

ADJACENT LANDOWNER SUBMISSION OF COMMENTS
REGARDING PROJECT FILE NUMBER EGP241, OVERLOOK AT HOMESTEAD EARLY GRADING
SUBMITTED BY:
ROGER AND JOANN LUND, TRUSTEES OF THE LUND FAMILY REVOCABLE LIVING TRUST,
OWNERS OF APEX RANCH ESTATES LOTS 15 AND 16; AND
KEITH AND CHERYL KIM, MEMBERS/PRINCIPALS OF TRES BOYS LLC,
OWNERS OF APEX RANCH ESTATES LOTS 17 AND 21
SUBMITTED JULY 22, 2024

We, the Lunds and Kims, are residents of Apex Ranch Estates whose properties abut the Overlook at Homestead development (Development) and who stand to incur significant and costly (and uninsurable) damage if stormwater measures proposed for the Development are inadequate.

Specifically, it is our assessment that the proposed location of the detention pond identified as C6 on the Kimley-Horn proposed drainage map sheet EX-2, which straddles Lots 58 and 59 of the Development, will be insufficient to mitigate the historic flows we have witnessed during our residency of our properties. The source of these flows originates in the two large drainages across these Lots and converge into a single even deeper and wider drainage which flows between Lots 16 and 17 of Apex Ranch Estates.

My earlier submission of comments to the Planning Commission, both written and oral, regarding this specific issue have been disregarded. Joe DesJardin of ProTerra and Kevin Kofford of Kimley Horn walked this area with me at my request on April 1, 2024 to view firsthand my concerns; Mr. DesJardin was questioned at the Planning Commission hearing on May 9, 2024 as to whether he viewed my concerns merited any changes to the location of the detention pond, responding "not at this time". While he did not make any assurances that the matter would be given any further consideration, he did tell me that this hearing was for the Preliminary Plan, and that details could be worked out prior to submission of the Final Plat. Ms. Andrea Barlow of NES echoed this view in her response to my concerns at the May 9, 2024 hearing before the Planning Commission, as minutes of that hearing show.

I accessed the EDARP site recently and saw that Early Grading Plan #EGP241 and related documents were presented on May 7, 2024. In the Final Drainage Report and Stormwater Management Plan included therein, the location of the detention pond in question has not changed from the Preliminary Plan. Apparently those involved believe that our concerns previously voiced are of no merit. Having watched the drainage in question run bank-full during heavy rains, and knowing that development above us will create impervious surfaces which can only increase flows from the Development onto our properties, we are again making our concerns known before the project is finalized and approved.

We accept the fact that the Overlook Development will occur, and ask that sufficient stormwater drainage design and implementation is provided to protect from damage to our properties, whether that be moving the detention pond downstream below the confluence of the two drainages, or construction of another detention pond on the other contributory drainage. Again, the pond in question is the only one of six proposed detention ponds which do not capture flows immediately before leaving Overlook property to protect adjacent downstream properties owned by others. It is the responsibility of the Developer to ensure effectiveness of location and design of any detention pond in mitigating downstream flows over how easy or cheap it would be to build it, or how many trees must be moved, or how easy it is to access.

In case our concerns are falling on deaf ears, we want to assure that any and all parties involved in the planning, evaluation and decision-making process are aware. Accordingly, this statement is being emailed to:

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(end of submission)