



ARAPAHOE COUNTY
COLORADO'S FIRST

BOARD SUMMARY REPORT

Date: February 10, 2020
To: Board of County Commissioners (BOCC)
Through: Shannon Carter, Open Space Director
From: Dave Schmit, Engineering Consultant
Subject: Florida Avenue Sidewalk

Direction/Information

The purpose of the session is to allow the project team to update the BOCC on the Florida Ave. Sidewalk Project. Staff will discuss proposed next steps and ask the BOCC for direction on securing the required right-of-way and easements for construction.

Request and Recommendation

Staff is requesting direction to proceed with the right-of-way and easement acquisition necessary for the construction of an 8-foot wide trail/sidewalk (and associated retaining walls) along the south side of Florida Avenue between Parker Road and South Uinta Way. Staff is also asking for the authority to negotiate with the property owners regarding such items as fencing, landscaping, and tree damage allowance as necessary for the project.

Background

The Longs Pine Grove Open Space Park has been approved and is under construction along the south side of Florida Ave. between South Uinta Way and the High Line Canal. In the Land Use approval process for Long's Pine. The County Technical Review Committee concluded and required: "The proposed sidewalk on the north end of the site is not necessary because there is no sidewalk to connect to west of the property along E. Florida Ave. Instead, sidewalk needs to be installed along the south side of E. Florida Ave from the property to S. Parker Road. Curb ramps need to be installed at the southwest and southeast corners of the intersection between E. Florida Ave. and S. Uinta Way. This requirement was memorialized on the approved and signed Location & Extent Plan (attached).

Unrelated, the Arapahoe County Open Space Bike and Pedestrian Plan identified the need to develop east-west trail improvements along Florida Avenue as a top priority which has been implemented in phases. A remaining "gap" exists along the south side of Florida Avenue between Parker Road and South Uinta Street. (see attached map)

The original plan was to construct an 11-foot wide sidewalk/trail from Parker Road to South Uinta Way in order to provide a continuous and safe multi-modal connection to the west without a

requirement that users travel through the undersized bridge portion at the Denver/Arapahoe County boundary which cannot accommodate a trail. At Uinta, the Florida trail connects through the Longs Pine Grove Open Space Park trails, ultimately connecting with the High Line Canal trail via a new bridge in the park. These plans have been met with concerns and opposition from some of the adjacent neighbors. The concerns vary but the following is a representation of those we have received:

- The improvements will reduce the visual and sound buffer between Florida Avenue and the adjacent properties.
- The improvements will reduce property values.
- The improvements will increase potential for more crime.
- The improvements will impact existing trees both within the public right-of-way and on private property.
- The improvements will possibly damage existing fences along the corridor.

In response to these concerns the project team met with the adjacent property owners on October 8, 2019 at the project site to listen to their concerns and discuss how the project team was prepared to address them. At the meeting, the project team and County staff agreed to narrow the trail/walk from 11 feet (the recommended width of a “shared use path”) to 8 feet in order to accommodate less invasive construction. 8 feet is recognized as a minimum acceptable width for a “shared use path” facility by AASHTO’s guide on the development of bicycle facilities and is only acceptable in specific situations due to safety concerns. We also offered to have a professional consulting arborist assess the trees on private property with intent to provide advice on how to adapt the design to lessen impacts to trees located on private property. We are also committed to resolving any other damages caused to private property such as privacy fencing via replacement or repair. Subsequently, we were unable to secure access to the most critical private property to allow the assessment and recommendations by the arborist.

Links to Align Arapahoe

Service First – This action connects to Service First by providing safe multi-modal access along Florida Avenue.

Quality of Life – This action connects to Quality of Life by providing higher-quality and safer access to parks and trails within the County.

Discussion

As a result of one property owner disallowing cooperation and access for assessment of their site conditions and existing adjacent trees, the design process has been hindered and the project has been held up indefinitely. With a requirement to move the project forward, our team has completed 80% design drawings (using some assumptions regarding adjacent properties) and has developed legal descriptions for the right-of-way and temporary construction easements necessary to complete the project. We believe we have made a good faith effort to work with the property owners to reasonably address those concerns that we can as follows:

- We have reduced the width of the improvement to the very minimum acceptable width
- We have committed to doing everything within reason both in the design and in the field to protect those trees on private property.

April 20, 2020 Study Session

- We have agreed to replace/repair any fencing that is damaged.
- Finally, we have committed to the maintenance of the trail/walk adjacent to the private properties.

Of note: One owner has requested that the trees on County Right-of-way be preserved, however the trees at issue have been identified as “volunteer” species and are not considered appropriate trees to be adjacent to a roadway due to the “weak-wood” characteristics of the trees. Additionally, the project team does not feel that we can accommodate this request without further restricting the project and is not agreeing to this.

As can be seen by the plan documents, in some cases, the fence line and legal property line are slightly different. The impacts to the usable private property of the adjacent properties are not significant, and permanent construction impacts are not planned to exceed the limits of each property’s current fence boundary.

We wish to have authorization to proceed with contacting the property owner and providing them with the proposed easement and right-of-way documents along with a fair market offer to acquire them.

Alternatives

The only other alternatives are to abandon the project or possibly reduce the improvements to such point as no right-of-way or easements are necessary however the result may not be worth the expense, and would not meet any standard of care for a trail facility of this nature.

Fiscal Impact

Estimate cost of construction of the improvements \$595,100.00.

Estimated cost of right-of-way and easements (based on fair market value) \$125,000.00

The total project estimate is approximately \$720,100.00 and will be funded from the Open Spaces Acquisition and Development Fund, account 284800700.

Reviewed By

Dave Schmit, Temporary Engineering Consultant
Roger Harvey, Open Space Planning Administrator
Shannon Carter, Open Space Director
Todd Weaver, Finance Department
Tiffanie Bleau, County Attorney’s Office

Attachments:

1. Letter of Concerns from property owners dated August 7,2019.
2. Letter to property owners dated November 4, 2019
3. Approved Location & Extent Plan

Mountain View Gardens

Residents

August 7, 2019

Arapahoe County

Public Works Department, Open Space

6934 S. Lima Street, Suite A

Centennial, CO 80112

Attention: Roger Harvey, Open Space Planning Administrator (rharvey@arapahoegov.com)

Re: Proposed Long's Pine Grove Pedestrian Connections

To whom it may concern:

The following is a consensus of the most impacted occupant property owners, including those contiguous to the right of way of the proposed project. We are united in our opposition to this project as proposed for the following reasons:

- There currently exists both bike and pedestrian access, with handicap ramp, on the north side of Florida Ave. This access has been used historically for both pedestrians and bike access to the Highline Canal and destinations beyond. (Please see attached aerial photo, local map, Four Square Mile map and proposed project plats)
- This proposed project reduces the visual and sound separation of the increasingly busy Florida Avenue. The removal of the trees in the right of way and the likelihood of killing numerous mature trees that currently provide privacy on the adjacent properties will have a profound negative impact on adjacent properties and our neighborhood.
- This proposed project reduces the value of all our property, presumably, which in turn reduces the property tax revenues for Arapahoe County.
- This proposed project Increases the potential of more crime in our neighborhood. A wide sidewalk/bike path with knee wall at the base of the existing fences, will allow an easier access to adjacent property owners and neighborhood in general.
- According to Arapahoe County's presentation on Long's Pine Grove Park (January 16, 2019), which did not include a discussion on the proposed sidewalk and bike path. "Expectations for the park are less than 18 visits per day". (How many will access via bikes from Parker Road?)
- A four-foot sidewalk would adequately provide access to the 18 visits per day anticipated by Arapahoe County and would NOT be objected to by the Neighborhood. Additionally, a four-foot sidewalk will likely not require a retaining wall and the required footing.
- This proposed bike path is only one block. There is no existing bike path on the east side of Parker Road on Florida Avenue or on the south side of Parker Road to connect to this proposed bike path.

MVG HOA Board (disbanded) mgvhoa@outlook.com

Mountain View Gardens Neighbors email list.

November 4, 2019

(list property owners) send certified mail Suggest that we send individual letters

Dear Property Owners,

Thank you once again for taking the time to meet with the County's project team on October 8th to provide your feedback and concerns regarding the new trail along the south side of Florida. During this meeting, we reached consensus to move forward with an 8-foot-wide trail rather than the preferred 11-foot-wide trail in order to allay concerns regarding the potential impacts to your property, and in particular, your trees.

In this vein, the County is committed to working with its professional arborist and land survey consultants - in collaboration with each affected property owner - in order to gather detailed information that will help inform the design. In addition to the land survey work that needs to be done in order to confirm property boundaries, this effort necessarily, requires access to your property to survey the variety/species, size and growth pattern (roots, branches, etc.), and specific locations of individual trees which will enable us to incorporate design features or changes that might be necessary to achieve our stated goal.

To date, we have been unable to obtain a right of entry agreement from you. The County needs to keep moving forward with the project, and so I am writing to personally ask that you sign and return the attached agreement by November 22nd. If a signed agreement is received, we will coordinate with you individually on an acceptable time to conduct the work while you are home. If we do not receive your authorization, via a signed agreement, we will proceed with the best information available and within legal means.

It is our intent to have a revised design completed by the end of the year, after which time the County will contact you to discuss any easements or right-of-way acquisitions that may be necessary for the project.

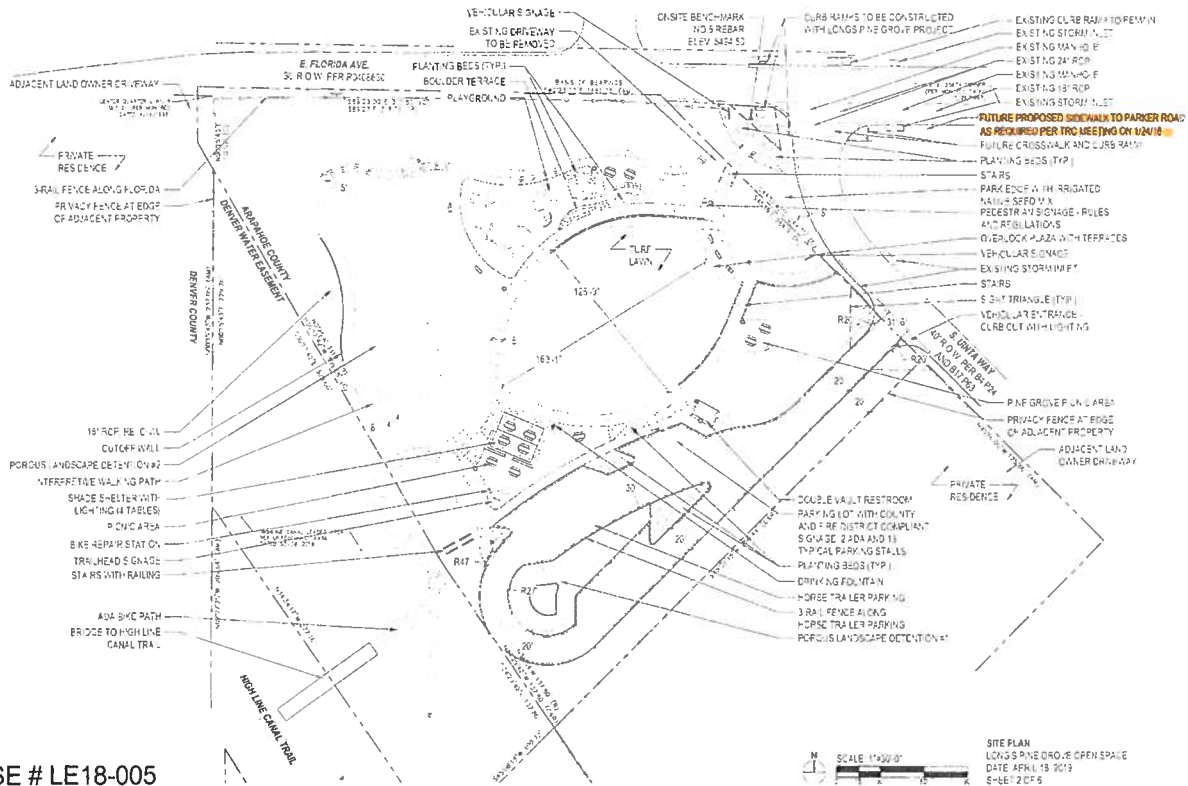
If you have any questions, please contact me as soon as possible.

Sincerely,

David M. Schmit, P.E.
Engineering Consultant
Arapahoe County Open Spaces
dschmit@arapahoegov.com
303.210.6937

LONG'S PINE GROVE OPEN SPACE LOCATION AND EXTENT PLAN

PART OF TRACT 15 MOUNTAIN VIEW GARDENS SUBDIVISION AND A PORTION OF THE HIGH LINE CANAL RIGHT-OF-WAY LOCATED
IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE STATE OF COLORADO



- SITE LEGEND**
- EXISTING TREES
 - PROPOSED 1' CONTOUR
 - PROPOSED 5' CONTOUR
 - CONCRETE PAVING
 - CRUSHER FINES PAVING
 - ASPHALT PAVING
 - MULCH
 - E.W.F. PLAY SURFACING
 - ARTIFICIAL TURF PLAY SURFACING
 - P.I.P. PLAY SURFACING
 - SAND SURFACING
 - RETAINING WALL, MAX HEIGHT 3'
 - BENCH
 - TRASH RECEPTACLE
 - PICNIC TABLE
 - BIKE RACK
 - LANDSCAPE BOULDER
 - BOULDER STEPS
 - PROPERTY LINE
 - PRIMARY VEGETATION
- NOTES:
1. PATHS AND DETAILS MAY BE ADJUSTED WITH CONSTRUCTION PLANS

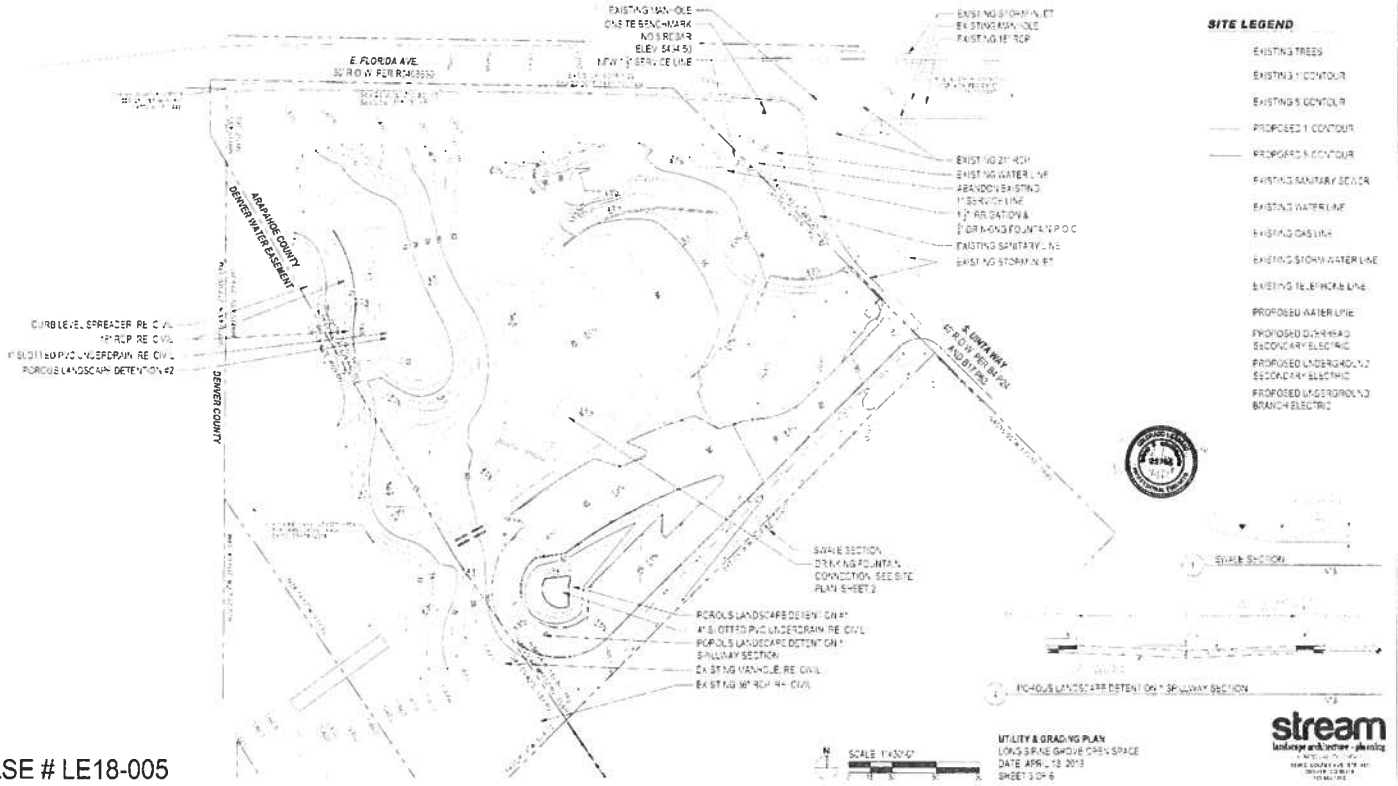


CASE # LE18-005

SITE PLAN
LONG'S PINE GROVE OPEN SPACE
DATE APRIL 18 2019
SHEET 2 OF 5

LONG'S PINE GROVE OPEN SPACE LOCATION AND EXTENT PLAN

PART OF TRACT 15 MOUNTAIN VIEW GARDENS SUBDIVISION AND A PORTION OF THE HIGH LINE CANAL RIGHT-OF-WAY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO



CASE # LE18-005

LONG'S PINE GROVE OPEN SPACE LOCATION AND EXTENT PLAN

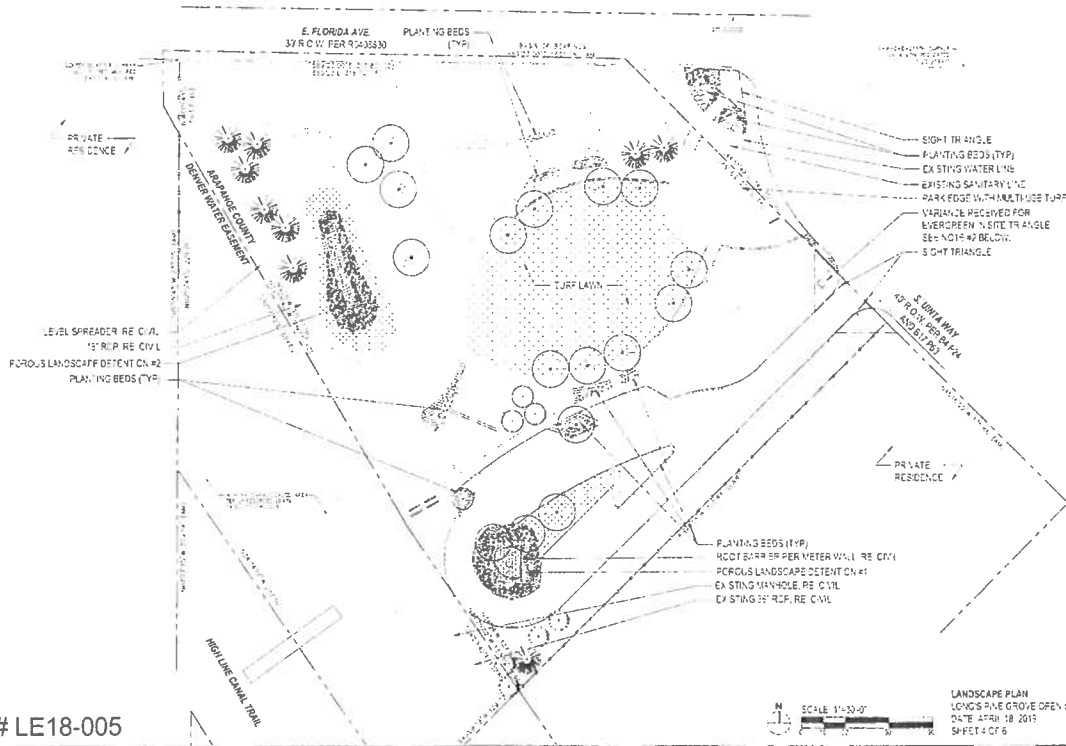
PART OF TRACT 15 MOUNTAIN VIEW GARDENS SUBDIVISION AND A PORTION OF THE HIGH LINE CANAL RIGHT-OF-WAY LOCATED
IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE, STATE OF COLORADO

LANDSCAPE PLANT MATERIALS SUMMARY

PLANTS	APPROX QTY	SIZE
DEERCK'S TREES	17-1	8-10 2"
EVERGREEN TREES	12-1	8-10 2" MIN
ORNAMENTAL TREES	4-1	8-10 2"
SHRUBS	67-1	1 1/2-25
PERENNIAL GRASSES	519-1	1" & 25
SOD	16 1/2 SQ YD	
SEED	15 1/2 SQ YD	

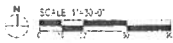
LANDSCAPE LEGEND

- PROPOSED 1' CONTOUR
- PROPOSED 5' CONTOUR
- EXISTING TREES
- DECIDUOUS SHADE TREES
- EVERGREEN TREES
- ORNAMENTAL TREES
- SHRUBS
- SOD
- RR GRATED NATIVE SEED MIX
- BUFFALOGRASS & BLUE GRAMA PLUS

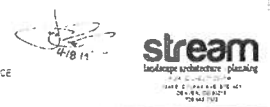


NOTES
1. PARTS AND DETAILS MAY BE ADJUSTED WITH CONSTRUCTION PLANS
2. THIS TECHNICAL DRAWING COMMITTEE APPROVED & VARIANCE REQUEST ON CASE NO. LE18-005 DATED 07/15/18 PER COUNCIL RESOLUTION. REQUIRE THAT FUTURE MAINTENANCE BY A C.O.S. ENSURES AN UNOBSTRUCTED SIGHTLINE

CASE # LE18-005



LANDSCAPE PLAN
LONG'S PINE GROVE OPEN SPACE
DATE: 07/10/18 2018
SHEET 4 OF 6

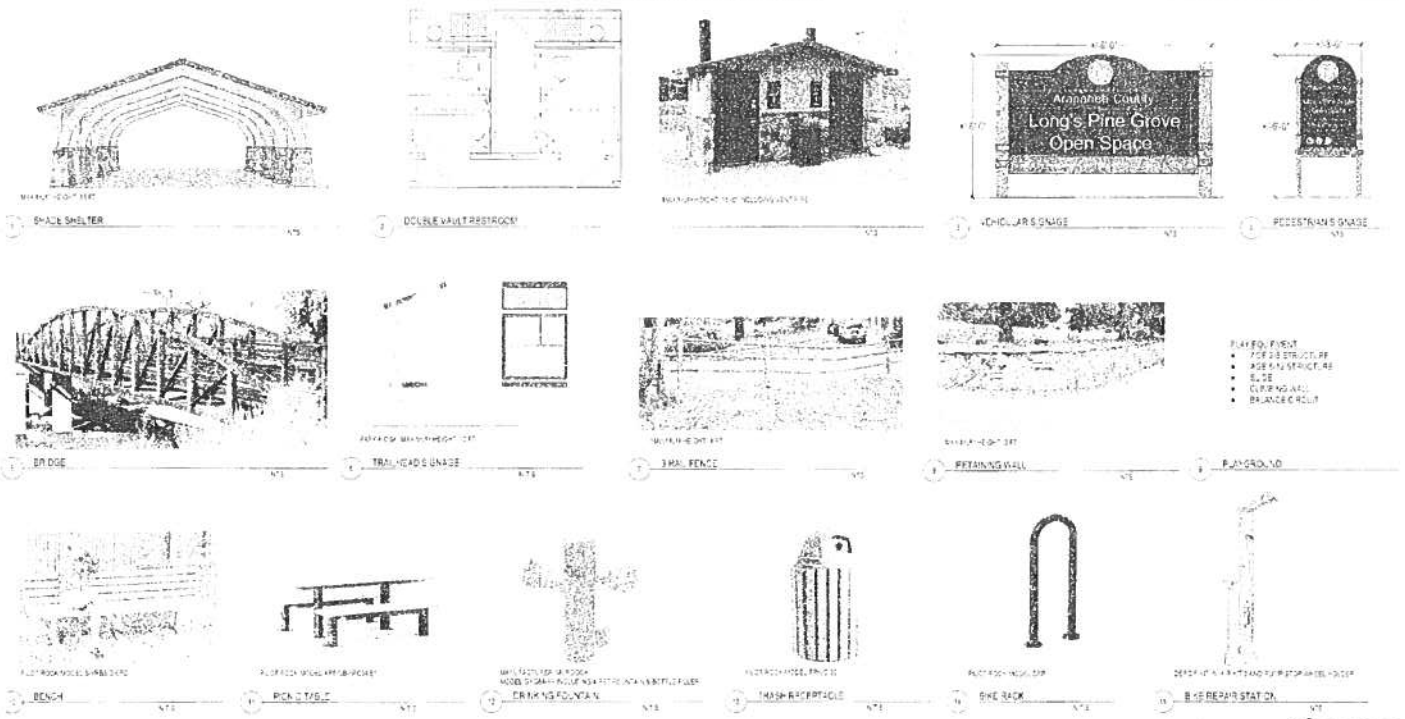


LONG'S PINE GROVE OPEN SPACE

LOCATION AND EXTENT PLAN

PART OF TRACT 15 MOUNTAIN VIEW GARDENS SUBDIVISION AND A PORTION OF THE HIGH LINE CANAL RIGHT-OF-WAY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO

NOTE: THESE IMAGES ARE INTENDED TO REPRESENT THE VISION FOR LONG'S PINE GROVE AND ARE SUBJECT TO CHANGE. THEY REFLECT THE PROPOSED CHARACTER OF THE PARK AND SHALL BE PROVIDED SEPARATELY FOR THE DESIGN.



CASE # LE18-005

SITE DETAILS
 LONG'S PINE GROVE OPEN SPACE
 DATE: APRIL 16, 2019
 SHEET 9 OF 9



