

# EASTGATE

Arapahoe County 1041 Application  
Arapahoe County Case No. \_\_\_\_\_

Date: 1/26/2024  
Revision Date: 6/18/2024  
Revision Date: 9/4/2024

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## Approval Criteria

### General Approval Criteria

- 1. Documentation that prior to site disturbance associated with the Proposed Project, the applicant can and will obtain all necessary property rights, permits and approvals. The Board may, at its discretion, defer making a final decision on the application until outstanding property rights, permits and approvals are obtained.*

Before initiating any site disturbance, the applicant is committed to securing all requisite rights, permits, and approvals. The following list outlines the necessary permits and approvals to be acquired. Presently, our project is undergoing review for our GDP, 1041 Permit, and Metro District Service plans. Subsequent approvals are contingent upon the successful approval of our current applications.

### Approvals

1. General Development Plan (GDP)
2. Specific Development Plan (SDP)
3. Preliminary Plat
4. Administrative Site Plan
5. Final Plat
6. Subdivision Improvement Agreement
7. Metro District Service Plans
8. Construction Documents (CD's)
9. Regulations Governing Areas and Activities of State Interest in Arapahoe County (1041)

### Permits

The permits associated with development are listed below and will acquire the appropriate permits to specific development projects:

- A. CDOT
  - o Access Permits
- B. Arapahoe County
  - o 1041 Permit
  - o Signage Permit
  - o Building Permits
  - o Public Improvement Constructions Permit
  - o Street Cut, Right-of-Way Use and Pothole Permit
  - o Traffic, Signing, Striping, Signalization Permit
- C. SEMSWA
  - o Stormwater Public Improvement Permit
  - o Grading, Erosion and Sediment Control (GESC) Permit
- D. Aurora
  - o Public Improvement Permit

- Stormwater Quality Permit (we are going to discharge a detention basin into Aurora)
- E. FAA
  - 7460-1 Permit – Notice of Proposed Construction
  - 7460-2 Permit – Supplemental Notice
- F. CDPHE
  - COR400000 – Construction Stormwater Discharge Permits

***2. The Proposed Project considers the relevant provisions of the regional water quality plans.***

Eastgate lies within the First Creek Watershed, encompassing sections of the Monaghan Tributary and Riverwood Tributary, both feeding into First Creek. In line with Arapahoe County and SEMSWA regulations, we've developed a Phase 1 Drainage Report. This report ensures adherence to Master Drainageway Plan for First Creek Tributaries. Our site design features three detention and water quality facilities to manage stormwater and enhance water quality, all compliant with relevant regulations. Additionally, our master plan aligns with the standards of the Mile High Flood District, Arapahoe County, and SEMSWA, prioritizing environmental stewardship and regulatory compliance. Phase 2 and 3 Drainage Reports will be prepared, reviewed by Arapahoe County, at subsequent stages of the entitlement process.

***3. The applicant has the necessary expertise and financial capability to develop and operate the Proposed Project consistent with all requirements and conditions.***

The applicant has engaged with top tier land development consultants to guide the project through the entitlement process.

JMC Consulting Services, led by Jeff Keeley, serves as the owner representative, and co-leads the entitlement process with Plan West. Jeff brings extensive experience in Colorado's jurisdictions, particularly in the Denver metro front range. With a background in sustainable development practices, including tenure at Craft Companies, LLC, Jeff has contributed to the entitlement of thousands of lots and the development of master-planned communities.

Plan West, celebrating its 50th year, specializes in land planning, site design, land development, and landscape architecture. Their approach focuses on creating financially successful projects while building long-term community assets.

Manhard Consulting, a full-service civil and surveying firm with over 50 years of experience, offers expertise in conceptual design through construction closeout, supported by 13 office locations nationwide.

The Fox Tuttle Transportation Group, founded in 2001, provides high-quality transportation consulting services with a focus on safe streets for all modes of travel. Their staff includes Professional Traffic Operations Engineers (PTOE) with extensive experience in applying federal "complete streets" standards to transportation projects across Colorado.

Property 292, LLC is fully owned by John Wakeham and is financing the entitlement process. John has successfully started and sold multiple companies over the last 10 years. He is the owner of a successful plumbing and sewer installation and repair company. John will self-fund and has the financial capability to bring the project through the GDP, SDP, ASP, Preliminary Plat and Final Plats in Arapahoe County. It is likely that we will contract with certain developers and home builders prior to a final plat is achieved and they will be required to bring financial commitments for their planning areas and entitlements. Property 292, LLC will be responsible for the remaining costs associated with the entitlements.

When deemed suitable, Property 292, LLC will initiate negotiations with prospective home builders and developers for the acquisition of specific development pads, enhancing its revenue streams. Subsequently, site plans and final plats will undergo processing with the County, culminating in the approval of construction drawings and site plans. Upon reaching the development phase and commencing infrastructure installation, the purchasers of each development pad will assume responsibility for a designated portion of infrastructure costs. These developers will possess the financial capacity to execute the necessary improvements outlined in our Purchase and Sale Agreement.

For any development undertaken by Property 292, LLC or the metro district, we will adhere to the following procedures. The responsible party will solicit 2-3 proposals for each development section. This approach enables thorough analysis of different contractors, considering their experience and financial capacities. As part of the bidding process, we will require information on their insurance coverage and their overall approach to the project. This ensures that we select the contractor and proposal that align best with the fiscal responsibilities of the responsible party.

**To facilitate the improvements, the district will issue general obligation bonds, and the estimated bond proceeds are detailed in Exhibit A. Per our Financial Plan, we anticipate issuing approximately \$82 million in general obligation bonds, with project funds that will be able to be used for improvements in the amount of \$67 million. The general obligation bonds will be issued at a 5.00% interest rate.**

***4. The Proposed Project is technically and financially feasible.***

The applicant plans to sell platted lots and/or planning areas to developers and builders before development begins, allowing flexibility to accommodate their interests and requirements. This dynamic approach ensures that agreements align with evolving project needs. Property 292, LLC will negotiate with prospective home builders and developers for specific development pads to enhance revenue streams. Upon approval of construction drawings and site plans by the County, infrastructure installation will commence, with developers and/or builders assuming responsibility for designated infrastructure costs. Property 292, LLC or the metro district will adhere to a procedure of soliciting 2-3 proposals for each development section, enabling thorough analysis of contractors' experience and financial capacities to select the best fit for the project's fiscal responsibilities.

***5. The Proposed Project is not subject to significant risk from natural hazards.***

Our project is not subject to significant risk from natural hazards due to careful planning and mitigation measures. Extensive assessments and planning have been conducted to ensure the project's resilience to potential natural hazards. This includes considerations for factors such as flood zones, and other environmental risks. Additionally, the project's design incorporates measures to mitigate these risks, such as strategic site placement and the implementation of appropriate infrastructure. Through thorough analysis and proactive measures, the project aims to minimize any potential impact from natural hazards, ensuring the safety and security of the development and its occupants.

***6. The Proposed Project is in general conformity with the applicable comprehensive plans.***

The site holds designation as an Employment District within the Comprehensive Master Plan's Urban Area District, tailored to accommodate diverse land uses such as industrial, commercial/retail, or residential developments intended to serve a denser population. Our proposed Planned Unit Development (PUD) aligns seamlessly with the Comprehensive Plan's objectives, fostering growth, job opportunities, and offering varied housing options to support these roles. Situated adjacent to existing development, our community shares borders with Sky Ranch to the south and east, ensuring continuity with surrounding urban landscapes. Furthermore, our meticulously planned development integrates seamlessly with existing infrastructure, facilitating essential connections between 12th Avenue, Monaghan Road, and the CDOT intersection at I-70 and Monaghan. With a robust network of trails and pocket parks dispersed throughout the community, we aim to cultivate a pedestrian-friendly environment, fostering a vibrant and walkable community atmosphere.

***7. The Proposed Project will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.***

**Public Services:** The installation of public infrastructure is the responsibility of the applicant, Metro District, and third-party developers, adhering strictly to approved construction drawings reviewed by Arapahoe County and other relevant authorities. Following the warranty period, ownership of these installations will transfer to the County or another jurisdiction, assuming ongoing repair and maintenance responsibilities.

**Schools:** The site falls under the jurisdiction of Aurora School District #28J, which requests cash-in-lieu of school land dedication. The valuation for cash-in-lieu is determined using the Appraisal Method. It is estimated, based on our potential student population, that our site would be required approximately 5.6 acres as a land dedication. Our estimated appraised value is \$8 million as a zoned property, which equivalent to approximately \$70,000 per acre. Our cash-in-lieu is estimate be around \$300,000.

**Water and Wastewater Treatment and Water Supply:** An Exterritorial Agreement with Aurora Water is negotiated to service the project for both water and wastewater treatment, supported by City Council approval. 95% of Aurora's water is sourced from surface water, with the remainder from deep aquifer groundwater wells.

Emergency Services: Sable Altura Fire Protection District is designated as the Fire Jurisdiction for the development and is willing and capable of service per the letter submitted with the General Development Plan from Rich Soloman, Fire Chief – Sable Altura Fire Rescue. The date the County received their response was March 1, 2024.

Transportation and Infrastructure: Improvements will align with Transportation Impact Studies (TIS) and approved construction drawings, undertaken by the applicant, other developers, and homebuilders.

Housing: The Denver metro area and the State of Colorado experiences high demand for housing and according to a study conducted from Up for Growth, “Colorado faces a shortfall of 100,000 homes and apartments.” The Comprehensive Master Plan highlights the need for strategic housing solutions to accommodate projected population growth.

Denver Post: <https://www.denverpost.com/2024/03/10/affordable-housing-zoning-code-fix-front-range/>

Up for Growth: <https://www.denverpost.com/2023/10/23/colorado-housing-home-shortfall-pandemic/>

Law Enforcement: Arapahoe County Sherriff's office anticipates the need for additional staff to review the application, with potential increased tax revenue from the project supporting staff expansion

***8. The Proposed Project will not create an undue financial burden on existing or future residents of the County.***

The development of the community relies on financial investments made by the applicant and builder/developer partners. Metro District bond issuance plays a crucial role in facilitating this investment by issuing bonds. These bonds are subsequently repaid through property taxes and fees paid by residents and developers, respectively. By allowing specific projects to be self-sustaining, Metro Districts shift the financial burden onto the residents and businesses within the community boundaries. This responsibility solely falls on the shoulders of residents and developers who own and operate assets within the district boundaries, alleviating the financial burden from county residents who do not reside within the district boundaries.

***9. The Proposed Project will not significantly degrade any substantial sector of the local economy.***

Only 114 acres of the current site are utilized for agricultural purposes, representing a small fraction of Colorado's overall agricultural value. Introducing open space, trails, and park areas will expand recreational opportunities for both residents and the broader regional population. Furthermore, the inclusion of commercial and retail uses will generate new property and sales tax revenue, as well as job opportunities. It is projected that at full build-out, the site will create approximately 3,200 jobs, contributing significantly to local economic growth and employment.



***10. The Proposed Project will not unduly degrade the quality or quantity of recreational opportunities and experience.***

In compliance with the County's Land Development Code, open space dedications within the project must meet specified minimum percentages based on the type of planning area. Commercial Planning Areas, Single-Family Attached Parcels, and Multifamily Parcels are required to dedicate a minimum of 20%, 25%, and 30% of their space to open space, respectively. Parks within the development are strategically located within Residential Planning Areas and sized appropriately to accommodate projected residents. Trail systems are designed to create an interconnected network, with provisions for tie-ins to adjacent properties where feasible. Local parks are to be owned and maintained by either the Homeowners Association (HOA) or the Metro District, ensuring continuous upkeep and accessibility for residents.

The intended recreational facilities are not intended for revenue generation but rather serve as amenities for the local community and broader region. Despite the site's current use for agricultural activities with limited public recreational amenities, the proposed project aims to transform the landscape by introducing open space corridors, trail systems, and parks. These amenities will enhance the quality of life for residents and provide opportunities for outdoor activities and leisure for the broader public. The focus remains on community well-being rather than revenue generation from recreational facilities.

***11. The planning, design and operation of the Proposed Project will reflect principals of resource conservation, energy efficiency and recycling or reuse.***

Our project prioritizes resource conservation, energy efficiency, and recycling/reuse throughout its planning, design, and operation phases. In the planning stage, we assess resource availability and potential environmental impacts, integrating sustainable practices into the project's framework. During the design process, we incorporate energy-efficient technologies and materials, aiming to minimize energy consumption and reduce environmental footprint. Additionally, we prioritize recycling and reuse by implementing waste management strategies and utilizing recycled materials wherever feasible. In operation, we maintain a commitment to resource conservation through efficient resource management practices, such as water conservation measures and energy-efficient operations. By integrating these principles into every aspect of our project, we strive to create a sustainable development that minimizes environmental impact while maximizing resource efficiency. We can further enhance the sustainable practices within our design guidelines and requirements.

***12. The Proposed Project will not significantly degrade the environment. Appendix "A" includes the considerations that will be used to determine whether there will be significant degradation of the environment. For purposes of this section, the term environment shall include:***

***a. Air quality***

The project's impact on air quality during construction and operation, under both average and worst-case scenarios, must be carefully assessed. Construction activities typically introduce temporary increases in air pollution due to dust, emissions from machinery, and vehicular traffic. However, with proper mitigation measures in place, such as dust control measures and the use of low-emission equipment, these impacts can be minimized. During operation, a commercial and residential development may contribute to air pollution through vehicle emissions, heating systems, and other sources. However, the net effect on air quality can be mitigated through the implementation of sustainable design practices which include energy-efficient technologies, incorporation of renewable energy, waste reduction, water conservation and transportation management strategies. Overall, by prioritizing environmental considerations and adhering to regulatory standards, the project can aim to minimize its impact on air quality and contribute to a healthier local environment.

***b. Visual quality***

The current site comprises two residential structures alongside ancillary outbuildings and barns. Should the site retain its residential and agricultural character, alterations to the views would likely occur, especially as industrial-zoned land to the north in Adams County undergoes development. However, amidst ongoing and planned developments, our project is positioned to seamlessly integrate within the expanding development trajectory. Drawing inspiration from developments like Sky Ranch, our project aims to foster a harmonious aesthetic within the surrounding area. With height restrictions outlined in our General Development Plan, no structures are planned to exceed 60 feet, akin to the regulations observed in Sky Ranch's neighboring commercial planning area to the east. Notably, any impact on views of the Rocky Mountains would primarily affect individuals within the confines of the development.

***c. Surface water quality***

There is no surface water on the property. Drainage from our project will abide with our stormwater management plan which will be finalized and approved by Arapahoe County and other stakeholders. Aurora Water will be our water provider and their water analysis can be found in Section 4.c.

***d. Groundwater quality***

Our domestic wells will be plugged and abandoned, and our water rights will be deeded to that provider. We will receive water and sewer service from Aurora Water.

***e. Wetlands, flood plains, streambed meander limits, recharge areas, and riparian areas***

Our site has been thoroughly surveyed via the Colorado Energy & Carbon Management Commission website and their mapping abilities. Per their mapping it has been confirmed that there are no wetlands present on the property, nor are there any surface water bodies. A map of the site via their mapping can be found in Exhibit B. As a result, our development does not impact any critical recharge zones or riparian areas. This absence of wetlands and surface water not only simplifies the development process but also eliminates the need for extensive mitigation

measures typically required in areas with such environmental features. By avoiding disturbance to these sensitive ecosystems, our project maintains a minimal ecological footprint, ensuring the preservation of natural habitats and contributing to the overall environmental sustainability of the region.

Eastgate is located within the First Creek Watershed. Portions of the site are a part of the drainageway known as the Monaghan Tributary and the Riverwood Tributary which both convey flows to First Creek. At the time of this permit submittal, a Phase 1 Drainage Report has been prepared for the Eastgate development following the rules and regulations of Arapahoe County and SEMSWA. The design of the site incorporates three separate detention basins which provided stormwater attenuation and water quality. These detention basins will be designed within the site and will discharge into maintainable outfalls before discharging into First Creek.

The master plan for the development will be implemented and maintained in compliance, to the maximum extent practical, to the standards and practices of the Mile High Flood District (MHFD), Arapahoe County, and SEMSWA.

***f. Terrestrial and aquatic animal life***

Given its proximity to a major highway and existing development, the area harbors minimal wildlife and animal habitat. Consequently, any development of this property is unlikely to significantly impact existing wildlife populations. Moreover, there are no agricultural animals present on the property, further reducing potential disruptions to local ecosystems. The site does not contain any prairie dogs. If we encounter prairie dogs, we will properly remove and/or mitigate.

***g. Terrestrial and aquatic plant life***

Native vegetation (from Chapman et al. 2006) is foothills prairie with scattered pine woodlands. The vegetation community is shortgrass prairie, with blue grama, buffalograss, threadleaf sedge, fringed sage, Junegrass, and western wheatgrass. Riparian areas contain cottonwood/shrub/herbaceous species. The project area is now entirely cultivated and native vegetation does not remain.

The development of the site is not expected to impact terrestrial or aquatic plant life. Currently, the property is utilized for cultivating natural grasses and wheat, which hold minimal monetary value. As such, the transition from agricultural to developed land is unlikely to significantly affect the existing plant species or ecosystems.

***h. Soils and geologic conditions***

Subsurface conditions at the site generally consisted of about 6 inches of topsoil underlain by native lean-to fat clay soils with varying amounts of sand and silt or sand soils with varying amount of clay to depths of about 4 to 17 feet. The native soils were underlain by claystone and sandstone bedrock to the maximum depths explored of about 30 to 35 feet.

Groundwater was not encountered in the exploratory borings at the time of our exploration.

***13. The Proposed Project will not cause a nuisance.***

Our project, Eastgate, is committed to ensuring that it does not cause a nuisance to the surrounding community. Upon completion of construction, measures have been implemented to minimize environmental impact, including the control of dust, fumes, odors, vibration, and noise. During the construction phase, temporary disturbances such as fumes and dust are anticipated, but strict adherence to county construction standards and industry norms will be upheld to mitigate these effects. Additionally, specific nuisances such as noise associated with airplane traffic have been addressed through engagement with Denver International Airport (DEN). Noise levels are carefully managed, with residential developments excluded from designated noise zones and commercial and retail uses strategically placed to minimize disruption. Per our GDP and included in our notes, “All property within the 55 day/night average sound level (DNL) is expected to be exposed to daily aircraft noise levels that equal or exceed an average of 55 decibels (DNL), a level of aircraft noise that the Arapahoe County Board of County Commissioners has determined is the maximum acceptable level for residential use. Because of this, Arapahoe County has required that all residences in this area and within Eastgate be constructed in ways that lessen the effects of the aircraft noise to the residents of Eastgate. These construction techniques require, but are not limited to, air conditioning, additional insulation, insulated fenestration, and similar techniques intended to achieve an expected interior noise level of 45 decibels (DNL) in the exposure area.” Furthermore, measures have been taken to mitigate noise from Interstate 70, with residential developments positioned further south within the project boundaries. Air quality impacts, primarily from fugitive dust during construction, are anticipated to be intermittent and are managed through the implementation of a Fugitive Dust Control Plan. These measures underscore our commitment to responsible and considerate development practices, ensuring that Eastgate does not unduly affect the quality of life for the surrounding community.

***14. The Proposed Project will not significantly degrade areas of paleontological, historic, or archaeological importance.***

The Office of Archaeology and Historical Preservation conducted an examination of the Colorado Inventory of Cultural Resources concerning the site. Their search revealed two sites and six surveys within the area. The first site, identified as Resource No. 5AH2914.1, is situated on the site's border and is described as a segment of Colfax Ave/Highway 40. The second site, designated as Resource No. 5AH3884, is described as a Residential site on the property. Both sites have been officially assessed as not eligible for historical status. Additionally, CU Museum of Natural History and the Department of Earth Sciences conducted a paleontological search and return any results. Consequently, as there is no historical, archaeological or paleontological significance attributed to these sites, the applicant does not foresee the need for any mitigation measures, and the project is not expected to impact any historical sites. If any paleontological, historic or archaeological attributes are identified during the time of construction, work will be immediately halted, and the appropriate authorities will be notified.

***15. The Proposed Project will not result in unreasonable risk of releases of hazardous materials. In making this determination as to such risk, the Board's consideration shall include:***

***a. Plans for compliance with federal and State handling, storage, disposal, and transportation requirements.***

Other than utilizing diesel fuel for machinery, the project does not foresee the need for explosives. Comprehensive safety protocols will be implemented to ensure that all aspects of the project, including machinery operation and fuel usage, adhere to industry standards and regulatory guidelines, fostering a secure and controlled working environment throughout the development process.

***b. Use of waste minimization techniques.***

The goal is to implement effective erosion and sediment control best management practices (BMPs) as a standard for all land disturbance activities to reduce increases in erosion and sedimentation over pre-development conditions. During the relatively short period of time when undeveloped land is converted to urban uses, a significant amount of sediment can erode from a construction site and be transported to adjacent properties and receiving waters. Erosion caused by construction and downstream sedimentation can damage property and degrade the quality of streams and lakes. Sediment is a transport mechanism for many stormwater pollutants. Sediment can disturb riparian and aquatic habitat and, since eroded sediments often contain significant phosphorus, can lead to unwanted algae growth in lakes and reservoirs.

Our BMP's will routinely inspected during development and post development, until the County has determined that mitigation is no longer necessary and all BMP's can be removed.

***c. Adequacy of spill prevention and response plans.***

Monitoring the BMP's consists of an Erosion control manager who implements an effective plan, provides field inspections on regular frequencies, and provides a dynamic, not static, process during construction activities. Upon completion of construction and implementation of Standard Operating Procedures (SOP) for permanent BMP's such as grass buffer and swales, vegetated side slopes, along with water quality and detention facilities. These features will be owned by the Metropolitan District and will be inspected, monitored, and maintained on an as needed basis.

***16. The benefits accruing to the County and its citizens from the proposed activity outweigh the losses of any resources within the County, or the losses of opportunities to develop such resources.***

Presently, around 114 acres of arable land are dedicated to dry land wheat farming activities on our site. Additionally, the oil and gas rights have been leased and already undergone development. With these existing land uses in place, our property does not host any additional natural resources requiring special consideration. However, the introduction of our community will significantly contribute to the local economy. By establishing a new property tax base and

generating sales tax revenue within the county, our development will bolster economic growth and provide essential funding for public services and infrastructure. Furthermore, the incorporation of expansive open space and trail systems into our project design ensures the creation of enduring recreational amenities for both the local community and regional residents. As illustrated below, Arapahoe County is experiencing substantial population growth, coinciding with a statewide housing shortage. Situated within the Urban Growth Area, our development presents an opportunity to address these pressing needs by offering job opportunities and a variety of housing options to accommodate the expanding population.

***17. The Proposed project is the best alternative available based on consideration of need, existing technology, cost, impact, and these regulations.***

The site is located within the Urban Growth Area for Employment. The proposed PUD aligns with the Comprehensive Plan by including opportunities for growth, job creation, and providing diverse housing options that would support those jobs.

The Denver metro area remains a highly sought-after destination, with demand consistently surpassing the available housing supply. Current estimates suggest a shortfall of approximately 100,000 housing units in the region.

Noteworthy is the success of Sky Ranch, a well-executed master-planned community situated directly to the south of the Denver metro area. This exemplifies a positive trend in housing development.

According to the Arapahoe County Comprehensive Master Plan, the population of Arapahoe County has experienced significant growth, rising from 490,722 in 2000 to 572,000 in 2010, marking a 17% increase. Projections indicate a continued upward trend, with an anticipated population of 875,000 by 2040, signifying a 35% increase over the 2015 estimated population of 632,500. Of this projected total county population, 22% (193,246 people) are forecasted to reside in unincorporated areas, reflecting a substantial increase of 103% over the 2015 unincorporated population of 94,912.

The Arapahoe County Comprehensive Master Plan highlights that the population forecast for the unincorporated portion of the county expects an increase of 98,300 persons. While around 14,400 people can be accommodated in the western part of the county, the eastern portion faces the challenge of housing approximately 84,000 individuals. Assuming an average household size of 2.5 persons, this necessitates the creation of approximately 33,600 households to accommodate residential growth. Existing approved developments are projected to provide around 13,900 of these units, resulting in a potential unmet demand of 19,700 units. To meet this unmet residential demand, an estimated 14 square miles of land, with a density of four units per acre, would be required. These figures underscore the pressing need for strategic and sustainable housing solutions in the Denver metro area.

Additionally, the Comprehensive Master Plan references the following. "The potential population forecasted in 2040 generates demand for residential units that is significantly more than what is allowed under current zoning or planned in major projects. With demand exceeding

supply, Arapahoe County has the ability to properly manage and direct growth to those locations that are most suitable, including directing urban development to Designated Growth Areas that are capable of providing infrastructure and services."

***18. The Proposed Project will not unduly degrade the quality or quantity of agricultural activities.***

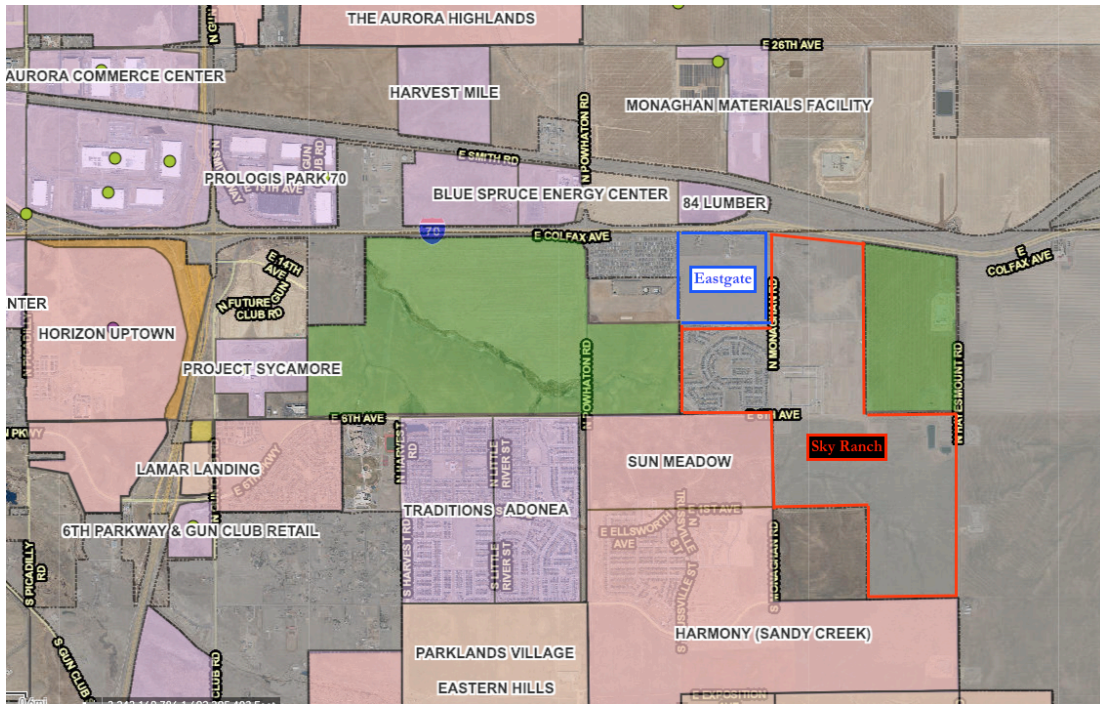
Eastgate project assures that it will not unduly degrade the quality and quantity of agricultural uses in the surrounding area. With only 114 acres out of 144 currently designated for agricultural purposes, a significant portion of the land is already utilized for other purposes. Moreover, the project site is surrounded by existing residential and commercial developments, as well as planned future developments in adjacent parcels. This context indicates that the area is transitioning away from agricultural use, and the Eastgate project is aligned with this evolving landscape, minimizing any adverse impact on agricultural activities in the region.

***19. Cultural Resources. The Proposed Project will not significantly interfere with the preservation of cultural resources, including historical structures and sites, agricultural resources, the rural lifestyle, and the opportunity for solitude in the natural environment.***

The Office of Archaeology and Historical Preservation conducted an examination of the Colorado Inventory of Cultural Resources concerning the site. Their search revealed two sites and six surveys within the area. The first site, identified as Resource No. 5AH2914.1, is situated on the site's border and is described as a segment of Colfax Ave/Highway 40. The second site, designated as Resource No. 5AH3884, is described as a Residential site on the property. Both sites have been officially assessed as not eligible for historical status. Additionally, CU Museum of Natural History and the Department of Earth Sciences conducted a paleontological search and return any results. Consequently, as there is no historical, archaeological or paleontological significance attributed to these sites, the applicant does not foresee the need for any mitigation measures, and the project is not expected to impact any historical sites. If any paleontological, historic or archaeological attributes are identified during the time of construction, work will be immediately halted, and the appropriate authorities will be notified.

***20. Land Use. The Proposed Project will not cause significant degradation of land use patterns in the area around the Proposed Project.***

The land use patterns emanating from Aurora, situated directly to our West, predominantly consist of residential developments. Our project is poised to seamlessly integrate with these residential areas, serving as a natural extension of the existing community fabric. Notably, we envision a centralized commercial corridor along our eastern border, strategically positioned to complement the residential landscape. Furthermore, the ongoing development of Sky Ranch to our south, southeast, and east underscores the area's growth trajectory. Adjacent to our project's eastern boundary lies a site zoned for commercial purposes, aligning with our planned commercial corridor along Monaghan. In essence, our community serves as an extension of Aurora's residential corridors, poised to accommodate, and contribute to the continued eastward expansion of growth in the region.



Vicinity Map - Existing and Future Development

***21. Compliance with Regulations & Fees. The applicant has complied with all applicable provisions of these regulations and has paid all applicable fees.***

The applicant has and will comply with all applicable provision of these regulations and will pay for all applicable fees. We will deposit \$10,000 review fee in escrow and any additional fees for the County review will be paid as received.



## **Additional Submittal Requirements Applicable to Major Water and Sewer Projects**

- 1. To the extent practicable, Domestic Water and Wastewater Treatment Systems shall be consolidated with existing facilities within the area. The determination of whether consolidation is practicable shall include but not be limited to the following considerations:***

Eastgate is strategically located adjacent to two water providers, Rangeview Metro District and Aurora Water. After thorough evaluation and consultation with both districts, our project has determined that partnering with Aurora Water best serves our interests. Following extensive discussions, we have successfully negotiated an extraterritorial service agreement with Aurora Water, a decision supported by staff members. To formalize this agreement, we will submit it to City Council for approval, ensuring alignment with regulatory requirements and securing reliable water and sewer services for our project. It is expected that our agreement will be approved by Aurora City Council either before the approval of the GDP or shortly after the approval of the GDP.

Eastgate benefits from adjacency to Aurora Water, facilitated by the connection through the Jamaso Planned Unit Development (PUD) within Aurora city limits and directly adjacent and shares a border with East on the West. A strategic move was made to purchase a 100-foot water main easement from landowner Sharon Dowhan along the western border of the property. Sharon is the property owner of 27450 E Colfax and is a partner in this project. She will be contributing her land and will be compensated for the contribution. This acquisition enabled the installation of the water main in 2023/2024, positioning our project to tap into the system at this designated point. Our designated point of contact is situated on Powhatan Road, ensuring efficient communication and coordination with Aurora Water throughout the project's development and operation phases.

The applicant holds a strong belief that Aurora Water has solidified its reputation as a state-of-the-art and dependable water provider. This perception instills a sense of confidence and assurance among the ownership and prospective developers, knowing that they are partnering with an entity equipped with advanced infrastructure and proficient personnel. The established track record of Aurora Water in delivering reliable services and maintaining high standards underscores the reliability and resilience of the water supply, which is essential for sustaining the envisioned development. This confidence in Aurora Water's capabilities not only mitigates concerns regarding water provision but also fosters a positive outlook on the project's feasibility and long-term sustainability.

- 2. The Proposed Project will not result in duplicative services within the County.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project.

- 3. The Proposed Project will be constructed in areas that will result in the proper utilization of existing treatment plants and the orderly development of domestic water and sewage treatment systems of adjacent communities.***

Eastgate is strategically located adjacent to two water providers, Rangeview Metro District and Aurora Water. After thorough evaluation and consultation with both districts, our project has determined that partnering with Aurora Water best serves our interests. Following extensive discussions, we have successfully negotiated an extraterritorial service agreement with Aurora Water, a decision supported by staff members. To formalize this agreement, we will submit it to City Council for approval, ensuring alignment with regulatory requirements and securing reliable water and sewer services for our project.

- 4. If the Proposed Project is designed to serve areas within the County, it is necessary that the Proposed Project meet community development and population demands in those areas.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project.

- 5. The Proposed Project shall emphasize the most efficient use of water, including, to the extent permissible under existing law, the recycling, reuse and conservation of water.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project.

- 6. The Applicant shall demonstrate sufficient managerial expertise and capacity to operate the facility.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project.

- 7. Major extensions of domestic water and sewage treatment systems shall be permitted in those areas in which the anticipated growth and development that may occur as a result of such extension can be accommodated within the financial and environmental capacity of the area to sustain such growth and development.***

Our project is strategically located adjacent to both Rangeview Metro District and Aurora Water, both of which are authorized to provide water and sewer services within their respective boundaries. Comprehensive assessments have confirmed that both entities possess the capacity to adequately service our project. Financial analyses outlined in our Profit and Loss statement demonstrate the project's capability to tap into either system. Following negotiations and discussions, Aurora Water has expressed willingness to provide services to our site and project, a decision that aligns with our project's requirements and objectives.

## General Approval Criteria

### Application Submittal Requirements

#### *1. Application Fee*

- a. The application package must be accompanied by payment of the application fee for the 1041 Permit review. The County will establish and administer a schedule for such application fees.*

As dictated by the Planning Department, a \$10,000 deposit and any other additional amounts as prescribe shall be paid by the applicant.

The applicant agrees to promptly remit payment on all applicable fees and expenses as they become due in accordance with the terms outlined 1041 regulations and fee schedule.

- b. The County will take no action on the application package until all fees and expenses related to the application review process have been paid.*

It is understood that the County will take no action on the application package until all fees and expenses are paid. The applicant agrees to promptly remit payment on all applicable fees and expenses as they become due in accordance with the terms of the 1041 regulations and fee schedule.

- c. The applicant will also be responsible to pay for any consultant that the County may need to retain to analyze, evaluate or provide information to the County regarding all or a portion of an application where County Staff does not have expertise.*

The applicant understand that we will be responsible to pay for any consultant that the County may need to retain. The applicant agrees to promptly remit payment to all consultant or consultants as they become due in accordance with the terms of the 1041 regulations and fee schedule.

## **2. Information describing the applicant**

- a. *The names, addresses, email address, fax number, organization form, and business of the applicant, and if different, the owner of the project.*

Applicant & Owner:  
Property 292, LLC  
Attn: John Wakeham  
4545 Yulle Rd.  
Bennett, CO 80102  
720.335.1874  
digbossjohn@gmail.com

- b. *The names, addresses and qualifications, including those areas of expertise and experience with projects directly related or similar to that proposed in the application package, of individuals who are or will be responsible for constructing and operating the project.*

Owner's Representative:  
JMC Consulting Services, LLC  
Attn: Jeff Keeley  
10 E Belleview Dr.  
Greenwood Village, CO 80121  
919.824.1504

JMC Consulting Services lead by Jeff Keeley will act as a owner representative while co-leading the entitlement process with Plan West. Jeff brings a wealth of experience to his role. His expertise is particularly rooted in the intricate jurisdictions of Colorado, with a specific focus on the dynamic landscape of the Denver metro front range. In addition to his expertise in land entitlements and development, Jeff Keeley sits on 10 title 32 metro district boards and has issued over \$50 million worth of general obligation and cash flow bonds.

Prior to establishing JMC Consulting Services, Jeff Keeley spent a decade contributing to the success of Craft Companies, LLC, a local Denver development company specializing in sustainable development practices. His tenure with Craft Companies not only honed his skills but also allowed him to play a pivotal role in the entitlement of approximately 4,000 single-family attached and detached lots, along with the development of 1,000 lots in the front range.

At the time of Jeff's departure, he held the role of Principal/Director of Acquisitions and was the Project Manager for three master-planned communities in the Denver front range. In these capacities, he took charge of the comprehensive aspects of each project, including financing, entitlements, and overall development. His adept management ensured the successful realization of these communities.

Land Planner & Landscape Architecture:  
Plan West  
Attn: David Brehm and Allison Hibbs

767 Santa Fe Drive  
Denver, CO 80204  
303.741.1411

Plan West is in our 50<sup>th</sup> year helping people, developers, investors, and municipalities achieve their goals in land planning, site design, land development, and landscape architecture. Our philosophy and passion are based on helping our clients create financially successful projects while creating long-term community assets. Land Use Planning at Plan West creates opportunities for development with flexibility that will allow projects to respond to changing market conditions. We focus our Site Design solutions on our client's goals to provide the unique character, sense of place, livability, and recognition for a positive market edge. Detailed Design and Landscape Architectural Design combine art and sculpture to site detailing that adds memorable recognition to a place to enrich the human experience. We share a passion with all our services to find the balance between the ambitious and the pragmatic based on our client's aspirations.

Engineering:  
Manhard Consulting  
Attn: Rick Moore  
1 N Broadway, Suite B200  
Denver, CO 80203  
303.531.3232

Manhard Consulting is a full service civil and surveying firm that has done work throughout the United States. With 13 office locations and experience in thousands of different developments, Manhard has the expertise to take projects from conceptual design all the way through construction closeout. Having a wide national base allows for us to utilize different subject matter experts in various roles and areas. With a history spanning over 50 years of doing development projects like Eastgate, Manhard is a great partner to this project as it works through the various phases of development.

Traffic Engineer  
Fox Tuttle Transportation Group  
Attn: Cassie Slade  
1580 Logan Street, 6<sup>th</sup> Floor  
Denver, CO 80203  
303.652.3571

The Fox Tuttle Transportation Group is a Colorado firm that was formed in 2001 to provide high quality, innovative transportation consulting services to local governments and private sector clients. The firm has highly qualified engineering and planning professionals who are committed to providing exceptional analysis and design for land use projects and multi-modal facilities. Fox Tuttle only commits to projects that are compatible with their staff's expertise, will implement safe streets for all modes of travel, and fit with staff's availability. Key members of Fox Tuttle's staff are among a small group of Professional Traffic Operations Engineers (PTOE) that have been working for a decade, in Colorado, to apply new federal "complete streets" standards to

transportation projects. This includes award-winning work from the Institute of Transportation Engineers (ITE) on safety performance measures, accountability, and liability. Fox Tuttle has extensive experience working with private and public projects across the State of Colorado.

*c. Authorization of the application by the project owner, if different than the applicant.*

The Owner is the Applicant. No authorization needed.

*d. Documentation of the applicant's financial and technical capability to develop and operate the project, including a description of the applicant's experience developing and operating similar projects.*

Property 292, LLC, is backed by the financial backing of John Wakeham, a seasoned entrepreneur with a successful track record in water and sewer line installation and repair/replacement. With John's financial backing a group of consultants will lead the entitlement process to a final plat. Complementing John's expertise, our team comprises seasoned professionals in development, engineering, and land/landscape planning, boasting nearly 100 combined years of experience in the land development industry.

The consultants and John's expertise in land development and entitlements, we are anticipating bringing the project through the GDP, SDP, ASP, Preliminary Plat and Final Plats in Arapahoe County. It is likely that we will contract with certain developers and home builders prior to a final plat is achieved. If this is the case, we will have the financial backing from these development entities which will fund their portions of the entitlements. Property 292, LLC will be responsible for the remaining costs associated with the entitlements.

JMC Consulting Services lead by Jeff Keeley will act as an owner representative while co-leading the entitlement process with Plan West. When the project comes into the development phase, Jeff will act as the lead. Jeff brings a wealth of experience to his role. His expertise is particularly rooted in the intricate jurisdictions of Colorado, with a specific focus on the dynamic landscape of the Denver metro front range. In addition to his expertise in land entitlements and development, Jeff Keeley sits on 10 title 32 metro district boards and has issued over \$50 million worth of general obligation and cash flow bonds.

Prior to establishing JMC Consulting Services, Jeff Keeley spent a decade contributing to the success of Craft Companies, LLC, a local Denver development company specializing in sustainable development practices. His tenure with Craft Companies not only honed his skills but also allowed him to play a pivotal role in the entitlement of approximately 4,000 single-family attached and detached lots, along with the development of 1,000 lots in the front range.

At the time of Jeff's departure, he held the role of Principal/Director of Acquisitions and was the Project Manager for three master-planned communities in the Denver front range. In these capacities, he took charge of the comprehensive aspects of each project, including financing, entitlements, and overall land development. His adept management ensured the successful realization of these communities.

### ***3. Information describing the project.***

#### *a. Detailed plans and specifications of the project.*

The plans and specifications for Eastgate are detailed in Exhibit C, known as the Eastgate General Development Plan (GDP). This comprehensive document serves as the blueprint for the forthcoming development, establishing parameters such as residential and commercial density, designated uses, setbacks, and height restrictions.

Additionally, the GDP outlines openspace requirements, potential right of way, and specific planning areas. It is crucial to note that all elements specified within the GDP are subject to change until receiving ultimate approval from Arapahoe County for the GDP. This flexibility ensures that the development aligns seamlessly with evolving considerations and regulatory approvals.

#### *b. Descriptions of at least 3 or more alternatives to the project that were considered by the applicant.*

1. Remain two residential parcels with agricultural uses.
2. Create, use by right, four 35 acres residential parcels.
3. Develop the parcel under the current zoning, MU, and keep the other parcel zoned A as agricultural use.
4. Move forward with our proposed plan to entitle to a PUD. Two water and wastewater providers are in the area, Rangeview Metro District and City of Aurora. Through our analysis, we decided to move forward with the City of Aurora due to many factors identified throughout this report.

#### *c. Schedules for designing, permitting, constructing and operating the project, including the estimated life of the project.*

GDP is anticipated to be finalized in 2024

SDP and Preliminary Plat are anticipated to be finalized in 2025

ASP and Final Plat are anticipated to be finalized in 2026

Development is expected to commence in 2026

The permits associated with development are listed below and will acquire the appropriate permits to specific development projects:

- CDOT
  - Access Permits
- Arapahoe County
  - 1041 Permit
  - Signage Permit
  - Building Permits
  - Public Improvement Construction Permit
  - Street Cut, Right-of-Way Use and Pothole Permit
  - Traffic, Signing, Striping, Signalization Permit



- SEMSWA
  - Stormwater Public Improvement Permit
  - Grading, Erosion and Sediment Control (GESC) Permit
- Aurora
  - Public Improvement Permit
  - Stormwater Quality Permit (we are going to discharge a detention basin into Aurora)
- FAA
  - 7460-1 Permit – Notice of Proposed Construction
  - 7460-2 Permit – Supplemental Notice
- CDPHE
  - COR400000 – Construction Stormwater Discharge Permits

The Metro District is anticipated to be formed in 2024.  
Build-out is anticipated to be completed in 2037.

The schedule provided is the estimated timeline, but it is subject to change.

*d. The need for the project, including existing/proposed facilities that perform the same or related function; and population projections or growth trends that form the basis of demand projections justifying the project.*

The Denver metro area remains a highly sought-after destination, with demand consistently surpassing the available housing supply. Per a Denver Post article and estimates provided by Up for Growth, Colorado is short more than 100,000 homes and apartments, while Zillow puts the shortage in the Metro Denver at 70,000.

<https://www.denverpost.com/2024/05/12/colorado-small-homes-light-touch-density-housing-shortfall/>

Noteworthy is the success of Sky Ranch, a well-executed master-planned community situated directly to the south of the Denver metro area. This exemplifies a positive trend in housing development.

According to the Arapahoe County Comprehensive Master Plan, the population of Arapahoe County has experienced significant growth, rising from 490,722 in 2000 to 572,000 in 2010, marking a 17% increase. Projections indicate a continued upward trend, with an anticipated population of 875,000 by 2040, signifying a 35% increase over the 2015 estimated population of 632,500. Of this projected total county population, 22% (193,246 people) are forecasted to reside in unincorporated areas, reflecting a substantial increase of 103% over the 2015 unincorporated population of 94,912.

Appendix B from the Arapahoe County Comprehensive Master Plan highlights that the population forecast for the unincorporated portion of the county expects an increase of 98,300 persons. See Exhibit D. While around 14,400 people can be accommodated in the western part of

the county, the eastern portion faces the challenge of housing approximately 84,000 individuals. Assuming an average household size of 2.5 persons, this necessitates the creation of approximately 33,600 households to accommodate residential growth. Existing approved developments are projected to provide around 13,900 of these units, resulting in a potential unmet demand of 19,700 units. To meet this unmet residential demand, an estimated 14 square miles of land, with a density of four units per acre, would be required. These figures underscore the pressing need for strategic and sustainable housing solutions in the Denver metro area.

Additionally, the Comprehensive Master Plan references the following. "The potential population forecasted in 2040 generates demand for residential units that is significantly more than what is allowed under current zoning or planned in major projects. With demand exceeding supply, Arapahoe County has the ability to properly manage and direct growth to those locations that are most suitable, including directing urban development to Designated Growth Areas that are capable of providing infrastructure and services."

*e. Description of all conservation techniques to be used in the construction and operation of the project.*

Conservation techniques will be utilized during the design, construction, and operation of the project. During the design, conservation will be done by trying to minimize the overall disturbance of the project while being constructed in phases, minimizing the overall impact of the development. During construction, conservation will be utilized by installing temporary and permanent best management practices. During operation, permanent BMP's will be left in place and the overall development will be observed at periodic times to ensure the development is functioning as originally intended.

The techniques that will be used, include the following but not limited to.

- Erosion and Sediment Control: Implementing measures such as silt fences, erosion control blankets, and vegetative stabilization to prevent soil erosion and sediment runoff during construction activities.
- Stormwater Management: Designing stormwater to capture and treat runoff from impervious surfaces, reducing the risk of flooding and improving water quality.
- Wetland and Riparian Area Protection: Establishing buffer zones and setbacks around wetlands and riparian areas to safeguard these sensitive habitats from disturbance and pollution.
- Pollution Prevention: Implementing practices to minimize the release of pollutants into the environment, such as proper handling and disposal of hazardous materials, spill prevention measures, and regular maintenance of equipment to prevent leaks and spills.
- Sustainable Land Use Planning: Promoting compact development, mixed land uses, and transit-oriented design to reduce sprawl, and preserve open space.
- Waste Management: Implementing practices such as recycling, composting, and waste minimization to reduce the generation of solid waste and promote resource conservation.

#### ***4. Property Rights, Permits and other Approvals***

- a. A list and copies of all other federal, State and local permits and approvals that have been or will be required for the project, together with any proposal for coordinating these approvals with the County permitting process.*

#### **Permits Required**

The following list of permits will be required prior to any development.

- CDOT
  - Access Permits
- Arapahoe County
  - 1041 Permit
  - Signage Permit
  - Building Permits
  - Public Improvement Construction Permit
  - Street Cut, Right-of-Way Use and Pothole Permit
  - Traffic, Signing, Striping, Signalization Permit
- SEMSWA
  - Stormwater Public Improvement Permit
  - Grading, Erosion and Sediment Control (GESC) Permit
- Aurora
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- FAA
  - 7460-1 Permit – Notice of Proposed Construction
  - 7460-2 Permit – Supplemental Notice
- CDPHE
  - COR400000 – Construction Stormwater Discharge Permits

#### **Approvals**

1. General Development Plan (GDP)
2. Specific Development Plan (SDP)
3. Preliminary Plat
4. Administrative Site Plan
5. Final Plat
6. Subdivision Improvement Agreement
7. Metro District Service Plans
8. Construction Documents (CD's)
9. Regulations Governing Areas and Activities of State Interest in Arapahoe County (1041)

- b. Copies of all official federal and State consultation correspondence prepared for the project; a description of all mitigation required by federal, State and local authorities; and copies of any draft or final environmental assessments or impact statement required for the project.*

Comprehensive mitigation plans for stormwater management are slated for implementation at various stages—pre, during, and post-development construction of the infrastructure. Compliance with County and State standards for stabilization is a prerequisite before the removal of mitigation controls.

The goal is to implement effective erosion and sediment control best management practices (BMPs) as a standard for all land disturbance activities to reduce increases in erosion and sedimentation over pre-development conditions. During the relatively short period of time when undeveloped land is converted to urban uses, a significant amount of sediment can erode from a construction site and be transported to adjacent properties and receiving waters. Erosion caused by construction and downstream sedimentation can damage property and degrade the quality of streams and lakes. Sediment is a transport mechanism for many stormwater pollutants. Sediment can disturb riparian and aquatic habitat and, since eroded sediments often contain significant phosphorus, can lead to unwanted algae growth in lakes and reservoirs.

Monitoring the BMP's consists of an Erosion control manager who implements an effective plan, provides field inspections on regular frequencies, and provides a dynamic, not static, process during construction activities. Upon completion of construction and implementation of Standard Operating Procedures (SOP) for permanent BMP's such as grass buffer and swales, vegetated side slopes, along with water quality and detention facilities. These features will be owned by the Metropolitan District and will be inspected, monitored, and maintained on an as needed basis.

Our environmental consultant will implement, inspect, and maintain our controls. They include the following.

1. Environmental Impact Assessment: Conducting thorough environmental assessments to identify potential impacts and proposing mitigation measures to address them.
2. Habitat Preservation: Protecting sensitive habitats, wildlife corridors, and biodiversity through land conservation easements or habitat restoration projects.
3. Stormwater Management: Implementing stormwater management practices to minimize erosion, reduce sedimentation, and prevent pollution runoff into water bodies.
4. Air Quality Control: Implementing measures to reduce air pollution emissions from construction activities, industrial operations, or transportation.
5. Noise Reduction: Employing sound barriers, noise-reducing construction techniques, or implementing quiet hours to minimize noise disturbance to nearby residents or wildlife.
6. Traffic Management: Implementing traffic calming measures, improving road infrastructure, or incorporating alternative transportation options to mitigate traffic congestion and associated impacts.
7. Water Conservation: Implementing water-efficient landscaping, low-impact development practices, and water reuse systems to reduce water consumption and protect water resources.

8. Cultural Resource Protection: If any cultural attributes are discovered, we will conduct archaeological surveys, implementing avoidance measures, or undertaking salvage excavations to protect cultural resources and archaeological sites.
9. Community Engagement: We will continue to engage with local communities, and stakeholders solicit input, address concerns, and incorporate community preferences into project planning and decision-making. This includes open line of communication and status updates on development.
10. Monitoring and Adaptive Management: Establishing monitoring programs to track the effectiveness of mitigation measures over time and implementing adaptive management strategies to adjust measures as needed based on monitoring results and changing conditions.

Exhibit E presents stakeholder feedback received in response to our second submission for the 1041 permit. This exhibit encapsulates the valuable input and responses gathered from relevant parties following our initial application.

Our environmental report is available for review in Exhibit F, conveniently located within this section.

*c. Description of the water to be used by the project and alternatives, including the source, amount, the quality of such water, the applicant's right to use the water, including adjudicated decrees, applications for decrees, proposed points of diversion, and the existing uses of water. If an augmentation plan has been filed in court, the applicant must submit a copy of that plan.*

Presently, there are two water providers located adjacent to our property, each capable of serving our community: the City of Aurora and the Rangeview Metropolitan District. We have thoroughly researched and deliberated the services offered by both providers.

The Applicant has negotiated an Exterritorial Agreement with Aurora Water to service the project. This agreement requires City Council approval, but it is supported by staff. Staff was comfortable enough to provide the Applicant and project a City of Aurora's Contingent Willingness to Serve letter. That letter can be found in Exhibit G within this section. We expect the agreement to be approved either prior to GDP approval or shortly after GDP approval.

## **Aurora Water**

### **Water Source**

According to Aurora, 95% of their water is provided by surface water sources. 5% is produced from deep aquifer groundwater wells.

[https://www.auroragov.org/residents/water/water\\_system/water\\_sources](https://www.auroragov.org/residents/water/water_system/water_sources)

### Colorado River Basin

- Homestake Reservoir

- Busk Ivanhoe

#### Arkansas River Basin

- Turquoise Lake
- Twin Lakes
- Pueblo Reservoir
- Lake Meredith
- Lake Henry

#### South Platte River Basin

- Spinney Mountain Reservoir
- Jefferson Lake
- Strontia Springs Reservoir
- Rampart Reservoir
- Quincy Reservoir
- Aurora Reservoir

#### Prairie Waters

- Innovative potable reuse system

#### London Mine Water Rights

- 1,411 Acre Feet of water

### **Quality**

Annually, Aurora Water diligently conducts tests on 85,000 water samples and releases a comprehensive Water Quality report. These samples undergo rigorous examination at Aurora's certified Quality Control Laboratory, accredited by the Colorado Department of Public Health and Environment (CDPHE). Remarkably, all tested contaminants were found to be well below permissible levels. Furthermore, Aurora's proactive approach extends to testing approximately 150 additional contaminants, all of which showed no detection. For a succinct overview of the primary contaminants, refer to the summary below. The detailed report can be accessed in Exhibit H within this section.

## TABLE OF DETECTED CONTAMINANTS

The table details the contaminants detected in Aurora's drinking water during 2023. All are well below allowed levels. The state permits monitoring less than once per year for some contaminants because the concentrations of these contaminants do not vary significantly. Some of the data, though representative, may be more than one year old. Colorado has a statewide waiver for dioxin monitoring. Aurora has monitoring waivers for cyanide and asbestos. The waivers were granted because CDPHE determined Aurora Water's system is not vulnerable to these contaminants.

Turbidity	Violation	Units	TT Requirement	MCLG	Level Detected	Range	Sample Date	Typical Source of Contamination
Turbidity*	No	NTU	Maximum 1 NTU for any single measurement	N/A	Highest single measurement for 2023 was 0.078 NTU		May 2023	Soil runoff, river sediment provides a medium for microbiological growth
	No	%	In any month, at least 95% of samples must be less than 0.3 NTU**	N/A	100% of samples were less than 0.3 NTU	N/A		
*Turbidity is a measure of the clarity of water and has no health effects. Nevertheless, turbidity may interfere with disinfection and provides a medium for microbial growth.								
**Turbidity must be less than 0.3 NTU in 95% of monthly samples. The higher the percentage the better.								

Radionuclides	Violation	Units	MCL	MCLG	Average Level Detected	Range	Sample Date	Typical Source of Contamination
Combined Radium (-226 & -228)	No	pCi/L	5	0	0.19	0.19 to 0.19	2022	Decay of natural and man-made deposits

Copper and Lead	Violation	Units	Action Level	MCLG	90th Percentile	Range	Sample Date	Typical Source of Contamination
Copper	No	ppm	1.3	N/A	0.06	0 of 217 sites sampled exceeded action level	June through Sept. 2021	Corrosion of household plumbing systems
Lead	No	ppb	15	N/A	1.3	0 of 217 sites sampled exceeded action level	June through Sept. 2021	Corrosion of household plumbing systems

Inorganic Contaminants	Violation	Units	MCL	MCLG	Average Level Detected	Range	Sample Date	Typical Source of Contamination
Arsenic	No	ppb	10	0	0.11	<0.5 to 0.63	2023	Erosion of natural deposits
Barium	No	ppb	2000	2000	37.9	30.8 to 47.3	2023	Erosion of natural deposits
Fluoride	No	ppm	4	4	0.72	0.60 to 0.91	2023	Erosion of natural deposits
Nitrate	No	ppm	10	10	0.34	<0.3 to 1.4	2023	Runoff from fertilizer use and erosion of natural deposits
Selenium	No	ppb	50	50	0.56	<0.5 to 1.35	2023	Erosion of natural deposits

Disinfection	Violation	Units	TT Requirement	MRDLG	Average Level Detected	Range	Sample Date	Typical Source of Contamination
Chlorine Residual (Chloramines)	No	ppm	At least 95% of samples per month must be at least 0.2 ppm	4	1.71 100% of samples were >0.2 ppm	0.44 to 2.20	Daily	Water additive to control microbes
Chlorine Dioxide	No	ppb	N/A	800	34	0 to 200	Daily	Water additive to control microbes

Disinfection By-products Precursors	Violation	Units	TT Requirement	MRDLG	Average Removal Ratio	Range of Removal Ratios	Sample Date	Typical Source of Contamination
Total Organic Carbon	No	Ratio	Removal ratio >1	N/A	2.31	1.33 to 5.36	Monthly	Naturally present in environment

Disinfection By-products	Violation	Units	MCL	MRDLG	Average Level Detected	Range	Sample Date	Typical Source of Contamination
Chlorite	No	ppm	1.0	0.8	0.47	0.15 to 0.62	Quarterly	By-product of drinking water disinfection
Haloacetic Acids	No	ppb	60	N/A	17.43	3.95 to 65.1	Quarterly	By-product of drinking water disinfection
Trihalomethanes	No	ppb	80	N/A	25.22	16.1 to 58.4	Quarterly	By-product of drinking water disinfection

Table of Detected Contaminants

## **Quantity**

“Aurora has more than 156,000-acre feet (a.f.) of water storage, which, when filled to capacity, is enough to supply the city with water for up to three years.” -

[https://www.auroragov.org/residents/water/water\\_system/water\\_sources](https://www.auroragov.org/residents/water/water_system/water_sources)

## **Existing Uses of Water**

Aurora Water is your premier provider of water solutions, catering to a diverse range of needs including residential, commercial, and irrigation purposes, as well as any other uses sanctioned under municipal regulations.

## **Rangeview Metro District**

### **Water Source**

“Rangeview’s water supply comes from a diversified portfolio of surface water rights and groundwater supplies used conjunctively to provide high-quality, drought-resistant water to our customers. Using our water supplies conjunctively means we capture and use our surface water supplies during wet periods or seasonal storm events, with the ability to store these water supplies when necessary for use throughout the year or during dry periods. In addition to our surface water supplies, we also use groundwater from wells developed in the Denver Basin formation which are available throughout the Lowry Range’s uniquely positioned 40 square miles located in southeast Arapahoe County.

We strive to develop and use our water supplies in the most environmentally responsible manner including the use of dual distribution water systems which allow us to deliver high-quality potable water for domestic uses as well as collect, treat, store, and reuse reclaimed wastewater for outdoor irrigation uses, greatly reducing the amount of water wasted by traditional water systems.”

- <https://rangeviewmetro.org/about/our-water-resources/>

“The Lowry Range Water Supplies include a combination of approximately 26,000-acre feet of deep groundwater, 29,000-acre feet of surface reservoir storage rights, and over 8,100 acre feet of renewable surface water supplies in two tributaries (Coal Creek and Box Elder Creek) which flow through the over 40 square miles of the Lowry Range. On average, combined with the ability to divert and store our renewable supplies the Lowry surface water supplies yield approximately 3,300-acre feet annually.”

- <https://rangeviewmetro.org/about/our-water-resources/>



## Quality

“Rangeview Metro District (RMD) routinely monitors for contaminants in your drinking water according to Federal and State laws” per RMD’s water quality report. RMD only publishes detections that have occurred in the past 5 years. The detailed report can be accessed in Exhibit I.

Disinfectants Sampled in the Distribution System						
<b>TT Requirement:</b> At least 95% of samples per period (month or quarter) must be at least 0.2 ppm <i>OR</i> If sample size is less than 40 no more than 1 sample is below 0.2 ppm <b>Typical Sources:</b> Water additive used to control microbes						
Disinfectant Name	Time Period	Results	Number of Samples Below Level	Sample Size	TT Violation	MRDL
Chlorine	December, 2022	Lowest period percentage of samples meeting TT requirement: 100%	0	2	No	4.0 ppm

Lead and Copper Sampled in the Distribution System								
(Note: Samples were also tested for lead but all results were below the Minimum Reporting Level of 0.001 mg/l)								
Contaminant Name	Time Period	90 <sup>th</sup> Percentile	Sample Size	Unit of Measure	90 <sup>th</sup> Percentile AL	Sample Sites Above AL	90 <sup>th</sup> Percentile AL Exceedance	Typical Sources
Copper	08/11/2022 to 09/03/2022	0.27	10	ppm	1.3	0	No	Corrosion of household plumbing systems; Erosion of natural deposits

Disinfection Byproducts Sampled in the Distribution System									
Name	Year	Average	Range Low – High	Sample Size	Unit of Measure	MCL	MCLG	MCL Violation	Typical Sources
Total Haloacetic Acids (HAA5)	2022	5.7	5.7 to 5.7	1	ppb	60	N/A	No	Byproduct of drinking water disinfection
Total Trihalo-methanes (TTHM)	2022	27.8	27.8 to 27.8	1	ppb	80	N/A	No	

Radionuclides Sampled at the Entry Point to the Distribution System									
Contaminant Name	Year	Average	Range Low – High	Sample Size	Unit of Measure	MCL	MCLG	MCL Violation	Typical Sources
Gross Alpha	2022	0.43	0 to 1.0	4	pCi/L	15	0	No	Erosion of natural deposits
Combined Radium	2022	0.73	0 to 1.3	4	pCi/L	5	0	No	

Inorganic Contaminants Sampled at the Entry Point to the Distribution System									
(Note: We also tested one sample for Nitrite-nitrogen with result of Below the Laboratory Minimum Reporting Level of 0.1 mg/l)									
Contaminant Name	Year	Average	Range Low – High	Sample Size	Unit of Measure	MCL	MCLG	MCL Violation	Typical Sources
Arsenic	2022	0.33	0 to 1	6	ppb	10	0	No	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes

<b>Inorganic Contaminants Sampled at the Entry Point to the Distribution System</b>									
<i>(Note: We also tested one sample for Nitrite-nitrogen with result of Below the Laboratory Minimum Reporting Level of 0.1 mg/l)</i>									
Contaminant Name	Year	Average	Range Low – High	Sample Size	Unit of Measure	MCL	MCLG	MCL Violation	Typical Sources
Barium	2022	0.06	0.04 to 0.09	6	ppm	2	2	No	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Chromium	2022	2	1 to 3	6	ppb	100	100	No	Discharge from steel and pulp mills; erosion of natural deposits
Fluoride	2022	1.64	1.36 to 1.97	6	ppm	4	4	No	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
Mercury	2022	0.05	0 to 0.2	6	ppb	2	2	No	Erosion of natura; deposits, discharge from refineries and factories, runoff from landfills and from crop land
Nitrate-nitrogen (Note: Nitrite-N was BDL)	2022	0.18	0 to 0.4	6	ppm	10	10	No	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits
Selenium	2022	0.67	0 to 2	6	ppb	50	50	No	Discharge from petroleum and metal refineries, erosion of natural deposits, discharge from mines
<b>Volatile Organic Contaminants Samples at the Entry Point to the Distribution System</b>									
Name	Year	Average	Range Low – High	Sample Size	Unit of Measure	MCL	MCLG	MCL Violation	Typical Sources
Ethylbenzene	2022	0.45	0 to 2.7	6	ppb	700	700	No	Discharge from petroleum refineries and chemical factories, solvent from painting operations
Xylenes	2022	1.8	0 to 10.8	6	ppb	10,000	10,000	No	
<b>Secondary Contaminants**</b>									
**Secondary standards are non-enforceable guidelines for contaminants that may cause cosmetic effects (such as skin, or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water.									
Contaminant Name	Year	Average	Range Low – High	Sample Size	Unit of Measure	Secondary Standard			
Sodium	2022	75.35	49.2 to 108.1	6	ppm	N/A – monitor only			

Table of Detected Contaminants

Per their report there were no Violations, Significant Deficiencies (requiring public notification), or Formal Enforcement Actions.

Quantity

### Summary of Lowry Range Water

- 25,961-acre feet per year of groundwater
- 8,125-acre feet of surface water (average yield of 3,300 aft)
- 29,262-acre feet of surface water storage capacity

### Additional Surface Water Supplies

Rangeview in conjunction with its service provider Pure Cycle Corporation, have renewable water supplies including 800-acre feet of Lost Creek water in Weld County.

### **Existing Uses of Water**

Rangeview caters to a diverse range of needs including residential, commercial, and irrigation purposes, as well as any other uses sanctioned under municipal regulations.

### **Adjudication, Decrees, Points of Diversion**

The applicant will not be required to acquire any adjudication or decrees for on-site water rights. Additionally, the applicant will not be required to acquire or obtain agreement or easement for a new point of diversion.

### **Augmentation Plan**

An augmentation plan is not required for on-site water rights.

## ***5. Regional Water Quality Management Plan and Assessment***

- a. Provisions of the applicable regional water quality management plan that apply to the project and assessment of whether the project would comply with those provisions.*

Eastgate is located within the First Creek Watershed. Portions of the site are a part of the drainageway known as the Monaghan Tributary and the Riverwood Tributary which both convey flows to First Creek. At the time of this permit submittal, a Phase 1 Drainage Report has been prepared for the Eastgate development following the rules and regulations of Arapahoe County and SEMSWA. The design of the site incorporates three separate detention and water quality facilities which provided stormwater attenuation and water quality. These detention and water quality facilities will be designed within the site and will discharge into maintainable outfalls before discharging into First Creek.

The master plan for the development will be implemented and maintained in compliance, to the maximum extent practical, to the standards and practices of the Mile High Flood District (MHFD), Arapahoe County, and SEMSWA.

**6. Financial Feasibility of the Project**

a. *The estimated construction costs and period of construction for each development component.*

The estimated construction costs are detailed in Exhibit J and phasing map can be found in Exhibit K, as provided by Manhard. While the project is slated to be executed in phases, the specific delineation of these phases is yet to be determined, but we have provided an estimated phasing. The sequencing of phases will be contingent upon the interest expressed by builders and developers. Parcel sales to third-party developers are envisioned, and these developers will bear the responsibility of funding the construction of their respective parcels.

Simultaneously, the Eastgate metro districts, to be established, will play a pivotal role in funding and overseeing the installation of improvements. This collaborative approach, involving third-party developers and metro districts, underscores a strategic and cooperative effort to facilitate the phased development of the project.

ON-SITE IMPROVEMENTS		
1	PHASE 1	\$22,433,100.00
2	PHASE 2	\$3,088,400.00
3	PHASE 3	\$12,923,800.00
4	PHASE 4	\$999,000.00
<b>TOTAL - ON-SITE UNDERGROUND IMPROVEMENTS</b>		<b>\$39,425,000.00</b>
OFF-SITE IMPROVEMENTS		
1	PHASE 1	\$1,073,400.00
2	PHASE 3	\$1,386,100.00
3	MONAGHAN - 170 IMPROVEMENTS	\$13,152,000.00
<b>TOTAL SCHEDULE II - OFF-SITE ROADWAY IMPROVEMENTS</b>		<b>\$1,073,400.00</b>
<b>TOTAL</b>		<b>\$40,498,400.00</b>

On and Off-Site Improvement Cost Estimates

b. *Revenues and operating expenses for the project.*

Revenues are expected to be realized through lot sales and developable commercial parcels. It is estimated that it will generate approximately \$75.8 M over the life of the project.

Our soft and entitlement costs are estimated to be \$8.8 M and the development of the site is estimated at \$55 M.

This will generate a profit of approximately \$10.8 M.

<b>Profit and Loss (Levered) - Summary</b>	
<i>Income</i>	
Gross Sales Revenue	75,800,000
- Selling Costs	758,000
Total Income	75,042,000
<i>Expenses</i>	
Land Purchase Cost	-
Soft / Entitlement Cost	8,885,655
Construction Cost	55,334,000
Financing Cost	-
Total Project Costs	64,219,655
Net Project Profit	10,822,345

c. *The amount of any proposed debt and the method and estimated cost of debt service.*

The applicant foresees the issuance of bonds by the Metro Districts, with the intention of these bonds being acquired on the open market. The specific details, including the amount, pricing, and interest rates, will be contingent upon the prevailing market conditions at the time of issuance. It is important to note that the underwriting information provided in Exhibit A is subject to change based on market dynamics.

The bonds will be exclusively tied to the Eastgate community and will not impose any financial burden on other County residents. The funding mechanism for these bonds will involve a Mill levy and fees specific to the Eastgate Metro Districts, ensuring that the financial obligations are borne by the community itself and do not impact the broader County residents. This approach maintains transparency and financial responsibility within the scope of the Eastgate development.

**To facilitate the improvements, the district will issue general obligation bonds, and the estimated bond proceeds are detailed in Exhibit A. Per our Financial Plan, we anticipate issuing approximately \$82 million in general obligation bonds, with project funds that will be able to be used for improvements in the amount of \$67 million. The general obligation bonds will be issued at a 5.00% interest rate.**

Actual PAR, proceeds and pricing is subject to change based on current market conditions at the time of the issuance.

d. *Details of any contract or agreement for revenues or services in connection with the project.*

Currently, there are no existing contracts or purchase and sale agreements with any end user for the Eastgate project. The anticipated approach involves selling platted lots and/or parcels to developers and builders prior to the commencement of development. This strategy allows for flexibility in accommodating the interests and requirements of potential developers and ensures that specific agreements align with the evolving needs of the project. The absence of pre-existing

contracts reflects a dynamic and adaptable approach to engaging with developers in the pre-development phase.

When deemed suitable, Property 292, LLC will initiate negotiations with prospective home builders and developers for the acquisition of specific development pads, enhancing its revenue streams. Subsequently, site plans and final plats will undergo processing with the County, culminating in the approval of construction drawings and site plans. Upon reaching the development phase and commencing infrastructure installation, the purchasers of each development pad will assume responsibility for a designated portion of infrastructure costs. These developers will possess the financial capacity to execute the necessary improvements outlined in our Purchase and Sale Agreement.

For any development undertaken by Property 292, LLC or the metro district, we will adhere to the following procedures. The responsible party will solicit 2-3 proposals for each development section. This approach enables thorough analysis of different contractors, considering their experience and financial capacities. As part of the bidding process, we will require information on their insurance coverage and their overall approach to the project. This ensures that we select the contractor and proposal that align best with the fiscal responsibilities of the responsible party.

*e. Description of the persons or entity(ies) who will pay for or use the project and/or services produced by the development and those who will benefit from any and all revenues generated by it.*

Property 292, LLC, is backed by the financial backing of John Wakeham, a seasoned entrepreneur with a successful track record in water and sewer line installation and repair/replacement. With John's financial backing a group of consultants will lead the entitlement process to a final plat. Complementing John's expertise, our team comprises seasoned professionals in development, engineering, and land/landscape planning, boasting nearly 100 combined years of experience in the land development industry.

The consultants and John's expertise in land development and entitlements, we are anticipating bringing the project through the GDP, SDP, ASP, Preliminary Plat and Final Plats in Arapahoe County. It is likely that we will contract with certain developers and home builders prior to a final plat is achieved. If this is the case, we will have the financial backing from these development entities which will fund their portions of the entitlements. Property 292, LLC will be responsible for the remaining costs associated with the entitlements.

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Property 292, LLC and Sharon Dowhan, as the owners of the property, stand to benefit from the revenue generated by selling development planning areas to home builders and developers. Sharon is the landowner of 27500 E Colfax and she will contributing her land to the project and will be compensated for that contribution. These builders and developers, in turn, will be responsible for developing the commercial and industrial planning areas. Subsequently, they will benefit from the revenue generated by selling homes as well as selling or leasing commercial and industrial buildings to selected tenants. This symbiotic relationship between property owners and developers creates a mutually beneficial arrangement that fosters economic growth and development within the community.

*f. Cost of all mitigation measures proposed for the project.*

As identified in the cost estimates in Exhibit J the Mitigation costs for each phase are summarized below.

Phase I: \$32,400  
Phase II: \$19,800  
Phase III: \$27,900  
Phase IV: \$9,900  
Regional Improvements: \$50,000  
**Total: \$140,000**

*g. Detailed description as to how the project will be financed to show that the applicant has the ability to finance the project.*

The consultants and John's expertise in land development and entitlements, we are anticipating bringing the project through the GDP, SDP, ASP, Preliminary Plat and Final Plats in Arapahoe County. It is likely that we will contract with certain developers and home builders prior to a final plat is achieved. If this is the case, we will have the financial backing from these development entities which will fund their portions of the entitlements. Property 292, LLC will be responsible for the remaining costs associated with the entitlements.

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For any development undertaken by Property 292, LLC or the metro district, we will adhere to the following procedures. The responsible party will solicit 2-3 proposals for each development section. This approach enables thorough analysis of different contractors, considering their experience and financial capacities. As part of the bidding process, we will require information



on their insurance coverage and their overall approach to the project. This ensures that we select the contractor and proposal that align best with the fiscal responsibilities of the responsible party.

**To facilitate the improvements, the district will issue general obligation bonds, and the estimated bond proceeds are detailed in Exhibit A. Per our Financial Plan, we anticipate issuing approximately \$82 million in general obligation bonds, with project funds that will be able to be used for improvements in the amount of \$67 million. The general obligation bonds will be issued at a 5.00% interest rate.**

## 7. Land Use

### *a. Description of existing land uses within and adjacent to the Project Impact Area.*

The site is located within the Urban Growth Area for Employment. The proposed PUD aligns with the Comprehensive Plan by including opportunities for growth, job creation, and providing diverse housing options that would support those jobs.

The property is situated on the west side of Monaghan Road, south of E. Colfax Avenue, and within the southwest corner of I-70 and Monaghan Rd. (formerly Airpark Rd.). Currently, the two parcels, zoned A1 and MU, are utilized for single-family detached residences and farming activities. The site is designated as an Employment District in the Comprehensive Master Plan's Urban Area District. This designation is intended to accommodate land uses associated with a denser population, including industrial, commercial/retail, or residential uses.

The northern border is demarcated by I-70 highway and E. Colfax Avenue, the frontage road. North of I-70 is zoned for future industrial development within Adams County. To the south, the property is adjacent to the first filing of Sky Ranch, characterized by residential land use. On the east side, future filings of Sky Ranch are planned, comprising a mix of commercial/retail and residential uses.

To the west, the property is bordered by Foxridge Farm, a Manufactured Home community, and a future Jamaso Planned Unit Development (PUD) within Aurora city limits. The Jamaso PUD is expected to encompass commercial and industrial uses, contributing to the diverse land use mosaic surrounding the property.

### *b. Description of provisions from local land use plans that are applicable to the project and an assessment of whether the Project will comply with those provisions.*

The site is located within the Urban Growth Area for Employment. The proposed PUD aligns with the Comprehensive Plan by including opportunities for growth, job creation, and providing diverse housing options that would support those jobs.

Our site is required to go through the PUD process and will be required to go through the following procedures.

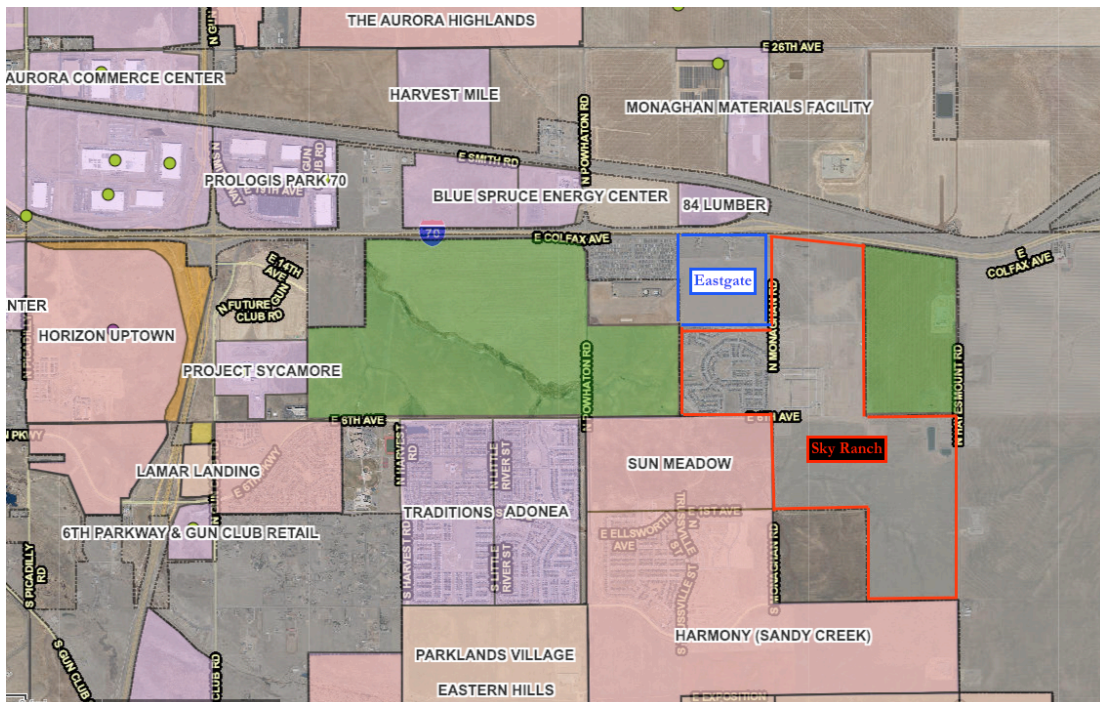
1. General Development Plan (GDP)
2. Specific Development Plan (SDP)
3. Preliminary Plat
4. Administrative Site Plan
5. Final Plat
6. Subdivision Improvement Agreement
7. Metro District Service Plans
8. Construction Documents (CD's)

The proposed PUD would allow more specific development standards and prevent monotonous urban landscapes by allowing a mix of housing types and retail services in a cohesive plan. The GDP may allow for development standards that create alternative and new, high-quality residential neighborhoods to support a commercial corridor.

Additionally, specific reports have been or will be prepared as part of the submittal package. These reports include, but are not limited to, transportation reports, open space design and requirements, and drainage and other technical reports. These reports will be required to be reviewed and approved by Arapahoe County and other required reviewing entities. We will abide by all the requirements at each stage of the entitlements.

*c. Description of impacts and net effect that the project would have on land use patterns.*

The land use patterns emanating from Aurora, situated directly to our West, predominantly consist of residential developments. Our project is poised to seamlessly integrate with these residential areas, serving as a natural extension of the existing community fabric. Notably, we envision a centralized commercial corridor along our eastern border, strategically positioned to complement the residential landscape. Furthermore, the ongoing development of Sky Ranch to our south, southeast, and east underscores the area's growth trajectory. Adjacent to our project's eastern boundary lies a site zoned for commercial purposes, aligning with our planned commercial corridor along Monaghan. In essence, our community serves as an extension of Aurora's residential corridors, poised to accommodate, and contribute to the continued eastward expansion of growth in the region.



## 8. Local Government Services

- a. *Description of existing capacity of and demand for local government services including roads, schools, water and wastewater treatment, water supply, emergency services, transportation, infrastructure, housing, law enforcement, and other services necessary to accommodate development.*

### Public Services

The responsibilities for installing public infrastructure lie with the applicant, metro district, and third-party developers. These installations will adhere strictly to the approved construction drawings, subject to thorough review and approval by Arapahoe County and other relevant jurisdictions. Throughout the warranty period, the installer will bear responsibility for any necessary repairs and maintenance. Upon final acceptance, ownership will transfer to the County or another jurisdiction, which will assume responsibility for ongoing repairs and maintenance thereafter.

### Schools

The site falls within the jurisdiction of Aurora School District #28J. Following the School District's review of our 1041 package, they have provided the following comments:

"Per Section 4-2.5 of the Arapahoe County Land Development Code, Aurora Public Schools respectfully requests cash-in-lieu of school land dedication, calculated according to the number of residential units proposed in future submittals and plats. The school district requests that the valuation for cash-in-lieu be determined using the Appraisal Method to ascertain fair market value."

The project will comply with this request.

**From:** [Joshua Hershey](#)  
**To:** [Kathleen Hammer](#)  
**Subject:** Re: Eastgate 1041 for a New Community Referral Request  
**Date:** Tuesday, February 20, 2024 5:04:53 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Kathleen. The following are Aurora Public Schools referral comment for the proposed Eastgate 1014 General Development Plan.

In accordance with Section 4-2.5 of the Arapahoe County Land Development Code, Aurora Public Schools respectfully requests cash-in-lieu of school land dedication based on the number of residential units to be approved in future submittals/ plats. The school district requests that the value for cash-in-lieu be based on the Appraisal Method for determining fair market value.

Please let me know if you have any additional questions.

Thanks,

Josh

## Water and Wastewater Treatment and Water Supply

The Applicant has negotiated an Exterritorial Agreement with Aurora Water to service the project. This agreement requires City Council approval, but it is supported by staff. Staff was comfortable enough to provide the Applicant and project a City of Aurora's Contingent Willingness to Serve letter. That letter can be found in Exhibit G.

According to Aurora, 95% of their water is provided by surface water sources. 5% is produced from deep aquifer groundwater wells.

[https://www.auroragov.org/residents/water/water\\_system/water\\_sources](https://www.auroragov.org/residents/water/water_system/water_sources)

#### Colorado River Basin

- Homestake Reservoir
- Busk Ivanhoe

#### Arkansas River Basin

- Turquoise Lake
- Twin Lakes
- Pueblo Reservoir
- Lake Meredith
- Lake Henry

#### South Platte River Basin

- Spinney Mountain Reservoir
- Jefferson Lake
- Strontia Springs Reservoir
- Rampart Reservoir
- Quincy Reservoir
- Aurora Reservoir

#### Prairie Waters

- Innovative potable reuse system

#### London Mine Water Rights

- 1,411 Acre Feet of water

### **Emergency Services**

As stated in their review response, Sable Altura Fire Protection District is the Fire Jurisdiction for our development. They have the intention and capability to service this area as proposed.

### **Transportation and Infrastructure**

Improvements will be made in accordance with our TIS and construction drawings that are reviewed and approved by Arapahoe County and other reviewing jurisdictions. All improvements will be made by the applicant other developers and homebuilders.

Further information can be found in section 18 Transportation Impacts.

## **Housing**

The Denver metro area remains a highly sought-after destination, with demand consistently surpassing the available housing supply. Current estimates suggest a shortfall of approximately 100,000 housing units in the region.

Noteworthy is the success of Sky Ranch, a well-executed master-planned community situated directly to the south of the Denver metro area. This exemplifies a positive trend in housing development.

According to the Arapahoe County Comprehensive Master Plan, the population of Arapahoe County has experienced significant growth, rising from 490,722 in 2000 to 572,000 in 2010, marking a 17% increase. Projections indicate a continued upward trend, with an anticipated population of 875,000 by 2040, signifying a 35% increase over the 2015 estimated population of 632,500. Of this projected total county population, 22% (193,246 people) are forecasted to reside in unincorporated areas, reflecting a substantial increase of 103% over the 2015 unincorporated population of 94,912.

The Comprehensive Master Plan highlights that the population forecast for the unincorporated portion of the county expects an increase of 98,300 persons. See Exhibit D. While around 14,400 people can be accommodated in the western part of the county, the eastern portion faces the challenge of housing approximately 84,000 individuals. Assuming an average household size of 2.5 persons, this necessitates the creation of approximately 33,600 households to accommodate residential growth. Existing approved developments are projected to provide around 13,900 of these units, resulting in a potential unmet demand of 19,700 units. To meet this unmet residential demand, an estimated 14 square miles of land, with a density of four units per acre, would be required. These figures underscore the pressing need for strategic and sustainable housing solutions in the Denver metro area.

Additionally, the Comprehensive Master Plan references the following. "The potential population forecasted in 2040 generates demand for residential units that is significantly more than what is allowed under current zoning or planned in major projects. With demand exceeding supply, Arapahoe County has the ability to properly manage and direct growth to those locations that are most suitable, including directing urban development to Designated Growth Areas that are capable of providing infrastructure and services."

## **Law Enforcement**

We have received feedback from Arapahoe County Sherriff's office, they need additional staff to review our application. With our project, it is anticipated that we will generate additional tax revenue to be able to increase their staff numbers.

*b. Description of the impacts and net effect of the project on the demand for local government services and the capability of local governments to provide services.*

Expanding the scope of residential and commercial activities in this area is poised to impact local government services. With the introduction of new establishments and inhabitants, there will be a proportional rise in demand for services such as sanitation, infrastructure maintenance, and emergency response. Consequently, the county can anticipate a gradual but notable expansion in its service provisions to accommodate the burgeoning population and business activity. Alongside this service growth, there will naturally come a corresponding increase in property taxes. These additional revenues will serve as a responsible means to fund the amplified demand for government services, ensuring that the community receives the necessary support and resources. Detailed insights into the financial implications of this growth can be viewed from the comprehensive fiscal impact study, providing a clear understanding of the monetary adjustments required to sustain the area's development.

## 9. Financial Burden on County Residents

- a. Description of the existing tax burden and fee structure for government services including but not limited to assessed valuation, mill levy, rates for water and wastewater treatment, and costs of water supply.

The existing tax statements can be found in Exhibit L. The project is made up of two parcels, 27500 and 27450 E Colfax Ave and the mill levy associated with each parcel are 106.992 and 94.932 respectively. Their actual valuations are 884,859 and 816,523 respectively.

The two properties are on well and septic, so there are no outside rates for water and wastewater treatment. The only costs associated with water and sewer services is maintenance costs associated with wells and septic.

With the creation of the metro districts, the total mill levy will increase by approximately 75 mills. The additional mills will bring the total mill levy to 181.992 for the whole property. This mill levy is in a similar range to surrounding communities. A comparison is provided below and in Exhibit M.

I-70 & Monaghan  
Mill Levy Comps  
4/27/2023

Metropolitan District	County	City	Operations Mills	Other Mill Levy Obligations	*Debt Service Mills	District Mills	Non-District Mills	Total Mill Levy
Green Valley Ranch MD No. 6	Adams	Aurora	0.000	0.574	56.541	57.115	163.479	220.594
Aurora Highlands MD No. 6	Adams	Aurora	77.760	0.726	0.000	78.486	123.244	201.730
Sky Ranch MD No. 5	Arapahoe	Aurora	66.889	55.417	0.000	122.286	62.976	185.262
Sky Ranch MD No. 3	Arapahoe	Aurora	11.132	55.417	55.666	122.215	62.976	185.191
Sky Ranch MD No. 1*	Arapahoe	Aurora	11.321	56.805	0.000	67.926	116.501	184.427
Windler Homestead MD No. 1**	Adams	Aurora	10.000	1.058	52.900	63.958	117.244	181.202
Colorado International Center MD No. 3	Adams	Aurora	26.601	1.145	57.266	85.012	92.073	177.085
Powhaton Road MD No. 2	Arapahoe	Aurora	18.000	1.025	55.664	74.689	100.412	175.101
Painted Prairie No. 2	Adams	Aurora	3.500	1.112	55.620	60.232	114.629	174.861
Adonea MD No. 2	Arapahoe	Aurora	15.000	1.133	37.000	53.133	115.967	169.120
Colorado International Center MD No. 13	Denver	Denver	11.006	16.509	55.030	82.545	79.525	162.070
Aurora Crossroads MD No. 2	Arapahoe	Aurora	10.000	1.000	50.000	61.000	100.412	161.412
Fitzsimons Village MD No. 2***	Arapahoe	Aurora	10.000	1.000	50.000	61.000	100.412	161.412
Colorado International Center MD No. 8	Adams	Aurora	50.133	5.013	10.000	65.146	95.688	160.834
Colorado International Center MD No. 9	Adams	Aurora	0.000	5.000	35.000	40.000	118.749	156.749
Colorado International Center MD No. 14	Denver	Denver	10.225	15.338	51.128	76.689	79.525	156.214
Murphy Creek MD No. 3	Arapahoe	Aurora	0.000	0.000	54.327	54.327	100.412	154.739
Traditions MD No. 3	Arapahoe	Aurora	6.000	0.000	30.000	36.000	103.386	139.386
Transport MD No. 3	Adams	Aurora	10.000	1.000	40.000	51.000	74.201	125.201

\*Sky Ranch MD No. 1 can impose a 2.75% PIF related to certain sales as well as a one-time material sales and use fee on construction materials; however, such revenues as not pledged to the Bonds.

\*\*Windler can impose a 5.80% PIF on all lodging as well as a 1.9% PIF on all sales.

\*\*\*Fitzsimons Village received an 80% share of the City Sales Tax Revenue (tax rate of 3.50%); an 80% of the Lodging Tax Revenue (tax rate of 8.00%); a 1.50% add-on PIF related to sales; and a 2.75% add-on PIF related to lodging.

County residents outside the anticipated District boundaries will not be affected by the incremental increase in the mill levy. Only residents and commercial owners will be affected. It is a tool in which a new community and development can responsibly pay its own way.

It is anticipated that the community will be serviced by Aurora Water and Sewer. The Rates are provided in Exhibit N in this section.



## 10. Local Economy

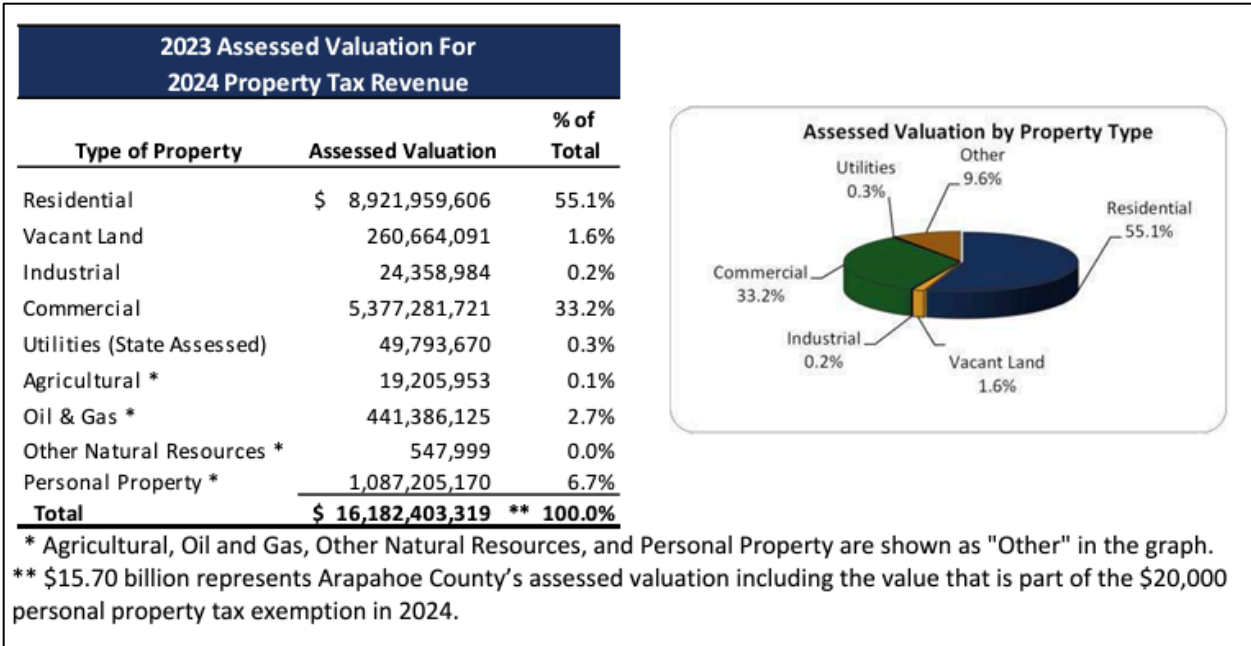
- a. *Description of the local economy including but not limited to revenues generated by the different economic sectors, and the value or productivity of different lands.*

The local economy is predominantly centered around agricultural uses, with residential properties serving as the primary asset in the general vicinity. However, as Sky Ranch and neighboring communities undergo continued expansion, there will be a shift towards commercial uses, contributing significant value to the region. In alignment with this evolving trend, as Eastgate progresses in its growth and development, we aim to introduce commercial uses that will further enhance and diversify the value for the community.

The County Revenues and Expenditures can be found below.

County Revenues and Expenditures by Category						
	2021	2022	2023	2023	2024	2024
	Actual	Actual	Amended	Estimate	Adopted	% of Total
<b>Revenue Category</b>						
Taxes	\$ 223,044,383	\$ 235,458,168	\$ 246,059,814	\$ 226,974,975	\$ 269,684,023	50.6%
Licenses & Permits	9,419,993	8,162,132	9,363,301	9,003,524	9,472,816	1.8%
Intergovernmental / Grants	140,632,725	197,773,890	268,970,847	112,504,716	169,366,520	31.8%
Charges for Services	33,959,185	30,415,480	28,895,168	24,385,349	30,200,498	5.7%
Fines & Forfeits	564,409	552,501	636,530	228,514	580,601	0.1%
Investment Earnings/Contributions	194,879	1,785,712	6,028,445	25,247,753	6,689,796	1.3%
Interfund Revenue	14,659,729	14,903,646	14,171,588	11,315,198	14,529,087	2.7%
Transfers In	25,347,401	99,799,141	24,718,544	23,697,904	17,075,211	3.2%
Other Fin. Sources / Misc.	13,492,250	9,484,226	14,729,462	7,029,291	15,183,056	2.8%
<b>Total County Revenues</b>	<b>\$ 461,314,953</b>	<b>\$ 598,334,896</b>	<b>\$ 613,573,699</b>	<b>\$ 440,387,223</b>	<b>\$ 532,781,608</b>	<b>100.0%</b>
<b>Expenditure Category</b>						
Salaries and Wages	\$ 161,171,320	\$ 177,975,511	\$ 206,946,458	\$ 154,979,111	\$ 216,776,489	39.9%
Employee Benefits	45,465,518	47,963,552	58,210,140	42,247,830	61,351,947	11.3%
Supplies	11,351,077	14,607,800	18,241,413	12,200,249	17,593,977	3.2%
Services and Other	149,648,023	144,925,319	302,619,470	125,518,192	175,263,802	32.3%
Community Programs	26,784,005	33,033,421	36,581,564	19,367,596	27,036,460	5.0%
Capital Outlay	21,409,438	37,846,304	102,132,605	21,650,966	17,689,233	3.3%
Central Services	9,305,250	8,681,956	8,833,124	6,704,896	9,890,559	1.8%
Transfers	25,347,401	99,799,141	31,631,816	23,697,904	17,100,611	3.2%
Other	-	-	-	-	-	0.0%
<b>Total County Expenditures</b>	<b>\$ 450,482,033</b>	<b>\$ 564,833,004</b>	<b>\$ 765,196,590</b>	<b>\$ 406,366,744</b>	<b>\$ 542,703,078</b>	<b>100.0%</b>

The percentage of the property tax revenue in Arapahoe County can be found below.



Over the life of our project, we are estimating that we will generate \$197 million in total tax revenue. Found in Exhibit O.

Tax Authority	Total Tax Revenue
Aurora School Dist #28J	131,653,611
Arapahoe County	20,682,598
Arapahoe County L.E.A.	9,195,137
Arapahoe Library District	9,990,621
Developmental Disability	1,845,672
Sable Altura Fire Dist	22,258,801
Urban Drainage & Flood	1,661,105
Urbn Drnge&Fld (S Platte)	184,567
<b>Total Property Tax</b>	<b>197,472,112</b>

b. *Description of impacts and net effect of the project on the local economy and opportunities for economic diversification, including the number and types of jobs created.*

The site is designated as an Employment District in the Comprehensive Master Plan's Urban Area District. This designation is intended to accommodate land uses associated with a denser population, including industrial, commercial/retail, or residential uses.

The incorporation of commercial, retail, and industrial uses into our community and neighboring areas is poised to bring substantial value to the local economy, concurrently elevating the tax basis for the County. This evolution is anticipated to foster job creation and broaden the spectrum of available services, further enhancing the overall economic landscape. As our community continues to evolve, we envision a dynamic and thriving environment that positively impacts both residents and the broader County.

Over the life of the project, it is anticipated that nearly 3,700 jobs will be created across all the different asset classes at full build out. A summary of the job creation can be found below and in Exhibit P within this section.

<b>Total Employees per Asset</b>	
Light Industrial	125
General Commercial	305
Convenience Store/Gas	325
Strip Retail	525
Retail	538
Retail/Restaurant	871
General Commercial/Retail/Medical Office	991
<b>Total Employment</b>	<b>3,679</b>

## 11. Recreational Opportunities

- a. Description of present and potential recreational uses, including the number of recreational visitor days for different recreational uses and the revenue generated by types of recreational uses.

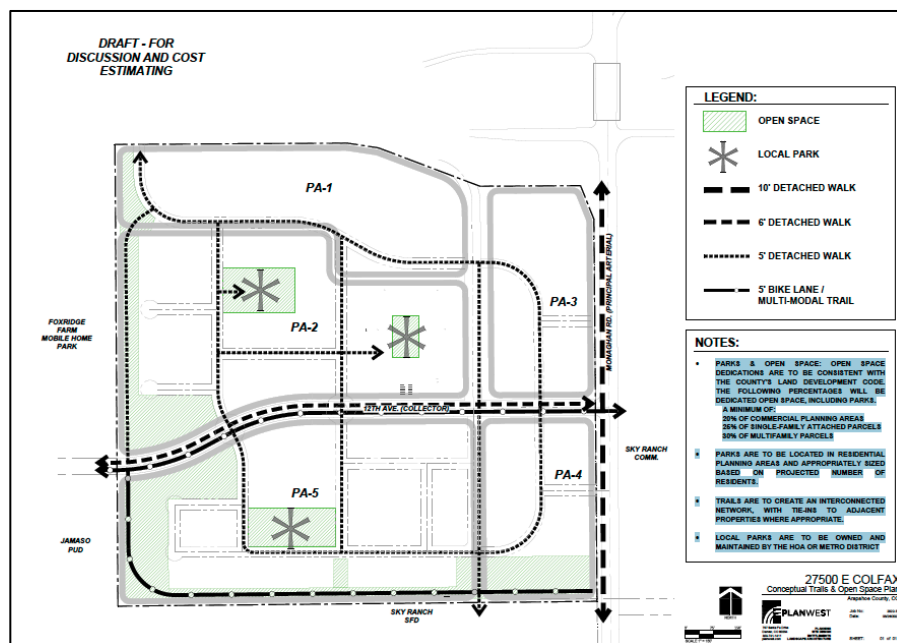
Currently there are no recreational uses on the property.

In accordance with the County's Land Development Code, open space dedications within the project must adhere to specified minimum percentages. Commercial Planning Areas are required to dedicate a minimum of 20% of their space to open space, while Single-Family Attached Parcels must dedicate 25%, and Multifamily Parcels must dedicate 30%. Parks within the development should be strategically located within Residential Planning Areas and sized appropriately based on the projected number of residents. Additionally, trails are expected to create an interconnected network, with provisions for tie-ins to adjacent properties where feasible. It is stipulated that local parks be owned and maintained by either the Homeowners Association (HOA) or the Metro District, ensuring ongoing upkeep and accessibility for residents.

The intended recreational facilities are not intended to generate revenue. Rather, they are designed to serve as amenities for the local community as well as residents from the broader region.

- b. Map depicting the location of recreational uses such as fishery stream segments, access points to recreational resources, and hiking and biking trails.

Please see the map below and Exhibit Q in this section for the location of the recreational uses.



*c. Description of the impacts and net effect of the project on present and potential recreational opportunities and revenues to the local economy derived from those uses.*

The site presently hosts two residential homes and several outbuildings, with the bulk of the land designated for agricultural activities. Currently, there are no recreational amenities available to the public in this area. However, the proposed project seeks to transform the landscape by introducing open space corridors, trail systems, and parks. These amenities will not only serve the residents of the community but also provide opportunities for the broader public to enjoy outdoor activities and leisure. It's worth emphasizing that the recreational facilities planned for the community are not intended to generate revenue; rather, they are designed to enhance the quality of life for residents and contribute to the overall well-being of the region.

## 12. Environmental Impact Analysis

### a. Air Quality

- i. *Description of the airsheds to be affected by the project, including the seasonal pattern of air circulation and microclimates.*

#### Arapahoe County

Arapahoe County, nestled in Colorado, boasts a semi-arid continental climate characterized by distinct seasonal patterns. Summers unfold with sweltering heat and arid conditions, as temperatures soar into the mid-80s to mid-90s Fahrenheit range. Conversely, winters usher in a chill, with temperatures plummeting to the 20s and 30s Fahrenheit. Precipitation remains scant throughout the year, with an annual average ranging between 13 and 16 inches, primarily manifesting as sporadic snowfall during the winter months, amounting to approximately 20 inches annually. Despite the region's overall aridity, intermittent thunderstorms punctuate the landscape, often heralding heavy downpours and localized flooding.

In contrast to the national average of 38 inches, Arapahoe County receives a modest 17 inches of rainfall annually. Snowfall, however, paints a different picture, with the county accumulating an impressive 63 inches per year, significantly surpassing the national average of 28 inches. The county basks in the glow of sunshine for an enviable 245 days each year, a notable deviation from the U.S. average of 205 sunny days. Precipitation, encompassing rain, snow, sleet, or hail, graces the county on approximately 81 days annually, with measurable amounts typically exceeding .01 inches. These climatic nuances underscore the unique meteorological tapestry of Arapahoe County, shaping its landscapes and livelihoods alike.

#### Air Circulation

The geographical position of Colorado, distant from major moisture sources like the Pacific Ocean and the Gulf of Mexico, results in generally light precipitation in its lower elevations. Prevailing westerly air currents cause storms originating in the Pacific to deposit most of their moisture on the mountaintops and westward-facing slopes, leaving eastern slope areas relatively dry, especially in midwinter. Northward-moving storms typically carry minimal moisture, becoming more frequent in fall and winter, bringing sudden drops in temperature to the plains due to outbreaks of polar air. Occasionally, these storms, coupled with northerly winds meeting moist air from the south, lead to heavy snowfall and blizzards on the high plains. However, the shallow nature of the cold air often prevents severe storms from reaching the mountains and western valleys, resulting in milder conditions in those regions. Chinook winds, warm and dry, occasionally descend from higher levels, causing rapid temperature rises, particularly in the foothills, moderating winter temperatures there. Infrequent intrusions of warm, moist air from the south occur mainly in spring, summer, and early autumn, bringing heavy rainfall and thunderstorms to eastern Colorado from April to September, with similar patterns extending into mid-July to September for southern and western regions, often associated with the Southwest Monsoon. Despite occasional hot spells from the desert Southwest, these are typically short-lived.

[https://climate.colostate.edu/climate\\_long.html#:~:text=Prevailing%20air%20currents%20reach%20Colorado,mountaintops%20and%20westward%2Dfacing%20slopes.](https://climate.colostate.edu/climate_long.html#:~:text=Prevailing%20air%20currents%20reach%20Colorado,mountaintops%20and%20westward%2Dfacing%20slopes.)

## Microclimates

A microclimate refers to a localized climate zone within a larger area, which can differ significantly from the surrounding region due to various factors such as topography, vegetation, proximity to water bodies, and human activities. These unique environmental conditions often result in distinct temperature, humidity, precipitation, and wind patterns within the microclimate zone.

Microclimates highlight the complexity and diversity of climate conditions within a relatively small geographical area, demonstrating how local factors can exert a significant influence on weather patterns and environmental conditions.

The project lacks specific data on its microclimate. However, construction activities are expected to have a temporary impact on the microclimate. These effects may include changes in temperature, humidity, and wind patterns due to alterations in land use and surface cover. Once construction is complete, the microclimate is projected to return to its pre-construction state. Additionally, the introduction of residential and commercial real estate is anticipated to influence the microclimate, albeit not significantly. While there may be minor adjustments in temperature and local weather patterns due to urbanization, these changes are not expected to reach a level where they would substantially impact the microclimate over the long term.

- ii. *Map and description of the ambient air quality and State air quality standards of the airsheds to be affected by the project, including particulate matter and aerosols, oxides, hydrocarbons, oxidants and other chemicals, temperature effects and atmospheric interactions.*

To ensure compliance with the National Ambient Air Quality Standards (NAAQS), we monitor ground-level atmospheric pollutant concentrations. The Colorado Department of Public Health and Environment (CDPHE) conducts this monitoring across various locations statewide and compiles the data into an annual report. This report provides a comprehensive overview of air quality across eight designated regions in Colorado, each tailored to reflect the unique local conditions accurately.

The list of ambient Federal and State standards can be found below:

Table 2-1 Ambient Air Quality Standards

Pollutant	Standard	Averaging Period	Level	Form	
Carbon Monoxide	Primary	1-hour	35 ppm (40,000 µg/m <sup>3</sup> )	Not to be exceeded more than once per year	
		8-hour	9 ppm (10,000 µg/m <sup>3</sup> )		
Lead	Primary and Secondary	Rolling 3-month average	0.15 µg/m <sup>3</sup>	Not to be exceeded	
Nitrogen Dioxide	Primary	1-hour	100 ppb (189 µg/m <sup>3</sup> )	98th percentile, averaged over 3 years	
	Primary and Secondary	Annual	53 ppb (100 µg/m <sup>3</sup> )	Annual mean	
Ozone	Primary and Secondary	8-hour	70 ppb (140 µg/m <sup>3</sup> )	Annual fourth-highest daily maximum 8-hr concentration, averaged over 3 years	
Particulate Matter	PM <sub>2.5</sub>	Primary and secondary	24-hour	35 µg/m <sup>3</sup>	98th percentile, averaged over 3 years
		Primary	Annual	12 µg/m <sup>3</sup>	Annual mean, averaged over 3 years
	secondary	Annual	15 µg/m <sup>3</sup>	Annual mean, averaged over 3 years	
	PM <sub>10</sub>	Primary and secondary	Annual	150 µg/m <sup>3</sup>	Not to be exceeded more than once per year on average over 3 years
Sulfur Dioxide	Primary	1-hour	75 ppb (196 µg/m <sup>3</sup> )	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years	
	Secondary	3-hour	0.5 ppm (1,300 µg/m <sup>3</sup> )	Not to be exceeded more than once per year	

Source: 40 CFR 50, 5 CCR 1001-14, µg/m<sup>3</sup> = micrograms per cubic meter, ppb = parts per billion, ppm = parts per million, The Colorado Ambient Air Quality Standard for 3-hour SO<sub>2</sub> is 0.267 ppm (700 µg/m<sup>3</sup>)

chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://www.blm.gov/sites/blm.gov/files/docs/2022-04/blm\_co\_2020\_Air%20Annual%20Report%202.0.pdf

The Denver Metro/North Front Range region, encompassing 13 counties with a population of over 4 million, faces air quality challenges, particularly with ozone levels. Despite compliance with most National Ambient Air Quality Standards (NAAQS), ozone has been a consistent issue since the early 2000s, leading to nonattainment designations. Recent EPA standards have further tightened regulations. The area also has historical challenges with carbon monoxide and fine particles, prompting the development and implementation of air quality improvement plans. Monitoring efforts involve 50 air quality and meteorological stations, including sites dedicated to tracking urban air toxics and ozone precursors in oil and gas development areas.



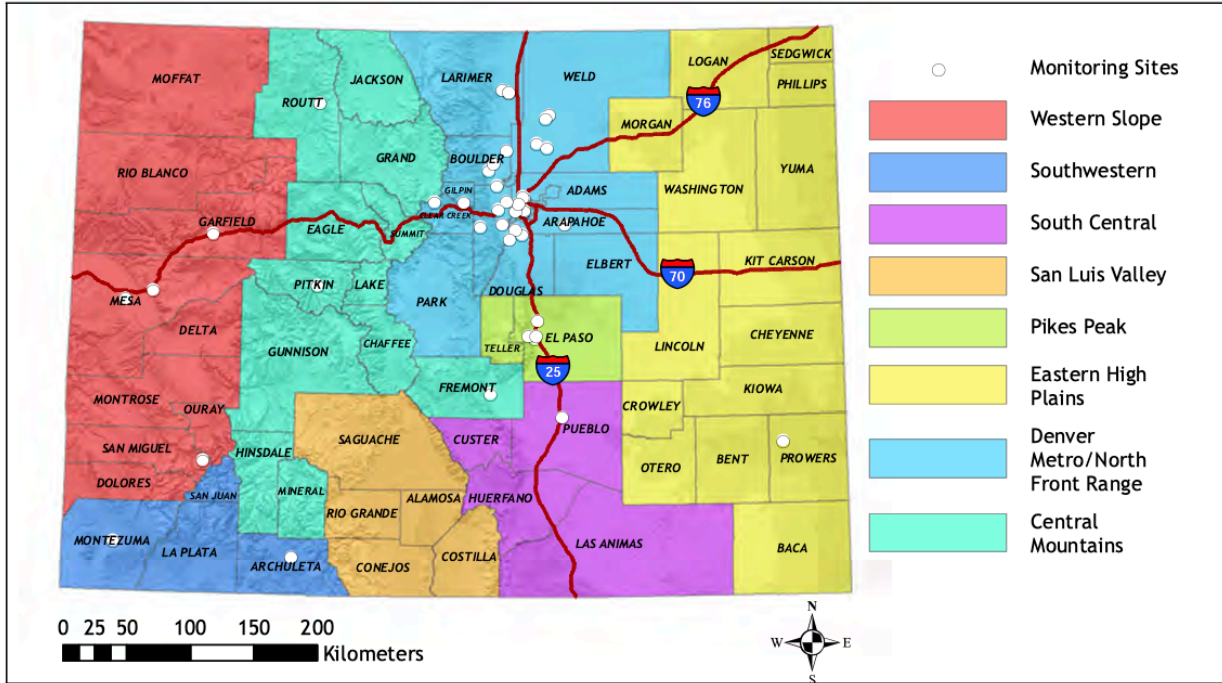


Figure 1.1: Counties and multi-county monitoring regions discussed in this report.

chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://apcd.state.co.us/aqidev/tech\_doc\_repository.aspx?action=open&file=2023AnnualNetworkPlan.pdf

- iii. *Descriptions of the impacts and net effect that the project would have on air quality during both construction and operation under both average and worst-case conditions.*

The project's impact on air quality during construction and operation, under both average and worst-case scenarios, must be carefully assessed. Construction activities typically introduce temporary increases in air pollution due to dust, emissions from machinery, and vehicular traffic. However, with proper mitigation measures in place, such as dust control measures and the use of low-emission equipment, these impacts can be minimized. During operation, a commercial and residential development may contribute to air pollution through vehicle emissions, heating systems, and other sources. However, the net effect on air quality can be mitigated through the implementation of sustainable design practices, energy-efficient technologies, and transportation management strategies. Overall, by prioritizing environmental considerations and adhering to regulatory standards, the project can aim to minimize its impact on air quality and contribute to a healthier local environment.

b. *Visual Quality*

- i. *Map and description of ground cover and vegetation, forest canopies, waterfalls and streams or other natural features.*

Native vegetation (from Chapman et al. 2006) is foothills prairie with scattered pine woodlands. The vegetation community is shortgrass prairie, with blue grama, buffalograss, threadleaf sedge, fringed sage, Junegrass, and western wheatgrass. Riparian areas contain cottonwood/shrub/herbaceous species. The project area is now entirely cultivated and native vegetation does not remain.

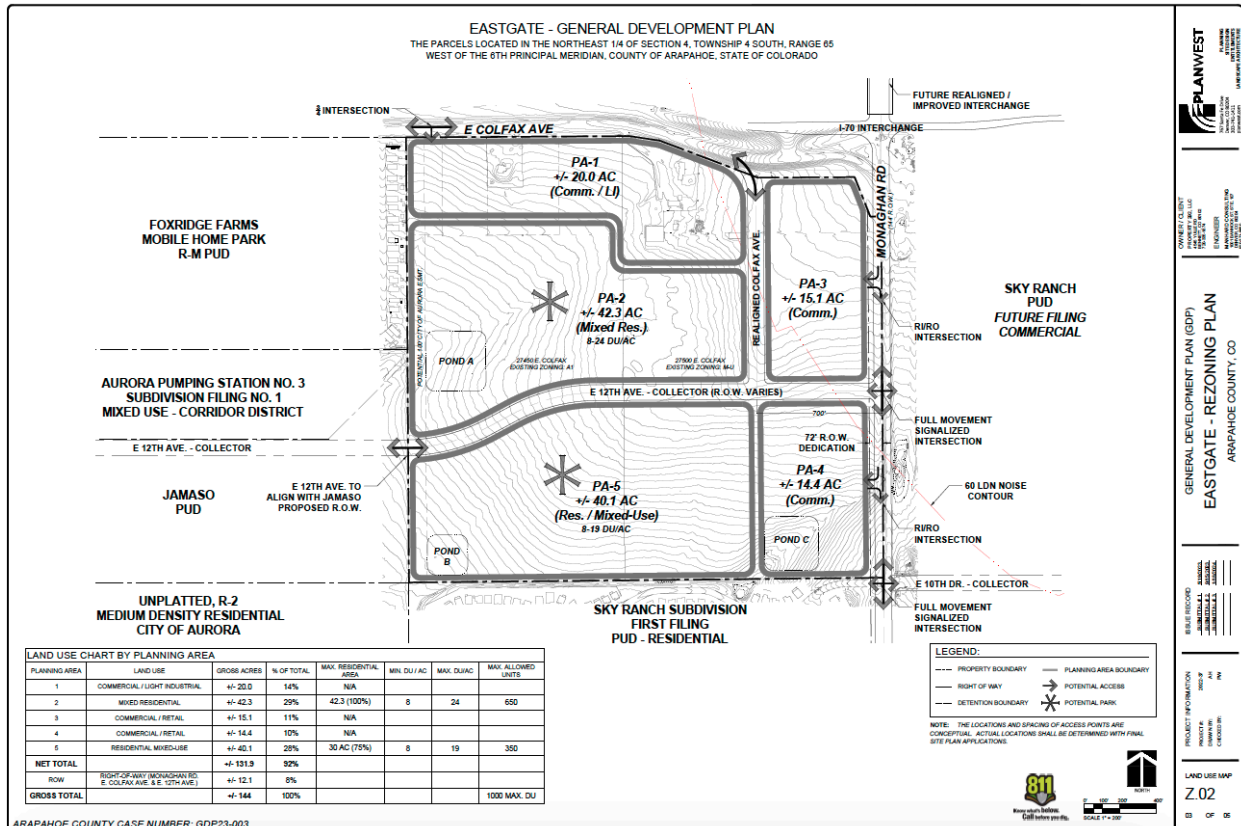


ii. Description of viewsheds, scenic vistas, unique landscapes, or land formations.

The viewsheds from the property are of residential development and farmland. To the west there are views of the mountain range. To the south and southeast there are existing residential communities. To the east there are prairie lands. The land to the direct east is planned for commercial uses within the Sky Ranch master plan. To the north, the site is adjacent to Interstate 70 and to the north of that there is prairie land and residential uses. There are no unique landscapes or land formations.

- iii. Map and description of buildings, structure design and materials to be used for the project. Include elevations of proposed buildings and other structures.

Our project entails the identification of distinct planning areas, each adhering to the guidelines outlined in the General Development Plan regarding setbacks and height limitations. To ensure consistency and compliance, we will establish design guidelines, subject to review and approval by Arapahoe County, based on Section 4-2.2 Development Design Guidelines within the County's Land Development Code.



PLANNING AREA	1	2	3	4	5
Area (Acres)	20.0	42.3	15.1	14.4	40.1
Allowable Land Uses	Light Industrial	Mixed Residential	Commercial / Retail	Commercial / Retail	Residential Mixed-Use
Permitted Density (Minimum / Maximum Number of Units Per Acre)	-	8-24	-	-	8-19
Maximum Units	-	650	-	-	350
Minimum Lot Size (Square Feet)	-	1,000	-	-	1,000
Minimum Lot Width	-	20	-	-	20
Maximum Lot Coverage (4)	80%	80%	80%	80%	80%
Minimum Commercial Lot Floor Area Ratio (FAR)	0.15	0.10	0.10	0.10	0.10
<b>PRIMARY USES</b>					
Maximum Height (3)	60'	60'	45'	45'	45'
Minimum Setback for all Structures from Arterials	20'	20'	20'	20'	20'
Minimum Setback for all Structures from Collector	20'	10'	10'	10'	20'
Minimum Front Yard Setback for Principal Structure	10'	10'	10'	10'	10'
Minimum Side Yard Setback	5'	5'/0' (1)	5'	5'	5'/0' (1)
Minimum Rear Yard Setback (Non-Alley Loaded)	20'	10'	15'	15'	10'/15' (7)
Minimum Rear Yard Setback (Alley Loaded - Alley Separate Tract) (6)	-	3'	-	-	3'
Minimum Rear Yard Setback (Alley Loaded - Alley in On-Lot Easement) (5)(6)	-	13'	-	-	13'
Minimum Dwelling Size (Square Feet)	-	600 sf/unit	-	-	600 sf/unit
Minimum Separation Between Multifamily Structures (three story / four story)	-	25'/30'	-	-	-
Minimum Separation Between Non-Residential Structures	20'	25'/30'	20'	20'	20'
Minimum Setback Between Light Industrial Buildings Abutting Residential Uses	50'	-	-	-	-
Minimum Setback Between Light Industrial Parking Lots Abutting Residential Uses	30'	-	-	-	-
<b>ACCESSORY USE</b>					
Maximum Height	20'	15'	20'	20'	20'
Minimum Front Setback	20'	20'	20'	20'	20'
Minimum Side Setback (2)	5'	5'	5'	5'	5'
Minimum RearSetback	5'	5'	5'	5'	5'

Anticipated design and material choices will closely mirror those of nearby developments such as Sky Ranch and Prosper, both situated within Arapahoe County, fostering cohesion and alignment with the surrounding architectural landscape.





- iv. Descriptions of the impacts and net effect that the project would have on visual quality.

The current site comprises two residential structures alongside ancillary outbuildings and barns. Should the site retain its residential and agricultural character, alterations to the views would likely occur, especially as industrial-zoned land to the north in Adams County undergoes development. However, amidst ongoing and planned developments, our project is positioned to seamlessly integrate within the expanding development trajectory. Drawing inspiration from developments like Sky Ranch, our project aims to foster a harmonious aesthetic within the surrounding area. With height restrictions outlined in our General Development Plan, no structures are planned to exceed 60 feet, akin to the regulations observed in Sky Ranch's neighboring commercial planning area to the east. Notably, any impact on views of the Rocky Mountains would primarily affect individuals within the confines of the development.

*c. Surface Water Quality*

- i. Map and description of all surface waters, including applicable State water quality standards, to be affected by the project.*

There is no surface water on the property. Drainage from our project will abide with our stormwater management plan which will be finalized and approved by Arapahoe County and other stakeholders.

- ii. Descriptions of the immediate and long-term impact and net effects that the project would have on the quantity and quality of surface water under both average and worst-case conditions.*

There is no surface water on the property. Drainage from our project will abide with our stormwater management plan which will be finalized and approved by Arapahoe County and other stakeholders.

- iii. Descriptions of the immediate and long-term impacts and net effects that the project would have on the meandering characteristics and limits of the streambed under both average and worst-case conditions.*

There is no surface water on the property. Drainage from our project will abide with our stormwater management plan which will be finalized and approved by Arapahoe County and other stakeholders.

*d. Groundwater Quality and Quantity*

- i. Map and description of all groundwater, including any and all aquifers that are affected by the proposed project. At a minimum, the description should include:*

Eastgate is situated above the Denver, Arapahoe (split into an upper and lower), and Laramie-Fox Hills aquifers are all present beneath this 160-ac parcel. The Denver is not-non-tributary, while the Arapahoe (both upper and lower) and LFH are non-tributary.

The calculated available water is below.

	DEPTH (ft)	AVAILABLE VOLUME (ac-ft/yr)
Denver	580	61
Upper Arapahoe	830	28
Lower Arapahoe	1,110	22.5
LFH	1,710	36.5

Our water will not be produced or utilized on-site. Our rights will be deeded over to Aurora water and the wells on site will be plugged and abandoned. The wells on-site are currently in use for domestic purposes only.

The wells are shown on the map below.

Well Location 1	Well Location 2 – Permit Expired
Owner: Dowhan, WR Permit #: 112409 Aquifer: All named aquifers Depth: 778	Owner: Holiday, Don & Marie Permit #: 251648 Aquifer: Denver Depth: Unknown
Well Location 3	Well Location 4
Owner: Property 292, LLC Permit #: 227394 Aquifer: Upper Arapahoe Depth: 983	Owner: Property 292, LLC Permit #: 227391 Aquifer: Upper Arapahoe Depth: 1,110

a. *Seasonal water levels in each subdivision of the aquifer affected by the project.*

Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

b. *Artesian pressure in aquifers*

Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

*c. Groundwater flow directions and levels*

Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

*d. Existing aquifer recharge rates and areas and the methodology used to calculate recharge to the aquifer from any recharge sources.*

Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

*e. For aquifers to be used as part of a water storage system, methodology and results of tests used to determine the ability of aquifer to impound groundwater and aquifer storage capacity.*

Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

*f. Seepage losses expected at any subsurface dam and at stream-aquifer interfaces and methodology used to calculate seepage losses in the affected streams, including description and location of measuring devices.*

Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

*g. Existing groundwater quality and classification*

Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

*h. Location of all water wells and their uses*

All wells on site are used for domestic purposes only. Our domestic wells will be plugged and abandoned. We will receive water and sewer service from an existing provider.

*ii. Description of the impacts and net effect of the project on groundwater*

The existing wells are exclusively used for domestic purposes. Therefore, plugging and abandoning these wells for our project would result in minimal changes to water levels or production in the area.

*e. Wetlands and Riparian Areas*



- i. *Map and description of all floodplains, wetlands, and riparian areas to be affected by the project, including a description of each type of wetlands, species composition, and biomass.*

Below is a map produced on the COGCC website. We have zoomed into the property with the Federal Floodplains, wetlands and riparian areas checked to be shown. As you can see, our site does not include any of these items.



- ii. *Description of the source of water interacting with the surface systems to create each wetland (i.e., side-slope runoff, over-bank flooding, groundwater seepage, etc.)*

Not applicable to this project.

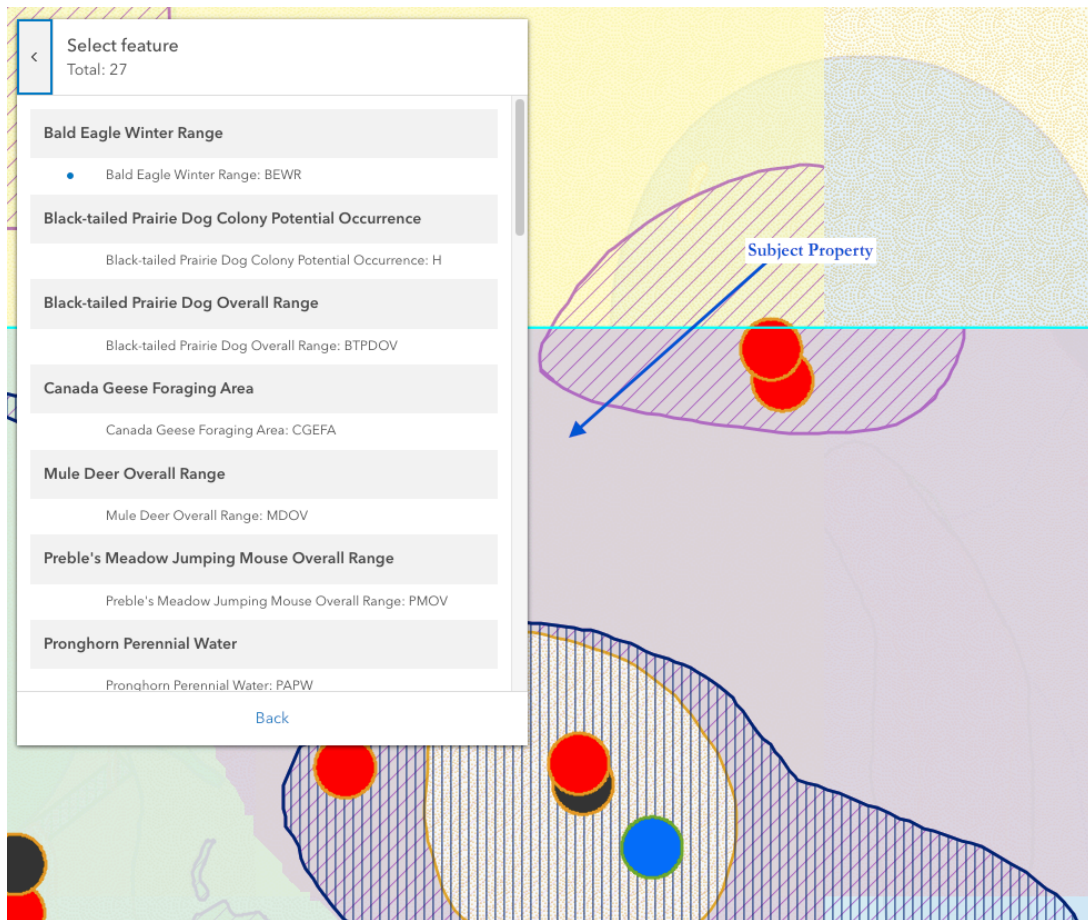
- iii. *Description of the impacts and net effect that the project would have on the floodplains, wetlands, and riparian areas.*

Not applicable to this project.

- f. *Terrestrial and Aquatic Animals and Habitat*

- i. *Map and description of terrestrial and aquatic animals including the status and relative importance of game and non-game wildlife, livestock and other animals; a description of stream flows and lake levels needed to protect the aquatic environment; description of threatened or endangered animal species and their habitat.*

Fauna, both presently and historically, include a wide variety of birds, reptiles, and small and medium mammals. Large ungulates include deer and antelope with bison present historically. Predators include foxes, coyote, and bobcats. The faunal diversity and quantity is reduced from its historic, and prehistoric condition due to the development of the area first as farmland, and now with encroaching suburban and urban development.



There are 27 identified wildlife species identified at the subject properties location. They are listed below.

- Bald Eagle Winter Range
- Black-tailed Prairie Dog Colony Potential Occurance
- Black-tailed Prairie Dog Overall Range
- Canada Geese Foraging Area
- Mule Deer Overall Range
- Preble’s Meadow Jumping Mouse Overall Range

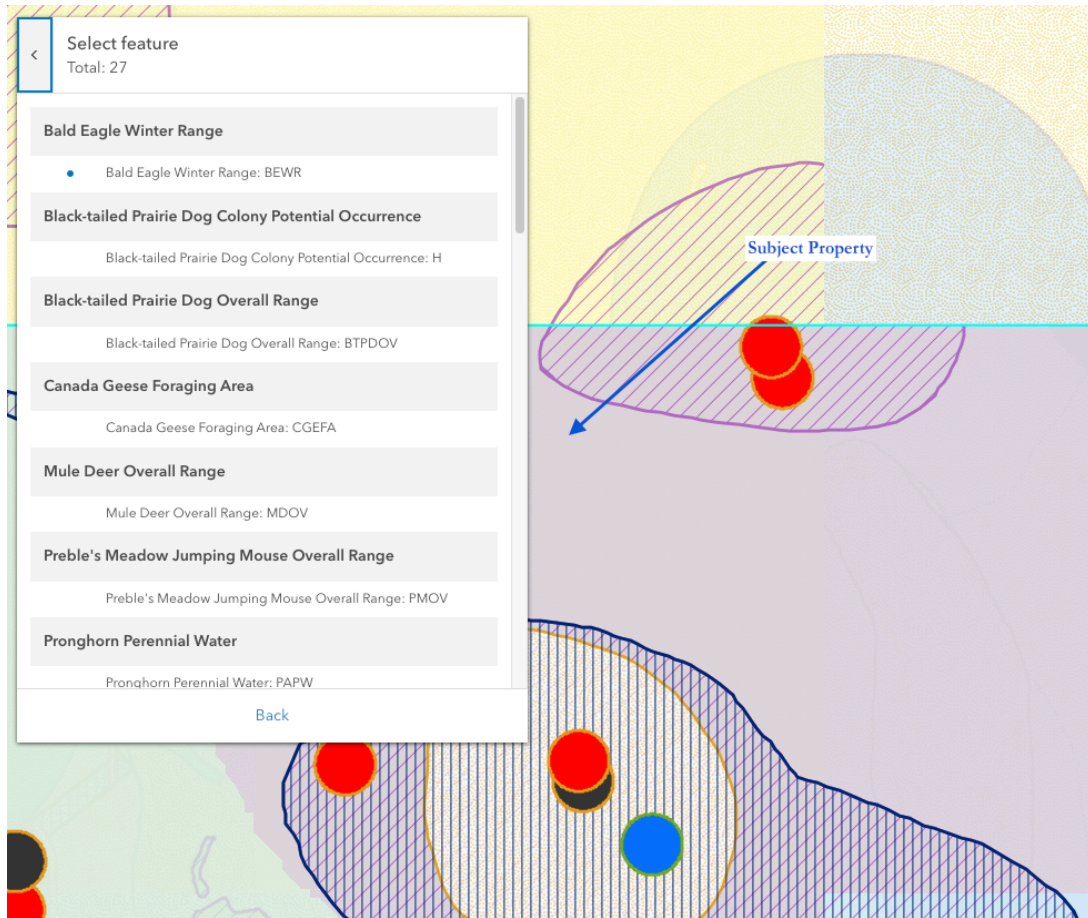
Pronghorn Perennial Water  
Pronghorn Overall Range  
Common Gartersnake Overall Range  
Common Lesser Earless Lizard Overall Range  
Hernandez's Short-horned Lizard Overall Range  
Milksnake Overall Range  
North American Racer Overall Range  
Plains Hog-nosed Snake Overall Range  
Prairie Lizard and Plateau Fence Lizard Overall Range  
Prairie Rattlesnake and Western Rattlesnake Overall Range  
Six-lined Racerunner Overall Range  
Variable Skink and Many-lined Skink Overall Range  
White-tailed Deer Overall Range  
Big Brown Bat Overall Range  
Tri-colored Bat Overall Range  
Burrowing Owl Breeding Range  
Golden Eagle Breeding Range  
Northern Harrier Breeding Range  
Swainson Hawk Breeding Range  
Olive-backed Pocket Mouse Overall Range  
White-tailed Jackrabbit Overall Range

There have been no occurrences of observing their animal species on site of the property. There are no livestock animals present on the property. The land is strictly used for residential and agricultural uses.

If any endangered species are present during development, the applicant and other developers will abide by the state and national regulations.

- ii. Map and description of critical wildlife habitat and livestock range to be affected by the project including migration routes, calving areas, summer and winter range, and spawning beds.*

Fauna, both presently and historically, include a wide variety of birds, reptiles, and small and medium mammals. Large ungulates include deer and antelope with bison present historically. Predators include foxes, coyote, and bobcats. The faunal diversity and quantity is reduced from its historic, and prehistoric condition due to the development of the area first as farmland, and now with encroaching suburban and urban development.



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- Variable Skink and Many-lined Skink Overall Range

White-tailed Deer Overall Range  
Big Brown Bat Overall Range  
Tri-colored Bat Overall Range  
Burrowing Owl Breeding Range  
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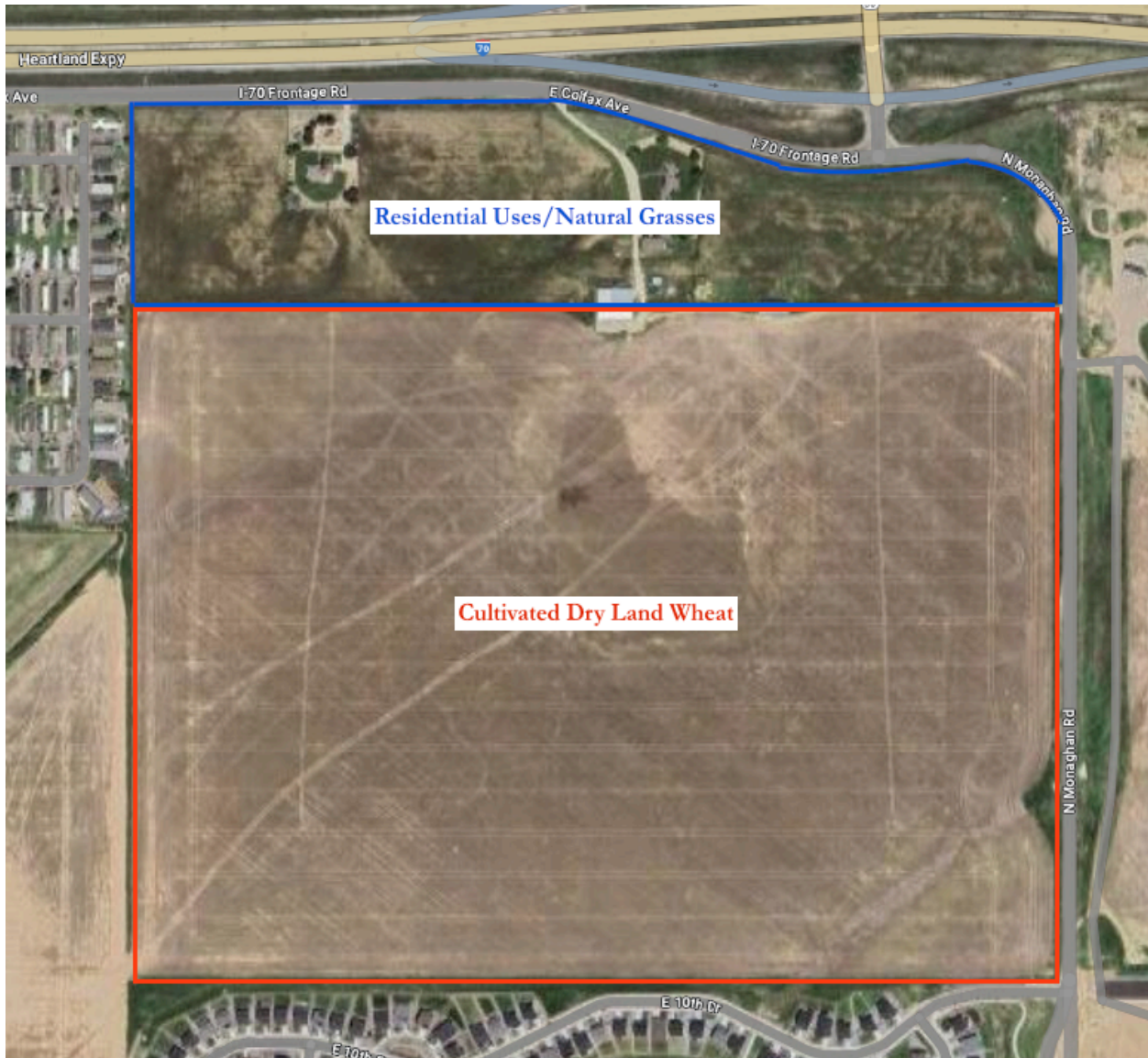
*iii. Description of the impacts and net effect that the project would have on terrestrial and aquatic animals, habitat and food chain.*

Given its proximity to a major highway and existing development, the area harbors minimal wildlife and animal habitat. Consequently, any development of this property is unlikely to significantly impact existing wildlife populations. Moreover, there are no agricultural animals present on the property, further reducing potential disruptions to local ecosystems.

*g. Terrestrial and Aquatic Plant Life*

*i. Map and description of terrestrial and aquatic plant life including the type and density, and threatened or endangered plant species and habitat*

Native vegetation (from Chapman et al. 2006) is foothills prairie with scattered pine woodlands. The vegetation community is shortgrass prairie, with blue grama, buffalograss, threadleaf sedge, fringed sage, Junegrass, and western wheatgrass. Riparian areas contain cottonwood/shrub/herbaceous species. The project area is now entirely cultivated and native vegetation does not remain.



Plant Life Map

- ii. *Descriptions of the impacts and net effect that the project would have on terrestrial and aquatic plant life.*

The development of the site is not expected to impact terrestrial or aquatic plant life. Currently, the property is utilized for cultivating natural grasses and wheat, which hold minimal monetary value. As such, the transition from agricultural to developed land is unlikely to significantly affect the existing plant species or ecosystems.

*h. Soils, Geologic Conditions and Natural Hazards*

- i. *Map and description of soil, geologic conditions, and natural hazards including but not limited to soil types, drainage areas, slopes, avalanche areas, debris fans, mud flows, rockslide areas, faults and fissures, seismic history, and wildfire hazard areas*

Subsurface conditions at the site generally consisted of about 6 inches of topsoil underlain by native lean-to fat clay soils with varying amounts of sand and silt or sand soils with varying amount of clay to depths of about 4 to 17 feet. The native soils were underlain by claystone and sandstone bedrock to the maximum depths explored of about 30 to 35 feet.

Groundwater was not encountered in the exploratory borings at the time of our exploration.



Boring Holes Drilled

The state identifies four different soil types on the subject property and can be seen below.

The full geotechnical report can be found in Exhibit R and additional information on the soil types can be found in Exhibit S.

Map Unit Legend			
Arapahoe County, Colorado (CO005)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AdC	Adena-Colby silt loams, 1 to 5 percent slopes	27.2	18.8%
TrC	Truckton loamy sand, 0 to 3 percent slopes	0.1	0.0%
WeB	Weld silt loam, 0 to 3 percent slopes	94.2	64.9%
WrB	Weld-Deertrail silt loams, 0 to 3 percent slopes	23.6	16.3%
<b>Totals for Area of Interest</b>		<b>145.1</b>	<b>100.0%</b>

State Identified Soil Types

*ii. Descriptions of the risks to the project from natural hazards*

There are no risks to the project from natural hazards.

*iii. Descriptions of the impact and net effect of the project on soil and geologic conditions in the area, and their effects on streambed meander limits and aquifer recharge areas.*

There are no impacts and net effect of the project on soil and geologic conditions in the area streambed meander limits and aquifer recharge areas.



### ***13. Nuisances***

- a. Descriptions and maps showing the range of noise, glare, dust, fumes, vibration, and odor levels caused by the project, along with, and indication of their significance*

#### **Dust, Fumes, Odor, and Vibration**

Upon completion of construction, the project is designed to minimize environmental impact by not generating significant glare, dust, fumes, vibration, or odors beyond what is considered typical for noise or glare in any master planned community. During the construction phase, it is acknowledged that some temporary fumes and dust may arise, but the project is committed to strictly adhering to all construction standards established by the county and current industry norms. This commitment ensures that any construction-related disturbances are kept within acceptable limits, aligning with responsible and considerate development practices. One specific nuisance that we have addressed with DEN is the noise associated with the passing of airplanes.

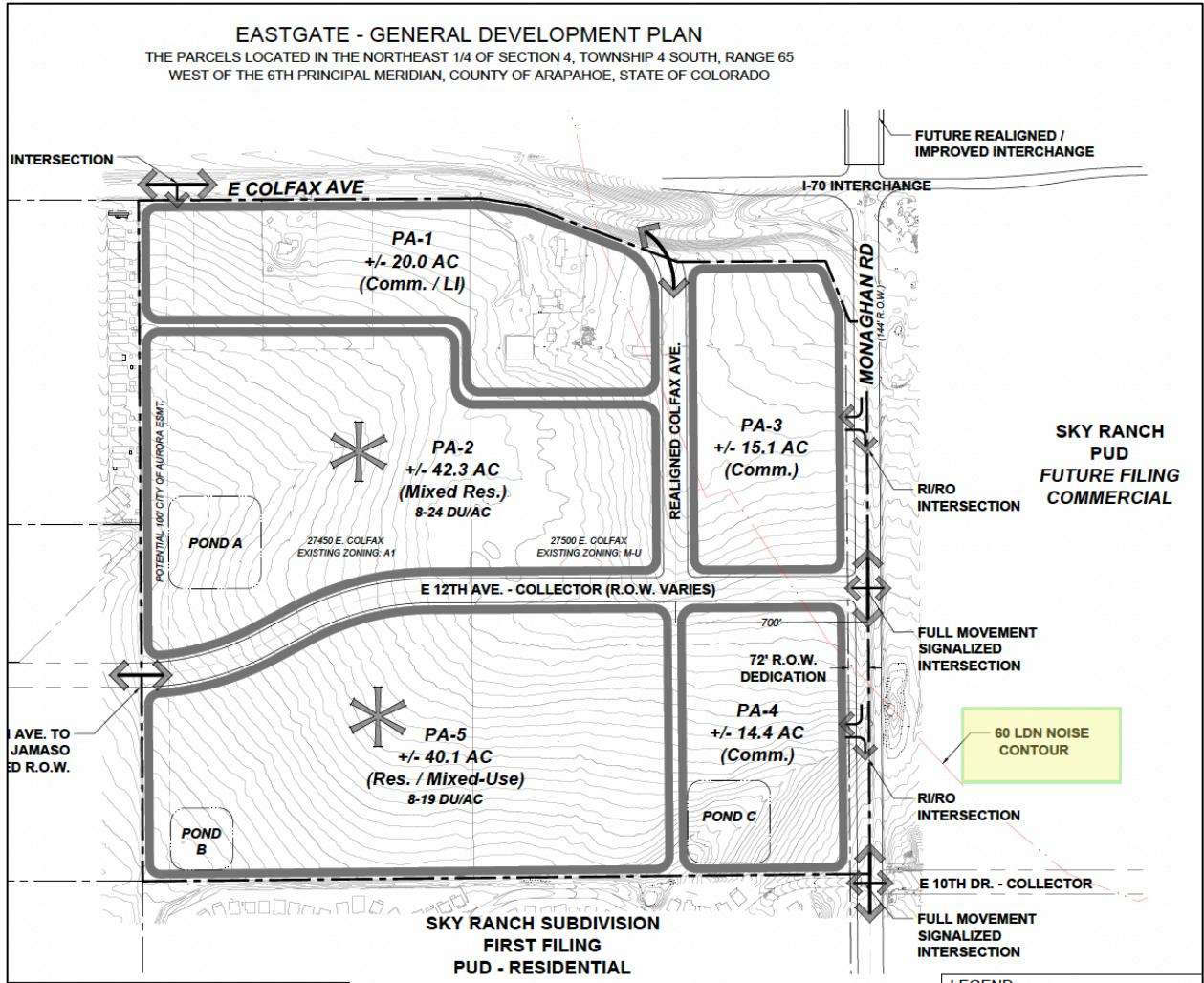
#### **Noise**

Eastgate is situated within the 55 and 60 DNL (Day-Night Noise Level) zones established by the Denver International Airport (DEN). Adhering to regulatory directives, our community planning excludes any residential developments within the 60 DNL zone. Our General Development Plan (GDP) outlines commercial and retail uses within this restricted zone. Residential uses are permitted within the 55 DNL area, and we have identified those uses with certain planning areas. The Applicant and DEN have engaged in negotiations to establish and formalize an Avigation Easement. Details of this agreement can be accessed in Exhibit T.

While normal construction activities will naturally generate some noise, we have implemented measures to confine such disturbances to our site and its immediate vicinity. Furthermore, noise stemming from Interstate 70 has been accounted for, with our planning efforts directing commercial and light industrial ventures towards areas directly adjacent to the highway. To mitigate the impact of this noise pollution, residential developments have been intentionally positioned further south within the site's boundaries.

#### **Air Quality**

Air quality impacts would result from airborne particulates (fugitive dust) arising from earthwork during site preparation and construction. Fugitive dust and emissions resulting from construction activities proposed for the project site would be intermittent and would not be expected to exceed ambient air quality standards or substantially impact regional air quality attainment status or progress. The development will be subject to the standards of a Fugitive Dust Control Plan.



The northern planning areas in the community are designated for light industrial uses. We strategically placed these uses in this planning area to be adjacent to I-70 and away from residential uses. We do not anticipate any of these industrial uses to create any nuisances to the community or surrounding area.

#### 14. Areas of Paleontological, Historic or Archaeological Importance

a. Map and description of all sites of paleontological, historic or archaeological interest.

The Office of Archaeology and Historical Preservation conducted a search of the Colorado Inventory of Cultural resources on the site. Through their search there were 2 sites and 6 surveys were located.

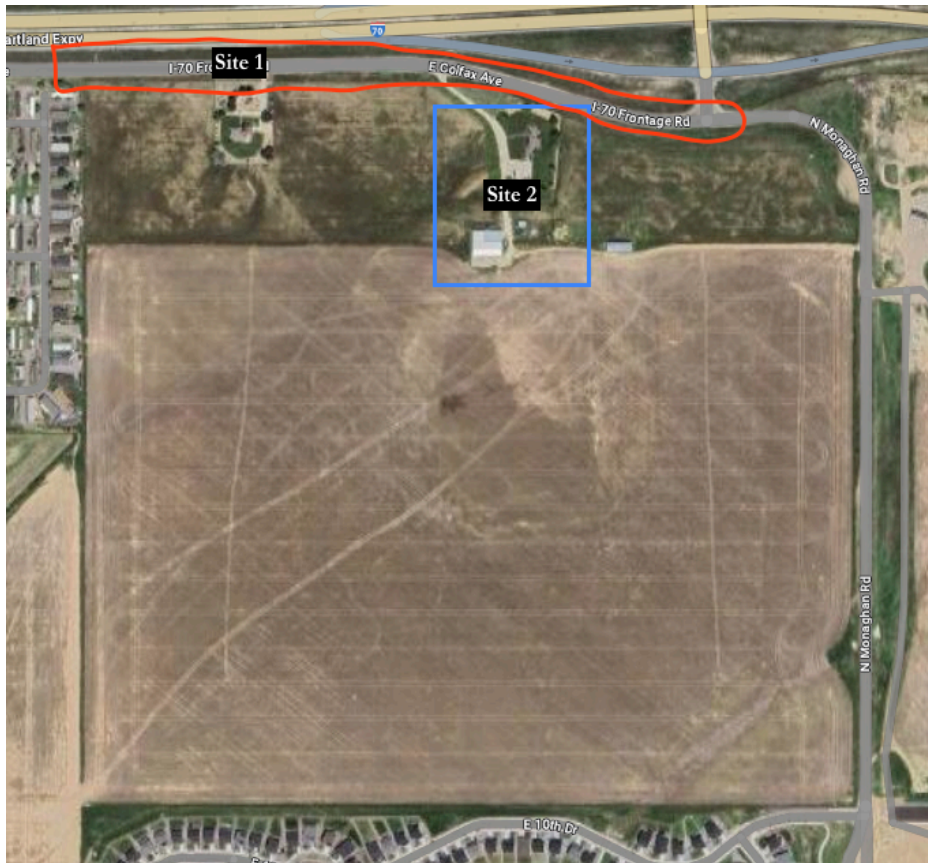
The first site located with Resource No. 5AH2914.1 was located on the border of the site. It is described as a segment of Colfax Ave/Highway 40.

The second site located with Resource No. 5AH3884 is described as a Residential site on property.

They are both assessed as Officially not eligible.

The report can be found in Exhibit U of this section.

The site was surveyed for paleontological importance by CU Museum of Natural History and the Department of Earth Sciences, and the results were returned with a null finding. Please see Exhibit Y for our report.



*b. Description of the impacts and net effect of the project on sites of paleontological, historic or archaeological interest.*

The Office of Archaeology and Historical Preservation conducted an examination of the Colorado Inventory of Cultural Resources concerning the site. Their search revealed two sites and six surveys within the area. The first site, identified as Resource No. 5AH2914.1, is situated on the site's border and is described as a segment of Colfax Ave/Highway 40. The second site, designated as Resource No. 5AH3884, is described as a Residential site on the property. Both sites have been officially assessed as not eligible for historical status. Additionally, CU Museum of Natural History and the Department of Earth Sciences conducted a paleontological search and return any results. Consequently, as there is no historical, archaeological or paleontological significance attributed to these sites, the applicant does not foresee the need for any mitigation measures, and the project is not expected to impact any historical sites. If any paleontological, historic or archaeological attributes are identified during the time of construction, work will be immediately halted, and the appropriate authorities will be notified.

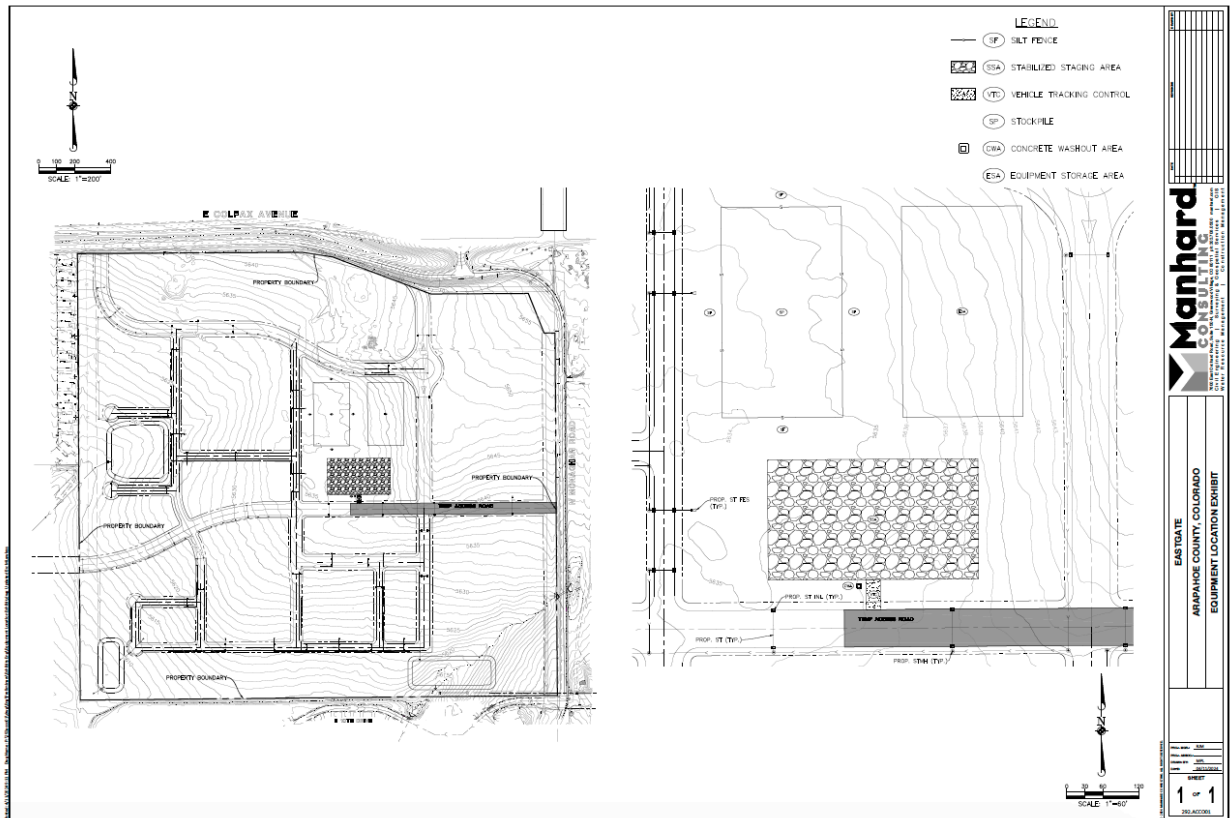
### 15. Hazardous Materials Description

- a. Description of all hazardous, toxic, and explosive substances to be used, stored, transported, disturbed, or produced in connection with the project, including the type and amount of such substances, their location, and the practices and procedures to be implemented to avoid accidental release and exposure, and any foreseeable impacts to the environment of such substances.

Other than utilizing diesel fuel for machinery, the project does not foresee the need for explosives. Comprehensive safety protocols will be implemented to ensure that all aspects of the project, including machinery operation and fuel usage, adhere to industry standards and regulatory guidelines, fostering a secure and controlled working environment throughout the development process.

- b. Location of storage areas designated for equipment, fuel, lubricants, chemical and waste storage with an explanation of spill containment measures.

Specific locations for storage areas will be designated per the construction documents that will be approved by Arapahoe County. Estimated designated locations can be found below and in Exhibit V.



## ***16. Balance Between Benefits and Losses***

- a. Description of foreseeable benefits of natural, agricultural, recreational, range or industrial resources within the County and opportunities to develop those resources in the future.*

The subject property is currently under lease for the natural gas resources. No additional areas are required for those resources to be developed.

The benefits include new recreational uses in the form of perpetual open space, park area and trail systems. These uses will be developed by the metro district, developer or other development partners at no cost to the County.

- b. Description of foreseeable losses of natural, agricultural, recreational, range or industrial resources within the County and loss of opportunities to develop those resources in the future.*

Approximately 100 acres of dry land wheat farming land with limited yield will be reallocated for mixed-use commercial and residential land uses. The loss is projected to be insignificant to the State production.

Sharon Lee Dowhan and Erma Marie Holliday own 100% of the mineral rights below the project. These rights were leased to Crestone Peak Resources c/o Civitas Resources, Inc. These rights are accessed by horizontal well borings. Therefore, there are not foreseeable oil & gas losses on the property.

## ***17. Monitoring and Mitigation Plan***

### *a. Description of all mitigation for the Project*

#### *i. Describe how and when mitigation will be implemented and financed.*

Comprehensive mitigation plans for stormwater management are slated for implementation at various stages—pre, during, and post-development construction of the infrastructure. Compliance with County and State standards for stabilization is a prerequisite before the removal of mitigation controls.

The goal is to implement effective erosion and sediment control best management practices (BMPs) as a standard for all land disturbance activities to reduce increases in erosion and sedimentation over pre-development conditions. During the relatively short period of time when undeveloped land is converted to urban uses, a significant amount of sediment can erode from a construction site and be transported to adjacent properties and receiving waters. Erosion caused by construction and downstream sedimentation can damage property and degrade the quality of streams and lakes. Sediment is a transport mechanism for many stormwater pollutants. Sediment can disturb riparian and aquatic habitat and, since eroded sediments often contain significant phosphorus, can lead to unwanted algae growth in lakes and reservoirs.

Monitoring the BMP's consists of an Erosion control manager who implements an effective plan, provides field inspections on regular frequencies, and provides a dynamic, not static, process during construction activities. Upon completion of construction and implementation of Standard Operating Procedures (SOP) for permanent BMP's such as grass buffer and swales, vegetated side slopes, along with water quality and detention facilities. These features will be owned by the Metropolitan District and will be inspected, monitored, and maintained on an as needed basis.

#### *ii. Describe impacts that are unavoidable that cannot be mitigated.*

The applicant is not aware of any impacts that are unavoidable on-site. To be detailed in our construction drawings, the mitigation controls will undergo County approval, ensuring a meticulous integration that aligns with regulatory requirements. WE will engage an industry leader to plan and design the SWPPP plan that will mitigate any and potential impacts.

### *b. Description of methodology used to measure impacts of the project and effectiveness of proposed mitigation measures.*

Our project will be overseen by a leading consultant in Best Management Practices (BMP) within the industry. This consultant will be responsible for developing BMP and SWPPP (Stormwater Pollution Prevention Plan) plans, which will undergo thorough review and approval by the County. To ensure the effectiveness of our mitigation measures, our consultant will conduct routine inspections of the project site, verifying that all measures are in place and operating efficiently.

*c. Description, location, and intervals of proposed monitoring to ensure that mitigation will be effective.*

Throughout the development process, our environmental consultant will conduct weekly and/or bi-weekly inspections to verify the effectiveness of our mitigation measures. Additionally, they will continually refine and update our plans to ensure that our measures remain efficient and aligned with best practices. This proactive approach guarantees that we maintain high standards of environmental stewardship throughout the project's lifecycle. Our end goal is to establish stabilization and ensure that our design accounts for all drainage and stabilization goals.



## ***18. Transportation Impacts***

All sections, figures and tables referenced below can be found in Exhibit W.

*a. Describe what impacts the proposal will have upon transportation patterns in the area intended to be served or affected by the Proposed Project through the submittal of a traffic impact analysis. The traffic impact analysis should include but not be limited to the following:*

*i. Identify the transportation facilities required to support the existing and future land uses*

Transportation facilities required to support the proposed land uses include a new section of 12th Avenue and realigned Colfax Avenue. As described in Section 6.3 of the Traffic Impact Study, both 12th Avenue and Colfax Avenue are proposed to be two lanes (one per direction) with auxiliary lanes at intersections as appropriate, with the exception of 12th Avenue between Monaghan Road and Colfax Avenue, which is planned to be four lanes wide (two per direction). Specific roadway and intersection improvements without this project (existing land uses) and with this project (future land use) are listed in Section 8.0 of the Traffic Impact Study.

*ii. Furnish the traffic model data verifying consistency with the regional transportation plan, the Colorado Department of Transportation (CDOT) Statewide Transportation Improvement Program (STIP) and the regional Transportation Improvement Program (TIP)*

Consistency with the regional transportation plan, the CDOT STIP and regional TIP are verified through the use of background traffic growth rates and infrastructure improvements consistent with the previous I-70 at Airport and Watkins Interchange Study and the Master Traffic Study for the adjacent Sky Ranch development. Land use assumptions and planned infrastructure improvements identified through state and regional planning processes are detailed in Section 5.1 and Section 5.2 of the Traffic Impact Study.

*iii. Provide the existing and proposed traffic volume impacts to the adjacent road system, including local roads*

Existing, future background, and proposed total traffic volumes are detailed in Figure 4, Figure 5, Figure 9A, Figure 9B, Figure 10A and Figure 10B. Project-generated trips are shown in Figure 7A, Figure 7B, Figure 8A and Figure 8B.

*iv. Provide the existing and future Level of Service (LOS) and capacity before and after the Proposed Project is completed*

Existing and future LOS with and without the project is shown in Table 1 for all existing and proposed intersections. All existing and proposed intersections are anticipated to operate acceptably overall and for each movement with the project-added trips and proposed improvements described in Section 8.0 of the Traffic Impact Study.

- v. *All transportation access information as required by the CDOT State Highway Access Code, 1998 revisions or the most current edition thereof*

Detailed information on the proposed access intersections is included throughout the report, with existing and future background traffic volumes, estimated project-added traffic volumes, and detailed LOS and queue operational analysis for all analyzed conditions.

## ***19. Benefit/Cost Analysis***

- a. Submittal of a benefit/cost analysis of the Proposed Project and identify the distribution of the burden of the cost for the proposed improvements, including cost to adjacent state or local jurisdiction*

Currently, there are no existing contracts or purchase and sale agreements with any end user for the Eastgate project. The anticipated approach involves selling platted lots and/or parcels to developers and builders prior to the commencement of development. This strategy allows for flexibility in accommodating the interests and requirements of potential developers and ensures that specific agreements align with the evolving needs of the project. The absence of pre-existing contracts reflects a dynamic and adaptable approach to engaging with developers in the pre-development phase.

When deemed suitable, Property 292, LLC will initiate negotiations with prospective home builders and developers for the acquisition of specific development pads, enhancing its revenue streams. Subsequently, site plans and final plats will undergo processing with the County, culminating in the approval of construction drawings and site plans. Upon reaching the development phase and commencing infrastructure installation, the purchasers of each development pad will assume responsibility for a designated portion of infrastructure costs. These developers will possess the financial capacity to execute the necessary improvements outlined in our Purchase and Sale Agreement.

For any development undertaken by Property 292, LLC or the metro district, we will adhere to the following procedures. The responsible party will solicit 2-3 proposals for each development section. This approach enables thorough analysis of different contractors, considering their experience and financial capacities. As part of the bidding process, we will require information on their insurance coverage and their overall approach to the project. This ensures that we select the contractor and proposal that align best with the fiscal responsibilities of the responsible party.

The applicant foresees the issuance of bonds by the Metro Districts, with the intention of these bonds being acquired on the open market. The specific details, including the amount, pricing, and interest rates, will be contingent upon the prevailing market conditions at the time of issuance. It is important to note that the underwriting information provided in Exhibit A is subject to change based on market dynamics.

The bonds will be exclusively tied to the Eastgate community and will not impose any financial burden on other County residents. The funding mechanism for these bonds will involve a Mill levy and fees specific to the Eastgate Metro Districts, ensuring that the financial obligations are borne by the community itself and do not impact the broader County residents. This approach maintains transparency and financial responsibility within the scope of the Eastgate development.

**To facilitate the improvements, the district will issue general obligation bonds, and the estimated bond proceeds are detailed in Exhibit A. Per our Financial Plan, we anticipate issuing approximately \$54 million in general obligation bonds, with project funds that will**

**be able to be used for improvements in the amount of \$40 million. The general obligation bonds will be issued at a 5.00% interest rate.**

Under this program, we believe the project will benefit not only the landowner and development partners, but the County and other jurisdictions as well.

The projects profit and loss statement can be found below.

<b>Profit and Loss - Summary</b>	
<i>Income</i>	
Gross Sales Revenue	75,800,000
- Selling Costs	<u>758,000</u>
Total Income	75,042,000
<i>Expenses</i>	
Land Purchase Cost	-
Soft / Entitlement Cost	8,885,655
Construction Cost	55,334,000
Financing Cost	<u>-</u>
Total Project Costs	64,219,655
Net Project Profit	10,822,345

We have projected tax revenue over the next 30 years for our project and the estimates are below. It is estimated that our project will generate approximately \$197 million. Please see Exhibit O.

<b>Tax Authority</b>	<b>Total Tax Revenue</b>
Aurora School Dist #28J	131,653,611
Arapahoe County	20,682,598
Arapahoe County L.E.A.	9,195,137
Arapahoe Library District	9,990,621
Developmental Disability	1,845,672
Sable Altura Fire Dist	22,258,801
Urban Drainage & Flood	1,661,105
Urbn Drnge&Fld (S Platte)	184,567
<b>Total Property Tax</b>	<b>197,472,112</b>

It is estimated that our commercial planning areas will create consistent sales revenue, not only from our residents but also regional residents and pass through traffic heading east and west

totaling approximately in \$172,000 in sales tax per year.

Full Fiscal Report can be found in Exhibit O within this section.

## **20. Engineering Studies**

- a. *Submittal of Phase III Drainage Study, GESC – Grading, Erosion, & Sediment Control Report/Plan and Traffic Study. If public improvements are required, the following items are also required: Collateral Letter of Intent, Cost Estimate for Public Improvements and Preliminary Construction Plans. If roadway improvements are required, a preliminary pavement design is required*

The necessary studies integral to the three-step process of the rezone to Planned Unit Development will be meticulously prepared in strict accordance with the Land Development Code (LDC). At each stage of the three-step process, the applicant pledges to furnish all requisite documents and adhere to the specifications outlined in the LDC.

Per the LDC, the applicant is required to submit a Phase I Drainage Report and Traffic Report. Those reports can be found in Exhibits X and W, respectively.

Furthermore, the preliminary pavement design, as per the guidelines established by both the LDC and the County, will be provided in alignment with the regulations and requirements set forth by these governing bodies. This commitment underscores our dedication to procedural precision and compliance throughout the developmental stages.

## ***21. Referrals to Outside Agencies and Response to Referral Comments***

- a. The Planning Division will determine which outside referral agencies may be affected by the proposed development and should receive referral packets. Potential referral agencies may include, but not be limited to homeowner's associations, local, regional, state and federal governmental entities, and service providers*

The Applicant and team will prepare referral packages as directed by the Planning Department.

- b. The Planning Division will review the referral packets in order to determine that there is sufficient information in the referral packet, including, but not limited to, 1041 permit information that pertains to the referral agency*

The Applicant and team will prepare referral packages as directed by the Planning Department.

- c. The applicant will be responsible for putting the referral packets together and addressing the envelopes, but the Planning Division will be responsible for mailing the packets*

The Applicant and team will prepare referral packages as directed by the Planning Department.

- d. The referral entities will have 30 days to respond. If a referral entity does not respond within the 30-day timeframe, the assumption will be made that the referral entity does not have an objection to the 1041 application*

The applicant will respond to any referral comments when they are received.

- e. The applicant will respond to all of the referral comments and that response will be included as part of the application*

The applicant and team will respond to all the referral comments and our responses will be included as part of the application.

## **Additional Submittal Requirements Applicable to Major Water and Sewer Projects.**

- 1. To the extent practicable, Domestic Water and Wastewater Treatment Systems shall be consolidated with existing facilities within the area. The determination of whether consolidation is practicable shall include but not be limited to the following considerations:***

After thorough evaluation and consultation with nearby water and sewer providers, Rangeview Metro District and Aurora Water, our project has determined that partnering with Aurora Water best serves our interests. Following extensive discussions, we have successfully negotiated an extraterritorial service agreement with Aurora Water, a decision supported by staff members. To formalize this agreement, we will submit it to City Council for approval, ensuring alignment with regulatory requirements and securing reliable water and sewer services for our project.

- 2. The Proposed Project will not result in duplicative services within the County.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project.

- 3. The Proposed Project will be constructed in areas that will result in the proper utilization of existing treatment plants and the orderly development of domestic water and sewage treatment systems of adjacent communities.***

After thorough evaluation and consultation with nearby water and sewer providers, Rangeview Metro District and Aurora Water, our project has determined that partnering with Aurora Water best serves our interests. Following extensive discussions, we have successfully negotiated an extraterritorial service agreement with Aurora Water, a decision supported by staff members. To formalize this agreement, we will submit it to City Council for approval, ensuring alignment with regulatory requirements and securing reliable water and sewer services for our project. It is expected that our extra-territorial agreement with Aurora Water will be approved prior to our GDP approval or shortly after our GDP approval. Aurora has secured all the easements and have installed water pipelines to service our site. We will be required to extend our sewer lines to connect into their system.

- 4. If the Proposed Project is designed to serve areas within the County, it is necessary that the Proposed Project meet community development and population demands in those areas.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project. Our project and our water and



wastewater improvements will be designed to specifically service our project. The water mainline that will be installed on our western border and extend north of Interstate 70 will have the capacity to service other projects within the Aurora city limits and other project that negotiate an extra-territorial agreement. Aurora's water and wastewater facilities have the capacity to service other real estate projects.

- 5. The Proposed Project shall emphasize the most efficient use of water, including, to the extent permissible under existing law, the recycling, reuse and conservation of water.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project. Per our agreement, our site will be required to be planted with only water-wise plant materials and will be allocated a certain amount of water for each parcel. Depending on the use of the parcel, the amount of allocation will change. Additionally, Aurora has watering restriction in place that restrict when you water during the day and the amount days that you can water per week.

- 6. The Applicant shall demonstrate sufficient managerial expertise and capacity to operate the facility.***

The applicant and Eastgate are not proposing the construction of any new water and sewer treatment facilities. Instead, our project will connect to existing service providers. We have engaged in discussions with both Aurora Water and Rangeview Metro District to explore our options. Based on financial considerations, entering into an extraterritorial agreement with Aurora Water appears to be the most viable choice for our project.

- 7. Major extensions of domestic water and sewage treatment systems shall be permitted in those areas in which the anticipated growth and development that may occur as a result of such extension can be accommodated within the financial and environmental capacity of the area to sustain such growth and development.***

Our project is strategically located adjacent to both Rangeview Metro District and Aurora Water, both of which are authorized to provide water and sewer services within their respective boundaries. Comprehensive assessments have confirmed that both entities possess the capacity to adequately service our project. Financial analyses outlined in our Profit and Loss statement demonstrate the project's capability to tap into either system. Following negotiations and discussions, Aurora Water has expressed willingness to provide services to our site and project, a decision that aligns with our project's requirements and objectives. Additionally, Aurora water is the most financially viable source per C.2.