



Legislation Details (With Text)

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Title: Ordinance No. 18-92 Amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a Supplemental Appropriation in the Amount of \$1,100,000 to the Trails, Open Space and Parks Fund for Acquisition of up to 246 Acres of Property for the Purpose of Public Open Space and Trails as an Expansion of the Corral Bluffs Open Space

Presenter:
Karen Palus, Director, Parks, Recreation & Cultural Services
Britt Haley, Design and Development Manager / TOPS Program Manager

Sponsors:

Indexes:

Code sections:

Attachments: 1. Supplemental Approp Ord for TOPS_CorralBluffsBishopAcquisition, 2. Signed Ordinance 18-92

Date	Ver.	Action By	Action	Result
9/25/2018	1	City Council	finally passed	Pass
9/11/2018	1	City Council	approved on first reading	Pass
8/14/2018	1	City Council	postpone to a date certain	Pass
7/23/2018	1	Council Work Session	referred	

Ordinance No. 18-92 Amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a Supplemental Appropriation in the Amount of \$1,100,000 to the Trails, Open Space and Parks Fund for Acquisition of up to 246 Acres of Property for the Purpose of Public Open Space and Trails as an Expansion of the Corral Bluffs Open Space

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Summary:

Since 1996, when the City's first Open Space Plan was adopted, the City of Colorado Springs has prioritized and worked to acquire property in and around the Corral Bluffs Area for its special open space values. This action item provides the opportunity for the TOPS program to acquire, manage and protect up to 246 acres of property located in the heart of the existing horseshoe shaped Corral Bluffs Open Space. Additionally, it offers access from the existing Corral Bluffs property to State Highway 94. If this acquisition is approved by City Council, a supplemental appropriation from the TOPS Open Space Category will be necessary.

Previous Council Action:

N/A

Background:

The 2014 Park System Master Plan (“Master Plan”) identifies the Corral Bluffs Area as an Open Space Candidate Area. In fact, this area has long been identified for land conservation in advance of development. It was first identified over 20 years ago in the 1996 City Open Space Plan and also in the 1997 El Paso County Open Space Master Plan. Beginning with a TOPS program purchase of the Case property in 2009 and continuing up to the purchase of the Kyle property in 2017, the TOPS program has diligently and patiently worked to assemble adjoining property in this resource rich area. However, acquisition of the adjoining property owned by the Bishop family, which lies at the very heart of the existing Corral Bluffs Open Space property, has been an elusive goal until now.

The 2014 Park System Master Plan (Master Plan) includes several goals that are supported by this proposal. First it provides enhanced open space opportunity on the City of Colorado Spring’s east boundary, just as development is preparing to move forward under an amended and restated Banning Lewis Ranch annexation agreement intended to revitalize development on the adjoining 21,000 acres. Second, acquisition of this property will fill in a gap in the open space network and will provide a separate access point to the open space. Third and perhaps most significantly, this acquisition will protect the City’s existing investment by securing the parcel that forms the interior area of the existing Corral Bluffs Open Space property.

The views from the mesas and cliffs of this property to the south and west are nothing short of spectacular. Additionally, the property offers significant wildlife and natural resource values. Colorado Parks and Wildlife staff has observed a nesting golden eagle on the site. A prairie falcon nesting site is also believed to be present and the area is teeming with other raptors such as owls and hawks. There is a herd of deer on the property and numerous species of birds. Of course many snakes and other reptiles call this property their home as well.

The property, which consists of two separate parcels, was offered on the open market in July of 2017 with an asking price of \$1,116,000. At that time, staff contacted the sellers and began a discussion concerning acquisition of the parcels by the TOPS program. Pursuant to TOPS and City real estate acquisition procedures an appraisal was completed for the property. In April of 2018, the sellers signed a contract to sell the property to the City, for the appraised value contingent on City Council approval and standard real estate due diligence. Parcel 1 is the north parcel. It consists of approximately 113 acres and is located at the center of the horseshoe shaped Corral Bluffs Open Space. Parcel 2 is the south portion of the property and it consists of approximately 132 acres. It is the narrow parcel which provides access to the property from State Highway 94. The appraisal indicated the overall value of the property was \$4,359 per acre. The sellers have requested and staff has agreed to install a sign or other monument expressing gratitude for the work of Everett Bishop that made this protection of the land as open space possible.

During the City’s due diligence review a permanent access easement was identified that traverses the west side of Parcel 2 to provide access to a 40 acre parcel that is located on the north and west property line of Parcel 2. This easement was granted by Everett and Frankie Mae Bishop to their daughter Shirley Greco, for her home with her husband Mr. Phil Greco. Shirley Greco passed away in 2006 and Phil Greco continues to reside on the 40 acre property. Mr. Greco uses the Bishop family’s dirt road access on the east side of Parcel 2 to access the home. However, the legally identified location of the permanent easement is actually a 20 foot wide corridor on the southwest side of

Parcel 2 extending north to his property. If Mr. Greco uses the legally described easement location, he will be able to access his property without significantly impacting the key open space values of the remainder of the property. The Parks Department could also provide Mr. Greco with a revocable permit to use the existing dirt road to access his property which would avoid cutting in an additional dirt road.

Finally, this acquisition would facilitate the continued achievement of the Master Plan goal of formulating strong and broad partnerships. It will provide expanded opportunities for our continued collaboration with the Corral Bluffs Alliance. This friends group provides guided public hikes, assists with stewardship activities and monitors the numerous species present on the Corral Bluffs property. In addition to the help from the Corral Bluffs Alliance, staff from the Denver Museum of Nature and Science and The Smithsonian Institute are conducting significant research and are making and documenting scientific discoveries at the Corral Bluff sites owned by the City of Colorado Springs. This acquisition will offer additional opportunities for this important research to occur.

Financial Implications:

The City is under contract to acquire Parcel 1 and Parcel 2, contingent on City Council approval and standard real estate due diligence work, for the appraised value of \$1,068,000. Acquisition of the property requires an appropriation in the amount of up to \$1,100,000 from TOPS Open Space Category revenue to purchase the property, provide fencing to secure it and to pay for real estate transaction costs such as the ALTA survey, property appraisal, closing costs and recording fees.

Board/Commission Recommendation:

On June 6, 2018, the members of the TOPS Working Committee approved this proposed acquisition by a unanimous vote. The Parks, Recreation and Cultural Services Advisory Board voted unanimously to recommend approval of this acquisition at its July 12, 2018 meeting.

Stakeholder Process:

N/A

Alternatives:

Do not approve or suggest that staff pursue an alternative.

Proposed Motion:

Move to approve acquisition of up to 246 acres of property identified by tax schedule numbers 44000 00 016 and 44000 00 506 and approval to expend up to \$1,100,000 for the land acquisition and transaction costs from the TOPS Open Space Category revenue.

An Ordinance for a Supplemental Appropriation in the Amount of \$1,100,000 to the Trails, Open Space and Parks Fund for Acquisition of up to 246 Acres of Property for the Purpose of Public Open Space and Trails as an Expansion of the Corral Bluffs Open Space