



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, May 23, 2023

10:00 AM

Council Chambers

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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

**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

President Pro Tem Lynette Crow- Iverson attended the meeting virtually.

### 2. Invocation and Pledge of Allegiance

The Invocation was made by Chaplain Victoria Heim from Crossroads Ministry.

President Helms led the Pledge of Allegiance.

### 3. Changes to Agenda/Postponements

There were no changes to 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. [23-234](#) Ordinance No. 23-21 Setting the Salary of Mayor Pursuant to City Charter § 13-20(a)

Presenter:

Mike Sullivan, Human Resources Director

**Attachments:** [2023 Mayor Salary Ordinance Final](#)

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

- 4A.B. [SUBD-22-0113](#) Ordinance No. 23-22 vacating a portion of an alley adjacent to Lots 4 and 5, L.K. Adams Addition No. 1 consisting of 2,244 square feet (.05 acres).

(Legislative)

Related Files: SUBD-22-0113

Presenter:

William Gray, Senior Planner, Planning and Community Development Department

Peter Wysocki, Planning Director, Planning and Community Development Department

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

[Exhibit A](#)

[Project Statement](#)

[Development Plan](#)

[Legal Description](#)

[Vacation Plat](#)

[Vicinity Map](#)

[Aerial Image](#)

[LK Adams Addition No. 1](#)

[Mineral Rights Certification](#)

[7.7.402.C Vacation Procedures](#)

[Staff Presentation](#)

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

- 4A.C.** [ZONE-22-0021](#) Ordinance No. 23-23 amending the zoning map of the City of Colorado Springs relating to 35.727-acres located southeast of the future Marksheffel Road and Barnes Road intersection, from PUD (Planned Unit Development: Single-Family Residential, 3.5 to 7.99 dwelling units per acre, 35' maximum building height; Multi-Family Residential, 12-24.99 du/ac, 45' maximum building height; and Commercial, 40,000 square feet gross floor area, 45' maximum building height with Airport Overlay) to PUD/AO (Planned Unit Development: Commercial, 40,000 square feet gross floor area, 45 feet maximum building height; and Residential, 24.99 dwelling units per acre maximum density, 45' maximum building height with Airport Overlay).

(Quasi-Judicial)

Related Files: MAPN-22-0008, PUDC 22-0005

Presenter:

William Gray, Senior Planner

Peter Wysocki, Director, Planning & Community Development

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

[Exhibit A - Legal](#)

[Exhibit B - Zone Change](#)

[PUD Zone Change](#)

[CPC Minutes 04.12.23 Falcon Trucking](#)

[7.5.603.B Findings - ZC](#)

[7.3.603 Establishment & Development of a PUD Zone](#)

[Staff Presentation](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D.** [ZONE-23-0002](#) Ordinance No. 23-24 amending the zoning map of the City of Colorado Springs relating to 3.83 acres located at the intersection of Adventure Way and Quail Brush Drive from A/AO (Agricultural with Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay [to be known as MX-M AP-O (Mixed Use Medium Scale with Airport Overlay)]).
- (Quasi-Judicial)

Related Files: COPN-23-0001

Presenter:

Kyle Fenner, Senior Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

**Attachments:** [Ordinance](#)  
[CPC Staff Report](#)  
[Project Statement](#)  
[Zone Change](#)  
[Concept Plan](#)  
[Public Comment](#)  
[Vicinity Map](#)  
[PlanCOS Vision Map](#)  
[7.5.603.B Findings - ZC](#)  
[Staff Presentation](#)

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

- 4A.E.** [ZONE-22-00](#) Ordinance No. 23-25 amending the zoning map of the City of Colorado Springs relating to 1.779 acres located at 535 East Costilla Street, from PIP-1/CR (Planned Industrial Park/Condition of Record) to MX-M (Mixed-Use Medium Scale)

[19](#)

(Quasi-Judicial)

Related Files: COPN-22-0019

Presenter:  
Matthew Alcuran, Planner II, Planning and Community Development  
Peter Wysocki, Planning Director, Planning and Community Development

**Attachments:** [Ordinance](#)  
[Zone Change Exhibit A Legal Description](#)  
[Zone Change Exhibit B Zone Depiction](#)  
[Staff Report](#)  
[Project Statement](#)  
[Concept Plan](#)  
[Public Comment](#)  
[Public Comment-2 04.04.23](#)  
[Public Response](#)  
[Applicant Response 04.04.23](#)  
[Vicinity Map](#)  
[PlanCOS Vision Map](#)  
[CPC Minutes 04.12.23 535 E Costilla St](#)  
[7.5.603.B Findings - ZC](#)  
[Staff Presentation](#)  
[Applicant Presentation](#)

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

- 4A.F.** [ZONE-22-00](#) Ordinance No. 23-26 amending the zoning map of the City of Colorado Springs related to 4.54-acres from OC/CR/AO/APZ-1/RPZ (Office Commercial with Conditions of Record, Airport Overlay, Accident Protection Zone-1, and Runway Protection Zone) to PBC/AO/APZ-1/RPZ (Planned Business Center (to be known as MX-M (Mixed-Use Medium Scale) with Airport Overlay, Accident Protection Zone-1 and Runway Protection Zone) based upon the findings that the change of zone request complies with the zone change criteria as set forth in Section 7.5.603

[23](#)

(Quasi-Judicial)

Related Files: MAPN-22-0010, COPN-22-0027, PUDZ-22-0007, and PUDC-22-0006

Presenter:

Chris Sullivan, Senior Planner, Planning & Community Development Department

Peter Wysocki, Director, Planning & Community Development Department

**Attachments:** [Ordinance](#)  
[Exhibit A Legal ReaganRanchMX-M](#)  
[Exhibit B ZoneChange ReaganRanchMX-M](#)  
[7.5.603 Findings - ZC](#)  
[Staff Presentation](#)

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

- 4A.G.** [PUDZ-22-0007](#) Ordinance No. 23-27 amending the zoning map of the City of Colorado Springs related to 17.32-acres from OC/CR/AO/APZ-1/RPZ (Office Commercial with Conditions of Record, Airport Overlay, Accident Protection Zone-1, and Runway Protection Zone) to PUD/AO (Planned Unit Development with Airport Overlay (to be known as PDZ/AP-O (Planned Development Zone with Airport Overlay) Single-family Residential, 3.5-11.99 dwelling units per acre; Multi-family, 12-24.99 dwelling units per acre; 45-foot maximum building height), generally located south of Hwy 94 at Marksheffel Road

(Quasi-Judicial)

Related Files: MAPN-22-0010, ZONE-22-0023, COPN-22-0027, and PUDC-22-0006

Presenter:  
Chris Sullivan, Senior Planner, Planning & Community Development Department  
Peter Wysocki, Director, Planning & Community Development Department

**Attachments:** [Ordinance](#)  
[Exhibit A Legal ReaganRanchPDZ](#)  
[Exhibit B ZoneChange ReaganRanchPDZ](#)  
[7.3.603 Establishment & Development of a PUD Zone](#)  
[7.5.603.B Findings - ZC](#)  
[Staff Presentation](#)

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

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

- 4B.A.** [23-270](#) City Council Regular Meeting Minutes May 9, 2023

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [5-9-2023 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

**4B.B. [23-283](#)** Special City Council Regular Meeting Minutes May 17, 2023

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [5-17-2023 Special City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

**4B.C. [23-193](#)** A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of Ridge at Sand Creek Metropolitan District Limited Tax General Obligation Bonds, Series 2023 in the amount not to exceed \$2,590,000 and related bond documents, for a district located in the east central area of Colorado Springs

Presenter:

Mike Tassi, Assistant Director, Planning and Community Development Department

Peter Wysocki, Planning and Community Development Director

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

[PowerPoint](#)

[Financing Cover Letter](#)

[Financing Plan and Pro Forma](#)

[Form of Authorizing Resolution](#)

[Cost Certification Letter](#)

[Piper Sandler Letter](#)

[Engineer Certification Letter](#)

[External Financial Advisor Certificate](#)

[Opinion of Compliance Letter](#)

[Staff Presentation](#)

This Resolution was adopted on the Consent Calendar.

**4B.D. [23-247](#)** A resolution rescinding Resolution No. 09-22 and establishing development application fees and charges for the Land Use Review Division of the Planning and Development Department

Presenter:

Morgan Hester, Planning Supervisor

Mike Tassi, Assistant Director of Planning and Community Development

**Attachments:** [Resolution](#)  
[Exhibit A - UDC Fee Amendment](#)  
[ATTACHMENT 1 - UDC Fee Amendment - Redline](#)  
[ATTACHMENT 2 - UDC Fee Amendment](#)  
[Staff Presentation](#)

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

- 4B.E.** [SUBD-23-00](#) An ordinance vacating a remaining portion of a public right-of-way known as Country Lane No. 2 consisting of 4,807 square feet located between 7529 Rustic Lane and 7629 Rustic Lane.

[17](#)

(Legislative)

Presenter:  
Gabe Sevigny, Planning Supervisor, Planning and Community Development  
Peter Wysocki, AICP, Planning Director, Planning and Community Development

**Attachments:** [Ordinance](#)  
[Exhibit A - Legal Description](#)  
[Exhibit B - Vacation Plat](#)  
[To Be Provided](#)  
[Vicinity Map](#)  
[7.7.402.C Vacation Procedures](#)  
[Staff Presentation](#)

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

## Approval of the Consent Agenda

**Motion by Councilmember Henjum, seconded by Councilmember Talarico, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 9-0-0-0**

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

## 5. Recognitions

- 5.A.** [23-256](#) A resolution honoring May 29, 2023 as Memorial Day

Presenter:  
Dave Donelson, Councilmember District 1

**Attachments:** [Memorial Day](#)



Councilmember Donelson read the Resolution honoring May 29, 2023 as Memorial Day and identified the Memorial Day Remembrance Service scheduled for Monday, May 29, 2023 from 11:00 AM to 12:00 PM at Memorial Park to commemorate the veterans who gave their life for their country. He read a letter to the editor called "The Rest of the Story" in the Sunday Gazette from a father, Retired Lieutenant Colonel Barry S. Oswell, whose son died in Iraq.

Councilmember O'Malley spoke about how many merchant mariners who transport troops and supplies during wartime who also lost their lives.

Jeff Greene, Chief of Staff, spoke about the importance of also recognizing Victory in Europe Day and his great uncle who served in Europe as a marine and lost one of his arms.

**Motion by Councilmember O'Malley, seconded by Councilmember Donelson, that the Resolution honoring May 29, 2023 as Memorial Day be adopted. The motion passed by a vote of 9-0-0**

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

- 5.B.** [23-271](#) A resolution recognizing June 2 to June 8 as Small Business Week in the Pikes Peak Region

Presenter:

Michelle Talarico, Councilmember District 3

**Attachments:** [Small Business Week](#)

Councilmember Talarico read the Resolution recognizing June 2 to June 8 as Small Business Week in the Pikes Peak Region and expressed gratitude for the support of small businesses in the community.

Councilmember Risley stated small businesses are powerful economic drivers and commended the commitment of small business owners to their employees and families.

Councilmember Leinweber identified some of the challenges from mandates small businesses face and requested support from organizations such as the Better Business Bureau and the Colorado Springs Chamber of Commerce and EDC.

Councilmember Avila express appreciation for small businesses who give back to nonprofit organizations.

Jeff Greene, Chief of Staff, expressed support of the Resolution and stated that both of his parents were small business owners.

**Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Resolution recognizing June 2 to June 8 as Small Business Week in the Pikes Peak Region be adopted. The motion passed by a vote of 9-0-0**

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

**5.C. [23-272](#)** A resolution recognizing June 2023 as Alzheimer's Brain Awareness Month

Presenter:

Randy Helms, Council President & Councilmember District 2

**Attachments:** [Alzheimer's and Brain Awareness Month](#)

President Helms read the Resolution recognizing June 2023 as Alzheimer's Brain Awareness Month.

Councilmember Donelson spoke about his father's battle with Alzheimer's disease and identified eight of the risk factors associated with Alzheimer's.

RoseMary Jaramillo, Regional Director, Alzheimer's Association, spoke about the need for equal access to early treatment, provided an overview of their organization, and stated the 2023 Walk to End Alzheimer's is scheduled for September 30, 2023 at Memorial Park.

Jeff Greene, Chief of Staff, expressed appreciation for this recognition and stated his father suffered from Alzheimer's in the last few years of his life.

**Motion by Councilmember O'Malley, seconded by Councilmember Henjum, that the Resolution recognizing June 2023 as Alzheimer's Brain Awareness Month be adopted. The motion passed by a vote of 9-0-0**

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

## **6. Mayor's Business**

**6.A. [23-282](#)** Introduction of Andrew Notbohm as the new Regional Emergency Management and Recovery Director

Presenter:

Jeff Greene, Colorado Springs Mayor's Chief of Staff

Randy Helms, City Council President and District 2 Representative

Jeff Greene, Chief of Staff, introduced Andrew Notbohm as the new

Regional Emergency Management and Recovery Director and stated they went through a very extensive recruitment and interview process.

President Helms stated he and Councilmember O'Malley participated in the selection panel and Mr. Notbohm stood out among the candidates as the right person for the position.

Councilmember O'Malley welcomed Mr. Notbohm and stated they would be happy to extend his knowledge base at the federal level.

Councilmember Henjum stated she participated in the SparkHire part of the hiring process and said Mr. Notbohm stood out in that group as well.

Mr. Notbohm stated he is honored to lead the Regional Office of Emergency Management.

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

Citizens Andrew Dalby, Jay Inman, Christine Collins, and Chris Ann Young requested City Council oppose Senate Bill 190.

Citizen Jaymen Johnson expressed appreciation for the recognitions given by City Council at today's meeting and spoke about his wife's battle with cancer and brain tumors which caused her symptoms which mirrored Alzheimer's.

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

There were no items called off the Consent Calendar.

## **9. Utilities Business**

President Helms introduced Somer Mese, Chief Operations Officer, Colorado Springs Utilities.

There was no Utilities Business.

## **10. Unfinished Business**

There was no Unfinished Business.

## **11. New Business**

### **11.A. [23-213](#)**

An ordinance amending Ordinance No. 22-90 (2023 Budget Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$710,460 for

additional projects and events recommended by the LART Citizen Advisory Committee; and to the Capital Improvements Program (CIP) Fund in the amount of \$250,000 for a LART-funded capital project that will be administered by the City of Colorado Springs Parks, Recreation and Cultural Services Department

Presenter:

Chris Fiandaca, City Budget Manager

PK McPherson, Chair, LART Citizen Advisory Committee

**Attachments:** [LART ORD-2023-05-01](#)

[LART Presentation](#)

[2023 LART Resolution Exhibit A Rev for off-cycle](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$710,460 for nineteen additional projects and events recommended by the LART Citizen Advisory Committee (CAC); and to the Capital Improvements Program (CIP) Fund in the amount of \$250,000 for a LART-funded capital project that will be administered by the City of Colorado Springs Parks, Recreation and Cultural Services Department and provided an overview of the off-cycle review of LART application process.

Councilmember Henjum express support of the funding for the North Cheyenne Canyon park which is used significantly by tourists.

Councilmember Leinweber stated that outdoor recreation is a huge economic driver for the City and requested LART take a look at what truly brings visitors to the area.

Councilmember O'Malley stated he supports Councilmember Leinweber's request.

Citizens Dave Dazlich, Vice President, Government Affairs, Colorado Springs Chamber and EDC, spoke about the role of LART funding in economic attraction to organizations and expressed support of the LART CAC recommendations.

Becky Leinweber, Executive Director of the Pikes Peak Outdoor Recreation Alliance, provided an overview of the value of the outdoor recreation industry and stated they have pursued a multi-year contract with the City for LART funding for over a year to no avail.

Councilmember Henjum stated she does support the conversation on outdoor recreation but does not believe the City wants to be in a similar position as Moab, UT where they do not have the infrastructure to support the number of tourists who visit.

Councilmember Leinweber stated the primary issue is there are entities, such as the forest service and Colorado Springs Utilities, which are not interested in growing outdoor recreation and there are plenty of outdoor recreational opportunities which the City could invest LART money in.

Councilmember Donelson stated he supports the LART CAC recommendations and Colorado Springs Utilities is interested in growing outdoor recreation but their first responsibility is to protect their rate payers and the security of water and other resources.

President Helms stated it is very important to maintain reliability of utilities and keep costs low for the rate payers and supports the proposed Ordinance.

PK McPherson, Chair, LART CAC, stated they are very supportive of outdoor recreation, however, they can only support organizations and events which submit applications for funding.

Councilmember Leinweber stated that the arts community, the Cultural Office of the Pikes Peak Region (COPPeR), has a \$240,000 per year contract for LART money yet the Pikes Peak Outdoor Recreation Alliance has requested a contract but was denied.

**Motion by Councilmember Donelson, seconded by Councilmember Talarico, that the Ordinance approving a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund and the Capital Improvements Program (CIP) Fund be approved on first reading. The motion passed by a vote of 8-1-0-0**

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

**No:** 1 - Leinweber

## **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, Councilmember Henjum, and Councilmember Talarico expressed appreciation for Jeff Greene, Chief of Staff, and his service to the City of Colorado Springs.

There being no further business to come before City Council, Council adjourned.

Sarah B. Johnson, City Clerk