

Havana North Urban Renewal Plan

Aurora, Colorado

December, 2010

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

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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*, prepared by Clarion Associates, dated July, 2010, which is attached hereto as **Attachment 1** (the “**Blight Study**”), demonstrates that the Havana North Blight Study Area (“**Study Area**”), as defined in the Blight Study, is a blighted area under the Act.

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.

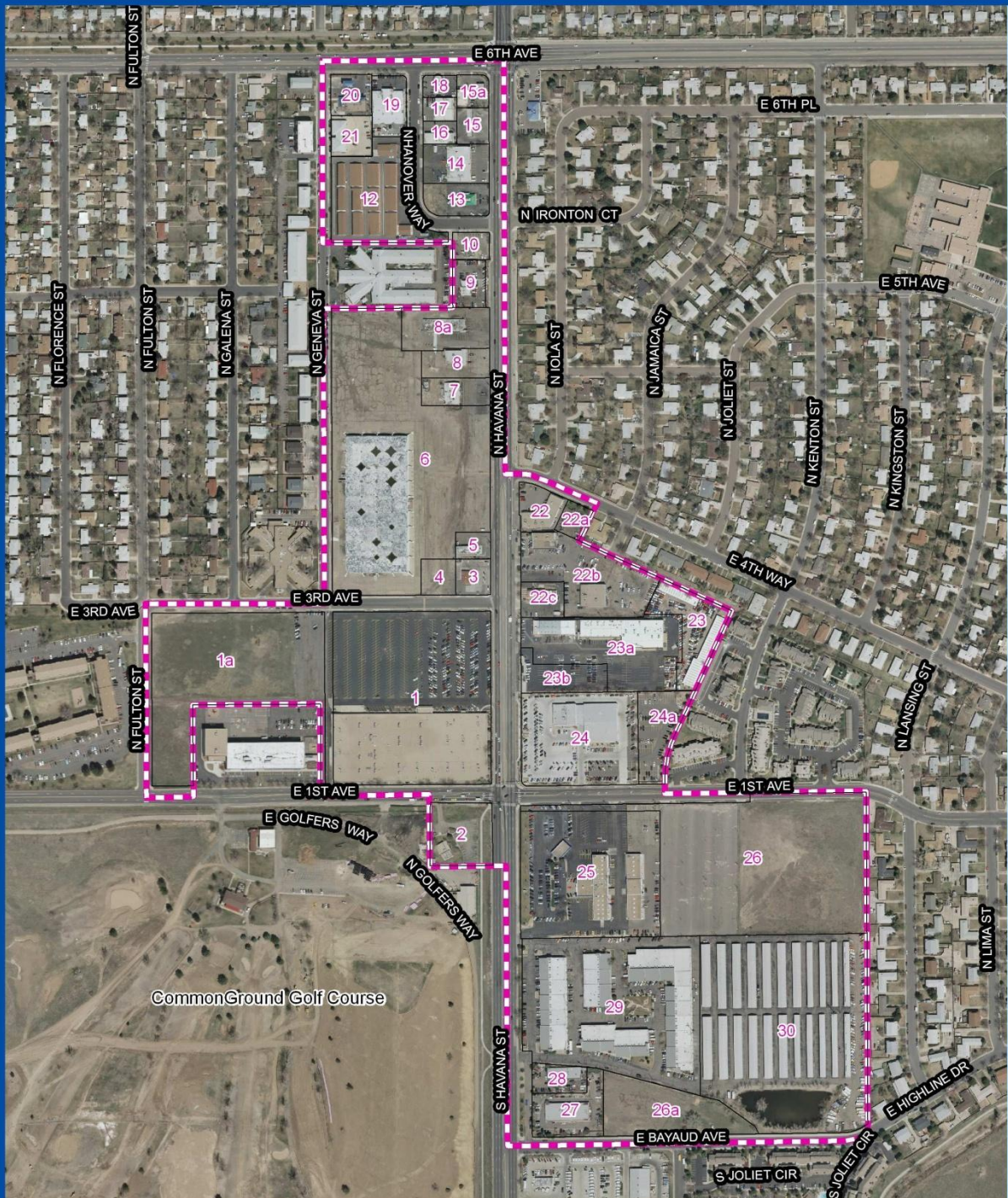
1.4 Urban Renewal Area Boundaries

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 6th 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.



Havana North Urban Renewal Area Boundary



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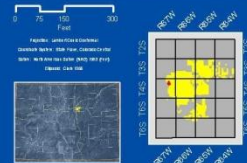
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Legend

- URA Boundary
- Parcel (and number)



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.

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.

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.

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

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 (10) 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 “1st Avenue Center”, which is a larger area incorporating the 1st 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 9th 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.
- Working 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 October 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 3rd 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

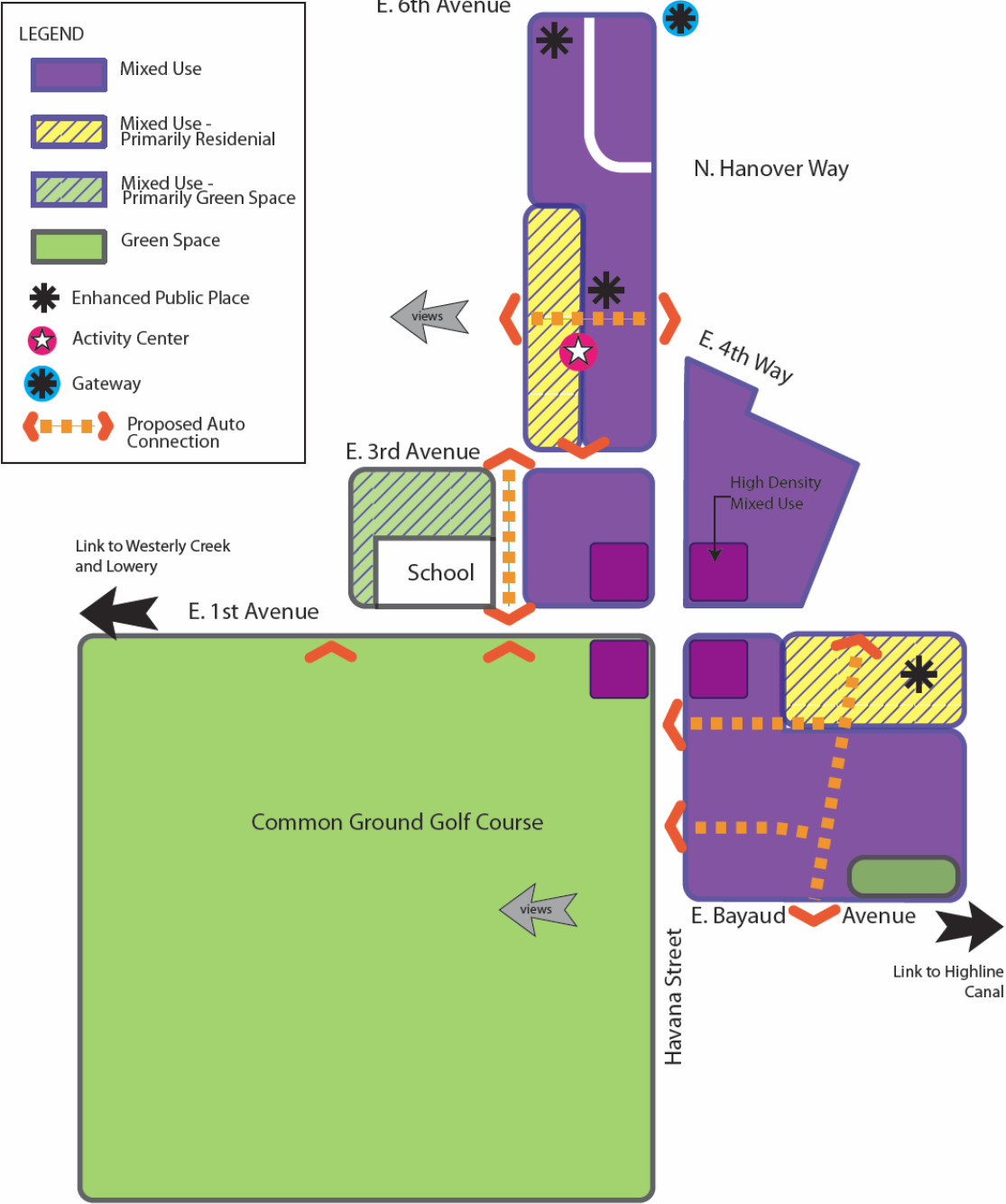
The Havana North Concept Plan encourages mixed-use redevelopment in the Area, and designates a pattern of land use, a connectivity framework and design concepts as the key pieces. A connectivity framework will efficiently allow the movement of bicycles, vehicles and pedestrians throughout the community.

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.

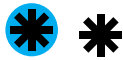
5.3.2 Land Use Concepts

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 6th Avenue and working our way south, the first element is the Gateway at 6th 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 6th 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 1st 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. 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.

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 date of City Council approval of such amendment and continuing 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

A parcel of land situated in the East $\frac{1}{2}$ of Section 10, T4S, R67W of the 6th P.M. and the West $\frac{1}{2}$ of Section 11, T4S, R67W of the 6th 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 6th 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. 4th Way, also being a point of curvature to the right;

thence Southeasterly along the southerly right of way line of E. 4th Way, an arc distance of 78.54 feet and said curve having a central angle of $24^{\circ}46'25''$, 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. 4th 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 $25^{\circ}26'53''$ 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. 1st 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. 1st 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. 1st 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. 1st 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. 1st 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. 3rd Ave.;

thence East along the south right of way line of E. 3rd 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. 3rd 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. 3rd Ave., a distance of 60.00 feet to the north right of way of E. 3rd 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

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Appendix II:

Havana North Blight Study