



**City of Aurora  
Council Agenda Commentary**

Item #: 12a  
SS: \_\_\_\_\_  
1st: \_\_\_\_\_  
2nd: \_\_\_\_\_

**Item Title:**

PUBLIC HEARING and Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, on the substantial modification of the Havana North Urban Renewal Plan. (**Staff Requests a Waiver of Reconsideration** to avoid the potential impacts of HB 15-1348)

**Item Initiator:** Amonick, Andrea - Development Svcs/Aura Mgr - Planning & Development Service

**Staff Source:** Rogers, Melissa - Sr Development Project Manager - Planning & Development Service

**City Manager/Deputy City Manager Signature:** Skip Noe

**Outside Speaker:**

**Council Goal:** 2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban centers

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

- ☐ Approve Item as proposed at Study Session      ☐ Approve Item with Waiver of Reconsideration  
☐ Approve Item and Move Forward to Regular Meeting  
☒ Approve Item as proposed at Regular Meeting      ☐ Information Only

**PREVIOUS ACTIONS OR REVIEWS:**

**Special  
Session /  
Workshop**

Name: Special Study Session

Meeting Date: 09/12/2015

Actions Taken: ☒ Recommends      ☐ Do Not Recommend

- ☐ Minutes Attached  
☒ Minutes Not Available  
☐ Forwarded without Recommendation  
☐ Recommendation Report Attached

**Board /  
Commission**

Name: City of Aurora Planning Commission

Meeting Date: 10/28/2015

Actions Taken: ☐ Recommends      ☐ Do Not Recommend

- ☒ Minutes Attached  
☐ Minutes Not Available  
☐ Forwarded without Recommendation  
☒ Recommendation Report Attached

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

The Havana North Urban Renewal Area was approved and adopted by the Aurora City Council in April 2011. The urban renewal plan followed an extensive public visioning process that resulted in the Havana North Concept Plan, which was adopted as an amendment to the Comprehensive Plan. The urban renewal plan serves as a blueprint for future redevelopment and designates the Fan Fare site as the catalytic redevelopment project for the area. The Plan also states that the creation of a tax increment area to facilitate the redevelopment of the Fan Fare site is a substantive amendment to the Plan.

In April 2014, AURA purchased the Fan Fare property to facilitate the demolition and redevelopment of this catalytic property. A Request for Qualifications (RFQ) was issued in November, seeking redevelopment proposals. The two proposals that were received were considered non-responsive to the RFQ as they did not fully meet the established vision and goals of the Havana North Urban Renewal Plan. Since then, Staff has been heavily marketing the redevelopment opportunity and intends to issue a Request for Proposals (RFP) in the early part of 2016. As a result of the uncertainties created by the passage of HB 1348, staff is recommending the amendment of the Havana North Urban Renewal Plan to create a Tax Increment Financing area for the redevelopment of the site in advance of the new legislation's effective date of January 1, 2016.

City Council approved the Resolution to set the Public Hearing to review the amendment to the Plan, on October 12, 2015.

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

Staff is recommending that the Havana North Urban Renewal Plan be amended to create a new Tax Increment Financing Area (TIF Area 2) that covers an area referred to as the Fan Fare site. The 11.9 acre area is comprised of the 10.3 acre AURA owned Fan Fare property, and four adjacent outparcels. Staff has had discussions with the property owners of three of the adjacent outparcels, who have expressed interest in either selling their properties, or relocating to a location within a new mixed-use development.

By creating a new TIF area for the Fan Fare site, this Urban Renewal Plan amendment would make tax increment revenues available to AURA to assist in the redevelopment of this site. Initial funding priorities include drainage, public infrastructure relocation and the creation of urban parks and open space. Assistance with the provision of public infrastructure is anticipated to leverage significant private investment.

In recommending this plan amendment, the Authority has met all notification and process requirements of Colorado Urban Renewal Law. Notices were mailed to all property owners and tenants in the area. A copy of the draft plan amendment was presented to the City Planning Commission and the Arapahoe County Board of Commissioners for their review pursuant to State Statute. The Planning Commission found the plan to be in conformance with the City's Comprehensive Plan at its meeting on October 28, 2015. The Planning Commission recommendation is attached.

Staff is requesting a waiver of reconsideration on this item to avoid the potential impacts of HB 15-1348.

**QUESTIONS FOR COUNCIL**

Does the Aurora City Council wish to adopt the Amendment to the Havana North Urban Renewal Plan?

**LEGAL COMMENTS**

The proposed modification constitutes a substantive modification to the Plan within the meaning of Section 31-25-107(7), C.R.S., thereby requiring a public hearing before the Council.

Motion to approve shall include a waiver of reconsideration. McKenney  
Stacie Harding

**PUBLIC FINANCIAL IMPACT (If Yes, EXPLAIN)**

☒ Yes ☐ No

The urban renewal plan amendment being considered proposes the establishment of a new TIF area (TIF Area 2) which would make tax increment available to AURA to support an urban renewal project for the Fan Fare site.

**PRIVATE FISCAL IMPACT (If Significant or Nominal, EXPLAIN)**

☐ Not Applicable ☒ Significant ☐ Nominal

By creating a new TIF area for the Fan Fare site, this Urban Renewal Plan amendment would make tax increment revenues available to AURA to assist in the redevelopment of this site. Initial funding priorities include drainage, public infrastructure relocation and the creation of urban parks and open space. Assistance with the provision of public improvements is anticipated to leverage significant private investment.

**EXHIBITS ATTACHED:**

- 1) Havana North Urban Renewal Plan-Resolution 11-13.pdf
- 2) Havana North URA and TIFF.jpg
- 3) Havana North URP Amendment 1115 (4) pdf.pdf
- 4) Pub Not Havana North URP (amendmt)10-15.pdf
- 5) PC\_HavanaNorth.pdf

RESOLUTION NO. R2015-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,  
COLORADO, ON THE SUBSTANTIAL MODIFICATION OF THE HAVANA  
NORTH URBAN RENEWAL PLAN

WHEREAS, the Aurora Urban Renewal Authority (the "Authority") has been duly organized and validly exists as a Colorado urban renewal authority in the City of Aurora, Colorado (the "City"), under Part 1 of Article 25 of Title 31, C.R.S. (the "Urban Renewal Law"); and

WHEREAS, the proposed amended Havana North Urban Renewal Plan ("Plan") provides for the allocation of incremental taxes for Tax Increment Finance Area 2; and

WHEREAS, the City published in a newspaper of general circulation in the City, notice of the public hearing at least thirty (30) days prior to such hearing; and

WHEREAS, the City provided written notice of the public hearing to all property owners, residents, and owners of business concerns in the Area at their last known address of record at least thirty (30) days prior to such hearing; and

WHEREAS, both the published and mailed notices contained the information required by Section 31-25-107(3), C.R.S.; and

WHEREAS, the City submitted the proposed amendment to the Board of Commissioners for Arapahoe County (the "County") in accordance with the requirements of Section 31-25-107(3.5), C.R.S.; and

WHEREAS, the City submitted the proposed amendment to the City Planning Commission for review and recommendation as to its conformity with the Comprehensive Plan of the City in accordance with Section 31-25-107(2), C.R.S.; and

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

Section 1. The foregoing recital are incorporated herein by this reference.

Section 2. The Council hereby approves and adopts the amended Havana North Urban Renewal Plan as substantially modified and the creation of the Havana North Tax Increment Finance Area No. 2 described in the attached map and incorporated in this Resolution as Exhibit A.

Section 3. The Council confirms that any land that is developed or redeveloped in accordance with the provisions of the amended Havana North Urban Renewal Plan shall not be deemed the "addition of an urban renewal project" within the meaning of Section 4 of House Bill 15-1348.

Section 4. This resolution shall become effective immediately without reconsideration.

Section 5. All resolutions or parts of resolutions of the Council in conflict herewith are expressly rescinded to the extent of such conflict.


RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
STEPHEN D. HOGAN, Mayor

ATTEST:

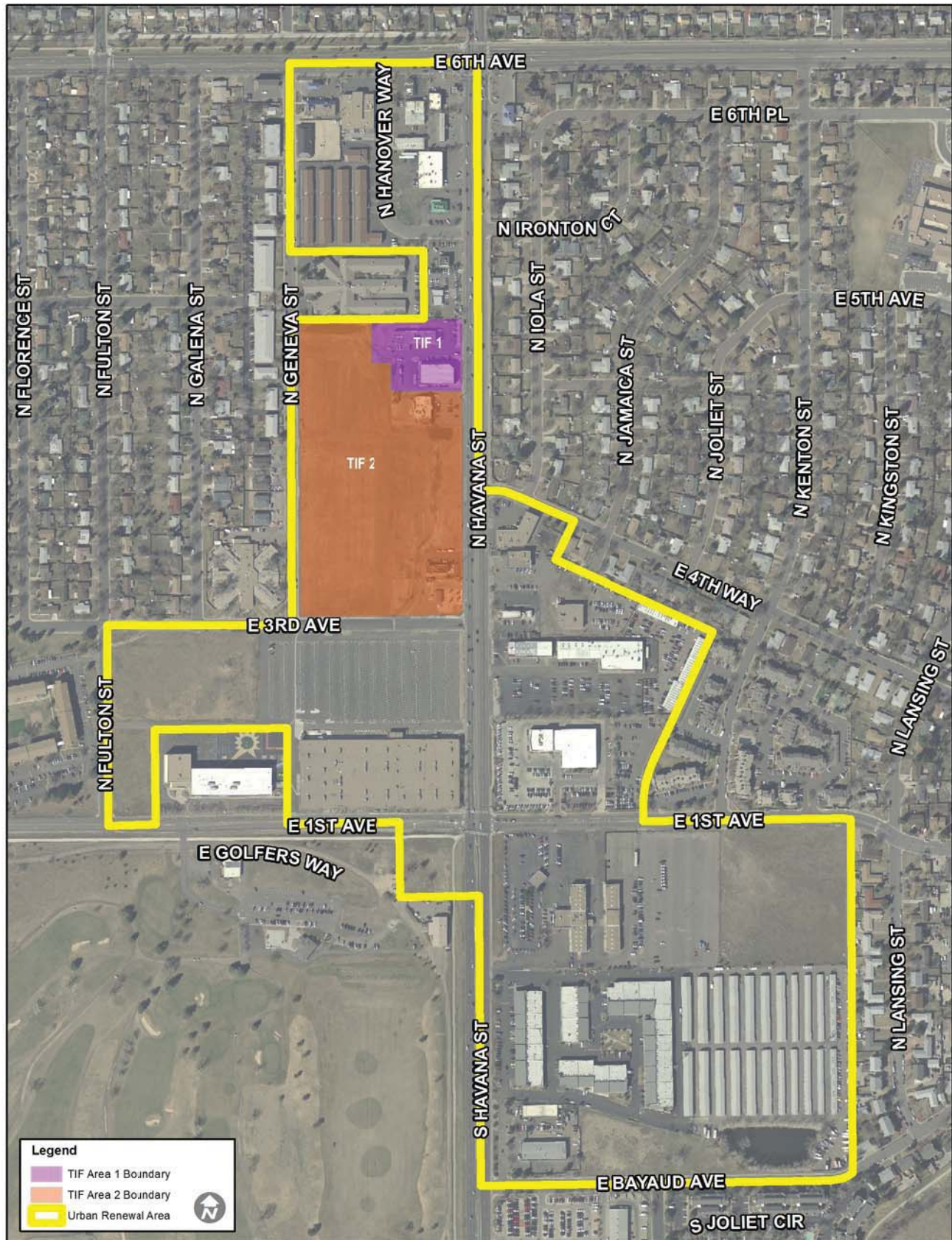
\_\_\_\_\_  
JANICE NAPPER, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CHRISTINE A. MCKENNEY,  
Assistant City Attorney



# Havana North Urban Renewal Area Map



# **Havana North Urban Renewal Plan**

*Aurora, Colorado*

*December, 2010*

*(Amended November 23, 2015)*

*Prepared for:*

Aurora Urban Renewal Authority  
Aurora, Colorado City Council

# Havana North Urban Renewal Plan

*Aurora, Colorado*

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# Havana North Urban Renewal Plan

*Aurora, Colorado*

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# Havana North Urban Renewal Plan

*Aurora, Colorado*

## 1.0 Introduction

### 1.1 Preface

This *Havana North 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 Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

### 1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project or projects. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.

The *Havana North Blight Study*, dated July, 2010 and prepared by Clarion Associates, demonstrates that the Havana North Study Area is a blighted area under the Act. The Blight Study is attached as Exhibit II. While blighting factors exist at varying levels of severity among the majority of the properties within the Study Area, it is not necessary for every property to have blighting conditions in order to declare an area blighted.

In the Havana North Study Area, the 2010 Blight Study found that ten out of eleven (11) possible blight factors are present. Conditions of blight identified within the Havana North 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;
- (h) 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.

The Aurora City Council accepted the findings of the Havana North Blight Study September of 2010. 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.

#### **1.2.1 Blight Confirmation (September 2015)**

In September 2015, City of Aurora staff completed a Blight Confirmation Survey for the proposed 11.9 acre (5 parcels) Tax Increment Area, including the 10.3 acre Fan Fare site. (See Exhibit VII). The Blight Confirmation Survey confirmed the presence of eight factors of blight persisting within the Urban Renewal Area.

### 1.3 Other Findings

The Area is appropriate for one or more urban renewal projects and other undertakings authorized by the Act to be advanced by the Authority. One or more projects could require the demolition and clearance of certain public and private improvements within the Area as provided in this Plan. Such actions are necessary to eliminate unsafe conditions, obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of deterioration.

It is the intent of the City Council in adopting this Plan that the Authority exercises all powers authorized in the Act, which may be necessary, convenient or appropriate to accomplish the objectives of this Plan, including, but not limited to, the power of eminent domain. It is the intent of this Plan that the Authority may exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised; and, this Plan is in the public interest and necessity -- such finding being a matter of legislative determination by the City Council.

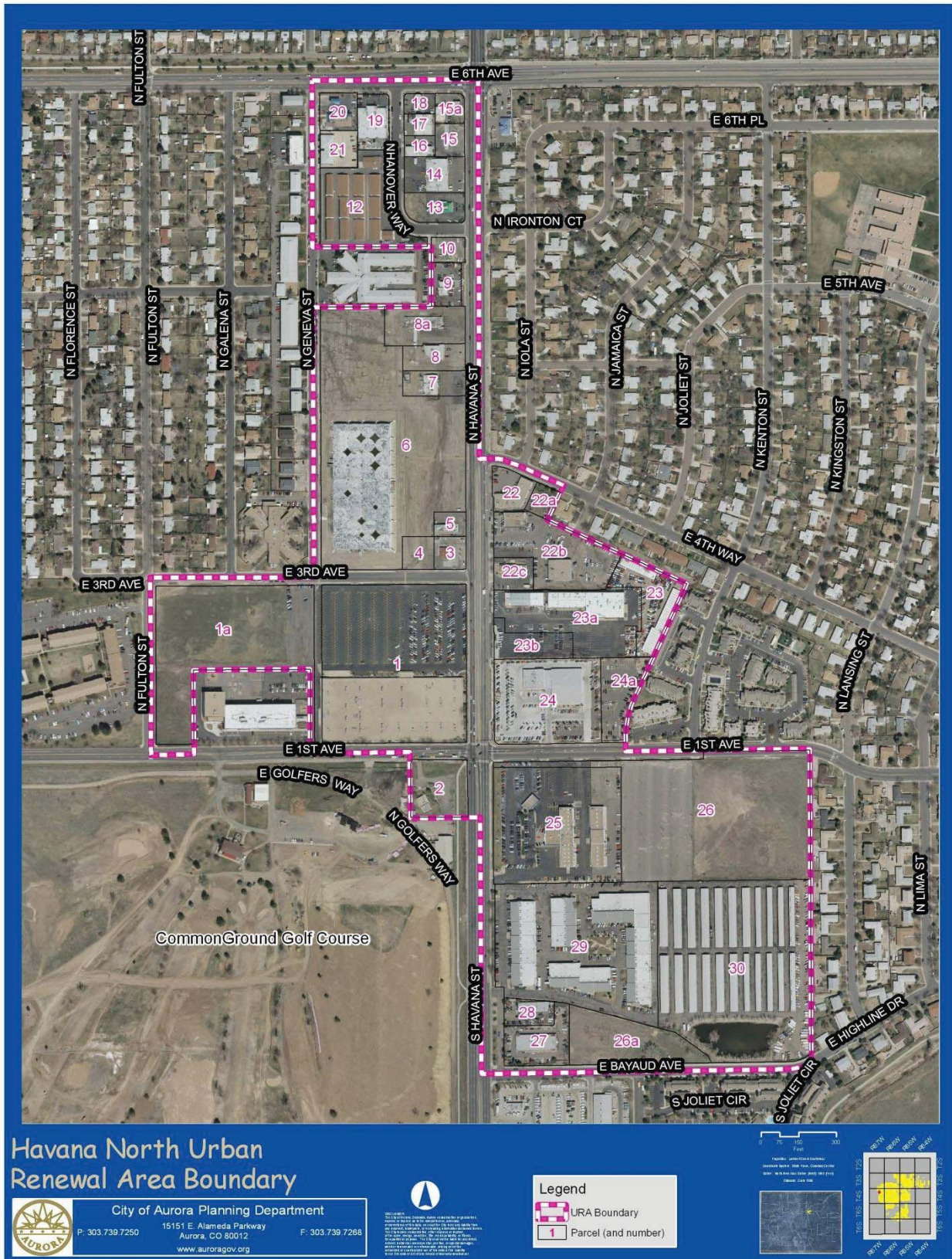
### 1.4 Urban Renewal Area Boundaries

The proposed Havana North Urban Renewal Area (the “**Urban Renewal Area**” or the “**Area**”) is located entirely in the City. The boundaries of the Area are from 6<sup>th</sup> Avenue, south to Bayaud Street. The Area straddles northern Havana Street and generally includes commercial properties along both the east and west sides of the street. One of the blight study area properties, located at 500 Geneva Street (identified as parcel 11) and developed with a skilled nursing facility, will be excluded from the Area.

The study found no blight on this property and the current use and condition is not inconsistent with the envisioned redevelopment as defined in the Urban Renewal Plan. The legal description, described in **Appendix A** attached, controls the boundary description in case of any conflict. The boundaries of the Area are drawn as narrowly as feasible to

accomplish the planning and development objectives of this Plan. See Figure 1, Map of Urban Renewal Area below.





## 2.0 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 Havana North Urban Renewal Area as depicted in **Figure 1** and legally described in **Appendix A**.

**Aurora Comprehensive Plan** – means *City of Aurora Comprehensive Plan 2009*, as such plan has been or may be amended from time to time.

**Authority** – means the Aurora Urban Renewal Authority.

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

**Blight Study** – means the Havana North Blight Study, prepared by Clarion Associates, dated July, 2010, attached hereto as **Attachment 1** and incorporated herein by this reference.

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

**City Code** – means the City Code of the City.

**City Council** – means the City Council of the City.

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

**City Tax Increment** – means the tax increment derived from City Taxes.

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

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



**Effective Date of Allocation – See “TIF Area 1 Effective Date of Allocation” and “TIF Area 2 Effective Date of Allocation.”**

**Havana District Design Concept Plan or HDDCP** – means, the Havana District Design Concept Plan, adopted by the Aurora City Council in October of 2005.

**Havana North Concept Plan or HNCP** – means the Havana North Concept Plan, approved by the City in April of 2010 and adopted into the City of Aurora Comprehensive Plan of 2009.

**Havana North Feasibility Study** - means the study conducted by Aurora Urban Renewal Authority staff to examine the potential for redevelopment within the northern Havana Street area. The study, along with key recommendations, was presented to the City Council of Aurora at study session in the Fall of 2009.

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

**Project** – means any activity and/or development of any size 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 Area.

**Property Tax Increment** – means tax increment derived from Property Taxes.

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

**Sales Tax** – means the sales tax authorized by Chapter 130, Article II, Division IV of the City Code and currently imposed at the rate of 3.50%, subject to any generally applicable decreases in rate that may occur during the term of the Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the Plan made by the City during the term of the Plan. “City Sales Tax” shall not mean the 0.25% sales tax dedicated to increased staffing of the City police department and operation and maintenance of the City detention facility and codified in the City Code at Section 130-2.

**Study Area** – means the geographic territory defined for the 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 Area after a date to be specified in a modification to this Urban Renewal Plan.

**Tax Increment Area** – means a portion of the Area designated as a Tax Increment Area, as defined and pursuant to the procedures set forth in **Section 6.6** of this Plan.

**Tax Increment Finance (TIF) Area 1** – means the TIF area that was created and approved by the Aurora City Council, in which the incremental net sales taxes that are generated from the redevelopment of the parcel, are allocated to the Authority for a period of 25 years from the time of TIF Area 1 approval (September 24, 2012).

**Tax Increment Finance (TIF) Area 2** – means with respect to any taxes allocated to the Authority by the designation of Tax Increment Area 2 under the Plan, the date upon which the City approves the initial site plan for the redevelopment of property located within Tax Increment Area 2, or not later than five (5) years from the date of the establishment of the

Tax Increment Area. Should an initial site plan for the proposed urban renewal Project not be approved within five years, taxes shall be allocated by the Authority pursuant to this Plan, effective on November 22, 2020.

**TIF** – means, collectively, the City Tax Increment and the Property Tax Increment as specified in subsequent modification(s) to this Plan.

**Use Tax** – means the use tax authorized by Chapter 130, Article II, Division V of the City Code and currently imposed at the rate of 3.50% on construction materials used, stored, distributed, and/or consumed within the Area, subject to any generally applicable decreases in rate that may occur during the term of the Plan and any generally applicable increases in rate that may be allocated to the Authority by amendment to the Plan made by the City during the term of the Plan. “City Use Tax” shall not mean the 0.25% use tax dedicated to increased staffing of the City police department and operation and maintenance of the City detention facility and codified in the City Code at Section 130-2.

### **3.0 Purpose of the Plan**

The principal public purpose of this Plan is to facilitate redevelopment in order to reduce, eliminate and prevent the spread of blight within the Area. A secondary public purpose of this Plan is to stimulate economic growth and investment within the Area boundaries. To accomplish these purposes, this Plan promotes local objectives with respect to appropriate land uses, private investments and public improvements. The delineation of such objectives shall not be construed to require that any particular project necessarily promote all such objectives. The Havana North Urban Renewal Plan sets parameters for the future development and redevelopment of the area. Future redevelopment projects must fit within the parameters set forth within the Plan in order to be considered eligible for creating a project TIF area, and receiving project incentives through tax increment financing.

While the principal goal of the urban renewal effort, as required by the Act, is to afford maximum opportunity, consistent with the sound needs of the City as a whole and to develop and rehabilitate the Area by private enterprise, it is not intended to replace the efforts of area business development or marketing organizations.



More specifically, the Plan will refer to and build on the concepts that were adopted in the Havana North Concept Plan. The HNCP sets a future redevelopment vision for the Havana North Area in terms of general land use and connectivity patterns for the Area. It was created through an extensive public visioning process. The HNCP Vision Statement was an outcome of the public process; the vision is: “To positively influence the future of the Havana North Village Center by encouraging redevelopment that creates a destination with high quality mixed uses and quality public spaces that will function sustainably for future generations.”

The rehabilitation and redevelopment of properties within the Area will be accomplished through:

- the improvement of existing and construction of new structures and infrastructure,
- the attraction of new investment and reinvestment, and
- the elimination and prevention of property deterioration in the area.

The effort will involve the Authority and City Council with participation and cooperation by the private sector. The Act authorizes the Authority to facilitate zoning and planning activities in support of land use and density regulations, maximum density, and building requirements in the Area; however, the City will regulate these requirements. At a minimum, all projects of the Authority within the Area shall comply with all applicable municipal requirements and shall further the vision of the Havana North Concept Plan.

#### **4.0 Blight Conditions**

Before an urban renewal plan can be adopted by the City, the area must be determined to be a “blighted area” as defined in Section 31-25-103(2) of the Act. The Act provides that at least four specific blight factors must be present in the area, 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 Act further provides that, if private property is to be

acquired by the Authority by eminent domain, at least five of the following specific blight factors must be present.

- (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.

The general methodology for conducting the Blight Study by the consultants was to:

- (i) define the Study Area;
- (ii) conduct a visual field survey for the property and evaluate current conditions;
- (iii) review data provided by the City of Aurora and on the Arapahoe County website; and,
- (iv) evaluate conditions found in the context of statutory blight criteria and document the survey findings, as presented in the blight study.

The blight study area is 103 gross acres, and 88 net acres, including 40 parcels owned by some 30 individual owners. The study area parcels are currently a mix of existing zoning, including commercial, light industrial, PD (planned development) and a small amount of open space designation.

Of the 11 qualifying factors identified in the Act, the Blight Study identified the presence of the following ten blight factors in the Study Area:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Inadequate public improvements or utilities;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy;
- (j) Environmental contamination of buildings or property; and
- (k) Substantial underutilization or vacancy of sites, buildings, or other improvements; site requires high level of municipal services.

## **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 Aurora Comprehensive Plan 2009 with respect to the redevelopment of the Urban Renewal Area. As development occurs in the Urban Renewal Area, it shall conform to the Urban Renewal Plan, the Aurora Comprehensive Plan, and any subsequent updates, the City Building and Zoning Code and any rules, regulations, and policies promulgated pursuant thereto, any site-specific planning documents that might impact properties in the Area including, but not limited to, City-approved site, drainage, and public improvement plans, and any applicable City design standards, all as in effect and as may be amended from time to time.

Existing conditions present within the Area will be remedied by the proposed Plan, and will be identified over time as a priority public investment by the City and the Authority, in consultation with Area property owners. Improvements will be phased given the market conditions, changing demographics and available funding and may be funded in part by tax increment revenues.

## 5.1 Relationship to Aurora Comprehensive Plan

The purposes of this Urban Renewal Plan will be achieved more successfully if, as a part of the redevelopment, the goals of the Aurora Comprehensive Plan are also met. The Authority, with the cooperation of the City, private enterprise and/or other public bodies, will therefore undertake projects and activities described in this Urban Renewal Plan to eliminate the conditions of blight while implementing the goals and objectives of the Aurora Comprehensive Plan. Redevelopment of the Urban Renewal Area will address five of fourteen themes which the Aurora Comprehensive Plan identifies as in need of policy attention:

- **Managing the Geography of Growth.** Chapter IV, Section A of the Comprehensive Plan envisions the goals of the City in managing future growth as incorporating the following; “Established areas of the city remain quality places to live and work. Change occurs at a measured pace. Infill and redevelopment projects contribute to neighborhood livability”. This fits within the general redevelopment vision for the Area.
- **Carrying Out an Enhanced Retail Strategy.** Chapter IV, Section F, emphasizes the goal for this theme as incorporating a vision of “older commercial corridors such as Abilene, Havana, and Colfax will have diversified and matured into mixed-use corridors with key commercial nodes acting as magnets for people”. It discusses Havana Street as one of Aurora’s primary commercial corridors with high traffic volumes and supporting a wide range of retail centers. In an established area such as northern Havana Street, the Strategy envisions an eventual aggregation of smaller parcels for redevelopment, as well as some potential adaptive reuses of retail with office, high-quality multi-family or mixed-use.
- **Living in Neighborhoods.** Section I of Chapter IV 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 redevelopment with walkable, pedestrian-oriented streets including a mix of uses

and the creation of community places and easily accessible amenities. The goals of this theme fit well within the parameters of the Havana North Concept Plan.

- **Building Urban Activity Centers and Corridors.** In Chapter IV, Section K of the Comprehensive Plan, thirteen Urban Centers are listed, including the “1<sup>st</sup> Avenue Center”, which is a larger area incorporating the 1<sup>st</sup> and Alameda intersection area. The Urban Center Designation is the result of a collaboration of the City of Aurora with other local governments on a DRCOG project to define and formally recognize activity centers of regional significance. In addition, the former Fan Fare site location was one of three “Activity Centers” as defined in the Havana District Design Concepts Plan.
- **Redeveloping for Renewal.** In Chapter IV, Section L, of the Comprehensive Plan, the vision for the Havana Street District is described in the following manner; “a new streetscape is installed, entry signs mark gateways to the area, new retail and commercial projects complement the recently completed Gardens on Havana shopping center. The district will have banners and vibrant redevelopment occurring”. The theme of this section is based on redevelopment through urban renewal, including the tools that are available to assist through this mechanism. The Havana North urban renewal area will be the 9<sup>th</sup> urban renewal area to be added to the City.

Additionally, the City of Aurora Comprehensive Plan identifies the Havana District/Lowry/Buckingham Area as one of the “strategic areas” which is critical to the City’s economy and identity. The vision set forth for the Havana District/Lowry/Buckingham Area states that when the City’s goals are achieved:

- A mix of high quality retail, employment, and residential uses will exist with more intense nodes of development dispersed along Havana Street.
- As the Gardens on Havana retail center continues to be built out, the center will serve as a catalyst for future redevelopment along the Havana Street District.
- Havana Street will feature a high quality and consistent streetscape along its length.



- Infrastructure improvements will be installed to facilitate and enhance mobility and accessibility for pedestrians and bicyclists.
- Safe, comfortable and attractive transit stops will be installed at appropriate intervals along the length of Havana Street.
- Established neighborhoods bordering Havana Street will continue to be highly attractive places to live.

The Aurora Comprehensive Plan also anticipates the use of tax increment revenues for infrastructure and other costs associated with various urban renewal projects and the issuance of tax increment revenue-supported bonds.

Implementation of this Urban Renewal Plan is consistent with the strategies identified in the Aurora Comprehensive Plan for the Havana District/Lowry/Buckingham area, which include:

- Continuing to develop and implement a vision and strategy for the redevelopment of the Havana North district, including the former Fan Fare site and surrounding parcels.
- Working towards redevelopment to take advantage of the Havana District strategic position between the newer development centers within the Opportunity Triangle (Fitzsimons, Lowry and Stapleton) and follow existing plans. In particular, the nearby Lowry redevelopment serves as a catalyst to revitalizing Havana Street.
- Work to take advantage of redevelopment that is occurring in the areas adjacent to Fitzsimons and in Original Aurora.

## **5.2 Relationship to Havana District Design Concept Plan and the Havana North Concept Plan**

In 2005, after extensive input from the community, the Aurora City Council approved the Havana District Design Concepts Plan (HDDCP). The HDDCP explored the function of the Havana Street District within the context of the larger city and recommended design concepts to unify and strengthen the district's unique image as Aurora's Gateway.

Gateways and Activity Centers play a crucial role in defining the image and maintaining the vitality of the District. The Havana North Village Center and the Fan Fare Activity Center are key components of the overall framework of the Havana District Design Concepts Plan.

The HDDCP included the following recommendations:

- Pursue redevelopment of North Havana Street, including the former Fan Fare site.
- Identify key redevelopment sites.
- Encourage additional retail and service uses within the corridor.
- Improve pedestrian accessibility and develop a program for improved crosswalks, detached sidewalks, and improved bus stops.
- Provide attractive entryways with special features.
- Preserve established neighborhoods.
- Encourage new, high quality multi-family housing at appropriate locations.
- Unify differing but similar zoning districts.
- Require master planning of larger development sites.
- Encourage compatible mixed-use development.
- Improve the design of the Havana streetscape through new design requirements and/or incentives for redeveloped sites.

As a refinement to the Havana District Design Concept Plan and an amendment to the 2009 City of Aurora Comprehensive Plan (Appendix III-Plan Summaries), City Council adopted the Havana North Concept Plan (HNCP) in April of 2010. Havana North includes the Village Center area shown in the HDDCP Framework Map. The Havana North Concept Plan was the result of a six month public visioning process that created and established a general redevelopment vision for the Havana North area. Three community visioning workshops, several steering committee meetings, and property owner meetings generated comments that were used to formulate this vision statement:

“To positively influence the future of the Havana North Village Center by encouraging redevelopment that creates a destination with high quality mixed uses and quality public spaces that will function sustainably for future generations.”

The Havana North Design Concept Plan updates and specifies the land use and connectivity patterns for the Havana North subarea. This Urban Renewal Plan contemplates the development of the Havana North area in accordance with the Havana North Concept Plan and existing general development plans for sub-areas within the Urban Renewal Area. The former Fan Fare site, located at 3<sup>rd</sup> Street and Havana Street, is one of the two Activity Centers mentioned in the HDDCP as part of the Havana Street Corridor. The Fan Fare General Development Plan was approved in 2005 and addresses a portion of the Havana North area. No redevelopment has occurred in this area since the GDP approval. Changes to that plan could be considered as long as they would be consistent with the Havana North Concept Plan. Generally, redevelopment projects located within the Area will need to conform to the Havana North Concept Plan in order to be considered for Tax Increment Financing, or inclusion within a TIF area.

### **5.3 Land Use, Connectivity and Design Standards**

The Havana North Concept Plan encourages mixed-use redevelopment in the Area, and designates a pattern of land use, a connectivity framework and design concepts as the key pieces. A connectivity framework will efficiently allow the movement of bicycles, vehicles and pedestrians throughout the community. .

#### **5.3.1 Geographic Relationships**

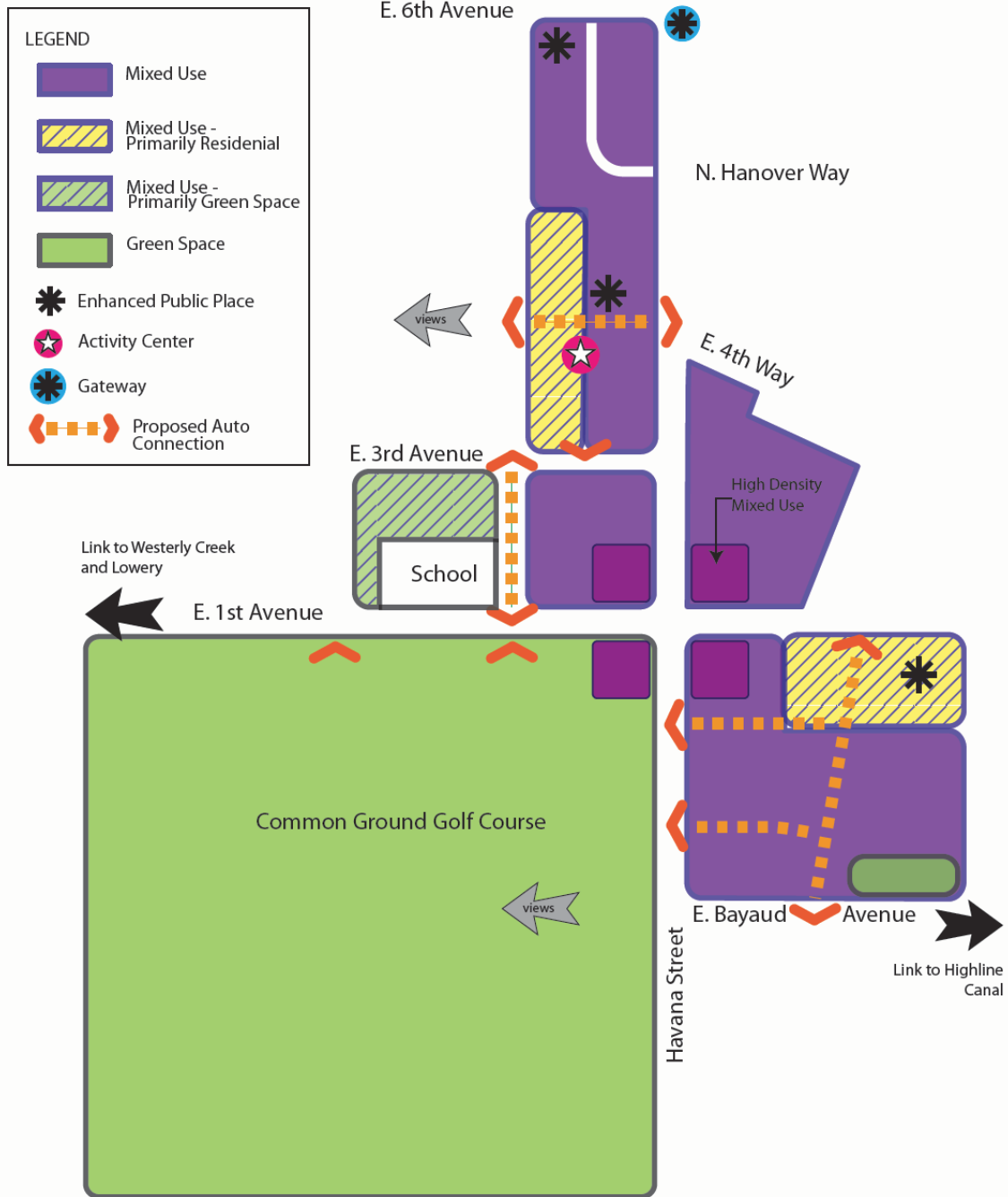
The Havana North Concept Plan area is shown in context on the following page (**Figure 2**). Note that Stapleton, Lowry and Fitzsimons are in proximity and are connected with a good road network.





### 5.3.2 Land Use Concepts

The following graphic represents the *Havana North Concept Plan*, and by its incorporation here, the Havana North Urban Renewal Plan.



HAVANA NORTH CONCEPT PLAN



The symbols and depictions below are associated with land use concepts and potential locations of implementation areas within the Havana North Urban Renewal Area. The concepts represent integral parts of the Havana North redevelopment vision for the Urban Renewal Area. They will be applied as criteria to future development projects in order to determine whether the proposed projects are consistent with the Urban Renewal Plan goals.



**Gateways and Enhanced Public Spaces:** As we examine the *Havana North Concept Plan* map, starting from the top of the map at 6<sup>th</sup> Avenue and working our way south, the first element is the Gateway at 6<sup>th</sup> Avenue and Havana Street. A Gateway is a set of landscape, streetscape and building features that define an intersection as the entry into a special area. The next symbol, an asterisk, indicates an enhanced public place. This can be a small plaza area, a pocket park or other amenity meant for public use.

Havana North, as a Village Center and Activity Center, warrants a unique gateway treatment that both, identifies the intersection of 6<sup>th</sup> Avenue and Havana Street as an entry into the City of Aurora, and alerts the traveler to the adjacent urban development area. Gateways can use physical signatures that vary from sculpture to landscaping. A successful gateway should communicate a sense of place. A more thorough discussion of potential forms can be found in the *Havana District Design Concepts Plan*.



**Mixed Use:** This land use designation is intended to encourage a mix of commercial, office, retail, public spaces, and residential uses. The entire Havana North Urban Renewal Area is designated as mixed-use, including those areas primarily anticipated as residential and green space. Mixed-use is appropriate to this area because of the supporting road network, traffic volumes in the immediate area, arterial intersections and proximity to Stapleton, Lowry, and Fitzsimons. Any project proposed in the Havana North area is expected to be of high quality and to contribute to the overall pattern of development.



**Mixed Use - Primarily Residential:** As a Village/Activity Center this area requires residential development at a density of 40 dwelling units per acre or greater. This density is expected to result in mid- to high-rise buildings. This designation indicates the preferred location for development that is primarily residential, but still mixed-use. Both of the locations indicated with this pattern are next to existing residential neighborhoods and are intended to buffer them from the more active commercially-oriented mixed use areas.



**Proposed Auto Connections:** All future road, pedestrian and bicycle ways should improve connectivity within the Havana North Urban Renewal Area and the surrounding development. Improvements within the Area should contribute to a network that improves access to development projects not fronting Havana Street, promotes

circulation through the development(s), and encourages redevelopment by making assembling land with utility access easier.



**Activity Center:** Higher density commercial and residential development with high activity levels and a sense of place are the conceptual aims for the Havana North Urban Renewal Area. In this instance, the Activity Center symbol refers to the Fan Fare Activity Center shown on the Activity Site Map, and referred to in the *Havana District Design Concept Plan*.



**Mixed Use – Primarily Green Space:** Residential development requires a proportionate development of green space. The amount of green space required by city code is directly related to the number and type of residential units built within the Area. Green space is likely to take the form of neighborhood and small urban parks. One of the development alternatives for this ground is as receiving areas for required open space and park facilities.



**Higher Density Mixed Use:** Arterial street corners with high traffic volumes are considered desirable for commercial uses. With a mixed land use designation, the four corners of the 1<sup>st</sup> Avenue and Havana Street intersection can act as very flexible receiving areas for a variety of businesses types and higher density buildings. This is depicted at this intersection.



**Green Space:** Green space is essential as an amenity in urban development. Both green areas at the bottom of the map are currently zoned as Open Zone District. Both are privately held. The smaller one on the east is currently a detention pond and the other is the Common Ground Golf Course. Neither is indicated here as a candidate for park space.

### 5.3.3 Connectivity

An additional goal of the Urban Renewal Plan is to outline a system that will connect surrounding neighborhoods to the interior of the future development sites through a variety of auto, pedestrian and bicycle access ways. This will also stimulate redevelopment by providing better access to redevelopment projects not immediately fronting Havana Street. The specific locations and types of connections are suggested; however the concept of connectivity is implied.

#### **5.3.4 Design Concepts**

The visioning process expanded upon the design concepts already established in the HDDCP and identified new concepts to guide physical development that could remain consistent with the Havana North vision. One of the goals is to provide maximum land use flexibility while maintaining compatibility with existing development. Another goal is to make a destination; a place that people recognize and want to return to. The following design concepts are incorporated within the Plan to further the vision and are required for development within the Havana North Urban Renewal Area:

1. Highly integrated mix of uses – A mix of residential uses, commercial uses and public spaces shall be distributed throughout the Area.
2. Higher densities with unlimited heights – Forty (40) dwelling units per acre (4-5 stories) shall be the minimum density for new residential development.
3. Projects will incorporate connectivity for all modes of travel.
4. Redevelopment within a street grid/block pattern.
5. Accessible, quality community amenities to be provided throughout the Area.
6. Neighborhood park, public spaces, amenities.
7. Diverse, quality urban form.
8. Renewable energy source use and resource conservation.

#### **5.3.5 Development Requirements**

Projects proposed within the Urban Renewal Plan Area should contribute to the overall pattern of land use, connectivity, and design by utilizing these or superior concepts. Master plans establishing infrastructure for the entire area are encouraged; site plans for each project are required.

## 6.0 Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. In the case of this Plan, it is the Authority's intent to undertake urban renewal projects to stimulate private investment in cooperation with property owners, 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 area.

The blight study revealed ten qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, evident within the Area. This Plan can potentially address each of these conditions through urban renewal activities including but not limited to those described hereunder:

- (a) Slum, Deteriorated, or Deteriorating Structures. There are several deteriorating structures located within the Area; however the former Fan Fare building is the most prominent. Being located within the Havana North Urban Renewal area will allow the Fan Fare site, as well as other parcels, to be eligible for tools that can potentially remove deteriorated structures and redevelop sites;
- (b) Predominance of defective or inadequate street layout. The Havana North Concept Plan calls for the creation of an internal street network that allows for more efficient circulation patterns with future redevelopment.
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness. Urban renewal status will allow potential assemblage of the smaller parcels in the future to stimulate redevelopment activity;
- (d) Unsanitary or unsafe conditions. Future redevelopment and public improvements, will encourage the clean-up and reconstruction of the remaining area;
- (e) Deterioration of Site or Other Improvements. As future redevelopment projects occur, the features included in this blight finding, such as

deteriorated driveways and site pavement, will be improved, as well as streetscape, landscaping; parking areas and public spaces.

- (f) Unusual topography or inadequate public improvements or utilities. The creation of an urban renewal area will assist the partners to enhance public improvements and amenities, upgrade utilities, and implement more consistent curb, gutter and sidewalks;
- (h) The existence of conditions that endanger life or property by fire or other causes – This urban renewal plan provides the Authority the ability to financially assist with the cleanup of environmental issues;
- (i) Buildings that unsafe or unhealthy. This blight factor is the result of existing environmental contamination that may cause buildings to be unsafe by such factors as vapor intrusion or friable asbestos within a building. Buildings located within the urban renewal area, will be eligible for various cleanup and redevelopment tools, including Brownfield loan funds and other federal or state environmental programs that may be funded through the Authority.
- (j) Environmental contamination of buildings or property. The Authority will have the ability to assist with the assessment and cleanup of sites that are environmentally contaminated;
- (k) Substantial underutilization or vacancy of sites, buildings, or other improvements; Site requires high levels of municipal services. The creation of this Urban Renewal Area will stimulate area redevelopment including the redevelopment of vacant and/or underutilized sites to uses that are consistent with the Havana North Concept Plan and Urban Renewal Plan.

## **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 projects are intended to stimulate (directly and indirectly) private sector investment to assist in the conversion of the Area into a viable commercial, employment and mixed-use sub-area supported by accessible transportation with supporting public spaces contributing to increased revenues from property and City taxes.

## **6.2 Other Improvements and Facilities**

There could be other non-public improvements or facilities in the Area that may be required in connection with an urban renewal project to accommodate development of the Area. This would include items such as enhanced building facades and upgraded project lighting, landscaping, benches and amenities. The Authority may assist in the financing or construction of these improvements as it may serve a public purpose and the goals and objectives of this Plan.

## **6.3 Development Opportunities – Catalyst Projects**

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze development throughout the Area and fund future public improvements. The Fan Fare site, which is identified as one of three Activity Centers within the Havana District Design Concepts Plan, is considered the catalyst project within the Area. The Fan Fare site is severely blighted and has been an impediment for other redevelopment within the greater Havana North area. The site's redevelopment is an essential component to the Plan.

## **6.4 Development Standards**

All development in the Area shall conform to the laws, rules, regulations, policies and other requirements and standards of the City and any other governmental entity which has jurisdiction over all or any portion of the Area.

In conformance with the Act, the Plan, and the Havana North Concept Plan, the Authority may adopt design standards and other requirements applicable to projects undertaken by the Authority. As discussed in Section 5.4, Land Use, Connectivity and Design Standards, it is the intent of the City Council in adopting this Plan to conform to all concepts and design standards of the Havana North Concept 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.

#### **6.5 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 Havana North Concept Plan, the Aurora Comprehensive Plan and any subsequent updates, as well as the Act, or such amendments made in accordance with Section 6.6 of this Plan and as otherwise contemplated by this Plan.

The Authority may in specific cases allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provisions of this Plan would constitute an unreasonable limitation beyond the intent and purpose of this Plan.

#### **6.6 Project Financing 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 projects 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 project** area to pay the principal of, the interest on, and any premiums due in connections 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 allocate all or a portion of such incremental tax revenues to finance the costs of urban renewal projects through the provisions of a public finance and redevelopment agreement, 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 project, 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, this Urban Renewal Plan may be amended to designate the boundaries of new Tax Increment Areas, provided that the Tax Increment Areas so designated shall not overlap and shall be located entirely within the Urban Renewal Area. Each amendment designating the boundaries of a new Tax Increment Area shall be deemed to constitute a substantive modification to this Urban Renewal Plan within the meaning of Section 31-25-107(7), of the Act, thereby requiring an update to the Blight Study and a public hearing before the City Council for the purposes of determining the continued existence of blight with respect to the area so designated and considering such modification to the Plan, pursuant to the requirements of the Act.

The process for creating a new Tax Increment Area shall be initiated by written application to the Authority's Manager and the City's Director of Planning and Development Services that the applicant has a new redevelopment project and needs tax increment funding to fund public infrastructure and related lawful improvements. Each application shall contain the following information: a legal description and map of the area to be designated; a site plan; a description of the infrastructure to be funded and the estimated costs of that infrastructure; and the estimated tax increment revenue to be generated from the new Tax Increment Area. A traffic study of the proposed project's impact on traffic along Havana Street north to Colfax Avenue shall be conducted prior to any project approval.

The Authority and the City shall provide such notice to Arapahoe County and the Aurora Public School District of the Developer's request for the creation of a new Tax Increment Area and the intention to use Tax Increment Financing as may be required under the Act. Each Tax Increment Area approved by City Council shall continue in existence for a period of 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.**

#### **6.6.1. Tax Increment Financing Area 1**

Pursuant to the provisions of Section 31-25-107(9) of the Act and Section 130-4 of the City Code, the City Council approved a first Amendment to the Plan authorizing the creation of Tax Increment Financing (TIF) Area 1, effective on September 24, 2012. The clock for TIF Area 1 began at time of Plan amendment and the area boundaries and legal descriptions are shown in Exhibits III and V. TIF Area 1 includes the redevelopment of a 1.74 acre site, located adjacent to the Fan Fare site, as a commercial development with the Family Dollar store as a tenant. Under the approved substantive amendment to the Plan for TIF Area 1, all incremental sales and use taxes generated by the redevelopment are collected by the Authority and may be used to assist in financing future public improvement projects, as well as urban renewal projects within the Havana North Urban Renewal Area.

#### **6.6.2 Tax Increment Financing Area 2**

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 second Amendment to the Plan, is authorizing the creation of Tax Increment Financing (TIF) Area 2. The TIF boundaries and legal descriptions are shown and described in Exhibits V and VI. The 11.9 acre Tax Increment Area includes the catalyst Fan Fare site and four adjacent outparcels. The Aurora Urban Renewal Authority is the legal owner of the 10.3 acre Fan Fare site and intends to facilitate a redevelopment that meets the vision and goals of the Havana North Urban Renewal Plan. The sale of the Fan Fare site to a prospective developer will be conducted through a formal Request for Proposal (RFP) process. The future redevelopment project must meet the criteria established within the Havana North Concept Plan, serving as the blueprint for the urban renewal plan. The visions calls for a denser, mixed-use development, designed in a diverse, urban format with emphasis on features such as, connectivity to the surrounding neighborhoods and urban parks and open spaces.

Under the terms of an approved Public Finance and Redevelopment Agreement (PFRA) between the City of Aurora, the Authority and a third-party developer of the TIF Area, the Authority intends to provide financial assistance through a rebate of incremental tax revenue generated within the TIF area to offset costs associated with utility relocation,

infrastructure and drainage, as well as other public improvements. For a period of 25 years, 100% of all incremental tax revenue generated from activities within the TIF Area 2 will be shared between the Authority and any private or public parties as defined in a PFRA and/or Intergovernmental Agreement.

#### **6.7 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.

#### **6.8 Relocation Assistance**

It is not anticipated that acquisition of real property by the Authority will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the Authority shall act in accordance with the Relocation Assistance and Land Acquisition Policy adopted by the Authority Board on October 18, 2004, per Authority Resolution R2004-02, or its subsequent amendment, and in conformance with the Act.

#### **6.9 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.

#### **6.10 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.

#### **6.11 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 site; 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 provide assistance or undertake all other actions authorized by the Act or other applicable law to redevelop and rehabilitate the Area.

## **6.12 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.

## **6.13 Cooperation 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 projects, 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 including, 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.

## **7.0 Project Financing**

### **7.0.1 Public Investment Objective**

It is the intent of the Plan that the public sector plays a significant role in all urban renewal efforts as a strategic partner. However, experience has proven that a critical component to the success of any urban renewal strategy is participation by both the public and private sectors. Leveraging of resources will be key as no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Typical public infrastructure investments may include, but are not limited to: creating public space and meeting places; unifying streetscape elements (but for specific modifications made on private property); improving access and circulation; improving streets and parks; providing for corridor improvements and parking; completing utilities; and, creating special districts or other financing mechanisms.

## **7.1 Project Revenues**

### **7.1.1 Tax Increment Financing**

The Plan contemplates that a critical method of financing projects within the Area will be through the use of tax revenues of various types. The Authority shall be authorized to pledge all or any portion of such revenues for financing public improvements, which benefit the Area pursuant to one or more Cooperation agreements or Public Finance and/ or Redevelopment Agreements.

### **7.1.2 Distribution of Tax Revenues**

As specified in any amendment to this Plan which creates a new Tax Increment Area as set forth herein, ad valorem taxes and/or City taxes levied after the effective date of the approval of such amendment shall be divided for a period commencing on the later of, the date of City Council approval of such amendment or the effective date of allocation, and shall continue for a period not-to-exceed twenty-five years in accordance with Section 31-25-107(9) of the Act, or less, in accordance with the



specific terms of any applicable Public Finance and/or Redevelopment Agreement or Cooperative Agreement.

## **8.0 Severability**

If any portion of this Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

# **Havana North Urban Renewal Area Urban Renewal Plan**

*Aurora, Colorado*

## ***Appendix I:***

*Urban Renewal Legal Description*

**APPENDIX I**  
**HAVANA NORTH URBAN RENEWAL AREA LEGAL DESCRIPTION**

A parcel of land situated in the East  $\frac{1}{2}$  of Section 10, T4S, R67W of the 6<sup>th</sup> P.M. and the West  $\frac{1}{2}$  of Section 11, T4S, R67W of the 6<sup>th</sup> P.M., City of Aurora, Arapahoe County, State of Colorado, more particularly described as follows:

Commencing at the NE corner of Section 10, T4S, R67W of the 6<sup>th</sup> P.M.;

thence West along the north line of the NW  $\frac{1}{4}$  of Section 10 a distance of 632.72 feet;

thence South a distance of 50.00 feet to the NW corner of the Serv-Sta-Co, a subdivision recorded in the Arapahoe County Clerk and Records office, being of the POINT OF BEGINNING;

thence East along the north subdivision line of Serv-Sta-Co subdivision, a distance of 150.00 feet to the NE corner of said subdivision;

thence South along the east subdivision line, a distance of 5.00 feet to the NW corner of the Havana Sixth Subdivision;

thence East along the north subdivision line, a distance of 310.19 feet to the NE corner of said subdivision, also being the NW corner of Lot 1, Block 1, Fitzpatrick Subdivision – Second Filing;

thence East along the north line of Lot 1, Block 1, Fitzpatrick Subdivision – Second Filing, a distance of 92.43 feet to a point of curvature to the right;

thence along the said curve an arc distance of 39.34 feet, with a central angle of 90°09'30" and a radius of 25.00 feet to the east line of Lot 1, Block 1, Fitzpatrick Subdivision – Second Filing to a point of tangency, and also being the west right of way line of Havana Street;

thence South along said east Lot line, a distance of 94.93 feet to the SE corner of Lot 1, Block 1, Fitzpatrick Subdivision – Second Filing and also being the NE corner of Tract A, Fitzpatrick Subdivision;

thence continuing South along the east line of said Tract A, a distance 132.96 feet to the SE corner of said Tract A, and also being the NE corner of Lot 2, Block 1, Havana Sixth Subdivision;

thence continuing South along the east subdivision line, a distance 321.72 feet to the SE corner of Havana Sixth Subdivision and also being the NE corner of Lot 12, Cooper Subdivision;  
thence continuing South along the east line of Cooper Subdivision, a distance 100.00 feet to the SE corner of Lot 12, Cooper Subdivision;

thence West along the south line of said Lot 12, a distance of 15.00 feet to the west right of way line of Havana Street;

thence South along said west right of way line, a distance of 175.00 feet to a point on the north subdivision line of Fan Fair Subdivision Filing No. 2;

thence East along the north subdivision line of Fan Fair Subdivision Filing No. 2, a distance of 15.00 feet to the NE corner of said subdivision;

thence South along the east subdivision line of Fan Fair Subdivision Filing No. 2, a distance of 356.70 feet to the SE corner of said subdivision, being also a point on the east line of Lot 1, Block 1, Fan Fair Subdivision;

thence South along said east line, a distance of 281.51 feet;  
thence East, a distance of 105.00 feet to the SE corner of the intersection of the east right of way line of Havana Street and the southerly right of way of E. 4<sup>th</sup> Way, also being a point of curvature to the right;

thence Southeasterly along the southerly right of way line of E. 4<sup>th</sup> Way, an arc distance of 78.54 feet and said curve having a central angle of 24°46'25", with a radius of 181.65 feet to a point of tangency;

thence continuing Southeasterly and tangent to the last curve along the south right of way line of E. 4<sup>th</sup> Way, a distance of 216.00 feet;

thence Southwesterly, departing said right of way line and being perpendicular to last course a distance of 120.00 feet to the north subdivision line of Havana Commercial Park and the south subdivision line of Highland Park Subdivision Filing No. 4;

thence Southeasterly along said subdivision line, a distance of 325.00 feet to the NE corner of Lot 1, Block 1, Havana Commercial Park, also being the northern most NW corner of Havana Commercial Park Subdivision Filing No. 2;

thence continuing Southeasterly along said subdivision line, a distance of 284.98 feet to the northern most NE corner of Havana Commercial Park Subdivision Filing No. 2, also being the NW subdivision corner of Topaz Subdivision Filing No. 1;

thence Southwesterly along the east subdivision line of Havana Commercial Park Subdivision Filing No. 2, a distance of 321.96 feet to the SE corner of said subdivision and also being the NE corner of Lot 2, Block 1, Havana Lincoln-Mercury Subdivision Filing No. 1;

thence continuing Southwesterly along the east subdivision line of Havana Lincoln-Mercury Subdivision Filing No. 1, a distance of 178.62 feet to a point of curvature to the left;  
thence along said curve having an arc distance of 174.22 feet, with a central angle of 25°26'53" and a radius of 392.25 feet to a point of tangency;

thence continuing South, being tangent to said curve, a distance of 10.00 feet to the north right of way line of E. 1<sup>st</sup> Ave., also being the SE corner of Lot 2, Block 1, Havana Lincoln-Mercury Subdivision Filing No. 1, also being the SW corner of Lot 1, Block 1, Topaz Subdivision Filing No. 1;

thence South, a distance of 70.00 feet to the south right of way line of E. 1<sup>st</sup> Ave., also being the north subdivision line of Havana Automotive Park Filing No. One;

thence East along said subdivision line, also being the south right of way of E. 1<sup>st</sup> Ave., a distance of 310.29 feet;

thence North along said subdivision line, a distance of 30.00 feet to the south right of way line of E. 1<sup>st</sup> Ave.;

thence East continuing along said right of way line, a distance of 423.87 feet to a point on the east line of the West  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 11, T4S, R 67W, also being 50 feet south of the NE corner of Havana Automotive Park Filing No. One and also being a point on the west line of Lyn Acres No.1, a subdivision recorded in Arapahoe County, said point being 33.63 feet north of the NW corner of Lot 1, Block 2, Lyn Acres No. 1;

thence South along the east line of the West  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 11, T4S, R 67W, also being the east subdivision line of Havana Automotive Park Filing No. One, a distance of 482.39 feet, to the SE corner of said subdivision, also being the NE corner of vacated right of way of Kenton Street as shown in Book 3689 at Page 520, which was previously dedicated in Havana Office Park Subdivision Filing No. 1, also being a point on the west line of Block 2, Lyn Acres No. 1;

thence continuing South along the east line of vacated right of way of Kenton Street and the east line of Lot 1, Block 2, Havana Office Park Subdivision Filing No. 1, a distance of 696.62 feet to a point on the northern right of way line of E. Highline Drive, also being the SW corner of Lot 14, Block 2, Lyn Acres No. 1;

thence Southwesterly along the south line of Lot 1, Block 2, Havana Office Park Subdivision Filing No. 1 and the north right of way of E. Highline Drive, a distance of 17.91 feet to a point of curvature to the right;

thence Southwesterly along said curve having a an arc distance of 77.98 feet, with a central angle of 30°12'22" and a radius of 147.93 feet to a point of tangency to the north right of way of E. Bayaud Ave.;

thence West along the north right of way line of E. Bayaud Ave., a distance of 266.86 feet to the west subdivision line of Havana Office Park Subdivision Filing No. 1;

thence West along the north right of way line of E. Bayaud Ave., a distance of 39.00 feet to the SE corner of Naughton Subdivision Filing No. 1;

thence West along the north right of way line of E. Bayaud Ave., also being the south subdivision line of Naughton Subdivision Filing No. 1, a distance of 567.80 feet to the SW corner of Naughton Subdivision Filling No. 1, also being the SE corner of Precision Automotive Park Subdivision Filing No. 2;



thence West along the south subdivision line of Precision Automotive Park Subdivision Filing No. 2, a distance of 320.00 feet to the SW corner of said subdivision and the SE corner of a Service Road and Utility Easement shown in Plat Book 18 at Page 39, reception No.945133;

thence West, a distance of 35 Feet to the SW corner of said Service Road and Utility Easement and a point on the east right of way line of Havana Street;

thence North, along the east right of way line of Havana Street and the west line of said Service Road and Utility Easement, a distance of 315.72 feet to the western most SW corner of Havana Office Park Subdivision Filing No. 1;

thence North along said subdivision line, a distance of 410.40 feet to the NE corner of Havana Office Park Subdivision Filing No. 1, also being a point on the south subdivision line of Havana Automotive Park Filing No. One and being 5.00 feet east of the SW corner of Havana Automotive Park Filing No. One;

thence North on a line being 5.00 feet east and parallel with the west line of said subdivision a distance of 264.09 feet;

thence West departing said line, a distance of 155.00 feet to the west right of way of Havana Street;

thence West departing said right of way line, a distance of 183.87 feet;

thence North a distance of 201.95 feet to the south right of way line of E. 1<sup>st</sup> Ave.;

thence continuing North, a distance of 100.00 feet to the north right of way line, also being the south line of Tract A, Davidson Subdivision, also being the south line of the NE 1/4 of Section 10, T4S, R67W;

thence West along the south line of Tract A, Davidson Subdivision, a distance of 349.50 feet to the SW corner of said Tract A, also being the east line of vacated right of way of Geneva Street as shown in vacation ordinance number 66-47, and also being the SE corner of Tract B, Davidson Subdivision, Filing No. 2;

thence West along the south line of Tract B, Davidson Subdivision, Filing No. 2, a distance of 45.00 feet to the SE corner of Davidson Subdivision Filing No. 4;

thence North along the east line of Davidson Subdivision Filing No. 4, a distance of 300.00 feet to the NE corner of said subdivision;

thence West along the north line of Davidson Subdivision Filing No. 4, a distance of 466.51 feet to the NW corner of Davidson Subdivision Filing No. 4, also;

thence South along the west line of Davidson Subdivision Filing No. 4, a distance of 300.00 feet to the SW corner of said subdivision, also being a point on the south line of Davidson Subdivision Filing No. 3;

thence West along the south line of Davidson Subdivision Filing No. 3, a distance of 150.00 feet to the SW corner of Davidson Subdivision Filing No. 3, also being the east right of way line of Fulton Street;

thence North along said west line of Davidson Subdivision Filing No. 3, a distance of 631.80 feet to the NW corner of Davidson Subdivision Filing No. 3, also being the south right of way line of E. 3<sup>rd</sup> Ave.;

thence East along the south right of way line of E. 3<sup>rd</sup> Ave. and north line of Davidson Subdivision Filing No. 3, a distance of 331.06 feet to the NE corner of Davidson Subdivision Filing No. 3, also being the NW corner of Tract B, Davidson Subdivision, Filing No. 2;

thence continuing East along the south right of way line of E. 3<sup>rd</sup> Ave. and north line of Tract B, Davidson Subdivision, Filing No. 2, a distance of 330.85 feet to the NE corner of Tract B, Davidson Subdivision, Filing No. 2;

thence North departing the south right of way line of E. 3<sup>rd</sup> Ave., a distance of 60.00 feet to the north right of way of E. 3<sup>rd</sup> Ave. and the east right of way line of Geneva Street, also being the SW corner of Lot 1, Fan Fair Subdivision;

thence continuing North along the west line of Lot 1, Fan Fair Subdivision, a distance of 1048.62 feet to the NW corner of Lot 1, Fan Fair Subdivision, also being the SW corner of Lot 9, Cooper Subdivision;

thence East along the north line of Fan Fair Subdivision, a distance of 254.65 feet to the NW corner of Fan Fair Subdivision Filing No. 2;

thence continuing East along the north line of Fan Fair Subdivision Filing No. 2, a distance of 172.60 feet;

thence North a distance of 240.00 feet to the most southerly SE corner of Havana Sixth Subdivision;

thence West along the south line of Havana Sixth Subdivision, a distance of 427.37 feet to the SW corner of said subdivision and also being the east right of way of Geneva Street;

thence North along the west line of Havana Sixth Subdivision, a distance of 314.72 feet to the western most NW corner of said subdivision and also being the SW corner of J L S Subdivision;

thence continuing North along the west line of J L S Subdivision, a distance of 150.00 feet to the NW corner of said subdivision and also being the SW corner of Serv-Sta-Co subdivision;

thence continuing North along the west line of Serv-Sta-Co subdivision, a distance of 150.00 feet to the NW corner of said subdivision, also being the POINT OF BEGINNING.

The parcel of land contains 90.501 acres more or less

**APPENDIX II**  
**2010 HAVANA NORTH BLIGHT STUDY**

*City of Aurora, Colorado*

## ***Havana North Blight Study***



Prepared on July 20, 2010

Prepared by Clarion Associates  
401 N. Mason Court, Ste. 101  
Fort Collins, CO 80524  
(970) 419-4740

# *City of Aurora, Colorado*

## *Havana North Blight Study*

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## Blight Study Definition and Scope

The purpose of this Blight Study is to determine whether the Aurora Havana North study area is “blighted” within the meaning of the Colorado Urban Renewal Law, C.R.S. 31-25-101 *et seq.* (the “Urban Renewal Law”). (See the study area description on page 4 and Figure 1: Study Area map on page 6.)

In the Colorado Urban Renewal Law, the legislature has declared that municipal blighted areas, “constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state in general and municipalities thereof; that the existence of such areas contributes substantially to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums and blight is a matter of public policy and statewide concern...”.

For purpose of this study, the definition of a blighted area is based on the definition contained in the Urban Renewal Law in C.R.S section 31-25-103(2). “A ‘blighted area’ means an area that, in its present condition and use, and by reason of the presence of a least four of the following factors, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;
- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, “blighted area” also means an area that, in its present condition and use and, by reason of the presence of any one of the factors

specified in paragraphs (a) to (k.5) of this subsection (2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare. For purposes of this paragraph (l), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.

The Urban Renewal Law requires that if eminent domain is to be used to acquire private property within the urban renewal area, then five (5) blight criteria must be met. If eminent domain will not be used and none of the property owners or tenants objects to their inclusion within the urban renewal area, then one (1) blight criterion must be met. Otherwise, if neither of those two conditions applies, then four (4) of the blight criteria must be met.

## **Havana North Study Area Description**

### **Location**

The Havana North study area ("study area") is located in the western part of the City of Aurora, Colorado. It is generally bounded by E. 6<sup>th</sup> Avenue to the north, N. Kenton Street to the east, E. Bayaud Avenue to the south, and Fulton Street to the west. (See Figure 1: Study Area map, on page 6.) Most of the properties are located along a 0.75 mile stretch of Havana Street, which is part of a major commercial corridor on the western border of Aurora.

The Lowry redevelopment site is located to the southwest of the study area. The Sunny Vale, Highland Park East, Lyn Acres, and Highline Villages neighborhoods are located nearby.

The study area is well-connected by trails (Golf Course, Highline Canal Trail, and Lowry Boulevard 6<sup>th</sup> Avenue Trail) and transit along 6<sup>th</sup> Avenue and Havana Street. Both 6<sup>th</sup> Avenue and Havana Street are major arterials carrying respectively over 25,000 and 35,000 vehicles daily (Colorado Department of Transportation (CDOT), 2007 traffic counts).

### **Configuration and Size**

The study area is approximately 103 acres in size. The 40 parcels within the study area cover 88 acres and range in size from 0.24 acres to 10.3 acres (the "Fan Fare" parcel being the largest). The remaining 15 acres are public rights-of-way.

### **Ownership**

The 40 parcels are owned privately by approximately 30 owners.

## Site and Parcel Legal Description

The site contains parcels identified in the Aurora GIS and coded with a Parcel Number. (See Table 1: North Havana Blight Study Parcels, on page 7.)

## Land Uses and Developed/Vacant Land Mix

Most of the study area is used for urban-level non-residential development. It currently contains several gas stations, retail shops, a nursing home, a storage facility, auto dealers and repair, restaurants, offices, and the Concorde building. A few of the sites are vacant, non-agricultural lands. The study area is zoned for urban-level uses as shown on Figure 2. (See Figure 2, Havana North Current Zoning, page 8.) The uses include:

- **B-1 District**, Retail Business District, the purpose being to provide retail goods and services... to satisfy the household and personal needs of the residents of nearby neighborhoods. It should be located and designed to allow for access by pedestrians, bicyclists, and various types of public transportation, in addition to automobiles.
- **B-3 District**, Highway Service District, the purpose being to provide goods and services predominantly related to the regional needs of tourists or those traveling by motor vehicles.
- **M-1 District**, Light Industrial District, the purpose of which is to provide locations for light manufacturing, office uses, wholesale, and related services.
- **PD (the “Fan Fare” site), Planned Development District** is to utilize new and imaginative concepts in urban design and land development in order to promote and improve the health, safety, and general welfare of the citizens of the city.
- **P-1, Parking District**, (parcel 23) intended to provide parking areas to encourage parking facilities.
- **R-2 and R-4, Residential**. A portion of parcel 26 is zoned R-2, for residential, and parcel 11, the nursing facility is zoned R-4, and
- **Open**. Parcel 2 and part of parcel 30 are designated as open land areas that are unsuitable for development.

## Comprehensive Plan and Havana District Concept Plan

The City of Aurora 2009 Comprehensive Plan identifies the study area as part of the Havana Corridor/Lowry/Buckingham area. The pertinent vision and goals for the corridor include achieving:

- A mix of high quality retail, employment, and residential uses will exist with more intense but dispersed nodes of development.
- A high quality and consistent streetscape.
- Infrastructure improvements to facilitate and enhance mobility and accessibility for pedestrians and bicyclists.

- Installation of safe, comfortable, and attractive transit stops at appropriate intervals.

The Comprehensive Plan acknowledges the Havana District Concept Plan (HDDCP) adopted in 2005 and amended in 2010 by the Havana North Concept Plan. The HDDCP examines the function of the area and recommends pursuing redevelopment. The more recent Havana North Concept Plan serves to update the land use and connectivity patterns, as well as to set the future redevelopment framework for the Havana North area. In addition, it presents new concepts to guide development, including:

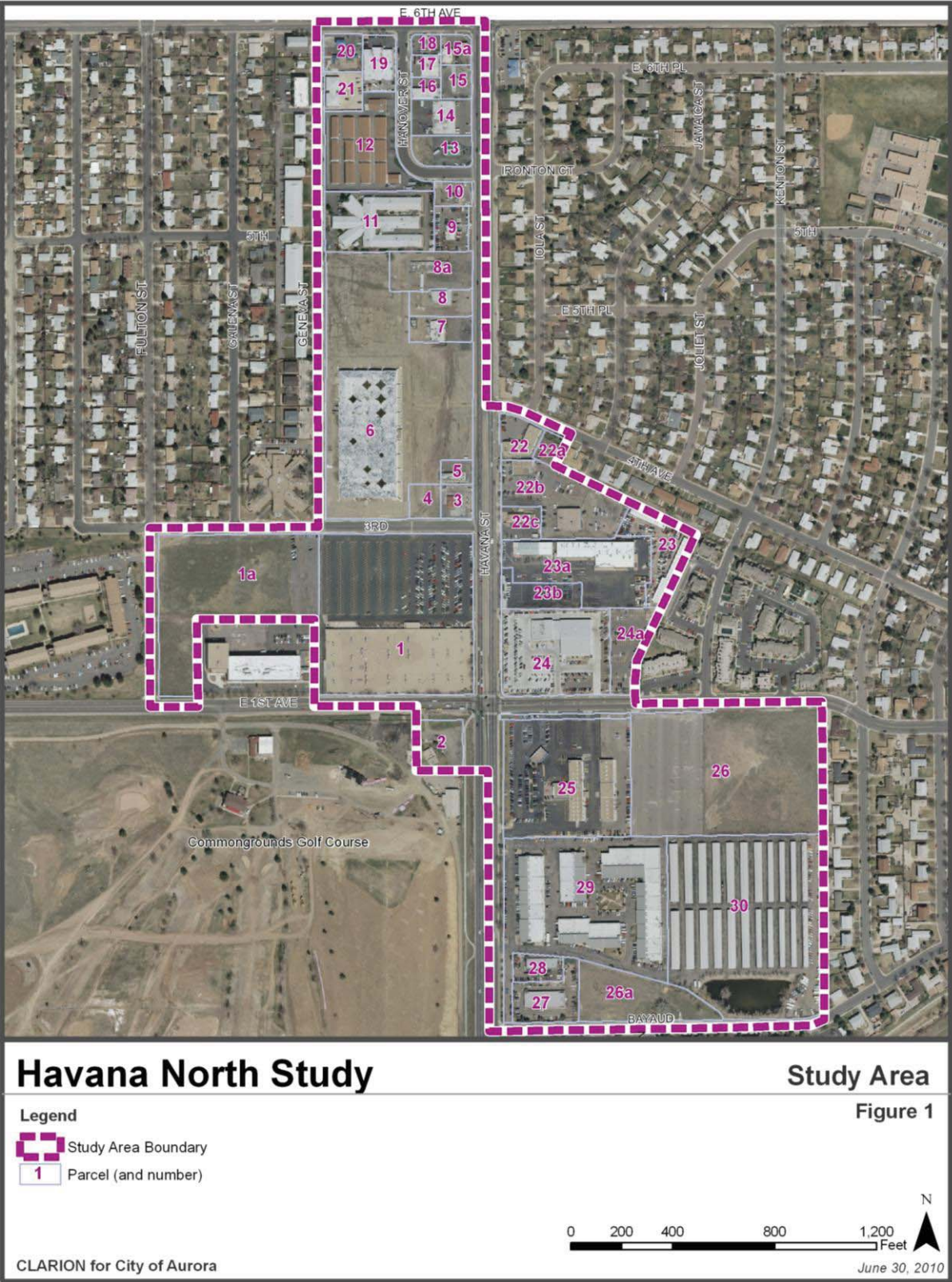
- providing maximum flexibility of land use while maintaining compatibility with existing development,
- making the area a destination,
- mixing the land uses (residential, commercial, and public spaces),
- providing higher densities with unlimited height,
- providing street and pedestrian connectivity,
- providing accessible high quality amenities, and
- addressing other concepts, as contained in the district plan.



***Photo 1: Fan Fare is zoned for Planned Development and planned as a future activity center. (Parcel 6)***



Figure 1: Study Area



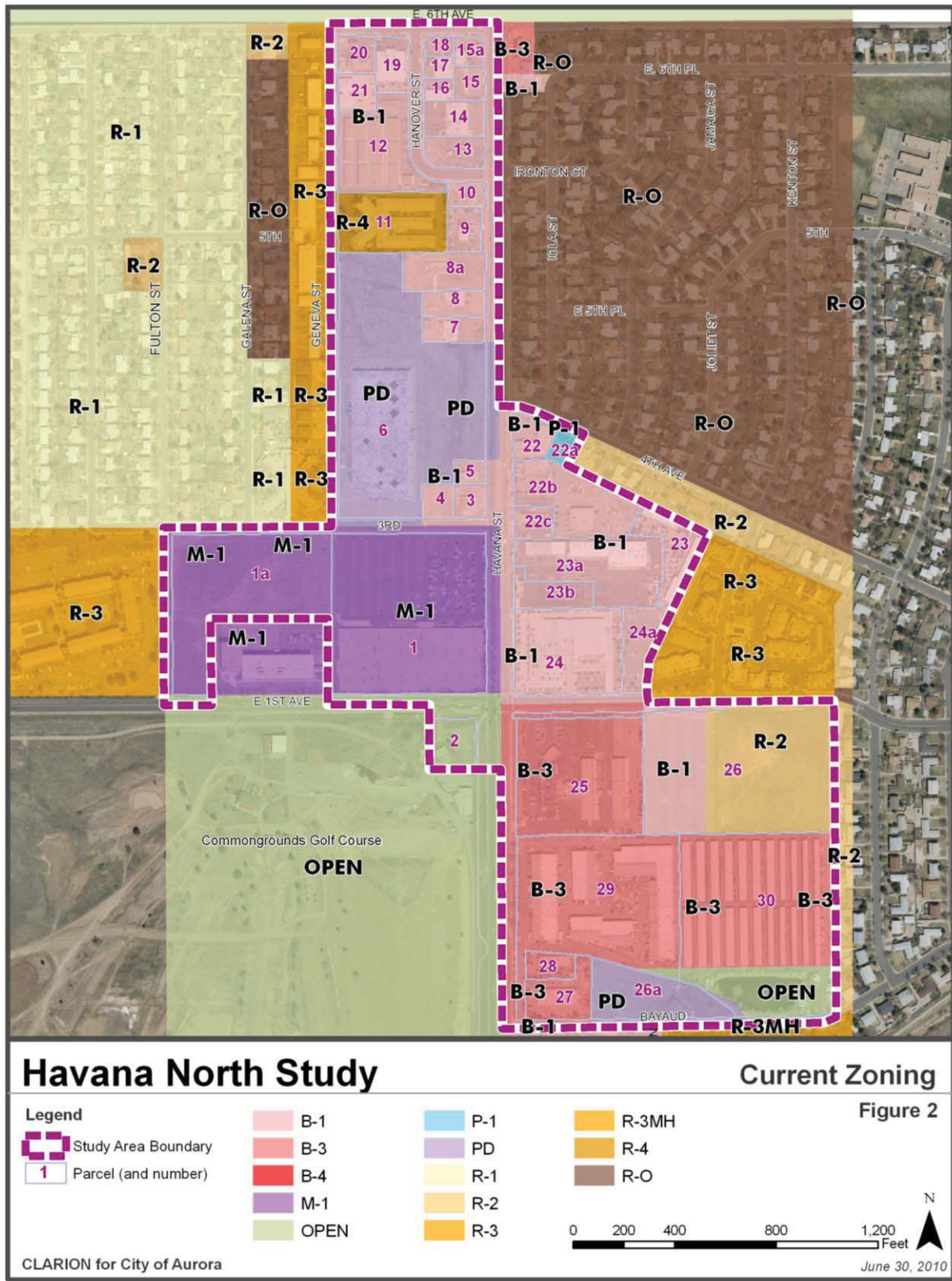
**Table 1: North Havana Blight Study Parcels**

<b>Study Area #</b>	<b>Address</b>	<b>Parcel #</b>	<b>Acres*</b>
<b>1</b>	111 N. Havana St.	1973-10-1-15-002	8.78
<b>1a</b>	Vacant lot	1973-10-1-15-006	5.94
<b>2</b>	Golf course out	1973-10-4-0-004	0.86
<b>3</b>	301 N. Havana St.	1973-10-1-01-027	0.37
<b>4</b>	301 N. Havana St.	1973-10-1-01-026	0.37
<b>5</b>	313 N. Havana St.	1973-10-1-01-024	0.29
<b>6</b>	333 N. Havana St.	1973-10-1-01-023	10.30
<b>7</b>	455 N. Havana St.	1973-10-1-19-003	0.57
<b>8</b>	465 N. Havana St.	1973-10-1-19-002	0.60
<b>8a</b>	495 N. Havana St.	1973-10-1-19-001	1.13
<b>9</b>	503 N. Havana St.	1973-10-1-01-042	0.54
<b>10</b>	513 N. Havana St.	1973-10-1-01-014	0.31
<b>11</b>	500 Geneva St.	1973-10-1-01-029	2.43
<b>12</b>	565 Hanover Way	1973-10-1-01-040	2.52
<b>13</b>	523 N. Havana St.	1973-10-1-17-005	0.66
<b>14</b>	565 N. Havana St.	1973-10-1-17-004	0.79
<b>15</b>	587 N. Havana St.	1973-10-1-01-017	0.36
<b>15a</b>	595 N. Havana St.	1973-10-1-041	0.32
<b>16</b>	576 N. Hanover Way	1973-10-1-17-003	0.24
<b>17</b>	586 N. Hanover Way	1973-10-17-002	0.26
<b>18</b>	10400 E. 6 <sup>th</sup> Ave.	1973-10-1-17-001	0.28
<b>19</b>	10320 E. 6 <sup>th</sup> Ave.	1973-10-1-01-038	0.64
<b>20</b>	10300 E. 6 <sup>th</sup> Ave.	1973-10-1-01-03	0.52
<b>21</b>	560 Geneva St.	1973-10-1-01-003	0.51
<b>22</b>	350 Havana St.	1973-11-2-20-016	0.75
<b>22a</b>	Vacant lot	1973-11-2-20-012	0.28
<b>22b</b>	334 N. Havana St.	1973-11-2-20-014	2.50
<b>22c</b>	304 N. Havana St.	1973-11-2-20-015	0.47
<b>23</b>	242 N. Havana St.	1973-11-2-28-003	1.29
<b>23a</b>	262 N. Havana St.	1973-11-2-28-002	2.86
<b>23b</b>	Vacant lot	1973-11-2-28-001	0.81
<b>24</b>	100 N. Havana St.	1973-11-2-25-001	3.33
<b>24a</b>	Vacant lot	1973-11-2-25-002	1.08
<b>25</b>	90 N. Havana St.	1973-11-3-01-021	5.40
<b>26</b>	Vacant lot	1973-11-3-01-020	8.72
<b>26a</b>	10651 E. Bayaud Ave.	1973-11-3-32-001	2.01
<b>27</b>	92 S. Havana St.	1973-11-3-31-002	0.72
<b>28</b>	70 S. Havana St.	1973-11-3-01-016	0.48
<b>29</b>	10 S. Havana St.	1973-11-3-11-005	7.39
<b>30</b>	40 S. Havana St.	1973-11-3-11-006	8.74



\* Acres from Arapahoe County Assessor Office database (may vary slightly from GIS data).

Figure 2: Havana North Current Zoning



## Determination of Aurora Havana North Study Area Conditions

### Study Methodology

The City of Aurora retained Clarion Associates (the consultant) to perform a conditions survey of the Aurora Havana North study area and work with staff to make a recommendation as to whether the study area is “blighted,” as defined by the Colorado Urban Renewal Law. (See criteria used to determine whether an area is blighted on page 3.) At the same time, the City retained ERO Resources, Inc. to perform an Environmental Assessment of the study area.

An important objective of this study is to obtain and analyze data on a wide range of site conditions. The study considers the physical condition of public infrastructure and of the property. The consultant undertook the following tasks to complete this study:

1. Conducted a visual field survey for the property and evaluated current conditions.
2. Reviewed data provided by the City of Aurora and on the Arapahoe County website.
3. Conducted meetings and phone calls with Aurora staff to review and clarify data.
4. Evaluated conditions found in the context of statutory blight criteria and documented the survey findings, as presented in this report.

### Study Findings Identified by Criteria

This section presents the findings of the study. The consultant evaluated the factors defined by statute, as listed

below, to determine whether the Havana North Study Area is a blighted area within the meaning of the Colorado Urban Renewal Law.

The Colorado Urban Renewal Law requires the presence of at least four of the factors in the study area to support a finding of blight, or one (1) factor if there are no objections by property owners or tenants to their inclusion in the urban renewal area. Under circumstances where eminent domain is approved by the governing body of a municipality as part of an urban renewal plan, five factors are required.

### A: Slum, Deteriorated, or Deteriorating Structures

#### Determination of Conditions

Most of the parcels within the study area contain structures. For each parcel on which a structure is present, the consultant visually inspected specific components of the structure and evaluated its condition at the time of the field survey according to a rating of “good,” “fair,” or “poor,” based on the rating guidelines presented in the Appendix. These structural components included the following:

- Roof
- Gutters and downspouts
- Siding and windows
- Doors and entrances
- Exposed foundation

#### Findings

The study area contains several structures considered to be deteriorated or deteriorating, most notably the Fan Fare structure (parcel 6), which is a vacant 119,000 square foot building that



is highly visible from most parts of the study area and adjacent rights-of-way and neighborhoods. In addition, the structures on parcels 1, 3, 8a, 10, 13, and 22c are in poor condition, according to the rating guidelines used. Properties exhibiting deteriorating conditions tend to be central to the study area but are not confined to one quadrant or blocks within it. Many other structures in the study area are in marginal to fair condition and are likely to deteriorate without substantial improvements (e.g., the retail and restaurant buildings on parcels 5, 7, 8, 9, 14, 16, 20, 21, and 22).



**Photo 2: Fan Fare building. (Parcel 6)**



**Photo 3: Former gas station. (Parcel 3)**



**Photo 4: Restaurant. (Parcel 22c)**

## **B: Predominance of a Defective or Inadequate Street Layout**

### **Determination of Conditions**

Defective or inadequate street layout is present if the physical conditions will negatively influence the study area and surrounding area. The consultant determines this factor is present if most of the following physical conditions are evident:

- The study area (or parcels within it) will require street extensions and additional curb cuts to provide vehicular access;
- The study area will require creation of an internal vehicular circulation and access network to be functional for contemporary development patterns (e.g., because individual parcels are large); or
- Parcels abut narrow streets, and/or streets are deficient in factors found in an urban area, including improvements in the right-of-ways, such as sidewalks, accessibility ramps, and curb and gutter.

**Findings**

Blight factor B, inadequate street layout is present in the study area, due to a number of small parcels (less than half an acre) that create frequent curb cuts along Havana and are not adequate to allow safe vehicular movement and pedestrian safety for an arterial street layout. Havana lacks adequate sidewalks and curb and gutter along most of its extent through the study area.

In addition, street extensions will be necessary through some of the larger parcels—between Havana and Geneva Street; between 3<sup>rd</sup> Avenue and 1<sup>st</sup> Avenue, and between 1<sup>st</sup> Avenue and E. Bayaud Avenue (i.e., through parcels 1a and 1, 6, 25, 26, 26a, 29, and 30) to better connect this area to surrounding neighborhoods and to meet the objectives of the plan for the area to achieve viable, functional mixed-uses.

**C: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness****Determination of Conditions**

Factor C exists if lot configuration within the study area will restrict potential marketable uses, and assemblage of multiple properties may be necessary for development. In addition, the lot layout could possibly complicate the development process if parcels are small or irregularly shaped and front on arterial streets. For these reasons, the study area is considered faulty or inadequate if:

- The lot size or configuration is a constraint or is not practical for contemporary development

patterns as currently zoned where individual parcels will require assemblage to be functional for contemporary development patterns;

- Parcels do not have access from any entrance that is at a safe distance from a major intersection along a major arterial; or
- The lot has an obvious lack of off-street parking or well-defined/useful parking for a particular use.

**Findings**

The study area has faulty lot layout in relation to usefulness, particularly the small lots along Havana (parcels 3, 4, 5, 7, 8, 8a, 9, and 10, as well as the parcels ranging from 22 to 23). Parcel assemblage will be necessary to achieve contemporary development patterns and the vision for the area. As noted on the previous page, the smaller lots do not provide adequate distance from major intersections to create safe vehicular access onto properties.

**D: Unsanitary or Unsafe Conditions****Determination of Conditions**

Several physical conditions could create unsanitary or unsafe conditions, including the following:

- Large amounts of broken glass, rusty and junk metal, and splintered wood;
- Poorly lit or unlit areas (especially large parking lots or vacant properties);
- Presence of abandoned vehicles, vandalism, or vagrancy; or
- Stagnant and standing water.

**Findings**

Unsafe conditions are present in the study area, particularly on and around the Fan Fare property (parcel 6) which has several broken lights contributing to dark areas, large amounts of refuse and broken glass. Several of the commercial properties have poorly screened and overflowing trash areas with graffiti (parcels 13, 5, and 22).



**Photo 5: Broken lights. (Parcel 6 looking toward Parcel 5)**



**Photo 6: Graffiti and dumpster. (Parcel 22)**

**E: Deterioration of Site or Other Improvements**

**Determination of Conditions**

Factor E, site deterioration, is determined based on the state of improvements, including fences, driveways and pavement, and overall condition and maintenance of the study area (i.e., presence of weeds, dead trees and shrubs, and trash).

**Findings**

The study area has deteriorating site conditions throughout it, with the highest frequency and levels in the following locations:

- The Fan Fare site (parcel 6) and sites immediately adjacent to it (parcels 3, 4, 5, 7, 8, and 8a), where the site conditions are highly deteriorated, with old asphalt parking lots that are cracked and full of weeds and refuse.
- The northeast portion of the study area along Havana Street (parcels 9, 10, 12, 13, and 14 are deteriorated, somewhat less so than the aforementioned parcels, because they have some landscaping).
- Parcels 22, 22a, and 22c, due to graffiti, weeds, and deteriorating parking lot and other site improvements.
- Portions of parcels 25 and 26, due to weeds and deteriorating pavement.
- The large parking area north of the Concorde building on parcel 1 is cracked and deteriorating



and lacks landscaping, as shown below.



**Photo 7: Deteriorating parking lot and sidewalk north of Concorde. (Parcel 1)**



**Photo 8: Fan Fare site. (Parcel 6)**



**Photo 9: The back of the restaurant structure. (Parcel 5)**



**Photo 10: Unused gas pumps. (Parcel 3)**



**Photo 11: Vacant site with deteriorating pavement. (Parcel 26)**



**Photo 12: Lot behind the restaurant. (Parcel 13)**



**Photo 13: Dumpster behind the restaurant. (Parcel 13)**

## **F: Unusual Topography or Inadequate Public Improvements or Utilities**

### **Determination of Conditions**

This study considers unusual topography where conditions such as steep slopes or floodplains impede the development of parcels in a safe and viable layout.

Also, the consultant reviewed the condition of public improvements or utilities, including roads and sidewalks, electrical utilities, and storm water drainage and concluded these impoundments or utilities are in inadequate condition if:

- Streets are in disrepair—if they are cracking, contain potholes, or are deteriorating;
- Streets lack sidewalks and a curb;
- Sidewalks are substandard widths;
- Electric lines are undersized or sagging and will need replacement;
- Lighting is absent or inadequate;
- Steep slopes constrain the study area or impede circulation within it;
- Water and sewer lines are inadequately sized, lacking, or deteriorating.

### **Findings**

The area contains no unusual topographic features such as steep slopes or floodplains. Inadequate public improvements or utilities are present, including insufficient sidewalks and curb and gutter along most of Havana Street and limited street lighting along major streets. Water lines are adequately sized to serve the area. Sewer is generally adequate for current uses (except for the west side of parcel 1a where no line is available), but sewer lines may require upgrades for future redevelopment, depending on the uses proposed. Most of the properties were built before the 1988 edition of the Uniform Fire Code that addressed fire hydrants. Based on the adopted code utilized for the construction of the specified buildings, it appears that the number, location, and fire flows of the existing hydrants are considered adequate (Aurora Building Division and Assistant Fire Marshall).



**Photo 14: Lack of adequate sidewalks along Havana. (Parcel 3)**





**Photo 15: Frequent curb cuts and narrow sidewalks along Havana make the pedestrian environment unsafe. (Parcel 13)**



**Photo 16: Lack of adequate sidewalks (and rubble) along Havana. (Parcel 7)**

## **G: Defective or Unusual Conditions of Title**

### **Determination of Conditions**

This factor is present if the title contains unusual conditions rendering it potentially nonmarketable.

### **Findings**

An online search of the Arapahoe County Clerk and Recorder's office legal records show no liens on any of the properties in the study area.

## **H: Conditions that Endanger Life or Property by Fire or Other Causes**

### **Determination of Conditions**

Fire code violations, lack of or inadequate emergency vehicle access, or inadequate fire fighting infrastructure are conditions that endanger life or property by fire or other causes. Known environmental conditions, such as benzene plumes and derelict gas pumps, are also potentially hazardous conditions that may endanger life or property by fire.

### **Findings**

Five of the parcels (3, 5, 20, 27, and 28) have benzene plumes that endanger life or property by fire or other causes. Fire Department records show that several of the commercial properties have had violations that have either not been corrected or that have required multiple inspections to meet compliance (notably on parcels 5, 7, and 13). However, the violations are fairly routine maintenance issues and do not constitute structural or electrical hazards that could more significantly endanger life or property, so they are not considered to be blight factors.

## **I: Buildings that are Unsafe or Unhealthy**

### **Determination of Conditions**

Buildings are considered unsafe or unhealthy if they are in violation of inspections or if they pose a risk to health and safety.

### **Findings**

The building code search did not turn up records of building violations. However, several properties have

unsafe conditions. It is known that the Fan Fare structure contains asbestos, which poses a health risk. Benzene plumes on parcels 3 and 5 also make the buildings on those properties potentially unsafe, due to vapors. Parcels 20, 27, and 28 have potential vapors as well.

## **J: Environmental Contamination of Buildings or Property**

### **Determination of Conditions**

Factor J is environmental contamination related to a current or prior use within the study area that may have caused such a condition. Any site that currently or formerly housed a gas station, auto repair shop, or dry cleaner are suspect properties, but the consultant only considers documented environmental contamination to be a factor present.

### **Findings**

Environmental contamination is documented across the study area and is not isolated to one or two parcels. Current and prior uses on several of the subject and adjacent parcels have contributed to contamination that includes soil impacts and ground water plumes of petroleum hydrocarbons and chlorinated solvents that cross individual parcel and study area boundaries.

Parcels 3, 15a, and 20 have leaking underground storage tank sites with active remediation activities being conducted under regulatory oversight. Parcel 9 has a reported release, but the extent of contamination has yet to be identified. A former dry cleaner adjacent to parcels 25 and 29 has undergone active remediation for chlorinated solvents (PCE) in ground

water that flows into the study area. The former Lowry Air Force Base fire training area is adjacent to Parcels 1a and 2 and has resulted in several solvent (TCE) ground water plumes which may affect parcel 2. The Fan Fare building on parcel 6 is known to contain asbestos building materials.

The study area also contains two dry cleaners and eight auto repair shops. Although none of these parcels has known or documented contamination, these uses have a high probability of causing environmental contamination. (See Appendix B, Environmental Conditions maps on page 23, ERO Resources study, 2010.)



**Photo 17: This parcel has a documented benzene plume that flows north. (Parcel 3)**

## **K: Substantial Underutilization or Vacancy of Sites, Buildings, or Other Improvements; Site Requires High Levels of Municipal Services.**

### **Determination of Conditions**

Factor K is present if the study area has, "the existence of health, safety, or welfare factors requiring high levels of municipal services, or if it has substantial physical underutilization or vacancy of sites, buildings, or other improvements." Where the improvements value is small

relative to the land value, this factor is present. It is also present if Aurora has to continually monitor a site, remove nuisances, respond to police or fire calls, or issue violation notices.

### **Findings**

Police records for the study area indicate average to high levels of occurrences. The Aurora Police Department reports the area as “blighted,” because of frequent complaints from the community about the structures and parking lots, quality of life issues, minor property crime, and drug and gang activity. The study area has experienced two homicides within a one block area within 3 years (6<sup>th</sup> and Geneva and 6<sup>th</sup> and Havana) and has a “medium-high” level of crime activity according to a representative of the Aurora Police Department who covers this area.

In addition, the study area is largely underutilized and vacant considering its central urban location. Five parcels are completely vacant (1a, 2, 4, 22a, and 26). These parcels comprise almost 20% of the buildable land area (not including rights-of-way). Additional parcels contain vacant or partially vacant structures or are being used for parking (1, 3, 6, 8, 18, 23a, 23b, and 24a), which comprise another 15% of the buildable land area. Finally, 21 of the 40 parcels have an improvement value to land value ratio of 0.5 or less, which is consistent with the average for the study area as a whole. Some of the 21 parcels with low improvement value are listed as “vacant,” above. Table 2 identifies the remaining parcels with low improvement value (8a, 9, 15a, 21, 23, and 25).



**Photo 18: One of the vacant parcels in the study area. (Parcel 22a)**



**Photo 19: Vacant land around Fan Fare. (Parcel 6)**



## Summary of Findings

The Urban Renewal Law defines a “blighted area” as having the presence of at least four of the blighting factors (defined by the statute) in the surveyed area. Five factors must be present under circumstances where eminent domain is approved by the City’s governing body as part of an urban renewal plan.

In the Havana North Study Area, at least ten blighting factors are present, meeting the minimum threshold for a finding of blight in the study area. The present factors include:

1. **Factor A**, Slum, deteriorated, or deteriorating structures;
2. **Factor B**, Predominance of defective or inadequate street layout;
3. **Factor C**, Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
4. **Factor D**, Unsanitary or unsafe conditions;
5. **Factor E**, Deterioration of site or other improvements;
6. **Factor F**, Inadequate public improvements or utilities;
7. **Factor H**, Conditions that endanger life or property by fire or other causes;
8. **Factor I**, Buildings that are unsafe or unhealthy;
9. **Factor J**, Environmental contamination of buildings or property; and
10. **Factor K**, Substantial underutilization or vacancy of sites, buildings, or other improvements; site requires high level of municipal services.

The blight factors present may impair or arrest the sound growth of the City of Aurora and constitute a liability. With the presence of blighting influences, it is likely that urban development of this area will continue to be substantially impaired; will retard the provision of housing accommodations; will constitute an economic or social liability; and will be a growing menace to the public health, safety, or welfare.



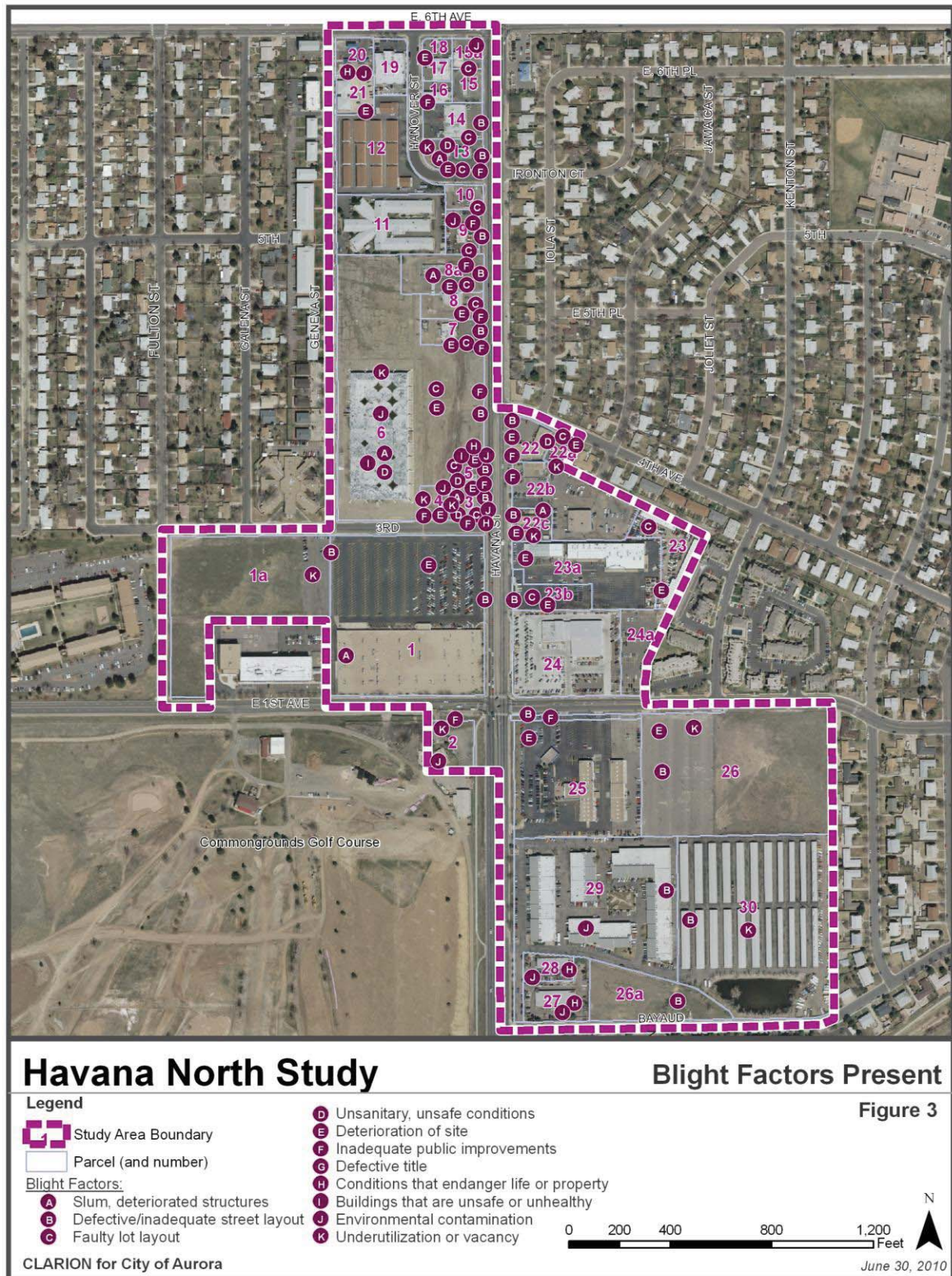
**Photo 20: Sidewalks lacking on Havana St. (Parcel 14)**



**Photo 21: Fan Fare site behind Havana Street and retail. (Parcels 7 and 8)**



Figure 3: Blight Factors Present



**Table 2: Summary of Blight Factors Present by Parcel****Key:** ● = Factor present / ○ = Factor moderately present or suspect

		A	B	C	D	E	F	G	H	I	J	K
Study Area #	Address and parcel #	Slum, deteriorated Structures	Defective or inadequate street	Faulty lot layout	Unsanitary, unsafe conditions	Deterioration of site	Topo, or inadequate public improvements	Defective title	Conditions that endanger life by fire or	Unsafe buildings (code viol.)	Environmental Contamin.	Underutilization or high level of services req.
<b>1</b>	111 No. Havana St. Parcel # 1973-10-1-15-002	●	●			●	○					○
<b>1a</b>	Vacant lot to the west Parcel # 1973-10-1-15-006		●			○						●
<b>2</b>	Golf course out Parcel # 1973-10-4-0-004			○			●				●	●
<b>3</b>	301 No. Havana St. Parcel # 1973-10-1-01-027	●	●	●	●	●	●		●	●	●	●
<b>4</b>	301 No. Havana St. Parcel # 1973-10-1-01-026		○	○		●	●				●	●
<b>5</b>	313 No. Havana St. Parcel # 1973-10-1-01-024	○	●	●	●	●	●		●	●	●	
<b>6</b>	333 No. Havana St. Parcel # 1973-10-1-01-023	●	●		●	●	●		○	●	●	●
<b>7</b>	455 No. Havana St. Parcel # 1973-10-1-19-003	○	●	●		●	●		○			○
<b>8</b>	465 No. Havana St. Parcel # 1973-10-1-19-002	○	○	●		●	●					○
<b>8a</b>	495 No. Havana St. Parcel # 1973-10-1-19-001	●	●	●		●	●					○
<b>9</b>	503 No. Havana St. Parcel # 1973-10-1-01-042	○	●	●		○	●				●	○
<b>10</b>	513 No. Havana St. Parcel # 1973-10-1-01-014	○	○	●		○	○					
<b>11</b>	500 Geneva St. Parcel # 1973-10-1-01-029											
<b>12</b>	565 Hanover Way Parcel # 1973-10-1-01-040	○				○						
<b>13</b>	523 No. Havana St. Parcel # 1973-10-1-17-005	●	●	●	●	●	●		○			●
<b>14</b>	565 No. Havana St. Parcel # 1973-10-1-17-004	○	●	●		○	●				○	
<b>15</b>	587 No. Havana St. Parcel # 1973-10-1-01-017			○		○						
<b>15a</b>	595 No. Havana St. Parcel # 1973-10-1-041		○	●					○		●	○
<b>16</b>	576 N. Hanover Way Parcel # 1973-10-1-17-003	○	○			○	●					
<b>17</b>	586 N. Hanover Way Parcel # 1973-10-17-002					○					○	

		A	B	C	D	E	F	G	H	I	J	K
Study Area #	Address and parcel #	Slum, deteriorated Structures	Defective or inadequate street	Faulty lot layout	Unsanitary, unsafe conditions	Deterioration of site	Topo, or inadequate public improvements	Defective title	Conditions that endanger life by fire or	Unsafe buildings (code viol.)	Environmental Contamin.	Underutilization or high level of services req.
18	10400 E. 6 <sup>th</sup> Ave. Parcel #1973-10-1-17-001		○	○	○	●						○
19	10320 E. 6 <sup>th</sup> Ave. Parcel #1973-10-1-01-038										○	
20	10300 E. 6 <sup>th</sup> Ave. Parcel #1973-10-1-01-03	○	○	○		○			●	○	●	
21	560 Geneva St. Parcel #1973-10-1-01-003	○				●						○
22	350 Havana St. Parcel #1973-11-2-20-016	○	●	○	●	●	●				○	
22a	Parcel #1973-11-2-20-012		○	●	○	●	○					●
22b	334 Havana St. Parcel #1973-11-2-20-014	○	○			○	●				○	○
22c	304 Havana St. Parcel #1973-11-2-20-015	●	●	○	○	●						●
23	242 Havana St. Parcel #1973-11-2-28-003			●	○	●					○	○
23a	262 Havana St. Parcel #1973-11-2-28-002	○	○			●					○	○
23b	Parcel #1973-11-2-28-001		●	●		●						○
24	100 Havana St. Parcel #1973-11-2-25-001										○	
24a	Parcel #1973-11-2-25-002				○							○
25	90 Havana St. Parcel #1973-11-3-01-021		●			●	●				○	○
26	Vacant lot behind Parcel #1973-11-3-01-020		●		○	●						●
26a	10651 E. Bayaud Ave. 1973-11-3-32-001		●									
27	92 S. Havana St. 1973-11-3-31-002								●	○	●	
28	70 S. Havana St. 1973-11-3-01-016								●	○	●	
29	10 S. Havana St. 1973-11-3-11-005		●								●	
30	40 S. Havana St. 1973-11-3-006		●									●
Summary	Factor present on at least one parcel	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes

Key: ● = Factor present / ○ = Factor moderately present or suspect



## Sources

Amendment to the Havana District Concept Plan, 2010.

City of Aurora, Building Division, correspondence with M. Dean, Line Safety Plans Examiner Supervisor, June 2010.

City of Aurora, Code Enforcement Property History, June 2010.

City of Aurora, Comprehensive Plan, Chapter VF, Havana Corridor/Lowry/Buckingham, 2009.

City of Aurora, Fire Department data for properties with reported violation and correspondence regarding line safety (Lt. Beumer, and M. Dean), April 2010.

City of Aurora, Planning Department, GIS data, 2010.

City of Aurora, Urban Renewal Division, Havana North Feasibility Study, May 2009.

City of Aurora, Water Engineering, correspondence with C. Stephens, 2010.

Colorado Revised Statutes 31-25-101 *et. seq.* "Colorado Urban Renewal Law."

Colorado House Bill 06-1411 amending C.R.S. 38-1-101 (1), (2), and (3).

Havana North Environmental Assessment, ERO Resources, Inc. June 2010 (work in progress).

Havana Corridor Environmental Review, City of Aurora electronic and hard copy files, Colorado Department of Labor and Employment Costis UST database.

Havana North Concept Plan, 2010.

## Appendix

### A: Structure and Site Survey Rating Guidelines

#### Structure (Factor A)

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##### Roof

**Good** – All shingles are in place; little or no discoloration.

**Fair** – Significant discoloration; loose, cracked or shifted shingles; fewer than five missing shingles are immediately visible; eaves and parapets have some evidence of peeling paint.

**Poor** – More than five (5) missing shingles are immediately visible; holes in asphalt roof; major discoloration; eaves and parapets have some evidence of rotting or warping.

##### Gutter and Downspouts

**Good** – Full paint with little, if any discoloration; no deterioration or leaks, etc.

**Fair** – Peeling paint; limited discoloration; no visible leaks or holes; slightly bent or warped.

**Poor** – Significant deterioration such as large rusted areas or decay; unattached gutters and downspouts.

##### Siding and Windows

**Good** – Full paint; no deterioration; no cracking; no discoloration.

**Fair** – Some discoloration; non-structural cracking; cracked windows, limited peeling or chipping of paint, window frames beginning to bend and warp.

**Poor** – Unattached siding or major discoloration; holes or large cracks in siding; extensively cracked or boarded-up windows.

##### Doors and Entrances

**Good** – Full paint; complete railings, no deterioration; no cracking; no discoloration.

**Fair** – Chipping or peeling of paint; visible cracking, posts not squared, damage to doors, frames or stairs.

**Poor** – Structural deficiencies such as broken frames; parts of doors or entrances missing or boarded-up; leaning or missing stairs; masonry falling off, etc.

##### Exposed Foundation

**Good** – Full paint (if painted); no visible cracking or deficiencies.

**Fair** – Visible cracks; peeling paint (if painted).

**Poor** – Significant deterioration; collapse or separation.

#### Site (Factor E)

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##### Driveway/Parking (if present)

**Good** – Solid asphalt concrete or blacktop; no chipping or cracking.

**Fair** – Minor chipping or cracking; gravel driveway that is maintained and neat with edging.

**Poor** – No solid driveway (i.e., gravel) that is not maintained; major cracking and chipping; uneven driving surface.

##### Yard Conditions/Outdoor Storage

**Good** – Grass cut; hedges trimmed; plants and trees alive and pruned. Dumpsters and outdoor storage are screened, buffered or within an enclosed structure.

**Fair** – Minimal trimming needed for grass, trees flowers or hedges. Dumpsters and outdoor storage are visible but are maintained neatly and in the side or rear yards; minimal litter.

**Poor** – Dead trees, overgrown weeds and grass; garbage or junk present. Dumpsters and outdoor storage are visible and not maintained; refuse can be seen overflowing.



**B: Environmental Conditions Maps**



**Known Conditions**





**Suspect Conditions**

**APPENDIX III**  
**TIF AREA 1 LEGAL DESCRIPTION**

**LEGAL DESCRIPTION**

LOTS1 AND 2, BLOCK 1, FAN FAIR SUBDIVISION  
FILING NO. 2

**APPENDIX IV**  
**TIF AREA 2 LEGAL DESCRIPTION**

## EXHIBIT A

A parcel of land situated in the Northeast ¼ of Section 10, Township 4 South, Range 67 West of the 6<sup>th</sup> P.M., City of Aurora, County of Arapahoe, State of Colorado, more particularly described as follows:

**Commencing** at the North East Corner of Section 10;

Thence S 00° 00' 00" E coincident with the East line of the Northeast ¼ of Section 10, a distance of 904.72 feet;

Thence S 89° 50' 29" W, a distance of 55.00 feet, to the North East Corner of the Fan Fair Subdivision;

Thence S 00° 00' 00" E, 55.00 feet West of and parallel with the East line of the Northeast ¼ of Section 10, a distance of 256.71 feet, to the **Point of Beginning**;

Thence S 00° 00' 00" E, a distance of 767.31 feet, to a point of curvature to the right;

Thence along said curve (whose chord bears S 44° 56' 12" W, a distance of 35.32 feet) having a radius of 25.00 feet, a central angle of 89° 52' 23", an arc distance of 39.21 feet;

Thence S 89° 52' 23" W, a distance of 551.77 feet;

Thence N 0° 01' 45" W, a distance of 1048.60 feet;

Thence N 89° 50' 29" E, a distance of 254.61 feet;

Thence S 0° 00' 00" E, a distance of 156.70 feet;

Thence N 89° 50' 29" E, a distance of 72.63 feet;

Thence S 0° 00' 00" E, a distance of 100.00 feet;

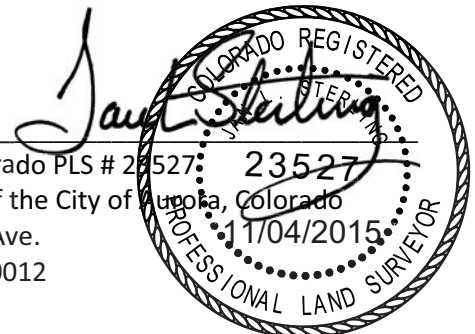
Thence N 89° 50' 29" E, a distance of 250.00 feet to the Point of Beginning.

Said parcel containing 529,425 square feet (12.15 acres) more or less.

Bearings based on the east line of the Northeast ¼ of Section 10, T4S R67W, 6<sup>th</sup> P.M., being S 0 00 00 E.

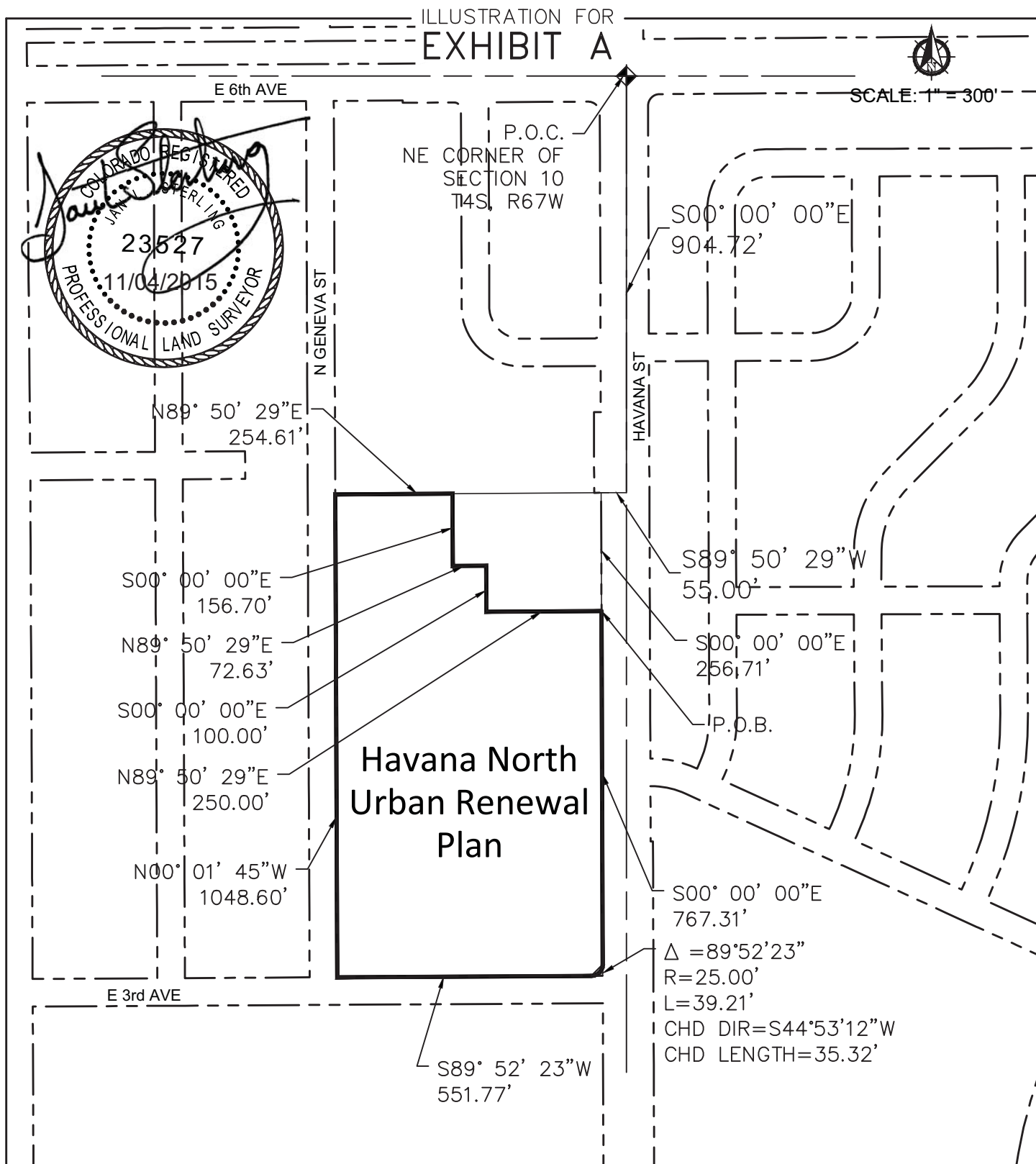
RSP # 123M  
Project 15066

Jan L. Sterling, Colorado PLS # 23527  
For and on behalf of the City of Aurora, Colorado  
13636 E. Ellsworth Ave.  
Aurora, Colorado 80012





N:\CAD\EXHIBITS\PLANNING\PROJECTS\HAVANA NORTH URBAN\FAIR TIFF.DWG 2015-10-09



## CITY OF AURORA, COLORADO

DRAWN BY: JTM	SCALE: 1"=250'	R.O.W. FILE NUMBER 1234M
CHECKED BY: JLS	DATE: 10-21-2015	JOB NUMBER: 15066

A PARCEL OF LAND SITUATED IN THE NE ¼ OF SECTION 10, T4S, R67W OF THE 6th P.M., CITY OF AURORA, ARAPAHOE COUNTY, STATE OF COLORADO,

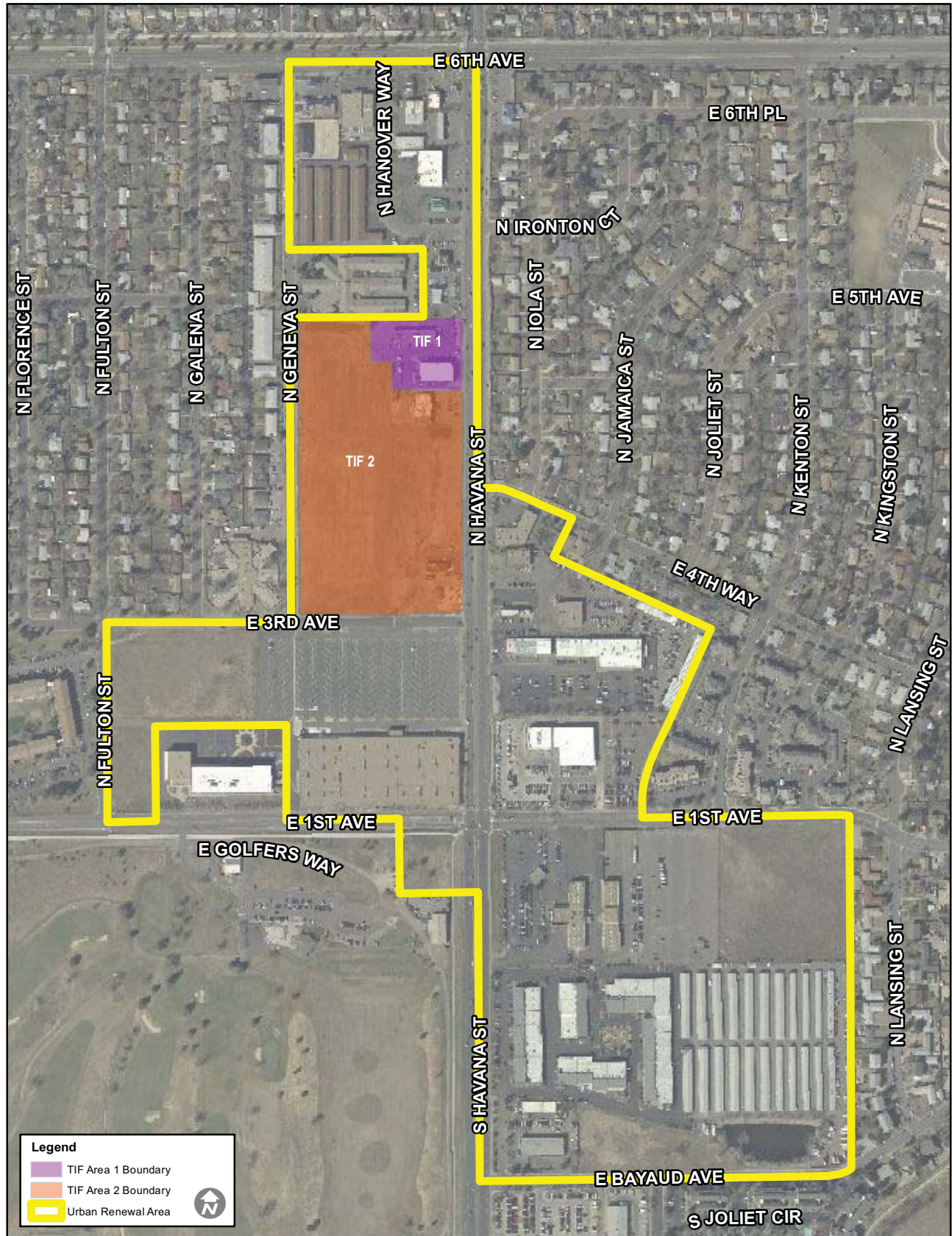
BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST ¼ OF SECTION 10, BEING S 00°00'00" E

THE ABOVE DESCRIBED PARCEL CONTAINS 529,425 SQUARE FEET (12.15 ACRES) MORE OR LESS.



**APPENDIX V**  
**TIF AREAS 1 AND 2 BOUNDARY MAP**

# Havana North Urban Renewal Area Map



**APPENDIX VI**  
**BLIGHT CONFIRMATION SURVEY**



# MEMORANDUM

To: The Aurora Urban Renewal Authority (AURA)

Through: Andrea Amonick, AURA Manager/Manager of Development Services

From: Melissa Rogers, Development Project Manager

Date: October 12, 2015

Re: Havana North Area Blight Confirmation

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Development Services staff, as staff for the Aurora Urban Renewal Authority (AURA) is recommending that City Council amend the Havana North Urban Renewal Plan to create a new Tax Increment Financing (TIF) Area for the Fan Fare property and four adjacent outparcels, to facilitate redevelopment of the site.

**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.

The Havana North Blight Study was prepared by Clarion Associates in July of 2010 for the Havana North study area. An accompanying Environmental Assessment was conducted by ERO Resources Corporation. The Havana North blight study area was declared as blighted and appropriate for urban renewal by the Aurora City Council at a public hearing on November 8, 2010. The study found the presence of ten significant factors of blight present throughout the study area, out of eleven possible factors. Following the City Council's declaration of blight for the area, the Havana North Urban Renewal Area (URA) was adopted by the Aurora City Council on April 11, 2011.

The Urban Renewal Plan (the Plan) was adopted without the designation of any Tax Increment Financing (TIF) areas. The Plan specifies that the addition of any new Tax Increment Financing (TIF) Areas within the Urban Renewal Area constitutes a substantive modification to the Urban Renewal Plan within the meaning of the State Statute (Section 31-25-107(7)), and therefore, requires re-confirmation of the existence of blight through a public hearing process.

## UPDATED BLIGHT CONFIRMATION

On September 16, 2015, Development Services Staff conducted a visual survey of the study area (see attached Exhibit 1), to confirm that the blight factors identified in the initial 2010 study still exist. The 11.91 acre study area consists of the Fan Fare site and four adjacent outparcels as depicted in the attached Exhibit 1. A blight factor is deemed to be present if there is no evidence of changing conditions related to the original determination of blight. The five parcels that are included in the proposed 11.91 acre tax increment financing area were evaluated on a parcel by parcel basis, however, it is not necessary for every property to have blighting conditions for the area to be considered "blighted."

### Comparison of Blight Survey Conditions, 2010 and 2015

Blight Factor	2010	2015
(a) Slum, deteriorated, or deteriorating structures	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	
(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 nonmarketable	Not surveyed	Not Surveyed
(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

The July, 2010 Havana North Blight Study identified ten out of eleven possible factors of blight throughout the greater study area. Staff's September, 2015 visual survey of the site re-confirmed that eight significant factors of blight continue to exist for the 11.91 acre study area:

**(b). *Predominance of defective or inadequate street layout.***

This blight factor continues to be present in the study area, as the smaller adjacent outparcels that create frequent curb cuts along Havana Street are not adequate to allow safe vehicular movement and pedestrian safety for an arterial street layout. In addition, the larger undeveloped Fan Fare site will require a street network with the future redevelopment, which currently is lacking. In addition, the much of the study area site is lacking in adequate sidewalks, curb and gutter and continues to meet the conditions of this blight factor.

**(c). *Faulty Lot Layout in relation to size, adequacy, accessibility or usefulness.***

The smaller size of the four outparcels within the study area that are adjacent to the Fan Fare site is impractical for functional redevelopment, with assemblage of the study area required to achieve the vision set forth within the urban renewal plan. In addition, the accessibility of these outparcels continues to be considered an unsafe distance from a major intersection in order to create safe vehicular access onto properties.



**(e). *Deterioration of Site or Other Improvements.***

This blight factor continues to be present for the study area. While the asphalt parking lot on the 301 Havana property (Fan Fare site) was removed with the building demolition and abatement work, the adjacent outparcels have experienced significant deterioration. This includes items such as buckled and crumbling asphalt in parking lots, piles of concrete and brick rubble, deteriorated retaining walls, and the presence of weeds, broken glass and trash.

**(f). *Unusual topography or inadequate public improvements or utilities.***

The study area is affected by a pervasive drainage issue that flows from parcels located to the south of the area, with drainage flowing to the north and northwest of the study area. In addition, inadequate public improvements or utilities are present, including insufficient sidewalks and curb and gutters. This blight factor still exists. .

**(h). *The existence of conditions that endanger life or property by fire or other causes.***

This blight factor continues to be present within the study area. The southeast portion of the study area contains ground water and soil contamination from a plume of benzene, as a result of former leaking underground storage tanks that were located on the 301 N. Havana Street property. Although the 301 N. Havana Street property and the surrounding affected properties have been undergoing monitoring and remediation for the past several years within the Colorado Petroleum Storage Tank Program, the existence of the benzene contamination is considered a potentially hazardous condition that may endanger life or property by fire.

**(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.***

Due to the continued ground water and soil contamination discussed in blight factor “h”, the existing building structures located on the affected parcels are potentially unsafe, due to vapors, and therefore this blight factor continues to be present.

**(j). *Environmental contamination of buildings or property.***

As mentioned under condition “h” previously, environmental contamination is documented to be present in the form of ground water and soil contamination with the study area, and therefore this blight factor continues to exist.

**(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.***

With the 10.3 acre vacant Fan Fare site, the majority of the study area is vacant and physically underutilized. In addition, the study area continues to require a higher than average level of municipal services in response to reported incidents and violations notices.

***Conclusion:***

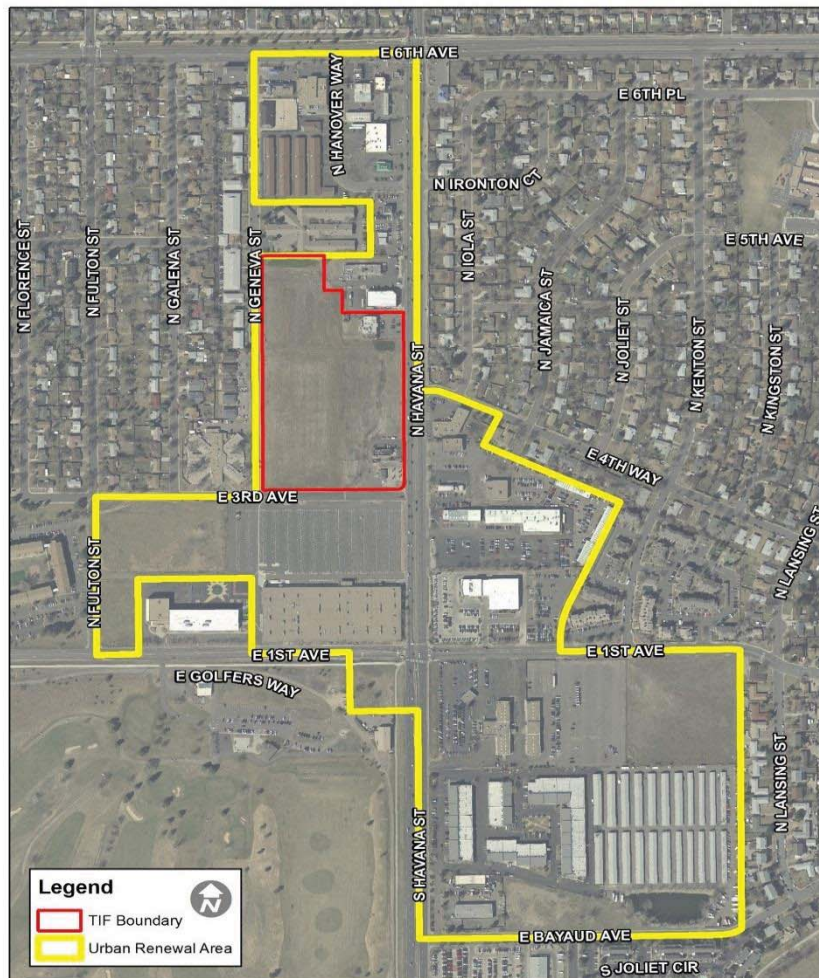
The majority of the initial blight factors that were found within the larger study area of the 2010 Havana North Blight Study continue to exist. Eight blight factors remain present within the 11.9 acre study area. The area remains appropriate for redevelopment in alignment with the goals of the Havana North Urban Renewal Plan and staff recommends that the Plan be amended by creating boundaries for the new Tax Increment Area.

**Properties located within the Proposed TIF Area.**

Address	Parcel ID	Property Owner	Current Use	Acreage
333 N. Havana St.	1973-10-1-01-023	Aurora Urban Renewal Authority	Vacant land	10.3
301 N. Havana St	1973-01-1-01-027	Bashir Rasul	Former gas station.	.373
301 N. Havana St	1973-10-1-01-026	Ronald L. Miller	Vacant land	.373
313 N. Havana St.	1973-10-1-01-027	Kenneth E. Graham	Restaurant	.287
455 N. Havana St.	1973-10-1-01-027	455 Havana Inc.	Restaurant/Bar	.574

**Havana North Urban Renewal Area Map**

**Havana North Urban Renewal Area Map**



## NOTICE OF PUBLIC HEARING

### ON THE SUBSTANTIAL MODIFICATION OF THE HAVANA NORTH URBAN RENEWAL PLAN TO DESIGNATE THE BOUNDARIES OF A NEW TAX INCREMENT AREA

NOTICE IS HEREBY GIVEN pursuant to the requirements of the Urban Renewal Law, Section 31-25-101, et seq., C.R.S., that the City Council of the City of Aurora, Colorado (the "Council"), will hold a public hearing at the City Council Chambers, Aurora Municipal Center, 15151 East Alameda Parkway, Aurora, Colorado, on Monday, November 23, 2015, at the hour of 7:30 p.m., on or as soon thereafter as possible, to determine whether to amend the Havana North Urban Renewal Plan for the purpose of designating a new tax increment area, Tax Increment Area 2, including the site known as Fan Fare.

All interested persons are invited to attend the public hearing. Individuals wishing to address the above matter must sign in at the Council Chambers on the evening of the public hearing prior to the commencement of the Council meeting.

Copies of the amended Havana North Urban Renewal Plan, legal description, and site map are on file and available for inspection during normal business hours at the Department of Planning and Development Services in Suite 2300 of the Aurora Municipal Center. For additional information regarding the public hearing and the matters to be considered, please contact Melissa Rogers, Project Manager, at 303-739-7130.

CITY OF AURORA, COLORADO

By: /s/ JANICE NAPPER

City Clerk



October 28, 2015

Ms. Andrea Amonick  
Development Services/AURA Manager  
15151 E. Alameda Parkway, Suite 2300  
Aurora, CO 80012

Re: Havana North Urban Renewal Plan Amendment

Dear Ms. Amonick:

Thank you for your staff's presentation to the Planning Commission regarding the proposed amendment to the Havana North Urban Renewal Plan ("Amendment"). The Planning Commission has reviewed the proposed urban renewal plan and finds this Amendment to be in conformity with the Comprehensive Plan for the City of Aurora. We would recommend to the Aurora City Council that they adopt the Amendment at their scheduled meeting on November 23, 2015.

If you have any questions, please feel free to call me at (303) 755-4477.

Sincerely,

  
Michigan Hill, Chair

cc: Aurora City Council