



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, October 22, 2019

10:00 AM

Council Chambers

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### **1. Call to Order**

**Present:** 8 - Councilmember Yolanda Avila, Councilmember Jill Gaebler, Councilmember David Geislinger, Councilmember Bill Murray, Councilmember Don Knight, Councilmember Andy Pico, President Richard Skorman, and President Pro Tem Tom Strand

**Excused:** 1 - Councilmember Wayne Williams

Councilmember Avila was excused at approximately 6:30 PM.

### **2. Invocation and Pledge of Allegiance**

The Invocation was made by Debbie Howell, Elder in Residence at Colorado College.

President Skorman led the Pledge of Allegiance.

### **3. Changes to Agenda/Postponements**

President Skorman stated the Colorado Springs Utilities items will be taken at 1:00 PM.

Sarah B. Johnson, City Clerk, stated the appellant has requested item 12.A. to be postponed until the November 12, 2019 City Council meeting.

Councilmember Murray requested item 4B.J. be removed from the Consent Calendar.

Councilmember Knight requested item 4B.L. be removed from the Consent Calendar.

Councilmember Knight requested item 11.N. be bifurcated to separate the occupancy, owner-occupancy, and density requirements and will be discussed further when the item is presented on the Agenda. President Pro Tem Strand stated when the item is presented, he will request item 11.N.

with the exception of the occupancy limits be postponed until the November 12, 2019 City Council meeting.

Consensus of Council agreed to these changes 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. [19-554](#)** Ordinance No. 19-69 Amending Ordinance No. 18-118 (2019 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks ("TOPS") Fund in the Amount of \$1,284,000 for Acquisition of Approximately 164 Acres of Property for the Purpose of Public Open Space and Trails as an Extension of the Cheyenne Mountain State Park

Presenter:

Britt Haley, TOPS Program Manager, Parks, Recreation & Cultural Services Department

**Attachments:** [Appropriation Ordinance 09-10-19](#)

[Signed Ordinance 19-69.pdf](#)

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

- 4A.B. [19-389](#)** Ordinance No. 19-72 amending Article 4 (Public Health and Sanitation-Garbage, Refuse, and Rubbish) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to waste disposal within a bear management area

Presenter:

Jan McHugh-Smith, CEO Humane Society of the Pikes Peak Region  
Frank McGee, Area Wildlife Manager Colorado Parks and Wildlife

**Attachments:** [Bear Smart ORD-2019-10-09-Final.docx](#)  
[Bear Smart Taskforce PP July.2019](#)  
[Summary of Colorado Ordinances](#)  
[Bear Management Area Map](#)  
[Colorado Springs City Council Bear Trash Presentation](#)  
[Bear Smart Taskforce PP July.2019.pptx](#)  
[Signed Ordinance 19-72.pdf](#)

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

#### **4B. First Presentation:**

**4B.A. [19-649](#)** City Council Regular Meeting Minutes October 8, 2019

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [10-8-2019 City Council Meeting Minutes Final.pdf](#)

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

**4B.B. [19-584](#)** Resolution of Support for the City of Colorado Springs Sponsorship of the Local Government Parks and Recreation Mini-Grant to Great Outdoors Colorado on Behalf of Concrete Couch

Presenter:  
Karen Palus, Director, Parks, Recreation and Cultural Services  
Tilah Larson, Senior Analyst, Parks, Recreation and Cultural Services

**Attachments:** [10-7-19 - City Council Resolution CC and GOCO](#)  
[10-7-19 - Concrete Couch Powerpoint](#)  
[Signed Resolution 99-19.pdf](#)

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

**4B.C. [19-615](#)** A Resolution authorizing the acceptance of a donation of certain property which shall serve as the future site for parks, open space, roadway improvements, retaining walls, and utilities

Presenter:  
Robin Allen, P.E., Civil Engineer

**Attachments:** [Resolution\\_30th\\_2019](#)  
[Mesa\\_30th\\_parcel\\_v2](#)  
[Exhibit A and B 9-4-19 for CC memo and resolution](#)  
[Signed Resolution 100-19.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.D.** [19-650](#) A Resolution authorizing free parking in the downtown municipal garages on Saturday and Sunday, December 21 and 22, 2019; and, free on-street metered parking in Old Colorado City on the Saturday, December 21, 2019

Presenter:

Charae McDaniel, Chief Financial Officer  
Scott Lee, Parking Enterprise Director

**Attachments:** [Res to Approve Free Holiday Parking\\_10-22-19](#)  
[Signed Resolution 101-19.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E.** [19-415](#) Approval of the Proposed 2020 Operating Plan and Budget for the Barnes & Powers North Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - Barnes & Powers North BID](#)

This Item was approved on the Consent Calendar.

- 4B.F.** [19-416](#) Approval of the Proposed 2020 Operating Plan and Budget for the Barnes & Powers South Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - Barnes & Powers South BID](#)

This Item was approved on the Consent Calendar.

- 4B.G.** [19-419](#) Approval of the Proposed 2020 Operating Plan and Budget for the First and Main Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - First and Main BID](#)

This Item was approved on the Consent Calendar.

- 4B.H.** [19-420](#) Approval of the Proposed 2020 Operating Plan and Budget for the First and Main Business Improvement District No. 2

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - First and Main BID No. 2](#)

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

**4B.I.** [19-421](#) Approval of the Proposed 2020 Operating Plan and Budget for the First and Main North Business Improvement District

Presenter:  
Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - First and Main North BID](#)

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

**4B.K.** [19-424](#) Approval of the Proposed 2020 Operating Plan and Budget for the Interquest South Business Improvement District

Presenter:  
Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - Interquest South BID](#)

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

**4B.M.** [19-444](#) Approval of the Proposed 2020 Operating Plan and Budget for the Powers & Woodmen Commercial Business Improvement District

Presenter:  
Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - Powers Woodmen Commercial BID](#)

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

**4B.N.** [CPC ZC 19-00070](#) Ordinance No. 19-73 amending the zoning map for the City of Colorado Springs pertaining to 12.88 acres from A (Agricultural) to OC (Office Complex).  
(Quasi-Judicial)

Related Files: CPC ZC 19-00070, CPC ZC 19-00071, CPC ZC 19-00072, CPC ZC 19-00073, CPC CP 19-00074

Presenter:  
Peter Wysocki, Director of Planning and Community Development  
Katie Carleo, Principal Planner, Planning & Community Development

- Attachments:** [ZC ORD CorderaCommercialSouthParcelA](#)  
[Exhibit A Legal Description Cordera Commercial South](#)  
[Exhibit B Depiction Cordera Commercial South-parcel A](#)  
[Contextual Vicinity Map](#)

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

**4B.O. [CPC ZC 19-00071](#)**

Ordinance No. 19-74 amending the zoning map of the City of Colorado Springs relating to 7.24 acres located along the eastern side of Powers Boulevard stretching from just south of Old Ranch Road to north of Union Boulevard from A (Agricultural) to PF (Public Facility)

(Quasi-Judicial)

Related Files: CPC ZC 19-00070, CPC ZC 19-00071, CPC ZC 19-00072, CPC ZC 19-00073, CPC CP 19-00074

Presenter:

Peter Wysocki, Director of Planning and Community Development  
Katie Carleo, Principal Planner, Planning & Community Development

- Attachments:** [ZC ORD CorderaCommercialSouthParcelB](#)  
[Exhibit A Legal Description Cordera Commercial South-parcel B](#)  
[Exhibit B Depiction Cordera Commercial South-parcel B](#)

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

**4B.P. [CPC ZC 19-00072](#)**

Ordinance No. 19-75 amending the zoning map of the City of Colorado Springs relating to 15.86 acres located along the eastern side of Powers Boulevard stretching from just south Old Ranch Road to north of Union Boulevard from A (Agricultural) to OC (Office Complex)

(Quasi-Judicial)

Related Files: CPC ZC 19-00070, CPC ZC 19-00071, CPC ZC 19-00072, CPC ZC 19-00073, CPC CP 19-00074

Presenter:

Peter Wysocki, Director of Planning and Community Development  
Katie Carleo, Principal Planner, Planning & Community Development

- Attachments:** [ZC ORD CorderaCommercialSouthParcelC](#)  
[Exhibit A Legal Description Cordera Commercial South-parcel C](#)  
[Exhibit B Depiction Cordera Commercial South-parcel C](#)

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

- 4B.Q.** [CPC ZC 19-00073](#) Ordinance No. 19-76 amending the zoning map of the City of Colorado Springs from A (Agricultural) to PK (Parkland) zoning district consisting of 29.99 acres.  
(Quasi-Judicial)

Related Files: CPC ZC 19-00070, CPC ZC 19-00071, CPC ZC 19-00072, CPC ZC 19-00073, CPC CP 19-00074

Presenter:

Peter Wysocki, Director of Planning and Community Development  
Katie Carleo, Principal Planner, Planning & Community Development

**Attachments:** [ZC ORD CorderaCommercialSouthParcelD](#)

[Exhibit A Legal Description Cordera Commercial South-parcel D](#)

[Exhibit B Depiction Cordera Commercial South-parcel D](#)

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

- 4B.R.** [CPC CP 19-00074](#) A Concept Plan for Cordera Commercial South, which illustrates 28.74 acres for Office Complex; 7.24 acres for an existing public detention facility and 29.99 acres of Open Space.  
(Quasi-Judicial)

Related Files: CPC ZC 19-00070, CPC ZC 19-00071, CPC ZC 19-00072, CPC ZC 19-00073, CPC CP 19-00074

Presenter:

Peter Wysocki, Director of Planning and Community Development  
Katie Carleo, Principal Planner, Planning & Community Development

**Attachments:** [FIGURE 4 Concept Plan](#)

[7.5.501.E Concept Plans](#)

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

- 4B.S.** [CPC MPA 06-00206-A1 2MJ19](#) A major master plan amendment for the Woodmen Heights Master Plan changing the land use designation for 20.93 acres from Multi-Family/Regional Commercial/Office to Single Family Detached Residential, located northwest of the Marksheffel Road and Woodmen Road intersection.

(LEGISLATIVE)

Related Files: CPC MPA 06-00206-A12MJ19, CPC PUP 07-00100-A2MJ19, CPC PUZ 19-00011, and CPC PUD 19-00013

Presenter:

Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Principal Planner, Planning and Community Development

**Attachments:** [RES WoodmenHeightsMasterPlanAmendment](#)  
[Exhibit A - Master Plan Amendment](#)  
[CPC Report Nook@ShilohMesa](#)  
[FIGURE 1 - Master Plan Amendment.ltr](#)  
[FIGURE 2 - PUD Concept Plan Amendment.ltr](#)  
[FIGURE 3 - Zone Change.ltr](#)  
[FIGURE 4 - PUD Development Plan.ltr](#)  
[FIGURE 5 - Project Statement](#)  
[FIGURE 6 - Public Comment](#)  
[FIGURE 7 - FIA](#)  
[FIGURE 8 - Vibrant Neighborhoods Framework Map](#)  
[7.5.408 Master Plan](#)  
[CC\\_Nook@ShilohMesa\\_Staff-Presentation](#)  
[Vicinity Map](#)  
[Signed Resolution 102-19.pdf](#)

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

- 4B.T.** [CPC PUP 07-00100-A2 MJ19](#) A major PUD concept plan amendment for the Woodmen Heights Commercial Center development illustrating a new site design, layout and land use for 20.93 acres, located northwest of the Marksheffel Road and Woodmen Road intersection.

(QUASI-JUDICIAL)

Related Files: CPC MPA 06-00206-A12MJ19, CPC PUP 07-00100-A2MJ19, CPC PUZ 19-00011, and CPC PUD 19-00013

Presenter:

Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Principal Planner, Planning and Community Development

**Attachments:** [FIGURE 2 - PUD Concept Plan Amendment](#)  
[7.3.605 PUD Concept Plan](#)  
[7.5.501.E Concept Plans](#)

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

- 4B.U.** [CPC PUZ 19-00011](#) Ordinance No. 19-77 amending the zoning map of the City of Colorado Springs pertaining to 20.93 acres of land from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/SS/AO (Planned Unit Development: Small Lot Single-Family Detached



Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlays), located northwest of the Marksheffel Road and Woodmen Road intersection.

(QUASI-JUDICIAL)

Related Files: CPC MPA 06-00206-A12MJ19, CPC PUP 07-00100-A2MJ19, CPC PUZ 19-00011, and CPC PUD 19-00013

Presenter:  
Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Principal Planner, Planning and Community Development

- Attachments:** [ZC ORD NookatShilohMesa](#)  
[Exhibit A - Legal Description](#)  
[Exhibit B - Zone Change](#)  
[Vicinity Map](#)

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

- 4B.V.** [CPC PUD 19-00013](#) A PUD development plan for the Nook at Shiloh Mesa project illustrating a small lot single-family detached residential development with 91-lots and ancillary public and private improvements, located northwest of the Marksheffel Road and Woodmen Road intersection.

(QUASI-JUDICIAL)

Related Files: CPC MPA 06-00206-A12MJ19, CPC PUP 07-00100-A2MJ19, CPC PUZ 19-00011, and CPC PUD 19-00013

Presenter:  
Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Principal Planner, Planning and Community Development

- Attachments:** [FIGURE 4 - PUD Development Plan](#)  
[7.3.606 PUD Development Plan](#)  
[7.5.502.E Development Plan Review](#)

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

**Approval of the Consent Agenda**

**Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, 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 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

## **5. Recognitions**

- 5.A.**    [19-520](#)        A Proclamation Recognizing the Civic Engagement Program

Presenter:  
Council Member Tom Strand

**Attachments:**    [Fifth Anniversary of the Colorado Springs Civic Engagement Program](#)

President Pro Tem Strand read a Proclamation recognizing the Civic Engagement Program.

Eric E. Phillips, founder of the City of Colorado Springs Civic Engagement Program, expressed appreciation to City Council for their support of the program.

- 5.B.**    [19-657](#)        A Proclamation Recognizing Indigenous Peoples Day

Presenter:  
Council Member Yolanda Avila

**Attachments:**    [INDIGENOUS PEOPLES 2019](#)

Citizens Monycka Snowbird, Elicia Good Soldier, Alyssa Bravo, Hope Venke, Victoria Ybanez, and Amy Feddy, Aidan Nelson, Ryan Nelson, Myra Lower, and Councilmember Avila requested the City permanently recognize Indigenous Peoples Day.

Councilmember Avila read a Proclamation recognizing October 14, 2019 as Indigenous Peoples Day.

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

Citizen Kate Szot-Torrez spoke regarding people experiencing homeless and drugs use in the shelters.

Citizen Deborah Stout-Meininger spoke about immigrants receiving an automatic registration to vote when they receive their driver's license.

Citizen Jim Bensberg, representing Cheyenne Canon Conservationists, requested the City uphold their promise to allow City Council be the approver and final arbiter for any park master plan amendments. Jeff Greene, Chief of Staff, stated the City is committed to see this through, but

it needs to go through the Park Land Dedication Ordinance (PLDO) process. Councilmember Knight requested a presentation to City Council on what authority the Parks Advisory Board will have over the park master plan. Marc Smith, Corporate Division Chief, Office of the City Attorney, agreed to provide additional information regarding the process.

Citizen Bob Roper, expressed appreciation to maintenance staff for the upkeep of the Korean War Veteran Monument and requested additional safety precautions be added to the steps. He identified the new Korean War Veteran Monument being built in Aurora, CO.

Citizen Jaymen Johnson spoke about Bottle Alley located at the Broadmoor Resort.

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

There was no Mayor's Business.

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

- 4B.J. [19-423](#) Approval of the Proposed 2020 Operating Plan and Budget for the Interquest North Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - Interquest North BID](#)

Tim Leonard, President, DeepWater Point Company, representing two of the landowners, Burger King, and Cheddars, within the Interquest North Business Improvement District, objected to the proposed 2020 operating plan and budget. He stated they do not agree with the Scheels property exclusion from tax, the \$13M anticipated Phillips Bonds, the use of excess revenue, and the issuance of more debt. Mr. Leonard stated the language regarding the authorized debt limit is confusing and they would like to know what improvements are proposed for outside of the district boundaries as well as what commercial properties will be taken off the tax rolls.

Councilmember Pico stated the exclusion of the Scheels property is a separate action from this item. Mr. Leonard stated City Council's approval of this item would set a precedent.

Russ Dykstra, representing the Interquest North Business Improvement District, stated the district and developer has tried three times to set up

meetings with these property owners to resolve these issues and clarify any questions with no response. He gave an overview of the inclusions, exclusions, anticipated bond limits, excess revenue, and authorized debt limit.

Councilmember Geislinger asked when control of this BID will be turned over to the residents of this property. Mr. Dykstra stated because this is a commercial BID, there are leases in place for members of the board.

Councilmember Murray asked if a delay would be detrimental to the district. Mr. Dykstra stated City Council has thirty days from September 30, 2019, which was the submittal of the operating plan, to take action.

Councilmember Pico asked if a delay would constitute an action. Marc Smith, Corporate Division Chief, Office of the City Attorney, read the relevant sections of state statute which stated action to approve or disapprove is required unless there is a request for additional documentation.

Mr. Leonard stated they did not want to meet with the district and developer until after they had received the requested documents and asked for the bond language to be clarified regarding the \$25M bond limit cap.

Mr. Dykstra stated any additional debt authorization will come before City Council if it is needed. He stated he is comfortable adding the language regarding the \$25M bond limit cap.

Councilmember Geislinger stated he is reluctant for City Council to try to resolve an internal conflict of civil issues between members of the district. Councilmember Pico stated it is City Council's responsibility to approve or disapprove the operating plan, budget, exclusions, inclusions, and bonding. Councilmember Murray stated City Council is responsible because they are authorizing a separate entity to have taxation rights.

**Motion by Councilmember Knight, seconded by President Pro Tem Strand, to approve the proposed 2020 Operating Plan and Budget for the Interquest North Business Improvement District as submitted with a revision to Paragraph 6.B to further clarify that the Council-approved \$25,000,000 limit in maximum authorized total debt governs regardless of other amounts as may be voted by the electors of the BID. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 4B.L.** [19-443](#) Approval of the Proposed 2020 Operating Plan and Budget for the Interquest Town Center Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 Operating Plan and Budget - Interquest Town Center BID](#)

Carl Schueler, Comprehensive Planning Manager, stated there was a discrepancy in the authorized debt limit and presented the revised Proposed 2020 Operating Plan and Budget for the Interquest Town Center Improvement District.

Councilmember Knight requested that going forward, the debt authorization paragraph include what City Council had previously authorized as a max limit. Mr. Schueler agreed to include that information.

Citizen Deborah Stout-Meininger spoke about how the bond loans affect the City's general fund. Councilmember Pico, Councilmember Knight, and Councilmember Murray explained the diligence which goes into the review and approval of each district to ensure it is what is for the community.

**Motion by President Pro Tem Strand, seconded by Councilmember Gaebler, that the proposed 2020 Operating Plan and Budget for the Interquest Town Center Business Improvement District be approved. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

## **9. Utilities Business**

- 9.A.** [19-523](#) A resolution setting the Electric Cost Adjustment and Industrial Service - Large Power and Light Supply Credit effective November 1, 2019

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer  
Aram Benyamin, Chief Executive Officer

**Attachments:** [10-22-2019 City Council Agenda-ECA-ELG SC Rate Adj Filing Packet](#)  
[10-22-2019 CC Mtg-ECA Resolution](#)  
[Signed Resolution 104-19.pdf](#)

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities, presented the proposed rate adjustment of the Electric Cost Adjustment (ECA) from \$0.0193 to \$0.0195 per kWh to be effective

November 1, 2019 which would increase the typical residential electric bill by \$.14 per month, the typical commercial electric bill by \$1.20 per month and the typical industrial electric bill by \$80.00 per month. He stated Gas Cost Adjustment (GCA) would be adjusted from \$0.1620 to \$0.1896 per Ccf which would increase the typical residential gas bill by \$1.66 per month, the typical commercial gas bill by \$34.224 per month and the typical industrial gas bill by \$342.240 per month. Mr. Shewey stated the Large Power and Light (ELG) supply credit adjustment will change the current effective credit rate of \$(0.0030) per kWh to \$(0.0026) per kWh.

There were no comments on this item.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the Resolution setting the Electric Cost Adjustment and Industrial Service-Large Power and Light Supply Credit effective November 1, 2019 be adopted. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 9.B.** [19-524](#) A resolution setting the Gas Cost Adjustment effective November 1, 2019

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [10-22-2019 City Council Agenda-GCA Rate Adj Filing Packet](#)  
[10-22-2019 CC Mtg-GCA Resolution](#)  
[Signed Resolution 105-19.pdf](#)

Please see comments in Agenda item 9.A.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the Resolution setting the Gas Cost Adjustment effective November 1, 2019 be adopted. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 9.C.** [19-514](#) Ordinance No. 19-78 Approving the Annual Budget for Colorado Springs Utilities and Appropriating Monies for the Several Purposes Named in the Annual Colorado Springs Utilities Budget for the Year Ending December 31, 2020 Budget Submission

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer  
Aram Benyamin, Chief Executive Officer

**Attachments:** [2020 Annual Budget Formal Ord](#)  
[10-22-2019 CC 2020 Budget for Mtg](#)

Scott Shewey, Acting Chief Planning and Finance Officer, presented the Ordinance approving the annual Budget for Colorado Springs Utilities (CSU) for 2020. He gave an overview of the 2020 budget goals, the proposed 2020 budget, reduction impact, and CSU recommendation.

President Pro Tem Strand stated this budget has been thoroughly reviewed by the Colorado Springs Utilities Board and Budget Committee.

Councilmember Gaebler stated she supports this proposed budget.

Councilmember Pico stated there are certain aspects of the proposed budget he objects to, such as the water surplus, but overall he supports it.

Councilmember Knight stated he will not be supporting it because under the administrative and general costs, there are plenty of areas for cost savings, such as in advertising. He stated he also does not support the sources of funds. Aram Benyamin, Chief Executive Officer, CSU, stated they will look at every expenditure to make sure they are appropriate.

**Motion by President Pro Tem Strand, seconded by Councilmember Murray, that the Ordinance approving the annual budget for Colorado Springs Utilities and appropriating monies for the several purposes named in the annual Colorado Springs Utilities budget for the year ending December 31, 2020 budget submission be approved on first reading. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Avila, Gaebler, Geislinger, Murray, Skorman, and Strand

**No:** 2 - Knight, and Pico

**Absent:** 1 - Williams

- 9.D.** [19-666](#) Ordinance No. 19-79 Identifying and Accepting the Annual Sources of Funds for Colorado Springs Utilities for the Year Ending December 31, 2020

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer  
Aram Benyamin, Chief Executive Officer

**Attachments:** [2020 Annual Source Funds Ord](#)

Please see comments in Agenda item 9.C.

**Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Ordinance identifying and accepting the annual sources of funds for Colorado Springs Utilities for the year ending December 31, 2020 be approved on first reading. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Avila, Gaebler, Geislinger, Murray, Skorman, and Strand

**No:** 2 - Knight, and Pico

**Absent:** 1 - Williams

- 9.E.** [19-429](#) Public Hearing for the Consideration of Resolutions Setting Water, and Wastewater Rates and Certain Changes to Electric Rate Schedules and Utilities Rules and Regulations Within the Service Areas of Colorado Springs Utilities

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer

Aram Benyamin, Chief Executive Officer

**Attachments:** [10-22-19 2020 Rate Case Hearing-Resolutions & Tariffs](#)

[City Attorney Instructions 2020 Rate Case](#)

[Hearing Agenda 2020 Rate Case](#)

[Issues for Decision-2020 Rate Case](#)

[10-22-2019 CC 2020 Rate Case Hearing Presentation](#)

[Manitou - Notice of Intent to Present Witnesses during 10-22-2019 hearing](#)

[Manitou Comments for 2020 Rate Hearing on Proposed New WW Cont Serv - Outside City Limits Sch 9](#)

Chris Bidlack, Senior Attorney, Colorado Springs Utilities Division, presented the hearing agenda and read the Colorado Springs Utilities rate setting standards and the quasi-judicial role of City Council. Mr. Bidlack polled Council concerning if any members had received any ex parte communications. City Council indicated there were no ex parte communications.

Scott Shewey, Acting Chief Planning and Finance Officer gave an overview of the 2020 Rate Case Filing in regards to the proposed changes to the water and wastewater rate schedules and stated Colorado Springs Utilities filing fulfilled proper procedural compliance requirements. He stated the total monthly water residential typical bill will increase by approximately 5.4%, the total monthly water commercial typical bill will increase by approximately .5%, and the total water industrial typical bill will increase by approximately 4.7%, and the total water contract services-military typical bill will increase by approximately 7.3%. Mr. Shewey stated the total monthly



wastewater residential typical bill will increase by approximately 1.5%, the total monthly wastewater commercial typical bill will increase by approximately 3.8%, and the total wastewater contract services-military typical bill will increase by approximately 3.5%. He explained the contract service outside City limits, green power service, ETL primary demand charge, on-site direct-service solar table, electric and natural gas line extension fees, stormwater billing, and water leak adjustment. Mr. Shewey went over the proposal to simplify development charge deferral for affordable housing, administrative corrections, customer outreach efforts, proposed bill changes, and programs helping customers.

Denny Nester, City Auditor, stated the City Auditor's Office has reviewed the rate case for consistency and accuracy and found no errors.

Ken Jaray, Mayor of Manitou Springs, asked for reconsideration of the proposed rate increase of twenty-two percent over the next three years for contract wastewater service outside City limits because it unequitable among CSU customers.

Ed Harvey, The Harvey Economics Team, representing the City of Manitou Springs, stated the proposed rate schedule and substantial increase is not reflective of the relationship between the two Cities and Manitou Springs brings financial benefits to the CSU wastewater system. He stated the calculation method of S9C rates unfairly impacts Manitou Springs and CSU goals could be achieved in a more equitable manner.

Mr. Shewey stated CSU is proposing a 7.5 percent per year for the next three years for outside City limits as a benefit to inside the City customers. He identified that the outside the City customers will also get an indirect benefit of the development charges due to the defrayment of capital costs and use of debt.

President Pro Tem Strand asked when this increase would go into effect. Mr. Shewey stated January 1, 2020.

Mr. Bidlack polled Council regarding the issues for decision for the water rates, wastewater rates, electric rates, and Utilities Rules and Regulations. Please see the attached documents for additional details on City Council's direction for the proposed terms and conditions.

Councilmember Knight commented that to have CSU take over debt collection for non-residential stormwater would be a much longer process and it is better for both entities to have the City place tax liens on the property for delinquent commercial accounts. Councilmember Murray stated he believes having CSU collect is the smartest way to handle it.

- 9.F.**    [19-428](#)    Ordinance No. 19-80 amending Sections 107 (Authorities, Powers and Duties of Utilities Chief Executive Officer), 112 (User Charges for Utility Service), and 120 (Residential Stormwater Service Fee Billing) of Article 1 (General Provisions) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to changes related to Stormwater billing

Presenter:

Christopher Bidlack, Senior Attorney, City Attorney's Office-Utilities Division

Aram Benyamin, Chief Executive Officer

**Attachments:** [CSU-StormwaterBillingCh12ORD-2019-07-18](#)

Please see comments in Agenda item 8.E.

**Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Ordinance approving City Code changes for stormwater billing be approved on first reading. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Avila, Gaebler, Geislinger, Murray, Skorman, and Strand

**No:** 2 - Knight, and Pico

**Absent:** 1 - Williams

## **10. Unfinished Business**

- 10.A.**    [19-289](#)    Ordinance No. 19-70 including certain property into the USAFA Visitor's Center Business Improvement District.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

**Attachments:** [Ordinance- USAFA Visitors Center BID Inclusions10-8-19clean](#)  
[Exhibit A- Signed Petition of Inclusion](#)  
[Exhibit B- Notice of Inclusion \(2\)](#)  
[Attachment 1- 2019-10-8 Affidavit of Publication - Ntc of Inclusion - USAFA BID](#)  
[PowerPoint USAFABID Inclusions-Exclusion](#)  
[Signed Ordinance 19-70.pdf](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development presented the Ordinances including and excluding certain property into the USAFA Visitor's Center Business Improvement District (BID).

Councilmember Murray asked if the Air Force has signed the lease agreement. Dan Schneff, representing the USAFA Visitor's Center Business Improvement District, stated the Air Force has signed the agreement and should be received in the next one to two days.

**Motion by Councilmember Gaebler, seconded by Councilmember Knight, that the Ordinance including certain properties into the boundaries of the USAFA Visitor's Center Business Improvement District be finally passed. The motion passed by a vote of 7-1-1-0**

**Aye:** 7 - Avila, Gaebler, Geislinger, Knight, Pico, Skorman, and Strand

**No:** 1 - Murray

**Absent:** 1 - Williams

**10.B. [19-288](#)** Ordinance No. 19-71 excluding certain property from the USAFA Visitor's Center Business Improvement District.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

**Attachments:** [USAFA BID - Exclusion Ordinance - 10-8-19](#)  
[Exhibit A- Signed Petition for Exclusion-USAFA VC EUL](#)  
[Exhibit B- Notice of Exclusion](#)  
[Attachment 1 2019-10-8 Affidavit of Publication - Ntc of Exclusion - USAFA BID](#)  
[Signed Ordinance 19-71.pdf](#)

Please see comments in Agenda item 10.A.

**Motion by Councilmember Knight, seconded by Councilmember Geislinger, that the Ordinance excluding certain property from the boundaries of the USAFA**

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**Visitor's Center Business Improvement District be finally passed. The motion passed by a vote of 7-1-1-0**

**Aye:** 7 - Avila, Gaebler, Geislinger, Knight, Pico, Skorman, and Strand

**No:** 1 - Murray

**Absent:** 1 - Williams

## **11. New Business**

- 11.A.** [19-599](#) An Amended 2019 Operating Plan and Budget for the USAFA Visitors Center Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

**Attachments:** [USAFA BID - 2019 AMENDED Operating Plan - Final II - Oct 15 2019](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development gave an overview of the updated United States Air Force Academy Visitors Center BID amended 2019 and 2020 operating plan and budget and debt authorization issuance.

Councilmember Knight stated he endorses this item and the Urban Renewal Authority funding will only go towards infrastructure with no tax dollars will go towards the City for Champions project.

President Pro Tem Strand asked what the caps are for the bonds. Mr. Schueler stated the Series A Bonds are \$20M, Series B Bonds are \$52M, and Series C Bonds are \$15M. He stated the aggregate amount will not exceed \$80M, but they expect it to be approximately \$73M.

Councilmember Murray stated he does not support these items because it is a bait and switch which was supposed to be funded by endowments and the end does not justify the means.

**Motion by President Pro Tem Strand, seconded by Councilmember Gaebler, that the Amended 2019 Operating Plan and Budget for the USAFA Visitors Center Business Improvement District be approved. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Gaebler, Geislinger, Knight, Pico, Skorman, and Strand

**No:** 2 - Avila, and Murray

**Absent:** 1 - Williams

- 11.B.** [19-446](#) A proposed 2020 Operating Plan and Budget for the USAFA Visitors

## Center Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [Revised USAFA BID - 2020 Operating Plan - Final II - Oct 15 2019](#)

Please see comments in Agenda item 11.A.

**Motion by President Pro Tem Strand, seconded by Councilmember Gaebler, that the proposed 2020 Operating Plan and Budget for the USAFA Visitors Center Business Improvement District be approved. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Gaebler, Geislinger, Knight, Pico, Skorman, and Strand**No:** 2 - Avila, and Murray**Absent:** 1 - Williams

- 11.C.** [19-598](#) A Resolution authorizing the USAFA Visitors Center Business Improvement District to issue debt in the form of Series 2019A Special Revenue Bonds, Taxable Series 2019B Special Revenue Bonds, and Series 2019C Subordinate Special Revenue Bonds.

(Legislative Item)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development  
Bob Cope, Economic Development Officer**Attachments:** [resolution](#)[Attachment 2- District Bond Resolution](#)[Attachment 3- Indenture \(Senior\) -9.25.19](#)[Attachment 4- Indenture \(Subordinate\) - 9.25.2019](#)[Attachment 5- Pledge Agreement between BID and CSURA 9-25-19\)](#)[Attachment 6- General Counsel Opinion](#)[Attachment 7- Description of BID Improvements - Uses of Funds](#)[Attachment 8- Market and Revenue Study 9-18-19](#)[PowerPoint USAFABID Debt Issuance](#)[Signed Resolution 103-19.pdf](#)

Please see comments in Agenda item 11.A.

**Motion by Councilmember Geislinger, seconded by President Pro Tem Strand, that the Resolution authorizing the USAFA Visitors Center Business Improvement District to issue debt in the form of Series 2019A Special Revenue Bonds in the approximate amount of \$20,000,000, Taxable Series 2019B Special Revenue Bonds in the approximate amount of 52,000,000, and Series 2019C Subordinate**

**Special Revenue Bonds, in the approximate amount of \$15,000,000, with an overall aggregate limit of \$80,000,000 for the combined issuances be adopted. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Gaebler, Geislinger, Knight, Pico, Skorman, and Strand

**No:** 2 - Avila, and Murray

**Absent:** 1 - Williams

- 11.D. [19-445](#) Approval of the Proposed 2020 Operating Plan and Budget for the SW Downtown Colorado Springs Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [Revised 2020 Operating Plan and Budget - SW Downtown BID](#)

Carl Schueler, Planning Manager, Comprehensive Planning presented the revision of the maximum debt authorization from \$440M to \$105M for the proposed 2020 Operating Plan and Budget for the SW Downtown Colorado Springs Business Improvement District. He stated Councilmember Knight requested an explanation regarding the operation mill levy increase from 1.0 to 4.0 mills and the district representative responded that the original plan allows up to 10 mills and with this increase, the developer will still be subsidizing operations by approximately \$110,000.

There were no comments on this item.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the proposed 2020 Operating Plan and Budget for the SW Downtown Colorado Springs Business Improvement District be approved. The motion passed by a vote of 7-0-2-0**

**Aye:** 7 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 2 - Avila, and Williams

- 11.E. [19-417](#) Approval of the Proposed 2020 Operating Plan and Budget for the Briargate Center Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [Revised Final 2020 Operating Plan and Budget\(00712869 xAF7F5\)\) Briargate](#)

Carl Schueler, Planning Manager, Comprehensive Planning presented the revisions to the proposed 2020 Operating Plan and Budget for the Briargate Center Business Improvement District (BID).

Councilmember Knight requested this item be BID Board approved versus City Council approved for next year.

**Motion by President Pro Tem Strand, seconded by Councilmember Gaebler, that the proposed 2020 Operating Plan and Budget for the Briargate Center Business Improvement District be approved. The motion passed by a vote of 7-0-2-0**

**Aye:** 7 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 2 - Avila, and Williams

- 11.F. [19-418](#)** Postpone action on the Proposed 2020 Operating Plan and Budget for the Creekwalk Marketplace Business Improvement District to November 26, 2019

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [Revised 2020 Operating Plan and Budget - Creekwalk Marketplace BID](#)  
[Letter from Spencer Fane re 2019 bond issuance](#)

Councilmember Knight requested a presentation to the Budget Committee and documentation on the amount of the debt service and where it is being held in the budget since the \$26M in bonding is being held in the capital improvement fund. Russ Dykstra, representing the Creekwalk Marketplace Business Improvement District, agreed to Councilmember Knight's request.

**Motion by Councilmember Geislinger, seconded by President Pro Tem Strand, that the proposed 2020 Operating Plan and Budget for the Creekwalk Marketplace Business Improvement District be postponed until the November 12, 2019 City Council meeting. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 11.G. [19-654](#)** A Resolution Amending City Council Resolution 53-17

Presenter:

Bob Cope, Economic Development Officer

Darlene Kennedy, Real Estate Services Manager

**Attachments:** [Resolution amending Resolution 53-17](#)  
[Map](#)  
[Signed Resolution 106-19.pdf](#)

Bob Cope, Economic Development Officer stated City Council approved Resolution 53-17 authorizing a land exchange for two City-owned

properties known as 25 and 125 Cimino Drive for a portion of a privately owned parcel know as 301 Cimino Drive. He stated 125 Cimino Drive is in third party litigation and requested the Resolution be bifurcated for closing.

Councilmember Knight requested a clause be added to the Resolution regarding termination of the land exchange if it is no longer in the best interest of the City and there be a payment for the difference of the appraisals made to the City if 125 Cimino Drive is not included in the conveyance. Jeff Greene, Chief of Staff, confirmed there would be a remittance back to the City of the appraised value differential if 125 Cimino Drive is not exchanged with the City.

Councilmember Murray asked if the City would maintain the pedestrian bridge. Mr. Greene confirmed the City would be responsible.

**Motion by President Pro Tem Strand, seconded by Councilmember Knight, that the Resolution to amend City Council Resolution 53-17 and settlement will be made to the City to make the City whole if the exchange only involves two of the properties be adopted. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 11.H. [19-614](#) A Resolution Authorizing the Use of City Right of Way Known as Tejon Street and Costilla Street for Underground Public Parking.

Presenter:

Bob Cope, Economic Development Officer

Darlene Kennedy, Real Estate Services Manager

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

[Exhibit A](#)

[Marriott URA PowerPoint](#)

[Signed Resolution 107-19.pdf](#)

Bob Cope, Economic Development Officer, presented the Resolution authorizing the use of City right of way known located at Tejon and Costilla Street for underground public parking for the Downtown Marriott Hotel. He gave an overview of the ninety-nine year subsurface lease agreement and public benefit.

There were no comments on this item.

**Motion by Councilmember Murray, seconded by President Pro Tem Strand, that the Resolution authorizing the use of city right of way known as Tejon Street and Costilla Street for underground public parking be adopted. The motion passed by**



a vote of 8-0-1-0

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 11.I. [19-414](#) Proposed 2020 Budget for the Colorado Springs Downtown Development Authority

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [DDA 2020 Budget](#)  
[DDA 2020 Scope of Work](#)  
[10-7-19\\_BIDpresentation-Final](#)

President Skorman recused himself for items 8.I. and 8.J.

There were no comments on this item.

**Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the proposed 2020 Operating Plan and Budget for the Colorado Springs Downtown Development Authority be approved. The motion passed by a vote of 7-0-1-1**

**Aye:** 7 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, and Strand

**Absent:** 1 - Williams

**Recused:** 1 - Skorman

- 11.J. [19-422](#) A proposed 2020 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

**Attachments:** [2020 General Fund Summary](#)  
[2020 Operating Plan](#)

Please see comments in Agenda item 11.I.

**Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the proposed 2020 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District be approved. The motion passed by a vote of 7-0-1-1**

**Aye:** 7 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, and Strand

**Absent:** 1 - Williams

**Recused:** 1 - Skorman

- 11.K. [19-529](#) A resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$2,300,000 for the Upper Cottonwood Creek Metropolitan District No. 2

Presenter

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

**Attachments:** [Resolution UpperCottonwoodCreekMetroDistNo2](#)  
[Attachment 1- UCC No. 2 - Bond Submittal Cover Letter](#)  
[Attachment 2- UCC No. 2 - Resolution and Form of Bond](#)  
[Attachment 3- UCC No. 2 - General Counsel Letter](#)  
[Attachment 4- UCC No. 2 - Bond Counsel Letter](#)  
[Attachment 5- UCC No. 2 - RBC Letter](#)  
[Attachment 6- 2018 Cost Certification](#)  
[Attachment 7- 2018 Cost Certification Breakout presentation](#)  
[Signed Resolution 108-19.pdf](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, presented the proposed debt issuance for the Upper Cottonwood Creek Metropolitan District No. 2 and No. 3.

There were no comments on this item.

**Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the Resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$2,300,000 for the Upper Cottonwood Creek Metropolitan District No. 2 be adopted. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 11.L. [19-530](#) A resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$7,200,000 for the Upper Cottonwood Creek Metropolitan District No. 3

Presenter

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

**Attachments:** [Resolution\\_UpperCottonwoodCreekMetroDistNo3](#)  
[Attachment 1- UCC No. 3 - Bond Submittal Cover Letter](#)  
[Attachment 2-UCC No. 3 - Resolution and Form of Bond](#)  
[Attachment 3- UCC No. 3 - General Counsel Letter](#)  
[Attachment 4- UCC No. 3 - Bond Counsel Letter](#)  
[Attachment 5- UCC No. 3 - RBC Letter](#)  
[Signed Resolution 109-19.pdf](#)

Please see comments in Agenda item 11.K.

**Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the Resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$7,200,000 for the Upper Cottonwood Creek Metropolitan District No. 3 be adopted. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 11.M.** [19-565](#) Ordinance No. 19-81 certifying delinquent stormwater fees and charges to the El Paso County Treasurer for collection

Presenter:

Richard Mulledy, Stormwater Enterprise Manager

**Attachments:** [Ordinance\\_StormwaterFees-CertificationOfDeliquency](#)  
[Exhibit A\\_Ord to Certify Dlq SW fees for Collection.pdf](#)

Travis Easton, presented the Ordinance certifying delinquent stormwater fees and charges to the El Paso County Treasurer for collection of fees invoiced by the City invoices

Marc Smith, Corporate Division Chief, Office of the City Attorney, stated the Ordinance allows for property owners who make payment to be removed from the list.

**Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Ordinance to certify the delinquent stormwater fees and charges to the County Treasurer for collection be approved on first reading. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 11.N.** [19-425](#) Ordinance No. 19-82 amending Chapter 7 of the Code of the City of Colorado Springs pertaining to the occupancy of short term rental units

Presenter:

Morgan Hester, Principal Planner  
Peter Wysocki, Director of Planning and Community Development

**Attachments:** [ORD\\_ShortTermRentalOccupancy](#)

Morgan Hester, Principal Planner, Planning and Community Development, presented an Ordinance amending Chapter 7 of City Code pertaining to the overnight occupancy limits of short term rental (STR) units.

Councilmember Murray requested documentation from the City Attorney's Office in regards to why non-owner occupied STRs are not considered commercial enterprises.

Citizens Dutch Schultz, Nancy Soderstrom, Ryan Spradlin, Courtney Olsen, Robert Alvarez, Caleb Reeder, Nancy Wile, Jerimiah Erickson, Christopher Dwyer spoke in opposition of the proposed occupancy limits.

Citizens Marie McGinnis, Mike Applegate, Rachel Beck, Pat Doyle for Bob Loevy, Julia Owens spoke in favor of the proposed occupancy limits.

Ms. Hester asked if the word "overnight" in regards to maximum occupancy should be added to the Ordinance.

Councilmember Geislinger stated he does not feel the regulation should be restricted to only overnight occupants and there needs to be regulation in place so Code Enforcement has the authority to enforcement.

Councilmember Gaebler stated events should not be limited and restrictions should be consistent with all other uses.

Councilmember Geislinger stated long term rentals has been part of the culture for many years, but short term rentals are new.

Councilmember Murray and Councilmember Pico stated they also support the overnight clause.

Mitch Hammes, Neighborhood Services Manager, stated this tool would improve enforceability and is a good step toward solving a problem. He said he supports leaving overnight in the restriction.

**Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the Ordinances amending Chapter 7 (Planning, Development and Building) of City Code pertaining to density and owner-occupancy requirements of short**

term rental units be postponed to the November 12, 2019 City Council meeting.  
The motion passed by a vote of 8-0-1-0

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

**Motion by Councilmember Pico, seconded by Councilmember Gaebler, that the Councilmember Knight's motion be amended to add the word "overnight" to the second sentence of Section 7.5.1706(H) to read "The maximum overnight occupancy per dwelling unit shall be fifteen (15) occupants." The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Avila, Gaebler, Murray, Pico, Skorman, and Strand

**No:** 2 - Geislinger, and Knight

**Absent:** 1 - Williams

**Motion by Councilmember Knight, seconded by Councilmember Geislinger, that the Ordinance amending Chapter 7 (Planning, Development and Building) of City Code pertaining to the occupancy of short term rental units be approved on first reading as amended to add the word "overnight" to the second sentence of Section 7.5.1706(H) to read "The maximum overnight occupancy per dwelling unit shall be fifteen (15) occupants." The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

## **12. Public Hearing**

**12.A.** [AR CM2  
19-00124](#)

An appeal of City Planning Commission's denial of the Maizeland & Murray CMRS development plan to allow modification of an existing 99'-3" monopole tower located northeast of Constitution Avenue and Avondale Circle, and addressed as 2499 Avondale Drive.

(Quasi-Judicial)

Related Files: AR CM2 19-00124

Presenter:

Meggan Herington, Assistant Director, Planning and Community Development

Peter Wysocki, Director Planning and Community Development

**Attachments:** [Powerpoint for CMRS - COL02266 Maizeland & Murray Appeal](#)  
[EXHIBIT 1 Appeal Request Vertical Bridge](#)  
[EXHIBIT 2 FCC-14-153 - Sections on 6409](#)  
[EXHIBIT 3 Vertical Bridge DP letter](#)  
[Response to the October 24th Kimley Horn Exhibit related to the Homestead Trail Cell Tower Development Plan](#)  
[CC PowerPoint Maddocks](#)  
[CC Maddocks Federal Law under the Spectrum Act and how it relates to the Homestead Trail Cell Tower](#)  
[CONTINUANCE REQUEST](#)  
[CPC Staff Report CMRS APPEAL MAIZELAND & MURRAY](#)  
[FIGURE 1 SITE PLAN](#)  
[FIGURE 2 APPEAL LETTER](#)  
[FIGURE 3 PROJECT STATEMENT](#)  
[FIGURE 4 LAND USES](#)  
[FIGURE 5 NEIGHBORHOOD COMMENTS](#)  
[FIGURE 6 RESPONSE LETTER TO NEIGHBORHOOD](#)  
[FIGURE 7 REVISED PROJECT STATEMENT](#)  
[FIGURE 8 FCC Radio Emission Safety Guide](#)  
[FIGURE 9 FCC Radio Frequency and Human Exposure](#)  
[FIGURE 10 NEIR LETTER](#)  
[FIGURE 11 PHOTO SIMULATIONS](#)  
[FIGURE 12 STRUCTURAL DOCUMENTS](#)  
[FIGURE 13 ADDITION NEIGHBORHOOD COMMENTS](#)  
[Figure 13a - Additional Neighborhood Comments Received](#)  
[FIGURE 14 TAX ASSESSOR](#)  
[FIGURE 15 VILLA LOMA FILING NO. 1 PLAT](#)  
[FIGURE 16 VILLA LOMA DRAINAGE REPORT](#)  
[FIGURE 17 2006 CMRS PROJECT](#)  
[FIGURE 18 NONCONFORMING SECTION](#)  
[FIGURE 19a - 47 USC 332 Mobile services](#)  
[FIGURE 20 47 USC 1455 Wireless Facilities Deployment](#)  
[FIGURE 21 47 CFR 1.6100 Wireless Facility Modifications](#)  
[FIGURE 22 FCC 14-153](#)  
[FIGURE 23 City Code 7.4.609 DISCONTINUANCE](#)  
[7.5.906 \(A\)\(4\) Administrative Appeal](#)  
[7.5.502.E Development Plan Review](#)  
[7.4.607 Site Selection and Collocation req](#)  
[7.4.608 Design Criteria & construction standards](#)

[Appellant - Summary of Appeal to Cell Tower Development Project  
COL02266  
Vicinity Map](#)

[Appellant - Petition Information](#)

[Appellant - Deny the Tower Final Presentation](#)

[Response to Appeal Letter to CSP Planning Commission](#)

[Vertical Bridge PowerPoint 2019-09-13 meeting](#)

Sarah B. Johnson, City Clerk, stated the appellant has requested a postponement to the November 12, 2019 City Council meeting.

**Motion by Councilmember Gaebler, seconded by President Pro Tem Strand, to postpone the appeal to the November 12, 2019 City Council hearing pursuant to City Code section 7.5.906.B.3. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 12.B.** [CPC MPA  
07-00308-A7  
MJ19](#) The Garden of the Gods Club Major Master Plan amendment pertaining to 66.99 acres from Private Open Space and Residential to Multi-Family Residential located south of Fillmore Street and west of Centennial Boulevard.

(Legislative)

Related Files: CPC MPA 07-00308-A7MJ19, CPC PUZ 19-00025, CPC PUP 19-00026

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [RES\\_GardenoftheGodsMasterPlanAmendment](#)  
[Exhibit A - GardenoftheGodsClubMasterPlanAmendment](#)  
[CPC Staff Report\\_Fillmore South](#)  
[Fillmore South - CC powerpoint - LT](#)  
[FIGURE 1 - Garden of the Gods Club Master Plan](#)  
[FIGURE 2 - Concept Plan](#)  
[FIGURE 3 - Project Statement](#)  
[FIGURE 4 - Neighborhood comments](#)  
[FIGURE 5 - Map of surrounding uses](#)  
[FIGURE 6 - Current Garden of the Gods Master Plan](#)  
[FIGURE 7 - Fiscal Impact Analysis.GoG Club](#)  
[FIGURE 8 - CGS letter](#)  
[FIGURE 9 - PlanCOS Vibrant Neighborhoods Framework](#)  
[7.5.408 Master Plan](#)  
[Vicinity Map](#)  
[Signed Resolution 110-19.pdf](#)

Lonna Thelen, Principal Planner, Planning and Community Department, presented a vicinity map of the property for Fillmore South and a surrounding uses map. She gave a brief overview of Fillmore South, neighborhood notification process, the Garden of the Gods Club master plan, and the application for a zone change from Private Open Space and Residential to Multi-Family Residential. Ms. Thelen presented the concept plan for the site, land suitability analysis, geologic hazard report, traffic study, Planning Commission's vote total, and staff recommendation.

Councilmember Knight stated he is concerned with the height variance. Ms. Thelen stated height is calculated on existing grade and the applicant had to estimate the unit height based on fill and conceptual plans.

Councilmember Murray asked how this project would affect stormwater. Ms. Thelen stated there was a drainage report previously reviewed and approved.

Phil Stuepfert, HR Green, provided a summary of Fillmore South, the existing conditions, coordination efforts, goals of the project, and maps of the area. He gave an overview of the PUD concept plan, geotechnical analysis, architecture concepts, and its alignment with Plan COS.

Councilmember Geislinger asked what the price point would be on these



units. Brian Kniep, Goodwin Knight, representing the developer, stated they will be between the high \$300's to low \$400's and rentals would be in the \$1,400 to \$1,600 range.

Citizen Steve Miller spoke in support of the project.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the major master plan amendment, based on the findings that the master plan amendment request complies with the review criteria for master plans as set forth in City Code Section 7.5.408 be approved. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 12.C.** [CPC PUZ 19-00025](#) Ordinance No. 19-83 amending the zoning map of the City of Colorado Springs pertaining to 66.99 acres from R/HS/SS (Estate Single-Family with Hillside and Streamside Overlay) to PUD/HS/SS (Planned Unit Development with Hillside and Streamside Overlay) located south of Fillmore Street and west of Centennial Boulevard.

(Quasi-Judicial)

Related Files: CPC MPA 07-00308-A7MJ19, CPC PUZ 19-00025, CPC PUP 19-00026

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [ZC-ORD FillmoreSouth](#)

[ZC Exhibit A - Legal Description](#)

[ZC Exhibit B - Zone Change](#)

[Vicinity Map](#)

Please see comments in Agenda item 12.B.

**Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 66.99 acres from R HS SS (Estate Single-Family Residential with hillside and streamside) to PUD HS SS ((Planned Unit Development: multi-family, 3.5-7.99 dwelling units per acres (not to exceed 500 units), maximum height in accordance with the concept plan (CPC PUP 19-00026) with Hillside and Streamside Overlay), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) as well as the criteria for establishment of a PUD zone district as set for in City Code Section 7.3.603 be approved on first reading. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 12.D.** [CPC PUP 19-00026](#) The Fillmore South Concept Plan illustrating future development of 66.99 acres for multi-family development of townhomes and apartments located south of Fillmore Street and west of Centennial Boulevard.

(Quasi-Judicial)

Related Files: CPC MPA 07-00308-A7MJ19, CPC PUZ 19-00025, CPC PUP 19-00026

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [FIGURE 2 - Concept Plan](#)  
[7.5.501.E Concept Plans](#)  
[7.3.605 PUD Concept Plan](#)

Please see comments in Agenda item 12.B.

**Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the concept plan for multi-family, based upon the findings proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E) and criteria for PUD concept plans set forth in City Code Section 7.3.605 subject to the following technical modifications: 1. Include the following notes on the development plan to the geologic hazard report on page 4 and page 1: a. Due to problem soils, bedrock and slope instability, all detention ponds must be synthetically lined with leak detection systems so infiltration is prevented. b. All retaining walls placed on this site must be engineered to enhance slope stability. c. All cut and fill grading designs must use conservative contouring and follow existing contours as much as possible. 2. Revise the zoning information on pages 1-3 to state: a. PUD HS SS ((Planned Unit Development: multi-family, 3.5-7.99 dwelling units per acres (not to exceed 500 units), maximum height in accordance with the concept plan (CPC PUP 19-00026) with Hillside and Streamside Overlay) 3. Include the following notes on page 1: a. The maximum hillside height as calculated per the hillside building height calculations will be 55 feet with the exception of the following buildings: i. 12, 13, 20, 21, 33, and 34. The maximum hillside height of these buildings will be a maximum of 69 feet in height using hillside height calculations. b. The townhome structures will be no taller than 35 feet in height and will match the elevations shown in the concept plan. c. The apartment structures will be no taller than 51 feet in height and will match the elevations shown in the concept plan. 4. Include the following note: a. Final location and heights of retaining walls will be determined at the development plan stage. Wherever possible retaining walls shall be 4' in height with a 4' spacing between walls and shall include landscaping between walls. 5. Call out on the Site Plan and/or Grading Plan sheet that the cul-de-sac at the Van Buren intersection has a FL-FL diameter of 88' be approved. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 12.E.** [CPC MPA 01-00177-A2 MJ19](#) A major amendment to the Spring Creek Master Plan changing the land use designations of 18.6 acres from business park and commercial to commercial and residential located between Circle Drive, Hancock Expressway and Delta Drive.

(Legislative)

Related Files: CPC MPA 01-00177-A2MJ19, CPC PUZ 19-00081, CPC PUP 19-00082

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [RES\\_SpringCreekMasterPlan](#)  
[Exhibit A - SpringCreekMasterPlan](#)  
[Vicinity Map](#)  
[Hancock and Delta - CC powerpoint - LT](#)  
[CPC Staff Report\\_Hancock and Delta](#)  
[FIGURE 1- Master Plan](#)  
[FIGURE 2 - Concept Plan](#)  
[FIGURE 3 - Project Statement](#)  
[FIGURE 4 - Previously approved Master Plan](#)  
[FIGURE 5 - Fiscal Impact Analysis Spring Creek MP](#)  
[FIGURE 6 - PlanCOS - Unique Places Framework Map](#)  
[7.5.408 Master Plan](#)  
[CPC\\_Minutes\\_Hancock&Delta\\_draft](#)  
[Signed Resolution 111-19.pdf](#)

Lonna Thelen, Principal Planner, Planning and Community Department, presented a vicinity map of the property for Hancock Expressway and Delta Drive. She gave a brief overview of the proposed rezone, neighborhood notification process, the Spring Creek master plan, and the application for a zone change from business park and commercial to commercial and residential. Ms. Thelen presented the concept plan for the site, Planning Commission's vote total, and staff recommendation.

Councilmember Murray requested how much commercial space is still available and the overall impact of commercial properties in this area.

Andrea Barlow, NES, representing the applicant, gave an overview of the

site location, master plan amendment, zoning, 2001 and 2018 concept and development plan, proposed planned unit development concept plan, and accessibility. She identified the planned improvements for Circle Drive, alignment with PlanCOS, attainable housing aspects, and merits of the project.

Councilmember Geislinger asked how many homes and rental units are anticipated. Ms. Barlow stated approximately 250 to 300 units.

Councilmember Knight stated this area is in need of revitalization and to change a business center to residential will not help to attract higher paying jobs. Ms. Barlow stated this will provide attainable housing for the workforce and will assist with economic development of the City. She stated the businesses have not materialized since this was zoned commercial in the 1980's.

Councilmember Avila stated she is supportive of the mixed use proposed for this project and is most concerned with what happens in the Federal Opportunity Zone. She stated she would like to see fifteen to twenty percent of this housing and all developments in the City to be affordable.

Councilmember Pico stated it appears to be a balanced development of something which has been vacant and appreciates that it is on transit routes.

Jeff Greene, Chief of Staff, stated the development plans which were approved five to twenty years ago and have not been developed is because there has not been a market for it. He stated the City has been making major investments in this part of the City in regards to transportation and pedestrian friendliness. Mr. Greene stated there is a major housing shortage in the City in regards to affordable and attainable housing and there needs to be residential in an area in order to attract business. He said the economy is changing with the effects of Amazon and more people working from home.

Councilmember Knight stated the financial analysis indicates a positive impact in property sales tax would result from the land use change, but he does not see how this would occur going from commercial to residential. Charae McDaniel, Chief Financial Officer, stated it is due to the value of the property being higher even if the assessed value is lower.

Councilmember Geislinger asked how an additional 150 residential units would not have any impact on police service fees for the next ten years. Ms. McDaniel stated this is in an area of the City where police are already providing coverage so the impact would be very small, but they will fine tune their calculations in the future.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the Spring Creek Master Plan amendment from Business Park and Commercial to Commercial and Residential, based on the findings that the master plan amendment request complies with the review criteria for master plans as set forth in City Code Section 7.5.408 be approved. The motion passed by a vote of 7-0-2-0**

**Aye:** 7 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 2 - Avila, and Williams

- 12.F.** [CPC PUZ 19-00081](#) Ordinance No. 19-84 amending the zoning map of the City of Colorado Springs pertaining to 18.6 acres from C5/CR, C5/P and PBC to a PUD (Planned Unit Development: commercial, multi-family, and single-family detached, 12-24.99 dwelling units per acre, maximum building height of 45 feet) zone district located between Circle Drive, Hancock Expressway and Delta Drive.

(Quasi-Judicial)

Related Files: CPC MPA 01-00177-A2MJ19, CPC PUZ 19-00081, CPC PUP 19-00082

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [ZC ORD Hancock&Delta](#)  
[ZC Exhibit A - legal description](#)  
[ZC Exhibit B - legal description depicted](#)  
[Vicinity Map](#)

Please see comments in Agenda item 12.E.

**Motion by Councilmember Geislinger, seconded by President Pro Tem Strand, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 18.6 acres from C5/cr, C5/P and PBC to PUD (Planned Unit Development: commercial, multi-family, and single-family detached (specific commercial uses per CPC PUP 19-00082), 12-24.99 dwelling units per acre, maximum building height of 45 feet), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) as well as the criteria for establishment of a PUD zone district as set for in City Code Section 7.3.603 be approved on first reading. The motion passed by a vote of 7-0-2-0**

**Aye:** 7 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 2 - Avila, and Williams

- 12.G.** [CPC PUP 19-00082](#) The Hancock and Delta Concept Plan illustrating future development of 18.6 acres for mixed commercial and residential use located between

Circle Drive, Hancock Expressway and Delta Drive.

(Quasi-Judicial)

Related Files: CPC MPA 01-00177-A2MJ19, CPC PUZ 19-00081,  
CPC PUP 19-00082

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [FIGURE 2 - Concept Plan](#)

[7.5.501.E Concept Plans](#)

[7.3.605 PUD Concept Plan](#)

Please see comments in Agenda item 12.E.

**Motion by Councilmember Geislinger, seconded by Councilmember Murray, that the concept plan for commercial and residential, based upon the findings proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E) and criteria for PUD concept plans set forth in City Code Section 7.3.605 be approved. The motion passed by a vote of 7-0-2-0**

**Aye:** 7 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 2 - Avila, and Williams

**12.H.** [CPC PUZ  
19-00053](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 19.26 acres from PIP-1/AO/SS (Planning Industrial Park/Airport Overlay/Streamside Overlay Zone) to PUD/AO/SS (Planned Unit Development/Airport Overlay/Streamside Overlay; single-family residential, 4.67 DU/AC, 30-foot maximum building height) zone district located at the southeastern corner of Galley Road and Babcock Road.

(Quasi-Judicial)

Related Files: CPC PUZ 19-00053, CPC PUD 19-00054

Presenter:

Peter Wysocki, Director Planning and Community Development  
Morgan Hester, Principal Planner, Planning and Community  
Development

**Attachments:** [ZC ORD RidgeatSandCreek](#)  
[Exhibit A - Legal Description](#)  
[Exhibit B - Zone Change](#)  
[CPC Staff Report Ridge at Sand Creek](#)  
[Vicinity Map](#)  
[CC The Ridge at Sand Creek](#)  
[FIGURE 1 Ridge at Sand Creek DP Site Plan.ltr](#)  
[FIGURE 2 Ridge at Sand Creek Project Statement](#)  
[FIGURE 3 Resident Concerns](#)  
[FIGURE 4 PUD Zone Exhibit](#)  
[FIGURE 5 Aerial Overlay](#)  
[FIGURE 6 AAC Meeting Minutes](#)  
[FIGURE 7 APZ & Runway Map](#)  
[FIGURE 8 PlanCOS Vibrant Neighborhoods Framework](#)  
[7.5.603.B Findings - ZC](#)  
[7.3.603 Establishment & Development of a PUD Zone](#)

Morgan Hester, Principal Planner, Planning and Community Development, stated the applicant has requested item 12.H. and 12.I. to be postponed until the November 12, 2019 City Council meeting.

**Motion by Councilmember Geislinger, seconded by President Pro Tem Strand, to postpone this Ordinance to the November 12, 2019 City Council meeting. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

- 12.I.** [CPC PUD 19-00054](#) The Ridge at Sand Creek Development Plan for development of 19.26 acres for 90 lots of single-family residential development located at the southeastern corner of Galley Road and Babcock Road.

(Quasi-Judicial)

CPC PUZ 19-00053, CPC PUD 19-00054

Presenter:  
 Peter Wysocki, Director Planning and Community Development  
 Morgan Hester, Principal Planner, Planning and Community Development

**Attachments:** [FIGURE 1 Ridge at Sand Creek DP Site Plan.ltr](#)  
[7.3.606 PUD Development Plan](#)  
[7.5.502.E Development Plan Review](#)

Please see comments in Agenda item 12.H.

**Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, to postpone this item to the November 12, 2019 City Council meeting. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, and Strand

**Absent:** 1 - Williams

### **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