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Title: A Resolution Authorizing the Approval of a Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course

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Attachments: 1. SpringsRanchRES-2015-09-15, 2. Attachment B - Springs Ranch Golf Course Parks Department 2nd Amendment Final.pdf, 3. Exhibits to Park Credit Agreement 2nd Amendment.pdf, 4. Attachment C - 1999 Agreement Concerning Park Credits for Springs Ranch Golf Course.pdf, 5. Attachment D - Context Map.pdf, 6. Signed Resolution_99-15.pdf

Date	Ver.	Action By	Action	Result
10/13/2015	1	City Council	adopted	
9/21/2015	1	City Council Work Session	referred	

A Resolution Authorizing the Approval of a Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course

From:

Karen Palus, Director of Parks, Recreation and Cultural Services
Chris Lieber, Park Development Manager

Summary:

The City of Colorado Springs Parks Department has been approached by Tom Tauche, owner of the Springs Ranch Golf Course, requesting an amendment to the Agreement Concerning Park Credits for the Springs Ranch Golf Course. This issue is a companion item to a development request submitted by NES, Inc. on behalf of Tom Tauche, Inc. for a zone change and concept plan for the Springs Ranch Golf Course R-5 Site. The proposed Second Amendment to Agreement Concerning Park Credits (Agreement) releases a certain portion of the Springs Ranch Golf Course (Released Property) subject to the Agreement Concerning Park Credits in exchange for conveyance of land and a pedestrian bridge to the City for the benefit of the City Parks Department and park and trail users.

Previous Council Action:

On October 12, 1999, City Council approved Resolution No. 160-99, granting parkland credit in an amount not to exceed 31.4 percent or 66.5 acres to BRE/Springs Ranch LLC for the Springs Ranch Golf Course. An Amendment to Agreement Concerning Park Credits for Springs Ranch Golf course as approved by City Council, effective November 30, 2011.

Background:

In 1999, the City of Colorado Springs entered into an Agreement for the Springs Ranch Golf Course with BRE/Springs Ranch LLC to grant partial park credit to satisfy parkland dedication requirements for the Springs Ranch Master Plan. The Agreement stipulated that the Springs Ranch Golf Course would remain open to the general public and be available for all residents of the City. In the Agreement, partial park credits were granted to BRE/Springs Ranch LLC in an amount not to exceed 31.4% or 66.5 acres for the Spring Creek Golf Course. At the time of the Agreement, the Golf Course contained approximately 210 acres. The Agreement stipulated that the City shall be paid back at the future fee-in-lieu of land value of the granted credits should the golf course ever withdraw public access. In addition, issuance of credit would not place the City in the position of having to purchase any master-planned parkland within the Springs Ranch Master Plan. The 1999 Agreement was amended in November 2011 resulting in an adjustment to the boundaries of golf course but retaining the same net acreage and park credit ratio (31.4%).

Tom Tauche, Inc., owner of the Springs Ranch Golf Course, has approached the City of Colorado Springs with a proposed Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course (Second Amendment). Major tenets of the Second Amendment include the following: The Springs Ranch Golf Course will remain open to the general public and be available for all residents of the City as an 18-hole golf course, The City agrees to release 13.8 acres from the original Agreement Concerning Park Credits. The Springs Ranch Golf Course conveys 4.7 acres of property to public ownership for park and trail purposes. The Springs Ranch Golf Course transfers ownership of a pedestrian bridge to the City.

In lieu of any future park fees owed to the City incidental to any future development of the Released Property, fees shall first be expended by the developer for the cost of construction and completion of the City trail system located adjacent to the Released Property along Tutt Boulevard and the Springs Ranch Golf Course Club House Property. The required construction of the trail shall be memorialized as a condition of development on a Development Plan satisfactory to and approved by the City. The City shall have the right to determine the reasonableness of the costs associated with the construction of the trail. Any park fees required beyond the cost of construction of the trail shall be remitted to the City in accord with the provisions of the Parkland Dedication Ordinance.

The Second Amendment will benefit the City's Park System by continuing general public access to the Springs Ranch Golf Course for all residents of the City. The transfer of three parcels of property to the City will provide additional land for the eventual development of the Tutt Sports Complex and provide necessary right-of-way for the continuation of the Sand Creek Trail.

Financial Implications:

In lieu of any future parkland credits owed to the City related to the development of the Released Property, the developer of the Released Property shall construct the segment of the Sand Creek Trail, located adjacent to the released property along Tutt Boulevard and property along Tutt Boulevard adjacent to the Springs Ranch Golf Course Club House property.

Board/Commission Recommendation:

The Parks and Recreation Advisory Board recommended approval of the proposed Second Amendment to the Agreement Concerning Park Credits for the Springs Ranch Golf Course on April 9, 2015. . All matters pertaining to the proposed zone change and concept plan for the released property were recommended for approval by the Colorado Springs Planning Commission on May 21, 2015.

Stakeholder Process:

The City of Colorado Springs Planning and Development Land Use Review Division and the Parks and Recreation Department hosted a public meeting on March 5, 2013. The request for an amendment to the park credit agreement was presented and discussed at the meeting. While some participants expressed concerns relating to the proposed development, no concerns were heard related to the amendment of the park credit agreement. A second public notice was sent by the Parks and Recreation Department notifying property owners of the April 9, 2015 Parks and Recreation Advisory Board Meeting.

Alternatives:

Decline approval of the Agreement

Proposed Motion:

A motion recommending to City Council the approval of the Second Amendment to the Agreement Concerning Park Credits for Springs Ranch Golf Course

N/A