



**TOPS Working Committee Meeting  
Meeting Minutes  
Wednesday, April 6, 2016**

**Members Present:** Jason Alwine, Lee Milner, Cathy Grossman, Jeff Mohrmann, Becky Wegner, Sarah Blakeslee, Nancy Hobbs, Joe Lavorini, Sarah Musick

**Alternates Present:** N/A

**Alternates Absent:** Jim Klever

**Parks Board Liaisons Present:** Scot Hume, Jackie Hilaire

**Parks Board Liaisons Absent:** Jason Rupinski

**Staff Present:** Chris Lieber, Christi Mehew, Kurt Schroeder

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Jason Alwine brought the meeting to order at 7:33 am.

**Agenda Preview**

**Announcements & Citizen Discussion**

Chris Lieber – Cottonwood Trail and is now open with extensive improvements. Sand Creek Trail from Las Vegas Avenue to Hancock Avenue is near completion. Red Rock Canyon has a volunteer project in partnership with Volunteers for Colorado to help restore the trails due to flood damage last Spring.

**Approval of Minutes**

- January 6, 2016 Minutes, 1<sup>st</sup> – Cathy Grossman, 2<sup>nd</sup> – Sarah Blakeslee, Approved – Unanimous
- March 2, 2016 Minutes, Becky Wegner stated she would like to add two questions to the minutes regarding the maintenance costs for the Barr Trail and the zoning of North Cheyenne Canon.  
Motion to approve the minutes as amended, 1<sup>st</sup> – Nancy Hobbs, 2<sup>nd</sup> – Lee Milner  
Approved - Unanimous

**Citizen Discussion**

Bill Murray – He distributed a letter to the TOPS Working Committee regarding the proposed Land Exchange with the Broadmoor. Based on the presentations by the Parks department and the citizens, he stated the proposed Land Exchange item vote for the Parks and Recreation Advisory

Board should be delayed six months if not stopped altogether. The proposal is not in the best interest of the City and citizens.

Don Ellis - The Parks and Recreation Advisory Board meetings need to be posted on the City's Website.

### **Action Items –N/A**

**Presentations** (Presented by Richard Skorman and Kent Obee – [See the Power Point presentation under April Minutes](#))

#### **1. Applications for Funding – Property Acquisitions**

- **Manitou Incline – 76.4 acres, 80 acres**
- **Mt. Muscoco (upper portion of Seven Falls) – 208 acres**
- **Strawberry Hill – 54.5 acres, 135 acres**

#### **2. Applications for Funding – Easements**

- **Barr Trail – 8.6 acres**
- **Chamberlain Trail – 3 acres, 74.1 acres, 1.4 acres**

Questions arose amongst TOPS Working Committee members as to their role in the Land Exchange process. Chris Lieber stated the focus of the TOPS Working Committee is how TOPS funds are allocated and from a procedural perspective, land exchanges and acquisitions are brought before the Parks and Recreation Advisory Board and City Council. The TOPS Working Committee is involved if it includes TOPS funds.

Richard Skorman and Kent Obee presented a power point presentation in regards to the applications for funding they submitted to the TOPS Working Committee. The applications included the parcels for the proposed land exchange with the Broadmoor. The presentation included why they were making a presentation; the pros and cons of 7 Falls/Muscoco, Manitou Incline/Barr Trail and easement properties; the valuation of Strawberry Fields and Bear Creek parcels; what the TOPS Working Committee can do going forward.

The presenters stated:

- There is no access to appraisals and this is a public process. The appraisal values are lower than the county assessor's value of the property.
- The process is moving too fast without enough details and information.
- Deed restrictions can be overturned.
- A conservation easement will be placed on the 189 acres but not on the 8-9 acres the Broadmoor wants to develop. The 8-9 acre building envelope concept plan has not been provided and the master plan that includes the building envelope plan will not be presented until after the exchange has taken place.
- Questions need to be asked. The public and the TOPS Working Committee should have a

chance first to acquire this property. A master plan could be developed with public input and the property could have a variety of uses to include hiking and biking if TOPS were to acquire the property.

- They asked the TOPS Working Committee to put the applications on the TOPS agenda for the May meeting as an action item, and to ask the Parks Board to delay action on the swap until applications and other means of meeting city objectives can be considered.

Topics of discussion included:

- TOPS budget for opens spaces and maintenance.
- Consideration of the other parcels in the land exchange to have conservation easements.
- Invasive species concerns at the Bear Creek parcel.
- Chamberlain Trail neighborhood concerns.
- Manitou Incline sustainable trails and bailout points.
- TOPS current budget for parks, trails and open spaces and the possibility to use this portion to maintain Strawberry Hill if the trade does not occur.
- Signage.

Chris Lieber stated that Karen Palus will be emailing the committee members her written response to Councilman Murray's letter that he distributed to the TOPS Working Committee members earlier in the meeting.

The proposed Land Exchange will be presented to City Council on Monday, April 11<sup>th</sup> during their work session.

Citizens who spoke "FOR" the proposed Land Exchange included Susan Davies (Trails Open Space Coalition – Executive Director).

Citizens who spoke "AGAINST" the proposed Land Exchange included: Walt Lawson, Jim Lockhart, Lara Rowell, Linda Hodges, Donna Strom, Mike Dorsey and John Spengler.

Linda Hodges (past TOPS Working Committee member) sent an email to the TOPS Working Committee dated April 5, 2016 which states her concerns regarding the proposed land exchange and recommends the Parks and Recreation Advisory Board delay their decision on the land exchange.

Lee Milner referenced the letter from Linda Hodges and made a motion that the process desperately needs to be delayed and referenced points c, d, e and f in Linda Hodges letter - [See the attached letter](#)).

Chris Lieber said the policy states the TOPS Working Committee needs to vote to add an action item to their agenda.

Lee Milner amended his motion to recommend to the Parks and Recreation Advisory Board to

delay action on the proposed Land Exchange with the Broadmoor.

The TOPS Working Committee made a motion to add the above motion as an action item to the agenda.

1<sup>st</sup> – Nancy Hobbs, 2<sup>nd</sup> – Becky Wegner, Approved 5 to 2

The TOPS Working Committee made a motion to recommend to the Parks and Recreation Advisory Board to delay action on the Land Exchange until more information is provided and considered.

1<sup>st</sup> – Lee Milner, 2<sup>nd</sup> – Nancy Hobbs, Approved 5 to 2

Jackie Hilaire commented she has been to many of the public meetings offered about the proposed Land Exchange with the Broadmoor. She has read volumes of emails, comments and frequently asked questions, and continues to hear misinformation being stated and the same questions asked. Please inform yourself and read through the information as a lot of this information has been addressed and answered. Strawberry Hill will be one of the most protected properties due to the conservation easement and deed restrictions and Jack Damoili has said public access will be provided. People are not reading and listening to the facts.

### **3. 2017 Park and Trails Project Priorities**

The 2017 Park and Trails Projects will be provided for discussion at the May TOPS Working Committee meeting and in June they will be action items on the agenda.

#### **Staff Report** (Presented by Chris Lieber)

Chris Lieber stated the properties below are informal applications for funding and inquiries to see if the TOPS Working Committee is interested in the property. (Please note the following agenda items were discussed out of order).

### **6. Palmer Mesa Road Parcel Inquiry**

The location is 2125 Mesa Avenue. Trail requests have not been submitted. The neighborhood is very active and is interested in the area becoming open space. Sarah Musick and Becky Wegner agreed to tour the property with Chris Lieber to obtain more information for the Committee.

### **4. Gardiner Rock Parcel Inquiry**

This property is adjacent to Pike National Forest at the end of Garden Park Lane and consists of 19 acres. Public access to this area is a challenge. There is a potential building envelope in a small area of the property. The TOPS Working Committee is not interested due to the lack of trail connection potential and limited public access.

### **5. Schedule Tour of recent TOPS Application Properties – Sand Creek at Pikes Peak Avenue, Union Meadows Extension**

- Chris Lieber stated two properties, Sand Creek at Pikes Peak and the Union Meadows Extension parcels, the Committee should tour and potential dates will be provided soon.
- Lee Milner and Nancy Hobbs toured the Sand Creek parcel. The property was approximately 80 acres and consisted of a lot of undeveloped land beyond the 80 acres. There were many birds, a fair amount of people were walking the area and the potential for future trails existed.
- Jeff Mohrmann and Scot Hume toured the Union Meadows Extension parcel. The property has a natural connection into open space and is worth potentially purchasing.

**Adjournment**

Motion to adjourn at 11:12 am – 1<sup>st</sup> – Sarah Musick, 2<sup>nd</sup> – Nancy Hobbs, Approved - Unanimous

April 5, 2016

Dear TOPS Working Committee Member,

As a former TOPS WC member, and one who has followed the land swap dealings closely, I'd like to make a few comments.

**This process desperately needs to be delayed.** There is so much wrong with this deal that one barely knows where to begin. The TOPS WC has a better knowledge of the intricacies of land purchase, and should therefore feel confident in making this recommendation. It is within your purview; please take a stand! A few of the reasons for this are outlined below:

- a. **There is confusion and conflict over the methodology of the appraisals.** Clearly the appraisers for the 8.6-acre Bear Creek parcel and the 189-acre Strawberry Fields parcel didn't use the same criteria (highest and best use or as parkland), as both were appraised at virtually the same value (\$1.4 mil, \$1.58 mil). The appraisal process needs to be thoroughly investigated and the properties re-appraised.
- b. **The Broadmoor has withheld information** as to what activities will occur on the 8.5-acre piece of Strawberry Fields, as well as the specifics of the building envelope if the property is put under a conservation easement. Trails have not been mapped out, nor has the Broadmoor given the city a time-frame for trail-building.
- c. **The entire process needs to be more thoroughly examined.** There have been no technical teams assessing the properties, no environmental analysis, no walking tours of most of the properties for the decision-makers.
- d. **We should not use the excuse that we can't afford to maintain a property to make the case that it should be traded away.** First of all, we'd be gaining more land in the deal, which negates that argument. Secondly, open spaces are relatively inexpensive to maintain. **The city should not consider selling or trading land because of lack of maintenance funding,** especially to corporate interests whose intentions have not been fully revealed. **This should not be the new template, as Becky stated. Instead, we should be working on a parks funding initiative.**
- e. **The 8.6-acre Bear Creek parcel isn't worth anywhere near \$1.4 million** as an open space property. It is a property that might make a nice addition, but is not a priority piece of land. It is quite wet, doesn't offer significant – if any – trail connections, and has an immediate need: the costly demolition or restoration of a house.
- f. **If the city didn't already own Strawberry Fields, it would be TOPS' #1 priority.** It's a prime property and a major city backdrop. Once this land is degraded by earth-movers, horses, out-buildings and throngs of people, it will lose a great deal of value as open space.
- g. Though the city states that it has a first right of refusal to buy back the property, and claims that TOPS could pay for it, you well know that **the TOPS tax expires in 2025,** and unless it's extended, **there will be no available funding.**

**I ask you to recommend to the Parks Advisory Board that they delay their decision on the land swap.** There is nowhere near the amount of information available that is needed to make a valid judgement.

Thank you for your consideration,  
Linda Hodges