

THE RED ROCK RAG

Volume 2, Number 5 News and Views on Red Rock Canyon

May, 2001

Published Monthly by THE RED ROCK CANYON COMMITTEE

P. O. Box 2352, Colorado Springs, CO 80901-2352

www.saveredrockcanyon.com

Zydeco responds to editorial letters



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April 6, 2001

Joe Fabek
Red Rock Canyon Committee
PO Box 2652
Colorado Springs, CO 80901-2352

Dear Mr. Fabek:

I read your Letter to the Editor printed in the Gazette and Independent in March with great interest. Please allow me to address some of your comments and representations with some of the historical information relevant to this project missing from your letter.

On October 26, 2000 Zydeco submitted a written proposal to the TOPS Coordinator proposing acquisition by the City of Colorado Springs, through TOPS funding, of approximately 245 acres of the Red Rock Canyon property, which represents nearly 1/3rd of the property. On November 3, 2000 Zydeco received a written response from the Manager of the TOPS Program rejecting this proposal. Zydeco, as instructed, communicated with the Trust for Public Lands, who was authorized to represent the City's interests. Zydeco's representatives Attorney Bruce Warren and Agent Tom Kay met with the representative of the Trust For Public Lands, Eric Love, in Santa Fe on December 7, 2000. In January 2001, Mr. Warren received a verbal response from Mr. Love stating he was unable to identify enough community support to warrant TPL's ongoing involvement. No additional proposals or counter offers were presented to Zydeco for consideration.

Between October 2000 and March 2001, TOPS acquired both the Blodgett & High Chaparral properties for open space. Subsequent published reports describing the depletion of additional TOPS funds has clearly diminished their ability to participate in additional acquisitions. Zydeco has concluded that no constructive benefit remains in keeping our six-month-old proposal active, if TOPS lacks a viable funding mechanism to participate. Therefore, on March 6, 2001 Zydeco formally withdrew the original offer to the TOPS Working Committee.

I found your comment on our proposed disconnected parcels for open space confusing. I've enclosed a copy of the TOPS Technical Team and Staff Assessment for the Red Rock Canyon property presented in 1999, which you published and publicly supported in the Red Rock Rag. As is evident by this depiction, their desire to acquire approximately 500 acres is represented as two distinctly disconnected parcels. More important, this Assessment did not address mitigating the landfill, which is mandatory for any new owner of this property. I directed my planning team to incorporate as much of the land proposed in this Technical Assessment into Zydeco's Open Space Plan. The major difference between the Technical Team's plan and Zydeco's plan is that the private sector will resolve the long-term environmental hazards of the closed landfill containing Colorado Springs waste products, using no public funds. To mitigate this issue, Zydeco proposes building a recreational/golf course on the landfill, which is a proven technology. Included, please find, several articles dealing directly with this type of mitigation for you to share with your members.

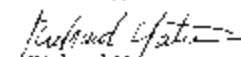
Your reference to Zydeco's proposal representing an inflated price lacks historical information. Zydeco engaged an MAI Appraiser to establish the current fair market value for the Red Rock Canyon property in August 2000. Park & Associates completed this appraisal in October 2000. Based on this analysis, the current fair market value of the 245 acres Zydeco proposed selling to TOPS was over \$9,490,000. Zydeco's initial proposal to the TOPS Working Committee in October 2000 was \$8,750,000 based on a January 2002 closing date; \$740,000 below appraised value. In subsequent conversations with the Trust for Public Lands, Zydeco agreed to lower this price to \$3,500,000 based on a January 2001 closing date, with Zydeco offering to finance this TOPS acquisition under terms and conditions accommodating the TOPS funding cycles. This revision represented Zydeco's actual per acre cost basis for the property and nearly \$3,000,000 below the certified appraised value. I fail to comprehend how this is an inflated price.

You also allude to an alternate proposal. Zydeco has yet to receive any additional proposals from anyone or any agency expressing their desire to acquire portions of Red Rock Canyon. I am aware of your group's interest to see approximately 500 acres of the property purchased as open space. Without a documented proposal backed by verifiable funding, I cannot authorize my representatives to respond. We welcome a written proposal from any entity that has verifiable financial means to complete an acquisition.

Our proposal would have created a greenbelt equal to almost 500 acres, with the golf course reserving approximately 240 acres plus the offer of the additional 245 acres as open space. The public would have access to two gorgeous canyons including hiking trails to Section 16, protection of the northern boundary of Section 16 from further development as well as protect the backdrop to the City of Colorado Springs. I was disappointed when members of my development team solicited the assistance of the Red Rock Canyon Committee this past fall to lead public hikes into proposed open space areas to show how valuable this could be for public access if purchased by TOPS, and received no response.

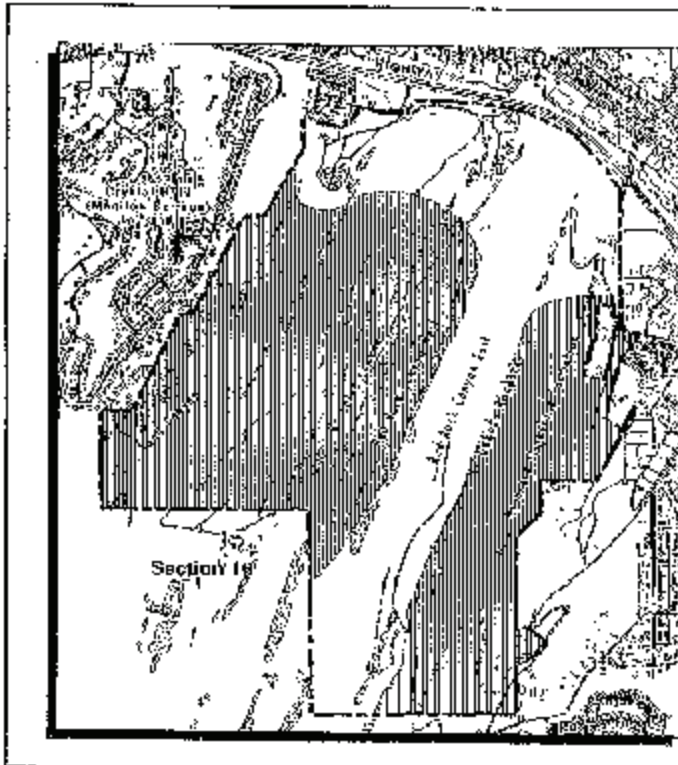
I was unaware of your offer to express our views in your monthly newsletter until your editorial. Please accept this letter and accompanying site plans for your next monthly Red Rock Rag. In the future, we feel that the appropriate forum to discuss these issues is in conjunction with the annexation petition filed with the City of Colorado Springs and under the guidance and direction of the Colorado Springs Planning Department.

Sincerely,


Richard Yates
Vice President
Zydeco

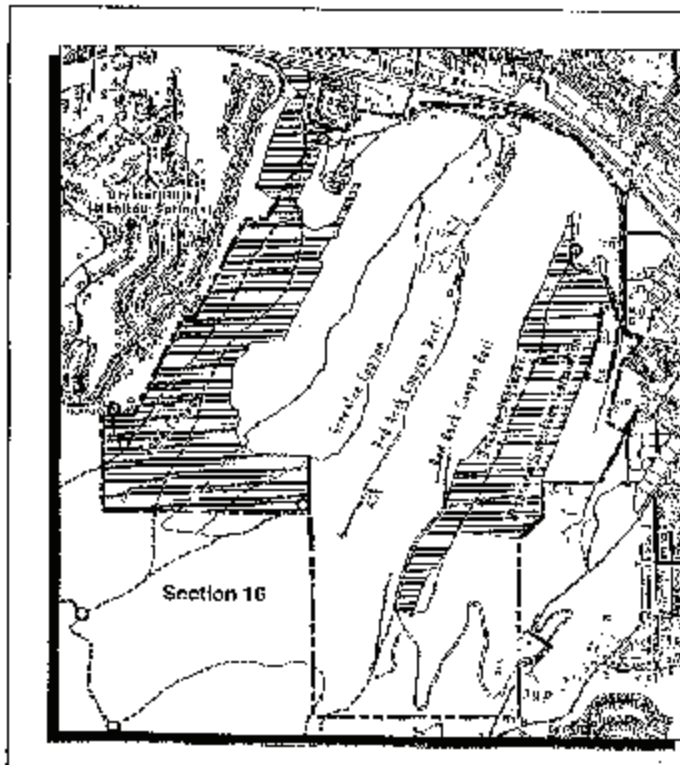
Cc City of Colorado Springs Council Members
TOPS Working Committee
Parks & Recreation Board

NOTE: Two of the three graphics which were provided with Mr. Yates' letter are reproduced on Page 3. The third graphic incorporates a color presentation of the "T.O.P.S." Map presented on Page 3 along with Zydeco's map which was previously published in the January, 2001 **RED ROCK RAG**. This third graphic was not reproduced here due to the space limitations. We will be glad to provide a copy of this graphic and of the golf course articles which accompanied Mr. Yates' letter to anyone needing them.



T.O.P.S. Trails and Open
Space Technical Team &
Staff Assessment

THE QUARRY
Landscape Architecture
THOMAS & THOMAS



Proposed Public Open Space

	Open Space Zone
	Trail & Trail Head

As of 1/15/01 View

THE QUARRY
Landscape Architecture
THOMAS & THOMAS

Red Rock Canyon Committee
P.O. Box 2352
Colorado Springs, CO 80901-2352

Mr. Richard Yates
Vice President
Zydeco
428 Sandoval
Santa Fe, NM 87501



April 23, 2001

Dear Mr. Yates:

Thank you for your letter of April 6 . I was pleased to receive it and welcome the chance to enter into a dialog with you about concerns we both share about the future of the Bock/Red Rock Canyon property.

I also believe that a direct exchange of views may help us avoid some of the breakdowns in communication that have complicated things in the past. In this regard, I was sorry to hear that you had been unaware of our standing offer to publish comment from Zydeco or its representatives in The Red Rock Rag. We will print your letter in our next issue. Likewise, we were pleased to learn that public tours of the Red Rock Canyon property might still be possible. We unfortunately had gotten quite the opposite impression locally.

Let me use this letter to try to address some of the concerns you have raised and to also share with you some concerns and thoughts that we have.

I am not a member of the TOPS Working Committee and thus cannot speak for TOPS. However, I have followed the TOPS process closely and believe TOPS interest in Red Rock Canyon remains real. Contrary to some press reports you may have seen, TOPS is not spent out. Even with the purchases of the Blodgett Peak and High Chaparral properties, there are still five years of open space money before the current program expires. This represents approximately \$18 million that will be available for future open space purchases. There are also moves afoot now to both extend the current TOPS program and to add bonding authority.

I also understand that throughout the existence of the TOPS program there has been strong interest in and support for the purchase of significant parts of the Bock property. However, because of the complexities of the property, an urgent need to save other key parcels that were about to be developed, and some understandable political pressure to spread open space funds equitably throughout the community, TOPS first turned elsewhere. Today, I believe TOPS is actually in a good position to consider Red Rock Canyon.

TOPS is not the only funding source available for saving the Bock property - if the truly important parts of it are included as public open space. The state's lottery-financed open space fund (GOCO) has played a major role in more than half of the previous TOPS purchases and would be an obvious possibility for Red Rock Canyon. Likewise, private fundraising could be a very real component - again if we can talk about saving the parts of the property that are seen here as a natural extension of the Garden of the Gods. Several years ago, another citizens group raised over \$1 million in less than six months to augment the TOPS purchase of the Myron Stratton property.

This leads me to comment directly upon your most recent offering to TOPS and to make a counter suggestion. In essence, a 240-acre golf course is proposed as the solution to the 80-acre problem posed by the landfill - even less than 80 acres if the part of the landfill that extends onto the adjoining Section 16 is subtracted. In those 240 acres are the heart of the property - Red Rock and Greenlee Canyons. These are the parts of the property that Thomas Kay chose two years ago for the familiarization walks in which over a thousand people participated. Tom was absolutely right then - they are spectacular and should be

A response to Mr. Yates:

saved as public open space. Your current offering is attractive land, but it is definitely a second best and loses much of its appeal when compared to what would not be preserved as public open space. We also do not accept the argument that a private golf course is public open space. For these reasons, we cannot support your proposal as it now stands.

Reportedly, a 1999 appraisal done for John Bock placed the land value for the entire 787 acre property at around \$15 million. Since the parcels which you had proposed for public open space do not include the most scenic parts of the property and include only a small amount of buildable land, I would have expected them to have a lower per acre value than the property as a whole; and I wonder if your appraisal might be predicated upon a hypothetical post-annexation value of the property. However, I have had a long career in the business world and know that different appraisals of the same piece of land can vary widely depending upon who does the appraisal.

Our counter proposal: Would you be willing to consider a development scenario that preserved the five-hundred acres identified by TOPS as public open space? This, of course, would mean restricting your development to the front part of the property - the land adjoining Highway 24 - and the area which your maps identify as "Red Rock Canyon East". These areas could readily accommodate a fine hotel and golf course complex or a stunning residential and commercial development. Either of which could be an asset to Colorado Springs and Manitou Springs - and a tribute to you as a developer. And, your development would have the most spectacular public open space in the region as its backyard.

Do we now have the verifiable financial means to complete our part of such an acquisition? No. Could it be done? Yes. I am convinced that if we were offered a chance to save as public open space the portions of the Bock property most valued by the community, a package of TOPS, GOCD and private funding could be assembled. Given the complexities of the property, such an effort would probably have to be facilitated by an entity such as the Trust for Public Land, which has played a key role in several of the city's previous open space acquisitions.

Let me note in closing that Colorado Springs' young open space program has been blessed on several occasions by the generosity of public spirited developers and developer/owners who stepped back from obvious development opportunities on land they owned (or controlled through options) to accede to public desires for significantly greater open space preservation. This happened with the Myron Stratton, Blodgett Peak and High Chaparral properties. Would you be willing to go down a similar road with us? I believe that such a move could turn what now portends to be a long and acrimonious annexation fight into a win-win situation for everyone.

I hope you will give this proposal your serious consideration. I would be happy to discuss it with you to see if there are ways in which we can work together to achieve that win-win situation I just mentioned. I look forward to meeting with you at a mutually convenient time and place.

Sincerely,

Joe Fabeck
Chairman

cc: Colorado Springs City Council Members
Colorado Springs Parks Advisory Board Members
TOPS Working Committee Members

A PRIZE WINNER!

When the Red Rock Canyon Committee was able to offer public Red Rock Canyon hikes in 1999, Shewmaker's Camera Shop offered a \$100 prize for the best photograph of Red Rock Canyon. Before a prize was awarded, Shewmaker's changed management, the Red Rock Canyon Committee got a new chairperson, and the contest entries were inadvertently set aside.

Recently, the contest entries, which included several outstanding photos, were found again. The entries were shown at the April 5 Red Rock Canyon Committee meeting, and the Red Rock Canyon Committee decided to award a \$100 prize on its own behalf for a winning entry.

The winner selected was a magnificent photo of the quarry by Andrea Boven.

Congratulations Andrea!

Please Keep Out

Hikers in Section 16 during the past month have reported a new fence along the Bock property line where it crosses the landfill. Both this fence and the gate where the landfill road meets 26th Street have been liberally sprinkled with *"No Trespassing"* signs suggesting that Mr. Yates and Mr. Bock are determined to close the informal trail connection from 26th Street to the Internann Trail.

Also, a recent communication from Tom Kay included the following statement:

"On behalf of Mr. Bock and Mr. Yates please inform your members that access onto any portions of this property will be considered trespassing and dealt with accordingly. Please respect this is private property."

Our Thanks

The Red Rock Canyon Committee wishes to express its appreciation to the following people who have made contributions for operating expenses during the past month.

Kathy Verlo
Joe Fabeck
Don Ellis

We would also like to express our appreciation to the Village at Skyline for providing our meeting room.

Zydeco schedules small meetings

Several Red Rock Canyon activists have received letters dated April 27 from Community Mediation Concepts of Longmont stating, "We (Community Mediation Concepts) have been asked by Zydeco to manage the information sharing process and to ensure that adequate opportunity is given to discuss all aspects of the proposed 'Quarry' project." Recipients of the letters were invited to attend one of three one hour (!) meetings which altogether would involve 37 invited participants. We have heard that other invitations were sent to a Sierra Club representative, several members of the City planning staff and at least three City Council members.

Several people who participated in a Sand Canyon tour led by Zydeco's agent Tom Kay on April 21 may have gotten a hint of what Zydeco might suggest at these meetings. The impression was that Zydeco will state that unless they succeed soon in creating support for something like their 245 acre open space proposal, they expect to develop some of the land near Section 16 in the county as 35 acre lots with future annexation of other areas.

Learn about wild plants:

The Colorado Mountain Club is sponsoring a "Wild Plant School" which will give people an opportunity to learn about wild plants which grow in the Pikes Peak Region.

The first course in the "Wild Plant School" will be devoted to plants of the foothills life zone and will be particularly interesting to people who would like to learn more about the plants which could be found in Red Rock Canyon. The Foothills Life Zone Course will be held May 12 and 19 from 9:00 A.M. to 1:00 P.M. at Bear Creek Regional Park.

A second course devoted to the subalpine life zone will be held from 9:00 A.M. to 2:00 P.M. July 14 and 21 at the Craggs.

Instructors for the courses will be Louise Adler and Brenda Porter who are Colorado State University Extension Native Plant Masters. Each course will introduce 30 to 40 plant species.

The cost for each course is \$25 (\$20 for CMC members). To register for either course, call the state CMC office at 1-800-633-4417.



KIVA features Red Rock Canyon

The cover story in the latest edition of the *Cheyenne Mountain KIVA* magazine is an article about Red Rock Canyon written by Ruth Obee. The article summarizes the geology and history of Red Rock Canyon and presents an eloquent statement for the preservation of Red Rock Canyon as public open space.

The *KIVA* is published by the Cheyenne Mountain Heritage Center and is available from the Colorado Springs Fine Art Center, the Colorado Springs Pioneers Museum, H. R. Meininger Art Supply, and Art Bank & Oriental Rug Center. Also, the Red Rock Canyon Committee has a limited number of copies of the current edition available.

Pictures needed

We are assembling a collection of pictures which will be used for presentations about the future Red Rock Canyon Open Space Park to show neighborhood and citizen groups.

We will use these presentations to develop broad based Colorado Springs support, so our elected representatives will also support Red Rock Canyon open space.

We need interesting pictures of the following:

- * Animals and plants that live in the Red Rock Canyon habitat
- * Recreational activities that would be possible in Red Rock Canyon open space
- * Red Rock Canyon (taken when access was permissible)

Contact Shanti Toll at 634-1810 or at shantitoll@hotmail.com

THANKS

CALENDAR

Meetings of Possible Interest:

May 3 Colorado Springs Planning Commission
8:30 A.M. City Council Chambers,
30 S. Nevada, first floor

May 3 **Red Rock Canyon Committee**
7:00 PM Village at Skyline,
Building No. 1
2305 Patriot Heights,
off Lower Gold Camp Road

May 8 Colorado Springs City Council
9:00 A.M. City Council Chambers,
30 S. Nevada, first floor

May 9 **TOPS Working Committee**
4:00 P.M. Colorado Springs
Parks and Recreation Building
1401 Recreation Way
(east of I-25, 2 blocks north of Uintah)

May 12 & 19 Wild Plant School - Foothills Life Zone
9:00 A.M. - 1:00 P.M. Bear Creek Regional Park
(To register, call the Colorado Mountain Club
1-800-633-4417. Cost: \$25.)

May 15 El Paso County Planning Commission
9:00 A.M. Hearing Room, 3rd Floor
County Office Building, 27 East Vermija

May 22 Colorado Springs City Council
9:00 AM City Council Chambers,
30 S. Nevada, first floor

May 23 **TOPS Working Committee**
7:30 A.M. Colorado Springs
Parks and Recreation Building
1401 Recreation Way
(East of I-25, 2 blocks north of Uintah)

May 23 **Manitou Springs Open Space
Advisory Committee**
7:00 PM Manitou Springs City Hall
606 Manitou Avenue

June 7 Colorado Springs Planning Commission
8:30 A.M. City Council Chambers,
30 S. Nevada, first floor

June 7 **Red Rock Canyon Committee**
7:00 PM Village at Skyline,
Building No. 1
2305 Patriot Heights,
off Lower Gold Camp Road

NOTE: Scheduled meetings can be subject to change or cancellation (as happened to both March TOPS meetings).

Check these web pages within a week of the scheduled meeting to find out if there are agenda items related to Red Rock Canyon:

The Colorado Springs Planning Commission agenda:
www.colorado-springs.com/PublicPlans/Schedules/schedules.htm

Colorado Springs City Council meeting agenda:
www.colorado-springs.com/govinfo/minagen.htm

El Paso County Planning Commission:
www.co.el-paso.co.us/Planning/agendas/PD-AgnPC.htm

YES, I WANT TO SUPPORT RED ROCK CANYON OPEN SPACE!

- Enclosed is my contribution to the Red Rock Canyon Committee for operating expenses
(Check payable to "Red Rock Canyon Committee", not tax deductible.)
____ Do ____ Don't acknowledge my contribution in the Red Rock Rag.
- I want to be involved
My efforts could best be used for: _____
- Keep me informed with the **RED ROCK RAG**.

NAME: _____

ADDRESS: _____

For more information, contact **Scott Floras** at the *Trails and Open Space Coalition* 633-6884,
or e-mail: help@saveredrockcanyon.com

Opinions expressed in **THE RED ROCK RAG** are those of the authors and do not necessarily reflect the opinion
of the Red Rock Canyon Committee.

WE WANT YOUR INPUT!

Letters, articles, comments (and glossy photos) may be sent to:
Rag Editor
Red Rock Canyon Committee
P. O. Box 2352
Colorado Springs, CO 80901-2352

Electronic submissions may be sent to:
help@saveredrockcanyon.com
Please send electronic text in plain ASCII (txt) format.
Digital images are welcome and should be 300 dpi or better
at the size the image will be reproduced.

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