

# CASE SUMMARY

**CASE SUMMARY**  
**Regular Agenda**

**PC Hearing Date:** February 14, 2024

**BCC Hearing Date:** March 5, 2024

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**22-115835PF** Preliminary and Final Plat

**Case Name:** Arcadia Creek Subdivision Filing 1

**Owner/Applicant:** Arcadia Creek LLC, a Colorado limited liability company

**Location:** 5234 W. Leawood Dr., Lakewood  
Section 24, Township 5 South, Range 69 West

**Approximate Area:** 7.63 Acres

**Purpose:** To subdivide the property into 23 lots for single-family detached units.

**Case Manager:** Nathan Seymour

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**Applicant Team Presenters:**

David Tschetter [david@qwizzle.us](mailto:david@qwizzle.us)

**Issues:**

- None

**Recommendations:**

- **Staff:** Recommends APPROVAL subject to conditions

**Interested Parties:**

- Interested Citizens

**Level of Community Interest:** Medium

**General Location:** Southwest of the intersection of W. Leawood Drive and S. Sheridan Boulevard

**Case Manager Information:** Phone: 303-271-8751 e-mail: [nseymour@jeffco.us](mailto:nseymour@jeffco.us)

# STAFF REPORT

## Staff Report

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**Representative/Owner:** David Tschetter

**Zoning:** Arcadia Creek Official Development Plan, Reception# 2020136665

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### **BACKGROUND/UNIQUE INFORMATION:**

The proposed Plat is a subdivision of a metes and bounds parcel located southwest of the intersection of W. Leawood Drive and S. Sheridan Boulevard. The applicant is proposing to subdivide the property into 23 single-family detached units and several tracts for access, drainage, and common area purposes. The total property area is 7.6301 acres. The development is in a suburban area with residential developments to the north, south, east, and west. As part of the processing of this case, Staff recommends that the Board vacate a portion of West Leawood Drive, which is public right-of-way (ROW) no longer needed for county purposes. The vacated ROW will vest to the applicant, landowner and will become part of Tract F.

The owner of this property owns land in both Jefferson County and Arapahoe County. However, the plan and associated approvals for this case are only for the subdivision and necessary improvements within Jefferson County. A separate process is being pursued within Arapahoe County for the creation of two additional lots and any improvements within Arapahoe County. Access from Arapahoe County via Christenson Lane is not required as part of the Jefferson County process.

There are two access points serving the site. The primary access and only required access point is from W. Leawood Drive. Secondary access is proposed from Arapahoe County via Christenson Lane. Interior to the development, the applicant will construct private streets to serve the lots.

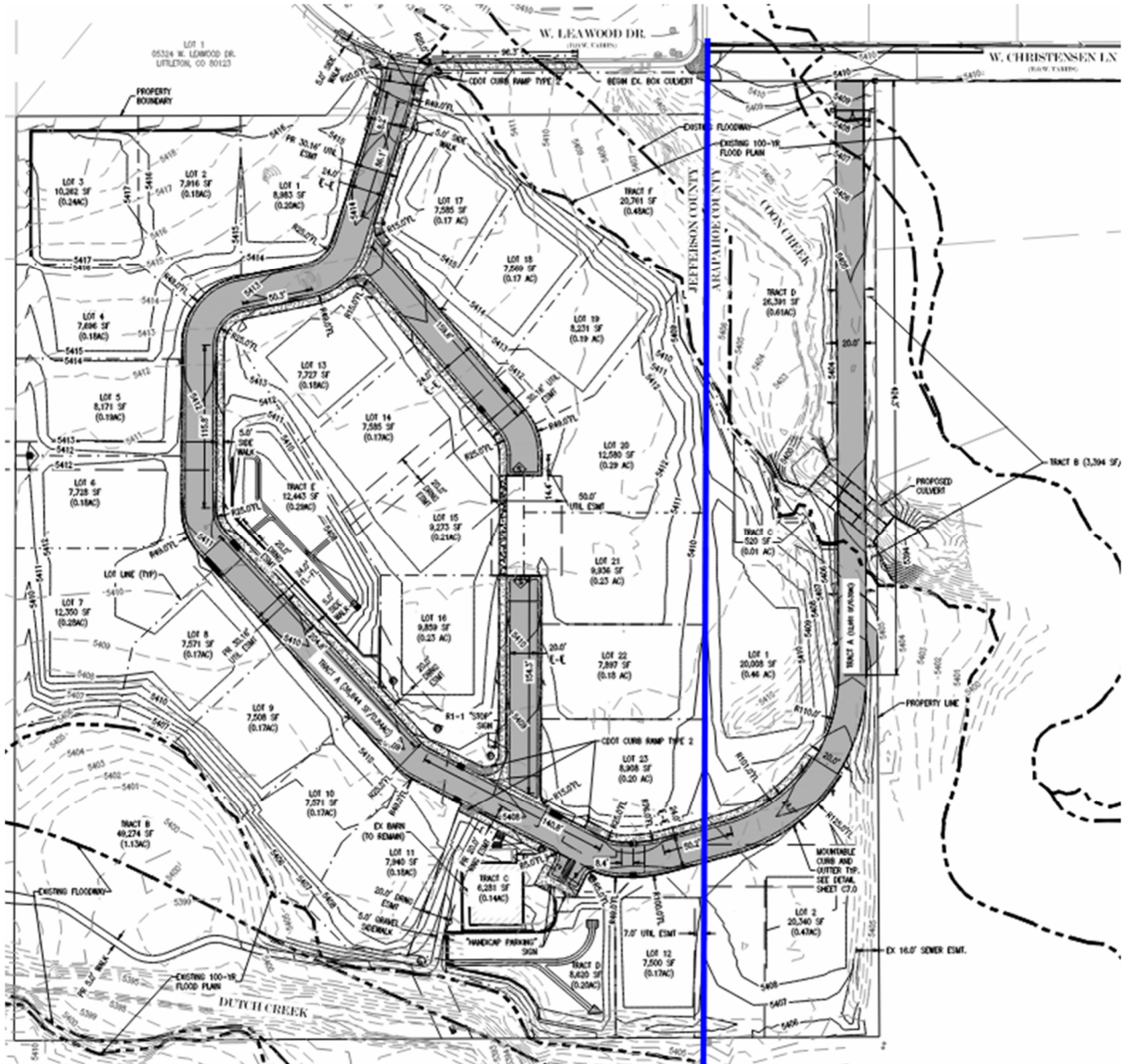
The zoning requirements of the Arcadia Creek Official Development Plan, recorded at Reception Number 2020136665 as well as the Jefferson County Land Development Regulation are applicable to this development.

This existing site consists of a single-family home, detached garage, barn and shed. The existing barn is to remain with the intent to use as an amenity for the development. Vegetation consists primarily of native



trees, shrubs and grasses. The majority of the trees within Tracts B and F will remain in their natural state. The site is characterized by moderate to flat slopes and slopes to the northeast and southwest towards the natural drainageways. There are two drainageways that run through the site meeting downstream of the property. Coon Creek traverses the northeast portion of the property while Dutch Creek traverses the southwest.

Water supply and sanitary sewer will be provided by Platte Canyon Water and Sanitation District. There are public improvements required for this development. The applicant is required to provide storm water detention with water quality, storm sewer, and private streets and a trail connection to the Dutch Creek Regional Trail. Maintenance of the proposed private streets, stormwater structures and landscaping tracts will be the responsibility of the homeowner's association or equivalent entity.



**NOTIFICATION:**

Notification of the proposed development was sent and posted in accordance with the Land Development Regulation. Please see the attached Notification Summary for more information.

During the processing of the application, Staff **received** responses from citizens identifying concerns to the proposal.

**Summary of Citizen Concerns:**

Citizen Concerns: During the processing of the case Staff received comments pertaining to the requirement that the development have no negative or adverse impacts to downstream property, particular as it relates to work in the Floodplain.

Staff Response: The floodplain improvements planned within Jefferson County are minor in nature and entail a concrete pedestrian trail matching existing grade and the construction of sidewalk adjacent to W. Leawood Drive. Staff has reviewed the submittal documents provided and has no concerns regarding the impacts of this work. More substantial work in the Floodplain is planned within Arapahoe County with the replacement of a box culvert along Coon Creek. Those improvements are being evaluated by Arapahoe County Staff and are not required for this development.

Citizen Concerns: During the processing of the case, Staff received comments pertaining to the access location, site distance and necessary approvals regarding access to and from the site.

Staff Response: While the access from this site to Leawood Drive is adjacent to the floodplain, the limits of the floodplain do not prohibit the applicant from utilizing this location because access into and out of the site can operate safely as proposed.

Site distances have been reviewed and meet requirements. Any shrubs or landscaping shown within the vision clearance triangle are less than 42" in height.

All internal streets will be private and gated. Therefore, cut-through vehicle traffic will not be permitted. Pedestrian connectivity is provided to the public through the subdivision allowing anyone to utilize the planned sidewalk and trail system. This was a requirement of the ODP.

There have been concerns raised regarding the legal right to construct a culvert in Arapahoe County or utilize Christenson Lane as secondary access to serve this site. These are civil issues that do not concern this subdivision. Although it is the owner/applicant's plan to obtain approval and move forward with both projects, it is not a requirement of Jefferson County to have a secondary access to Christenson Lane.

Citizen Concerns: During the processing of the case Staff received comments pertaining to the proposed density of the subdivision.

Staff Response: The allowed uses were approved with the Board of County Commission approval and subsequent recording of the Arcadia Creek Official Development Plan.

**ANALYSIS:**

	1. Lot and Tract Standards	2. Circulation	3. Water Supply/ Wastewater/Utilities	4. Fire Protection	5. Drainage	6. Geologic and Geotechnical	7. Sensory Impacts	8. Wildlife/Vegetation/ Landscaping	9. Historical/Archeological/ Paleontological
<b>Acceptable</b>	X	X	X	X	X	X	X	X	X
<b>Unacceptable</b>									

**Services:** South Metro Fire Department  
 Platte Canyon Water and Sanitation District  
 Lumen  
 Public Service Company  
 Comcast Cable

**SUMMARY OF COMPLIANCE WITH THE LAND DEVELOPMENT REGULATION:**

**1. Lot and Tract Standards:**

The proposed configuration of the 23 lots is in compliance with Section 14 (Lot and Tract Standards) of the Jefferson County Land Development Regulation.

Tract A is for Access, Drainage and Utility purposes.  
 Tract B is for Utility, Drainage, Common Area, Landscape and Trail purposes.  
 Tracts C and F are for Utility, Drainage, Common Area and Landscape purposes.  
 Tracts D and E are for Utility, Drainage and Landscape purposes.

All Tracts shall be owned and maintained by the subdivider, its successor or assigns, until such time as the tracts are conveyed to the homeowners' association or equivalent entity.

**2. Circulation:**

There is one main access point proposed with this subdivision from W. Leawood Drive. A secondary access is proposed from Arapahoe County via Christenson Lane pending all necessary approvals from Arapahoe County. The secondary access is not required as part of the Jefferson County approval. Interior to the development, the applicant will construct private streets to serve the lots. A private access and utility easement will be required over the internal private access drive(s) by separate deed for the benefit of the future lot owners and is listed as a condition of Plat approval.

A trail connection has been provided in conjunction with this Plat to link W. Leawood Drive to the regional trail system south of S. Benton Way. This connection satisfies the requirements of the recorded Arcadia Creek Official Development Plan.

The circulation for this development is in conformance with the requirements of Section 15 (Circulation) of the Land Development Regulation and the Transportation Design and Construction Manual.

**3. Water Supply, Wastewater and Utilities:**

The Platte Canyon Water and Sanitation District will provide water and sewer services for the subdivision. The Office of the State Engineer indicated with the letter dated August 10, 2023, that the proposed water supply is physically adequate and can be provided without causing injury to decreed water rights, as long as the District is committed to supply water to the lots. There is the presence of an existing well on site. The well must be plugged and abandoned prior to the start of any construction. A well abandonment report is required to be provided to Division of Water Resources.

The Water and Sewer Plans are currently under review by the district's engineer. Final approval of the Water and Sewer Plans and recordation of the water and sewer easements is listed as a condition of approval for this development.

Utilities are available for Arcadia Creek. XCEL will provide electricity. Lumen will provide telephone service.

The water, sanitation and utilities for this site are in conformance with Section 21 (Water Supply), 22 (Wastewater) and 23 (Utilities) of the Land Development Regulation.

**4. Fire Protection:**

South Metro Fire Protection District has deemed the proposal to be acceptable and will provide fire protection for the subject property.

Fire protection for the site is in conformance with Section 24 (Fire Protection) of the Land Development Regulation.

**5. Drainage:**

The submitted Drainage Report will be acceptable once revised in accordance with Planning Engineering and Engineering Geologist comments. Minor comments exist pertaining to retaining wall texturing and color around the detention facility, in addition to text updates to the drainage report. Resolution of planning engineering comments dated January 31, 2024 and engineering geologist comments dated February 1<sup>st</sup>, 2024 will be listed as a condition of Plat approval.

There is a replacement culvert in Arapahoe County planned as part of the overall improvements. However, it is not a requirement of the Jefferson County process to construct any of the improvements within Arapahoe County.

After the conditions noted above are resolved, the drainage requirements for this development will be in conformance with Section 18 of the Land Development Regulation (Drainage) and the Storm Drainage Design and Technical Criteria.

**6. Geologic and Geotechnical:**

An Expansive Soils Plat Restriction has been added to the Plat to ensure that geotechnical issues are properly addressed at the time of building permit.

The proposed Plat complies with Section 25 of the Land Development Regulation (Geologic and Geotechnical) related to the mitigation of geologic hazards.

**7. Sensory Impacts:**

The proposed project is not expected to have undue, acoustical, ocular or olfactory impacts. As proposed, the development complies with Section 26 of the Land Development Regulation.

**8. Wildlife/Vegetation/Landscaping:**

The proposal is not expected to have a significant impact on wildlife. A referral was sent to the Colorado Division of Wildlife and the US Fish and Wildlife; however, Staff has not received any response to date.

The landscaping plans for the development have been approved by Planning & Zoning.

The proposed Plat complies with Section 28 (Wildlife and Vegetation) of the Land Development Regulation related to Wildlife and Vegetation.

**9. Historical/Archeological/Paleontological:**

At the applicant's request, the Office of Archaeology and Historic Preservation conducted a search of the Colorado Inventory of Cultural Resources within the property. As a result, no sites were located, and no further analysis or study was required.

The historical, archeological and paleontological requirements for this subdivision comply with Section 31 (Historical, Archeological, and Paleontological) of the Land Development Regulation.

**ADDITIONAL REQUIREMENTS:**

**1. Park and School Requirements:**

The Land Development Regulation provides that park and school requirements can be met by either land dedication or payment of fees. For Arcadia Creek Subdivision Filing 1, park and school requirements are being fulfilled by the payment of fees.

The fee applicable to this subdivision is as follows:

- Single family attached unit (plains) = \$5,400 \* 23 = \$124,200

The breakdown for park and school fee distribution is 60% and 40% respectively. The fee breakdown for the subdivision is as follows:

Park Fee = (\$124,200) (60%) = \$74,520  
School Fee = (\$124,200) (40%) = \$49,680

The payment of these fees has been listed as a condition of plat approval.

**2. Performance Guarantee and Subdivision Improvements Agreement:**

The public improvements associated with this subdivision will be guaranteed by Plat restriction. At this time, the associated Improvements Agreement has not been approved as to form by the County Attorney's Office, and the Exhibit "A" to be attached to the Improvements Agreement has not been finally approved. Approval of the Improvements Agreement and Exhibit "A" are listed as conditions of approval for this development.

If this Plat is approved, the Chairman of the Board of County Commissioners shall be authorized to sign the Improvements Agreement on behalf of the County and staff will record the Improvements Agreement with the Plat.

**3. Mineral Rights:**

The applicant in this case certified that the required inspection occurred per Colorado State Statute and that the inspection indicated that mineral rights have not been severed from the surface estate of the subject property.

**4. Vacation of Right of Way:**

As part of this subdivision, it was determined that the County has an excess of Right of Way in West Leawood Drive adjacent to the proposed subdivision. Therefore, staff recommends the Right of Way be vacated with the processing of the Plat, via the Vacation Certificate.

The existing West Leawood Drive Right of Way was dedicated to Jefferson County with the Leawood Filing 5 Plat, recorded at Reception Number 72517312. The portion of West Leawood Drive to be vacated will vest to the adjoining owner(s) of this subdivision, and be included in Tract F.

Section 13 of the Land Development Regulation identifies the criteria for the Board to review when considering the vacation of ROW. Under Section 13 of the LDR, the Planning Commission does not make a recommendation to the Board regarding a request for vacation of ROW. The following staff analysis is provided to the PC for information purposes only.

The criteria for the vacation of ROW is set forth below in italics, with Staff's analysis in bold text:

*A vacation case may not eliminate the only physical or legal access for any property per Section 13.C.1 of the Land Development Regulation. **The proposed vacation would not eliminate access to the property.***

*A vacation may not eliminate the only physical or legal rights to utilities for any property per Section 13.C.2 of the Land Development Regulation. **The proposed vacation will not eliminate the only physical or legal rights to utilities. A new 8 ft wide utility easement is being dedicated to the County by the Plat within the vacated ROW. No comments were received from utility companies regarding the proposed vacation of ROW.***

*The County may assign the vacated property to a private association that has the responsibility for road maintenance per Section 13.C.3 of the Land Development Regulation. **Such assignment is not being made because the vacated ROW is not proposed to be a platted private road. The vacated ROW will be included in a tract platted for utility, drainage, common area and landscape purposes.***

*Property Mergers may be required to combine parcels affected by the vacation per Section 13.C.4 of the Land Development Regulation. **Not required.***

*Vacation requests shall not negatively impact the existing or planned street/road system per Section 13.C.5 of the Land Development Regulation. **No negative impacts.***

*Construction plans for improvements are required to maintain acceptable service, or to mitigate negative impacts, and must be submitted in accordance with the Land Development Regulation and Transportation Design and Construction Manual per Section 13.C.6 of the Land Development Regulation. **All necessary construction plans required under the Land Development Regulation are provided as part of the subdivision application.***

*Vacation requests shall not create a circulation system that is non-compliant with the Land Development Regulation, unless an Alternative Standard/Requirement has been granted per Section 13.C.7 of the Land Development Regulation. **The proposed vacation of ROW will not create a circulation system that is non-compliant with the Land Development Regulation.***

Reimbursement costs will be required for vacation requests that involve Right-of-Way that was previously purchased by the County per Section 13.C.8 of the Land Development Regulation. **Reimbursement costs are not required.**

Vacation requests that create isolated Right-of-Way are not permitted per Section 13.C.9 of the Land Development Regulation. **The proposed vacation will not create isolated ROW.**

The "piecemeal" vacation of Right-of-Way is discouraged and shall be reviewed on a case-by-case basis per Section 13.C.10 of the Land Development Regulation. **The piecemeal vacation of ROW is not being proposed.**

#### **FINDINGS/RECOMMENDATIONS:**

**Staff recommends that the Planning Commission find that the proposal conforms to the Land Development Regulation because all applicable regulations have been satisfied, or will be satisfied, prior to recordation of the Preliminary and Final Plat, as indicated within this report.**

**And;**

**Staff recommends that the Planning Commission recommend approval of Case No. 22-115835PF subject to the following conditions:**

1. Submittal of a title insurance commitment update with an effective date less than 45 days prior to the recording of the Plat which depicts no new owners or encumbrances. Said title insurance commitment shall be approved by the County Attorney's Office.
2. The Improvements Agreement being approved as to form by the County Attorney's Office.
3. The recordation of the Plat mylars being prepared in accordance with the red-marked print dated February 14, 2024.
4. Payment of \$74,520 for fees-in-lieu of park land dedication prior to plat recordation or payment of the fees-in-lieu of park land dedication as set forth in the Improvements Agreement prior to building permit, as applicable. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
5. Payment of \$49,680 for fees-in-lieu of school land dedication prior to plat recordation or payment of the fees-in-lieu of school land dedication as set forth in the Improvements Agreement prior to building permit, as applicable. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
6. Recordation of an access and utility easement to the benefit of the created lots and the future lot owners.
7. Submittal of a current tax certificate from the County Treasurer's Office indicating that all ad valorem taxes applicable to Arcadia Creek Subdivision Filing 1 for prior years have been paid.
8. Resolution of Planning Engineering's comments dated January 31, 2024.
9. Resolution of Engineering Geologist comments dated February 1, 2024.
10. Final approval of the water and sewer plans by the Platte Canyon Water and Sanitation District and recordation of the water and sewer easements.

COMMENTS PREPARED BY:

*Nathan Seymour*

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Nathan Seymour, Civil Planning Engineer  
February 7, 2024



# CASE DATES SUMMARY

## **Jefferson County Case Management**

### **CASE DATE SUMMARY**

Case Number: 22-115835PF                      Case Type: Preliminary and Final Plat

Initial Application Submitted: June 21, 2022

Case Sent on First Referral: December 19, 2022

Referral Responses Provided to Applicant: February 7, 2023

Case Sent on Second Referral: July 17, 2023

Referral Responses Provided to Applicant: August 30, 2023

Case Sent on Third Referral: December 7, 2023

Referral Responses Provided to Applicant: January 10, 2024

Case Scheduled for Hearing(s): January 26, 2024

# PROPOSED PLAT



# ARCADIA CREEK SUBDIVISION FILING 1

A PORTION OF LOT 1, BLOCK 30, A PORTION OF TRACT F, LEAWOOD - FILING NO. 5 AND  
PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6TH P.M.  
COUNTY OF JEFFERSON, STATE OF COLORADO

CASE NO.: 22-115835PF



### DEDICATION STATEMENT:

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED, BEING THE OWNER AND THE HOLDER OF DEED OF TRUST OF THOSE LANDS DESCRIBED HEREON, HAVE LAID OUT THE SAME INTO LOTS, TRACTS AND EASEMENTS, AS SHOWN HEREON UNDER THE NAME AND STYLE OF **ARCADIA CREEK SUBDIVISION FILING 1** AND DO, BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY, WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, GRANT AND CONVEY TO THE COUNTY OF JEFFERSON, STATE OF COLORADO ALL EASEMENTS, EXCEPT THOSE OF PRIOR RECORD, AS SHOWN HEREON, AND GRANT AND CONVEY TO THE COUNTY OF JEFFERSON AN EASEMENT OVER ANY AND ALL PRIVATE ACCESS DRIVES AND RIGHTS-OF-WAY FOR THE PURPOSE OF PASSAGE OF SERVICE VEHICLES AND PASSAGE OF ALL VEHICLES AND PEDESTRIANS DURING AN EMERGENCY SITUATION. IT IS EXPRESSLY UNDERSTOOD THAT THE ACCEPTANCE OF THE DEDICATION OF THIS EASEMENT IS NOT TO BE CONSTRUED AS AN ACCEPTANCE BY THE COUNTY OF SAID PRIVATE ACCESS DRIVES AND RIGHTS-OF-WAY FOR ANY OTHER PURPOSE INCLUDING MAINTENANCE PURPOSES.

### LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PART OF AND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6TH P.M. AND BEING THE PART OF LOT 1, BLOCK 30, AND TRACT F, LEAWOOD - FILING NO. 5 AS RECORDED AT RECEPTION NO. 72527312, JEFFERSON COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST;  
THENCE S89°45'06"W ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 492.61 FEET TO THE SOUTHEAST CORNER OF TRACT A, LEAWOOD - FILING NO. 5 RECORDED AT RECEPTION NUMBER 72527312, JEFFERSON COUNTY, COLORADO RECORDS;  
THENCE N00°08'30"E PARALLEL WITH THE EAST LINE OF SAID NORTH 1/2 OF THE SOUTHEAST 1/4, AND ALONG THE EASTERLY LINE OF SAID TRACT A AND BLOCK 30, A DISTANCE OF 660.00 FEET TO THE SOUTHWEST CORNER OF LOT 1, SAID BLOCK 30;  
THENCE N89°50'13"E ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 221.15 FEET;  
THENCE N39°24'57"E A DISTANCE OF 37.77 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF WEST LEAWOOD DRIVE;  
THENCE S76°41'24"E A DISTANCE OF 15.72 FEET;  
THENCE S80°39'02"E A DISTANCE OF 30.67 FEET TO A POINT OF A NON-TANGENT CURVE;  
THENCE ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS N36°18'29"E A DISTANCE OF 11.96 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 50°34'37", A RADIUS OF 14.00 FEET, AN ARC LENGTH OF 12.36 FEET;  
THENCE N89°50'13"E NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 174.91 FEET; THENCE S72°34'20"E A DISTANCE OF 20.95 FEET TO A POINT ON THE EAST LINE OF SAID NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24;  
THENCE S00°08'30"W ALONG SAID EAST LINE, A DISTANCE OF 682.94 FEET TO THE POINT OF BEGINNING.

CONTAINING (332,369 SQUARE FEET) 7.6301 ACRES, MORE OR LESS.

### LEGAL DESCRIPTION PREPARATION:

THE LEGAL DESCRIPTION ON THIS PLAT WAS PREPARED BY CHARLES N. BECKSTROM, P.L.S. NO. 33202, OF THE FIRM ENGINEERING SERVICE COMPANY, 14190 EAST EVANS AVENUE, AURORA, COLORADO 80014, PHONE: (303) 337-1393.

### COVENANT AND RESTRICTION ON CONVEYANCE, SALE OR TRANSFER:

AS A CONDITION OF APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY AND TO MEET THE REQUIREMENTS OF SECTION 30-28-137, C.R.S., AS AMENDED, NO CONVEYANCE, SALE, OR TRANSFER OF TITLE OF THIS ENTIRE DEVELOPMENT, OR OF ANY LOT, LOTS, TRACT, OR TRACTS OF LAND IDENTIFIED HEREON, SHALL BE MADE, NOR SHALL ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY BE ISSUED UNTIL A CERTIFICATE OF COMPLIANCE HAS BEEN GRANTED BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, DULY RECORDED BY THE CLERK AND RECORDER OF SAID SAME COUNTY, CERTIFYING THAT:

(A) THOSE PUBLIC IMPROVEMENTS AS SET FORTH IN EXHIBIT "A" OF THE IMPROVEMENTS AGREEMENT, RECORDED UNDER RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF THE JEFFERSON COUNTY CLERK AND RECORDER, OR THAT PORTION OF SAID IMPROVEMENTS AS SHALL BE NECESSARY TO TOTALLY SERVE SPECIFIC LOT(S) OR TRACT(S) COVERED BY A PARTICULAR CERTIFICATE OF COMPLIANCE, HAVE BEEN PROPERLY DESIGNED, ENGINEERED, CONSTRUCTED AND ACCEPTED AS MEETING THE STANDARDS OF THE COUNTY OF JEFFERSON, APPLICABLE SPECIAL DISTRICTS, AND APPLICABLE SERVICING AUTHORITIES; OR THAT SUBSTITUTED SECURITY OR COLLATERAL AUTHORIZED PURSUANT TO SECTION 30-28-101, C.R.S., AS AMENDED, HAS BEEN SUBMITTED TO AND ACCEPTED BY THE COUNTY OF JEFFERSON, WHICH IS SUFFICIENT IN THE JUDGMENT OF THE COUNTY TO ASSURE COMPLETION OF ALL PUBLIC IMPROVEMENTS AS SET FORTH IN EXHIBIT "A" OF SAID IMPROVEMENTS AGREEMENT RECORDED UNDER RECEPTION NO. \_\_\_\_\_ OR ANY PORTION THEREOF NECESSARY TO SERVE THE SPECIFIC LOT(S) OR TRACT(S) TO BE COVERED BY A PARTICULAR CERTIFICATE OF COMPLIANCE AND TO ASSURE SAID IMPROVEMENTS ARE COMPLETED IN ACCORDANCE WITH REASONABLE DESIGN AND TIME SPECIFICATION; AND

PROVIDED, HOWEVER THAT A CONVEYANCE, SALE, OR TRANSFER OF A SPECIFIC LOT(S) OR TRACT(S) OF LAND IDENTIFIED HEREON MAY BE MADE PRIOR TO COMPLIANCE WITH THE ABOVE PROVISIONS UNDER THE OWNER/SUBDIVIDER(S) AND THE PROPOSED TRANSFERREE, WHO MUST ALSO QUALIFY AS A "SUBDIVIDER" UNDER THE PROVISIONS OF SECTION 30-28-137, C.R.S., AS DEFINED IN SECTION 30-28-101 (9), C.R.S., AND THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY HAVE EXECUTED AN AMENDMENT TO THE IMPROVEMENTS AGREEMENT WHEREBY THE TRANSFERREE OWNER/SUBDIVIDER AGREES TO COMPLY WITH THE SAME REQUIREMENTS AND RESTRICTIONS OF THIS COVENANT AND RESTRICTION ON CONVEYANCE, SALE OR TRANSFER.

THESE RESTRICTIONS ON CONVEYANCE, SALE OR TRANSFER OF TITLE OF THIS ENTIRE DEVELOPMENT OR ANY LOT(S) OR TRACT(S) OF LAND IDENTIFIED HEREON SHALL RUN WITH THE LAND AND SHALL EXTEND TO AND BE BINDING UPON THE HEIRS, EXECUTORS, LEGAL REPRESENTATIVES AND ASSIGNS OF THE SUBDIVIDER AND SHALL BE ENFORCEABLE PURSUANT TO THE PROVISIONS OF SECTION 30-28-137, C.R.S., AS AMENDED.

APPROVED, COVENANTED, AND AGREED TO AS CONSIDERATION FOR APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

### OWNER / SUBDIVIDER:

ARCADIA CREEK, LLC, A COLORADO LIMITED LIABILITY COMPANY

### BY:

DAVID TSCHETTER, MANAGER

### NOTARY PUBLIC:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

THE FOREGOING DEDICATION AND THE FOREGOING COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER WERE ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY DAVID TSCHETTER AS MANAGER OF ARCADIA CREEK, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

### NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

### HOLDER OF DEED OF TRUST:

MELROSE CAPITAL, LLC, A COLORADO LIMITED LIABILITY COMPANY

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

PRINT NAME \_\_\_\_\_ AS \_\_\_\_\_ PRINT TITLE \_\_\_\_\_

### NOTARY PUBLIC:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

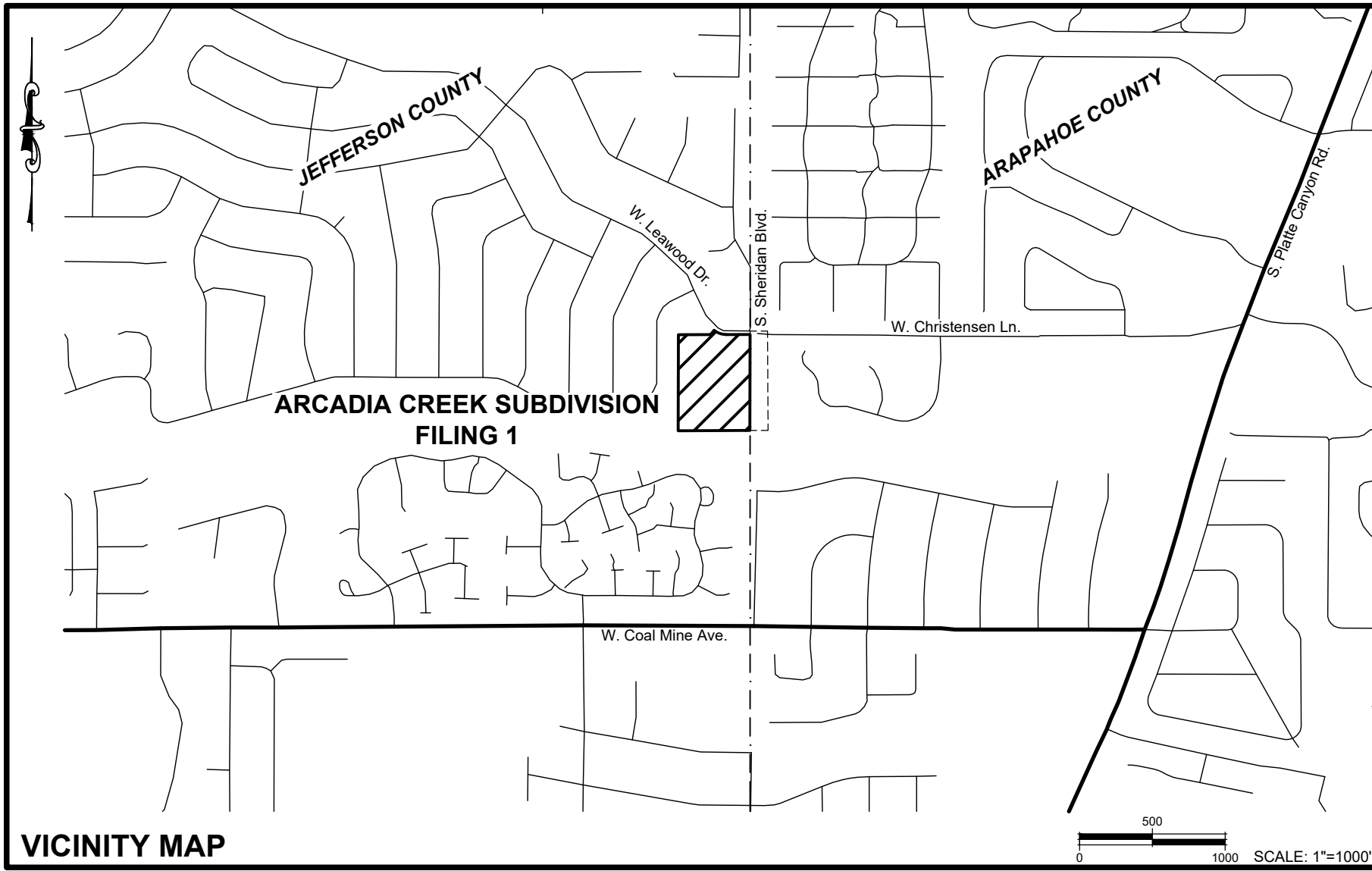
THE FOREGOING DEDICATION AND THE FOREGOING COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER WERE ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_ OF MELROSE CAPITAL, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

### NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

COVER SHEET  
SHEET 1 OF 4



### SHEET INDEX

SHEET	TITLE
1 OF 4	COVER SHEET
2 OF 4	PLAT SHEET
3 OF 4	PLAT SHEET
4 OF 4	DETAIL SHEET

### GENERAL NOTES:

- DATE OF PREPARATION: NOVEMBER 14, 2022.
- THE FIELD SURVEY WAS COMPLETED ON: OCTOBER 8, 2021.
- THERE ARE A TOTAL OF 23 LOTS AND 6 TRACTS IN THE RESIDENTIAL DEVELOPMENT.
- THE SUBJECT PROPERTY IS CURRENTLY ZONED: PD (PLANNED DEVELOPMENT) THE ARCADIA CREEK OFFICIAL DEVELOPMENT PLAN FOR THIS PLAT IS RECORDED IN THE JEFFERSON COUNTY RECORDS AT RECEPTION NUMBER 2020136665.
- TRACTS A-F WILL BE MAINTAINED BY THE SUBDIVIDER OF ASSIGNS, UNTIL SUCH TIME AS THE TRACTS ARE CONVEYED TO THE HOMEOWNERS ASSOCIATION OR EQUIVALENT ENTITY.
- TRACTS B AND F ARE TO REMAIN IN THEIR NATURAL STATE, RETAINING HEALTHY TREES, AND MAINTAINED BY OWNERS ASSOCIATION.
- THE 100 YEAR FLOODPLAIN EXISTS WITHIN THE BOUNDARY OF THIS SUBDIVISION AS SHOWN HEREON. NO CHANGES OR MODIFICATIONS TO THE 100 YEAR FLOODPLAIN ARE PROPOSED WITH THIS SUBDIVISION.
- THE APPROVED DRAINAGE PLANS FOR ARCADIA CREEK SUBDIVISION FILING 1 ARE ON FILE WITH THE JEFFERSON COUNTY PLANNING AND ZONING DIVISION. THE "DRAINAGE SYSTEM" INCLUDES THE DRAINAGE FACILITIES, A DETENTION FACILITY AND ASSOCIATED APPURTENANCES AS DESCRIBED ON THE APPROVED DRAINAGE PLANS. NO MODIFICATIONS TO THE DRAINAGE SYSTEM SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM JEFFERSON COUNTY. THE DRAINAGE SYSTEM SHALL BE OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION OR EQUIVALENT ENTITY.
- BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN WITH AN ASSUMED BEARING OF N00°05'52"E AND BOUNDED BY A NO. 6 REBAR WITH NO CAP FOUND AT THE SOUTH 1/16 CORNER OF SAID SECTION 24 1/8 AND A NO. 6 REBAR AND 2-1/2" ALUMINUM CAP, STAMPED "HCL ENGR AND SURV, 2007, PLS 11510" FOUND AT THE SOUTHEAST CORNER OF SAID SECTION 24.
- DISTANCES ON THIS PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
- THE PRIVATE STREETS/ROADS WILL BE MAINTAINED BY THE SUBDIVIDER, ITS SUCCESSORS OR ASSIGNS, UNTIL SUCH TIME AS MAINTENANCE OF THE PRIVATE STREETS/ROADS IS ASSUMED BY THE OWNERS ASSOCIATION OR EQUIVALENT ENTITY. THE OWNERS ASSOCIATION OR EQUIVALENT ENTITY SHALL BE RESPONSIBLE FOR KEEPING THE PRIVATE ACCESS DRIVE PASSABLE AT ALL TIMES. THE PRIVATE ACCESS DRIVES SHALL NOT BE ACCEPTED FOR OWNERSHIP OR MAINTENANCE BY JEFFERSON COUNTY IN THE FUTURE.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT, LAND BOUNDARY MONUMENT, OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR, PURSUANT TO STATE STATUTE 18-4-308 OF THE COLORADO REVISED STATUTES.
- THE SUBJECT PROPERTY IS AFFECTED BY AN EASEMENT BLANKET IN NATURE COVERING THE ENTIRE PROPERTY RECORDED AT RECEPTION NO. 81019312 IN JEFFERSON COUNTY, COLORADO.
- APPLICANT WILL SUBMIT AN OWTB ABANDONMENT, FORM 300, SUPPORTING DOCUMENTATION PER FORM 300, AND A RECEIPT FROM PLATTE CANYON WATER AND SANITATION DISTRICT AT THE TIME THE EXISTING SFD IS CONNECTED TO PUBLIC SEWER, TO VERIFY ALL OWTB COMPONENTS ARE PROPERLY ABANDONED IN ACCORDANCE WITH CURRENT OWTB REGULATIONS AND TO VERIFY THE SFD IS CONNECTED TO PUBLIC SEWER.
- SIX-FOOT (6') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED ON PRIVATE PROPERTY ADJACENT TO EACH FRONT LOT LINE OF EACH LOT AND EIGHT-FOOT (8') ON EACH LOT LINE OF EACH LOT IN THE SUBDIVISION. IN ADDITION, EIGHT-FOOT (8') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AROUND THE PERIMETER OF TRACTS, PARCELS AND/OR OPEN SPACE AREAS. THESE EASEMENTS ARE DEDICATED TO JEFFERSON COUNTY FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEEES, INCLUDING, WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO (PSCO) AND ITS SUCCESSORS RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCO AN EASEMENT ON ITS STANDARD FORM.

### EXPANSIVE SOILS RESTRICTION:

PRIOR TO THE ISSUANCE OF EACH BUILDING PERMIT, AN ENGINEER, LICENSED IN THE STATE OF COLORADO AND EXPERIENCED IN DESIGN AND CONSTRUCTION OF STRUCTURES ON EXPANSIVE SOILS, SHALL CERTIFY TO THE COUNTY THE FOLLOWING:

- THAT A SUBSURFACE SOILS INVESTIGATION, INCLUDING A TEST BORING, HAS BEEN CONDUCTED ON THE SPECIFIC LOT TO WHICH THE BUILDING PERMIT REFERENCES AND THAT A DETERMINATION HAS BEEN MADE AS TO THE DESIGN CRITERIA NECESSARY TO ASSURE THE SAFETY AND STRUCTURAL INTEGRITY FOR ALL BUILDINGS AND STRUCTURES AS DEFINED IN SECTION 1 OF THE JEFFERSON COUNTY ZONING RESOLUTION.
- THAT PROPER SUBSURFACE DRAINAGE HAS BEEN DESIGNED FOR THE SPECIFIC LOT TO WHICH THE BUILDING PERMIT REFERENCES AND THAT A DETERMINATION HAS BEEN MADE AS TO THE DESIGN CRITERIA NECESSARY TO ASSURE THE SAFETY AND STRUCTURAL INTEGRITY FOR ALL BUILDINGS AND STRUCTURES AS DEFINED IN SECTION 1 OF THE JEFFERSON COUNTY ZONING RESOLUTION.
- THAT THE PLANS SUBMITTED TO BUILDING SAFETY HAVE BEEN REVIEWED AND/OR PREPARED BY THE SUBJECT ENGINEER AND THAT HE HAS VERIFIED THAT SAID PLANS MEET OR EXCEED THE CRITERIA SET FORTH IN PARAGRAPHS 1 AND 2 ABOVE.
- BEFORE THE COUNTY PERFORMS A FINAL INSPECTION PURSUANT TO THE JEFFERSON COUNTY BUILDING CODE, AN ENGINEER, LICENSED IN THE STATE OF COLORADO AND EXPERIENCED IN THE FIELD OF DESIGN AND CONSTRUCTION OF STRUCTURES ON EXPANSIVE SOILS, SHALL VERIFY AND CERTIFY THAT THE ACTUAL CONSTRUCTION OF THE FOUNDATION AND SUBSURFACE DRAINAGE SYSTEM MEETS THE SPECIFICATION IN THE PLANS AS SUBMITTED IN THE BUILDING PERMIT APPLICATION.

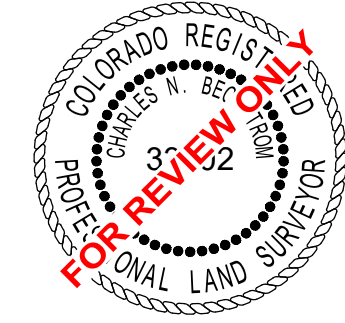
### TRACT SUMMARY TABLE

TRACT	OWNERSHIP	USE / PURPOSE	MAINTENANCE
A	ARCADIA CREEK HOA	INGRESS, EGRESS & PUBLIC / PRIVATE PEDESTRIAN ACCESS	ARCADIA CREEK HOA
B	ARCADIA CREEK HOA	DRAINAGE EASEMENT / FLOODPLAIN	ARCADIA CREEK HOA
C	ARCADIA CREEK HOA	COMMUNITY EVENT SPACE / COMMON AREA	ARCADIA CREEK HOA
D	ARCADIA CREEK HOA	DRAINAGE EASEMENT	ARCADIA CREEK HOA
E	ARCADIA CREEK HOA	DRAINAGE EASEMENT	ARCADIA CREEK HOA
F	ARCADIA CREEK HOA	DRAINAGE / FLOODPLAIN	ARCADIA CREEK HOA

### SURVEYOR'S CERTIFICATION:

I, CHARLES N. BECKSTROM, A PROFESSIONAL LAND SURVEY LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF THE SURVEY OF ARCADIA CREEK SUBDIVISION FILING 1 WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 8TH OF OCTOBER, 2021, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, IT HAS BEEN PREPARED IN ACCORDANCE WITH ALL APPLICABLE STANDARDS OF PRACTICE. THE SURVEY IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND THE SURVEY THEREOF.

CHARLES N. BECKSTROM  
PROFESSIONAL L.S. NO. 33202  
FOR AND ON BEHALF OF  
ENGINEERING SERVICE COMPANY



### TITLE COMPANY CERTIFICATE:

I, \_\_\_\_\_ AS AUTHORIZED AGENT OF THE UNDERSIGNED TITLE COMPANY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE OF LANDS HEREIN DEDICATED AND SHOWN UPON THE WITHIN PLAT AS PUBLIC LANDS, PUBLIC WAYS AND EASEMENTS, AND THE TITLE OF SUCH LANDS IS IN THE DEDICATOR(S), FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN IN TITLE COMMITMENT NO. \_\_\_\_\_ ISSUED BY LAND TITLE GUARANTEE COMPANY AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF \_\_\_\_\_

AUTHORIZED AGENT OF  
LAND TITLE GUARANTEE COMPANY

### VACATION CERTIFICATE:

RIGHTS-OF-WAY AS SUPERSEDED BY THIS INSTRUMENT AND AS ORIGINALLY DEDICATED IN JEFFERSON COUNTY RECORDS AT RECEPTION NUMBER 72527312 IS HEREBY BY VACATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS \_\_\_\_\_ CLERK \_\_\_\_\_

### REVIEW CERTIFICATE:

REVIEWED BY JEFFERSON COUNTY PUBLIC HEALTH THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

### PUBLIC HEALTH

REVIEWED BY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

### CHAIRMAN

### ACCEPTANCE CERTIFICATE:

THE FOREGOING INSTRUMENT IS APPROVED FOR FILING; AND CONVEYANCE OF TRACT AND EASEMENTS IS ACCEPTED BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS \_\_\_\_\_ DEPUTY \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE:

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF JEFFERSON COUNTY AT GOLDEN, COLORADO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

JEFFERSON COUNTY CLERK AND RECORDER \_\_\_\_\_ DEPUTY \_\_\_\_\_

Additional Notes to be added after note 4.

Tract A is for Access, Drainage and Utility purposes.

Tract B is for Utility, Drainage, Common Area, Landscape and Trail purposes

Tract C and F are for Utility, Drainage, Common Area and Landscape purposes.

Tract D and E are for Utility, Drainage and Landscape purposes.

Prior to the start of any construction the existing well shall be plugged and abandoned. A well abandonment report shall be submitted to Colorado Division of Water Resources.

The County Attorneys office will review this Plat against a Title Commitment with an effective date within 45 days of recordation. Minor modifications to this document may result.

A Building Permit may be issued for up to 6 homes to be designated as "Show Homes" without completing public improvements or obtaining the necessary water taps provided neither the Owner/Subdivider, any Holders of Deeds of Trust nor any other person shall be permitted to sell, offer to sell, lease, rent, convey, transfer, or assign any such home(s), lot(s), or tract(s) or to occupy as a dwelling or a permanent office any portion of such home(s) prior to the granting by the County of a Certificate of Compliance for such lot(s) or tract(s). The Owner/Subdivider shall provide a compaction report and obtain approval from the appropriate fire protection district for water and access prior to issuance of a Building Permit. Building Safety shall conduct final inspections prior to the use of the show homes. The Owner/Subdivider and Holders of Deeds of Trust agree and promise to forever release, hold harmless, and indemnify the County of Jefferson, State of Colorado, its elected officials, employees and agents, from any suit, claim, damages or other legal liability, including costs and attorneys' fees, arising either directly or indirectly out of, the construction of any such home(s) or the use of any such home(s). The Owner/Subdivider hereby acknowledges and agrees that a document will be recorded in Jefferson County upon issuance of a Building Permit for a Show Home(s) that will contain the restrictions set forth herein.

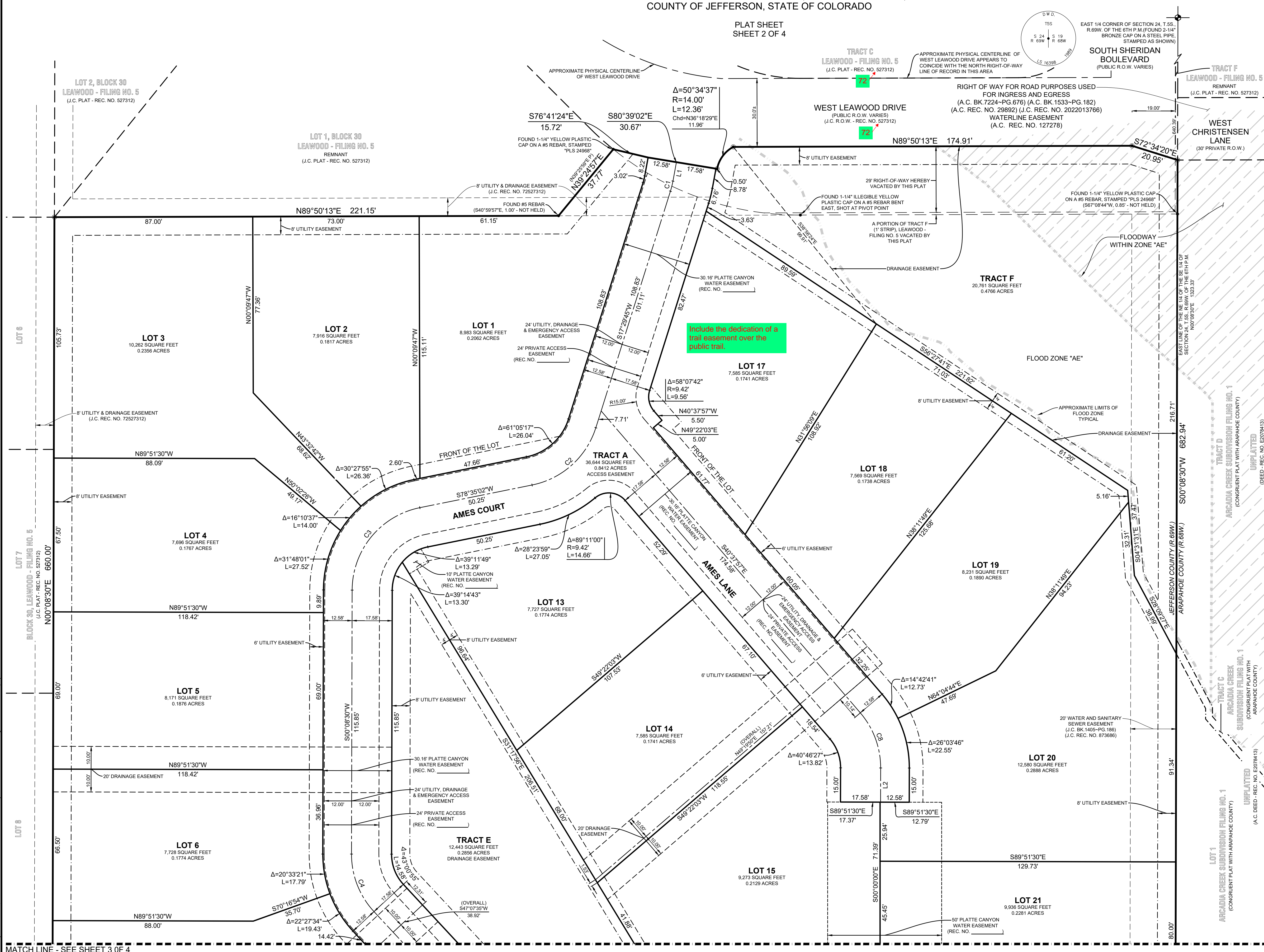


# ARCADIA CREEK SUBDIVISION FILING 1

A PORTION OF LOT 1, BLOCK 30, A PORTION OF TRACT F, LEAWOOD - FILING NO. 5 AND  
PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6TH P.M.  
COUNTY OF JEFFERSON, STATE OF COLORADO

CASE NO.: 22-115835PF

PLAT SHEET  
SHEET 2 OF 4



### LEGEND

- PLAT BOUNDARY LINE
- ADJACENT LOT/PARCEL LINES
- SECTION LINE
- NEW LOT & TRACT LINE
- EXISTING EASEMENT LINE
- NEW EASEMENT LINE
- NEW UTILITY EASEMENT LINE SEE GENERAL NOTE #16 ON SHEET 1
- NEW EASEMENT AND TRACT CENTERLINE
- A.C. ARAPAHOE COUNTY DOCUMENT
- J.C. JEFFERSON COUNTY DOCUMENT
- R.O.W. RIGHT-OF-WAY
- BK. PG. BOOK AND PAGE
- REC. NO. RECEPTION NUMBER
- (XX'XX' P) PER THE RECORDED PLAT OF LEAWOOD - FILING NO. 5 (REC. NO. 72527312) IF DIFFERENT FROM AS-MEASURED
- (XX'XX' D) PER A SPECIAL WARRANTY DEED (REC. NO. 2022065576) IF DIFFERENT FROM AS-MEASURED
- ALL DIMENSIONS SHOWN WITH NO PARENTHESES ARE AS-MEASURED DIMENSION
- FLOOD ZONE "X" AREA OF MINIMAL FLOOD HAZARD
- FLOOD ZONE "X" SHADED 0.2% ANNUAL CHANCE FLOOD HAZARD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE
- FLOOD ZONE "AE" SPECIAL FLOOD HAZARD AREA WITH BASE FLOOD ELEVATIONS OR DEPTHS ESTABLISHED
- ALIQUOT CORNER
- SET 5/8"x24" REBAR & 1 1/4" YELLOW PLASTIC CAP STAMPED "ESC LS 33202"
- FOUND MONUMENT AS DESCRIBED

### CURVE DATA TABLE

COURSE	DELTA	RADIUS	LENGTH	Chd BEARING	Chd LENGTH
C1	7°05'38"	37.00'	4.58'	S13°56'56"W	4.58'
C2	61°05'17"	37.00'	39.45'	S48°02'24"W	37.61'
C3	78°26'32"	37.00'	50.66'	S39°21'46"W	46.79'
C4	43°00'55"	37.00'	27.78'	S21°21'57"E	27.13'
C5	19°56'47"	37.00'	12.88'	S52°50'48"E	12.82'
C6	27°27'27"	37.00'	17.73'	S76°32'55"E	17.56'
C7	15°00'00"	88.00'	23.04'	N82°13'21"E	22.97'
C8	40°46'27"	37.00'	26.33'	S20°14'43"E	25.78'
C9	85°13'11"	4.42'	6.57'	N69°47'24"E	5.98'

### LINE DATA TABLE

COURSE	BEARING	LENGTH
L1	S10°24'07"W	8.45'
L2	S00°08'30"W	15.00'



**ESC ENGINEERING SERVICE COMPANY**  
 14190 East Evans Avenue  
 Aurora, Colorado 80014  
 P 303.337.1393  
 F 303.337.7481  
 T/F 1.877.273.0659  
 esc@esc-engineering.com

Revision Dates:  
 4/25/2023  
 11/27/2023  
 12/6/2023  
 1/26/2024

Survey No. 21-135-P Project No. 1558.1 Date 11/14/2022 Field Book No. 933\_940 Sheet No. 2 OF 4

MATCH LINE - SEE SHEET 3 OF 4



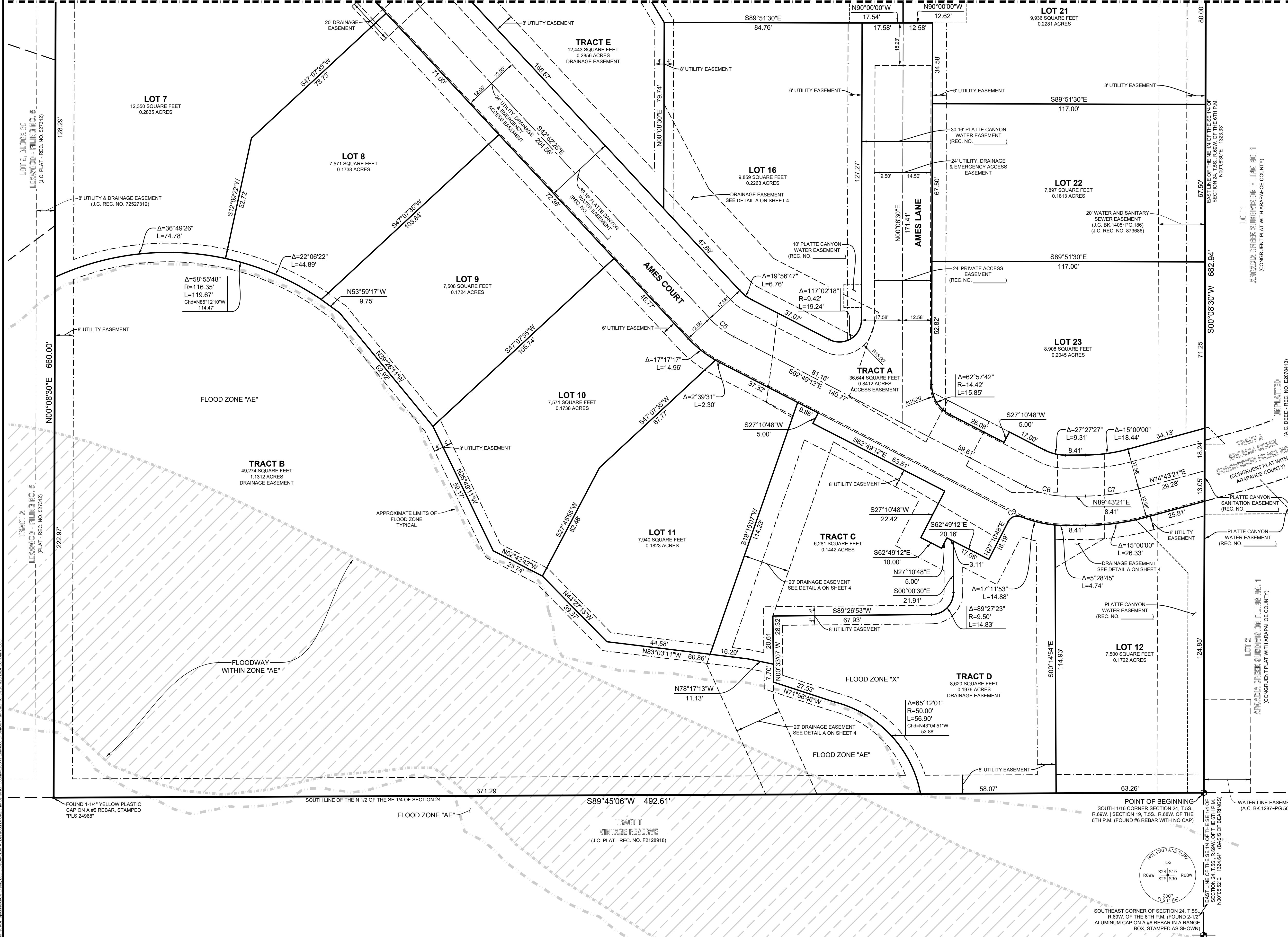
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CASE NO.: 22-115835PF

PLAT SHEET  
SHEET 3 OF 4

MATCH LINE - SEE SHEET 2 OF 4



### LEGEND

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Creative Solutions Since 1954  
14190 East Evans Avenue  
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engineerservicesco.com

Revision Dates:  
6/25/2023  
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12/6/2023  
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Project No: 21-135-P  
Revision: 1558.1  
Date: 11/14/2022  
Field Book No: 933\_940  
Sheet No: 3 OF 4



21-135-P-1558.1-11/14/2022-933\_940-3 OF 4  
 ESC ENGINEERING SERVICE COMPANY  
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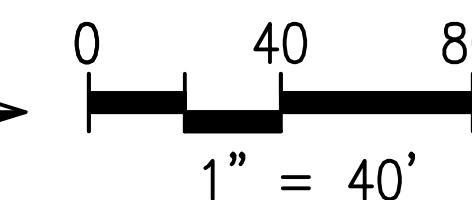
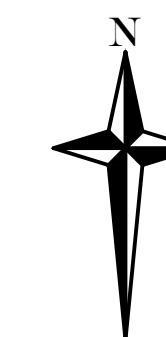


# SUPPLEMENTAL PLAN

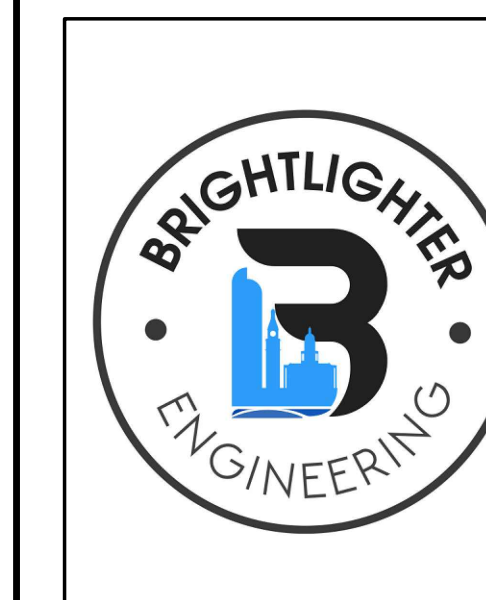


# ARCADIA CREEK

A PART OF LOT 1, BLOCK 30, LEAWOOD SUBDIVISION FILING NO. 5, SITUATED IN THE SE1/4 OF SECTION 24, T.5S., R.69W., AND A PARCEL OF LAND SITUATED IN THE SE1/4 OF SECTION 24, T.5S., R.69W., OF THE 6TH P.M. CITY OF LITTLETON, COUNTIES OF JEFFERSON AND ARAPAHOE, STATE OF COLORADO



PROJECT #	AC2130
PROJECT DATE	11/7/2022
DESIGNER	EMR
REVIEWER	CWK



## LEGEND

- PROPERTY BOUNDARY
- EXISTING LOT LINE
- PROPOSED LOT LINE
- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED EASEMENT
- EXISTING EASEMENT
- PROPOSED SETBACK LINE
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- PROPOSED CONCRETE PAVING
- PROPOSED ASPHALT PAVING
- PROPOSED STRIPING
- PROPOSED SIGNAGE
- FLOODPLAIN
- FLOODWAY

LAND USE AREA A -- SETBACKS PER ODP	
FRONT FROM GARAGE DOOR TO E	18 FEET
FRONT TO LIVING SPACE	10 FEET
SIDE SETBACK	5 FEET
REAR SETBACK FOR PERIMETER LOTS	20 FEET
REAR SETBACK FOR INTERIOR LOTS	10 FEET

## NOTE

FOR REFERENCE ONLY, NOT FOR CONSTRUCTION. ALL PROPOSED IMPROVEMENTS IN ARAPAHOE COUNTY WILL BE REVIEWED AND APPROVED UNDER SEPARATE DOCUMENT.

## BENCHMARK

NGS 0 409, STAINLESS STEEL ROD W/O SLEEVE (10 FT.+) STAMPED "0 409 1984" LOCATED IN THE COLUMBINE HILLS SUBDIVISION, AT THE JUNCTION OF SOUTH WADSWORTH BOULEVARD AND WEST BOWLES AVENUE, 557.1 FT SOUTH OF THE CENTERLINE OF WEST BOWLES AVENUE, 161.1 FT SOUTHEAST OF THE CENTER OF THE EAST END OF A 5.0 FOOT METAL CULVERT, 66.9 FT EAST OF THE CENTERLINE OF THE NORTH BOUND LANES OF THE BOULEVARD, AND 58.1 FT SOUTHWEST OF THE SOUTH END OF A GUARD RAIL. THE MARK IS WESTST FROM A WITNESS POST. ELEVATION=5543.77 FEET (NAVD 1988 DATUM)

## BASIS OF BEARINGS

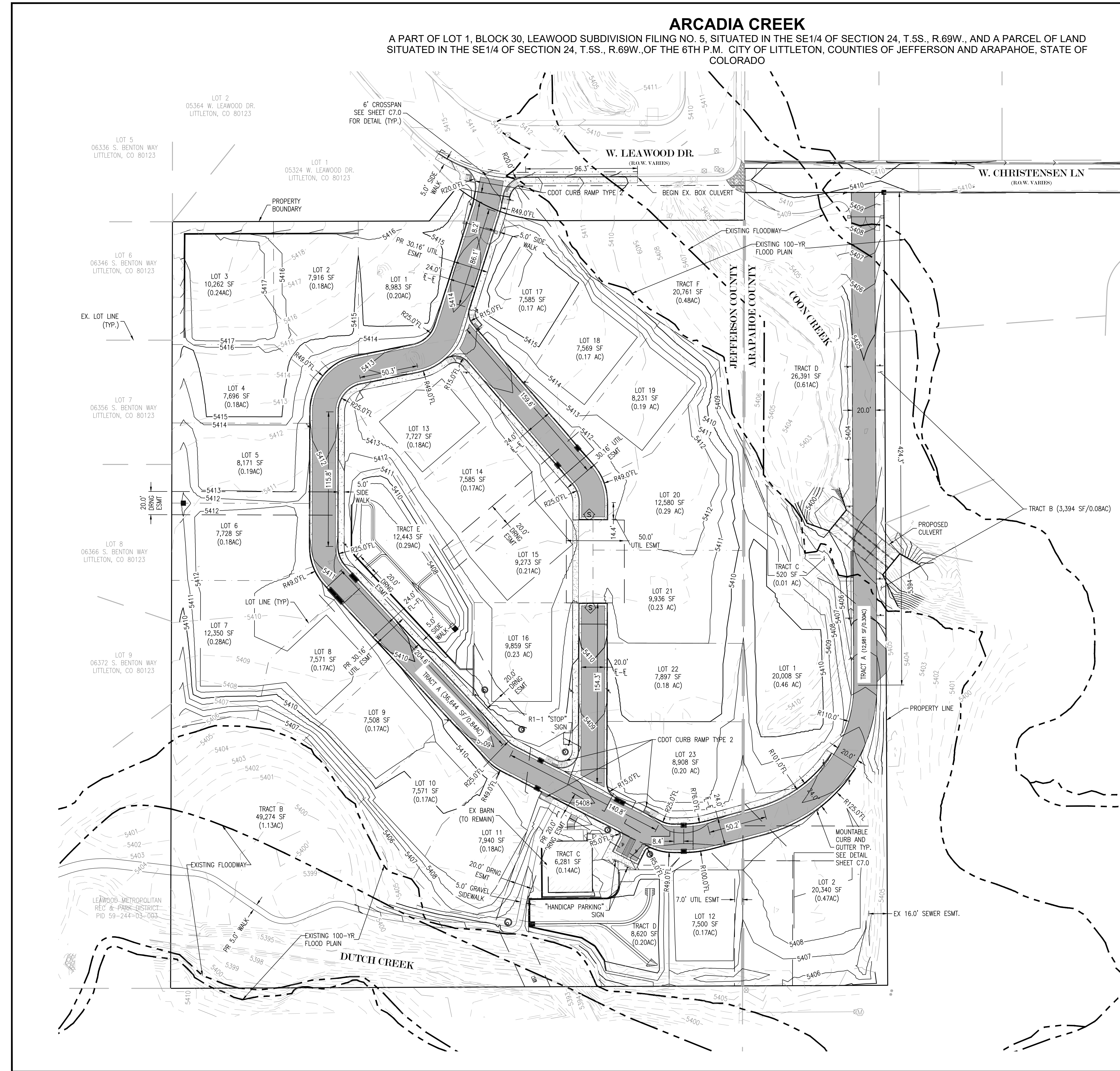
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## CONCEPT

**ARCADIA CREEK**  
5234 LEAWOOD DRIVE  
LITTLETON, CO 80123  
CHARLES KEENER JR

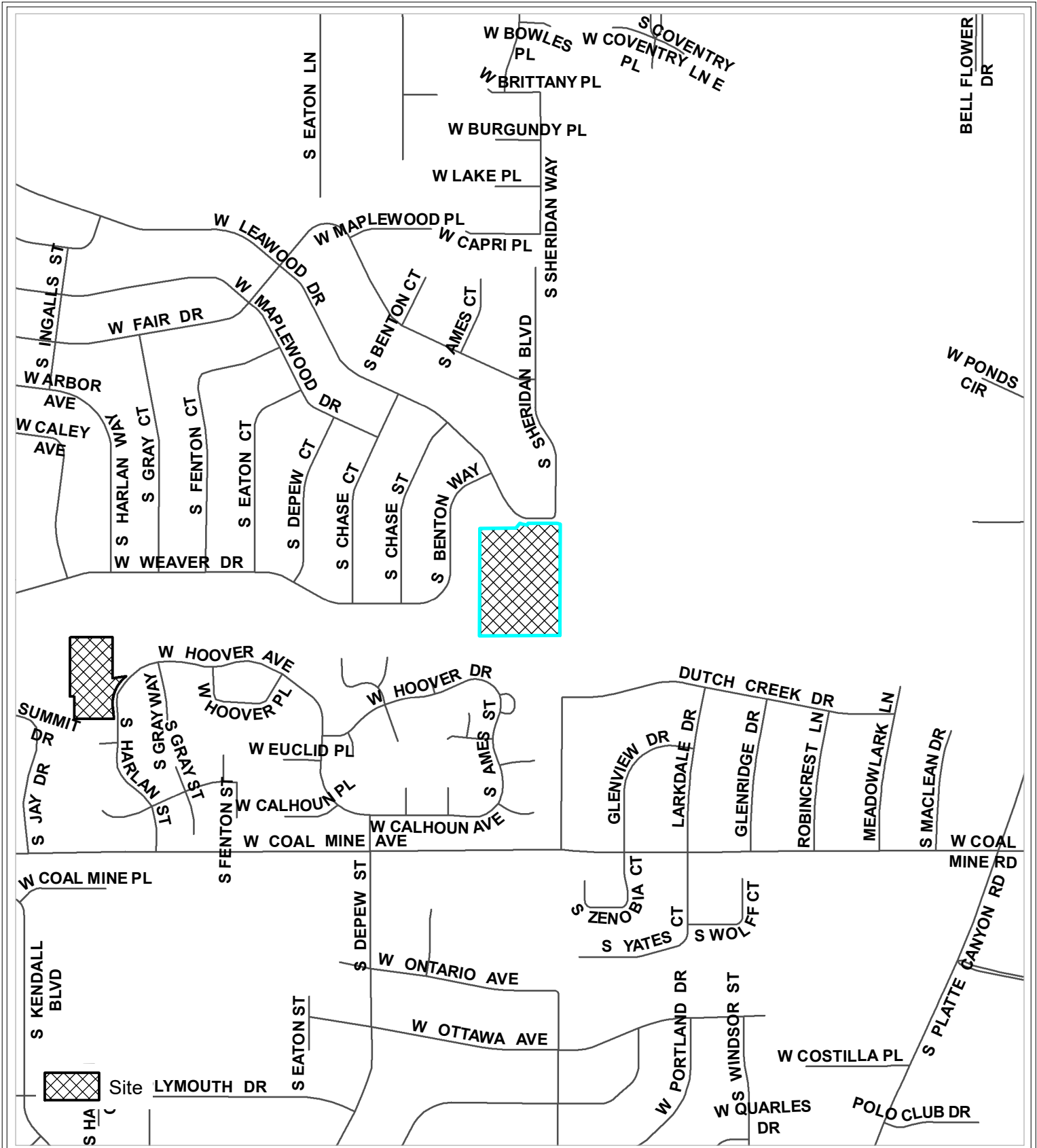
REVISION NUMBER	REVISION DESCRIPTION	DATE
000	JEFFERSON COUNTY 1ST SUBMITTAL	11/04/22
001	JEFFERSON COUNTY 2ND SUBMITTAL	06/16/23
002	JEFFERSON COUNTY 3RD SUBMITTAL	10/24/23
003	JEFFERSON COUNTY 4TH SUBMITTAL	01/24/24

## GRAPHIC SUPPLEMENTAL DATA





# MAPS

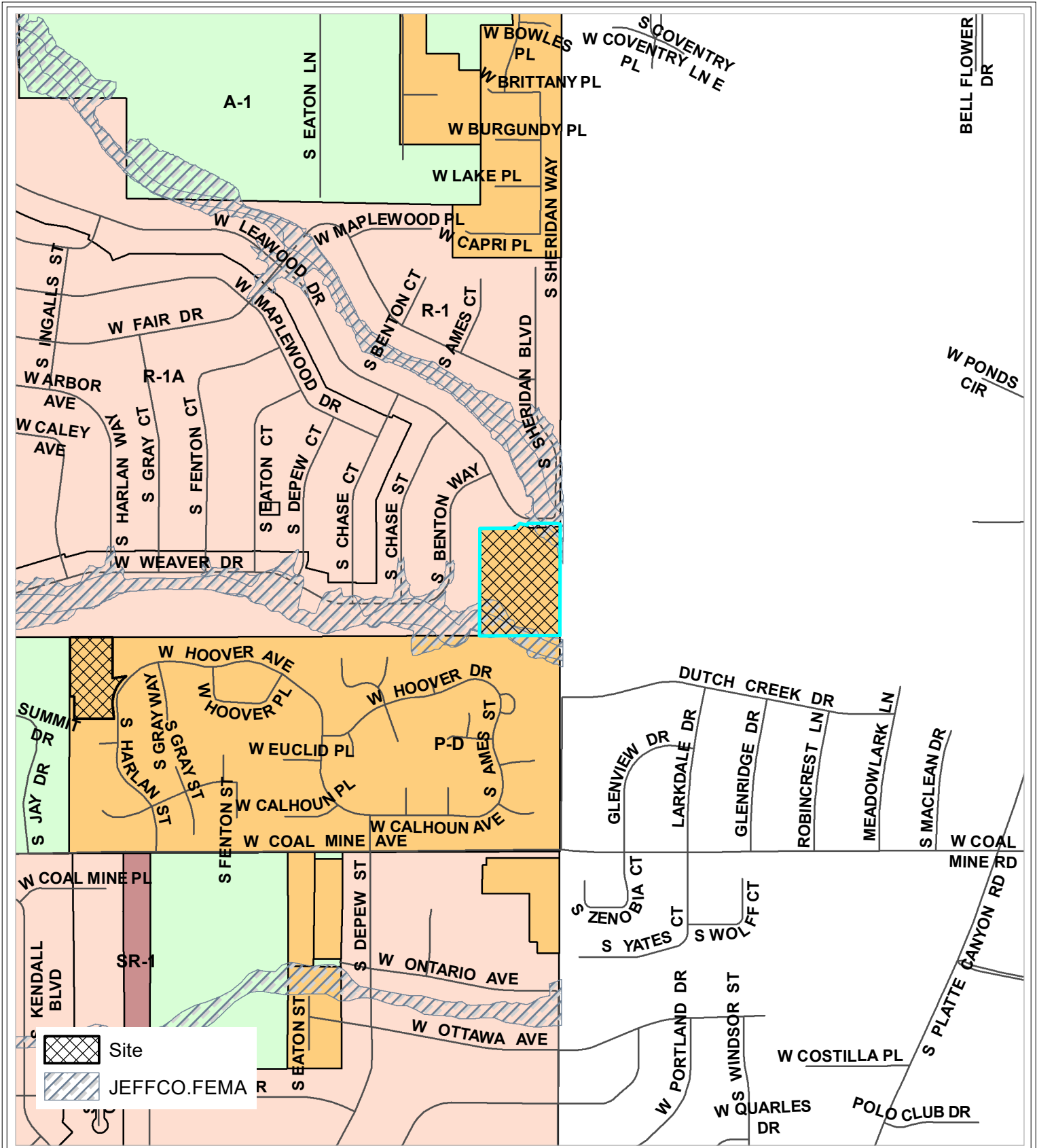


**Case Number: 22-115835PF**  
**Location: Section 24, T5S, R69W**



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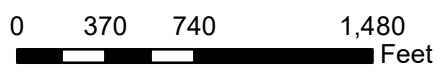




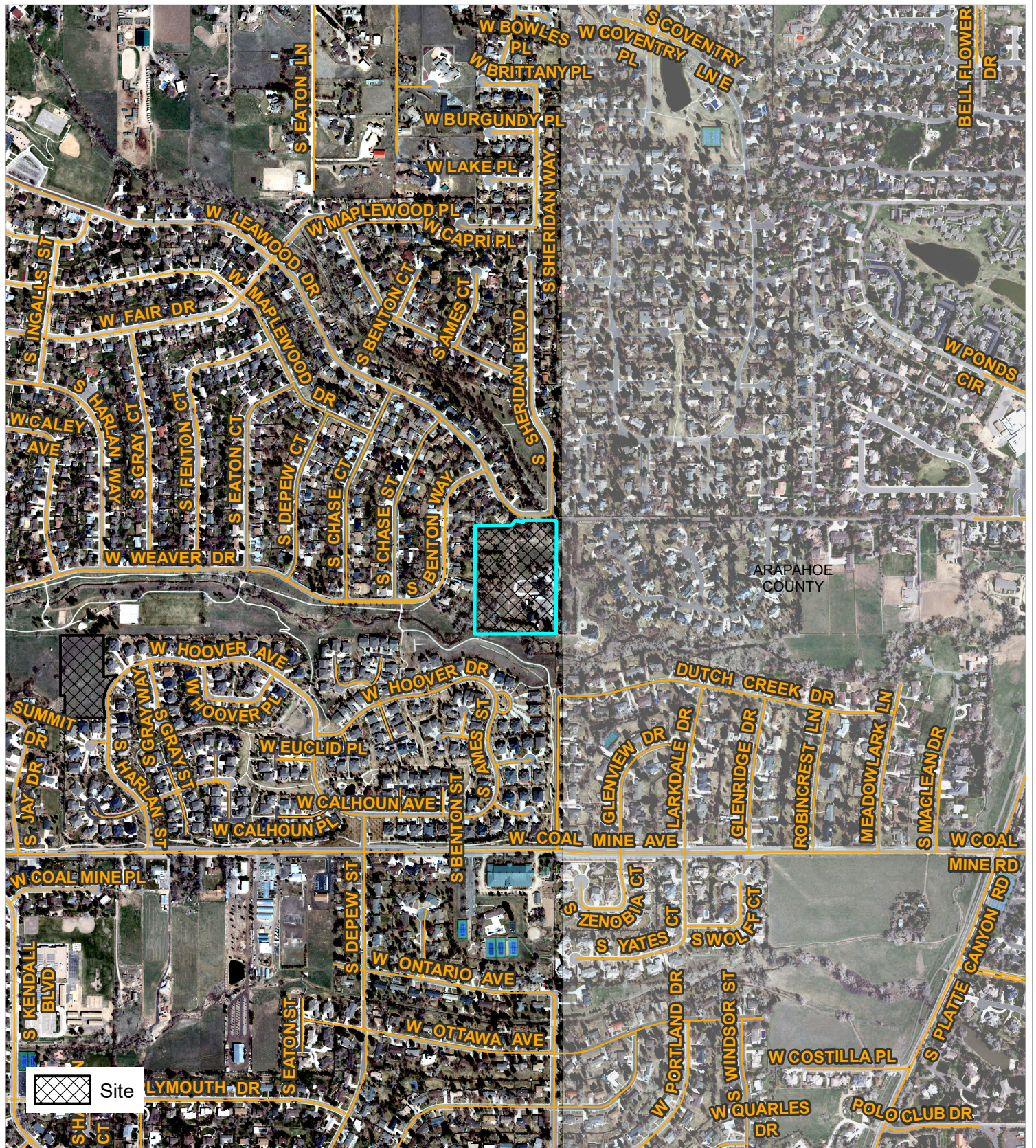
**Case Number: 22-115835PF**  
**Location: Section 24, T5S, R69W**



This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.



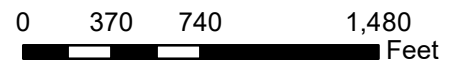




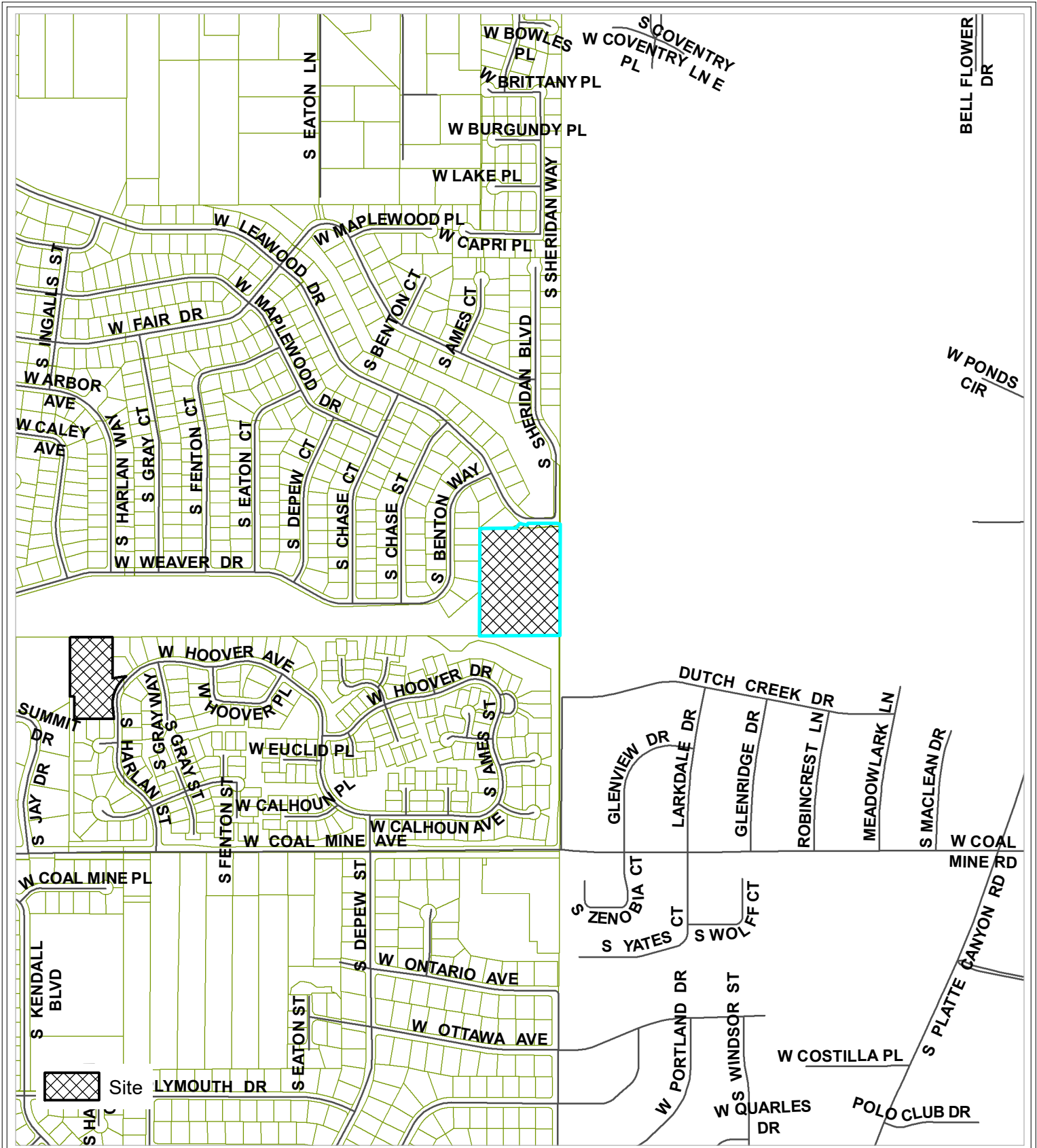
**Case Number: 22-115835PF**  
**Location: Section 24, T5S, R69W**



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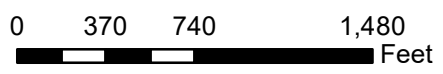




**Case Number: 22-115835PF**  
**Location: Section 24, T5S, R69W**



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# NOTIFICATION SUMMARY

Case Number 22-115835PF

As a requirement of the Jefferson County Zoning Resolution, the following Level 1 notification was provided for this proposal.

1. Notification of this proposed development was mailed to property owners within a 500 ft radius of the site and Registered Associations located within a one mile radius of the site.

These radii are shown on the maps below. The initial notification was mailed at the time of the first referral. Additional notification was mailed 14 days prior to the Planning Commission Hearing identifying the scheduled hearings dates for both the Planning Commission and the Board of County Commissioners.

2. Sign(s), identifying the dates of the hearings before both the Planning Commission and the Board of County Commissioners, were provided to the applicant for posting on the site. The sign(s) were provided to the applicant with instructions that the site be posted 14 days prior to the Planning Commission Hearing.

3. Notification of the hearings before the Planning Commission and the Board of County Commissioners was published in the West Jeffco Hub.

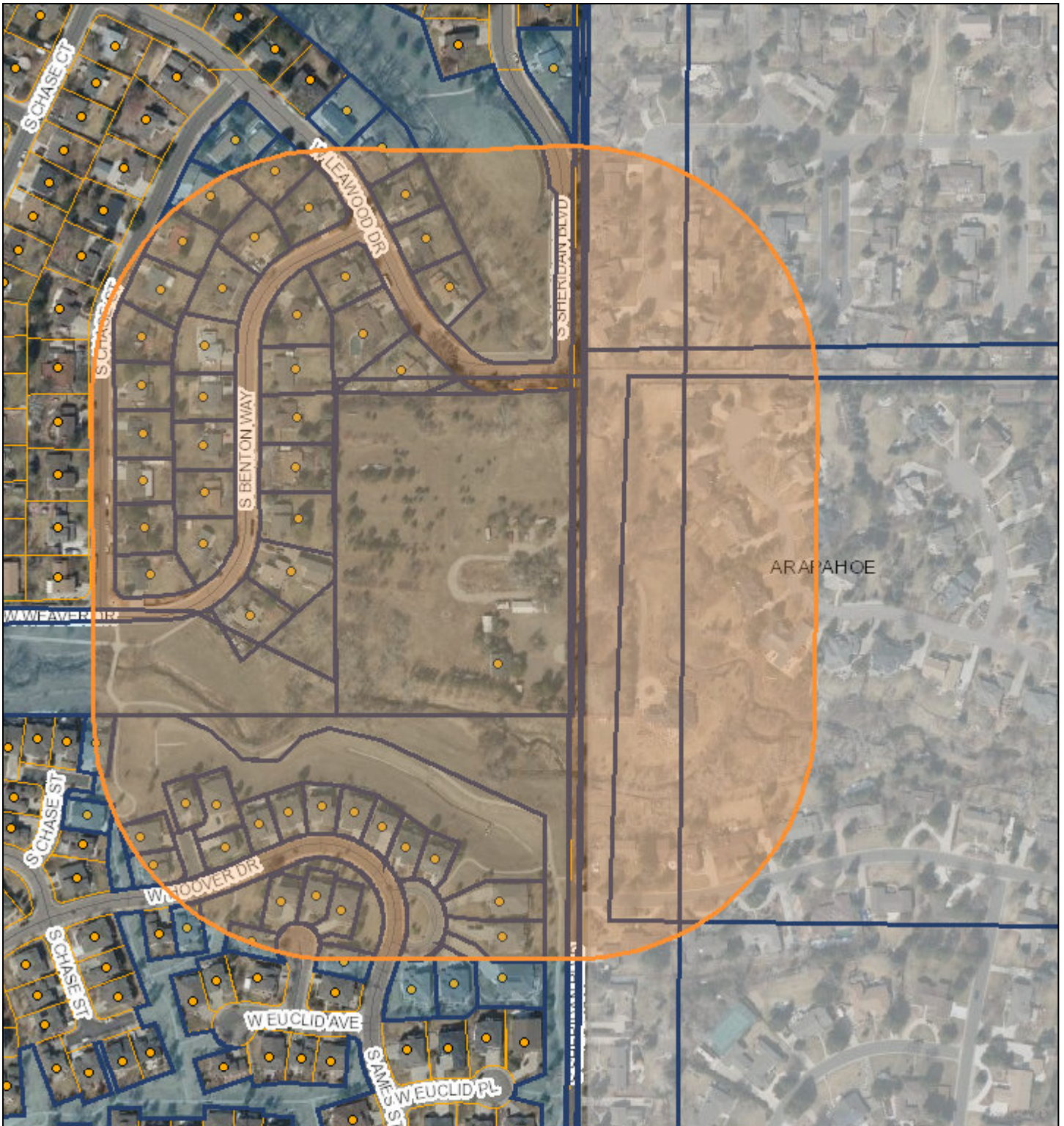
Lists of the specific property owners and registered associations that received notification are attached to this summary.

## Property Owners

## Registered Associations



# ArcGIS Web Map



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Jefferson County  
Jefferson County Colorado

Author: ArcGIS Web AppBuilder  
Date: 1/29/2024

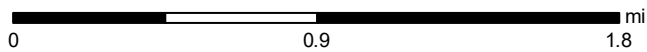
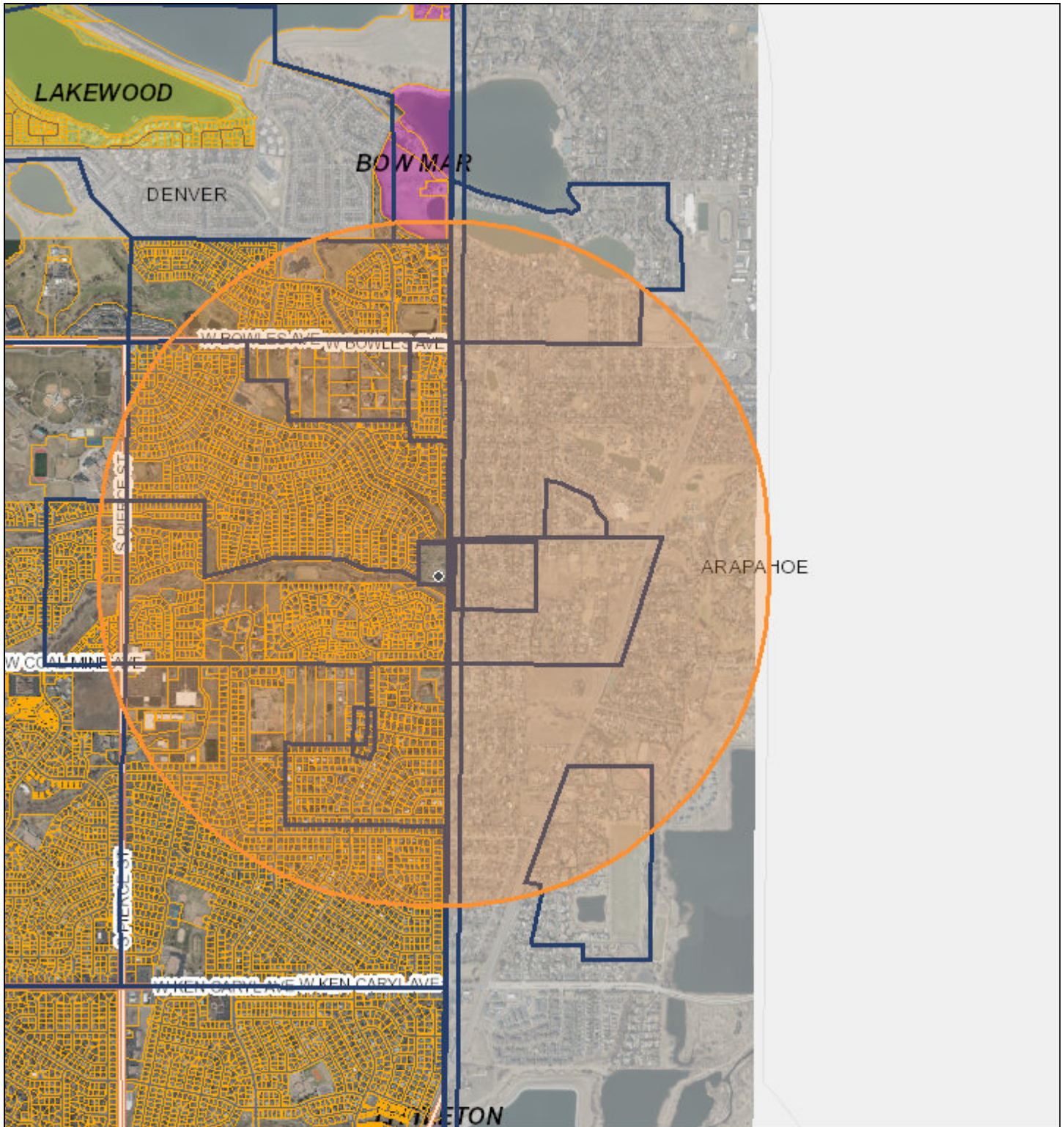
CURRENT RESIDENT	5005 CHRISTENSEN DR
CURRENT RESIDENT	4994 CHRISTENSEN DR
FOX HOLLOW HOMEOWNERS ASSOC INC	4891 CHRISTENSEN DR
CURRENT RESIDENT	28 DUTCH CREEK DR
CURRENT RESIDENT	5055 CHRISTENSEN DR
CURRENT RESIDENT	6373 S YATES CT
DOVER FAMILY TRUST	5076 CHRISTENSEN DR
CURRENT RESIDENT	5075 CHRISTENSEN DR
MICHAEL J MANNING TRUST KIMBERLEY K MANNING TRUST	5026 CHRISTENSEN DR
CURRENT RESIDENT	6362 S ZENOBIA CT
CURRENT RESIDENT	6353 S YATES CT
CURRENT RESIDENT	6392 S ZENOBIA CT
CURRENT RESIDENT	6393 S YATES CT
CURRENT RESIDENT	27 DUTCH CREEK DR
CURRENT RESIDENT	25 DUTCH CREEK DR
CURRENT RESIDENT	6391 S ZENOBIA CT
FISHER FAMILY TRUST	6382 S ZENOBIA CT
CURRENT RESIDENT	31 DUTCH CREEK DR
LAZZERI FAMILY TRUST DATED DECEMBER 20 1994	5046 CHRISTENSEN DR
LUCRETTA K FLAGG REVOCABLE TRUST	6361 S ZENOBIA CT
ARCADIA CREEK LLC	9 WHITE FIR CT
CURRENT RESIDENT	6371 S ZENOBIA CT
CURRENT RESIDENT	6381 S ZENOBIA CT
CURRENT RESIDENT	6351 S ZENOBIA CT
CURRENT RESIDENT	6372 S ZENOBIA CT
CURRENT RESIDENT	29 DUTCH CREEK DR
CURRENT RESIDENT	5006 CHRISTENSEN DR
COVENTRY HOMEOWNERS ASSOC	609 W LITTLETON BLVD
CURRENT RESIDENT	5045 CHRISTENSEN DR
CURRENT RESIDENT	6333 S YATES CT
CURRENT RESIDENT	5090 CHRISTENSEN LN
CURRENT RESIDENT	5056 CHRISTENSEN DR
CURRENT RESIDENT	6342 S ZENOBIA CT
CURRENT RESIDENT	30 DUTCH CREEK DR

Owner	Mail Address
ARCADIA CREEK LLC	9 WHITE FIR CT
CURRENT RESIDENT	6248 S SHERIDAN BLVD
LEAWOOD METRO PARK & REC DISTRICT	6253 S DEPEW CT
CURRENT RESIDENT	5475 W LEAWOOD DR
CURRENT RESIDENT	5455 W LEAWOOD DR
CURRENT RESIDENT	5435 W LEAWOOD DR
CURRENT RESIDENT	5415 W LEAWOOD DR
MICHAEL AND CAROL DUBE LIVING TRUST	5365 W LEAWOOD DR
CURRENT RESIDENT	5474 W LEAWOOD DR
CURRENT RESIDENT	6287 S BENTON WAY
CURRENT RESIDENT	6297 S BENTON WAY
CURRENT RESIDENT	6317 S BENTON WAY
CURRENT RESIDENT	6327 S BENTON WAY
CURRENT RESIDENT	6337 S BENTON WAY
CURRENT RESIDENT	6347 S BENTON WAY
CURRENT RESIDENT	6357 S BENTON WAY
CURRENT RESIDENT	6377 S BENTON WAY
CURRENT RESIDENT	6394 S CHASE ST
THOMAS J TRIPP TRUST #1	6384 S CHASE ST
CURRENT RESIDENT	6374 S CHASE ST
CURRENT RESIDENT	6364 S CHASE ST
CURRENT RESIDENT	6354 S CHASE ST
CURRENT RESIDENT	6344 S CHASE ST
CURRENT RESIDENT	6334 S CHASE ST
CURRENT RESIDENT	6324 S CHASE ST
CURRENT RESIDENT	6314 S CHASE ST
CURRENT RESIDENT	6284 S CHASE ST
LEAWOOD METRO REC & PARK DISTRICT	6253 S DEPEW CT
CURRENT RESIDENT	6378 S BENTON WAY
CURRENT RESIDENT	6372 S BENTON WAY
CURRENT RESIDENT	6366 S BENTON WAY
CURRENT RESIDENT	6356 S BENTON WAY
CURRENT RESIDENT	6346 S BENTON WAY
CURRENT RESIDENT	6336 S BENTON WAY
CURRENT RESIDENT	6316 S BENTON WAY
CURRENT RESIDENT	6286 S BENTON WAY
CURRENT RESIDENT	5364 W LEAWOOD DR
CURRENT RESIDENT	5324 W LEAWOOD DR
LEAWOOD METROPOLITAN REC & PARK DISTRICT	PO BOX 620802
CURRENT RESIDENT	6598 S SHERIDAN LOOP
CURRENT RESIDENT	6588 S SHERIDAN LOOP
CURRENT RESIDENT	6578 S SHERIDAN LOOP
CURRENT RESIDENT	6568 S SHERIDAN LOOP
ROBERT & JUDITH PROPERTY TRUST	6558 S SHERIDAN LOOP
VINTAGE RESERVE HOMEOWNERS ASSOCIATION IN	7000 S YOSEMITE ST 150
CURRENT RESIDENT	6538 S SHERIDAN LOOP

CURRENT RESIDENT	5309 W HOOVER DR
CURRENT RESIDENT	5319 W HOOVER DR
CURRENT RESIDENT	5339 W HOOVER DR
KATHERINE ANN ANDERSON LIVING TRUST	5359 W HOOVER DR
WILLIAM & GAIL WELDE TRUST	5379 W HOOVER DR
LAURENE C SZKATULSKI TRUST	5399 W HOOVER DR
CURRENT RESIDENT	6546 S BENTON CT
CURRENT RESIDENT	6536 S BENTON CT
CURRENT RESIDENT	6526 S BENTON CT
CURRENT RESIDENT	6527 S BENTON CT
CHICHESTER PAULDING III	6547 S BENTON CT
CURRENT RESIDENT	6534 S CHASE ST
CURRENT RESIDENT	6524 S CHASE ST
CURRENT RESIDENT	6580 S AMES CT
CURRENT RESIDENT	6570 AMES CT
CURRENT RESIDENT	6561 S AMES CT
CURRENT RESIDENT	6571 S AMES CT
CURRENT RESIDENT	6581 S AMES CT
CURRENT RESIDENT	5428 W HOOVER DR
VINTAGE RESERVE HOMEOWNERS ASSOC INC	7208 S TUCSON WAY 125
JEFFCO P&Z; ATTN NATHAN SEYMOUR	100 JEFFERSON CTY PKWY #3550



# ArcGIS Web Map



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Jefferson County Colorado

# HOA Report

## Jefferson County Colorado Planning and Zoning

Home Owners Associations within 1 miles of 59-244-00-001

### Subject Properties

AIN/Parcel ID: **59-244-00-001**, PIN/Schedule: **300013316**

Owner: **ARCADIA CREEK LLC**

Property Address

05234 W LEAWOOD DR , LITTLETON, CO 80123

Mailing Address

9 WHITE FIR CT , LITTLETON, CO 80127

### 17 HOA within 1 miles of subject properties

HOA Name: **BOW MAR SOUTH**, Area: **Arapahoe County**, Amanda RSN: **809480**

Contact: **JON WHITE**, Phone Numbers: **3039336279, 3039336279**, Website: **bowmarsouth.com**

Board Members: **Kurt Gottschall, Ted Graham, Tyler Langton, Tracy Simonton, Mike Plotnik, Jeff Moxon**

Mailing Address:

10106 W SAN JUAN WAY, STE 210, LITTLETON CO 80127

HOA Name: **CHRISTENSEN LANE ESTATES**, Area: , Amanda RSN: **982237**

Contact: , Phone Numbers: **3039940392, 3035171268**, Website:

Board Members: **Bev Obenchain, Rob Daigle, Tim Perry, Paul Schaffnit, Gary Self, Board Member At-Large**

Mailing Address:

4526 CHRISTENSEN CIR, LITTLETON CO 80123

HOA Name: **COHOPE**, Area: **S JEFFCO**, Amanda RSN: **757299**

Contact: **C/O WILLIAM RAY MOORE**, Phone Numbers: **3039781145, 3039710072**, Website: **www.cohopejeffco.com**

Board Members: , **Diane Suchomel, William R Moore, Jr, Cheryl Paavola,**

Mailing Address:

7294 W HOOVER AVE, LITTLETON CO 80123

HOA Name: **COLUMBINE HEIGHTS HOA**, Area: **S E**, Amanda RSN: **757447**

Contact: **RICK SIMMS**, Phone Numbers: **3037303730**, , Website:

Board Members: , **Ray Ziehm, Rich Simms, Marta Skovrinski, Jeff Held, Jacque Drinkwine, Nancy Christie**

Mailing Address:

20 DUTCH CREEK DR, LITTLETON CO 80123

HOA Name: **COLUMBINE KNOLLS HOA**, Area: **S JEFFCO**, Amanda RSN: **757303**

Contact: **MATT HALE**, Phone Numbers: , **8777374220**, Website: **ckha.org**

Board Members: **Matt Hale, Bryan Slekes, Natalie McClish, Steve Hentelman, Lee Woodbury, Birgit Whitelaw, Skip Wilcox, Adam Brewer**

Mailing Address:

P O BOX 620095, LITTLETON CO 80162

HOA Name: **COLUMBINE KNOLLS NORTH HOA**, Area: **S JEFFCO**, Amanda RSN: **757304**

Contact: **C/O Paul Asper**, Phone Numbers: **3039733783, 3039044340**, Website:

Board Members: **Larry D. Foos, , Lisa Fatovic, Paul Asper, Dennis Casey**

Mailing Address:

7189 W. Hoover Ave, LITTLETON CO 80123

HOA Name: **COUNTRY FARMS**, Area: **SOUTH**, Amanda RSN: **757424**

Contact: **HILARY HOBSON**, Phone Numbers: **4802011428**, , Website:

Board Members: **Ann O'Neil, Greg Ball, Kirk Hagaman, ,**

Mailing Address:

5992 S SHERIDAN WAY, LITTLETON CO 80123

HOA Name: **COVENTRY HOA**, Area: , Amanda RSN: **757410**

Contact: **DAN HASTINGS**, Phone Numbers: , , Website:

Board Members: , , , ,

Mailing Address:

6128 S COVENTRY LANE E, LITTLETON CO 80123

HOA Name: **FOX HOLLOW ESTATES HOA**, Area: **ARAPHOE COUNTY**, Amanda RSN: **987202**

Contact: **RIC BECHTER**, Phone Numbers: **3038086823, 3035795231**, Website:

Board Members: **MIKE HELLER, CHIP BRUNK, MOLLY MEINERT, ,**

Mailing Address:

4993 CHRISTENSEN DR, LITTLETON CO 80123-6585

HOA Name: **GRANT RANCH HOA**, Area: **S JEFFCO**, Amanda RSN: **757504**

Contact: **PAUL LEFEVER**, Phone Numbers: **3037348888, ,** Website: **www.grantranch.org**

Board Members: **Craig Ewing, Jim Cluck, Brian Paulson, Serena Curry, Patricia Lindsly, Paul LeFever, Tom Hewett**

Mailing Address:

7255 W GRANT RANCH BLVD, LITTLETON CO 80123

HOA Name: **JEFFERSON COUNTY HORSE COUNCIL**, Area: **ALL AREAS**, Amanda RSN: **757337**

Contact: , Phone Numbers: **3038174818, ,** Website: **jeffcohorse.com**

Board Members: **Don McDougal, Barb Suggs, Andrea Raschke, Andrea Raschke, Terry Liekhus**

Mailing Address:

,

HOA Name: **LEAWOOD CIVIC ASSN**, Area: **S JEFFCO**, Amanda RSN: **757343**

Contact: **MIKE SHAW**, Phone Numbers: **3039727352, ,** Website:

Board Members: , , , ,

Mailing Address:

PO BOX 620397, LITTLETON CO 80162

HOA Name: **NORMANDY ESTATES IMPROVEMENT ASSN INC**, Area: **S JEFFCO**, Amanda RSN: **757351**

Contact: **c/O Kristine Faiks**, Phone Numbers: **3035498263, ,** Website: **normandyestates.info**

Board Members: **Angel Tasto, Angela Tolar, Kristine Faiks, Kevin Greenman, Angel Tasto, Jeanette Bullock, Angela Tolar, John Scherling**

Mailing Address:

PO Box 620142, LITTLETON CO 80162

HOA Name: **PLAN JEFFCO**, Area: , Amanda RSN: **984263**

Contact: **C/O MICHELLE POOLET**, Phone Numbers: **3035261348, 7208394336**, Website: **www.planjeffco.org**

Board Members: **John Litz, Peter Morales, Michelle Poole, Peter Morales, John Litz, Bette Seeland**

Mailing Address:

24396 CODY PARK ROAD, GOLDEN, CO 80401

HOA Name: **POLO RESERVE HOMEOWNERS ASSOCIATION**, Area: **Arapahoe County**, Amanda RSN: **809484**

Contact: **JON WHITE**, Phone Numbers: **3039336279, 3039336279**, Website: **poloreservehoa.com**

Board Members: **Tom Wootten, Greg Fantle, Glenn Lee, Sharon Steigers, Karen Niparko**

Mailing Address:

10106 W SAN JUAN WAY, SUITE 210, LITTLETON CO 80127

HOA Name: **PRECEDENT AT STONY CREEK**, Area: **S JEFFCO**, Amanda RSN: **757358**

Contact: **c/o Tina Marie Luna**, Phone Numbers: **3037452220, 3039049669**, Website: **precedent@stonycreek.com**

Board Members: **John Musciano, John Musciano, Acting Pres, ,**

Mailing Address:

9145 E KENYON AVE SUITE 100, DENVER CO 80237

HOA Name: **THE ENCLAVE AT NORMANDY HOA, INC**, Area: , Amanda RSN: **982728**

Contact: **C/O DAVID CLODFELTER**, Phone Numbers: **3038862114, 3037759586**, Website:

Board Members: **Mark Asland, Bob Kedzior, David Clodfelter, David Clodfelter,**

Mailing Address:

5685 W OTTAWA AVE, LITTLETON CO 80128

# REFERRAL AGENCIES



ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Preliminary and Final Plat have been submitted to Jefferson County Planning and Zoning. This case is now beginning the 1st Referral part of the process. Please review the specific electronic documents related to the 1st Referral found [here](#). Comments on the Preliminary and Final Plat should be submitted electronically to the case manager by the due date below.

Case Number: 22-115835PF  
Case Name: Arcadia Creek  
Address: 5234 W. Leawood Drive  
General Location: South of the intersection of S. Sheridan Blvd and W. Leawood Drive  
Case Type: Preliminary and Final Plat  
Type of Application: Preliminary and Final Plat (Subdivision) to create 23 Single-Family detached units on approximately 7.47 acres with Jefferson County.  
Comments Due: Monday January 9, 2023  
Case Manager: Nathan Seymour  
Case Manager Contact Information: nseymour@jeffco.us 303-271-8751

The entire case file for this application can be viewed [here](#).

**Referrals:**

**Internal Agencies:**

Addressing  
Assessor  
Cartography  
County Geologist  
Public Health  
Planning  
Planning Engineering  
Open Space  
Historical Commission  
Transportation and Engineering  
Road & Bridge District 2  
Weed and Pest

**External Agencies:**

South Metro Protection District  
Platte Canyon Water and Sanitation District  
Jefferson County Public Schools (R-1 School District)  
Division of Water Resources, State Engineer's Office  
Colorado Geological Survey  
Soils Conservation District  
Colorado Department of Public Health and Environment  
US Fish and Wildlife  
Colorado Historical Society  
Lumen  
Comcast  
Xcel Energy  
Post Office  
Colorado Division of Wildlife  
Mile High Flood District  
Arapahoe County  
City of Littleton  
Columbine Valley

**Adjacent Property Owners:**

Please see attached list of Citizen in Case Folder under Community Notification. There is a list for Citizens within Jefferson and Arapahoe County

Please also include  
Andy Larsen Sr - [andy@cbsconstruction.com](mailto:andy@cbsconstruction.com)  
Kyle Sargent [kwsargent@msn.com](mailto:kwsargent@msn.com)  
steve jennison [stevejennison@me.com](mailto:stevejennison@me.com)  
Joanne Jacobson [joanneejacobson@gmail.com](mailto:joanneejacobson@gmail.com)  
Marilyn McGee [mfmcggee2@gmail.com](mailto:mfmcggee2@gmail.com)  
Patricia Peppard [ppeppard@mindspring.com](mailto:ppeppard@mindspring.com)  
D.J. Steines [D.J.Steines@Newmont.com](mailto:D.J.Steines@Newmont.com)  
Brent Kaslon [Brent@valerianllc.com](mailto:Brent@valerianllc.com)

**Adjacent HOA'S:**

Please see attached list of HOA's in Case Folder under Community Notification

# REFERRAL COMMENTS

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## ADDRESSING

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# MEMO

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To: Nathan Seymour  
FROM: Christine Derby  
SUBJECT: 22-115835PF 5234 West Leawood Drive 2<sup>nd</sup> Referral  
DATE: July 17, 2023

---

Addressing offers the following comments on this proposal:

1. The purpose of this Preliminary and Final Plat is to Subdivide the property into 23 Single Family Detached homes.
2. Proposed access of from 2 internal private drives that comes off West Leawood Drive. Ames Lane (SW) and Ames Court (SE). All street names will need to be spelled out completely on the Plat before it is approved and recorded.
3. There is a valid existing address, 5234 West Leawood Drive, in the addressing database. This address will be retired, and New Addresses will be issued based on access once the Plat is approved and recorded.

Please let me know if you have any questions.



## Public Works and Development

6924 South Lima Street  
Centennial, CO 80112-3853  
Phone: 720-874-6500  
Fax: 720-874-6611  
Relay Colorado: 711  
[www.arapahoegov.com](http://www.arapahoegov.com)

**BRYAN D. WEIMER, PWLF**  
Director

December 13, 2023

ATT: Nathan Seymour  
Jeffco

Re: JEFFCO REF / 22-115835PF / JEFFCO REF / 22-115835PF / ARCADIA CREEK  
PRELIM AND FINAL PLAT 3RD REVIEW

Arapahoe County Engineering thanks you for giving us the opportunity to review the Plat and have the following comment(s):

- When is the likely date to go to the board hearing?

Please know that other Divisions in the Arapahoe County Public Works Department may submit comments as well.

If you have any questions, please feel free to contact our offices at 720-874-6500.

Sincerely,

Joseph Boateng, PE

Engineering Services

## Nathan Seymour

---

**From:** Zareen Tasneem <ztasneem@littletongov.org>  
**Sent:** Wednesday, January 4, 2023 7:19 PM  
**To:** Nathan Seymour  
**Subject:** --(EXTERNAL)-- 22-115835PF

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Hi Nathan,

The City of Littleton has no comments related to this referral.

Thanks,

**Zareen Tasneem, AICP**

*(she, her, hers)*

Planner II

Community Development Department

2255 West Berry Avenue

Littleton, Colorado 80120

303-795-3790 (office)

[littletongov.org](http://littletongov.org) [[littletongov.org](http://littletongov.org)]

[Twitter](#) [[gcc02.safelinks.protection.outlook.com](https://gcc02.safelinks.protection.outlook.com)] | [Facebook](#) [[gcc02.safelinks.protection.outlook.com](https://gcc02.safelinks.protection.outlook.com)] | [YouTube](#)

[[gcc02.safelinks.protection.outlook.com](https://gcc02.safelinks.protection.outlook.com)]



\* Sender and receiver should be mindful that all incoming and outgoing emails may be subject to the Colorado Open Records Act, S 24-72-200.1, et seq.

# COLORADO GEOLOGICAL SURVEY

1801 Moly Road  
Golden, Colorado 80401



January 9, 2023

Matthew L. Morgan  
State Geologist

Nathan Seymour  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway, Suite 3550  
Golden, CO 80419

**Location:**  
39.5997, -105.0546

**Subject: Arcadia Creek Preliminary and Final Plat (22-115835PF)  
Jefferson County, CO; CGS Unique No. JR-23-0007**

Dear Nathan:

Colorado Geological Survey has reviewed the Arcadia Creek preliminary and final plat referral. I understand the applicant proposes 23 single family detached residential lots on approximately 7.5 acres, physical address 5234 Leawood Drive. The available referral documents include a Revised Preliminary Geotechnical Report, Arcadia Creek, Littleton, Colorado (SCI Engineering, Inc. No. 2022-0589.10, November 1, 2022).

The site is not undermined, does not contain steep slopes, and is outside of the steeply dipping bedrock area. SCI's 11/1/2022 characterization of subsurface conditions, soil and bedrock engineering properties, and geotechnical constraints is valid.

**Provided SCI's recommendations, with special attention to overexcavation and recompaction, subsurface drainage, and surface grading and drainage, are strictly adhered to, CGS has no objection to approval of the plat.**

Thank you for the opportunity to review and comment on this project. If you have questions or require further review, please call me at (303) 384-2643, or e-mail [carlson@mines.edu](mailto:carlson@mines.edu).

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson".

Jill Carlson, C.E.G.  
Engineering Geologist

## Nathan Seymour

---

**From:** Dickinson - DNR, Wenli <wenli.dickinson@state.co.us>  
**Sent:** Monday, February 5, 2024 3:28 PM  
**To:** Nathan Seymour; palisadehomes; david@qwizzle.us  
**Cc:** Michael Matz - DNR; ryan@read-king.com  
**Subject:** --{EXTERNAL}-- Re: Existing onsite well at 5234 W. Leawood Dr., Littl  
**Attachments:** GWS-09A Well Abandonment Information & Standards.pdf; GWS-09 Well Abandonment Report.pdf; Arcadia Creek - DWR Comments 2023-08-10.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Hi Nathan and David,

David Tschetter notified DWR that it would create a hardship if they were required to plug and abandon the unregistered well on the property that will be developed into Arcadia Creek (22-115835PF) prior to subdivision approval by the county. DWR would be satisfied that the well would not cause injury so long as it is plugged and abandoned after the subdivision is approved but before construction of the development begins, and that this requirement be recorded on the subdivision plat notes and/or the subdivision improvement agreement to ensure that this occurs.

The GWS-09 form (attached) must be completed and submitted to [DWRpermitsonline@state.co.us](mailto:DWRpermitsonline@state.co.us) once the well is plugged and abandoned (write in the permit number field "unregistered" since there is no permit number). Instructions for this form are also attached.

Please let me know if you have any questions.

Regards,

Wenli Dickinson, P.E.  
Water Resource Engineer



P 303.866.3581 x8206  
1313 Sherman St, Suite 821, Denver, CO 80203  
[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us) | [dwr.colorado.gov](http://dwr.colorado.gov) [[dwr.colorado.gov](http://dwr.colorado.gov)]  
[DWR Customer Satisfaction Survey \[surveymonkey.com\]](https://www.surveymonkey.com)

On Thu, Sep 21, 2023 at 11:07 AM Dickinson - DNR, Wenli <[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us)> wrote:  
Hi Nathan,

This office recently received information that there is an unregistered well from the 1920s on the 10 acres subject of 22-115835PF, Arcadia Creek. We were not aware of this well when we provided comments on August 10, 2023. I wanted to forward our correspondence with the owner so that you are aware of our concerns with this well. The well must be covered by an augmentation plan or plugged/abandoned prior to subdivision approval.

Please let me know if you have any questions.

Regards,

Wenli Dickinson, P.E.  
Water Resource Engineer



P 303.866.3581 x8206

1313 Sherman St, Suite 821, Denver, CO 80203

[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us) | [dwr.colorado.gov](http://dwr.colorado.gov) [[dwr.colorado.gov](http://dwr.colorado.gov)]

----- Forwarded message -----

From: **Dickinson - DNR, Wenli** <[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us)>

Date: Thu, Sep 21, 2023 at 11:04 AM

Subject: Re: Existing onsite well at 5234 W. Leawood Dr., Littl

To: palisadehomes <[palisadehomes@aol.com](mailto:palisadehomes@aol.com)>

Hi Keith,

The well would be withdrawing from the alluvial aquifer or the not-nontributary Arapahoe aquifer if it is less than ~640 feet deep, which is most likely since the well was constructed in the 1920s.

If the well was constructed in the 1920s, the use of the well up until the land is subdivided is limited to its historic uses that existed as of May 8, 1972 which have continued since that time [provided such uses are no greater than those uses allowed for a well permit pursuant to section 37-92-602(1), C.R.S., which are: fire protection, ordinary household purposes inside not more than three single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one acre of home gardens and lawns]. Currently, the well cannot be used in a tree farm nor for common area landscaping of the development as such use is not allowed by CRS 37-92-602(5).

Additionally, CRS 37-92-602(3)(b)(III) requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights. Therefore if the parcel is subdivided, the conditions which allow the well to currently operate under CRS 37-92-602 will no longer apply. As such, an augmentation plan is required to offset depletions caused by the pumping of the well once the land is subdivided. If the well will not be covered by a court-approved augmentation plan, then it must be plugged and abandoned or converted to a monitoring well.

Please let me know if you have additional questions.

Regards,



Wenli Dickinson, P.E.  
Water Resource Engineer



P 303.866.3581 x8206

1313 Sherman St, Suite 821, Denver, CO 80203

[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us) | [dwr.colorado.gov](http://dwr.colorado.gov) [[dwr.colorado.gov](http://dwr.colorado.gov)]

On Thu, Sep 21, 2023 at 10:47 AM palisadehomes <[palisadehomes@aol.com](mailto:palisadehomes@aol.com)> wrote:

Hi Wenli,

You are correct about the Arcadia Creek development. We are currently in the platting process and one of the comments we need to respond to Jefferson County about is our ability to continue to use the well when our project is built out. All of the 25 new homes will be serviced by Platte Canyon W&S, as will the existing barn, which is currently serviced by the well.

Our intent is to continue to use the well, but only for irrigation of a limited amount of common area landscaping, including two entry gates with monumentation and landscaping that identify our community. Using this well will prevent us from having to purchase two additional water taps from Platte Canyon to service these small areas. The existing barn is being converted into a community gathering space for the 25 new residents and the well will also be used to irrigate the landscaping on the barn plot.

I don't believe a permit exists for this well as it was drilled so many years ago. The previous owner has indicated that this well dates back to perhaps the 1920's when the property was homesteaded. During our ownership of the property since June 2022 we have had the well serviced twice for different reasons and a different well company was used each time for these repairs. Both well companies also did a search for the permit, but could not find one.

Thank you for help in this matter.

Regards,

Keith M. Lukovsky  
President

**Palisade Homes, Inc.**

9958 Whistling Elk Drive  
Littleton, CO 80127

Cell: 303.877.6548

Office: 303.979.1644

Fax: 303.979.1617

Email: [palisadehomes@aol.com](mailto:palisadehomes@aol.com)

On Wednesday, September 20, 2023 at 11:00:59 AM MDT, <[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us)> wrote:

Hi Keith,

Could you please provide the well permit number for your well? I do not see a permit in our database on the property or under your name.

Additionally, it appears this property will be subdivided into 25 lots as part of the Arcada Creek subdivision, is that correct?

Regards,

Wenli Dickinson, P.E.

Water Resource Engineer

Colorado Division of Water Resources | Department of Natural Resources

P 303.866.3581 x8206

1313 Sherman St, Suite 821, Denver, CO 80203

wenli.dickinson@state.co.us | [dwr.colorado.gov](http://dwr.colorado.gov)

ORIGINAL MESSAGE BELOW -----

Date: 9/19/2023

Name: Keith M Lukovsky

Request:

I am developing an approx. 10 acre parcel of land of which shares a county line between Jefferson and Arapahoe Counties into 25 homes. There is an existing well on the Jefferson County parcel that has, for years, supplied water to an existing barn that was converted to living space by the previous owner, a single family dwelling on the Arapahoe County parcel, and extensive landscaping (including a tree farm). All of the homes and associated landscaping will be serviced by Platte Canyon W&S District. I want to continue to use the existing well to service only the new common area landscaping. Can I do that?

AskDWR page loaded from a link on: <https://dwr.colorado.gov/>



August 10, 2023

Nathan Seymour, Civil Planning Engineer  
Jefferson County Planning and Zoning Division  
Transmission via email: [nseymour@jeffco.us](mailto:nseymour@jeffco.us)

**Re: Arcadia Creek**  
**Case No. 22-115835PF**  
Part of the SE ¼ of Section 24, Township 5 South, Range 69 West, 6<sup>th</sup> P.M.  
Water Division 1, Water District 8

Dear Nathan Seymour:

We have reviewed the submittal documents related to case no. 22-11583PF provided via email on July 17, 2023, concerning the above reference proposal to subdivide 9.46 acres into 25 single-family detached dwelling units. According to the information provided, the proposal seeks to subdivide 9.46 acres into 25 single-family detached dwelling units. 7.47 acres of the 9.46 acres are located in Jefferson County and the remainder 1.99 acres are located in Arapahoe County. The Arcadia Creek subdivision will consist of twenty-three (23) detached single-family homes in Jefferson County and two (2) detached single-family homes in Arapahoe County. We have previously provided comments on this subdivision application by our letter dated January 3, 2023, and on the rezone application (Case Nos. 17-133670RZ and 19-124345RZ) of this project by our letters dated January 8, 2018 and November 15, 2019.

### **Water Supply Demand**

The proposed water supply demand for this subdivision was not provided as part of this referral. According to the information provided in a previous referral sent to our office on December 19, 2022, the proposed water supply demand for this subdivision was estimated at 5000 gallons per day (5.6 acre-feet per year) for household and 400 gallons per day (0.44 acre-feet per year) for irrigation use, for a total of 5400 gallons per day (6.04 acre-feet per year).

### **Source of Water Supply**

The proposed source of water supply for this subdivision is Platte Canyon Water and Wastewater District ("District"). In a previous referral response letter sent January 3, 2023, our office indicated that it was unknown at the time if the property described as 5100 Christensen Ln. (located in Arapahoe County) had been annexed into the District boundary so that water and sewer service could be provided to the entire proposed development.

This referral has included a copy of Arapahoe County District Court case no. 59CV14179, which orders the property described as 5100 Christensen Ln. to be included into the District boundary. Based on the documentation provided in this referral along with the letter from the District dated September 4, 2019



provided to our office under a previous referral, it appears the entire subdivision property is now inside the District boundary.

As mentioned, in the January 3, 2023 comment letter the District receives and distributes water pursuant to a “read and bill” contact with the Denver Water Department. The Denver Water is considered to be a reliable water supplier.

### **Storm Water Detention**

The applicant should be aware that any proposed detention pond for this Planned Development, must meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, otherwise the structure will be subject to administration by this office. The applicant should review DWR’s [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#) to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

### **State Engineer’s Office Opinion**

Based on the above and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights, **as long as the District is committed to supply water and sewer service to all 25 single family dwelling units.**

Please contact Mike Matz at 303-866-3581 x8241 or at [Michael.Matz@state.co.us](mailto:Michael.Matz@state.co.us) with questions.

Sincerely,



Ioana Comaniciu, P.E.  
Water Resources Engineer

Ec: Subdivision file no. 24151

# Memorandum

**To:** Nate Seymour  
Engineer

**From:** Patrick O'Connell  
Engineering Geologist

**Date:** December 20, 2023

**Re:** 5234 W Leawood Dr, Case No. 22-115835PF

---

I reviewed the submitted documents for this project. I have the following comment.

1. Since this project includes land disturbance in multiple jurisdictions with MS4 Permits, a written agreement may be required with Jefferson County and Arapahoe County/SEMSWA related to the site plan review/acceptance, site inspection and control measure requirements. This process has been completed with other jurisdictions on separate projects. Based on discussions with the applicant's representative, if an agreement is warranted, it will be completed as the process with Arapahoe County progresses.
2. Retaining walls must be faced with a textured earth color material that is identified in the plans. I discussed this with the applicant's representative.
3. A separate Floodplain Development Permit will be required for any grading/construction within the Floodplain Overlay District.

## Nathan Seymour

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**From:** AUTOMAILER@JEFFCO.US  
**Sent:** Thursday, February 1, 2024 11:02 AM  
**To:** Nathan Seymour  
**Cc:** Pat OConnell  
**Subject:** 22 115835 PF - Agency Response

---

**Case Number: 22 115835 PF**

Case Type: Preliminary - Final Plat

Case Name: Arcadia Creek

Review: County Geologist

**Results: Comments Sent (no further review)**

**Review Comments:** A note on sheets C2.4 & C2.6 reference a earthen color for the CIP retaining walls within the two EDBs. Per ZR Section 16, the CIP walls are required to include a textured earth colored facing that is identified in the plans. Generally, the CIP walls are identified with a mold/form, faux stone, or other treatment to meet this criteria. The plans should be revised to include the treatment method to meet this criteria.

**Scheduled End Date: 05-FEB-24**

**Reviewer: Pat O Connell**

**Description: Preliminary and Final Plat to subdivide the property into 23 lots for single-family detached units.**

## PLANNING ENGINEERING MEMORANDUM

**TO:** Nathan Seymour, Case Manager  
**FROM:** Ross Klopf, Planning Engineering  
**DATE:** January 31, 2023

**RE:** 22-115835PF; Preliminary and Final Plat – for Arcadia Creek a 23-lot single family detached subdivision

These comments have been based upon the application package and the requirements of the Jefferson County Land Development Regulation (LDR), the Jefferson County Zoning Resolution (ZR), the Jefferson County Storm Drainage Design and Technical Criteria (Storm Drainage Criteria) and the Jefferson County Transportation Design & Construction Manual (Transportation Manual).

Please see attached for the submittal document checklist. Documents may be submitted electronically to Jefferson County Planning and Zoning via [P&ZAdmin@jeffco.us](mailto:P&ZAdmin@jeffco.us).

### Key Issues:

- A 5' sidewalk along Leawood is needed and please see the attached comments on the pedestrian circulation plan.
- Arapahoe County Work: Construction within Arapahoe County will need to be approved by them. In addition, both the Arapahoe County side and the Jefferson County Side of the project will be considered a common plan of development and the statistics will need to be looked at both individually and together.
- As is pertains to work in the floodplain, the no adverse impact letter needs to include the northern sidewalk, the concrete path was adequately addressed in the documentation.

## PRELIMINARY AND FINAL PLAT COMMENTS

### PRELIMINARY AND FINAL PLAT DOCUMENT

1. Preliminary and Final Plat Content: All comments as shown on the attached Red-Mark Print shall be addressed.

## ENGINEERING DESIGN STANDARDS

### Circulation (Horizontal and Vertical Control)

1. Public Street/Road Improvements-Adjoining Local Street: The applicant is responsible for improving the adjacent one-half of Leawood Street to current local template standards (LDR Section 15 A.1.e.(3)). **A 5' sidewalk will need to be constructed along Leawood anywhere where the box culvert does not exist.**
2. There is a conflict between the pedestrian trail material shown on the ODP and the Construction plans. The ODP states that it shall be a crusher fine trail while the construction plan shows concrete.

## GRADING AND DRAINAGE

1. Geology and Soils: See geologist comments.
2. Drainage Report: Please make the revisions in the enclosed redlines.

3. Exhibit A: Please add a line item for the plug and abandonment of the existing well.

### **Additional Requirements**

1. Water/Sewer Signoff: Prior to recordation signoff and acceptance is required by the water and sanitary districts serving the site. In addition, all private easements are required to be shown on the Plat.
2. Private Maintenance Organization: The applicant will be required to establish an organization (normally a property or homeowners' association) to own and maintain private streets, drainage and detention facilities and common areas unless an existing organization agrees in writing to maintain these improvements.
3. Traffic Impact Fees: LDR Section 33 A.8 requires the payment of TRAFFIC IMPACT FEES when obtaining a building permit on any lot within this development. This development will not be eligible for any credit towards the full amount of the fee. **See the County's webpage for traffic fees:** <http://jeffco.us/planning-and-zoning/fees/>

### **CONCLUSION**

These initial case comments are based solely upon the submitted application package. They are intended to make the applicant aware of regulatory requirements. Failure by Planning Engineering to note any specific item does not relieve the applicant from conforming to all County regulations. Furthermore, if the proposed site layout and design are altered substantially during subsequent County land development processes (rezoning, platting, exemptions, additional submittals), Planning Engineering reserves the right to modify these initial comments or add appropriate additional comments.

The applicant should respond to these comments. If there are any questions, please contact Ross Klopf at 303-271-8733.

RHK  
Attachment/Enclosure  
c: File



## **Nathan Seymour**

---

**From:** AUTOMAILER@JEFFCO.US  
**Sent:** Monday, August 28, 2023 3:09 PM  
**To:** Nathan Seymour  
**Cc:** Kayla Bryson  
**Subject:** 22 115835 PF - Agency Response

---

**Case Number: 22 115835 PF**

Case Type: Preliminary - Final Plat

Case Name: Arcadia Creek

Review: Historical Commission

**Results: Complete**

**Review Comments:**

**Scheduled End Date: 31-JUL-23**

**Reviewer: Kayla Bryson**

**Description: Preliminary and Final Plat to subdivide the property into 23 Single Family Detached homes**



January 12, 2023

Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80219

Subject: 22-115835PF; Arcadia Creek

Attention: Nathan Seymour

Thank you for notifying Jefferson Conservation District (JCD) of the comment period for the above-mentioned proposal, which is to create 23 Single-Family detached units on approximately 7.47 acres within Jefferson County.

### **Soils**

The following comments are based on a review of soil types and their impacts on development using tools from the online USDA-NRCS Web Soil Survey.

Loam to clay loam is the dominant soil type, and a restrictive layer may be encountered at more than 80 inches. Due to this high clay component, which is common along the base of the Front Range foothills, there is potential for swelling soils; in essence, wetted soils may expand. Mitigating this risk with appropriate design/construction methods may improve pavement and foundation performance. A geotechnical report would better characterize the risks and mitigation tools for swelling soils.

### **Corrosion from Soils**

Risk of corrosion pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens uncoated steel or concrete. The rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a higher risk of corrosion. Steel or concrete in installations that intersect soil boundaries or soil layers are more susceptible to corrosion than the steel or concrete in installations that are entirely within one kind of soil or within one soil layer.

For uncoated steel, the risk of corrosion is high, and is based on soil drainage class, total acidity, electrical resistivity near field capacity, and electrical conductivity. For concrete, the risk of corrosion is moderate; it is based on soil texture, acidity, and amount of sulfates in the saturation extract. The applicant may wish to consider corrosion risks when designing underground piping.

### **Landscaping Recommendations**

To preserve limited water resources, we recommend landscape plantings (that is trees, shrubs, forbs, and graminoids) be native to the site's specific Jefferson County elevation and/or be drought tolerant to the greatest extent possible. For instance, planting blue spruce may be risky given that they are adapted to cooler, wetter growing conditions, and hence have shallow, weak root systems. Maintaining blue spruce will require irrigation. Planting ponderosa and pinyon pine

would be more consistent with species native to this region, although this location/elevation was historically short grass steppe with few trees except for cottonwoods in riparian areas.

Planting native and drought tolerant species should also occur in uncompacted soils or well drained areas, as compaction can lead to soil saturation that may not be tolerable to some species. Compaction is a risk in clayey soils.

Planting native wildflowers in residential landscaping are also beneficial to pollinator insects.

Please contact JCD with any questions.

Sincerely,

JCD Board of Supervisors

## Nathan Seymour

---

**From:** Will Barkman <wbarkman@mhfd.org>  
**Sent:** Wednesday, December 27, 2023 10:10 AM  
**To:** Nathan Seymour  
**Cc:** Dan Hill; Kyle Donovan  
**Subject:** --{EXTERNAL}-- RE: MHFD Comments Arcadia Creek (22-115835PF)/ Coon Creek Study

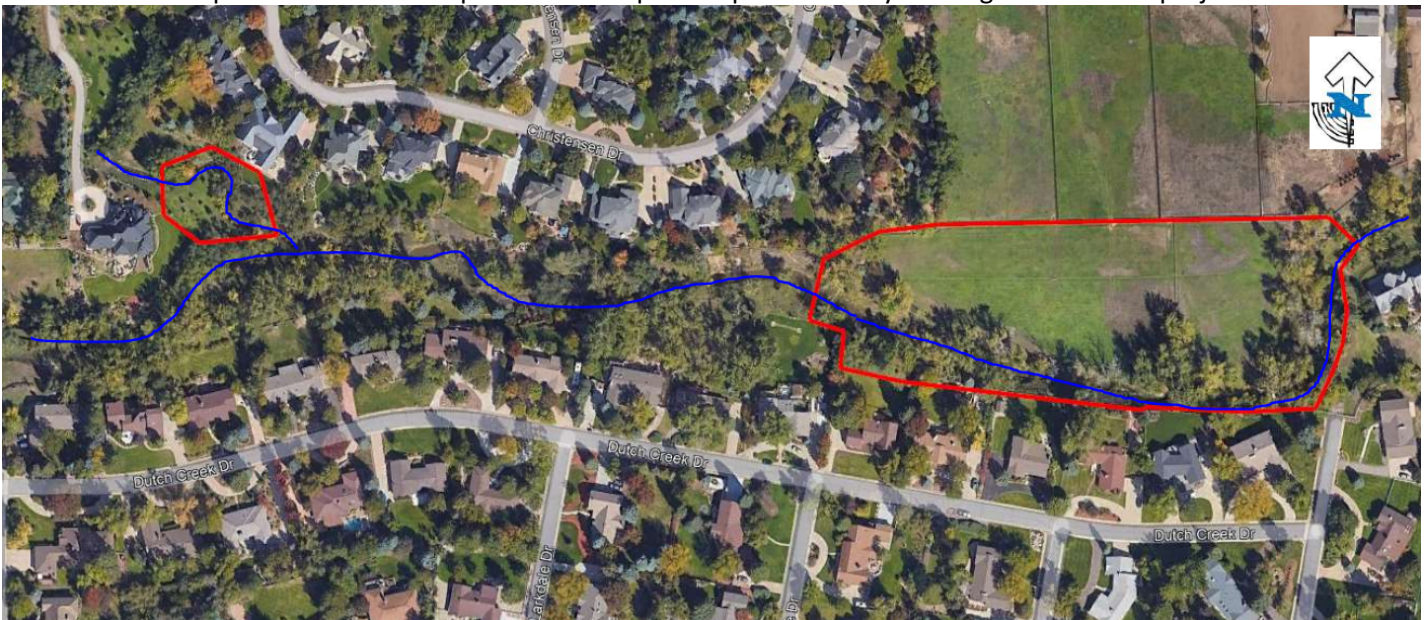
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Nathan,

We have partnered with SEMSWA to study Dutch and Raccoon Creek. The current scope is an alternative analysis and 30% design to stabilize the stream, repair eroded streambanks, and protect sanitary sewer infrastructure. For Raccoon Creek, eroding streambanks is all that is being studied. The approximate study limits are shown in the image below. This study/30% design is projected to be completed by May 2024. A preliminary proposed hydraulic model is included in the scope of work to assess potential floodplain impacts. Survey has begun within the project corridor.



Final design and construction are a few years away.

Let me know if you have any additional questions.

**Will Barkman**  
**MILE HIGH FLOOD DISTRICT**

---

**From:** Nathan Seymour <nseymour@co.jefferson.co.us>  
**Sent:** Wednesday, December 27, 2023 8:37 AM  
**To:** Will Barkman <wbarkman@mhfd.org>  
**Cc:** Dan Hill <dhill@mhfd.org>  
**Subject:** RE: MHFD Comments Arcadia Creek (22-115835PF)/ Coon Creek Study

Hi Will,

Thanks for the comments.

I received a citizen comment that MHFD will be further studying Coon Creek for SEMSWA starting next year and has concern with the project in Jeffco moving forward.

Can you tell me what the scope of work and timing is expected to be? I want to make sure I understand how I this may affect the floodplain in Jefferson County as the Jeffco subdivision is nearing hearings. Copying Dan as I believe he has been involved with the coordination.

Thanks!

**Nathan Seymour**  
Civil Planning Engineer  
o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)

**TOGETHER JEFFCO** 2023  
County Plans and Regulations Update

*Help us shape the future of Jefferson County by visiting the Together Jeffco website and taking the online questionnaire! Click this image to visit our website: <https://togetherjeffco.com>. From there, you will find our Questionnaire on the main page!*

[\[togetherjeffco.com\]](https://togetherjeffco.com)

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) [\[outlook.office365.com\]](https://outlook.office365.com) and submit [applications](#) online. Go to [planning.jeffco.us](http://planning.jeffco.us) for more information.

---

**From:** Will Barkman <[wbarkman@mhfd.org](mailto:wbarkman@mhfd.org)>  
**Sent:** Tuesday, December 26, 2023 8:24 AM  
**To:** Nathan Seymour <[nseymour@co.jefferson.co.us](mailto:nseymour@co.jefferson.co.us)>  
**Subject:** --[EXTERNAL]-- MHFD Comments Arcadia Creek (22-115835PF)

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Nathan,

Attached are MHFD comments for the Arcadia Creek development (22-115835PF).

Please reach out to us with any questions or concerns.

Thank you,

**Will Barkman**

Project Engineer

**MILE HIGH FLOOD DISTRICT**

12575 W. Bayaud Ave. | Lakewood, CO **80228**

**Office:** 303-455-6277 | **Direct:** 303-749-5430 | [www.mhfd.org](http://www.mhfd.org) [[mhfd.org](#)]

*Protecting People, Property, and our Environment*



**MILE HIGH FLOOD DISTRICT**



December 26, 2023

For MHFD staff use only.	
Project ID:	107866
Submittal ID:	10012088

**To:** Nathan Seymour (Jefferson County)

**Via email**

**Subject:** MHFD Review Comments

**Re:** Arcadia Creek – (22-115835PF)

This letter responds to the referral request for our comments concerning the referenced project. We have reviewed the referral only as it relates to a major drainageway and for maintenance eligibility of storm drainage features, in this case:

- Dutch and Raccoon Creek (Jefferson County)

MHFD staff has the following comments to offer:

- The project includes development southwest of Raccoon Creek at the confluence of Dutch Creek. The proposed improvement includes a local stormwater detention facility that will outfall to Dutch Creek. The proposed storm outfall (outlet protection and emergency spillway) is being reviewed for Maintenance Eligibility. Additionally, the proposed project will modify the roadway crossing (private drive) over Raccoon Creek. MHFD will be reviewing those elements that are integral to the stream.

- 1) At this time, MHFD does not have any additional comments for the Jefferson County submittal. MHFD has not received a referral request for the development in Arapahoe County and may comment on those plans. When the entire development plans are finalized for Arapahoe and Jefferson County, we can issue design approval.

We appreciate the opportunity to review this proposal. Please feel free to reach out to me with any questions or concerns.

Sincerely,



**Will Barkman, P.E.**

Project Engineer, Mile High Flood District

[wbarkman@mhfd.org](mailto:wbarkman@mhfd.org)

## Nathan Seymour

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**From:** AUTOMAILER@JEFFCO.US  
**Sent:** Tuesday, December 20, 2022 2:52 PM  
**To:** Nathan Seymour  
**Cc:** EOBRIEN@JEFFCO.US  
**Subject:** 22 115835 PF - Agency Response

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**Case Number: 22 115835 PF**

Case Type: Preliminary - Final Plat

Case Name: Arcadia Creek

Review: Open Space

**Results: No Comment (no further review)**

**Review Comments:**

**Scheduled End Date: 01/09/2023**

**Reviewer: Elizabeth Stoner**

**Description: Preliminary and Final Plat to subdivide the property into 23 Single Family Detached homes**



## Nathan Seymour

---

**From:** Cynthia Lane <calane@plattecanyon.org>  
**Sent:** Thursday, December 21, 2023 7:58 AM  
**To:** Nathan Seymour  
**Cc:** Justin Roquemore  
**Subject:** --{EXTERNAL}-- RE: 22-115835PF THIRD ELECTRONIC REFERRAL FOR ARCADIA CREEK SUBDIVISION

### This Message Is From an External Sender

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Good morning Nathan –

Thank you for the opportunity to comment on this referral.

The district's process is that all plans for water and sanitary sewer main extensions are to be submitted directly to the district for review and approval. It is my understanding water/sewer plans for this project are currently in review by the district's engineer. Therefore, the plans provided in the Current Referral Documents folder are still considered DRAFT and have not received final approval from the district. And due to our established process, the district will not comment on the water and sewer plans through Jefferson County's referral system.

The district also notes there are several easements related to water and sewer mains that are still in the negotiation phase due to the water and sewer mains not having received final approval. Therefore, the final plat is not accurate or acceptable until those easements are executed and filed with the appropriate agencies.

Please do not hesitate to contact me or Justin Roquemore with any questions.

Cynthia Lane, P.E.  
General Manager

**Platte Canyon Water & Sanitation District**  
**Southwest Metropolitan Water & Sanitation District**

D: 720.726.5046

C: 202.306.9488

[calane@plattecanyon.org](mailto:calane@plattecanyon.org)

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**From:** P&Z Admin <PZAdmin@co.jefferson.co.us>  
**Sent:** Monday, December 11, 2023 6:36 AM  
**Subject:** 22-115835PF THIRD ELECTRONIC REFERRAL FOR ARCADIA CREEK SUBDIVISION

Some people who received this message don't often get email from [pzadmin@co.jefferson.co.us](mailto:pzadmin@co.jefferson.co.us). [Learn why this is important \[aka.ms\]](#)

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**ELECTRONIC REFERRAL**

**MEMO**

**TO:** Nathan Seymour  
 Jefferson County Planning and Zoning Division

**FROM:** Tracy Volkman  
 Jefferson County Environmental Health Services Division

**DATE:** December 12, 2023

**SUBJECT:** Case #22-115835 PF  
 Arcadia Creek  
 David Tschetter  
 5234 W Leawood Dr

The applicant has met the public health requirements for the proposed platting of this property.

**PROPOSAL SUMMARY**

Preliminary and Final Plat (Subdivision) to create 23 Single-Family detached units on approximately 7.47 acres with Jefferson County.

**COMMENTS**

Jefferson County Public Health (JCPH) provided comments on February 1, 2022 regarding a pre-application process and on December 20, 2022 and July 31, 2023 for the platting for this planning case. We reviewed the documents submitted by the applicant for this platting process and have the following updated comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed platting of this property. NOTE: Items marked with a “✓” indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information. Please note additional documentation may be required.**

**PLATTING REQUIREMENTS (Public Water & Public Sewer Systems)**

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	12/20/2022	Submit a will serve letter from the Water and Sanitation District indicating public water and sewer can be provided to the proposed development in accordance with the Land Development Regulation (LDR) 22.	Water/Wastewater
✓	07/19/2023	Submit Form 300, Onsite Wastewater Treatment System (OWTS), that the existing OWTS has been abandoned in accordance with current OW Regulations.	Water/Wastewater

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	12/20/2022	Submit a Sensory Impact Assessment in accordance with the LDR Section 26 and must be prepared by a qualified professional planner, certified industrial hygienist, or landscape architect or engineer, registered in the State of Colorado.	Sensory Impact
✓	12/20/2022	Submit a notarized Environmental Questionnaire and Disclosure Statement packet, in accordance with the LDR Section 30.	Environmental Site Assessment

#### SUGGESTED PLAT NOTE

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	12/12/2023	Add a plat note to abandon the OWTS and provide proof that the SFD has been connected to the Platte Canyon Water and Sewer District. <b>See section for suggested plat note or similar.</b>	Water/Wastewater-OWTS Section

#### **WATER/WASTEWATER (LDR 21 & 22)**

##### Water and Sewer

The Platte Canyon Water and Sanitation District provided a letter dated September 4, 2019, stating the property is within the boundaries to receive public water and sewer services on the Jefferson County side of this proposal.

Per the district:

“Annexation of the 5100 Christensen Ln. parcel into Platte Canyon Water and Sanitation District and a proposed plan showing the location of connections to existing sewer and water mains will be required prior to Platte Canyon agreeing to provide water and sewer service to the entire proposed development.”

##### Onsite Well

The applicant should contact the Colorado Division of Water Resources, Office of the State Engineer regarding continued use of the onsite well as they are the regulatory agency to determine the legal right to well water.

##### Onsite Wastewater Treatment Systems (OWTS)

JCPH has no records of existing onsite wastewater treatment system (OWTS) on this property. Given the age of the single-family dwelling (SFD), JCPH contacted Platte Canyon Water and Sanitation District and was informed that this SFD is not provided with public water and public sewer. The existing lot with the SFD would not meet the minimum five (5) acre lot size to be served with well and an OWTS once the property is subdivided. As such, at the time this site is developed, all existing OWTS must be properly abandoned and must complete and submit an Onsite Wastewater Treatment System Abandonment, Form 300.

The applicant submitted a revised plat with the following plat note:

15. APPLICANT WILL SUBMIT AN OWTS ABANDONMENT, FORM 300, SUPPORTING DOCUMENTATION PER FORM 300, AND A RECEIPT FROM PLATTE CANYON WATER AND SANITATION DISTRICT AT THE TIME THE EXISTING SFD IS CONNECTED TO PUBLIC SEWER, TO VERIFY ALL OWTS COMPONENTS ARE PROPERLY ABANDONED IN ACCORDANCE WITH CURRENT OWTS REGULATIONS AND TO VERIFY THE SFD IS CONNECTED TO PUBLIC SEWER.

### **SENSORY IMPACT (LDR 26)**

JCPH has reviewed the Sensory Impact Report signed on September 28, 2022. This report complies with requirements set forth in Section 26 of the Jefferson County Land Development Regulation.

The Colorado Revised Statutes (Sections 25-12-101 through 108) stipulate that maximum residential noise levels must comply with the following 25 feet from the property line:

- 55dB(A) between 7:00 a.m. and 7:00 p.m.
- 50dB(A) at all other times.

### **ENVIRONMENTAL SITE ASSESSMENT (LDR 30)**

JCPH has reviewed the Environmental Questionnaire and Disclosure Statement. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information, it does not appear that any recognized environmental conditions exist which would negatively impact the property.

Should stained or discolored soil or contaminated groundwater be encountered during construction and excavation of this area, the contractor must cease operations and contact a professional engineer licensed in Colorado or equivalent expert to further evaluate the soil and/or groundwater conditions, the nature and extent of the contamination, and determine the proper remediation and disposal of the contaminated material. The contractor must contact the CDPHE, Hazardous Materials and Waste Management Division at 303.692.3320

### **ACTIVE LIVING**

JCPH commends the applicant for the addition of a pedestrian trail in this proposal and the restoration and preservation of the historical barn as a central gathering area for future residents. The applicant also states bicycle and pedestrian trails will be included in the open space areas. We strongly support these active living amenities as it can foster social connectedness, encourage community interaction, and promote physical activity.

### **AIR**

Land development activities that are less than 25 contiguous acres and less than 6 months in duration are exempt from permitting and do not need to report air emissions to the Air Pollution Control Division. However, the developer must use sufficient control measures and have a dust control plan in place to minimize any dust emissions during demolition, land clearing and construction activities. This department will investigate any reports of fugitive dust emissions from the project site. If confirmed, a notice of violation will be issued with appropriate enforcement action taken by the State.

Please be advised that a vehicle tracking pad or equivalent should be placed at egress points to prevent off property transport of materials during construction.

For any proposed demolition activity, the applicant must obtain a Demolition Permit from the Asbestos Section at the Colorado Department of Public Health and the Environment, (303.692.3100). To get this permit, a certified asbestos inspector must examine the building or portion thereof to be removed and sample all suspect materials. If detected, an Asbestos

Abatement Permit must be obtained, and the materials must be removed by a trained and qualified person or company prior to demolition.

### **RADON**

As of January 2019, to address the health hazard associated with radiation from radon gas, all new residential construction in Jefferson County must have a radon mitigation system installed in accordance with the Land Development Regulation Section 27 and the International Residential Code, Appendix F.

### **WETLANDS**

SCI Engineering, Inc. assessed the wetlands and the impact that may result from the proposed development. They provided a report dated September 12, 2022, with the following conclusion:

“6.0 CONCLUSION SCI Natural Resources Scientists performed a wetland and waterbody delineation of the subject site on August 25, 2022. SCI identified WOTUS features on and adjacent to the site that would likely be considered WOTUS, including Dutch Creek (Perennial), Raccoon Creek (Perennial), and an adjacent PEM Wetland A. SCI Engineering, Inc. Arcadia Creek Arcadia Creek, LLC. SCI No. 2022-0589.30 September 2022 Page 5 of 5 SCI understands that the proposed project will feature construction of residential development consisting of multiple new structures. If impacts to jurisdictional features are determined to be necessary (including culverts or outfalls below the OHWM of a stream), a Section 404 Permit from the USACE and a Section 401 Water Quality Certification from CDPHE would likely be necessary. If desired, SCI is available to complete an impact assessment and if necessary, submit the Section 404/401 permit application to the aforementioned regulatory agencies to initiate the permitting process.”

Contact the Army Corps of Engineers at 303.979.4120 for permitting requirements if the wetlands on this property will be disturbed.

**NOTE: These case comments are based solely upon the submitted application package. They are intended to make the applicant aware of regulatory requirements. Failure by Jefferson County Public Health to note any specific item does not relieve the applicant from conforming to all County regulations. Jefferson County Public Health reserves the right to modify these comments, request additional documentation, and or add appropriate additional comments.**

# SOUTH METRO FIRE RESCUE FIRE MARSHAL'S OFFICE

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Nathan Seymour, Case Manager  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway, Suite 3550  
Golden, Colorado 80419  
303-271-8751  
nseymour@jeffco.us

Project Name: Arcadia Creek  
Project File #: **22-115835PF**  
S Metro Review # REFFP23-00145

Review date: July 18, 2023

Plan reviewer: Jeff Sceili  
720-989-2244  
Jeff.Sceili@Southmetro.org

**Project Summary:** Development of private single family home neighborhood.

Code Reference: 2018 Fire Code Edition, 2018 Building Code Edition

South Metro Fire Rescue (SMFR) has reviewed the above project and has conditionally approved the plans based on the April 3, 2020 letter to David Tschetter from Deputy Fire Marshal Rich Conroy. Applicants and Contractors are encouraged to contact SMFR regarding the applicable permit requirements for the proposed project.



## Nathan Seymour

---

**From:** Brent Kaslon <Brent@valerianllc.com>  
**Sent:** Wednesday, July 26, 2023 10:49 AM  
**To:** Nathan Seymour  
**Subject:** --{EXTERNAL}-- Arcadia Creek

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Hi Nathan,

Thanks for forwarding the referral documents again on Arcadia Creek. The Town of Columbine Valley appreciates the opportunity to see how the project is progressing.

The Town appreciates the developers responses to our questions and concerns. There are no further questions. We have just one clarification that we were hoping to get. The response says that the culvert improvements on Coon Creek will “increase the water flow by 600%”. I wanted to confirm that it will not increase the normal flows into Dutch Creek but rather increase the conveyance of water in the event of a major event.

Thanks again for the correspondence.  
Talk to you soon.  
--BK

The applicant has verified this.

**Brent Kaslon, AICP, CFM** (He, Him, His)



LANDSCAPE ARCHITECTURE | PLANNING | IRRIGATION [\[valerianllc.com\]](http://valerianllc.com)

970 Yuma St. Suite 130 Denver, CO 80204

Office: 303.347.1200 | Direct: 303.865.4917 | Cell: 303.656.8934



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**Developer Response.** Correct, the current flows through the existing culvert are +/- 210 cfs, and with the installation of the new culvert, the flows through the culvert would be +/- 1250 cfs, an increase in water flow of about 600%. It has been determined that the new culvert has a no-rise impact on Coon Creek and has a slight decrease in the rise along Coon Creek in a storm event. We have included the No-Rise Hydraulic Modeling Report for review by the town of Columbine.

## Nathan Seymour

---

**From:** George, Donna L <Donna.L.George@xcelenergy.com>  
**Sent:** Tuesday, December 19, 2023 6:47 AM  
**To:** Nathan Seymour  
**Subject:** --{EXTERNAL}-- RE: 22-115835PF THIRD ELECTRONIC REFERRAL FOR ARCADIA CREEK SUBDIVISION

### This Message Is From an External Sender

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Hi Nathan,

Given the developer response, the Referral Desk has no additional comments.

Thank you,

#### Donna George

Xcel Energy | You. Us. Together.

Public Service Company of Colorado (PSCo)

Right of Way and Permits Referral Processor

Electric & Gas Distribution, Gas Transmission

1123 West 3<sup>rd</sup> Avenue, Denver, CO 80223

O: 303-571-3306

E: [Donna.L.George@xcelenergy.com](mailto:Donna.L.George@xcelenergy.com)

Direct Supervisor: [adam.r.pena@xcelenergy.com](mailto:adam.r.pena@xcelenergy.com)

---

#### XCELENERGY.COM

Please consider the environment before printing this email.

---

**From:** P&Z Admin <PZAdmin@co.jefferson.co.us>

**Sent:** Monday, December 11, 2023 6:36 AM

**Subject:** 22-115835PF THIRD ELECTRONIC REFERRAL FOR ARCADIA CREEK SUBDIVISION

**EXTERNAL - STOP & THINK** before opening links and attachments.

**ELECTRONIC REFERRAL**

JEFFERSON COUNTY, COLORADO

# CITIZEN COMMENTS

## Nathan Seymour

---

**From:** Ric Bechter <ricbechter@comcast.net>  
**Sent:** Tuesday, December 12, 2023 1:30 PM  
**To:** Nathan Seymour  
**Cc:** 'Ric Bechter'  
**Subject:** --{EXTERNAL}-- Arcadia Creek document sharing list  
**Attachments:** 22-115835PF-2nd-eReferral.doc

### This Message Is From a New Sender

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Hi Nathan,

Please add my name and email address to the list at the bottom of this document. I have been coordinating and managing the communication effort for this development on behalf of the neighborhoods in Arapahoe County for the past seven years since we first met with the developer in my home on December 20, 2016.

I am the Manager of the Fox Hollow HOA located immediately to the east of the proposed development.

Best regards,

Ric Bechter  
4993 Christensen Dr.  
Littleton CO 80123-6585

C: 303-808-6823



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Dec. 26, 2023

Nathan Seymour  
Case Manager  
Jefferson County  
[nseymour@jeffco.us](mailto:nseymour@jeffco.us)

RE: Arcadia Creek  
5234 W. Leawood Drive

Dear Nathan,

As you are aware by now, my wife and I live at 5090 Christensen Lane in Arapahoe County. Our property is immediately east of the proposed development in both Jefferson and Arapahoe Counties.

Although we are not excited about the density on the Jefferson County portion of the development, we understand that the Owner of the property has the right to develop the property as he/she sees fit. Understanding that, the development should not have a negative impact on the surrounding properties. We are isolated from the Jefferson County portion of the development by the two proposed residential lots in Arapahoe County.

We are very concerned about the use of the private drive and access to Christensen Lane as the main access to the whole development. To achieve this access, the private drive, the culvert, and Christensen Lane will have to be modified and altered.

As the developer will tell you multiple times, the Court gave him the right to access the Lane. The Court did not address whether he has the right to modify, change or maintain the Lane. These issues have not yet been addressed.

To receive support for this development from both SEMSWA and the fire department, the developer is required to upsize the culvert and modify the private drive. Although there is little we can do about the modifications to the private drive, we are very concerned about the new culvert and its design. As you can see by the drawings, the new culvert and its wing walls will encroach on our property. Through our attorney we have not been able to find a recorded easement that allows access that allows for construction or access on our property.

The drawings the developer has submitted show the improvement that he plans on making but he does not show the damage to the existing trees and topography that he will have to remove to get this work done. Several of these 60-year-old plus trees are on his property, but several are not. Several are on our property. The view of these trees from the front of our house will be replaced with views of concrete wing walls.

Currently Arapahoe County has not approved the proposed changes to the private drive, the culvert, or Christensen Lane. The developer has received some variances that Arapahoe County Engineering has endorsed, but they have not been voted on by the County Commissioners.

I would ask that you postpone moving this project forward until Arapahoe County determines their course of action. Any negative decisions on Arapahoe Co.'s part could have a great impact on the overall development.

I do not know how much correspondence you have received on the Jefferson County portion of this development, but I do know that Arapahoe County is still receiving comments, suggestions, and petitions in regard to the development and the proposed changes to the Arapahoe County portion.

SEMSWA and the Mile High Flood District have just commenced a study on the Coon Creek Drainageway and the associated flood plain. This study has been contemplated for more than 5 years to help understand some of the challenges that exist with Coon Creek and Dutch Creek. Surveying for this study just began last week. Since these two drainageways are heavily impacted by this development, it may be wise to postpone any further approvals of this development until the results of the study can be reviewed and understood.

I understand that the developer is anxious to move forward, but we feel that there are too many unanswered questions for a decision currently. We are asking you to delay the process until these critical issues can be resolved.

Thanks you for your time and understanding. Should you wish to discuss this further, we can be reached at 303.973.7555.

Submitted by

Ivar and Anne Larsen  
5090 Christensen Lane  
Littleton, CO. 80123



## Nathan Seymour

---

**From:** Nathan Seymour  
**Sent:** Wednesday, January 10, 2024 6:37 PM  
**To:** alarsens@aol.com  
**Cc:** Andy Larsen Sr  
**Subject:** RE: --{EXTERNAL}-- Arcadia Creek Development

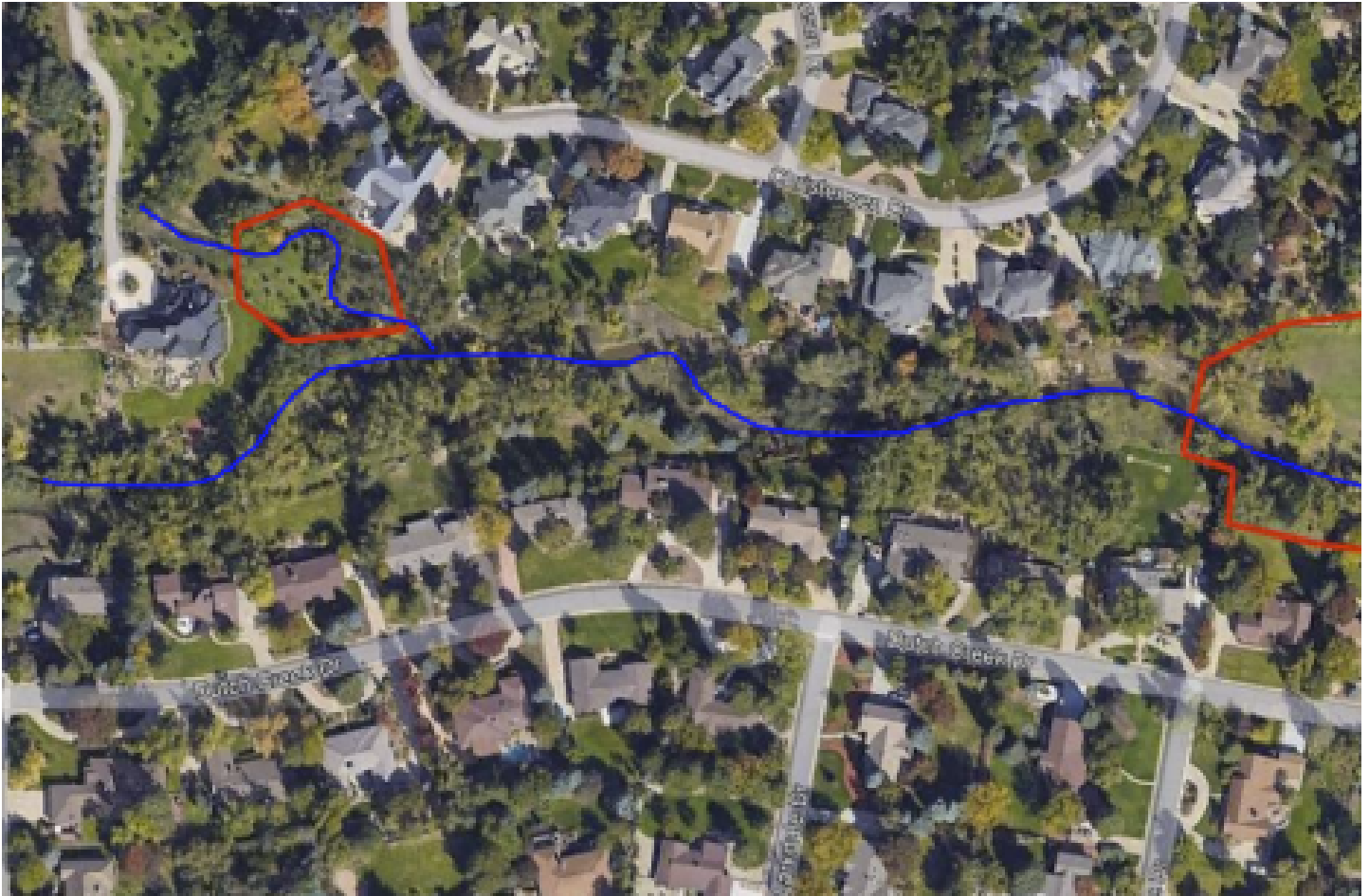
Hello Anne and Andy,

Thank you for your comments. I wanted to clarify a few things.

The main access to the Jefferson County portion of the development is from W. Leawood Drive. Although it is not the applicant's intent to develop only the Jefferson County property, they do have that option. The access from Christianson lane is not required for the Jefferson County subdivision to move forward for a decision.

Additionally, I wanted to pass along some information I received on the coordinated Study between SEMSWA and MHFD on Coon Creek. This correspondence below in blue is directly from MHFD to me.

*We have partnered with SEMSWA to study Dutch and Raccoon Creek. The current scope is an alternative analysis and 30% design to stabilize the stream, repair eroded streambanks, and protect sanitary sewer infrastructure. For Raccoon Creek, eroding streambanks is all that is being studied. The approximate study limits are shown in the image below. This study/30% design is projected to be completed by May 2024. A preliminary proposed hydraulic model is included in the scope of work to assess potential floodplain impacts. Survey has begun within the project corridor. Final design and construction are a few years away.*



If you have any other questions/comments, please let me know.

Best,

**Nathan Seymour**

Civil Planning Engineer

o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)

## TOGETHER JEFFCO 2023

County Plans and Regulations Update

*Help us shape the future of Jefferson County by visiting the Together Jeffco website and taking the online questionnaire! Click this image to visit our website: <https://togetherjeffco.com>. From there, you will find our Questionnaire on the main page!*

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) and submit [applications](#) online. Go to [planning.jeffco.us](http://planning.jeffco.us) for more information.

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**From:** alarsens@aol.com <alarsens@aol.com>  
**Sent:** Tuesday, December 26, 2023 3:40 PM  
**To:** Nathan Seymour <nseymour@co.jefferson.co.us>

## Nathan Seymour

---

**From:** Marilyn McGee <mfmcgee2@gmail.com>  
**Sent:** Tuesday, December 26, 2023 2:57 PM  
**To:** Nathan Seymour  
**Subject:** --{EXTERNAL}-- My Comments Regarding the Arcadia Creek Subdivision Proposed Development

### This Message Is From a New Sender

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I am writing to submit our comments on the proposed Arcadia Creek Development Plan in Jefferson County. We strongly object to the plan because the high density in the proposed development does not fit in with the homes and neighborhoods immediately next to and surrounding the proposed development both in style and the size of the lots.

The homes on the east side of the proposed development are large homes with over 4,000square feet of living space above ground on 1/4 to 1/2 acre lots. The homes on the west and northwest side of the development are on lots averaging 1/4 acre. There is no high density housing in this area.

There are no homes on the south and southwest side of the development because it is open space that Dutch Creek runs through.

Placing as many homes as the devloper has planned as closely together as possible with less than 20 feet separating them on each side, would make this proposed development an abdominally in the neighborhood. It would negatively impact the quality of life for all of us who have enjoyed the uniqueness of this area.

Signed, Marilyn McGee and Jon La Breche  
4420 W Christensen Ln, Littleton, CO 80123

## Nathan Seymour

---

**From:** Nathan Seymour  
**Sent:** Tuesday, December 19, 2023 10:13 AM  
**To:** Marilyn McGee  
**Subject:** RE: --{EXTERNAL}-- Arcadia Creek Proposed Development

Marilyn,

Thanks for reaching out.

The Arcadia Creek subdivision in Jefferson County is not contingent on access down Christensen Lane as the Jefferson County portion of the subdivision does not require a secondary access. It is also not contingent on the installation of a new culvert on the private driveway leading to Christenson Lane.

It's hard to give you a definite answer on Planning Commission or Board of County Commissioners hearing but we are getting close to being able to schedule. I would guess in the next month or two hearing notification would be sent out.

Best,  
**Nathan Seymour**  
Civil Planning Engineer  
o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)

**TOGETHER JEFFCO 2023**  
County Plans and Regulations Update

*Help us shape the future of Jefferson County by visiting the Together Jeffco website and taking the online questionnaire! Click this image to visit our website: <https://togetherjeffco.com>. From there, you will find our Questionnaire on the main page!*

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) and submit [applications](#) online. Go to [planning.jeffco.us](http://planning.jeffco.us) for more information.

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**From:** Marilyn McGee <mfmccgee2@gmail.com>  
**Sent:** Monday, December 18, 2023 1:17 PM  
**To:** Nathan Seymour <nseymour@co.jefferson.co.us>  
**Subject:** --{EXTERNAL}-- Arcadia Creek Proposed Development

**This Message Is From a New Sender**

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Nathan,

I am wondering if the proposed development in Jefferson county is contingent on Arcadia Creek having access down Christensen Lane? And whether or not it is contingent on Arcadia Creek resolving the flooding issue along their private driveway leading to Christensen Lane?

The developer is being required to install a ten year flood prevention type culvert to replace the flimsy culvert currently in existence along his private drive but he has run into a snag with that because he needs to get an easement from the adjacent property owners in order to do so and so far he has not been able to get an easement.

What are your projected time lines for this to go before the planning commission?

Thank you, Marilyn McGee  
4420 W Christensen Ln, Littleton, CO 80123

## Nathan Seymour

---

**From:** Patricia Peppard <ppeppard@mindspring.com>  
**Sent:** Monday, July 31, 2023 4:32 PM  
**To:** P&Z Admin; Nathan Seymour  
**Subject:** --{EXTERNAL}-- RE: 22-115835PF- Electronic 2nd Referral  
**Attachments:** Arcadia Creek Comment RequestJefferson Cty July 31 2023.pdf; IMG\_8071 Dutch Creek June 22\_2023 looking due west from PedicordStables big barn.PNG; Dutch Creek looking west from big barn area to white fence of M McGee prop.PNG

### This Message Is From an Untrusted Sender

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Mr. Seymour and Jefferson County Planning and Zoning,

Attached are our comments as requested in the below email received on July 17, 2023, which comments I have attached as a 2-page pdf. In addition, attached are two photos. I apologize for the poor quality but one is a recent picture from last month's big storm/flood event along Dutch Creek looking west from our big barn area to the white fence that is the fence line with Marilyn McGee's property (her address is on Christensen Lane). The second is a picture of that same area as it frequently looks also facing west to the same white fence line to give you perspective and orientation. I am happy to work to send better photos or send in a different format if you would like (please just ask) but I believe even with the poor quality you can perceive the significant differences.

If you have any questions or need additional information, please let me know.

Thank you for your consideration of these comments.

Patricia Peppard, Manager  
Dutch Creek Properties, LLC  
d/b/a PEDICORD STABLES  
6483 S. Platte Canyon Rd.  
Littleton, Colorado 80123  
303-437-4622 Cell  
[pep.pedicord@gmail.com](mailto:pep.pedicord@gmail.com)  
[ppeppard@mindspring.com](mailto:ppeppard@mindspring.com)  
[www.pedicordstables.com](http://www.pedicordstables.com) [[pedicordstables.com](http://pedicordstables.com)]

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**From:** P&Z Admin <PZAdmin@co.jefferson.co.us>  
**Sent:** Monday, July 17, 2023 12:35 PM  
**Subject:** 22-115835PF- Electronic 2nd Referral

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO



Columbine

Edit



From Nancy >



11:14

LTE 

< November 3, 2020

3:40 PM

Edit

 HOR



Mr. Seymour,

July 31, 2023

22-115835PF  
Case Name: Arcadia Creek  
Address: 5234 W. Leawood Drive  
General Location: South of the intersection of S. Sheridan Blvd and W. Leawood Drive  
Case Type: Preliminary and Final Plat  
Type of Application: Preliminary and Final Plat (Subdivision) to create 23 Single-Family detached units on approximately 7.47 acres with Jefferson County.

Is your review and decision making on this Preliminary and Final Plat for Arcadia Creek sufficient to prevent what I have been reading about as the ***“No Adverse Impact”*** concept in floodplain management? Which, as I understand it, states that the ***“action of one property owner does not adversely impact the rights of other property owners.”***

It is my understanding that this adverse impact is measured by increased flood peaks, flood stage, flood velocity, erosion and sedimentation, among other factors. I have attached a picture that was taken from a video of the June 22, 2023 flood event on our property transmitted to us by one of our horse boarders. I cannot at this moment include the sound but the noise and swiftness of the creek was what the boarder noticed particularly and the extensive nature of the flooding. I have attached a still photo but the video is striking. Also, the amount of debris coming down the creek was also noted by the horse boarder at the time of filming. We have NEVER had anything this extreme and we are very concerned this will only continue to happen. Per communications with close neighbors, they too have had unprecedented flooding and it is also flooding that is not consistent with comments made in the 2008 FHAD about our reach on Dutch Creek.

We are also very concerned with climate change and the ramifications thereof and how quickly change is occurring (see multiple news outlet articles and scholarly articles published by NASA to the United Nations to the EPA to NOAA to the Department of Energy to FEMA to the World Health Organization to the National Geographic Society as well as multiple articles in newspapers including the Denver Post and the Washington Post, among others – just to name a few sources for this information). We believe this trend is not an isolated event based on it being only a wet spring and summer of 2023 along the front range of Colorado as some have suggested. We do not mean disrespect to many of those who have prepared professional reports for submission on this project and that are included in your materials. We are also not engineers; however, we are folks with common sense and experience who are paying attention to their own property as well as events in our community, state and nation related to flooding events. It seems the data you may be relying upon for your decision making is, at least in part, based on studies and information gathered and analyzed prior to 2008. Anecdotally, we can confirm things have changed significantly since that time on our property as it pertains specifically to Dutch Creek. Current literature on climate change also documents how rapidly change is occurring. These changes are now being measured by years and no longer by decades.

As a total aside, we have had two horses in that flood area colic since the June 22, 2023 flood. Each had to be taken to Littleton Equine Medical Center for overnight care and one horse stayed several nights. One horse just came home this past week from the Equine Hospital. Fortunately, neither horse has died but the boarders have asked about issue with that area and has the debris and flooding created a health issue. I have pictures prior to our purchase of the property with horses walking in the creek and drinking from it. Nevertheless, we have always provided city water in troughs for the horses in that area to drink. But the amount of debris coming down the creek (not to mention our costs to clean up each and every

time) as well as concerns about water quality persists. The boarders asked us a few days ago if there is something in the water or primarily left in the sediments from the flooding that could have made both of their horses' sick within weeks of each other. It could of course be something entirely unrelated but the boarders asked if this illness was coincidental to that particular place on the property or if it was possibly something else. This too is a new development in that area.

We request you be very conservative in any plan to further develop the property upstream that is the subject of your review such that you seek to minimize the *Adverse Impact* on those of us property owners that are downstream from this development. We specifically request you actively work together with other agencies to institute immediate flood mitigation activities along Dutch Creek adjoining this development area (and even into neighboring Arapahoe County). In reviewing the information in the 2015 Colorado Climate Change Vulnerability Study, in the Executive Summary it discusses Flood Mitigation generally. It states, "Large portions of the state that exist in areas of high flood risk and have engaged in little mitigation are vulnerable to high risk of extreme precipitation events." This past June 22, 2023 was an extreme precipitation event and it sounds like this may be the state of things to come as there is further climate change. We happen to be in an area where "little mitigation" has occurred despite our requests to address issues along Dutch Creek for many years. We have made these inquiries about possible mitigation work along Dutch Creek for over two decades to both Urban Drainage personnel and others up to and including our most recent communications with Southeast Metro Stormwater Authority (SEMSWA) two weeks ago. The feedback we received on July 13, 2023, from SEMSWA is as follows:

*"Improvements to Dutch Creek is on our Capital Improvement Project list, and we have just started looking at getting a project started. The project limits and timing are not yet known and there is not yet funding for this project."* (emphasis added with underlines)

We were told in the early to mid-2000s that we would be on a list for possible channel work and flood mitigation for Dutch Creek along the part of the creek that crosses or abuts our property. It is now almost 20 years later and nothing has occurred except further upstream development and greater adverse impacts to our property as a result.

Therefore, we specifically request that the lack of flood mitigation work along Dutch Creek be a part of your calculation as you review the project details of this development and also as you seek input from other agencies on this development plan. We remind you of the stated goal of NO ADVERSE IMPACT to the property rights of others downstream from this development.

Respectfully submitted,  
Trish

Patricia Peppard, Manager  
Dutch Creek Properties, LLC  
d/b/a PEDICORD STABLES  
6483 S. Platte Canyon Rd.  
Littleton, Colorado 80123  
303-437-4622 Cell  
[pep.pedicord@gmail.com](mailto:pep.pedicord@gmail.com)  
[ppeppard@mindspring.com](mailto:ppeppard@mindspring.com)  
[www.pedicordstables.com](http://www.pedicordstables.com)

## Nathan Seymour

---

**From:** Patricia Peppard <ppeppard@mindspring.com>  
**Sent:** Friday, December 22, 2023 11:03 AM  
**To:** 'Chuck Haskins'  
**Cc:** 'Tiffany Clark'; 'Dan Olsen'; Nathan Seymour; 'Joseph Boateng'  
**Subject:** --{EXTERNAL}-- RE: Follow up - Arcadia Creek 22-115835PF - 5234 W. Leawood Drive

**Importance:** High

### This Message Is From a New Sender

You have not previously corresponded with this sender.

Report Suspicious

Chuck,

If you are working today, could you please give me a call on my cell phone number – 303-437-4622? Jefferson County needs comments by 12/26/23 for the Arcadia Creek project; however, Nathan Seymour with Jefferson County is not working today nor is the Jeffco Planning and Zoning Office even open today. This morning I also tried Tiffany Clark and she is out of her office as is her boss, Dan Olsen. At least Arapahoe County's Office appears to be open today. Yes, I know it is close to a holiday and I too wish comments were not due the day after Christmas but I did not set the comment timeframe. I am also very busy at this time of year and would like to be doing other things outside of my office also but these comments are due next Tuesday.

Is Arapahoe County and/or Semswa providing any additional comments to Jefferson County per the Notice copied below? I have been wondering and am particularly concerned about the deposits of more and more sediments in the creek bed of Dutch Creek and as a result the expansion of the flooding activity on our property. I have not seen feedback (or at least located this type of feedback in these various reports from multiple sources) addressing how upstream development has contributed to significant sediment buildup in the creek bed of Dutch Creek. I have also not reviewed information on how this type of sediment buildup can and does (or does not) exacerbate flooding events on our property. It seems like it has from our perspective during our ownership over the almost 24 years we have owned this property. Therefore, can you direct me to sources in the materials for this proposed project about how these types of issues are and will be addressed to prevent harm to downstream owners? If Arapahoe County has addressed this concern and/or if SEMSWA has done so, could you please let me know specifically where so I may review? If Arapahoe County and/or Semswa (note: I have copied Tiffany Clark and her supervisor on this email for her/their feedback) have not addressed this issue with the Developer or with Jefferson County, can you please let me know why not?

In addition, Ann Larsen mentioned that she and some of her neighbors were recently contacted by mail by someone from Mile High Flood District (or at least a contractor/agent). She asked had we received any such written contact. I said we had not received any similar mail or notices from Mile High Flood District recently. If we should have and/or you are aware of this contact to our neighbors can you please update us or give me a contact name to follow up with at Mile High Flood District? We do not want to be left out of the "loop" because of a failure to receive a written notice as has occurred in the past.

Thank you.

Patricia Peppard, Manager  
Dutch Creek Properties, LLC  
d/b/a PEDICORD STABLES  
6483 S. Platte Canyon Rd.

## Nathan Seymour

---

**From:** Nathan Seymour  
**Sent:** Wednesday, January 4, 2023 7:59 AM  
**To:** D.J. Steines  
**Cc:** Ross Klopf  
**Subject:** RE: Arcadia Creek

Hi D.J.

I hope your well. Good questions.

1. The access street to Arcadia from the driveway of 5324 has to be at least 30'. It could be right up to the property line.
2. The Site distance to the left is required to be 260' and 170' to the right at 25mph.



Any other questios please let me know.

**Nathan Seymour**

Civil Planning Engineer

o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)

**JEFFERSON**  
COUNTY COLORADO



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---

**From:** D.J. Steines <D.J.Steines@Newmont.com>  
**Sent:** Friday, December 30, 2022 9:44 AM  
**To:** Nathan Seymour <nseymour@co.jefferson.co.us>  
**Cc:** D.J. Steines <D.J.Steines@Newmont.com>  
**Subject:** --{EXTERNAL}-- Arcadia Creek

**CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Nathan,

I hope that this email finds you well.

As it relates to Arcadia Creek, I have two questions that I was hoping you could help me with:

1. How close can the entry/exit for Arcadia Creek onto Leawood drive be to 5324 West Leawood drive? As an example, can the road be right next to their property, or will Jefferson County require there be a buffer between the road and the house?
2. Can you tell me what the right sight distance should be as someone exists out of Arcadia Creek onto Leawood Drive? I note that the speed limit in Leawood is posted at 25 mph.

Thanks for your time,

D.J.

## Nathan Seymour

---

**From:** Nathan Seymour  
**Sent:** Tuesday, December 19, 2023 10:04 AM  
**To:** D.J. Steines  
**Cc:** Ross Klopff; Pat OConnell  
**Subject:** RE: Leawood Drive - Flood Zone and Site Distance

Hi D.J.

Following up with our call yesterday.

Regarding the access into and out of the Arcadia Creek subdivision. Planning Engineering has reviewed the Access and has no outstanding concerns. The reasons are as follows:

1. As shown on the diagram below access into and out of the site can still operate without infringing into the FEMA mapped AE flood zone.
  - a. This considered the best available data for Coon Creek. It is based on a 2008 FHAD (Flood Hazard Area Delineation Study).
2. The applicant is not proposing any modifications to the culvert crossing W. Leawood drive nor are they proposing any major changes to infrastructure in this area (minor curb, gutter, sidewalk work). As a result, we are not requiring them to re-study this area.
  - a. Our floodplain regulations can be found in Section 37 of the [Zoning Resolution](#).
3. As noted in our [Storm Drainage Design and Technical Criteria](#) our regulations allow for up to 1' of depth over a culvert during a 100yr event. My point in providing this information is that even if water were to encroach further to the west into the access area, it is extremely unlikely to become a problem for ingress/egress to the subdivision up to a 100yr event based on the best available data we have today.

For your information. Area in yellow flood fringe (shallower depths, reduced velocity). Area in blue floodway (main conveyance area).

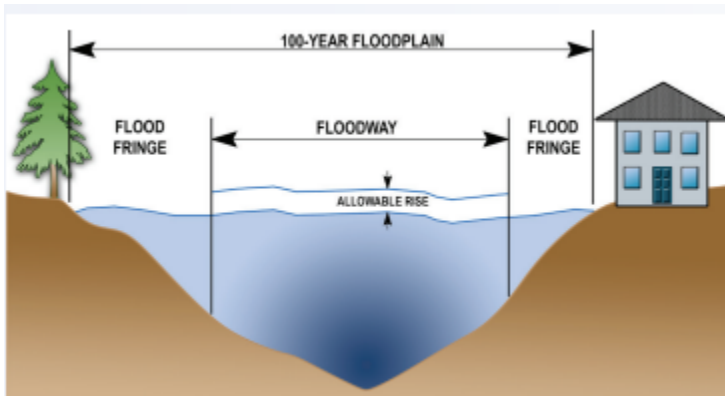
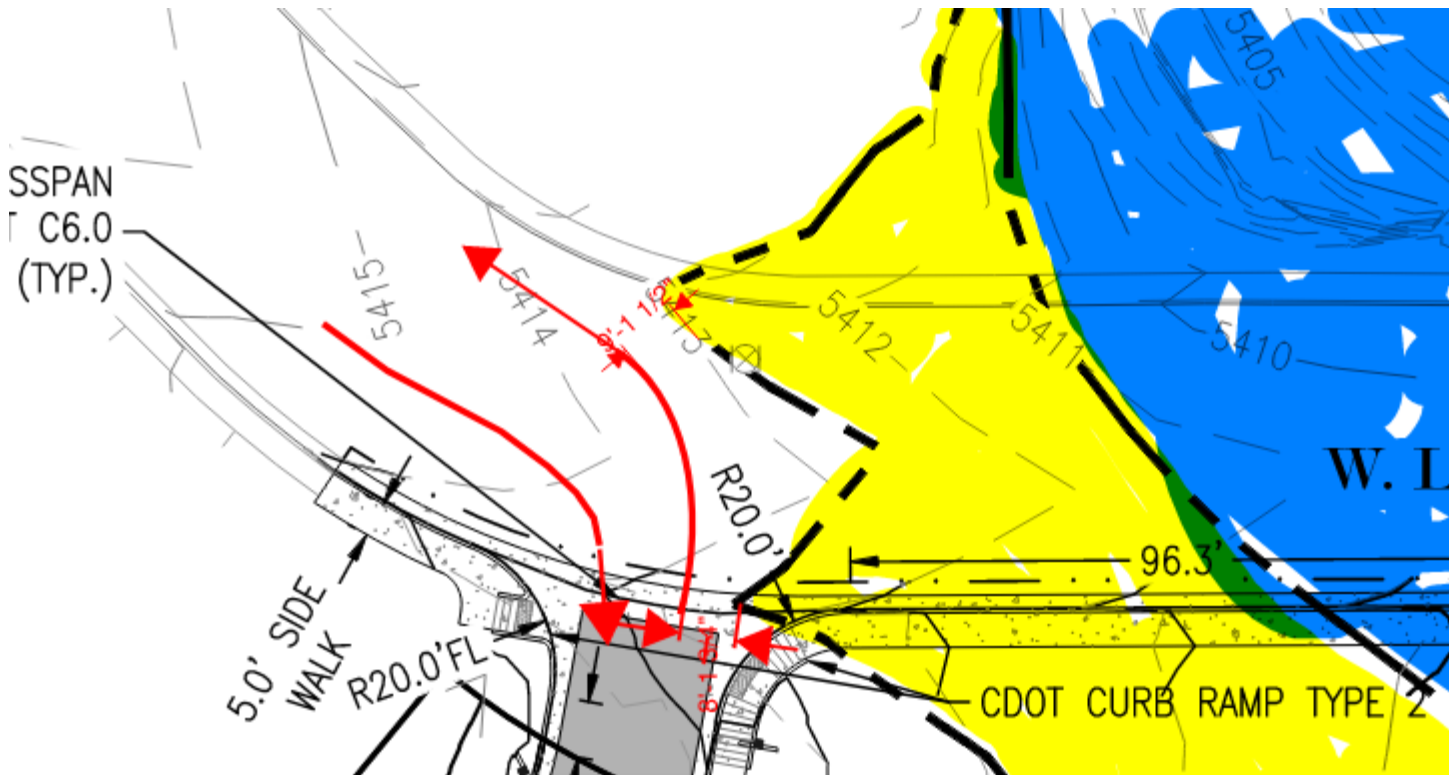


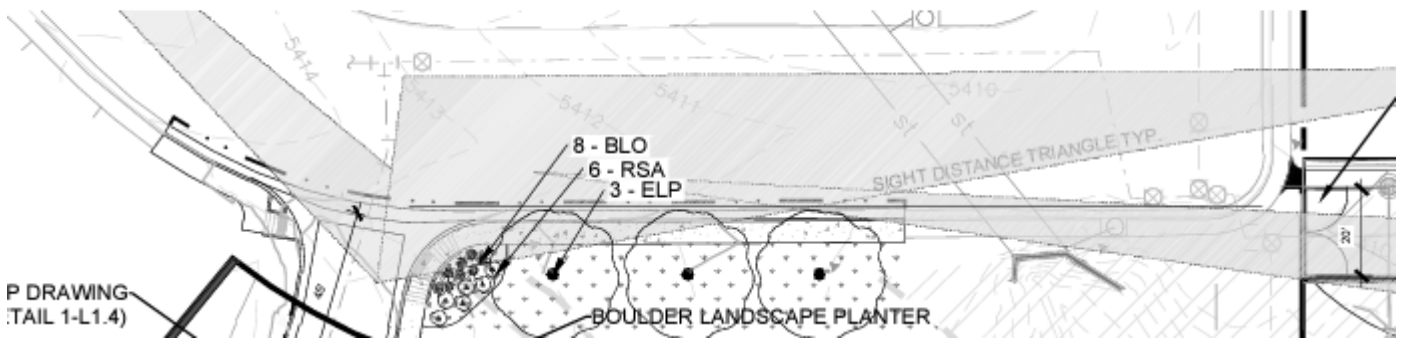
Table 1005

**Allowable Culvert Overtopping**

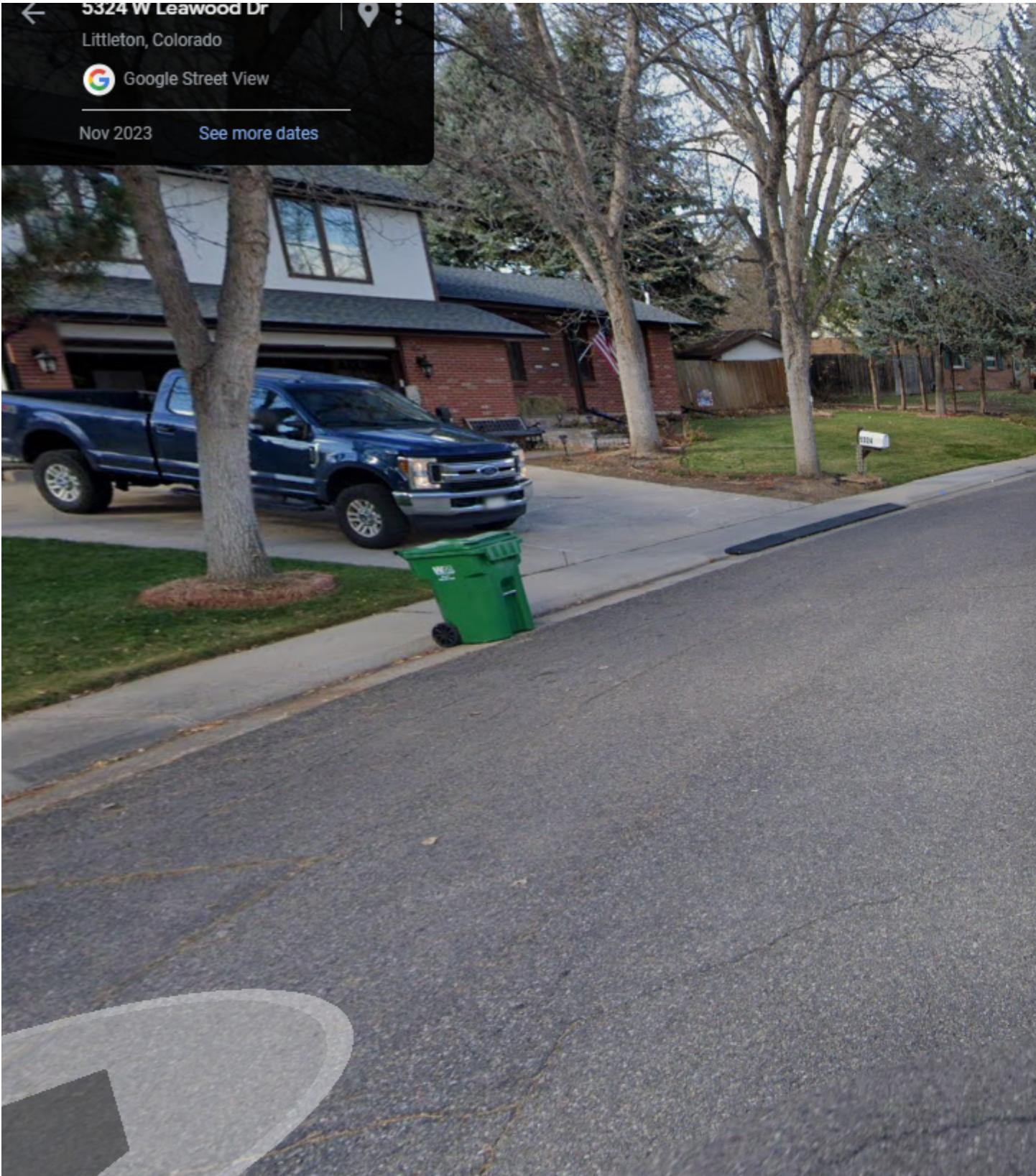
Street/Road Classification	Minor Drainage System Maximum Depth	Major Drainage System Maximum Depth*
Major Collector/Arterial/Parkway	None	None. Minimum clearance between the low chord or culvert crown and the energy grade line is 6 inches for basins less than 2 square miles, 1 foot for basins up to 10 square miles and 2 feet for basins greater than 10 square miles.
Collector/Local/Driveway	None	12" depth at gutter flowline or edge of pavement if no gutter. The maximum headwater depth is 1.5 times the culvert height.
Local Mountains/ Driveway Mountains	None	Overtopping depth for the 100-year storm event is 12" unless approved by Planning and Zoning and the Fire Protection District.

*\*The regulations set forth in the ZR, also apply for culvert crossings that are within the Floodplain Overlay District.*

Regarding sight distance at this location. The Landscape Plan shows this best. You can see the Sight Distance Triangle provides clear line of sight from this intersection. Staff's review of this intersection is ongoing. Additional information will be requested to verify all our requirements are met.











Let me know if you have any follow up questions.

Best,

**Nathan Seymour**  
Civil Planning Engineer



## TOGETHER JEFFCO 2023 County Plans and Regulations Update

Help us shape the future of Jefferson County by visiting the Together Jeffco website and taking the online questionnaire! Click this image to visit our website: <https://togetherjeffco.com>. From there, you will find our Questionnaire on the main page!

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) and submit [applications](#) online. Go to [planning.jeffco.us](http://planning.jeffco.us) for more information.

**From:** D.J. Steines <D.J.Steines@Newmont.com>  
**Sent:** Wednesday, April 26, 2023 4:48 PM  
**To:** Nathan Seymour <nseymour@co.jefferson.co.us>  
**Cc:** D.J. Steines <D.J.Steines@Newmont.com>  
**Subject:** --[EXTERNAL]-- Leawood Drive - Flood Zone

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Nathan,

Thanks for the phone call a few days ago and the update regarding Arcadia Creek. I wanted to touch base with you regarding the flood zone issues associated with this development. Arapahoe County seems to be deferring to Jefferson County to determine if the ingress/egress through Leawood Drive goes through a flood zone.

In the e-mail below, I see that you sent some pictures to Arapahoe County regarding the flood zone issue. The pictures confirm what those in our neighborhood have long thought regarding the ingress/egress on Leawood and how this obviously goes through a flood zone. As you can tell in the added picture below, I took the ingress/egress exit onto Leawood and went straight across to northern part of the street. This clearly goes through the flood zone. Also pictured below is another snippet from Consilium Design showing the ingress/egress going through a flood zone.

Flood zones can be interpreted in different ways, but common-sense dictates from the two screen shots below that the ingress/egress onto Leawood goes through a flood zone. We continue to note that the Developer has not provided any office calculations or field surveying to determine the flood zone on Leawood Blvd. The Developer goes out of his way in the Pre-sub application to state the following:

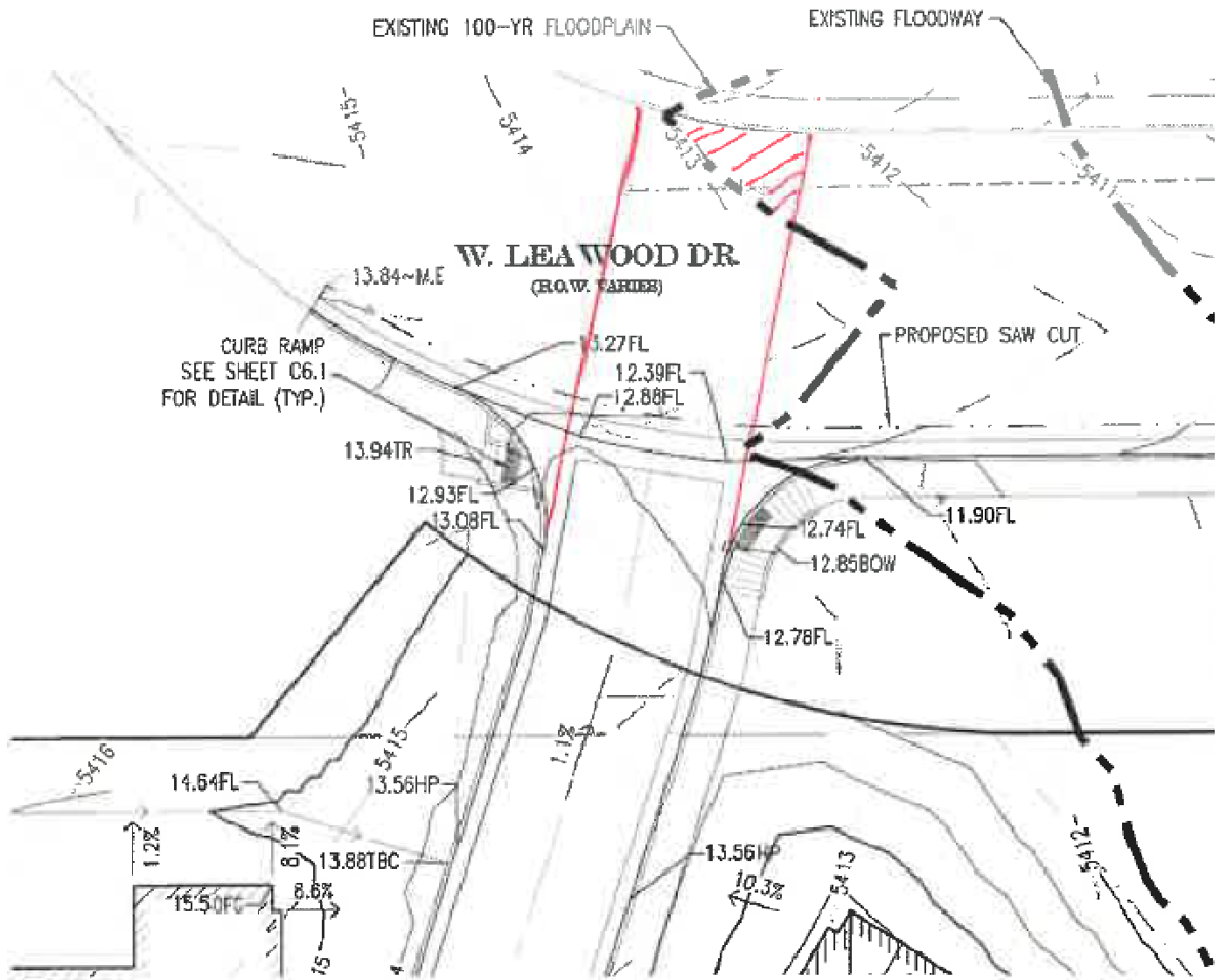
*BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X", ZONE "X" SHADED, WITH A 0.2% ANNUAL CHANCE FLOOD, HAZARD AREAS OF 1% ANNUAL CHANGE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT AND FLOODWAY WITHIN ZONE "AE" SPECIAL HAZARD AREAS WITH BASE FLOOD ELEVATION (BFE) PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 08005C0431 WITH AN EFFECTIVE DATE OF APRIL 18, 2018. NO OFFICE CALCULATIONS OR FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS INFORMATION*

At a minimum, we would assume Jefferson County will require the Developer to provide field surveys confirming the flood zone issue.

As Arapahoe County is looking to Jefferson County to determine this flood zone issue, I would appreciate any comments you (and your team) may have regarding the flood zone issues with Leawood Drive.

Again, thanks for your time as we work through the safety issues associated with this development. Happy to jump on a call if it would be easier to discuss over the phone.

D.J.





---

**From:** Joseph Boateng <[JBoateng@arapahoegov.com](mailto:JBoateng@arapahoegov.com)>  
**Sent:** Tuesday, February 7, 2023 2:38 PM  
**To:** D.J. Steines <[D.J.Steines@Newmont.com](mailto:D.J.Steines@Newmont.com)>  
**Subject:** [EXTERNAL] FW: Elevation of Leawood access

D.J,  
Please see email below from Nathan.

Joseph  
fyi

---

**From:** Nathan Seymour <[nseymour@co.jefferson.co.us](mailto:nseymour@co.jefferson.co.us)>  
**Sent:** Tuesday, February 7, 2023 2:25 PM  
**To:** Joseph Boateng <[JBoateng@arapahoegov.com](mailto:JBoateng@arapahoegov.com)>  
**Cc:** Ross Klopff <[rklopff@co.jefferson.co.us](mailto:rklopff@co.jefferson.co.us)>  
**Subject:** RE: Elevation of Leawood access

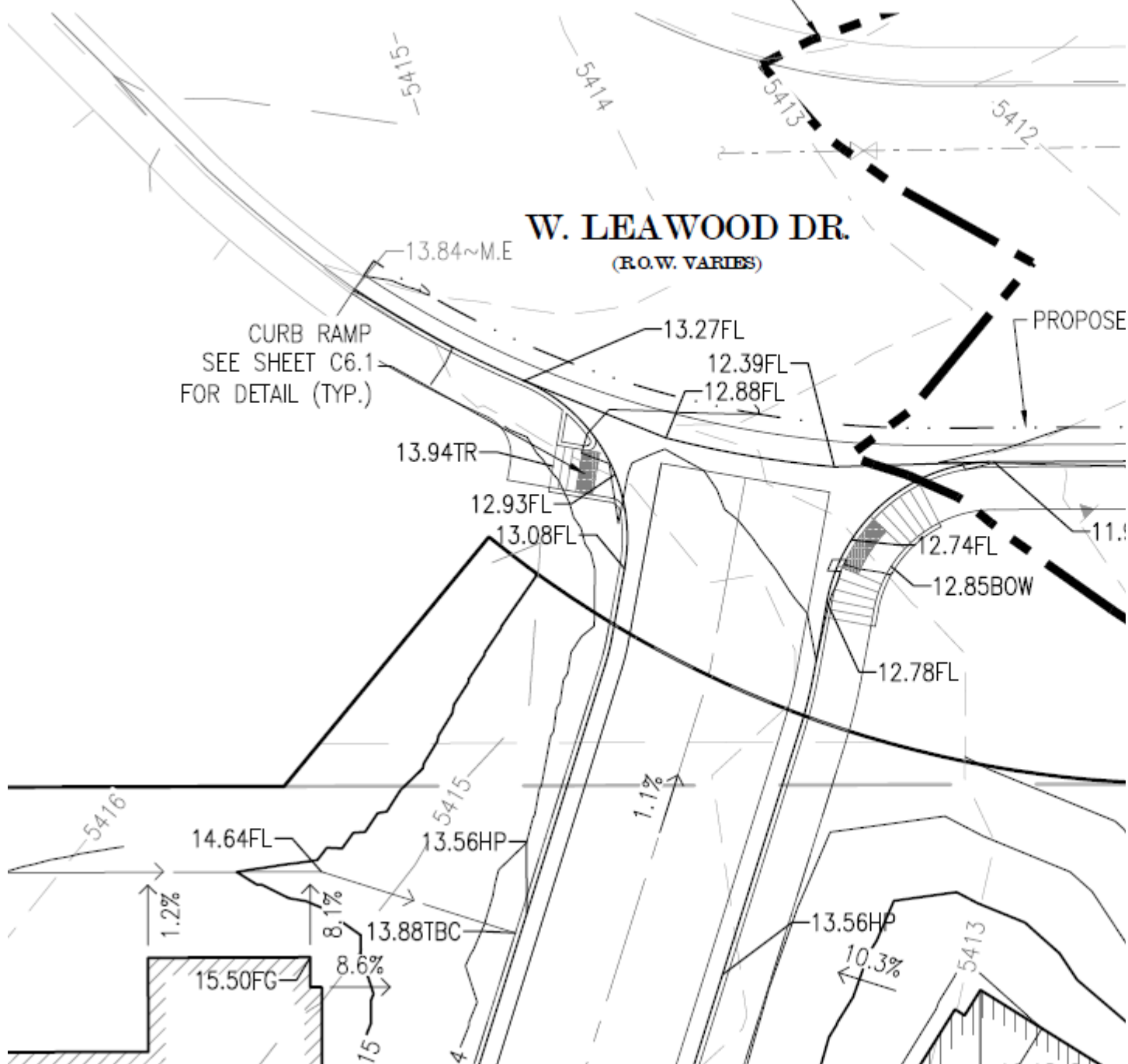
**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Joseph,

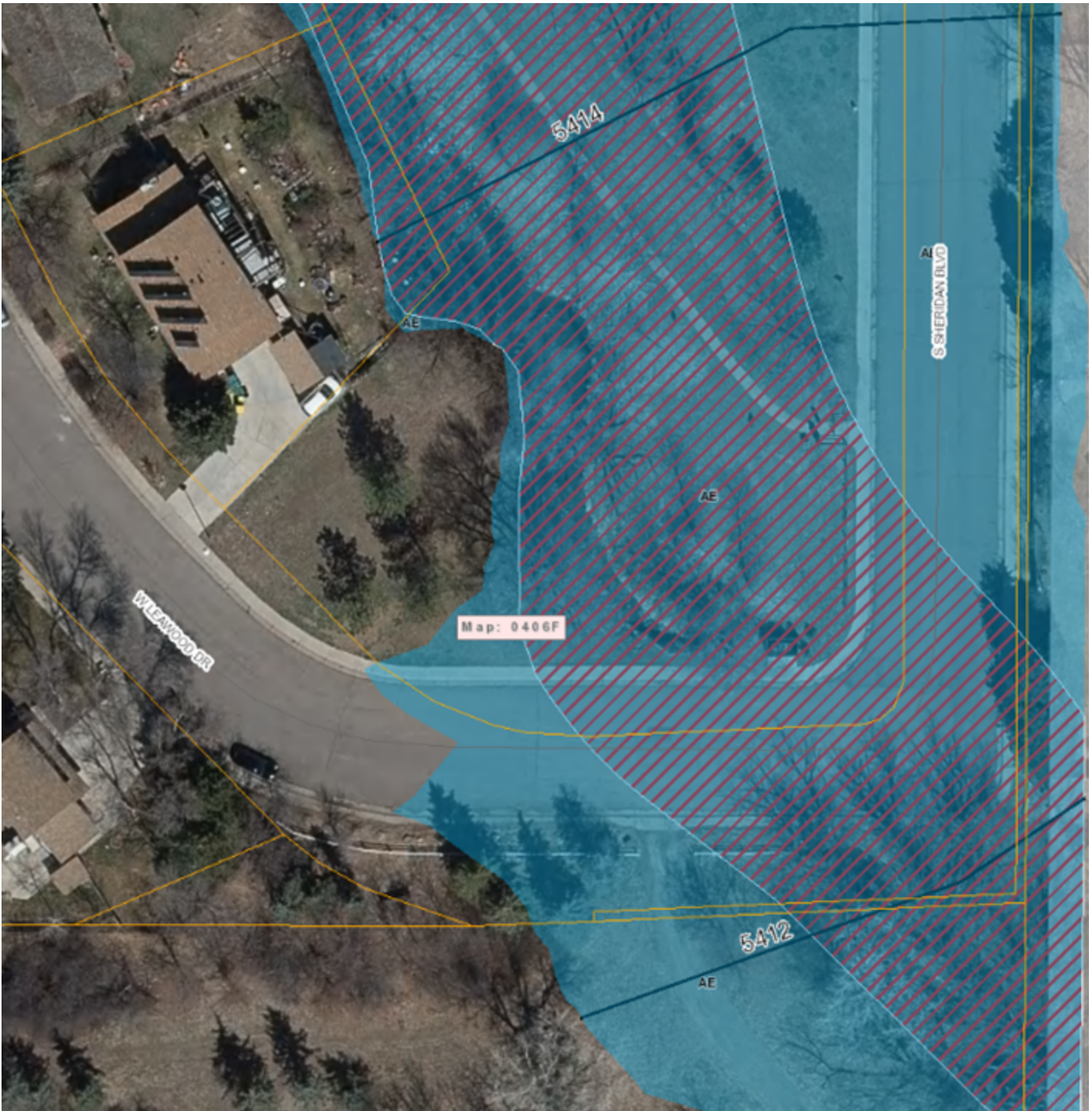
The elevations of the Leawood access is at approximately 5413. The floodplain BFE being slightly less than that.

EXISTING 100-YR FLOODPLAIN

EXISTING FLOODWAY







Hope that helps. Let me know if you have any other questions.

**Nathan Seymour**

Civil Planning Engineer

o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)



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## Nathan Seymour

---

**From:** Nathan Seymour  
**Sent:** Tuesday, May 9, 2023 10:36 PM  
**To:** D.J. Steines  
**Cc:** Pat OConnell; Ross Klopf  
**Subject:** RE: Leawood Drive - Flood Zone

Hi D.J.

I apologize for the delayed response. If your leaving the site during a major storm event (100 yr event) as modeled by the limits of the floodplain boundary on FEMA's maps, you could avoid driving within or through the floodplain by driving/walking to the higher ground and therefore avoiding the risk. For that reason, we don't consider the location of this access to be an issue.

**Nathan Seymour**  
Civil Planning Engineer  
o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)



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---

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**Sent:** Wednesday, April 26, 2023 4:48 PM  
**To:** Nathan Seymour <nseymour@co.jefferson.co.us>  
**Cc:** D.J. Steines <D.J.Steines@Newmont.com>  
**Subject:** --{EXTERNAL}-- Leawood Drive - Flood Zone

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Nathan,

Thanks for the phone call a few days ago and the update regarding Arcadia Creek. I wanted to touch base with you regarding the flood zone issues associated with this development. Arapahoe County seems to be deferring to Jefferson County to determine if the ingress/egress through Leawood Drive goes through a flood zone.

In the e-mail below, I see that you sent some pictures to Arapahoe County regarding the flood zone issue. The pictures confirm what those in our neighborhood have long thought regarding the ingress/egress on Leawood and how this obviously goes through a flood zone. As you can tell in the added picture below, I took the ingress/egress exit onto Leawood and went straight across to northern part of the street. This clearly goes through the flood zone. Also pictured below is another snippet from Consilium Design showing the ingress/egress going through a flood zone.



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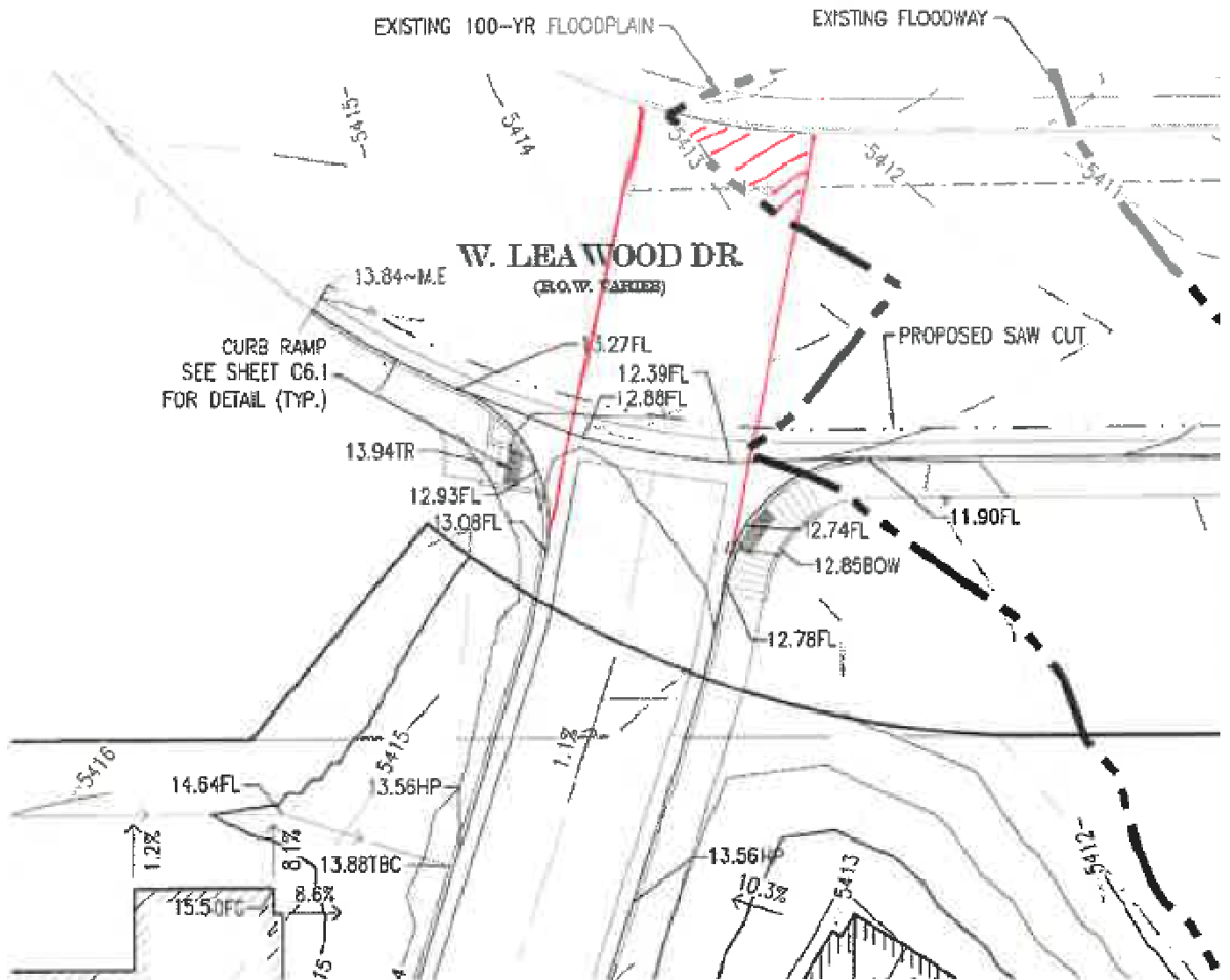
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At a minimum, we would assume Jefferson County will require the Developer to provide field surveys confirming the flood zone issue.

As Arapahoe County is looking to Jefferson County to determine this flood zone issue, I would appreciate any comments you (and your team) may have regarding the flood zone issues with Leawood Drive.

Again, thanks for your time as we work through the safety issues associated with this development. Happy to jump on a call if it would be easier to discuss over the phone.

D.J.





---

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**Sent:** Tuesday, February 7, 2023 2:38 PM  
**To:** D.J. Steines <[D.J.Steines@Newmont.com](mailto:D.J.Steines@Newmont.com)>  
**Subject:** [EXTERNAL] FW: Elevation of Leawood access

D.J,  
Please see email below from Nathan.

Joseph  
fyi

---

**From:** Nathan Seymour <[nseymour@co.jefferson.co.us](mailto:nseymour@co.jefferson.co.us)>  
**Sent:** Tuesday, February 7, 2023 2:25 PM  
**To:** Joseph Boateng <[JBoateng@arapahoegov.com](mailto:JBoateng@arapahoegov.com)>  
**Cc:** Ross Klopff <[rklopff@co.jefferson.co.us](mailto:rklopff@co.jefferson.co.us)>  
**Subject:** RE: Elevation of Leawood access

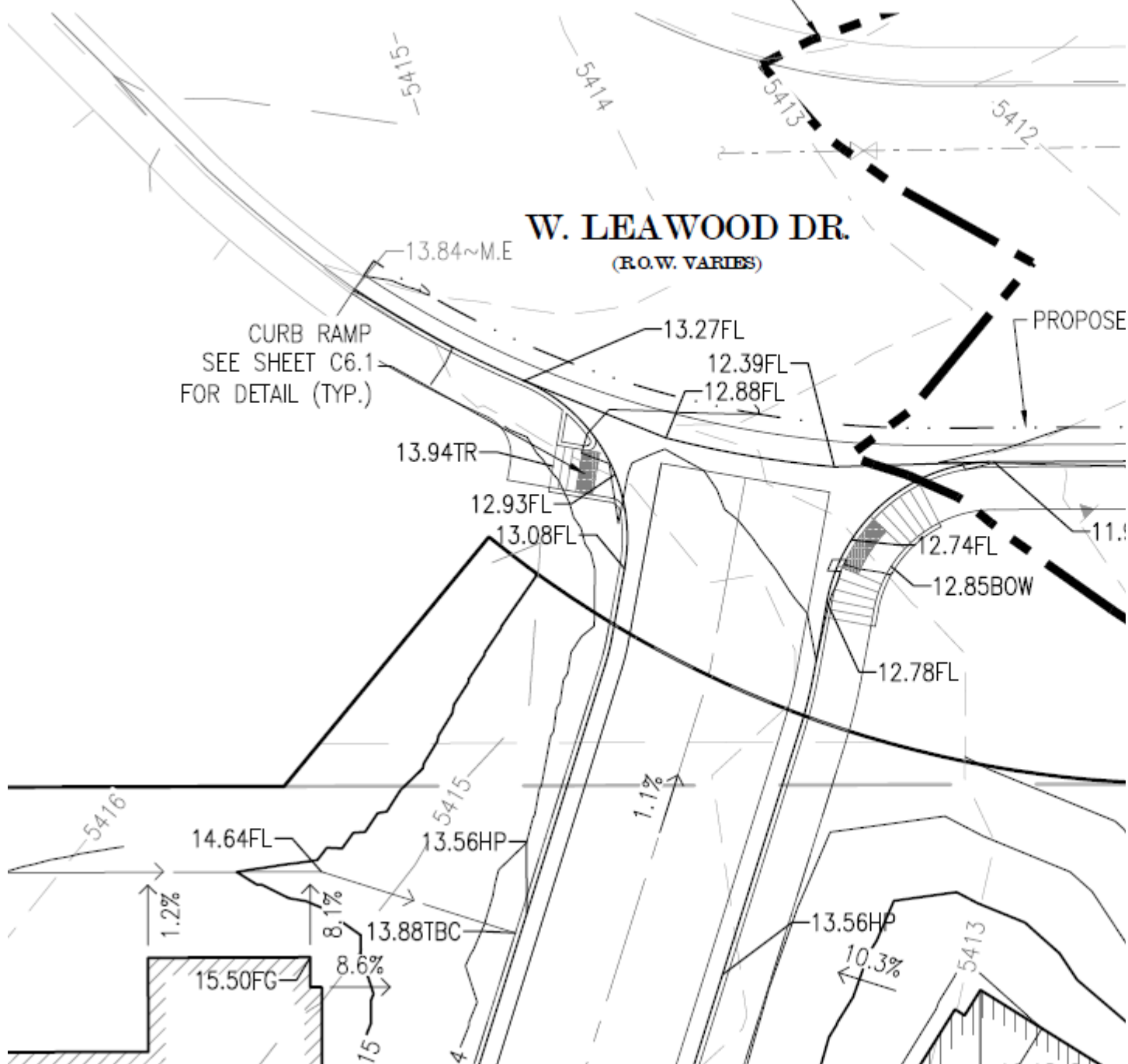
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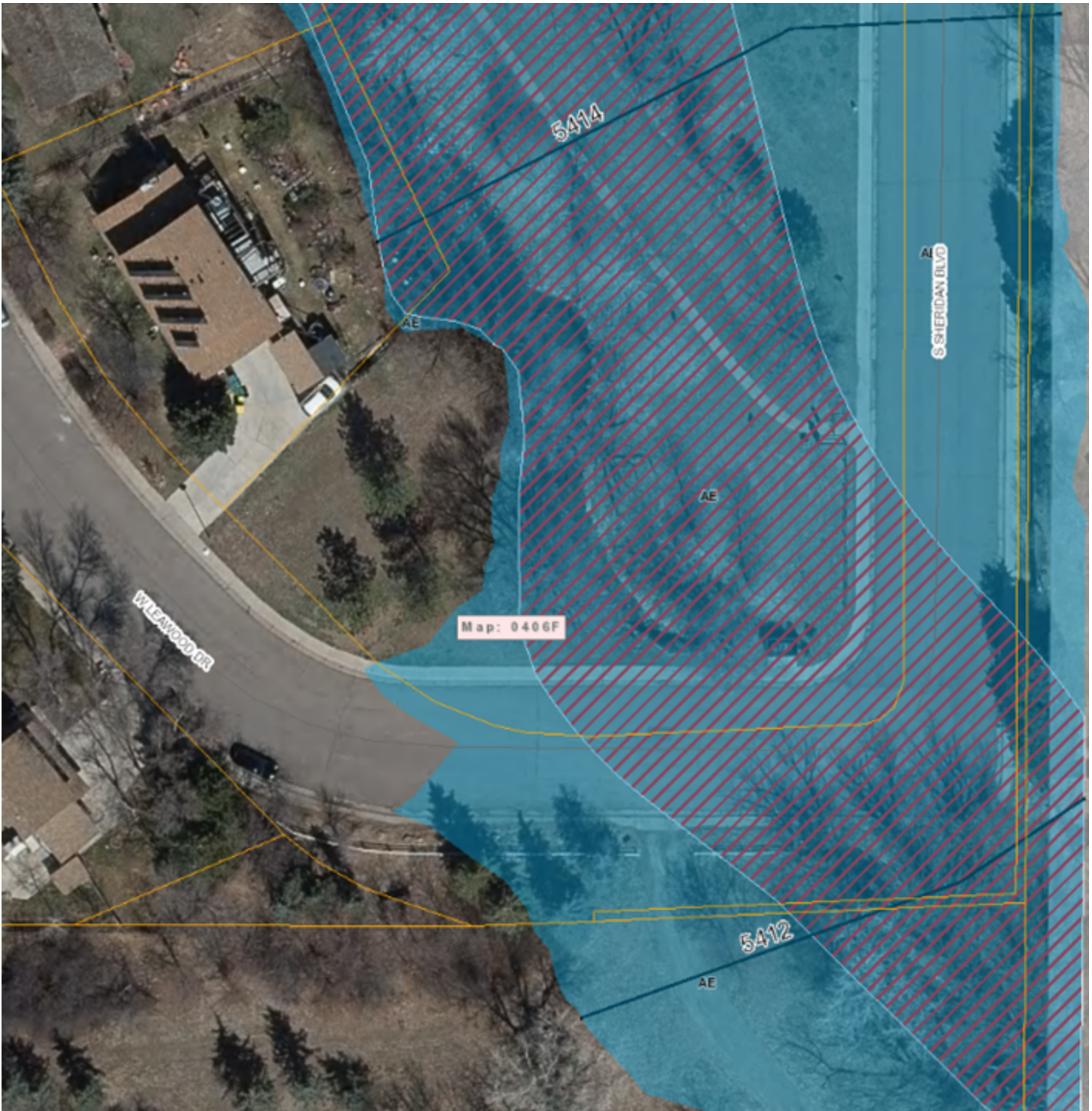
Hi Joseph,

The elevations of the Leawood access is at approximately 5413. The floodplain BFE being slightly less than that.

EXISTING 100-YR FLOODPLAIN

EXISTING FLOODWAY





Hope that helps. Let me know if you have any other questions.

**Nathan Seymour**

Civil Planning Engineer

o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)



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## Nathan Seymour

---

**From:** wilson wheeler <wilsonwheeler@gmail.com>  
**Sent:** Thursday, January 5, 2023 12:48 PM  
**To:** Nathan Seymour  
**Subject:** --{EXTERNAL}-- Final Plat - 22-115835PF Arcadia Creek

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi Nathan,

Can you tell me if the final Plat approval for this development will be contingent upon Arapahoe County's approval of the roadway variance for Christensen Lane? I believe the developer has submitted a request to construct a road that is narrower than the County's minimum width requirements but this request has not yet been approved by Arapahoe County. Thanks!



## Nathan Seymour

---

**From:** wilson wheeler <wilsonwheeler@gmail.com>  
**Sent:** Tuesday, December 26, 2023 12:01 PM  
**To:** P&Z Admin; Nathan Seymour  
**Subject:** --{EXTERNAL}-- Re: 22-115835PF THIRD ELECTRONIC REFERRAL FOR ARCADIA CREEK SUBDIVISION  
**Attachments:** image001.png

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Hi Nathan,

Thanks for the opportunity to provide comments. I would like to note that the developer's proposed variance related to the width of Christensen Lane has not been approved by Arapahoe County. The residents of the Fox Hollow neighborhood, as well as most of the surrounding residents, have serious pedestrian and cyclist safety concerns about the addition of more traffic to this private drive. The developer's proposed roadway plans do not adequately address these concerns.

In addition, I believe the developer has yet to secure the required property access to construct the 10-year culvert shown in the plans.

While I recognize those issues are specific to Arapahoe County, they play a significant role in the overall function of the proposed development. For this reason, I feel the approval of the final JeffCo plat should be contingent upon the resolution of these items with Arapahoe County. If this is not the case, can you tell me how these items will be addressed?

Thanks again for your time,

-Wilson

On Mon, Dec 11, 2023, 6:36 AM P&Z Admin <[PZAdmin@co.jefferson.co.us](mailto:PZAdmin@co.jefferson.co.us)> wrote:

### ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Preliminary and Final Plat have been submitted to Jefferson County Planning and Zoning. This case is beginning the third

## Nathan Seymour

---

**From:** Nathan Seymour  
**Sent:** Tuesday, February 7, 2023 5:41 PM  
**To:** wilson wheeler  
**Subject:** Re: Final Plat - 22-115835PF Arcadia Creek  
**Attachments:** Traffic Study Letter 2022-07-20.pdf

Hi Wilson,

I wanted to follow up as Jefferson County and Arapahoe County recently met resulting in some updated information for you.

Depending on the timing the separate processes within each of the County's could move forward independently of the other. For instance, if there is a slow down on the Arapahoe County side the Jefferson County Plat process could move forward for the 23 lots within Jeffco. If that were the case, the applicant would have to provide a gate/turnaround area at the County Line. As the case progresses, please check in so that I can provide you with updates.

As far as your concerns with additional pedestrian and vehicular traffic from the development I just wanted to make sure you were aware that the access from both Leawood and Christianson will be gated. Therefore cut through traffic will not be allowed unless you live within the Arcadia Creek Subdivision. I've attached a traffic study letter if your interested which goes into some additional detail about this.

Any other questions please let me know.

**Nathan Seymour**  
Civil Planning Engineer  
o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)



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**From:** wilson wheeler <wilsonwheeler@gmail.com>  
**Sent:** Wednesday, January 18, 2023 10:30 PM  
**To:** Nathan Seymour <nseymour@co.jefferson.co.us>  
**Subject:** Re: --{EXTERNAL}-- Re: Final Plat - 22-115835PF Arcadia Creek

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Thanks for the clarification, Nathan. As you may know the neighborhoods surrounding the proposed development have serious concerns about bike and ped safety if additional vehicle traffic is added to Christensen Lane.

On Tue, Jan 17, 2023, 1:55 PM Nathan Seymour <[nseymour@co.jefferson.co.us](mailto:nseymour@co.jefferson.co.us)> wrote:

Hi Wilson,

Thanks for your question/comment.

I can tell you that the access for the proposed development is from West Leawood Drive and West Christensen Lane. Any offsite improvements to West Christensen Lane in Arapahoe County, including the culvert crossing at Coon Creek, shall be required to be completed at or before the time of the Preliminary and Final Plat that is processed through Jefferson County. Jefferson County Staff will be required to verify Arapahoe County has no outstanding comments on the construction plans for these improvements. This may require the approval of a variance through Arapahoe County but I would have to check with them to make sure.

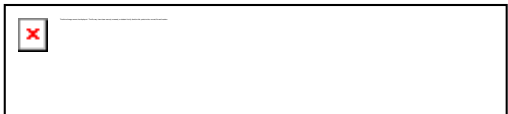
I'll be reaching out to them to make sure this subject is properly coordinated.

Best,

**Nathan Seymour**

Civil Planning Engineer

o 303.271.8751 | [www.jeffco.us](http://www.jeffco.us)



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---

**From:** wilson wheeler <[wilsonwheeler@gmail.com](mailto:wilsonwheeler@gmail.com)>  
**Sent:** Wednesday, January 11, 2023 1:37 PM  
**To:** Nathan Seymour <[nseymour@co.jefferson.co.us](mailto:nseymour@co.jefferson.co.us)>  
**Subject:** --{EXTERNAL}-- Re: Final Plat - 22-115835PF Arcadia Creek

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Hi Nathan - just following up on this. Please let me know if you need any additional information. Thanks!

On Thu, Jan 5, 2023, 12:48 PM wilson wheeler <[wilsonwheeler@gmail.com](mailto:wilsonwheeler@gmail.com)> wrote:

Hi Nathan,

Can you tell me if the final Plat approval for this development will be contingent upon Arapahoe County's approval of the roadway variance for Christensen Lane? I believe the developer has submitted a request to construct a road that is narrower than the County's minimum width requirements but this request has not yet been approved by Arapahoe County. Thanks!

## Nathan Seymour

---

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**Sent:** Wednesday, January 11, 2023 1:37 PM  
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**Subject:** --{EXTERNAL}-- Re: Final Plat - 22-115835PF Arcadia Creek

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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# CURRENT ZONING

**LEGAL DESCRIPTION:**

**PARCEL 1:**

BEGINNING AT THE SOUTHEAST CORNER OF THE N 1/2 OF THE SE 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST, THENCE WEST ALONG THE SOUTH LINE OF SAID N 1/2 OF THE SE 1/4, 493.15 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID N 1/2 SE 1/4, 660 FEET; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID N 1/2 SE 1/4, 493.15 FEET TO THE EAST LINE OF SAID N 1/2 SE 1/4; THENCE SOUTH ALONG SAID EAST LINE 660 FEET TO THE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

**PARCEL 2:**

ALL THAT PART OF LOT 1, BLOCK 30, LEAWOOD FILING NO. 5, JEFFERSON COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S 89° 51' 15" W ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 106.05 FEET; THENCE N 39° 25' 59" E A DISTANCE OF 37.77 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 88.71 FEET, SAID CURVE HAS A RADIUS OF 130.00 FEET AND A CENTRAL ANGLE OF 39° 05' 54" TO THE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

**ARCADIA CREEK  
OFFICIAL DEVELOPMENT PLAN**

LOT 1, BLOCK 30 OF LEAWOOD FILING NO. 5 AND A PORTION OF LAND LOCATED IN THE SE 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 1/2

CASE NUMBER: 19-124345RZ

**LAND USE DATA:**

**PARCEL 1- TOTAL ACREAGE: 7.46 AC.**  
 LAND USE AREA A: 5.67 AC  
 LAND USE AREA B: 0.47 AC  
 LAND USE AREA C: 1.06 AC  
 LAND USE AREA D: 0.26 AC.

**PARCEL 2- TOTAL ACREAGE: .025 AC.**

**TOTAL GROSS ACREAGE (AC): 7.49 AC.**  
**TOTAL DWELLING UNITS (DU): 23 UNITS**  
**TOTAL GROSS DENSITY: 3.07 DU/AC**

**STANDARD FLEXIBILITY STATEMENT:**

THE GRAPHIC DRAWING CONTAINED WITHIN THIS OFFICIAL DEVELOPMENT PLAN ARE INTENDED TO DEPICT GENERAL LOCATIONS AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS OF THIS OFFICIAL DEVELOPMENT PLAN. IN GRANTING PLAT APPROVAL, THE BOARD OF COUNTY COMMISSIONERS MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

- A. FINAL ROAD ALIGNMENTS.
- B. FINAL CONFIGURATION OF LOT AND TRACT SIZES AND SHAPES.
- C. FINAL BUILDING ENVELOPES.
- D. LANDSCAPE ADJUSTMENTS.
- E. TRAIL AND BUFFER LOCATIONS.
- F. OPEN SPACE.

**APPLICABILITY STATEMENT:**

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE IN THIS OFFICIAL DEVELOPMENT PLAN, DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO THE JEFFERSON COUNTY ZONING RESOLUTION IN EFFECT AT THE TIME OF PLATTING AND BUILDING PERMIT APPLICATION.

**TITLE AND NAMES:**

OFFICIAL DEVELOPMENT PLAN TITLE: ARCADIA CREEK OFFICIAL DEVELOPMENT PLAN

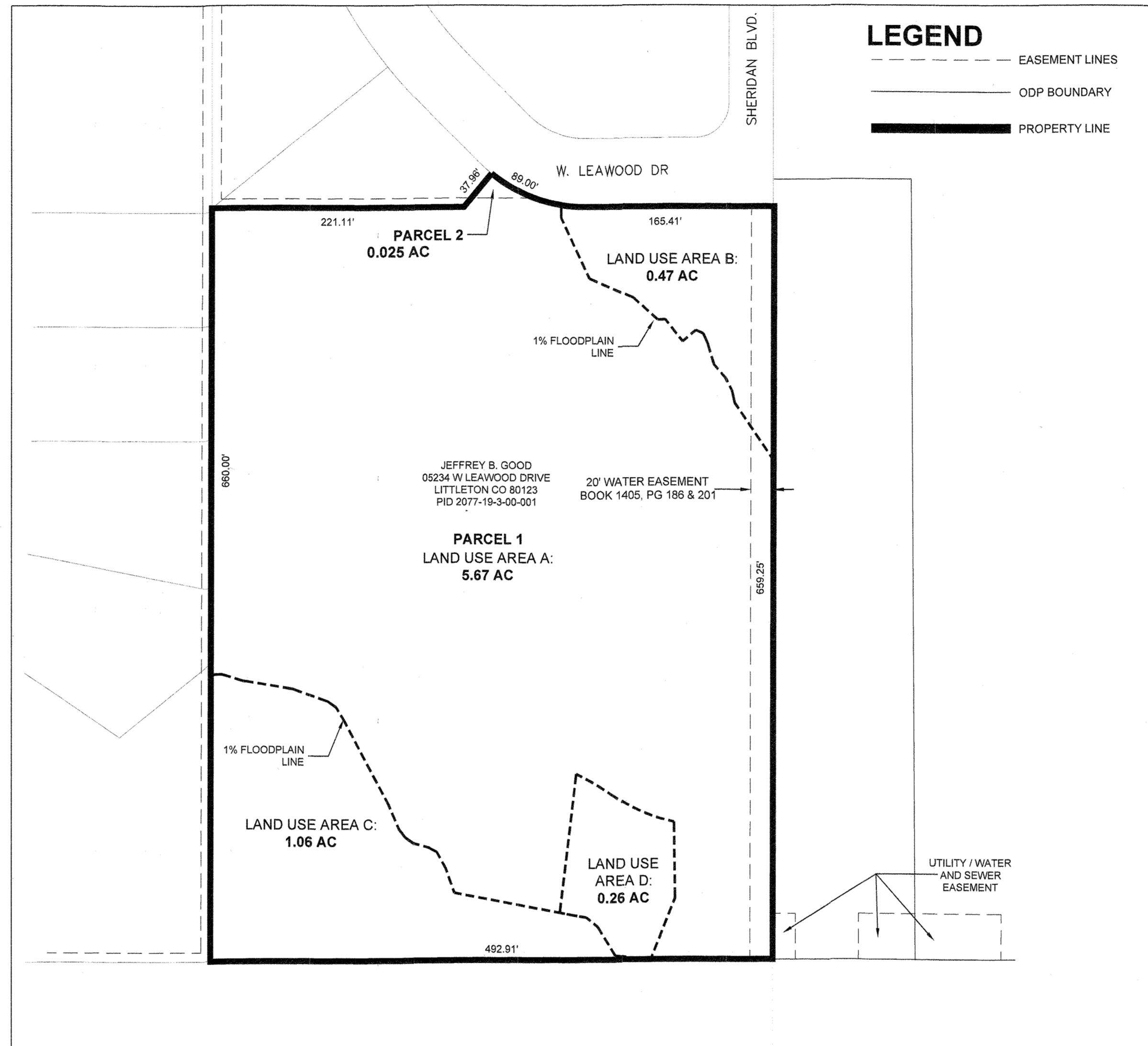
OWNER: JEFFREY B. GOOD

REPRESENTATIVE: DAVID TSCHETTER

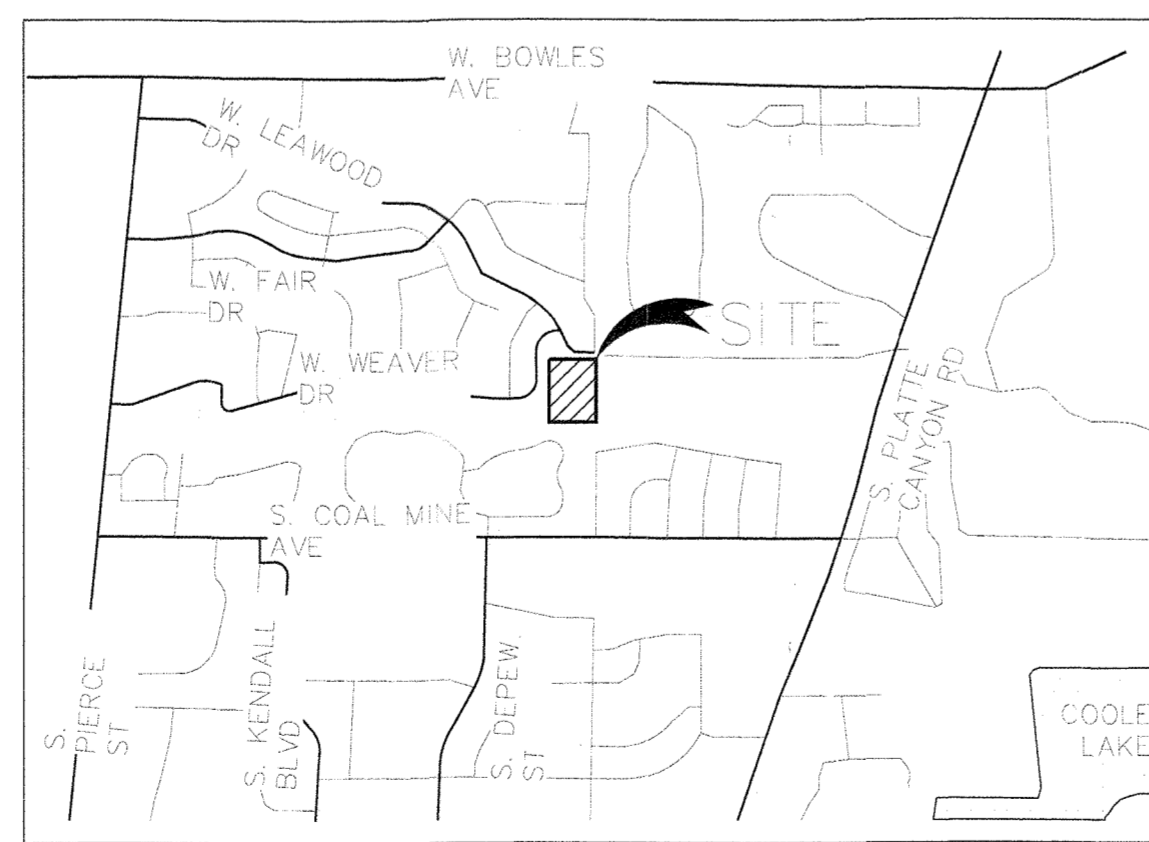
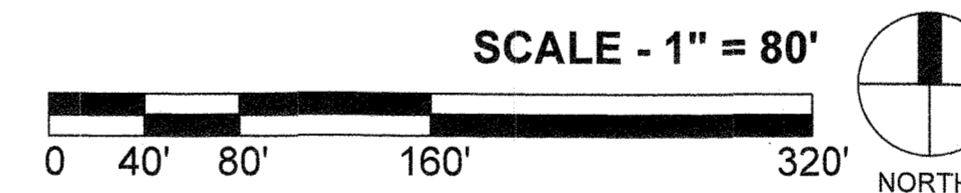
PREPARED BY:

CONSILIUM DESIGN  
 2755 S. LOCUST ST  
 DENVER, CO 80222

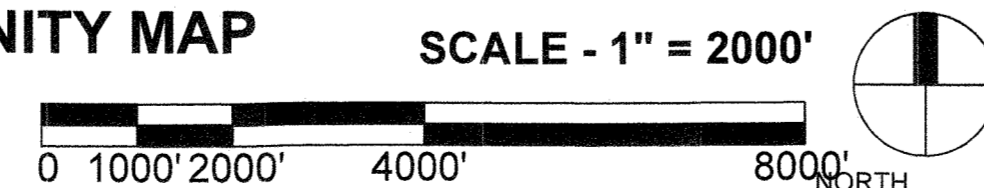
KT ENGINEERING  
 12500 W. 58TH AVE, SUITE 230  
 ARVADA, CO 80002



ODP GRAPHIC



VICINITY MAP



**PREPARED BY:**

**Consilium Design, Inc.**  
 LAND PLANNING AND  
 LANDSCAPE ARCHITECTURE

2755 SOUTH LOCUST  
 SUITE 236  
 DENVER, CO 80222  
 TEL 303.224.9520  
 FAX 303.224.9524  
 www.consiliumdesign.com

ARCADIA CREEK, JEFFERSON COUNTY		REVISION / SUBMITTAL	DATE:
DESIGNED BY:	CD	1ST SUBMITTAL	10/3/2019
DRAWN BY:	SH, MLH	2ND SUBMITTAL	12/24/2019
CHECKED BY:	BK	3RD SUBMITTAL	2/7/2020
		3RD REFERRAL	10/5/2020



Unofficial

**APPROVED FOR RECORDING:**

THIS OFFICIAL DEVELOPMENT PLAN, ARCADIA CREEK, WAS APPROVED THE 22<sup>nd</sup> DAY OF September 2020, BY THE BOARD OF COUNTY COMMISSIONERS, OF THE COUNTY OF JEFFERSON, STATE OF COLORADO AND IS APPROVED FOR RECORDING. THE OWNER OF THE PROPERTY, AT THE TIME OF APPROVAL WAS: JEFFREY B. GOOD. BY: JEFFERSON COUNTY PLANNING AND ZONING DIRECTOR

SIGNATURE: [Signature]

DATE: October 20, 2020



Reception # 2020136605

# ARCADIA CREEK

## OFFICIAL DEVELOPMENT PLAN

CASE NUMBER: 19-124345RZ

LOT 1, BLOCK 30 OF LEAWOOD FILING NO. 5 AND A PORTION OF LAND  
LOCATED IN THE SE 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69  
WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 2/2

**WRITTEN RESTRICTIONS:**

**A. STATEMENT OF INTENT:**

THIS OFFICIAL DEVELOPMENT PLAN DEFINES THE STANDARDS THAT WILL APPLY TO THIS SINGLE-FAMILY DETACHED RESIDENTIAL NEIGHBORHOOD, INCLUDING PROVISIONS FOR ACTIVE ADULT LIVING WHILE INCORPORATING THE OPEN SPACE ALONG COON CREEK AND DUTCH CREEK.

**B. PERMITTED USES:**

**1. USE AREA A: RESIDENCES**

- a. SINGLE-FAMILY DETACHED (SFD): 23 DWELLING UNITS MAXIMUM.
- b. ACCESSORY USES:
  - I. PRIVATE GARAGE: ONLY ATTACHED GARAGES ARE ALLOWED.
  - II. DECKS, PATIOS, AND COURTYARDS ABOVE GRADE ARE ALLOWED.
  - III. SWIMMING POOLS, PLAYSETS, TENNIS COURTS, GAZEBOS, HOT TUBS, AND OTHER SIMILAR OUTSIDE PRIVATE RECREATIONAL FACILITIES ARE ALLOWED.
- c. A HOME OCCUPATION IS ALLOWED PROVIDED IT MEETS THE REQUIREMENTS AND CONDITIONS OF THE JEFFERSON COUNTY ZONING RESOLUTION.
- d. TEMPORARY CONSTRUCTION, SALES TRAILERS, AND OFFICES ARE PERMITTED, PROVIDED THAT THEY ARE REMOVED FROM THE SITE WITHIN THIRTY (30) DAYS OF THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING TO WHICH THE OFFICE IS APPURTENANT. SALES OFFICES AND TRAILERS MUST BE REMOVED WITHIN THIRTY (30) DAYS OF THE LAST LOT'S INITIAL SALE.
- e. ACCESSORY DWELLING UNITS AS DEFINED IN THE ZONING RESOLUTION ARE PROHIBITED.

**2. USE AREAS B AND C: OPEN SPACE HEREIN INCLUDES:**

- a. FLOOD PLAINS.
- b. PEDESTRIAN AND BICYCLE TRAILS.
- c. BENCHES AND TRASH CANS.
- d. UTILITY AND DRAINAGE STRUCTURES.
- e. STORMWATER AND FLOODPLAIN MANAGEMENT.

**3. USE AREA D: COMMUNITY AMENITY**

- a. BARN, TO BE USED AS A COMMUNITY SPACE.

**C. LOT AND BUILDING STANDARDS:**

**1. USE AREA A:**

- a. THE MAXIMUM NUMBER OF LOTS: TWENTY-THREE (23).
- b. MINIMUM LOT AREA REQUIREMENT: 7,500 SQ. FT.
- c. HEIGHT LIMITATION: THIRTY-FIVE (35) FEET.
- d. SETBACKS FOR ALL DWELLING UNITS AND ACCESSORY BUILDINGS.
  - I. FRONT SETBACK FROM GARAGE DOOR TO THE PROPERTY LINE 18 FEET
  - II. FRONT SETBACK TO LIVING SPACE 10 FEET
  - III. SIDE SETBACK 5 FEET
  - IV. REAR SETBACK FOR PERIMETER LOTS 20 FEET
  - V. REAR SETBACK FOR INTERIOR LOTS 10 FEET
- e. UNDERGROUND COUNTERFORTS AND WINDOW WELLS MAY ENCROACH INTO THE SETBACK BY THREE (3) FEET.

**2. USE AREA D:**

- a. INCLUDES A 3'X6' BULLETIN BOARD SIGN THAT WILL BE BUILDING MOUNTED.
- b. RENOVATIONS CAN BE DONE TO PRESERVE THE BARN AS A COMMON AMENITY.
  - I. ADA ACCESSIBILITY TO THE BARN WILL BE PROVIDED.
  - II. AT LEAST TWO HANDICAPPED PARKING SPACES WILL BE LOCATED AT THE BARN.
- c. THE TRACT MAY ONLY CONTAIN THE BARN AND SITE FURNISHINGS.
- d. SETBACKS FOR THE BARN AMENITY:
  - I. FRONT SETBACK, THE NORTHSIDE, TO THE TRACT BOUNDARY 5 FEET
  - II. SIDE SETBACK 5 FEET
  - III. REAR SETBACK FROM ANY OTHER TRACT 5 FEET

**D. FENCES AND RETAINING WALLS**

**1. FENCES**

- a. AN EIGHT (8) FOOT SOLID FENCE MAY BE CONSTRUCTED ALONG THE WESTERN AND NORTHERN ODP BOUNDARY LINE, TERMINATING AT FLOOD PLAIN BOUNDARIES. AN EIGHT (8) FOOT POROUS FENCE MAY BE BUILT IN FLOODPLAINS.
- b. ALL FENCES WILL BE CONSTRUCTED OF WOOD, STONE, MASONRY, STUCCO, WROUGHT-IRON, ORNAMENTAL METAL OR VINYL.
- c. BARBED WIRE AND ELECTRICAL FENCES (EXCEPT FOR BURIED ELECTRICAL PET CONTROL FENCE) ARE PROHIBITED.
- d. THE MAXIMUM HEIGHT OF FENCES INSIDE THE PROPERTY BOUNDARY SHALL BE FORTY-TWO (42) INCHES WITHIN THE FRONT SETBACK AND SIX (6) FEET IN ALL OTHER AREAS.

**E. SIGNS:**

**1. USE AREA A:**

- a. DOUBLE-FACED OR SINGLE-FACED ENTRY MONUMENTS SIGNS ARE ALLOWED AT THE PROJECT AND COMMUNITY ENTRANCES, AND SHALL NOT EXCEED A MAXIMUM OF THIRTY-TWO (32) SQUARE FEET PER FACE, EXCLUDING ANY STRUCTURAL BASE OR WALL. THE MAXIMUM HEIGHT OF ANY SUCH SIGN SHALL BE SIX (6) FEET IN HEIGHT. IF PLACED ON AN EARTHEN BERM, THE BERM HEIGHTS SHALL BE A MAXIMUM OF TWO AND A HALF (2.5) FEET.
- b. TWO TEMPORARY ON-SITE MARKETING SIGNS (I.E., BUILDER NAMES AND CONTACT INFORMATION) NOT EXCEED THIRTY-TWO (32) SQUARE FEET, DOUBLE OR SINGLE FACED ARE PERMITTED. THESE SIGNS SHALL NOT EXCEED EIGHT (8) FEET IN HEIGHT.
- c. TEMPORARY ON-SITE DIRECTIONAL/INFORMATIVE SIGNS (I.E., IDENTIFYING SALES OR CONSTRUCTION OFFICES OR MODEL HOMES VS. PRIVATE RESIDENCES) NOT EXCEEDING TEN (10) SQUARE FEET, DOUBLE OR SINGLE FACED ARE PERMITTED. THESE SIGNS SHALL NOT EXCEED EIGHT (8) FEET IN HEIGHT.
- d. ALL TEMPORARY SIGNS MUST BE REMOVED UPON THE CLOSING OF THE LAST UNIT WITHIN THE COMMUNITY.
- e. SIGNS AND ENTRY MONUMENTS SHALL BE ILLUMINATED FROM CONCEALED LIGHT SOURCES.

**2. USE AREA D:**

- a. INCLUDES A 3'X6' BULLETIN BOARD SIGN THAT WILL BE BUILDING MOUNTED.

**F. GENERAL PROVISIONS**

- 1. ALL THE UTILITY LINES WITHIN THIS DEVELOPMENT SHALL BE PLACED UNDERGROUND TO MINIMIZE THE UTILITY'S VISUAL INTRUSIVENESS.
- 2. AN ELECTRONICALLY CONTROLLED VEHICLE GATE WILL RESTRICT ACCESS FROM LEAWOOD DRIVE FOR SECURITY AND TRAFFIC CONTROL. THE PROPERTY OWNER'S ASSOCIATION WILL MAINTAIN THIS SYSTEM.
- 3. APPLICANT TO PROVIDE PERMANENT, UNRESTRICTED ACCESS FOR PUBLIC PEDESTRIANS AND CYCLISTS TRAIL TRAVERSING ON PRIVATE ROADS AND A NEW TRAIL CONNECTION TO THE REGIONAL TRAIL SOUTH ON BENTON WAY. A FIVE (5) FOOT WIDE ATTACHED SIDEWALK WILL BE PROVIDED ON ONE SIDE OF A PORTION OF THE PRIVATE STREET. THE SOUTHERN SECTION OF THE TRAIL FROM THE BARN TO THE WESTERN PROPERTY BOUNDARY IS FIVE (5) FEET WIDE WITH CRUSHER FINES.
- 4. ANY UNDISTURBED LANDSCAPE OR PROPERTY LOCATED IN DEFINED FLOODPLAINS SHALL BE EXCLUDED FROM THE NEW LANDSCAPE REQUIREMENTS.

**PREPARED BY:**



2755 SOUTH LOCUST ST  
SUITE 236  
DENVER, CO 80222  
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FAX 303.224.9524  
www.consiliumdesign.com

ARCADIA CREEK, JEFFERSON COUNTY		REVISION / SUBMITTAL	DATE:
DESIGNED BY:	CD	1ST SUBMITTAL	10/3/2019
DRAWN BY:	SH, MLH	2ND SUBMITTAL	12/24/2019
CHECKED BY:	BK	3RD SUBMITTAL	2/7/2020
		3RD REFERRAL	10/5/2020



Unofficial



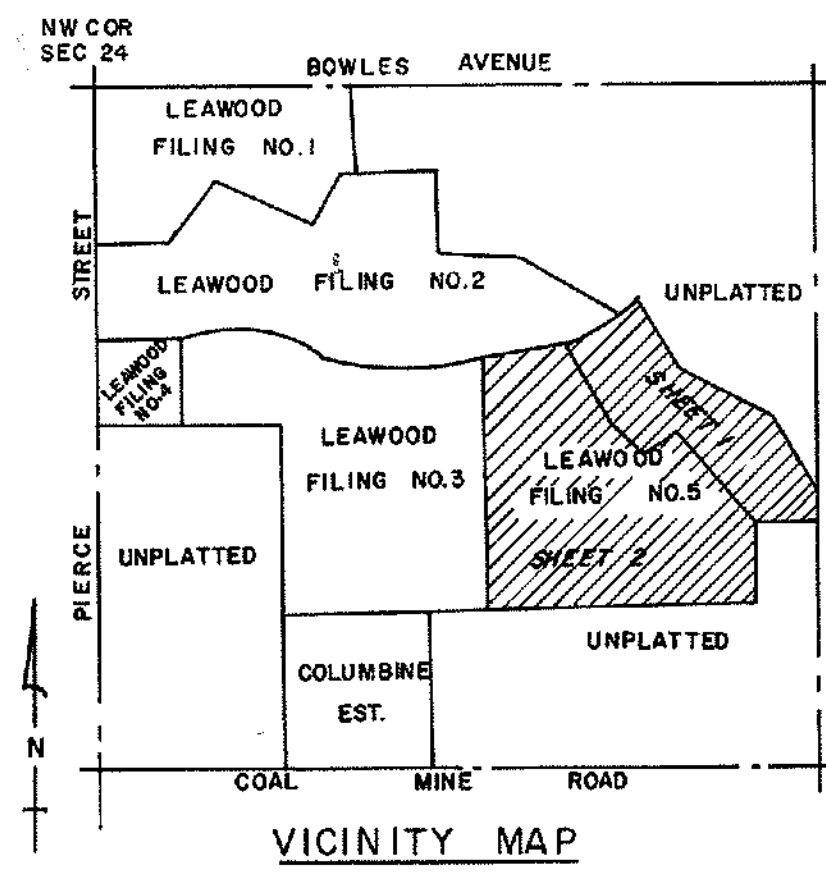
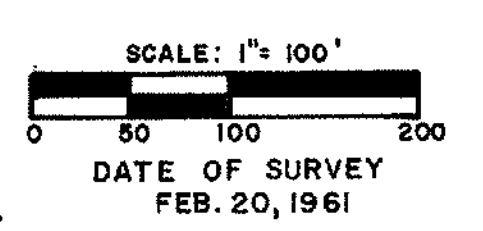
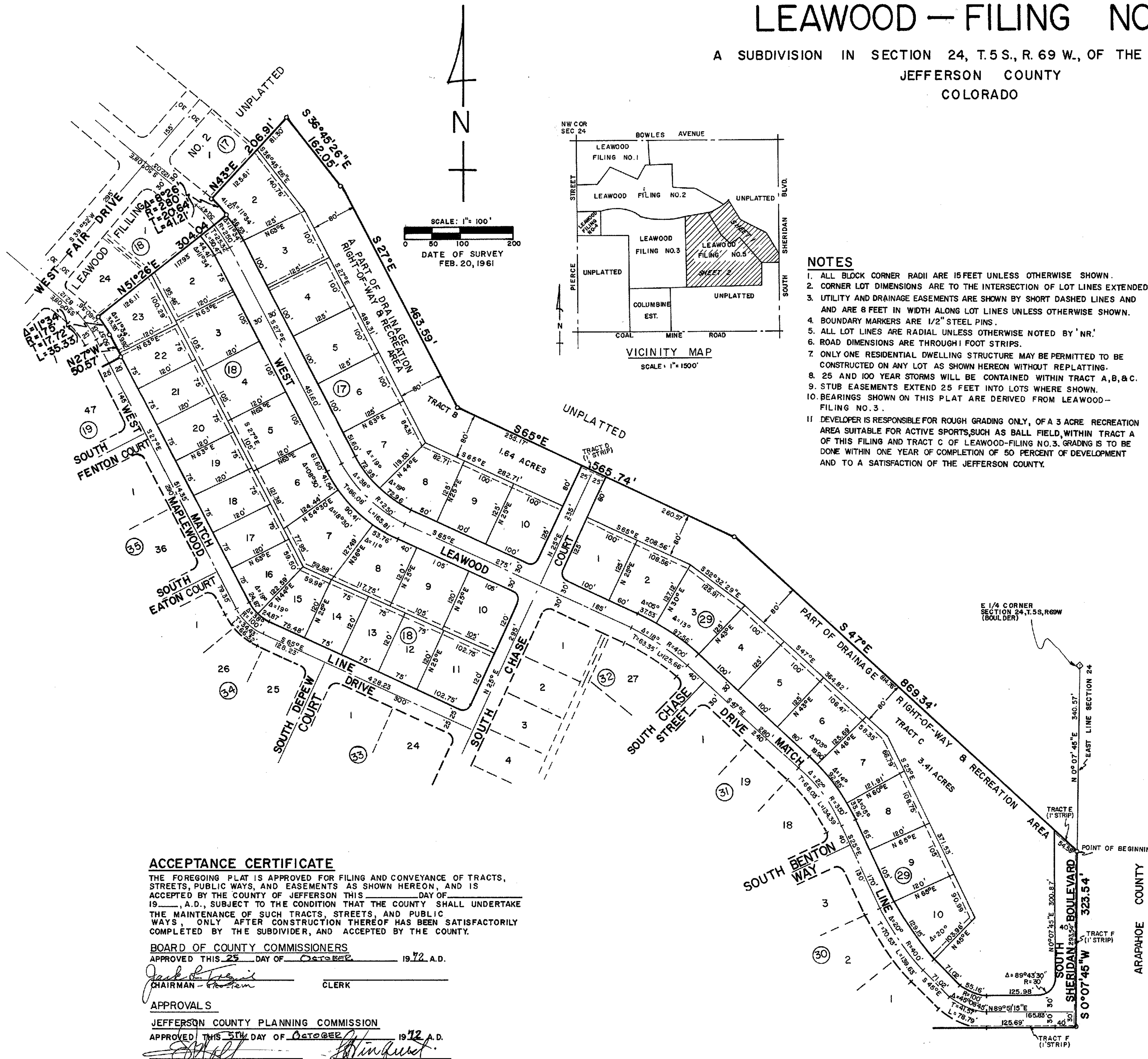
# ADDITIONAL CASE DOCUMENTS

# LEAWOOD - FILING NO. 5

A SUBDIVISION IN SECTION 24, T.5 S., R. 69 W., OF THE 6th P.M.  
JEFFERSON COUNTY  
COLORADO

527312 72527312  
COUNTY OF JEFFERSON  
STATE OF COLORADO  
FILED IN THE OFFICE ON  
OCT 25 3 33 PM '72  
RECORDED IN 39-34  
COUNTY CLERK & RECORDER

BOOK 39  
PAGE 36  
MAP 8



- NOTES**
- ALL BLOCK CORNER RADII ARE 15 FEET UNLESS OTHERWISE SHOWN.
  - CORNER LOT DIMENSIONS ARE TO THE INTERSECTION OF LOT LINES EXTENDED.
  - UTILITY AND DRAINAGE EASEMENTS ARE SHOWN BY SHORT DASHED LINES AND ARE 8 FEET IN WIDTH ALONG LOT LINES UNLESS OTHERWISE SHOWN.
  - BOUNDARY MARKERS ARE 1/2" STEEL PINS.
  - ALL LOT LINES ARE RADIAL UNLESS OTHERWISE NOTED BY 'NR'.
  - ROAD DIMENSIONS ARE THROUGH FOOT STRIPS.
  - ONLY ONE RESIDENTIAL DWELLING STRUCTURE MAY BE PERMITTED TO BE CONSTRUCTED ON ANY LOT AS SHOWN HEREON WITHOUT REPLATTING.
  - 25 AND 100 YEAR STORMS WILL BE CONTAINED WITHIN TRACT A, B, & C.
  - STUB EASEMENTS EXTEND 25 FEET INTO LOTS WHERE SHOWN.
  - BEARINGS SHOWN ON THIS PLAT ARE DERIVED FROM LEAWOOD-FILING NO. 3.
  - DEVELOPER IS RESPONSIBLE FOR ROUGH GRADING ONLY, OF A 3 ACRE RECREATION AREA SUITABLE FOR ACTIVE SPORTS, SUCH AS BALL FIELD, WITHIN TRACT A OF THIS FILING AND TRACT C OF LEAWOOD-FILING NO. 3. GRADING IS TO BE DONE WITHIN ONE YEAR OF COMPLETION OF 50 PERCENT OF DEVELOPMENT AND TO A SATISFACTION OF THE JEFFERSON COUNTY.

**LEGAL DESCRIPTION**

A PARCEL OF LAND IN SECTION 24, TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 24 FROM WHICH THE EAST 1/4 CORNER THEREOF BEARS N 0° 07' 45" E 340.57 FEET, THENCE S 0° 07' 45" W 323.54 FEET ALONG THE EAST LINE OF SAID SECTION 24, THENCE S 89° 51' 15" W 493.15 FEET, THENCE S 0° 07' 45" W 660.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 24, THENCE S 89° 51' 15" W 2115.91 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF LEAWOOD-FILING NO. 3, THENCE NORTHERLY ALONG THE EASTERLY LINE OF LEAWOOD-FILING NO. 3 THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) N 0° E 126.28 FEET TO A POINT OF CURVE, (2) NORTHERLY 93.37 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10° AND A RADIUS OF 535.00 FEET, (3) N 10° W 444.61 FEET TO THE ANGLE POINT IN THE SOUTH LINE OF LOT 5, BLOCK 20, LEAWOOD-FILING NO. 2, THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF LEAWOOD-FILING NO. 2 THE FOLLOWING NINE (9) COURSES AND DISTANCES: (1) N 40° 16' 20" E 39.01 FEET, (2) N 80° E 647.06 FEET TO A POINT OF CURVE, (3) NORTHEASTERLY 103.85 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 17° AND A RADIUS OF 350.00 FEET, (4) N 63° E 192.21 FEET, (5) N 27° W 50.57 FEET TO A POINT OF CURVE, (6) NORTHWESTERLY 35.33 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11° 34' AND A RADIUS OF 175.00 FEET, (7) N 51° 26' E 304.04 FEET ALONG A RADIAL LINE OF THE AFOREMENTIONED CURVE TO A POINT ON A CURVE, SAID LINE ALSO BEING RADIAL TO THE FOLLOWING CURVE, (8) NORTHWESTERLY 41.21 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 8° 26' AND A RADIUS OF 280.00 FEET, (9) N 43° E 125.61 FEET TO THE MOST EASTERLY CORNER OF LOT 1, BLOCK 17 OF SAID LEAWOOD-FILING NO. 2; THENCE N 43° E, 81.30 FEET; THENCE S 36° 45' 26" E 162.05 FEET; THENCE S 27° E 463.59 FEET; THENCE S 66° E 565.74 FEET; THENCE S 47° E, 869.34 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING 96.71 ACRES MORE OR LESS.

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, BEING THE OWNERS OF THOSE LANDS DESCRIBED ABOVE, HAVE LAID OUT SUBDIVIDED AND PLATTED THE SAME INTO LOTS, BLOCKS, TRACTS, STREETS, EASEMENTS AND PUBLIC WAYS AS SHOWN HEREON UNDER THE NAME AND STYLE OF LEAWOOD-FILING NO. 5, AND DO, BY THESE PRESENTS, OF OUR OWN FREEWILL AND VOLUNTARILY, WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, GRANT, DEDICATE AND CONVEY TO THE COUNTY OF JEFFERSON, STATE OF COLORADO, IN FEE SIMPLE, TRACTS A THROUGH F AND ALL STREETS AND ALL PUBLIC WAYS, FOR PUBLIC USE FOR ROAD PURPOSES, AND GRANT AND CONVEY TO THE COUNTY OF JEFFERSON ALL UTILITY EASEMENTS FOR UTILITY PURPOSES AND ALL DRAINAGE EASEMENTS FOR DRAINAGE PURPOSES AS SHOWN HEREON. THERE IS RESERVED FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF GAS MAINS, A SIX FOOT EASEMENT ALONG THE STREET SIDE OF ALL LOTS IN THIS SUBDIVISION.

**K.C. ENSOR REALTY COMPANY**

*K.C. Ensor*  
K.C. ENSOR, PRESIDENT

*Claude W. Thompson*  
CLAUDE W. THOMPSON, ASSISTANT SECRETARY

SUBDIVIDERS REGISTRATION NO. 1310

**STATE OF COLORADO S.S.**

THE ABOVE AND FOREGOING MAP AND DEDICATION OF LEAWOOD-FILING NO. 5 WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY OF October, 1972, A.D., BY K.C. ENSOR AS PRESIDENT AND CLAUDE W. THOMPSON AS ASSISTANT SECRETARY OF K.C. ENSOR REALTY COMPANY, A COLORADO CORPORATION. WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES August 3, 1976.

*Patricia J. Lawrite*  
NOTARY PUBLIC

**ATTORNEY'S CERTIFICATE**

I, BERNARD L. BECK, AN ATTORNEY-AT-LAW DULY LICENSED TO PRACTICE BEFORE COURTS OF RECORD IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE OF ALL LANDS HEREIN DEDICATED AND SHOWN UPON THE WITHIN PLAT AS PUBLIC WAYS AND EASEMENTS, AND THE TITLE OF SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES.

DATE October 12, 1972

*Bernard L. Beck*  
ATTORNEY-AT-LAW

**SURVEYOR'S CERTIFICATE**

I, DANIEL M. HUFFSTUTLER, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF LEAWOOD-FILING NO. 5 WAS MADE UNDER MY SUPERVISION AND THAT THE PLAT SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF SURVEY FEBRUARY 20, 1961

*Daniel M. Huffstutler*  
DANIEL M. HUFFSTUTLER, REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR NO. 1858

**ACCEPTANCE CERTIFICATE**

THE FOREGOING PLAT IS APPROVED FOR FILING AND CONVEYANCE OF TRACTS, STREETS, PUBLIC WAYS, AND EASEMENTS AS SHOWN HEREON, AND IS ACCEPTED BY THE COUNTY OF JEFFERSON THIS 25th DAY OF October, 1972, A.D., SUBJECT TO THE CONDITION THAT THE COUNTY SHALL UNDERTAKE THE MAINTENANCE OF SUCH TRACTS, STREETS, AND PUBLIC WAYS, ONLY AFTER CONSTRUCTION THEREOF HAS BEEN SATISFACTORILY COMPLETED BY THE SUBDIVIDER, AND ACCEPTED BY THE COUNTY.

**BOARD OF COUNTY COMMISSIONERS**

APPROVED THIS 25th DAY OF October, 1972 A.D.

*Jack L. ...*  
CHAIRMAN - CLERK

**APPROVALS**

**JEFFERSON COUNTY PLANNING COMMISSION**

APPROVED THIS 5th DAY OF October, 1972 A.D.

*...*  
CHAIRMAN

*...*  
SECRETARY

**COUNTY DEPARTMENTS**

*Robert A. ...*  
PLANNING

*Lucie H. Wood*  
ENGINEERING 10-11-72

*...*  
HEALTH

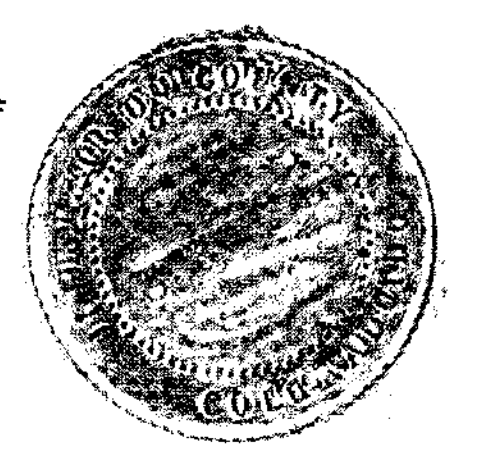
**CLERK & RECORDERS CERTIFICATE**

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, AT GOLDEN, COLORADO, THIS 25th DAY OF October, A.D. 1972 AT 3:33 P.M.

RECEPTION NO. 527312

*Norman C. Allen*  
CLERK & RECORDER

*Mildred M. ...*  
Deputy Clerk

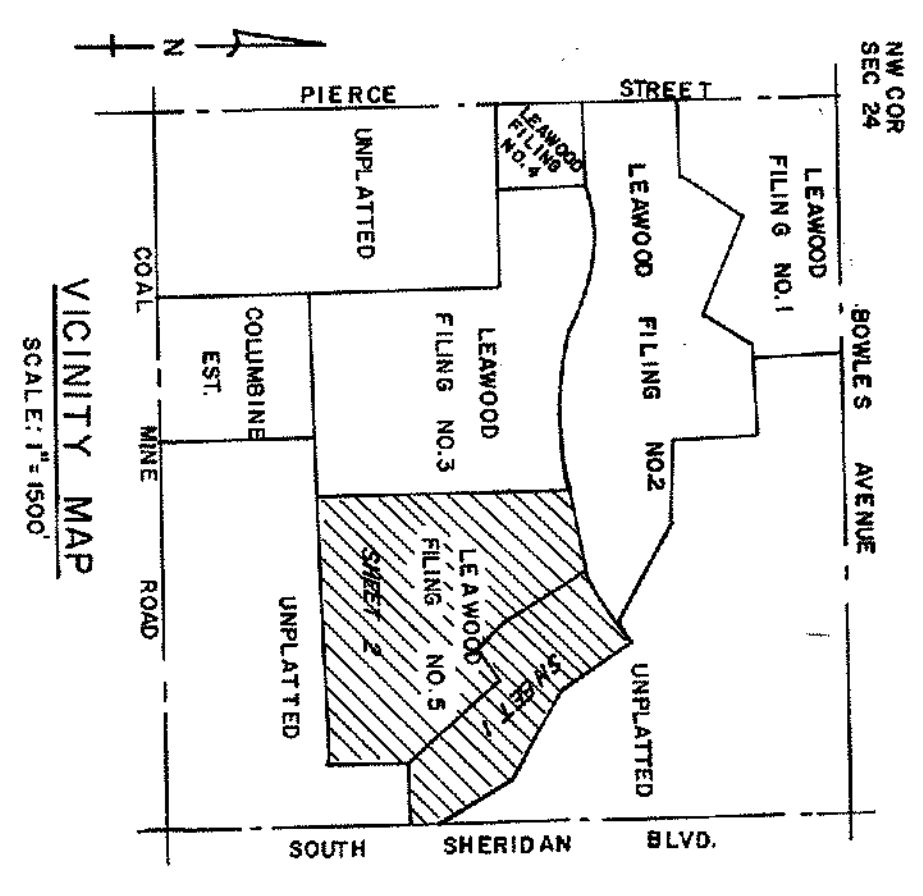
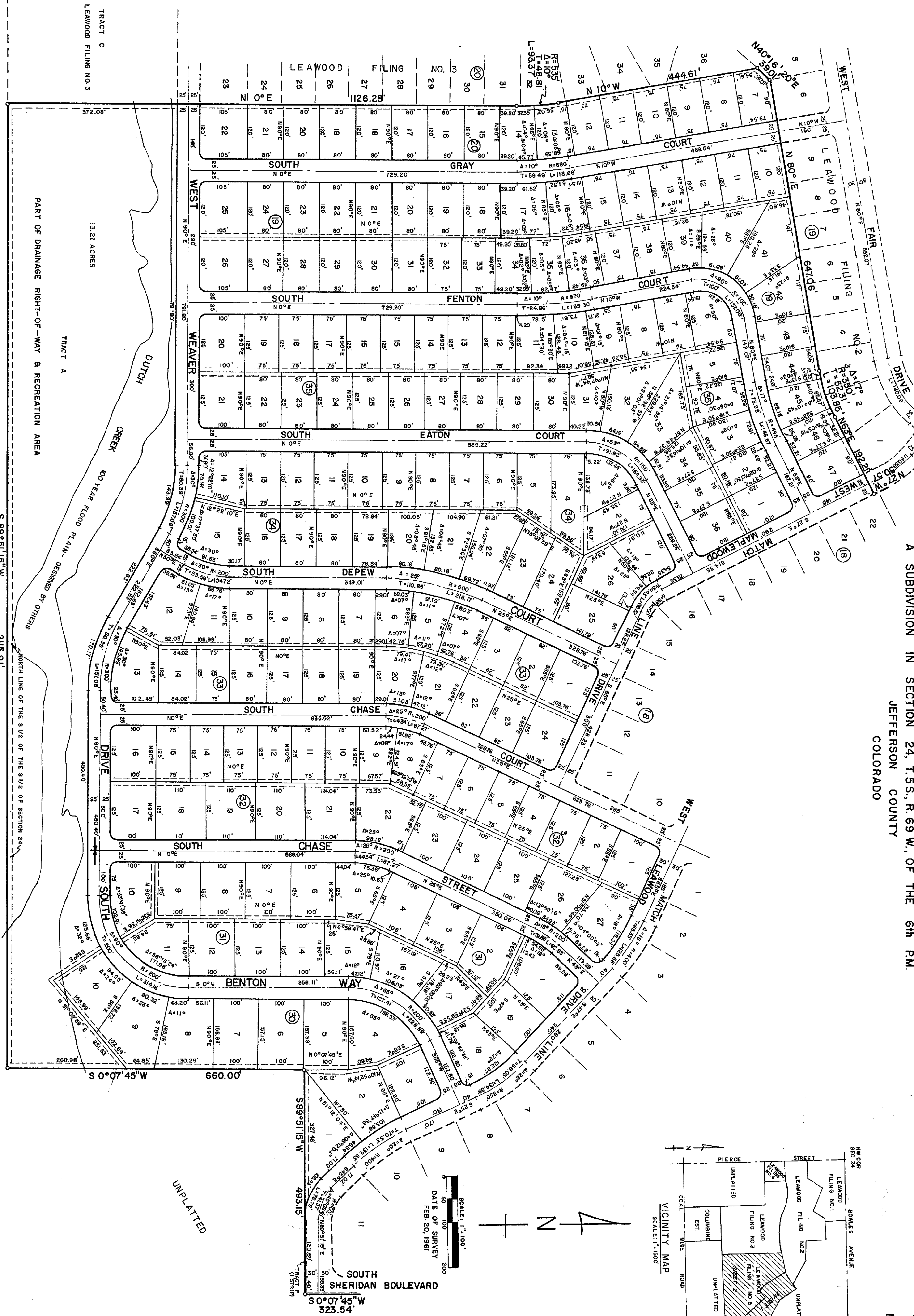


*OK E Martin*



# LEAWOOD - FILING NO. 5

A SUBDIVISION IN SECTION 24, T.5S., R.69 W., OF THE 6TH P.M.  
JEFFERSON COUNTY  
COLORADO



SCALE: 1" = 100'  
DATE OF SURVEY  
FEB. 20, 1981

ARAPAHOE COUNTY

PART OF DRAINAGE RIGHT-OF-WAY & RECREATION AREA

TRACT C  
LEAWOOD FILING NO. 3

TRACT A

S 89° 51' 15" W  
2115.91'

NORTH LINE OF THE S 1/2 OF THE S 1/2 OF SECTION 24

DRIVE

S 0° 07' 45" W  
660.00'

UNPLATTED

UNPLATTED

PAGE 2 OF 2  
PREPARED BY  
HUFFSTUTLER ENGINEERING SERVICE, INC.

BOOK 39  
PAGE 37  
MAP 8

7252-7312





**SCI ENGINEERING, INC.**

**EARTH • SCIENCE • SOLUTIONS**

GEOTECHNICAL  
ENVIRONMENTAL  
NATURAL RESOURCES  
CULTURAL RESOURCES  
CONSTRUCTION SERVICES

September 12, 2022

David Tschetter  
Arcadia Creek  
9 White Fir Court  
Littleton, Colorado 80127

RE: Historical, Archaeological, and Paleontological Report  
Arcadia Creek  
5234 West Leawood Drive  
Littleton, Colorado  
SCI No. 2022-0589.40

Dear David Tschetter:

SCI Engineering, Inc. (SCI) has completed the Historical, Archaeological, and Paleontological Report for the above-referenced project. The Jefferson County Colorado Planning & Zoning Division checklist of Submittal Document Requirements requires under *Item 30: Historical, Archaeological, and Paleontological Report/(Plan)* the preparation of this report in accordance with Land Development Regulation (LDR) Section 31.

The approximate 9.5-acre project site is located at 5234 West Leawood Drive and 5100 West Christiansen Lane in Littleton, Colorado (Figures 1 and 2). The property currently hosts several structures including a one-story wood barn, three two-story wood garages, two silos, and two sheds, all of which are located near the southern portion of the property. The proposed project will feature construction of a residential subdivision (Figure 3). Based on the plans available for the subdivision, cuts and fills on the order of five feet will be required for development.

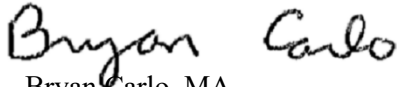
The purpose of the research contained herein is to identify any previously recorded historical, archaeological, and paleontological resources present within the project site, should they exist. To identify such sites, SCI conducted a search of the National Register of Historic Places, State Register of Historic Places, Jefferson County Historical Commissions Cultural Resource Survey and the Historic Landmark Program. SCI has also requested a search of Colorado's Cultural Resources Database.

A search of Colorado's Cultural Resources Database indicates that one cultural resource survey has been conducted within the project site. Survey ID JF.LG.NR1 intersects the southwest corner of the project site (Figure 4). No historical, archaeological, or paleontological resources have been recorded within the project site. The National Register of Historic Places, State Register of Historic Places, Jefferson County Historical Commissions Cultural Resource Survey and the Historic Landmark Program do not list any historical, archaeological, or paleontological properties or resources within the project site.


SCI's research has not identified any historical, archaeological, or paleontological resources within the project site. However, should any of these resources be present or discovered during site preparation, please notify the Jefferson County Planning and Zoning Division and the proper authorities to determine the disposition and necessary protection, excavation, or recovery of the resources.

Should you have any questions regarding this report, please do not hesitate to contact me at (618) 206-3048.  
Respectfully,

**SCI ENGINEERING, INC.**



Bryan Carlo, MA  
Senior Archaeologist



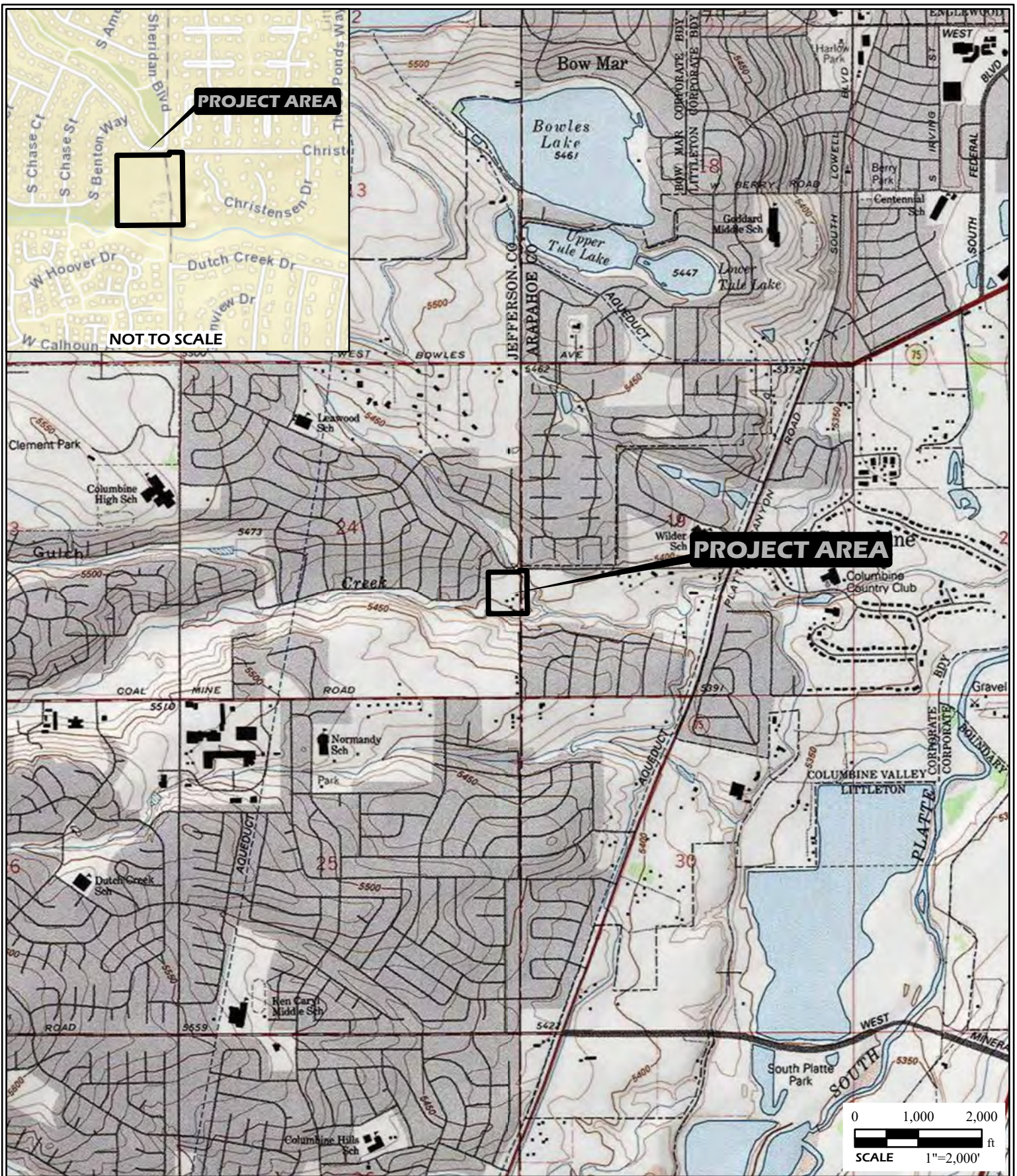
Scott E. Billings  
Senior Project Scientist

BMC/SEB/rah

Enclosures

- Figure 1 – Vicinity and Topographic Map
- Figure 2 – Aerial Photograph
- Figure 3 – Project Plan
- Figure 4 – Aerial Photograph-Sites and Surveys





<p>PROJECT NAME ARCADIA CREEK LITTLETON, COLORADO</p>			
<p>VICINITY AND TOPOGRAPHIC MAP</p>			
DRAWN BY	JTM	DATE	JOB NUMBER
CHECKED BY	BMC	08/2022	2022-0589.40

**GENERAL NOTES/LEGEND**  
 USGS TOPOGRAPHIC MAP  
 LITTLETON, COLORADO QUADRANGLE  
 DATED 1965 PHOTO REVISED 1994  
 10' CONTOURS

STREET MAP  
[HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD\\_STREET\\_MAP](http://goto.arcgisonline.com/maps/world_street_map)

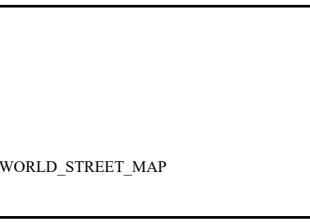

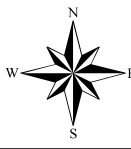


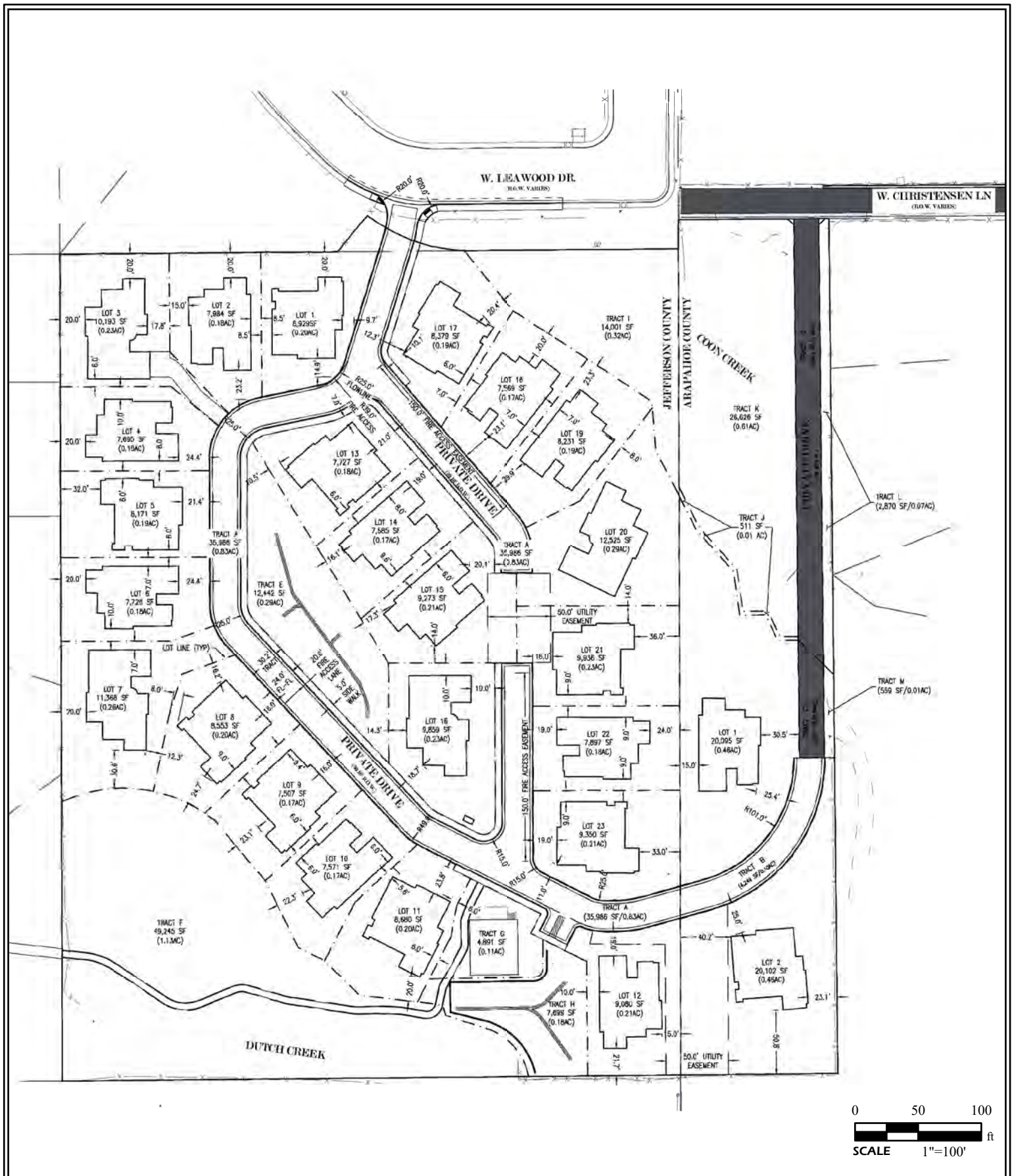
FIGURE  
1





	<b>PROJECT NAME</b> ARCADIA CREEK LITTLETON, COLORADO			<b>GENERAL NOTES/LEGEND</b>  AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.  DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.		
	<b>AERIAL PHOTOGRAPH</b>					<b>FIGURE</b> 2
	DRAWN BY	JTM	DATE			
CHECKED BY	BMC					





**PROJECT NAME**  
**ARCADIA CREEK**  
**LITTLETON, COLORADO**

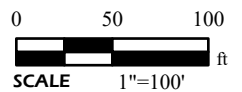
**PROJECT PLAN**

<b>DRAWN BY</b>	JTM	<b>DATE</b>	08/2022	<b>JOB NUMBER</b>	2022-0589.40
<b>CHECKED BY</b>	BMC				

**GENERAL NOTES/LEGEND**

PLAN DATED 06/21/2022 BY BRIGHTLIGHTER ENGINEERING.

DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY.  
 DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.






**FIGURE**  
**3**







	<b>PROJECT NAME</b> ARCADIA CREEK LITTLETON, COLORADO			<b>GENERAL NOTES/LEGEND</b>  COLORADO ARCHAEOLOGICAL SURVEY LOCATIONS  AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.  DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.	  <b>FIGURE</b> 4
	<b>AERIAL PHOTOGRAPH - SITES AND SURVEYS</b>				
	DRAWN BY	JTM	DATE		
CHECKED BY	BMC	09/2022	2022-0589.40		



**CERTIFICATION OF NOTIFICATION  
OF MINERAL ESTATE OWNER**

The applicant must check one of the three following statements, sign and date the form, and attach a list of mineral owners and lessees to whom notice was sent (if applicable).

I/We, Arcadia Creek LLC

\_\_\_\_\_, (the "Applicant" or authorized representative of the Applicant),

by signing below, hereby declare and certify as follows:

With respect to the property located at:

Physical Address: 5234 S. Leawood Dr. Littleton, Co. 80123

Legal Description (attach as applicable): See attached

Case Number 22115835 00000PF

I/We have searched the records of the Jefferson County Tax Assessor and the Jefferson County Clerk and Recorder for the above identified parcel and have found that no mineral estate owner is identified therein pursuant to section 24-65.5-103(1) of the Colorado Revised Statutes.

**See attached MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION Report**

I/We certify that, not less than thirty (30) days before the initial public hearing, notice of application for surface development was provided to mineral estate owners pursuant to section 24-65.5-103(1) of the Colorado Revised Statutes.

The mineral estate has been severed from the surface estate, and each mineral estate owner and lessee has waived the right to notice as per CRS 24-65.5-103(5).

I hereby further certify that I am the Applicant, or I am authorized by the Applicant to make the representations contained herein and to act as the Applicant's agent for purposes of this Certification of Notification and bind the Applicant to these representations by my signature below.



\_\_\_\_\_  
Applicant or Authorized Representative

9.29.22

\_\_\_\_\_  
Date



P.O. Box 336337  
Greeley, CO 80633-0606

Phone (970) 351-0733  
Fax (970) 351-0867

**LIST OF MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION**  
(Arcadia Creek LLC Property)

**Subject Property:**

Township 5 South, Range 69 West, 6th P.M., Jefferson County, CO  
Section 24: Those tracts of land being more particularly described on Exhibit A, being a part of the SE¼

Zeren Land Services, an oil and gas title research company, states that to the best of its knowledge the following is a true and accurate list of the names and addresses of the mineral owners and mineral leasehold owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq. in the Subject Property based upon the records of the Jefferson County Assessor and Clerk Recorder as of May 17, 2022 at 7:45 a.m.:

**Mineral Owners:**


None (entitled to notice)

**Mineral Leasehold Owners:**

None (entitled to notice)

Dated this 25<sup>th</sup> day of July, 2022

ZEREN LAND SERVICES

  
By: Cynthia A. E. Zeren, CPL  
Certified Professional Landman #4044

At the request of Arcadia Creek LLC ("Client"), Zeren Land Services, an independent land consulting firm, has prepared the foregoing list of mineral estate owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq.

Zeren Land Services, searched (i) the records of the Jefferson County Assessor relating to the Subject Property for persons identified therein as mineral estate owners, and (ii) the records of the Jefferson County Clerk and Recorder relating to the Subject Property for recorded requests for notification in the form specified in the Surface Development Notification Act. The results of these searches are set forth above in this List of Mineral Owners Entitled to Notice. At the date of the search, the records of the Assessor and the Clerk and Recorder were posted through May 17, 2022 at 7:45 A.M.

Zeren Land Services, agreed to prepare this listing for the Client only if the Client agreed that the liability of Zeren Land Services, would be strictly limited to the amount paid by the Client for such services. Zeren Land Services, makes no warranty, express, implied or statutory, in connection with the accuracy, completeness or sufficiency of such listing of mineral estate owners. In the event the listing proves to be inaccurate, incomplete, insufficient or otherwise defective in any way whatsoever or for any reason whatsoever, **the liability of Zeren Land Services, shall never exceed the actual amount paid by Client to Zeren Land Services, for the listing.**

In order to induce Zeren Land Services, to provide such services, **Client further agreed to indemnify and hold Zeren Land Services, its managers, members and employees, harmless from and against all claims by all persons (including, but not limited to Client) of whatever kind or character arising out of the preparation and use of each such listing of mineral estate owners, to the extent that such claims exceed the actual amount paid to Client by Zeren Land Services, for such listing.** Client specifically intends that both the foregoing limitation on liability and foregoing indemnification shall be binding and effective without regard to the cause of the claim, inaccuracy or defect, including, but not limited to, breach of representation, warranty or duty, any theory of tort or of breach of contract, or the fault or negligence of any party (including Zeren Land Services) of any kind or character (regardless of whether the fault or negligence is sole, joint, concurrent, simple or gross). **Client's use of this listing evidences Client's acceptance of, and agreement with, this limitation on liability and the indemnification.**

Date: July 25, 2022

ZEREN LAND SERVICES

By:   
Cynthia A. E. Zeren, as President

**EXHIBIT A**

**PARCEL 1:**

TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6<sup>TH</sup> P.M.

SECTION 24: BEGINNING AT THE SOUTHEAST CORNER OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$ , THENCE WEST ALONG THE SOUTH LINE OF SAID N $\frac{1}{2}$ SE $\frac{1}{4}$ , 493.15 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID N $\frac{1}{2}$ SE $\frac{1}{4}$ , 660 FEET; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID N $\frac{1}{2}$ SE $\frac{1}{4}$ , 660 FEET; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID N $\frac{1}{2}$ SE $\frac{1}{4}$ , 493.15 FEET TO THE EAST LINE OF SAID N $\frac{1}{2}$ SE $\frac{1}{4}$ ; THENCE SOUTH ALONG SAID EAST LINE 660 FEET TO THE POINT OF BEGINNING.

**PARCEL 2:**

TOWNSHIP 5 SOUTH, RANGE 69 WEST OF THE 6<sup>TH</sup> P.M.

SECTION 24: ALL THAT PART OF LOT 1, BLOCK 30, LEAWOOD FILING NO. 5, ACCORDING TO THAT CERTAIN MAP OR PLAT THEREOF RECORDED OCTOBER 20, 2020 UNDER RECEPTION NO. 2020136665, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89°51'15" WEST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 106.05 FEET; THENCE NORTH 39°25'59" EAST A DISTANCE OF 37.77 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 88.71 FEET, SAID CURVE HAS A RADIUS OF 130.00 FEET AND A CENTRAL ANGLE OF 39°05'54" TO THE POINT OF BEGINNING



**Sensory Impact Assessment**

Name of Plat

Arcadia Creek

Date

9.27.22

Name of Applicant(s)

Arcadia Creek LLC

Case Number

22115835 00000PF

**This sensory impact supply report is being submitted as required by  
Section 4B.32 of the Jefferson County Land Development Regulation.**

- Since this subdivision is existing, there will be no changes in acoustical, ocular or olfactory levels.
- Due to the small size of this development, there will be negligible impacts to acoustical, ocular and olfactory levels. Acoustical, ocular and olfactory levels will not exceed those set forth by Section 26 of the Land Development Regulations.
- This development is located within the Airport Influence area as defined in the most recent edition of the North Plains Community Plan. The appropriate avigation easements will be provided.
- Per Section 26 A.4b of the Land Development Regulation:  
Noise projected from existing roadways and uses onto proposed park, school, or residential developments shall not exceed the dBA levels as shown in the dBA Table. If noise levels exceed the dBA levels set forth in the dBA Table, mitigation that reduces levels to or below the required dBA shall be provided. (orig. 4-4-06)

Craig Karn, Consilium Design

Professional planner, certified industrial hygienist, landscape  
architect or engineer registered in the State of Colorado signature

Date

2022-09-29

Craig Karn, Consilium Design



**SCI ENGINEERING, INC.**  
6753 East 47<sup>th</sup> Avenue Drive, Unit H  
Denver, Colorado 80216  
303-321-3154  
[www.sciengineering.com](http://www.sciengineering.com)

**Wildlife and Vegetation Assessment Letter**

**ARCADIA CREEK  
LITTLETON, COLORADO**

**September 12, 2022**

**Prepared for:**

**ARCADIA CREEK, LLC.**

**SCI No. 2022-0589.30**



September 12, 2022

**SCI ENGINEERING, INC.**  
**EARTH • SCIENCE • SOLUTIONS**  
GEOTECHNICAL  
ENVIRONMENTAL  
NATURAL RESOURCES  
CULTURAL RESOURCES  
CONSTRUCTION SERVICES

David Tschetter  
Arcadia Creek, LLC  
9 White Fir Court  
Littleton, Colorado 80127

RE: Wildlife and Vegetation Assessment Letter  
Arcadia Creek  
5234 West Leawood Drive  
Littleton, Colorado  
SCI No. 2022-0589.30

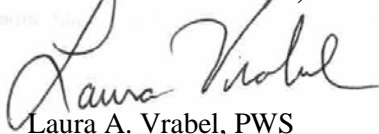
Dear David Tschetter:

We are pleased to submit the following report entitled *Wildlife and Vegetation Assessment Letter – Arcadia Creek, Littleton, Colorado*, dated September 2022. SCI Engineering, Inc. (SCI) was contracted by Arcadia Creek, LLC (Arcadia) to provide a Wildlife and Vegetation Assessment and summary letter for the proposed project. SCI understands that the proposed project will feature the construction of a residential development with associated roadways, stormwater management systems, and utility infrastructure. The Wildlife and Vegetation Assessment for the proposed development was completed by Natural Resource Scientists from SCI, as a requirement of the *Jefferson County, Colorado Land Development Regulation (LDR) under Section 28, version amended July 28, 2020*. Under Section 28 of the LDR, a Wildlife and Vegetation Assessment is required prior to site development. The assessment was performed to identify vegetation and wildlife habitat which shall be maintained, protected, and enhanced or preserved, supplemented, and maintained, respectively.

Please review the Wildlife and Vegetation Assessment in full, and if you have any questions or comments regarding the information provided herein, please contact the undersigned.

Respectfully,

**SCI ENGINEERING, INC.**



Laura A. Vrabel, PWS  
Project Scientist



Scott E. Billings  
Senior Project Scientist

LAV/SEB/rah

Enclosures  
Wildlife and Vegetation Assessment Letter

\\scieng\shared\Projects\2022\2022-0589 West Leawood Drive\NR\Wildlife and Vegetation Report

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Appendix B – USFWS IPaC Report  
Appendix C – Photo Log

## **Wildlife and Vegetation Assessment Letter**

### **ARCADIA CREEK LITTLETON, COLORADO**

#### **1.0 INTRODUCTION**

SCI Engineering, Inc. (SCI) was retained by Arcadia Creek, LLC. (Arcadia Creek) to conduct a Wildlife and Vegetation Assessment and to prepare an accompanying summary letter for the subject site. The Wildlife and Vegetation Assessment for the proposed development in Littleton, Colorado was completed by SCI Natural Resource Scientists as a requirement of the *Jefferson County, Colorado Land Development Regulation (LDR) under Section 28, (Version Amended July 28, 2020)*. Under Section 28 of the LDR, the Wildlife and Vegetation Assessment is required prior to site development. ***The assessment was performed on the entire project site which is located within Jefferson County as well as Arapahoe County.*** The assessment identifies vegetation and wildlife habitat which shall be maintained, protected, and enhanced or preserved, supplemented, and maintained, respectively. This summary letter is intended to describe current site conditions and summarizes potentially sensitive resources within and adjacent to the proposed project.

#### **1.1 Project Description**

The project site is located at 5234 West Leawood Drive and 5100 West Christiansen Lane in Littleton, Colorado. The property is currently a partially undeveloped parcel with structures including a one-story wood barn, three two-story wood garages, two silos, and two sheds, which are located in the southeast corner of the property. SCI understands that the proposed project will feature construction of a residential subdivision with associated infrastructure, utilities, and stormwater features.

#### **2.0 PROJECT LOCATION**

The approximate 9.5-acre project site is located at 39.599639, -105.054400, and straddles Jefferson and Arapahoe Counties (Township 5 south, Range 69 west, Section 24 and Township 5 south, Range 69 west, Section 19). The project site is bound to the south by Dutch Creek, to the east by Raccoon Creek, to the north by West Leawood Drive, and to the west by a neighboring residential subdivision. The subject site is depicted on the *Vicinity and Topographic Map*, enclosed as Figure 1.

#### **3.0 WILDLIFE AND VEGETATION ASSESSMENT REQUIREMENTS**

The requirements of the *Jefferson County, Colorado LDR under Section 28 - Wildlife and Vegetation Assessment* includes the review of resource maps and site reconnaissance for the following Wildlife, Habitat, and Vegetative resources:

- a. Wildlife and habitat species, federally protected species and associated habitats, and nesting migratory bird habitat (pursuant to the Migratory Bird Treaty Act);
- b. Vegetative habitat and species, existing and proposed, federally protected species and associated habitats, as well as noxious weeds;
- c. Proof of consultation with U.S. Fish and Wildlife Service (USFWS); and
- d. Map showing findings of the assessment:
  - (1) The proposed development including lots, tracts, and street/road alignments
  - (2) Existing wildlife habitat and existing and proposed vegetation areas

#### **4.0 WILDLIFE AND VEGETATION ASSESSMENT DESKTOP REVIEW**

Prior to the on-site assessment, SCI reviewed publicly available resources maps, agency websites, and resource publications for information about the project area and the surrounding environment. The following discussions detail information on the ecoregion, wildlife, vegetation, threatened and endangered species, and invasive species in the area.

##### **4.1 Topographic Map Research**

The United States Geological Survey (USGS) topographic map was reviewed for topographic information concerning the project site. In general, the site drains to the east and towards two blue-line tributaries, Dutch Creek to the south and Raccoon Creek to the north. The site is located within the South Platte River Basin. The South Platte River is located approximately 1.4 miles east of the project site. The *USGS Topographic Map* is enclosed as Figure 1 (Littleton, Colorado Quadrangle).

##### **4.2 Colorado and National Wetland Inventory**

National Wetland Inventory (NWI) maps and Colorado Wetland maps were reviewed prior to site reconnaissance via the NWI map online database (<https://www.fws.gov/wetlands/data/Mapper.html>) and the Colorado Wetland Inventory Mapping Tool online (<https://cnhp.colostate.edu/cwic/tools/mapper/>). Both of these databases indicate that mapped wetlands are collocated with Dutch Creek and Raccoon Creek and are located within the northeastern and southern portion of the study area. The wetlands are mapped as riparian forested/shrub riparian (Rp1FO) and Riverine (R4SBCx) features. Additional information regarding wetlands and waterbodies can be found in SCI's *Wetland and Waterbody Delineation Report*, dated September 2022.

#### **4.3 Historic Aerial Photograph Review**

Historic aerial imagery was reviewed dating back to 1955. At that time, the entire subject site was in active agricultural/cattle production with an associated farmstead and outbuildings present. The area remained in agricultural use through 1971 imagery. In 1983, residential subdivision developments appear to surround the western, northern, and southeastern boundaries of the site. In 1993 imagery, planted rows of trees are observable within the northern two-thirds of the site, which indicated the area likely became a tree nursery. At the same time, stockpiles of materials (potentially mulch and/or soil stockpiles) are also observable in the southern open field. The nursery activity is evident in the 2006 aerial and remains the same until about 2012-2013. After 2013, the nursery activity seems to decrease or end, as some of the trees are removed and some of the same trees have visibly matured. From 2013 until 2021, the imagery again, does not appear to change, and likely matches the current site conditions as a residential property.

#### **4.4 Colorado Conservation Data Explorer (CODEX)**

Background research was conducted through the Colorado Conservation Data Explorer (CODEX) website, which houses data for the Colorado Natural Heritage Program (CNHP), Colorado Parks and Wildlife (CPW), Bird Conservancy of the Rockies, USFWS, NatureServe, and other sources. In addition, publicly available data, and resource maps from the USGS, Colorado Ownership, Management, and Protection (COMaP), USFWS NWI, and Colorado Wetland maps were reviewed for ecological resources within and near the project site. Data layers obtained through research were added to aerial figures and are included within this report. Additionally, a CODEX Project Report was requested which evaluates known occurrences and potential occurrences for regulatory and other species of concern from CNHP, CPW, CODEX partners, protected lands and land management status from COMaP, special areas information, wetlands data, and other elements of conservation interest that may be present within the vicinity of the project site. The *Project Review Report*, requested on August 19, 2022, is provided in Appendix A.

The CODEX Project Report listed the following resources within the project site or within a 1-mile buffer of the subject site. Land Management Status areas are included in Figure 3. The CODEX land management layer illustrated locally managed resources including the East Woodmar Greenbelt, an unnamed Jefferson County managed area that is not accessible to the public, the Dutch Creek Greenbelt, the Wynetka Ponds, Hamlet Park, Wilder School Park, and the Columbine Trail. The only other management area located within a 1-mile radius was north of the project site and is managed by the Denver Water Board.



The *Project Review Report* did not list any documented occurrences of regulatory species within 1-mile of the project area. Three Regulatory Species listed that could potentially occur within the project area include the breeding range of the Golden Eagle (*Aquila chrysaetos*), the overall range of the Meadow Jumping Mouse-subspecies (*Zapus hudsonius preblei*), and Ute Ladies' Tresses (*Spiranthes diluvialis*).

There were no USFWS Critical Habitats located within 1-mile of the project area. However, there were documented occurrences of Rare Species, Natural Communities, and Species of Economic, Recreational or Conservation value within 1-mile of the project area. The three listings include a Canada Goose (*Branta canadensis*) CPW production area and winter concentration area, as well as Iowa Darter (*Etheostoma exile*) CPW Hydrologic unit code (HUC)-12 presence.

Additionally, there were numerous other potential species listed that could occur within the project area and include data from agency models, range maps, or records with low precision. The *Project Review Report* includes 1 amphibian, 19 birds, 13 insects, 19 mammals, 21 reptiles, and 1 vascular plant. The species information is included in the report attached as Appendix A.

One conservation area, along the South Platte River, was located within 1-mile of the site. The river includes aquatic native species and is categorized as high priority habitat, having moderate biodiversity significance, according to the CNHP.

#### **4.4.1 Invasive Vegetation and Wildlife**

SCI also reviewed information on invasive species through CODEX. The project area is located near known occurrences and within the range of several invasive species. These include the range of diffuse knapweed, American bullfrog, and red-eared slider turtles, and known locations of scotch thistle and Canada thistle along the northern site boundary. The invasive species are illustrated on Figure 4 of this report.

#### **4.5 Threatened and Endangered Species**

Prior to site development, Federal and state listed species and their potential impacts should be considered. The Endangered Species Act (ESA) [16 U.S.C. 1531 et seq.] was codified into law in 1973 and provides for the listing, conservation, and recovery of endangered and threatened species of plants and wildlife. Under the ESA, the USFWS is mandated to monitor and protect listed species. Section 9 of the ESA prohibits the take of listed species unless otherwise specifically authorized by regulation. Take is defined by the ESA as, "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect"

[16 U.S.C. 1532(19)]. USFWS further defines harm to include significant habitat modification or degradation [50 CFR §17.3] to the point where it kills or injures an individual or significantly impairs essential behavioral patterns, including feeding, breeding, and sheltering. Harassment is an intentional or negligent act or omission that creates the likelihood of injury by annoying an individual to such an extent as to significantly disrupt natural behavior patterns, which include but are not limited to, breeding, foraging, and sheltering.

SCI obtained an Information, Planning and Consultation (IPaC) Official Species list from the USFWS online system on August 11, 2022. The USFWS species list is included in Appendix B of this report. The seven listed species along with their preferred habitat and habitat suitability within the project area are included in Table 4.1 below.

**Table 4.1 - Federally Listed Threatened, Endangered, and Candidate Species**

Common Name	Scientific Name	Status*	Habitat	Suitable habitat present?	Critical habitat present?
<i>Mammals</i>					
Gray Wolf	<i>Canis lupus</i>	E	Dense subalpine forests and willow-choked riparian mountain streams and avalanche chutes	No	No
<i>Birds</i>					
Piping Plover	<i>Charadrius melodus</i>	T	Sand/Pebble beaches on lakes, reservoirs, rivers	No	No
Whooping Crane	<i>Grus americana</i>	E	Mudflats of reservoirs and agricultural areas	No	No
<i>Fish</i>					
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E	Large, turbid, free flowing rivers with strong current and gravel/sand substrate	No	No
<i>Insects</i>					
Monarch Butterfly	<i>Danaus plexippus</i>	C	Milkweed and flowering plants	Yes, along Dutch Creek	No
<i>Flowering Plants</i>					
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T	Moist to wet alluvial meadows, floodplains, springs, lakes (below 6,500 feet in elevation)	Yes, along riparian corridors	No
Western Prairie Fringed Orchid	<i>Platanthera praeclara</i>	T	Moist to wet prairies and meadows	Yes, along riparian corridors	No

\*C=Candidate, T=Threatened, E=Endangered. Data from USFWS IPaC species list.

The Gray Wolf is listed on the IPaC as potentially occurring with the project area. Lone, dispersing gray wolves may be present throughout the state of Colorado. However, it states that this species only needs to be considered if the activity includes a predator management program.

One fish species, Pallid Sturgeon, was identified on the IPaC species list. While there is no suitable habitat for Pallid Sturgeon within the project study area, developments within the South Platte River Basin could impact the species downstream. Best management practices are typically utilized to reduce pollutant and sediment loads downstream that might affect aquatic species and water quality.

The listed plants that could potentially be affected include the Ute Ladies' Tresses and the Western Prairie Fringed Orchid. The project is located within the range of these two species. Additionally, the project site does include marginally suitable habitat for the two species near the wetland adjacent to the site and the two tributaries on site. However, vegetative competition may reduce that suitability. Neither of the species were observed during the assessment.

Federally listed bird species that could potentially be affected by the project include the Piping plover and Whooping crane. The two species ranges overlap with the project study area. This is likely due to the proximity to the Chatfield Basin Conservation Network (CBCN), which is an National Audubon Society Important Bird Area (IBA) located approximately 0.8-mile southeast of the project area. The CBCN represents a rare concentration of representative bird habitats within a relatively small area (140 square miles). CBCN contains 29 of the 42 habitats listed in the Breeding Bird Atlas, including 4 grassland types, 6 shrubland types, 3 woodland types, 4 wetland types, 8 urban/agricultural types, and 8 forest types. There is potential habitat for the near wetlands and streams within and near the project area, but more preferred habitat is located just 0.8-mile to the southeast. Neither Whooping Crane or Piping Plover were observed on site during the assessment.

Lastly, the Monarch Butterfly was also included on the IPaC official species list. There is potential habitat for this candidate species within the project area, including milkweed species along the margins of the adjacent wetland, and sporadically along the banks of Dutch Creek. There were no monarch butterflies observed while on site.

#### **4.5.1 *Migratory Birds and Bald and Golden Eagles***

Nine bird species are listed on the USFWS IPaC, including Bald Eagles. The other eight bird species are considered Birds of Conservation Concern (BCC). These BCC species are found in Appendix B. Review of the CODEX database indicates that the project area does not overlap the Winter Forage or Concentration ranges of the Bald Eagle. The Winter range habitat for the Bald Eagle is located to the north within several reservoirs and to the southeast along the South Platte Park. These areas are approximately 0.8 miles from the subject site. Golden Eagles are found year-round in western and southern Colorado. The nonbreeding range for Golden Eagles overlaps with the project area.

The IPaC probability of presence summary indicates that the Bald Eagle could be present near the project site in all months of the year, including during breeding season. Four of the bird species have low probability of occurrences throughout the year. The remaining four species are present during breeding seasons and their probability of presence occurs seasonally and year-round near the project area. The IBA CBCN, located southeast of the subject site, may have influence on this probability of presence nearby.

#### **4.6 *Wildlife and Vegetation of the Front Range Fans Sub-Ecoregion***

The land use of the Front Range Fans sub-ecoregion is urban and residential, some irrigated cropland with hay, corn, wheat, and barley with manmade lakes/reservoirs and gravel pits. The ecoregion contains irregular plains, fans, and scattered low hills. The intermittent and perennial tributary substrates are generally gravelly, silty, and sandy. The tributaries are colder and can contain species found commonly in the Southern Rockies. Vegetation in this ecoregion is comprised of shortgrass and mixed grass prairies. The land use/land cover of the project area according to CODEX is mapped as developed open space-low intensity-medium intensity, and woody and emergent wetlands. The Landcover & Ecoregion map is included as Figure 2.

#### **4.7 *Natural Atlas Review***

The following are common observations of wildlife, birds, insects, and vegetation according to the Natural Atlas website (<https://naturalatlas.com/ecoregions/front-range-fans-2768025>). The Natural Atlas produces and index of observation from the general population but holds thousands of records within the database.

#### **4.7.1 Wildlife**

Common wildlife that can be observed in the area includes fox squirrel, mule deer, woodhouse's toad, American bullfrog (invasive), raccoon, muskrat, coyote, cougar, bobcat, moose, plains garter snake, western terrestrial garter snake, big brown bat, western small-footed bat, long-legged myotis, striped skunk, six-lined racerunner, north American least shrew, and black-tailed prairie dog.

#### **4.7.2 Birds**

The most common observed birds in this area include house finch, mallard, black-capped chickadee, Canada goose, American robin, northern flicker, red-winged blackbird, common starling, blue jay, American crow, killdeer, barn swallow, rock dove, house sparrow, western meadowlark, gadwall, American kestrel, dark-eyed junco, and double crested cormorant.

#### **4.7.3 Insects**

The most common insects you can find in this area includes the Monarch butterfly, common earwig, four-spotted moth, 7-spot ladybug, mayfly, western honeybee, lucerne moth, European paper wasp, codling moth, Japanese beetle, painted lay butterfly, European mantis, striped hawkmoth, differential grasshopper, and small cabbage white moth, and the belted kingfisher.

#### **4.7.4 Vegetation**

Some of the most common vegetation that can be observed in the area includes smooth brome, basin wildrye, Canada bluegrass, alfalfa, fringed willowherb, American yellowrocket, golden current, schultes bedstraw, chicory, prickly lettuce, crossflower, fuller's teasel, crested whatgrass, field pennycress, garlic mustard (invasive), broadleaf pepperweed, greater burdock, lambsquarters, catnip, honeylocust, common dandelion, common yarrow, western white clematis, fowl bluegrass, white sagebrush, riverbank grape, narrowleaf cottonwood, narrowleaf willow, peachleaf willow, dewystem willow, green ash, black cherry, boxelder, ponderosa pine, Russian olive (invasive), western snowberry, cherry plum, Tatarian honeysuckle (invasive), and tree of heaven (invasive).

### **5.0 WILDLIFE AND VEGETATION ASSESSMENT FINDINGS**

A field assessment of the proposed project site was completed by SCI Natural Resource Scientists on August 25, 2022. The approximately 9.5-acre project area was ground surveyed to document current site conditions, collect data, and photo document wildlife and vegetative habitat communities across the site, specifically those detailed in Section 3.0 of this report. Detailed information regarding the resources identified on site are provided in the following sections and the findings are illustrated on Figure 5 –



*Wildlife and Vegetation Assessment.* Additionally, representative site conditions are depicted in the Photographic Log included in Appendix C.

### 5.1 Habitat Communities

As the project site was formerly in agricultural use, and transitioned to a tree nursery, much of the vegetation across the site has been disturbed. Aquatic habitats within the project study area included communities such as perennial streams and one adjacent emergent wetland (off site). Non-aquatic communities within the project study area included habitats such as non-native grasslands interspersed within planted trees. These areas are illustrated on the enclosed Figure 5.

### 5.2 Wildlife Observed

SCI observed rock doves, woodpecker species, hummingbird species, American crows, blue jays, house finches, black capped chickadee, eastern cottontail rabbits, fox squirrels, crayfish, great plains rat snake, and several insect species. The majority of the wildlife were observed near the riparian corridors of Dutch Creek and Raccoon Creek.

### 5.3 Land Use and Vegetation

The southeastern corner of the site includes homesites, several old outbuildings and farm silos, paved and gravel driveways with mature trees dotted throughout. The northwest and central portions of the site were formerly a tree nursery. Much of the tree species located within the former nursery area included blue spruce, pitch pine, ponderosa pine, quaking aspen, apple and plum species, and green ash species. Riparian corridor tree species included peachleaf willow, narrowleaf willow, bur oak, Russian olive, green ash, western catalpa, chokecherry, buckthorn, and box elder. The following Table 5.1 details the dominant species observed across the study area.

**Table 5.1 - Dominant Plant Species**

<i>Species</i>	Common Name	Native?	Wetland Status	Comments
<i>Trees and Shrubs (very few individuals within study boundary)</i>				
<i>Elaeagnus angustifolia</i>	Russian olive	Non-native	FAC	Along riparian corridors
<i>Fraxinus pennsylvanica</i>	Green ash	Native	FAC	
<i>Malus species</i>	Apple species	-	-	Planted from tree nursery
<i>Picea pungens</i>	Blue spruce	Native	FAC	
<i>Populus deltoides</i>	Plains cottonwood	Native	FAC	
<i>Populus tremuloides</i>	Quaking aspen	Native	FAC	

**Table 5.1 - Dominant Plant Species (continued)**

<i>Species</i>	<b>Common Name</b>	<b>Native?</b>	<b>Wetland Status</b>	<b>Comments</b>
<i>Trees and Shrubs (very few individuals within study boundary)</i>				
<i>Prunus virginiana</i>	Chokecherry	Native	FACU	
<i>Quercus macrocarpa</i>	Bur oak	Native	FACU	
<i>Ribes aureum</i>	Golden current	Native	FACU	
<i>Salix amygdaloides</i>	Peachleaf willow	Native	FACW	
<i>Salix exigua</i>	Narrowleaf willow	Native	FACW	
<i>Syringa vulgaris</i>	Common lilac	Native	UPL	
<i>Grasses, Sedges, Rushes, Grasslike</i>				
<i>Alliaria petiolate</i>	Garlic mustard	Non-native	FACU	Open grass field
<i>Bromus inermis</i>	Smooth brome	Non-native	UPL	Open grass field
<i>Carex brevior</i>	Shortbeak sedge	Native	FAC	
<i>Echinochloa crus-galli</i>	Barnyard grass	Non-native	FAC	Open grass field
<i>Elymus repens</i>	Quackgrass	Non-native	FACU	Open grass field
<i>Schizachyrium scoparium</i>	Little bluestem	Native	FACU	
<i>Pascopyrum smithii</i>	Western wheatgrass	Native	FACU	
<i>Sorghastrum nutans</i>	Indiangrass	Native	FACU	
<i>Forbs</i>				
<i>Amaranthus blitoides</i>	Mat amaranth	Non-native	FAC	Wetland margins and open grass fields
<i>Ambrosia trifida</i>	Great ragweed	Native	FAC	
<i>Asclepias speciosa</i>	Showy milkweed	Native	FAC	
<i>Articum minus</i>	Lesser burdock	Native	FACU	
<i>Campanula rapunculoides</i>	Creeping bellflower	Native	FACU	
<i>Centaurea diffusa</i>	Diffuse knapweed	Non-native	UPL	Scattered throughout uplands
<i>Carduus nutans</i>	Musk thistle	Non-native	FACU	Scattered throughout uplands
<i>Chrysothamnus viscidiflorus</i>	Yellow rabbitbrush	Native	UPL	
<i>Cirsium arvense</i>	Canada thistle	Non-native	FACU	Scattered throughout uplands
<i>Dipsacus laciniatus</i>	Cutleaf teasel	Non-native	UPL	Scattered in open areas and along stream banks
<i>Iva axillaris</i>	Poverty weed	Native	FAC	
<i>Latua serriola</i>	Prickly lettuce	Non-native	FAC	Scattered throughout uplands and stream banks
<i>Onopordum acanthium</i>	Scotch thistle	Non-native	UPL	Northern boundary of the site
<i>Rumex crispus</i>	Curly dock	Native	FAC	
<i>Solidago missouriensis</i>	Missouri goldenrod	Native	UPL	
<i>Symphyotrichum falcatum</i>	White prairie aster	Native	FACU	

#### **5.4 Invasive Species**

During the site walkover, 12 non-native/invasive vegetative species were identified on site and are included in Table 5.1 above. These include the range of diffuse knapweed and known locations of scotch thistle and Canada thistle along the northern site boundary. The invasive species are illustrated on Figure 4 of this report. The invasive species were located throughout the site and dominated disturbed areas such as those formerly used as cattle pasture and the area previously utilized as a tree nursery. The species were dominating the landscape along the northern boundary and the berm along the southern property boundary, and then dotted throughout the subject site. There were no invasive wildlife species such as the American bullfrog or Red-Eared Slider observed during the site visit.

#### **6.0 RESULTS AND DISCUSSION**

A Wildlife and Vegetation Assessment was completed for the Arcadia Creek project site by SCI Engineering on August 25, 2022, during which the site was walked and photo documented. Concurrently, a *Wetland and Waterbody Delineation* was also completed, and findings were summarized in a separate delineation report. Available background data relating to the project site and the surrounding landscape was compiled from state and federal agencies. The findings from the site walkover and available data resources were combined to provide an overview of the ecological resources of the project site, and to summarize the potential ecological impacts due the proposed development of the project.

There were no state or federally listed plant or animal species observed during the site walkover. This does not conclude that the site would not be suitable for those species, however. In fact, much of the observed more common wildlife species were observed within the riparian corridors on site, and the areas could be potential habitat for listed species as well.

It is possible that the riparian corridors of Raccoon Creek and Dutch Creek could be suitable for Migratory Birds, Raptors, or other birds of conservation concern. Common bird species were observed while on site, but there were no threatened or endangered species or species of special concern noted. There were no large raptor nests identified within the subject site or burrows of concern. However, more suitable habitat is located within the CBCN area to the southeast.

There were 12 non-native/invasive species identified during the site assessment. These species have the potential to be aggressive and spread if best management practices are not utilized during construction.

## **6.1 Recommendations**

The LDR also states that a Wildlife and Vegetation Plan (Plan) be prepared. The Plan shall assure that wildlife and vegetation affected by the planning, design, and construction of the proposed development are recognized, adequately interpreted, and presented for use in the development.

SCI believes that the riparian corridors of Raccoon Creek and Dutch Creek would be of highest wildlife and vegetative habitat value within the subject site and could therefore benefit the surrounding community if the area were preserved to the greatest extent feasible. A buffer around the streams may also provide a floodwater benefit as the areas are located within FEMA regulated floodways. Establishment of this buffer would likely satisfy the Wildlife and Vegetative Plan to either develop or preserve open space and wildlife corridors per the Jefferson County LDR.

SCI would also recommend treatment of the invasive/non-native plant species observed. During construction and grading, best management practices should be utilized to prevent the spread of invasive seed off site. The site would also benefit from herbicide treatment or mechanical management of the areas where the species are dominating the landscape. This effort would also likely satisfy the Wildlife and Vegetative Plan component of “Disposition of infected and diseased vegetation, as well as treatment of noxious weeds” per the Jefferson County LDR.

We anticipate that Raccoon Creek and Dutch Creek would be considered WOTUS features and regulated by the U.S. Army Corps of Engineers (USACE) under the Clean Water Act (CWA). The features would require a Section 404/401 permit from the USACE and Colorado Department of Public Health and the Environment (CDPHE) if impacts are proposed.

As you advance in the planning of this project, SCI is available to assist in the development of the Wildlife and Vegetation Plan or to assist with submittal of the Section 404/401 Permit Application for impacts to regulated WOTUS, if necessary. A separate proposal can be provided for these services, if desired.

## **7.0 LIMITATIONS**

This report has been prepared for the exclusive use of Arcadia Creek, LLC and Jefferson County, Colorado. SCI is not responsible for independent conclusions or recommendations made by others. Furthermore, written consent must be provided by SCI should anyone other than our client wishes to

excerpt or rely on the contents of this report. The findings of this report are valid as of the present date of this report. SCI is not responsible for surveys, calculations, or plans that were prepared by others.

The conditions described in this report represent those encountered at the time of our Assessment. Changes in surface and subsurface conditions and species composition of a property can occur with the passage of time, whether due to natural processes or the works of man on this or adjacent property. In addition, changes in applicable or appropriate standards may occur, whether they result from legislation, the broadening of knowledge, or other reasons. Accordingly, the findings of this report may be invalidated in whole or in part by changes outside our control.

## **8.0 RESOURCES**

Colorado Conservation Data Explorer (CODEX). 2022. <https://cnhp.colostate.edu/maps/codex/>

Colorado Natural Heritage Program (CNHP). Ecological Systems of Colorado. 2022. <https://cnhp.colostate.edu/download/documents/EcolSystems/EcologicalSystemsofColorado2020.pdf>

Colorado Parks and Wildlife (CPW). 2022. Threatened and Endangered List. <https://cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>

Colorado Wetland Information Center. Colorado Wetland Inventory Mapping Tool. 2022. <https://cnhp.colostate.edu/cwic/tools/mapper/>

Jefferson County, Colorado. Land Development Regulation. July, 28, 2020. <https://www.jeffco.us/2463/Land-Development-Regulation>

Natural Atlas website. Front Range Fans. 2022. <https://naturalatlas.com/ecoregions/front-range-fans-2768025>

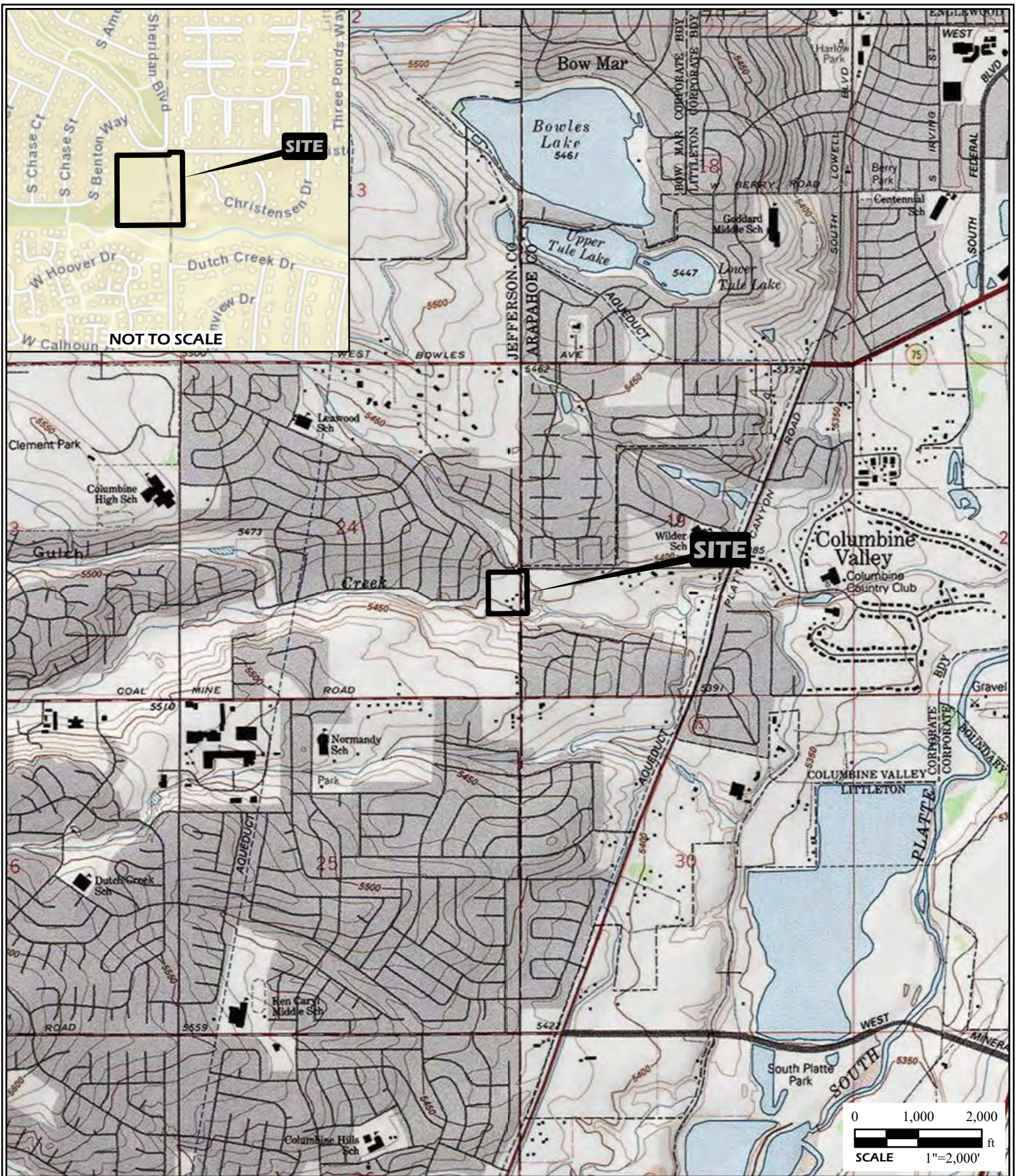
U.S. Army Corps of Engineers. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Western Great Plains) (Version 2.0). 2010.

U.S. Department of Agriculture (USDA). Natural Resources Conservation Service (NRCS). Web Soil Survey. 2022. <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

U.S. Fish and Wildlife Service (USFWS). Information Planning and Consultation (IPAC). Official Species List. 2022 <https://ecos.fws.gov/ipac/>

USFWS. National Wetland Inventory (NWI) Mapper. 2022. <https://www.fws.gov/wetlands/data/Mapper.html>





PROJECT NAME		
ARCADIA CREEK LITTLETON, COLORADO		
VICINITY AND TOPOGRAPHIC MAP		
DRAWN BY	JTM	DATE
CHECKED BY	LIV	09/2022
JOB NUMBER		2022-0589.30

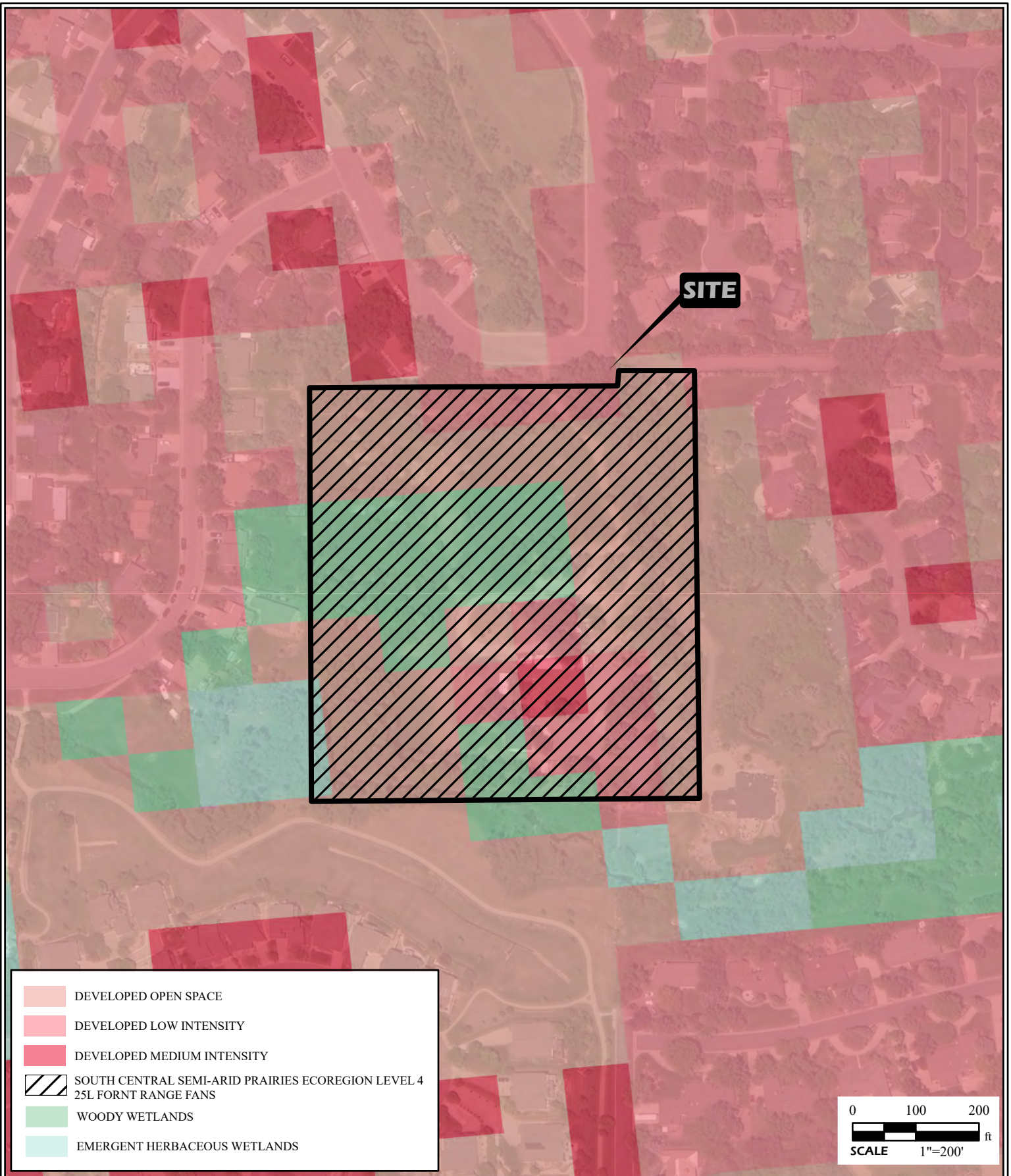
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
STREET MAP  
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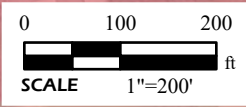
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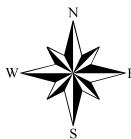
FIGURE  
1



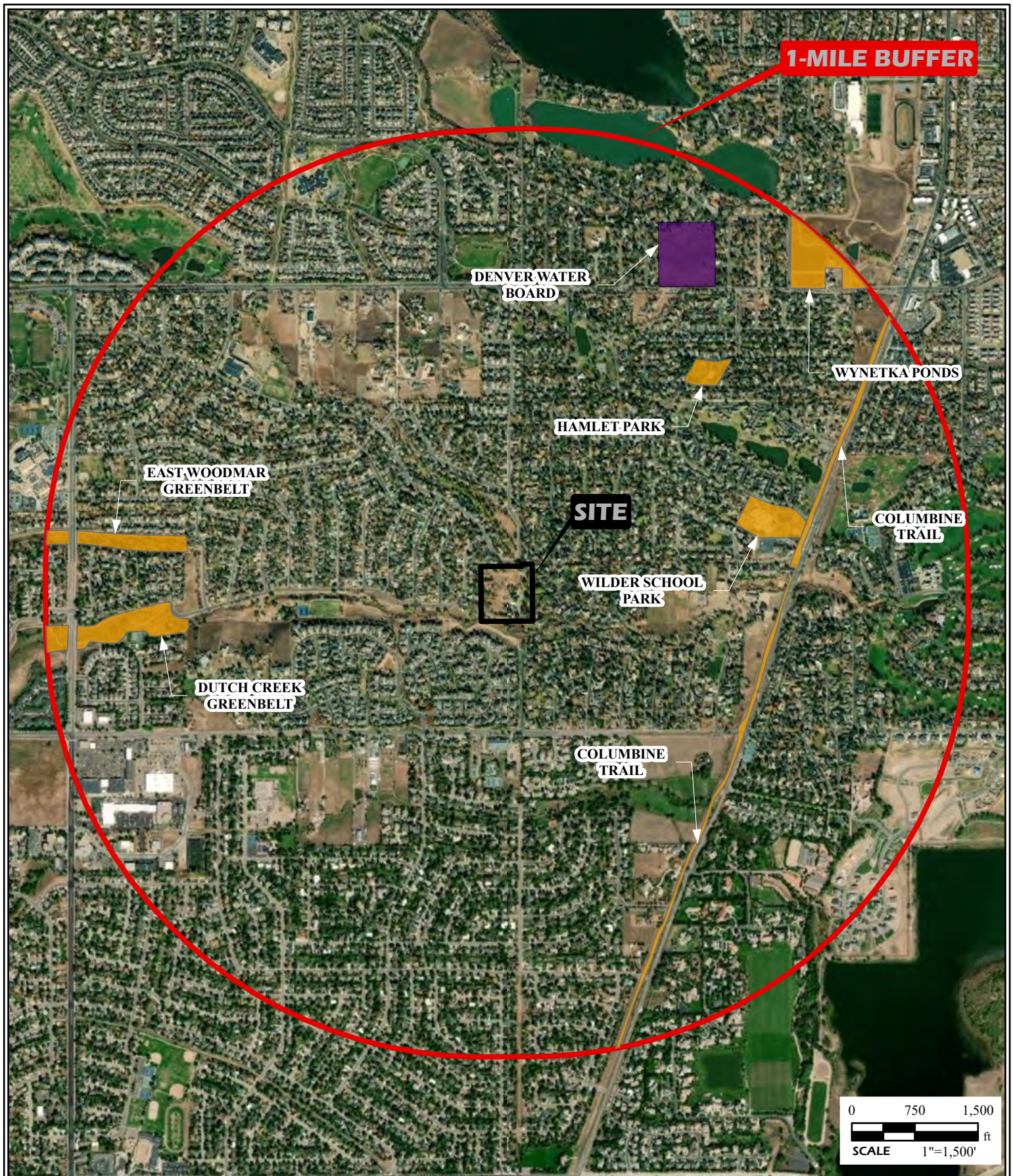


	DEVELOPED OPEN SPACE
	DEVELOPED LOW INTENSITY
	DEVELOPED MEDIUM INTENSITY
	SOUTH CENTRAL SEMI-ARID PRAIRIES ECOREGION LEVEL 4 25L FORNT RANGE FANS
	WOODY WETLANDS
	EMERGENT HERBACEOUS WETLANDS



	<b>PROJECT NAME</b> ARCADIA CREEK LITTLETON, COLORADO			<b>GENERAL NOTES/LEGEND</b>  AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.  DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.				
	<b>WILDLIFE AND VEGETATION ASSESSMENT          LANDCOVER &amp; ECOREGION</b>							
	<b>DRAWN BY</b>	JTM	<b>DATE</b>			09/2022	<b>JOB NUMBER</b>	2022-0589.30
	<b>CHECKED BY</b>	LIV						
<b>FIGURE</b> 2								





PROJECT NAME			
ARCADIA CREEK LITTLETON, COLORADO			
WILDLIFE AND VEGETATION ASSESSMENT LAND MANAGEMENT STATUS			
DRAWN BY	JTM	DATE	JOB NUMBER
CHECKED BY	LIV	09/2022	2022-0589.30

**GENERAL NOTES/LEGEND**

NGO/LAND TRUST

LOCAL LAND

AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY. DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

SCALE 1"=1,500'

FIGURE  
3





INVASIVE SPECIES RANGE		
COMMON NAME	SCIENTIFIC NAME	POLYGON
AMERICAN BULLFROG	LITHOBATES CATESBEIANUS	RED
RED-EARED SLIDER	TRACHEMYS SCRIPTA ELEGANS	RED
DIFFUSE KNAPWEED	CENTAUREA DIFFUSA	RED
INVASIVE SPECIES LOCATIONS		
COMMON NAME	SCIENTIFIC NAME	POINT NUMBER
CANADA THISTLE	CIRSIUM ARVENSE	1
SCOTCH THISTLE	ONOPORDUM ACANTHIUM	2



PROJECT NAME			
ARCADIA CREEK LITTLETON, COLORADO			
WILDLIFE AND VEGETATION ASSESSMENT INVASIVE SPECIES			
DRAWN BY	JTM	DATE	JOB NUMBER
CHECKED BY	LIV	09/2022	2022-0589.30

**GENERAL NOTES/LEGEND**

INVASIVE SPECIES HABITAT RANGE

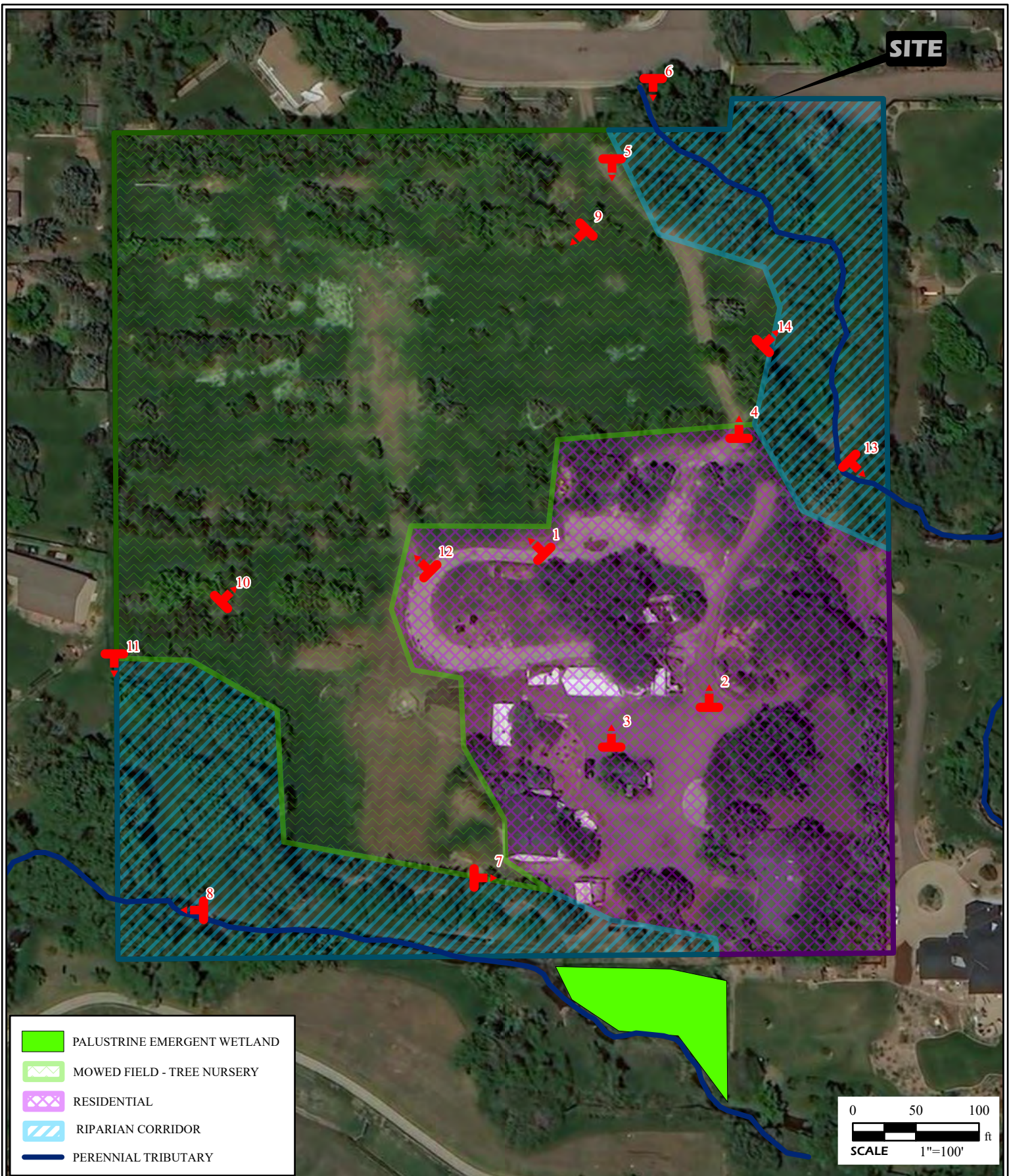
APPROXIMATE INVASIVE SPECIES LOCATIONS






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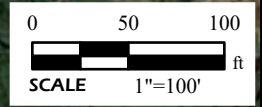
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**FIGURE**  
**4**





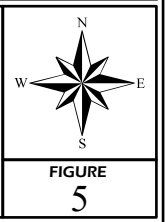
	PALUSTRINE EMERGENT WETLAND
	MOWED FIELD - TREE NURSERY
	RESIDENTIAL
	RIPARIAN CORRIDOR
	PERENNIAL TRIBUTARY



PROJECT NAME			
ARCADIA CREEK LITTLETON, COLORADO			
WILDLIFE AND VEGETATION ASSESSMENT			
DRAWN BY	JTM	DATE	JOB NUMBER
CHECKED BY	LIV	09/2022	2022-0589.30

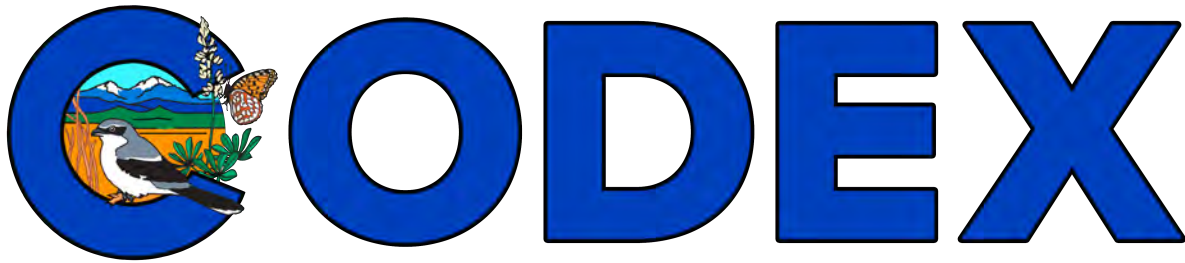
GENERAL NOTES/LEGEND

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# **Appendix A**



## Colorado's Conservation Data Explorer

### Project Review Report

#### Project Description

2022-0589.30 Single family home development

#### Project Information

Report Generation Date: 8/19/2022 08:29:35 AM

Project Title: Arcadia Creek

User Project Number(s):

System Generated ID: CODEX-752

Project Type: Development/Redevelopment, Residential

Project Size: 9.28 (acres)

Latitude/Longitude: 39.599765 / -105.054347

County(s): ARAPAHOE, JEFFERSON

Watershed(s) HUC 8: Upper South Platte

Township/Range and/or Section(s): 005S069W - 24 - 6P, 005S068W - 19 - 6P

#### Contact Information

Organization: SCI Engineering

Contact Name: Jacob Myers

Contact Phone: 6367571035

Contact Email: jacob.myers@rocky.edu

Contact Address: 130 Point W Blvd, St. Charles , MO 63301

Submitted On Behalf Of:

Prepared By:

## Project Report:

The information contained herein represents the results of a search of Colorado's Conservation Data Explorer (CODEX) and can be used as notice to anticipate possible impacts or identify areas of interest. This tool queries multiple conservation datasets and includes a synthesis of Colorado Natural Heritage Program (CNHP) and Colorado Parks and Wildlife (CPW) data for sensitive animal and plant species and natural communities. Care should be taken in interpreting these data.

Please note that the absence of data for a particular area, species, or habitat does not necessarily mean that these natural heritage resources do not occur on or adjacent to the project site, rather that our files do not currently contain information to document their presence. CODEX information should not replace field studies necessary for more localized planning efforts, especially if impacts to wildlife habitat are possible. Although every attempt is made to provide the most current and precise information possible, please be aware that some of our sources provide a higher level of accuracy than others, and some interpretation may be required. CODEX data is constantly updated and revised. Please contact CNHP, CPW and our partners for assistance with interpretation of this report or to obtain more information.

## Disclaimer:

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. **This review does not constitute environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the review of site-specific projects by CNHP and CPW and our partners.**
2. This Project Report is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
3. The Conservation Data Explorer (CODEX) data is constantly changing and being updated and is not intended to be the final word on the potential distribution of special status species. Colorado is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. CODEX data contains information about species occurrences that have actually been reported to CNHP, CPW and our partners. Not all of Colorado has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.

## Location Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

## Contact for CODEX Support:

### Colorado Natural Heritage Program (CNHP)

CNHP

Colorado State University

1475 Campus Delivery

Fort Collins, CO 80523-1475

**Tel:** (970) 491-7331

**Email:** [CNHP\\_codex\\_support@mail.colostate.edu](mailto:CNHP_codex_support@mail.colostate.edu)

**CNHP Website:** [cnhp.colostate.edu](http://cnhp.colostate.edu)

### Colorado Parks and Wildlife

For support regarding project review of land use impacts to wildlife, please contact the regional office in which your project resides and visit <https://cpw.state.co.us/conservation/Pages/CON-Energy-Land.aspx>

**CPW Website :** [cpw.state.co.us](http://cpw.state.co.us)

#### Northeast Region

##### Denver Office

6060 Broadway

Denver, CO 80216

**Tel:** (303) 291-7227

#### Northwest Region

##### Grand Junction Office

711 Independent Avenue

Grand Junction, CO 81505

**Tel:** (970) 255-6100

#### Southeast Region

##### Colorado Springs Office

4255 Sinton Road

Colorado Springs, CO 80907

**Tel:** (719) 227-5200

#### Southwest Region

##### Durango Office

151 East 16th Street

Durango, CO 81301

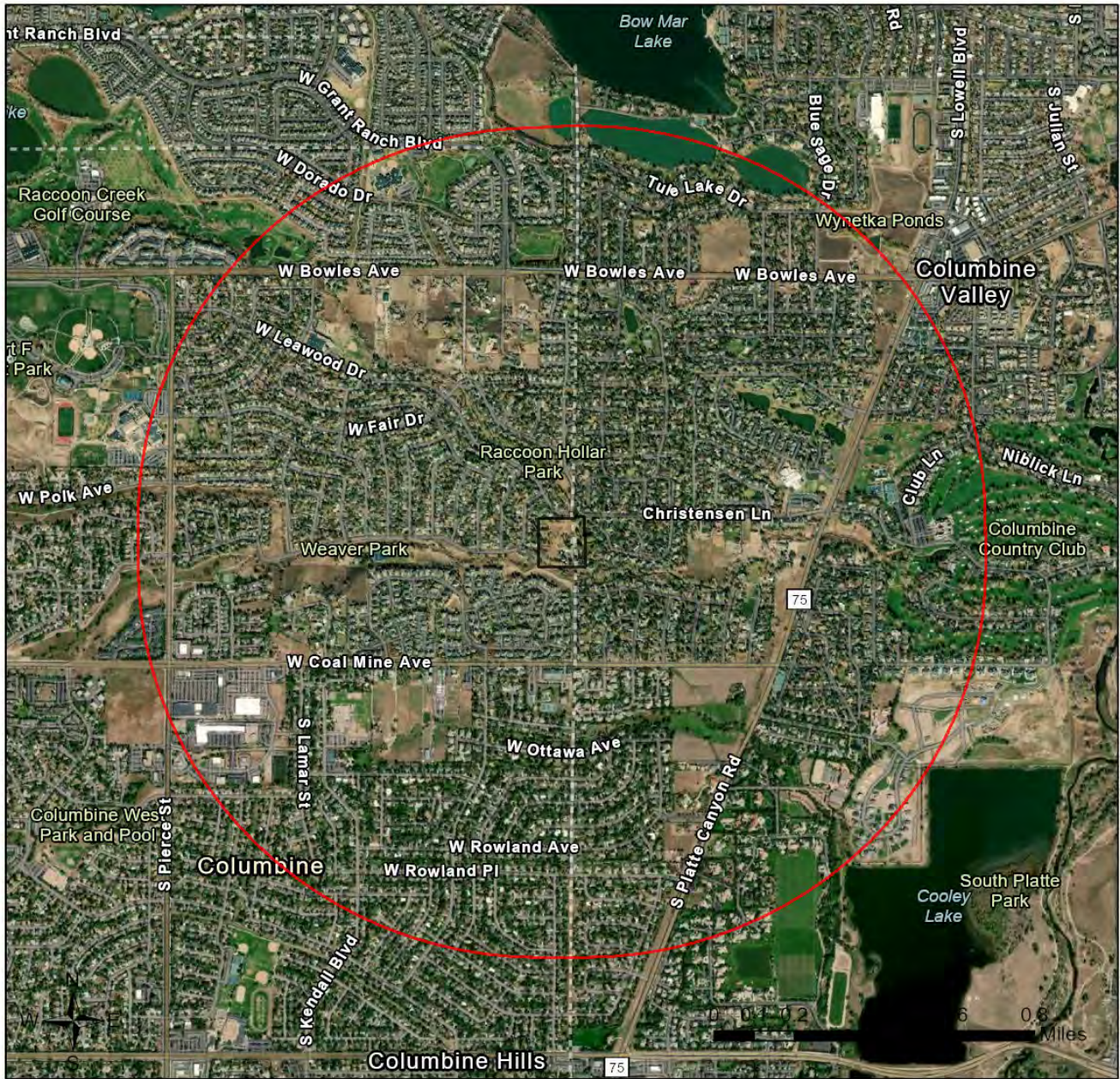
**Tel:** (970) 247-0855



For questions regarding CPW data in CODEX please contact 303-291-7152 or [matt.schulz@state.co.us](mailto:matt.schulz@state.co.us)



# Arcadia Creek

## Aerial Image with Locator Map



-  Buffered Search Area
-  Project Boundary



City of Littleton, Jefferson County, CO, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA  
Esri, HERE, Garmin, FAO, NOAA, USGS, EPA



## Arcadia Creek Topographic Map with Land Management Status

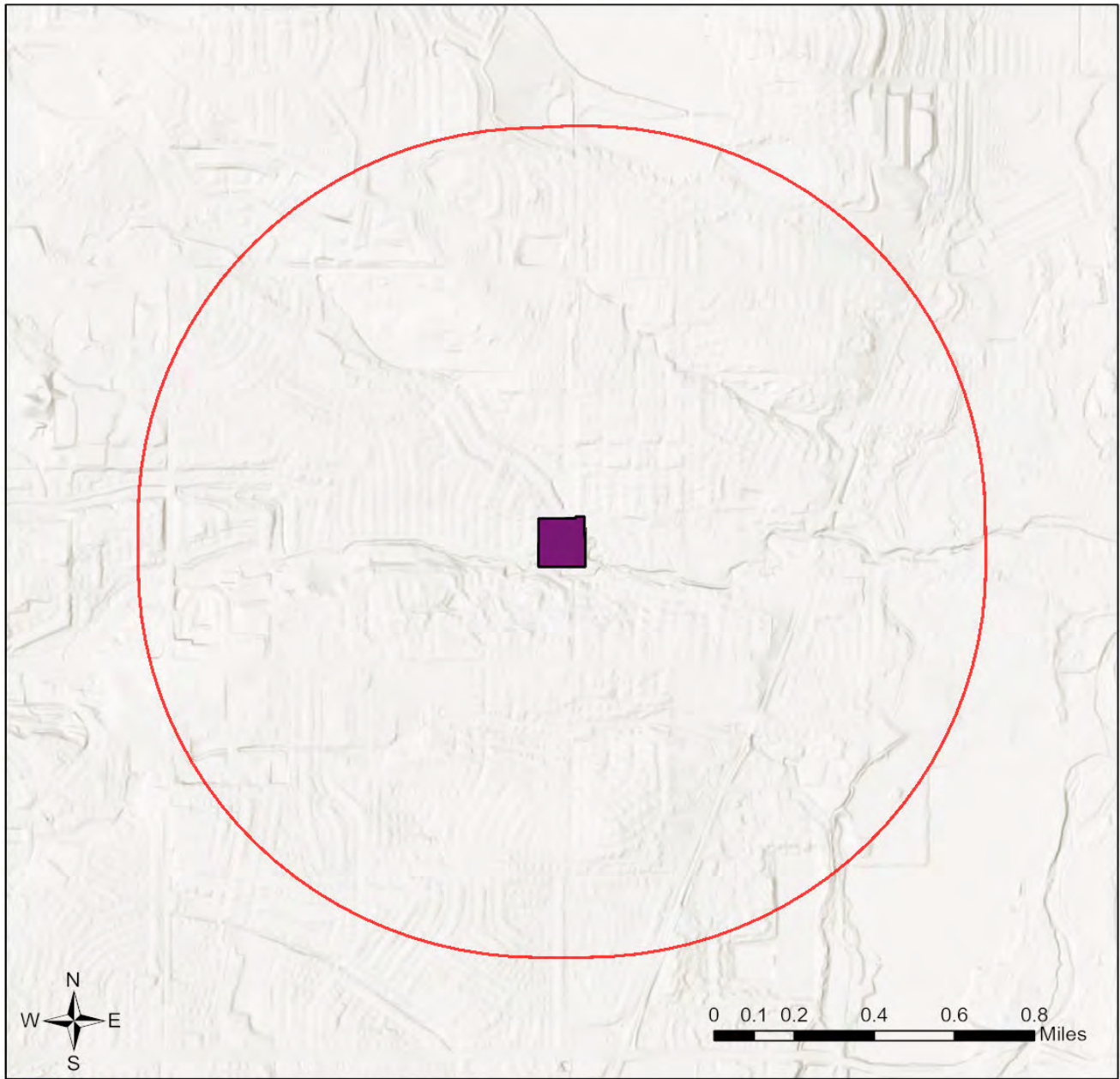





- |  |  |   |
|--|--|---|
| <span style="border: 2px solid red; display: inline-block; width: 15px; height: 10px;"></span> Buffered Search Area                  | <span style="background-color: purple; display: inline-block; width: 15px; height: 10px;"></span> NPS      | <span style="background-color: lightblue; display: inline-block; width: 15px; height: 10px;"></span> Local                        |
| <span style="border: 2px solid black; display: inline-block; width: 15px; height: 10px;"></span> Project Boundary                    | <span style="background-color: lightgreen; display: inline-block; width: 15px; height: 10px;"></span> USFS | <span style="background-color: darkred; display: inline-block; width: 15px; height: 10px;"></span> NGO/Land Trust                 |
| <span style="background-color: lightpurple; display: inline-block; width: 15px; height: 10px;"></span> Misc Federal (BOR, DOD, Misc) | <span style="background-color: darkgreen; display: inline-block; width: 15px; height: 10px;"></span> USFWS | <span style="background-color: orange; display: inline-block; width: 15px; height: 10px;"></span> Private Conservation            |
| <span style="background-color: yellow; display: inline-block; width: 15px; height: 10px;"></span> BLM                                | <span style="background-color: tan; display: inline-block; width: 15px; height: 10px;"></span> Tribal      | <span style="background-color: white; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Private |
|  | <span style="background-color: blue; display: inline-block; width: 15px; height: 10px;"></span> State      |   |

Esri, NASA, NGA, USGS, FEMA  
 City of Littleton, Jefferson County, CO, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

# Arcadia Creek

## Web Map As Submitted By User



-  Project Boundary
-  Buffered Search Area
-  Project Boundary

Esri, NASA, NGA, USGS, FEMA

## Regulatory Species

**Table 1. Documented Occurrences Within 1 Miles Of Project Area**

No results were found for this project area.

**Table 2. Potential Regulatory Species within Project Area: Models, Range Maps, or Records with Low Precision**

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Birds	<a href="#">Aquila chrysaetos</a>	Golden Eagle	CPW Breeding Range	G5	S3S4B,S4N			BGEPA/SWAP Tier 1	CPW 20201203
Mammals	<a href="#">Zapus hudsonius preblei</a>	Meadow Jumping Mouse Subsp	CPW Overall Range	G5T2	S1	LT	ST	SWAP Tier 1	CPW 20201203
Vascular Plants	<a href="#">Spiranthes diluvialis</a>	Ute Ladies' Tresses	CNHP Model	G2G3	S2	LT		SWAP Tier 1	CNHP 20140702

**Table 3. Fish & Wildlife Service Critical Habitats within 1 Miles of Project Area**

No results were found for this project area.

## Other Species of Concern

**Table 4. Documented Occurrences within 1 Miles of Project Area: Rare Species, Natural Communities, and Species of Economic, Recreational or Conservation Value**

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	Viability Rank	Last Observation	ESA Status	CO Status	Other Status	CNHP Identifier	Data Source
Birds	<a href="#">Branta canadensis</a>	Canada Goose	CPW Production Area	G5	S5							CPW 20201203
Birds	<a href="#">Branta canadensis</a>	Canada Goose	CPW Winter Concentration Area	G5	S5							CPW 20201203
Fish	<a href="#">Etheostoma exile</a>	Iowa Darter	CPW HUC12 Presence	G5	S3				SC	SWAP Tier 2		CPW 20201203



**Table 5. Potential Occurrences within Project Area: Models, Range Maps, or Records with Low Precision**

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Amphibians	<a href="#">Lithobates pipiens</a>	Northern Leopard Frog	CNHP General EO	G5	S3		SC	BLM/SWAP Tier 1/USFS	CNHP 20220421
Birds	<a href="#">Ammodramus savannarum</a>	Grasshopper Sparrow	CPW Breeding Range	G5	S3S4B			SWAP Tier 2/USFS	CPW 20201203
Birds	<a href="#">Athene cunicularia</a>	Burrowing Owl	CPW Breeding Range	G4	S4B		ST	BLM/SWAP Tier 1/USFS	CPW 20201203
Birds	<a href="#">Botaurus lentiginosus</a>	American Bittern	CPW Breeding Range	G5	S3S4B			SWAP Tier 2/USFS	CPW 20201203
Birds	<a href="#">Branta canadensis</a>	Canada Goose	CPW Foraging Area	G5	S5				CPW 20201203
Birds	<a href="#">Branta canadensis</a>	Canada Goose	CPW Winter Range	G5	S5				CPW 20201203
Birds	<a href="#">Buteo swainsoni</a>	Swainson's Hawk	CPW Breeding Range	G5	S5B			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Calamospiza melanocorys</a>	Lark Bunting	CPW Breeding Range	G5	S4			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Catharus fuscescens</a>	Veery	CPW Breeding Range	G5	S3B			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Circus hudsonius</a>	Northern Harrier	CPW Breeding Range	G5	S3B			SWAP Tier 2/USFS	CPW 20201203
Birds	<a href="#">Columba fasciata</a>	Band-tailed Pigeon	CPW Breeding Range	G4	S4B			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Falco mexicanus</a>	Prairie Falcon	CPW Breeding Range	G5	S4B,S4N			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Leucosticte atrata</a>	Black Rosy-finch	CPW Winter Range	G4	S4N			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Leucosticte australis</a>	Brown-capped Rosy-finch	CPW Overall Range	G4	S3B,S4N			SWAP Tier 1	CPW 20201203
Birds	<a href="#">Melanerpes lewis</a>	Lewis's Woodpecker	CPW Breeding Range	G4	S4			SWAP Tier 2/USFS	CPW 20201203
Birds	<a href="#">Passerina amoena</a>	Lazuli Bunting	CPW Breeding Range	G5	S5B			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Peucaea cassinii</a>	Cassin's Sparrow	CPW Breeding Range	G5	S4B			SWAP Tier 2/USFS	CPW 20201203
Birds	<a href="#">Selasphorus rufus</a>	Rufous Hummingbird	CPW Migration Range	G4	SNA			SWAP Tier 2	CPW 20201203
Birds	<a href="#">Spizella breweri</a>	Brewer's Sparrow	CPW Breeding Range	G5	S4B			BLM/SWAP Tier 2/USFS	CPW 20201203
Birds	<a href="#">Vermivora virginiae</a>	Virginia's Warbler	CPW Breeding Range	G5	S5			SWAP Tier 2	CPW 20201203
Insects	<a href="#">Arigomphus cornutus</a>	Horned Clubtail	Range Map - present	G4	S1				CNHP 20210615
Insects	<a href="#">Atrytone arogos</a>	Arogos Skipper	Range Map - within range	G2G3	S2			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Bombus (Cullumanobombus) morrisoni</a>	Morrison's Bumble Bee	Range Map - within range	G3	S2S4			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Bombus (Thoracobombus) pennsylvanicus</a>	American Bumble Bee	Range Map - within range	G3G4	S2S3			SWAP Tier 2	CNHP 20210615
Insects	<i>Bombus fervidus</i>	Yellow Bumble Bee	Range Map - within range	GNR	S3S4			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Bombus occidentalis</a>	Western Bumble Bee	Range Map - within range	G3	S3S4			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Callophrys mossii schryveri</a>	Moss's Elfin	Range Map - within range	G4T4	S2S3			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Celastrina humulus</a>	Hops Feeding Azure	Range Map - within range	G2G3	S2			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Danaus plexippus</a>	Monarch	Range Map - present	G4	S5			SWAP Tier 2	CNHP 20210615

**Table 5. Potential Occurrences within Project Area: Models, Range Maps, or Records with Low Precision**

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Insects	<a href="#">Epietheca petechialis</a>	Dot-winged Baskettail	Range Map - present	G4	SNR			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Polites rhesus</a>	Rhesus Skipper	Range Map - within range	G4	S2S3			SWAP Tier 2	CNHP 20210615
Insects	<a href="#">Speyeria idalia</a>	Regal Fritillary	Range Map - within range	G3?	S1			SWAP Tier 2/USFS	CNHP 20210615
Insects	<a href="#">Sympetrum costiferum</a>	Saffron-winged Meadowhawk	Range Map - present	G5	S3				CNHP 20210615
Mammals	<a href="#">Corynorhinus townsendii</a>	Townsend's Big-eared Bat	CPW Overall Range	G4	S2			BLM/USFS	CPW 20201203
Mammals	<a href="#">Cynomys ludovicianus</a>	Black-tailed Prairie Dog	CPW Overall Range	G4	S3		SC	BLM/SWAP Tier 2/USFS	CPW 20201203
Mammals	<a href="#">Cynomys ludovicianus</a>	Black-tailed Prairie Dog	CPW Potential Occurrence	G4	S3		SC	BLM/SWAP Tier 2/USFS	CPW 20201203
Mammals	<a href="#">Eptesicus fuscus</a>	Big Brown Bat	CPW Overall Range	G5	S5				CPW 20201203
Mammals	<a href="#">Lasionycteris noctivagans</a>	Silver-haired Bat	CPW Overall Range	G3G4	S3S4				CPW 20201203
Mammals	<a href="#">Lasiurus borealis</a>	Eastern Red Bat	CPW Overall Range	G3G4	S2S3B				CPW 20201203
Mammals	<a href="#">Lasiurus cinereus</a>	Hoary Bat	CPW Overall Range	G3G4	S3S4B			SWAP Tier 2/USFS	CPW 20201203
Mammals	<a href="#">Lepus townsendii</a>	White-tailed Jackrabbit	CPW Overall Range	G5	S4			SWAP Tier 2	CPW 20201203
Mammals	<a href="#">Myodes gapperi</a>	Southern Red-backed Vole	Range Map - within range	G5	S5			SWAP Tier 2	CNHP 20210615
Mammals	<a href="#">Myotis ciliolabrum</a>	Western Small-footed Myotis	CPW Overall Range	G5	S4				CPW 20201203
Mammals	<a href="#">Myotis evotis</a>	Long-eared Myotis	CPW Overall Range	G5	S4				CPW 20201203
Mammals	<a href="#">Myotis lucifugus</a>	Little Brown Myotis	CPW Overall Range	G3G4	S4			SWAP Tier 1	CPW 20201203
Mammals	<a href="#">Myotis thysanodes</a>	Fringed Myotis	CPW Overall Range	G4	S3			BLM/SWAP Tier 1/USFS	CPW 20201203
Mammals	<a href="#">Myotis volans</a>	Long-legged Myotis	CPW Overall Range	G4G5	S5				CPW 20201203
Mammals	<a href="#">Odocoileus hemionus</a>	Mule Deer	CPW Overall Range	G5	S4				CPW 20201203
Mammals	<a href="#">Perimyotis subflavus</a>	Tricolored Bat	CPW Overall Range	G3G4	S2				CPW 20201203
Mammals	<a href="#">Perognathus fasciatus</a>	Olive-backed Pocket Mouse	CPW Overall Range	G5	S3			SWAP Tier 1	CPW 20201203
Mammals	<a href="#">Perognathus fasciatus</a>	Olive-backed Pocket Mouse	Range Map - within range	G5	S3			SWAP Tier 1	CNHP 20210615
Mammals	<a href="#">Puma concolor</a>	Mountain Lion	CPW Overall Range	G5	S4				CPW 20201203
Reptiles	<a href="#">Aspidoscelis sexlineata</a>	Six-lined Racerunner	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Chelydra serpentina</a>	Snapping Turtle	CPW Overall Range	G5	S4				CPW 20201203
Reptiles	<a href="#">Chrysemys picta</a>	Painted Turtle	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Coluber constrictor</a>	Racer	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Crotalus oreganus</a>	Western Rattlesnake	CPW Overall Range	G5	SNR				CPW 20201203
Reptiles	<a href="#">Crotalus viridis</a>	Western Rattlesnake	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Heterodon nasicus</a>	Plains Hognose Snake	CPW Overall Range	G5	S4				CPW 20201203
Reptiles	<a href="#">Lampropeltis gentilis</a>	Central Plains Milk Snake	CPW Overall Range	G5	S5			SWAP Tier 2	CPW 20201203

**Table 5. Potential Occurrences within Project Area: Models, Range Maps, or Records with Low Precision**

Major Group	Scientific Name	Common Name	Data Type	Global Rarity	State Rarity	ESA Status	CO Status	Other Status	Data Source
Reptiles	<a href="#">Nerodia sipedon</a>	Northern Water Snake	CPW Overall Range	G5	S4				CPW 20201203
Reptiles	<a href="#">Phrynosoma hernandesi</a>	Hernandez's Short-horned Lizard	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Pituophis catenifer sayi</a>	Bullsnake	CPW Overall Range	G5T5	S5				CPW 20201203
Reptiles	<a href="#">Plestiodon multivirgatus epipleurotus</a>	Variable Skink	CPW Overall Range	G5T5	S3				CPW 20201203
Reptiles	<a href="#">Plestiodon multivirgatus</a>	Many-lined Skink	CPW Overall Range	G5	S4				CPW 20201203
Reptiles	<a href="#">Sceloporus consobrinus</a>	Fence/prairie/plateau Lizard	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Sceloporus tristichus</a>	Southern Plateau Lizard	CPW Overall Range	G5	S3				CPW 20201203
Reptiles	<a href="#">Tantilla nigriceps</a>	Plains Blackhead Snake	CPW Overall Range	G5	S4				CPW 20201203
Reptiles	<a href="#">Thamnophis elegans</a>	Western Terrestrial Garter Snake	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Thamnophis radix</a>	Plains Garter Snake	CPW Overall Range	G5	S5				CPW 20201203
Reptiles	<a href="#">Thamnophis sirtalis</a>	Common Garter Snake	CPW Overall Range	G5	S3		SC	SWAP Tier 2	CPW 20201203
Reptiles	<a href="#">Trionyx spiniferus</a>	Spiny Softshell	CPW Overall Range	G5	S4				CPW 20201203
Reptiles	<a href="#">Tropidoclonion lineatum</a>	Lined Snake	CPW Overall Range	G5	S3				CPW 20201203
Vascular Plants	<a href="#">Oenothera coloradensis (Gaura neomexicana ssp. coloradensis)</a>	Colorado Butterfly Plant	CNHP Model	G3T2	S1			SWAP Tier 1	CNHP 20210614

## Special Areas and Land Status

**Table 6. CNHP Potential Conservation Areas and Other Special Areas within 1 Miles of Project Area**

Name	Data Type	CNHP Biodiversity Rank	CNHP Edit Date	CNHP Identifier	Data Source
Aquatic Native Species Conservation Water	SB181 High Priority Habitat				CPW 20210120
<a href="#">South Platte River</a>	CNHP PCA	B4: Moderate Biodiversity Significance	2012-01-06	2167	CNHP 20220421

**Table 7. Managed Areas within Project Area**

Name	Owner	Manager	Management Description	Public Access*	Protection Mechanism	Easement Holder	Data Source
	PRIVATE	PRIVATE	Private Land	No	NA		COMaP v20190306

\* It is the responsibility of the user to verify public access on any site as access can change over time. Entering an area that is not open to the public subjects an individual to possible sanctions for trespass under Colorado law.

## Water and Wetlands

**Table 8. National Wetland Inventory (NWI) Features within Project Area**

NWI Code	Wetland Type	Total Acres	System	Class	Water Regime	Modifier	Data Source
R4SBCx	Rivers & Streams	0.27	Riverine	Stream Bed	Seasonally Flooded	Excavated	CNHP 20210122
Rp1FO	Riparian	1.05	Riparian	Forested/Shrub Riparian	N/A	None	CNHP 20210122

## Project Report Appendix

Please visit the [CNHP website](#) for a more extensive collection of definitions for CODEX reports in addition to what is provided here below.

### About CNHP Data

One of CNHP's core research activities is managing a statewide database that details the locations of rare and imperiled species and natural plant communities in Colorado. We gather data from CNHP surveys and monitoring projects, as well as from partners and other trusted sources like herbariums. All of our data are compiled and managed in the Biodiversity Information Management System (Biotics), a web-enabled database platform hosted by [NatureServe](#). The species and natural plant communities we track are assigned global and state imperilment ranks based on rarity, threats, and trends, and their locations are mapped as element occurrences. Element occurrences include spatial data as well as details on condition, size, and landscape context. This information allows us to track both overall distribution and site-specific details describing how well



elements are thriving at each location. We use element occurrences to delineate Potential Conservation Areas that represent the primary area needed to support the element occurrences, and often include additional suitable habitat or buffers from disturbance. **Please visit the [CNHP website](#) for more definitions and details related to CNHP data in CODEX.**

## CODEX Report Definitions

**CNHP Biodiversity Rank** – The significance of a potential conservation area in terms of its biological diversity ranging from B1 (Outstanding Biodiversity significance meaning protection of this potential conservation area can prevent a species from going extinct) to B5 (General interest or open space for more globally secure species).

**CNHP Edit Date**– The date the CNHP potential conservation area record was last updated.

**CNHP Identifier**– A unique identifier for each CNHP data type, applicable only to CNHP data records.

**CO Status** – State status per Colorado Parks & Wildlife: Endangered (SE), Threatened (ST), or State Special Concern (SC).

**Common Name** – The common name of the species or plant community.

**Critical Habitat Status** – Critical habitat status for federally listed species under the Endangered Species Act.

**Proposed** – Proposed critical habitat

**Final** – Final critical habitat

**Critical Habitat Federal Register**- The volume number and first page of

**Managed Areas Name** – Name of the managed area.

**Manager** – The general land Manager.

**Management Description** - The general category of how the feature is managed.

**Other Species of Concern** – Other globally rare species and plant communities, BLM or USFS sensitive species, state listed species, or Tier 1 and Tier 2 priority species from Colorado's State Wildlife Action Plan, and species of economic and recreational value.

**Other Status** – Other status such as BLM sensitive species (BLM), U.S Forest Service sensitive species (USFS), and Tier 1 and Tier 2 priority species from Colorado's State Wildlife Action Plan (SWAP Tier 1, SWAP Tier 2).

**Owner** – The general land owner.

**Public Access** – Level of public access to the feature.

**Protection Mechanism** – Any mechanism of protection assigned to the managed area.

the federal register publication describing the critical habitat.

**Critical Habitat Publication Date** - Federal Register publication date.

**Data Source** – The agency and date of the data provided.

**Data Type** –

**[CNHP EO](#)** – A location in which an element is, or was, present.

**CNHP General EO** – An element occurrence with imprecise directions; broadly mapped and typically historical or extirpated.

**[CNHP Observation](#)** – Sightings of species on CNHP's watchlist or sightings of tracked elements that do not meet the minimum criteria necessary to make an occurrence.

**[CNHP PCA](#)** – Areas in the state contributing to Colorado's biological diversity.

**CNHP Model** – Modeled presumed presence or habitat for a particular species.

**CNHP PCA (Important Plant Area)** – B1 or B2 CNHP potential conservation area supporting globally rare plants.

**CNHP Range Map** – Overall range for a particular species by HUC 10 and HUC 12 for aquatics.

**[Important Bird Area](#)** – The most important places for birds as identified by the National Audubon Society.

**Regulatory Species** – Species with federal protection under the Endangered Species Act or Bald and Golden Eagle Protection Act along with FWS designated critical habitat.

**Return on Investment Report** - Provides maps and the estimated annual benefit in dollars of conserved ecosystem services by ecosystem type within the project area in PDF format. Ecosystem types are derived from the 2016 National Land Cover Database (NLCD).

**Scientific Name** – The scientific name of the species or plant community

**Special Areas and Land Status** – CNHP Potential Conservation Areas ([PCA](#)), [State Designated Natural Areas](#), [Important Bird Areas](#), and managed lands from the Colorado Ownership, Management and Protection database ([COMaP](#)), SB181 High Priority Habitat

**Special Areas Name** – The name of the special area.

**State Rarity** - The [rarity rank](#) used by CNHP and The Natural Heritage Network to track how rare a species or plant community is in Colorado, ranging from S1 (rarest) to S5 (most common).

**Viability Rank** – The estimated viability of the species or ecological integrity of the natural community based on condition, size, and landscape context, ranging from A (excellent) to D (poor).

**Water and Wetlands** – Wetland types from the [National Wetland Inventory database](#).

**Class** - The general appearance of the habitat in terms of either the

**State Natural Area** - Areas that contain at least one unique or high-quality natural feature of statewide significance as designated by the Colorado Natural Areas Program.

**CPW <description>** - CPW data with a long list of data types: observations, nest sites, leks, etc.

**Easement Holder** – Organization or agency holding an easement (if present).

**ESA Status** – Federal status under the [Endangered Species Act](#): Endangered (E), Threatened (T), or Federal Candidate (C) with qualifiers for Partial Status (PS) and experimental populations (XN).

**Global Rarity** – The [rarity rank](#) used by CNHP and The Natural Heritage Network to track how rare a species or plant community is globally, ranging from G1 (rarest) to G5 (most common).

**Last Observation** – The most recent field observation.

**Major group** – The major group in which the element falls: Amphibians, Birds, Crayfish, Fish, Insects, Mammals, Mollusks, Natural Communities, Nonvascular Plants, Reptiles, and Vascular Plants.

dominant life form of the vegetation, or the physiography and composition of the substrate.

**Modifier** - Modifier assigned to further describe wetlands and deepwater habitats within the classification hierarchy based on water chemistry or ph, wetland or deepwater alteration, or soil type.

**NWI Code** – An alpha-numeric code corresponding to the classification nomenclature that best describes a particular wetland habitat. For more information on NWI data values, visit <https://www.fws.gov/wetlands/data/wetland-codes.html>

**System** – A complex of wetlands and deepwater habitats that share the influence of similar hydrologic, geomorphologic, chemical or biological factors.

**Water Regime** - Description of water duration within a wetland habitat.

**Wetland Total Acres** - Total acres of the wetland type in the project area.

**Wetland Type** – The generalized [Cowardin](#) wetland type.

# **Appendix B**





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Colorado Ecological Services Field Office  
Denver Federal Center  
P.O. Box 25486  
Denver, CO 80225-0486  
Phone: (303) 236-4773 Fax: (303) 236-4005

In Reply Refer To:  
Project Code: 2022-0073959  
Project Name: Arcadia Creek Development

August 11, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

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Attachment(s):

- Official Species List
  - USFWS National Wildlife Refuges and Fish Hatcheries
  - Migratory Birds
  - Wetlands
-

## **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

### **Colorado Ecological Services Field Office**

Denver Federal Center  
P.O. Box 25486  
Denver, CO 80225-0486  
(303) 236-4773

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## Project Summary

Project Code: 2022-0073959

Project Name: Arcadia Creek Development

Project Type: Residential Construction

Project Description: The approximate 9½-acre project site is located at 5234 West Leewood Drive and 5100 West Christiansen Lane in Littleton, Colorado. The property is currently an undeveloped field that slopes from northwest to southeast with approximately 15 feet of relief. A tributary is located along the southern boundary of the property. The proposed project will feature construction of a residential subdivision. Based on the plans available for the subdivision, we anticipate that cuts and fills on the order of 5 feet will be required for development.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.59979425,-105.05436872268997,14z>



Counties: Arapahoe and Jefferson counties, Colorado

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## Endangered Species Act Species

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 3 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
<p>Gray Wolf <i>Canis lupus</i></p> <p>Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico.</p> <p>There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> <li>▪ Lone, dispersing gray wolves may be present throughout the state of Colorado. If your activity includes a predator management program, please consider this species in your environmental review.</li> </ul> <p>Species profile: <a href="https://ecos.fws.gov/ecp/species/4488">https://ecos.fws.gov/ecp/species/4488</a></p>	Endangered

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## Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>Project includes water-related activities and/or use in the N. Platte, S. Platte, and Laramie River Basins which may affect listed species in Nebraska.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Endangered

## Fishes

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>Project includes water-related activities and/or use in the N. Platte, S. Platte, and Laramie River Basins which may affect listed species in Nebraska.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/7162">https://ecos.fws.gov/ecp/species/7162</a>	Endangered

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Flowering Plants

NAME	STATUS
Ute Ladies'-tresses <i>Spiranthes diluvialis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2159">https://ecos.fws.gov/ecp/species/2159</a>	Threatened
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1669">https://ecos.fws.gov/ecp/species/1669</a>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

# **USFWS National Wildlife Refuge Lands And Fish Hatcheries**

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

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## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

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1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

**The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\) list](#) or warrant special attention in your project location.** To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Oct 15 to Jul 31
Chestnut-collared Longspur <i>Calcarius ornatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25

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NAME	BREEDING SEASON
<p>Clark's Grebe <i>Aechmophorus clarkii</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Jun 1 to Aug 31
<p>Ferruginous Hawk <i>Buteo regalis</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  <a href="https://ecos.fws.gov/ecp/species/6038">https://ecos.fws.gov/ecp/species/6038</a></p>	Breeds Mar 15 to Aug 15
<p>Lesser Yellowlegs <i>Tringa flavipes</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a></p>	Breeds elsewhere
<p>Long-billed Curlew <i>Numenius americanus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  <a href="https://ecos.fws.gov/ecp/species/5511">https://ecos.fws.gov/ecp/species/5511</a></p>	Breeds Apr 1 to Jul 31
<p>Long-eared Owl <i>asio otus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/3631">https://ecos.fws.gov/ecp/species/3631</a></p>	Breeds Mar 1 to Jul 15
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Sep 10

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

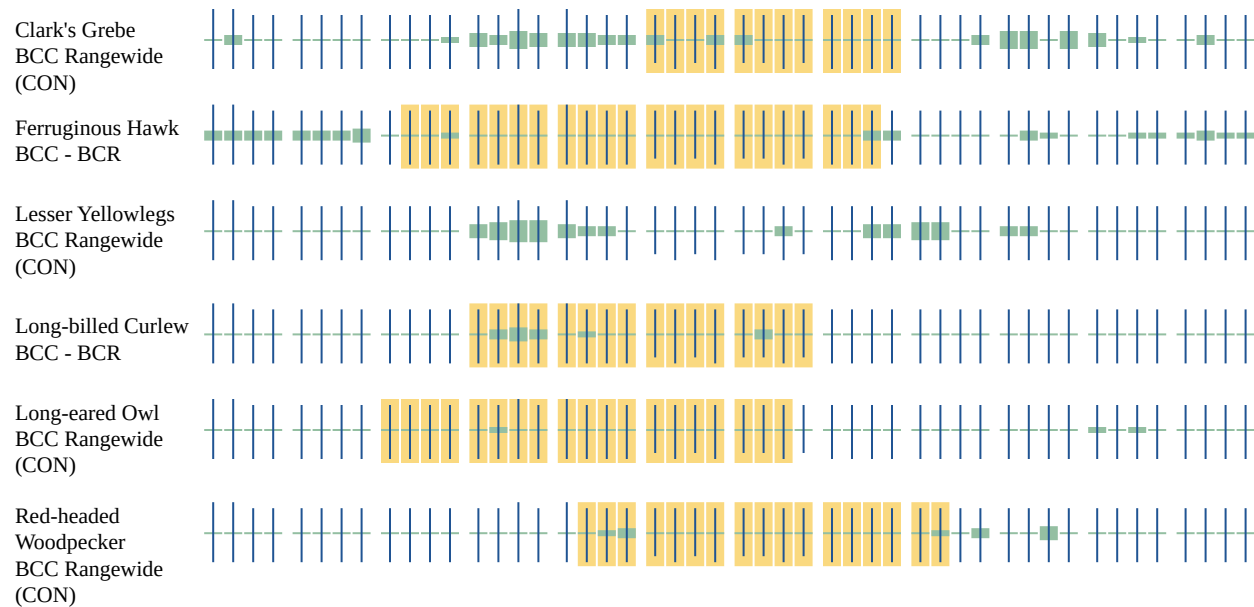
### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee





Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as



occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can

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implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- [Riverine](#)
-

## **IPaC User Contact Information**

Agency: SCI Engineering  
Name: Laura Vrabel  
Address: 130 Point West Blvd.  
City: St. Charles  
State: MO  
Zip: 63301  
Email: lvrabel@sciengineering.com  
Phone: 6367571058

## **Lead Agency Contact Information**

Lead Agency: Army Corps of Engineers

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# Appendix C



Photo 1. Overview of site looking toward mowed field and former tree nursery, facing northwest



Photo 2. Overview of residential area and driveways, facing north





Photo 3. View of outbuildings and gravel driveway, facing north

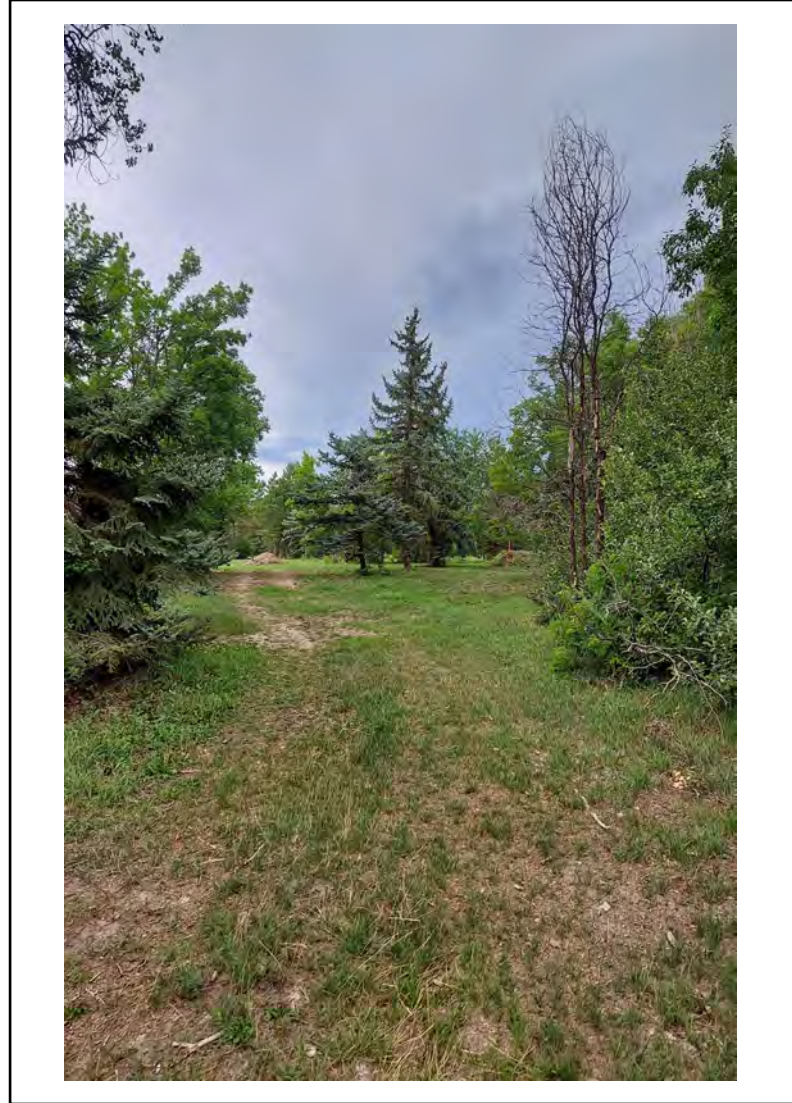


Photo 4. View of two track driveway looking toward northern portion of the site, facing north





Photo 5. View of two track driveway looking toward southern portion of the property, facing south



Photo 6. View of Raccoon Creek entering the northern boundary of the site from a culvert under West Leawood Drive, facing south





Photo 7. View of a berm along Dutch Creek facing east toward the southeastern corner of the site

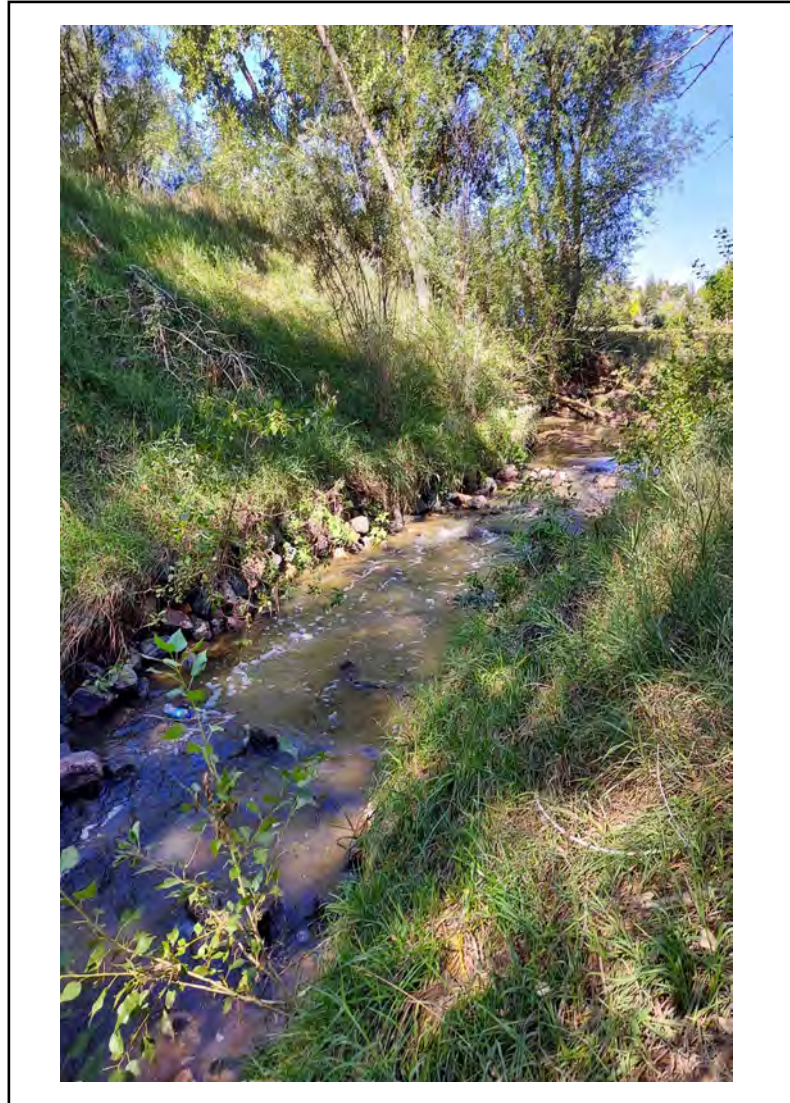


Photo 8. View of Dutch Creek looking upstream and west toward southwestern corner of the site





Photo 9. View of the old nursery field in the northeast corner of the site with evergreens in the background, facing southwest



Photo 10. View the old nursery field from the southwest corner of the site facing northeast





Photo 11. View of the wooded southwest corner of the site along a two track path, with fencing at the western property, facing south



Photo 12. View the old nursery field from circle driveway, facing northwest



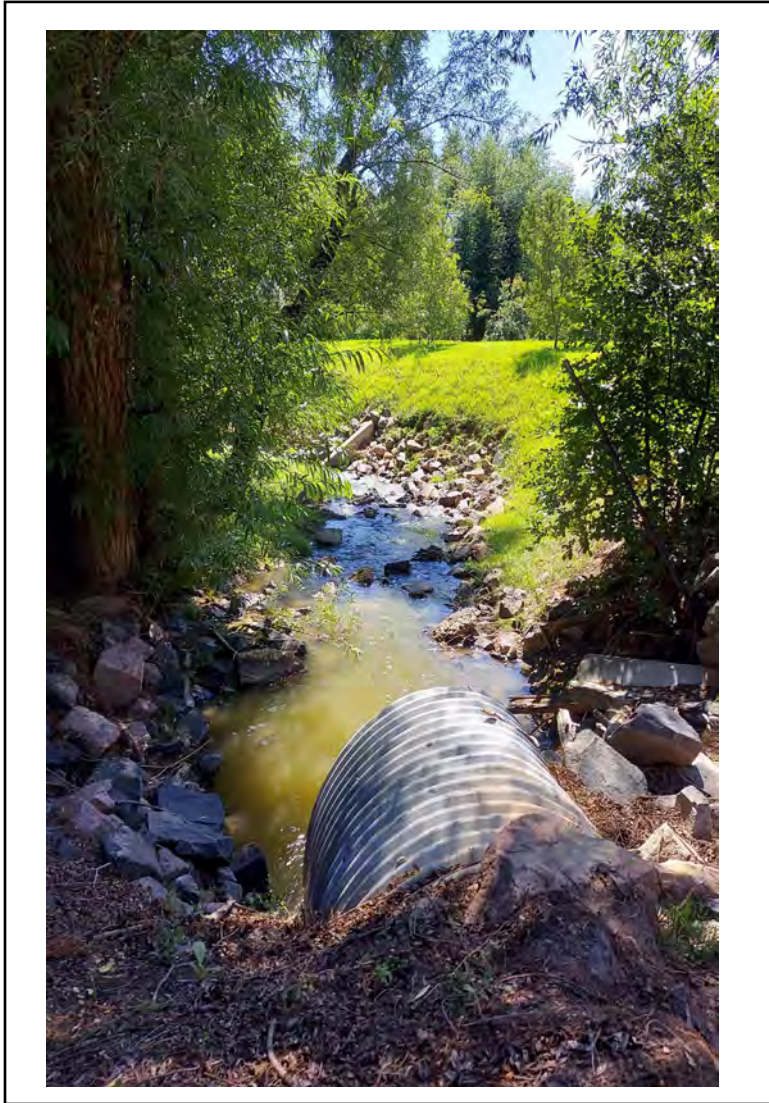


Photo 13. View of driveway culvert crossing of Raccoon Creek looking southeast and offsite

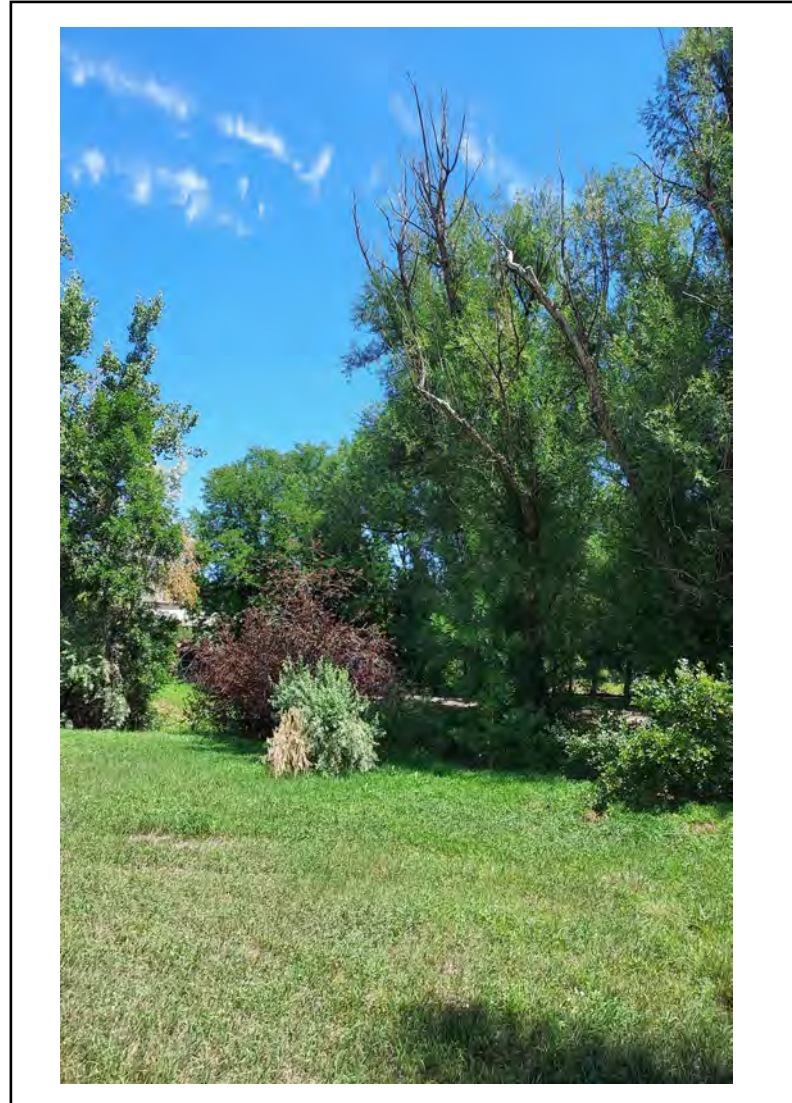


Photo 14. View the riparian corridor of Raccoon Creek and mowed lawn, facing northeast