



## Legislation Details (With Text)

**File #:** 18-0365      **Version:** 2      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 8/1/2018      **In control:** City Council  
**On agenda:** 8/28/2018      **Final action:** 8/28/2018

**Title:** A resolution to fix the Drainage Fees for Powers Auto Park in the Cottonwood Creek Drainage Basin at \$13,241 per acre

(Legislative)

**Presenter:**  
Travis Easton, Public Works Director  
Brian Kelley, Stormwater Capital Programs Manager

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ResPowersAutoPark, 2. StaffMemoPowersAutoParkExhibitA, 3. StaffMemoPowersAutoParkExhibitB, 4. StaffMemoPowersAutoParkExhibitC, 5. Signed Resolution 97-18

Date	Ver.	Action By	Action	Result
8/28/2018	2	City Council	adopted	Pass
8/13/2018	2	Council Work Session	referred	

A resolution to fix the Drainage Fees for Powers Auto Park in the Cottonwood Creek Drainage Basin at \$13,241 per acre

(Legislative)

**Presenter:**

Travis Easton, P.E., Public Works Director  
Brian Kelley, P.E., Stormwater Capital Programs Manager

**Summary:**

At its May 3, 2018 meeting, the City of Colorado Springs / El Paso County Drainage Board approved fixing the drainage fees for Powers Auto Park at the 2018 rate of \$13,241 per acre. The May 3, 2018 Drainage Board Agenda is attached as Exhibit A. Drainage Board Meeting Summary is attached as Exhibit B.

**Previous Council Action:**

The current Cottonwood Creek Drainage Basin Planning Study ("2000 DBPS") was approved by City Council on July 11, 2000 by Resolution No. 104-00 which fixed the Drainage Basin Fee based on the unplatted acres and the facilities required. On December 12, 2017 City Council adopted Resolution No. 157-17 approving the 2018 Drainage, Bridge and Pond Fees effective January 1, 2018.

**Background:**

The authorization and administration of the Drainage Basin fee program is described in the City of Colorado Springs City Code, Chapter 7, Planning, Development and Building, Article 7, Subdivision Regulations, Part 9, Subdivision Drainage Facilities; the Drainage Criteria Manual, and the Engineering Criteria Manual.

At the April 15, 2004 Drainage Board meeting, the Board unanimously approved a reimbursement to Development Management Inc. for infrastructure along and across Woodmen Road. The majority of the infrastructure alignment is along the northern boundary of the Powers Auto Park.

City Code Section 7.7.907.A states “. . . The subdivider may determine to build drainage facilities as required by the 2000 DBPS prior to subdividing or otherwise developing land. In that event, the fees applicable to the land proposed to be subdivided or otherwise developed may, with the approval of the City, be fixed at the time the subdivider contracts for the construction of the drainage facilities in accord with subsections B and C of this section.

Based on City Code 7.7.907.A, a subdivider may “fix” a fee for an undeveloped property if the infrastructure associated with the property is constructed prior to platting of the property. The per acre drainage fee for the property is then held at the fee in place at the time of the fixing. Development Management Inc. is requesting that the remaining unplatted acreage in the Powers Auto Park have the per acre drainage fee fixed at the 2018 rate of \$13,241 per acre. The 2018 Drainage, Bridge and Pond Fee Schedule attached as Exhibit C.

This item supports the City’s strategic goal relating to investing in infrastructure. Drainage infrastructure is vital to insure the City’s ability to protect its citizens and downstream neighbors from potential damage due to stormwater.

**Financial Implications:**

Drainage, bridge and detention pond fees are paid by developers and are used to reimburse other developers who construct drainage improvements that cost more than their fee obligation. There are no City financial implications.

**Board/Commission Recommendation:**

At its May 3, 2018 meeting the City of Colorado Springs / El Paso County Drainage Board approved fixing the Drainage Fee for Cottonwood Creek within the Powers Auto Park Development at the 2018 Cottonwood Creek Drainage Basin fee of \$13,241 per acre.

**Stakeholder Process:**

The City of Colorado Springs / El Paso County Drainage Board approved fixing the drainage fees for Powers Auto Park at the 2018 rate of \$13,241 per acre at its May 3, 2018 meeting. The City of Colorado Springs / El Paso County Drainage Board agendas are published and posted in advance for those interested in attending meetings. There were no comments either for or against by attendees for this fee increase.

**Alternatives:**

Approve or disapprove the fixing of the Cottonwood Creek Drainage Basin Fee at the 2018 rate of \$13,241 for the Powers Auto Park Development.

**Proposed Motion:**

Move to approve the resolution fixing of the Cottonwood Creek Drainage Basin Fee at the 2018 rate of \$13,241 for the Powers Auto Park Development.

A resolution to fix the Drainage Fees for Powers Auto Park in the Cottonwood Creek Drainage Basin at \$13,241 per acre