

City of Colorado Springs

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

Meeting Minutes

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Tuesday, March 25, 2025	9:00 AM	Council Chambers
	accessibility criteria.	
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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

1. Call to Order and Roll Call

President Helms called the meeting to order at 9:04 AM.

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

Councilmember Avila left the meeting at approximately 12:00 PM and returned at approximately 1:30 PM.

Councilmember Risley attended the meeting virtually starting at approximately 11:45 and left at approximately 12:00 PM.

2. Invocation and Pledge of Allegiance

The Invocation was made by Bishop James Golka from the Catholic Diocese of Colorado Springs.

President Helms led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

President Helms requested item 4B.C. to be removed from the Consent Calendar.

Consensus of Council agreed to this change on the agenda.

4. Consent Calendar

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

4A. Second Presentation:

4A.A. <u>25-092</u> Ordinance No. 25-32 Amending Budget Ordinance No. 24-104 (2025 Budget Appropriation Ordinance) for a Supplemental Appropriation to the Park Land Dedication Ordinance Fund in the Amount of \$166,955 to allow the Spectrum Loop PLDO fee requirement to be used for construction costs associated with the Grey Hawk Neighborhood Park construction.

> Presenter: Britt Haley, Director, Parks Recreation and Cultural Services Department Lonna Thelen, Parks, Recreation and Cultural Services Design and Development Manager

 Attachments:
 Ordinance - PLDO Supplemental Appropriation - Grey Hawk Park

 PLDO supplemental for Grey Hawk - CC work session
 Signed Ordinance No. 25-32.pdf

This Ordinance was finally passed on the Consent Calendar.

4A.B. <u>25-103</u> Ordinance No. 25-33 Repealing Ordinance No. 24-17 (An Ordinance Setting the Salary of the City Council Administrator), and Amending Section 3 of Ordinance No. 18-120 (An Ordinance Appointing the City Council Administrator and Setting the Salary of the City Council Administrator), and Prescribing the Salary of the City Council Administrator.

Presenter: Randy Helms, City Council Administrator

<u>Attachments:</u>	Council Administrator Salary Ordinance 2.2025 4+15.docx
	Signed Ordinance No. 25-33.pdf

This Ordinance was finally passed on the Consent Calendar.

4A.C. <u>25-104</u> Ordinance No. 25-34 Repealing Ordinance No. 24-93 And Amending Section 3 Of Ordinance No. 14-20 (An Ordinance Confirming The Mayor's Appointment Of The City Attorney And Setting The Salary Of The City Attorney), And Prescribing The Salary Of The City Attorney.

Presenter: Myra Romero, Chief Human Resources and Risk Officer

Attachments: City Attorney 2025 Salary Ordinance 249062.docx Signed Ordinance No. 25-34.pdf

This Ordinance was finally passed on the Consent Calendar.

 4A.D. <u>ANEX-24-00</u>
 <u>13</u>
 Ordinance No. 25-36 annexing the area known as Southern Colorado Rail Park Addition No. 1 located south and west of Highway 25 and South Santa Fe intersection, adjacent to Fort Carson consisting of 3,107.11 acres. (Legislative)

Related Files: ANEX-24-0013RF, PDZZ-24-0005, PDZL-24-0006

Not currently located within a Council District, however, if approved it would be anticipated to be within Council District 3.

Presenter: Gabe Sevigny, Planning Supervisor, City Planning Department

<u>Attachments:</u>	Ordinance - Annexation Southern Colorado Rail Park Addition No. 1
	Exhibit A - Legal Description and Plat - Final
	DRAFT_Annexation Agreement_V1_PostCAO_1-15-2024.docx
	Staff Report SCRP
	Attachment 1 - SCRP - Project Statement
	Attachment 2 - SCRP - City Annexations by Decade
	Attachment 3 - SCRP - Enterprise Zone Map
	Attachment 4 - SCRP - Contiguous Boundary Exhibit
	Attachment 5 - SCRP - Annexation Plat - Draft
	Attachment 6 - SCRP - Legal Description - Draft
	Attachment 7 - SCRP - Exhibit A&B - Zone Establishment - Draft
	Attachment 8 - SCRP - Land Use Plan - Draft
	Attachment 9 - SCRP - Vicinity Map
	Southern CO Rail Park EZ Location Letter & Map.pdf
	SCRP - Petition for Annexation.pdf
	COS SCRP Fiscal Impact Analysis
	COS SCRP Appendix LOS
	7.5.701 ANNEXATION OF LAND
	03212025 CSU Southern Colorado Rail Park City Council (FINAL
	V2).pptx Signed Ordinance No. 25-36.pdf

This Ordinance was finally passed on the Consent Calendar.

PDZZ-24-000
 Ordinance No. 25-37 amending the zoning map of the City of Colorado
 Springs relating to 3,107.11 acres located south and west of the
 Highway 25 and South Santa Fe intersection, adjacent to Fort Carson, establishing the PDZ (Planned Development Zone; Non-Residential; maximum square footage of 7,000,000 square feet; maximum building height of 120 feet) District (Legislative)

Related Files: ANEX-24-0013, PDZL-24-0006, ANEX-24-0013RF

Not currently located within a Council District, however, if approved it would be anticipated to be within Council District 3.

Presenter: Gabe Sevigny, Planning Supervisor, City Planning Department Attachments: Zoning Ordinance-SCRP

Exhibit A - Legal DescriptionExhibit B - Map Depiction7.5.704 ZONING MAP AMENDMENT (REZONING)Signed Ordinance No. 25-37.pdfSigned Ordinance No. 25-37.pdf

This Ordinance was finally passed on the Consent Calendar.

4A.F. <u>ANEX-23-00</u>
 <u>21</u>
 Ordinance No. 25-38 annexing to the City of Colorado Springs that area known as Summit View Addition No. 1 Annexation consisting of 32 acres located northeast of Stetson Hills Boulevard and Templeton Gap Road.
 (Legislative)

Related files: ANEX-23-0021RF, ZONE-23-0035, LUPL-23-0011

Presenter: Chris Sullivan, Senior Planner, City Planning Department Kevin Walker, Planning Director, City Planning Department

Attachments: Annexation Post Petition Project Statement

Vicinity Map_Summit View Addition No. 1

Exhibit A1 Petition for Annexation Summit View

Exhibit A2_Petition for Annexation_Summit View

ANEX ORD Summit View Addition No. 1

Exhibit A_Legal_Plat Combined

FIA Updated 011325

Project Statement

Land Use Plan UPDATED

<u>TIA</u>

EXHIBIT A - Summit View.pdf

EXHIBIT B - Summit View.pdf

Staff Report_Summit View Addition No. 1_091724

7.5.701 ANNEXATION OF LAND

Signed Ordinance No. 25-38.pdf

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

4B.A. <u>25-159</u> City Council Regular Meeting Minutes March 11, 2025

Presenter:

		Sarah B. Johnson, City Clerk
	Attachments:	3-11-2025 City Council Meeting Minutes Final
		The Minutes were approved on the Consent Calendar.
4B.B.	<u>25-156</u>	Quarterly Recognition for City Employee Retirees.
		Presenter: Mary Weeks, Chief Information Officer.
	<u>Attachments:</u>	Retiree Resolution Quarterly Q1 2025
		Signed Resolution No. 34-25.pdf
		This Item was approved on the Consent Calendar.
4B.D.	<u>25-138</u>	Ordinance No. 25-41 repealing Ordinance Nos. 07-113, 09-94, 14-18, and 16-120 thereby dissolving the Public Art Commission of the Pikes Peak Region
		Presenter: Nancy Henjum, Councilmember District 5 Ayana Garcia, Boards and Commissions Program Administrator
	<u>Attachments:</u>	ORD-DissolvingPAC Revised
		This Ordinance was approved on first reading on the Consent Calendar.
4B.E.	<u>25-101</u>	A Resolution to Amend Resolution No. 190-24 Increasing the 2025 Jimmy Camp Creek Basin Drainage Fee
		Presenter:
		Erin Powers, P.E., Stormwater Enterprise Manager
	Attachments:	Exhibit A_Proposed 2025 Drainage Fee Schedule
		Exhibit B Effective 2025 Drainage Fee Schedule
		Jimmy Camp Creek Drainage Fee Increase Presentation_DRAFT
		Signed Resolution No. 190-24
		SW-JCCDrainageFeeAmendRES-2025-02-07
		Signed Resolution No. 35-25.pdf
		This Resolution was adopted on the Consent Calendar.
4B.F.	<u>25-108</u>	A Resolution authorizing the acquisition of real property and a temporary construction easement on property identified as El Paso County tax schedule number 55000-00-380
		Presenter

Presenter: Troy Stover, Business Park Development Director, Colorado Springs

Airport Economic Development

Attachments: Resolution for Cygnet Land with Exhibits Final 2.27.25

Cygnet Land and Temp Construction Easement Acquisition PPT 2.25.25 Signed Resolution No. 36-25.pdf

This Resolution was adopted on the Consent Calendar.

4B.G.	<u>25-131</u>	A Resolution of the City of Colorado Springs approving a Service Plan for the Freestyle Park and Recreation District formed under the C.R.S. Title 32 serving an area of 879.127 acres generally located south of Huber Road and North of Barnes Road Presenter: Allison Stocker, Senior Planner, Planning Department Kevin Walker, Planning Department Director
	<u>Attachments:</u>	Freestyle_PR_District_Resolution_v2_RG Edits
		Exhibit 1 Freestyle P&R District Service Plan
		1 Applicant CoverLetter Freestyle P&R District
		3_Redlined_Comparison_to_Percheron_P&R_District
		4_Redlined_Comparison_to_Model_Service_Plan
		Exhibit_A_Legal_Description_&_Initial_District_Boundary
		Exhibit B District Vicinity Map
		Exhibit_C_Initial_Freestyle_District_Boundary_Map
		Exhibit D Summary of Public Improvements
		Exhibit_D3_Financial_Plan
		Exhibit E Description of Proposed Services
		Signed Resolution No. 37-25.pdf
		This Resolution was adopted on the Consent Calendar.

4B.H. 25-132 A Resolution of the City of Colorado Springs approving a Service Plan for the Meadoworks Park and Recreation District formed under the C.R.S. Title 32 serving an area of 117.255 acres located in the southernmost portions of Banning Lewis Ranch contained within the boundaries and/or inclusion area boundaries of Meadoworks Metropolitan District Nos. 1-5. Presenter:
 Allison Stocker, Senior Planner, Planning Department Kevin Walker, Director, Planning Department

	<u>Attachments:</u>	Meadoworks_PR_District_Resolution_v2_RG Edits
		Exhibit 1 Meadoworks P&R Service Plan
		1_Applicant_CoverLetter_Meadoworks_P&R_District
		3 Redlined Comparison to Percheron P&R District
		<u>4_Redlined_Comparison_to_Model_Service_Plan</u>
		Exhibit A Legal Description
		Exhibit_B_District_Vicinity_Map
		Exhibit C Initial Boundary Map
		Exhibit_D_Financial_Plan
		Exhibit E Description of Services
		Signed Resolution No. 38-25.pdf
		This Resolution was adopted on the Consent Calendar.
4B.I.	<u>25-148</u>	A Resolution Amending Resolution 152-22 And Adopting Amendments to the "City Of Colorado Springs Rules And Procedures Of City Council" Effective March 25, 2025
		Presenter: Michael Montgomery, Deputy City Council Administrator
	<u>Attachments:</u>	2025 Rules and Procedures of City Council Resolution
		Rules and Procedures of City Council redline 02.27.2025
		Rules and Procedures of City Council CLEAN 03.25.2025
		Signed Resolution No. 39-25.pdf
		This Resolution was adopted on the Consent Calendar.
4B.J.	<u>25-153</u>	Ordinance No. 25-42 amending Section 102 (Procedures) of Article 1 (Administration And Enforcement) and Section 101 (Authority To Impound Vehicles) and Section 102 (Illegal Parking) of Article 25 (Removal And Impoundment Of Vehicles) of Chapter 10 (Motor Vehicles And Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to authority to impound vehicles and illegal parking
		Presenter: Chief of Staff Jamie Fabos, City of Colorado Springs Shantel Withrow, Division Chief of Prosecution, City Attorney's Office
	<u>Attachments:</u>	AuthoritytoImpound_IllegalParking_ORD.docx
		2025 Illegal Parking and Impound-Council Presentation_Final.pptx
		This Ordinance was approved on first reading on the Consent Calendar.

4B.K.PDZZ-24-000Ordinance No. 25-43 amending the zoning map of the City of Colorado2Springs pertaining to 1.01 acre located at the northeast corner of Shiloh

Mesa Drive and Mulberry Wood Drive from PDZ/AP-O - CAD/SS-O (Planned Development Zone District with Airport Overlay - Commercial Airport District and Streamside Overlay Zones; Mixed-Use Development, 45-foot maximum building height, 15.38 maximum dwelling units per acre) to PDZ/AP-O (Planned Development Zone District with Airport Overlay; multi-family residential use, 50-foot maximum building height, 49.99 maximum dwelling units per acre) (Quasi-Judicial) (Second Reading and Public Hearing).

Related Files: PDZZ-24-0002; PDZL-24-0004 <https://cosprings-prod-av.accela.com/portlets/web/en-us/> Located in Council District 6

The Shiloh Mesa at Woodmen Heights PDZ Land Use Plan is in association with the Sunrise at Shiloh Mesa Zone Change. The Sunrise at Shiloh Mesa Zone Change will have its first reading setting the hearing on March 25, 2025.

Presenter:

Tamara Baxter, Planning Supervisor, Planning Department Kevin Walker, Planning Director, Planning Department

Attachments: Ordinance Sunrise at Shiloh Mesa TPB

Exhibit A - Legal Description Exhibit B - Zone Exhibit 7.5.704 ZONING MAP AMENDMENT (REZONING) Sunrise at Shiloh Mesa Draft CPC minutes 3.12.25.pdf

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

4B.L. <u>25-080</u> A Resolution authorizing the acquisition of real property, permanent easements and temporary easements using PPRTA funds for the Marksheffel Road - North Carefree to Dublin Project

Presenter:

Ryan Phipps, PE, Engineering Program Manager/Capital Projects Kellie Billingsley, Real Estate Services Manager

- Attachments: 4_Resolution Exhibit A
 - 1_SSS Location Map
 - 2_SSS Resolution
 - 5 Marksheffel -Stetson SSS Presentation
 - Signed Resolution No. 40-25.pdf

This Resolution was adopted on the Consent Calendar.

4B.M. <u>25-170</u> The City Clerk reports that on February 25, 2025, there was filed with her a petition for the annexation of North Gate Boulevard Addition No. 10 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter: Sarah B. Johnson, City Clerk

 Attachments:
 Petition for Annexation - North Gate Blvd Addition No 10.pdf

 Legal Description_North Gate Blvd Addition No 10.pdf

 Annexation Plat - North Gate Blvd Addition No 10.pdf

 Vicinity Map - North Gate Blvd Addition No 10.pdf

This Item was approved on the Consent Calendar.

4B.N. <u>25-160</u> Ordinance No. 25-44 excluding certain property from the boundaries of the Gold Hill North Business Improvement District (Legislative)

Presenter: Kevin Walker, Director, City Planning Department

Attachments:Letter to the City re Corrected Ordinance, 2025-02-202025 Draft Ordinance for Exclusion, City of Colorado Springs22-062-BID EXC 422-062-BID MD2 EXC 522-062-BID EXC 6Petition for Exclusion of PropertyStaff PowerPoint Gold Hill BID Exclusion_2025Affidavit of Publication - Gold Hill North BID Exclusion

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

 4B.O. PDZZ-24-000
 4
 Ordinance No. 25-35 amending the zoning map of the City of Colorado Springs pertaining to 16.71 acres located northeast of the South Union Boulevard and South Circle Drive intersection from PDZ (Planned Development Zone; Single-Family Residential; maximum density of 5.37 dwelling units per acre; maximum building height of thirty (30) feet) District to PDZ (Planned Development Zone; Residential; maximum density of twelve (12) units per acre; maximum building height of thirty (30) feet) District. (Quasi-judicial)

Presenter: Allison Stocker, Planner II, City Planning Department Kevin Walker, Planning Director, City Planning Department Attachments: ZC Ordinance Cottages at Spring Creek Exhibit A LegalDescripton Exhibit B Zone Change Cottages Spring Creek CPC Staff Report Revised 20250213 Exhibit 2 Land Use Plan Exhibit 3 Public Comments Exhibit 4 Traffic Impact Study Exhibit 5 Ordinance 06-09 Exhibit 6 Project Statement 7.5.704 ZONING MAP AMENDMENT (REZONING) Staff Cottages Spring Creek CC 1st Pressentation 20250214 Cottages Spring Creek CPC Staff Report 20250212 MeetingMinutes Cottages at Spring Creek 2025.02.12 Signed Ordinance No. 25-35.pdf Signed Ordinance No. 25-35.pdf

This Ordinance was finally passed on the Consent Calendar.

4B.P. <u>LUPL-24-001</u> Establishment of the Cottages at Spring Creek Land Use Plan for <u>4</u> proposed residential development consisting of 16.71 acres located at the intersection of S Union Boulevard. and S Circle Drive. (Quasi-judicial) (2nd Reading and Public Hearing)

> Related Files: N/A Located in Council District 4

Presenter: Allison Stocker, Planner II, City Planning Department Kevin Walker, Planning Director, City Planning Department

Attachments: 7.5.514 LAND USE PLAN

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, 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, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, and
		Talarico

Excused: 1 - Risley

5. Recognitions

5.A. <u>25-178</u> A	Resolution recognizing April 2025 as Child Abuse Prevention Month
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Presenter: Nancy Henjum, Councilmember District 5

Attachments: Child Abuse Prevention Month Signed Resolution No. 41-25.pdf

Councilmember Henjum read a Resolution recognizing April 2025 as Child Abuse Prevention Month.

Catania Jones, Director, Children Youth and Family Services, Department of Human Services, introduced Paul Myers-Bennett, Communications and Public Relations Manager, DHS, and Yesenia Torres, Director, Adult and Family Services, DHS, provided an overview of their organization, expressed appreciation for the support offered throughout the community, and encouraged everyone to visit their website at CO4kids.org.

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Resolution recognizing April 2025 as Child Abuse Prevention Month be adopted. The motion passed by a vote of 8-0-1-0

- Aye: 8 Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, and Talarico
- Excused: 1 Risley
- **5.B.** <u>25-155</u> A Resolution of Appreciation of Shane Hartley, Maintenance Services Worker, for their 32 years of service to the City of Colorado Springs.

Presenter: Sonja Sutherland, Operations Manager. Graham Haller, Airport Facilities Supervisor.

<u>Attachments:</u> <u>Retiree Resolution Shane Hartley</u> Signed Resolution No. 42-25.pdf

> Alex Kovacs, Acting Director, Colorado Springs Airport, read the Resolution of appreciation for Shane Hartley, Maintenance Services Worker, for their thirty-two years of service with the City of Colorado Springs.

President Helms acknowledged Mr. Hartley and the staff at the Colorado Springs Airport for their achievements.

Mr. Hartley expressed appreciation for the opportunities he had been given with the City and for the recognition.

Motion by Councilmember Henjum, seconded by President Pro Tem Crow-Iverson, that the Resolution of appreciation of Shane Hartley, Maintenance Services Worker, for their 32 years of service to the City of Colorado Springs be adopted. The motion passed by a vote of 8-0-1-0

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

Excused: 1 - Risley

5.C. <u>25-154</u> A Resolution of the Retirement of Brett T. Lacey, for his 32 years of service to the City of Colorado Springs as Fire Marshal at the Colorado Springs Fire Department .

Presenter: Randy Helms,Council President, District 2 Councilmember Randy Royal, Fire Chief, Colorado Springs Fire Department

<u>Attachments:</u> RESOLUTION NO 25-154 Brett Lacey Retirement Signed Resolution No. 43-25.pdf

> President Helms read the Resolution of Appreciation for Brett T. Lacey, Fire Marshal at the Colorado Springs Fire Department, for their thirty-two years of service with the City of Colorado Springs.

Randy Royal, Fire Chief, CSFD, acknowledged Fire Marshal Lacey and his achievements.

Fire Marshal Lacey expressed appreciation for the support of his family and the team at the CSFD.

Councilmember Leinweber and Councilmember Donelson expressed gratitude for Fire Marshal Lacey's service and accomplishments during his career with the City.

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Resolution of retirement of Brett T. Lacey, for his 32 years of service to the City of Colorado Springs as the Fire Marshal at the Colorado Springs Fire Department be adopted. The motion passed by a vote of 8-0-1-0

- Aye: 8 Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, and Talarico
- Excused: 1 Risley

6. Mayor's Business

There was no Mayor's Business.

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

Citizens Terrance Connelly, David Ilsey, Jerry McLaughlin, Danielle Frey, and Murray Relf spoke against the noise emitted from the Ford Amphitheater.

Citizens Lisa Bigelow and Karla Powers spoke about the appointment process of the members of the Pikes Peak Library District Board of Trustees.

Citizens Audra Talamantes spoke against the closing of the Ruth Holley Library

Citizen Jane Emerson Brown spoke against the fire danger and pollution in association with homeless camps.

Citizen Lawrence Clark requested City Council read the book he presented to them.

Citizen Dallas White Wolf Gardner spoke about the planned sweeps of the unhoused population and the need for compassion and positivity in the community.

8. Items Called Off Consent Calendar

4B.C. <u>25-133</u> Ordinance No. 25-40 including certain property into the boundaries of the Interquest North Business Improvement District (Legislative)

Presenter: Alison Stocker, Senior Planner, Planning Department Kevin Walker, Director, Planning Department

<u>Attachments:</u>	Interquest_North_BID_Inclusion_Ordinance
	Exhibit A Petition for Inclusion - Interguest North BID
	Exhibit B_Notice of Inclusion - Need
	2025 Interquest North BID Operating Plan
	Attachment A_2025 Cover Letter - Interguest North BID
	Attachment B Place Holder for Affidavit of Publication
	Attachment C_Interquest North BID_2025_Inclusion Boundary Map
	Attachment D - STAMPED APPROVED Marketplace @ Interguest
	FIL No. 27 Attachment E -STAMPED APPROVED CUDP-23-0012
	Staff Memo Interguest North BID 2nd Reading

Letter Opposition Interquest Exclusion CC 20250325

Staff 2025 Inclusion Interguest North 1st Hearing BID

Affidavit of Publication

Letter to T. Leonard - Interquest North Business Improvement District - 2025 04 01(9907332.1)

Allison Stocker, Senior Planner, Planning Department, presented the Ordinance and including certain property into the boundaries of the Interquest North Business Improvement District (BID). She provided an overview of the background, summary of inclusions, location, existing boundaries, proposed inclusions, and next steps.

Councilmember Donelson asked who will own this piece of property. Nicole Peykov, representing the applicant, stated it is currently owned and will continue to be owned by DDJ #9, a Limited Liability Corporation (LLC).

Councilmember Donelson requested that the questions raised by a member of the public be provided in a written response. Anna Peykov, Spencer Fane, representing the applicant, agreed to provide that information.

Citizen Tim Leonard and Lawrence Clark spoke in opposition to proposed inclusion.

President Helms asked why the bonds are not being paid off. Mr. Leonard stated it is because they were just refinanced and there is now \$4 million in future interest.

President Helms asked if David Jenkins, Nor'Wood Development Group, the owner of the property to be excluded, will benefit from this proposed exclusion. Mr. Leonard stated the owner has not disclosed the amount, but there has been \$4.1 million proposed in capital improvement.

President Helms asked what the risk to the City will be. Mr. Leonard stated there is no risk to the City.

Councilmember Leinweber asked Mr. Leonard who he is representing. Mr. Leonard stated he represents an aggrieved property owner in the district. Councilmember Leinweber stated many of businesses will benefit from the improvements being made.

Councilmember Leinweber asked how a citizen or business would get representation at the district board. Kevin Walker, Director, Planning Department, explained City Council's responsibility/authority in relation to the district's board.

Councilmember Henjum asked if there is anything illegal that the district board is asking City Council to do today. Mr. Walker stated there is not, the district is following the requirements of the Service Plan and state statute.

Councilmember Henjum asked how a member of the district could become part of district board. Mr. Walker stated they would need to meet the statutory requirement of being an elector in that district.

President Pro Tem Crow-Iverson stated a majority of the City's Sales and Use tax comes from this development and it is always well maintained so there is a benefit to having this district in the City.

Councilmember Donelson stated City Council has responsibility for inclusions, so it is important to hear any information concerning it.

Ms. Peykov stated the Interquest North BID was formed to construct, finance, operate, and maintain the public improvements which service this project, and the petitioner is asking for approximately five acres to be brought into the district to facilitate the development which will lead to the benefit of additional property tax and sales tax revenue. She provided an overview of the background of this proposed inclusion and stated she believes it would lead to further successful development.

President Helms asked what the impact would be if this parcel was not

included. Ms. Peykov stated there would need to be an agreement with the property owner regarding the funding for the use of the public improvements, as well as the operation and maintenance of those improvements.

Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Ordinance including certain property into the boundaries of the Interquest North Business Improvement District be approved on first reading.The motion passed by a vote of 9-0-0-0

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

9. Utilities Business

9.A. <u>25-180</u> A Resolution Setting the Gas Cost Adjustment Rate Effective April 1, 2025

Presenter: Travas Deal, Chief Executive Officer, Colorado Springs Utilities Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Attachments: 03-25-2025 CC Mtg-GCA Resolution.docx

<u>G Sheet 2.5 Rate Tbl - 2nd Revised - Final.pdf</u> <u>G Sheet 2.5 Rate Tbl - 2nd Revised - Redline.pdf</u> <u>GCA Worksheet.pdf</u> <u>03-25-25 CC ECA-GCA.pptx</u> Signed Resolution No. 44-25.pdf

> Scott Shirola, Pricing and Rates Manager, Colorado Springs Utilities (CSU) presented the Resolution setting the Gas Cost Adjustment (GCA) rates effective April 1, 2025 and provided an overview of the Electric Cost Adjustment (ECA) and GCA summary, natural gas prices as of March 1, 2025, GCA projections for March 2025, sample residential bill impacts, peer utility bill comparison, and how customers can receive assistance.

Councilmember Leinweber asked why the national energy rates are going down, but local rates are going up. Mr. Shirola stated national policy influences the supply/demand market, which has a delayed effect on rates, but weather impacts are immediate, and CSU electric service rates are still very competitive both regionally/nationally and will propose decreases when the markets allow it.

Councilmember Donelson explained how CSU assists ratepayers by projecting out the costs, so users are not severely impacted during the

winter months.

Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Resolution setting the Gas Cost Adjustment Rate effective April 1, 2025 be adopted. The motion passed by a vote of 9-0-0-0

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

10. Unfinished Business

 10.A.
 ZONE-23-00
 Ordinance No. 25-39 amending the zoning map of the City of Colorado

 35
 Springs pertaining to 32 acres establishing a R-Flex Medium/AP-O

 (Residential Flex Zone Medium with Airport Overlay) zone district located northeast of Stetson Hills Boulevard and Templeton Gap Road.

 (Legislative)

Related Files: ANEX-23-0021RF, ANEX-23-0021, LUPL-23-0011

Presenter: Chris Sullivan, Senior Planner, City Planning Department Kevin Walker, Planning Director, City Planning Department

Attachments: ORD ZONE ESTABLISHMENT (002).docx

EXHIBIT A - Summit View.pdf EXHIBIT B - Summit View.pdf 7.5.704 ZONING MAP AMENDMENT (REZONING) Signed Ordinance No. 25-39.pdf Signed Ordinance No. 25-39.pdf

Chris Sullivan, Senior Planner, City Planning Department, presented the Resolutions and Ordinances adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation, annexing the area known as Summit View Addition No. 1 Annexation located consisting of 32 acres located northeast of Stetson Hills Boulevard and Templeton Gap Road., establishing a R-Flex Medium/AP-O (Residential Flex Zone Medium with Airport Overlay) zone district and establishment of the Summit View Land Use Plan for proposed Single-Family and Multi-Family Use. He provided an overview of the vicinity map, applications, title, project summary, site plan, timeline of review, stakeholder notice, agency review, compliance with the City PlanCOS, application review criteria, and optional motions.

Citizen Mark Rivera spoke in opposition to the proposed zone change and Land Use Plan.

Nina Ruiz, Senior Executive Consultant, Vertex Consulting, representing the applicant, provided an overview of the buffering and transitions in the Land Use Plan.

Motion by Councilmember O'Malley, seconded by Councilmember Henjum, that the Ordinance No. 25-39 establishing 32 acres as a R-Flex Medium/AP-O (Residential Flex Medium Scale with Airport Overlay) zone district, based upon the findings that the zone establishment request complies with the criteria for granting a zone establishment as set forth in City Code Section 7.5.704 be finally passed. The motion passed by a vote of 6-1-2-0

- Aye: 6 Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, and Talarico
- No: 1 Donelson

Absent: 1 - Avila

Excused: 1 - Risley

11. New Business

11.A. CODE-24-00
 Ordinance No. 25-45 amending Chapter 7 (Unified Development Code (UDC)) of the Code of the City of Colorado Springs 2001, as amended, as related to accessory dwelling units. (Legislative)

Related Files: CODE-24-0006 Located in All Council Districts

Presenter:

Daniel Sexton, DRE Planning Manager, Planning Department Kevin Walker, Director, Planning Department

 Attachments:
 UDC-Accessory Dwelling Units Ord - 3.25.2025 - Parking WUI-O

 Appeal Owner and Height v3_clean.docx

 ADU Ordinance_CC Work Session_3.24.2025_Staff

 Presentation_Final

 ADU Ordinance - Table of Proposed Changes - 3.24.2025

Fire Code Appendix K

Kevin Walker, Director, Planning Department, Planning Department, presented the Ordinance amending the Unified Development Code (UDC) pertaining to accessory dwelling units (ADU) and provided an overview of the amendments requested by City Council.

Councilmember Henjum asked what the difference is between the Wildfire Resiliency Zone and the Wildland Urban Interface (WUI). Mr. Walker stated currently, there is no difference. President Helms asked what happens to a property which has a detached ADU and is designated as WUI at a future time. Mr. Walker explained that it would be a grandfathered use as legal nonconforming.

President Helms asked if a homeowner could rent their home out and then build an ADU on the property. Mr. Walker stated the homeowner must reside at the property in order to obtain an ADU permit.

President Helms asked when an ADU height of twenty-five feet is permitted. Mr. Walker stated it is only allowed when it is being built over parking.

President Helms asked if there is an appeal process for the ADU application. Mr. Walker stated there is no appeal process for a permit issued from the Pikes Peak Regional Building Department.

Councilmember Donelson asked if the Fire Marshal could move the Wildfire Resiliency Zone as needed. Mr. Walker confirmed they could.

Councilmember Donelson stated he does not support that ADU applications are not appealable. Mr. Walker stated that policy is already in place for building permits.

Councilmember Henjum asked if one off street parking space is required for an ADU in addition to the parking requirements for the principal structure. Mr. Walker confirmed it is.

Councilmember Henjum asked if the proposed Ordinance restricts the living space to only be in the second story for ADUs located over a parking structure or if they could use some of the space in the garage below. Mr. Walker stated as long as they meet all of the criteria, they could utilize some of the first-floor space.

Citizens Jill Gaebler, Jeff Thormosdgaard, Vice President of Government Affairs, Colorado Springs Chamber and EDC, Amir Safayan, and Max Nardo spoke in support of the proposed Ordinance.

Citizens Dutch Schulz, Kerry Waite, Theresa Gazara, Lisa Bigelow, Ashley Whitlock, Allen Strass, Greg Thornton, Mark Hansen, Mike Anderson, and Dana Duggan spoke in opposition of the proposed Ordinance.

Councilmember Henjum requested an overview of Ms. Gaebler's experience regarding implementing the first ADU Ordinance. Ms. Gaebler identified the pros and cons to the existing Ordinance.

Councilmember Avila asked Ms. Gaebler regarding her thoughts on ADUs in the WUI. Ms. Gaebler stated she understands the concern regarding ADUs in the WUI and allowing integrated ADUs is a good compromise.

Councilmember Avila requested additional information regarding renters. Ms. Gaebler explained that most people have been renters at some point in their lives and the average age of first-time home buyers is now thirty-eight years old.

President Pro Tem Crow-Iverson asked if it is disingenuous for the state to require ADUs in the City when they should be addressing construction defects. Ms. Gaebler stated this is one small, but mighty tool to address the housing crisis.

Councilmember Donelson asked how many ADUs are expected to be built. Mr. Thormosdgaard stated approximately two percent of the available lots, which would be approximately two thousand units.

Councilmember Donelson asked how many ADUs were built in San Antonio, TX. Mr. Thormosdgaard stated he believes there was an increase of permits pulled from three percent to thirty percent, but he will research and provide that information.

Councilmember Henjum requested the original parking requirement language be included in the amended Ordinance. Mr. Walker agreed to Councilmember Henjum's request.

Councilmember Henjum requested additional information regarding the Wildfire Resiliency Zone and the WUI. Deputy Fire Marshal Chris Cooper, Colorado Springs Fire Department, stated they do not have the authority to change the boundaries of those areas without public process and coming before City Council for approval.

Councilmember Henjum asked if the Fire Marshal's position could be influenced by politics. Deputy Fire Marshal Cooper stated he was hired to protect the citizens of the community and decisions are based on a reasonable approach and public safety.

Councilmember Henjum asked if there is concern with putting the community at greater by adding the Wildfire Resiliency Zone. Deputy Fire

Marshal Cooper stated the intent was if there is a change in how the state defines the WUI, they can change the boundaries as needed.

Councilmember Talarico asked if the Wildfire Resiliency Zone could be removed from the Ordinance since it is not currently being used. Mr. Walker confirmed it could.

President Helms asked if the proposed Ordinance reflects the City's home rule authority. Mr. Walker confirmed it does.

Councilmember Donelson requested a presentation from the Planning Department regarding the ADU policies and number of ADUs added.

Councilmember Henjum made a motion to amend the Ordinance with these two sets of replacements wording to these sections: 7.3.304.E - Dwelling, Accessory: Accessory Dwelling Units (ADU) are only allowed as an accessory use to a single-family detached dwelling in any zone district, overlay district, or other location where single-family detached dwellings are allowed. The property owner must demonstrate that said property owner resides on the property when submitting an application to construct or convert an ADU, except that this requirement does not apply for any ADU being constructed simultaneously with a primary dwelling. Detached and attached ADUs are not allowed and may not be constructed in a Wildland Urban Interface Overlay (WUI-O) district, but integrated ADUs may be constructed in a Wildland Urban Interface Overlay (WUI-O) district. 7.3.304.E.1.b - Off-Street Parking: One off-street parking space shall be provided in addition to the minimum parking required for the principal structure.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, to amend the Ordinance amending Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, as related to accessory dwelling units with these two sets of replacements wording to these sections: 7.3.304.E - Dwelling, Accessory: Accessory Dwelling Units (ADU) are only allowed as an accessory use to a single-family detached dwelling in any zone district, overlay district, or other location where single-family detached dwellings are allowed. The property owner must demonstrate that said property owner resides on the property when submitting an application to construct or convert an ADU, except that this requirement does not apply for any ADU being constructed simultaneously with a primary dwelling. Detached and attached ADUs are not allowed and may not be constructed in a Wildland Urban Interface Overlay (WUI-O) district, but integrated ADUs may be constructed in a Wildland Urban Interface Overlay (WUI-O) district.

7.3.304.E.1.b - Off-Street Parking: One off-street parking space shall be provided in addition to the minimum parking required for the principal structure.

The motion passed by a vote of 6-2-1-0

- Aye: 6 Avila, Donelson, Helms, Henjum, Leinweber, and Talarico
- No: 2 Crow-Iverson, and O'Malley

Excused: 1 - Risley

Councilmember Henjum expressed appreciation for the compromises which have been made to move forward to meet the needs of the citizens.

Councilmember Donelson stated in order for City Council to vote responsibly on this, they need more data, at a minimum, a map of the eligible lots, and made a motion to table this item until the information is received and reviewed by City Council.

Councilmember Henjum stated the Historic Neighborhood Preservation group has worked very hard with the seated Council and she does not feel they would support a postponement.

Motion by Councilmember Donelson, seconded by Councilmember O'Malley, that this Ordinance be postponed indefinitely. The motion failed by a vote of 3-5-1-0

- Aye: 3 Crow-Iverson, Donelson, and O'Malley
- No: 5 Avila, Helms, Henjum, Leinweber, and Talarico

Excused: 1 - Risley

Councilmember Donelson requested an amendment to the Ordinance removing the language "when submitting an application" regarding the owner residing on the property.

Councilmember Leinweber asked if there could be an exception for a military family which has rented out the ADU and then needs to be deployed and would like to rent out the primary house.

Councilmember O'Malley stated City Council should be cautious about making policy on the spot.

Councilmember Henjum stated it would be very challenging to enforce owner occupancy.

Councilmember Avila stated they are not rushing, they have been talking about ADUs for years, there is not a perfect solution which will appease everyone, but they cannot let perfect be the enemy of the good. Trevor Gloss, Attorney, City Attorney's Office, stated the state statute is very clear that owner occupancy can only be required at the time of the ADU application.

Motion by Councilmember Donelson, seconded by Councilmember O'Malley, to amend the Ordinance by removing the language "when submitting an application" requiring the property owner to continually reside in one of the structures on the property, not only at the time of application. The motion failed by a vote of 3-5-1-0

- Aye: 3 Crow-Iverson, Donelson, and O'Malley
- No: 5 Avila, Helms, Henjum, Leinweber, and Talarico

Excused: 1 - Risley

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Ordinance amending Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, as related to accessory dwelling units with these two sets of replacements wording to these sections: 7.3.304.E - Dwelling, Accessory: Accessory Dwelling Units (ADU) are only allowed as an accessory use to a single-family detached dwelling in any zone district, overlay district, or other location where single-family detached dwellings are allowed. The property owner must demonstrate that said property owner resides on the property when submitting an application to construct or convert an ADU, except that this requirement does not apply for any ADU being constructed simultaneously with a primary dwelling. Detached and attached ADUs are not allowed and may not be constructed in a Wildland Urban Interface Overlay (WUI-O) district, but integrated ADUs may be constructed in a Wildland Urban Interface Overlay (WUI-O) district and 7.3.304.E.1. - Off-Street Parking: One off-street parking space shall be provided in addition to the minimum parking required for the principal structure be approved on first reading. The motion passed by a vote of 5-3-1-0

- Aye: 5 Avila, Helms, Henjum, Leinweber, and Talarico
- No: 3 Crow-Iverson, Donelson, and O'Malley
- Excused: 1 Risley
- **11.B.** <u>24-662</u> Resolution approving the 2025-2029 Consolidated Plan, 2025 Annual Action Plan and Citizen Participation Plan for the use of federal block grant funds (CDBG, HOME, ESG) provided through the U.S. Department of Housing and Urban Development.

Presenter:

Aimee Cox, Chief Housing and Homelessness Officer Barb Van Hoy, Policy, Planning and Engagement Coordinator, Housing and Homelessness Response Department Attachments: Resolution_2025-2029 ConPlan_2025 Action Plan

 2025-2029 ConPlan 2025 Action Plan CPP Council Resolution

 CoS Citizen Participation Plan - Council Action

 2025-2029 Con Plan Summary

 Council Meeting-Slides-2025 Con Plan

 COS 2025 ConPlan PublicComment_12.26.2024

 Cos Citizen Participation Plan-PublicComment

 Signed Resolution No. 45-25.pdf

Aimee Cox, Chief Housing and Homelessness Officer, Housing and Homelessness Response Department, presented the Resolution approving the 2025-2029 Consolidated Plan, 2025 Annual Action Plan (AAP) and Citizen Participation Plan (CPP) for the use of federal block grant funds: Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG) provided through the U.S. Department of Housing and Urban Development (HUD). She provided an overview of the annual HUD grants, community engagement process, Consolidated Plan priority needs/goals, anticipated annual HUD funds, five-yar anticipated HUD funds, 2025 allocation by priority, next steps, and citizen participation plan.

Councilmember O'Malley asked if they anticipate this Plan still be effective October 1, 2025 which is the end of the current Resolution. Ms. Cox stated that as of today, CDBG funding is whole, and they are confident that the funds which typically come to the City will continue through March 2026.

President Pro Tem Crow-Iverson asked how these funds improve services in public facilities. Ms. Cox stated they include improvements in ADA accessibility, and homeless shelters.

Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Resolution approving the draft 2025-2029 Consolidated Plan, 2025 Action Plan and Citizen Participation Plan for the use of federal block grant funds (CDBG, HOME, ESG) provided through the U.S. Department of Housing and Urban Development (HUD) be adopted. The motion passed by a vote of 8-0-1-0

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

Excused: 1 - Risley

11.C.25-171Ordinance No. 25-46 amending Section 301 (Criminal Actions) of Part 3
(Defense of Employees) of Article 4 (City Employees) Chapter 1
(Administrative, Personnel and Finance) of the Code of the City of

Colorado Springs 2001, as amended, pertaining to criminal defense

Presenter: Wynetta Massey, City Attorney Erik Lamphere, Employment/Litigation Division Chief

Attachments: Ch1-CriminalDefense-ORD-2025-03-17-Final.docx

Wynetta Massey, City Attorney, presented the Ordinances amending City Code pertaining to criminal defense of City employees, settlement authority for claims/ litigation settlements, and housekeeping amendments related to City Council and City Attorney settlements.

There were no comments on this item.

Motion by Councilmember Talarico, seconded by President Pro Tem Crow-Iverson, that the Ordinance amending Section 301 (Criminal Actions) of Part 3 (Defense of Employees) of Article 4 (City Employees) Chapter 1 (Administrative, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to criminal defense be approved on first reading. The motion passed by a vote of 7-1-1-0

- Aye: 7 Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, and Talarico
- No: 1 Donelson
- Excused: 1 Risley
- 11.D. 25-110
 Ordinance No. 25-47 amending Section 503 (Compromise Or Settlement of Matters/Claims) and Section 506 (Litigation) of Part 5 (Claims Managements) of Article 5 (Finance Management Procedures) of Chapter 1 (Administrative, Personnel And Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to claims and litigation settlements

Presenter: Wynetta Massey, City Attorney Erik Lamphere, Employment/Litigation Division Chief

Attachments: Ch1-ClaimsLitigationSettlements-ORD-2025-03-17-Final.docx

SettOptionsAnalysis

Please see comments in Agenda item 11.C.

Motion by Councilmember Talarico, seconded by Councilmember Henjum, that the Ordinance amending Section 503 (Compromise Or Settlement of Matters/Claims) and Section 506 (Litigation) of Part 5 (Claims Managements) of Article 5 (Finance Management Procedures) of Chapter 1 (Administrative, Personnel And Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to claims and litigation settlements be approved on first

reading. The motion passed by a vote of 7-1-1-0

- Aye: 7 Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, and Talarico
- No: 1 O'Malley
- Excused: 1 Risley

11.E. <u>25-172</u> Ordinance No. 25-48 amending Section 104 (Council Meetings; Procedure) of Part 1 (Elective Officers), and Sections 406 (Settle Claims) and 407 (Make Reports) of Part 4 (Powers and Duties of the City Attorney) all of Article 2 (Officers of the City) of Chapter 1 (Administrative, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to housekeeping amendments related to City Council and City Attorney settlements

> Presenter: Wynetta Massey, City Attorney Erik Lamphere, Employment/Litigation Division Chief

<u>Attachments:</u> Ch1-CouncilAndCityAttySettlements-ORD-2025-03-17-Final.docx

Please see comments in Agenda item 11.C.

Motion by Councilmember Henjum, seconded by Councilmember Donelson, that the Ordinance Amending Section 104 (Council Meetings; Procedure) of Part 1 (Elective Officers) and Section 406 (Settle Claims) and Section 407 (Make Reports) of Part 4 (Powers and Duties of the City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administrative, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Housekeeping Amendments Related to City Council and City Attorney Settlements be approved on first reading. The motion passed by a vote of 7-1-1-0

- Aye: 7 Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, and Talarico
- No: 1 O'Malley
- Excused: 1 Risley

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

President Helms stated there will not be a Work Session held on Monday, April 7, 2025, but there will be a Special City Council meeting held at 1:00 PM on April 7, 2025 regarding an appeal of the Downtown Review Board's approval of a Form-Based Zone Development Plan for the ONE Vela Mixed Use Building.

Councilmember Leinweber asked City Council to support the document he provided each of them opposing the state's funding of the system to monitor assault weapons (State Bill 25-003), which will cost millions of dollars, using money from the State Parks Pass that will divert funding from trails, parks, and outdoor recreation which he feels it is completely inappropriate.

Sarah B. Johnson, City Clerk, encouraged everyone to vote at the April 1, 2025 Municipal Election.

There being no further business to come before City Council, President Helms adjourned the meeting at 4:03 PM.

Sarah B. Johnson, City Clerk