



Legislation Text

File #: 24-276, **Version:** 1

Ordinance No. 23-45 Amending Budget Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$875,000 to complete the Acquisition of approximately to 2.54 Acres of Property, identified as the Red Rock Canyon Open Space Extension, for the Purpose of Public Open Space and Trails

Presenter:

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Summary:

This Supplemental Appropriation request provides the opportunity for the TOPS program to make a strategic acquisition of approximately 2.54 acres of property. This property is located at the northwest corner of Gold Camp Rd and 26th Street. This purchase would preserve this property within the TOPS program and protect the property from future private development.

Background:

The 2014 Park System Master Plan ("Master Plan") shows the 2.54-acre parcel adjacent to the White Acres property and notes it as part of the open space/special resource area/greenway. Due to the small size of the parcel it is not clearly identified as candidate open space; however, the acquisition of parcels adjacent to existing open spaces is supported as one of the goals of the Parks System Master Plan - Filling in the Gaps in the Open Space Network. If acquired, the site would be protected from future private development and could assist in maintaining connections between open space areas and protecting wildlife corridor movement.

The property is located at 1680 S. 26th Street and consists of 2.54-acre parcel with a single-family residence and garage (built in 1955). The property was once part of the larger property grouping known as the White Acres property. This larger White Acres property was owned by Bethany Baptist Church and consisted of 6 parcels. In 2009, the TOPS program acquired five of the six parcels of the White Acres for a total of 47.5 acres. The candidate open space parcels provided an expansion of Red Rock Canyon Open Space. The sixth parcel, located at 1680 S. 26th Street was the residence and was retained by the Church. The Church later sold the property to a staff member who had lived in the home as their caretaker.

The property is envisioned to be incorporated into and managed as part of Red Rock Canyon Open Space. The parcel has the potential to be utilized as a trailhead for Red Rock Canyon, offices for TOPS Rangers, storage of small maintenance equipment and materials, picnic opportunities, restrooms, interpretive educational opportunity, a hub for the open space, stewardship and the Chamberlain Trail, which is currently master planned to access this area. A decision on the use final use of the property will be determined after a public process.

City Code supports the potential uses listed above through the highlighted sections below. The site has been disturbed over the years with construction and fill. Acquisition would allow the use of this already disturbed site to assist in preserving the adjacent open space areas and providing a hub for stewardship and educational opportunities.

4.6.101.G: PURPOSE:

The general purposes of this article are as follows:

G. To manage, patrol, improve and maintain all new open space lands and trails acquired with revenues generated by a sales and use tax approved by the electorate pursuant to this article, in accord with the purposes set forth in this article.

4.6.101.L

L. Open space lands shall serve one or more of the following functions:

1. Linkages and trails, access to public lakes, streams, and other suitable open space lands, stream corridors and scenic corridors along existing highways;
2. Preservation of fragile ecosystems, natural areas, scenic vistas and areas, fish and wildlife habitats and corridors, or important areas that support biodiversity, natural resources, significant land formations and landmarks, and cultural, historical and archeological areas;
3. Creating spatial definition of and between urban areas;
4. Areas of environmental preservation, designated as areas of concern, generally in multiple ownership, where several different preservation methods (including other governmental bodies' participation or private ownership) may need to be used;
5. Conservation of natural and visual resources, including, but not limited to, forest lands, range lands, agricultural land, aquifer recharge areas, and surface water;
6. Lands within or adjacent to a park or public open lands whose development potential is clearly incompatible with those lands; and
7. Preservation of land for educational opportunities and outdoor recreation areas limited to passive recreational use, including, but not limited to, hiking, photography or nature studies, and if specifically designated, bicycling, horseback riding, or fishing.

The TOPS Working Committee is toured the site on April 17, 2024. The City has completed the appraisal process and offered the seller fair-market value for the property of \$872,000. A signed contract is pending at the time of this write-up; however, the owner has verbally agreed to a purchase price of \$872,000 and the purchase process for the City. The contract is contingent upon final approval by City Council and acceptance of the property based on the City's due diligence work. The acquisitions would be funded with revenues from the TOPS Open Space.

Pursuant to TOPS and City Real Estate acquisition procedures, an appraisal was completed January 29, 2024, for the property which indicated a value of \$872,000 based on a comparative sales approach for the 2.54-acres. This equates to a value of approximately \$343,307/acre. The property is in the jurisdiction of El Paso County and is zoned RR-2.5.

Previous Council Action:

N/A

Financial Implications:

The City is under contract to acquire the property contingent on a favorable Parks, Recreation and Cultural Services (PR&CS) Advisory Board recommendation and City Council approval, for the appraised value of \$872,000. Acquisition of the property requires an appropriation in the amount of up to \$875,000 from the TOPS Open Space category to purchase the property, and to pay for real estate transaction costs such as the title insurance, closing costs and recording fees. The source of funds is the TOPS available fund balance.

City Council Appointed Board/Commission/Committee Recommendation:

At its May 1, 2024, meeting the TOPS Working Committee was unanimous in its vote to recommend acquisition of this approximately 2.54 acre property at 1680 S 26th Street. The Parks, Recreation and Cultural Services Advisory Board voted unanimously to recommend this acquisition at its May 9, 2024, meeting. This item was presented to the City Council Budget Committee on April 23, 2024.

Stakeholder Process:

Public meetings of the TOPS Working Committee and the Parks Recreation and Cultural Services Advisory Board offer the opportunity for public comment. The Regular Session meetings of City Council also offer this opportunity.

Alternatives:

City Council may disapprove the proposed resolution, request additional information or suggest an alternative approach to the transaction.

Proposed Motion:

A motion to approve a supplemental appropriation in the amount of \$875,000 for the acquisition of approximately 2.54 acres of property known as the Red Rocks Open Space Extension which includes the appraised value and closing costs with revenues from the Trails, Open Space, and Parks (TOPS) Program.

An Ordinance Amending Budget Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$875,000 to Complete the Acquisition of up to 2.54 Acres of Property for the Purpose of Public Open Space and Trails.