



Legislation Text

File #: 23-129, **Version:** 1

A Resolution Authorizing a Land Exchange between the City Of Colorado Springs and Tim O. Haas and Terry E. Haas ("Haas") and Acknowledging Acceptance of a Donation of Approximately \$115,000.00 in Land Value

Presenter:

Britt Haley, Director, Parks, Recreation & Cultural Services Department
David Deitemeyer, Senior Landscape Architect

Summary:

This is a proposal to correct a park land encroachment at Garden of the Gods Park, from the neighboring Garden of the Gods Trading Post.

Background:

The Garden of the Gods Shuttle Study (January 2019) provided preliminary analysis and a set of recommendations to support the city's work moving forward to implement a shuttle system at Garden of the Gods Park, which experiences heavy congestion.

During the project review and considerations of shuttle stops, it was determined a portion of the Garden of the Gods Trading Post's ("Trading Post") parking lot encroached into the Garden of the Gods Park. This area of encroachment includes approximately 35 parking stalls, drive aisles, signage and landscaped parking islands north of the Trading Post Building.

This is a proposal to correct the encroaching parking lot into Garden of the Gods Park, through a land exchange of greater size and value to the City of Colorado Springs. The City of Colorado Springs ("City") will receive +-2.62 acres of land to the west of Beckers Lane, that will be incorporated into the Garden of the Gods Park. The area of land proposed to go to the City is depicted on Exhibit B. The proposed park addition may provide for a future natural surface hiking trail west to Balanced Rock. The fair market value of the Trading Post exchange property, as supported by an appraisal, is \$450,000.

The Trading Post will receive +-1.61 acres of land within two parcels to formalize their uses on existing park land depicted on Exhibit A. The proposed parcels provide for future opportunities to expand, improve, and enhance the parking lot for the Trading Post, which will be determined in the future. The fair market value of the City exchange property, as supported by an appraisal, is \$335,000.

The encroachment correction addresses four primary goals: (1) Corrects the encroachment of the Trading Post parking lot on the Garden of the Gods Park, (2) Expands the Garden of the Gods Park by approximately 1 acre, (3) Provides for expanding parking opportunities to support park visitation, user experience and a possible future shuttle stop at the Trading Post to be determined and

approved by a separate planning process, (4) Provides for an opportunity to establish a natural surface trail connecting Balanced Rock to the Trading Post parking lot to be determined and approved by a separate planning process.

The proposal does not require an election under the Charter of the City of Colorado Springs, § 11-80 Conveyance of Parkland Requiring Vote, because it is less than two acres of parkland and less than five percent of the total acreage of the entire Garden of the Gods Park and therefore a de minimus conveyance.

Lastly, the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021, indicates that City Council authorizes land exchanges by resolution. The Parks, Recreation and Cultural Services Advisory Board has recommended the approval to City Council for this encroachment correction and land exchange at Garden of the Gods Park

Previous Council Action:

N/A

Financial Implications:

The Trading Post exchange parcel is valued at \$115,000 more than the City exchange property. The property owner plans to donate that value difference to the city to seek tax incentives available for the donation of that value.

The cost of the survey of the areas to be exchanged was \$18,006.00 with half of the costs being covered by the Trading Post. Real estate closing costs for the transfer have not yet been determined, but generally cost less than \$2,000.

City Council Appointed Board/Commission/Committee Recommendation:

On January 4, 2023, the Parks, Recreation and Cultural Services Advisory Board voted unanimously to recommend approval of this encroachment correction land exchange

Stakeholder Process:

Parks, Recreation and Cultural Services Advisory Board meetings provide opportunities for public comment.

Alternatives:

Do not authorize the encroachment correction land exchange or suggest modifications to the proposal.

Proposed Motion:

A motion to approve a resolution authorizing an encroachment correction land exchange at Garden of the Gods Park for property with the Garden of the Gods Trading Post

N/A