



## Legislation Details (With Text)

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**Title:** A Resolution Authorizing the Acquisition of Approximately 7.022 Acres Owned By Union Pacific Railroad for the Rock Island Trail Corridor

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Date	Ver.	Action By	Action	Result
10/27/2015	1	City Council	adopted	Pass
10/12/2015	1	Council Work Session	referred	

A Resolution Authorizing the Acquisition of Approximately 7.022 Acres Owned By Union Pacific Railroad for the Rock Island Trail Corridor

**From:**

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

**Summary:**

The Parks, Recreation and Cultural Services Department, through the City's Trails, Open Space and Parks Program ("TOPS") is recommending the acquisition of approximately 7.022 acres of real property currently owned by the Union Pacific Railroad ("Seller") located between the Pikes Peak Greenway and Templeton Gap Road for a 1.25 mile extension of the Rock Island Trail and key connection for the Legacy Loop.

**Previous Council Action:**

City Council has appropriated the funds necessary to acquire the 7.022 acres of real property as part of the 2015 Budget process.

**Background:**

The Property (the "Property"), more specifically, portions of railroad right-of-way defined as Area 2 and Area 3, a corridor approximately 1.25 miles long, consisting of approximately 7.022 acres, is located along the Union Pacific Railroad (formerly Chicago Rock Island Railroad) north of the Old North End Neighborhood, between the Pikes Peak Greenway and Templeton Gap Road. The corridor is further defined by a 25' offset from the centerline of the existing railroad track.

The 1983 City of Colorado Springs Trails Master plan first identified the Rock Island corridor as an important east-west trail link. This segment of trail is part of the coast-to-coast American Discovery Trail corridor as well as the nationally recognized America the Beautiful Millennium Trail. The current 2015 Park System Master Plan identifies this section of missing trail as a top priority to advance the completion of the Rock Island Trail and the northern portion of the Legacy Loop Project. This corridor is also identified as a key missing link in the City's Bike Plan.

The TOPS Working Committee has had a strong interest in acquiring the Property since the inception of the TOPS Program in 1997. For the past 18 years the TOPS staff has made periodic inquiries to the Union Pacific Railroad to advance the completion of the Rock Island Trail and TOPS staff has explored numerous strategies including purchasing the property in phases, acquiring trail easements, obtaining lease agreements and other avenues.

The Seller has agreed to sell a 7.022 acre, 1.25 mile long corridor, to the City for Trail purposes. The City has entered into a Purchase and Sale Agreement ("PSA"), executed on March 3, 2015. The general terms of the PSA require the purchase of the Property within 180 days of execution of the PSA, including a 90-day Feasibility Review Period. The terms and conditions of the PSA are subject to the approval of the Mayor, Trails Open Space and TOPS Working Committee, the City Parks and Recreation Advisory Board, and the City Council of Colorado Springs.

The terms of the agreement include the following provisions:

1. Earnest Funds in the amount of \$25,000 shall be deposited in an Escrow Fund.
2. The City must enter into a covenant that restricts use of the property as follows: the Property must not be used for residential or lodging accommodations (including hotels, motels, boarding houses, dormitories, hospitals, nursing homes, or retirement centers) or educational or childcare facilities (including schools, kindergartens or day care facilities).
3. The City must install, within 120 days of purchase of the property, an 8' tall, chainlink fence to prevent access to or encroachment on the railroad right-of-way of Seller adjacent to the track-side boundary of the Property.
4. The City must install two 10' wide swinging gates in the fence to provide maintenance access to the Seller.
5. The City acknowledges that the track-side boundary line of the Property is dedicated for railroad purposes including railroad operations.

The Rock Island Trail is an existing east-west multiuse trail that begins in eastern Colorado Springs and terminates short of the Pikes Peak Greenway. This trail has been recognized nationally as part of the coast to coast America the Beautiful Millennium Trail. Acquiring the 'missing gap' and connecting the existing Rock Island Trail with the Greenway has been a goal of the City for 20 years.

Through the acquisition and construction of the final 1.25 miles of the Rock Island Trail, the Legacy Loop project will provide direct trail connections for Mann Middle School, Wasson High School, and Jefferson Elementary School with the Pikes Peak Greenway and the broader Colorado Springs multiuse trail network. Students and families living in nearby neighborhoods will also see dramatically improved connections to Monument Valley Park, Gossage Youth Sports Complex, Bonforte Park, Patty Jewett Golf Course, America the Beautiful Park (including the new GOCO-funded Environmental Playground), downtown Colorado Springs, and the Monument Creek waterway. Within these many destinations, diverse opportunities for play, exploration, and environmental education abound.

The acquisition of the Rock Island Trail and the Legacy Loop Project represent one of the most timely and urgent recreation projects in all of Colorado Springs. The opportunity to build on General Palmer's legacy of an interconnected series of family-friendly parks and trails is great, but the time to do so may be quite limited. There are three primary reasons this urgency exists; the short-term availability of matching funds, the once in a generation opportunity to purchase the missing Rock Island trail corridor from the Union Pacific Railroad, and the great momentum in the community for this project. Cycling advocates, running organizations, members of the Downtown Partnership, leadership in City government, neighborhood associations, local media, and the Greenway Fund have expressed support for this project.

The Rock Island Corridor has also been identified in the City's East-West Mobility Study as a future road corridor for the extension of Constitution Avenue from I-25 to Templeton Gap Road. Park staff has worked closely with City Engineering to ensure the acquisition of the Property for trail purposes with TOPS funding does not preclude the future extension of Constitution Avenue. Traffic Engineering has confirmed that the existing railroad corridor is adequately wide enough to accommodate both the acquisition of the trail corridor at this time and the development of Constitution Avenue in the future. Acquisition of the Property for trail purposes neither precludes nor advances the future development of Constitution Avenue.

One additional acquisition is necessary to complete the trail between the Pikes Peak Greenway and Templeton Gap Road. A small segment of the corridor is owned by the American Numismatic Association. Park staff is currently pursuing necessary right-of-way from the American Numismatic Association. An alternative on-street alignment of the trail can be pursued until such time as this right-of-way can be secured.

#### **Financial Implications:**

Acquisition of the Property will require \$749,400 from the TOPS Trails account. Funding necessary to complete the acquisition has already been appropriated from the TOPS Trails account for this purpose. No additional funding appropriation is necessary to complete the acquisition of the property.

Funding necessary to install fencing along the common boundary between the Property and the railroad is estimated to cost \$170,000. Funding to complete the construction of the fencing has already been appropriated from the TOPS Trails category. No additional funding appropriation is necessary for fencing.

Funding for the final design and construction of the trail is estimated to cost approximately \$850,000. Funding for construction will come from the TOPS Trails account, the "Paths to Parks Grant" from Great Outdoors Colorado (GOCO) for the Legacy Loop Project, and PPRTA funds specifically designated by the electorate for the Rock Island Trail. No General Fund dollars or other sources of funds are necessary.

The cost to maintain this 1.25 mile missing segment of trail is expected to be minimal. Once completed, annual operating costs are expected to be less than \$7,500. These costs can be partially offset through the City's successful "Adopt-a-Trail" program.

#### **Board/Commission Recommendation:**

The TOPS Working Committee voted unanimously to support the acquisition of property from the

UPRR for the Rock Island Trail and Legacy Loop on March 4, 2015. The Parks and Recreation Advisory Board voted unanimously to support the acquisition of property from the UPRR for the Rock Island Trail and Legacy Loop on April 9, 2015.

**Stakeholder Process:**

Both the TOPS meeting held on March 4, 2015 and the Parks and Recreation Advisory Board meeting held on April 9, 2015 served as opportunities for citizens to weigh in on the proposed acquisition.

**Alternatives:**

Decline to approve the acquisition of the Property.

**Proposed Motion:**

Move approval of the Resolution authorizing the acquisition of approximately 7.022 acres owned by the Union Pacific Railroad for the Rock Island Trail Corridor.

N/A