



Homeowners' Association, Inc.
A COLORADO NON-PROFIT CORPORATION
8170 Hillcrest Way
Parker, Colorado 80134-6360
303.841.8572

Petition

Designate Douglas County School District Property, in The Pinery, as open space

The Douglas County Commissioners have approved the sale of this 12 + acre property to a developer who has proposed 28-33 single residential tract homes. The sale is pending approval of a major rezoning amendment to change it from school to residential use. This is under review by the Douglas County Planning Department and is Project number ZR2022-010.

The Pinery Homeowners Association (PHA) does not support the rezoning of Tract 1, Filing 6 for residential use. This proposed development does not bring any benefit to The Pinery and surrounding communities, rather a degradation of the area.

The HOA would like to see Tract 1, Filing 6 designated as Douglas County Open Space. Our community has been led to believe that this land was a designated open space since “*DC Open Space*” signage is on this parcel. While it is understood that a sign isn’t a legal document, the parcel was identified as such to our residents for 35 plus years. Additionally, On December 14, 1977, Terracor Inc. (The Pinery’s initial developer) did a quit claim deed to Douglas County of several parcels in The Pinery. Parcel 201, designated as ‘school property’ was one of these parcels. The deed stated intended use for the parcel was solely for public purposes.

This acreage is home to deer, Prong horn antelope, wild turkey, coyotes, fox and the like. Any development on this property negatively impacts the natural habitat for wildlife. The Colorado Department of Wildlife would like to see contiguous property provided for wildlife survival and to reduce deer and human conflict. By designating this as Douglas County open space, combined with The Pinery’s North Park property we would maintain almost 18 acres for wildlife. North Park is a lightly developed Park with a small play area, walking exercise trail, and open space.

The topography alone of this property does not lend to a school nor any site development. The impact of all infrastructure needed to support any access and construction on this parcel will have many adverse impacts to PHA property and community. There is an eighty (80) foot drop across this 12 acre parcel (as measured by GPS). While the Pinery is a hilly area, existing homes are built to compliment the landscape versus destroy it. The grading needed to support any development would destroy the character and environment of this site.

The proposed 28-33 residential sites are long and narrow, which is not consistent with

properties north of Ponderosa Way. All properties along the northern Pinery boundary with Hidden Village are 2+ acres in size, and most Hidden Village lots are 4+ acres in size. To be consistent with the surrounding area these should be 2 and a half to 3 acres lots.

It is undeniable that an unobstructed mountain view adds significant value to a home. Any development on this parcel will diminish surrounding home views and value.

Traffic impacts on Ponderosa Way created by any development on this parcel are above and beyond car trips generated from proposed development. The road geometry does not meet today's design standards. It is treacherous along Ponderosa Way due to the incline, curve and camber of the road, limited sight distance, narrow street and no sidewalks.

The PHA struggles to see how this proposal meets approval criteria for a major amendment per Douglas County Zoning Resolution (DCZR). The proposed amendment is not consistent with the development standards, commitments, and overall intent of the planned development, as required per DCZR 1520.01. The proposed amendment is not consistent with the intent, efficient development and preservation of the entire planned development, as required per DCZR 1520.02. Additionally, the proposed amendment will most certainly *adversely affect the public interest and enjoyment of the adjacent land*, as considered in DCZR 1520.03. Finally, from the perspective of the PHA and adjacent property owners, it seems that this proposed amendment would serve for *the sole purpose to confer a special benefit upon an individual* (the developer).

In summary, this parcel was deeded to the County solely for public purposes. Please consider that adjacent homeowners purchased their property with the understanding that they would be next to open space, not a tract home development. Allowing this property to be developed sets a dangerous precedent when it comes to 1) using County properties as they were intended, and 2) protecting our open space and the wildlife that call those areas home. Maintaining this property as open space helps to ensure that surrounding properties continue to hold their value and protects our wildlife, mountain views and natural aesthetic that we all value. For all the reasons outlined herein, the PHA believes this proposal fails to meet the approval criteria for a Major Amendment and should therefore be denied.

It is the desire of the PHA to pursue methods/open conversations as needed to keep the area designated as Open Space. This petition is to have the above referenced property designated as open space.