

# ***Paradise Hills Homeowners Association***

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July 20, 2000

Ms. Cecelia Joy  
Planning and Environmental Manager  
Colorado Department of Transportation  
Region 1  
18500 East Colfax Avenue  
Aurora, Colorado 80011

**Subject: Hogback Environmental Assessment and Paradise Hills Alternative,  
Proposed Condemnation and Paving of PHHA Open Space and Recreational Resources**

Dear Ms. Joy:

In addition to your hearing our concerns at the Paradise Hills Homeowners Association (PHHA) meeting on May 20, 2000, this letter serves as formal documentation of our concern and opposition regarding the proposed "Paradise Hills Alternative" included in the Hogback Environmental Assessment.

The "Paradise Hills Alternative" threatens to condemn significant community open space and recreational resources, and turn it into paved parking lots with over 500 additional stalls. The property includes open space and recreational property owned by the PHHA at the entrance of the Lookout Mountain community (Lot 164), and similar open space directly across from the aforesaid property at the entrance to our community (collectively the Property). The Property is an integral part of our community and one of the primary entrances to the Lookout Mountain area. For many residents and tourists alike, the Property provides one of the first and last impressions of the mountain area. We strongly oppose the proposed development.

The PHHA property was acquired in 1994 with the specific intent to preserve and protect it from such commercial development, and to provide open space and recreational resources for current and future residents and the public in general. Earlier proposals for this site had included a convenience store, a gasoline station and other commercial development, including reportedly even a possible outdoor movie theater. Such proposals were the subject of substantial community opposition and prompted the PHHA to acquire this land in order to prevent this type of commercial development.

As the attached Deed and IRS Form 8282 indicates, the property was transferred after substantial negotiations by the previous owner to the Mountain Area Land Trust (MALT) and thereafter acquired by the PHHA subject to a restrictive covenant, enforceable by both the PHHA and MALT, which specifically states that the purpose of such restriction is to "preserve, protect, and enhance the public and recreational resources of the area." The restrictive covenant further

specifically precludes residential and commercial development.

The proposed paved parking lots would be obvious and disruptive to aesthetics and the area.

A number of homes adjoin or otherwise look upon the area. Persons traveling by or entering the area will clearly see it. The inevitable increase in traffic, lights, and noise would be disruptive to wildlife and residents alike.

The Property includes a wetland bedding area with water, grass and shelter for wildlife. Flora and fauna of various types flourish and can be viewed there.

Crime has already been an issue at the existing RTD lot and at the parking area on the Genesee side of the exit which was more recently converted into an emergency staging area. The additional traffic, noise, security and lights (whether vehicular or security) associated with your proposal, would further exacerbate the quality of life issues and aesthetic problems associated with your proposal.

As you know, open space and recreational resources are increasingly rare and valuable parts of a community, and land suitable for recreational activities such as soccer is otherwise virtually non-existent in our community due to hilly terrain. The PHHA property has been identified as an excellent area for recreational activities for which our children participate and is the only flat piece of ground we have big enough to accommodate soccer and/or other such community and recreational activities.

In summary, this Property is recognized as providing valuable open space and recreational resources for a variety of reasons.

Your proposed development is in direct contravention to the covenants and restrictions on our property, and to the efforts of the community to preserve this Property for open space and recreational purposes. We strongly oppose your proposed development thereof.

We urge you to abandon the "Paradise Hills Alternative." We urge you not to develop and pave the property at the entrance to our community. We urge you not to condemn and pave our open space and recreational resources, or otherwise turn them into parking lots.

We have recently heard in several conversations (including last Thursday's, July 13, Public Meeting) that the "Paradise Hills Alternative" may be off the table. If this is true, we would like you assurance that it is.

By way of closing, we reserve the right to comment further on these and other aspects of this EA as information develops. We ask that you keep us informed as to whether your status and activities regarding proposals and this EA.

We would like to also document an additional concern with the Paradise proposal. As noted above, your proposal includes the conversion of the emergency staging area on the Genesee side of the exit to parking. Parking there would presumably conflict with such activities.

Finally, we question the need for this dramatic acquisition of open space and recreational

resources, and the development of an aggregate of over 1800 paved parking spaces under your overall proposal. We offer our assistance, along with other groups in the Mount Vernon Canyon gateway community, such as Canyon Area Residents for the Environment (CARE), in working further with your agency. In particular, we urge you to further meet and work with CARE regarding mutually beneficial solutions for promoting ridesharing (carpooling) and bus services to reduce traffic on the I-70 corridor. Based on work CARE will be separately presenting, if you would expand your initial screening criteria from just I-70 to "feeder roads" such as 6th Avenue, C-470 and Route 40, over 2500 existing spots could be leased or otherwise used. Since most users of the any parking come from outside the I-70 corridor, it seems artificial to restrict the solutions to current "PEIS Study Limits". Two, possibly three, existing "mega lots" in relative close proximity have been identified near the confluence of 70, 470, 40 and 6 from which airport traffic, carpools, and bus service to mountain destinations and/or other services could stage. RTD and/or private enterprises could efficiently collect and operate buses from such facilities and thus offer the potential to far more dramatically reduce traffic on the I-70 corridor and set the stage for other transit services which may someday be deployed. Existing spaces would (a) serve the same assembly/carpooling objectives, (b) save substantial time and costs associated with the acquisition and development of new spaces, and (c) bring in new and additional revenue to Jefferson County and the County schools from which such facilities can be leased. Better utilization of such available existing parking would allow the State and the area to save tax dollars, better utilize existing resources, avoid potential environmental problems, and preserve the integrity and beauty of the "gateway" to the Rockies and the mouth of Mt. Vernon Canyon. We urge you to work with CARE and/or contact us in these regards.

I would be happy to further discuss these matters with you.

Sincerely,

Kevin K. Groeneweg, President  
Paradise Hills Homeowners Association

Cc: Pat Holloway, Jefferson County Board of County Commissioners  
Senator Brian Sullivant, Colorado Senate  
Representative John Witwer, Colorado House of Representatives  
Lael DeMuth, Esq., Counsel PHHA, Golden Colorado  
Don D'Antuono, Esq., VP PHHA, Lookout Mountain  
Deb Carney, Esq., CARE/PHHA Member, Lookout Mountain  
Don Patton, CARE/PHHA Representative, Lookout Mountain  
Jeff Holland, President, Canyon Area Residents for the Environment (CARE)  
Greg Vallin, President, Mountain Area Land Trust (MALT)  
Rock Ping, President, Clear Creak Land Conservancy  
Cynthia Pougailes, President, Lariat Loop Heritage Alliance  
Margot Zallen, Chairman, Plan Jeffco  
Jean Widman, President, Panorama HOA, Lookout Mountain  
Collin Barton, President, Genesee Foundation  
Ed Daniels, Chief, Foothills Fire and Rescue District  
Jeff Reynolds, Lookout Mountain Water District

Sister Bernadette, Casciano, Sisters of the Sacred Heart, Mother Cabrini Shrine  
Carole Lomond, Publisher and Editor, City Mountain Views  
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