

December 3, 2023

RE: Overlook at Homestead proposed rezoning and development plan
FROM: adjacent neighbors Keith and Cheryl Kim, 15540 Apex Ranch Road
EMAIL RECIPIENTS: bswenson@nescolorado.com
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As adjacent neighbors to the proposed Overlook at Homestead project referenced above, we offer the following comments which were also presented by Roger and JoAnn Lund and ask that they be entered into the record:

- 1) The stormwater drainage plan and placement of detention ponds needs to be reviewed and amended to account for the volume of water that currently flows down the deep ravine between proposed Overlook lots 58 and 59, and dumps into the ravine between Apex Ranch lots 16 and 17. This is identified as Surface Water 2 on the Kimley Horn Aquatic Resource Delineation Map, Natural Features Report, page 62.

This drainage currently runs bank full during heavy rains, and will only be exacerbated by the increased runoff created from road surfaces, rooftops, and other impervious surfaces from the development above us. It is the largest drainage into Apex Ranch.

This water currently flows between Apex lots 16 and 17, flows through culverts under Apex Ranch Road, then through a drainage easement across Apex lot 22, then through culverts under Fletcherville Lane and Apex Ranch Road into a Detention Pond on the northwest corner of that intersection. Unless controlled, that additional flow has the high probability of significant property damage to the home on Lot 17 (my home) in particular, plus overwhelming the Detention Pond which we have the responsibility to maintain as a community.

Proposed Solution: move the location of the proposed detention pond between Overlook lots 58 and 59 downstream to below the convergence of the two drainage easements, OR add another detention pond in the area between the convergence and the property line.

- 2) The impact of heavy construction traffic on existing Apex Ranch Road through our subdivision needs to be addressed. Apex Ranch Road and Fletcherville Lane were reconstructed to county standards with the help of Jennifer Irvine, County Engineer, after our developer defaulted on the Subdivision Improvements Agreement and left us with failing roadways; we do not want to have this situation reoccur. At a bare minimum, NO construction traffic should be allowed on this section of road, and instead routed onto the new road that will be established off of Elbert Road to the south by the developer. Ideally, we would like to see the current section at the south end of Apex Ranch Road gated off permanently to all traffic, with access to emergency vehicle traffic only with a key or gate code provided to Dispatch. (This is not unreasonable, and would be similar to the emergency access easement across Apex lot 8 at the north end of Fletcherville Ln).
- 3) We are very concerned about the impact of 62 wells being drilled into the Dawson Aquifer, the same aquifer that all residences in Apex Ranch Estates depend on for our water supply. The public record documents filed with the County show that we are not the only ones concerned; there are documents from law firm Trout and Raley, and the

Upper Black Squirrel Water Conservation District questioning the sufficiency of water and/or recommending formation of a municipal water and sanitation district or augmentation/replenishment wells from a different aquifer or other source. Accordingly, we request that the counsel of these expert authorities be followed.

In summary, we ask that the proposed development be done responsibly and with consideration for minimal disruption to our existing community here at Apex Ranch Estates. Our Covenants have been written to ensure enjoyment of a semi-rural lifestyle and preservation of property values. We have not seen any details in the development proposal for Overlook at Homestead regarding any kind of HOA or Covenants, whether manufactured/mobile homes or site-built homes would be allowed, what type or number of animals would be allowed, and whether the developer will be building the homes or using outside homebuilders (and if so, whom). Nor have we seen any mention of any governing body or other means of oversight once the rezoning and development have occurred.

Thank you for your consideration of these concerns.