



City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

Meeting Minutes City Council

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, September 26, 2023

10:00 AM

Council Chambers

How to Watch the Meeting

Coloradosprings.gov/springstv | Facebook Live: Colorado Springs City Council
Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- Stratus IQ Channel 76 / 99 (Streaming)

How to Comment on Agenda Items

Before the meeting, you may email general comments for items not on the agenda or comments regarding agenda items to: allcouncil@coloradosprings.gov

During the meeting, those who wish to comment should submit their name, telephone number, and the topic or agenda item for comment via allcouncil@coloradosprings.gov in addition to calling +1 720-617-3426 United States, Denver (Toll) and entering this Conference ID: 678 797 920#

Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

1. Call to Order and Roll Call

President Helms called the meeting to order at 10:00 AM.

Present: 9 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Mike O'Malley, Councilmember Brian Risley, and Councilmember Michelle Talarico

Councilmember Henjum attended the meeting virtually.

2. Invocation and Pledge of Allegiance

The Invocation was made by Chaplain Kevin Ballard from the Colorado Springs Police Department.

President Helms led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

There were no changes to the Agenda.

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

- 4A.G.** [ZONE-23-0013](#) Ordinance No. 23-49 amending the zoning map of the City of Colorado Springs relating to 8.02 acres located at 5410 East Pikes Peak Avenue from BP/APZ-1 SS/AP-O (Business Park, Airport Accident Potential Zone-1 with Streamside and Airport Overlays) to LI/APZ-1 SS/AP-O (Light Industrial, Airport Accident Potential Zone-1 with Streamside and Airport Overlays)

Presenter:

Kyle Fenner, Senior Planner, Planning & Neighborhood Services Department

Peter Wysocki, Director, Planning & Neighborhood Services Department

Attachments: [Cover Memo Stockpile Investments 2023.09.12](#)
[ORD_ZC_Stockpile Investments 9.12.23](#)
[Exhibit A - Stockpile Investments](#)
[Exhibit B - Stockpile Investments](#)
[Staff Report 5410 E Pikes Peak Ave Stockpile](#)
[Public Comment ZONE-23-0013 & MAPN-23-0003](#)
[Stockpile Vicinity Map](#)
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)
[Signed Ordinance No. 23-49.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.A.** [ANEX-22-0001](#) Ordinance No. 23-50 annexing the area known as Villages at Waterview North Addition No. 1 Annexation consisting of 144.82 acres located northeast of the Powers Boulevard and Bradley Road intersection.

(Legislative)

Related Files: ANEX-22-0001R, MAPN-22-0002, ZONE-22-0013, ZONE-22-0014, ZONE-22-0015, ZONE-22-0016, ZONE-22-0017, COPN-22-0002

Presenter:
Gabe Sevigny, Planning Supervisor, Planning & Neighborhood Services
Department
Peter Wysocki, Planning Director, Planning & Neighborhood Services
Department

Attachments: [ORD AnnexVillagesatWaterviewNorthAdditionNo1](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Annexation Plat](#)

[Staff Report](#)

[Project Statement](#)

[Annexation Agreement](#)

[GeoHazard Study](#)

[Decades Map](#)

[7.6.203 Annexation Conditions](#)

[Signed Ordinance No. 23-50.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B.** [ZONE-22-00](#) Ordinance No. 23-51 amending the zoning map of the City of Colorado
[13](#) Springs pertaining 20.45 acres establishing a LI/APZ1-AP-O (Light
Industrial / Accident Potential Subzone-1 with Airport Overlay) zone
district located northeast of the Powers Boulevard and Bradley Road
intersection.

(Legislative)

Related Files: ANEX-22-0001, ANEX-22-0001R, MAPN-22-0002,
ZONE-22-0014, ZONE-22-0015, ZONE-22-0016, ZONE-22-0017,
COPN-22-0002

Presenter:
Gabe Sevigny, Planning Supervisor, Planning & Neighborhood Services
Department
Peter Wysocki, Planning Director, Planning & Neighborhood Services
Department

- Attachments:** [ORD_ZC_VillagesatWaterviewNorthAdditionNo1 - LI](#)
[Staff Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Project Statement](#)
[Over-All Zone Change Exhibit](#)
[GeoHazard Study](#)
[Decades Map](#)
[7.5.603.B Findings - ZC](#)
[Signed Ordinance No. 23-51.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C.** [ZONE-22-00](#) Ordinance No. 23-52 amending the zoning map of the City of Colorado Springs pertaining to 27.65 acres establishing MX-L/APZ1-AP-O (Mixed-Use Large Scale / Accident Potential Subzone-1 with Airport Overlay) zone district located northeast of the Powers Boulevard and Bradley Road intersection.

[14](#)

(Legislative)

Related Files: ANEX-22-0001, ANEX-22-0001R, MAPN-22-0002, ZONE-22-0013, ZONE-22-0015, ZONE-22-0016, ZONE-22-0017, COPN-22-0002

Presenter:

Gabe Sevigny, Planning Supervisor, Planning & Neighborhood Services Department
Peter Wysocki, Planning Director, Planning & Neighborhood Services Department

- Attachments:** [ORD_ZC_VillagesatWaterviewNorthAdditionNo1 - MX-L](#)
[Staff Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Project Statement](#)
[Over-All Zone Change Exhibit](#)
[GeoHazard Study](#)
[Decades Map](#)
[7.5.603.B Findings - ZC](#)
[Signed Ordinance No. 23-52.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.D. [ZONE-22-0015](#) Ordinance No. 23-53 amending the zoning map of the City of Colorado Springs pertaining to 3.84 acres establishing PF-AP-O (Public Facilities with Airport Overlay) zone district located northeast of the Powers Boulevard and Bradley Road intersection.

(Legislative)

Related Files: ANEX-22-0001, ANEX-22-0001R, MAPN-22-0002, ZONE-22-0013, ZONE-22-0014, ZONE-22-0016, ZONE-22-0017, COPN-22-0002

Presenter:
Gabe Sevigny, Planning Supervisor, Planning & Neighborhood Services Department
Peter Wysocki, Planning Director, Planning & Neighborhood Services Department

Attachments: [ORD_ZC_VillagesatWaterviewNorthAdditionNo1 - PF](#)

- [Staff Report](#)
- [Exhibit A](#)
- [Exhibit B](#)
- [Project Statement](#)
- [Over-All Zone Change Exhibit](#)
- [GeoHazard Study](#)
- [Decades Map](#)
- [7.5.603.B Findings - ZC](#)

This Ordinance was finally passed on the Consent Calendar.

4A.E. [ZONE-22-0016](#) Ordinance No. 23-54 amending the zoning map of the City of Colorado Springs pertaining to 41.28 acres establishing R-5-AP-O (Multi-Family High with Airport Overlay) zone district located northeast of the Powers Boulevard and Bradley Road intersection.

(Legislative)

Related Files: ANEX-22-0001, ANEX-22-0001R, MAPN-22-0002, ZONE-22-0013, ZONE-22-0014, ZONE-22-0015, ZONE-22-0017, COPN-22-0002

Presenter:
Gabe Sevigny, Planning Supervisor, Planning & Neighborhood Services Department
Peter Wysocki, Planning Director, Planning & Neighborhood Services Department

- Attachments:** [ORD_ZC_VillagesatWaterviewNorthAdditionNo1 - R-5](#)
[Staff Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Project Statement](#)
[Over-All Zone Change Exhibit](#)
[GeoHazard Study](#)
[Decades Map](#)
[7.5.603.B Findings - ZC](#)
[Signed Ordinance No. 23-54.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.F.** [ZONE-22-0017](#) Ordinance No. 23-55 amending the zoning map of the City of Colorado Springs pertaining to 23.28 acres establishing R-FLEX-MED-AP-O (R-Flex Medium with Airport Overlay) zone district located northeast of the Powers Boulevard and Bradley Road intersection.

(Legislative)

Related Files: ANEX-22-0001, ANEX-22-0001R, MAPN-22-0002, ZONE-22-0013, ZONE-22-0014, ZONE-22-0015, ZONE-22-0016, COPN-22-0002

Presenter:

Gabe Sevigny, Planning Supervisor, Planning & Neighborhood Services Department
Peter Wysocki, Planning Director, Planning & Neighborhood Services Department

- Attachments:** [ORD_ZC_VillagesatWaterviewNorthAdditionNo1 - R-Flex Medium](#)
[Staff Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Project Statement](#)
[Over-All Zone Change Exhibit](#)
[GeoHazard Study](#)
[Decades Map](#)
[7.5.603.B Findings - ZC](#)
[Signed Ordinance No. 23-55.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

- 4B.A.** [MAPN-23-0003](#) Establishment of the 5470 E. Pikes Peak Avenue/Stockpile Investments Land Use Plan for proposed Commercial and Industrial uses consisting of 12.56 acres located at 5410 E. Pikes Peak Avenue.

(Quasi-Judicial)

Related Files: ZONE-23-0013

Presenter:

Kyle Fenner, Senior Planner, Planning & Community Development

Attachments: [Staff Report](#)
[Land Use Plan](#)
[Public Comment](#)
[Stockpile Vicinity Map](#)
[PlanCOS Vision Map](#)
[7.5.514 LAND USE PLAN](#)

This Item was approved on the Consent Calendar.

- 4B.B.** [23-493](#) City Council Regular Meeting Minutes September 12, 2023

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [9-12-2023 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.C.** [23-361](#) Ordinance 23-56 repealing Ordinance No. 23-46 and Approving a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the amount of \$1,465,848 for monies due to UCH-MHS for the periodic reconciliation with UC Health

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [ORD Repeal and Approve new Supplemental Approp Ord for MHS to UCH recon payment](#)
[Signed Ordinance No. 23-56.pdf](#)

This Ordinance was approved on first reading on the Consent Calendar.

- 4B.D.** [23-007](#) A Resolution of the City of Colorado Springs approving a Service Plan for the Waterview North Metropolitan District Nos. 1 and 2 serving an area west of Powers Boulevard and north of Bradley Road

Presenter:
Mike Tassi, Assistant Director, Planning & Neighborhood Services
Department

Peter Wysocki, Director, Planning & Neighborhood Services
Department

Attachments: [Resolution](#)

[Waterview North MD Nos. 1 2 - Consolidated Service Plan
2023-08-22\(1249643.17\)](#)

[Redlines Waterview North MD Nos. 1 & 2 - Service Plan,
2023-06-28\(1327541.1\)](#)

[Revised Transmittal Letter for Waterview North MD Nos. 1 2
2023-08-22\(1280230.11\)](#)

[Staff PowerPoint Waterview North Nos 1 and 2](#)

[Signed Resolution No. 131-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.E. [23-477](#)

The City Clerk reports that on August 30, 2023 there was filed with her a petition for the annexation of Black Forest Road Addition No. 2 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [1 -Black Forest Rd Addition No 2 - Annexation Petition.pdf](#)

[3 - Black Forest Rd Addition No 2 - VICINITY MAP.pdf](#)

[LegalDesc_BlackForestRoadAdd2.pdf](#)

[AnxPlat_V2_6.29.2023.pdf Black Forest.pdf](#)

This Item was approved on the Consent Calendar.

4.B.F [23-503](#)

Request for approval of settlement amount in Case No. 22CV31701

Presenter:
Wynetta Massey, City Attorney/Chief Legal Officer

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion

passed by a vote of 9-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

5. Recognitions

- 5.A. [23-451](#) A Resolution to support October 2023 as Fire Prevention month in the City of Colorado Springs

Presenter:

Randy Helms, City Council President and District 2 Representative
Randy Royal, Fire Chief, Colorado Springs Fire Department
Kris Cooper, Deputy Fire Marshal, Colorado Springs Fire Department
Sunny Smaldino, Community Education & Outreach Supervisor,
Colorado Springs Fire Department

Attachments: [2023 CSFD Fire Prevention Month Resolution](#)
[Signed Resolution No. 132-23.pdf](#)

President Helms read the Resolution to support October 2023 as Fire Prevention Month.

Randy Royal, Fire Marshal, Colorado Springs Fire Department (CSFD), recognized the group of community outreach and educators who work to make the City safer.

Chris Cooper, Deputy Fire Marshal, CSFD, presented a brief background on the origin of Fire Prevention Month and stated the theme of this year's Fire Prevention Month is "Cooking Safety Starts With You." to encourage everyone to remind residents that it is vital to have a home fire escape plan, and identified the activities planned for the community for the month.

President Helms read the details of the 2023 Excellence in Fire Service award from the Congressional Fire Services Institute (CFSI).

Fire Chief Royal introduced Bill Webb, Executive Director CFSI and Andy Jones, Masimo, who provided an overview of the agencies and recognized the CSFD for their excellence in fire service.

Steve Connie, Regional Manager, Masimo, presented the award.

President Helms stated his home burned down when he was a teenager

and expressed the importance of fire safety in the home.

Councilmember Henjum expressed gratitude for the CSFD.

Motion by Councilmember Talarico, seconded by Councilmember Donelson, that the Resolution in support of October 2023 as Fire Prevention Month be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

5.B. [23-489](#) A Resolution recognizing October 2023 as Police Appreciation Month

Presenter:

Dave Donelson, Councilmember District 1

Attachments: [Police Appreciation Month](#)
[Signed Resolution No. 133-23.pdf](#)

Councilmember Donelson acknowledged former Councilmember Tim Leigh who originated the recognition and read the Resolution recognizing October 2023 as Police Appreciation Month and expressed appreciation for all the dedicated Colorado Springs Police Department (CSPD) Officers in the community.

Mr. Leigh expressed appreciation for the Resolution, is spread the message "If you see a cop, thank a cop", and make Colorado Springs the safest city in the nation.

Jeff Jensen, Deputy Chief, CSPD, expressed appreciation for the recognition and provided an overview of their struggle with recruiting and retention of Police Officers.

Several Councilmember expressed appreciation for all the Police Officers and the sacrifices they make.

Motion by President Pro Tem Crow-Iverson, seconded by Councilmember Donelson, that the Resolution recognizing October 2023 as Police Appreciation Month be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

5.C. [23-475](#) A Resolution recognizing September 30 through October 9 as Creek Week 2023

Presenter:

David Leinweber, Councilmember At Large

Hannah Mooney, Watershed Outreach Coordinator

Attachments: [Creek Week](#)

[Signed Resolution No. 134-23.pdf](#)

Councilmember Leinweber read the Resolution recognizing September 30 through October 8 as Creek Week 2023.

Ali Shook, Executive Director of the Fountain Creek Watershed District, presented the Resolution recognizing the annual Creek Week clean-up which started ten years ago. She stated they have removed 140 tons of litter from public lands, trails, and waterways.

Hannah Mooney, Watershed Outreach Coordinator and Creek Week Director for the Fountain Creek Watershed Flood identified the public events being offered during the week.

Councilmember Henjum expressed appreciation for their clean-up efforts.

Motion by Councilmember Leinweber, seconded by President Pro Tem Crow-Iverson, that the Resolution recognizing September 30 through October 8 as Creek Week 2023 be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

5.D. [23-490](#) Councilmember Appointments to Boards, Commissions, and Committees

Presenter:

Randy Helms, Council President and Councilmember District 2

Attachments: [092623 Boards Commissions and Committee Appointments](#)

President Helms presented the City Council Appointments to Boards, Commissions, and Committees.

There were no comments on this item.

Motion by President Pro Tem Crow-Iverson, seconded by Councilmember Talarico, that the Appointments to City Council Boards, Commissions, and Committees be approved. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

6. Mayor's Business

There was no Mayor's Business.

7. Citizen Discussion For Items Not On Today's Agenda

Citizen Cameron Zahopoulos spoke about homelessness prevention and the conditions of the shelters.

Citizen Jim Ciltetti spoke about the need for additional holiday lights on Pikes Peak Avenue, Nevada Avenue, and Cascade Avenue.

Citizen Bob Falcone requested that the City Departments be treated equally if budget cuts are needed and that the Parks Department is not targeted for larger cuts.

Citizen Christine Malmborg, Dragonfly Paddle Board Yoga, spoke about the classes and other activities which she offers, the importance of the Parks Department, and Quail Lake.

Citizen Jeff Ferguson spoke about Adrian Martinez and the Standard Project.

Citizen Dana Duggan stated City Council needs their own legal representation, so it is not funded by the City and identified sections of the Unified Development Code which address public health and safety.

Citizen Meray Damicone spoke in opposition to the Colorado Springs Utilities rate increase.

8. Items Called Off Consent Calendar

There were no items called off the Consent Calendar.

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

There was no Unfinished Business.

11. New Business

11.A. [23-390](#)

A Resolution of the City of Colorado Springs approving a Service Plan for the Evergreen Ridge Metropolitan District serving an area east of South 26th Street and north of Wheeler Avenue.

Presenter:
Mike Tassi, Assistant Director- Planning & Neighborhood Services
Department

Peter Wysocki, Director, Planning & Neighborhood Services
Department

Attachments: [Resolution](#)

[Attachment 1 - Page 1 of DP](#)

[Staff PowerPoint Evergreen Ridge - work session](#)

[Transmittal Letter for Evergreen Ridge MD 2023-07](#)

[REDLINE - Service Plan for Evergreen Ridge Metropolitan District](#)

[Revised-Service Plan for Evergreen Ridge Metro District.pdf](#)

[Signed Resolution No. 135-23.pdf](#)

Mike Tassi, Assistant Director, Planning and Neighborhood Services Department, presented the Resolution approving a Service Plan for the Evergreen Ridge Metropolitan District serving an area east of South 26th Street and north of Wheeler Avenue. He provided an overview of the metropolitan district, location, project area, district location, background, Development Plan, and next steps.

There were no comments on this item.

Motion by Councilmember Talarico, seconded by Councilmember O'Malley, that the Resolution of the City of Colorado Springs approving a Service Plan for the Evergreen Ridge Metropolitan District serving an area east of South 26th Street and north of Wheeler Avenue be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

12. Public Hearing

Mesa Highlands Project--30 Minutes

- 12.A.** [ZONE-23-00](#) Ordinance No. 23-48 amending the zoning map of the City of Colorado Springs pertaining to 28.9 acres located at the southeast corner of West Fillmore Street and Centennial Boulevard from PUD (Planned Unit Development) to MX-L/WUI-O (Mixed-Use Large Scale with Wildland Urban Interface Overlay).
[11](#) (Quasi-Judicial)

Presenter:

Tamara Baxter, Senior Planner, Planning and Community Development Department
Peter Wysocki, Planning Director, Planning and Community Development Department

Attachments: [CC Memo First Reading for Mesa Highlands ZC 9.12.23](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Zone Amendment Map](#)

[Staff Report](#)

[Public Comment](#)

[Public Comment Response](#)

[Context Map](#)

[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

[ORD_ZC Mesa Highlands 9.12.23_updated](#)

[Signed Ordinance No. 23-48.pdf](#)

Ben Bolinger, Assistant City Attorney, City Attorney's Office, polled City Council regarding any ex parte communications. All Councilmembers responded and stated they are able to make fair and impartial decisions.

Tamara Baxter, Senior Planner, Planning and Community Development Department, presented the Ordinance amending the zoning map of the City from PUD (Planned Unit Development) to MX-L/WUI-O (Mixed-Use Large Scale with Wildland Urban Interface Overlay) and the establishment of the Mesa Highlands Land Use Plan for a proposed religious institution, office/medical office, multi-family residential and private open space pertaining to 28.9 acres located at the southeast corner of West Fillmore Street and Centennial Boulevard. She provided an overview of the site, context map, project summary, public notification, background, proposed zone change, land use plan, traffic circulation, agency review, and compatibility with PlanCOS.

Andrea Barlow, N.E.S., Inc., representing the applicant, went over the application requests, site location, proposed zone change, proposed land use plan, consistency with PlanCOS, neighborhood concerns, and high-rise development.

Henjum, Nancy requested additional information regarding full movement. Ms. Barlow stated full movement means you can turn out of the site left and right and you can turn into the site left and right.

Councilmember Henjum asked if the sidewalk would continue past the proposed development. Ms. Barlow stated it is anticipated that there will be a development to the west which will connect the sidewalk but there will be gaps to the east.

Citizen Kent Borges ceded his time to Allen Strass, who requested a postponement until after a neighborhood meeting is held which includes all stakeholders who would be impacted by the proposed project.

Citizens Bill Wysong and Dana Duggan, spoke in opposition to the proposed project.

Ms. Barlow stated she followed the Unified Development Code (UDC) requirements for public notification, the Mesa Springs Master Plan showed this site as a high-rise office, the zoning shows mixed use, the uses will provide a complimentary mix of traffic which will have different peak times, and they do not support a postponement because they have met the requirements of the Code.

Ms. Baxter stated notification was done in accordance with the UDC and they provided notification to three of the surrounding Homeowner Associations (HOA's) or community associations.

Councilmember Leinweber asked if people were to evacuate from this area, they probably would not use Fillmore Street and would most likely go down Centennial Boulevard and go out Fontanero Street. Gayle Sturdivant, Acting Director, Public Works, stated the Traffic Department agreed with the consultant's report that the traffic network is sufficient for the proposed project and if there were an emergency evacuation, there would be other routes that would be used by the Office of Emergency Management, Centennial Boulevard or the Fontanero Street interchange did not exist when the original study was done, and this development sits adjacent to two arterial roads.

Councilmember Donelson asked if the project team has the option to do a neighborhood meeting prior to submitting an application or if staff considers the amount of public comment that City Council received during the internal review. Ms. Baxter stated the UDC requires notification of one thousand feet from the property boundary, so it was determined that a neighborhood meeting was not necessary and as part of the UDC, there is a table that identifies when a neighborhood meeting is required or when is discretionary.

Councilmember Donelson asked if there are any other eighty-five-foot

buildings in that area. Ms. Baxter stated she has not done an analysis on that.

Councilmember Donelson asked if the proposed church and open space will be required. Ms. Baxter stated the land use plan does specify those uses and if the applicant changes that, it would have to come before City Council.

Councilmember Henjum commented that this hearing is for the zone change, not the site development plan.

Councilmember O'Malley requested the approval criteria be provided for this zoning application and future applications. Mike Tassi, Assistant Planning Director, Planning and Community Development, provided the approval criteria by displaying the criteria on the overhead screen and stated they will provide the criteria in future presentations.

Councilmember Risley stated that he supports this project and people being able to live close to where they work.

Councilmember Donelson requested this hearing be postponed for one month with the condition that the Planning Department holds a neighborhood meeting to include all impacted stakeholders. Mr. Bolinger stated City Council cannot require the applicant to hold an additional meeting because today's meeting is the public meeting. Peter Wysocki, Planning Director, Planning and Community Development Department, stated holding another neighborhood meeting would require them to send notifications and they would just present City Council with the information from the meeting because the Planning Commission had already recommended approval these items.

Jamie Fabos, Chief of Staff, stated City Council cannot direct City staff to expend resources, such as adding another public meeting, and while they would certainly take City Council's input and present that to the Mayor and if a Councilmember desired an additional public meeting, they could certainly hold on their own with their constituents.

Councilmember Leinweber commented on the affordable housing being at the top of the list of priorities nationwide, but government keeps delaying the process, and the City's current process has worked for many years so

they should not delay any builders who want to build affordable housing.

Motion by Councilmember Donelson to postpone Ordinance No. 23-48 establishing 28.9 acres as a MX-L/WUI-O (Mixed-Use large-scale with Wildland Urban Interface Overlay) zone district based upon the findings that the request complies with the criteria for establishing a zone district as set forth in City Code Section 7.5.704 to the October 24, 2023 City Council meeting. The motion failed for lack of a second.

Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that Ordinance No. 23-48 establishing 28.9 acres as a MX-L/WUI-O (Mixed-Use large-scale with Wildland Urban Interface Overlay) zone district based upon the findings that the request complies with the criteria for establishing a zone district as set forth in City Code Section 7.5.704 be finally passed. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

- 12.B.** [MAPN-23-00](#) The establishment of the Mesa Highlands Land Use Plan for a proposed religious institution, office/medical office, multi-family residential and private open space consisting of 28.9 acres located at the southeast corner of West Fillmore Street and Centennial Boulevard.
[04](#) (Legislative)

Presenter:

Tamara Baxter, Senior Planner, Planning and Community Development Department
Peter Wysocki, Planning Director, Planning and Community Development Department

Attachments: [Staff Report](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zone Amendment Map](#)
[PUD Zone Plan](#)
[Land Use Plan](#)
[Project Statement](#)
[Public Comment](#)
[Public Comment Response](#)
[Additional Public Comment 7.30.23](#)
[Context Map](#)
[PlanCOS Vision Map](#)
[7.5.514 LAND USE PLAN](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember O'Malley, seconded by Councilmember Risley, that the Mesa Highlands Land Use Plan related to 28.9 acres based upon the findings that the request complies with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514 be approved. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

13. Added Item Agenda

There were no items added to the Agenda.

14. Executive Session

There was no Executive Session.

15. Adjourn

There being no further business to come before City Council, President Helms adjourned the meeting at 2:26 PM.

Sarah B. Johnson, City Clerk