



## Legislation Text

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**File #:** 19-184, **Version:** 1

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Resolution adopting an Intergovernmental Agreement between the City of Colorado Springs, Colorado and the Creekwalk Marketplace Business Improvement District related to maintenance of public streets.

**Presenter:**

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**Summary:**

This request has been submitted to the City to allow the Creekwalk Marketplace Business Improvement District to take on the maintenance of multiple public streets within, and adjacent to, the District. It is expected that the District will provide improved maintenance and repair of the public streets given the adjacency of the Creekwalk commercial redevelopment project.

**Previous Council Action:**

City Council approved the creation of the South Nevada Urban Renewal Area and Plan in 2015.

City Council approved the creation of the Creekwalk Marketplace Business Improvement District via Ordinance #16-18 on February 23, 2016. The BID was expanded via Ordinance #17-87 on September 26, 2017, expanded again via Ordinance #18-10 on February 27, 2018, and again via Ordinance #19-19 on March 26, 2019.

City Council approved the Zone Change, Concept Plan and Right-of-Way Vacation for the Creekwalk Commercial project in December of 2018.

On April 22, 2019, this Resolution adopting an Intergovernmental Agreement between the City and Creekwalk Marketplace Business Improvement District was introduced to City Council during the work session.

**Background:**

Over the last number of years, Creekwalk LLC has been assembling properties along the west side of S. Nevada Ave. between E. Cheyenne Rd. and E. Ramona Ave. Within the last 9 months the owner/developer have submitted and gained approval of numerous planning entitlements, including: zone change, master plan amendments, right-of-way vacations, concept plan, development plan, subdivision plat, and non-use variances. These applications allow the proposed commercial redevelopment project to proceed.

As the project moves from planning to construction, the developer has identified the need to ensure that the adjacent public streets are well maintained, safe, and attractive. As such, it is proposed that

the Council approved Creekwalk Marketplace Business Improvement District take on maintenance responsibilities for E. St. Elmo Ave between S. Cascade Ave. and S. Nevada Ave. as well as Mt. Washington Ave. immediately north of E. St. Elmo Ave (this roadway is in the process of being renamed to Creekwalk Ct.), and Metzler St. (EXHIBIT A).

The terms, conditions and limitations of the BID's responsibilities are described within the proposed Intergovernmental Agreement (FIGURE 1). While maintenance (e.g. paving, patching, grading, striping, snow removal, etc.) is the obligation of the District, the City will retain rights regarding the use of the streets, public improvements, stormwater facilities, utilities, and emergency access. The City will also retain the rights to review and approve changes to roadway striping, to require adequate street lighting, and to collect fees from on-street parking via the Parking Enterprise.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

While public notice and stakeholder discussion regarding the land use entitlements was led by the City, the developer has led the stakeholder process for this specific request. Numerous formal letters were sent to the adjacent property owners regarding the proposed IGA. Additionally, the developer has held numerous verbal discussions with owners to communicate the fact that maintenance of the streets in question would be improved after the IGA relative to current, City-led, maintenance efforts. No objections to the proposed IGA have been received by the City.

**Alternatives:**

Approve the attached Resolution approving an Intergovernmental Agreement between the City of Colorado Springs, Colorado, and the Creekwalk Marketplace Business Improvement District.

**Proposed Motion:**

Move to adopt the proposed Resolution approving an Intergovernmental Agreement between the City of Colorado Springs, Colorado, and the Creekwalk Marketplace Business Improvement District.

N/A