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*Proposed Residential Subdivision North of Current Old Hawthorne Subdivision
#105-2021 & #106-2021*

Dear Mr. Smith:

This letter is further to our telephone conversation of last Friday, where I identified certain matters pertinent to the city's consideration on the captioned proposal that appeared not to have been prominently communicated to your office.

The roads in the Old Hawthorne subdivision are currently engineered to allow vehicular access from the proposed subdivision at the current T-shaped intersection of Cutter's Corner Lane (running North and South, forming the vertical leg of the "T") and, to the West, Ivory Lane (running West) and, to the East, Crooked Switch Court (a cul-de-sac that continues Ivory Lane past Cutter's Corner). In sum, the infrastructure development to date in the existing Old Hawthorne subdivision has not adequately progressed in its installation of sidewalks in two locations that are current safety hazards that would be exacerbated by allowing additional vehicular traffic into the Old Hawthorne subdivision at the current North terminus of Cutter's Corner. Let me identify two concerns.

Sidewalk Deficiency at Access Point. First, this intersection that is engineered to accept traffic from the proposed new subdivision, Cutter's Corner and Ivory Lane, is the precise location where a school bus stops twice daily to pick up and drop off young students. The school bus stops at the South-West corner of that intersection. Young students currently walk in the middle of Crooked Switch Court and cross Cutter's Corner there, because the lot at the South-East corner of the intersection (at Cutter's Corner and Crooked Switch Court) does not have sidewalks.

Most of the houses on Crooked Switch Court are on the South side of the street. Students from the majority of houses would not use the sidewalk on the North, both because that would require crossing Crooked Switch Court in the middle of the roadway and doing so would necessitate two additional crossings of the East-West roadway.

Additionally, the city generally does not plow Crooked Switch Court after snowfall. I do not mean it does not plow it promptly. I mean that, after the majority of snowfalls, no plow ever clears the street, so students are walking in the very middle of the street, and cross the extension of Cutter's Corner.

It is not surprising a sidewalk is not at that corner. All but one of the other lots on Crooked Switch Court are built. This unbuilt one is not an inviting one for a home builder—it suffers from a severe elevation change and is the location where significant amounts of water will collect. No information has come to my attention

giving reason to believe the lot will be built, with sidewalks installed, in the foreseeable future.

For your convenience, I have provided the following picture of that corner, from the vantage point immediately behind where the school bus stops—taken from Ivory Lane, showing Cutter’s Corner on in a horizontal orientation in the picture, with the lot lacking sidewalks immediately above Cutter’s Corner, and a vehicle parked in the distance on Crooked Switch Court:



Sidewalk Deficiency at Egress to the West. The second infrastructure deficiency I wish to mention involves Lightpost Drive. Vehicles exiting the Northern part of Old Hawthorne Subdivision and traveling to the West, via Broadway, or to the South, via South Rolling Hills Road, will typically exit the subdivision via Lightpost Drive (then connecting for a few yards over Hawk Perch Drive to get to Rolling Hills Road). The current sidewalk infrastructure has not currently developed in the Old Hawthorne subdivision so as to make that location safe to accommodate the existing level of traffic. Perhaps 40% of the sidewalks are not installed on the portion of Lightpost Drive that one transits to exit the Old Hawthorne Subdivision. That is for all the unbuilt lots. And it is for three lots that abut Lightpost Drive (at their backs) and span the distance from Lightpost Drive to Open Gate Drive, where they have their curbcuts. The addresses of these properties are 5710, 5706 and 5704 Open Gate Drive. Pictures of the locations follow:

The Rear of 5704 Open Gate Drive, Showing No Sidewalk



The Rear of 5706 Open Gate Drive, Showing No Sidewalk



The Rear of 5704 Open Gate Drive, Showing No Sidewalk



These houses are apparently fully built and occupied. So, it appears that but for some incentives or governmental action, there never will be a complete sidewalk on the Northern side of Lightpost Drive.

The pictures show one of the yards, that for 5706, is enclosed by a private fence that runs to just a few feet from Lightpost Drive. That would seem to indicate that, at least for that lot, the lot extends to Lightpost Drive, i.e., the absence of a sidewalk is not a result of the inaction of owners of a common area, as was suggested by you in last week's telephone call, but I have not taken the time to check subdivision surveys to confirm that circumstance.¹

In any case, whether it is the private homeowner or the persons with control over common areas who have not installed sidewalks there is not relevant to determining whether additional development, providing additional burdens on the infrastructure, can be safely accommodated.

Lightpost is a favorite location for people to walk their dogs, and for people to walk or jog upon. The Club at Old Hawthorne on January 8, 2020, in an Email from Travis McCubbin, General Manager, The Club at Old Hawthorne, expressly

¹ A picture circulated by The Club at Old Hawthorne, as an attachment to the email of January 8, 2020, referenced elsewhere in this letter, shows lot lines in this location extending fully to Lightpost Drive, i.e., not showing some common area between the private lots and Lightpost Drive.

identified the safety hazard that is exacerbated by a lack of a completed sidewalk, notifying residents in pertinent part:

“There have been multiple instances of residents out walking dogs or children who have had to jump off the street into the grassed areas to avoid vehicles going too fast or drivers not paying attention.”

An earlier email from the club, on August 3, 2017, had previously noted safety problems with that stretch of roadway. Until sidewalks are fully installed on Lightpost Drive, so that persons can transit the path of that roadway by foot on an adjacent sidewalk, there will continue to be excessive numbers of persons walking in the street, creating a safety hazard that would be exacerbated by discretionary planning choices that increase vehicular traffic at that location.

In sum, the sidewalk infrastructure in the Old Hawthorne subdivision has not developed, to the point that would warrant additional development of adjacent parcels, at two locations that would be significantly and adversely affected by vehicular access at Ivory Land and Cutter’s Corner. Columbia has a scheme for infrastructure development that contemplates that some necessary infrastructure will not be immediately installed before residential development in a subdivision. This governmental approach only works if subsequent residential development of adjacent parcels only occurs when the existing infrastructure for prior subdivisions has progressed to a point where there do not remain safety hazards that would be exacerbated by development of adjacent properties. The necessary sidewalk infrastructure development has not yet occurred at the current terminus of Cutter’s Corner and along Lightpost. And, in the latter case, it is not apparent that there is any mechanism to address the circumstance along Lightpost at any time.

Respectfully Submitted,

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