

**ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY  
FIFTIETH SENATE  
20<sup>th</sup> SESSION  
7 APRIL 2021**

**RESOLUTION #5007  
Demanding a Democratic Process for the Future of Hughes Natural Area**

**DISCLAIMER:** On April 6, 2021, the Hughes Open Space ballot initiative passed with a 68.6% approval by the Fort Collins voters (final vote: 27,787 in favor, 12,714 against). This resolution was assembled prior to the vote, but all of the expectations, research, and student demands are still relevant and necessary. We also hope that this legislation will serve as a historic document for future leaders seeking perspective on this important community issue.

WRITTEN BY: Benton Roesler, University Affairs Chair; Christian Dykson, ASCSU Speaker of the Senate

COLLABORATED WITH:

ENDORSED BY: Molly Ranger, CSU Student; Ben Torres-Doxey, Senator, Asian Pacific American Cultural Center; Ariadne Athey, Senator, Student Disability Center; Jackson Hunter, Senator, College of Liberal Arts; Emely Cruz Arrazola, Associate Senator, El Centro; Jacob Djorup, Senator, College of Natural Sciences; Evan Welch, Senator, College of Liberal Arts

**ABSTRACT:** A resolution outlining student expectations for CSU regarding the Hughes Stadium Property: If the Proposed Citizen-Initiated Ordinance ballot initiative passes, ASCSU urges CSU to partner with the City of Fort Collins and Planning Action To Transform Hughes Sustainably (PATHS) to establish Hughes Property as an open space for parks, recreation, natural area, and wildlife rescue/education; If the ballot initiative fails, the students of CSU demand to have a voice in the final contracts between CSU and the respective developers and private corporations.

WHEREAS

“The CSU System Board of Governors has contracted to sell this historical, irreplaceable open space, inside the Fort Collins city limits, to Lennar, a real-estate speculator and mega-developer headquartered in Miami, Florida. The profit-sharing deal would turn this land-grant land into a private development of high-density housing and multi-use commercial buildings, sold or leased by Lennar on the open market<sup>1</sup>,” and,

WHEREAS

Benton Roesler and Christian Dykson, in order to understand both sides of the argument, met with Brett Anderson, Special Assistant to Chancellor Tony Frank, and Mike Hooker, Director of Media Relations and Denver Outreach at CSU, two of the drivers behind the potential contract between CSU and Lennar so that we'd have a more complete picture of the argument made by each side. The argument of the pro-housing development side follows; and,

WHEREAS

According to Brett Anderson, Special Assistant to Chancellor Frank, and Mike Hooker, Director of Media Relations and Denver Outreach, the motivations for the Hughes project are as follows: affordable housing, healthcare facilities, daycare facilities, sustainability, and transportation in the Western sector of Fort Collins; and,

WHEREAS

The Hughes Development would include 242 single-family homes, 112 paired homes, and 108 townhomes, which could help address the need among CSU employees for affordable housing, daycare and healthcare facilities; and,

WHEREAS

The 242 single-family homes, 108 townhomes, and 112 paired homes will be under the jurisdiction of Lennar, but CSU may influence and limit the cost of those homes by writing a **deed restriction** into the contract that would require X% of housing to be 'attainable' or 'affordable', meaning that CSU can negotiate with Lennar to demand a price point that is X% of the Area Median Income (AMI). A deed restriction is one of the limited policy tools that CSU has available to influence the housing costs in the new development; and,

WHEREAS

170-200 apartment units will also be built and will be entirely owned and managed by CSU, similar to Aggie Village. Mike and Brett claimed that these apartments will be 100% at affordable prices of 80% AMI or lower, and will not exceed that 80% AMI threshold for at least 30 years; and,

WHEREAS

The daycare and medical facilities will be owned by CSU, but will be leased to private corporations. The daycare will accommodate approximately 150 children daily; and,

WHEREAS

Argument 2: There will be a **new transportation center** here, which would establish a new public transportation route from CSU to the West side of Overland, which currently does not exist. Furthermore, Brett and Mike estimate that the transit center will reduce local carbon emissions by 450 metric tons per year; and,

WHEREAS

Argument 3: This development would be **sustainable**. According to Mike and Brett, the housing units will utilize gray water for all lavatories and solar energy for energy production, which will cause an increase in the retail value and price of the properties; and,

WHEREAS

Brett and Mike stated that the funds from the project will not be going towards repaying the debts on Canvas Stadium. According to them, this development would provide CSU with approximately \$14 million dollars over the next 10 years, \$4 million of which will go towards the outstanding costs from demolishing Hughes Stadium; and,

WHEREAS

When asked about the role that U+2 reform should play in the conversation, they explained that the two are not mutually exclusive, which suggests that U+2 reform and establishing affordable housing should be simultaneous efforts; and

WHEREAS

The arguments in favor of the Hughes Open Space ballot initiative are as follows; and,

WHEREAS

“Despite CSU claims that the subdivision would be ‘affordable’ for ‘CSU workforce’ housing, there is no language in the CSU-Lennar sale-purchase agreement that mentions, suggests or guarantees either;”<sup>1</sup> and,

WHEREAS

‘Affordable and attainable housing’ at the proposed development is not guaranteed, but rather based on ‘good-faith’ unless the contract contains deed restrictions that can ensure that affordable housing is fulfilled in the 242 single-family homes and 112 paired homes; and,

WHEREAS

The [Coloradoan released an article on February 7, 2019](#) stating that "Proceeds from the Hughes sale will go into the reserve fund for Canvas Stadium, helping to assure it is funded without the use of tuition or state funds, CSU President Tony Frank said in a statement."

WHEREAS

If true, the fundraising shortcomings of the Canvas Stadium should not justify the further development of the Front Range corridor, land that is likely to be prized real-estate given its proximity to Horsetooth Lake and Dixon Reservoir; and,

WHEREAS

“**Hughes Open Space is one of a kind.** It connects Maxwell Natural area with Pineridge Natural Area, expanding the beautiful Foothills nature and recreation corridor that makes Fort Collins so special<sup>1</sup>;” and,

WHEREAS

The Front Range corridor holds immeasurable value for the longtime residents of Fort Collins, and most importantly, the members of the Cheyenne, Arapahoe, and Ute Nations and Peoples, whose land the Hughes Stadium was built upon<sup>4</sup>; and,

WHEREAS

Gayla Maxwell Martinez, longtime community member of Fort Collins and wrote: “we have an opportunity to restore some of what has been lost. To dedicate a piece of land, on the highly ozone-polluted western edge of town, to the grasses and plants who know best how to clean the air, to the bees and butterflies who assure the propagation of the flowers that grace the hills with their beauty, and to the birds and other creatures who will be given a better chance of survival by having access to land corridors that allow them to move from place to place without confronting barriers of concrete and asphalt”<sup>5</sup>; and,

WHEREAS

CSU is intending to use the SPAR (Site Plan Advisory Review) provision, which is exclusively reserved for the development of public-use development. SPAR should not apply in this instance for two reasons:

1. The proposed purchaser of the land, Lennar, is not a public institution, but rather an out-of-state real estate speculator and mega-developer; and,
2. “The proposed structures are not government (Public) buildings that would continue to be owned, maintained and operated by CSU (a Public institution) for The Public at large”<sup>5</sup>; and,

WHEREAS

“On the April 6, 2021 city election ballot, Fort Collins voters have an opportunity to protect as Public Open Lands the 165 acres where Colorado State University’s Hughes Stadium once stood”<sup>1</sup>; and,

WHEREAS

“Collected in under 60 days, 8,300 signatures represent 25% of eligible Fort Collins voters who voted in the last municipal election (in 2019) and far exceeded the 3,280 signatures required”<sup>1</sup>; and,

WHEREAS

The 2021 Hughes Ballot Measure states: “Shall the City enact an ordinance requiring the City Council of the City of Fort Collins to immediately rezone upon passage of the ordinance a 164.56-acre parcel of real property formerly home to the Hughes Stadium from the Transition District to the Public Open Lands District, and requiring the City to acquire the property at fair market value to use said property for parks, recreation, and open lands, natural areas, and wildlife rescue and restoration, and further prohibiting the City from de-annexing, ceasing acquisition efforts or subsequently rezoning the property without voter approval of a separate initiative referred to the voters by City Council, and granting legal standing to any registered elector in the City to seek injunctive and/or declaratory relief in the courts related to City noncompliance with said ordinance<sup>1</sup>; and,

WHEREAS

ASCSU’s position is as follows; and,

WHEREAS

Colorado State University states that “To be a land-grant university in the 21<sup>st</sup> century means: **Access, Inclusion, and Opportunity:** [...] At CSU, we prize diversity and the rich history that different peoples and populations bring to our academic community – as well as the rich history of the land and region on which our university is built;”<sup>6</sup> and,

WHEREAS

The median annual salary breakdown of CSU employees is as follows<sup>2</sup>:

**Employee Median Annual Salary**

Fiscal Year	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
<b>Employment Group</b>						
Admin Professional	\$59,300	\$60,107	\$60,720	\$61,670	\$63,200	\$63,000
Faculty	\$79,500	\$80,485	\$81,939	\$84,839	\$88,416	\$90,068
Graduate Assistant	\$35,973	\$37,000	\$38,016	\$38,976	\$40,560	\$40,560
Other Salaried Employee	\$42,840	\$43,692	\$47,476	\$48,000	\$48,222	\$49,220
State Classified	\$41,628	\$41,748	\$42,120	\$43,044	\$44,208	\$44,064

The Area Median Income of Fort Collins is \$94,100 for a family of four in Fort Collins, meaning that the 80% AMI in Fort Collins is \$75,280 as of 2020. Affordable housing, as defined by the City of Fort Collins, is when rent and utilities together cost less than 30% of a family’s gross monthly income, or, in the case of homeowners, when the cost of their mortgage, utilities, taxes, interest, and insurance together should be no more than 38% their gross monthly income<sup>3</sup>; and,

WHEREAS

It appears that the calculations for affordable housing are based on the annual salary of Fort Collins residents, not CSU employees, which is concerning because the majority of CSU employees do not meet the 80% AMI threshold of \$75,280; and,

WHEREAS

Those who are under CSU's definition of "minoritized" make a median annual salary of \$51,148, as opposed to those defined as "non-minoritized" making \$55,000 as their median annual salary. These numbers include all Admin Professionals, Faculty, Graduate Assistants, Other Salaried Employees, and State Classified employees<sup>2</sup>; and,

WHEREAS

According to the US Census Bureau as of July 1, 2019, Fort Collins has a population of 170,243, 88.3% of whom are white. According to CSU's records, CSU has 11,592 ethnically diverse employees. If ~150,324 people in Fort Collins identify as white and the majority of Fort Collins' ethnically diverse population works at CSU, then we can assume that the majority of people defined in the "affordable housing" categorization they've mentioned in the project are non-ethnically diverse and non-minoritized individuals. Furthermore, approximately 50% or more of the ethnically minoritized community members at CSU aren't earning enough to meet the 80% AMI that has been talked about as 'affordable housing', let alone our non ethnically minoritized community members<sup>2,3,7</sup>; and,

WHEREAS

"Single family housing costs rose significantly over the last 10 years, making Fort Collins one of the highest increased areas in the state" and "over the last 10 years, housing costs have significantly outpaced the increase in wages;"<sup>3</sup> and,

WHEREAS

In our perception, this project will contribute to increased gentrification in the Front Range corridor, because the real-estate value and the numerous amenities mentioned in the project are bound to increase the appraisal values and cost of rent for all the surrounding properties; and,

WHEREAS

One of the leading aphorisms supporting neoliberal economics and a growing economy is that 'a rising tide lifts all boats,' but it does not lift vessels that have holes in them. As our economy and population grows, and as more affluence enters the Fort Collins community, we must continue to emphasize the importance for affordable housing, especially in regions that have high prospective real-estate value and return on investment from development; so,

THEREFORE BE IT HEREBY RESOLVED

That if the Hughes Open Space ballot initiative passes, the Associated Students of Colorado State University (ASCSU) urges CSU Administration to work collaboratively with the City of Fort Collins and PATHS to establish Hughes Stadium Property as a natural area; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

That if the ballot initiative passes, CSU should allow for sufficient community input before allocating funds. There should also be a transparent report, available to the CSU Student Body, that outlines how the funds will be utilized once a decision has been made; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

That if the ballot initiative fails, the students of Colorado State demand to have a voice and a vote in the final contract(s) that will be signed between CSU, Lennar, and any other affiliated partners, in order to ensure that affordable housing is actualized at the proposed development; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

If the ballot initiative fails, ASCSU strongly urges Colorado State University to incorporate some form of academic benefit to CSU students, which is an implicit expectation for Land-Grant universities, and an explicit expectation for any institution intending to use the SPAR provisions; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

That if the initiative fails, ASCSU members, CSU students, and community members will collaborate to write a follow-up resolution expressing more specific demands regarding the future of the project; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

Whether or not the ballot initiative passes, ASCSU believes that the conversation around affordable housing should incorporate U+2 reform since U+2 limits our ability to utilize existing housing capacity in Fort Collins; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

That ASCSU demands that CSU Administration, in the interest of transparency and public trust, release the full, unredacted contract between CSU and Lennar, and allow sufficient public comment prior to its completion; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

That a copy of this legislation be forwarded to Joyce McConnell, Colorado State University President; Tony Frank, CSU Chancellor; Jeni Arndt, Incoming Fort Collins Mayor; Wade Troxell, Fort Collins Mayor; Blanche Hughes, Vice President for Student Affairs; Lori Lynn, Ty

Smith, Director of Native American Cultural Center (NACC); Sarah Rossiter, PATHS Representative; Brett Anderson, Special Assistant to Chancellor Frank; Mike Hooker, Director of Media Relations and Denver Outreach at CSU;

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TAGS: Use this section to place topic “tags,” such as Residence Life, Dining Halls, Student Services, Parking, Liberal Arts College, etc.

Citations:

- 1) <https://yes4hughesopenspace.com/hughes-open-space-2021-ballot-measure-overview>
- 2) <https://diversity.colostate.edu/data/csu-demographics/>
- 3) <https://www.fcgov.com/socialsustainability/faq>
- 4) <https://landacknowledgment.colostate.edu/>
- 5) <https://yes4hughesopenspace.com/faqs>
- 6) <https://catalog.colostate.edu/general-catalog/about-csu/land-grant/>
- 7) <https://www.census.gov/quickfacts/fact/table/fortcollinscitycolorado/PST045219#>