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## NEWS

# Council deadlocks on Hughes Stadium rezoning; it's back to the drawing board

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After more than a year of study, countless hearings, three ethics complaints and hours of public comment, the rezoning of the former Hughes Stadium land in west Fort Collins is back to square one.

In its first hybrid meeting in the midst of the coronavirus pandemic, Fort Collins City Council deadlocked on a proposal to rezone the 165-acre site into two halves, one zoned for higher density nearest to Overland Trail and the other half zoned residential foothills, a lower density closest to the foothills.

The proposed rezoning would have allowed for roughly 550 homes on the site of Colorado State University's former football stadium, the city had estimated.

Rezoning the property is a necessary first step toward redevelopment and will dictate how many homes can be built on the property owned by CSU. The university has a \$10 million contract to sell to national homebuilder Lennar, which wants to build between 600 and 700 homes there.

In a split 4-3 vote in November, City Council approved rezoning the site with higher density housing on the site's east side and lower density housing on the west side — a decision that allows more housing than the city's planning and zoning board recommended.

At Tuesday's second reading, Mayor Pro-tem Kristin Stephens recused herself from the discussion after a third ethics complaint was filed against her and Mayor Wade Troxell for conflict of interest. Both work for CSU and both have been cleared of any ethical violations by the city's ethics board. While she said she was confident of the same outcome on the most recent complaint sent to a state body, Stephens recused herself "so as to not aggravate this untenable situation."

Without Stephens' support, the remaining six council members split their vote on second reading, meaning the motion and rezoning failed.

Council members Susan Gutowsky, Ross Cunniff and Julie Pignataro opposed city staff's recommendation on rezoning while Troxell and council members Ken Summers and Emily Gorgol supported the rezoning.

After the vote, Cunniff proposed sending the issue back to the city's planning and zoning board, which recommended last year a residential foothills zoning, a move that would minimize the number of homes possible on the site.

Council deadlocked on that vote as well, leaving the zoning where it was a year ago, in the transition zone, which is basically a placeholder.

A stream of residents commented in person, by video and on the phone prior to Tuesday's vote. Although some technical glitches occurred early, the process ran relatively smoothly.

Six council members wearing face masks sat 6 feet apart while staff gave their reports virtually and City Manager Darin Atteberry faced the council at a separate table.

Of more than 40 people who commented, or called in to register support or opposition, only CSU spokesman Mike Hooker expressed support for the proposal.

CSU signed a contract to sell the land to Lennar Homes in January 2019. The purchase agreement has been extended several times so the zoning could be sorted out. The contract now is set to expire June 12, Hooker said.

Low-density zoning on the whole site means larger lots, a reduced number of homes and would likely lead to larger, more expensive houses being built on the site, if any are built at all.

Rezoning the property would have allowed more housing choices in the city, "which is something we need," said Gorgol, who chastised commenters for spreading misinformation about the proposal.

"I am disappointed in how Fort Collins has showed up in this process," she said. "We are a well-educated, privileged city" that typically has conversations based on fact. "It is misleading to say we are voting for a Lennar development. We are not. This is a land-use hearing."

Gutowsky, however, called the Hughes rezoning "a shot in the dark" that won't necessarily lead to affordable or attainable housing. "There are so many unknowns and I am not willing

to gamble."

She urged her fellow council members "to consider the tsunami of emails (from residents) telling us what they would like to see ... they don't want sprawl." The site has "grabbed the hearts" of residents, she said. "Once we let it go we will never get it back."

Speaker after speaker called on council to keep the land as open space, or as a last resort to support the lowest housing density possible. Others called for the land to be used for a new wildlife rehabilitation center.

Higher density development, "will dramatically change the foothills forever," one speaker said.

Becca LaPole showed a video of pristine views around Horsetooth Reservoir and asked council to "stand by their oath and represent the people's wishes regarding this beautiful parcel of land.

"While Lennar and CSU may be focused on making money, building more housing and destroying a crucial wildlife corridor, this is the time City Council can stand up for those without voices — the animals and native plants there — and do what's right," she said.

Troxell reiterated the land is owned by Colorado State University, the city has no say in whether its sold or to whom, and no formal development plan has been submitted yet.

The university is not interested in donating the land for open space, Atteberry said, recalling a previous conversation with CSU System Chancellor and former CSU President Tony Frank.

Now, Lennar will have to decide if and how it wants to move forward with the land purchase.

Lennar has remained mum on its future with the site, declining all requests for comment or interviews made by the Coloradoan. The contract, however, states the deal can be nixed if Lennar doesn't believe the city will approve zoning for at least 600 homes.

The university stands to gain an additional \$16,000 for every lot approved beyond 625. But it could lose \$16,000 per lot, up to a maximum of \$400,000, if fewer than 625 lots are approved.

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