

Nine Mile Station Urban Renewal Plan

Aurora, Colorado

April 2014

(Amended November 9, 2015)

Prepared for:

Aurora Urban Renewal Authority
Aurora, Colorado City Council

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Exhibits

- Exhibit A: Urban Renewal Area Legal Description
- Exhibit B: Nine Mile Station Area Conditions Survey (Included by Reference)
- Exhibit C: Blight Confirmation Survey (August 2015)

Nine Mile Station Urban Renewal Plan

Section 1.0 Definitions

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

Area or Urban Renewal Area – means the Nine Mile Station Urban Renewal Area as depicted in Figure 1 and legally described in Exhibit A.

Authority – means the Aurora Urban Renewal Authority.

Authority Board – means the Board of Commissioners of the Aurora Urban Renewal Authority

Blight Confirmation Survey – means the *Blight Confirmation Survey*, dated August 2015, and included as Exhibit C.

Blight Study – means the *Nine Mile Station Conditions Survey*, prepared by the Ricker-Cunningham consulting firm, dated June 2013, referenced hereto as **Exhibit B** and incorporated herein by reference only.

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

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

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

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

Comprehensive Plan – means the *City of Aurora Comprehensive Plan* (2009), as may be amended from time to time.

Conditions Survey – see Blight Study.

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

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

Lodger's Tax – means the City lodger's tax authorized by Chapter 130, Article IV, Division I of the City Code and imposed at the rate of 8.0%, subject to any generally applicable decreases in rate that may occur during the term of the Urban Renewal Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the plan made by the City during the term of the plan. "City Lodger's Tax" shall not mean that portion of the lodger's tax dedicated to the Visitor's Promotion Account in the City's Gifts and Grants Fund pursuant to Section 130-369 of the City Code.

Nine Mile Station – refers to the Nine Mile Light Rail Station located at I-225 and Parker Road.

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

Plan or Urban Renewal Plan – means this Nine Mile Station Urban Renewal Plan.

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

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

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

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

Sales Tax – means the sales tax authorized by Chapter 130, Article II, Division IV of the City Code and currently imposed at the rate of 3.75%, subject to any generally applicable decreases in rate that may occur during the term of the Urban Renewal Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the Plan made by the City during the term of the Plan. “City sales tax” shall not mean the 0.25% sales tax dedicated to increased staffing of the City police department and operation and maintenance of the City detention facility and codified in the City Code at Section 130-2.

Station Area Plan – means the *Nine Mile Station Area Plan* which describes a long-term development vision for the area surrounding the Nine Mile light rail station. The *Nine Mile Station Area Plan* was approved by City Council as an amendment to the *City of Aurora Comprehensive Plan* in January, 2013. This boundary of the Station Area Plan encompasses a broader area than the Nine Mile Station Urban Renewal Plan.

Survey Area (or Study Areas) – the area of study included within the *Nine Mile Station Conditions Survey* (or Blight Study).

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

Tax Increment Area - means a portion of the Area within which the Authority receives the increase in revenue from taxes that are actually collected above a specified tax base, and as defined and pursuant to the procedures set forth in Section 6.7 of this Plan.

Tax Increment Financing (TIF) – means collectively, the City Tax Increment and Property Tax Increment.

Transit-Oriented Development (TOD) – refers to moderate to higher density development, located within an easy walk (approximately one-half mile) of a major transit stop, and containing a mix of residential, employment and shopping opportunities designed for pedestrians without excluding the automobile.

TOD Zoning District – refers to Division 6, Section 146-725 through 729 of the City Code and also a part of the *City of Aurora Comprehensive Plan*.

Urban Renewal Area – means the approximate 48-acre Nine Mile Station Urban Renewal Area depicted in **Figure 1** and legally described in **Exhibit A**.

Urban Renewal Plan – means this Nine Mile Station Urban Renewal Plan.

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

Section 2.0 Introduction

2.1 Preface

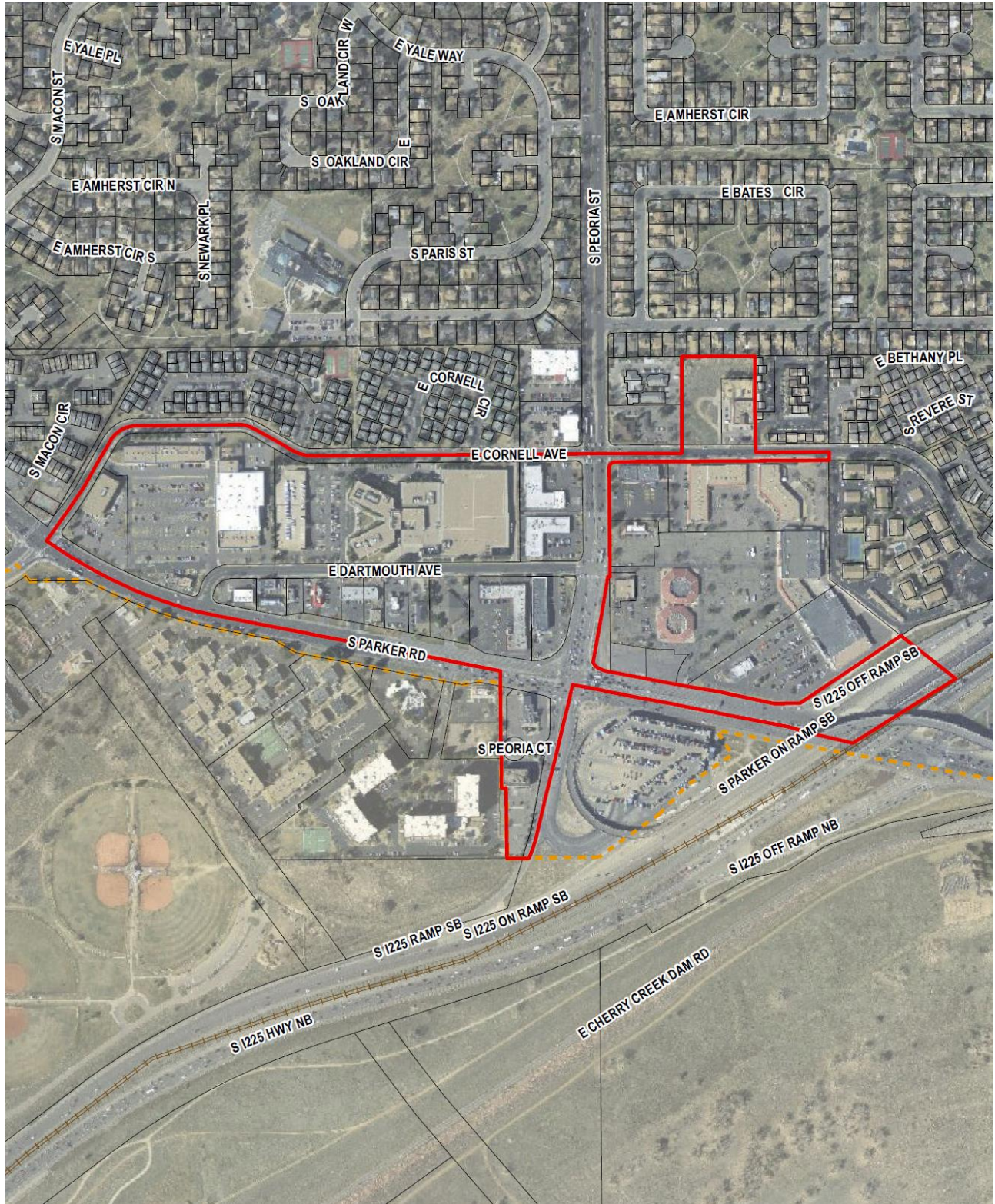
This *Nine Mile Station Urban Renewal Plan* (the “Plan” or the “Urban Renewal Plan”) has been prepared at the request of the Aurora Urban Renewal Authority (the “Authority”) for the City of Aurora, Colorado (“City”). It will be carried out by the Authority, pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “Act”). The administration and implementation of this Urban Renewal Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

It is the intent of the City Council in adopting this Plan that the Authority lead and support efforts to eliminate blight and prevent its reoccurrence. To this end, the Authority may exercise all powers authorized in the Act, which may be necessary, convenient or appropriate to accomplish the objectives of this Urban Renewal Plan, including, but not limited to, acquiring, rehabilitating, administering and selling or leasing property; dedicating property it owns for public purposes; issuing obligations or incurring other debt for the purpose of financing the cost of its redevelopment activities and operations; establishing tax increment financing mechanisms; and facilitating the provision of public improvements.

2.2 Urban Renewal Area Boundaries

The Nine Mile Station Urban Renewal Area (the “Urban Renewal Area”) consists of 24 parcels within approximately 48 acres and is bounded roughly by E. Cornell Avenue to the north and west, S. Parker Road to the south, I-225 to the east, and includes several parcels north of Cornell Avenue and south of Parker Road. The Urban Renewal Area, however, does not include the light rail station and several other parcels which are part of the larger Nine Mile Station Area Plan. See Figure 1, below. The legal description, described in **Exhibit A**, is the controlling boundary description.

Figure 1. Nine Mile Station Urban Renewal Area Boundary



2.3 I-225 Light Rail Corridor Light Rail Station

The Aurora Light Rail Line (the “Aurora Line”) expansion is currently under construction and expected to open in 2016. The 10.5-mile line, connecting the existing Nine Mile Station on the Southeast Light Rail Line with the future Peoria Station on the East Rail Line (with service to Downtown Denver and Denver International Airport), will traverse the city and provide connectivity to major activity centers like the Aurora City Center and Anschutz Medical Campus. The Nine Mile Station is one of the station areas along the corridor targeted for development and investment.

Figure 2. Aurora (I-225) Light Rail Corridor Map



Source: Regional Transportation District (Denver)

Section 3.0 Purpose of the Plan

The principal public purpose of this Urban Renewal Plan is to facilitate redevelopment in order to reduce, eliminate, and prevent the spread of blight within the Urban Renewal Area. A secondary public purpose of this Plan is to stimulate economic growth and investment within the Area consistent with goals, concepts and guidelines of both the Nine Mile Station Area Plan and the 2009 Aurora Comprehensive Plan. The Nine Mile Station Urban Renewal Plan sets parameters for the future development and redevelopment of the area. Future redevelopment must fit within the parameters set forth within the Plan in order to be considered eligible for creating a TIF area to finance specific activities or undertakings and receiving incentives through tax increment financing.

The 2009 Aurora Comprehensive Plan identified the Nine Mile Station area as an “urban center” and a focal point for residential, commercial and employment development built around the light rail station. In January 2013, City Council adopted the Nine Mile Station Area Plan which established a long-term vision for the station area and identified opportunities for redevelopment. Key concepts of the Station Area Plan include creating a more walkable, higher density, cohesive “district” with a mix of uses and safe pedestrian connections to surrounding neighborhoods. The Station Area Plan identifies the creation of the Nine Mile Urban Renewal Area as a specific step towards implementing the Station Area Plan. The Station Area Plan was developed in consultation with the property owners, residents in the adjacent neighborhoods, the Regional Transportation District (RTD), and the Colorado Department of Transportation (CDOT).

The redevelopment of property within the Urban Renewal Area will be accomplished through the construction of new infrastructure and development, the attraction of new investment and reinvestment, and the elimination of slum and blight in the area. The effort will involve the Authority and City Council with participation and cooperation by the private sector. To further the goals and objectives of the Urban Renewal Plan, the Authority could use Tax Increment Financing to facilitate redevelopment and eliminate blight.

Section 4.0 Blight Conditions

4.1 Blight Findings (June 2013)

Under section 31-25-103(2) C.R.S. (the “Act”), an Urban Renewal Plan can be adopted only after the City declares an area blighted after a public hearing. The Act requires at least four specific blight factors, of 11 possible qualifying conditions (listed below), must be present to make an area appropriate and eligible for urban renewal, and must substantially impair or arrest the sound growth of the municipality, retard the provision of housing accommodations, or constitute an economic or social liability, and be a menace to the public health, safety, morals, or welfare.

The *Nine Mile Station Conditions Survey* (or “Blight Study”), dated June 2013 and prepared by Ricker-Cunningham, demonstrates that the Survey Area is a blighted area under the Act. The Blight Study is available for review as separate document. While blighting factors exist at varying levels of severity among the majority of the properties within the Survey Area (see Figure 3), it is not necessary for every property to have blighting conditions in order to declare an area blighted.

In the Survey Area, the Blight Study found that all eleven (11) possible blight factors are present. Conditions of blight identified within the Nine Mile Station Blight Study Area are:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;

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

Figure 3. Blight Factor Findings



On September 30, 2013, the Aurora City Council accepted the findings of the Nine Mile Station Conditions Survey. This Plan will remedy the blight conditions identified in the Blight Study and public investment will be prioritized over time by the city and the Authority.

4.2 Blight Confirmation (August 2015)

In August 2015, City of Aurora staff completed a Blight Confirmation Survey for all the properties within the entire Nine Mile Urban Renewal Area (see Exhibit C). The survey included a parcel by parcel evaluation of blight conditions as originally evaluated in the original Blight Study. The Blight Confirmation Survey confirmed the continuing presence of all of the original findings of blight within the Urban Renewal Area.

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

The implementation of this Urban Renewal Plan supports the objectives and requirements of the Comprehensive Plan, as well as the Station Area Plan, with respect to the redevelopment of the Urban Renewal Area. As development occurs in the Urban Renewal Area, it shall conform to all applicable City plans, ordinances, regulations, and policies.

5.1.1 Relationship to Aurora Comprehensive Plan

The Comprehensive Plan anticipates the use of urban renewal as a means of financing infrastructure and other public improvements for elimination of blight. The purposes of this Urban Renewal Plan will be achieved more successfully if, as a part of the redevelopment, the goals of the Comprehensive Plan are met. The Authority, with the cooperation of the City, private enterprise and/or other public entities, will therefore undertake activities described in this Urban Renewal Plan to eliminate the conditions of blight while implementing the goals and objectives of the Comprehensive Plan.

Redevelopment within the Urban Renewal Area will support the following themes and strategic areas articulated in the Comprehensive Plan:

- **Managing the Geography of Growth.** Chapter IV, Section A of the Comprehensive Plan envisions that the city's future growth will: create distinct parts of the city that are composed of neighborhoods, places of employment, activity centers, parks, and natural spaces; have infill and redevelopment projects that contribute to neighborhood livability; include intensely developed and walkable activity centers of differing sizes scattered throughout the city and its neighborhoods; and provide

residents with opportunities for a wider range of housing choices at locations remote or proximate to places of employment.

This Urban Renewal Plan supports the City's growth goals by channeling increased population and employment densities into the station area and placing more potential riders within walking distance of transit. Integrated retail, office, residential, and public spaces in the Urban Renewal Area promote concentrations of public activity around the transit station, increasing the physical and cultural prominence of transit in the community and aiding in the long-term success and viability of the TOD.

- **Promoting the Quality of Life in the City:** Chapter IV, Section B of the Comprehensive Plan focuses on ensuring that the City of Aurora is: known for its high quality of life; is "a magnet both for residents and visitors because of its shopping, restaurants . . . open spaces . . . and other cultural amenities"; is a leader in smart growth and urban renewal; and that the city "has attractive visual corridors, streetscapes . . . [and] neighborhoods."

This Urban Renewal Plan reinforces the adopted Station Area Plan which calls for a mix of office, residential and retail development near the light rail station. A new pedestrian bridge across Parker Road to enhance pedestrian safety and connectivity between the Urban Renewal Area and light rail station will contribute to the quality of development in the area. Retail within the area will be supported by new residential development, the surrounding neighborhoods, and street and rail commuters.

- **Carrying Out an Enhanced Retail Strategy.** Chapter IV, Section F of the Comprehensive Plan identifies a vision of "older commercial corridors . . . [which] will have diversified and matured into mixed-use corridors with key commercial nodes acting as magnets for people". This theme also recognizes that "the elimination of some retail locations and their replacement with office uses, high-quality multi-family residential units or mixed-use may be desirable" and that "under-utilized retail buildings and sites . . . will require zoning that allows mixed-

use development with residential components and with higher densities, or other actions that encourage redevelopment.”

This Urban Renewal Plan will support existing retailers and improve the retail mix by helping to increase the customer base and improve the connectivity between the existing retail properties.

- **Creating Aurora’s Future Transportation System.** Chapter IV, Section H of the Comprehensive Plan envisions an “integrated and efficient transportation system that includes multiple travel options... [that] will link Aurora to the region, nation, and world.” In support of this vision, the plan calls for jobs and housing to be located in close proximity to each other and for “vibrant and mixed-use areas, attractive to residents, employees, and visitors ”to be developed around transit stations.” Additionally, the plan states that infrastructure improvements will facilitate and enhance mobility and accessibility for pedestrians and bicyclists.

This Urban Renewal Plan recognizes the strategic importance of the I-225 Light Rail Corridor and the connections it provides to the Denver Tech Center/south metro employment cluster, the medical and science uses on the Anschutz Medical Campus, and the East Line transit service to Denver International Airport and Downtown Denver. Easy transit access to these important destinations makes the Urban Renewal Area an attractive location for housing, employment, service, and retail uses. Design standards and development requirements provide for multimodal access to the station and for pedestrian and bicycle amenities.

- **Living in Neighborhoods.** Chapter IV, Section I of the Comprehensive Plan describes Types of Neighborhoods that include “new, mixed-use neighborhoods in the redeveloped portions of the inner city in proximity to defined urban centers and rail transit stations.” In addition, this theme calls for high-quality housing in urban, mixed-use redevelopments with walkable, pedestrian-oriented streets including a mix of uses and the creation of community places and easily accessible amenities.

This Urban Renewal Plan supports redevelopment of properties within the Area to transit supporting residential, commercial and mixed-use development with strong

pedestrian and bike connections to the adjacent light rail station, Cherry Creek State Park and trails. This Plan also aims to support the incremental reorientation and improvement of businesses and properties along Dartmouth Avenue to serve more as a pedestrian-oriented main street and strengthen its connection to the light rail station, park and trails. This Plan requires quality design and integrated retail to serve both commuters and residents and which will strengthen the neighborhood.

- **Building Urban Activity Centers.** Chapter IV, Section K of the Comprehensive Plan describes centers and corridors that are increasingly linked by mass transit providing bus and rail options and stations which are accessible, as well as centers featuring key public spaces, such as parks and plazas, within an overall setting of densities higher than surrounding areas. In addition, Section K of the Comprehensive Plan addresses the significance of the city's centers and corridors being integrated into the regional transportation and roadway system.
- **Redevelopment for Renewal.** Chapter IV, Section L of the Comprehensive Plan speaks of attracting private investment for high-quality, mixed-use, pedestrian-friendly projects in aging and blighted sections of the city.

This Urban Renewal Plan seeks to address blight factors present within the Urban Renewal Area and provide opportunities for new infrastructure, commercial and residential development through incremental revenues generated by redevelopment (see Section 6.0).

- **I-225 Strategic Area.** Chapter V, Section E of the Comprehensive Plan identifies the I-225 Corridor as one of the "strategic areas" critical to the City's economy and identity. The vision for the I-225 Corridor states that when the City's goals are achieved: "Aurora's main artery [will] pulse with activity. The corridor's attractive appearance, distinctive gateways and dynamic activity centers around TOD passenger rail stations [will] invite users and visitors to access world-class facilities" along the route; "A variety of housing products and prices [will be] available in the corridor, with high densities near light rail transit stops."

This Urban Renewal Plan will help reinforce the I-225 strategic area vision by supporting new investment in higher density housing and complementary commercial and retail uses at this southern transit gateway to the community.

- **Parker Road Corridor.** Chapter V, Section G of the Comprehensive Plan identifies the Parker Road Corridor as one of the “strategic areas” with the city. At its heart is the confluence of Parker Road, I-225, the light rail station and Peoria Street.

The vision for this corridor includes a variety of higher-density commercial and residential uses, improved and safer pedestrian and bicycle connections to Cherry Creek State Park and the Nine Mile light rail station, and a safer pedestrian crossing over Parker Road which incorporates a pedestrian bridge from the Nine Mile rail station to the north side of Parker Road.

5.1.2 Relationship to Nine Mile Station Area Plan

This Urban Renewal Plan incorporates the principles and standards of the Nine Mile Station Area Plan in its entirety as it relates to the Urban Renewal Area. The Station Area Plan establishes a long-term vision for the station area and provides a framework for Transit-Oriented Development specific to the Nine Mile Station area. The Nine Mile Station Area Plan’s Fundamental Concept Diagram (Figure 4), by its incorporation here, represents the mixed use, commercial/retail, office, housing and transit related land use elements of the Urban Renewal Plan. Unless otherwise specified in this Urban Renewal Plan, the Station Area Plan defines the land use plan and the minimum design standards and development requirements for development within the Urban Renewal Area.

5.2 Land Use: Fundamental Concept Diagram and Principles

5.2.1 Land Use Concept

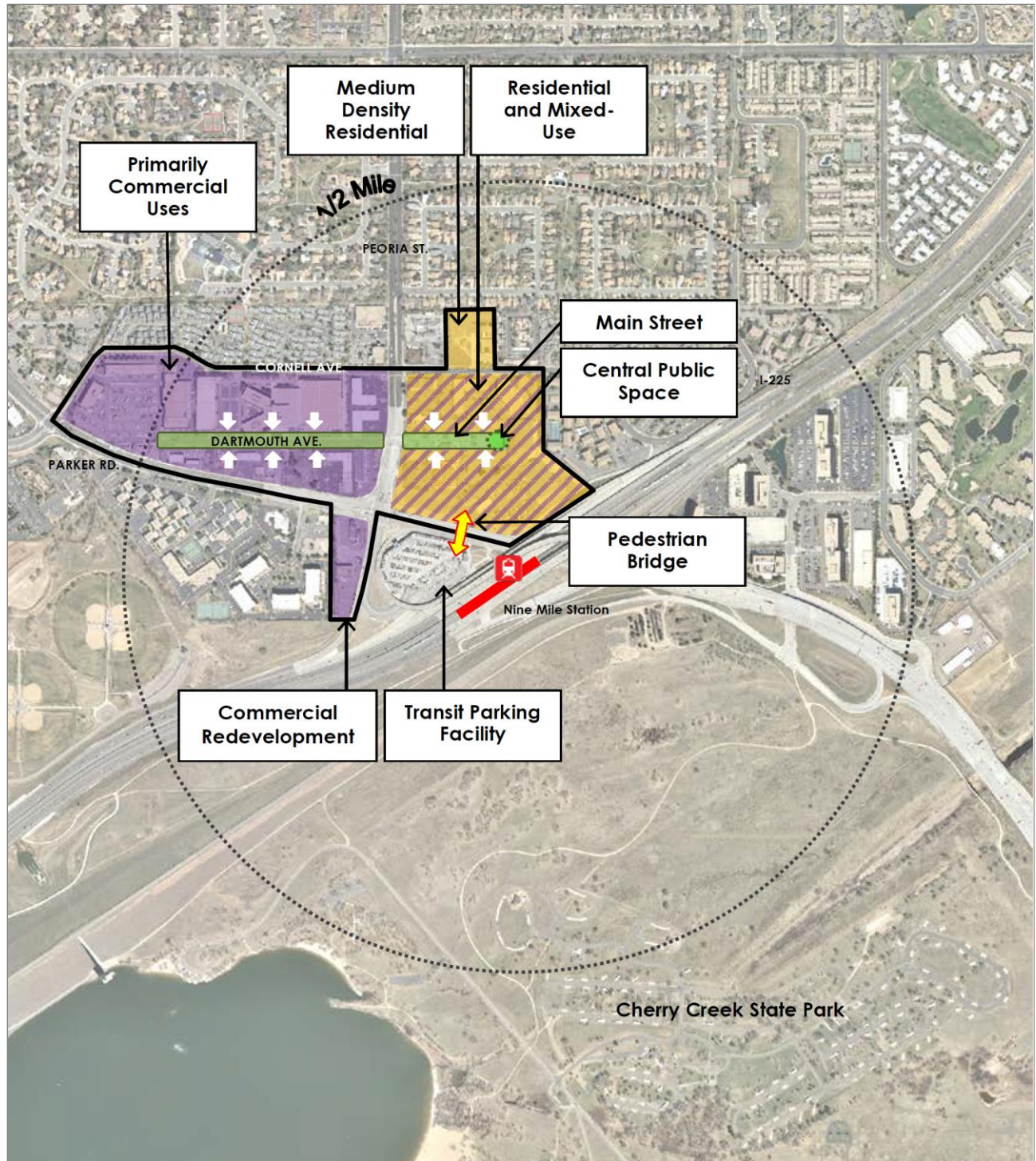
Given the significant public infrastructure investments in highway widening and the I-225 Light Rail Corridor, there is a unique opportunity to create a precedent-setting TOD program for Aurora. To this end, the Authority is interested in fostering the development of a great district or “urban village” characterized by compact residential development and

a mix of retail and office uses in a pedestrian friendly environment, concentrated around the transit station, increasing the physical and cultural prominence of transit in the community and aiding in the long-term success and viability of the TOD. In contrast to conventional, suburban-style development which may include commercial strips, piecemeal development of retail pad sites, and low density multi-family complexes, the City is seeking to foster the growth of a high-density residential and employment district that will enable more people to live and work within an easy walking distance of the transit station. Recognizing the real challenges and complexities of undertaking dense, mixed use development, the Authority is prepared to provide financing assistance for public improvements.

Over time, commercial areas are envisioned to redevelop based on the following TOD principles, described more fully in the Station Area Plan and which guided the development of the Fundamental Concept Diagram, development requirements and design guidelines:

1. TOD works as a coherent district.
2. TODs must be walkable.
3. TODs connect to the surrounding neighborhoods and make for an attractive and convenient pedestrian experience.
4. TODs are dense and provide a diversity of land uses.
5. TODs require quality design and central spaces, such as plazas and main streets, to create strong station area identity.
6. TODs promote sustainability and efficiency in infrastructure.

Figure 4. Fundamental Concept Diagram



5.2.2 Land Use Principles

The Fundamental Concept Diagram provides a visual summary of the following development concepts and elements:

- **Mixed-Use Buildings with Active Edges.** Mixed-use is appropriate and desirable for all the areas indicated in the diagram; however frontages on Parker Road and Peoria Street generally are more suitable for commercial uses. The desired building form has active ground floor uses, particularly on the Dartmouth Avenue main street, along with concealed on-site parking. The high visibility corners at Parker Road and I-225, and Parker Road and Peoria Street, can have taller buildings to capitalize on their prominent locations.
- **Transit-Supportive Housing.** Residential uses are desirable within all the mixed-use areas. Buildings should have elevators and be a minimum of three stories with at least forty percent four stories or higher. Buildings should have active first floor uses in appropriate locations. Having residential uses within an easy walk of the station is a paramount goal for this Plan.
- **Main Street.** The extension of Dartmouth Avenue west of Peoria Street is seen as the major pedestrian spine and amenity in the area, and should be designed with wide and well landscaped sidewalks.
- **Effective, Pedestrian-Oriented Street Patterns.** Dartmouth Avenue is envisioned as the connecting street which could be converted into a pedestrian-oriented retail street on both sides of Peoria. Its existing width and its views to the mountains make it potentially a very attractive street. It can become a signature street for the area, with redevelopment focused on a pedestrian-oriented streetscape and ground floor uses such as restaurants and cafes extending onto the sidewalks.

Walkability is a key design consideration for the Nine Mile station area with wider sidewalks and street trees on the internal streets as well as on the major arterial streets. For a pedestrian-oriented environment, roadways should be as narrow as

possible and rights-of-way designed with pedestrian and cyclists needs having priority along with automobile traffic.

Bicycle use is also a necessary and visible component, with bike usage incorporated either through shared vehicular-bicycle lanes (i.e., sharrows) or bike lanes. A system of bike connections will extend from the Nine Mile station into the surrounding neighborhoods and Cherry Creek State Park. The Cherry Creek trail and other nearby trail connections south of Parker Road will be more accessible once a bridge to the light rail station is constructed.

The internal street grid and the pedestrian character created by the ground floor retail fronting Dartmouth Street will contribute to creating a “main street” and a sense of identity for the area. The commercial hub focused on Dartmouth west of Peoria will: activate the area with ground floor retail; provide for a transition to higher density development that can happen incrementally; and be supported by the drive-by visibility from Peoria and Parker Road due to the through-block, or double-frontage lots that front these two streets.

- **Pedestrian Circulation and Bridge.** The pedestrian environment surrounding the Nine Mile station is currently dominated by high volume, high speed roadways and highways. While these facilities serve an important mobility function for motorists traveling on I-225 and on Parker Road, they create barriers that are difficult and very dangerous for pedestrians to overcome. With new development to higher density residential and commercial uses, the potential for walking trips, particularly to and from the light rail platform, will be increased.

In addition to signal timing adjustments to increase pedestrian safety, the primary pedestrian improvement in the station area will be a pedestrian and bicycle bridge across Parker Road. The preferred location for the bridge is aligned perpendicular to Parker Road and connects the second level of the RTD parking facility with an elevator and stair tower on the north side of Parker Road. Alternative options include integrating the bridge into new development within Regatta Plaza and/or

aligning the bridge at an angle across Parker Road. In order to facilitate bicycle use of the bridge, the use of ramps or elevators in addition to or in lieu of stairs should be considered in the design of the bridge.

The bridge should be enclosed, of sufficient width for pedestrians and cyclists, and be designed as a “signature structure” enhancing neighborhood identification and character. As part of the implementation of this Plan, the city and the Authority will work with the property owners and developers in the area to determine the best bridge funding strategy.

This Plan also supports further evaluation of options to improve the pedestrian connection from the office developments east of I-225 to the Urban Renewal Area and light rail station. Although not part of the Urban Renewal Area, this office area is part of the Station Area Plan and is recognized as an important element of the overall station area. Improved connectivity with the office area will strengthen the attractiveness of the commercial and residential developments within the Plan area.

5.3 Catalytic Property and Other Areas

A key concept associated with implementation of the Plan is targeted investment that will serve to stimulate investment throughout the Area and fund future public improvements. Certain “catalytic” properties have the potential to define the TOD character of the entire Plan area and will have the greatest impact on surrounding developments.

The Parker Landing shopping area is seen as a potential catalytic area. It can become a new anchor for the west end of Dartmouth Avenue, similar to the Regatta Plaza redevelopment which would form the anchor on the east. This Plan assumes the redevelopment of Regatta Plaza under separate urban renewal plans.

Connecting these two anchor areas is Dartmouth Avenue, which is envisioned to be improved as a major pedestrian spine and amenity in the area. With redevelopment of properties that front the street, there is the opportunity to create a very attractive retail street with wide and attractive landscaped sidewalks. Given its existing roadway width and the views to the mountains, there is the potential for Dartmouth Avenue to become a

signature street for the area with new development incorporating ground floor uses such as restaurants and cafes fronting the sidewalks.

Main Street: Dartmouth Avenue shall be developed as an active “main street” and include the following considerations:

- Ground floor retail uses will be oriented towards the main street frontage.
- Both pedestrian and vehicular traffic should be accommodated to provide access and visibility to retail store fronts.
- Streetscaping should be attractive and with sidewalks of appropriate width and scale to encourage pedestrian activity and open air patios for restaurants and cafes.

5.3.1 Area West of Peoria Street

Development concepts for other properties within the Plan area are:

- The smaller parcels west of Peoria Street along Dartmouth and Parker Road will transition slowly from the existing one story buildings to two stories or taller. Modified setback requirements would assist to reorient new development frontage onto Dartmouth while still maintaining excellent visibility on Parker Road.
- The Parker Landing shopping area could redevelop with higher density buildings that front onto Dartmouth Avenue.
- The existing office building along Cornell Avenue could continue the existing office uses, or redevelop to residential at a height of no more than four stories so as not to be out of scale with the existing residential area north of Cornell.

The Parker Landing shopping area could redevelop with higher density buildings that build on existing on-site uses, such as the office building. Potential new uses could include residential, which would be complementary to the existing residential uses north of Cornell Avenue, a ‘main street’ with retail and office uses, and new retail uses fronting onto Parker Road. A new development project at this location could create a new ‘urban village’ and would form a strong functional and visual terminus to Dartmouth Avenue on the west.

With the Parker Landing redevelopment as an anchor project at the west end of Dartmouth Avenue and the redevelopment of Regatta Plaza at east end of the street, the result would be a unified district with pedestrian activity, attractive streetscapes, and a distinct district identity. Due to this area's proximity to the light rail line and I-225 as well as the Denver Tech Center and Cherry Creek State Park, it is expected that this area will redevelop over time with a variety of office, residential and retail uses as market opportunities emerge.

5.4 Rezoning

The land within the Nine Mile Station Area is currently zoned with a variety of conventional zoning districts which do not permit the range, intensity and height of uses envisioned by this Plan and the Station Area Plan. The development potential of the area and Plan implementation will benefit most from TOD zoning. The city anticipates that TOD zoning will be applied at the request of property owners, however, the city will work proactively to rezone catalytic properties to protect and implement the Plan.

5.5 Design Standards

All development in the Area shall conform to the laws, rules, regulations, policies and other requirements and standards of the City and any other governmental entity which has jurisdiction over all or any portion of the Area. Furthermore, this Plan reinforces the design standards and development requirements presented within the Station Area Plan. In conformance with the Act and the Plan, the Authority may also adopt additional design standards and other requirements applicable to activities undertaken by the Authority. Unless otherwise approved by the City Council, any such standards and requirements adopted by the Authority shall be consistent with all other City zoning and development policies and regulations.

The following design standards are for all developments within the Urban Renewal Area. Future developments are required to meet the intent of the high quality district described in the Station Area Plan, including the use of urban methodologies for building form, density and context.

- **Block Size and Street Grid.** Blocks shall typically be no longer than 500 feet in length and no more than 1600 feet around the perimeter.
- **Residential Density.** The residential density may vary across the Urban Renewal Area depending on the zoning sub-district identified in the Station Area Plan. Overall, the Plan envisions a denser urban neighborhood throughout the area.
- **Building Heights.** Building heights are to be maximized (no height limit) where possible in the area, except for the maximum heights identified in the Station Area Plan. For the areas that are adjacent to or across from existing single family and townhouse residential neighborhoods, the building heights that front or back directly on these areas should transition in height. Upper story setbacks in specific locations are identified in the Station Area Plan.
- **Building Setbacks.** A continuous and consistent streetscape is desired and buildings shall generally be developed to the property line, forming a consistent and uniform street frontage. Setbacks of not more than twenty (20) feet are permitted for developments in the core and general sub-districts of the Station Area Plan to allow for provision of outdoor cafes, overhanging balconies and front yards for residential buildings.
- **Urban Form.** Building forms should be related to the width and activity on the street that they front, so that a sense of enclosure is created. A continuous building façade along all streets shall provide a defined urban edge to the street.
 - Continuous building frontage is required on Dartmouth Avenue and Cornell Avenue with building façades occupying a minimum of eighty (80) percent of the property's street-facing frontage.
 - Clear windows at grade are required for a minimum of sixty (60) percent of the façade length except for residential uses and grocery stores.
 - Entries shall front on the major streets and shall be generously proportioned and defined with architectural features. Awnings and structural canopies for weather protection at building entrances are desirable.
 - Feature buildings shall be located at prominent locations in the area as a terminus to views, particularly on Dartmouth Avenue, the intersection of

Dartmouth Avenue and Peoria Street, and at the intersection of Peoria Street and Parker Road.

- Storefront entry thresholds shall be at the adjacent sidewalk level and storefronts shall be scaled and detailed to break down large façades of buildings into small units. A variety of small scale storefront designs shall predominate over a uniform series of longer storefronts.
 - Drive-through windows of any kind shall not be permitted except where permitted in the City's Transit-Oriented Development (TOD) District zoning code and the Station Area Plan.
- **Pedestrian Realm.** Walkways, bridges and pedestrian crossings shall constitute a network that interconnects all transit, commercial and residential buildings. Open, visible gathering places and unobstructed paths with clear visual connection to destinations are favored. In areas that will be frequented by pedestrians, ground floor uses shall consist of active commercial uses, restaurants, and entertainment venues. The active spaces shall be organized in relation to a logical pedestrian flow, without isolating retail activities from public spaces and streets. Loading docks and entrances shall not be located on major pedestrian streets.
- **Landscape and Streetscape.** Landscape and streetscape shall be urban in character, allowing for pedestrian traffic and seating, and for visual relief from the urban environment. Streetscape and open space areas should add a distinctive identity to the Urban Renewal Area, using planting, paving, lighting, signage and street furnishings as cohesive elements that reflect the building design and architectural style. The landscaped treatment on each development parcel shall be coordinated with the public space streetscape design.
- **Landscape Materials.** Materials should be provided based on the following considerations:
 - Safety – avoid visual obstructions, especially at circulation intersections;
 - Local microclimate – provide summer shade and open canopies for warmth in winter;
 - Low watering requirements – for the majority of plant materials and trees;

- Attractiveness – intensity in key locations with seasonal color, texture, scale; and
 - Screening – screen service areas, parking lots, meters and garbage dumpsters.
- **Roof Landscaping.** Alternative uses for building roofs such as terraces, roof gardens, amenity decks, patios, or green roofs, should be implemented where possible.
- **Sustainability.** Sustainability should be encouraged by promoting the use of the well-established Leadership in Energy and Environmental Design (LEED) rating system.
- **Solar Orientation, Shading and Solar Access.** Building façades shall be environmentally responsible by adapting fenestration, shading and materials individually to respond to the environmental conditions of each façade's orientation.
- **Parking:** Parking within the Urban Renewal Area will be subject to the detailed requirements of the City's Transit-Oriented Development (TOD) District zoning code and its provisions for shared parking, on-street parking, bicycle parking, and parking structure design.
- **Architecture:** Architectural design should distinguish the Nine Mile Station area from other development areas in Aurora by providing distinctive detail, particularly with respect to building size and relationship to public spaces. Long building profiles shall be broken up with relief in the façades and rooflines to minimize apparent bulk and mass. In addition, 360 degree architecture will be required, with no unimproved building faces being visible from public rights-of-way.
- **Materials and Finishes.** Materials, finishes and detailing shall enrich the station area's visual and tactile qualities. Regionally-appropriate and compatible materials shall be used, carefully detailed, and combined. The building materials shall establish a consistent and high level of quality that is durable and appropriate to pedestrian contact at the street level. Materials used shall convey a high level of visual amenity that is commensurate with the urban character of the station area. Quality materials on the ground floor façade are required on all buildings on major streets. Except for grocery stores, eighty-five (85) percent of a building façade, excluding doors and windows, facing a public park or plaza must be brick, stone or cultured stone.

Section 6.0 Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. In the case of this Plan, it is the Authority's intent to undertake urban renewal activities to stimulate private investment in cooperation with property owners, developers, stakeholders and other affected parties in order to accomplish its objectives. Public-private partnerships and other forms of cooperative development will be key to the Authority's strategy for eliminating existing blight conditions and preventing the spread and reoccurrence of blight within the Urban Renewal Area. Through urban renewal activities, this Plan can potentially address all eleven (11) qualifying conditions of blight under the Act within the Area as described in Section 4.1 and in the Blight Study.

6.1 Public Improvements and Facilities

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

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

6.1.1 Pedestrian Bridge

The Authority, in conjunction with the City, RTD, and any appropriate property owners, will work to fund the design and construction of a pedestrian bridge as conceived within the Station Area Plan. The City and Authority will also seek to partially fund the bridge

through grants. The Authority may exercise its powers under the Act as reference in Section 6.6 of this Plan, to acquire property to accommodate the bridge and its ancillary structures.

6.2 Other Improvements and Facilities

Other non-public improvements or facilities in the Area may be required in connection with urban renewal activities and undertakings to accommodate development of the Area. These may include items such as enhanced building façades and upgraded lighting, landscaping, benches and other amenities. The Authority may assist in the financing or construction of these improvements insofar as such improvements and activities serve a public purpose and further the goals and objectives of this Plan.

6.3 Brownfields

The Authority may also nominate sites for assessment under the United States Environmental Protection Agency's Targeted Brownfields Assessment Program. The Authority, in conjunction with the City, can direct Revolving Loan Funds to help fund remediation and use Tax Increment Financing to offset redevelopment costs. Other loan and grant program funds may be directed to the Area as appropriate.

6.4 Development Opportunities – Catalyst Activities

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze development throughout the Area and fund needed public improvements.

6.5 Development Standards

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

6.6 Variations in Plan

Over time, the Authority may propose and the City Council may make such modifications to this Urban Renewal Plan as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates, as well as the Act. The Authority may in specific cases allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provisions of this Plan would constitute an unreasonable limitation beyond the intent and purpose of this Plan. If any portion of this Urban Renewal Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

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

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

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

In addition to the above referenced financing methods, an accepted method for financing urban renewal undertakings and activities is to utilize incremental tax revenues, including property and/or municipal excise tax revenues (including sales, lodgers, use and

occupational privilege tax revenues) attributable to the redevelopment in the Plan area to pay the principal of, the interest on, and any premiums due in connection with the bonds, or loans or advances to, or indebtedness incurred by the Authority.

It is the intent of the City Council in approving this Urban Renewal Plan to authorize the use of tax increment financing by the Authority as part of its efforts to assist in the redevelopment of the Area. Pursuant to the provisions of Section 31-25-107(9) of the Act and Section 130-4 of the City Code, the City Council, in approving this Plan, contemplates that one or more separate Tax Increment Areas shall be created within the Urban Renewal Area as development occurs. Subject to the designation of such Tax Increment Areas, the Authority is specifically authorized to use incremental revenues, except those previously dedicated, for the benefit of the Area, to the extent authorized by the provisions of Section 31-25-107(9) of the Act and Section 130-4 of the City Code, as the same may be amended from time to time, which sections are incorporated herein by reference in their entirety.

The Plan authorizes the Authority to use or allocate all or a portion of such incremental tax revenues to finance the costs of urban renewal undertakings and activities through the provisions of one or more public finance and redevelopment agreements, including, to the extent determined by the Authority, pledging all or part of said revenues to a special district or other government or quasi-governmental entity created for the purpose of financing public infrastructure and other lawful improvements for the benefit of a redevelopment, and to be pledged by such district or entity for payments on obligations it incurs to fund such infrastructure or improvements or, at the option of the Authority, to be used as security for debt or other obligations of the Authority to fund public infrastructure and other lawful improvements under the Act and the City Code.

As specific properties within the Urban Renewal Area are proposed to be redeveloped as part of the Project, boundaries of new Tax Increment Areas, which shall not overlap and shall be located entirely within the Urban Renewal Area, shall be permitted.

Each Tax Increment Area approved by City Council shall continue in existence for a period of not to exceed twenty-five years from the date of the City Council approval of such modification to the Urban Renewal Plan, or on a later Effective Date of Allocation as specified by the Aurora Urban Renewal Authority (AURA).

6.7.1 Eligible Activities for TIF Consideration

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

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

6.8 Property Acquisition and Land Assemblage

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

6.9 Relocation Assistance

It is not anticipated that acquisition of real property by the Authority will result in the relocation of any individuals or families, however, business concerns could be impacted. If

such relocation becomes necessary, the Authority shall act in accordance with the Relocation Assistance and Land Acquisition Policy adopted by the Authority Board on October 18, 2004, per Authority Resolution R2004-02, or its subsequent amendment, and in conformance with the Act.

6.10 Demolition, Clearance, Environmental Remediation, and Site Prep

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

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

6.11 Property Disposition

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, as it deems necessary to develop such property. Real property or interests in real property may be sold, leased or otherwise transferred for uses in accordance with the Act and this Plan.

6.12 Redevelopment and Rehabilitation Actions

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

6.13 Public Finance and Redevelopment Agreements

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

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

6.14 Cooperative Agreements

For the purpose of this Plan, the Authority may enter into one or more Cooperative Agreements pursuant to the Act. The City and the Authority recognize the need to cooperate in the implementation of this Plan and, as such, Cooperative Agreement(s) may include, without limitation, agreements regarding the planning or implementation of this

Plan and its undertakings and activities, as well as programs, public works operations, or activities which the Authority, the City or such other public body is otherwise empowered to undertake and includes, without limitation, agreements respecting the financing, installation, construction and reconstruction of public improvements, utility line relocation, storm water detention, environmental remediation, landscaping and/or other eligible improvements. The Cooperative Agreements may reference or include services that are typically provided by such Agencies, such as public education and other programs and services. This paragraph shall not be construed to require any particular form of cooperation.

EXHIBIT A: Urban Renewal Area Legal Description

NINE MILE STATION URBAN RENEWAL AREA

A Parcel of land situated in the East $\frac{1}{2}$ of Section 35 and the West $\frac{1}{2}$ of Section 36, T4S, R67W of the 6th Principal Meridian, City of Aurora, Arapahoe County, Colorado. More particularly described as follows:

Beginning at the West $\frac{1}{4}$ corner of said section 36; Thence Southerly, coincident with the west line of the SW $\frac{1}{4}$ of said Section 36, a distance of 472.84 feet, to a point on the centerline of South Parker road (State Highway 83); Thence northwesterly, coincident with the centerline of said South Parker road, a distance of 198.72 feet to the intersection of said centerline and the extended east line of McDonalds' Subdivision Filing No. 1; Thence southerly, coincident with said extended east line a distance of 50.94 feet, to the northeast corner of said McDonald's Subdivision; Thence southerly, coincident with the east line of said McDonalds Subdivision, a distance of 402.43 feet to the southeast corner of said subdivision; Thence westerly, a distance of 54.42 feet, to a point on the east line of Parker Commons Subdivision Filing No. 1; Thence southerly, the following three courses:

1. Thence southerly coincident with the east line of Parker Commons Subdivision Filing No. 1, a distance of 49.86 feet to a point;
2. Thence southerly, coincident with said east line a distance of 124.68 feet to a point;
3. Thence southerly, coincident with said east line a distance of 109.82 feet to the southeast corner of said Parker Commons Subdivision Filing No. 1;

Thence westerly, coincident with the south line of said Parker Commons Subdivision, a distance of 67.37 feet, to the southwest corner of said Parker Commons Subdivision; Thence northerly, coincident with the west line of said Parker Commons Subdivision, a distance of 275.97 feet; Thence westerly, a distance of 21.28 feet; Thence northerly, coincident with the west line of said Parker Commons Subdivision, a distance of 173.56 feet, to the northwest corner of said Parker Commons Subdivision; Thence northerly, coincident with the west line of said McDonalds' Subdivision, a distance of 269.81 feet, to the northwest corner of said McDonald's Subdivision; Thence northerly, a distance of 50.94 feet, to a point on the centerline of said South Parker Road (State Highway 83); Thence northwesterly, coincident with said centerline of South Parker Road, a distance of 1046.92 feet, to a point of tangent curve to the right; Thence along the arc of said curve whose chord bears northwesterly a distance of 917.72 feet, having a radius of 1915.00 feet, a central angle of 28°00'00", an arc distance of 926.74 feet, to the point of intersection of said centerline of South Parker Road and the centerline of East Cornell Avenue; Thence northerly, coincident with said centerline of E. Cornell Ave, a distance of 188.86 feet, to a point of tangent curve to the left; Thence along the arc of said curve whose chord bears northeasterly a distance of 105.50 feet, having a radius of 1000.00 feet, a central angel of 6°02'51, an arc distance of 105.55 feet; Thence northeasterly, coincident with said centerline of E. Cornell Ave, a distance of 194.28 feet, to a point of tangent curve to the right; Thence along the arc of said curve whose chord bears northeasterly a distance of 129.80 feet, having a radius of 130.00 feet, a central angel of 59°54'00", an arc distance of 135.91 feet; Thence northeasterly, coincident with said centerline of E. Cornell Ave, a distance of 419.20 feet, to a point of tangent curve to the right; Thence along the arc of said curve whose chord bears southeasterly a distance 67.29 feet, having a radius of 130.00 feet, a central angle of 30°00'00"; Thence southeasterly, coincident with said centerline of E. Cornell Avenue, a distance of 190.09 feet, to a point of

tangent curve to the left; Thence along the arc of said curve whose chord bears southeasterly a distance of 77.40 feet, having a radius of 150.00 feet, a central angle of 29°54'15", an arc distance of 78.29 feet; Thence easterly, coincident with said centerline of E. Cornell Avenue, a distance of 860.20 feet, to the southeast corner of Parker Landing Subdivision Filing No. 2; Thence easterly, coincident with said centerline of E. Cornell Avenue, a distance of 315.00 feet, to a point on the west line of the northwest ¼ of Section 36; Thence easterly, coincident with said centerline of E. Cornell Avenue, a distance of 359.41 feet to the intersection of said centerline and the extended west line of Cornell Square Subdivision Filing No. 2; Thence northerly, coincident with said extended west line of said Cornell Square Subdivision a distance of 35.00 feet, to the southwest corner of said Cornell Square Subdivision; Thence northerly, coincident with the west line of said Cornell Square Subdivision, a distance of 365.00 feet, to the northwest corner of said Cornell Square Subdivision; Thence easterly, coincident with the north line of said Cornell Square Subdivision, a distance of 303.33 feet, to the northeast corner of said Cornell Square Subdivision; Thence southerly, coincident with the east line of said Cornell Square Subdivision, a distance of 365.00 feet, to the southeast corner of said Cornell Square Subdivision; Thence continuing southerly, a distance of 35.00 feet, to a point on the centerline of said E. Cornell Avenue; Thence easterly, coincident with said centerline of E. Cornell Avenue, a distance of 302.41 feet, to the intersection of said centerline and the extended east line of Regatta Landing Subdivision Filing No. 1; Thence southerly, coincident with said extended east line, a distance of 35.00 feet, to the northeast corner of said Regatta Landing Subdivision; Thence southerly, coincident with the east line of said Regatta Landing Subdivision, a distance of 292.55 feet, to the southeast corner of said Regatta Landing Subdivision; Thence southerly, coincident with the east line of Dillon Subdivision Filing No. One, a distance of 200.08 feet, to an angle point; Thence southeasterly, coincident with the east line of said Dillon Subdivision, a distance of 34.65 feet, to the most northern corner of Regatta Plaza Subdivision Filing No. 1; Thence southeasterly, coincident with the northeast line of said Regatta Plaza Subdivision, a distance of 341.33 feet, to the most eastern corner of said Regatta Plaza Subdivision; Thence southwesterly, a distance of 540.89 feet, to the southeast corner of said Regatta Plaza Subdivision; Thence southwesterly, a distance of 105.52 feet, to a point on the centerline of said South Parker Road (State Highway 83); Thence northwesterly, coincident with said centerline of South Parker Road, a distance of 732.38 feet, to the **Point of Beginning**;

AND EXCEPTING:

A parcel of land situated in the NE ¼ SE ¼ of Section 35 and the SW¼ NW ¼ and the NW¼ SW¼ of Section 36, T4S, R67W of the 6th P.M., City of Aurora, County of Arapahoe, State of Colorado, being all of and Lot 1, Block 1, Regatta Landing Subdivision Filing No. 1 and part of Lot 1, Block 5, Dillon Subdivision Filing No. One, Regatta Plaza Subdivision Filing No. 1 and Lakeview, more particularly described as follows:

Basis of Bearings is the west line of Section 36, T4S, R67W, of the 6th P.M., being S 0°11'36" E.

Commencing at the NW ¼ of Section 36, T4S, R67W, of the 6th P.M.

Thence S 0°11'36" E, coincident with the west line of said Section 36, a distance of 2170.17 feet;

Thence N 89°48'24" E, a distance of 55.00 feet, to the northwest corner of Lot 1, Block 5, Dillon Subdivision Filing No. One, and the **Point of Beginning**;

Thence N 89°48'24" E, and coincident with the north line of said Lot 1, Block 5, a distance of 244.44 feet, to the northwest corner of Lot 1, Block 1, Regatta Landing Subdivision Filing No. 1;

Thence N 89°48'24" E, and coincident with the north line of said Lot 1, Block 1, a distance of 665.56 feet, to the northeast corner of said Lot 1, Block 1;

Thence S 0°11'36" E, and coincident with the east line of said Lot 1, Block 1, a distance of 292.55 feet, to the southeast corner of said Lot 1, Block 1;

Thence S 0°11'36" E, and coincident with the east line of Lot 1, Block 5, Dillon Subdivision Filing No. One, a distance of 200.08 feet;

Thence S 51°22'41" E, and coincident with the northeasterly line of Lot 1, Block 5, Dillon Subdivision Filing No. One, a distance of 34.65 feet, to the north corner of Lot 1, Block 1, Regatta Plaza Subdivision Filing No. 1;

Thence S 51°22'41" E, and coincident with the northeasterly line of Lot 1, Block 1, Regatta Plaza Subdivision Filing No. 1, a distance of 341.33 feet, to the east corner of said Lot 1, Block 1 and the northwesterly right-of-way of Interstate Highway No. 225;

Thence S 56°25'09" W, and coincident with the southeasterly line of Lot 1, Block 1, Regatta Plaza Subdivision Filing No. 1, and the northwesterly right-of-way of Interstate Highway No. 225, a distance of 502.27 feet, to the south corner of said Lot 1, Block 1, and the northeasterly right-of-way of S. H. 83 (S Parker Road, September 2015);

Thence continuing along the northeasterly right-of-way said S. H. 83 the following six courses:

1. S 88°53'50" W, a distance of 107.44 feet;
2. N 77°29'45" W, a distance of 236.17 feet;
3. N 80°11'31" W, a distance of 129.41 feet, to the westerly line of Regatta Plaza Subdivision Filing No. 1;
4. N 80°11'36" W, a distance of 49.16 feet;
5. N 78°55'40" W, a distance of 125.07 feet, to the east line of Tract B, Lakeview;
6. N 78°55'40" W, a distance of 149.90 feet;

Thence continuing along the northeasterly right-of-way of S. H. 83 along a non-tangent curve to the right having (a chord bearing of N 72°15'28" W, a chord distance of 52.03 feet), a radius of 166.14 feet, a central angle of 18°01'03", and an arc length of 52.24 feet;

Thence continuing along said northeasterly right-of-way along a non-tangent curve to the right having (a chord bearing of N 44°04'31" W, a chord distance of 34.01 feet), a radius of 51.31 feet, a central angle of 38°42'35", and an arc length of 34.67 feet, to east right-of-way line of South Peoria Street;

Thence N 10°17'48" E, and coincident with said east right-of-way, a distance of 359.27 feet;

Thence N 89°47' 35" E, and coincident with said east right-of-way line, a distance of 7.44 feet;

Thence N 00°11' 36"W, and coincident with said east right-of-way line, a distance of 475.96 feet, to the **Point of Beginning**;

Said urban renewal area containing 47.835 acres (2,083,703.79 square feet), more or less

EXHIBIT B: Nine Mile Station Area Conditions Survey
(by Reference only)

*Prepared and approved pursuant to City Council Resolution R2013-66 as separate document
and available for public viewing.*

EXHIBIT C: Blight Confirmation Survey (August 2015)



BLIGHT CONFIRMATION SURVEY – NINE MILE INCLUDING REGATTA PLAZA NINE MILE URBAN RENEWAL AREA

Visual Survey Conducted August 19, 2015

BACKGROUND

Per Colorado State Statutes, the creation of an urban renewal area first requires a finding of blight. A blight study that finds four or more “blighting conditions” as defined in section 31-25-103(2) C.R.S. may make an area appropriate for urban renewal, as declared by City Council after a public hearing.

In June, 2013, Ricker-Cunningham consulting firm completed the Nine Mile Station Conditions Survey (or “Blight Study”). At a public hearing held September 30, 2013, the City Council accepted the Blight Study findings and designated the study area as “blighted.” Within the study area, Ricker-Cunningham identified all eleven (11) possible blight factors as being present:

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

The entire “Study Area” boundary for the Blight Study was subsequently incorporated into the Nine Mile Station Urban Renewal Plan and Area, approved by City Council on February 24, 2014.

UPDATED BLIGHT CONFIRMATION

The Blight Study makes clear that the presence of “blighting factors” exists at varying levels of severity (major and minor) among the majority of the properties within the study area. On August 18, 2015, city staff conducted a visual survey of the study area (see attached “map”) to confirm that the blight factors identified in the original Blight Study are still present within the study area. Additionally, because the City Council is holding a public hearing to consider authorizing the Aurora Urban Renewal Authority to exercise the power of eminent domain for several properties in the Regatta Plaza shopping center, this updated blight confirmation survey also looks at Regatta Plaza specifically, in addition to the study area as a whole.

The Confirmation consisted of a visual inspection of the area and search for new information which could indicate a change of blighting factors. A blight factor is deemed to be present if there is no evidence of changing conditions related to the original determination of blight. Consistent with the original Blight Study, a parcel by parcel evaluation was conducted. However, it is not necessary for every property to have blighting conditions for the area to be considered “blighted.”

The findings from this Blight Confirmation Survey indicate the continuing presence of all of the original findings of blight within the Urban Renewal Area, including within the Regatta Plaza development.

Summary of Blight Reconfirmation

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

(see Appendix A - Field Survey Report)

(a) Slum/Deteriorated Structures

Exterior visual surveys confirmed the presence of deteriorated structures within the Study Area, particularly located within the Regatta Plaza shopping center. Blight found in this category include deterioration or absence of fascia boards and soffits, foundations, exterior finishes, windows and doors, loading areas, and fences/walls/gates. Therefore, this blight factor is still present within the Study Area.

(b) Defective or Inadequate Street Layout

Public or private improvements that might have improved vehicular access, internal circulation, driveway definition or curb cuts, or parking layouts have not occurred since the original Blight Study was performed. This has been confirmed by exterior visual surveys and city records which indicate no new physical improvements or changes have occurred to address this blight factor. Therefore, this blight factor is still present within the Study Area.

(a) Faulty Lot Layout

This blight factor is present when there are irregularly shaped lots or sizes or when lots are impacted by faulty streets (blight factor “b”). Public or private improvements, such as land subdivisions or vehicular access improvement that might have addressed this blight factor have not occurred since the original Blight Study was performed. This has been confirmed by exterior visual surveys and city records which indicate no new physical improvements or changes have occurred to address this blight factor. Therefore, this blight factor is still present within the Study Area.

(b) Unsanitary or Unsafe Conditions

A number of factors contribute to this blight factor including insufficient improvements for non-vehicular movement, the presence of hazardous contaminants (blight factor “j”) and the lack of protection from fire (i.e., fire suppression systems). Building permit records indicate no building permits have been issued for new fire suppression systems for buildings with the study area since the original Blight study was performed. The city also has no information that any new environmental remediation has occurred on any of the identified properties subjected to blight factor “j”. Therefore, this blight factor is presumed to be still present within the Study Area.

(e) Deterioration of Site or Other Improvements

Exterior visual surveys confirmed the presence of deteriorated sites within the Study Area and, in particular, on Regatta Plaza. Evidence of site deterioration include deteriorated signs and fences, poorly maintained parking lots and streets, the presence of trash and debris, cracked or missing asphalt and pavement, poorly maintained landscaping and overgrown vegetation. These conditions negatively impact a site’s usefulness and desirability and negatively impact nearby properties. Therefore, this blight factor is still present within the Study Area.

(f) Unusual Topography or Inadequate Public Improvements or Utilities

Exterior visual surveys and city records indicate that new public or private improvements that might have addressed this blight factor have not occurred since the original Blight Study was performed. The original blight factor identified the need to provide storm water detention and water quality enhancements for all new developments and redevelopments. This impacts all parcels in the Study Area. Additionally, the lack of a pedestrian bridge over Parker Road continues to be a problem for safe pedestrian crossings over this very wide state road. Therefore, this blight factor is still present within the Study Area.

(g) Non-Marketable Title Conditions

The original blight study referred to the Covenants, Conditions, and Restrictions (CC&Rs) for Regatta Plaza which has easement requirements and restrictions on future tenants and structures. Additionally, there is a public utility easement over much of site # 13. There are no records indicating the CC&Rs have been amended. Therefore, this blight factor is still present within the Study Area.

(h) Conditions that Endanger Life or Property

The original Blight Study identified the lack of fire protection and the presence of hazardous contaminants (blight factors “d” and “j”) as contributing to this blight factor. As indicated in “d” and “j” there are no city records indicating that these issues have been addressed. Therefore, this blight factor is still present within the Study Area.

(i) Unsafe or Unhealthy Buildings

The original Blight Study identified the presence of blight factor “h” as contributing to this blight factor. Therefore, this blight factor is still present within the Study Area.

(j) Environmental Contamination of Buildings or Property

The original Blight Study identified 10 businesses within seven properties identified by the State of Colorado as being the subject of an environmental investigation by the Environmental Protection Agency. These “potential environmental hazards” were identified by SEH, Inc. who researched the available public environmental records. There is no indication that any new environmental remediation has occurred on the subject properties. Therefore, this blight factor is still presumed present within the Study Area.

(k.5) High Levels of Municipal Services or Underutilization or Vacancy of Sites, Buildings, or Other Improvements

Exterior and interior visual surveys indicate continuing building vacancies for certain properties within the Study Area, primarily within Regatta Plaza. This confirmation survey clearly shows the continuing high vacancy and underutilization of Regatta Plaza. Therefore, this blight factor is still present within the Study Area.

Selected Blight Photos from Confirmation Survey



**Blight Factor (a): Slum/Deteriorated Structures:
Building disrepair**



**Blight Factor (e): Deterioration of Site or Other
Improvements: Deteriorated parking area**



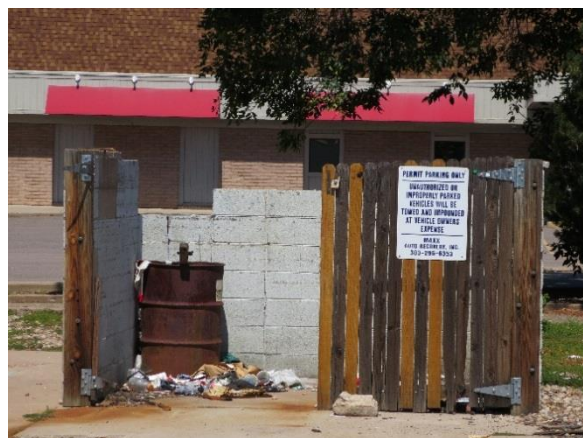
**Blight Factor (a): Slum/Deteriorated Structures:
Paint/siding deterioration**



**Blight Factor (e): Deterioration of Site or Other
Improvements: Deteriorated parking area**



**Blight Factor (e): Deterioration of Site or Other
Improvements: Overgrown Vegetation**



**Blight Factor (e): Deterioration of Site or Other
Improvements: Deteriorating trash enclosure**



Blight Factor (e): Deterioration of Site or Other Improvements: Deteriorated parking area



Blight Factor (e): Deterioration of Site or Other Improvements: Deteriorated parking area



Blight Factor (a): Slum/Deteriorated Structures: Paint/siding deterioration



Blight Factor (e): Deterioration of Site or Other Improvements: Deteriorated drive/drainage issues



Blight Factor (e): Deterioration of Site or Other Improvements: Presence of trash and debris



Blight Factor (e): Deterioration of Site or Other Improvements: Poorly maintained landscaping

**BLIGHT CONFIRMATION SURVEY AREA
NINE MILE URBAN RENEWAL AREA**



Source: Nine Mile Station Conditions Survey (Blight Study) June 2013 – Ricker Cunningham

APPENDIX A: NINE MILE URA BLIGHT FACTOR FIELD SURVEY (Excluding Regatta Plaza)

Parcels ID & Corresponding Map Site #	(a) Slum, deteriorated, or deteriorating structures	(b) Predominance of defective or inadequate street layout	(c) Faulty lot layout in relation to size, adequacy, accessibility or usefulness	(d) Unsanitary or unsafe conditions	(e) Deterioration of site or other improvements	(f) Unusual topography or inadequate public improvements or utilities	(g) Defective or unusual conditions of title rendering the title non-marketable	(h) The existence of conditions that endanger life or property by fire or other causes	(i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities	(j) Environmental contamination of buildings or property	(k) The existence of health, safety or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.
1973-36-2-29-001 1	NP - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - UNC	NP - UNC	NP - NC	New - P
1973-36-2-29-002 2	NP - NC	NP - NC	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-1-16-002 3	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	NP - NC	NP - NC	NP - NC	NP - NC
1973-35-1-11-001 4	P - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-1-16-003 7	NEW - NP	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NEW - NP	NP - NP	NP - NP	NP - NC	P - NC
1973-35-4-06-007 9	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	NEW - NP	NEW - NP	NEW - NP	NP - NC	NP - NC
1973-35-4-06-006 10	NEW - NP	P - NC	P - NC	P - NC	P - NC	P - NC	NP - NC	NEW - NP	NEW - NP	NP - NC	P - NC
1973-35-4-04-004 14	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NEW - NP	P - NC	P - NC	P - NC	NP - NC
1973-35-4-07-001 15	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	P - NC	NP - NC
1973-35-4-02-002 16	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-09-001 17	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	P - NC	NP - NC
1973-35-4-06-ROW 18	P - NC	P - NC	P - NC	P - NC	P - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-00-021 19	NP - NC	P - NC	P - NC	P - NC	P - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-04-005 20	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-04-006 21	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-02-004 22	NP - NC	NP - NC	NP - NC	P - NC	New - P	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-02-003 23	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-06-005 24	P - NC	P - NC	P - NC	P - NC	P - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-05-001 25	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	P - NC	NP - NC
1973-35-4-08-001 27	NEW - NP	P - NC	P - NC	P - NC	P - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-02-005 28	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	P - NC	NP - NC
1973-35-1-11-003 29	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-4-00-000 30	NEW - NP	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	P - NC	P - NC	NP - NC	NP - NC
1973-35-1-16-001 31	NP - NC	NP - NC	NP - NC	P - NC	NP - NC	P - NC	NP - NC	NP - NC	NP - NC	NP - NC	NP - NC

TABLE KEY:

Blight Present from Original Blight Study
Present - NEW
NEW - P
NEW - NP
Not Present - NEW
P - NC
No Change - Present
NP - NC
No Change - Not Present
NP - Unconfirmed Data
NP - UNC
No change or new Blight Present