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Planning Commission's Summary Report

Date: August 28, 2024
To: Arapahoe County Planning Commission
Through: Molly Orkild Planning Division
From: Joseph Boateng, PE
Engineering Services Division
Case name: **PM22-006**
Arcadia Creek



Purpose and Recommendation

The purpose of this report is to communicate the Engineering Services Staff findings, comments, and recommendations regarding the land use application(s) identified above.

Scope/Location:

Arcadia Creek is split between Arapahoe County and Jefferson County. The site is bounded by West Christensen Lane to the north, West Leawood Drive to the west, and Dutch Creek to the south. The portion of the development within Jefferson County will include 23 single-family lots while the Arapahoe County portion will include two single-family lots. This development is for 55-plus-year-old residents. Arcadia Creek has two points of entry, West Leawood Drive in Jefferson County and West Christensen Lane in Arapahoe County. The proposed improvement for the site includes:

- Replacing an existing culvert of 72-inch CMP with a 21' by 6' cast-in concrete box culvert designed for a 10-year storm event on the private drive. This private drive serves the two proposed units on Arapahoe County and 5090 West Christensen Lane. Coon Creek passes through the existing 72" CMP on the private drive.
- Improving the Private drive for the two proposed units in Arapahoe County and 5090 West Christensen Lane. The proposed road cross-section was approved by the Technical Review Committee (TRC) and South Metro Fire Rescue (SMFR).

- Improving the ditch and inlets on Christensen Lane to improve drainage conditions. The proposed road cross section was approved by the TRC and SMFR

Engineering Services Staff has reviewed the land use application(s) and has the following findings and comments:

1. The Parcel is in the Coon Creek Drainage Basin.
2. Pavement Design Report will be required for the private road and West Christensen Lane.
3. The county requires the applicant to consider providing a vertical element to serve as a visual and physical lane delineation. This vertical element will have to be either flexible or a breakaway. The spacing of the vertical element should follow MUTCD standards.
4. The county is going to require, as stipulation of the Subdivision Improvement Agreement, that all construction traffic access the Arcadia Creek project using West Leawood Drive (public road) and limit the use of West Christensen Lane (private road) to only those activities needed for localized improvements.
5. The following variances have been requested and received positive recommendation by the Technical Review Committee:
 - Variance Request to the County's Standard private roadway cross-section submitted in the year 2020.
 - Variance request to modify the private access roadway within the 100-year floodplain submitted in the year 2020.
 - Variance request to county's standards requiring a guardrail at the proposed private driveway culvert crossing the Coon Creek in the year 2022.
 - A variance to the county's standards requiring a 4' sidewalk for private roads in the year 2022.
 - Amendment to variance request to the county's standard private roadway section approved in the year 2020.
 - Detention pond waiver for Arcadia Creek project.

Engineering Services Staff is recommending approval of the land use application(s) subject to the following conditions:

1. The improvements to West Christensen Lane required to be constructed by the County Engineering Service Division and under County Standards or as approved by the Technical Review Committee for adequate access to the subdivision must be built within the surveyed bounds of the Lane as described in the Court Orders from *Jefferson Bank and Trust v. Russell, et al.*, Arapahoe County District Court Case No. 92CV2564 and in *Arcadia Creek LLC v. Absher, et al.*, Arapahoe County District Court Case No. 2019CV31104, recognizing multiple rights of egress and ingress, and shall be constructed so as not to interfere with the use of existing recorded easements across, along or within West Christensen Lane.
2. Applicant shall develop a common maintenance agreement or otherwise provided for an agreed maintenance plan, as contemplated and required under the Arapahoe County Infrastructure Design and Construction Standards for private roads, with Fox Hollow HOA holding rights of egress and ingress under the Court Order in *Jefferson Bank and Trust v. Russell, et al.*, Arapahoe County District Court Case No. 92CV2564. No building permits will be issued until such agreement or plan has been approved by County staff.
3. All approved improvements to the “Driveway” for access shall be installed within the confines of the “Driveway” as defined in the Stipulated Quiet Title Decree in *Laguna Builders, Inc., et al. v. Wieder, et al.*, Case No. 94CV2094, unless otherwise agreed with the servient estate property owner as defined in said Decree.
4. Christensen Lane shall not be used for construction access.