

Response to Letter from Nathan and Carissa Koran
RE: Arcadia Creek Subdivision -- Case # PM22-006

Thank you for your comments. While we understand your concerns, some key clarifications are necessary:

- Arcadia Creek is legally entitled to access Christensen Lane--those rights were recorded in 1912 and reaffirmed by the Arapahoe County District Court in 2020.
- This project has followed all Minor Subdivision requirements under County code and has been thoroughly reviewed by staff, engineers, and fire officials.
- The development will generate only 108 weekday daily trips--76 of which are expected to use Christensen Lane. This is a 13% increase, not a doubling.
- Arcadia's section of the Lane will be the only one with a protected pedestrian path, drainage upgrades, and full maintenance commitments--within the existing right-of-way.
- Both entrances will be gated to prevent cut-through traffic. The 55+ designation is not marketing--it is a condition of approval.

This plan delivers the safest, lowest-impact version of growth possible--while honoring rights that have existed for over a century. Arcadia isn't creating a traffic problem--it's improving a road others have used for decades without upgrading.

McGee 6.26.25 Response By Applicant

Response to Letter from Marilyn McGee and Jon La Breche

Re: Opposition to Arcadia Creek Development Access via Christensen Lane

We respectfully submit the following response to the letter dated June 18, 2024, from Marilyn McGee and Jon La Breche, regarding the proposed Arcadia Creek development and its access to Christensen Lane.

1. Access Is Not New--It Is Historic and Legally Established

The suggestion that access to Christensen Lane for the Arcadia property is a new request is inaccurate. The legal right of ingress and egress has existed since 1912 and was reaffirmed by the Arapahoe County District Court in 2020. Christensen Lane was originally created to provide access from this property to Platte Canyon Road--hence the name. Every surrounding neighborhood, including Fox Hollow and Christensen Lane Estates, was built with full knowledge of this recorded access.

2. Traffic Volume and Use Are Being Misrepresented

The claim that this development will "nearly double" traffic on the Lane is exaggerated. Based on national ITE trip generation standards, the 25-home 55+ community is expected to generate just 108 weekday daily trips--a modest 13% increase over existing traffic. Of those, approximately 70% (or 76 trips per day) are expected to use Christensen Lane, with the remainder using Leawood Drive.

Both entrances to the development will be gated, eliminating cut-through traffic and ensuring calm, predictable flow. Even with this modest increase, this section of the Lane will continue to carry the lowest traffic volume of any segment along Christensen Lane.

3. Modern Engineering and Safety Improvements

Contrary to the letter's claim that the design is "half-baked," Arcadia's proposed improvements are engineered to modern safety standards and fit entirely within the existing right-of-way and easement. It includes a 24-foot paved travel lane and a 4-foot protected pedestrian path separated by flexible delineators. The design has been reviewed and approved by South Metro Fire Rescue and incorporates drainage upgrades, a new culvert sized for a 10-year storm event with zero overtopping, and year-round emergency access outside the floodplain--features that do not exist today.

4. Trail Connectivity and Pedestrian Access Are Being Enhanced

Arcadia Creek does more than preserve existing recreational use--it expands it. A new public trailhead will allow pedestrians to exit Christensen Lane, stay on a protected sidewalk, and connect directly to the Dutch Creek Regional Trail system. This project strengthens east-west multi-modal access and reflects the goals outlined in Arapahoe County's Bicycle and Pedestrian Master Plan.

5. Vegetation and Roadway Width

Selective vegetation removal is necessary to accommodate safety and drainage improvements. These removals are not arbitrary but part of a professionally engineered plan vetted by County staff. Similar removals have been made in the past by others maintaining the Lane, including Fox Hollow, without objection. The improvements will all occur within the existing right-of-way and do not require additional land.

6. Alternative Access Alone Is Not Feasible or Required

While Leawood provides one access point to the development, it does not eliminate the developer's right to access Christensen Lane. That right is not contingent on convenience or neighboring preference--it is permanent and legally affirmed. The dual-access design enhances safety, reduces concentrated traffic at a single point, and provides emergency access consistent with regional standards.

7. County Process and Consistency

This project has followed the same review protocols applied to prior developments, including Fox Hollow. The variances requested are based on physical realities of the rural corridor--not shortcuts--and have been recommended for approval by the County's Technical Review Committee after thorough analysis. Comparing requirements imposed 30 years ago under different development and code conditions ignores the County's current rural design framework and safety priorities.

Conclusion

This is not a developer forcing a new burden onto the community. This is a long-established property right being exercised with care, investment, and public benefit. The proposed improvements bring real safety and infrastructure upgrades to a stretch of road that has long needed them. Arcadia Creek will be the only neighborhood on the Lane providing gated access, engineered drainage, pedestrian protection, and long-term maintenance--all without increasing the width of the right-of-way or compromising the rural character of Christensen Lane.

Karlan and Angela Tucker Response

Response to Letter from Karlan and Angela Tucker
RE: Arcadia Creek Subdivision -- Case # PM22-006

1. Claim: There is no need for the 23 Jefferson County homes to use Christensen Lane when they can access the development from Pierce or Bowles.

Response:

The Arcadia property has held a recorded legal right of ingress and egress via Christensen Lane since 1912. That right was reaffirmed by the Arapahoe County District Court in 2020, which found that the right of access is "unrestricted and unlimited." Leawood Drive will serve as a secondary access point, but Christensen Lane cannot be arbitrarily denied, as it is the original and intended access for this land.

2. Claim: Golf cart access has been offered as an alternative.

Response:

While appreciated, golf cart access is not a legally sufficient substitute for vehicular access under state and local development regulations. The development requires all-season, emergency vehicle access compliant with fire code and engineering standards. South Metro Fire Rescue has reviewed and approved Arcadia's dual-access design.

3. Claim: The development will generate hundreds of trips per day and significantly impact safety.

Response:

This is incorrect. The proposed 25-home, 55+ community is expected to generate only 108 weekday daily trips, based on ITE national traffic standards. Of those, only approximately 76 daily trips would use Christensen Lane--far less than the hundreds claimed. With two gated entrances and no cut-through access, vehicle flow will be calm, low-volume, and predictable.

4. Claim: The road is too narrow and lacks space for sidewalks.

Response:

No section of Christensen Lane currently has sidewalks or formal pedestrian infrastructure other than basic striping. Arcadia Creek will provide that--and more. The design includes a dedicated, separated 4-foot pedestrian and bike path with flexible safety delineators, alongside paved travel lanes. The entire cross-section fits within the existing access easement and right-of-way. No additional land is required.

Arcadia's section will be the safest and most technically compliant portion of the entire Lane. Despite decades of residential and recreational use, no other neighborhood or adjacent property

has installed any safety improvements. It's difficult to understand how the only portion with engineered protections is being portrayed as the most dangerous.

5. Claim: Arcadia Creek brings no benefit to Arapahoe County.

Response: This claim overlooks several key facts:

- Two of the 25 homes are in Arapahoe County.
- Arcadia is fully funding all improvements to the Lane within Arapahoe.
- Arcadia has committed to 100% maintenance of its section and pro-rata contributions for the eastern third, per agreement with Christensen Lane Estates.
- The development will also provide a public trailhead with access to the Dutch Creek Regional Trail system, enhancing connectivity and recreation options for all residents.

6. Claim: The gate at the west end has historically blocked Jefferson County access and should remain.

Response:

The gate and emergency access restriction apply to public through-traffic between counties. The Arcadia project does not remove or modify that gate. Gated vehicle access will remain limited to residents, service vehicles, and emergency responders. No public connection between Jefferson and Arapahoe is being created.

7. Claim: The developer will walk away, while neighbors live with the consequences.

Response:

The developer will not walk away. Arcadia Creek includes a legally formed HOA, long-term maintenance responsibilities, and trail and drainage improvements designed to benefit the entire corridor. These improvements bring Christensen Lane into compliance with modern standards while preserving its rural character.

Conclusion:

The Arcadia Creek project honors longstanding access rights, invests in long-overdue infrastructure improvements, and improves safety for all users of Christensen Lane. It is a low-density, age-restricted community that aligns with the County's goals for infill development, aging in place, and expanded pedestrian connectivity. The legal, engineering, and public safety components have all been reviewed and approved by the appropriate agencies.

We respect the personal investment neighbors have made in Christensen Lane--but that investment does not negate Arcadia's legal rights or the clear public benefits of the proposed improvements. We are not asking for anything extraordinary--just to exercise the same access rights others already enjoy. You have yours, and yet the request is to deny us what is lawfully ours.

Brittian Rebuttal,

Response to Statement:

"We don't believe there is another section of road like this anywhere in Arapahoe County or the Denver metro area."

Rebuttal:

This claim is inaccurate. Roads narrower than 30 feet with no shoulders or sidewalks are common throughout the Denver metro area, including in established neighborhoods such as Bow Mar, Cherry Hills, and Greenwood Village. What makes Christensen Lane different is not its size, but its lack of recent improvements something the Arcadia Creek project will address through engineered widening, drainage upgrades, and the addition of a dedicated pedestrian/bike path.

Response to Statement:

"Arcadia Creek has requested and the Arapahoe County Technical Review Committee (TRC) has recommended approval of multiple variances that will have a substantially damaging impact on the Arapahoe County area homeowners."

Rebuttal:

The proposed variances are limited, targeted, and engineered to improve safety and function not diminish them. The TRC's recommendation reflects a professional, multi-agency review that weighed all public and technical input. The improvements proposed by Arcadia Creek including drainage upgrades, roadway widening, and a delineated pedestrian lane will enhance the function and safety of a previously underbuilt roadway. These are not shortcuts they are context sensitive solutions for a rural road corridor that has seen no prior modernization.

Response to Statement: "The west end of Christensen Lane...is essentially a narrow one lane driveway...Arcadia Creek now wants to benefit financially by turning it into a two lane street...There simply is not sufficient road width...to support up to 200+ trips a day...while continuing to be a safe corridor for children, pedestrians, and cyclists."

Rebuttal:

The claim of "200+ trips per day" is exaggerated. Based on national ITE trip generation standards, the proposed 25-home, 55+ community is expected to generate just 108 weekday daily trips a modest 13% increase over existing volume. Traffic will be gated at both entrances, eliminating cut-throughs and keeping flow low and predictable. This is the lowest traffic volume anywhere on Christensen Lane.

Concerns about insufficient width are already being addressed: All improvements fit within the existing right of way, with no additional land required.

In fact, Arcadia's section of Christensen Lane will be the safest and most up to date portion of the entire corridor. It mirrors the existing rural character of the Lane, including width, but adds modern engineering, drainage, and pedestrian protections features that don't currently exist on any part of the road.

The design has been reviewed and approved by South Metro Fire Rescue and will enable all season emergency access to homes that are currently unreachable during flood events. If pedestrians aren't safe on the calmest, lowest volume section of the Lane where Arcadia is building how are they safer on busier sections that have been utilized for the past 30 years.

Response to Statement:

"The west end of the Lane currently provides access to two Arapahoe County homes."

Rebuttal:

That may be the current use, but the legal right of access extends far beyond those two homes. Arcadia Creek's rights were established in 1912 and reaffirmed by the Arapahoe County District Court in 2020, which concluded:

> "Plaintiff holds an unrestricted and unlimited permanent right of ingress and egress across and through the private drive known as West Christensen Lane."

The Lane was created for one reason: to provide access from this property to Platte Canyon Road. That right is not incidental it is foundational and legally binding.

*Here's a cleaned up, polished version of your rebuttal, with no bold formatting and all language refined for clarity and professional tone:

Response to Statement: "The 1993 Settlement Agreement between the counties and neighbors prevents automobile traffic between Christensen Lane and the Leawood Neighborhood."

Rebuttal:

Correct the proposed development does not alter or violate the 1993 Settlement Agreement. But as confirmed in the court case you were a party to, the ruling clearly states:

> "The Final Judgment does not, and cannot serve as a basis for restricting any activity by the successor, assign (and this person's family members, employees, agents, servants, independent contractors, guests, licensees and invitees) that they may otherwise lawfully do thereon, including making entry upon the adjacent parcels of land of the successor."

The only people using the Lane will be residents, guests, and service providers of the Arcadia Creek community. Gated access will remain in place to prevent through traffic between counties, and no public road connection is being proposed.

Response to Statement:

"The west end of Christensen Lane was never meant to be used to provide automobile access to more than just a few homes... There simply is not sufficient road width along the western section to support up to 200+ trips a day from a new development."

Rebuttal: Asked and answered.

Response to Statement:

"The entire stretch of Christensen Lane is used by school children... Sun glare in the morning can be very difficult, adding to the safety concerns for children walking along a narrow road."

Rebuttal:

Will the project make Christensen Lane less safe for children? No. It makes it significantly safer. The Arcadia design includes a dedicated 4-foot pedestrian path, protected by delineators, and relocated to the north side of the Lane away from direct morning sun glare.

If pedestrians aren't safe on the calmest, lowest volume section of the Lane where Arcadia is building how are they safer on the busier sections that have operated without protection for decades?

All surrounding neighborhoods were built with full knowledge of this legal access. Unlike the years of tree farm traffic, church events, and commercial service vehicles, Arcadia's improvements bring structure, predictability, and safety.

Response to Statement:

"Christensen Lane is one of the few east west corridors available to walkers, joggers and cyclists in this part of Arapahoe County."

Rebuttal:

Does the project preserve or harm this east west corridor? It preserves and expands it. Arcadia Creek is building a public trailhead within its neighborhood that allows pedestrians and cyclists to exit Christensen Lane, stay on a continuous sidewalk, and directly access the Dutch Creek Regional Trail system.

This new connection also links eastbound pedestrians to the Platte Canyon trail network, creating one of the only safe, continuous multi-county trail connections in the area. Arcadia is doing more to preserve and improve pedestrian access than any neighborhood that came before it transforming a historically informal corridor into a planned, protected, and interconnected one.

Response to Statement:

"The developer has not addressed the issue of snow removal... Snow piles would make walking, jogging, cycling on the west end of Christensen Lane nearly impossible to navigate while cars are traveling in both directions."

Rebuttal:

Has snow removal been addressed? Yes. Snow management is part of Arcadia's operations plan and will be handled by the community's HOA. The design accounts for snow storage areas and ensures year-round pedestrian access on the protected path.

Unlike the current situation where snow sits unmanaged and pedestrians are left to share the roadway this plan includes defined paths and a clear commitment to keeping them clear. That's more than those claiming responsibility for maintaining the Lane have done.

Response to Statement:

"The TRC has recommended approval of multiple variance requests to avoid having to meet county standards for road width, sidewalks, detention ponds, and floodplain requirements... The variances should be denied."

Rebuttal:

Are the variances unsafe or unjustified? No. Every requested variance has been reviewed and approved by Arapahoe County's Technical Review Committee made up of engineers and staff whose job is to ensure public safety, not waive it. These are context appropriate adjustments for a rural corridor with physical constraints, not shortcuts.

Is flood risk being ignored? Not at all. Arcadia's plan includes a new engineered culvert sized to handle a 10 year storm event with zero overtopping far exceeding current conditions. The culvert design also results in a minor reduction in the rise during a 100 year flood event, improving the situation for downstream properties.

This plan enhances drainage, reduces flood risk, and brings long overdue upgrades to a stretch of roadway that has operated for decades without sidewalks, stormwater systems, or modern protections of any kind.

Response to Statement: "The 1993 Christensen Lane Settlement Agreement includes terms that the Arcadia Creek developer is choosing to ignore."

Rebuttal:

Is Arcadia ignoring the 1993 Settlement Agreement? No. Arcadia is not ignoring it but the agreement simply doesn't apply to Arcadia's property.

The agreement was drafted by Laguna Homes and applies only to what was then called the Jefferson Bank Parcel now the Fox Hollow subdivision. The text is clear: "Laguna agrees that the following covenants... will apply, attach to, and run with the Jefferson Bank Parcel."

Arcadia's property was never part of that parcel. Its legal rights to access Christensen Lane come from a separate ownership history and were reaffirmed in court. The 1993 agreement binds Fox Hollow, not Arcadia.

Response to Statement:

"If the Arcadia Creek development gains approval for this Minor Subdivision, it will have a permanent damaging effect on several Arapahoe County neighborhoods."

Rebuttal:

Will the Arcadia Creek project damage the surrounding neighborhoods? No. It improves them. The plan transforms a narrow, flood prone, shoulderless segment of Christensen Lane into a safe, code compliant rural road with proper drainage, defined pedestrian access, and all season emergency connectivity.

Does Arcadia want to use Christensen Lane because it enhances value? Yes and that's exactly what good planning should do: add value while respecting existing rights and improving shared infrastructure. The suggestion that only Leawood should be used ignores reality. Arcadia holds long established legal access to Christensen Lane, confirmed in court, and is enhancing the Lane more than anyone ever has.

This is not a developer imposing something new it's a property owner finally bringing long overdue improvements to a road that's served residential, commercial, and event traffic for decades without modern safety features. Arcadia's plan is not a burden. It's a benefit.

Tabor Response by Applicant

Response to Community Concerns Regarding Arcadia Creek and Use of Christensen Lane June 30, 2025 Opposition Summary -- Response Document

We appreciate the passion of those who signed the June 30 opposition list and recognize their strong connection to Christensen Lane. It's clear that many neighbors care deeply about the character of the corridor. However, it is equally important to ground these concerns in facts, context, and what Arcadia Creek is actually proposing--because many of the objections reflect misconceptions or misinformation.

Below is a detailed response to the most common concerns raised:

1. Pedestrian Safety and Recreational Use

Concern:

Residents express strong concern that additional traffic from Arcadia Creek will endanger children, pedestrians, cyclists, and horseback riders who frequently use Christensen Lane.

Response:

Arcadia Creek is not eliminating pedestrian use--it is enhancing it. The plan includes the only defined, protected pedestrian/bike lane on the entire corridor: a 4-foot asphalt path separated by flexible safety delineators. This path is located on the north side of the Lane, away from morning sun glare and protected from vehicle lanes--something no part of the Lane currently offers.

In addition, Arcadia is creating a public trailhead within the community, offering safe sidewalk connections to the Dutch Creek Regional Trail system, improving multi-modal access across both counties. The result is better infrastructure and more connected recreational routes than what currently exists.

2. Traffic Volume and Road Width

Concern: Many signers claim the Lane will "double in traffic," isn't wide enough for two lanes, and wasn't built to handle development access.

Response:

The claim of traffic doubling is incorrect. Based on ITE national trip generation standards, the proposed 25-home, 55+ community will generate just 108 weekday daily trips--a 13% increase over existing traffic. Of that, only 76 trips per day (about 3 trips per hour on average) will use Christensen Lane.

The road is being improved, all within the existing right-of-way and access easement. No land is being taken. The design has been reviewed and approved by South Metro Fire Rescue, and includes all-season emergency access, better visibility, and safe sharing of the roadway by vehicles and pedestrians.

3. Use of Leawood Instead of Christensen

Concern: Some suggest all traffic should go through Leawood in Jefferson County instead of using Christensen Lane.

Response:

Arcadia holds a permanent, recorded legal right of access to Christensen Lane dating back to 1912, reaffirmed by the Arapahoe County District Court in 2020. That right exists regardless of alternate options. Leawood will serve as a second, gated access point, but does not eliminate Arcadia's right to use Christensen Lane.

This isn't a matter of preference--it's a matter of established property rights. Unlike any other neighborhood on the Lane, Arcadia will have two gated entrances, ensuring no cut-through traffic, low trip volumes per access point, and better distribution of trips.

4. Loss of Character and Rural Feel

Concern: Neighbors fear the rural, quiet character of Christensen Lane will be lost.

Response:

Arcadia's improvements are designed to mirror the existing character of the Lane--same width, same feel, but with added safety and stormwater protections. Large trees, informal shoulders, and gravel textures may look "rural," but without drainage, pedestrian protection, or fire access, they pose real hazards.

Arcadia Creek preserves the rural tone while upgrading the infrastructure to reflect today's safety and environmental standards. Simply put: the design looks familiar, but functions far better. Additionally, the majority of the tree canopy along Christensen Lane is now located on private property and will remain untouched--meaning the look and feel of the Lane will stay largely the same.

5. Distrust of the "55+" Community and Developer Motives

Concern: Some believe the 55+ designation is a marketing tool and will not limit traffic as claimed.

Response:

The development is restricted to 55+ occupancy in accordance with federal Fair Housing Act exemptions for age-restricted communities. This restriction is also a condition of our approval. These communities typically generate significantly less traffic than traditional family housing--especially during peak school and work hours.

As for motive, every development must be economically viable--but Arcadia has gone further than any neighborhood on the Lane in providing public access, pedestrian infrastructure, drainage upgrades, and long-term maintenance commitments. No other subdivision on Christensen Lane has done that.

6. Fairness and Equity Between Counties

Concern: Arapahoe residents bear the traffic while Jefferson County gains the tax revenue.

Response:

While 23 of the 25 homes are in Jefferson County, two homes are in Arapahoe, and the entire frontage and access improvements are being built in Arapahoe County. Arcadia will pay 100% of the cost to improve and maintain the portion of the Lane adjacent to its property and will also pay its pro-rata share of maintenance for the front third of the Lane per its agreement with Christensen Lane Estates (CLE).

Arcadia Creek has done more to invest in safety, infrastructure, and shared access than any prior user of Christensen Lane--and yet we're the only party being told we don't belong. For over 120 years, the owners of this property have used and maintained some, if not all, of this Lane. Every neighboring homeowner bought their property fully aware that Arcadia held permanent access rights. Those rights were not speculative--they were recorded in 1912 and reaffirmed in a 2020 court order stating clearly:

> "Plaintiff holds an unrestricted and unlimited permanent right of ingress and egress across and through the private drive known as West Christensen Lane."

And yet here we are--with some homeowners who don't even have access to the Lane (including those who merely back to it from within Coventry) insisting that Arcadia's legally recognized access rights should somehow be taken away. What's the argument--that their right to walk or recreate on a road we've legally maintained for generations outweighs our right to use it for its original, intended purpose?

This isn't about fairness. It's about entitlement. How do you justify claiming a right to use the Lane while demanding we be denied ours?

In contrast, Arcadia is upgrading the Lane to be safer, more resilient, and more accessible--not just for residents, but for pedestrians, cyclists, and emergency responders. We're also

expanding regional trail connectivity with a new Dutch Creek trailhead and committing to long-term maintenance no one else has offered.

We're not asking for special treatment. We're exercising legal rights that have existed for over a century--rights that come with real investments and real benefits for the entire corridor.

Conclusion

The Arcadia Creek plan is a low-density, age-restricted community that brings modern safety, connectivity, and engineering to a part of Christensen Lane that has long lacked it. It honors long-held legal access rights, keeps all work within the existing right-of-way, and makes meaningful improvements that benefit the broader community--not just future residents.

We encourage all stakeholders to review the facts, evaluate the actual design, and consider the positive long-term impact this plan offers. Respect for the character of the Lane doesn't require preserving its flaws--it means improving what's outdated, safely and responsibly.

Koets Response

Response to Statement:

"Arcadia Creek is bound by the Settlement Agreement and cannot remove vegetation along Christensen Lane without approval from other parties to the agreement."

Rebuttal:

Is Arcadia prohibited from removing vegetation as part of its improvements? No. The 1993 Settlement Agreement applies to the Jefferson Bank Parcel not to Arcadia's property. Arcadia is not a successor to that parcel, and therefore not bound by its vegetation restrictions.

More importantly, the improvements being made drainage systems, fire access, pedestrian paths require selective vegetation removal to meet modern safety and engineering standards. That's not arbitrary. That's responsible development.

Fox Hollow has removed trees under the banner of maintenance for decades. Arcadia is doing the same, but with a professionally engineered plan and long-term commitments to safety, drainage, and access. You can't call for improved infrastructure, then demand nothing be changed to make it happen.

Response to Statement:

"The Lane is used daily by walkers, cyclists, horseback riders, and school children. This recreational and residential character would be severely hindered if all traffic from the development is allowed to funnel through West Christensen Lane."

Rebuttal:

Will Arcadia Creek's traffic overwhelm the Lane and endanger current users? No. The community is a 55+ residential neighborhood, projected to generate just 108 weekday daily trips a modest 13% increase over existing traffic and the lowest traffic volume anywhere along the Lane.

And unlike the current condition which offers no pedestrian protections the Arcadia plan includes a defined, protected pedestrian and bike path on the north side of the Lane, separated by flexible bollards. The project also adds a trailhead and links to the Dutch Creek Regional Trail system, enhancing access for everyone walkers, strollers, cyclists, even horseback riders.

This is not a threat to the Lane's character. It's a long overdue upgrade that finally makes space for all the users the opposition claims to be protecting.

Response to Statement:

"Several homes along Christensen Lane rely on an irrigation ditch that runs under the Lane, and the proposed improvements could impact that ditch. The developer has ignored this easement despite repeated communication."

Rebuttal:

Is there a known irrigation easement under Christensen Lane that the developer is ignoring?
No. No such easement has ever appeared in the title work or on any survey of the property.

If a legitimate, recorded easement existed, it would have been addressed through the County's review process. The improvements being made are engineered and permitted nothing is being done recklessly or without oversight. Claims of a hidden or unacknowledged easement don't hold up without evidence.

Response to Statement:

"Traffic from the two Arapahoe County homes doesn't justify improvements to Christensen Lane, and the 23 homes in Jefferson County could just use Leawood instead."_

Rebuttal:

Christensen Lane is Christensen Lane for a reason it was created to provide access from this property to Platte Canyon Road. That right has existed since 1912 and was reaffirmed by the courts.

All surrounding neighborhoods were built knowing this access existed. The idea that it should now be abandoned ignores history, legal precedent, and basic fairness. Improvements are being made because this is a real road with a real purpose not just for two homes, but for the land it was built to serve.