

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

TOPS WORKING COMMITTEE

Date: October 12, 2022

Item Number: Action Item # 1

Item Name: Kettle Creek and Pine Creek Habitat Project

SUMMARY:

Although the City's Trails, Open Space and Parks (TOPS) sales and use tax program has been in place for 25 years, this proposed open space donation of 352.32 acres would be the first TOPS land acquisition to occur in the northeast quadrant of the city, which borders the Black Forest area. Northern Colorado Springs is quickly urbanizing to meet the demands of a growing population. The State Demography Office predicts that the population of El Paso County will surpass that of Denver County by 2050, with much of the development occurring in the north and eastern regions of El Paso County. This 352.32-acre Kettle Creek and Pine Creek Habitat Project could set the stage for additional strategic investments by TOPS to build a legacy of open space and greenways in the northeast quadrant of the city.

BACKGROUND:

Increasing development in northeast Colorado Springs prompted the city to actively pursue open space candidate areas in that quadrant of the city, recognizing the importance of securing land for conservation before opportunities no longer exist. The company that owns this Kettle Creek and Pine Creek area property has committed to donating four parcels consisting of approximately 352.32 acres to the TOPS program in support of open space and greenway conservation.

The habitat parcels offer outstanding views of Pikes Peak and feature a variation of prairie grasslands and rugged riparian habitat. The 2014 Park System Master Plan identifies this area as a candidate greenway property and due to the beautiful creeks, that traverse the property; they are also identified by the United States Fish and Wildlife Service as protected habitat for the threatened Preble's Meadow Jumping Mouse (Preble's). Consequently, the four parcels are included in formal habitat conservation plans which were developed to allow for the mouse habitat to be preserved while development could continue in the Briargate area. Kettle Creek and Pine Creek offer important conservation opportunities and natural resource values, including:

Habitat Preservation: The property features significant wildlife habitat, including upland habitat with rolling grassland, healthy stands of ponderosa pine and encompassing view sheds to the north and to the west. The Kettle Creek waterway is a live stream year-round. Its grassy bottomland provides critical habitat for the Preble's Meadow Jumping Mouse.

Further, Kettle Creek is one of nine headwaters of streams in El Paso County, originating in Black Forest and flowing in all directions from Black Forest. Kettle Creek is the largest, and most diverse riparian system south of the Platte-Arkansas (Palmer) Divide and trends west and southwest across Monument Valley in front of Pikes Peak. The upper tributaries of Kettle Creek start as spring-fed grassy swales surrounded by ponderosa pine forests. The grassy swales are home to unusual relict tall-grass prairie systems with many rare plants of interest to the Colorado Natural Heritage Program. At this location, Kettle Creek incises deeply into the landscape, changing from broad, shallow headwater swales to the deep canyon across the

prairie that is the heart of this project. The Colorado Natural Heritage Program identified Monument Creek and its tributaries, including Kettle Creek, as having very high biodiversity significance, with the most important environmental factor being the maintenance of consistent, natural hydrology that supports the riparian system.

Connectivity: From a recreation and transportation perspective, this property could provide an opportunity for the continuance of the city's planned La Foret Regional Trail, identified in the 2014 Park System Master Plan and in the El Paso County Master Plan. It could also provide connectivity to a planned TOPS property acquisition which is located adjacent to the northernmost parcel primarily on the east side of State Highway 21.

Essential Buffer Space: An open space acquisition by the City of Colorado Springs in this location would be significant for demonstrating the importance of land conservation in a developing area of the city and can prompt northern landowners to prioritize open space conservation efforts. The surrounding areas to the south, east and west of Kettle Creek are currently under construction for extensive residential and commercial growth. Open space is greatly needed in this part of the City and limited opportunity exists to secure significant and meaningful parcels of land.

FINANCIAL IMPLICATIONS:

Donation: The property owners propose to donate the 352.32 acres to the TOPS Program and they plan to seek tax incentives offered for the Internal Revenue Service for donation of conservation property. The owners have shared that a 2022 appraisal of the four parcels yielded a fair market value \$6.3 million. This valuation is consistent with the pricing the TOPS Program has identified for similarly burdened properties.

While there is no acquisition cost since this property is a generous donation to the program, it is important to acknowledge that the true price of open space is perpetual stewardship. Staff estimates that up to \$100,000 per year would be useful to properly steward the property, to provide fencing, land management, to improve the habitat and to interpret the wildlife opportunities to the public. One time closing costs associated with the real estate transaction are estimated to be approximately \$2,500.

STAKEHOLDER PROCESS:

The TOPS Working Committee meetings and Parks, Recreation and Cultural Services Advisory Board meetings provide opportunities for public comment.

BOARD/COMMISSION RECOMMENDATION:

The TOPS Working Committee is the first committee to review this potential donation.

ALTERNATIVES: The TOPS Working Committee may decline to recommend acquisition of this donation.

RECOMMENDATION:

Staff recommends acquisition of the 352.32-acre Kettle Creek and Pine Creek habitat donation parcels. Based on recent transaction costs, staff estimates that the real estate transaction costs will not exceed \$2,500.

PROPOSED MOTION:

A motion to recommend acquisition of the approximately 352.32-acre Kettle Creek and Pine Creek Habitat parcels by donation from High Valley Land Company.

Attachments:

Map depicting the property

