



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, October 26, 2021

10:00 AM

Council Chambers

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### 1. Call to Order and Roll Call

**Present:** 9 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Pro Tem Richard Skorman, President Tom Strand, and Councilmember Wayne Williams

Councilmember Henjum, Councilmember Murray, Councilmember O'Malley, President Pro Tem Skorman, and Councilmember Williams attended the meeting virtually.

### 2. Invocation and Pledge of Allegiance

The Invocation was made by Chaplain Larry Selman with the Colorado Springs Fire Department.

President Strand led the Pledge of Allegiance.

### 3. Changes to Agenda/Postponements

President Strand stated Citizen Randall Weiner requested items 4B.Z., 4B.AA, 4B.AB, and 4B.AC be removed from the Consent Calendar.

Consensus of Council agreed to this change on 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.A. [21-543](#)** Ordinance No. 21-83 amending Ordinance No. 20-92 (2021 Appropriation Ordinance) for a supplemental appropriation to the Grant Fund in the amount of \$109,025,439, the Airport Grant Fund in the amount of \$8,022,990, and the HOME Investment Partnership Program Grant Fund in the amount of \$5,741,978 for the Coronavirus Aid, Relief, and Economic Security Act (CARES) and American Rescue Plan Act (ARPA) grants funding response to and recovery from the coronavirus pandemic

Presenter:  
Jen Vance, Grants Manager  
Charae McDaniel, Chief Financial Officer

**Attachments:** [CARES\\_ARPA\\_GrantsSuppAppORD-2021-09-27](#)  
[Granicus File 21-543\\_Grants Fund Supplemental Appropriation](#)  
[PowerPoint\\_09.27.2021](#)  
[Signed Ordinance 21-83](#)

**This Ordinance was finally passed on the Consent Calendar**

- 4A.B. [21-530](#)** Ordinance No. 21-84 amending Section 104 (Deposit of Coins or Tokens; Time Limits; Prohibitions) of Article 15 Parking Meter Regulations) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to remuneration-exempt identifying placard

Presenter:  
Scott Lee, Parking Enterprise Manager

**Attachments:** [Parking-Remuneration-ExemptPlacardORD-2021-09-09v2.docx](#)  
[Signed Ordinance 21-84](#)

**This Ordinance was finally passed on the Consent Calendar**

- 4A.C. [21-537](#)** Ordinance No. 21-85 Certifying Delinquent Stormwater Fees and Charges to the El Paso County Treasurer for Collection

Presenter:  
Richard Mulledy, Stormwater Enterprise Manager

Travis Easton, Public Works Director

**Attachments:** [SW-DelinquentFeesORD-2021-09-21](#)

[Exhibit A](#)

[Signed Ordinance 21-85](#)

**This Ordinance was finally passed on the Consent Calendar**

**4A.D. [CPC ZC 21-00053](#)**

Ordinance No. 21-86 amending the zoning map of the City of Colorado Springs relating to 2.78 acres located at 1105 West Garden of the Gods Road and 4470 Forrest Hills Road, from PIP2/C5/P (Planned Industrial Park and Intermediate Business with Planned Provisional Overlay) to C5 (Intermediate Business).

(Quasi-Judicial)

Related File: CPC CP 21-00054

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

**Attachments:** [Ord ZC GardenOfTheGodsWest](#)

[Exhibit A - Legal Desc](#)

[Exhibit B - Zone Change](#)

[Vicinity Map](#)

[Signed Ordinance 21-86](#)

**This Ordinance was finally passed on the Consent Calendar**

**4B. First Presentation:**

**4B.A. [21-638](#)**

City Council Regular Meeting Minutes October 12, 2021

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [10-12-2021 City Council Meeting Minutes Final](#)

**The Minutes were approved on the Consent Calendar.**

**4B.B. [21-640](#)**

Appointments to Boards, Commissions, and Committees

Presenter:

Michael Montgomery, Deputy City Council Administrator

**Attachments:** [101221 Boards Commissions and Committee Appointments](#)

This Item was approved on the Consent Calendar.

- 4B.C.** [21-573](#) A Resolution Rescinding Resolution No. 201-06 and establishing new Easement Vacation and Easement Encroachment application fees.

(Legislative)

Presenter:

Darlene Kennedy, Real Estate Services Manager

Peter Wysocki, Director of Planning and Community Development

**Attachments:** [CC RES 2021 Fee Increase](#)  
[RES Fee Increase Powerpoint](#)  
[Resolution 141-21](#)

This Resolution was adopted on the Consent Calendar.

- 4B.D.** [21-554](#) A Resolution Authorizing the Acquisition of Approximately 343 Acres of Property Identified as the Fisher Canyon Property in the Cheyenne Canon / Cheyenne Mountain Candidate Open Space Area Through the Trails, Open Space and Parks (TOPS) Program

Presenter:

Britt Haley, Trails, Open Space and Parks (TOPS) Program Manager

David Deitemeyer, Senior Landscape Architect

**Attachments:** [Resolution FisherCanyonOpenSpace](#)  
[CityCouncilWork Session FisherCanyonAcquisition](#)  
[Resolution 142-21](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E.** [21-555](#) Ordinance No. 21-87 Amending Ordinance no. 20-92 (2021 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$1,475,000 to Complete the Phase I Acquisition of up to 260 Acres of Property for the Purpose of Public Open Space and Trails

Presenter:

Britt Haley, Trails, Open Space and Parks (TOPS) Program Manager

David Deitemeyer, Senior Landscape Architect

**Attachments:** [Appropriation Ordinance.FisherCanyonPhaseI](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.F.** [21-551](#) Ordinance No. 21-88 Amending Ordinance No. 17-94 by Changing the Name of the SW Downtown Business Improvement District to the Park

Union Business Improvement District  
(Legislative)

Presenter:  
Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Ordinance](#)

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

**4B.G. [21-552](#)** A resolution of the City Council of the City of Colorado Springs, Colorado acknowledging a name change of the SW Downtown Metropolitan District Nos. 1 & 2 to Park Union Metropolitan District Nos. 1 & 2.

(Legislative)

Presenter:  
Carl Schueler - Comprehensive Planning Manager, Planning and Community Development Department  
Peter Wysocki - Director of Planning and Community Development

**Attachments:** [Resolution](#)

- [1- Service Plan and Ordinance Amendment Transmittal Letter](#)
- [2- District Resolution Approving Name Change - SW Downtown MD Nos. 1 & 2 Resolution 143-21](#)

**This Resolution was adopted on the Consent Calendar.**

**4B.H. [21-570](#)** A resolution approving the Second Amendment to the Service Plan for Upper Cottonwood Creek Metropolitan District Nos. 2-5 to Modify the Maximum Authorized Debt Limits for Each District in Wolf Ranch.

(Legislative)

Presenter:  
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development

**Attachments:** [Resolution](#)[Exhibit 1- Second Amendment to Service Plan - UCC MD Nos. 2-5](#)[1- Service Plan Amendment Cover Letter - UCC MD Nos. 2-5](#)[2- Petition for Approval - Signed](#)[3- Existing Service Plan UCCMD District Nos. 2-5.pdf](#)[4- Upper Cottonwood Creek MD No. 3 - Order for Exclusion-Order](#)[5- Order-Upper Cottonwood Creek MD No. 5 -Order for Inclusion](#)[PowerPoint \(Service Plan Amenment and Debt Authorization\)](#)[Resolution 144-21](#)

**This Resolution was adopted on the Consent Calendar.**

**4B.I.** [21-569](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving a First Service Plan Amendment for the Reagan Ranch Metropolitan Districts No. 1 through 3 to modify the District Structure and modify the Maximum Authorized Debt Limits for each District in an area located northeast of the Colorado Springs Airport within the Banning Lewis Ranch area.

Presenter:

Carl Schueler - Comprehensive Planning Manager, Planning and Community Development

Peter Wysocki - Director of Planning and Community Development

**Attachments:** [Resolution](#)[Exhibit 1-Amendment to Service Plan - Reagan Ranch MD Nos. 1-3](#)[1- Service Plan Amendment Cover Letter - Reagan Ranch MD Nos. 1-3](#)[2- Petition - Reagan Ranch MD No 1, 2 & 3](#)[3- Original Service Plan \(Resolution 70-20\)](#)[4- 20210924 RR DISTRICT MAP EXHIBIT V3](#)[5- Reagan Ranch District Restructure Map-After](#)[PowerPoint](#)[Resolution 145-21](#)

**This Resolution was adopted on the Consent Calendar.**

**4B.J.** [21-571](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of debt by the Reagan Ranch Metropolitan District No. 1 in the form of General Obligation Limited Tax Bonds in an aggregate amount not to exceed \$18,200,000 located northeast of the Colorado Springs Airport in the Banning Lewis Ranch Master Plan Area.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development Department

Peter Wysocki, Director of Planning and Community Development

**Attachments:** [Resolution](#)

[1- Bond Issuance Cover Letter - Reagan Ranch MD Nos. 1 & 2](#)

[2- G RRMD#1 Financial Plan](#)

[3- DRAFT Authorizing Resolution - RRMD#1\(6169261.1\)](#)

[4- DRAFT Resolution - RRMD#2](#)

[5- DRAFT Series 2021A\(3\) Indenture of Trust - Reagan Ranch\(6169247.1\)](#)

[6- DRAFT Pledge Agreement - Reagan Ranch MD#2](#)

[7- Reagan Ranch Metropolitan District No. 1 - Public Improvements Summary - Initial Inclusions {09.2021}](#)

[8- Reagan Ranch MD No. 2 - Regional Public Improvements Summary - with Initial Inclusions {09.2021}](#)

[9- Reagan Ranch Metropolitan District No. 3 Public Improvements Summary - Future Inclusions {09.2021}](#)

[10- DRAFT Reagan Ranch MD Nos. 1 & 2 GC Opinion](#)

[11- DRAFT Bond Counsel Opinion - RRMD#1](#)

[Resolution 146-21](#)

**This Resolution was adopted on the Consent Calendar.**

**4B.K. [21-391](#)**

Approval of the Proposed 2022 Operating Plan and Budget for the Barnes & Powers North Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [2022 Operating Plan - Barnes & Powers North BID\(6212310.1\)](#)

[10-11-2021 BIDpresentation](#)

**This Item was approved on the Consent Calendar.**

**4B.L. [21-392](#)**

Approval of the Proposed 2022 Operating Plan and Budget for the Barnes & Powers South Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [2022 Operating Plan and Budget - Barnes & Powers South](#)

[BID\(6212323.1\) \(1\)](#)

**This Item was approved on the Consent Calendar.**

**4B.M. [21-393](#)**

Approval of the Proposed 20221 Operating Plan and Budget for the

Briargate Center Business Improvement District and Continuing a Temporary Increase in the Operating Mill Levy of up to 13.000 Mills

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [2022 Operating Plan\(00847659-1 xAF7F5\)](#)

**This Item was approved on the Consent Calendar.**

**4B.N.** [21-394](#) Approval of the Proposed 2022 Operating Plan and Budget for the Creekwalk Marketplace Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [2022 Operating Plan and Budget - Creekwalk Marketplace BID\(6215120.1\)](#)

**This Item was approved on the Consent Calendar.**

**4B.O.** [21-395](#) Approval of the Proposed 2022 Operating Plan and Budget for the First and Main Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 Operating Plan and Budget - First & Main BID\(6212425.1\)](#)

**This Item was approved on the Consent Calendar.**

**4B.P.** [21-396](#) Approval of the Proposed 2022 Operating Plan and Budget for the First and Main Business Improvement District No. 2

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [2022 Operating Plan and Budget - First & Main BID No. 2\(6213515.1\)](#)

**This Item was approved on the Consent Calendar.**

**4B.Q.** [21-397](#) Approval of the Proposed 2022 Operating Plan and Budget for the First and Main North Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 Operating Plan and Budget - First & Main North BID\(6212376.1\)](#)

**This Item was approved on the Consent Calendar.**

**4B.R.** [21-399](#) Approval of the Proposed 2022 Operating Plan and Budget for the GSF



## Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 GSF BID Operating Plan and Budget\(6214504.1\)](#)**This Item was approved on the Consent Calendar.**

- 4B.S.** [21-400](#) Approval of the Proposed 2022 Operating Plan and Budget for the Interquest North Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 Operating Plan and Budget - Interquest North BID\(6215590.1\)](#)  
[Rev](#)**This Item was approved on the Consent Calendar.**

- 4B.T.** [21-401](#) Approval of the Proposed 2022 Operating Plan and Budget for the Interquest South Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 Operating Plan and Budget - Interquest South BID\(6214009.1\)](#)  
[\(1\)](#)**This Item was approved on the Consent Calendar.**

- 4B.U.** [21-402](#) Approval of the Proposed 2022 Operating Plan and Budget for the Interquest Town Center Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 Operating Plan and Budget - Interquest Town Center BID\(6214128.1\)](#)**This Item was approved on the Consent Calendar.**

- 4B.V.** [21-403](#) Approval of the Proposed 2022 Operating Plan and Budget for the MW Retail Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [2022 Operating Plan and Budget - MW Retail BID\(6214380.1\)](#)**This Item was approved on the Consent Calendar.**

- 4B.W.** [21-404](#) Approval of the Proposed 2022 Operating Plan and Budget for the

## Powers &amp; Woodmen Commercial Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 Operating Plan and Budget - Powers and Woodmen Commercial BID\(6212334.1\) Rev 10.6.21](#)

**This Item was approved on the Consent Calendar.**

- 4B.X.** [21-405](#) Approval of the Proposed 2022 Operating Plan and Budget for the SW Downtown (aka Park Union) Colorado Springs Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 Operating Plan and Budget - Park Union BID, fka SW Downtown BID\(6214445.1\) \(1\)](#)

**This Item was approved on the Consent Calendar.**

- 4B.Y.** [21-406](#) Approval of the Proposed 2022 Operating Plan and Budget for the USAFA Visitors Center Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [USAFA BID - 2022 Operating Plan and Budget - 2020 10 05\(6216973.1\)](#)

**This Item was approved on the Consent Calendar.**

### Approval of the Consent Agenda

**Motion by Councilmember Donelson, seconded by Councilmember Helms, 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, Donelson, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

### 5. Recognitions

- 5.A.** [21-639](#) A Resolution recognizing November 2021 as Family Court Awareness Month

Presenter:

Dave Donelson, Councilmember District 1

**Attachments:** [Family Court Awareness Month Resolution 147-21](#)

Councilmember Donelson read the Resolution recognizing November 2021 as Family Court Awareness.

**Motion by Councilmember Helms, seconded by Councilmember Avila, that the Resolution recognizing November 2021 as Family Court Awareness Month be adopted. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

- 5.B.**     [21-635](#)     A Resolution of Appreciation of Martha Craycraft, Graphics Technician, Support Services, for their 29 years of service to the City of Colorado Springs.

Presenter:

Ryan Trujillo, Director of Support Services

**Attachments:**   [Retiree Resolution - Martha Craycraft](#)  
[Resolution 148-21](#)

Ryan Trujillo, Director of Support Services, introduced the Resolution of appreciation for Martha Craycraft, Graphics Technician, Support Services, for her twenty-nine years of service with the City of Colorado Springs.

Wade Gann, Office Services Coordinator, acknowledged Ms. Craycraft's achievements and read the Resolution of Appreciation for Ms. Craycraft.

Emily Evans, City Council Administrator, Sarah B. Johnson, City Clerk, and several Councilmembers expressed gratitude for Ms. Craycraft's service and accomplishments during her career with the City.

Ms. Craycraft expressed appreciation for the opportunities she had been given with the City, for the recognition, and for the Office Services Team.

**Motion by Councilmember Donelson, seconded by Councilmember Avila, that the Resolution of Appreciation of Martha Craycraft, Graphics Technician, Support Services, for their 29 years of service to the City of Colorado be adopted. Proposed Motion: The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

## **6. Citizen Discussion For Items Not On Today's Agenda**

There was no Citizen Discussion.

## **7. Mayor's Business**

There was no Mayor's Business.

## **8. Items Called Off Consent Calendar**

- 4B.Z.** [CPC MP 93-176-A5M N21](#) Minor Amendment to the Ivywild Master Plan to add multiple properties between E. Ramona Ave. and E. St. Elmo Ave. to the area recognized as part of the Creekwalk Commercial project.

(Quasi-Judicial)

Related Files: CPC ZC 21-00112, CPC V 21-00113, and CPC CP 18-00097-A2MJ21

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:** [Creekwalk North Rezone CPC Staff Report 091621](#)

[Figure 1 - Creekwalk North Project Statements](#)

[Figure 2 - Creekwalk North Zoning](#)

[Figure 3 - Ivywild MP Amendment](#)

[Figure 4 - Creekwalk North Parcel E Zone Change](#)

[Figure 5 - Creekwalk North ROW Vacation](#)

[Figure 6 - Creekwalk Concept Plan Amendment](#)

[Figure 7 - 2018 Creekwalk Commercial Concept Plan](#)

[Figure 8 - SNURD Guidelines](#)

[Protect Colorado Springs- Comment Letter on Creekwalk North \(PC Hearing 09.16.21\) - Copy](#)

[CPC Minutes CreekwalkNorthCommercial draft](#)

[7.5.408 Master Plan](#)

Ryan Tefertiller, Planning Manager, Planning and Community Development, presented the minor amendment to the Ivywild Master Plan to add multiple properties between E. Ramona Ave. and E. St. Elmo Ave. to the area recognized as part of the Creekwalk commercial project, a zone change for single parcel from R5 to C5, right-of-way vacations for remaining Metzler Avenue/Creekwalk Court, and major amendment to the Creekwalk Concept Plan. He provided a background on the site, application approval history, proposal, current applications, Master Plan amendment, zone change, and right-of-way vacation. He identified the Concept Plan amendment, stakeholder notice, analysis, and staff recommendation.

Jim Houk, Planner, Kimley Horn, representing the applicant, provided a vicinity map of the area, South Nevada Avenue 2017 design guidelines,

project context, Spring of 2019 site photo, and current site photo. He gave an overview of the Master Plan minor amendment, street vacation, zone change, and Concept Plan amendment.

Russ Dykstra, Spencer Fane, LLC, representing the Creekwalk Marketplace Business Improvement District (BID), stated the stormwater detention areas are being built and owned by the BID and only the retailers within the BID will be paying taxes to support that facility. He stated this has been fully vetted and in cooperation with the BID.

Jariah Walker, Executive Director, Colorado Springs Urban Renewal Authority (URA), stated they are proud of the developer's work on the South Nevada Urban Renewal Area.

Citizen Randall Weiner stated his clients applaud urban renewal but are opposed to the variance request for the underground subsurface Storm Tech stormwater chambers. He presented a photo of the chambers, identified the criteria of the Drainage Criteria Manual (DCM), stated public funding of a private stormwater facility is unlawful, went over the violations of the DCM and the applicant's variance request.

Councilmember Murray asked if the BID is paying for it, how is it a public operation and maintenance issue. Mr. Weiner stated BIDs are established to facilitate public improvements, but they are not allowed to operate for the benefit of private entities.

Councilmember Henjum asked why there is a concern with this type of drainage system. Mr. Weiner stated it is water control of last resort, it is new methodology, and it is prohibited in the DCM unless it is located in the downtown core.

Councilmember Donelson asked for a legal opinion regarding the issues Mr. Weiner presented. Ben Bolinger, Senior Attorney, City Attorney's Office, stated he does not have an opinion on the funding and the items before City Council are whether or not the applications meet the criteria of City Code. Mr. Dykstra stated there is an adjacent, almost identical, operating facility located underneath the parking lot of the existing Creekwalk and is owned by the Creekwalk BID.

Richard Muledy, Stormwater Enterprise Manager, stated in December of

2020 the DCM was updated to expand the use for underground detention water quality facilities, the City will require maintenance and auditing of these facilities, and he actually prefers these systems on small sites.

Erin Power, Stormwater Compliance Program Manager, stated the variance application was submitted and accepted by the variance committee and Pueblo County.

Councilmember Henjum asked if the methodology being used is being driven by budget constraints. Mr. Dykstra stated the URA discussion is not directly related to the cost and economics of using this type of drainage facility.

Councilmember Williams asked which of the four applications before City Council this drainage configuration would relate to and who approves the drainage infrastructure. Mr. Bolinger stated the drainage report is submitted as part of the Concept Plan amendment and the Stormwater Manager approves the drainage report.

Councilmember Helms stated this type of underground water detention is being used already and he supports this project.

Mr. Weiner stated the application for the variance request for this underground Storm Tech facility was received by the Planning Department on August 16, 2021 so this was not a long standing project, he does not see where the five criteria of the DCM for the drainage report has been met, this facility is a private, not public, improvement, this infrastructure may not be beneficial for flood control, and requested this matter be reviewed more thoroughly by a third party.

Mr. Mulledy stated the DCM defines "public" as the City owning and maintaining the facility and this facility will be privately owned. He stated whether the facility is above or below ground, the criteria for full spectrum detention and water quality is the same, this variance was also reviewed by Pueblo County which would qualify as a third party, and everything the City approves is subject to an audit by the federal government.

Councilmember Donelson asked if the five criteria of the DCM had been met. Ms. Powers read the five criteria for the variance and confirmed they had been met. Mr. Weiner stated there is different criteria for underground

detention. Ms. Powers read the criteria from the 2020 DCM related to underground control measures.

Mr. Bolinger clarified that State statutes 31.25.1203 specifically identifies drainage facilities can be maintained by a BID which is public entity.

**Motion by Councilmember Williams, seconded by Councilmember Helms, that the minor amendment to the Ivywild Master Plan, based upon the finding that the amendment complies with the review criteria in City Code Section 7.5.408, subject to compliance with the following technical and informational plan modifications:**

**Technical and Informational Modifications to the Master Plan Amendment:**

**1. Add the correct file number to the bottom corner of each sheet of the amendment as well as relevant plan labels be approved. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

**4B.AA** [CPC V 21-0011321-516](#) Ordinance No. 21-89 vacating portions of a public right-of-way known as Metzler Avenue and Creekwalk Court consisting of 0.528-acres.

(Legislative)

Related Files: CPC MP 93-176-A5MN21, CPC ZC 21-00112, and CPC CP 18-00097-A2MJ21

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:** [ORD\\_VROW\\_MetzlerAve&CreekwalkCt](#)

[Exhibit A - CreekwalkCt&Metzler ROW VacationLegalDescription](#)

[Exhibit B - Creekwalk North ROW Vacation Plat](#)

Please see comments in Agenda item 4B.Z.

**Motion by Councilmember Henjum, seconded by Councilmember Donelson, that the Ordinance vacating portions of a public right-of-way known as Metzler Avenue and Creekwalk Court consisting of 0.528-acres, based upon the finding that the application complies with the review criteria in City Code Section 7.7.402.C. be approved on first reading. The motion passed by a vote of 9-0-0**

**4B.AB** [CPC ZC 21-00112](#) Ordinance No. 21-90 amending the zoning map of the City of Colorado Springs relating to 0.308-acres located at 130 Metzler St. from R5 (Multi-Family Residential) to C5 (Intermediate Business).

(Quasi-Judicial)

Related Files: CPC MP 93-176-A5MN21, CPC V 21-00113, and CPC

CP 18-00097-A2MJ21

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:** [ORD\\_ZC\\_CreekwalkNorthParcelE](#)

[Exhibit A - Creekwalk North Parcel E Zone Change](#)

[Exhibit B - Creekwalk North Parcel E Zone Change](#)

Please see comments in Agenda item 4B.Z.

**Motion by Councilmember Murray, seconded by Councilmember Helms, that the Ordinance amending the zoning map of the City of Colorado Springs relating to 0.308-acres located at 130 Metzler St. from R5 (Multi-Family Residential) to C5 (Intermediate Business), based upon the findings the request complies with the criteria for granting a zone change as set forth in City Code Section 7.5.603.B. be approved on first reading. The motion passed by a vote of 9-0-0**

**4B.AC** [CPC CP 18-00097-A2 MJ21](#)

Creekwalk North Concept Plan Amendment to expand the scope of the previously approved Creekwalk Commercial Concept Plan consisting of a total of 14.74-acres.

(Quasi-Judicial)

Related Files: CPC MP 93-176-A5MN21, CPC ZC 21-00112, CPC V 21-00113

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:** [Creekwalk Concept Plan Amendment](#)

[7.5.501.E Concept Plans](#)

Please see comments in Agenda item 4B.Z.

**Motion by Councilmember Donelson, seconded by Councilmember Helms, to approve the major amendment to the Creekwalk Concept Plan, based upon the finding that the application complies with the review criteria in City Code Section 7.5.501.E, subject to compliance with the following technical and informational plan modifications:**

**Technical and Informational Modifications to the Concept Plan Amendment:**

1. Finalize completion of the required drainage report.
2. Add the file number to the bottom corner of all plan sheets.
3. Add access easements, both new and retained, to the concept plan to document access needs for parcel 6430209071.
4. Update the utility and grading sheets to show the stormwater pipe in E. Ramona extending all the way to the creek.



The motion passed by a vote of 9-0-0

**Aye:** 9 - Avila, Donelson, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

## **9. Utilities Business**

- 9.A.** [21-503](#) Ordinance No. 21-91 amending Colorado Springs Utilities' Ordinances No. 20-83 and No 20-84 for Supplemental Appropriations to Budget and Annual Sources of Funds.

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [10-26-2021 - 2021 Supplemental Budget Ordinance](#)

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities (CSU) presented the Ordinance approving the supplemental appropriations to the annual CSU budget and annual sources of funds for the year ending December 31, 2021. He gave an overview of City Code 12.1.104, uses of funds, electric and gas fuel related costs, sources of funds, and next steps.

There were no comments on this item.

**Motion by Councilmember Murray, seconded by Councilmember Helms, that the Ordinance amending Colorado Springs Utilities' Ordinances No. 20-83 and No 20-84 for Supplemental Appropriations to Budget and Annual Sources of Funds be approved on first reading. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

## **10. Unfinished Business**

There was no Unfinished Business.

## **11. New Business**

- 11.A.** [21-398](#) Approval of the Proposed 2022 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2022 BID Operating Plan and Budget](#)

President Skorman recused himself due to owning a business in Downtown Colorado Springs.

There were no comments on this item.

**Motion by Councilmember Henjum, seconded by Councilmember Helms, that the Proposed 2022 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District be approved. The motion passed by a vote of 8-0-0-1**

**Aye:** 8 - Avila, Donelson, Helms, Henjum, Murray, O'Malley, Strand, and Williams

**Recused:** 1 - Skorman

- 11.B.** [21-644](#) A Resolution Approving the Fourth Amended and Restated Intergovernmental Agreement Among El Paso County, Colorado, the City of Colorado Springs, the City of Manitou Springs, the Town of Green Mountain Falls, and the Town of Ramah Regarding the Pikes Peak Rural Transportation Authority

Presenter:

Gayle Sturdivant, City Engineer/Deputy Public Works Director  
Randy Helms, Councilor, Chair PPRTA Board of Directors  
Wayne Williams, Councilor, PPRTA Board of Directors

**Attachments:** [PPRTA\\_RES-2021-11-10](#)

Gayle Sturdivant, City Engineer/Deputy Public Works Director, presented the Resolution approving the Intergovernmental Agreement (IGA) regarding the Pikes Peak Rural Transportation Authority (PPRTA). She stated the IGA defines weighted voting as new participants are added to the PPRTA.

There were no comments on this item.

**Motion by Councilmember Henjum, seconded by Councilmember Helms, that the Resolution approving the Fourth Amended and Restated Intergovernmental Agreement among El Paso County, Colorado, the City of Colorado Springs, the City of Manitou Springs, the Town of Green Mountain Falls, and the Town of Ramah Regarding the Pikes Peak Rural Transportation Authority as presented be adopted. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

- 11.C.** [21-645](#) Ordinance No. 21-92 Amending Ordinance 02-101 Creating the Citizens' Transportation Advisory Board.

Presenter:

Scott Barnhart, CTAB Chair  
Alex Armani-Munn, ATAC Chair

**Attachments:** [ORD\\_CTAB \(8-21-21\)](#)

[Exhibit A Ord 02-101](#)

[Exhibit B Res 132-13](#)

Scott Barnhart, Citizens' Transportation Advisory Board (CTAB) Chair, presented the Ordinance to change the member composition of CTAB to incorporate the Alternative Transportation Advisory Committee (ATAC) to reflect transportation more accurately within the City.

President Strand asked if there was any objection to this change. Alex Armani-Munn, ATAC Chair, stated there was no opposition.

**Motion by Councilmember Henjum, seconded by Councilmember Helms, that the Ordinance amending Ordinance 02-101 Creating the Citizens' Transportation Advisory Board be approved on first reading. The motion passed by a vote of 8-1-0-0**

**Aye:** 8 - Avila, Donelson, Helms, Henjum, Murray, Skorman, Strand, and Williams

**No:** 1 - O'Malley

## **12. Public Hearing**

There was no Public Hearing.

## **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, Council adjourned.

Sarah B. Johnson, City Clerk