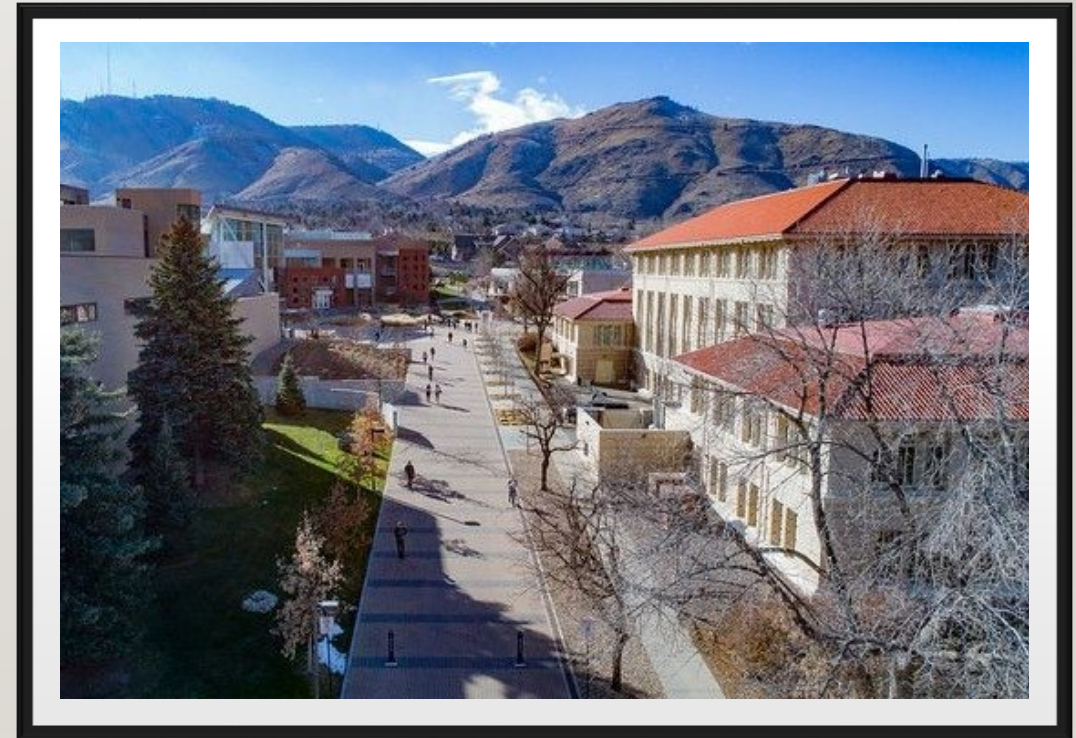
An aerial photograph of the Colorado School of Mines campus in Golden, Colorado. The campus features several large, modern buildings with flat roofs, interspersed with green lawns and trees. In the foreground, a large parking lot is filled with cars. The background shows a range of rugged, rocky mountains under a clear blue sky with some clouds.

COLORADO SCHOOL OF MINES & CITY OF GOLDEN INTERGOVERNMENTAL AGREEMENT (IGA)

DECEMBER 2020

The City strongly values Mines and we share a strong partnership

- The Colorado School of Mines (Mines) has been an integral part of Golden throughout its history. Mines is a prestigious university that has not only brought students, faculty and staff to the community, but also jobs in the form of companies that have either started in Golden or relocated to Golden to be in close proximity to the talent it attracts.



But...there is a
Challenge

Mines maintains
that as a state
institution there is
a gray area related
to required
compliance with
local zoning
ordinances



The City maintains
that local zoning
regulations must be
followed



Current review
and comment on
Mines
construction
projects is a
frustrating
process for all.

Questions



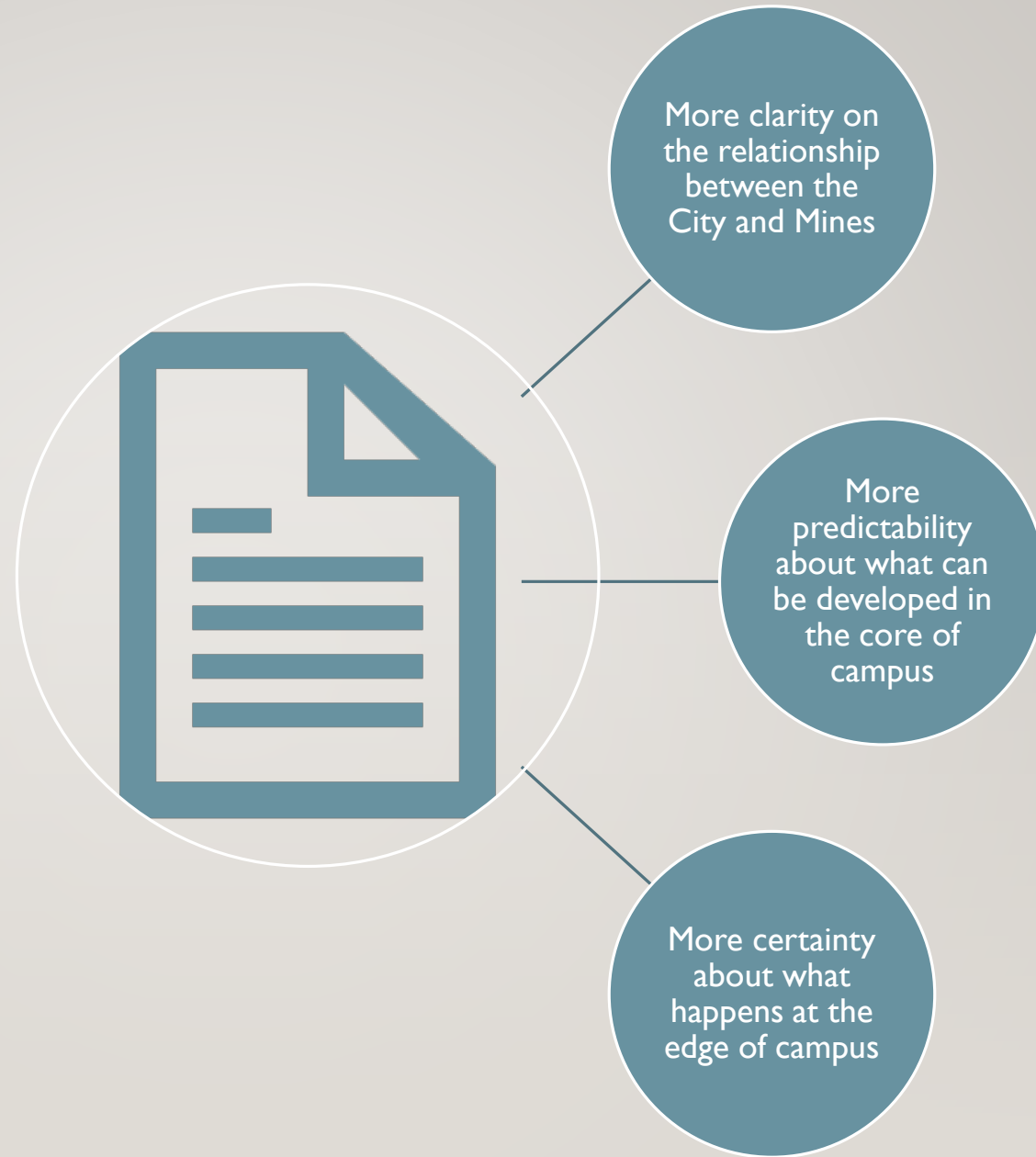
Can the city take Mines to court now to clarify if local regulations can be enforced?

- Yes, but there could be significant ramifications to both the City and Mines as to future development, and cooperation, depending on the outcome of litigation. For more information see the City Attorney memo dated Nov. 10, 2020.

Does this happen in other cities?

- Yes, this is a common issue between cities and colleges within each city. The solution varies but is often in an IGA agreement.

In 2015, both parties began working on an IGA that could offer the community:



After years of working on the IGA there is a draft that will come before City Council in early 2021.

- 2016:

The City initiated an engagement effort to discuss the campus edges with adjacent neighborhoods.

- 2017:

The City coordinated with Mines' proposed new Master Plan process that identified proposed construction throughout campus.

- 2018-2019:

We worked together to define potential building locations and massing for the campus edges near Golden neighborhoods.

- 2020:

Finished the very detailed process and created the current draft IGA

Development Process

CURRENT:

HEARINGS WITHOUT AGREED AUTHORITY

There is a customized process for Mines projects that is carved out within the R-3 zone district of the Municipal Code:

- If a planned structure is 35 feet high or less, Mines does not have a public process, but shares the plans with City staff for comments.
- Mines structures that are between 35 feet and 50 feet in height require a Special Use Permit process, which begins with a neighborhood hearing before going to Planning Commission hearing for a formal vote.
- Structures that are planned to exceed 50 feet in height require a PUD rezoning. This rezoning process begins with a neighborhood meeting, then a Planning Commission hearing, followed by a Council hearing for a formal decision.

PROPOSED:

PUBLIC MEETINGS WITH WRITTEN FEEDBACK

Mines' development proposals will be tied to its Campus Master Plan, with specific agreements on building height, setback and step-back requirements.

- A new project would first involve a neighborhood meeting that would be hosted by Mines and the community would be able to ask questions, provide input, and raise any concerns.
- Mines would then have time to make any revisions needed before a second neighborhood meeting to share the amended plan and further explain the project.
- Within 20 days of the second neighborhood meeting, Council will have the opportunity to convey any remaining concerns to Mines in writing, which may lead to the need for a joint discussion.

The IGA



• Benefits

- Predictability and a level of certainty as to the location and intensity of Mines construction for the next several years, especially along the edges.
- Agrees that no construction that would impact the 12th Street historic district neighborhood is planned with the possible exception of the Maple Street tennis court area. In this area setbacks and height limits are clearly defined.
- Sets building heights for any new properties acquired by Mines in the area of Washington Avenue and eastward to Ford Street.
- Commitment to utilize the Secretary of the Interior's standards and guidelines for alterations of any acquired historic structures on the State or National Register of Historic Places.
- Commitment to contribute to infrastructure improvements necessitated by Mines construction.



• Risks

- Either party can terminate with 90-day notice.
- Does not give the city full control over Mines development.
- If Mines development on the campus is consistent with the Agreement and the approved 2019 Mines Master Plan, the city will have limited input into such development.

Questions

• Is the City giving up the ability to assert the legal position that Mines is subject to Golden's local land use regulations?

- No, The IGA clearly states that both parties continue to maintain their legal opinions regarding Golden's jurisdiction and that the Agreement does not affect such positions.

Can the City still try to enforce our land use regulations through court action, if desired?

- Yes. The City retains the option to affirmatively assert our legal position about jurisdiction over land use matters.

Is the Agreement permanent?

- No. This agreement expires on December 31, 2025. The City and Mines would have to discuss an extension or modification at that time. Either party can also terminate the agreement with 90 days notice and the city would be in a similar position as we are in today.

Summary



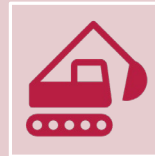
The city's relationship with Mines is important.



There have been issues with Mines' development process for many years, its awkward and frustrating.



We have both been working on an IGA for four years.



The current draft does not solve all our issues but provides predictability, agreements on process, building height limits, and areas Mines agrees to not develop during agreement.