARKING SPACES
PROPOSED SITE LIGHTING
EXISTING SITE LIGHTING TO REMAIN
PROPOSED STORM INLET
PROPOSED MANHOLE
EXISTING TREE TO REMAIN
PARKING COUNT:
LOT 1 PROPERTY EXISTING (TOTAL):
STANDARD 287
ADA 4
LOT 1 PROPERTY PROPOSED
STANDARD STALLS 214
ADA 4
IMPROVEMENT AREA
EXISTING STANDARD STALLS 113
EXISTING ADA STALLS 2
TOTAL: 115
PROPOSED PARALLEL STANDARD STALLS 5
PROPOSED STANDARD 90 DEGREE STALLS 27
PROPOSED ADA STALLS 2
TOTAL: 34
SUBAREA A FRONTAGE SUMMARY:
HAVANA ST. FRONTAGE 295.90 FT
PARKER ROAD FRONTAGE 178.55 FT
TOTAL FRONTAGE 474.45 FT
ALLOWABLE SURFACE PARKING FRONTAGE 25%
ALLOWABLE FOR SITE 118 FT
PROPOSED SURFACE PARKING FRONTAGE 101 FT
(5 PARALLEL PARKING SPOTS)
SITE PLAN NOTES
1. THE DEVELOPER IS RESPONSIBLE FOR SIGNING AND STRIPING ALL PUBLIC STREETS. THE DEVELOPER IS REQUIRED TO PLACE TRAFFIC CONTROL, STREET NAME, AND GUIDE SIGNS ON ALL PUBLIC STREETS AND PRIVATE STREETS APPROACHING AN INTERSECTION WITH A PUBLIC STREET. SIGNS SHALL BE FURNISHED AND INSTALLED PER THE MOST CURRENT EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND CITY STANDARDS, AND SHOWN ON THE SIGNING AND STRIPING PLAN FOR THE DEVELOPMENT.
GRAPHIC SCALE IN FEET
0 20 40 80
811 Know what's below. Call before you dig.


JA 4
TT 10
PA2 10
CS2 6
PEDESTRIAN PLAZA
DB 7
AB 9
JA 8
QT VERTICAL MONUMENT SIGN
TT 18
DB 23
PA 5
TT 26
PC 4
8'-0" UTILITY EASE
ZV 1
CC2 7
AM 7
JS 24

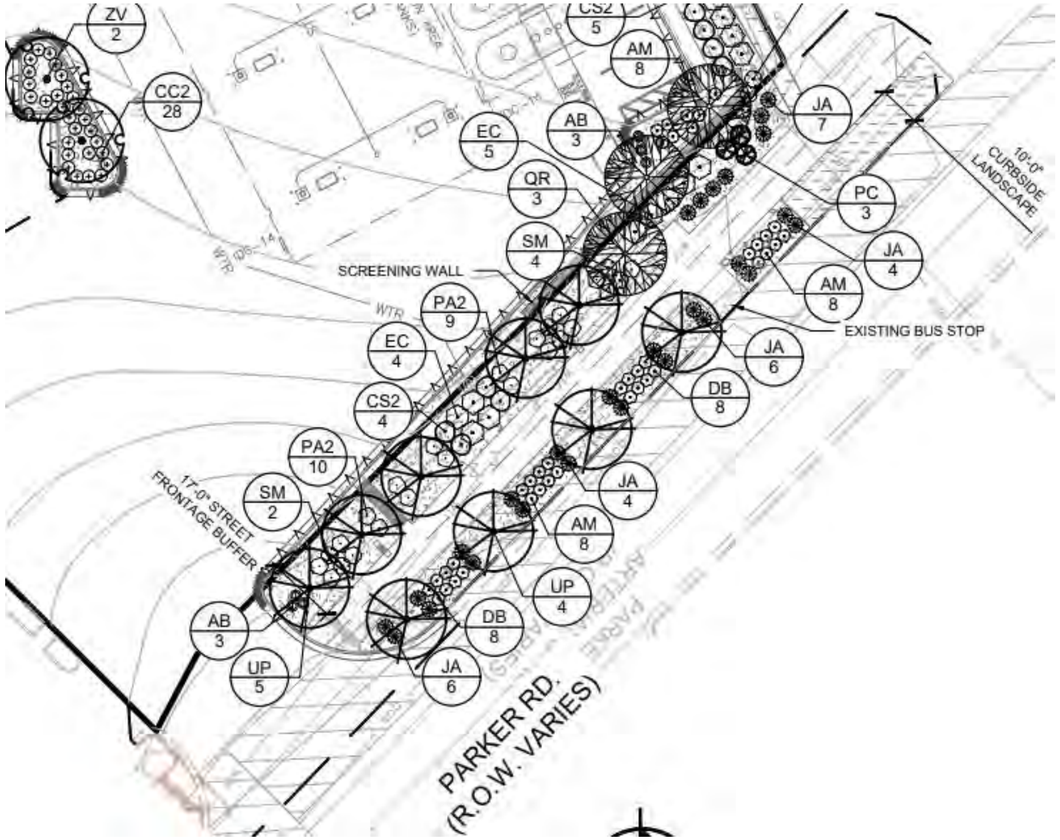
Issues Resolved

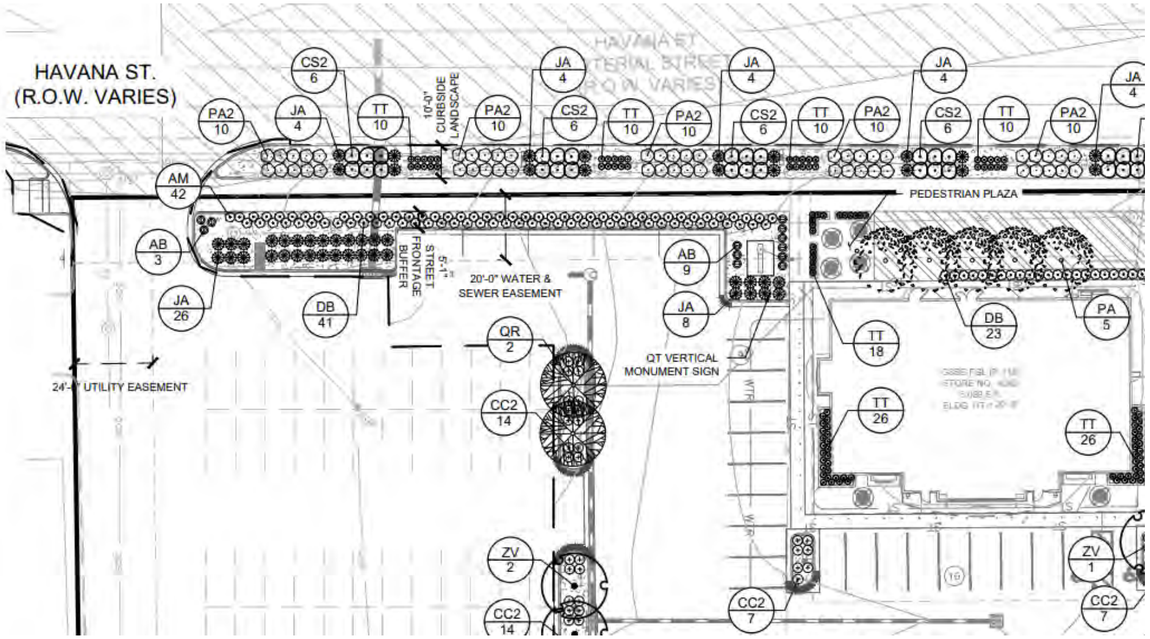
- Building Frontage and Site Layout
- Pedestrian Accessibility
- Vehicle Circulation
- Public Safety
- Havana St. Placemaking

Building Frontage and Site Layout

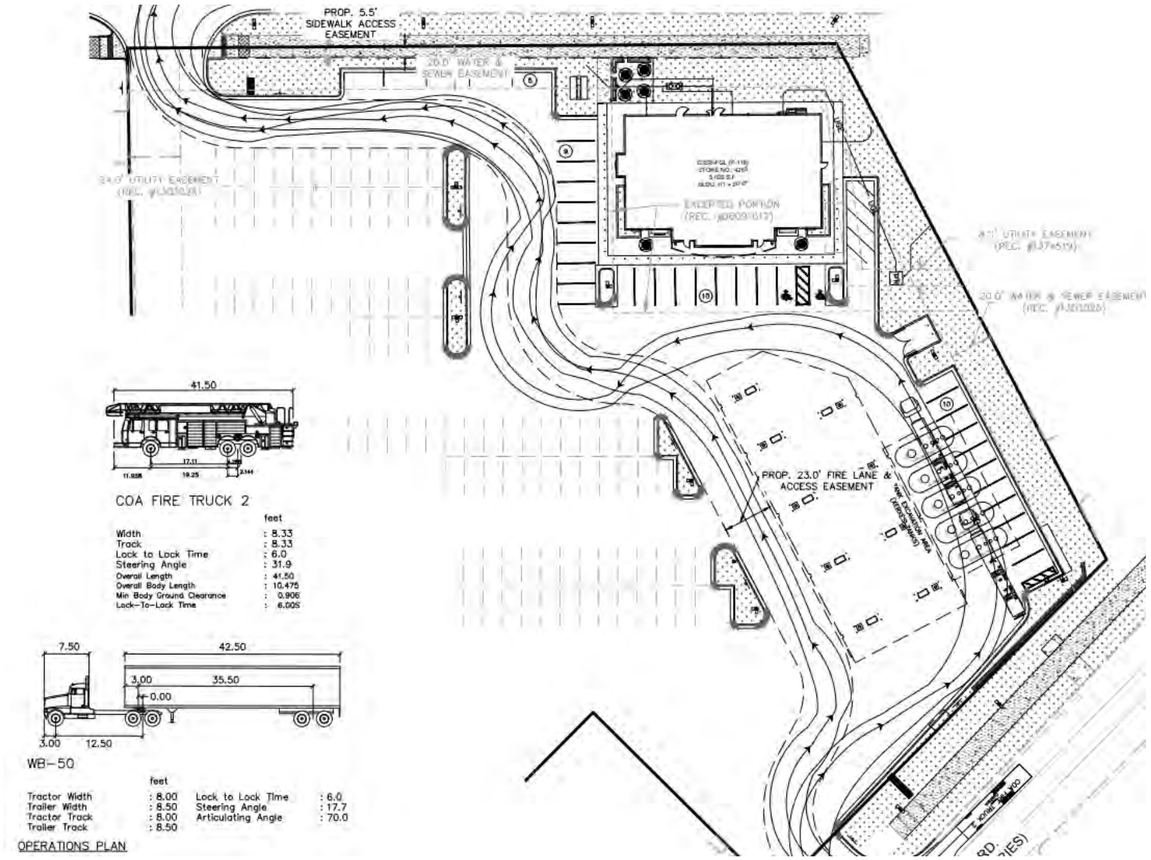


Pedestrian Accessibility

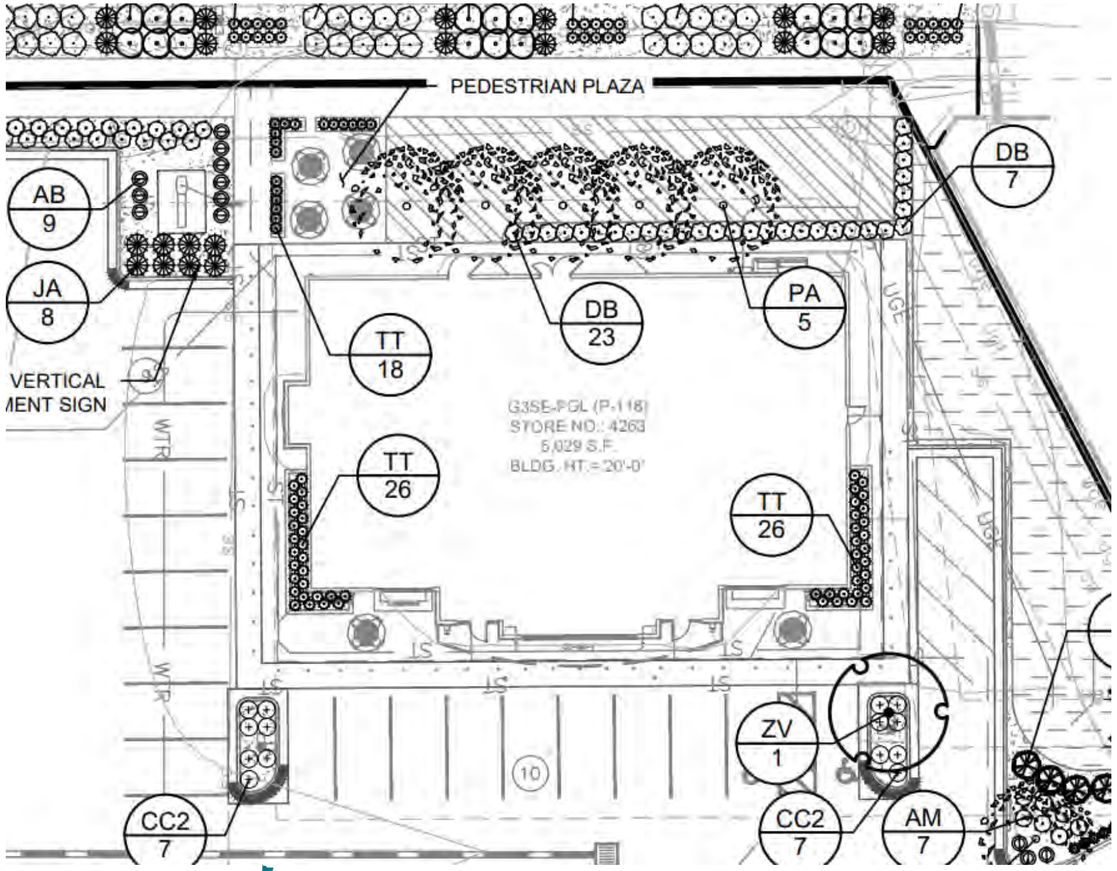




Vehicle Circulation

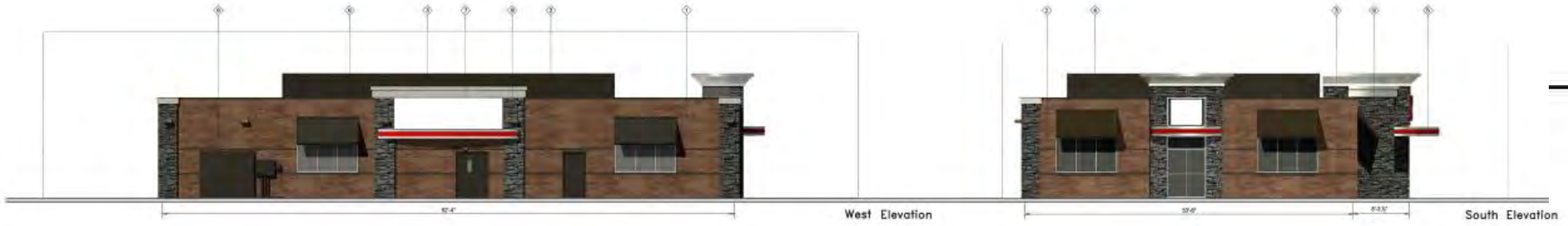


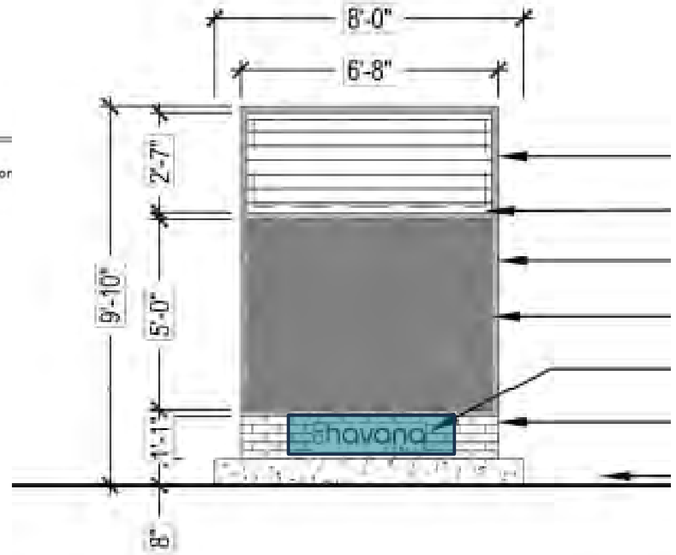
Public Safety



Havana St. Placemaking







Conditional Use Approval Criteria

In compliance with the City of Aurora Zoning Code, Sec. 5.4.3.A.3, Conditional Use:

- The conditional use complies with the applicable standards of the UDO;
- The application is consistent with the Comprehensive Plan “Commercial Hub” Placetype;
- The application is compatible with adjacent and nearby development;
- Mitigates negative external effects on nearby uses; and
- Will not change the predominant character of the area.

Site Plan Approval Criteria

In compliance with the City of Aurora Zoning Code, Sec. 146-5.4.3.2.B.c, Site Plan:

- The site plan complies with the applicable standards of the UDO and the Aurora Places Comprehensive Plan;
- The application is compatible with adjacent and nearby development;
- The application provides for high quality four-sided building architecture;
- The proposal mitigates negative external effects on nearby uses and;
- Establishes adequate vehicle and pedestrian circulation and connectivity



Staff Findings

Agenda Item 8a

City of Aurora UDO, Section 146-5.4.3.A.3, Conditional Use

- Recommend Approval

Agenda Item 8b

City of Aurora UDO, Section 146-5.4.3.B.2.c, Site Plan

- Recommend Approval with conditions
- Condition #1: Resolution of all outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.

Planning and Zoning Commission
February 12, 2025

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

Commissioner Roth left the meeting at 6:14 pm.

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. January 22, 2025, Draft Minutes
   A MOTION WAS MADE BY CHAIRMAN WALLS AND SECONDED BY COMMISSIONER JETCHICK TO APPROVE THE MINUTES AS SUBMITTED.

   MINUTES APPROVED UNANIMOUSLY.

6. **Adoption of Agenda**
   A MOTION WAS MADE BY CHAIRMAN WALLS AND SECONDED BY COMMISSIONER HOGAN.

   MOVE TO APPROVE THE DRAFT AGENDA AS THE PERMANENT AGENDA. AGENDA ITEMS 8ab 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

8ab. QUICKTRIP 4263 – CONDITIONAL USE FOR CONVENIENCE STORE AND MOTOR VEHICLE FUELING IN MU-C ZONE DISTRICT AND SITE PLAN

The applicant's agent, Kimley-Horn, and Associates, on behalf of the QuikTrip Corporation, requests approval of a Site Plan application and Conditional Use permit for a convenience store and fueling station in the triangular shopping center bound by S. Parker Road and S. Havana Street. The subject property is located entirely within a Mixed-Use Corridor (MU-C) zone district. It is bordered by adjacent MU-C zoning to the north and south, with a small pocket of Mixed-Use Office/Industrial (MU-OI) zoning to the east. A park managed by the City of Denver is located to the West across Havana Street. The proposed QuikTrip is situated on a parcel that contains a multi-tenant commercial center, which will remain, while the now-closed Sam's Diner restaurant on the northwest corner will be demolished and replaced with the proposed QuikTrip use. Specifically, the QuikTrip will include an approximately 5,312-square-foot single-story convenience store and a nine-pump traditional vehicle fueling station with a canopy. The fueling station, convenience store, and associated parking will occupy 1.288 acres of the overall 4.834-acre site. No separate diesel canopy is proposed.

The proposed convenience store building will be constructed primarily of masonry brick, will include glazing on all elevations, and will feature accents of aluminum and stucco. Vehicular access to the site will be provided through existing access points off S. Parker Rd. and S Havana St. The proposed site plan design meets all applicable requirements and ensures that all potential negative impacts are mitigated and that the proposed use's size, scale, height, density, and traffic impacts are compatible with existing nearby development.

The fueling station would operate 24 hours a day, seven days a week. The facility would employ approximately 22 people, with four employees working per shift and three shifts per day. Due to being located along a primary commuter corridor, the location expects peak visitation during the morning and evening rush hour, specifically 6am-9am and 4pm-6pm.

Seven (7) abutting property owners and fifteen (15) registered neighborhood organizations were notified of the application. No comments were received during the review process. Therefore, no neighborhood meeting was held.

Testimony Given at the Hearing:

Commissioners Walls, Jetchick, Hogan, Banka, and Bush visited the site.

James Schireman, Case Manager, gave a presentation of the item, including the staff recommendation of approval.

Chair Walls commented on the Blue Sheet Amendment provided to the commission by staff. Chair Walls asked staff about the status of the third round review of comments, specifically, if the site plan submitted in the staff report reflects the applicants' response to those review comments.

J. Schireman clarified that the most recent site plan was submitted. Outstanding comments from the third round of review are to be addressed at the technical review stage by the applicant.

Jessica Glavas, QuikTrip Corporation, representing the applicant, gave a presentation of the item. J. Glavas provided information on the history of QuikTrip and its expansion throughout the country. J. Glavas also noted that the QuikTrip model is to donate 5% of net profits to organizations in the community.

Shelby Madrid, Kimley-Horn & Associates, agent representing the applicant, gave a presentation of the item. S Madrid reviewed the conditional use request for a fueling station in the Mixed-Use Corridor (MU-C) zone district. Information on the compatibility of the project with the surrounding uses and businesses was reviewed. Access points to the site were detailed as were building elevations and design plans proposed. S. Madrid noted that the existing building was planned to be demolished, causing no displacement of tenants.

Commissioner Hogan voiced concern that the introduction of a QuikTrip may negatively impact the business of other smaller fueling stations in the area.

J. Glavas replied that QuikTrip feels they may galvanize surrounding businesses through the increased competition. J. Glavas stated that should neighboring fuel stations be unable to adjust to the increased competition this may bring an opportunity for new businesses in those locations.

Commissioner Hogan commented that the majority of the neighboring fueling stations are new locations.

Commissioner Hogan stated that the signature block on the site plan submitted to the commission should read Arapahoe County not Adams. J. Glavas stated this would be corrected.

Commissioner Jetchick asked if the Havana Business Improvement District, HBID, would be worked with on their events to encourage business in the area. J. Glavas responded that they were happy to work with the district.

Chair Walls expressed concerns about the topography of the site and the placement of fuel storage on top of a hill. S. Madrid replied with details on mitigation measures available to prevent fuel spills and contamination into downstream water sources.

Chair Walls stated that 11 fuel stations are within one mile of the site. Chair Walls also stated there is a lack of electronic vehicle (EV) infrastructure in the area, and, there appears to be no EV proposed in the applicants' plan. J. Glavas replied that they feel their project would provide the best fueling station offering in the area.

There were no further questions from the commission for staff or the applicant.

Stephanie Hancock, City of Aurora Councilmember, speaking as a citizen, provided public comment on the item. S. Hancock stated she did not receive notice regarding this application and expressed concerns about this. S. Hancock spoke in opposition to the project and stressed there is an oversaturation of fueling stations in the area. S. Hancock also expressed concerns that the proposed QuikTrip may negatively impact the existing fuel stations due to business competition and may also exacerbate traffic issues at the site.

Commissioner Banka asked staff, and the applicant if any of the neighboring gas stations are driven out of business by the QuikTrip what will happen to the land on which it was located. Questions were posed on whether future fueling stations could be at those locations and when that would be safely allowed.

Chair Walls noted that staff and the applicant may respond to questions at the end of the public comment period.

Chance Horiuchi, Executive Director of Havana Business Improvement District (HBID), a citizen, provided public comment on the item. C. Horiuchi stated that constituents of HDIB have voiced opposition to the proposal. Concerns regarding oversaturation of gas stations in the area were expressed and a lack of EV charging options in the area. C. Horiuchi stated that restaurant businesses have expressed interest in the former Sams 3 site, which would be impacted due to the proposal to demolish the building for the fueling station. C. Horiuchi invited the applicant to work with HBID to address concerns.

Sherri Reiss, a citizen, provided public comment on the item. S. Reiss opposed the project, noting that there are already many existing fuel stations in the area and that the site may be of better use to the community by offering residents family-friendly businesses.

Arnie Schultz, Village East Neighborhood Association, a citizen, provided public comment on the item reiterating concerns about the number of gas stations already in the area and how a QuikTrip may hurt those businesses due to the competition.

Jessica Glavas, QuikTrip Corporation, responded to public comments and commissioner questions. J. Glavas expressed support for working with surrounding businesses and residents regarding the proposal. J. Glavas also spoke on concerns that increased competition may harm the surrounding businesses stressing that if a fueling station were to go out of business the property could be reused as these are highly desirable locations. Information was provided on policy for environmental remediation that would take place at any shuttered fueling station sites. Information was provided on additional offerings with QuikTrip, like full-service kitchens, that set them apart from traditional fueling stations, and noted that QuikTrip is open to discussions of offering EV charging if the community desires it.

Planning Commission Results

AGENDA ITEM 8a – CONDITIONAL USE FOR A FUELING STATION IN MU-C

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

MOVE TO APPROVE THE CONDITIONAL USE FOR A CONVENIENCE STORE AND FUELING STATION IN THE MIXED-USE CORRIDOR (MU-C) ZONE DISTRICT BECAUSE THE PROPOSAL COMPLIES WITH THE CRITERIA IN SECTION 146-5.4.3.A.3. OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:

1. COMPLIES WITH THE STANDARDS OF THE UDO;
2. IS CONSISTENT WITH THE GOALS OF THE COMMERCIAL HUB COMPREHENSIVE PLAN PLACETYPE;
3. IS COMPATIBLE WITH THE SURROUNDING DEVELOPMENT;
4. MITIGATES NEGATIVE EXTERNAL EFFECTS ON NEARBY USES; AND
5. WILL NOT CHANGE THE PREDOMINANT CHARACTER OF THE AREA.

Further Discussion:
Commissioner Jetchick stated concerns that an activity center is intended for the area and noted that the proposal is likely a lease and would not support the motion.

Commissioner Bush stated that insurance coverage is required to address environmental contamination concerns should neighboring fueling stations be closed.

Chair Walls commented that the concerns expressed have largely been regarding the time frame in which a shuttered fueling site may remain vacant while the remediation occurs.

Commissioner Gaiser also stated that state financing can be available to help with environmental remediation.

Commissioner Hogan voiced opposition to the proposal, despite support for the business model, due to its use at the proposed location. Commissioner Hogan also encouraged the applicant to work further with the Havana Business Improvement District, HBID.

Chair Walls recused themselves from the decision due to their current involvement with HBID. Chair Walls voiced opposition to the item because of concerns for compatibility with existing uses and potential adverse impacts with the introduction of another fueling station in the area.

Commissioner Jetchick noted a historical involvement with HBID, but having retired five years prior, had no perceived conflicts in deciding on the item.

MOTION FAILED WITH COMMISSIONER'S WALLS, HOGAN, BANKA, GAISER, AND JETCHICK DENYING, AND BUSH APPROVING.

AGENDA ITEM 8b – SITE PLAN

DUE TO THE DENIAL OF THE CONDITIONAL USE, THE SITE PLAN WAS ALSO CONSIDERED DENIED BY EXTENSION AND THEREFOR A MOOT POINT. NO FURTHER DISCUSSION WAS HELD.

9. Public Invited to be Heard
There was no public comment.

10. Commissioner Comments/Miscellaneous Items of Business
Chair Walls spoke about the attendance record of Commissioner Roth, who has been absent for 43% of meetings and proposed that the commission make a recommendation to the City Council for the removal of Commissioner Roth. Chair Walls encouraged comments from fellow commissioners regarding the issue of attendance and this proposal.

Commissioner Gaiser spoke about the necessity of attending meetings reflecting on the experience as a council member for the City and County of Broomfield as well as a member of many commissions.

Commissioner Hogan echoed Commissioner Gaiser's concerns and stated that an active participant in the commission is necessary. Commissioner Hogan noted that the attendance record of Commissioner Roth has been unusual.

A MOTION WAS MADE BY CHAIR WALLS AND SECONDED BY COMMISSIONER HOGAN TO RECOMMEND TO THE CITY COUNCIL THE REMOVAL OF COMMISSIONER ROTH FROM THE PLANNING AND ZONING COMMISSION.

MOTION PASSED UNANIMOUSLY

Commissioner Banka requested a copy of the PowerPoint presentation from the February Policy and Economic Development (PED) Committee meeting.

Jeannine Rustad, Planning Director, provided information on the online publishing of materials for the PED but also stated that staff would share the requested materials with the commissioner.

11. Reports

10a. Report by Planning Division Manager

Brandon Cammarata, Panning Division Manager, reviewed the Administrative Decisions made over the past two weeks. Projects include Chico 4-65 26-25 North and Blue Eagle Logistics Park.

Chair Walls asked for clarification on the policies regarding noticing metro districts for development applications. B. Cammarata responded that it is not within the scope of the code to provide notice to metro districts.

Commissioner Hogan asked for additional information regarding why or how a district would be noticed. B. Cammarata indicated that within the current apparatus, it would be recommended for a district, such as HBID, to register as an HOA with the city to be included in such notice.

A general discussion ensued.

J. Rustad asked for additional time to discuss this issue with legal and Housing and Community Development before providing the requested additional information to the commission.

Commissioner Hogan encouraged that feedback from staff within the next month would be appreciated.

10b. Report by City Attorney

Lena McClelland, Assistant City Attorney, was available for questions.

Commissioner Hogan asked for information regarding the 2025 state legislative session.

L. McClelland stated that the 2025 session has started, and land use bills are being considered. L. McClelland briefly reviewed land use bills approved in 2024. L. McClelland then reviewed bills proposed for 2025, noting that the largest bill being considered is regarding land uses near religious or educational institutions. The bill includes an allowance for residential uses on adjacent property that is owned by such institutions. The city has voiced opposition to the bill.

Commissioner Banka spoke about the proposed bill and what impact this would have on the city. Commissioner Banka also spoke on potential bills concerning construction defects.

L. McClelland stated she would keep the commission well informed of any such bills.

Chair Walls spoke in support of the Planning and Zoning Commissioners' hard work they have done for the city.

12. Adjournment

Chairman Walls adjourned the meeting at 7:27 p.m. until February 26, 2025.

FOSTER GRAHAM MILSTEIN & CALISHER, LLP
ATTORNEYS AT LAW

360 South Garfield Street
6th Floor Denver, CO 80209
T 303-333-9810 F 303-333-9786

fostergraham.com

February 21, 2025

Via Electronic Mail: jbatchel@auroragov.org
City Manager, Jason Batchelor

15151 E. Alameda Parkway

Aurora, CO 80012

Re: Appeal of Planning and Zoning Commission Decision – Denial of Conditional Use and Site Plan - DA-1483-03 ("Appeal")

Dear Mr. Batchelor:

Foster Graham Milstein & Calisher, LLP ("FGMC") represents QuikTrip Corporation (the "Applicant") regarding its application DA-1483-03 for a Conditional Use and Site Plan for a motor vehicle fueling station (the "Application") for real property located at the intersection of South Havana Street and South Parker Road (the "Property"). The City of Aurora (the "City") Planning and Zoning Commission (the "Commission") held a public hearing on February 12, 2025, and denied the Application. This letter constitutes the Applicant's appeal of the Commission's denial of the Application and is timely filed pursuant to Section 146-5.3.13 of the Aurora Unified Development Ordinance (the "Code").

The Applicant appeals the Commission's denial because the Application meets all applicable review criteria and therefore, the Commission erred in denying the Application. The following narrative discusses Code Sections 146-5.4.3.A.3 and 146-5.4.3.B.2.C and how the Application complies with these approval criteria. The Applicant respectfully requests that City Council reconsider the Application and approve the Application.

I. Code Section 146-5.3.13 – Notice of Appeal Requirements

Section 146-5.3.13 of the Code states that, "Appeals may be submitted by an affected applicant or by the owner of a property that is adjacent to the property that was the subject of the application. The notice of appeal must be filed with the City Manager within 10 calendar days

after the decision, and shall specifically state the Section or the City regulation that has not been applied correctly."

This Appeal complies with Code Section 146-5.3.13. QuikTrip is the affected Applicant for which its Application for a conditional use site plan was denied by the Commission. The denial of the Application occurred on February 12, 2025, and this appeal is timely filed within ten (10) calendar days, prior to the deadline of February 24, 2025. Sections 146-5.4.3.A.3. and 146-5.4.3.B.2.C were incorrectly applied, and in many instances, not applied at all, as more specifically described in paragraphs II and III herein.

II. 146-5.4.3.A.3 – Conditional Use Approval Criteria

Section 146.5.4.3.A.3 sets forth the criteria that must be met in order for a conditional use to be approved. The Application meets each of the criteria as follows:

a. The application complies with the applicable standards in this UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;

The Application complies with the applicable standards of the Code because as shown in the site plan, the design of the Application meets all of the requirements in Section 146-5.4.5.B.2.C. Furthermore, the Application is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site. Lastly, there is no approved master plan that includes the Property, and there are no outstanding standards applied to the Property by a prior decision, ensuring that the Application complies with all applicable standards required by the criterion.

b. The application is consistent with the Comprehensive Plan;

The Property is located within a Commercial Hub place type per the Comprehensive Plan. The Application is consistent with the goals of the Commercial Hub place type in the Comprehensive Plan. Commercial Hub place types are characterized by "shopping centers and areas that provide a cluster of compatible businesses. It may be located along the city's corridors, often at the intersection of two arterial streets."[1] Primary uses in the Commercial Hub are retail, commercial service, and restaurants, as well as shared outdoor areas and social gathering spaces.[2]

The Property is located between two arterial streets and proposes a commercial services and retail use consistent with the Comprehensive Plan. Fueling stations are commercial service

[1] Aurora Places Comprehensive Plan, Page 46.
[2] Aurora Places Comprehensive Plan, Page 46.

uses, and QuikTrip's business model includes a robust retail element in which fresh food can be purchased on site with gathering areas to rest and eat. Therefore, the Application fits squarely within the Commercial Hub place type, and is consistent with the Comprehensive Plan.

The Connecting Places chapter of the Comprehensive Plan states that "Places are physically connected by the streets, sidewalks, open space, waterways, rail, trails and utilities that serve them. Residents and visitors rely on a safe and convenient way to move throughout the community—from home, work and school to shopping, services and entertainment."[3] The Application is consistent with the Comprehensive Plan because the Applicant will install and improve multi-modal transportation options including new sidewalks along Havanna Street and Parker Road, as well as improving the bus stop on Parker Road. Thus, the Application meets the Comprehensive Plan goal of connecting places.

The Commission did not cite any reasons related to the Comprehensive Plan when denying the Application, but listed personal preferences and opinions that the Property should be used for a restaurant and that a fueling station does not fit the character of the area despite fueling stations being a retail and commercial service use explicitly allowed in Commercial Hub place type. Therefore, this criterion was not applied correctly by the Commission.

c. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area;

The proposed convenience store and fuel station in the Application will not negatively impact the density in this area and will actively serve the community while remaining compatible with the existing commercial stores that surround the Property. A traffic study was completed and accompanies the submittal package, confirming the Property does not create a negative impact and will be successfully incorporated into the roadway network. Visually, the proposed development will be partially screened with landscaping and amenities from view of the adjacent ROW utilizing tree lawns and decorative landscaping. QuikTrip is committed to providing a high level of architecture design for the proposed convenience store and fuel canopy and both structures will be compliant with the Code. The proposed landscaping in the Application is consistent with the Code and provides new detached sidewalks with tree lawns and a plaza area west of the building. Therefore, the size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with the existing and planned uses in the surrounding area.

d. The proposed use will not change the predominant character of the surrounding area;

The zoning for the Property and surrounding properties is Mixed Use Corridor. The Application proposes a convenience store and fueling station which will contribute to the commercial character of the area because in addition to fuel, QuikTrip offers fresh food, sidewalks, paths, and outdoor seating areas around the building. The surrounding properties are also

[3] Aurora Places Comprehensive Plan, Page 49.

commercial and retail in nature, selling a variety of products for consumption. Therefore, the Application proposes a use that is complementary to the predominate character of the surrounding area.

Members of the Commission and public stated that they would like the Property to become another restaurant as they were disappointed in the closure of the former Sam's No. 3 on the Property. This preference is not a criterion for a conditional use, and convenience stores and fueling stations are consistent with the character of the surrounding area per the Comprehensive Plan.[4] Commissioners also denied the Application in part because of the existence of other gas stations in the area. Denying the Application because of the opinion that the fueling station use does not fit the character of the area while simultaneously stating that the area has other fueling stations is contradictory and has no relation to the Code criteria. Therefore, the Commission erred in championing their preference for the future of the Property over the application criteria in the Code.

e. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable; and

This criterion is met because the Applicant is making improvements to the existing infrastructure and public amenities. The development proposed by the Application will create an accessible path along both Parker Road and Havana Street, including new detached sidewalks and accessible ramps that connect pedestrians to surrounding commercial stores and the existing bus stop. The Application also includes improvements to that bus stop, making it larger and bringing it into conformance with current RTD standards. Furthermore, please see the Traffic Study that states no adverse traffic impacts will affect the surrounding properties.

f. The application demonstrates that the proposed use will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.

The owner of the Property has agreements in place with the surrounding tenants agreeing to mitigate any tenant dislocation or decrease in business due to activity on the Property. Access to the surrounding properties will not be closed during construction of the development proposed by the Application. Therefore, the Application does not create any dislocation of tenants or occupants of the Property and will contribute improvements to the Property and surrounding areas as described in detail in (e) above.

[4] Aurora Places Comprehensive Plan, Page 46.

g. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

As stated in the Staff Report, the Application mitigates the potential adverse impacts to the surrounding area. The development proposed by the Application will be partially screened with landscaping and amenities to soften the view of the adjacent ROW through the installation of tree lawns and decorative landscaping. The convenience store will have food and store deliveries as needed on a Monday through Friday daytime delivery schedule. Fuel delivery will occur based on sales as replenishment is needed, but these deliveries are anticipated to occur during daytime non-peak hours whenever possible to limit potential vehicle congestion around the Property. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated. Parking is not proposed to abut Parker Road, which will mitigate negative glare and visual impact along the primary corridor. Consistent with the City standards, a stormwater quality treatment system exists off-site to treat runoff, improve water quality, and mitigate water pollution. All of the underground fuel storage tanks are equipped with state-of-the-art real-time leak detection systems.

The Application also mitigates impacts on the surrounding area because the Property owner and Applicant work and maintain contact with the surrounding property owners. The Property will operate under a land lease, so the Applicant is in consistent contact with the surrounding tenants and integrated their feedback and concerns into the Applications production and construction. This allows the development to lessen the impact it has on the surrounding commercial stores to a practical degree, and once complete, contributes to the entire area's success by bringing in additional customers through the store's elevated interior, pedestrian outdoor seating, and lot improvements. For the foregoing reasons, this criterion is met.

The Commissioners said that due to negative effects on external businesses, the Application should be denied. However, they did not include any specific examples of such negative effects and failed to consider the broad mitigation strategies offered by the Applicant. Therefore, this criterion was misapplied by the Commission.

III. <u>146-5.4.3.B.2.C – Site Plan General Requirements</u>

The Major Site Plan shall be approved only if:

(a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

The Application complies with the applicable standards of the Code because as shown in the site plan, the design of the Application meets all of the requirements in Section 146-5.4.5.B.2.C. Furthermore, the Application is compatible and consistent with the adjacent rights-of-way, commercial and industrial uses surrounding the site. Lastly, there is no approved master plan that includes the Property, and there are no outstanding standards applied to the Property by a prior decision, ensuring that the Application complies with all applicable standards required by the criterion.

(b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.

The Applicant has worked with City staff during the review process of this Application and through appropriate drainage and traffic studies, confirmed that the City's existing infrastructure and public improvements are adequate to serve the proposed development. Nonetheless, the development proposed by the Application will add an accessible path along both Parker Road and Havana Street, including accessible ramps that connect pedestrians to surrounding commercial stores and the existing bus stop in which the Applicant will improve if the Application is approved. The Applicant will also install an on-site stormwater drainage treatment system to treat runoff, improve water quality, and mitigate water pollution. Therefore, this criterion is satisfied.

(c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.

The Property is not located in a natural area, ridgeline, swale, nor wetland, but rather, it is located in a historically urban and commercial environment. To ensure the Property fits into this environment, the Application includes high-quality four-sided architecture to seamlessly integrate the convenience store building into the character of the commercial area. The Application also includes a state-of-the-art fuel storage and tank system to ensure that water quality is protected and gas leakage, though highly unlikely, can be identified and stopped very quickly. Therefore, this criterion is met.

(d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.

As shown on the site plan, the Application establishes adequate vehicular and pedestrian circulation and connectivity. Furthermore, the Application will improve and expand the multi-modal connection with adjacent properties because as stated herein, new sidewalks will be added along Parker Road and Havana Street, and the bus station located on Parker Road will be improved. Lastly, the adjacent properties will not be affected by the construction of the Application because there are already agreements in place to keep the shopping area surrounding the Property open with full access to those businesses. Therefore, the application satisfies this criterion because it improves and expands pedestrian and public transportation means to adjacent sites, neighborhoods, and urban centers.

(e) The application is compatible with surrounding uses in terms of size, scale and building façade materials.

The Application proposes a convenience store and canopy that integrates four-sided architecture to ensure that the physical and aesthetic appearance, as well as the customer experience, is of a high quality. The size and scale of the Application is appropriate for the Property, and complies with all dimensional requirements of the Code. Therefore, the Application is compatible with the surrounding uses in terms of size, scale, and building façade materials.

(f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

As stated in the Staff Report, the Application mitigates the potential adverse impacts to the surrounding area. The development proposed by the Application will be partially screened with landscaping and amenities to soften the view of the adjacent ROW through the installation of tree lawns and decorative landscaping. The convenience store will have food and store deliveries as needed on a Monday through Friday daytime delivery schedule as not cause excess noise and light in the nighttime. Fuel delivery will occur as needed based on sales, but these deliveries are anticipated to occur during daytime non-peak hours whenever possible to limit potential vehicle congestion around the Property. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated. Parking is not proposed to abut Parker Road, which will mitigate negative glare and visual impact along the primary corridor. Consistent with the City standards, the existing downstream stormwater quality treatment system exists off site to treat runoff. All of the underground fuel storage tanks are equipped with state-of-the-art real-time leak detection systems. Therefore, the Application implements multiple

techniques and amenities to not only mitigate adverse impacts to the surrounding area, but improve the area.

IV. Conclusion

For the foregoing reasons, the Applicant respectfully requests that the City Council approve the Conditional Use Site Plan because the Application meets all of the criteria in Code Sections 146-5.4.3.A.3. and 146-5.4.3.B.2.C.

We look forward to the opportunity to present to you at a public hearing. We respectfully request that all materials and items of record submitted to the Commission in advance of the Hearing, and at the Hearing, be included in the public record for the City Council hearing such that the City Council has the ability to apply the applicable review criteria and reverse the Commission's denial pursuant to Code Section 146-5.3.13. Furthermore, the Applicant hereby reserves the right to submit more materials and evidence supporting the Application's compliance with the applicable approval criteria into the record at or before the City Council hearing.

Thank you for your attention to this matter.

Sincerely,



David Wm. Foster



Erik N. Carlson

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

cc via e-mail:

Director of Planning, Jeannine Rustad (jrustad@auroragov.org)
Planning Department Attorney, Lena Mclelland (lmcclell@auroragov.org)
James Schireman (JSchirem@auroragov.org)
Shelby Madrid (shelby.madrid@kimley-horn.com)
Ryan Harding (rharding@quiktrip.com)
Jessica Glavas (jglavas@quiktrip.com)

City Council

DA-1483-03: Quiktrip 4263 Appeal

Planning and Business Development Department

May 5th 2025

Appeal Of Planning Commission Denial

Agenda Item: Appeal by agent of applicant regarding Planning Commission's denial of a Site Plan & Conditional Use for a motor vehicle fueling station and 5,312 square foot convenience store located on 4.834 acres
Location: S Havana Street to the West, S Parker Road to the Northeast
Zoning, Subarea, & Placetype: MU-C, Mixed Use Corridor; Subarea A; Urban District Placetype
Applicant: Kimley Horn and Associates, on behalf of the QuikTrip Corporation
Appellant: Foster Graham Milstein & Calisher, LLP, on behalf of the QuikTrip Corporation

Vicinity Map



Site Photos

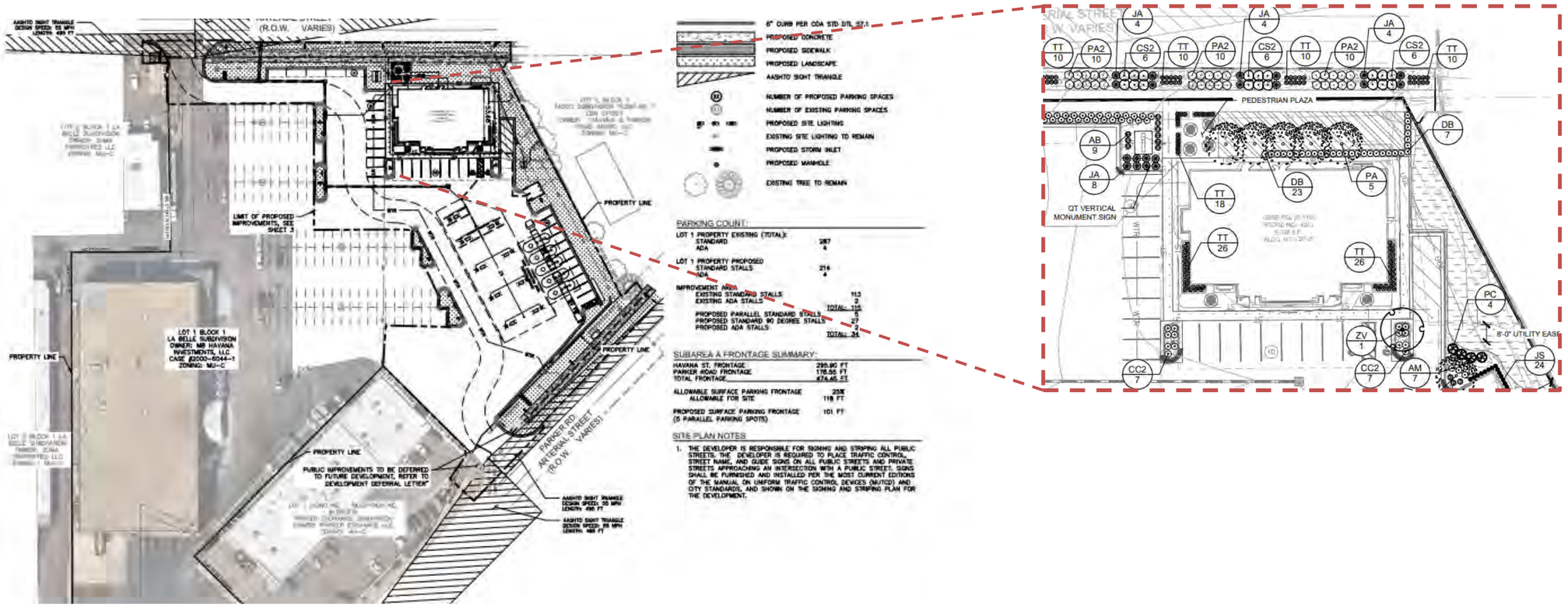


On S. Parker Road, Facing West

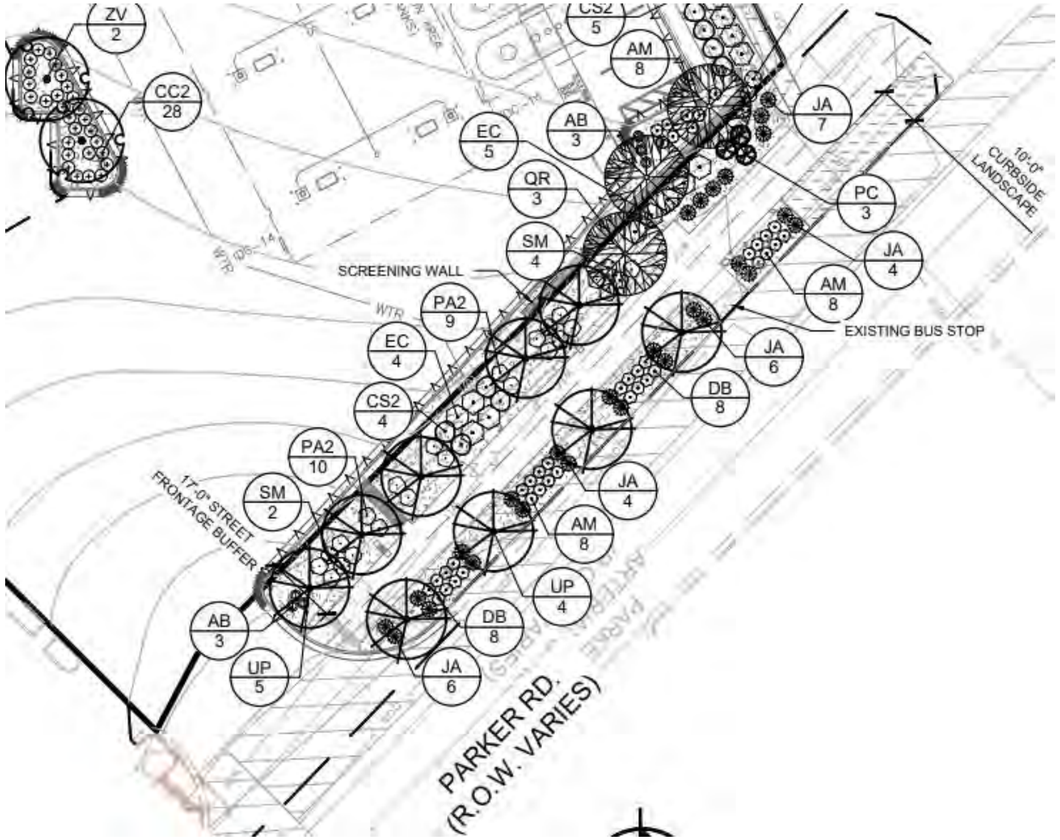


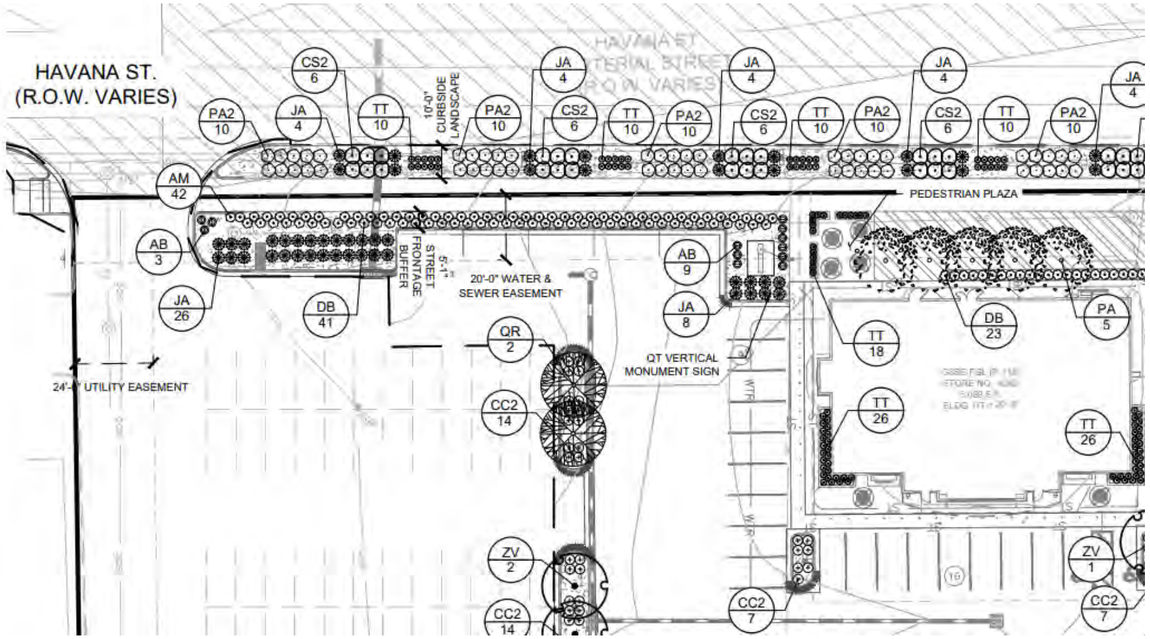
On S. Havana Street, Facing East

Proposed Site Plan

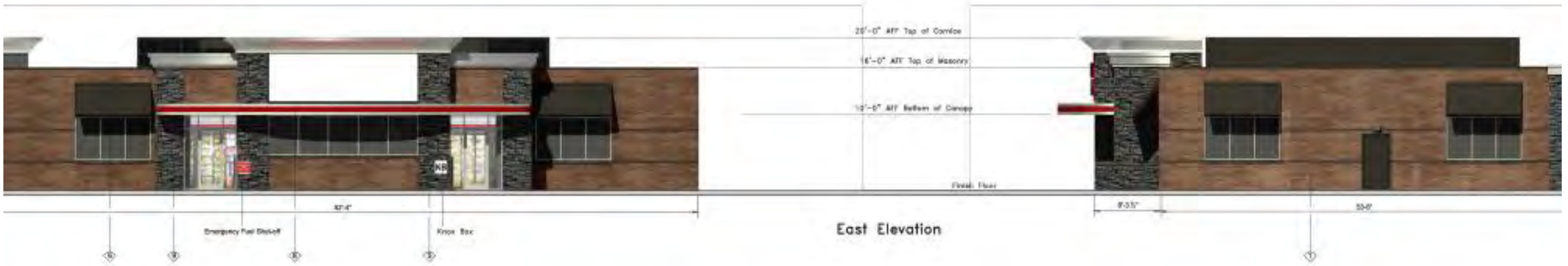


Proposed Landscape Plan





Proposed Elevation



East Elevation



West Elevation

PC Summary

- Planning Commission hearing occurred on February 12th, 2025.
- Staff presented the application for both the conditional use and site plan with a recommendation of approval with one condition.
- Applicant presented the proposal after the city staff presentation.
- Afterwards several members of the public raised concern regarding the number of gas stations already in the area.
- The Planning Commission affirmed this concern and denied the conditional use aspect of the application.
- By denying the conditional use, the Planning Commission deemed the site plan denied by extension.

Conditional Use Approval Criteria

§146-5.4.3.A.3

3. Criteria for Approval. A conditional use shall be approved only if the Planning and Zoning Commission determines that:

a. The application complies with the applicable standards in this UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;

b. The application is consistent with the Comprehensive Plan;

c. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area;

d. The proposed use will not change the predominant character of the surrounding area;

e. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable; and

f. The application demonstrates that the proposed use 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.

g. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

Site Plan Approval Criteria

§146-5.4.3.B.2.c

i. General. The Major Site Plan shall be approved only if:

(a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

(b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.

(c) Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.

(d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.

(e) The application is compatible with surrounding uses in terms of size, scale and building façade materials.

(f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

City Council Action

§146-5.3.13.A.2

The City Council shall review the appeal based on the standards and criteria in this UDO and the record of decision and shall act to **uphold, modify, or overturn** the Planning Commission's decision as necessary to bring the decision into compliance with the standards and criteria of this UDO.

CITY OF AURORA
Council Agenda Commentary

Item Title: GERP Code Amendments Relating to Short-Term and Long-Term Disability (Ordinance)
Item Initiator: Nancy Wishmeyer, Controller, Finance Department
Staff Source/Legal Source: Nancy Wishmeyer, Controller, 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: 4/21/2025

Regular Meeting: 5/5/2025

2nd Regular Meeting (if applicable): 5/19/2025

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)

Nancy Wishmeyer, Controller, 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: 4/3/2025

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 has implemented new short-term and long-term disability plans that require updating the General Employees Retirement Plan, in order to correctly calculate the pension benefits of the participants.

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

The City has implemented new short-term and long-term disability plans that require updating the General Employees Retirement Plan, in order to correctly calculate the pension benefits of the participants. Code changes include expanding the definition of Compensation paid through City payroll, and clarifying the definition of Disability and Disability Retirement Pension.

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 move this item forward to regular Council meeting?

LEGAL COMMENTS

The City of Aurora has established a General Employee Retirement Program (GERP) as part of the benefits provided to certain qualified employees of the City. These benefits are codified in the Aurora City Code under Sec. 102-136 *et. seq.,* and the City of Aurora has reserved the right to modify the trust document from time to time to clarify these benefits. (Hernandez)

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 102 AND 147 OF THE CITY CODE CODE PERTAINING TO UPDATES TO THE GENERAL EMPLOYEES RETIREMENT PLAN

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 under Article XX Section 6 the Colorado Constitution, the City has authority over local matters; and

WHEREAS, the City established the General Employees Retirement Plan (the "Plan"), and reserved the right to amend the Plan from time to time; and

WHEREAS, the City has implemented new short-term and long term disability plans that require updating the Plan in order to correctly calculate the pension benefits of the participnats; and

WHEREAS, the City Council finds and determines that it is reasonable and appropriate to incorporate the changes described in this ordinance into the Plan.

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

Section 1. The definition of *Compensation* contained in Section 102-137 of the City Code of the City of Aurora is hereby amended and shall read as follows:

Compensation means the total base pay, including acting pay, paid to an employee of the city for personal services which are rendered to the City in accordance with the rules and practices determining regular remuneration, including longevity pay and compensation under sections 414(h) and 457 of the United States Internal Revenue Code, ~~and~~ an elective pre-tax employee contribution to the City's cafeteria plan under code section 125, **and short term and long term disability payments paid directly by the City through payroll,** but excluding overtime pay, single-sum payments received in lieu of accrued vacation and sick leave upon termination of employment or during the course of employment, and similar nonregular remuneration. There shall be included within any calculation to determine compensation the longevity credit, if any, to which an electing participant is entitled. Effective January 1, 1989, compensation for any plan year will be limited to the first $200,000.00 of compensation or such other amount determined in accordance with code section 415(d). Effective January 1, 1996, compensation for any plan year will be limited to the first $150,000.00 of compensation or such other amount determined in accordance with code section 401(A)(17). Compensation shall exclude pay received while not participating in this plan and employed in a council appointee or executive personnel position. Compensation shall also exclude pay received during a period for

which credited service under this plan is canceled because of transfer of a participant's contribution accumulation to the trust for the executive personnel money purchase plan. For purposes of calculating benefits on or after January 1, 2002, the code section 401(a)(17) limit is increased to $200,000.00, as adjusted.

Section 2. The definition of *Disability* contained in Section 102-137 of the City Code of the City of Aurora is hereby amended and shall read as follows:

Disability means a physical or mental condition for which a participant receives long-term disability ~~insurance~~ benefits from the City **either directly or through a third-party insurer retained by the City.**

Section 3. Subsection (f) of Section 102-141 of the City Code of the City of Aurora is hereby amended and shall read as follows:

(f) *Disability retirement pension.* If a participant's employment by the city terminates by reason of disability before the normal retirement date and the participant receives long-term disability ~~insurnace~~ benefits from the city **either directly or through a third-party insurer retained by the City** until the normal retirement date, the participant shall be eligible for a disability retirement pension.

Disability shall be considered to have ended if, prior to the normal retirement date, the participant loses the qualification for long-term disability ~~insurance~~ payments from the City **either directly or through a third-party insurer retained by the City.** In such case, no disability pension shall be paid to the participant from the plan. If the participant's disability ceases prior to the normal retirement date and the participant is not reemployed by the City as an employee and the participant met the requirements for a pension pursuant to subsections (b), (c) or (d) of this section on the date of recovery from disability, the participant shall be entitled to receive a pension equal in amount to the early, special early, or deferred vested pension to which the participant would have been entitled, as of the date of recovery, determined and paid pursuant to subsections 102-142(b), (c) or (d) based on the higher of the final average monthly compensation or the monthly rate of compensation on the date of disablement and the credited service on the date of recovery from disability.

Section 4. Subsection (f) of Section 102-142 of the City Code of the City of Aurora is hereby amended and shall read as follows:

(f) *Disability retirement pension.* A participant who meets the requirements for a disability retirement pension shall receive a monthly pension payable as of the first day of the month following the participant's normal retirement date, or as of the first day of the month following termination of long-term disability ~~insurance~~ benefits **from the City either directly or through a third-party insurer retained by the City,** if later. A disabled participant shall receive credited service for the period of disability and the final average

monthly compensation used to calculate the benefit shall be the higher of the final average monthly compensation or the monthly rate of compensation on the date of disablement.

Section 5. 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 6 Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 7. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____day of_____, 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: Hanosky Hernandez HK
Hanosky Hernandez, Senior Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: 2025 Spring Supplemental (Ordinance)
Item Initiator: Tyler Phillips, Budget Program Manager, Finance
Staff Source/Legal Source: Tyler Phillips, Budget Program Manager, 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: 4/21/2025

Regular Meeting: 5/5/2025

2nd Regular Meeting (if applicable): 5/19/2025

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)

Tyler Phillips, Budget Program Manager, Finance / Hanosky Hernandez, Senior 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: 4/3/2025

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.)*

Minutes not available

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

The 2025 Spring Supplemental Ordinance includes appropriations for various operating expenditures, capital projects, and interfund transfers that impact the 2024 and 2025 budget years. Items for 2024 represent financial activities that have already occurred.

Many of the requests in this supplemental process are technical in nature, such as budget lapses (reductions), reallocations, zero-dollar amendments where appropriations are offset by revenue, or accounting and other adjustments. These items are indicated by including "technical" in the title and may or may not have been reviewed by City Council. Items that were previously reviewed include those in the 2024 projection used in the 2025 Adopted Budget, as well as items discussed in Council Committees or City Council meetings. Council review details are included in the narrative for the supplemental request.

The attachments included for this agenda item reflect summary and detailed information regarding the requested appropriation changes for each fund and department. Transfers reflect the movement of funding from one fund to another. The details of these appropriation amendments can be found in:

- **Attachment A:** 2024 Amendment Summary
- **Attachment B:** 2025 Amendment Summary
- **Attachment C:** 2024 Amendment Detail
- **Attachment D:** 2025 Amendment Detail

As with prior supplementals, this process covers two budget years. The following discussion highlights significant changes by fund for each budget year, rather than listing all amendments. Please refer to Attachments C and D for full details on each request.

2024 Supplemental Amendment Requests

One-time appropriations in the General Fund total **$5.7 million**. All significant items are either technical or included in the 2024 projection. Significant supplemental items in the General Fund include:

- The appropriation of **$1.5 million** in the Information Technology (IT) Department to cover unbudgeted costs for enhanced information security and contracted services supporting major citywide system upgrades, including Amanda (city workflow management), Workday (financial and human capital management), ServiceNow (IT ticketing), and FAST (city tax and licensing). The need for this supplemental was projected in 2024.

- The appropriation of **$1.3 million** to cover overtime and acting pay costs related to Aurora Fire Rescue's mandated staffing model and to maintain operational readiness. The need for this supplemental was projected in 2024.
- The appropriation of **$1.3 million** for Aurora Fire Rescue to cover personnel and travel costs related to wildland fire events in Colorado and other states. These expenditures are fully offset by reimbursement revenue. The need for this supplemental was projected in 2024.

Significant supplemental items in other funds include:

- The appropriation of **$41.4 million** in the **Gifts and Grants Fund** to cover the costs associated with several uses of American Rescue Plan Act (ARPA) funds in accordance with Council approval. The need for this supplemental was included in the 2024 projection and it's worth noting that 2024 was the final year to spend or encumber the ARPA funding, which the city accomplished.
- A **$26.5 million** technical supplemental in the **Gifts and Grants Fund** to appropriate funds from the Colorado Department of Local Affairs, Douglas County, Adams County, and Arapahoe County to support the purchase of the Crown Plaza Hotel, which will house the city's future Homeless Navigation Campus.
- The appropriation of **$9.0 million** in the **Capital Projects Fund**, offset by revenue of $5.3 million, for projects primarily within the Planning and Public Works Departments, including the construction of a bridge between 13th Avenue and Dillon Way, the appropriation of Capital Impact Fees for the Fire Station 9 replacement project that was approved by Council at the 2024 Winter Workshop, a contract extension to enhance capital project controls and manage the delivery of capital projects, and additional funding due to site requirements for the Police Firing Range Administration Building project.
- The appropriation of **$2.3 million** in the **Development Review Fund** to cover unbudgeted costs associated with increased workloads, with no net impact due to higher revenue in the fund. The need for this supplemental was reflected in the 2024 projection as part of the 2025 Adopted Budget.
- The appropriation of **$1.9 million** in the **Risk Management Fund** to cover over-budget spending, which was largely driven by higher liability claims. This higher cost was mostly offset by higher insurance recoveries and investment income in the fund, ensuring that the additional spending authority can be covered without the need for an increased General Fund transfer. The need for this supplemental was included in the 2024 projection.
- The appropriation of **$1.2 million** in the **E-911 Fund** to cover overtime costs incurred to address service demands in the Aurora911 Department. The appropriation is covered by higher revenue from the E-911 surcharge, which was primarily driven by a Council-approved rate increase in mid-2024. The need for this supplemental was included in the 2024 projection.
- The appropriation of **$1.2 million** in the **Wastewater Fund** to cover expenditures for drainage review support contracts that were not previously budgeted. This supplemental was not included in the 2024 projection as the specific needs and timing of these contracts were unknown at the time.

2025 Supplemental Amendment Requests

Significant supplemental items will provide appropriation and create budget authority for 6.0 FTE across various departments:

- **Add 2.0 FTE** in the **General Fund** to support the City of Aurora's new paid-time-off policy, fully offset by savings from the change in the city's approach to budgeting and paying short-term disability benefits. These supplementals consist of a 1.0 FTE Leave Management Administrator in the Human Resources Department and a 1.0 FTE Payroll Supervisor in the Finance Department for a total ongoing appropriation of $271,200. The need for these supplementals was discussed with the Management and Finance Committee on March 6, 2025.
- Add **1.0 FTE** Assistant City Attorney with an additional ongoing cost of $137,900 in the **General Fund**.
- Add **3.0 FTE** in the **Water and Wastewater Funds** to enhance Aurora Water's cybersecurity and strengthen the resiliency of the Information and Operation Technology (IT & OT) networks. These FTE consist of 1.0 Senior Security Analyst and 2.0 Network Engineers for an ongoing cost add of $444,700. The need for enhanced network security was discussed with City Council at the Executive Session on March 24, 2025.

Other significant supplemental items in all funds include:

- A technical supplemental of **$6.9 million** in the **Capital Projects Fund** to appropriate grant funding from the Colorado Department of Public Health and Environment to remediate the Highway 30 Landfill project.
- Supplementals totaling **$6.5 million** in the **Capital Projects Fund** for various courthouse renovation projects. These include:
    - $787,000 for project design and engineering
    - $276,000 to update the jury assembly room and expand two single-user restrooms to meet ADA compliance
    - $5.5 million for courthouse security expansion and fire alarm replacement

  In addition, a technical supplemental transfers $408,800 of 2024 Court Administration budget savings from the General Fund (GF) to the Capital Projects Fund to contribute toward the funding of these projects. This follows the $1.3 million in GF savings transferred during the 2024 Spring Supplemental process.
- A technical supplemental of **$3.8 million** in the **Gifts & Grants Fund** to appropriate funds from Adams County for the construction of the Homelessness Navigation Campus.
- A technical supplemental of **$2.9 million** in the **Capital Projects Fund** to appropriate grant funding through the Regional Transportation Operations and Technology set-aside program for multiple Traffic Engineering projects in the Public Works Department.
- A technical supplemental of **$1.2 million** in the **Designated Revenues Fund** to appropriate funds received through the Colorado Opioid Settlement. These funds will be used to cover costs in the Homelessness and Youth Violence Prevention programs, as approved by Council on June 24, 2024.
- A **$25.9 million** supplemental item to lapse (reduce) budget appropriation for debt service in the **Water and Wastewater Funds**. Due to project construction timing adjustments in 2024, the planned debt service decreased significantly.

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.)

Revenue will be adjusted in 2024 and 2025 for Grant funds and other agreements or policy.

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.)

These supplemental requests will make adjustments to the 2024 and 2025 budgets.

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 forward this supplemental ordinance to the regular meeting?

LEGAL COMMENTS

The City Council may make appropriations in addition to those contained in the budget upon recommendation of the City Manager, provided that the Finance Director certifies there are sufficient funds available to meet such appropriations. (*See*, City Charter Art. 11-16). (Hernandez)

2025 Spring Amendment Ordinance
Appropriation Summaries by Fund

2024 Amendment Summary
Attachment A

Attachment A

2025 Spring Amendment Ordinance

Appropriation Summary by Fund and Department

2024 Amendment Summary

Fund/Department	FTE Request	Net Total Appropriation	Revenue [1] Offset	Inc. / (Dec.) [2] in Fund Bal.
General Fund Total	**0.00**	**5,673,719**	**1,311,157**	**-4,362,562**
Development Services	0.00	42,611	0	-42,611
Finance	0.00	509,100	0	-509,100
Fire	0.00	2,617,070	1,311,157	-1,305,913
Human Resources	0.00	510,000	0	-510,000
Information Technology	0.00	1,516,280	0	-1,516,280
Judicial	0.00	0	0	0
Library & Cultural Services	0.00	136,658	0	-136,658
Non-Departmental	0.00	342,000	0	-342,000
Capital Projects Fund Total	**0.00**	**8,954,918**	**5,260,177**	**-3,694,741**
Information Technology	0.00	140,000	0	-140,000
Non-Departmental	0.00	42,438	-2,224,500	-2,266,938
Planning and Business Development	0.00	7,256,521	7,256,521	0
Public Works	0.00	1,515,959	228,156	-1,287,803
Community Development Fund Total	**0.00**	**-110,074**	**-110,074**	**0**
Housing and Community Services	0.00	-110,074	-110,074	0
Cultural Services Fund Total	**0.00**	**0**	**142,000**	**142,000**
Library & Cultural Services	0.00	0	100,000	100,000
Non-Departmental	0.00	0	42,000	42,000
Designated Revenues Fund Total	**0.00**	**644,889**	**2,012,813**	**1,367,924**
Housing and Community Services	0.00	546,084	0	-546,084
Judicial	0.00	0	12,813	12,813
Non-Departmental	0.00	0	2,000,000	2,000,000
Parks, Recreation & Open Space	0.00	98,805	0	-98,805
Development Review Fund Total	**0.00**	**2,291,751**	**0**	**-2,291,751**
Development Services	0.00	2,274,788	0	-2,274,788
Public Works	0.00	16,963	0	-16,963
Enhanced E-911 Fund Total	**0.00**	**1,178,306**	**0**	**-1,178,306**
Aurora911	0.00	1,178,306	0	-1,178,306
Fleet Management Fund Total	**0.00**	**112,806**	**342,000**	**229,194**
General Management	0.00	112,806	342,000	229,194
Gifts & Grants Fund Total	**0.00**	**72,483,316**	**30,863,392**	**-41,619,924**
Aurora911	0.00	63,722	0	-63,722
Fire	0.00	669,361	517,182	-152,179
General Management	0.00	44,346	76,395	32,049
Housing and Community Services	0.00	3,734,741	3,734,741	0
Judicial	0.00	49,222	49,222	0

Attachment A

2025 Spring Amendment Ordinance

Appropriation Summary by Fund and Department

2024 Amendment Summary

Fund/Department	FTE Request	Net Total Appropriation	Revenue [1] Offset	Inc. / (Dec.) [2] in Fund Bal.
Non-Departmental	0.00	67,921,924	26,485,852	-41,436,072
Golf Courses Fund Total	**0.00**	**367,664**	**0**	**-367,664**
Parks, Recreation & Open Space	0.00	367,664	0	-367,664
Marijuana Tax Revenue Fund Total	**0.00**	**-253,269**	**0**	**253,269**
Housing and Community Services	0.00	-253,269	0	253,269
Parking and Mobility Fund Total	**0.00**	**15,550**	**12,500**	**-3,050**
Public Works	0.00	15,550	12,500	-3,050
Recreation Fund Total	**0.00**	**0**	**170,000**	**170,000**
Non-Departmental	0.00	0	170,000	170,000
Risk Management Fund Total	**0.00**	**1,860,213**	**0**	**-1,860,213**
Finance	0.00	1,860,213	0	-1,860,213
Wastewater Fund Total	**0.00**	**1,233,014**	**0**	**-1,233,014**
Aurora Water	0.00	1,233,014	0	-1,233,014
Water Fund Total	**0.00**	**0**	**0**	**0**
Aurora Water	0.00	0	0	0
Total	**0.00**	**94,452,803**	**40,003,965**	**-54,448,838**

1 The revenue offset includes new revenue and revenue from transfers.

2 Inc./Dec in Fund Balance = New Revenue minus Net Appropriation.

2025 Spring Amendment Ordinance
Appropriation Summaries by Fund

2025 Amendment Summary
Attachment B

Attachment B

2025 Spring Amendment Ordinance

Appropriation Summary by Fund and Department

2025 Amendment Summary

Fund/Department	FTE Request	Net Total Appropriation	Revenue [1] Offset	Inc. / (Dec.) [2] in Fund Bal.
General Fund Total	**3.00**	**1,329,880**	**0**	**-1,329,880**
City Attorney	1.00	137,878	0	-137,878
Court Administration	0.00	909,211	0	-909,211
Finance	1.00	0	0	0
Human Resources	1.00	0	0	0
Information Technology	0.00	0	0	0
Non-Departmental	0.00	581,193	0	-581,193
Planning and Business Development	0.00	-298,402	0	298,402
Capital Projects Fund Total	**0.00**	**16,758,377**	**10,194,964**	**-6,563,413**
Court Administration	0.00	6,528,000	0	-6,528,000
Non-Departmental	0.00	6,928,164	7,336,964	408,800
Public Works	0.00	3,302,213	2,858,000	-444,213
Conservation Trust Fund Total	**0.10**	**21,718**	**0**	**-21,718**
Parks, Recreation & Open Space	0.10	21,718	0	-21,718
Cultural Services Fund Total	**1.00**	**420,874**	**428,263**	**7,389**
Library & Cultural Services	1.00	420,874	133,189	-287,685
Non-Departmental	0.00	0	295,074	295,074
Designated Revenues Fund Total	**0.00**	**2,174,420**	**1,227,679**	**-946,741**
Housing and Community Services	0.00	754,716	250,000	-504,716
Non-Departmental	0.00	1,201,179	1,201,179	0
Parks, Recreation & Open Space	0.00	342,025	0	-342,025
Public Defender	0.00	-123,500	-223,500	-100,000
Gifts & Grants Fund Total	**0.00**	**4,920,373**	**4,463,586**	**-456,787**
Library & Cultural Services	0.00	286,787	0	-286,787
Non-Departmental	0.00	4,208,586	4,208,586	0
Planning and Business Development	0.00	425,000	255,000	-170,000
Golf Courses Fund Total	**0.20**	**33,905**	**0**	**-33,905**
Parks, Recreation & Open Space	0.20	33,905	0	-33,905
Open Space Fund Total	**0.20**	**33,905**	**0**	**-33,905**
Parks, Recreation & Open Space	0.20	33,905	0	-33,905
Parks Development Fund Total	**0.50**	**84,757**	**0**	**-84,757**
Parks, Recreation & Open Space	0.50	84,757	0	-84,757
Recreation Fund Total	**-2.00**	**-74,396**	**-74,396**	**0**
Non-Departmental	0.00	0	-74,396	-74,396
Parks, Recreation & Open Space	-2.00	-74,396	0	74,396

Attachment B

2025 Spring Amendment Ordinance

Appropriation Summary by Fund and Department

2025 Amendment Summary

Fund/Department	FTE Request	Net Total Appropriation	Revenue [1] Offset	Inc. / (Dec.) [2] in Fund Bal.
Wastewater Fund Total	**2.34**	**-2,730,160**	**0**	**2,730,160**
Aurora Water	2.34	-2,730,160	0	2,730,160
Water Fund Total	**0.66**	**-22,761,185**	**0**	**22,761,185**
Aurora Water	0.66	-22,761,185	0	22,761,185
Total	**6.00**	**212,468**	**16,240,096**	**16,027,628**

1 The revenue offset includes new revenue and revenue from transfers.

2 Inc./Dec in Fund Balance = New Revenue minus Net Appropriation.

2025 Spring Amendment Ordinance
Appropriation Detail by Fund

2024 Amendment Detail
Attachment C

Attachment C
2025 Spring Amendment Ordinance
2024 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Aurora Water

2024 Technical: Reallocate Water Capital Budget

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Water Fund	0.00	0	0	0	0	0
Total Appropriation Impact	0.00	0	0	0	0	0

This supplemental will transfer appropriation in the Water Fund for capital projects from the Source of Supply (SOS) Other program to various Capital Improvement Programs (CIP). This is a net zero amendment and was included in the 2024 projection as part of the 2025 Adopted Budget.

Lapses:
Program: SOS Other
* Rampart Water Delivery System ($45,995,000)

New Appropriations:
Program: SOS Water
* Water Rights Acquisition ($39,575,000)
Program: Operations & General Management
* Water Master Plan ($120,000)
* Vault/Valve Rehab ($100,000)
* Automated Meter Reading System (AMI) ($3,400,000)
Program: Transmission & Distribution
* 2023 Waterline Replacement Grant ($2,800,000)

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora Water	Water Fund	-45,995,000	0	Lapse of Appropriation
Aurora Water	Water Fund	45,995,000	0	New Appropriation

2024: Drainage Review Contracts Expenses

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Wastewater Fund	0.00	1,233,014	0	1,233,014	0	-1,233,014
Total Appropriation Impact	0.00	1,233,014	0	1,233,014	0	-1,233,014

This supplemental will provide appropriation to cover the cost of third-party contracts for drainage review support contracts for 2024 that were not previously budgeted. These costs are one-time. For 2025, the contracted work will be performed by FTE staff added in the 2025 budget.

This supplemental was not included in the 2024 projection as part of the 2025 Adopted Budget as the specific needs and timing of these contracts were not known.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora Water	Wastewater Fund	0	1,233,014	New Appropriation

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Department \ Description - Reason for Appropriation

Aurora911

2024 Technical: Nurse Navigation Program 911 Pilot Grant

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	63,722	0	63,722	0	-63,722
Total Appropriation Impact	0.00	63,722	0	63,722	0	-63,722

This supplemental will provide appropriation to cover costs incurred by Aurora911 related to the Nurse Navigation Program 911 Pilot Grant, which provides low-acuity 911 callers with the right level of care based on the caller's reported needs. The program utilizes nurses and physicians to provide call-based triage to guide callers to other types of care when they do not require emergency medical services. The grant revenue was received in prior years, with 2024 as the final year for allowable spending.

This supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora911	Gifts & Grants Fund	0	63,722	New Appropriation

2024: Aurora911 Overtime Costs

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Enhanced E-911 Fund	0.00	1,178,306	0	1,178,306	0	-1,178,306
Total Appropriation Impact	0.00	1,178,306	0	1,178,306	0	-1,178,306

This supplemental will cover costs incurred by Aurora911 to address service demands. With the opening of a third communications channel, operational needs have increased. Call volume has also been increasing as the city continues to grow. Despite improved staffing and retention, Aurora911 staff, Police, and Fire overtime helped to cover call taking and dispatching duties as it takes roughly two years to fully cross-train new staff members. The combination of these factors led to 2024 expenditures that exceeded budget in the E-911 Fund.

This supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora911	Enhanced E-911 Fund	0	1,178,306	New Appropriation

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Development Services

2024 Technical: Reorganization Adjustment

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	42,611	0	42,611	0	-42,611
Total Appropriation Impact	0.00	42,611	0	42,611	0	-42,611

This technical adjustment is required due to the reorganization's impact on the assigned department for these expenditures. The budget exists in Public Works for 2024 but expenditures were reported in Development Services due to the accounting system. The 2025 budget is in line with the new organization structure.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Development Services	General Fund	0	42,611	New Appropriation

2024: Additional Expenditures in Development Review Fund

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Development Review Fund	0.00	2,291,751	0	2,291,751	0	-2,291,751
Total Appropriation Impact	0.00	2,291,751	0	2,291,751	0	-2,291,751

This supplemental appropriation covers over-budget expenditures in the Development Review Fund due to a sustained high workload, including overhire personnel, overtime, credit card fees, leave buyouts, and contracted development review services. The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget. The actual overage was $0.5 million more than the projection but because revenue outpaced expenses, there was an overall increase to the fund balance.

The budget for this effort exists in Public Works for 2024 but expenditures were reported primarily in Development Services due to how the reorganization is set up in the accounting system. The 2025 budget is in line with the new organization structure.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Development Services	Development Review Fund	0	2,274,788	New Appropriation
Public Works	Development Review Fund	0	16,963	New Appropriation

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Finance

2024: Additional Expenditures in the Risk Fund

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Risk Management Fund	0.00	1,860,213	0	1,860,213	0	-1,860,213
Total Appropriation Impact	0.00	1,860,213	0	1,860,213	0	-1,860,213

This one-time supplemental will provide $1.8 million of Risk Management Fund spending authority to address over-budget spending in 2024, which was largely driven by $7.1 million in general liability claims. Because 2024 revenues came in over-budget by more than $1.6 million, the additional spending authority can be covered without the need for an increased General Fund transfer. Higher-than-anticipated revenues were mostly driven by high insurance recoveries, although investment income in the Risk Management Fund also contributed to the strong 2024 revenues. The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

The budget for the Risk Fund exists in Human Resources for 2024 but expenditures were reported in Finance due to how the reorganization is set up in the accounting system. The 2025 budget is in line with the new organization structure.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Finance	Risk Management Fund	0	1,860,213	New Appropriation

2024: Workday Phase II Implementation and PTO Staffing

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	509,100	0	509,100	0	-509,100
Total Appropriation Impact	0.00	509,100	0	509,100	0	-509,100

This one-time supplemental will cover over-budget expenditures in 2024 primarily associated with an increased workload and leave payouts. The Phase II Workday Implementation and Paid Time Off (PTO) projects have caused a short-term need for more staffing hours which will carry into 2025. To meet the staffing needs, contracted services, overtime, and detail pay were used. Also included in the overage are leave payouts, primarily for retirements.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Finance	General Fund	0	509,100	New Appropriation

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Fire

2024 Technical: Aurora Fire Rescue Grant Awards

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	669,361	0	669,361	517,182	-152,179
Total Appropriation Impact	0.00	669,361	0	669,361	517,182	-152,179

This supplemental will appropriate additional funds for grant awards associated with Fire Emergency Management, Fire Emergency Medical Services, and Fire Member Services.

* FY23 Assistance to Firefighters Grant - Firefighter Physicals ($383,400)
* FY21 AFG Officer Training Grant ($114,100)
* Misc. Fed Pass-Through Grants ($92,600)
* Spirit of Aurora Ceremonies ($63,400)
* Other Misc Grants ($15,800)

The portion of this supplemental that isn't offset by grant revenue is to spend down prior year grant funds. The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget; however, due to the timing and nature of grant spending, the appropriation is higher than anticipated.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Fire	Gifts & Grants Fund	0	-18,713	Lapse of Appropriation
Fire	Gifts & Grants Fund	0	688,074	New Appropriation

2024 Technical: Wildland Fire

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	1,311,157	0	1,311,157	1,311,157	0
Total Appropriation Impact	0.00	1,311,157	0	1,311,157	1,311,157	0

This supplemental request will provide appropriation to cover personal services, overtime, and travel costs for personnel deployed to wildland fire events in Colorado and other states. These expenditures are fully offset by reimbursement revenue.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Fire	General Fund	0	1,311,157	New Appropriation

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Fire

2024: Aurora Fire Rescue Overtime and Acting Pay

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	1,305,913	0	1,305,913	0	-1,305,913
Total Appropriation Impact	0.00	1,305,913	0	1,305,913	0	-1,305,913

This supplemental request will provide appropriation to cover overtime and acting pay costs related to Aurora Fire Rescue's mandated staffing model. Overtime needs fluctuate throughout the year due to unexpected absences, turnover, and prolonged periods of heightened activity. An increased reliance on overtime is needed to maintain operational readiness.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Fire	General Fund	0	1,305,913	New Appropriation

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General Management

2024 Technical: Additional Appropriation for Global Fest Expenditures

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	44,346	0	44,346	76,395	32,049
Total Appropriation Impact	0.00	44,346	0	44,346	76,395	32,049

This technical supplemental will provide additional appropriation to cover 2024 Global Fest expenditures in excess of the annual baseline budget of $10,000. Total city expenditures in this fund for the event were $53,500, while funding raised through sponsorships plus interest totaled $76,400. The unspent funds will remain in the Global Fest account to be used for future events. The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

This request also includes small amounts for the Youth Natural Leaders and We Are Aurora grants that are now closed. These efforts had small fund balances from interest earned in 2023 that were spent down in 2024. The need for this appropriation was not projected.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
General Management	Gifts & Grants Fund	0	44,346	New Appropriation

2024: Fleet Management Fund Balance and Expense

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Fleet Management Fund	0.00	112,806	0	112,806	342,000	229,194
General Fund	0.00	342,000	0	342,000	0	-342,000
Total Appropriation Impact	0.00	454,806	0	454,806	342,000	-112,806

This supplemental will appropriate a transfer to the Fleet Management Fund from the General Fund. Due to sustained inflationary pressures in 2024, the expenditures in the Fleet Management Fund outpaced the revenue coming in. This transfer will help to maintain an appropriate fund balance in this fund.

In addition, this supplemental also contains appropriation to cover Fleet Fund expenditures exceeding the 2024 budget. This additional appropriation was included in the 2024 projection as part of the 2025 Adopted Budget, though the amount is lower than expected.

The budget for this effort exists in Public Works for 2024 but expenditures were reported in General Management due to how the reorganization is set up in the accounting system. The 2025 budget is in line with the new organization structure.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	General Fund	0	342,000	Operating Transfer Out
General Management	Fleet Management Fund	0	112,806	New Appropriation

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Department \ Description - Reason for Appropriation

Housing and Community Services

2024 Technical: Adjust 2024 Budget for the Homelessness Program

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Marijuana Tax Revenue Fund	0.00	-253,269	0	-253,269	0	253,269
Total Appropriation Impact	0.00	-253,269	0	-253,269	0	253,269

This technical lapse for the Homelessness Program will decrease the continuing appropriation so the program budget matches the decrease in 2024 program income. The 2024 budget included appropriation for total income of $2.5 million while actual program income was $2.2 million. A decline was anticipated in the 2024 projection as part of the 2025 Adopted Budget; however, a further decline over the second half of the year has increased the required lapse.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Housing and Community Services	Marijuana Tax Revenue Fund	0	-253,269	Lapse of Appropriation

2024 Technical: Appropriate Broncos Funds to City Council Designated Youth Programs

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	546,084	0	546,084	0	-546,084
Total Appropriation Impact	0.00	546,084	0	546,084	0	-546,084

This technical one-time adjustment will appropriate $546,100 for 2024 expenditures associated with two of the Housing and Community Services Broncos Funding projects: The Colorado Soccer Foundation and Chance Sports.

These projects were approved during the City Council meeting on September 11, 2023. Revenue was received in 2023 from the Metro Football Stadium District and this supplemental will appropriate a portion of the $3.8 million in one-time money that Aurora received when the sale of the Denver Broncos took place.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Housing and Community Services	Designated Revenues Fund	0	546,084	New Appropriation

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Housing and Community Services

2024 Technical: Community Development Fund Adjustments

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Community Development Fund	0.00	-110,074	0	-110,074	-110,074	0
Total Appropriation Impact	0.00	-110,074	0	-110,074	-110,074	0

This technical one-time supplemental will balance appropriations for the Community Development Fund to account for the following:

* Increase the appropriation of the Community Development Block Grant (CDBG) program income by $18,997 to match final collections
* Decrease the appropriation of the HOME Investment Partnership Grant (HOME) program income by $13,814 to match final collections
* Increase the appropriation of the Neighborhood Stabilization Program Grant (NSP) program income by $5,741 to match final collections
* Include a net zero technical accounting adjustment moving $1.0 million from HOME to CDBG

The need for these adjustments for final program income collections was noted in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Housing and Community Services	Community Development Fund	0	-1,134,814	Lapse of Appropriation
Housing and Community Services	Community Development Fund	0	1,024,740	New Appropriation

2024 Technical: HOME Grant Funds Allocated to Navigation Campus

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	3,734,741	0	3,734,741	3,734,741	0
Total Appropriation Impact	0.00	3,734,741	0	3,734,741	3,734,741	0

This technical one-time adjustment will appropriate $3.7 million of existing HOME grant funds designated for the construction and renovation of the Homeless Navigation Campus.

The need for this supplemental was identified and included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Housing and Community Services	Gifts & Grants Fund	0	3,734,741	New Appropriation

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Human Resources

2024: Public Safety Support and HR Administration

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	510,000	0	510,000	0	-510,000
Total Appropriation Impact	0.00	510,000	0	510,000	0	-510,000

This one-time supplemental will cover costs incurred in excess of the 2024 budget by Human Resources (HR) to address a combination of unfunded initiatives and underfunded staffing needs. Unfunded initiatives included the employee engagement survey as well as the employee appreciation event at the Denver Zoo. Public Safety Support is an underfunded program as it works to meet the requirements of the Consent Decree, which led to the hiring of more variable-hour employees and contractors.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Human Resources	General Fund	0	510,000	New Appropriation

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Information Technology

2024: Contracted Services for Major Citywide System Upgrades

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	1,516,280	0	1,516,280	0	-1,516,280
Total Appropriation Impact	0.00	1,516,280	0	1,516,280	0	-1,516,280

This supplemental covers expenditures in excess of the 2024 budget stemming from the use of contracted services and hosted subscriptions for technology to meet the demands of the Information Technology (IT) department's requirements. The majority of these contracted services were used in the upgrade and implementation of major citywide systems as the portfolio modernization continues. These efforts included Amanda (city workflow management tool), Workday (city human capital management and financial system), ServiceNow (city IT ticketing and request system), and FAST (city tax and licensing system). Hosted subscriptions also accounted for a significant portion of the remaining budget overage. New and expanded services for information security were the major contributor to the increase in hosted subscriptions.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Information Technology	General Fund	0	1,516,280	New Appropriation

2024: Paid Time Off Implementation Changes in Workday

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	140,000	140,000	0	-140,000
Total Appropriation Impact	0.00	0	140,000	140,000	0	-140,000

In late 2024, the city approved transitioning career service employee benefits from vacation and sick leave to paid time off (PTO) and created the Employee and Family Care Leave (EFCL) program. Managed through Workday, the city's human capital and financial management platform, these changes required significant system redesign and additional outsourced technical support. Since the decision was made outside the annual budget process, it was not included in the 2024 projection for the 2025 Adopted Budget. This supplemental funding request covers the technical services needed to implement the program.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Information Technology	Capital Projects Fund	140,000	0	New Appropriation

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Judicial

2024 Technical: DOLA First Appearance Grant and HEART Court

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	0	0	0	12,813	12,813
General Fund	0.00	0	0	0	0	0
Gifts & Grants Fund	0.00	49,222	0	49,222	49,222	0
Total Appropriation Impact	0.00	49,222	0	49,222	62,035	12,813

This technical supplemental provides appropriation in 2024 for two technical adjustments in the Judicial Department.

1. To cover actual transactions eligible under the DOLA First Appearance Grant. This appropriation is completely offset by additional grant revenue. This grant allows the city to seek reimbursement for providing no-cost legal representation to in-custody defendants for first appearances, an added expense caused by the State legislation (HB16-1309). The need for this supplemental was not included in the 2024 projection as part of the 2025 Adopted Budget as the amount is difficult to project.

2. To provide authority to transfer funds from the General Fund (HEART Court) to the Designated Revenues Fund (Special Courts Program) for a share of the annual pay for the Special Courts Coordinator assigned to the HEART Court. This transfer was projected in 2024 and an ongoing transfer was set up for this purpose in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Judicial	General Fund	0	-12,813	Lapse of Appropriation
Judicial	General Fund	0	12,813	Operating Transfer Out
Judicial	Gifts & Grants Fund	0	49,222	New Appropriation

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Library & Cultural Services

2024: Library Operations Budget Adjustment

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	136,658	0	136,658	0	-136,658
Total Appropriation Impact	0.00	136,658	0	136,658	0	-136,658

This supplemental appropriation covers higher-than-budgeted expenses for Aurora Public Libraries, including increased software subscription costs and operating supplies. These essential items ensure the continued operation of the city's seven library locations.

The need for this supplemental was not included in the 2024 projection as part of the 2025 Adopted Budget because the expenses were not anticipated at the time the budget was developed.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Library & Cultural Services	General Fund	0	136,658	New Appropriation

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Non-Departmental

2024 Technical: American Rescue Plan Act Pass-through Grant Funds

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	26,485,852	0	26,485,852	26,485,852	0
Total Appropriation Impact	0.00	26,485,852	0	26,485,852	26,485,852	0

This technical one-time adjustment will appropriate grant funds, received as part of an agreement between the City of Aurora, the Colorado Department of Local Affairs (DOLA), and Douglas, Adams, and Arapahoe Counties. These American Rescue Plan Act (ARPA) pass-through grant funds offset some of the 2024 expenses associated with the purchase of the former Crowne Plaza Hotel, which will house the city's future Homeless Navigation Campus. The following is a breakdown of the contributions:

* DOLA - $15,360,900
* Arapahoe County - $5,000,000
* Adams County - $5,000,000
* Douglas County - $1,125,000

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	Gifts & Grants Fund	0	26,485,852	New Appropriation

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Department \ Description - Reason for Appropriation

Non-Departmental

2024 Technical: Moving Transfer Budget for Various Purposes

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	0	0	-2,224,500	-2,224,500
Cultural Services Fund	0.00	0	0	0	42,000	42,000
Designated Revenues Fund	0.00	0	0	0	2,000,000	2,000,000
General Fund	0.00	0	0	0	0	0
Parking and Mobility Fund	0.00	0	0	0	12,500	12,500
Recreation Fund	0.00	0	0	0	170,000	170,000
Total Appropriation Impact	0.00	0	0	0	0	0

This net-zero technical supplemental will reappropriate surplus General Fund budget that was previously appropriated as a transfer to the Capital Projects Fund (CPF). Due to the collection of less capital-related revenue than projected, there was a smaller actual transfer to the CPF, leaving budgeted funds available to reallocate as a transfer to other funds.

* $2.0 million is being moved to the Designated Revenue Fund to cover incentive payments
* $42,000 is being moved to the Cultural Services Fund for compensation adjustments
* $12,500 is being moved to the Parking and Mobility Fund for fund balancing
* $170,000 is being moved to the Recreation Fund for the City Council approved one-time funding of the Mobility Services for the Aurora Center for Active Adults (ACAA) project

All of these items were included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	General Fund	0	0	Operating Transfer Out

2024 Technical: Transfer Doug Co ARPA Navigation Campus Funds for AIPP to the Cultural Services Fund

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Cultural Services Fund	0.00	0	0	0	100,000	100,000
Gifts & Grants Fund	0.00	0	0	0	0	0
Total Appropriation Impact	0.00	0	0	0	100,000	100,000

Per city ordinance, one percent of funds used for certain construction and remodeling projects with budgets over $100,000 are dedicated to funding Art in Public Places (AIPP). This technical supplemental will allow for a transfer of funds committed to the AIPP program in the Cultural Services Fund from the Gifts and Grants Fund for the Douglas County ARPA Navigation Campus Funds.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	Gifts & Grants Fund	0	-100,000	Lapse of Appropriation
Non-Departmental	Gifts & Grants Fund	0	100,000	Operating Transfer Out

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Non-Departmental

2024: American Rescue Plan Act Spending

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	23,831,263	17,604,809	41,436,072	0	-41,436,072
Total Appropriation Impact	0.00	23,831,263	17,604,809	41,436,072	0	-41,436,072

In 2021 the City of Aurora received $65.4 million in American Rescue Plan Act (ARPA) funds. This supplemental covers 2024 ARPA spending for various projects including park renovations, fire station improvements, the homeless navigation campus, safe outdoor spaces, and housing gap financing. With this supplemental, the ARPA funds are fully expended or encumbered in compliance with federal government deadlines.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	Gifts & Grants Fund	17,604,809	23,831,263	New Appropriation

2024: Highway 30 Landfill Remediation Additional Budget

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	42,438	42,438	0	-42,438
Total Appropriation Impact	0.00	0	42,438	42,438	0	-42,438

The city is under orders from the Colorado Department of Public Health and Environment (CDPHE) to investigate and remediate the closed Highway 30 Landfill. For several years through 2023, roughly $250,000 per year was spent on investigation and monitoring work through the lead contractor, Quantum Water and Environment. In 2024, the investigation phase ended, and the city was required to submit an Assessment of Corrective Measures Report (ACMR) to CDPHE. Additional funds of approximately $250,000 were needed for the creation of this report. This was $42,400 more than projected, thus the reason for the supplemental. This additional amount was not projected in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	Capital Projects Fund	42,438	0	New Appropriation

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2025 Spring Amendment Ordinance
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Department \ Description - Reason for Appropriation

Parks, Recreation & Open Space

2024 Technical: Appropriate Broncos Funds to City Council Designated Programs

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	98,805	0	98,805	0	-98,805
Total Appropriation Impact	0.00	98,805	0	98,805	0	-98,805

This technical one-time adjustment will appropriate $98,800 for 2024 expenditures associated with two Parks, Recreation and Open Space (PROS) Broncos Funding projects - a refresh of citywide special event summer programming with a focus on pre-teens and teenagers, as well as a partnership program to give Aurora teenagers free recreation center passes.

These projects were approved during the City Council meeting on September 11, 2023. Revenue was received in 2023 from the Metro Football Stadium District and this supplemental will appropriate a portion of the $3.8 million in one-time money that Aurora received when the sale of the Denver Broncos took place.

The need for this supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Designated Revenues Fund	0	98,805	New Appropriation

2024: Golf Pro Shop Merchandise, Water Expenses and Employee Retirement Buyouts

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Golf Courses Fund	0.00	367,664	0	367,664	0	-367,664
Total Appropriation Impact	0.00	367,664	0	367,664	0	-367,664

This supplemental will address the 2024 merchandise over-budget spending, as well as unanticipated increases in water expenses and personal services due to employee retirement buyouts. The additional spending authority is fully offset by higher golf-related revenue in 2024.

The Golf Division must use accrued credits annually rather than carrying them forward, leading to increased merchandise purchases in November and December. While a supplemental was anticipated in the 2025 Adopted Budget, the actual overage exceeded projections by $133,500.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Golf Courses Fund	0	367,664	New Appropriation

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2025 Spring Amendment Ordinance
2024 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Planning and Business Development

2024 Technical: 1400 Dallas Street Improvement and Multimodal Transportation Master Plan

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	6,521	6,521	6,521	0
Total Appropriation Impact	0.00	0	6,521	6,521	6,521	0

This one-time technical adjustment will appropriate funds for the budget overage for improvements at 1400 Dallas Street, funded by the Aurora Urban Renewal Authority (AURA) in 2024. The project exceeded its budget due to unforeseen costs, including asbestos removal and other additional expenses.

The need for this supplemental was not included in the 2024 projection as part of the 2025 Adopted Budget due to the timing of the expenditures.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Planning and Business Development	Capital Projects Fund	6,521	0	New Appropriation

2024 Technical: More Housing Now 13th Avenue Transit Development

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	4,900,000	4,900,000	4,900,000	0
Total Appropriation Impact	0.00	0	4,900,000	4,900,000	4,900,000	0

This technical one-time adjustment will appropriate funding from the Department of Local Affairs (DOLA) through the Energy and Mineral Impact Assistance Fund (EIAF) Grant program for the Tollgate Creek Bridge, which qualifies as a More Housing Now (MHN) development project. This project consists of the construction of a bridge between 13th Ave and Dillon Way in Aurora. The goal of the EIAF is to assist political subdivisions that are socially and/or economically impacted by the development, processing, or energy conversion of minerals and mineral fuels. The MHN Initiative grants require a local government to develop and adopt at least one qualifying land use strategy that makes it easier to develop affordable and attainable housing in the community.

This grant award is effective from October 14, 2024 through October 31, 2026. The match requirement will be more than met with additional funds of $2.9 million provided by the Aurora Urban Renewal Authority. Due to the timing of the award, this was not projected for 2024 in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Planning and Business Development	Capital Projects Fund	4,900,000	0	New Appropriation

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Department \ Description - Reason for Appropriation

Planning and Business Development

2024 Technical: Strong Communities Infrastructure Grant - 13th Avenue Light Rail

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	2,350,000	2,350,000	2,350,000	0
Total Appropriation Impact	0.00	0	2,350,000	2,350,000	2,350,000	0

This supplemental will appropriate funding from the Department of Local Affairs through the Infrastructure and Strong Communities Grant Program for an extension of Dillon Way and Toll Gate Creek bridge to provide essential secondary access for a transit-oriented housing development located adjacent to the 13th Avenue Station in Aurora. Funds are granted to local governments to enable their investment in infill infrastructure projects that support affordable housing. This will support approximately four hundred and twenty affordable apartments.

This grant award is effective from September 2024 through September 2026. Additional funds of $350,000 were provided by the Aurora Urban Renewal Authority to satisfy the match requirement. Due to the timing of the award, this was not projected for 2024 in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Planning and Business Development	Capital Projects Fund	2,350,000	0	New Appropriation

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2025 Spring Amendment Ordinance
2024 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Public Works

2024 Technical: Appropriate Insurance Recovery Revenue

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	11,650	11,650	11,650	0
Total Appropriation Impact	0.00	0	11,650	11,650	11,650	0

This one-time supplemental appropriates $11,650 in insurance recovery monies received in 2024 for guard rail damage at Buckley and Dartmouth. This revenue had not yet been received at the time of the preparation of the 2024 projection and is not reflected in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	11,650	0	New Appropriation

2024 Technical: Lapse Completed Projects

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	-348,911	-348,911	0	348,911
Total Appropriation Impact	0.00	0	-348,911	-348,911	0	348,911

This technical supplemental will lapse the remaining budget on the following completed grant projects:

* Havana Transit Improvements ($110,000)
* CCTV Intersection Cameras ($115,900)
* Chambers Over Sand Creek Bridge ($132,500). The unused overmatch ($26,400) will be transferred back to its source in the Bridge Repair Program.
* 25th Avenue Pedestrian Improvements ($15,800)

Due to the timing of these activities, this technical supplemental was not included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	-374,165	0	Lapse of Appropriation
Public Works	Capital Projects Fund	25,254	0	New Appropriation

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2024 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Public Works

2024 Technical: Tower Metropolitan District Project

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	411,220	411,220	216,506	-194,714
Total Appropriation Impact	0.00	0	411,220	411,220	216,506	-194,714

This technical one-time supplemental will appropriate funds for the transfer of revenues received by the city, from the Tower Metropolitan District to the Aerotropolis Regional Transportation Authority (ARTA) per the Intergovernmental Agreement dated October 23, 2024. These funds were received in 2023 and 2024; the revenue offset reflects only the monies received in 2024. The timing of this transfer was not known during the preparation of the 2024 projection and was not included in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	411,220	0	New Appropriation

2024: Appropriate Capital Impact Fees for Fire Station 9

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	350,000	350,000	0	-350,000
Total Appropriation Impact	0.00	0	350,000	350,000	0	-350,000

This one-time supplemental will appropriate Capital Impact Fees for the Fire Station 9 replacement project. At the 2024 Winter Workshop, Council approved using $350,000 in Capital Impact Fees for this project which is underway with anticipated completion in the first quarter of 2026.

Due to the timing, this projection was not included in the 2024 projection and is not reflected in the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	350,000	0	New Appropriation

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2024 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Public Works

2024: Appropriate Funding for Capital Planning Services

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	835,000	835,000	0	-835,000
Total Appropriation Impact	0.00	0	835,000	835,000	0	-835,000

This one-time supplemental will provide appropriation to support a contract extension to work with city staff from multiple departments to enhance capital project controls and develop reporting and processes to effectively and efficiently manage the delivery of capital projects.

This contract supports the Build Up Aurora Infrastructure Task Force, established by City Council in 2024, in creating, evaluating, and developing a 10-year strategic plan for infrastructure investment. The goal is to develop a sound, multi-year capital planning and investment strategy for the city.

Due to the timing of this contract, the need for this supplemental was not included in the 2024 projection as part of the 2025 Adopted Budget. The resolution for the Infrastructure Task Force was approved at the August 12, 2024 Regular City Council Meeting.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	835,000	0	New Appropriation

2024: Parking and Mobility Fund Professional Services

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Parking and Mobility Fund	0.00	15,550	0	15,550	0	-15,550
Total Appropriation Impact	0.00	15,550	0	15,550	0	-15,550

This supplemental appropriates funding to cover expenses related to the unanticipated requirement for security services at the Iliff Garage for the last half of the year. This supplemental was included in the 2024 projection as part of the 2025 Adopted Budget.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Parking and Mobility Fund	0	15,550	New Appropriation

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Department \ Description - Reason for Appropriation

Public Works

2024: Police Firing Range Administration Building

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	257,000	257,000	0	-257,000
Total Appropriation Impact	0.00	0	257,000	257,000	0	-257,000

This one-time supplemental appropriates $257,000 in additional funding due to site requirements for the Police Firing Range Administration Building project. The new administration building was completed February 2025.

The need for this supplemental was not included in the 2024 projection as part of the 2025 Adopted Budget as it was unknown at the time.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	257,000	0	New Appropriation

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Appropriation Detail by Fund

2025 Amendment Detail
Attachment D

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2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Aurora Water

2025 Technical: Reallocate Funds for Aurora Water Department Reorganization

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Wastewater Fund	1.14	12,044	0	12,044	0	-12,044
Water Fund	-1.14	-12,044	0	-12,044	0	12,044
Total Appropriation Impact	0.00	0	0	0	0	0

This is a technical adjustment to reallocate FTE between the Water and Wastewater Funds due to a re-organization within Aurora Water.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora Water	Wastewater Fund	0	-573,310	Lapse of Appropriation
Aurora Water	Water Fund	0	-958,676	Lapse of Appropriation
Aurora Water	Wastewater Fund	0	585,354	New Appropriation
Aurora Water	Water Fund	0	946,632	New Appropriation

2025: Add 1.0 FTE Security Analyst Senior

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Wastewater Fund	0.40	60,806	0	60,806	0	-60,806
Water Fund	0.60	92,537	0	92,537	0	-92,537
Total Appropriation Impact	1.00	153,343	0	153,343	0	-153,343

This supplemental adds ongoing appropriation of $151,300 for a 1.0 FTE Senior Security Analyst to enhance Aurora Water's cybersecurity in both Information Technology (IT) and Operation Technology (OT) environments. OT is the technology backbone for water purification facilities and water/waste distribution systems. Utilities nationwide face increasing cyberattacks on both IT and OT systems, alongside growing regulatory requirements. These attacks can disrupt operations, compromise service delivery—including fire suppression capabilities—and pose public health risks by affecting water quality. Similarly, attacks on IT vulnerabilities, particularly Customer Information Systems (CIS) essential for billing and customer interactions, are on the rise. Such attacks can create significant fiduciary liability for failing to protect customer privacy and financial data.

Aurora Water and IT reviewed staffing in 2024 and determined that three dedicated cybersecurity positions are needed to enhance IT and OT security. This Senior Security Analyst will focus on strengthening cybersecurity, conducting risk assessments, and ensuring regulatory compliance. This role will work closely with the city's Chief Information Security Officer (CISO) and be the only utility staff member fully dedicated to cybersecurity.

This request was reviewed by City Council at the Executive Session on March 24th, 2025.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora Water	Wastewater Fund	0	60,806	New Appropriation
Aurora Water	Water Fund	0	92,537	New Appropriation

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2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Aurora Water

2025: Add 2.0 FTE Network Engineers

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Wastewater Fund	0.80	118,974	0	118,974	0	-118,974
Water Fund	1.20	178,458	0	178,458	0	-178,458
Total Appropriation Impact	2.00	297,432	0	297,432	0	-297,432

This supplemental provides $293,400 in ongoing funding for 2.0 FTE Network Engineers to strengthen the resiliency of Aurora Water's IT and Operation Technology (OT) networks. OT is the technology backbone for water purification facilities and water/waste distribution systems. Aurora Water's IT and OT networks are growing more complex to meet additional operational and business requirements. OT networks must maintain nearly 100% uptime as unplanned outages can cause substantial operation disruptions. IT networks must be reliable during business hours to allow staff to carry out most job functions. The demands on both networks have outpaced the capacity of the city's IT department and the Aurora Water OT division. Aurora Water and City IT reviewed staffing in 2024 and determined that three dedicated cybersecurity positions are needed to enhance IT and OT security.

One Network Engineer will focus on OT systems, bringing critical expertise to manage the increasing complexity of Aurora Water's infrastructure and supporting the Business Operations Security Analyst in securing the OT environment. The second Network Engineer will enhance IT network reliability, ensuring the service levels necessary for efficient operations.

This request was reviewed by City Council at the Executive Session on March 24th, 2025.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora Water	Wastewater Fund	0	118,974	New Appropriation
Aurora Water	Water Fund	0	178,458	New Appropriation

2025: Lapse Budget from Debt Service

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Wastewater Fund	0.00	-2,921,984	0	-2,921,984	0	2,921,984
Water Fund	0.00	-23,020,136	0	-23,020,136	0	23,020,136
Total Appropriation Impact	0.00	-25,942,120	0	-25,942,120	0	25,942,120

Due to project construction timing adjustments in 2024, the planned debt service projection decreased significantly. This caused debt service principal and interest assumptions in future years to decrease as well. This supplemental lapses the 2025 budget for these decreases.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Aurora Water	Wastewater Fund	0	-2,921,984	Lapse of Appropriation
Aurora Water	Water Fund	0	-23,020,136	Lapse of Appropriation

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Department \ Description - Reason for Appropriation

City Attorney

2025: Add 1.0 FTE Assistant City Attorney - Civil Division

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	1.00	137,878	0	137,878	0	-137,878
Total Appropriation Impact	1.00	137,878	0	137,878	0	-137,878

This supplemental will add ongoing appropriation for 1.0 FTE Assistant City Attorney in the Civil Division. The City Attorney is requesting this FTE in furtherance of his plan to build out the litigation section, making it more independent and less reliant on outside counsel, primarily in the Risk Fund.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
City Attorney	General Fund	0	137,878	New Appropriation

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2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Court Administration

2025 Technical: Transfer 2024 Budget Savings to CPF for Courthouse Improvements

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	0	0	408,800	408,800
General Fund	0.00	408,800	0	408,800	0	-408,800
Total Appropriation Impact	0.00	408,800	0	408,800	408,800	0

This one-time technical supplemental will transfer $408,800 in 2024 Court Administration budget savings to the Capital Projects Fund (CPF) to provide additional funding for future courthouse improvements. The savings were generated by the change in direction for the case management system replacement that was budgeted for one-time costs in 2024.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Court Administration	General Fund	0	408,800	Operating Transfer Out

2025: 1 - Courtroom Project Design and Engineering

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	787,000	787,000	0	-787,000
Total Appropriation Impact	0.00	0	787,000	787,000	0	-787,000

This supplemental request will provide appropriation for the design and engineering costs for the courthouse jury assembly room renovations, ADA restroom compliance updates, and security updates expansion project. In the 2024 Spring Supplemental Process, 2023 budget savings of $1.3 million in Court Administration was transferred to the CPF and earmarked for this and other courtroom projects.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Court Administration	Capital Projects Fund	787,000	0	New Appropriation

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2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Court Administration

2025: 2 - Jury Assembly Room Renovation

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	276,000	276,000	0	-276,000
Total Appropriation Impact	0.00	0	276,000	276,000	0	-276,000

This supplemental request will provide appropriation for the jury assembly room renovations and ADA restroom compliance project. This statement of work will provide a cased opening between the jury assembly room and breakroom, limited remodel of coffee area, the addition of a water filling station, expansion of two single user restrooms to be ADA compliant, and security camera upgrades.

In the 2024 Spring Supplemental Process, 2023 budget savings of $1.3 million in Court Administration was transferred to the Capital Projects Fund and earmarked for this and other courtroom projects.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Court Administration	Capital Projects Fund	276,000	0	New Appropriation

2025: 3 - Courthouse Security Expansion and Fire Alarm Replacement

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	5,465,000	5,465,000	0	-5,465,000
Total Appropriation Impact	0.00	0	5,465,000	5,465,000	0	-5,465,000

This supplemental request will provide appropriation for the courthouse security expansion and fire alarm replacement project. This includes the remodel of the existing entry lobby of the courts building to provide expanded security/screening capabilities and new construction for an 800 square foot addition to provide a dedicated queuing area for visitors. Additional scope includes a new interior storefront with ballistic film, a new security screening area with upgraded equipment, ballistic partitions, specialized furniture systems, conduit for new cameras and decorative bollards at the building exterior. The fire alarm scope assumes three new fire alarm control panels and the relocation of the courts panel. Some infrastructure upgrades will be required.

In the 2024 Spring Supplemental Process, 2023 budget savings of $1.3 million in Court Administration was transferred to the Capital Projects Fund (CPF) and earmarked for this and other courtroom projects. This current supplemental process includes a request to transfer an additional $408,800 in savings from 2024 to the CPF to add to the earmarked funds. With this, a total of $1.7 million will have been provided for courthouse projects from past budget savings. If the ADA Restroom updates and the Engineering and design costs are approved, the remaining earmarked funds will be $660,600 to put towards this project.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Court Administration	Capital Projects Fund	5,465,000	0	New Appropriation

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Department \ Description - Reason for Appropriation

Court Administration

2025: Appropriation to Address Marshals and Detention Center One-Time Needs

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	112,000	0	112,000	0	-112,000
Total Appropriation Impact	0.00	112,000	0	112,000	0	-112,000

This one-time supplemental request will appropriate $112,000 to address the needs of the Marshal and Detention operations identified over the last part of 2024 and the beginning of 2025.

In coordination with Division Managers, the Court Administrator has identified several needs that generally fall within the following categories:

1. Ammunition for the marshals ($25,000) to ensure the safety and security of the court and general public.
2. Safety equipment ($30,000) for newly trained Special Operations and Response Team (SORT) officers.
3. Ladders ($15,000) for the top bunks in the newly opened housing section of the detention center in both the male and female dorms.
4. Radio replacements ($42,000) for the marshal team.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Court Administration	General Fund	0	112,000	New Appropriation

2025: New Marshal and Detention Step Program

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	388,411	0	388,411	0	-388,411
Total Appropriation Impact	0.00	388,411	0	388,411	0	-388,411

This ongoing supplemental request will add appropriation in 2025 to cover Court Administration's additional financial obligation as a result of the change in the compensation structure for the Marshal and Detention divisions. The new step program establishes a structured pay progression that was reviewed and supported by members of the Public Safety Committee on November 14, 2024.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Court Administration	General Fund	0	388,411	New Appropriation

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2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Finance

2025: Add 1.0 FTE Payroll Supervisor and One-Time Contracted Services

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	1.00	0	0	0	0	0
Total Appropriation Impact	1.00	0	0	0	0	0

This supplemental provides ongoing appropriation for 1.0 FTE Payroll Supervisor and a one-time appropriation for contracted services. Both costs are fully offset by ongoing savings from a revised approach to budgeting and paying Short-Term Disability benefits, implemented under the new Paid Time Off (PTO) plan.

The need for an additional Payroll Supervisor is not a new need. The Workday conversion and now the PTO change has raised this to a top priority. The contracted staff will be dedicated to Workday Phase II report writing and other Workday-related needs that may arise as a result of go-live this summer. This request was reviewed by the Management & Finance Committee on March 6, 2025.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Finance	General Fund	0	-368,706	Lapse of Appropriation
Finance	General Fund	0	368,706	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Housing and Community Services

2025 Technical: Appropriate Broncos Funds to City Council Designated Youth Empowerment Center

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	0	504,716	504,716	0	-504,716
Total Appropriation Impact	0.00	0	504,716	504,716	0	-504,716

This one-time technical supplemental will appropriate $504,700 of Broncos funding designated by City Council for the development of a Youth Empowerment Center.

This project was approved during the City Council meeting on September 11, 2023. Revenue was received in 2023 from the Metro Football Stadium District and this supplemental will appropriate a portion of the $3.8 million in one-time money that Aurora received when the sale of the Denver Broncos took place.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Housing and Community Services	Designated Revenues Fund	504,716	0	New Appropriation

2025 Technical: Appropriate Funds for Project Waterfall

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	250,000	0	250,000	250,000	0
Total Appropriation Impact	0.00	250,000	0	250,000	250,000	0

This technical supplemental will add an ongoing appropriation of $250,000 per year for the agreement with Project Waterfall (Kairus Inc) dated July 23, 2024. Through this agreement, Project Waterfall will provide Housing & Community Services (HCS) with $250,000 annually for 8 years. These funds will be used to provide housing and assist with providing services through the HCS Homelessness Initiative.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Housing and Community Services	Designated Revenues Fund	0	250,000	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Human Resources

2025: Add 1.0 FTE Leave Management Administrator and PTO Management Software

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	1.00	0	0	0	0	0
Total Appropriation Impact	1.00	0	0	0	0	0

This supplemental will add ongoing appropriation for 1.0 FTE Leave Management Administrator and packaged software. Both costs are fully offset by ongoing savings from a revised approach to budgeting and paying Short-Term Disability benefits, implemented under the new Paid Time Off (PTO) plan. The need for a Leave Management Administrator and software are a top priority due to the new PTO policy. This request was reviewed by the Management & Finance Committee on March 6, 2025.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Human Resources	General Fund	0	-223,001	Lapse of Appropriation
Human Resources	General Fund	0	223,001	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Information Technology

2025: Contracted Services to Support Workday Phase II

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	0	0	0	0	0
Total Appropriation Impact	0.00	0	0	0	0	0

This supplemental will add one-time appropriation for contracted services to provide support for Workday development and report writing for the Finance Department. The cost is fully offset by ongoing savings from a revised approach to budgeting and paying Short-Term Disability benefits, implemented under the new Paid Time Off (PTO) plan.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Information Technology	General Fund	0	-162,000	Lapse of Appropriation
Information Technology	General Fund	0	162,000	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Library & Cultural Services

2025 Technical: Library Donations and Sponsorships

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	286,787	0	286,787	0	-286,787
Total Appropriation Impact	0.00	286,787	0	286,787	0	-286,787

This supplemental appropriates previously received one-time general and Friends of Aurora Public Library donations as well as sponsorship funds that have already been received. These funds are planned to be used for various library updates and replacements.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Library & Cultural Services	Gifts & Grants Fund	0	286,787	New Appropriation

2025 Technical: Transfer Funding for Arts District Support Program from GF to CSF

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Cultural Services Fund	0.00	170,000	0	170,000	170,000	0
General Fund	0.00	0	0	0	0	0
Total Appropriation Impact	0.00	170,000	0	170,000	170,000	0

This technical supplemental will make the necessary budget adjustments to permanently transfer the administration of the Arts District Support Program from the General Fund (GF) to the Cultural Services Fund (CSF). The budget of $170,000 will be lapsed in Planning and Business Development (GF) and then appropriated in Library and Cultural Services (CSF). The GF lapse will be used to fund an increase in the GF subsidy to CSF to cover the appropriation.

The goal of this program is to support overall redevelopment in the Fletcher Plaza Urban Renewal Area (the Arts District) and to increase area activity and visits.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Planning and Business Development	General Fund	0	-170,000	Lapse of Appropriation
Non-Departmental	General Fund	0	170,000	Operating Transfer Out
Library & Cultural Services	Cultural Services Fund	0	170,000	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Library & Cultural Services

2025 Technical: Transfer Responsibility for Arts District Admin to Library and Cultural Services

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Cultural Services Fund	1.00	213,074	0	213,074	213,074	0
General Fund	0.00	14,374	0	14,374	0	-14,374
Recreation Fund	-1.00	0	0	0	0	0
Total Appropriation Impact	0.00	227,448	0	227,448	213,074	-14,374

This technical supplemental will realign budgets to provide appropriation in Library and Cultural Services for the administration of the Arts District and on-site facilities. In addition, Parks, Recreation, and Open Space (PROS) will transfer authorization for 1.0 FTE to Library and Cultural Services to be reclassed to a Project Manager to manage the administration of the Arts District and on-site facilities. The budget dollars for this FTE will remain in PROS and be converted to salary for Variable Hour staffing. Therefore, this supplemental will also add appropriation to fund the FTE position. The net impact on the General Fund (GF) from the following technical adjustments is a $14,400 increase. Technical adjustments include the following:

* Appropriation in Library and Cultural Services will increase by $213,100 in the Cultural Services Fund (CSF)
* New revenue in the CSF will cover $88,000 of the increase
* An increase to the GF subsidy will cover the remaining $125,100.
* The impact on the GF will be reduced by lapsing existing GF budget in Planning and Business Services of $110,700.
* The resulting net impact to the GF is $14,400.

The Arts District and its supporting venues host a variety of cultural events and performances which led to the decision to move the financial management to Library and Cultural Services in the CSF.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Recreation Fund	0	-73,610	Lapse of Appropriation
Planning and Business Development	General Fund	0	-110,700	Lapse of Appropriation
Non-Departmental	General Fund	0	125,074	Operating Transfer Out
Library & Cultural Services	Cultural Services Fund	0	213,074	New Appropriation
Parks, Recreation & Open Space	Recreation Fund	0	73,610	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Library & Cultural Services

2025: Historic Sites - Site Plan Survey

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Cultural Services Fund	0.00	37,800	0	37,800	25,000	-12,800
Total Appropriation Impact	0.00	37,800	0	37,800	25,000	-12,800

This supplemental will appropriate $25,000 in grant funds from the State Historical Fund and $12,800 in city matching funds in the Cultural Services Fund. The city has received a Certified Local Government grant to update the historic sites survey plan.

This was presented to Council at the July 22, 2024 regular city council meeting.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Library & Cultural Services	Cultural Services Fund	0	37,800	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Non-Departmental

2025 Technical: Appropriate Colorado Opioid Settlement Funds

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	1,201,179	0	1,201,179	1,201,179	0
Total Appropriation Impact	0.00	1,201,179	0	1,201,179	1,201,179	0

This one-time technical supplemental will appropriate funds received through the Colorado Opioid Settlement. There was $1,161,200 received in 2024 and an additional $40,000 in interest earned for a total of $1.2 million funds available. The funds will be used to cover costs in the Homelessness and Youth Violence Prevention divisions. City Council approved the use of funds for staffing costs and buses/vans for the Navigation Campus on June 24, 2024.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	Designated Revenues Fund	0	1,201,179	New Appropriation

2025 Technical: Appropriate Highway 30 Landfill Grant

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	6,928,164	6,928,164	6,928,164	0
Total Appropriation Impact	0.00	0	6,928,164	6,928,164	6,928,164	0

This supplemental will appropriate funding from the Colorado Department of Public Health and Environment (CDPHE) to investigate and remediate the Highway 30 Landfill project. In 2024, the investigation phase concluded, and the city was required to submit an Assessment of Corrective Measures Report (ACMR) to CDPHE. House Bill 23-1194, codified at C.R.S. § 30-20-124, established the Closed Landfill Remediation Grant Program within CDPHE. This program provides grants to local governments for environmental remediation, mitigation, and management of closed landfills to protect public health, safety, and the environment. Eligible local governments will use the grant funds on eligible costs under the grant program.

The grant totals $6.9 million, with $465,000 available from March 15, 2025, to June 30, 2025. This supplemental appropriates both funding phases.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	Capital Projects Fund	6,928,164	0	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Non-Departmental

2025 Technical: HOME Investment Partnership ARPA Grant Funds for the Navigation Campus

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	3,848,071	0	3,848,071	3,848,071	0
Total Appropriation Impact	0.00	3,848,071	0	3,848,071	3,848,071	0

This one-time technical adjustment will appropriate grant funds received from Adams County for the HUD HOME ARPA grant in the amount of $3,848,100. The grant agreement is dated 2/4/2025 and the funds will be used to construct the Homelessness Navigation Campus.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	Gifts & Grants Fund	0	3,848,071	New Appropriation

2025 Technical: Transfer 2024 Budget Savings for ARPA Projects

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	360,515	0	360,515	0	-360,515
Gifts & Grants Fund	0.00	0	360,515	360,515	360,515	0
Total Appropriation Impact	0.00	360,515	360,515	721,030	360,515	-360,515

This one-time supplemental will transfer $360,500 in 2024 General Fund budget savings to the Gifts and Grants Fund to complete two American Rescue Plan Act (ARPA) funded projects: Park Renovations by Ward and Fire Station Improvements. This is a technical supplemental driven by the timing of ARPA funding deadlines and accounting mechanics and to ensure ARPA funds were completely spent or encumbered by the end of 2024.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Non-Departmental	General Fund	0	360,515	Operating Transfer Out
Non-Departmental	Gifts & Grants Fund	360,515	0	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Parks, Recreation & Open Space

2025 Technical: Appropriate Broncos Funds to City Council Designated Programs

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	142,025	200,000	342,025	0	-342,025
Total Appropriation Impact	0.00	142,025	200,000	342,025	0	-342,025

This technical one-time supplemental will appropriate previously received Broncos funds for multiple Council approved projects in Parks, Recreation, and Open Space (PROS). The projects include:

* Construction of a basketball court at Utah Park ($200,000)
* Refresh summer in the city programming with a youth focus ($90,200, finalizing project that was started in 2024)
* COMPASS after-school programming in partnership with Aurora Public Schools ($50,000)

These projects were approved during the City Council meeting on September 11, 2023. Revenue was received in 2023 from the Metro Football Stadium District and this supplemental will appropriate a portion of the $3.8 million in one-time money that Aurora received when the sale of the Denver Broncos took place.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Designated Revenues Fund	200,000	142,025	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Parks, Recreation & Open Space

2025 Technical: Transfer CTF, PDF and ArCo Funds for AIPP to the Cultural Services Fund

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Conservation Trust Fund	0.00	0	0	0	0	0
Cultural Services Fund	0.00	0	0	0	20,189	20,189
Open Space Fund	0.00	0	0	0	0	0
Parks Development Fund	0.00	0	0	0	0	0
Total Appropriation Impact	0.00	0	0	0	20,189	20,189

Per city ordinance, one percent of funds used for certain construction and remodeling projects with budgets over $100,000 are dedicated to funding Art in Public Places (AIPP). This technical supplemental will allow for a transfer of funds committed to the AIPP program in the Cultural Services Fund from the Conservation Trust Fund (CTF), the Parks Development Fund (PDF) and the Arapahoe County (ArCo) portion of the Open Space Fund. The amount transferred is based on 2024 qualifying construction project expenses from several projects including Fulton, Peoria Hills, Horseshoe, and Del Mar park renovations.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Open Space Fund	-17,002	0	Lapse of Appropriation
Parks, Recreation & Open Space	Parks Development Fund	0	-50	Lapse of Appropriation
Parks, Recreation & Open Space	Conservation Trust Fund	-3,137	0	Lapse of Appropriation
Parks, Recreation & Open Space	Open Space Fund	17,002	0	Operating Transfer Out
Parks, Recreation & Open Space	Parks Development Fund	0	50	Operating Transfer Out
Parks, Recreation & Open Space	Conservation Trust Fund	3,137	0	Operating Transfer Out

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Parks, Recreation & Open Space

2025: Reclassify Cooking Coordinator to Deputy Director of Administration Position

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Conservation Trust Fund	0.10	21,718	0	21,718	0	-21,718
General Fund	0.00	-74,396	0	-74,396	0	74,396
Golf Courses Fund	0.20	33,905	0	33,905	0	-33,905
Open Space Fund	0.20	33,905	0	33,905	0	-33,905
Parks Development Fund	0.50	84,757	0	84,757	0	-84,757
Recreation Fund	-1.00	-74,396	0	-74,396	-74,396	0
Total Appropriation Impact	0.00	25,493	0	25,493	-74,396	-99,889

This supplemental will adjust existing appropriations and add funding to reclassify a Cooking Coordinator position into a new Deputy Director of Administration role. This new leadership position will be responsible for strategic planning, capital project oversight, and fee policy development to align departmental resources with long-term goals. Funding for the position will shift from the Recreation (Rec) Fund to four other PROS funds, reducing Rec Fund costs. As a result, the General Fund subsidy to the Rec Fund will decrease by the same amount.

The Cooking Coordinator position no longer aligns with the department's broader mission and has not met cost recovery expectations. In contrast, the Deputy Director of Administration will drive financial strategies, optimize funding opportunities, and develop policies that strengthen the department's fiscal health. This position will also oversee capital project planning, improve project delivery, and enhance community engagement to build support for future fee policies. City Management sent an email to City Council in November 2024 detailing the need for this requested position.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Recreation Fund	0	-74,396	Lapse of Appropriation
Non-Departmental	General Fund	0	-74,396	Operating Transfer Out
Parks, Recreation & Open Space	Golf Courses Fund	0	33,905	New Appropriation
Parks, Recreation & Open Space	Open Space Fund	0	33,905	New Appropriation
Parks, Recreation & Open Space	Parks Development Fund	0	84,757	New Appropriation
Parks, Recreation & Open Space	Conservation Trust Fund	0	21,718	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Planning and Business Development

2025 Technical: Adjustments to AURA Funded Position Costs

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
General Fund	0.00	-17,702	0	-17,702	0	17,702
Total Appropriation Impact	0.00	-17,702	0	-17,702	0	17,702

This ongoing technical supplemental will make adjustments to position cost allocations to the Aurora Urban Renewal Authority (AURA) to align with workload. The net result is a small savings to the General Fund.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Planning and Business Development	General Fund	0	-72,250	Lapse of Appropriation
Planning and Business Development	General Fund	0	54,548	New Appropriation

2025: RTD Older Adults Mobility Services Partnership

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	425,000	0	425,000	255,000	-170,000
Total Appropriation Impact	0.00	425,000	0	425,000	255,000	-170,000

The City of Aurora has entered into a three-year Intergovernmental Agreement to partner with the Regional Transportation District (RTD) to provide transit services for older adults. Each annual amount must be spent in the year awarded; residual amounts may not carry forward. A city match of $170,000 is required, of which the unspent balance may carry forward.

* 2025: $255,000 plus $170,000 city match
* 2026: 340,000
* 2027: $85,000

This supplemental will appropriate the first-year grant of $255,000 plus $170,000 one-time as a contribution from the General Fund for the RTD Partnership Program. The City of Aurora's project was selected as a successful Partnership Program applicant in the 2024 cycle and RTD shall contribute up to $680,000 towards the city's costs of operating the Older Adult Mobility Services program for the period January 1, 2025, through December 31, 2027. The city’s contribution will go towards the costs of operating the services.

The program was approved by City Council on December 16, 2024, and aims to address transportation gaps for older adults by providing fare-free, door-through-door services to medical, social, and other appointments.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Planning and Business Development	Gifts & Grants Fund	0	425,000	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Public Defender

2025 Technical: Reduce Appropriation for Aurora Sustained Program to Match Fund Balance

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	-123,500	0	-123,500	-223,500	-100,000
Total Appropriation Impact	0.00	-123,500	0	-123,500	-223,500	-100,000

This technical supplemental lapse (reduction) of appropriation will set the budget for the state funded portion of the Aurora Sustained program equal to the remaining fund balance plus estimated interest income totaling $100,000. The 2025 budget assumed this initiative would receive additional funds of $223,500 in 2025 but this is no longer expected. This program connects defendants to mental health resources right away, informs legal counsel concerning the need for a 72-hour hold, and identifies clients that require a further evaluation of competency.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Defender	Designated Revenues Fund	0	-123,500	Lapse of Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Public Works

2025 Technical: Appropriate Grant Funding for Traffic Engineering Projects

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	2,858,000	2,858,000	2,858,000	0
Total Appropriation Impact	0.00	0	2,858,000	2,858,000	2,858,000	0

This technical supplemental will appropriate funding for three projects that received federal funding through the Regional Transportation Operations and Technology (RTO&T) set-aside program:

* Communications Infrastructure Upgrade - This project will connect twelve signalized intersections and two facilities to existing fiber networks. Funds include $736,000 in federal funds and $271,000 in previously appropriated local match transferred from the Traffic Program.
* Traffic Management Center - This project will purchase traffic management monitoring hardware and software. Funds include $1.1 million in federal funds and $495,000 in previously appropriated local match transferred from the Traffic Program.
* FY25 Traffic Signal Equipment Upgrade - This project will purchase forty-two signal detection units and forty-two uninterruptible power supplies (UPS). Funds include $1.0 million in federal funds and no match.

The Intergovernmental Agreements for these projects were approved at the September 9, 2024 Regular City Council Meeting.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	-766,000	0	Lapse of Appropriation
Public Works	Capital Projects Fund	3,624,000	0	New Appropriation

2025 Technical: Traffic Signal Construction Adjustments

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	176,213	176,213	0	-176,213
Total Appropriation Impact	0.00	0	176,213	176,213	0	-176,213

This technical supplemental will reconcile revenue and expenses in the Traffic Signal Construction program with the following:

* Appropriate developer contributions for traffic signal construction at Aurora Parkway and Euclid Avenue; 13th Avenue and Peoria Street; and 56th Avenue and Picadilly Road
* Lapse appropriation associated with an E470 contribution to the temporary signals at E470/Gartrell as that project was under budget.
* Transfer back overmatch not needed by the CCTV signal project

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	-280,974	0	Lapse of Appropriation
Public Works	Capital Projects Fund	457,187	0	New Appropriation

Attachment D
2025 Spring Amendment Ordinance
2025 Appropriation Amendment Requests

Department \ Description - Reason for Appropriation

Public Works

2025: Alton Street Connection

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	268,000	268,000	0	-268,000
Total Appropriation Impact	0.00	0	268,000	268,000	0	-268,000

This supplemental will appropriate $268,000 in funding for design of the transition of three cul-de-sacs at Alton, Beeler, and Boston to through street connections at 17th Avenue. The design is part of an effort to evaluate solutions to address loitering and crime in the area.

Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	268,000	0	New Appropriation

ORDINANCE NO. 2025-

A BILL

FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2023-52, 2024-18, AND 2024-80 FOR THE 2024 FISCAL YEAR AND ORDINANCE NO. 2024-72 FOR THE 2025 FISCAL YEAR

WHEREAS, pursuant to Ordinance Nos. 2023-52, 2024-18, and 2024-80 the Aurora City Council (the "Council") has appropriated funds for the fiscal year beginning January 1, 2024, and ending December 31, 2024 ("Fiscal Year 2024"); and

WHEREAS, pursuant to Ordinance No. 2024-72 the Council has appropriated funds for the fiscal year beginning January 1, 2025, and ending December 31, 2025 ("Fiscal Year 2025"); and

WHEREAS, additional appropriations are needed to fund new expenditures for which revenues have recently become available; and

WHEREAS, the Director of Finance has certified that unappropriated reserves and additional funding sources and revenues are available for appropriation in the various funds; and

WHEREAS, the City Manager has recommended that the various appropriations enumerated in this Ordinance be made.

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

Section 1. Appropriations in addition to those made in Ordinance Nos. 2023-52,2024-18, and 2024-80 shall be made for Fiscal Year 2024 for the purposes enumerated in Attachment A to the document entitled 2025 Spring Amendment Ordinance Appropriation Summaries by Fund, such document being in the form as filed with the Office of the City Clerk and presented to the Council at this meeting (the "2024 Amendment Summary"), all as follows:

a. From the unappropriated fund balance and/or additional revenues of the General Fund, the net amount of Five Million, Six Hundred Seventy-Three Thousand, Seven Hundred Nineteen Dollars ($5,673,719).

b. From the unappropriated fund balance and/or additional revenues of the Capital Projects Fund, the net amount of Eight Million, Nine Hundred Fifty-Four Thousand, Nine Hundred Eighteen Dollars ($8,954,918).

c. From the unappropriated fund balance and/or additional revenues of the Cultural Services Fund, the net amount of Zero Dollars ($0).

d. From the unappropriated fund balance and/or additional revenues of the Designated Revenues Fund, the net amount of Six Hundred Forty-Four Thousand, Eight Hundred Eighty-Nine Dollars ($644,889).

e. From the unappropriated fund balance and/or additional revenues of the Development Review Fund, the net amount of Two Million, Two Hundred Ninety-One Thousand, Seven Hundred Fifty-One Dollars ($2,291,751).

f. From the unappropriated fund balance and/or additional revenues of the Enhanced E-911 Fund, the net amount of One Million, One Hundred Seventy-Eight Thousand, Three Hundred Six Dollars ($1,178,306).

g. From the unappropriated fund balance and/or additional revenues of the Fleet Management Fund, the net amount of One Hundred Twelve Thousand, Eight Hundred Six Dollars ($112,806).

h. From the unappropriated fund balance and/or additional revenues of the Gifts and Grants Fund, the net amount of Seventy-Two Million, Four Hundred Eighty-Three Thousand, Three Hundred Sixteen Dollars ($72,483,316).

i. From the unappropriated fund balance and/or additional revenues of the Golf Courses Fund, the net amount of Three Hundred Sixty-Seven Thousand, Six Hundred Sixty-Four Dollars ($367,664).

j. From the unappropriated fund balance and/or additional revenues of the Parking and Mobility Fund, the net amount of Fifteen Thousand, Five Hundred Fifty Dollars ($15,550).

k. From the unappropriated fund balance and/or additional revenues of the Recreation Fund, the net amount of Zero Dollars ($0).

l. From the unappropriated fund balance and/or additional revenues of the Risk Management Fund, the net amount of One Million, Eight Hundred Sixty Thousand, Two Hundred Thirteen Dollars ($1,860,213).

m. From the unappropriated fund balance and/or additional revenues of the Wastewater Fund, the net amount of One Million, Two Hundred Thirty-Three Thousand, Fourteen Dollars ($1,233,014).

n. From the unappropriated fund balance and/or additional revenues of the Water Fund, the net amount of Zero Dollars ($0).

Section 2. Appropriations made in Ordinance Nos. 2023-52, 2024-18, and 2024-80 for Fiscal Year 2024 shall be adjusted for the reasons enumerated in the 2024 Amendment Summary, all as follows:

a. From the Marijuana Tax Revenue Fund, the net amount of Two Hundred Fifty-Three Thousand, Two Hundred Sixty-Nine Dollars ($253,269) shall be deemed lapsed.

b. From the Community Development Fund, the net amount of One Hundred Ten Thousand, Seventy-Four Dollars ($110,074) shall be deemed lapsed.

Section 3. Appropriations in addition to those made in Ordinance No. 2024-72 shall be made for Fiscal Year 2025 for the purposes enumerated in Attachment B to the document entitled 2025 Spring Amendment Ordinance Appropriation Summaries by Fund, such document being in the form as filed with the Office of the City Clerk and presented to the Council at this meeting (the "2025 Amendment Summary"), all as follows:

a. From the unappropriated fund balance and/or additional revenues of the General Fund, the net amount of One Million, Three Hundred Twenty-Nine Thousand, Eight Hundred Eighty Dollars ($1,329,880).

b. From the unappropriated fund balance and/or additional revenues of the Capital Projects Fund, the net amount of Sixteen Million, Seven Hundred Fifty-Eight Thousand, Three Hundred Seventy-Seven Dollars ($16,758,377).

c. From the unappropriated fund balance and/or additional revenues of the Conservation Trust Fund, the net amount of Twenty-One Thousand, Seven Hundred Eighteen Dollars ($21,718).

d. From the unappropriated fund balance and/or additional revenues of the Cultural Services Fund, the net amount of Four Hundred Twenty Thousand, Eight Hundred Seventy-Four Dollars ($420,874).

e. From the unappropriated fund balance and/or additional revenues of the Designated Revenues Fund, the net amount of Two Million, One Hundred Seventy-Four Thousand, Four Hundred Twenty Dollars ($2,174,420).

f. From the unappropriated fund balance and/or additional revenues of the Gifts and Grants Fund, the net amount of Four Million, Nine Hundred Twenty Thousand, Three Hundred Seventy-Three Dollars ($4,920,373).

g. From the unappropriated fund balance and/or additional revenues of the Golf Courses Fund, the net amount of Thirty-Three Thousand, Nine Hundred Five Dollars ($33,905).

h. From the unappropriated fund balance and/or additional revenues of the Open Space Fund, the net amount of Thirty-Three Thousand, Nine Hundred Five Dollars ($33,905).

i. From the unappropriated fund balance and/or additional revenues of the Parks Development Fund, the net amount of Eighty-Four Thousand, Seven Hundred Fifty-Seven Dollars ($84,757).

Section 4. Appropriations made in Ordinance No. 2024-72 for Fiscal Year 2025 shall be adjusted for the reasons enumerated in the 2025 Amendment Summary, all as follows:

a. From the Recreation Fund, the net amount of Seventy-Four Thousand, Three Hundred Ninety-Six Dollars ($74,396) shall be deemed lapsed.

b. From the Wastewater Fund, the net amount of Two Million, Seven Hundred Thirty Thousand, One Hundred Sixty Dollars ($2,730,160) shall be deemed lapsed.

c. From the Water Fund, the net amount of Twenty-Two Million, Seven Hundred Sixty-One Thousand, One Hundred Eighty-Five Dollars ($22,761,185) shall be deemed lapsed.

Section 5. Inter-fund and inter-departmental transfers shall be made as enumerated in the 2024 Amendment Detail for Fiscal Year 2024 and the 2025 Amendment Detail for Fiscal Year 2025.

Section 6. The City Manager and the Finance Director are hereby directed and authorized to expend so much of the said funds as are necessary to pay for the projects and acquisitions referenced herein.

Section 7. All ordinances or parts of ordinances of the City in conflict herewith are expressly repealed.

Section 8. 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 MK
_____
HANOSKY HERNANDEZ, Sr. Assistant City Attorney

CITY OF AURORA
Council Agenda Commentary

Item Title: Stanley 98 Street Vacation 3.0
Item Initiator: Ariana Muca, Planner III, Planning and Business Development
Staff Source/Legal Source: Ariana Muca, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Safe: Promoting safety in our built environment through effective administration of city codes and ordinances and responding to emergencies appropriately to preserve and enhance the community's sense of security and well-being.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 5/5/2025

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)

2025-44 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING ORDINANCE NO. 2025-15 AS A DUPLICATE OF ORDINANCE NO. 2025-13 DUE TO AN ADMINISTRATIVE ERROR AND CORRECTING SAID ERROR WITH THIS ORDINANCE VACATING A PORTION OF A 16-FOOT WIDE ALLEY RIGHT-OF-WAY, N BLOCK 104 DEDICATED BY THE PLAT OF JOHNSON-HICKAM SUBDIVISION AT RECEPTION NUMBER 480782, SITUATED IN THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M. LOCATED NORTH OF EAST 25TH AVENUE, AND BETWEEN JAMAICA STREET AND JOLIET STREET (STANLEY 98 STREET VACATIONS)
Ariana Muca, 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 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.)*

This request is to vacate a portion of a 16-foot-wide alley right-of-way. Per city procedures, right-of-way vacations, such as alleys do not require Planning Commission review and fall solely under the authority of the City Council.

This specific street vacation was originally part of a package of four vacation requests approved by City Council on January 27, 2025. However, due to a clerical error, the same ordinance was assigned to two separate items in the package, 2025-13 and 2025-15. As a result, Ordinance No.2025-15 must be repealed and replaced with a corrected version for proper recordkeeping and legal accuracy.

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

The applicant, Housing Authority of The City of Aurora, proposes to vacate two segments of street right-of-way and two alley right-of-ways at the northeast corner of Ironton Street and East 25th Avenue. This alley vacation is part of a broader plan to facilitate the development of an affordable multi-family housing project (see Exhibit D).

The alley segment, located north of East 25th Avenue, historically provided access to single-family lots intended for development within Urban Cottages at Stapleton site plan application (DA-2333-00) that has now been withdrawn. It is currently unpaved and has no existing utilities. The alley layout does not align with the proposed roadway network for the Stanley 98 Affordable Multi-Family site plan application, and a new network has been designed. Refer to the attached ordinance for the legal descriptions and illustrations of the alley right-of-way to be vacated.

Additionally, the applicant proposes to replat eight undeveloped lots into a single larger lot. This replat will be administratively approved in conjunction with the Stanley 98 Affordable Multi-Family application following the approval of the Stanley 98 Street Vacations.

The proposed alley-of-way vacation meets the criteria outlined in Section 146-5.4.2.B.3.C of the Unified Development Ordinance (UDO). It does not restrict access to any parcels or reduce the quality of public services to adjacent properties. The vacation will facilitate a cohesive site design and enable the approved development.

Therefore, staff recommends the approval of the right-of-way vacation.

FISCAL IMPACT

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

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

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

N/A

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does Council wish to approve the Ordinance that would repeal Ordinance No. 2025-15 and vacate a portion of the 16’ wide alley right-of-way between Jamaica St. and Joliet St.?

LEGAL COMMENTS

The City Council shall review and act to approve or deny applications for the vacation of all or part of an improved public right-of-way that has been accepted by the City. (UDO §146-5.4.2.B.3.a and UDO §146-5.4.2.B.3.b.iii) The City Council may approve a public right-of-way vacation if it finds that the requested vacation will not (i) create any landlocked parcels; (ii) restrict access to any parcel so that access is unreasonable or economically prohibitive; (iii) vacate a public alley unless such vacation is consistent with the Comprehensive Plan and the resulting land complies with lot access and connectivity requirements per Section 146-4.5 (Access and Connectivity); (iv) reduce the quality of public services to any property; or (v) be inconsistent with any transportation plan adopted by the City. (UDO §146-5.4.2.B.3.c)(McClelland)

VAN METER
WILLIAMS
POLLACK LLP

August 13, 2024

Ariana Muca
City of Aurora
Planning and Development Services
15151 E. Alameda Parkway
Aurora, Colorado 80012

RE: Letter of Introduction – Stanley 98 Site Plan Submittal

Dear Ms. Muca:

The Stanley 98 apartment development is an affordable multifamily housing project being developed and owned by the Housing Authority of the City of Aurora. The development is located near the intersection of Joliet Street and East 25th Ave.

Background and Funding: Stanley 98 is an affordable housing development funded with competitive state and federal low income housing tax credits awarded by the Colorado Housing and Finance Authority (CHFA). The demand for tax credits is four times that of the supply. The number of units and amenity components promised in CHFA application cannot be altered after an award of tax credits. Stanley 98 includes the following components:

1. One building with 75 apartments, including 31 one-bedroom, 31 two-bedroom and 13 three-bedroom units.
2. Offices for on-site property management, family services programming, compliance and maintenance.
3. Resident amenities including a rooftop deck, computer lab, package storage, bike storage, and community meeting space.
4. Exterior amenities including seating, various playgrounds, picnic and barbeque area.
5. A pedestrian bridge to connect over the 25th Drive drainageway.

Given site constraints, in order to build the physical components promised, AHA and the City of Aurora must work intentionally to address any concerns on the site. Consolidation of parcels, the vacations of alleyways and portions of Jamaica Street and East 26th Place, and an aerial apparatus for fire safety have been taken into design consideration and coordinated with City staff through the pre-application process.

An award of tax credits comes with hard deadlines for completion, and coupled with tax credit investor contribution dates. Overall, our timeline is as follows:

~March 3, 2025 - Completion of Architectural Construction Design Plans
~May 30, 2025 - Finalize project construction cost (GC GMP)
~July 11, 2025 - Building Permit Approval and Close of tax credit partnership

~July 21, 2025 - Begin Construction
~November 13, 2026 - Construction Completion-TCO (15 mo.)/Placed in Service
~January 1, 2027 – Lease up/100% Qualified Occupancy

Physical Site: The existing lot, 2.71 acres (117,853 SF+/-) site, which is currently owned by the Housing Authority of the City of Aurora and is vacant. A total of 75 units will be provided in this proposed development, with a mix of 1-, 2-, and 3-bedroom units, for a total density of 27.7 units per acre. The site is zoned OA-MS and no change in zoning is proposed.

It is important to note that the Applicant, the Housing Authority of the City of Aurora (AHA), is an affordable housing provider whose ***mission is to develop and promote quality housing while supporting and encouraging economic opportunities leading to self-sufficiency and independence.*** The Housing Authority desires to maximize the density of the site and serve the largest number of households on the parcel. These households will pay a reasonable rent and have the chance to improve their own well-being as well as contribute to the City of Aurora's economy. Stanley 98 will provide 75 affordable rental apartments meeting a portion of the City's production goals. This goal states a need for 3,500 new units per year to keep up with projected new jobs as per the City of Aurora Housing Strategy 12/21/2020.

Because of the infill nature of the site, the project is unique and the design team is working with constraints. The proposed development will require parcel consolidations, and vacations of alleyways and portions of Jamaica Street and East 26th Place. The project borders an open space amenity to the north, and will provide a pedestrian bridge connection to the adjacent neighborhood on the north side of the development. The building location on the site plan will activate Jamaica Street as the building entrance, and will incorporate a private drive for an aerial apparatus road to the north. The building will also have prominent frontage onto the existing Joliet Street. Entry to the site will be enhanced through specialty paving on Jamaica Street, prioritizing residential safety. Parking will be located on the western half of the site with guest parking spaces located along the new private drive just north of the parking lot, as well as on Joliet Street where directly abutting the parcel. The building footprint allows for a privatized south-facing courtyard amenity to help buffer the existing residential properties along East 25th Avenue to the south, and maximizes views from residences onto the open space to the north.

A landscape buffer adjustment to the north has been requested and given by City staff understanding the need to prioritize housing, parking and amenity spaces on the site.

The proposed site plan has used the site plan criteria in Section 146-405(F) as a basis for the development.

1. The development is consistent with the comprehensive plan.
2. There is not adverse effect to the existing city infrastructure and public improvements. This portion of the site is vacant with the anticipation of a development being placed on this site.
3. The proposed multi-family affordable housing is a permitted use of the zoning. It is noted that the adjacent parcels are both residential and non-residential in use. In accordance with city plans, the building has been sited with both primary frontage on a primary street (Jamaica Street) as well as residential frontage toward the adjacent multifamily parcels to the east. The building height remains well below the allowable height.
4. The proposed development is situated on a relatively flat site with a slight slope. Drive lanes, sidewalks, and the building work with this sloping and integrate landscaping strategies to complement the grading.
5. Landscaping for this site took into consideration the Unified Development Ordinance to the maximum extent feasible. Please refer to the site plan and landscape plan for amenities provided.
6. Careful consideration for the day-to-day functions of the residents as well as maintenance and regular services has been incorporated to provide efficient design and movement through the building and site.

7. Nuisance impacts are carefully considered as well, with mechanical equipment located on the roof, wherever possible, and screened from view as required with the use of parapets. Patios were designed to be covered to shelter from weather and sun and provide relief in the articulation in the building facade. The building's orientation to Joliet provides an attractive residential street frontage.
8. Unified Development Ordinances were carefully considered and adopted to provide a product that enhances and complements the surrounding community while also utilizing the affordable housing features applicable to this development.
9. A clear pattern of circulation has been designed around the site. Vehicular movement and uses follow the existing neighborhood patterns established by the street patterns of Ironton, Jamaica, and Joliet Streets with a new connecting private drive on the north border of the site. Pedestrian circulation is adjacent to the building and opens into the courtyard amenity and public sidewalk connections. Bicycle parking is located inside the building and accessed directly from the courtyard amenity.
10. The ROW improvements to the sidewalk and landscaping are to be provided. No additional streets are planned as part of the development, but all internal drive lanes and parking areas are designed to meet City standards.
11. The Housing Authority of the City of Aurora has developed and maintained numerous properties throughout the City of Aurora and continues to maintain positive relationships with the City and their neighbors.

The following outlines the Housing Authority's multifamily goals for this development:

- Create a new community that evokes a sense of pride for the residents.
- To provide high quality, sustainable affordable housing without compromising design.
- To create a new community of 75 affordable units with active features including a peaceful courtyard, children's play features, and gathering areas for resident connection and contentment.
- To provide resident services and amenities enhancing confidence, community inclusion and personal enrichment.
- To create a safe community that heightens the existing neighborhood environment.

Below is a list of the property Ownership team and project design team:

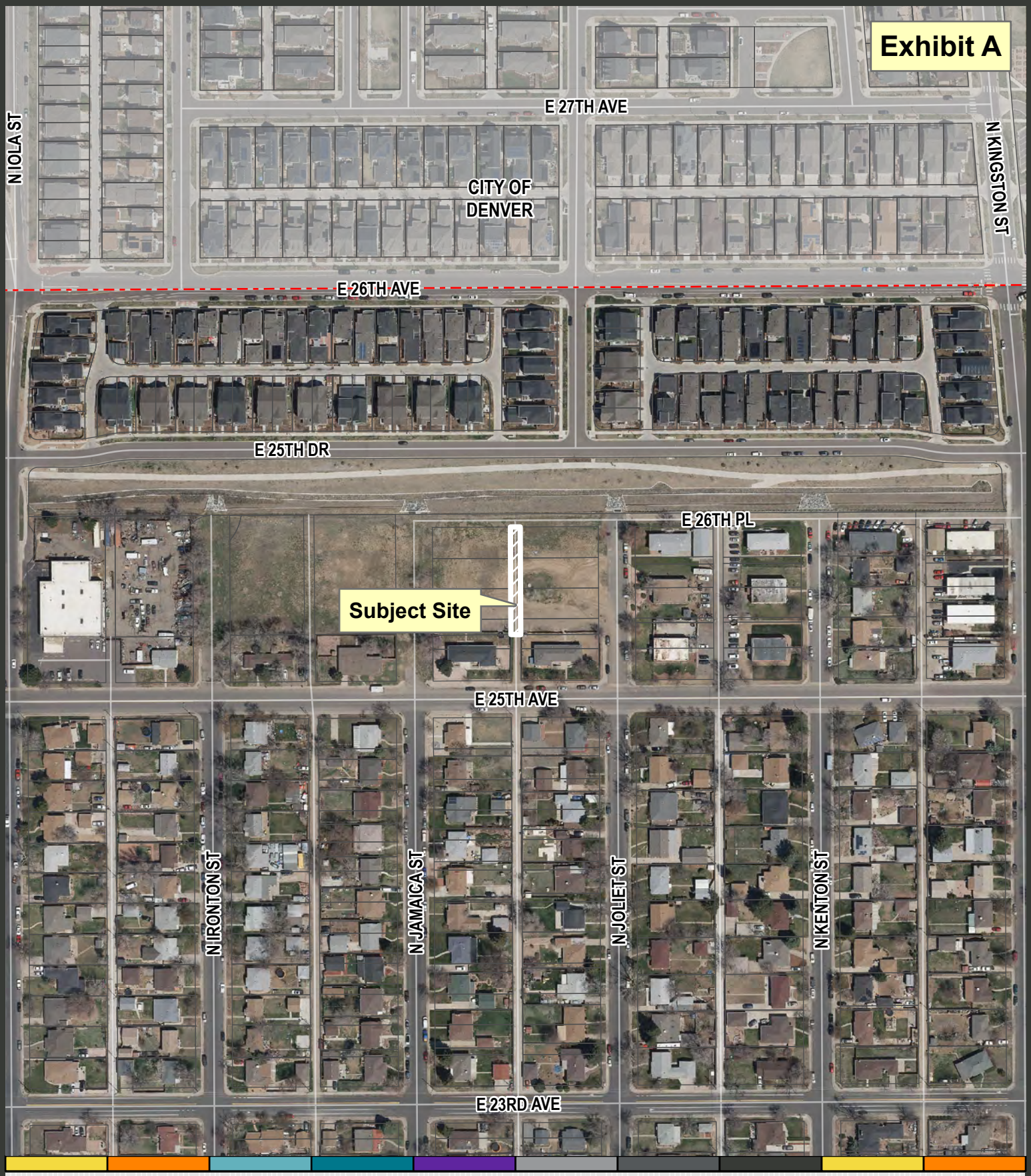
Owner: Martin Petrov
Housing Authority of the City of Aurora
2280 S. Xanadu Way
Aurora, CO 80014
720-251-2094
mpetrov@aurorahousing.org

Design Team:
Architect: Brett Jacques
Van Meter Williams Pollack LLP
1738 Wynkoop Street, Suite 203
Denver, CO 80202
303-298-1480
brett@vmwp.com

Civil Engineer: Connor Culligan
Craft Civil Design
23 Lincoln Street, Suite 200
Denver, CO 80203
650-888-4550
cculligan@craftcivil.com

Landscape Architect: Bob Couri
Britina Design Group
1760 Gaylord Street, Suite 3M
Denver, CO 80206
303-423-5680
bob@britina.com

Regards,
Brett Jacques
Van Meter Williams Pollack



Planning and Business Development

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

Miles 0 0.015 0.03

City of Aurora, Colorado

Stanley 98 Street Vacation

Case Number: 2024-8002-00
Development Application: #2393-00

1/7/2025 I:\GIS\ArcGIS_Pro_Projects\Planning\Development Review\Data Services\VicinityMap_Pro\VicinityMap_Pro_Arial.aprx

EXHIBIT C

SHEET 1 OF 2

A PORTION OF THAT 16 FOOT WIDE ALLEY RIGHT OF WAY , TO BE VACATED, IN BLOCK 104 DEDICATED BY THE PLAT OF JOHNSON-HICKAM SUBDIVISION AT RECEPTION NUMBER 480782, SITUATED IN THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID ALLEY RIGHT OF WAY, AND THE SOUTH LINE OF THE NORTH 25 FEET, LOT 4, SAID BLOCK, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION BEARS N64°05'36"W, A DISTANCE OF 1279.29 FEET, WHERE THE NORTH LINE OF SAID NORTHWEST 1/4 BEARS N89°42'41"E, A DISTANCE OF 2661.10 FEET PER THE CITY OF AURORA HORIZONTAL CONTROL MAP BOOK 03C, MONUMENTED BY A 3 1/4" ALUMINUM CAP STAMPED 20683 IN RANGE BOX ON THE EAST AND WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE N00°18'28"W, A DISTANCE OF 175.00 FEET, ON SAID WEST LINE, TO THE NORTH LINE OF SAID BLOCK;
THENCE N89°40'24"E, A DISTANCE OF 16.00 FEET, ON SAID NORTH LINE OF SAID BLOCK;
THENCE S00°18'28"E, A DISTANCE OF 175.00 FEET, ON THE EAST LINE OF SAID ALLEY RIGHT OF WAY, TO THE SOUTH LINE OF THE NORTH 25 FEET, LOT 7, SAID BLOCK;
THENCE S89°40'24"W, A DISTANCE OF 16.00 FEET, ON SAID SOUTH LINE OF SAID LOT 7, TO THE POINT OF BEGINNING.

CONTAINING 2,800± SQUARE FEET (0.064± ACRES)

ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

ROBERT E. HARRIS
COLORADO P.L.S. 37601
FOR & ON BEHALF OF
GILLIANS LAND CONSULTANTS

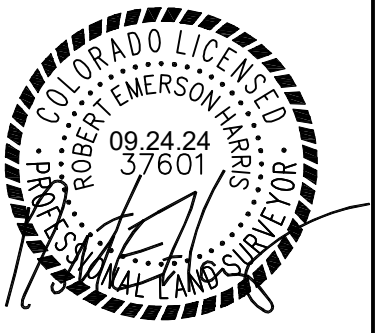
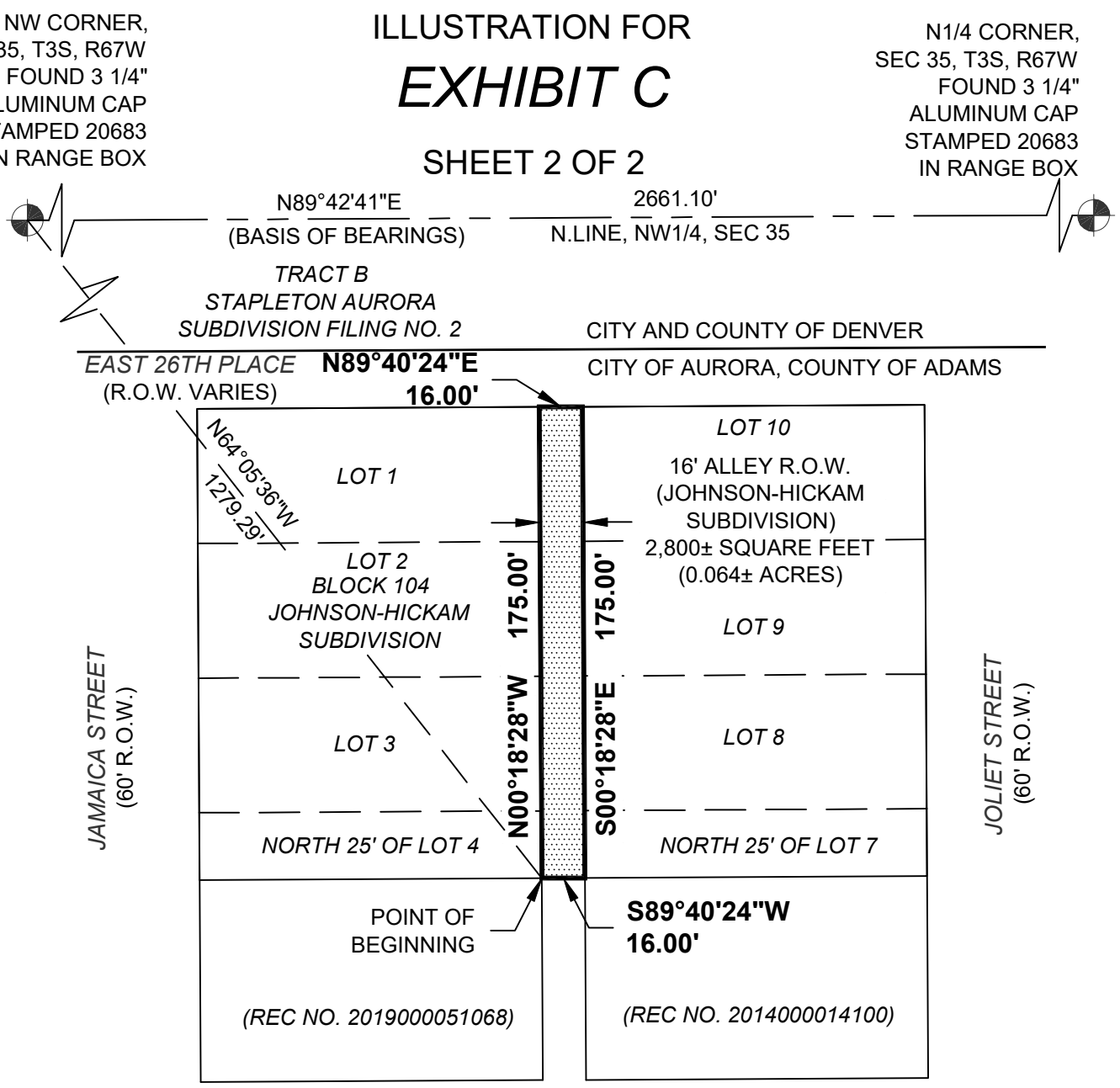


ILLUSTRATION FOR
EXHIBIT C

SHEET 2 OF 2



COLORADO LICENSED
ROBERT EMERSON HARRIS
09.24.24
37601
PROFESSIONAL LAND SURVEYOR

OWNER: PUBLIC RIGHT OF WAY

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

CITY OF AURORA, COLORADO		
DRAWN BY: DRH	1" = 60'	R.O.W. FILE NUMBER
CHECKED BY: REH	08-05-2024	JOB NUMBER: 24132

A 16 FOOT WIDE STRIP OF LAND , TO BE VACATED, LYING IN THE NW 1/4 OF SECTION 35, T3S, R67W OF THE 6th P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO.

STANLEY 98 SUBDIVISION FILING NO. 1

A RESUBDIVISION OF A PART OF BLOCK 104,
JOHNSON-HICKAM SUBDIVISION,
AND A PART OF BLOCK 103, BOSTON HEIGHTS 2ND FILING,
THE NORTHWEST 1/4 OF SECTION 35,
TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3

LAND DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED WARRANT THEY ARE OWNER OF LOTS 1, 2, 3, 8, 9, 10 AND THE NORTH 25 FEET OF LOT 4 AND THE NORTH 25 FEET OF LOT 7, BLOCK 104, JOHNSON-HICKAM SUBDIVISION,
TOGETHER WITH
THAT PART OF BLOCK 103, BOSTON HEIGHTS, 2ND FILING, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE NORTH LINE (OR SAID NORTH LINE EXTENDED) OF THE PARCEL DESCRIBED IN DEED RECORDED IN BOOK 612 AT PAGE 86 WITH THE WEST LINE OF THE EAST 30 FEET OF SAID BLOCK;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST 30 FEET OF SAID BLOCK TO THE NORTH LINE OF THE SOUTH 301.6 FEET OF SAID BLOCK;
THENCE WEST, PARALLEL WITH THE SOUTH LINE OF SAID BLOCK, TO THE EAST LINE OF THE WEST 30 FEET OF SAID BLOCK;
THENCE SOUTH, ALONG THE EAST LINE OF THE WEST 30 FEET OF SAID BLOCK, TO THE NORTH LINE (OR SAID NORTH LINE EXTENDED) OF THE PARCEL DESCRIBED IN BOOK 972 AT PAGE 270;
THENCE EAST, ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN BOOK 972 AT PAGE 270, TO THE WEST LINE OF A 16-FOOT STRIP THROUGH SAID BLOCK, THE CENTER LINE OF WHICH IS THE NORTH-SOUTH CENTER LINE OF SAID BLOCK;
THENCE EASTERLY TO THE NORTHWEST CORNER OF THE PARCEL DESCRIBED IN DEED RECORDED IN BOOK 612 AT PAGE 86;
THENCE EASTERLY, ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN BOOK 612 AT PAGE 86, TO THE POINT OF BEGINNING;

EXCEPT THAT PART OF SAID PROPERTY LYING WITHIN A STRIP OF LAND 8 FEET ON EACH SIDE OF THE NORTH-SOUTH CENTER LINE OF SAID BLOCK; AND EXCEPT ANY PORTION OF SAID PROPERTY LYING WITHIN THE NORTH 318.4 FEET OF SAID BLOCK;
AND ALSO EXCEPTING THAT PARCEL CONVEYED TO THE CITY OF AURORA IN QUIT CLAIM DEED RECORDED JUNE 18, 1951 IN BOOK 422 AT PAGE 366, AND FURTHER EXCEPTING, THAT PARCEL CONVEYED IN SPECIAL WARRANTY DEED RECORDED DECEMBER 8, 1951 IN BOOK 432 AT PAGE 273, COUNTY OF ADAMS, STATE OF COLORADO,
TOGETHER WITH
THOSE VACATED RIGHTS OF WAY OF EAST 26TH PLACE IN RECEPTION NUMBER _____, AND JAMAICA STREET IN RECEPTION NUMBER _____, AND THAT 16 FOOT ALLEY IN SAID BLOCK 103 IN RECEPTION NUMBER _____, AND THAT 16 FOOT ALLEY IN SAID BLOCK 104 IN RECEPTION NUMBER _____, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE PARCEL DESCRIBED IN SAID BOOK 612, PAGE 86, AND THE WEST RIGHT OF WAY LINE OF JAMAICA STREET AS DESCRIBED IN SAID BOOK 422 AT PAGE 366, FROM WHICH THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 BEARS N59°50'37"W, A DISTANCE OF 1114.45 FEET, WHERE THE NORTH LINE OF SAID SECTION BEARS N89°42'41"E, A DISTANCE OF 2661.10 FEET PER THE CITY OF AURORA HORIZONTAL CONTROL MAP BOOK 03C, MONUMENTED BY A 3 1/4" ALUMINUM CAP STAMPED 20683 IN RANGE BOX ON THE EAST AND WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S89°40'24"W, A DISTANCE OF 270.23 FEET, ON THE NORTH LINE OF SAID BOOK 612, PAGE 86, AND THE NORTH LINE OF SAID BOOK 972 AT PAGE 270, TO THE EAST RIGHT OF WAY LINE OF IRONTON STREET AS DESCRIBED IN SAID BOOK 422 AT PAGE 366;
THENCE N00°18'28"W, A DISTANCE OF 160.03 FEET, ON SAID EAST RIGHT OF WAY LINE;
THENCE ON A NON-TANGENT CURVE TO THE LEFT 37.71 FEET, WITH A RADIUS OF 437.50 FEET, A DELTA OF 4°56'18", AND A CHORD WHICH BEARS N14°21'06"E, A DISTANCE OF 37.70 FEET, TO THE SOUTH LINE OF THE NORTH 318.4 FEET OF SAID BLOCK 103;
THENCE N89°42'41"E, A DISTANCE OF 590.85 FEET, ON SAID SOUTH LINE, TO THE EXTENSION OF THE WEST RIGHT OF WAY LINE OF JOLIET STREET, AS DEDICATED BY SAID SUBDIVISION;
THENCE S00°18'28"E, A DISTANCE OF 196.24 FEET, ON SAID WEST RIGHT OF WAY LINE OF JOLIET STREET, TO THE SOUTH LINE OF THE NORTH 25 FEET OF SAID LOTS 4 AND 7;
THENCE S89°40'24"W, A DISTANCE OF 270.16 FEET, ON SAID SOUTH LINE OF THE NORTH 25 FEET OF SAID LOTS 4 AND 7, TO THE EAST RIGHT OF JAMAICA STREET AS DEDICATED BY SAID SUBDIVISION;
THENCE S89°48'25"W, A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING 117,714 SQUARE FEET OR 2.702 ACRES, MORE OR LESS; HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO A LOT, AND A BLOCK AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF ***STANLEY 98 SUBDIVISION FILING NO. 1*** AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY OF AURORA, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS, EASEMENTS, AS SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.

OWNER:

UC SMP, LLC, A COLORADO LIMITED LIABILITY COMPANY

_____
SIGNATURE

_____ _____
PRINT NAME PRINT TITLE

NOTARIAL:

STATE OF COLORADO)
COUNTY OF ADAMS) SS

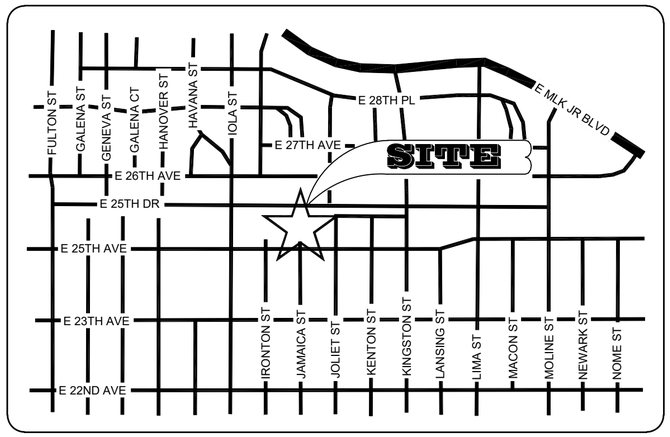
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS __DAY OF _____, 20__A.D.

BY:_____ AS _____ OF _____, AS PRESIDENT.

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



VICINITY MAP
SCALE: 1"=1,000'

CONTRACT PURCHASER:

HOUSING AUTHORITY OF THE CITY OF AURORA, COLORADO, A BODY CORPORATE AND POLITIC

_____
SIGNATURE

_____ _____
PRINT NAME PRINT TITLE

NOTARIAL:

STATE OF COLORADO)
COUNTY OF ADAMS) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS __DAY OF _____, 20__A.D.

BY:_____ AS _____ OF _____, AS PRESIDENT.

WITNESS MY HAND AND OFFICIAL SEAL:

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY I WAS IN RESPONSIBLE CHARGE OF THE SURVEY WORK USED IN THE PREPARATION OF THIS PLAT; THE POSITIONS OF THE PLATTED POINTS SHOWN HEREON HAVE AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TEN THOUSAND (10,000) FEET PRIOR TO ADJUSTMENTS; AND ALL BOUNDARY MONUMENTS AND CONTROL CORNERS SHOWN HEREON WERE IN PLACE AS DESCRIBED ON _____. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE TO MY KNOWLEDGE, INFORMATION, AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

ROBERT E. HARRIS
COLORADO P.L.S. 37601
FOR & ON BEHALF OF
GILLIANS LAND CONSULTANTS



CITY OF AURORA APPROVALS:

THE FOREGOING INSTRUMENT IS APPROVED FOR FILING AND CONVEYANCE OF STREETS, EASEMENTS AS SHOWN HEREON AND IS ACCEPTED BY THE CITY OF AURORA, COLORADO, THIS _____DAY OF_____,20__A.D, SUBJECT TO THE CONDITION THAT THE CITY SHALL UNDERTAKE MAINTENANCE OF ANY SUCH STREETS ONLY AFTER CONSTRUCTION HAS BEEN COMPLETED BY THE SUBDIVIDER TO CITY OF AURORA SPECIFICATIONS

_____
CITY ENGINEER DATE

_____
PLANNING DIRECTOR DATE

MORTGAGE HOLDER

THE UNDERSIGNED, AS MORTGAGE HOLDERS ON PART OR ALL OF THE HEREON SHOWN REAL PROPERTY, DO HEREBY AGREE AND CONSENT TO THE PLATTING OF SAID PROPERTY AS SHOWN HEREON.

_____
ENTERPRISE COMMUNITY LOAN FUND, INC., A MARYLAND NONSTOCK, NONPROFIT CORPORATION, AS ADMINISTRATIVE AGENT FOR CERTAIN LENDERS, ITS SUCCESSORS AND/OR ASSIGNS

2	EASEMENT CHANGES	12-04-2024	DRH
1	CITY COMMENTS	11-18-2024	DRH
NO	REVISION RECORD	DATE	BY

GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
303-972-6640
www.gilliansIc.com

JN: 24132
INITIAL SUBMITTAL DATE: 09/27/2024

STANLEY 98 SUBDIVISION FILING NO. 1

A RESUBDIVISION OF A PART OF BLOCK 104,
JOHNSON-HICKAM SUBDIVISION,
AND A PART OF BLOCK 103, BOSTON HEIGHTS 2ND FILING,
THE NORTHWEST 1/4 OF SECTION 35,
TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 2 OF 3

NOTES

1. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY GILLIANS LAND CONSULTANTS TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. GILLIANS LAND CONSULTANTS RELIED UPON LAND TITLE GUARANTEE COMPANY ORDER NUMBER: ABD70821440-5, COMMITMENT DATE 12/27/2023 AT 5:00 P.M. FOR THIS INFORMATION.

3. DISTANCES ON THIS SURVEY ARE EXPRESSED IN US SURVEY FEET AND DECIMALS THEREOF. A US SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

4. RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON, AND THROUGH ANY AND ALL PRIVATE ROADS, WAYS, AND FIRE LANES NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY. THE SAME ARE HEREBY DESIGNATED AS FIRE LANES AND EMERGENCY AND SERVICE VEHICLE ROADS AND SHALL BE POSTED "NO PARKING- FIRE LANE".

5. THE EASEMENT AREA WITHIN EACH LOT OR TRACT IS TO BE CONTINUOUSLY MAINTAINED BY THE OWNER OF THE LOT OR TRACT EXCEPTING THE CITY OF AURORA FROM SUCH RESPONSIBILITY. ANY STRUCTURES INCONSISTENT WITH THE USE GRANTED IN THE EASEMENT ARE PROHIBITED.

COVENANTS:

THE UNDERSIGNED OWNER(S), FOR THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS (COLLECTIVELY HEREAFTER "OWNER"), COVENANT AND AGREE WITH THE CITY OF AURORA ("CITY");

ALL ELECTRICAL, COMMUNITY UTILITY LINES AND SERVICES, AND STREET LIGHTING CIRCUITS, EXCEPT AS PROVIDED IN SECTION 126-505 OF THE CITY CODE AS THE SAME MAY BE AMENDED FROM TIME TO TIME, SHALL BE INSTALLED UNDERGROUND;

ALL CROSSINGS OR ENCROACHMENTS, INCLUDING BUT NOT LIMITED, TO PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, OR PRIVATE UTILITIES INTO EASEMENTS OWNED BY THE CITY OF AURORA ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO THE CITY OF AURORA'S USE AND OCCUPANCY OF SAID EASEMENTS AND RIGHTS-OF-WAY. THE UNDERSIGNED, THEIR SUCCESSORS AND ASSIGNS, HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF AURORA FOR ANY LOSS, DAMAGE, OR REPAIR TO PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, OR PRIVATE UTILITIES THAT MAY RESULT FROM THE CITY OF AURORA'S USE AND OCCUPANCY OR EXERCISE OF ITS RIGHTS IN SAID EASEMENTS AND RIGHTS OF WAY. THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, FURTHER AGREES TO REMOVE, REPAIR, REPLACE, RELOCATE, MODIFY, OR OTHERWISE ADJUST SAID PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, PRIVATE DETENTION POND AND DRAINAGE FEATURES, OR PRIVATE UTILITIES UPON REQUEST FROM THE CITY OF AURORA AND AT NO EXPENSE TO THE CITY OF AURORA.

THE AREA(S) LABELED "DRAINAGE EASEMENT" ("DRAINAGE EASEMENT AREA") HEREON DEPICT EASEMENT(S) HEREBY DEDICATED BY THE OWNER TO THE CITY AS SET FORTH HEREIN. OWNER GRANTS THE RIGHT, PRIVILEGE AND AUTHORITY, BUT NOT THE OBLIGATION, TO THE CITY TO SURVEY, CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN, REMOVE, REPLACE, UPGRADE AND USE: STORM DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO FENCES, GATES, SIGNS, WALLS, CHANNELS, DROP STRUCTURES, TRICKLE CHANNELS, OUTLET STRUCTURES, FOREBAY, WEIR SECTIONS, INCLUDING ALL FIXTURES, DEVICES, STRUCTURES, GRADING, AND ANY AND ALL OTHER APPURTENANCES THERETO WHATSOEVER NECESSARY OR USEFUL IN THE OPERATION OF A DRAINAGE AREA AND ALL OTHER ITEMS LOCATED BELOW GRADE LEVEL, AT GRADE LEVEL AND ABOVE GRADE LEVEL WITHIN THE DRAINAGE EASEMENT AREA (COLLECTIVELY AND INDIVIDUALLY HEREINAFTER REFERRED TO AS "DRAINAGE FACILITIES"), TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS, ON AND THROUGH SAID DRAINAGE EASEMENT AREA, AND THE RIGHT TO REMOVE OBJECTS OR STRUCTURES THEREFROM THAT INTERFERE OR ENDANGER ANY DRAINAGE FACILITIES AS DETERMINED BY THE CITY IN ITS SOLE DISCRETION AND WITHOUT LIABILITY OR EXPENSE TO THE CITY. THE DRAINAGE EASEMENT TOGETHER WITH ANY AND ALL DRAINAGE FACILITIES LOCATED WITHIN THE DRAINAGE EASEMENT AREA ARE TO BE CONSTRUCTED AND CONTINUOUSLY MAINTAINED BY THE OWNER OF THE APPLICABLE PORTION OF THE DRAINAGE EASEMENT AREA AND AT NO COST TO THE CITY. SUCH OWNER HAS RESPONSIBILITY AND LIABILITY FOR THE APPLICABLE DRAINAGE EASEMENT AREA, DRAINAGE FACILITIES, AND THEIR MAINTENANCE. THE CITY, IN CITY'S SOLE DISCRETION AND WITHOUT ASSUMING RESPONSIBILITY OR LIABILITY FOR THE DRAINAGE EASEMENT AREA, DRAINAGE FACILITIES OR THEIR MAINTENANCE, MAY ENTER THE DRAINAGE EASEMENT AREA FOR THE PURPOSES SET FORTH HEREIN AND FOR CLEANING, MAINTAINING, REPAIRING, CONSTRUCTING, OR IMPROVING THE DRAINAGE EASEMENT AREA OR DRAINAGE FACILITIES AT THE EXPENSE OF THE APPLICABLE OWNER, FOLLOWING SUCH OWNER'S FAILURE TO REASONABLY CURE ANY DEFAULT UPON RECEIPT OF WRITTEN NOTICE OF THE SAME. SUCH OWNER SHALL PROMPTLY REIMBURSE THE CITY, UPON REQUEST, FOR ANY EXPENSE RELATED THERETO (INCLUDING, BUT NOT LIMITED TO REMOVAL, REMEDIATION, COURT, COLLECTION AND ATTORNEYS' FEES AND COSTS). FAILURE TO REIMBURSE THE CITY MAY RESULT IN THE CITY RECORDING A MECHANIC AND MATERIAL MEN'S LIEN AGAINST THE APPLICABLE PORTION OF THE DRAINAGE EASEMENT AREA IN THE RECORDS OF THE COUNTY CLERK AND RECORDER'S OFFICE WHERE THE DRAINAGE EASEMENT AREA IS LOCATED.

THE AREA(S) LABELED "FIRE LANE EASEMENT" ("FIRE LANE EASEMENT AREA") HEREON DEPICT EASEMENT(S) HEREBY DEDICATED BY THE OWNER TO THE CITY AS SET FORTH HEREIN. OWNER GRANTS THE RIGHT, PRIVILEGE AND AUTHORITY, BUT NOT THE OBLIGATION, TO THE CITY TO SURVEY, CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN, REMOVE, REPLACE, UPGRADE AND USE: FACILITIES, AND ALL FIXTURES, DEVICES AND STRUCTURES WHATSOEVER NECESSARY OR USEFUL IN THE OPERATION OF A FIRE LANE OVER, ACROSS, ON AND THROUGH THE AREAS DEPICTED HEREON AS FIRE LANE EASEMENT; TOGETHER WITH THE RIGHT-OF-WAY FOR INGRESS AND EGRESS OF EMERGENCY AND SERVICE VEHICLES OVER, ACROSS, ON AND THROUGH THE AREAS DEPICTED HEREON AS FIRE LANE EASEMENTS, WHICH SAID LANES TO BE DEDICATED AND DESIGNATED AS FIRE LANE EASEMENTS AND EMERGENCY AND SERVICE VEHICLE ROADS; FIRE LANE EASEMENTS SHALL BE CONSTRUCTED AND MAINTAINED BY EACH OWNER OF THE APPLICABLE PORTION OF THE FIRE LANE EASEMENT AREA AT NO COST TO THE CITY IN ACCORDANCE WITH CURRENT CITY STANDARDS FOR FIRE LANE EASEMENTS AND SHALL BE POSTED BY SUCH OWNER WITH SIGNS STATING "NO PARKING - FIRE LANE" IN ACCORDANCE WITH THE CITY CODE OF AURORA, COLORADO (COLLECTIVELY AND INDIVIDUALLY HEREINAFTER REFERRED TO AS "FIRE LANE FACILITIES"). OWNER ALSO GRANTS THE CITY THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS, ON AND THROUGH SAID FIRE LANE EASEMENT AREA, AND THE RIGHT TO REMOVE OBJECTS OR STRUCTURES THEREFROM THAT INTERFERE OR ENDANGER ANY FIRE LANE FACILITIES AS DETERMINED BY THE CITY IN ITS SOLE DISCRETION AND WITHOUT LIABILITY OR EXPENSE TO THE CITY. OWNER HAS RESPONSIBILITY AND LEGAL LIABILITY FOR THE FIRE LANE EASEMENT AREA, CONSTRUCTION OF FIRE LANE FACILITIES AND CONTINUOUS MAINTENANCE OF THE FIRE LANE EASEMENT AREA, FIRE LANE FACILITIES, AND ALL OTHER ITEMS LOCATED BELOW GRADE LEVEL, AT GRADE LEVEL AND ABOVE GRADE LEVEL WITHIN THE FIRE LANE EASEMENT AREA; ALL AT NO COST TO THE CITY. THE CITY, IN CITY'S SOLE DISCRETION AND WITHOUT ASSUMING RESPONSIBILITY OR LEGAL LIABILITY FOR THE FIRE LANE EASEMENT AREA, FIRE LANE FACILITIES OR THEIR MAINTENANCE, MAY ENTER THE FIRE LANE EASEMENT AREA FOR THE PURPOSES SET FORTH HEREIN AND FOR CLEANING, MAINTAINING, REPAIRING, CONSTRUCTING OR IMPROVING THE EASEMENT OR FIRE LANE FACILITIES AT THE EXPENSE OF THE APPLICABLE OWNER, FOLLOWING SUCH OWNER'S FAILURE TO REASONABLY CURE ANY DEFAULT UPON RECEIPT OF WRITTEN NOTICE OF THE SAME. SUCH OWNER SHALL PROMPTLY REIMBURSE THE CITY FOR ANY EXPENSE RELATED THERETO (INCLUDING, BUT NOT LIMITED TO REMOVAL, REMEDIATION, COURT, COLLECTION AND ATTORNEYS' FEES AND COSTS). FAILURE TO REIMBURSE THE CITY MAY RESULT IN THE CITY RECORDING A MECHANIC AND MATERIAL MEN'S LIEN AGAINST THE APPLICABLE PORTION OF THE FIRE LANE EASEMENT AREA IN THE RECORDS OF THE COUNTY CLERK AND RECORDER'S OFFICE WHERE THE FIRE LAND EASEMENT AREA IS LOCATED.

THE AREA(S) LABELED AS "WATER EASEMENT" HEREON DEPICT EASEMENT(S) DEDICATED BY THE OWNER TO THE CITY FOR USE BY THE CITY, BUT NOT BY THIRD PARTY PUBLIC UTILITIES, TO SURVEY, INSTALL, CONSTRUCT, RECONSTRUCT, RELOCATE, REPLACE, MAINTAIN, ENLARGE, UPGRADE, REPAIR, USE, OPERATE, PATROL, CONTROL, IMPROVE, TEST, INSPECT OR REMOVE AT ANY TIME AND FROM TIME TO TIME AS MAY BE NECESSARY AND USEFUL TO, OR REQUIRED BY CITY, ANY AND ALL IMPROVEMENTS, FACILITIES AND APPURTENANCES TO WATER LINES, WATER MAINS, METERS, FIRE HYDRANTS CONDUITS, VAULTS, METERS, VALVES, MANHOLES, VENT PIPES, UTILITY LOCATION MARKERS OR ANY OTHER WATER UTILITY STRUCTURES INCLUDING, BUT NOT LIMITED TO, ANY AND ALL NECESSARY CABLES, WIRES AND ALL IMPROVEMENTS AND APPURTENANCES THERETO, AND ALL FACILITIES, AND FIXTURES, DEVICES AND STRUCTURES AND APPURTENANCES WHATSOEVER NECESSARY OR USEFUL IN THE OPERATION OF ANY OF THEM AND TO MAKE ANY NEEDED CUTS AND FILLS IN THE EARTH IN, ON, UNDER, THROUGH, OVER AND ACROSS THE AREAS LABELED AS "WATER EASEMENT" FOR AND BEING FURTHER SUBJECT TO THOSE TERMS AND CONDITIONS SET FORTH IN THE DOCUMENT ENTITLED "GENERAL EASEMENT TERMS AND CONDITIONS" RECORDED ON DATE IN THE RECORDS OF THE ADAMS, ARAPAHOE, DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NOS. (ADAMS COUNTY) 2024000018661, (ARAPAHOE COUNTY) E4021602, (DOUGLAS COUNTY) 2024013875, RESPECTIVELY.

THE AREA(S) LABELED AS "SANITARY SEWER EASEMENT" HEREON DEPICT EASEMENT(S) HEREBY DEDICATED BY THE OWNER TO THE CITY FOR USE BY THE CITY, BUT NOT BY THIRD PARTY PUBLIC UTILITIES, TO SURVEY, INSTALL, CONSTRUCT, RECONSTRUCT, RELOCATE, REPLACE, MAINTAIN, ENLARGE, UPGRADE, REPAIR, USE, OPERATE, PATROL, CONTROL, IMPROVE, TEST, INSPECT OR REMOVE AT ANY TIME AND FROM TIME TO TIME AS MAY BE NECESSARY AND USEFUL TO, OR REQUIRED BY CITY, ANY AND ALL IMPROVEMENTS, FACILITIES AND APPURTENANCES TO SANITARY SEWER COLLECTION MAINS AND TRANSMISSION MAINS, LINES AND ALL FACILITIES, FIXTURES, DEVICES AND STRUCTURES AND APPURTENANCES WHATSOEVER NECESSARY OR USEFUL IN THE OPERATION OF ANY OF THEM AND BEING FURTHER SUBJECT TO THOSE TERMS AND CONDITIONS SET FORTH IN THE DOCUMENT ENTITLED "GENERAL EASEMENT TERMS AND CONDITIONS" RECORDED ON DATE IN THE RECORDS OF THE ADAMS/ARAPAHOE/DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NOS. (ADAMS COUNTY) 2024000018661, (ARAPAHOE COUNTY) E4021602, (DOUGLAS COUNTY) 2024013875, RESPECTIVELY.

THE AREA(S) LABELED AS "STORM SEWER EASEMENT" HEREON DEPICT EASEMENT(S) HEREBY DEDICATED BY THE OWNER TO THE CITY FOR USE BY THE CITY, BUT NOT BY THIRD PARTY PUBLIC UTILITIES, TO SURVEY, INSTALL, CONSTRUCT, RECONSTRUCT, RELOCATE, REPLACE, MAINTAIN, ENLARGE, UPGRADE, REPAIR, USE, OPERATE, PATROL, CONTROL, IMPROVE, TEST, INSPECT OR REMOVE AT ANY TIME AND FROM TIME TO TIME AS MAY BE NECESSARY AND USEFUL TO, OR REQUIRED BY CITY, ANY AND ALL IMPROVEMENTS, FACILITIES AND APPURTENANCES TO STORM COLLECTION MAINS AND TRANSMISSION MAINS, LINES, DRAINS, AND IRRIGATION LINES AND ALL FACILITIES, FIXTURES, DEVICES, APPURTENANCES AND STRUCTURES WHATSOEVER NECESSARY OR USEFUL IN THE OPERATION OF ANY OF THEM AND BEING FURTHER SUBJECT TO THOSE TERMS AND CONDITIONS SET FORTH IN THE DOCUMENT ENTITLED "GENERAL EASEMENT TERMS AND CONDITIONS" RECORDED ON DATE IN THE RECORDS OF THE ADAMS/ARAPAHOE/DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NOS. (ADAMS COUNTY) 2024000018661, (ARAPAHOE COUNTY) E4021602, (DOUGLAS COUNTY) 2024013875, RESPECTIVELY.

THE AREA(S) LABELED AS "UTILITY EASEMENT" HEREON DEPICT EASEMENT(S) HEREBY DEDICATED BY THE OWNER TO THE CITY FOR USE BY PUBLIC UTILITY COMPANIES AUTHORIZED IN WRITING BY THE CITY FOR PROVISION OF SERVICES REQUIRED OR ORDINARILY PERFORMED WITHIN THE UTILITY EASEMENT BY THIRD PARTY PUBLIC UTILITY PROVIDERS OF ELECTRIC, TELEVISION, CABLE, TELECOMMUNICATION FACILITIES, AND OTHER PUBLIC UTILITIES TO SURVEY, INSTALL, CONSTRUCT, RECONSTRUCT, RELOCATE, REPLACE, MAINTAIN, ENLARGE, UPGRADE, REPAIR, USE, OPERATE, PATROL, CONTROL, IMPROVE, TEST, INSPECT OR REMOVE AT ANY TIME AND FROM TIME TO TIME AS MAY BE USEFUL TO, OR REQUIRED BY CITY, ANY AND ALL PIPES, CASINGS, WIRES, CONDUIT, CULVERTS, VALVES, VENTILATORS, MANHOLES, EQUIPMENT, OR MATERIAL AND ANY OTHER APPURTENANCES NECESSARY , AND TO MAKE ANY CUTS AND FILLS IN THE EARTH NEEDED ONLY IN, ON, UNDER, THROUGH, OVER AND ACROSS THE "UTILITY EASEMENT" FOR ONE OR MORE PUBLIC UTILITY IMPROVEMENTS INCLUDING ALL THINGS DEEMED BY THE CITY, IN ITS SOLE DISCRETION, TO BE NECESSARY OR CONVENIENT FOR THE OPERATION OF SUCH PUBLIC UTILITY. THE AUTHORIZED PUBLIC UTILITY SHALL MAINTAIN SAID IMPROVEMENTS INSTALLED BY THE PUBLIC UTILITY WITHIN, ACROSS, UNDER OR UPON THE UTILITY EASEMENT. HOWEVER, THE CITY SHALL HAVE THE PERPETUAL RIGHT, BUT NOT OBLIGATION, TO CUT, TRIM, CONTROL AND REMOVE TREES, BRUSH, AND OTHER OBSTRUCTIONS WHICH INJURE OR INTERFERE WITH THE CITY'S OR AUTHORIZED PUBLIC UTILITY'S IMPROVEMENTS, USE, OCCUPATION OR ENJOYMENT OF THE UTILITY EASEMENT, OR THEIR RIGHTS IN THE UTILITY EASEMENT, WITHOUT LIABILITY TO THE CITY FOR DAMAGES ARISING THEREFROM.

GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
303-972-6640
www.gilliganslc.com
JN: 24132
INITIAL SUBMITTAL DATE: 09/27/2024

STANLEY 98 SUBDIVISION FILING NO. 1

A RESUBDIVISION OF A PART OF BLOCK 104,
JOHNSON-HICKAM SUBDIVISION,
AND A PART OF BLOCK 103, BOSTON HEIGHTS 2ND FILING,
THE NORTHWEST 1/4 OF SECTION 35,
TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 3 OF 3

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°17'19"E	16.43'
L2	S00°18'28"E	15.86'
L3	S85°55'10"W	8.59'
L4	S89°41'32"W	10.07'
L5	N85°55'10"E	8.21'
L6	N00°18'28"W	13.87'
L7	N00°18'28"W	13.06'
L8	N85°55'10"E	8.26'
L9	N85°55'10"E	8.87'
L12	S00°18'28"E	18.77'
L13	S00°18'28"E	8.37'
L14	S63°11'34"W	10.00'
L15	S89°41'32"W	10.47'
L16	N89°41'32"E	14.58'
L17	S00°18'28"E	10.00'
L18	S89°41'32"W	14.58'
L19	N00°18'28"W	10.00'
L20	N89°41'32"E	23.16'
L21	S00°18'28"E	10.00'
L22	S89°41'32"W	23.16'
L23	N00°18'28"W	10.00'

SCALE: 1" = 40 US SURVEY FEET

40' 0 20' 40'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH BEARING	CH LENGTH
C1	6.58'	100.00'	3°46'22"	S87°48'21"W	6.58'
C2	40.84'	26.00'	90°00'00"	S44°41'32"W	36.77'
C3	3.12'	26.00'	6°52'16"	S86°15'24"W	3.12'
C4	24.13'	26.00'	53°10'20"	S56°14'06"W	23.27'
C5	13.59'	26.00'	29°57'25"	S14°40'14"W	13.44'
C6	45.55'	29.00'	90°00'00"	N45°18'28"W	41.01'
C7	5.93'	90.00'	3°46'22"	S87°48'21"W	5.93'

LEGEND

- SET #5 REBAR (18") WITH 1.25" GREEN PLASTIC CAP STAMPED "*PLS 37601*"
- FOUND SECTION CORNER MONUMENT AS NOTED
- FOUND #5 REBAR & YELLOW CAP STAMPED 38226
- FOUND MONUMENT AS NOTED
- SUBJECT PROPERTY BOUNDARY
- DRAINAGE EASEMENT
- FIRE LANE EASEMENT
- UTILITY EASEMENT
- WATER EASEMENT

NW CORNER,
SEC 35, T3S, R67W
FOUND 3 1/4" ALUMINUM CAP
STAMPED URS CORP 20683 2006
IN RANGE BOX

(BASIS OF BEARINGS)
N89°42'41"E 2661.10'
N.LINE, NW 1/4, SEC 35

N1/4 CORNER,
SEC 35, T3S, R67W
FOUND 3 1/4" ALUMINUM CAP
STAMPED URS CORP 20683 2011
IN RANGE BOX

TRACT B
STAPLETON AURORA
SUBDIVISION FILING NO. 2
OWNER: PARK CREEK
METROPOLITAN DISTRICT

N74°39'48"E
1418.89'

PART OF BLOCK 103,
BOSTON HEIGHTS, 2ND FILING
(BOOK 432, PAGE 273)

9.54'

30.00'

L=37.71'
R=437.50'
Δ=4°56'18"
Ch B=N14°21'06"E
Ch L=37.70'

L=20.74'
3.04'
49.73'

FOUND #5 REBAR
& YELLOW CAP
STAMPED 38226
0.5' SOUTH OF PL

160.03'
N00°18'28"W
137.23'

DRAINAGE
EASEMENT
123.52'
N00°18'28"W

10' UTILITY
EASEMENT

N74°16'39"E
51.59'
19.76'

IRONTON STREET
(60' R.O.W.)
(BOOK 422, PAGE 366)

GARDINEER
SUBDIVISION

DRAINAGE
EASEMENT

N89°42'41"E 590.85'

257.06'
260.96'
271.03'
266.99'
256.23'

N89°41'32"E
N89°41'32"E
N89°41'32"E

23' FIRE LANE, ACCESS,
AND WATER EASEMENT

18.63'
L1 L2 L3 L4 L5 L6 L7 L8 L9
C1 C2 C3 C4 C5 C6 C7
30.00'
30.07'
30.07'

DRAINAGE EASEMENT
147.95'
133.18'
N89°41'32"E

30' STORM SEWER EASEMENT
RESERVED BY SEPARATE DOCUMENT
N89°41'32"E
S89°41'32"W

270.39'
266.39'
259.16'

26' FIRE LANE, ACCESS,
AND WATER EASEMENT

WATER
EASEMENT

10' UTILITY
EASEMENT

13.02'

30.00'

196.24'
S00°18'28"E

EAST 26TH PLACE
(R.O.W. VARIES)

JOLIET STREET
(60' R.O.W.)
(REC NO. 480782)

BLOCK 105
JOHNSON-HICKAM
SUBDIVISION

4' UTILITY
EASEMENT

52.98'
66.72'
196.35'
196.40'

30' FIRE LANE, ACCESS,
AND WATER EASEMENT

LOT 1
BLOCK 1
117,714± SQUARE FEET
(2.702± ACRES)

N59°50'37"W
1114.45'

WATER
EASEMENT

L16 L17 L18 L19 L20 L21 L22 L23
N00°18'28"W
S00°18'28"E
57.28'
51.20'

WATER
EASEMENT

5' UTILITY
EASEMENT

15.00'
30.00'
15.00'

FOUND
#3 REBAR

S89°40'24"W 270.23'

POINT OF
BEGINNING

S89°48'25"W
60.00'
30.00' 30.00'

S89°40'24"W 270.16'

BLOCK 104
JOHNSON-HICKAM
SUBDIVISION

SOUTH 25' LOT 4
SOUTH 25' LOT 7

PART OF BLOCK 103,
BOSTON HEIGHTS, 2ND FILING
(BOOK 972, PAGE 270)

16' ALLEY
(BOOK 422, PAGE 366)

PART OF BLOCK 103,
BOSTON HEIGHTS, 2ND FILING
(BOOK 612, PAGE 86)

(BOOK 422, PAGE 366)
JAMAICA STREET
(60' R.O.W.)
(REC NO. 480782)

LOT 5
LOT 6

16' ALLEY
(REC NO. 480782)

30.00'
30.00'

EAST 25TH AVENUE
(60' R.O.W.)

BLOCK 130
RESUBDIVISION OF BLOCKS 130-131
BOSTON HEIGHTS
SECOND FILING

RESUBDIVISION OF BLOCK 129
BOSTON HEIGHTS
SECOND FILING

GILLIANS LAND CONSULTANTS
P.O. BOX 375
BENNETT, CO 80102
303-972-6640
www.gilliansIc.com
JN: 24132
INITIAL SUBMITTAL DATE: 09/27/2024

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING ORDINANCE NO. 2025-15 AS A DUPLICATE OF ORDINANCE NO. 2025-13 DUE TO AN ADMINISTRATIVE ERROR AND CORRECTING SAID ERROR WITH THIS ORDINANCE VACATING A PORTION OF A 16-FOOT WIDE ALLEY RIGHT-OF-WAY, N BLOCK 104 DEDICATED BY THE PLAT OF JOHNSON-HICKAM SUBDIVISION AT RECEPTION NUMBER 480782, SITUATED IN THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M. LOCATED NORTH OF EAST 25TH AVENUE, AND BETWEEN JAMAICA STREET AND JOLIET STREET

WHEREAS, the applicant, the Aurora Housing Authority, requests to vacate a segment of a 16-foot alley right-of-way located north of East 25th Avenue, between Jamaica Street and Joliet Street; and

WHEREAS, the street vacation was previously attempted through Ordinance 2025-15 but due to an administrative error it was a duplicate of Ordinance 2025-13 and must be repealed and corrected through this Ordinance; and

WHEREAS, the street vacation is needed to facilitate the development of an affordable multi-family housing project; and

WHEREAS, Section 146-5.4.2.B.3.C of the Uniform Development Ordinance authorizes City Council to approve a public right-of-way vacation; and

WHEREAS, the City Council finds that the requested vacation will not: (i) create any landlocked parcels, (ii) restrict access to any parcel so that access is unreasonable or economically prohibitive; (iii) vacate a public alley unless such vacation is consistent with the Comprehensive Plan and the resulting land complies with lot access and connectivity requirements per Section 146-4.5 (Access and Connectivity); (iv) reduce the quality of public services to any property, and (v) be inconsistent with any transportation plan adopted by the City.

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

Section 1. Ordinance No. 2025-15 is hereby repealed.

Section 2. The public right-of-way for a portion of a 16-foot alley located north of East 25th Avenue, between Jamaica Street and Joliet Street, in the City of Aurora, County of Adams, State of Colorado, more particularly described in Exhibit A, is hereby vacated.

Section 3. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this ordinance are hereby repealed to the extent of such conflict.

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:

BY: Lena McClelland RLA
_____
LENA MCCLELLAND, Assistant City Attorney

EXHIBIT A

SHEET 1 OF 2

A PORTION OF THAT 16 FOOT WIDE ALLEY RIGHT OF WAY , TO BE VACATED, IN BLOCK 104 DEDICATED BY THE PLAT OF JOHNSON-HICKAM SUBDIVISION AT RECEPTION NUMBER 480782, SITUATED IN THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID ALLEY RIGHT OF WAY, AND THE SOUTH LINE OF THE NORTH 25 FEET, LOT 4, SAID BLOCK, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION BEARS N64°05'36"W, A DISTANCE OF 1279.29 FEET, WHERE THE NORTH LINE OF SAID NORTHWEST 1/4 BEARS N89°42'41"E, A DISTANCE OF 2661.10 FEET PER THE CITY OF AURORA HORIZONTAL CONTROL MAP BOOK 03C, MONUMENTED BY A 3 1/4" ALUMINUM CAP STAMPED 20683 IN RANGE BOX ON THE EAST AND WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE N00°18'28"W, A DISTANCE OF 175.00 FEET, ON SAID WEST LINE, TO THE NORTH LINE OF SAID BLOCK;
THENCE N89°40'24"E, A DISTANCE OF 16.00 FEET, ON SAID NORTH LINE OF SAID BLOCK;
THENCE S00°18'28"E, A DISTANCE OF 175.00 FEET, ON THE EAST LINE OF SAID ALLEY RIGHT OF WAY, TO THE SOUTH LINE OF THE NORTH 25 FEET, LOT 7, SAID BLOCK;
THENCE S89°40'24"W, A DISTANCE OF 16.00 FEET, ON SAID SOUTH LINE OF SAID LOT 7, TO THE POINT OF BEGINNING.

CONTAINING 2,800± SQUARE FEET (0.064± ACRES)

ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

ROBERT E. HARRIS
COLORADO P.L.S. 37601
FOR & ON BEHALF OF
GILLIANS LAND CONSULTANTS

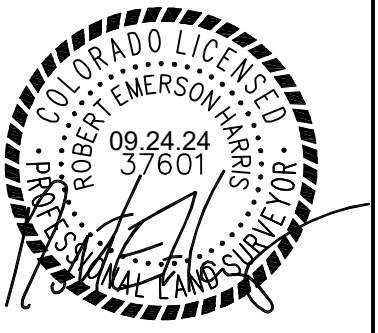
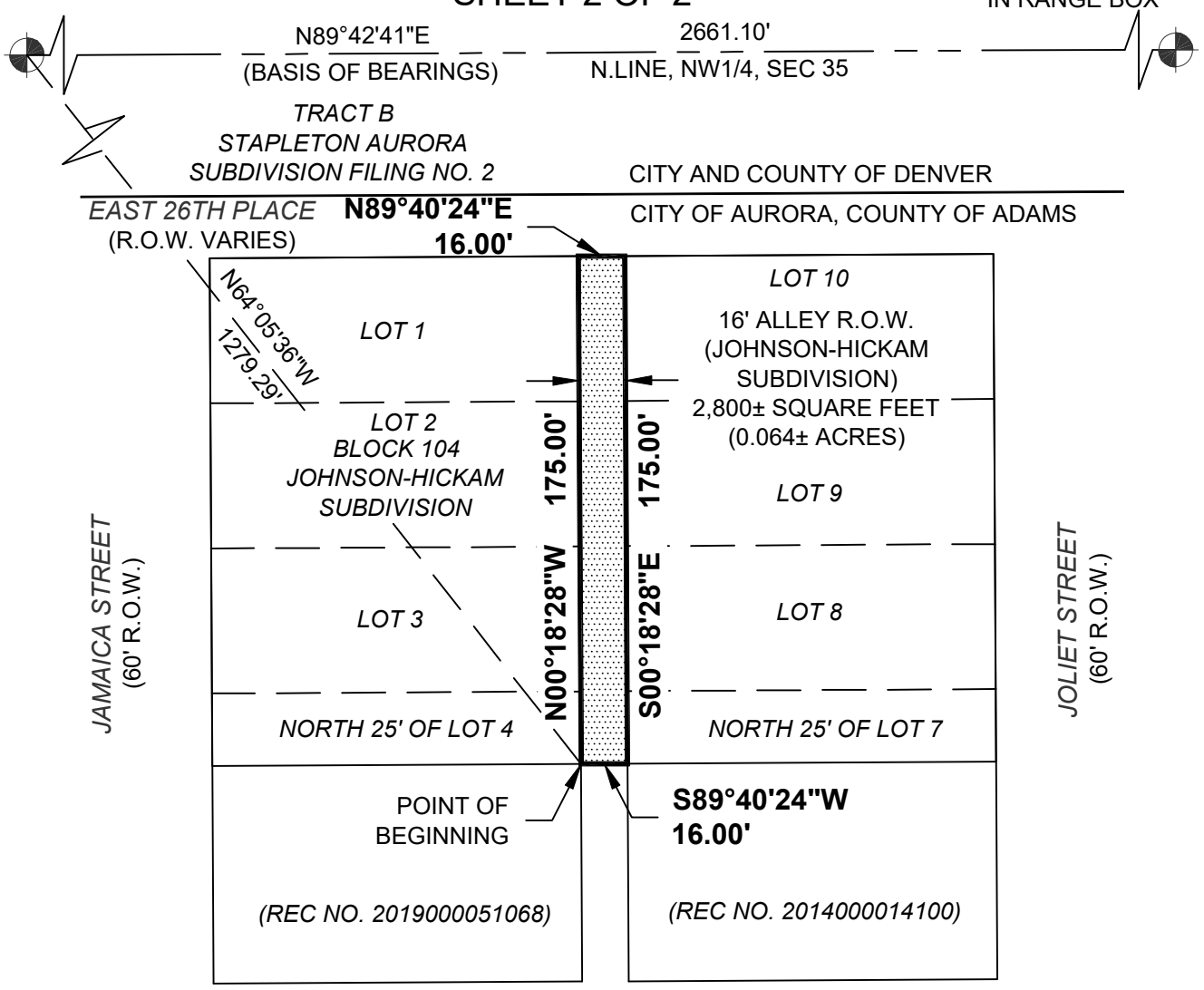


ILLUSTRATION FOR
EXHIBIT A

SHEET 2 OF 2



SCALE: 1" = 60 US SURVEY FEET

60' 0 30' 60'

COLORADO LICENSED
ROBERT EMERSON HARRIS
09.24.24
37601
PROFESSIONAL LAND SURVEYOR

OWNER: PUBLIC RIGHT OF WAY

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

CITY OF AURORA, COLORADO

DRAWN BY: DRH	1" = 60'	R.O.W. FILE NUMBER
CHECKED BY: REH	08–05–2024	JOB NUMBER: 24132

A 16 FOOT WIDE STRIP OF LAND , TO BE VACATED, LYING IN THE NW 1/4 OF SECTION 35, T3S, R67W OF THE 6th P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO.

CITY OF AURORA
Council Agenda Commentary

Item Title: Property Acquisitions - Aero 70 Project
Item Initiator: Hector Reynoso, Real Property Services Manager, Public works
Staff Source/Legal Source: Hector Reynoso, Real Property Services Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Healthy: Connecting natural and built environments with multimodal networks, ensuring access to parks and recreation, and preserving sustainable water supplies.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 5/5/2025

2nd Regular Meeting (if applicable): 5/19/2025

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)

2025-45 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE AERO 70 PROJECT
Hector Reynoso, Real Property Services Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item and Move Forward to Regular Meeting

☐ Information Only

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

☐ Approve Item as Proposed at Policy Committee

☐ Approve Item as Proposed at Study Session

☒ Approve Item as Proposed at Regular Meeting

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

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

☐ Recommends Approval ☐ Does Not Recommend Approval

☐ Forwarded Without Recommendation ☐ Minutes Not Available

☐ Minutes Attached

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

N/A

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

The City of Aurora ("Aurora"), through Aurora Water, is advancing with construction of the Aero 70 Project ("Project") as depicted on **Exhibit A**. The primary objective of this Project is to install a regional water transmission main and sanitary sewer interceptor that will effectively connect to existing City of Aurora systems. The subject of this property acquisition is the sanitary sewer connection to the existing First Creek Interceptor.

This public-use Project is essential for managing wastewater effectively. This vital infrastructure upgrade will require Aurora to secure access and permanent easements from four various property owners as depicted in the attached **Exhibit B**, including Colorado Interstate Gas (CIG), to ensure a seamless integration with the broader utility network. The installation will include advanced materials and technology to ensure durability and compliance with environmental regulations, thereby supporting both current and future growth in the area while maintaining public health and environmental safety. The Project requires the acquisition of a permanent easement and a temporary easement. These easements will allow the City to access, inspect, patrol, protect, repair, relocate, use, and remove the sanitary sewer transmission main, line, and facilities.

The Project design plans will be in April 2025 approved and Aurora's Real Property Services Division ("RPS") is continuing efforts to negotiate with one landowner, CIG. To proceed with the Project on its desired timeline, City staff will send Notice of Intent to Acquires ("NOIA") to the remaining property owners. The NOIAs will advise property owners that they own property within an area designated for the public project as the Project progresses. Since the property values are each estimated to exceed five thousand dollars ($5,000), and in accordance with CRS Section 38-1-121, the owners are entitled to obtain an appraisal of their choosing at the City's cost.

To avoid incurring construction delays, City staff is requesting Council to authorize an ordinance allowing the use of eminent domain for the Project. Aurora Water would utilize the legal services of Don Ostrander with Hamre, Rodriguez, Ostrander and Prescott ("HROP" Law) to file any court action, such as petitions for immediate possession. The authorization of the use of eminent domain will allow Aurora staff to obtain possession of the property interests needed and will ensure no further delays to the Project's schedule. Condemnation is always used as a last resort when negotiations between the condemning authority and property owner have reached an impasse. As part of the condemnation process, immediate possession will allow the Project to proceed on schedule while addressing public safety concerns. Attached **Exhibit C** is an overview of the eminent domain process per State law.

City staff will continue using its best efforts to amicably acquire the easement interests needed by further negotiating with the property owners. City staff recommends that Council approve an ordinance authorizing the use of eminent domain for the acquisition of the necessary real property interests for the Project.

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 approve the ordinance authorizing the use of eminent domain, pursuant to Aurora City Code Section 12-12, in order to acquire the necessary property interests for the construction of the Aero 70 Project?

LEGAL COMMENTS

Council has the legal authority and power to act by ordinance to use eminent domain pursuant to Section 10-10 of the Aurora Charter, Article XX Sections 1 and 6 of the State Constitution, C.R.S. Section 38-1-101 C.R.S., et seq., and C.R.S. Section 38-6-101, et seq.(Gardner)

ORDINANCE NO. 2025-

AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE AERO 70 PROJECT

WHEREAS, the City of Aurora is a Colorado municipal corporation and home rule city ("City") of the Counties of Adams, Arapahoe, and Douglas of the State of Colorado and it has the legal authority and power of eminent domain per Article XX Sections I and 6 of the State Constitution, Section 10-10 of the City's Home Rule Charter, C.R.S. 38-1101 et seq., and C.R.S. 38-6-101 et seq.; and

WHEREAS, the City of Aurora, through the Aurora Water Department, requires construction of the Aero 70 Project ("Project"); and

WHEREAS, the primary objective of the Project is to install a regional water transmission main and sanitary sewer interceptor that will effectively connect to existing City of Aurora systems; and

WHEREAS, as part of the Project, acquisition of certain real property interests are needed for the sanitary sewer connection to the existing First Creek Interceptor; and

WHEREAS, the City has determined it is necessary to acquire certain real property interests identified in this Ordinance for the construction of the Project, and that acquisition of these real property interests serves the public purpose by providing water and sanitary sewer service; and

WHEREAS, the City has determined that the real property interests are necessary for the Project and said interests and their purported owners are as described in the attached Exhibit A and Exhibit B ("Properties").

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

Section 1. That the City Council hereby finds and determines that it is in the interest of the health, safety, and general welfare of the public, and serves a necessary public purpose, to acquire real property interests in the Properties described in Exhibit A and Exhibit B for the construction of the Project and hereby declares a public need and necessity for the same.

Section 2. The Real Property Services Division, through its staff, agents, or consultants, is authorized to engage in good faith negotiations for acquisition of the interests in the Properties, as a precondition to initiating proceedings in eminent domain. Eminent domain will only be used if good faith negotiations are unsuccessful. If the interests in the Properties cannot be obtained voluntarily, the City is authorized to commence condemnation proceedings to acquire the Properties and prosecute the proceedings to their conclusion.

Section 3. The City Council hereby authorizes itself to exercise the power of eminent domain for the purpose of acquiring interests in the Properties. The City is authorized to exercise the power of eminent domain pursuant to Section 10-10 of the City Charter in the manner provided by Article I of Title 38, Colorado Revised Statutes. The City is authorized to employ all necessary persons for this purpose, including special condemnation counsel, if necessary, and appraisers, surveyors, engineers, and other experts.

Section 4. The City Council has determined there is an immediate public need and necessity to acquire the Properties in order to allow the City of Aurora to proceed with the Project. To ensure timely possession of or title to the Properties, it may be necessary for the City to obtain immediate possession of the Properties.

Section 5. That the City Council hereby authorizes the expenditure of that amount of money which is determined by an appropriate tribunal to constitute just compensation necessary for the acquisition of the interests in the Properties. The City Council hereby authorizes the City's Director of Finance to pay all awards, legal expenses, court costs, and any other expenses of eminent domain lawfully found to be just compensation, as determined by a court of competent jurisdiction.

Section 6. The City or its staff, designee, agents, or representatives shall have the authority to amend the legal descriptions of and the interests sought in the Properties or to add additional properties as deemed necessary in the course of acquiring the Properties for the Project, and any such amendments shall be included in the definition of the Properties contained herein.

Section 7. That, nothing contained in this ordinance shall be construed as precluding or preventing negotiations by the City Attorney, or duly authorized representatives, from purchasing interests in the Properties at private sale, nor shall anything herein be construed as preventing the City of Aurora, upon the acquisition of said interests in the Properties, from terminating the eminent domain proceedings.

Section 8. That, 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:

PETER A. SCHULTE, City Attorney

Michelle Gardner RLA
_____
MICHELLE GARDNER, Sr. Assistant City Attorney

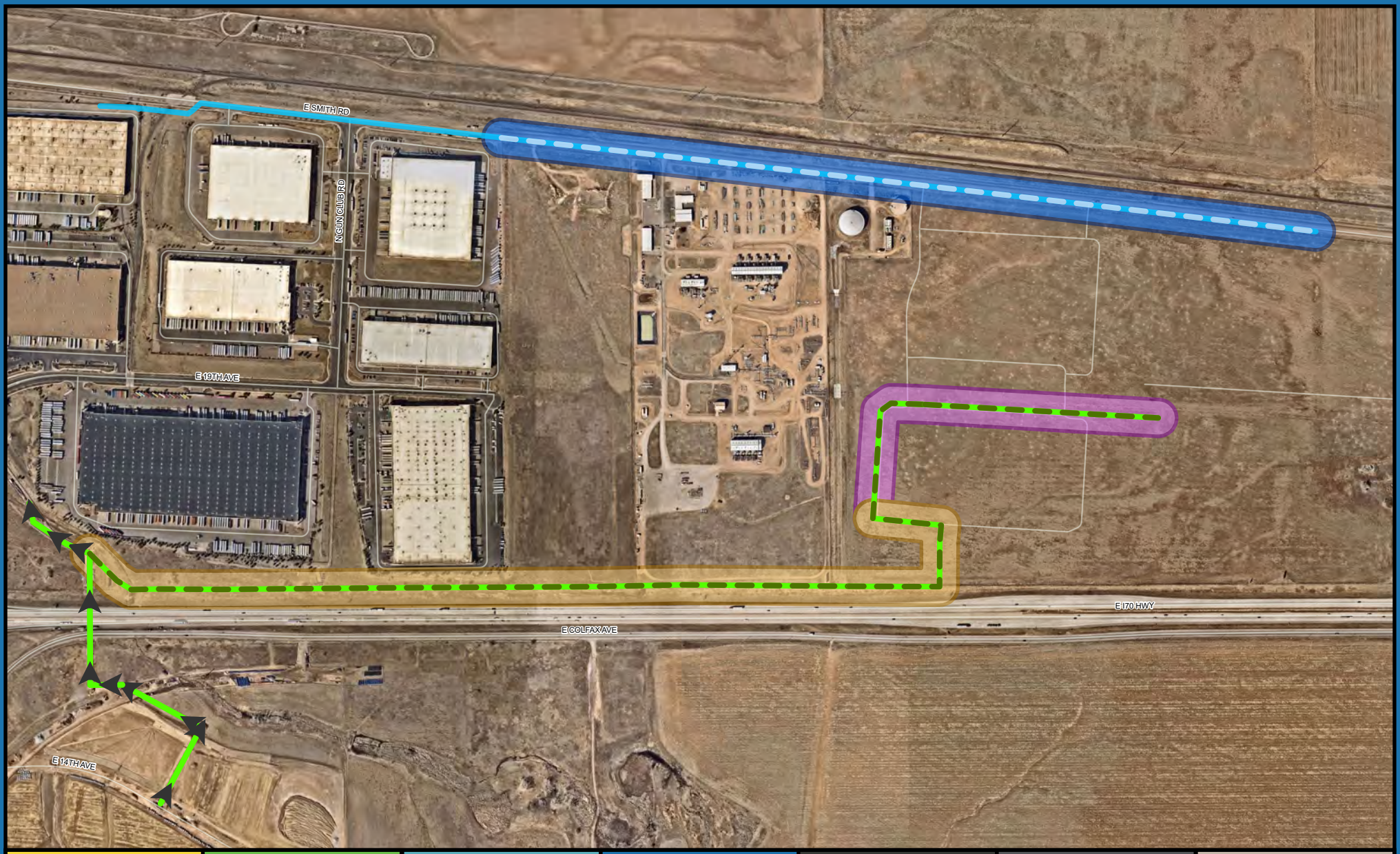
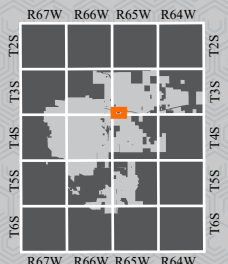


Exhibit A: Aero 70 Regional Improvements

Aurora Water
26791 E Quincy Ave., Aurora, CO 80016 USA
www.auroragov.org | 303-739-7370
waterengrgis@auroragov.org

January 17, 2025

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



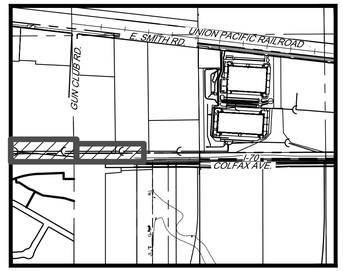
Legend

- Active Wastewater
- Proposed Wastewater
- Active Potable Water
- Proposed Potable Water
- 16" Water Line Reimbursement Section
- 12" Wastewater Reimbursement Section
- 15" Wastewater Reimbursement Section

Miles 0 0.05 0.1 0.2

Author: shulshou **Date:** 1/17/2025 **APRX Path:** K:\Dept\WaterEngineering\14 GIS\14.05 PROJECTS\14.05C Map Requests\ENGR_SR_Aero70_Waterline_Reimbursement\PROJECT_MAP.aprx

EXHIBIT B



KEY MAP
1" = 1500'

CONNECT TO 21" FIRST CREEK INTERCEPTOR BY AURORA CROSSROADS

EXISTING FIBER OPTIC LINE

EXISTING ELECTRIC LINE

E-470 PARCEL MU-94
MULTI-USE EASEMENT
BOOK 5777, PAGE 777

PROPOSED
15" PVC SS

PROPOSED
SSMH 1-2, 5' DIA MH

PROPOSED
EX SSMH 2-2, EX 5' DIA MH

26' COMMON USE
AGREEMENT

FURNITURE ROW COLORADO LLC
5651 BRODWAY
DENVER, CO 80216-1021
PARCEL NO. 18193130200 4

LOT 1, BLOCK 1
PROLOGIS PARK 70
SUBDIVISION FILING NO. 6
REC NO. 2007000015122

EXISTING R.O.W.

GUN CLUB ROAD
R.O.W.

EXISTING 60"
WATER LINE

PROPOSED
SSMH 1-3, 5' DIA MH

PROPOSED
SSMH 1-4, 5' DIA MH

PROPOSED
15" PVC SS

MATCHLINE - SANITARY SEWER
SEE BELOW LEFT SIDE

26' COMMON USE AGREEMENT FOR THE SANITARY SEWER LOCATED WITHIN THE EXISTING E-470 MULTI USE EASEMENT.

EX. R.O.W. TO CDOT
BOOK 607, PAGE 28

GUN CLUB ROAD
RIGHT -OF-WAY -
NO EASEMENT
REQUIRED

I-70

O REILLY AUTO ENTERPRISES LLC
PO BOX 9167
SPRINGFIELD, MO 65801
PARCEL NO. 18193140200 2

GUN CLUB ROAD
R.O.W.

O'REILLY - 30' TEMPORARY
CONSTRUCTION EASEMENT
USING CITY TEMPLATE

30' TEMPORARY
CONSTRUCTION
EASEMENT

EXISTING TELEPHONE LINE

EXISTING LOT LINE

CIG TEMPORARY
CONSTRUCTION
EASEMENT TO BE
ACQUIRED BY CITY

COLORADO INTERSTATE GAS COMPANY
ATTN: PROPERTY TAX DEPT
PO BOX 1087
COLORADO SPRINGS, CO 80901
PARCEL NO. 18190000127

EXISTING FIBER OPTIC LINE

PROPOSED
15" PVC SS

PROPOSED
SSMH 1-5, 5' DIA MH

PROPOSED
SSMH 1-6, 5' DIA MH

PROPOSED
SSMH 1-7, 5' DIA MH

EX. FENCE

EXISTING R.O.W.

26' PERMANENT
SANITARY EASEMENT

75' DRAINAGE EASEMENT
REC NO. 2004000004180

EX. R.O.W. TO CDOT
BOOK 607, PAGE 28

EX. TELEPHONE

EX. FIBER OPTIC

MATCHLINE - SANITARY SEWER
SEE ABOVE RIGHT SIDE

MATCHLINE - SANITARY SEWER
SEE SHEET 36

O'REILLY - 26' PERMANENT
SANITARY EASEMENT
USING CITY TEMPLATE

CIG PERMANENT
SANITARY
EASEMENT TO BE
ACQUIRED BY CITY

GUN CLUB ROAD
RIGHT -OF-WAY -
NO EASEMENT
REQUIRED

I-70

N

0 25 50 100
SCALE: 1" = 50'

15 YEARS Redland
WHERE GREAT PLACES BEGIN
▪ Land Planning ▪ Civil Engineering ▪ Landscape Architecture ▪ Construction Management
720.283.6783
REDLAND.COM

NOT FOR CONSTRUCTION

NO.	DATE	NOTES

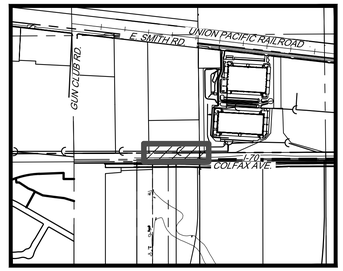
PROJECT NO: 20028.003		
NO	DATE	NOTES
1	05/04/2023	ISSUED FOR INTERNAL REVIEW
2	05/09/2023	PRESUBMITTAL TO CITY OF AURORA
3	05/15/2023	1ST SUBMITTAL TO CITY OF AURORA
4	07/10/2023	2ND SUBMITTAL TO CITY OF AURORA
5	08/24/2023	3RD SUBMITTAL TO CITY OF AURORA
6	11/03/2023	4TH SUBMITTAL TO CITY OF AURORA
7	12/07/2023	5TH SUBMITTAL TO CITY OF AURORA
8	01/17/2024	6TH SUBMITTAL TO CITY OF AURORA

AERO 70
BUILDINGS 1 & 2
SITE PLAN
OFFSITE UTILITY PLAN

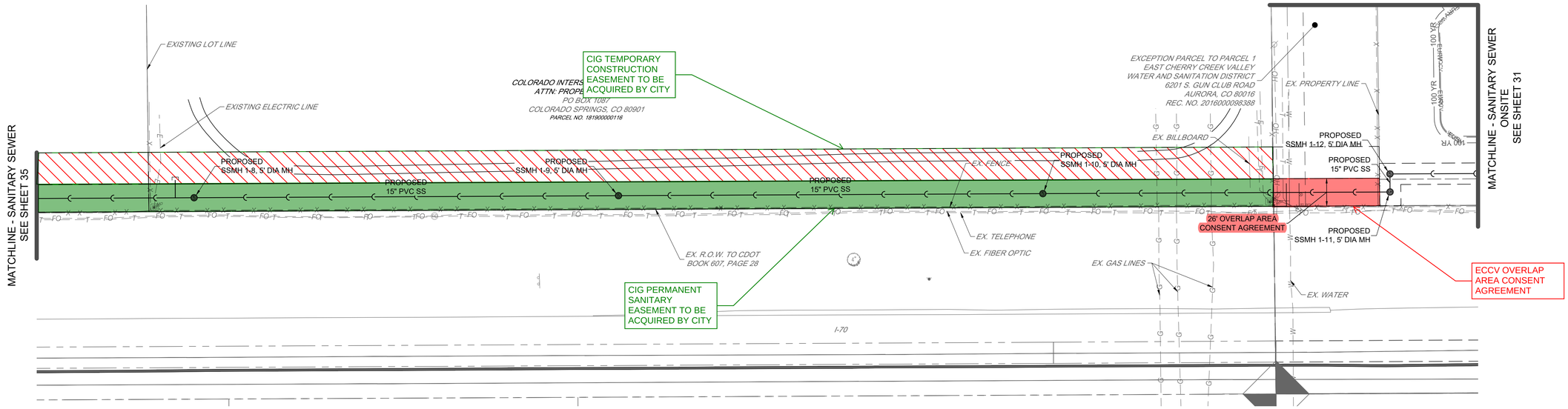
SHEET
35

I:\2020\20028 - Harvest Road Project\CAD\Sheet Sets\20028.003 Building 1\Site Plan\20028.003 - OS Utility Plan.dwg tab: 35 OFFSITE UTILITY PLAN Feb 15, 2024 - 1:09pm dwatson

EXHIBIT B



KEY MAP
1" = 1500'



N

0 25 50 100
SCALE: 1" = 50'

15 YEARS **Redland** WHERE GREAT PLACES BEGIN
▪ Land Planning ▪ Landscape Architecture ▪ Civil Engineering ▪ Construction Management
720.283.6783
REDLAND.COM

NOT FOR CONSTRUCTION

DATE	NO.	NOTES

PROJECT NO 20028.003

DATE	NO	NOTES
05/04/2023	1	ISSUED FOR INTERNAL REVIEW
05/09/2023	2	PRESUBMITTAL TO CITY OF AURORA
05/15/2023	3	1ST SUBMITTAL TO CITY OF AURORA
07/10/2023	4	2ND SUBMITTAL TO CITY OF AURORA
08/24/2023	5	3RD SUBMITTAL TO CITY OF AURORA
11/03/2023	6	4TH SUBMITTAL TO CITY OF AURORA
12/07/2023	7	5TH SUBMITTAL TO CITY OF AURORA
01/17/2024	8	6TH SUBMITTAL TO CITY OF AURORA

AERO 70
BUILDINGS 1 & 2
SITE PLAN
OFFSITE UTILITY PLAN

SHEET
36

I:\2020\20028 - Harvest Road Project\CADD\Sheet Sets\20028.003 Building 1\Site Plan\20028.003 - OS Utility Plan.dwg tab: 36 OFFSITE UTILITY PLAN Feb 15, 2024 - 1:09pm dwatson

CONDEMNATION PROCEDURES

see C.R.S. Title 38, Article 1 (§ 38-1-101 et seq.)

I. PRE-PETITION STEPS

A. Obtain a Legal Description of the property, sufficiently clear and definite to enable the property to be located without difficulty, so that the landowner can assess the effects upon his/her/its property.

B. Pass a Legislative Declaration (an ordinance) identifying the condemnation project, declaring that the project is for a "public use", and finding that the acquisition of the property is necessary for the project.

C. Obtain an Appraisal from a licensed appraiser of the "reasonable market value" of the property to be condemned, and conduct a Title Search in order to identify all persons with record interests in the property.

D. Conduct Good Faith Negotiations with the Landowner, including, at a bare minimum, one reasonable offer to purchase, and allowing a reasonable period of time (e.g., two weeks) for the landowner to respond.

E. Obtain a Current Title Commitment, including the Legal Description and the Status of all Encumbrances on the property.

F. Send a formal Notice of Intent to Acquire the Property to every person with a record interest in the property.

[Note: If the value of the property to be condemned exceeds $5,000, the notice of intent to acquire must advise the landowner that the condemnor will pay for the reasonable cost of an appraisal for the landowner if the landowner provides a copy of such appraisal to the condemnor within ninety days after the notice of intent to acquire. The valuation trial may not take place until the ninety days have passed or the condemnor has received the landowner's appraisal, whichever occurs first. However, the condemnor may initiate condemnation proceedings (i.e., file suit) and may obtain possession of the property pursuant to a court order at an "immediate possession hearing" before the passage of the ninety days.]

II. FILING THE CONDEMNATION CASE

A. Summons
B. Petition in Condemnation
   (1) Citation of Constitutional and Statutory Authority to Condemn
   (2) Reference to Legislative Declaration that Project is for Public Use and that Acquisition of the Property is Necessary for the Project
   (3) Legal Description of the Property to be Condemned, and the Nature of the Property Interests to be Acquired
   (4) Identification of all Persons who have or may have an Interest in the Property
   (5) Statement that Good Faith Negotiations have Failed
   (6) Prayer for Immediate Possession
   (7) Reminder of Landowner's Duty to Mitigate Damage Claims
C. Notice of Lis Pendens
D. Notice of Immediate Possession Hearing

III. POST-FILING PROCEDURES

A. Immediate Possession Hearing on Condemnor's Motion
   -- takes place approximately 30-60 days after filing of petition
   -- is often stipulated, leaving only "just compensation" to be determined
   -- is accompanied by condemnor's deposit into court of funds equal to appraised value of property (according to condemnor's appraisal)

B. Trial to Determine the Value of the Property Interests Condemned
   -- the date of valuation is usually the date when the condemnor is first authorized to take possession of the property; interest added therefrom
   -- the burden of proving fair market value is on the landowner

C. Rule and Order Issued by the Court
   -- this is the court's judgment, and has the same legal effect as a deed

D. Hearing on Landowner's Bill of Costs (if these cannot be stipulated)
   -- the landowner's reasonable costs, appraisal fees, and expert witness fees (but not attorney fees) are recoverable, from the condemnor, as part of the landowner's "just compensation" for the taking

E. Hearing on Apportionment of Award among Condemned Landowners
   -- a tenant, for example, is not entitled to a separate award from the condemnor for the value (if any) of the tenant's leasehold interest; rather, the tenant must seek recovery out of the landowner's award
   -- the condemnor is not involved

EXHIBIT A

A parcel of land situated in the SE 1/4 of Section 31, Township 3 South, Range 65 West of the 6th Principal Meridian, City of Aurora, County of Adams, State of Colorado, being a part of that parcel of land described in that Warranty Deed in Book 2511 at Page 874 in the office of the Adams County Clerk and Recorder, more particularly described as follows:

Commencing at the SE corner of said Section 31 (from whence the S 1/4 corner of said section bears S89°43'21"W, a distance of 2631.88 feet);

Thence N79°27'08"W, a distance of 1080.83 feet to a point on the easterly line of said parcel, said point being the **Point of Beginning**;

Thence S89°43'21"W, a distance of 700.00 feet to the westerly line of said parcel;

Thence N00°43'08"W, coincident with said westerly line, a distance of 30.00 feet;

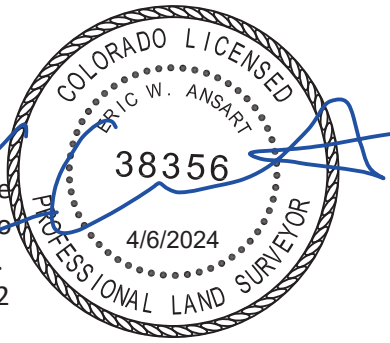
Thence N89°43'21"E, a distance of 700.00 feet to the easterly line of said parcel;

Thence S00°43'08"E, coincident with said easterly line, a distance of 30.00 feet to the **Point of Beginning**.

Said parcel containing 21,000 square feet (0.482 acres) more or less.

Bearings based on the south line of the SE 1/4 of Section 31, T3S, R65W, 6th P.M., being S89°43'21"W, and all lineal units are represented in US Survey Feet.

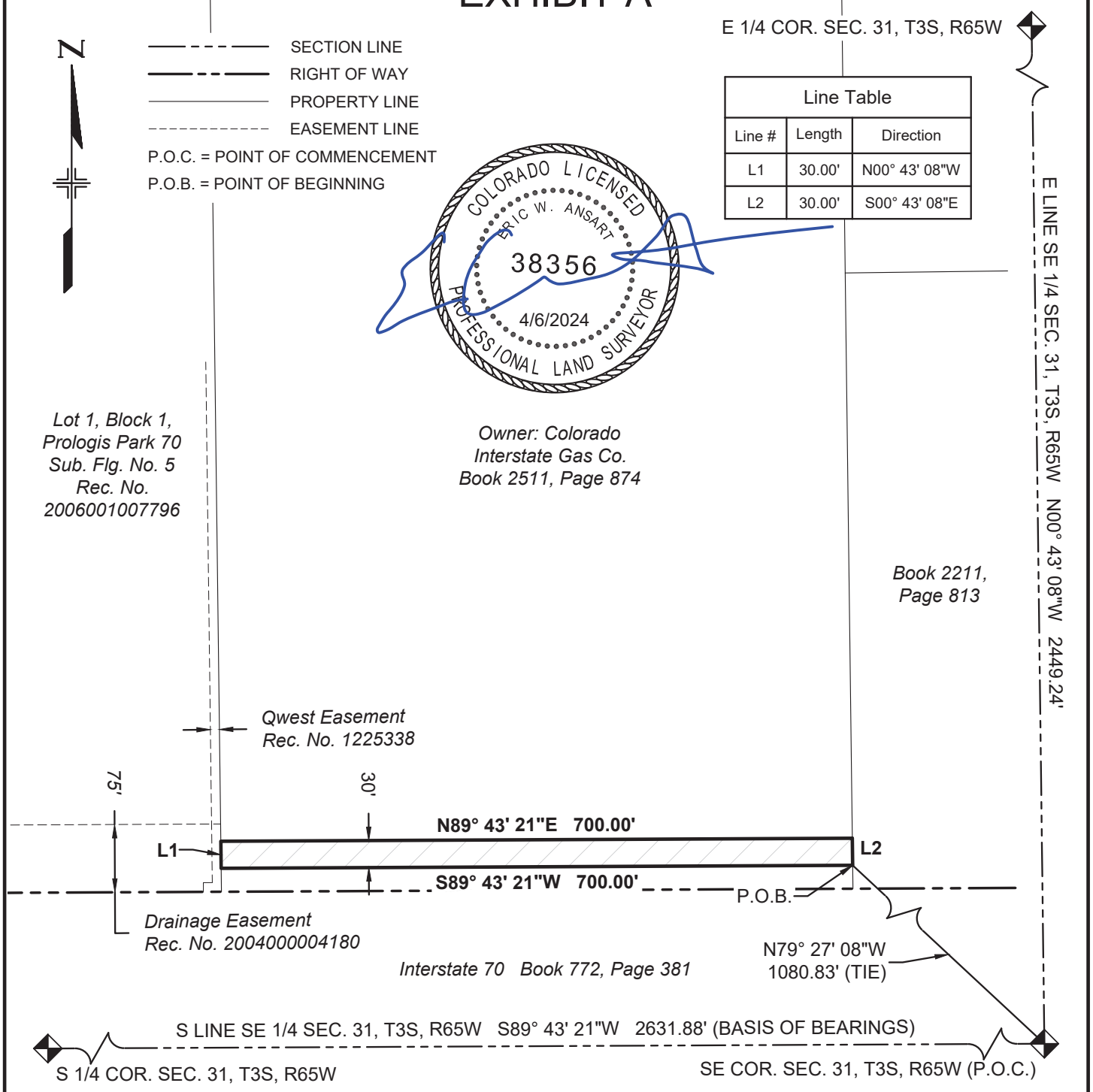
Illustration attached and made a part hereof.



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

ILLUSTRATION FOR

EXHIBIT A



BEARINGS BASED ON THE SOUTH LINE OF THE SE 1/4 OF SECTION 31, T3S, R65W, 6TH P.M., BEING S89°43'21"W

THE ABOVE DESCRIBED PARCEL CONTAINS 21,000 SQUARE FEET (0.482 ACRES) MORE OR LESS

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

CITY OF AURORA, COLORADO

DRAWN BY:	SCALE:	R.O.W. FILE NUMBER
EWA	NONE	N/A
CHECKED BY:	DATE:	JOB NUMBER:
DMR	4/6/2024	N/A

A TEMPORARY EASEMENT SITUATED IN THE SE 1/4 OF SEC. 31, T3S, R65W, 6TH P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO

EXHIBIT B

A parcel of land situated in the SE 1/4 of Section 31, Township 3 South, Range 65 West of the 6th Principal Meridian, City of Aurora, County of Adams, State of Colorado, being a part of that parcel of land described in that Warranty Deed in Book 2211 at Page 813 in the office of the Adams County Clerk and Recorder, more particularly described as follows:

Commencing at the SE corner of said Section 31 (from whence the S 1/4 corner of said section bears S89°43'21"W, a distance of 2631.88 feet);

Thence N00°43'08"W, coincident with the east line of the SE 1/4 of said section, a distance of 203.00 feet to the **Point of Beginning**;

Thence S89°43'21"W, a distance of 1060.00 feet to the westerly line of said parcel;

Thence N00°43'08"W, coincident with said westerly line, a distance of 30.00 feet;

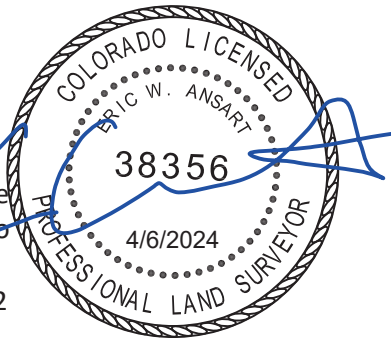
Thence N89°43'21"E, a distance of 1060.00 feet to the east line of said SE 1/4;

Thence S00°43'08"E, coincident with said east line, a distance of 30.00 feet to the **Point of Beginning**.

Said parcel containing 31,800 square feet (0.730 acres) more or less.

Bearings based on the south line of the SE 1/4 of Section 31, T3S, R65W, 6th P.M., being S89°43'21"W, and all lineal units are represented in US Survey Feet.

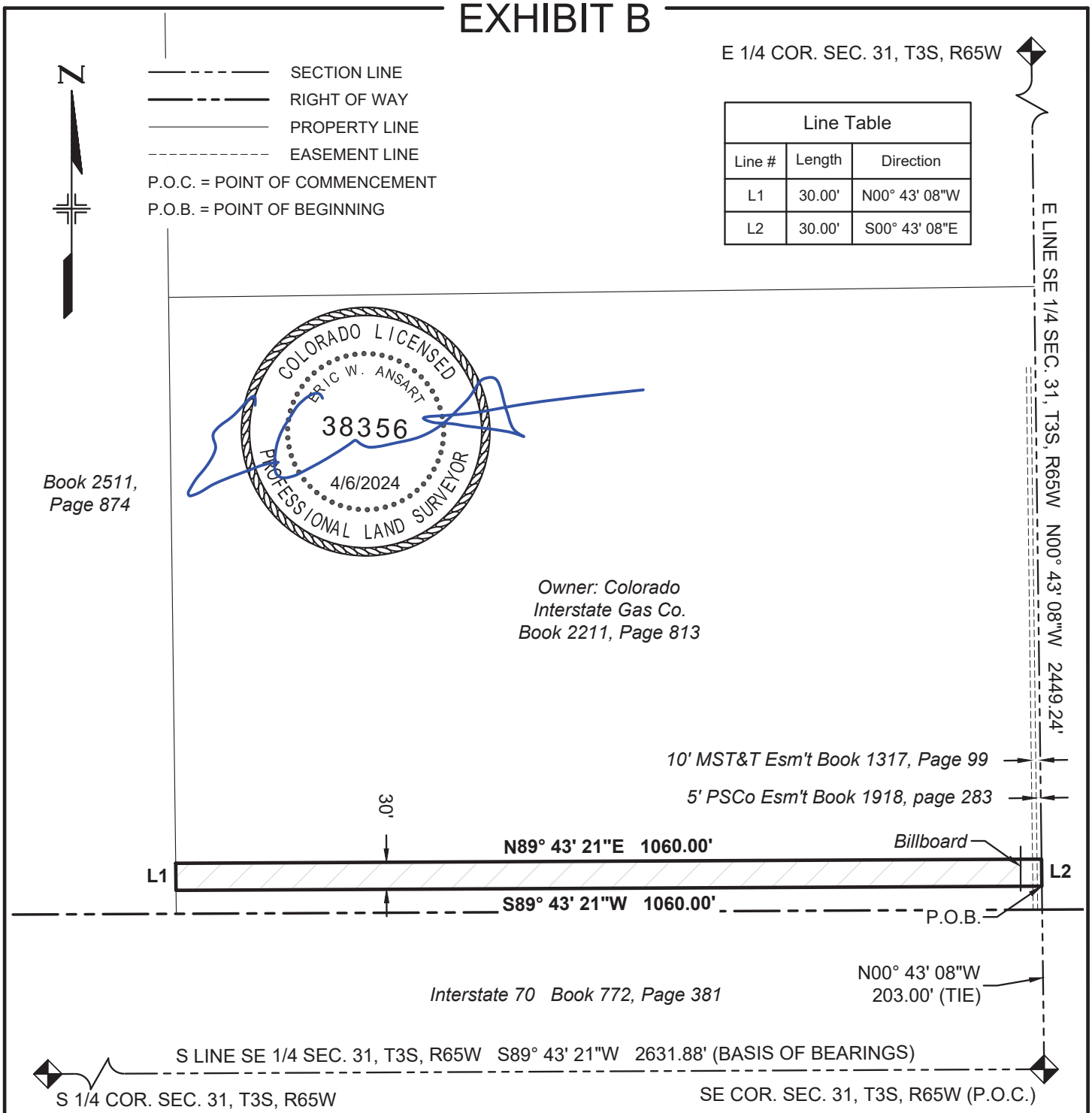
Illustration attached and made a part hereof.



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

ILLUSTRATION FOR

EXHIBIT B



BEARINGS BASED ON THE SOUTH LINE OF THE SE 1/4 OF SECTION 31, T3S, R65W, 6TH P.M., BEING S89°43'21"W

THE ABOVE DESCRIBED PARCEL CONTAINS 31,800 SQUARE FEET (0.730 ACRES) MORE OR LESS

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

CITY OF AURORA, COLORADO

DRAWN BY:	SCALE:	R.O.W. FILE NUMBER
EWA	NONE	N/A
CHECKED BY:	DATE:	JOB NUMBER:
DMR	4/6/2024	N/A

A TEMPORARY EASEMENT SITUATED IN THE SE 1/4 OF SEC. 31, T3S, R65W, 6TH P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO

EXHIBIT A

A parcel of land situated in the SE 1/4 of Section 31, Township 3 South, Range 65 West of the 6th Principal Meridian, City of Aurora, County of Adams, State of Colorado, being a part of that parcel of land described in that Warranty Deed in Book 2211 at Page 813 in the office of the Adams County Clerk and Recorder, more particularly described as follows:

Commencing at the SE corner of said Section 31 (from whence the S 1/4 corner of said section bears S89°43'21"W, a distance of 2631.88 feet);

Thence N00°43'08"W, coincident with the east line of the SE 1/4 of said section, a distance of 177.00 feet to the northeasterly corner of that parcel of land described in that Rule and Order in Book 772 at Page 381 in said office, said point being the **Point of Beginning**;

Thence S89°43'21"W, coincident with the northerly line of said parcel, a distance of 1060.00 feet to the westerly line of said parcel described in Book 2211 at Page 813 in said office;

Thence N00°43'08"W, coincident with said westerly line, a distance of 26.00 feet;

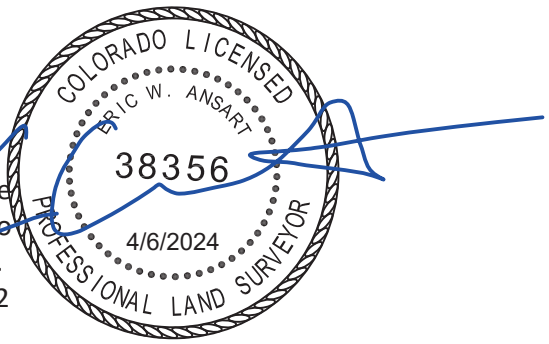
Thence N89°43'21"E, a distance of 1060.00 feet to the east line of said SE 1/4;

Thence S00°43'08"E, coincident with said east line, a distance of 26.00 feet to the **Point of Beginning**.

Said parcel containing 27,560 square feet (0.633 acres) more or less.

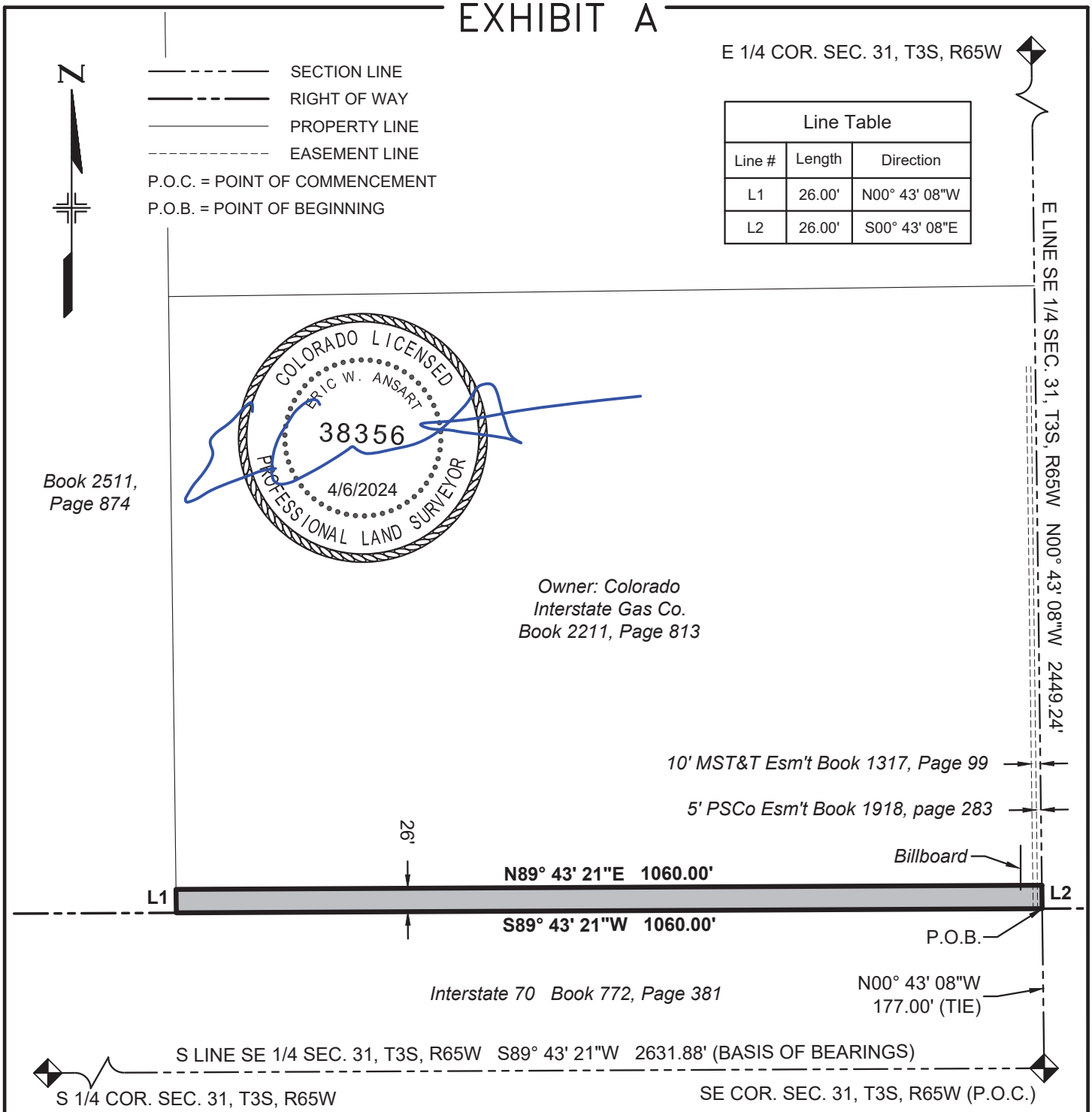
Bearings based on the south line of the SE 1/4 of Section 31, T3S, R65W, 6th P.M., being S89°43'21"W, and all lineal units are represented in US Survey Feet.

Illustration attached and made a part hereof.



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

ILLUSTRATION FOR
EXHIBIT A



BEARINGS BASED ON THE SOUTH LINE OF THE SE 1/4 OF SECTION 31, T3S, R65W, 6TH P.M., BEING S89°43'21"W

THE ABOVE DESCRIBED PARCEL CONTAINS 27,560 SQUARE FEET (0.633 ACRES) MORE OR LESS

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

CITY OF AURORA, COLORADO

DRAWN BY:	SCALE:	R.O.W. FILE NUMBER
EWA	NONE	N/A
CHECKED BY:	DATE:	JOB NUMBER:
DMR	4/6/2024	N/A

A PARCEL OF LAND SITUATED IN THE SE 1/4 OF SEC. 31, T3S, R65W, 6TH P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO

EXHIBIT B

A parcel of land situated in the SE 1/4 of Section 31, Township 3 South, Range 65 West of the 6th Principal Meridian, City of Aurora, County of Adams, State of Colorado, being a part of that parcel of land described in that Warranty Deed in Book 2511 at Page 874 in the office of the Adams County Clerk and Recorder, more particularly described as follows:

Commencing at the SE corner of said Section 31 (from whence the S 1/4 corner of said section bears S89°43'21"W, a distance of 2631.88 feet);

Thence N79°27'08"W, a distance of 1080.83 feet to a point on the easterly line of said parcel, said point being the **Point of Beginning**;

Thence S00°43'08"E, coincident with said easterly line, a distance of 26.00 feet to the northerly line of that parcel of land described in that Rule and Order in Book 772 at Page 381 in said office;

Thence S89°43'21"W, coincident with said northerly line, a distance of 700.00 feet to the westerly line of said parcel described in Book 2211 at Page 813 in said office;

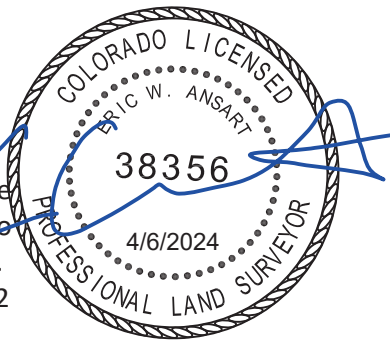
Thence N00°43'08"W, coincident with said westerly line, a distance of 26.00 feet;

Thence N89°43'21"E, a distance of 700.00 feet to the **Point of Beginning**.

Said parcel containing 18,200 square feet (0.418 acres) more or less.

Bearings based on the south line of the SE 1/4 of Section 31, T3S, R65W, 6th P.M., being S89°43'21"W, and all lineal units are represented in US Survey Feet.

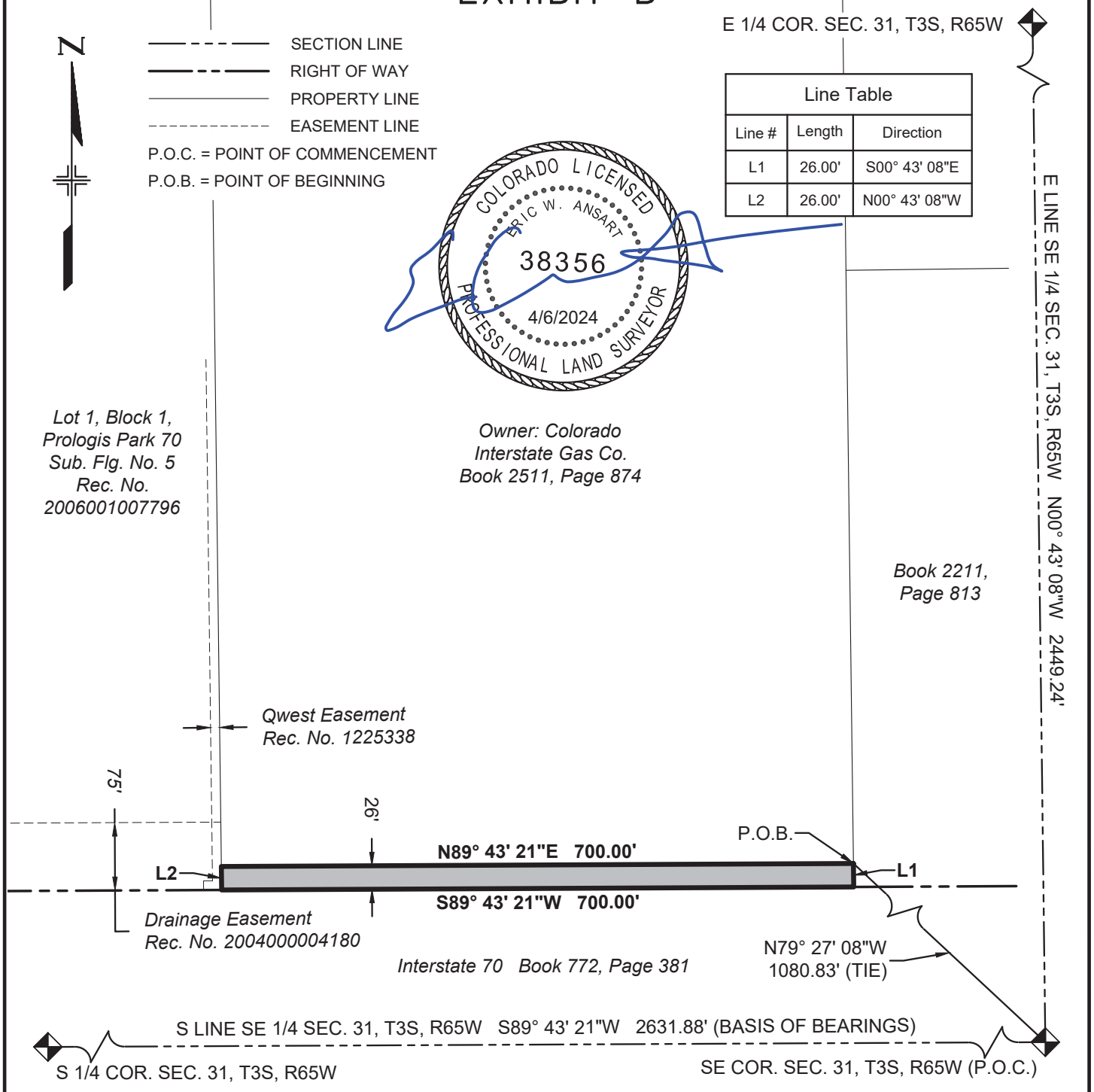
Illustration attached and made a part hereof.



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

ILLUSTRATION FOR

EXHIBIT B



BEARINGS BASED ON THE SOUTH LINE OF THE SE 1/4 OF SECTION 31, T3S, R65W, 6TH P.M., BEING S89°43'21"W

THE ABOVE DESCRIBED PARCEL CONTAINS 18,200 SQUARE FEET (0.418 ACRES) MORE OR LESS

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

CITY OF AURORA, COLORADO

DRAWN BY:	SCALE:	R.O.W. FILE NUMBER
EWA	NONE	N/A
CHECKED BY:	DATE:	JOB NUMBER:
DMR	4/6/2024	N/A

A PARCEL OF LAND SITUATED IN THE SE 1/4 OF SEC. 31, T3S, R65W, 6TH P.M., CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO

Electronically Recorded RECEPTION#: 2025000013808,
3/14/2025 at 1:04 PM, 19 OF 28,
TD Pgs: 0 Josh Zygielbaum, Adams County, CO.

ECCV

EXHIBIT A
LEGAL DESCRIPTION

A OVERLAP AREA CONSENT AGREEMENT, 26.00 FEET WIDE, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 65 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED NOVEMBER 15, 2016 AT RECEPTION NO. 2016000098388 IN THE OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 32;

THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, NORTH 00°43'08" WEST, A DISTANCE OF 177.01 FEET TO THE SOUTHWESTERLY CORNER OF SAID SPECIAL WARRANTY DEED AND THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°43'08" WEST, A DISTANCE OF 26.00 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89°44'20" EAST, A DISTANCE OF 100.00 FEET TO THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED;

THENCE ALONG SAID EASTERLY LINE, SOUTH 00°43'08" EAST, A DISTANCE OF 26.00 FEET TO THE SOUTHERLY LINE OF SAID SPECIAL WARRANTY DEED;

THENCE ALONG SAID SOUTHERLY LINE, SOUTH 89°44'20" WEST, A DISTANCE OF 100.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.060 ACRES, (2,600 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

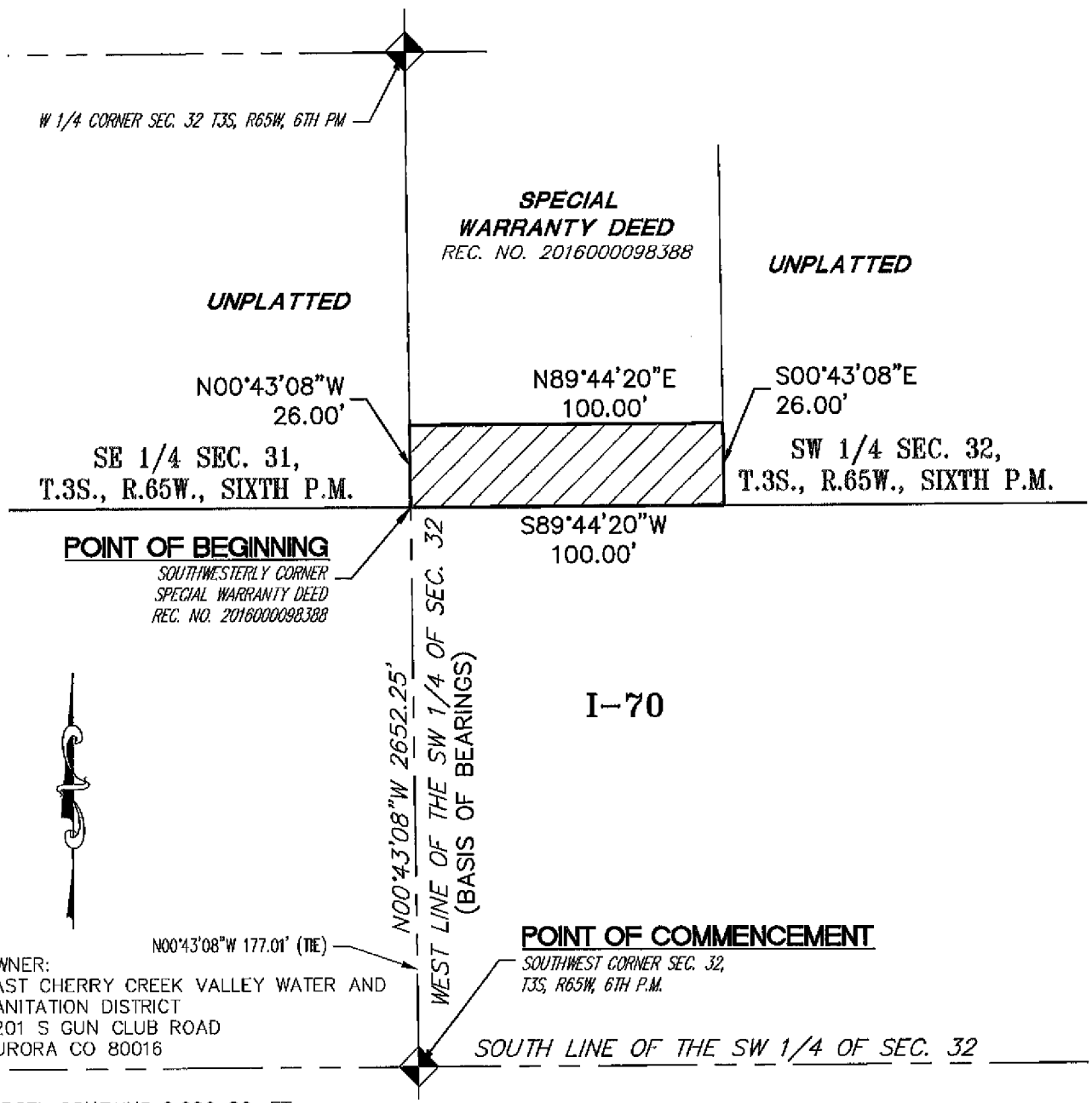
ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

Electronically Recorded RECEPTION#: 2025000013808,
3/14/2025 at 1:04 PM, 20 OF 28,
TD Pgs: 0 Josh Zygielbaum, Adams County, CO.

ILLUSTRATION FOR EXHIBIT A

SHEET 2 OF 2



PARCEL CONTAINS 2,600 SQ. FT.
OR 0.060 ACRES, MORE OR LESS

NOTE:
This illustration does not represent a monumented survey. It is intended only to depict the attached description.

CITY OF AURORA, COLORADO

DRAWN BY: KJA	SCALE: 1"=50'	R-O-W FILE NO.
CHECKED BY: BJM	DATE: 8/26/2024	JOB NO. 54820-26

A 26' OVERLAP AREA CONSENT AGREEMENT
BEING A PART OF THE SW 1/4 OF SEC. 32
T.3S., R.65W., SIXTH P.M.
COUNTY OF ADAMS, STATE OF COLORADO

Electronically Recorded RECEPTION#: 2025000015759,
3/25/2025 at 9:05 AM, 4 OF 5,
TD Pgs: 0 Josh Zygielbaum, Adams County, CO.

OReily

EXHIBIT A
LEGAL DESCRIPTION

A SANITARY SEWER EASEMENT, 26.00 FEET WIDE, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 65 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING A PORTION OF LOT 1, BLOCK 1, PROLOGIS PARK 70 SUBDIVISION FILING NO. 5 RECORDED DECEMBER 7, 2006 AT RECEPTION NO. 2006001007796, IN THE OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 1, BLOCK 1, SOUTH 89°43'21" WEST, A DISTANCE OF 726.61 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 1, BLOCK 1;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, BLOCK 1, NORTH 11°20'13" WEST, A DISTANCE OF 26.49 FEET;

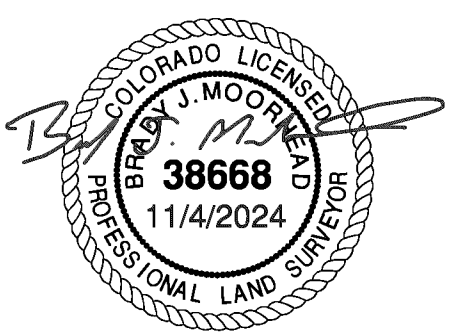
THENCE DEPARTING SAID SOUTHWESTERLY LINE, NORTH 89°43'21" EAST, A DISTANCE OF 731.49 FEET TO THE EASTERLY LINE OF SAID LOT 1, BLOCK 1;

THENCE ALONG SAID EASTERLY LINE, SOUTH 00°43'04" EAST, A DISTANCE OF 26.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.435 ACRES, (18,955 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

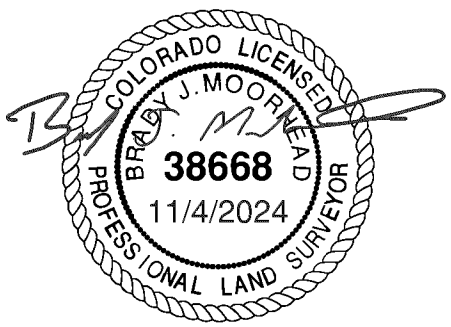


BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

Electronically Recorded RECEPTION#: 2025000015759,
3/25/2025 at 9:05 AM, 5 OF 5,
TD Pgs: 0 Josh Zygielbaum, Adams County, CO.

ILLUSTRATION FOR EXHIBIT A

SHEET 2 OF 2



SE 1/4 SEC. 31,
T.3S., R.65W.,
SIXTH P.M.

GUN CLUB ROAD
(VARIABLE WIDTH ROW)
REC. NO. 2007000015122

LOT 1, BLOCK 1
PROLOGIS PARK 70
SUBDIVISION FILING NO. 5
REC NO. 2006001007796

N00°43'04"W 1019.62'
EASTERLY LINE LOT 1, BLOCK 1
(BASIS OF BEARINGS)

26'
N89°43'21"E 731.49'
S00°43'04"E 26.00'
S89°43'21"W 726.61'
N11°20'13"W 26.49'

POINT OF BEGINNING
SE CORNER OF LOT 1

S 1/4 CORNER SECTION 31
SOUTH LINE OF THE SE 1/4 OF SEC. 31

OWNER:
O'REILLY AUTO ENTERPRISES LLC
PO BOX 9167
SPRINGFIELD MO 65801-9167

PARCEL CONTAINS 18,955 SQ. FT.
OR 0.435 ACRES, MORE OR LESS

NOTE:
This illustration does not represent a monumented survey. It is intended only to depict the attached description.

0' 75' 150' 300'
SCALE: 1" = 150'

CITY OF AURORA, COLORADO

DRAWN BY: KJA	SCALE: 1"=150'	R-O-W FILE NO.
CHECKED BY: BJM	DATE: 8/16/2024	JOB NO. 54820-26

A 26' SANITARY SEWER UTILITY EASEMENT
BEING A PART OF LOT 1 BLOCK 1 PROLOGIS PARK 70
SUBDIVISION FILING NO. 5 SITUATED IN
THE SE 1/4 OF SEC. 31
T.3S., R.66W., SIXTH P.M.
CITY OF AURORA, COUNTY OF ADAMS
STATE OF COLORADO

EXHIBIT A
LEGAL DESCRIPTION

A COMMON USE AGREEMENT, VARYING IN WIDTH, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 65 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING PORTION OF LOT 1, BLOCK 1, PROLOGIS PARK 70 SUBDIVISION FILING NO. 6 RECORDED FEBRUARY 12, 2007 AT RECEPTION NO. 2007000015122, IN THE OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 1, BLOCK 1 THE FOLLOWING TWO (2) COURSES:

1. NORTH 86°18'48" WEST, A DISTANCE OF 297.96 FEET;

2. NORTH 82°04'01" WEST, A DISTANCE OF 585.72 FEET;

THENCE DEPARTING SAID SOUTHERLY BOUNDARY, NORTH 80°08'54" WEST, A DISTANCE OF 378.28 FEET TO SAID SOUTHERLY BOUNDARY AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 950.67 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 17°17'47" EAST;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°54'17", AN ARC LENGTH OF 48.19 FEET;

THENCE NON-TANGENT TO SAID CURVE, DEPARTING SAID SOUTHERLY BOUNDARY, NORTH 20°12'03" EAST, A DISTANCE OF 26.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 924.67 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 20°12'03" EAST;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°48'02", AN ARC LENGTH OF 45.20 FEET;

THENCE NON-TANGENT TO SAID CURVE, SOUTH 80°08'54" EAST, A DISTANCE OF 156.20 FEET;

THENCE NORTH 07°55'59" EAST, A DISTANCE OF 31.14 FEET;

THENCE SOUTH 82°04'01" EAST, A DISTANCE OF 27.00 FEET;

THENCE SOUTH 07°55'59" WEST, A DISTANCE OF 14.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 24.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°46'42", AN ARC LENGTH OF 20.85 FEET;

THENCE NON-TANGENT TO SAID CURVE, SOUTH 80°08'54" EAST, A DISTANCE OF 184.42 FEET;

THENCE SOUTH 82°04'01" EAST, A DISTANCE OF 584.32 FEET;

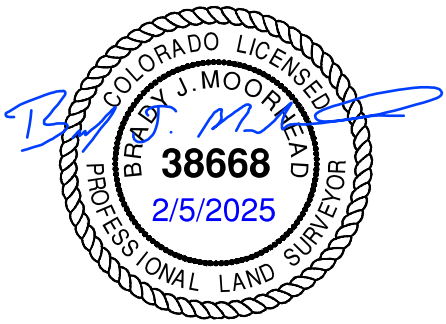
THENCE SOUTH 86°18'48" EAST, A DISTANCE OF 293.62 FEET TO THE EASTERLY BOUNDARY OF SAID LOT 1, BLOCK 1;

THENCE ALONG SAID EASTERLY BOUNDARY SOUTH 03°42'16" EAST, A DISTANCE OF 26.22 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.799 ACRES, (34,822 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

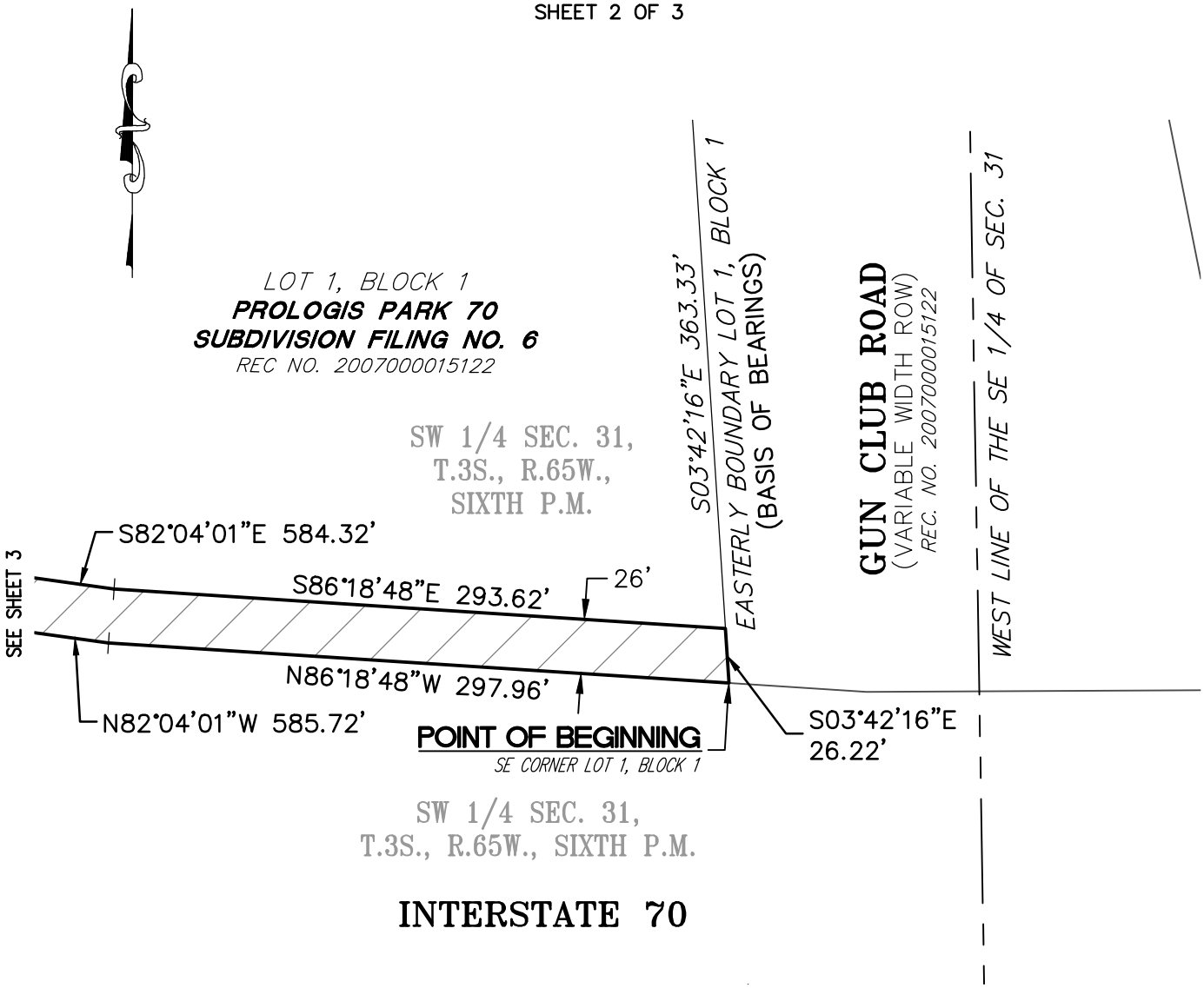
ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.



BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

ILLUSTRATION FOR EXHIBIT A

SHEET 2 OF 3



0' 40' 80' 160'

SCALE: 1" = 80'

OWNER:
FURNITURE ROW COLORADO, LLC,
5651 BROADWAY
DENVER CO 80216-1021

PARCEL CONTAINS 34,822 SQ. FT.
OR 0.799 ACRES, MORE OR LESS

NOTE:
This illustration does not represent a monumented survey. It is intended only to depict the attached description.

COLORADO LICENSED
BRADY J. MOORHEAD
38668
2/5/2025
PROFESSIONAL LAND SURVEYOR

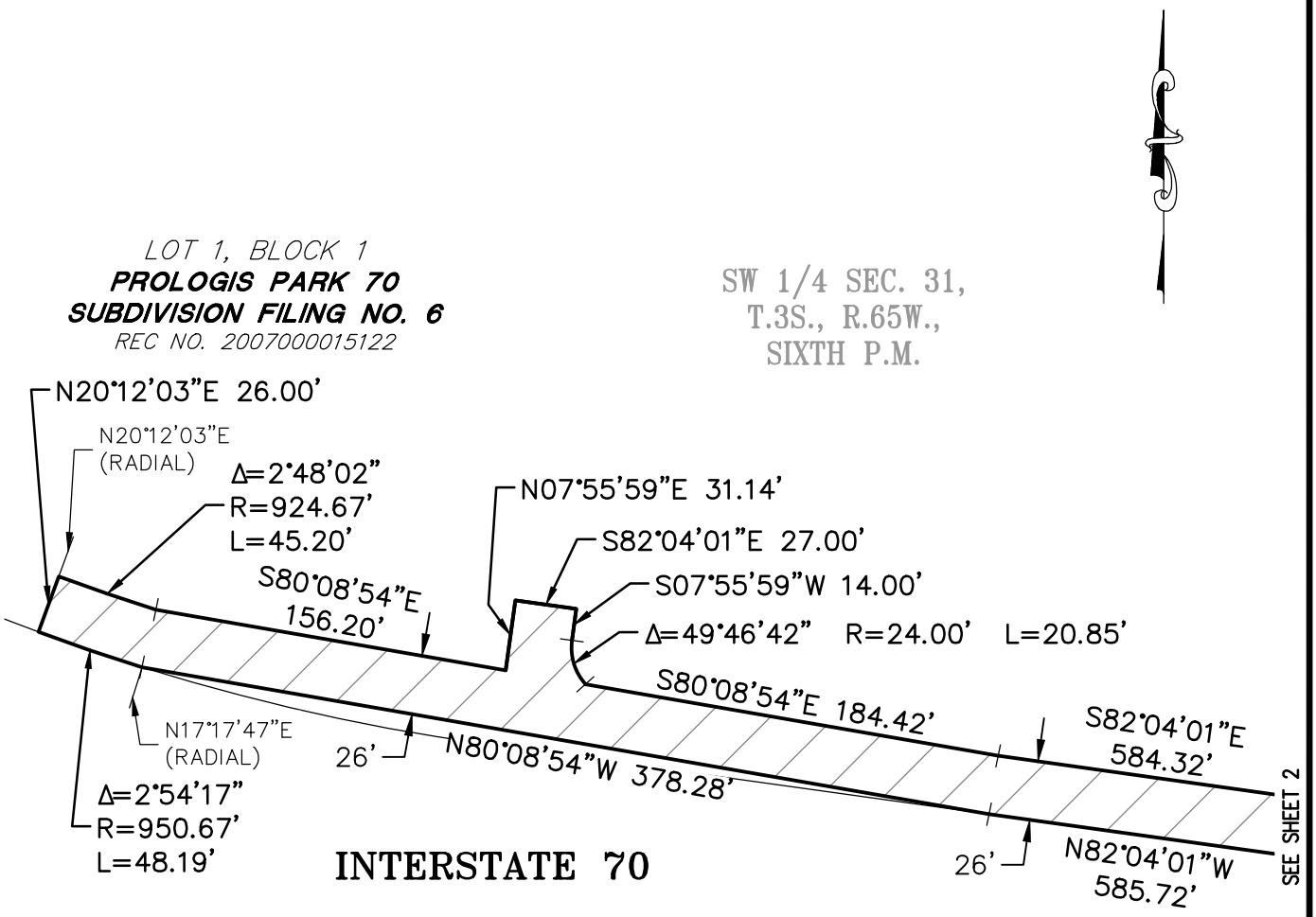
CITY OF AURORA, COLORADO

DRAWN BY: KJA	SCALE: 1"=80'	R-O-W FILE NO.
CHECKED BY: BJM	DATE: 2/5/2025	JOB NO. 54820-26

A VARIABLE WIDTH COMMON USE AGREEMENT
BEING A PART OF THE SW 1/4 OF SEC. 31
T.3S., R.65W., SIXTH P.M.
LOT 1 BLOCK 1 PROLOGIS PARK 70
SUBDIVISION FILING NO. 6
CITY OF AURORA, COUNTY OF ADAMS
STATE OF COLORADO

ILLUSTRATION FOR EXHIBIT A

SHEET 3 OF 3



0' 40' 80' 160'

SCALE: 1" = 80'

OWNER:
FURNITURE ROW COLO LLC,
5651 BROADWAY
DENVER CO 80216-1021

PARCEL CONTAINS 34,822 SQ. FT.
OR 0.799 ACRES, MORE OR LESS

NOTE:
This illustration does not represent a monumented survey. It is intended only to depict the attached description.

COLORADO LICENSED
BRADY J. MOORHEAD
38668
2/5/2025
PROFESSIONAL LAND SURVEYOR

CITY OF AURORA, COLORADO		
DRAWN BY: KJA	SCALE: 1"=80'	R-O-W FILE NO.
CHECKED BY: BJM	DATE: 2/5/2025	JOB NO. 54820-26

A VARIABLE WIDTH COMMON USE AGREEMENT
BEING A PART OF THE SW 1/4 OF SEC. 31
T.3S., R.65W., SIXTH P.M.
LOT 1 BLOCK 1 PROLOGIS PARK 70
SUBDIVISION FILING NO. 6
CITY OF AURORA, COUNTY OF ADAMS
STATE OF COLORADO

CITY OF AURORA
Council Agenda Commentary

Item Title: Determination of Final Candidates to be Interviewed for the Planning and Zoning Commission Vacancy
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: 5/5/2025

Regular Meeting: N/A

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 and Zoning Commission shall exercise the functions and powers and perform the duties assigned to it by this Charter and the ordinances of the City. It shall prepare and submit to Council for its approval a master plan for the physical development of the city; it shall hold hearings relative to zoning and changes in the zoning ordinance and shall make recommendations thereon to Council; and it shall assist Council in considering and recommending a plan for capital improvements. Where not otherwise provided by Charter or ordinance, the Planning and Zoning Commission shall have the power, perform the functions, and follow the procedures set forth in the statutes of the State of Colorado.

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. Council has sole discretion and final approval concerning appointments. Council may approve an interview and appointment schedule to initiate the interview process for additional applications or appoint a candidate from the applications received to date.

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 Commissioner Robert "Bob" Roth on April 7, 2025. During the April 21, 2025 study session, council initiated the interview and appointment process and approved the proposed schedule with amendments: the interviews will be conducted during the study session on June 9th and Council will vote to appoint the new commissioner on June 23rd.

The online application was opened on February 25, 2025 and five (5) applications have been received to date. Among the applicants are the following:

Matthew Gordon
Robin Becker
Nicholas Richardson
Michael Riley
Johnny Watson

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

Who does Council wish to select as final candidates to interview for the appointment to the Planning and Zoning Commission vacancy?

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 & Zoning Commission
Proposed Interview & Appointment Schedule

TO: Mayor and Council Members
FROM: Kadee Rodriguez, City Clerk
DATE: April 21, 2025

2/25/2025	Planning and Zoning Commission application opened online
4/21/2025	Proposed schedule presented to Council (Study Session)
4/25/2025	Deadline to submit application
5/1/2025	Deadline for council to submit rankings
5/5/2025	Council determines candidates to be interviewed (Council Meeting)
5/14/2025	Background checks are conducted
6/9/2025	Council interviews candidates (Study Session)
6/23/2025	Council appoints commissioner (Council Meeting)

Planning And Zoning Commission

Applicant Package - Ward III

Planning And Zoning Commission - Ward III

Term 01 Jan 2025 - 31 Dec 2027
Positions Available 3

Number of applicants in this package 1

- Becker, Robin

Received: 10/16/2024
Ward III Resident & Registered Voter
Arapahoe County
Vetted: 10/16/2024

Marcus Bond

Name: Becker, Robin

Address: [redacted]

Email: [redacted]

Board Name: Planning and Zoning Commission

How long have you lived in Aurora?:

1.5 years

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 :

18

Degree(s) Received:

Bachelor of Arts and Master of Arts

College(s) Attended:

Metro State University of Denver and University of Auckland

Employer Name:

AHEC-State of Colorado

Employer Address:

1201 5th Street Denver, CO 80217

Current Position:

Senior Campus Planner

Years with Current Employer:

2.5

1.Previous Employer Name:

City of Golden

Position:

City Planner

Years with Previous Employer:

3

Reason for Leaving:

Got a senior planning position

2.Previous Employer Name:

Town of Estes Park

Position:

Town Planner

Years with Previous Employer:

2

Reason for leaving:

Moved closer to family and desired a more city based planning job

3. Previous Employer Name:

Good Earth Matters Consulting

Position:

Associate Planner

Years with Previous Employer:

1 year

Reason for Leaving:

Moved back from overseas

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?:

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 want to become more involved and give back to my community. As a planner, I really enjoy planning outside my professional life and feel I could provide expertise and knowledge on the planning and zoning commission. I want to also learn more about what is happening in my community and city.

List your interests and activities.

:

Backpacking, hiking, embroidery, museum volunteering, gardening, RV/camping, yoga, and skiing

List licenses, special training and certificates related to this board or that you would like to share with us. :

Downtown Denver Partnership Leadership Class 2024 APA national and state member

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

No

If yes, please explain. :

N/A

Full Name:

Dr. Elizabeth McClellan Ribble

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Theresa Worsham

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Brittany Hathaway

Address:

[redacted]

Phone Number:

[redacted]

How did you hear about us? :

City Publication (i.e. News Aurora or This is Aurora);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:

Robin Becker

Date:

10/16/2024

Time of Submission: 10/16/24 12:44:08 PM

Robin Becker

Senior Campus Planner

[redacted]

CAREER HISTORY

Senior Campus Planner

AHEC, State of Colorado 04/2022 – Current

- Implement the newly adopted 2024 Auraria Campus Framework Plan, including providing updates and maintaining other supporting plans (infrastructure, maintenance and other strategic plans). Facilitate support with and among the campus institutional entities for the ongoing implementation of and adherence to the Campus Framework Plan, the Campus Strategic Plan, and other planning initiatives. Provide ongoing support to the institutions as they develop their planning models, offering expert guidance on the integration of their projects into the Campus design
- Supervise and provide direction to various planning committees, including Executive team leadership on any planning initiative associated with shared facilities on campus. Direct and lead the Design Review Teams/ Boards on review of all campus projects, as required, ensuring compliance with processes and development of final reports for the Auraria Board of Directors. Provide leadership to the tri-institutional Campus Planning Committee, ensuring continuity and communications on all initiatives
- Collaborate with City of Denver Community Planning and Development and DOTI departments on joint projects and other campus needs. Facilitate support for the implementation of campus initiatives and projects with surrounding neighborhood groups and local entities including DDP, CDOT, Office of State Architect, SHF, Xcel, Denver Water, FRPR, and RTD
- Administer State Historic Fund Competitive Grant awards on the Auraria Campus for current and future projects including 9th Street Historic Park and St. Cajetan's. Aid project management team on monitoring submittal deadlines and ensuring the development of associated materials and data collection
- Manage and coordinate consultants retained to provide planning support services such as traffic/parking studies, land/space utilization, program plan development, etc. Ensure compliance with scopes of work, deadlines, and state reporting
- Engineer databases utilized for planning, including infrastructure information, space inventories, general building information, etc., ensure the ongoing accuracy of the data. Maintain accurate records and files of all documents related to planning, including property files and easement filings.
- Principal Authority on campus-wide signage, planning issues and development opportunities, reviewing requests and other submittals, and rendering decisions on approvals

City Planner

City of Golden, Golden CO 04/2019 – 04/2022

- Lead for land use recommendations for zoning administration, Historic Preservation Board, Planning Commission, and City Council in accordance with the comprehensive plan and zoning ordinances
- Authored Zoning Code updates to implement new form based code
- Utilized public outreach software to interact, gather and analyze community data

Town Planner

Town of Estes Park, Estes Park CO 03/2017 – 04/2019

- Reviewed development proposals and residential/commercial building permits for conformance with codes, plans, and regulations
- Prepared and presented detailed reports on development proposals to governing bodies including Planning Commission, Town Board, and Board of County Commissioners
- Evaluated and processed applications for rezoning, development plan review, variances, temporary use permits, and code amendments

Associate Planner

Good Earth Matters Consulting, Palmerston North, New Zealand 08/2015 – 05/2016

- Guided private clients through local and regional planning legislation for development
- Prepared statutory documentation, resource consent applications, and environmental effects assessments
- Supervised ongoing analysis of statutory documents

Strategic Planning Intern

Asset Development Group Housing New Zealand Corporation, Auckland, New Zealand 11/2014 – 11/2015

- Developed a GIS-based map of social infrastructure covering all of New Zealand
- Contributed to cross-departmental asset development team that focused on the improvement of information utilized for federal investment funding

EDUCATION

Master of Urban Planning I Honors I The University of Auckland 2014 – 2016

BA Gender and Women's Studies I Honors I Metropolitan State University of Denver 2009 – 2013

MEMBERSHIP AND VOLUNTEER WORK

Graduate-Downtown Denver Leadership Program Class 2024

APA Colorado and APA National Member

Downtown Denver Partnership-Planning and Community Impact Committee

City of Golden Liaison Hunger Free Golden/Jefferson County Food Policy Council

APA Great Places in Colorado Inaugural Committee Chair

REFERENCES, SKILLS, INTERESTS

Theresa Worsham - Sustainability Manager[redacted]

Brittany Hathaway-Development Review & Civil Inspections Manager[redacted]

Dr. Elizabeth McClellan Ribble-Director of Strategy[redacted]

Microsoft Suite, Mentimeter, Adobe Suite, Accela, Bluebeam, AutoCAD, Archibus

Backpacking, hiking, embroidery, museum volunteering, gardening, RV/camping, yoga, and skiing

Planning And Zoning Commission

Applicant Package - Ward I

Planning And Zoning Commission - Ward I

Term 01 Jan 2025 - 31 Dec 2027
Positions Available 3

Number of applicants in this package 1

- Gordon, Matthew

Received: 10/29/2024
Ward I Resident & Registered Voter
Adams County
Vetted: 10/29/2024
Marcus Bond

Name: Gordon, Matthew

Address: [redacted]

Email: [redacted]

Board Name: Planning and Zoning Commission

How long have you lived in Aurora?:

A little over 1 year

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 :

6

Degree(s) Received:

BA, 32 credits in MA

College(s) Attended:

Metro State University, CU Denver

Employer Name:

City of Lone Tree

Employer Address:

9220 Kimmer Dr, Suite 100, Lone Tree, CO 80124

Current Position:

Management Analyst I: Economic Development and Housing Policy Specialist

Years with Current Employer:

1

1.Previous Employer Name:

Brush Area Chamber of Commerce, Main Street, and Foundation

Position:

Executive Director

Years with Previous Employer:

2

Reason for Leaving:

New opportunity in government

2.Previous Employer Name:

Town of Green Mountain Falls

Position:

Town Clerk/Treasurer

Years with Previous Employer:

1

Reason for leaving:

I was a terrible Town Clerk.

3. Previous Employer Name:

City of Brush

Position:

Best and Brightest Graduate Intern

Years with Previous Employer:

2

Reason for Leaving:

Internship ended

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?:

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 have served on a variety of boards and commissions in my time. After moving to Aurora, I wanted to continue that focus. I tried to work with the Aurora Human Relations Commission and was recommended for appointment but council never considered it. I just want to help make the world a bit better every single day.

List your interests and activities.

:

Making music with my rap group, Filthy Limericks, stargazing with my telescope, reading boring philosophy books, playing video games, listening to podcasts and books, spending time with my family and dear friends, writing, Carolina Panthers!!

List licenses, special training and certificates related to this board or that you would like to share with us. :

n/a

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

No

If yes, please explain. :

n/a

Full Name:

Derek Bos

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Rick Keuroglian

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Carrie Ankrom

Address:

[redacted]

Phone Number:

[redacted]

How did you hear about us? :

Word of Mouth

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:

Matthew gordon

Date:

10/29/2024

Time of Submission: 10/29/24 12:21:30 PM

Attachments

- mattgordon_resume.pdf

Contact



Top Skills

Administrative Functions
Project Management
Community Relations

Honors-Awards

2020 Spur of the Year
10 Under 40

Matt Gordon

Always happy to help.
Aurora, Colorado, United States

Summary

Learn, create, do.

Experience

City of Lone Tree, CO
Management Analyst I, Economic Development and Housing Policy Specialist
August 2023 - Present (1 year 3 months)
Lone Tree, Colorado, United States

Filthy Limericks
Member
2023 - Present (1 year)
Colorado, United States

Songwriter, producer, audio engineer, and member of the hip hop trio, Filthy Limericks

Brush Area Chamber Of Commerce/Foundation/Main Street
Executive Director/Main Street Manager
September 2021 - August 2023 (2 years)
Brush, Colorado, United States

Town of Green Mountain Falls, Colorado
Town Clerk/Treasurer
December 2020 - September 2021 (10 months)

City of Brush!
DOLA Best and Brightest Graduate Intern
January 2019 - December 2020 (2 years)
Brush, CO

Thoughtful Media Group, Inc.
Research Analyst
November 2016 - May 2018 (1 year 7 months)
Sherman Oaks, CA

USfluence
Researcher and Sales Support
March 2016 - November 2016 (9 months)
Sherman Oaks, CA

Colorado Department of Local Affairs
Graduate Intern
July 2013 - January 2014 (7 months)
Denver, CO

Education

University of Colorado Denver
Master's degree, Political Science and Government · (2019 - 2025)

Metropolitan State University of Denver
Bachelor's degree, Political Science and Government · (2008 - 2012)

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

- Richardson, Nicholas

Received: 04/17/2025
Ward II Resident & Registered Voter
Arapahoe County
Vetted: 04/17/2025
Marcus Bond

Name: Richardson, Nicholas

Address: [redacted]

Email: [redacted]

Board Name: Planning and Zoning Commission

How long have you lived in Aurora?:

4 years

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 :

16

Degree(s) Received:

Bachelor's Degree in Computer Science

College(s) Attended:

Winona State University

Employer Name:

RTX

Employer Address:

16510 Hughes Dr S79, Aurora, CO 80011

Current Position:

Senior Software Engineer

Years with Current Employer:

1.5

1.Previous Employer Name:

Lockheed Martin

Position:

Senior Software Engineer

Years with Previous Employer:

Less than a year

Reason for Leaving:

Got a much closer opportunity here in aurora.

2.Previous Employer Name:

ConMed

Position:

Software Engineer

Years with Previous Employer:

2

Reason for leaving:

Left for much higher paying job at Lockheed

3. Previous Employer Name:

Dematic

Position:

Software Applications Engineer

Years with Previous Employer:

2

Reason for Leaving:

Left to move to Colorado (this job was located in Michigan)

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?:

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 want to represent Aurora and help with zoning. I think zoning and planning is vital to a city's function.

List your interests and activities.

:

- Gaming - Dogs - Improv - Brewing

List licenses, special training and certificates related to this board or that you would like to share with us. :

I have no relevant experience outside of a passion. I enjoy public speaking and I am involved in acting/theatre/improv.

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

No

If yes, please explain. :

N/A

Full Name:

Alyssa Anderson

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Sami Al-Abed

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Grant Martin

Address:

[redacted]

Phone Number:

[redacted]

How did you hear about us? :

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:

Nicholas Eric Richardson

Date:

04/17/2025

Time of Submission: 04/17/25 11:37:27 AM

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:

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• 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.

Planning And Zoning Commission

Applicant Package - Ward VI

Planning And Zoning Commission - Ward VI

Term 01 Jan 2025 - 31 Dec 2027
Positions Available 1

Number of applicants in this package 1

- Watson, Johnny

Received: 03/11/2025
Ward VI Resident & Registered Voter
Arapahoe County
Vetted: 03/11/2025
Marcus Bond

Name: Watson, Johnny

Address: [redacted]

Email: johnnyw61@gmail.com

Board Name: Planning and Zoning Commission

How long have you lived in Aurora?:

15 Years

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 :

16 Years

Degree(s) Received:

Associates Degree

College(s) Attended:

Pierce College

Employer Name:

Self Employed

Employer Address:

P.O. Box461913

Current Position:

Consultant

Years with Current Employer:

5 Years

1.Previous Employer Name:

Iron Mountain

Position:

Account Manager

Years with Previous Employer:

5 Years

Reason for Leaving:

Relocation

2.Previous Employer Name:

Eastman Kodak

Position:

Account Executive

Years with Previous Employer:

19 years

Reason for leaving:

Relocation

3. Previous Employer Name:

N/A

Position:

N/A

Years with Previous Employer:

N/A

Reason for Leaving:

N/A

Do you presently serve in other appointed position(s) on any city of Aurora board, committee or commission?:

Yes

If yes, what board, committee or commission?:

Aurora Urban Renewal Authority AURA

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

No

Why do you desire this appointment? :

I have the experience in planning and zoning and I served on the Aurora Planning Commission. During my time on the Aurora planning commission we worked to produce the Aurora Places Comprehensive Plan.

List your interests and activities.

:

As a citizen of Aurora Colorado working to help Aurora to be the best city in Colorado if not the nation. I have continued to work in my community and other areas in the city to help improve relationship with the city and understand how cities work.

List licenses, special training and certificates related to this board or that you would like to share with us. :

Certified Scuba Diver

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

No

If yes, please explain. :

None

Full Name:

Francoise Bergan

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

Anna Muzaffar

Address:

[redacted]

Phone Number:

[redacted]

Full Name:

David Gruber

Address:

[redacted]

Phone Number:

[redacted]

How did you hear about us? :

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:

Johnny Watson

Date:

03/11/2025

Time of Submission: 03/11/25 1:36:44 PM

Attachments

- Johnny Bio New 1.pdf

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

CITY OF AURORA
Council Agenda Commentary

Item Title: Discussion and Possible Action Regarding Future In-Person or Virtual Council Meetings
Item Initiator: Peter Schulte, City Attorney
Staff Source/Legal Source: Peter Schulte, City Attorney / Jack Bajorek, Interim City Attorney
Outside Speaker: N/A
Council Goal: 2012: 2.1--Work with appointed and elected representatives to ensure Aurora's interests

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 10/14/2024

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.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Peter Schulte, City Attorney / Jack Bajorek, Interim City Attorney

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

☐ Approve Item and Move Forward to Study Session

☐ Approve Item as Proposed at Study Session

☐ Approve Item and Move Forward to Regular Meeting

☐ Approve Item as Proposed at Regular Meeting

☐ Information Only

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

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: 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.)*

If needed, this is notice on the Council Agenda for Council to discuss their rules and procedures moving forward with in-person/virtual council meetings and other matters involving their rules and procedures.

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

If needed, does Council wish to discuss their Rules and Procedures, including, but not limited to, addressing and/or making a decision on whether future council meetings will be in-person/virtual?

LEGAL COMMENTS

The corporate authority and all legislative authority of the City shall be vested in the council, as the governing body of the City. The council shall determine its own rules and procedures and order of business and shall keep a journal of its proceedings. City Code Section 2-32. (Schulte)