

January 10, 2022

From the Twin Oaks Homeowners' Association

To the Town of Castle Rock's Town Council:

Thank you for requesting our comments on the first revision to the Dawson Trails PDP rezoning plan that would develop the open space surrounding the Twin Oaks neighborhood. While our specific concerns remain (outlined in our initial comments dated September 23, 2021 and attached), we reiterate that now is not the appropriate time to make significant decisions on what development and services the Town may need in the short and long term. As stated in our previous comments, we urge the Town to pause until the impacts of COVID are truly understood from a commercial and residential development perspective.

That said, no matter when and how Dawson Trails is developed, there are several key impacts we strongly urge the Town Council to mitigate. By "baking in" these requirements to the zoning plan, you can help ensure the established and mature communities surrounding Dawson Trails can retain much of their rural (and in our case, equestrian) feel, and individual property owners are less impacted by traffic, views, light, noise, and signage. As mentioned in our previous comments, those specific suggestions are:

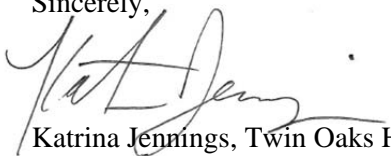
1. Restrict the type of businesses allowed in Dawson Trails commercial areas to those with a market cap under \$1 billion;
2. Require minimum setbacks of 300 feet from the property line throughout, particularly along commercial zones;
3. Restrict building height to two stories throughout to preserve views;
4. Forbid any bright or neon lighting at any time, require streetlights to point down only, and forbid nighttime lighting on commercial buildings beyond minimal security lighting.

In addition, our residents have offered two additional suggestions since September:

5. Restrict commercial signage to the height of the building to preserve views;
6. Require xeriscaping and "water smart" landscaping in common areas (medians, etc.) and encourage residential developers to reduce landscaping that uses large quantities of water.

Thank you again for your time and consideration.

Sincerely,



Katrina Jennings, Twin Oaks Homeowners' Association President
On behalf of the Twin Oaks neighborhood

September 23, 2021

From the Twin Oaks Homeowners' Association

To the Town of Castle Rock's Town Council:

Thank you for requesting our comments on the Dawson Trails PDP regarding rezoning in anticipation of developing the open space surrounding the Twin Oaks neighborhood. We very much appreciate the Town's consideration of the impact of this proposal on our neighborhood, which is significant and in nearly all respects negative. We sincerely hope that the consideration extends beyond a mere hearing of our input into actions that protect not only Twin Oaks but the specialness of the Town of Castle Rock, which has all but disappeared as a result of severe over-development. This is a prime opportunity for the Town Council to show discretion, foresight, and courage that will incur the gratitude of the citizens and benefit the Town long into the future.

Executive Summary

Understanding that the proposal at hand is for rezoning, we are nonetheless submitting at this time a list of our overall concerns for the entire project. Not being development law specialists, we are not familiar with which issues pertain to rezoning and which come into play at a later stage. However it is clear to us that any issue not addressed as early as possible will be by-passed in this process due to developers' greed and avariciousness that has driven the obsession with developing every square inch of Castle Rock as quickly as possible. Stop or amend the rezoning and you stop or amend the project.

The Town Council has for years given lip service to "responsible development" and preserving Castle Rock's "small-town feel." The moment a luxury condo mega-plex was allowed to tower over our historic downtown, those promises rang hollow. To continue reckless expansion in this current era of extreme economic uncertainty, when existing businesses and residents of Castle Rock are struggling, lacks foresight. Supply chains and understaffing have Castle Rock consumers facing empty shelves and skyrocketing prices, and we simply don't know what the future holds. The worst thing for Castle Rock would be another huge project like the outlet mall that sits half-empty five years after completion- or that is never even completed due to lack of supplies and labor and rising inflation.

The Crystal Valley interchange is not even formally drawn up yet let alone completed. We urge the Town to take a pause on development until this pivotal project is complete. Wait and see what it does to traffic. Wait and see if Miller's Landing can host successful businesses in a post-COVID economy. Wait and see if the outlet mall can recover. Wait and see if the Town can find a developer whose project will enable people who work in Castle Rock to live in Castle Rock instead of profiting off of another crop of rootless commuters who strain rather than enhance our local economy. Take a much-needed pause and earn a reputation for responsible development that endures.

Detailed Comments

Based on a survey of our residents and multiple community discussions, the following are our primary concerns:

1. Traffic through Twin Oaks

Between the forthcoming Crystal Valley interchange and this development, our neighborhood's dirt road will be destroyed by the traffic volume. Google maps directs people down our dirt road (Twin Oaks Road) to travel from the south end of Castle Rock out to Littleton. Our road will be inundated with commuter traffic to large employers like Lockheed Martin as soon as the interchange is completed.

Meanwhile, according to government statistics, 5,800 homes in Dawson Trails will mean 18,000 people with 11,600 cars taking 72,000 trips per day. If only 1/5th of those trips take Twin Oaks Road to cut over to 105, that's 14,400 additional trips on our rural dirt road. To put that in context, the County recently disapproved a development plan that would have put 600 additional trips on our road because it was deemed too destructive to the road.

Our neighborhood is what it is in part because of the dirt roads. We are an equestrian community, and the value of our properties depends on the usability of the roads for riding. Already there is so much traffic on the road that some residents no longer feel comfortable riding on it. The proposed development will make this road unusable for us: not safe to drive on, ride on, or walk on.

2. Traffic in Castle Rock

Castle Rock has already outgrown the Crystal Valley interchange. We appreciate the Town's position regarding the need for the interchange and its location, even though it will cause many problems for our neighborhood. But all of the Town's arguments regarding the interchange fall apart when it then turns around and adds 18,000 additional people in Dawson Trails, not to mention the huge developments still being put in on the East side of I-25. The interchange will improve nothing about Castle Rock traffic if this irresponsible development is allowed to continue. Enough is enough.

3. Water

All properties in Twin Oaks rely on private wells, so we are keenly attentive to the water questions surrounding this development. There are not enough water rights to support this development. Additionally, all the current talk of "graywater" sources is irrelevant: whether you can recycle the water or not, you need the water in the first place when you add 18,000 people. Currently that water does not exist.

We understand that Castle Rock has a good reputation for adhering to its water requirements and that appropriate water rights will be required of the developer. We intend to monitor this and hope that the Town will live up to its reputation in this regard.

4. Trails/Access

As an equestrian neighborhood, we maintain bridle easements between our properties that are open to all residents. We also enjoy access to trails around the neighborhood and with other neighborhoods. We are concerned both about our continued access to riding trails and of the likelihood of trespassing with overdeveloped cheek-by-jowl super-conforming housing and commercial properties pressed up against our backyards.

5. Wildlife – Favorable

Twin Oaks and its surrounding neighborhoods highly value the wildlife that shares our space. The proposed development will destroy a bald eagle nesting ground as well as territory home to elk, golden eagles, peregrine falcons, various other raptors, deer, and the occasional moose. It's simply heartbreaking to contemplate the cavalier destruction of one of the last remaining beautiful natural spaces in Castle Rock.

6. Wildlife – Unfavorable

At the same time, development threatens our properties, pets, and livestock due to the pushing into our neighborhood of undesirable wildlife such as prairie dogs, coyotes, bobcats, and mountain lions. We insist that the prairie dog infestation be dealt with by thorough extermination to prevent relocation into our neighborhood.

7. Setbacks

Understanding that there is no official Town requirement for setbacks, we would like to emphasize that it is in everyone's best interest to keep as much separation as possible between the town and country properties. Putting a commercial building 100 feet from a rural property is ridiculous and won't benefit either party. At least half of properties bordering the proposed development have shooting ranges in their backyards and shoot safely and regularly. This will not change when the development goes in. Many properties also have livestock that produces a good deal of noise and odor. Whether a commercial tenant or a suburban homeowner, the target customers for this development will not want to deal with these "country" issues.

An effective setback is not necessarily about only distance. Separation can be produced with natural barriers that provide visual and auditory privacy in both directions. We welcome creative solutions in this area.

8. Views

Our property values are highly dependent on the views the homes in Twin Oaks enjoy. These have been eroded over time as Castle Rock has recklessly expanded. The proposed development will eliminate the views for some of our properties and interfere with it for nearly every property.

9. Crime

Crime has noticeably escalated in and around Castle Rock in the past few years. More people mean more crime, no matter what. Castle Rock needs to fund and enlarge its law enforcement before it even begins to consider even more development. Doing otherwise is irresponsible.

10. Light pollution

“Dark Skies” ordinances notwithstanding, from Twin Oaks we have watched as year after year our ability to view the stars at night has declined. With development directly adjoining us, no amount of restriction will protect this.

11. Litter

Developed areas of Castle Rock similar to what the developer envisions for Dawson Trails have huge problems with litter. Parks like Paintbrush Park have so much litter parents have to clean up before their young children can safely play. With the types of wildlife in our area, especially bears, uncontrolled trash is a serious danger beyond being an eyesore and inconvenience. We have yet to hear any plan for addressing this issue.

12. Natural Environment

Besides our own neighborhood, we question what the impact will be to the Dawson’s Butte trail and surrounding area. There is not much point to an “open space” policy if things are so built up around the open space that no wildlife can flourish there. Given our open spaces some space!

13. Property Values

Rural properties like ours benefit to some extent from proximity to a town, particularly a nice town. However Castle Rock has utterly abandoned anything but a pretext of being a “nice, small town” at this point. No one wants to live in a horse community where you can’t ride for all the traffic or on 10 acres that you can’t enjoy for all the noise, crime, and pollution caused by high-density neighbors. We are concerned that in addition to our quality of life our properties will lose market value as well.

14. Equestrian Use

Prior developments in Castle Rock have included officially public parks and trails that in practice are only used by those in development and that therefore benefit the developer at the Town's and taxpayer's expense. We urge the Town to make this developer pay for what they get and for what they cost the Town. As part of that, we ask that equestrian access be included in the trails and open space in the development.

15. Quality of life – Twin Oaks

Our neighborhood largely consists of families and retirees. Our quality of life depends on a peaceful natural environment; the use of our land for horses, livestock, and recreation; and safety for our families. It will be quite an adjustment simply with the Crystal Valley interchange going in, let alone yet another huge development. Let us adjust to one thing at a time.

16. Quality of life – Castle Rock

Contrary to the PR materials, Castle Rock long ago lost its small-town feel. We urge the Council to take an objective walk around and open their eyes to the current reality of Castle Rock: the increasing homeless/panhandler problem, the blandness of the endless Southern California-style stripmalls, the traffic issues, the litter in the parks, the empty storefronts and rundown appearance of the outlet mall, the overwhelming population that makes public events difficult to access and impossible to feel a sense of community in, the lack of genuine local businesses, the overabundance of chain stores, the empty shelves at the grocery store that have not been fully stocked since early 2020, the disconnect between the people who currently live in Castle Rock- the families and retirees- and the people monstrosities like Riverwalk and Encore are trying to attract- rootless commuters who will abandon Castle Rock the minute something more favorable is available to them.

The taxpayers of Castle Rock deserve better. They deserve a pause on reckless development and time to adjust, rebuild and expand infrastructure, and increase basic resources. Don't let the same greedy forces that destroyed Parker take Castle Rock down next.

17. Impact to Business in Castle Rock

Existing businesses in Castle Rock are suffering. The outlet mall is full of empty storefronts, and nearly every business is unable to hire. The \$500,000 homes this developer wants to get rich selling will not provide employees to these businesses, and the additional commercial spaces will only add to the competition. Further, with the Crystal Valley interchange in place, the proposed development will take Crystal Valley customers away from the businesses downtown.

Castle Rock makes substantial tax revenue off of the agricultural industry as well, with businesses like Tractor Supply and more recently Murdoch's. How will these businesses

continue to thrive when the rural communities are pushed further and further out? If Twin Oaks becomes a neighborhood of McMansions with no livestock or farming, these businesses will go elsewhere and the tax revenue of Castle Rock will suffer.

In the wake of COVID-19 is not the time to approve something like this development. Supply chains are a wreck, food prices are inflating at astonishing rates, and businesses are failing all around us. The Town can afford to wait 6 months or 12 months and see if this is truly a “new normal” before committing to more development that makes these problems worse. This Pollyanna belief in an economy that always recovers is outdated and will lead Castle Rock into disaster long-term.

Specific Proposals

Specific to the rezoning, again we want to emphasize that we are not familiar enough with the relevant law to know which issues ought to be addressed at this time, other than that denial of the rezoning would end the project (and we certainly welcome and encourage that outcome!). However, a few items seemed pertinent to the current proposal that we would like to put forward now:

1. Restrict the type of businesses allowed in Dawson Trails commercial areas to those with a market cap under \$1 billion;
2. Require minimum setbacks of 300 feet from the property line throughout, particularly along commercial zones;
3. Restrict building height to two stories throughout to preserve views;
4. Forbid any bright or neon lighting at any time, require streetlights to point down only, and forbid nighttime lighting on commercial buildings beyond minimal security lighting.

Finally, our biggest ask is: do not finalize any rezoning for at least 12 months. Wait and determine the impacts of COVID-19 and what the Town truly needs at that point. This is the last significant undeveloped space in the Town limits, which means it’s our last chance to do it right. But the current economic uncertainty makes it impossible to know what is right and what will endure. You can bring so much good to Castle Rock by just taking a short pause.

Thank you again for your time and consideration.

Sincerely,

Katrina Jennings, Twin Oaks Homeowners’ Association President

On behalf of the Twin Oaks neighborhood