As a citizen, you may have heard that the City of Golden is seeking to acquire property on Lookout Mountain that has been identified for park and Open Space uses for more than 100 years. This property was first planned for park purposes by the designer of New York’s Central Park. It has also been identified for years by City and Jefferson County Open Space plans as critical to the protection of the mountain backdrop of the Front Range.

Golden’s acquisition of the property would connect large existing parks owned by the County, Golden and the City of Denver, greatly expanding recreational opportunities for residents of the entire region, as well as visitors.

Lake Cedar Group (LCG), comprised of major Denver television broadcast Channels 4, 7, 9 and 20, wants to build a new HDTV tower and 20,000-square-foot building on this mountaintop just outside of Golden. There is widespread opposition to this proposal in Golden and in Jefferson County.

Both Jefferson County and the State District Court have found that LCG’s proposal does not meet County zoning requirements designed to protect public safety, health and welfare — an issue which is still in litigation. Indeed, the County has rejected multiple proposals to permit new towers on Lookout Mountain. Nevertheless, LCG continues to pursue only this option, despite this proposed tower’s clear incompatibility and interference with Open Space and thousands of nearby residents, businesses and scientific research facilities, and despite the fact that LCG can use other sites for excellent HDTV signals.

Neither the City nor County is attempting to stop HDTV service for the Denver area. Only LCG is doing so, by failing to follow the lead of its sister stations and locating its antennae at sites with more compatible neighboring uses.

LCG has run inflammatory ads on its stations during its newscasts advertising misleading information and disparaging thousands of Jefferson County citizens who took the time to get involved in the public process by calling them a “small group of people.”

In April, LCG hired a firm to call people living in the Golden area and ask questions worded specifically to achieve angry responses. Then the caller asked citizens if they wanted to be transferred to their City Councilor to tell them they disagreed with the Council’s actions. If the citizen said they wished to relay support, they were abruptly told no and the call was ended.

This special edition of The Golden Informer is intended to provide you with important information about the ongoing Lookout Mountain controversy and the City’s position.

The citizens of Golden are strongly in favor of protecting our boundaries and mountain backdrop. In 2000, citizens authorized the City to spend $3 million specifically for the purchase of Open Space. The City has made several significant purchases with that money and your elected representatives believe the Lookout Mountain property is the best use of the remaining $2 million as it is the largest remaining parcel of mountain backdrop in the Golden valley. Golden has an obligation to the voters to spend the remaining bond money for Open Space purchases.

Through negotiations ongoing since September 2005, the City ultimately offered LCG $1.7 million for the property: more than the appraised value. LCG refused to accept the City’s final offer in March, forcing the City to start eminent domain proceedings to acquire the land for its best and highest use as true, publicly accessible Open Space on what should remain undeveloped land.

We hope you will take more time to learn about the City’s position on this issue as we believe it is in the best interest of both the citizens of Golden and the people of Colorado. Golden City Council wants to hear your feedback, and encourages you to contact us using the contact information listed on Page 4.
For over a century, Lookout Mountain has been eyed and used for park purposes. The parcels now examined for acquisition by the City of Golden have been identified in previous years by both the City and Jefferson County as valuable for Open Space. However, the parcel of land owned by Lake Cedar Group in particular was not only prioritized as such, it has also been a park before, and the City of Golden wants to restore it to its proper historic purpose.

By Richard J. Gardner

The effort to create a Lookout Mountain park began Nov. 9, 1889, when the Denver Real Estate Exchange voted to pursue creating a 1,500-acre resort on Lookout Mountain. A committee ultimately chose this location because of “its general surroundings and the magnificent, unsurpassed view of the plains.”

The Denver and Lookout Mountain Resort, Land Improvement and Transit Company was formed, with a number of prominent Coloradans backing it. In fact, William A.H. Loveland was among the original stockholders, and Horace A.W. Tabor was also involved.

By the beginning of 1890, the company controlled nearly 5,000 acres of land, including this site, and billed it as Denver’s Lookout Mountain Summer Resort. It attracted the attention of health-seekers as well as tourists. Plans were in place for boating lakes, reservoirs, trout ponds, drives, groves and even a cog railway.

The company hired famed Boston landscape architecture firm Frederick Law Olmsted and Codman for the project. Olmsted was famous for designing the World’s Colombian Exposition in Chicago in 1893, which inspired the City Beautiful architectural movement. The entire grounds of Lookout Mountain park were laid out in Olmsted design, including clusters of summer cottages and winding trails.

The park opened and work on the resort began, but the Silver Crash of 1893 stymied plans, paralyzing the resort company. Olmsted’s design went largely unrealized except for Cedar Lake, constructed in 1895.

Area citizens did not give up on the park, however. Harry Hartzell, whose family had owned land at the foot of Lookout since the 1870s, actively promoted the park. As of 1906, he was regularly running stages of visitors to the park, and the area had become a popular campsite (pictured above). Promoters such as Hartzell and Charles F. Quaintance realized the value of the park for bringing visitors to Golden, as well.

June 1, 1907, signaled a rebirth for Lookout Mountain park, when Georgetown mining millionaire Rees C. Vidler purchased the entire park for $50,000. At the time of purchase, Lookout Mountain enjoyed great popularity as picnic grounds, and a stage line was maintained for taking pleasure parties up the mountain. The mountain was already visited by hundreds of tourists and Vidler built new cottages, bungalows and house tents to accommodate them.

Plans evolved for golf links, tennis courts and a grand new hotel. A dance pavilion was built in 1908 and in 1911, the first electrically-operated funicular west of the Mississippi River was built up the face of the mountain. It began operating in August 1912. By that same year, the first proposals for Denver to own a mountain parks system had been proposed and had the support of Denver Mayor Robert W. Speer.

In May 1912, voters approved the mountain parks plan in a special election. Denver hired Olmsted’s son, Frederick Law Olmsted, Jr., and assistant George Gibbs, Jr., to design a new Lookout Mountain park as part of the entire mountain parks system. Roads that eventually created the Lariat Loop were built to connect these parks. Lookout Mountain Park was officially the third mountain park acquired by Denver in 1917. Vidler’s resort was sold at sheriff’s auction in 1919, but the Denver mountain parks thrived. Upon his death in 1917, the famous showman William “Buffalo Bill” Cody was buried atop Lookout Mountain.

After the creation of the Jefferson County Open Space program in 1972, much of Lookout Mountain has been preserved, including those parts that were historically parkland. Today, the parcel controlled by Lake Cedar Group remains one of the last undeveloped pieces of the historic park that is so important to this area’s history.

Richard Gardner is President of the Golden Landmarks Association and a member of the Jefferson County Historical Commission.
FREQUENTLY ASKED QUESTIONS

Is Golden Seeking to Acquire the Property To Stop the Tower?

Golden’s primary interest is to ensure that neighboring land uses are compatible with each other and put to their highest and best use. For more than 100 years, local plans have identified the LCG site and the mountain backdrop as important park and open space property. The value of this property would be destroyed by any intensive land use, be it tower or residential or industrial. Golden believes that the best and fairest way to ensure this property is used in the manner in which it has been historically planned is to acquire it by paying fair market value.

How Have the City and County Planned for the Use of this Property?

The City identified the top and eastern face of Lookout Mountain as desired conservation open space in its 1993 Comprehensive Plan, which was reaffirmed in 2003. Similarly, the County’s 1994 Central Mountains Community Plan indicated that the “scenic vista of the Mountain Backdrop is appropriately a top priority for Jefferson County Open Space.” It specifically identified the property Golden seeks to acquire as recommended open space and identified a trail through the property as one of its priorities for regional recreational trails. The County reaffirmed in 2003 that this property was one of its “priority protection areas.”

Are LCG’s Existing Towers Compatible with Zoning and Nearby Uses?

No. LCG’s proposed tower site has never been zoned for use by telecommunications towers. Instead, it is zoned for mountain residential and agricultural uses. The LCG towers currently on Lookout Mountain are nonconforming uses, which LCG cannot expand or alter.

Can LCG Simply Use Its Existing Towers for Digital TV Service?

Although LCG contends that it can use its existing towers’ antennae for digital service without any further permission from the County, LCG’s argument is suspect both legally and technically.

First, changing the use of their towers would be inconsistent with their nonconforming use status, which Colorado law requires to be strictly construed against expansion. The City maintains that changing use from analog to digital television service constitutes a change in use under Colorado law.

Second, the antennae on at least some of the towers are inconsistent with providing quality digital signals, making it very unlikely that all four towers could still be used.

Third, LCG does not have FCC approval to use its existing analog channels for digital service, having been assigned different channels. Indeed, Congress just recently designated the date to auction some of these frequencies for different uses.

Thus, some or all of these existing towers will be removed regardless of LCG’s assertions otherwise. Trading four nonconforming towers that will need to be eliminated when obsolete for a permanent tower closer to the City is not a good trade.

What are the Potential Radiation Impacts of LCG’s Proposed Tower?

Both an independent expert hired by Jefferson County to assess the towers and experts affiliated with local homeowners have testified to the County that LCG’s tower would increase levels of radiation north, south and east of the tower – where the majority of residents live. The Director of Jefferson County’s Health Department, Dr. Mark Johnson, testified that, in light of uncertainties about the effects of radiofrequency radiation, the prudent thing to do would be to site towers away from the areas of greatest population and minimize public exposure to radiation.

Unlike other available tower sites, Lookout Mountain is unique in that the tower would be located near hundreds of residents at the same elevation as the main tower beam (and thousands of others nearby), raising serious questions about these homeowners’ property rights.

In addition, increased tower radiation will increase interference with research at the Colorado School of Mines (CSM) and some high-tech businesses in Golden. Such facilities must either move experiments out of Golden or spend considerable sums to shield sensitive instruments.

Are There Alternative Tower Sites?

Yes. The most obvious alternative site is west of Lookout Mountain on Squaw Mountain in neighboring Clear Creek County. While the site is not favored by LCG because it already owns the Lookout Mountain site and wants to avoid costs, it is considerably better suited for HDTV use because it is already zoned for tower use. Indeed, it has been used by PBS station KBDI for digital service for more than two years. FCC data shows that its coverage area includes all of the Denver, Ft. Collins and Colorado Springs metro areas.

Further, KBDI has shown conclusively – based on real experience – that good regional service is possible from Squaw Mountain. Any minor shadowing that may occur can be remedied with a small number of repeater stations – which can be mounted on cell towers requiring very weak signals in Boulder, Golden and southern Jefferson County. In fact, LCG stations already rely on such repeater stations to cover shadows from Lookout Mountain analog towers.
Citizens Support Council’s Opposition to Supertower

A Citizen Survey conducted in November and December 2005 asked Golden citizens what they thought about the amount of effort the City is devoting to opposing Lake Cedar Group’s supertower on Lookout Mountain. An overwhelming 57% of residents said the City was spending about the right amount of effort on protecting the mountain backdrop on Lookout Mountain from further development. Another full 13% wanted the City to devote more time and energy to the issue.

We hope this Special Edition of *The Golden Informer* helps provide you with more information about what the City is doing about the supertower proposal. We strongly encourage citizens to contact City Council with questions or comments.

**CITIZEN SURVEY QUESTION 2D:**
The City of Golden devotes ___ effort to opposing the supertower

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