



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, July 9, 2024

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

President Helms called the meeting to order at 10:00 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

## 2. Invocation and Pledge of Allegiance

The Invocation was made by Darin Alexander from the Lifting Up Jesus Church.

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. [24-276](#) Ordinance No. 23-45 Amending Budget Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$875,000 to complete the Acquisition of approximately to 2.54 Acres of Property, identified as the Red Rock Canyon Open Space Extension, for the Purpose of Public Open Space and Trails

Presenter:

Britt Haley, Director, Parks Recreation and Cultural Services  
Department

Lonna Thelen, Program Manager, Trails, Open Space and Parks  
(TOPS) Program

David Deitemeyer, Senior Program Administrator, Trails, Open Space  
and Parks (TOPS) Program

**Attachments:** [Ordinance - TOPS supplemental approp - Red Rocks Open Space Extension Signed Ordinance No. 24-45.pdf](#)

This Ordinance finally passed on the Consent Calendar.

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

- 4B.A. [24-366](#) City Council Regular Meeting Minutes June 25, 2024

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [6-25-2024 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.B. [24-295](#) Quarterly Recognition for City Employee Retirees

Presenter:

Myra Romero, City Human Resources Director.

**Attachments:** [Retiree Resolution Q2 2024 \(Employee\(s\) Will Not Attend\)](#)

This Item was approved on the Consent Calendar.

- 4B.C.** [24-304](#) An Ordinance Repealing Ordinance 22-10 and Dissolving The Sustainability Advisory Board

Presenter:

Nancy Henjum, Councilmember District 5  
David Leinweber, Councilmember At Large

**Attachments:** [Ordinance Dissolving Sustainability Advisory Committee](#)

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

- 4B.D.** [24-285](#) A Resolution Approving An Economic Development Agreement Between The City Of Colorado Springs And Project Sunscreen

Presenter:

Jessie Kimber, Economic Development Officer  
Shawna Lippert, Economic Development Manager

**Attachments:** [RES ProjectSunscreen 2024](#)  
[EDA Sunscreen Draft 05-31-2024](#)  
[Sunscreen EDA Presentation Work Session](#)  
[Signed Resolution No. 61-24.pdf](#)

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

- 4B.E.** [24-296](#) A Resolution Approving an Economic Development Agreement between the City Of Colorado Springs and Project Lightspeed

Presenter:

Jessie Kimber, Economic Development Officer  
Shawna Lippert, Economic Development Manager

**Attachments:** [RES ProjectLightspeed 2024](#)  
[EDA Lightspeed Draft 06.17.2024](#)  
[Lightspeed EDA WorkSession ppt-V2](#)  
[Signed Resolution No. 62-24.pdf](#)

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

- 4B.F.** [24-286](#) An Ordinance of the City of Colorado Springs, Colorado Providing for the Refunding of Certain Outstanding Utilities System Revenue Bonds of the City; Providing for the Extension, Betterment, Other Improvement and Equipment of the City of Colorado Springs Utilities System; Providing for the Issuance and Sale of the City of Colorado Springs, Colorado, Utilities System Improvement Revenue Bonds, Series 2024a in an Aggregate Principal Amount not to Exceed \$325,000,000, and the City of Colorado Springs, Colorado, Utilities System Refunding Revenue

Bonds, Series 2024b in an Aggregate Principal Amount Not to Exceed \$100,000,000, Payable Solely out of the Net Revenues to be Derived from the Operation of the City Of Colorado Springs Utilities System; Authorizing the Execution by the City of a Paying Agent Agreement, Escrow Agreement, a Bond Purchase Agreement, and an Official Statement Related Thereto; and Providing Other Matters Relating Thereto.

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [Draft - CSU 2024 AB Bond Ordinance, 4881-0326-7751\\_6](#)

[Draft - City of Colorado Springs - Paying Agent Agreement \(2024AB\),\\_4856-0665-0059\\_1](#)

[Draft - City of Colorado Springs - 2024B Escrow Agreement](#)

[Draft - Colorado Springs Utilities - 2024 - Bond Purchase Agreement](#)

[Draft - CSU 2024AB Official Statement, 4884-8768-1951\\_5](#)

[July 9, 2024 CC - 2024AB Bond Ordinance](#)

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

**4B.G. [24-287](#)**

A Resolution Authorizing the Purchase of Fort Lyon Canal Company Stock Owned by Alan Dean for Colorado Springs Utilities and Authorizing the Filing of Water Court Applications for Changes of Water Rights and Appropriative Rights of Exchange

Presenter:

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

Kim Gortz, Water Resource Manager, Colorado Springs Utilities

**Attachments:** [City Council -Purchase Alan Dean Water Rights\\_Resolution](#)

[PSA - Alan Dean - Final - signed](#)

[Signed Resolution No. 63-24.pdf](#)

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

## **Approval of the Consent Agenda**

**Motion by Councilmember Avila, seconded by Councilmember Henjum, 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**

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

## **5. Recognitions**

**5.A. [24-363](#)** City Council Appointments to Boards, Commissions, and Committees

Presenter:

Randy Helms, Council President and Councilmember District 2

**Attachments:** [07092024 Boards Commissions and Committee Appointments](#)

President Helms presented the City Council Appointments to Boards, Commissions, and Committees.

Councilmember Risley and Councilmember Donelson expressed appreciation for the nominees who wish to serve on the Boards, Commissions, and Committees.

**Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the City Council Appointments to Boards, Commissions, and Committees be approved. 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

**6. Mayor's Business**

There was no Mayor's Business.

**7. Items Called Off Consent Calendar**

There were no items called off the Consent Calendar.

**8. Utilities Business**

There was no Utilities Business.

**9. Unfinished Business**

There was no Unfinished Business.

**10. New Business**

There was no New Business.

**11. Public Hearing****Shops at Woodmen Estimated Time: 10 minutes**

- 11.A. ZONE-22-00** An Ordinance amending the zoning map of the City of Colorado Springs  
**01** pertaining to 3.50 acres located at 7410 Horseshoe Road from A/AP-O (Agriculture with Airport Overlay) to MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay)  
(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Austin Cooper, Senior Planner, Planning and Neighborhood Services.  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** ORD Shops at Woodmen  
Staff Report - Shops at Woodmen  
Exhibit A - Legal Description  
Exhibit B - Map Depiction  
Attachment 1 - Land Use Statement  
Attachment 2 - Project Statement  
CPC\_6.12.24\_Minutes\_Draft  
7.5.704 ZONING MAP AMENDMENT (REZONING)

Katie Carleo, Acting Assistant Planning Director, Planning and Neighborhood Services, presented the first reading to set the public hearing for July 23, 2024 for the Ordinance amending the zoning map pertaining to 3.50 acres located at 7410 Horseshoe Road from A/AP-O (Agriculture with Airport Overlay) to MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay).

There were no comments on this item.

**Motion by Councilmember Avila, seconded by Councilmember Risley, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 3.50 acres located at 7410 Horseshoe Road from A/AP-O (Agriculture with Airport Overlay) to MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) for the purpose of providing notice and setting a public hearing date for July 23, 2024 to consider the Shops at Woodmen zone change Ordinance 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

### **Extol Park Vista Addition No. 2 Estimated Time: 10 minutes**

- 11.B. [ANEX-23-00](#) A resolution adopting findings of fact and conclusions of law based  
[01RF](#) thereon and determining the eligibility for annexation of property known as Extol Park Vista Addition No. 2 Annexation.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning and Neighborhood

## Services

**Attachments:** [ResFindofFact Extol Park Vista Addition No 2](#)  
[Exhibit A - Extol Park Vista Addition No 2 - Legal Description](#)  
[Exhibit B - Annexation Agreement - Extol Park Vista Addition No 2](#)  
[Exhibit 12A Planner Affidavit](#)  
[Exhibit 12C Surveyor Affidavit - Extol Park Vista](#)  
[Signed Resolution No. 64-24.pdf](#)

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services, presented the Resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation, the Ordinances annexing into the City, amending the zoning map of the City establishing a R5/AP-O (Multi-Family High with Airport Overlay) zone district, and the preliminary and final plat for Extol Park Vista Subdivision No. 2 located at 4401 Siferd Boulevard. He provided a brief overview of the vicinity map, project summary, site plan, annexation plat, zone establishment - R5/AP-Omap amendment, preliminary/final plat, timeline of review, stakeholder involvement, agency review, PlanCOS compliance, application review criteria, and optional motions.

Councilmember Henjum asked which district this annexation will be located in. Sarah B. Johnson, City Clerk, stated she will provide this information.

There was no public comment on this item.

Councilmember Henjum asked what the applicant's experience was with the application process. David Hostedtler, Land Development Consultant, representing the applicant, stated the owner would like the residents to have City utilities and they have had some difficulty working with Stormwater Enterprise (SWENT) due to the drainage and water quality issues in the area.

Councilmember Risley stated he will be supporting this because this annexation aligns with RetoolCOS.

**Motion by Councilmember O'Malley, seconded by Councilmember Henjum, that the Resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Extol Park Vista Addition No. 2 Annexation consisting of 0.66 acres 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

- 11.C. [ANEX-23-00](#)  
[01](#) An Ordinance annexing to the City of Colorado Springs that area known as Extol Park Vista Addition No. 2 consisting of 0.66 acres located at 4401 Siferd Boulevard.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Annexation Extol Park Vista Addition No 2](#)

[Exhibit A - Extol Park Vista Addition No 2](#)

[Staff Report Extol Park Vista Addition No 2 RGS](#)

[Attachment 1 - Extol Petition](#)

[Attachment 2 - Project Statement - Extol Park Vista Addition No 2](#)

[Attachment 3 - Annexation Plat - Extol Park Vista Addition No 2](#)

[Attachment 4 - Legal Description - Extol Park Vista Addition No 2](#)

[Attachment 5 - Annexation Agreement](#)

[Attachment 6 - FIA Memo](#)

[Attachment 7 - Exhibit A R5 Zone Chagne - Extol Park Vista Addition No 2](#)

[Attachment 8 - Exhibit B Map Depiction - Extol Park Vista Addition No 2](#)

[Attachment 9 - Preliminary Plat - Extol Park Vista Sub No 2](#)

[Attachment 10 - Final Plat - Extol Park Vista Sub No 2](#)

[Attachment 11 - Mineral Rights Certification](#)

[7.6.203-Annexation Conditions](#)

Please see comments in Agenda item 11.B.

**Motion by Councilmember Henjum, seconded by President Pro Tem Crow-Iverson, that the Ordinance annexing into the City of Colorado Springs the area known as Extol Park Vista Addition No. 2 consisting of 0.66 acres located at 4401 Siferd Boulevard, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in Chapter 7 Section 7.6.203 be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 11.D. [ZONE-23-00](#)  
[01](#) An Ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.66 acres establishing a R5/AP-O (Multi-Family High with Airport Overlay) zone district located at 4401 Siferd Boulevard.

(Legislative)



Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Zoning Ordinance - Extol Park Vista Addition No 2](#)  
[Exhibit A and B Zone - Legal Description and Map Depiction](#)  
[7.5.603.B Findings - ZC](#)

Please see comments in Agenda item 11.B.

**Motion by Councilmember Avila, seconded by Councilmember Henjum, that the Ordinance establishing 0.66 acres as a R-5/AP-O (Multi-Family High 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 Chapter 7 Section 7.5.603(B) be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 11.E.** [SUBD-23-00](#) A preliminary and final plat for Extol Park Vista Subdivision No. 2  
[11](#) Preliminary/Final Plat for 0.67 acres located 4401 Siferd Boulevard.

(Quasi-Judicial)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Attachment 9 - Preliminary Plat - Extol Park Vista Sub No 2](#)  
[Attachment 10 - Final Plat - Extol Park Vista Sub No 2](#)  
[7.7.204 Preliminary Plat Requirements](#)  
[7.7.303 Final Plat Req - Subdivision Plats Review Criteria](#)

Please see comments in Agenda item 11.B.

**Motion by Councilmember Henjum, seconded by President Pro Tem Crow-Iverson, that the Extol Park Vista Subdivision No. 2 Preliminary/Final Plat, based upon the findings the proposal meets the requirements for a preliminary plat as set forth in Chapter 7 Section 7.7.204 and the requirements for a final plat as set forth in Chapter 7 Section 7.7.303 with the following technical modification:<br />1. Receive final approval for the drainage letter from Stormwater Enterprise (SWENT) prior to recording of the final plat be approved. The motion passed by a vote of 9-0-0**

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

## Air Lane/Space Village Additions    Estimated Time: 15 minutes

- 11.F. [ANEX-23-00](#) [23RF](#) A resolution adopting findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Air Lane Addition No. 1 Annexation.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [ResolutionFindingsofFact Air Lane Addition 1](#)

[Exhibit A - Air Lane Addition No 1](#)

[Exhibit 12A Planner Affidavit](#)

[Exhibit 12C Surveyor Affidavit - Air Lane and Space Village](#)

[Signed Resolution No. 65-24.pdf](#)

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services, presented the Resolutions adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation, the Ordinances annexing into the City the areas know as Air Lane Addition No. 1 - 3 Annexation and Space Village Addition No. 2 and 3 Annexation located at Air Lane north of Space Village Avenue and Space Village Avenue west of Marksheffel Road. He provided a brief overview of the vicinity map, project summary, arial view, area zoning map, timeline of review, stakeholder involvement, PlanCOS compliance, application review criteria, and optional motions.

President Helms stated the Cherokee Metropolitan Water District withdrew their objection.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Resolution adopting a findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Air Lane Addition No. 1, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 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

- 11.G. [ANEX-23-00](#) [23](#) An Ordinance annexing to the City of Colorado Springs that area known as Air Lane Addition No. 1 Annexation consisting of 0.05 acres located

along existing Air Lane north of Space Village Avenue.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Air Lane Addition No 1](#)

[Exhibit A - Air Lane Addition No 1](#)

[Staff Report ROW Annexation RGS](#)

[Attachment 1 - Air Lane Addition No 1 - Annexation Petition](#)

[Attachment 2 - Air Lane Addition No 1 - Vicinity Map](#)

[7.5.701 ANNEXATION OF LAND](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, that the Ordinance annexing to the City of Colorado Springs that area known as Air Lane Addition No. 1, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 11.H.** [ANEX-23-00](#) A resolution adopting findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Air Lane Addition No. 2 Annexation.

[25RF](#)

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [ResolutionFindingsofFact Air Lane Addition 2](#)

[Exhibit A - Air Lane Addition No 2](#)

[Exhibit 12A Planner Affidavit](#)

[Exhibit 12C Surveyor Affidavit - Air Lane and Space Village](#)

[Signed Resolution No. 66-24.pdf](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Talarico, that**

the Resolution adopting a findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Air Lane Addition No. 2, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 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

- 11.I. [ANEX-23-00](#)  
[25](#) An Ordinance annexing to the City of Colorado Springs that area known as Air Lane Addition No. 2 Annexation consisting of 3.06 acres located along existing Air Lane north of Space Village Avenue.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Air Lane Addition No 2](#)  
[Exhibit A - Air Lane Addition No 2](#)  
[Attachment 1 - Air Lane Addition No 2 - Annexation Petition](#)  
[Attachment 2 - Air Lane Addition No 2 - Vicinity Map](#)  
[7.5.701 ANNEXATION OF LAND](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, that the Ordinance annexing to the City of Colorado Springs that area known as Air Lane Addition No. 2, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 be approved on first readin. The motion passed by a vote of 9-0-0**

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

- 11.J. [ANEX-23-00](#)  
[26RF](#) A resolution adopting findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Air Lane Addition No. 3 Annexation.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [ResolutionFindingsofFact\\_Air Lane Addition 3](#)  
[Exhibit A - Air Lane Addition No 3](#)  
[Exhibit 12A\\_Planner Affidavit](#)  
[Exhibit 12C\\_Surveyor Affidavit - Air Lane and Space Village](#)  
[Signed Resolution No. 67-24.pdf](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Resolution adopting a findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Air Lane Addition No. 3, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 be adopted. The motion passed by a vote of 9-0-0-0**

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

**Absent:** 1 - Avila

- 11.K.** [ANEX-23-00](#) An Ordinance annexing to the City of Colorado Springs that area known as Air Lane Addition No. 3 Annexation consisting of 1.51 acres located along existing Air Lane north of Space Village Avenue.  
[26](#)

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Air Lane Addition No 3](#)  
[Exhibit A - Air Lane Addition No 3](#)  
[Attachment 1 - Air Lane Addition No 3 - Annexation Petition](#)  
[Attachment 2 - Air Lane Addition No 3 - Vicinity Map](#)  
[7.5.701 ANNEXATION OF LAND](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, that the Ordinance annexing to the City of Colorado Springs that area known as Air Lane Addition No. 3, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 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

- 11.L.** [ANEX-23-00](#) A resolution adopting findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property  
[22RF](#)

known as Space Village Addition No. 2 Annexation.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [ResolutionFindingsofFact Space Village Addition No 2](#)

[Exhibit A - Space Village Addition No 2](#)

[Exhibit 12A Planner Affidavit](#)

[Exhibit 12C Surveyor Affidavit - Air Lane and Space Village](#)

[Signed Resolution No. 68-24.pdf](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, that the Resolution adopting a findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Space Village Addition No. 2, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 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

- 11.M.** [ANEX-23-00](#) An Ordinance annexing to the City of Colorado Springs that area known as Space Village Addition No. 2 Annexation consisting of 2.98 acres located along existing Space Village Avenue west of Marksheffel Road.

[22](#)

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Space Village Addition No 2](#)

[Exhibit A - Space Village Addition No 2](#)

[Attachment 1 - Space Village Addition No 2 - Annexation Petition](#)

[Attachment 2 - Space Village Addition No 2 - Vicinity Map](#)

[7.5.701 ANNEXATION OF LAND](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Talarico, that**

the Ordinance annexing to the City of Colorado Springs that area known as Space Village Addition No. 2, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 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

- 11.N. [ANEX-23-00](#) A resolution adopting findings of fact and conclusion of law based  
[24RF](#) thereon and determining the eligibility for the annexation of property known as Space Village Addition No. 3 Annexation.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [ResolutionFindingsofFact\\_SpaceVillageAdditionNo3](#)

[Exhibit A - Space Village Addition No 3](#)

[Exhibit 12A Planner Affidavit](#)

[Exhibit 12C Surveyor Affidavit - Air Lane and Space Village](#)

[Signed Resolution No. 69-24.pdf](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, that the Resolution adopting a findings of fact and conclusion of law based thereon and determining the eligibility for the annexation of property known as Space Village Addition No. 3, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 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

- 11.O. [ANEX-23-00](#) An Ordinance annexing to the City of Colorado Springs that area known  
[24](#) as Space Village Addition No. 3 Annexation consisting of 2.33 acres located along existing Space Village Avenue west of Marksheffel Road.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Space Village Addition No 3](#)  
[Exhibit A - Space Village Addition No 3](#)  
[Attachment 1 - Space Village Addition No 3 - Annexation Petition](#)  
[Attachment 2 - Space Village Addition No 3 - Vicinity Map](#)  
[7.5.701 ANNEXATION OF LAND](#)

Please see comments in Agenda item 11.F.

**Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, that the Ordinance annexing to the City of Colorado Springs that area known as Space Village Addition No. 3, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 be approved on first reading. The motion passed by a vote of 9-0-0**

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

### **Colorado Centre Addition No. 3 Estimated Time: 15 minutes**

- 11.P.** [ANEX-22-00](#) A resolution adopting findings of fact and conclusions of law based  
[14RF](#) thereon and determining the eligibility for annexation of property known as Colorado Centre Addition No. 3 Annexation.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [ResFindofFact\\_Colorado Centre Addition No. 3](#)  
[Exhibit A - Legal Description - Annexation - Colorado Centre Addition No 3](#)  
[Exhibit B - Annexation Agreement](#)  
[Exhibit 12A\\_Planner Affidavit](#)  
[Exhibit 12C-Surveyor Affidavit](#)  
[Signed Resolution No. 70-24.pdf](#)

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services, presented the Resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation, the Ordinances annexing to the City Air Lane Addition No. 3 located at along existing Air Lane north of Space Village Avenue, amending the zoning map of the City establishing amending the zoning map of the City establishing LI/AP-O (Light Industrial with Airport Overlay), GI/AP-O (General Industrial



with Airport Overlay), MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) zone districts, and the establishment of the Colorado Centre Addition No. 3 Land Use Plan for proposed Commercial, Industrial, and Streets/Utility Rights-of-Way located northwest of the Foreign Trade Zone Boulevard and Bradley Road intersection. He provided a brief overview of the vicinity map, site plan, annexation plat, zone establishments LI, GI, and MX-M/AP-O, land use plan, timeline of review, stakeholder involvement, agency review, PlanCOS compliance, application review criteria, and optional motions.

Larry Salazar, Kimley Horn, representing the applicant, went over the vicinity map, compliance with the City/El Paso County Master Plans, zoning, contiguity to the City, Unified Development Code (UDC) required conditions, beneficial elements, utility extensions, and PlanCOS alignment.

Councilmember Henjum asked if there was any existing development on this property. Mr. Salazar stated there is not.

Councilmember Henjum asked if Colorado Centre Addition No. 3 is affiliated with the other Colorado Centre properties. Mr. Salazar confirmed Colorado Centre is an overall platted development.

Councilmember Henjum asked how County zoning is translated into City zoning. Mr. Salazar stated it is interpreting what the intents for the property are.

There were no comments on this item.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Colorado Centre Addition No. 3 and approving an annexation agreement 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

- 11.Q.** [ANEX-22-00](#) An Ordinance annexing the area known as Colorado Centre Addition No. 3 located northwest of the Foreign Trade Zone Boulevard and Bradley Road intersection consisting of 32.94 acres.

[14](#)

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services  
 Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Annexation Colorado Centre Addition No. 3](#)  
[Exhibit A - Annex Legal Description and Plat](#)  
[Staff Report Colorado Centre Addition No 3 RGS](#)  
[Attachment 1 - Petition - Colorado Center Addition No. 3](#)  
[Attachment 2 - Project Statement](#)  
[Attachment 3 - Annexation Plat - Colorado Centre Addition No 3](#)  
[Attachment 4 - Exhibit A - Legal Description - Annexation](#)  
[Attachment 5 - Annexation Agreement Draft](#)  
[Attachment 6 - Fiscal Impact Study](#)  
[Attachment 7 - Exhibit A - Legal Description for LI - Colorado Centre Addition No 3 - ZONE-23-0020](#)  
[Attachment 8 - Exhibit B - Map Depiction for LI - Colorado Centre Addition No 3 - ZONE-23-0020](#)  
[Attachment 9 - Exhibit A - Legal Description for GI - Colorado Centre Addition No 3 - ZONE-23-0021](#)  
[Attachment 10 - Exhibit B - Map Depiction - GI - Colorado Centre Addition No 3 - ZONE-23-0021](#)  
[Attachment 11 - Exhibit A - Legal Description for MX-M - Colorado Centre Addition No. 3 - ZONE-23-0022](#)  
[Attachment 12 - Exhibit B - Map Depiction for MX-M - Colorado Centre Addition No. 3 - ZONE-23-0022](#)  
[Attachment 13 - Colorado Centre Addition No. 3 Land Use Plan Annexation Impact Report](#)  
[7.5.701 ANNEXATION OF LAND](#)

Please see comments in Agenda item 11.P.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Ordinance annexing into the City of Colorado Springs the area known as Colorado Centre Addition No. 3 consisting of 32.94 acres, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.5.701 be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 11.R.** [ZONE-23-0020](#) An Ordinance establishing a LI/AP-O (Light Industrial with Airport Overlay) zone district for 16.36 acres located northwest of the Foreign Trade Zone Boulevard and Bradley Road intersection.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services  
 Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Zoning Ordinance for LI - Colorado Centre Addition No. 3 - ZONE-23-0020 Exhibit A and B - LI-ZONE](#)  
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

Please see comments in Agenda item 11.P.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Ordinance establishing 16.36 acres as LI/AP-O (Light Industrial 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. Deny an ordinance establishing 16.36 acres as LI/AP-O (Light Industrial with Airport Overlay) zone district, based upon the findings that the zone establishment request does not comply with the criteria for granting a zone establishment as set forth in City Code Section 7.5.704 be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 11.S.** [ZONE-23-0021](#) An Ordinance establishing a GI/AP-O (General Industrial with Airport Overlay) zone district for 10.54 acres located northwest of the Foreign Trade Zone Boulevard and Bradley Road intersection.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning + Neighborhood Services  
 Kevin Walker, Interim Planning Director, Planning + Neighborhood Services

**Attachments:** [Zoning Ordinance for GI - Colorado Centre Addition No. 3 - ZONE-23-0021 Exhibit A and B - GI-ZONE](#)  
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

Please see comments in Agenda item 11.P.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Ordinance establishing 10.54 acres as GI/AP-O (General Industrial 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 approved on first reading. The motion passed by a vote of 9-0-0**

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

- 11.T. [ZONE-23-00](#)  
[22](#) An Ordinance establishing a MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) zone district for 4.83 acres located northwest of the Foreign Trade Zone Boulevard and Bradley Road intersection.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Zoning Ordinance for MX-M - Colorado Centre Addition No. 3 - ZONE-23-0022 Exhibit A and B - MX-M-ZONE](#)

[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

Please see comments in Agenda item 11.P.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Ordinance establishing 4.83 acres as MX-M/AP-O (Mixed-Use 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 approved on first reading. The motion passed by a vote of 9-0-0**

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

- 11.U. [MAPN-23-00](#)  
[08](#) Establishment of the Colorado Centre Addition No. 3 Land Use Plan for proposed Commercial, Industrial, and Streets/Utility Rights-of-Way consisting of 31.73 acres located northwest of the Foreign Trade Zone Boulevard and Bradley Road intersection.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Attachment 13 - Colorado Centre Addition No. 3 Land Use Plan 7.5.514 LAND USE PLAN](#)

Please see comments in Agenda item 11.P.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Colorado Centre Addition No. 3 Land Use Plan based upon the findings that the proposal complies with the review criteria for Land Use**

Plans as set forth in City Code Section 7.5.514 be approved. The motion passed by a vote of 9-0-0

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

**Central Bluffs Estimated Time: 30 minutes**

- 11.V. [ZONE-23-00](#) Ordinance No. 24-39 amending the zoning map of the City of Colorado Springs pertaining to 8.09 acres located at the northwest corner of Austin Bluffs Parkway and Goldenrod Drive from MX-N/SS-O (Mixed-Use Neighborhood Scale with Streamside Overlay), R-4/MX-N (Multi-Family Low and Mixed-Use Neighborhood Scale), R-1 6 (Single-Family-Medium) to PF/SS-O (Public Facilities with Streamside Overlay) (Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Tamara Baxter, Planning Supervisor, Planning and Neighborhood Services.

Kevin Walker, Interim Director, Planning and Neighborhood Services

**Attachments:** [Ordinance - Central Bluffs Zoning Map Amendment](#)

[Exhibit A - Central Bluffs](#)

[Exhibit B - Central Bluffs](#)

[Staff Report Central Bluffs 5.8.24](#)

[Attachment 1 Project Statement Zone Change](#)

[Attachment 2 Zone Change Exhibit](#)

[Attachment 3 Public Comment](#)

[Attachment 4 Public Comment Response](#)

[Attachment 5 Project Statement Land Use Statement](#)

[Attachment 6 Central Bluffs Substation FAQs](#)

[Additional Public Comments Central Bluffs 5.6.24](#)

[Additional Public Comments Central Bluffs 6.26.24](#)

[CPC Minutes 5.8.24 Final](#)

[7.5.514 LAND USE PLAN](#)

[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

[CC Staff presentation Central Bluffs ZC 2nd Reading 6.25.24](#)

[Signed Ordinance No. 24-39.pdf](#)

Ben Bolinger, Assistant City Attorney, City Attorney's Office, polled City Council regarding any ex parte communications. Councilmember Donelson stated he lives in this precinct and has met with the three ladies that are here today and others from the neighborhood, in his role as the Chair of

Colorado Springs Utilities. He stated it was a neighborhood meeting to explain and answer questions and if any of them have a feeling that he would not be impartial, he would be willing to recuse himself. Citizen Rachel Shoaff stated Councilmember Donelson did have a meeting with some of the residents in her neighborhood who are strongly opposed to this, in that meeting he said that he would take our concerns up the line and would get back to them about certain issues, but they have never heard back, so she does feel like he should recuse himself in this particular case. Councilmember Donelson recused himself. All other Councilmembers responded they have not received any ex parte communications.

Tamara Baxter, Senior Planner, Planning and Community Development Department, presented the Ordinance amending the zoning map of the City pertaining to the pertaining to 8.09 acres located at the northwest corner of Austin Bluffs Parkway and Goldenrod Drive from MX-N/SS-O (Mixed-Use Neighborhood Scale with Streamside Overlay), R-4/MX-N (Multi-Family Low and Mixed-Use Neighborhood Scale), R-1 6 (Single-Family-Medium) to PF/SS-O (Public Facilities with Streamside Overlay). She provided an overview of the site, vicinity map, application, project summary, site plan, timeline of review, stakeholder involvement, agency review, compliance with PlanCOS, application review criteria, and optional motions.

Jessica Davis, Land Resource Manager, Colorado Springs Utilities (CSU), representing the applicant, provided a brief history of the project,

Mitchell Haus, Kimley Horn, representing the applicant, went over the rezoning application, rezoning map, and rezone criteria.

Councilmember Leinweber asked what the distance from the facility to the residential property is. Steven Gaeta, CSU, representing the applicant stated there is governance regarding the exposure to the electromagnetic field (EMF) and it depends on the equipment as to how far it is located.

Councilmember Leinweber asked if there will be a stone wall built as a barrier. Mr. Gaeta confirmed there will be.

There was no public comment in support of the project.

Citizens Coralee Chittenden, Allison Kayley, Rachel Shoaff, and Elizabeth Beers spoke in opposition to the project.

Ms. Davis stated they are only intending to use approximately 3.5 acres of property for the substation and the rest of the property will remain open space with restrictions so that there will not be any buildings on it.

Mr. Hess stated there will still be access to the BMX park, hiking area and stream, and identified the project siting.

Mr. Gaeta stated it is very difficult to find the amount of area necessary in an urban area to build a new substation and this site was the best area identified.

Councilmember Avila asked if there were any other locations which this substation could be located that is not as populated. Ms. Davis stated there is not because this area is very densely populated, is surrounded by Palmer deeds, and they vetted every open space in this area.

Councilmember Avila asked if the proposed substation would have transmission lines and what area it will serve. Mr. Gaeta confirmed it will and provided an overview of the transmission lines and distribution feed area.

Mr. Hess went over the photos of area and concept rendering map.

Councilmember Henjum asked if the distribution lines along Austin Bluffs Parkway will be underground. Mr. Gaeta stated those are still in the review phase, but most likely the lines with the wooden poles will be underground.

Councilmember Henjum asked what the impact will be if this rezone is not approved. Mr. Gaeta stated the inability to replace the three aging substations with this new substation poses a reliability concern in the area and the inability to take advantage of efficiency gains to the system, and cost implications. Ms. Davis stated they have been planning this substation for ten years because they have aging transformers that may not be able to support the communities needs when temperatures start rising and if this project is not approved, it could set the plan back another two and a half to six years. Travas Deal, Chief Executive Officer, CSU, stated it is a challenge to have existing aging electrical equipment, there are state mandates for decarbonization, the more denser the population, the more substations are needed so they have to build them in proximity, there is no

way they could put a substation anywhere in the Colorado Springs footprint that would not been seen from a residence, they are looking out for the good of all the residents in the community, and they purchased extra property to ensure a buffer.

Councilmember Henjum and Councilmember Avila stated they will be supporting this project.

President Pro Tem Crow-Iverson asked where Ms. Chittenden's property was located. She stated she can see the bluffs from her backyard, but she is representing the working people of the neighborhood, and stated CSU has started to remove trees in the area. Mr. Deal stated CSU has not removed any trees and if they must remove trees, they will take down as few trees as possible, they will be adding landscaping, and fire mitigation as part of the Development Plan which the community will be able to provide input on.

Councilmember Leinweber asked if Stormwater Enterprise (SWENT) will take over the drainage area. Ms. Davis stated they will be discussing that with them.

**Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Ordinance amending the zoning map of the City of Colorado Springs related to 8.09 acres located at the northeast corner of Austin Bluffs Parkway and Goldenrod Drive from MX-N/SS-O (Mixed-Use Neighborhood Scale with Streamside Overlay), R-4/MX-N (Multi-Family Low and Mixed-Use Neighborhood Scale), R-1 6 (Single-Family-Medium) to PF/SS-O (Public Facilities with Streamside Overlay) based upon the findings that the request complies with the criteria for a Zoning Map amendment as set forth in City Code Section 7.5.704 be finally passed. The motion passed by a vote of 8-0-1-0**

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

**Recused:** 1 - Donelson

### **Arrowswest Estimated Time: 5 hours**

- 11.W.** [ZONE-24-00](#) Ordinance No. 24-38 to amend the zoning map of the City of Colorado Springs relating to 6.87 acres located at 4145 Arrowswest Drive from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to [04](#) MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay).  
(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:  
William Gray, Senior Planner, Planning and Neighborhood Services



Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Arrowswest Rezoning Ordinance](#)  
[Arrowswest Rezoning Exhibit A](#)  
[Arrowswest Rezoning Exhibit B](#)  
[CPC Minutes 4.16.24 Final](#)  
[City Planning Commission Staff Report](#)  
[Attachment 1-Annexation Map](#)  
[Attachment 2-Zoning Map](#)  
[Attachment 3-Shops at Arrowswest Filing No 1](#)  
[Attachment 4-Shops at Arrowswest Filing No 1 Development Plan](#)  
[Attachment 5-Public Comment](#)  
[Attachment 5A-Star Berdon Document](#)  
[Attachment 5B-McLain Document](#)  
[Attachment 5C-Eddie Hurt Document](#)  
[Attachment 6-2023 Public Comment](#)  
[Attachment 7-Neighborhood Meeting No. 3](#)  
[Attachment 8-2022 Public Comment](#)  
[Attachment 9-Traffic Impact Study](#)  
[Attachment 10-Final Drainage Report](#)  
[Attachment 11-Geologic Hazard Study](#)  
[Attachment 12-Grading Consistent with Geologic Hazard Report Recommendations](#)  
[Attachment 13-CGS Review Letter](#)  
[Attachment 14-Project Statement](#)  
[Attachment 15-Vicinity Map](#)  
[Attachment 16-Zone Map Amendment Exhibit](#)  
[Attachment 17-Development Plan](#)  
[Attachment 18-Context Map](#)  
[Attachment 19-Cross Section](#)  
[Attachment 20-2024 Public Comment](#)  
[Attachment 21-Kat Gayle correspondence](#)  
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)  
[CC Arrowswest Apartments Staff Presentation WEG Final](#)  
[CPC Minutes 4.16.24 Final](#)  
[Signed Ordinance No. 24-38.pdf](#)

President Helms polled City Council regarding any ex parte communications. All Councilmembers responded they have not received any ex parte communications and stated they are able to make fair and

impartial decisions.

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services, stated the question at hand is whether this property is zoned with the Hillside Overlay and provided a brief history of Hillside Overlay to Arrowswest Apartments, Ordinances passed in 1980, 1981, 1983, and 1989.

Councilmember Henjum asked why there were so many changes made during that time. Mr. Walker stated there was only one zoning change made and the other changes were modifications to the criteria within the Hillside Overlay Zone.

Councilmember Henjum asked what a Hillside Overlay is. Mr. Walker stated the Hillside Overlay is applied to locations of the City with vegetation and slope which would be impactful relative to hillsides and that extra sensitivity and care is taken in the development of those particular sites as it relates to visibility, access, and a variety of other criteria.

Councilmember Donelson asked if the areas surrounding this property are zoned with Hillside Overlay. Mr. Walker identified the areas zoned with Hillside Overlay and stated the Arrowswest Hillside Overlay was removed in 1989.

Mr. Walker went over the 1983 map stamped by a professional land surveyor, 2005 designation, and 2024 summary.

Councilmember Henjum asked why the Hillside Overlay was removed in 1989. Mr. Walker stated the minutes reflect that the area was already graded and no longer exhibited any of the hillside characteristics or vegetation of significance.

Councilmember Donelson asked when the property was graded. Mr. Walker stated it appears to have occurred in the 1980's.

Councilmember Donelson asked if grading the property was in violation of the Hillside Overlay Ordinance. Wynetta Massey, City Attorney, stated it would depend on how grading permits were issued back then because it may not have been a violation of the Hillside Ordinance to get a grading permit, and then looking at hillside zoning decisions, the important thing

was if the property no longer exhibited the characteristics of hillside as the Ordinance defined it.

Councilmember Donelson requested additional information regarding the 340 emails received opposing the project. Mr. Gray stated ninety-five percent or higher were in opposition.

William Gray, Senior Planner, Planning and Neighborhood Services, presented the Ordinance to amend the zoning map of the City pertaining to 6.87 acres from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay) and the Arrowswest Apartments Development Plan establishing a multi-family development with 222 dwelling units in seven buildings consisting of 9.47 acres located at 4145 Arrowswest Drive. He provided a brief overview of the vicinity map, project summary, zone map amendment, existing conditions, proposed development, timeline of review, stakeholder involvement, PlanCOS compliance, application review criteria, and optional motions.

Laura Neuman, Weidner Apartment Homes, provided an overview of Weidner Apartment Homes, current applications, project progress/timeline, community context, existing development context, history of the site, zone change, and consistency with PlanCOS. She went over the Site Plan criteria, recognition of the wildland conditions/development climate, chronological history of the Hillside Overlay, proposed site data, building elevations, clubhouse elevations, traffic overview, traffic progress, traffic data, traffic conclusion, and Colorado Springs Fire Department (CSFD) update. Ms. Weidner went over the request on criteria, the case for housing, and project recap.

Councilmember Henjum asked if the industrial, commercial building and parking massing would have more impact to sightlines and if that is associated with traffic connections for industrial/commercial use. Ms. Neuman stated the property is zoned for industrial and commercial and industrial with a building height of fifty feet and the proposed project would have far less visual impact and traffic than what is currently allowed.

Councilmember Henjum asked if there was data to support the estimated doubled amount of traffic for industrial/commercial use. Nick Nowotarski, Development Director, Weidner Apartment Homes, representing the

applicant, stated traffic would be fifty percent reduced from developing in a commercial or light industrial use.

Councilmember Donelson asked why Ms. Neuman stated they just learned about the question of the Hillside Overlay two weeks ago even though it was brought up many times prior to that. Ms. Neuman stated when it was dismissed so quickly by the Planning and Neighbor Services Department and the Planning Commission, they felt the matter was settled.

Councilmember Donelson asked if there is data to support that the residents will be working within a close proximity to their apartments. Ms. Neuman stated this is a highly desirable area to live in.

Citizens Jill Gaebler, Executive Director of Pikes Peak Housing Network, Devin Camacho, Government Affairs Director, Colorado Springs Chamber and EDC, Shelly Jensen, Founder and Chief Executive Officer, We Fortify, and Shane Brown spoke in support of the project.

Citizen Todd Baldwin, President and Founder, Red Leg Brewing Company, spoke about the need for compromise and parking.

President Pro Tem Crow-Iverson asked how many employees who work at Entegris live in that area and what their average salary is. Ms. Gaebler stated this project plans to employ over six hundred residents in 2025 and their average salary is anticipated to be \$75,000 per year.

Councilmember Leinweber asked when Space Command chose Colorado Springs as their location, if employee housing was a priority. Mr. Camacho stated the Department of Defense does look at housing inventory when they make location decisions.

Councilmember Donelson asked how many apartment vacancies there are in Colorado Springs. Mr. Camacho stated that just because there are apartment vacancies, it does not mean they are affordable and once there is more supply, the cost will go down.

Councilmember Donelson stated the military provides variable housing allowance and surveys the prices so personnel can afford to live in more expensive areas.

Councilmember Donelson asked how many apartments are currently being planned for the City. Mr. Camacho stated approximately 12,000 are being projected within the next couple of years.

Councilmember O'Malley asked what the CSFD capacity limit is for Red Leg Brewing Company. Mr. Baldwin stated 1,200 people.

Councilmember Henjum asked Mr. Baldwin what the strategic compromise would look like. Mr. Baldwin stated this is an important piece of land, it is the entrance to the City's greatest commodity, and he believes in responsible community development, respecting property rights, and has previously proposed utilizing a trolley for servicing the Garden of the Gods.

Councilmember Donelson asked Mr. Baldwin if he feels that there is a good solution where everybody wins but what is being proposed today might not be exactly it. Mr. Baldwin stated there is certainly a way ahead.

Bill Wysong, President, Mountain Shadows Homeowners Association, representing the opposition, stated he feels they have not received good information and there was a road on the property which was changed for MCI.

Kat Gayle, Attorney, representing the Westside Watch, Integrity Matters, and Mountain Shadows Homeowners Association, provided an overview of the Planning Commission's decision, request for denial, Hillside Overlay timeline, Ordinance 81-49, 1981 Hillside Overlay zone map, Ordinance 89-143, Ordinance 96-80, Hillside Overlay compliant Verizon data center, zone map - May 4, 2000, zone map - January 29, 2003, Hillside Overlay compliant Loaf N' Jug 2424 Garden of the Gods Road, previous zone maps, Ordinance 5-117 before/after, zone map error/omission, and illegality due to estoppel and laches.

Councilmember Henjum requested additional information from the City Attorney. Ms. Massey explained there are Ordinances which change zones and Ordinances which change the text of the Zoning Code, the 1996 Ordinance did not amend the Hillside Overlay zoning map, the Hillside Overlay was removed from this parcel in 1989 by a zoning Ordinance changing the zoning map and the 2005 amendments to the Code did not impact that 1989 zoning Ordinance which removed the Hillside Overlay.

Councilmember Talarico asked if Weidner purchased the property in 2012. Ms. Gayle confirmed they did.

Ms. Gayle identified the proposed zone change, Loaf N' Jug is currently zoned PBC-HS, interoffice memo for Ordinance 05-117, proper way to remove Hillside Overlay in Ordinance 89-143, and summary of why this project must be denied.

Jeff Norton, Mountain Shadows Homeowners Association, provided an overview of the Hillside Overlay properties, Hillside Design Manual standards/guidelines, visual impact analyses-view corridors, and PlanCOS goals.

Bill Wysong, Mountain Shadows Homeowners Association, went over the need for evacuation planning, progression of the Waldo Canyon Fire, evacuation modeling, and City Council rejected FLEET software for expediting evacuation.

Citizens Kerri Waite, Tim Hoiles, Lisa Bigelow, Dorian Lee, Alicia Neatherton, Alicia Neatherton, Marybeth Neatherton, Bonnie Lapora, LaDonna Robertson, Teresa McMullen, Andrew Dalby, Sharon De Halas, Dana Duggan, Charles Lucas, Geniveve Gustavson, and Michelle (did not disclose last name) spoke in opposition of the proposed project.

Ms. Neuman stated Dean Weidner grew up in Colorado Springs, and she has resided in City for twenty years, they are at the tail end of a three-year historic phase of building multi-family projects throughout the United States and in Colorado Springs, the fact that the City has housing options at the present is evidence only of the market working the way it should when there is demand, housing investment should follow if the economic environment permits it as it has for the last few years, however, that environment has vanished due to many factors that each of you are aware of such as rising interest rates, inflation, cost of materials, labor skyrocketing, and lack of financing for multi-family and single-family homes. She stated the excess of housing is a temporary condition, they are maintaining above ninety percent occupancy year-to-date here in Colorado Springs, and Camelback Pointe, which is located in the same area as Arrowswest, is ninety-six percent occupied. Ms. Neuman stated the challenge that the City and the rest of the US will face is that while the demand for housing is booming, the pace of new development is drastically slowing down, in the immediate

couple mile radius of this site, there are no other planned multi-family projects, they will continue to work with Mr. Baldwin regarding long-term parking solution, and this development is much better suited than an industrial built facility. She stated it is clearly stated by both the Planning and Neighborhood Services Department and the City Attorney that they are not part of the Hillside Overlay so legally, they do not hold that designation, they had a registered surveyor independently review those Ordinances who definitively came to the same conclusion, but even though we are not subject to the Hillside Overlay, our design team has reviewed the Hillside Overlay standards and believe we are in compliance regardless.

President Helms requested information regarding how the CSFD has improved fire evacuation planning over the past several years. Brett Lacey, Fire Marshal, CSFD, stated they now use the platform Genesis, have broken the City into zones, have changed many procedures/processes since the Waldo Canyon Fire, and crews are much better prepared. He also explained that the water supply and duration has been studied thoroughly along with CSU is one of the best water distribution systems in the United States.

Councilmember Leinweber asked if there were any water failures during the Waldo Canyon Fire. Fire Marshal Lacey stated he is not aware of any.

Councilmember Leinweber requested additional information regarding the evacuation chokepoint around 30th Street and Garden of the Gods Road and how it might be affected by this development. Fire Marshal Lacey stated they have analyzed that chokepoint and broken down the zones so they can directly notify smaller pockets of individuals related to the fire movement and they will not allow re-entry into those areas the same way they did prior.

Councilmember Leinweber asked with this community evacuating on 31st Street which is further down the evacuation route if that will affect the evacuation efforts. Fire Marshall Lacey stated typically vehicles offer protection, no one was harmed in their vehicles during the evacuation of the Waldo Canyon Fire, and the Colorado Springs Police Department would have to identify the chokepoints while they are addressing the fire.

Councilmember Donelson commented that there was a functional water system when the 350 houses burned during the Waldo Canyon Fire. Fire

Marshal Lacey stated it was not due to the water system.

Councilmember Donelson stated instances of people going back for pets and for medicines during a fire occur in places like apartment complexes, not at their place of work. Fire Marshal Lacey confirmed it occurs wherever residence is.

Councilmember Donelson asked if building a large apartment complex at a choke point, at an intersection, with increased density of buildings near each other could contribute to fire spread with higher temperatures due to the proximity of structures. Marshal Lacey confirm it could, but in the instance of this complex, it will not.

Councilmember Donelson commented that it is City Council's job to not put a more dangerous situation in front of the CSFD.

Councilmember Henjum asked if this development meets the Unified Development Code (UDC) distance from a gas station. Mr. Gray stated that standard is applied to gas station applications in residentially zoned property but does not apply in reverse for residential developments.

Councilmember Henjum asked how far the nearest gas station is to this development. Mr. Gray stated it is located within 250 feet.

Councilmember Donelson asked if the Weidner property located to the east is already zoned MX-N and is large enough for this development. Ms. Neuman stated it is not zoned MX-N. Mr. Nowotarski stated that site has a lot more slope and grade to it, so the buildable area is much smaller than the size of the property. Councilmember Donelson asked if the buildable area was the same size as the proposed site. Mr. Nowotarski stated they would have to look into that.

Councilmember Leinweber requested additional information regarding park areas such as playground equipment. Ms. Neuman stated they would have to determine the demographics of the residents before deciding what equipment is added, but there is green space available for recreation/dogs, a fitness center, and pool.

Councilmember Leinweber asked if there was open space and trail access next to the property. Ms. Neuman confirmed there was and they will be



providing an easement to the trail.

Councilmember Leinweber asked if the hillside behind the development will remain undeveloped. Ms. Neuman confirmed it would, the hillside is 130 feet, and the rooftop of the development is 95 feet below that.

Councilmember Donelson asked Ms. Neuman if she knew the difference between a neighborhood park and open space. Ms. Neuman confirmed she does, and a neighborhood park is flat with grass and equipment.

Councilmember Donelson stated this is a request for a rezone and the review criteria states the rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare, and if City Council has any doubts about that, they are obligated to vote no on a rezone. He said this could be a great project, this is a chokepoint, and this area had a huge fire. Councilmember Donelson stated he has concerns about if the Hillside Overlay has been fully worked out, typically buildings along here are 26 feet tall, this will be 38 feet tall, they are set back from the road 147 feet, this will only be set back 42 feet, it will significantly impact the experience of tourists, and this is a very unique piece of land which is the gateway to Garden of the Gods Park. He stated he is also concerned about fire evacuation and does not feel this is the right place for this development.

Councilmember Leinweber stated this land is not owned by the City, is currently zoned light industrial which allows a fifty-foot building to be built on it, and he feels this type of residential development is the best path forward for this neighborhood.

**Motion by Councilmember Leinweber, seconded by Councilmember Talarico, that the Ordinance for the Zone Map Amendment to change 6.87 acres from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay), based upon the findings that the request complies with the criteria for a Zone Map Amendment as set forth in City Code Section 7.5.704 be finally passed. The motion passed by a vote of 7-2-0-0**

**Aye:** 7 - Avila, Crow-Iverson, Helms, Leinweber, O'Malley, Risley, and Talarico

**No:** 2 - Donelson, and Henjum

- 11.X. [DEPN-24-00](#) The Arrowswest Apartments Development Plan establishing a multi-family development with 222 dwelling units in seven (7) buildings consisting of 9.47 acres located at 4145 Arrowswest Drive. (Quasi-Judicial)  
[39](#)

Presenter:

William Gray, Senior Planner, Planning and Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [7.5.515 DEVELOPMENT PLAN](#)

Please see comments in Agenda item 11.W.

**Motion by Councilmember Leinweber, seconded by Councilmember Risley, that the Development Plan application, the following motion is suggested:<br />Approve the Arrowswest Apartments Development Plan based upon the findings that the request complies with the criteria for a Development Plan as set forth in City Code Section 7.5.515, with the following conditions: 1. An approved Final Drainage Report Amendment is completed. 2. Add the PLDO, Schools, and CDI fees table to the cover sheet of the Development Plan 3. The Geologic Hazard Disclosure Statement contained on the Development Plan is revised to meet the recommendations of Colorado Geologic Survey. 4. City Fire and Colorado Springs Utilities provide confirmation that the Final Landscape Plan meets applicable WUI-O and Utility Connection standards be approved. The motion passed by a vote of 8-1-0-0**

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

**No:** 1 - Donelson

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

Citizens Andrew Dalby, Kerri Waite, Lisa Bigelow, Tim Hoiles, Marybeth Neatherton, Kat Gayle, and Dana Duggan, spoke about political campaign contributions, conflicts of interest, and the censure of Councilmember Donelson.

## **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, President Helms adjourned the meeting at 6:20 PM.

Sarah B. Johnson, City Clerk