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January 9, 2024

Robert G Rodgers, ESQ.

White Bear Ankele Tanaka & Waldron  
2154 East Commons Ave, Suite 2000  
Centennial, CO 80122

Dear Robert,

Thank you for submitting the Letter of Interest for the proposed Strauss Lakes Metro District. We respond to this letter to you in accordance with Section 3 (B) of the City's Metro District Policy.

We plan to submit the LOI for City Council's consideration as part of their pre-application meeting for the proposed Metro District on March 5, 2024. Our staff team has reviewed the Letter of Interest (LOI) and seeks clarity on the following elements. In order to meet the deadlines for that March 5<sup>th</sup> meeting, please update the information submitted to the City to sufficiently address the following comments no later than Monday, February 5, 2024:

#### Housing

1. To obtain points in Section 2 for rental housing, 10% of the total units in the development will need to be deed restricted and affordable for a minimum of 20 years. Please clarify how many units are planned for the total development and of those, how many will be deed restricted as affordable. The PUD document that was presented at the December 21, 2023, Planning & Zoning Commission hearing illustrates 1,323 units, which differs from the attachment to this LOI document.
2. Thank you for stating the intention to income-average the affordable rental housing to 60% of Area Median Income (AMI). Please include the AMI range you anticipate for the affordable component of the project as well if that is available (for example, units ranging between 30-80% AMI, income-averaged to 60% AMI).
3. To obtain points in Housing Section 1(B), only single-family detached and single-family attached units qualify. Your letter states that at least 5% of the single-family units will be between 1,300 to 1,600 square feet and another 5% between 1,600 and 2,200 square feet. Please clarify how the project will achieve the required 20% of single-family homes being of limited size.

#### Energy Conservation and Renewables

4. Please explain how the EV-installed charging for the R-1 and R-2 occupancies exceed City requirements?

#### Indoor Water Conservation

5. Please confirm that all buildings throughout the development will use WaterSense toilets that use 1.0 gallons or less per flush and shower heads throughout the development that use 1.5 gallons of water per minute or less.

#### Outdoor Water Conservation

6. FYI - WaterSense (WS) Certified pressure reducing heads and weather-based irrigation controllers are required for all residential irrigation systems. Equipment not certified by WS, including high efficiency nozzles, flow sensors and master valves, are also required. Staff can send more details on these standards to you upon request. For residential front yards, staff will calculate the average water use on a lot-by-lot basis. All residential lots throughout the entire development may use no more than 10 gallons per square foot to score 2 points.

7. Please clarify how you plan to obtain points for stormwater innovation and how the plan exceeds the City's existing stormwater standards. The standard is that development treats 75% of the stormwater it generates through some sort of filtration device. Please provide some clarity on how you will utilize Low Impact Development (LID) to achieve this result.

#### Neighborhood Livability

8. For all the measures listed in this section, staff encourages the applicant team to critically consider how it plans to ensure these elements are integrated into the development plans, as there will be guarantees and timing triggers for these public benefits documented through a Public Benefits Agreement.

#### Extraordinary Public Benefits

9. Sections 1.D and 2.A.1 of the City's metropolitan district policy indicate the requirement that a district deliver "extraordinary public benefits." Please elaborate on your answer in paragraph 4 of your LOI on those elements of the proposed development that are anticipated to provide benefits to the greater community, beyond what might be generally required by current codes and standards. You may revisit Exhibit A of the policy for some examples of such benefits. This is required for any approved District and is in addition to the Residential Evaluation Point System.

For this matter to be ready for City Council consideration of the Letter of Intent, you must comply with the notice requirements in the City's Metropolitan District Policy. Notice must be provided no later than 30 days before the hearing. Please provide us with copies of the Notice, the mailing letter list and proof of newspaper publication. The 30-day deadline before hearing date for March 5 would be February 3, 2024.

Since full development details were not provided in the LOI, staff reserves the right to provide additional comments based on the actual plans. Please let us know if you have any questions, comments, or concerns on the above. We look forward to receiving your response with clarifications as requested.

Happy New Year. Best regards,

A handwritten signature in black ink that reads "Joshua A. Birks". The signature is written in a cursive style with a large initial 'J' and 'B'.

**Josh Birks**

Deputy Sustainability Director

O: 970-221-6324