



## Legislation Details (With Text)

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**On agenda:** 4/28/2015      **Final action:** 4/28/2015

**Title:** A resolution authorizing the acquisition of a portion of property owned by Steven J. Brisette to be used for the Woodmen Road Corridor Improvements Project (Phase 2).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Brisette Exhibit A - Vicinity Map, 2. Attachment 1-Brisette Acquisition Package, 3. Resolution--Brisette Acquisition, 4. Signed Resolution\_39-15.pdf

Date	Ver.	Action By	Action	Result
4/28/2015	1	City Council	adopted	
4/13/2015	1	Council Work Session	referred	

A resolution authorizing the acquisition of a portion of property owned by Steven J. Brisette to be used for the Woodmen Road Corridor Improvements Project (Phase 2).

### From:

Travis Easton, Public Works Director  
Mike Chaves, Engineering Manager

### Summary:

The attached Resolution authorizes staff to proceed with the acquisition of property needed for the Woodmen Road Corridor Improvements Project (Phase 2). Steven J. Brisette is the owner of a 2.51 acre parcel of land platted as Lot 18, Block 3, Columbine Estates at 2442 E Woodmen Rd. A parcel vicinity map is attached as Exhibit A. This property includes a two story bi-level home with an attached garage. The need for this property acquisition was identified during the preliminary and final design process for the Woodmen Road Corridor Improvements Project (Phase 2) and approved by the Colorado Department of Transportation (CDOT).

### Previous Council Action:

- On February 22, 2000, City Council approved the first phase of funding \$1,788,134 for the widening of Woodmen Road from I-25 to Lexington Drive
- On November 12, 2002, City Council approved increased funding to \$7,033,400 for the widening of Woodmen Road from I-25 to Powers Boulevard
- On June 22, 2004, City Council approved increased funding to \$7,401,740 for the widening of Woodmen Road from I-25 to Powers Boulevard
- On January 24, 2006, City Council approved a resolution endorsing the proposed action plan to improve Woodmen Road through the Colorado Springs urbanized area as detailed in the Woodmen Road Corridor Improvements Environmental Assessment document (EA)
- On August 14, 2007, City Council approved a resolution authorizing the acquisition of property owned by

David E. Johnson, Ronald A. Johnson, and Anne H. Flemke to be used for the Woodmen Road Widening Project (Phase 1)

- On September 11, 2007, City Council approved a resolution authorizing the acquisition of property owned by Helen M. Riggs to be used for the Woodmen Road Widening Project (Phase 1).
  - On October 23, 2007, City Council approved a resolution authorizing the acquisition of property owned by Steven R. Capehart and Betty Lue Capehart to be used for the Woodmen Road Widening Project (Phase 1).
  - On October 23, 2007, City Council approved a resolution authorizing the acquisition of property owned by Alexander S. Christie, Carol E. Castaneda, Kyle Burke Craig, and Danna Lynn Barnes to be used for the Woodmen Road Widening Project (Phase 1).
  - On November 13, 2007, City Council approved a resolution authorizing the acquisition of property owned by Emil M. Squazzo to be used for the Woodmen Road Widening Project (Phase 1).
  - On January 8, 2008, City Council approved a resolution authorizing the acquisition of property owned by Mike P. Slattery to be used for the Woodmen Road Widening Project (Phase 1).
  - On April 8, 2008, City Council approved a resolution authorizing the acquisition of property owned by Rose A. Carlson to be used for the Woodmen Road Widening Project (Phase 1).
  - On May 13, 2014, City Council approved a resolution authorizing the acquisition of property owned by Matthew A., Anna L., and Thomas J. Alimena to be used for the Woodmen Road Widening Project (Phase 2).
  - On May 13, 2014, City Council approved a resolution authorizing the acquisition of property owned by Carl and Hazelene Jordan to be used for the Woodmen Road Widening Project (Phase 2).
  - On January 13, 2015, City Council approved a resolution authorizing the acquisition of property owned by Robert W. and Diana Y. Duncan to be used for the Woodmen Road Corridor Improvements Project (Phase 2).
- On March 24, 2015, City Council approved a resolution authorizing the acquisition of property owned by Danion and Janice E. Gill to be used for the Woodmen Road Corridor Improvements Project (Phase 2)

### **Background:**

The Woodmen Road Corridor Improvements Project, Phases 1 and 2 extends from I-25 to US Highway 24, a distance of approximately 11 miles. The purpose of this project is to develop roadway improvements that meet the safety and capacity needs of the corridor by widening the roadway to six lanes and improving horizontal and vertical curves.

The City of Colorado Springs and El Paso County developed a National Environmental Protection Act (NEPA) Environmental Assessment (EA) for the project. This was a necessary first step to make use of the federal funds available to both the City and the County for Woodmen Road.

An Environmental Decision of Finding of No Significant Impact (FONSI) was determined by the Federal Highway Administration (FHWA) in February 2007. The Decision Document was released on March 22, 2007. As a result, the Phase 1 project (I-25 through Academy Boulevard) was authorized by CDOT and FHWA to advance to acquire right-of-way and to proceed into construction.

Phase 2 of the project continues from where Phase 1 left off east of Academy Boulevard and continues east to the Lexington Drive intersection. The EA for the project originally identified a Single Point Urban Interchange (SPUI) configuration for the Woodmen Road at Union Boulevard intersection. During the preliminary design for the Phase 2 project, a Continuous Flow Intersection (CFI) configuration was identified as an alternative that would deliver acceptable traffic operations through the horizon planning year of 2035 at a significantly lower cost than the SPUI (\$6 million for CFI versus \$24 million for SPUI). Because of this change and a change in how the residences in the Columbine Estates neighborhoods both west and east of Union Boulevard would be accessed, the EA had to be re-evaluated by the Colorado Department of Transportation and the FHWA. This re-evaluation was approved on December 19, 2013 by both CDOT and FHWA. As a result, the Phase 2 project was authorized by both CDOT and FHWA to advance to acquire the necessary right-of-way and to proceed into construction.

A portion of the Brissette parcel was identified as necessary to implement the proposed roadway improvements as part of Phase 2. The portions identified are 0.594 Acres for Right of Way; 0.102 Acres for

Permanent Easements and 0.094 Acres for Temporary Easements. The Brissette parcel will be used for the proposed construction and maintenance of roadway widening, drainage improvements, utilities and sidewalk.

Following Federal, State and City acquisition regulations, Mr. Brissette and the City each obtained an independent appraisal of the property. The appraisal solicited by the City valued the property at \$66,900.00. The appraisal solicited by the property owner valued the property at \$70,000.00. The primary difference in appraisals is due to the assumed devaluation on the part of the owners' appraiser for the proximity of the proposed roadway to the Brissette home. A settlement Value for the Brissette parcel of \$70,000.00 was established and approved by CDOT as the oversight agency for this federally-funded project. The difference of \$3,100.00 or 4.6% over the established Fair Market Value has been approved by CDOT. Applicable Colorado State laws and federal-aid project mandates were followed for this determination.

Mr. Brissette desires to sell the identified portions of the parcel to the City for \$70,000.00 according to the terms and conditions of the attached purchase agreement. Staff request Council approval to purchase the portions of the Brissette parcel for the \$70,000.00 purchase price according to the terms and conditions of the attached purchase agreement.

**Financial Implications:**

The purchase price of this parcel acquisition in the amount of \$70,000.00 is available in the project budget.

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

Capital Projects Engineering staff and their consultants (URS) have performed an extensive public involvement process for the Woodmen Road Phase 2 project. The project team has conducted three public open house meetings. In addition, staff and their consultants continue to be engaged in their coordination efforts with key residential and commercial stakeholders along the corridor. This effort has included a number of public meetings and individual meetings that are still continuing. Capital Projects Engineering has done extensive coordination with the residential and commercial stakeholders over the last several years in order to arrive at a mutually acceptable plan for the project.

**Alternatives:**

The City Council may approve, modify or deny approval of the attached resolution.

**Proposed Motion:**

Move approval of the resolution.

N/A