



## Legislation Details (With Text)

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**Title:** A Resolution Authorizing a Land Exchange of Real Property with the Colorado Department of Transportation for the Cimarron Street Reconstruction Project

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**Indexes:**

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**Attachments:** 1. 4-27-15 Midland Rail Corridor - Attachment A - Council, 2. 4-27-15 Letter of Concurrence from City - Attachment B - Council, 3. 4-27-15 Proposed Midland Trail Access - Attachment C - Council, 4. 4-27-15 Proposed Exchange - Attachment D - Council, 5. 4-27-15 Cimarron CDOT Park Trail Land Exchange Resolution, 6. 4-27-15 Proposed Land Exchange - Exhibits for Resolution - Council, 7. Signed Resolution\_45-15

Date	Ver.	Action By	Action	Result
5/12/2015	1	City Council	adopted	Pass
4/27/2015	1	Council Work Session	referred	

A Resolution Authorizing a Land Exchange of Real Property with the Colorado Department of Transportation for the Cimarron Street Reconstruction Project

**From:**

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

**Summary:**

The attached Resolution authorizes staff to enter into a Colorado Department of Transportation Memorandum of Agreement for the purpose of the Midland Trail relocation as part of the I-25 Cimarron Interchange Design-Build Project.

**Previous Council Action:**

On April 27, 2004, the City of Colorado Springs unanimously passed Resolution No. 81-04 which supports the proposed Interstate 25 improvements through the Colorado Springs Urbanized Area, as detailed in the Interstate 25 Environmental Assessment.

**Background:**

In 1959, I-25 was built over the Midland railroad line that had been unused since 1949. In 1997, the City of Colorado Springs purchased the railroad corridor for future east west trail use (shown on Attachment A). Improvements to this interchange have been examined twice, first in March 2004, and then in May 2012. The Colorado State Historic Preservation Office noted the Midland Railroad grade under I-25 is NOT eligible for listing as an historic resource. Numerous alternatives for the

Midland Trail were considered due to the widening of I-25 over the Midland Trail. For the trail to remain in its current location, the crossing under I-25 would need to more than double in length.

In 2003, the City of Colorado Springs applied for and received a \$150,000 Land and Water Conservation Fund grant for development of the Midland Trail which was completed by the end of 2004. Now that funding for the reconstruction of this interchange has become available, CDOT conducted a re-evaluation of the 2004 I-25 Environmental Assessment and determined that the I-25 proposed action will result in a Section 6(f) impact to the Midland Trail due to the federally funded grant.

Since Land and Water Conservation Fund grant monies were used to build the Midland Trail on the City's land, the trail segment to be affected by the I-25 Interchange reconstruction project is considered to be a resource protected under Section 6(f) of the Land and Water Conservation Fund statute. Conversion of Section 6(f) property and acceptance of substitute mitigation property requires concurrence from the United States Department of Interior, National Parks Service, and its designee agency, Colorado Parks and Wildlife.

In 2003 and 2014, CDOT coordinated numerous alternatives with the Director of Parks, Recreation, and Cultural Services. In the 2014 letter (shown on Attachment B), the Director of Parks, Recreation, and Cultural Services supports closing the existing crossing under I-25, and reroutes the trail along Fountain Creek. At the Fountain Creek and Monument Creek confluence a new pedestrian bridge will be constructed to provide direct access to America the Beautiful Park, the Pikes Pike Greenway Trail, and Cimarron Street (shown on Attachment C). A new connection from the realigned Midland Trail at Fountain Creek west of the interchange will be constructed north to the existing Midland Trail (shown on Attachment D). This new portion of trail will be the mitigation for the closure of the existing crossing and will be conveyed to the City of Colorado Springs and maintained in perpetuity as a Section 6(f) encumbered property. At the western portal of the existing trail under I-25 an additional extension will be made to Walnut Street for trail users to access Colorado Avenue.

In September 2014, the National Park Service and Colorado Parks and Wildlife understood the Section 6(f) process was being followed by CDOT and had no objections to the proposed highway project. The realignment and interchange alternative selected closing the Midland trail underpass beneath I-25 results in a conversion of the Section 6(f) property to non-recreation use.

**Financial Implications:**

No City funds are required to complete this transaction.

An April 2014 Real Property Appraisal by CDOT details the current market value of the Midland Trail property that would be converted to highway use and the value of the mitigation property for the proposed new Midland Trail crossing of I-25. The existing trail connection is shorter in length, the value of the new connection (land plus trail improvements) is considerably greater than the value of the impacted Section 6(f) property.

The impacted Midland trail property (Section 6(f) property) was determined to be 20 feet wide and 260 feet long for a total of 5,200 square feet. This is approximately 0.12 acre, representing a very small fraction of the 12.52 acre property that the City of Colorado Springs purchased from the Union Pacific Railroad in 1997. This land is valued at \$11,900, and the value of the existing trail improvements on the land is another \$15,600, for a total of property value of \$27,500.

The new replacement trail (mitigation property) is longer and is estimated to be 20 feet wide and 615 feet long, for a total area of 12,270 square feet, valued at \$30,100, which is greater than the value of the impacted Section 6(f) property. The estimated cost of building a trail on this land, of equal specifications and amenities as the impacted trail, would be an additional \$67,000. Therefore, the total value of the replacement trail will be \$97,100.

**Board/Commission Recommendation:**

On March 14, 2014, a presentation was given to the Parks and Recreation Advisory Board. On April 10, 2014, the Parks and Recreation Advisory Board unanimously approved the realignment of the Midland Trail underpass to a new location along Fountain Creek.

**Stakeholder Process:**

The Parks, Recreation, and Cultural Services Department took the CDOT findings on the Midland Trail relocation through a three-step process: an internal review by Parks, Recreation, and Cultural Services staff members, a public presentation of the information to the Parks and Recreation Advisory Board on March 14, 2014, and a second presentation for action to the Parks and Recreation Advisory Board on April 10, 2014.

**Alternatives:**

N/A

**Proposed Motion:**

Move to approve a Resolution authorizing a land exchange of real property with the Colorado Department of Transportation for the Cimarron Street Reconstruction Project.

N/A