

addition, there was a failure to comply with the sight distance requirements.

- After Dec. 11, the emergency-only gate at the east end of Brookmoor was relocked, resolving that violation. Brookmoor residents resumed using only the main entrance at the Moveen Heights intersection.
- At the Dec. 20 BOCC meeting, where approval of litigation against the Brookmoor HOA was originally proposed, Brackin instructed Brennan to get engineering road plans and two cost estimates for the staff to review so that a cost comparison between the wall removal/relocation option and the road realignment option could be completed. Brennan was given a continuance of 30 days to get the required information for a subsequent board decision at the Feb. 19 meeting.
- At the Feb. 19 BOCC meeting, the developer did not have the requested cost comparison or engineering data to present and was granted a second postponement to March 12.

Litigation anticipated in April

When the Moveen Heights item came up on the March 12 agenda, Assistant County Attorney Steven Klaffky told the commissioners, "This item has now been before this board, including today, three times, so that is why I'm recommending approval" of the litigation.

Developer Brennan then said he met with

County Engineer Brackin for over an hour on March 11, the day before the March 12 BOCC appearance, and roughed out three options to correct the intersection sight distance problem and bring the property into compliance with the final PUD site plan. Brennan displayed sketch plans submitted by Jeff Hodsdon of LSC Transportation. They showed the intersection of Lake Woodmoor Drive and Moveen Heights with the existing sight distance of 200 feet compared to the 240-foot minimum standard in the Engineering Criteria Manual.

Brennan presented the commissioners with three options that could correct the intersection sight distance:

- Option 1 — realign 38 to 40 feet of the HOA's masonry wall that Brennan constructed. He estimated a cost of \$150 per foot or about \$6,000 to \$7,000 for the demolition and reconstruction.
- Option 2 — realign about 24 feet of masonry wall and also realign the asphalt on the north side of Lake Woodmoor Drive. Brennan said Brackin had not specified exactly how much pavement would be involved in this option. Brennan estimated \$12,000 to \$15,000 for this option.
- Option 3 — Leave the masonry wall in place and add "about four feet of pavement" along the north side of Lake Woodmoor Drive and restripe the intersec-

tion to move both the east-bound and westbound lanes slightly to the north so "the people coming in and out of Brookmoor can see the cars coming" from all directions. Brennan estimated a cost of \$12,000 to \$15,000 for this work.

Brennan said he preferred Option 3, since it "does not impact any of the property owners as they exist today," and it would create room for a bicycle/pedestrian lane on the south edge of Lake Woodmoor Drive. He also said that Brackin wanted him to share these options with the Brookmoor Board of Directors and "have some correspondence come back from them that would say this would be their desired option."

Brackin stated that the choice was to remove the obstruction or realign the road and that Brennan needed to get "complete public improvement plans certified by a professional engineer," before Brackin could approve any development amendments or work in the county's right-of-way.

But Brackin then added, "My concern on that is that I can't support the numbers he's showing me yet as far as costs. In my opinion we need a better detailed (engineering) plan to accurately assess what the cost is. I'm concerned about what that cost would end up being either for him and/or the HOA, whoever ends up doing these improvements, but I don't need that answer yet. I think the costs could be higher than what he's mentioned here earlier."

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