

Right-of-Way Impacts Technical Memorandum

I-25 Improvements Through the Colorado Springs Urbanized Area Project

CDOT Project No. IM 0252-316

Project Control No. 12210

Colorado Department of Transportation

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1.0 Project Description (Proposed Action)

The Proposed Action would widen Interstate 25 (I-25) from South Academy Boulevard (Exit 135) to State Highway 105 (Exit 161, Monument), a distance of approximately 26 miles. Within these limits, a six-lane cross-section (three through-lanes in each direction) would be built south of the U.S. Highway 24 Bypass to South Academy and north of Briargate to SH 105. Additionally, for the 12-mile central portion from the US 24 Bypass (Exit 139) to Briargate Parkway (Exit 151), the Proposed Action consists of an eight-lane cross section (four through-lanes in each direction).

In the eight-lane cross-section, the inside (left-most) lane in each direction would be open to general traffic during off-peak hours; during morning and evening peak hours, this lane would be reserved for use by carpools and buses only. To accommodate this flexible use, the high-occupancy-vehicle (HOV) lane would not be barrier-separated from the general-purpose lanes, but would be demarcated by appropriate signage and striping.

The non-barrier HOV treatment also allows for decommissioning of the lanes back to general-purpose operation in the event that the lanes do not result in adequate peak-period usage to justify HOV operations. This will depend in part upon public willingness to fund expanded transit operations that would use the HOV lanes. The HOV lanes are projected to be marginally successful without transit system expansion, but could become solidly successful if used by buses on hypothetical future routes (currently unfunded). Express bus service between Colorado Springs and Monument began in 2002 as a 3-year "demonstration project."

In conjunction with the additional laneage, the Proposed Action includes interchange reconstruction at several locations. These include major reconstruction of existing interchanges at:

- Exit 141 – Cimarron (U.S. Highway 24)
- Exit 142 – Bijou Street
- Exit 145 – Fillmore
- Exit 147/148 – North Nevada Avenue and Rockrimmon Boulevard (consolidated)
- Exit 156 – North Gate Road, plus freeway-to-freeway ramps for Powers Boulevard
- Exit 158 – Baptist Road

For each of the interchange reconstruction projects, numerous design alternatives were considered and evaluated. These alternatives were presented for review and input at advertised public meetings.

Additionally, minor geometric changes will be made at Exit 146, Garden of the Gods Road. The existing southbound-only ramps at Exit 147 A (Corporate Centre Drive) will be closed, with access via a local street connection to the reconfigured Nevada/Rockrimmon interchange. In conjunction with freeway widening on U.S. Air Force Academy property, the Ackerman Overlook will be relocated to a safer location.

2.0 Existing Conditions

The I-25 corridor traverses El Paso County and the City of Colorado Springs in a north-south direction. The corridor has widely varying right-of-way (ROW) widths, much of which was acquired in the 1950s to accommodate the design standards of the time. Subsequent projects required additional ROW width to accommodate new interchanges or interchange reconstruction.

Land uses along I-25 are a varied mix of non-developed, industrial, residential, and commercial sites, including businesses serving the needs of the traveling public such as motels, gas stations, and restaurants. Commercial and light-industrial development tends to predominate in the immediate vicinity of the freeway at the southern and northern ends of the corridor. Through the central portion of the corridor, from roughly Bijou Street to Garden of the Gods Road, residences predominate on the west side of I-25; the central business district of Colorado Springs, the Union Pacific Railroad, and Monument Valley Park lie to the east.

Further north near North Gate and Baptist Road Interchanges, commercial and residential development continue to expand and reduce the amount of undeveloped property while expanding around and toward I-25. The U.S. Air Force Academy retains considerable open space where I-25 occupies an easement across property under control of the Academy. At the intersection with State Highway 105, commercial development is located on both sides of I-25 and continues to expand. Just beyond the commercial areas at Monument, residential development is in-filling available land as well.

3.0 Methodology

Based on the conceptual design for the Proposed Action, a number of properties or portions thereof will need to be purchased so that CDOT has the required ROW to construct and maintain the proposed facilities. The areas where property will be acquired and relocation of residential occupants and businesses may be required are highlighted in orange on Figures 3-1 through 3-5. A table and discussion of the ROW and relocation impacts for each project section for the Proposed Action follows in Section 5.0, Direct Impacts of Proposed Action. An approximate total land area required to accommodate the preferred concept design at all locations is indicated at the beginning of Section 5.0. A further breakdown is contained in the description of each project section.

To determine the ROW needs and the existing ownership of the affected parcels, assessors maps were obtained and the and the concept design for the Proposed Action was overlaid. During the many public meetings, numerous owners and tenants have individually discussed the potential impact on their properties with CDOT ROW representatives. CDOT ROW representatives met individually with all of the residential relocatees and eight of the business relocatees. The ROW and relocation process has been explained, and informational ROW and relocation pamphlets have been delivered to those individuals and made available at the meetings.

4.0 Impacts of No-Action Alternative

The No-Action Alternative would require no additional right-of-way acquisition or relocations on the I-25 corridor within the study area.

5.0 Direct Impacts of Proposed Action

The limits of the ROW impacts analyzed for the Proposed Action begin just north of the South Academy Boulevard Interchange with Interstate 25 (Exit 135) and continue northerly to State Highway 105 in Monument (Exit 161). There are no ROW acquisition or relocation impacts anticipated south of the Cimarron Interchange where it ties in with the reconstructed Nevada/Tejon Interchange. The total land area required to accommodate the Proposed Action at all project locations is estimated at approximately 1,995,732 square feet or 45.82 acres. This land area was determined from a review of the Assessor’s ownership information, concept design plans and a field review of the various properties.

5.1 Bijou/Cimarron Interchange

The ROW and relocation impacts for the Proposed Action in the vicinity of the Bijou/ Cimarron Interchange complex are shown on Figure 3-2. Table 5-1 lists the estimated ROW and relocation impacts for the proposed interchange reconstruction and associated roadway connections.

TABLE 5-1
Bijou/Cimarron Interchange

Number of Property owners	Number of Parcels	Total Take Acquisitions	Partial Acquisitions	Residential Relocations	Business/Non-Profit Relocations
15	17	6	9	0	11*

*This number includes one business with five tenants.

The right-of-way takings required to support the reconstruction of the Bijou/ Cimarron interchanges involve both partial and total acquisitions along the west side of I-25, since the freeway is bordered by Monument Creek to the east. The anticipated total acquisitions are as follows:

- an auto repair business
- a liquor store
- a heavy equipment repair shop
- a commercial office building with five tenants
- a fuel/convenience store
- an automotive rental business

Partial acquisitions along I-25 will be needed from a discount store site, the Humane Society of the Pikes Peak Region, a landscaping business, a broadcasting company, an auto

restoration business, a glass company, and an office building complex. Additionally, a partial acquisition will be required from a hotel site and a restaurant property along Bijou Street.

The approximate land area required to accommodate the Proposed Action at Bijou/ Cimarron 240,340 square feet or 5.52 acres of commercial property to be acquired from the above-listed owners.

All businesses acquired as total takes will have relocation assistance and payments provided. Personal property moving payments and advisory assistance would be required on some of the partial takes.

5.2 Fillmore Interchange

Right-of-way needed for the Fillmore interchange reconstruction is shown on Figure 3-2 and summarized in Table 5-2.

TABLE 5-2
Fillmore Interchange

Number of Property owners	Number of Parcels	Total Take Acquisitions	Partial Acquisitions	Residential Relocations	Business/Non-Profit Relocations
13	13	10	3	5	4

The approximate land area required to accommodate the Proposed Action at Fillmore includes 191,966 square feet or 4.41 acres of property to be acquired from the above-listed owners. Of this total, 150,716 square feet or 3.46 acres is commercial and 41,250 square feet or 0.95 acres is residential.

Reconstructing the Fillmore Interchange will include realignment of Fillmore’s intersections with Sinton Road and Chestnut Street (east and west of I-25, respectively). Total acquisitions will include five single-family homes and five commercial parcels, including one vacant commercial lot.

The five single-family houses requiring acquisition are on the west side of North Chestnut Street, just west of Interstate 25. They range in size from about 700 to 1,250 square feet, and several are rental properties.

The five houses on Chestnut Street are on the northeastern edge of the Mesa Springs Neighborhood. Although built in the 1950s, these structures are not considered eligible for designation as historic resources.

Total acquisitions of commercial property needed for the Fillmore Interchange are as follows:

- a liquor store/fuel/convenience store
- two fuel/convenience stores
- an automobile sales operation
- one vacant commercial lot

From the above list, only one of the properties is located on the east side of the interchange. It is a single lot on Sinton Road that has both the liquor store and a fuel/convenience store. The other properties are all located west of I-25.

While all three fuel/convenience stores at the Fillmore Interchange will be removed, there are other nearby gasoline stations that can serve the area. Three comparable stores are located just a half-mile east on Fillmore, and additional stations are located at the next I-25 exit to the north (Garden of the Gods Road).

Four partial acquisitions are anticipated north of Fillmore Street to accommodate access improvements. East of I-25, land will be needed from a mobile home park to build a noise barrier, and from a motel. West of I-25, land will be needed from a motel property and a vacant commercial lot for changes to access.

No relocation is anticipated on the partial takings, but the total takes will require relocation advisory assistance and payments to assist the owners and tenants.

5.3 Nevada/Rockrimmon Interchange

ROW impacts associated with reconstruction of the Nevada/Rockrimmon Interchange are shown on Figure 3-3 and in Table 5-3.

TABLE 5-3
Nevada/Rockrimmon Interchange

Number of Property owners	Number of Parcels	Total Take Acquisitions	Partial Acquisitions	Residential Relocations	Business/Non-Profit Relocations
13	13	0	13	0	0

The approximate land area required to accommodate the proposed action at Nevada/Rockrimmon includes 108,480 square feet or 2.49 acres of property to be acquired from the above-listed owners. Of this total, 97,480 square feet or 2.24 acres is commercial and 11,000 square feet or 0.25 acre is residential.

Concept design on the proposed Nevada/Rockrimmon Interchange has been accomplished to avoid the need for total property taxes to accommodate the interchange. Partial takes will be required from a church property, a railroad, an office park, a hotel property, a vacant commercial tract, three retail properties, and five residential properties to accommodate a noise wall. No relocation services or payments are anticipated and many of the partial takings will be relatively small.

5.4 North Gate Interchange

The reconstructed North Gate Interchange will be the new connection to Powers Boulevard as well as continue to serve as the main visitor entrance to the U.S. Air Force Academy. The associated ROW impacts are shown on Figure 3-4 and in Table 5-4.

TABLE 5-4
North Gate Interchange

Number of Property owners	Number of Parcels	Total Take Acquisitions	Partial Acquisitions	Residential Relocations	Business/Non-Profit Relocations
3	3	0	3	0	0

The interstate in the vicinity of the North Gate Interchange and future Powers Boulevard connection is constructed on an easement with the underlying property owned and controlled by the Air Force Academy. The I-25 easement on Air Force Academy property has been modified several times during the past 40 years and will need to be modified again. The easement modification is needed to accommodate the North Gate/Powers Interchange plus replacement of the Ackerman Overlook.

The total area of the current Air Force Academy easement is approximately 658 acres, configured in a largely linear manner to encompass nearly seven miles of highway. This is roughly 3.6 percent of the entire Air Force Academy installation (18,455 acres). The amount of additional easement proposed for the improved North Gate Interchange, including Powers Boulevard connections, is approximately 48.4 acres.

The Ackerman Overlook is a small, roadside parking area where I-25 motorists can view a number of Air Force Academy scenic features, as well as flight training and parachuting exercises. The overlook is located just along the west side of I-25 just north of the Briargate Interchange (Exit 151). It will be replaced by a new facility approximately 2,300 feet to the north. The new facility design will be more context-sensitive by improving traffic safety and better meeting Air Force Academy's aesthetic standards and security needs.

An estimated 5.2 acres of dedicated easement are needed for the public-use portion of the new Ackerman Overlook. This facility will also require a temporary construction easement of 7.2 acres for grading beyond the proposed security fence, on Air Force Academy property that will not be accessible to I-25 motorists.

Other property required for the North Gate/Powers Interchange will include partial acquisitions from a residential subdivision and a mining museum.

The approximate land area required to accommodate the proposed action on North Gate Interchange includes 23,250 square feet or 0.53 acre of commercial property to be acquired from the above-listed owners.

Property required to construct the North Gate Interchange will require partial takings from three owners. There are no total takings anticipated and no relocation assistance or

payments will be required. Partial takings will be required from a residential subdivision, from a mining museum and from the U.S. Air Force Academy.

I-25 is constructed on an easement with the underlying property owned and controlled by the Academy. The original easement was executed in 1958 and has undergone a number of modifications over time with new interchanges at Briargate and Interquest being located almost entirely on the Academy property. A key to modifying the easement for the reconstructed North Gate interchange will be the continued dialog with the Academy and additional lead time for processing the documents through the U.S. Corps of Engineers in Omaha for incorporation into their master property drawings.

5.5 Baptist Road Interchange

The final interchange proposed for reconstruction is the Baptist Road Interchange, which has ROW impacts shown on Figure 3-4 and in Table 5-5.

TABLE 5-5
Baptist Road Interchange

Number of Property owners	Number of Parcels	Total Take Acquisitions	Partial Acquisitions	Residential Relocations	Business/Non-Profit Relocations
11	12	0	12	0	0

Property required for the Baptist Road Interchange is anticipated to involve no total acquisitions, but several partial acquisitions. Reconnecting the Struthers frontage road will require partial acquisitions from the back ends of six five-acre residential lots in the Chaparral Hills rural subdivision. To reconstruct access along Baptist Road, the Proposed Action will also require partial acquisitions from two vacant parcels, a fuel/convenience store, and a hardware/lumber operation.

The approximate land area required to accommodate the proposed action at the Baptist Road Interchange includes 554,000 square feet or 12.72 acres of property to be acquired from the above-listed owners. Of this total, 485,000 square feet or 11.13 acres is commercial and 69,000 square feet or 1.58 acres is residential.

Relocation of personal property will be required on the lumber yard property and will involve advisory assistance and moving payments.

6.0 Indirect Impacts of Proposed Action

No indirect impacts to right-of-way have been identified.

7.0 Mitigation

ROW acquisition for the I-25 corridor proposed action will comply with the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970* (Public Law 91-646), as amended, and the *Uniform Relocation Act Amendments of 1987* (Public Law 100-17), which contain specific requirements that govern the manner in which a government entity acquires private property for public use. The purpose of this act is to provide a uniform policy for fair and equitable treatment of persons and businesses displaced as a result of federal and federally assisted programs. The law is designed to ensure just compensation for all acquired properties and to minimize impacts on current owners and tenants.

CDOT will provide assistance to any eligible owner or tenant in relocating from their residence or business at the time of displacement. Advisory assistance and relocation payments are the two major categories of assistance under the relocation program. Advisory assistance covers explaining the program; explaining eligibility requirements; determining eligibility; determining special needs; delivering current information on property listings, including prices or rents; providing information on other governmental programs; providing transportation to view replacement housing; and numerous other measures required to successfully address an individual's needs. Relocation payments include replacement housing payments, as well as moving payments for residences and businesses and reestablishment expenses for businesses. Payment options, limits, and other payments such as increased interest cost and business site search payments will be thoroughly explained to all affected persons.

CDOT will continue to advise persons of the acquisition and relocation process throughout project development relative to the impact on their residence or business location. ROW and relocation information will be available, along with experienced personnel to meet with impacted property owners and tenants to explain the program throughout the project development process. Pamphlets and brochures describing the acquisition and relocation program are available at all public meetings or by calling CDOT. Many one-on-one meetings have been held to date, and additional meetings and discussions with owners and tenants can be scheduled at any time either as a small group or individually. Relocation resources are available to all residential and business relocatees without discrimination.

Once properties have been acquired, CDOT will provide property management services that take into consideration a commitment to the remaining neighborhood. Whether property improvements are auctioned to be moved or are scheduled for demolition, the remaining neighbors will be kept advised. Security in and around the acquired and vacated properties is important and will be provided as part of the project property management commitment.

Efforts will be undertaken to work with other governmental entities to determine if any residences acquired would be suitable for federally subsidized housing programs. Whether utilized in another federal program or sold at auction, every effort will be made to return salvageable housing to productive private ownership and placed back on the tax roles.

Once a project advances to the acquisition stage, a complete detailed relocation study will be performed to gather detailed information from each person or business being displaced.

This study must be approved in order to move forward with property negotiations and the delivery of relocation services and payments.

In summary, no unusual relocation problems were identified during this study that cannot be satisfactorily addressed during the acquisition phase for projects under the proposed action. Relocation planning during the acquisition phase will need to be thorough and detailed and must be coordinated with the property appraiser and the real estate specialist to determine what is real property to be appraised and what is personal property that will be moved.

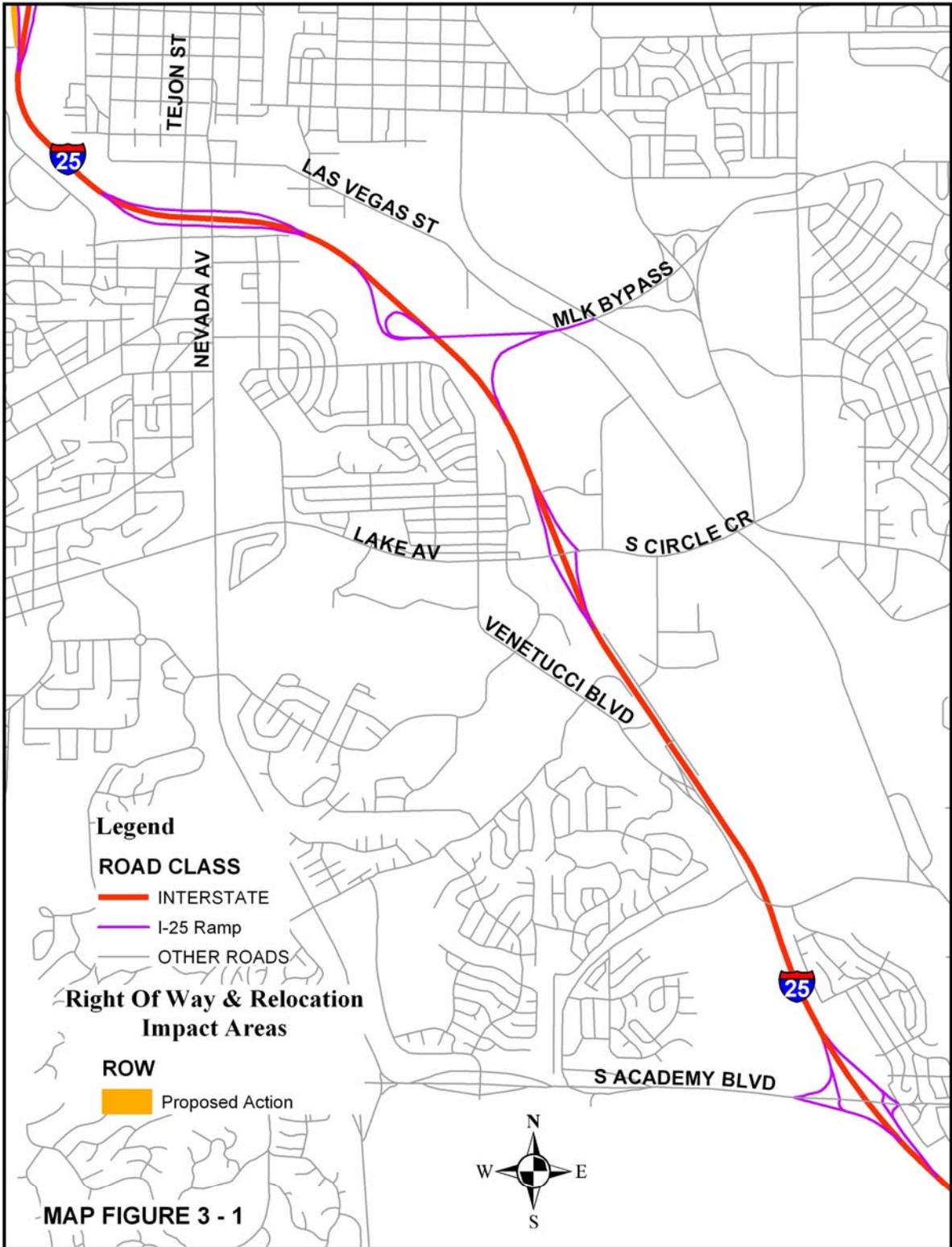
Residential impacts are relatively small in number, but will still be treated with care and concern to alleviate as much hardship as possible and provide all relocatees the benefits to which they are entitled. Real estate inventories have been checked, and adequate single family housing in a comparable price range exists to address the needs of the people being displaced.

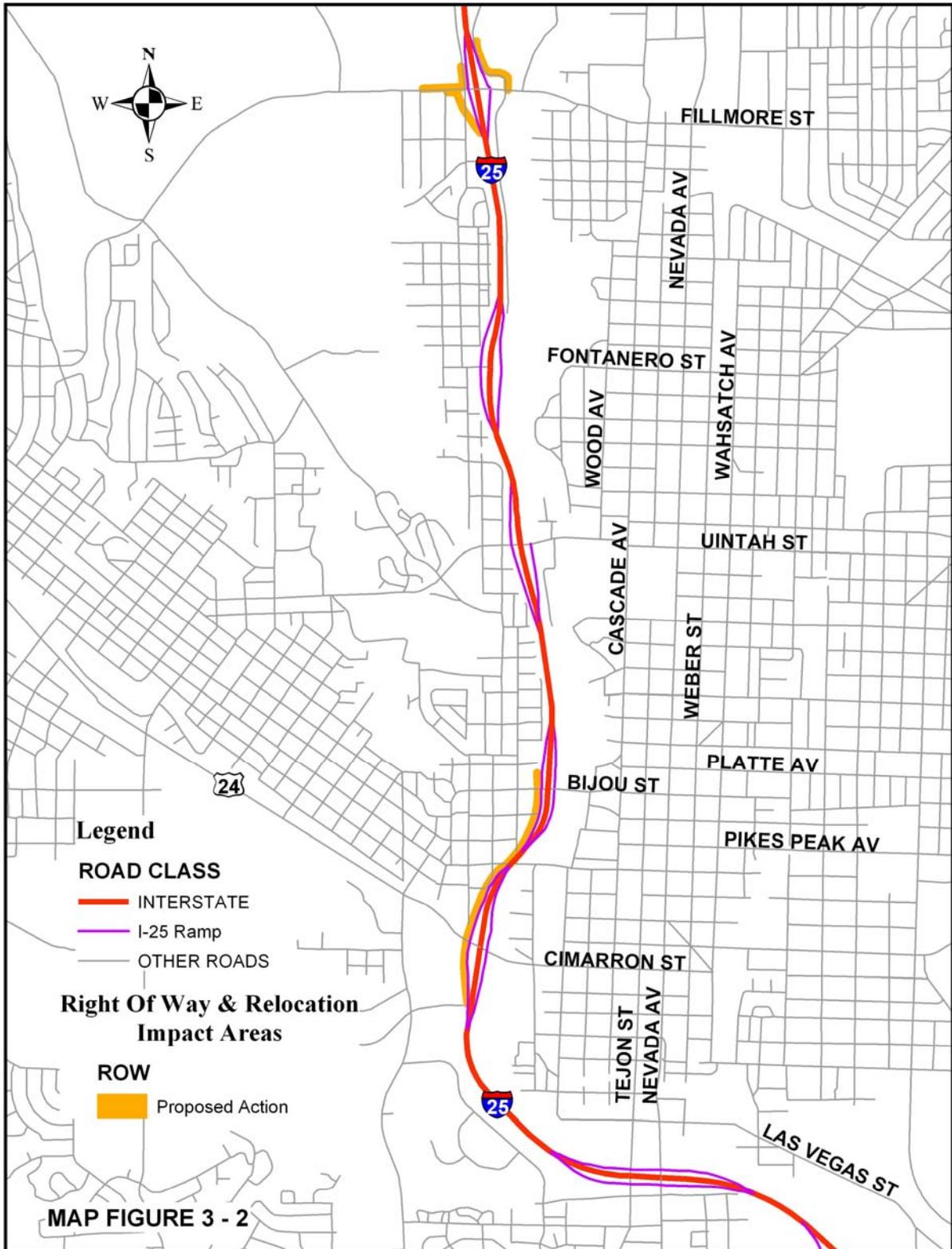
Business relocations will be planned with as much lead time as possible to allow for the many steps involved. Real estate inventories of commercial and industrial property have been checked and appear adequate to absorb the businesses that must relocate. Locating suitable, zoned property available to a business can take considerable time, as will possible new construction, building modifications, utility connects, licenses, and permits. Keeping business downtime to a minimum requires careful planning and understanding by all parties.

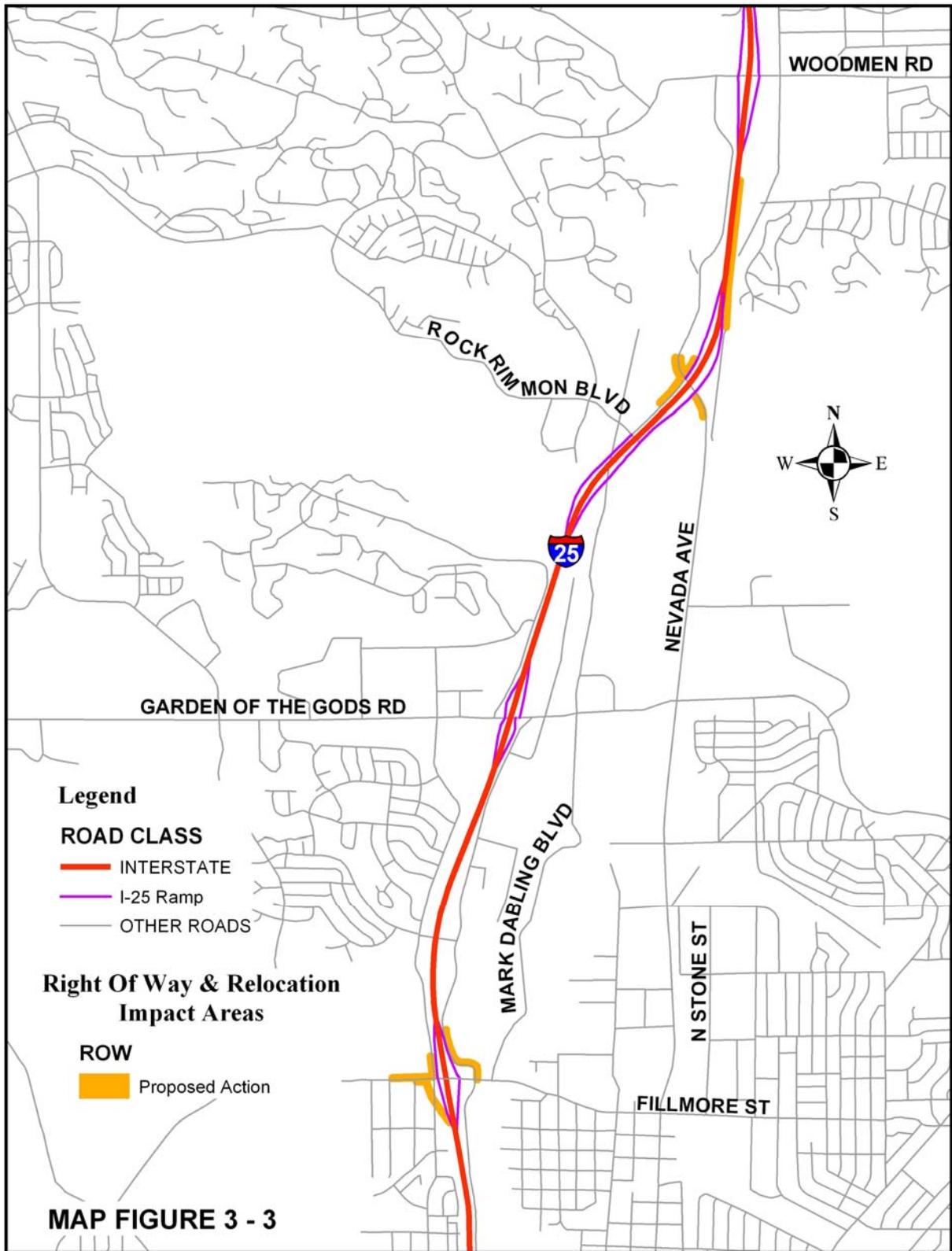
Continuous communication with the impacted property owners and tenants will be necessary to keep them advised of project funding and schedules. Adequate lead time for the ROW and relocation phase and process will need to be planned and programmed into the project schedule. CDOT is committed to ensuring adequate time is available to accomplish the steps necessary to relocate each business and residence.

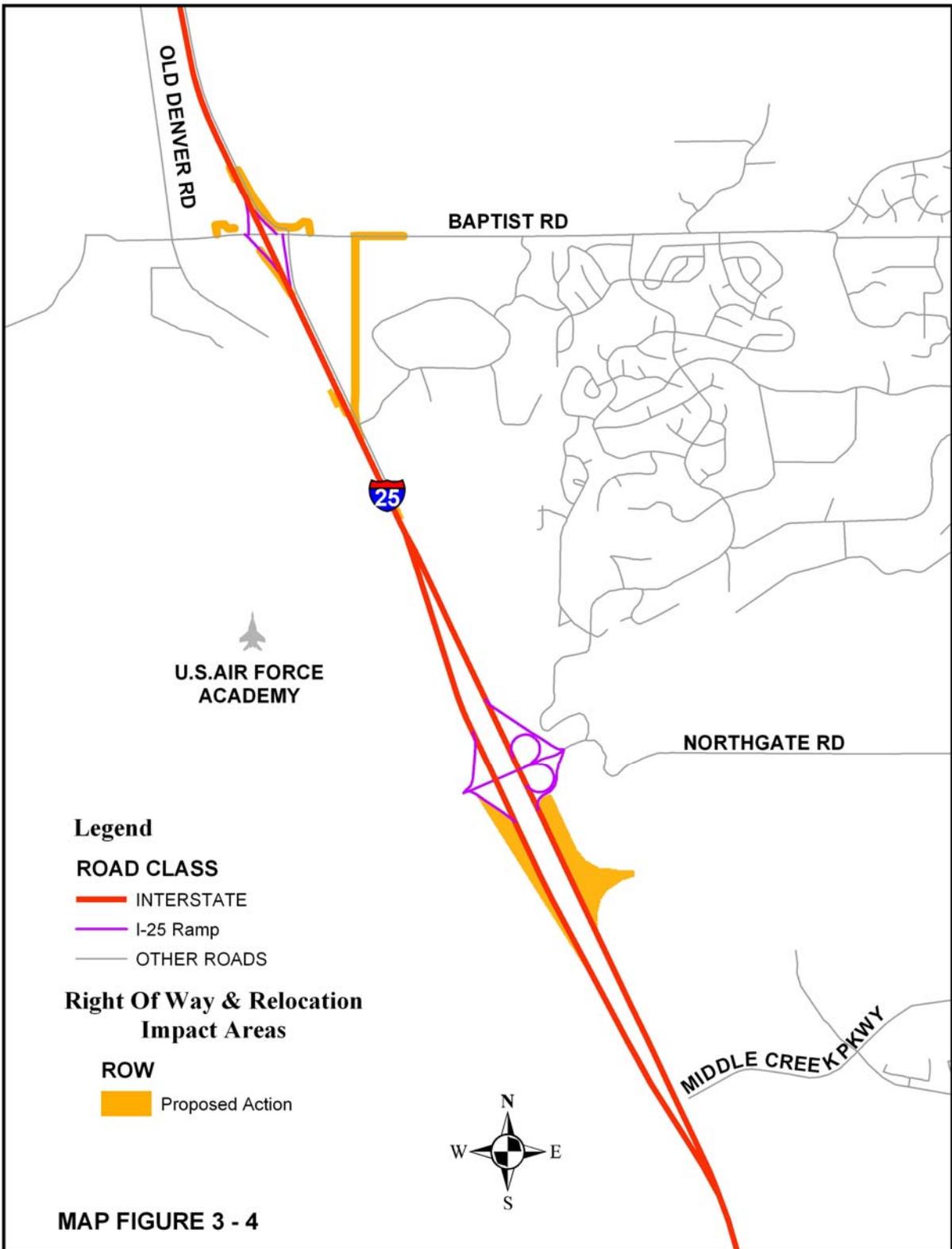
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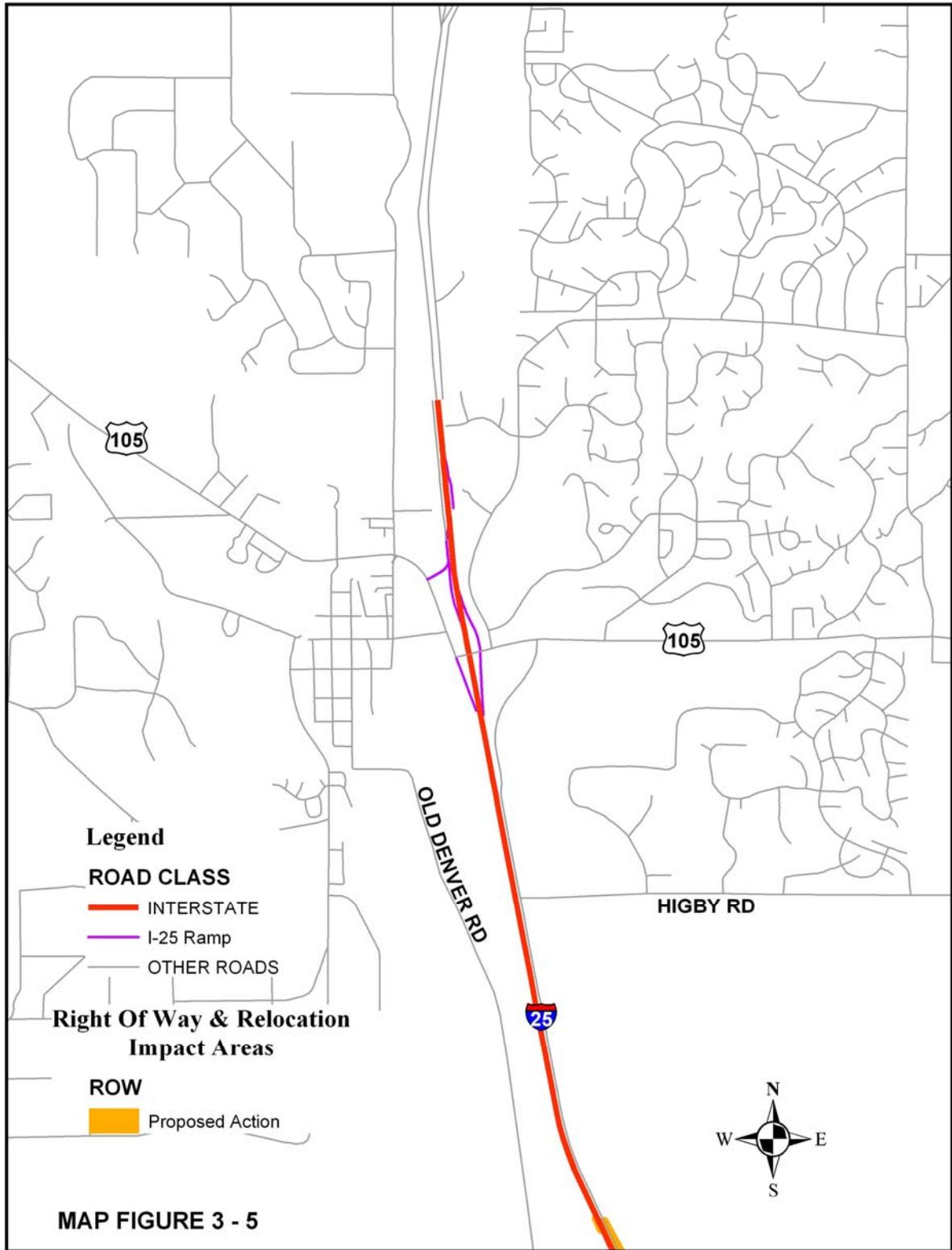
Availability of Replacement Housing and Land











ATTACHMENT

Availability of Replacement Housing and Land

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Real estate inventories in El Paso County are adequate to provide single-family housing in a comparable price range for the five households being displaced from Chestnut Street. All five properties are ranch-style houses on lots of 8,250 square feet. The following table includes additional details about these homes. Also included is the number of houses of comparable floor space, age, and bedroom/bathroom configurations that were sold in El Paso County during the 6-month period that ended in July 2003.

Description of Chestnut Street Homes to be Acquired for Fillmore Interchange Right-of-Way

Number of Houses	Total Finished Area (sq. ft.)	Year Built	Number of Bedrooms	Number of Bathrooms	Number of Comparable Houses Sold During February Through July 2003, Inclusive
2	720	1955	1	1	18
2	984	1955	2	1	88
1	1,140	1954	4	2	13

Source: El Paso County Assessor's records

Not all of the comparable homes available on the market in 2003 were located in the same Westside neighborhood as the Chestnut Street properties needed for right-of-way. However, Colorado Springs in 1955 was much smaller than it is today, so in fact most of the comparable properties built around that time are within what is today considered the central part of the city. A review of Multiple Listing Service data in mid-2003 from the Pikes Peak Association of Realtors identified eight comparable homes for sale in the same Mesa Springs neighborhood as the five Chestnut Street houses, and other comparable properties for sale in other nearby other neighborhoods.

All housing availability data provided here are examples only, and are not necessarily predictive of the conditions that may prevail at such time as the right-of-way acquisition for the Proposed Action would commence. The actual stock of housing for sale at any given time fluctuates in response to market conditions. The conclusion drawn from the above market data is that there are comparable nearby houses in adequate numbers to suggest that replacement housing is available for the five households that would be displaced from properties on Chestnut Street under the Proposed Action.

With regard to commercial and industrial property, real estate inventories also appear adequate to absorb the businesses displaced by the Proposed Action. The number of businesses being relocated is not large, and none of these businesses is large in terms of space required or number of employees.

In general, the types of businesses being relocated do not have unique site requirements, and can be accommodated in areas with routine commercial, office or industrial zoning, as appropriate. The two displaced liquor stores will need sites that are compatible with liquor licensing requirements (e.g., not next to schools, etc.). Desirable sites for relocation of the four displaced fuel/convenience stores would be arterial streets with high traffic volumes. For this reason, the immediate vicinity of the Fillmore Interchange will remain an attractive site for a fuel/convenience store, perhaps via a redevelopment opportunity, if the owners so choose.

