



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, February 11, 2025

9:00 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 9:02 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 Talarico arrived at approximately 9:07 AM.

Councilmember Risley arrived at approximately 10:33 AM.

President Pro Tem Crow-Iverson left the meeting at approximately 3:00 PM.

2. Invocation and Pledge of Allegiance

The Invocation was made by Chaplain Colin McCormick from the Colorado Springs Police Department.

President Helms led the Pledge of Allegiance.

President Helms recognized Ayana Garcia, Boards and Commissions Program Administrator, for being awarded the Fort Carson Military Spouse of the Year.

Several Councilmembers congratulated Ms. Garcia for her achievement.

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. [25-031](#) Ordinance No. 25-18 Amending Section 203 (Application For License; Fees; Term; Bond and Insurance Requirements; Suspension or Revocation) of Part 2 (Excavations) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Excavator Stop Work Orders.

Presenter:

Gayle Sturdivant, PE, PMP, City Engineer/Deputy Public Works Director

Tyra Sandy, PE, Engineering Program Manager/Assistant City Engineer

Attachments: [1 PW-ExcavatorStopWorkOrder-ORD-2024-11-26](#)

[2 Presentation](#)

[Signed Ordinance No. 25-18.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

- 4B.A. [25-097](#) City Council Regular Meeting Minutes January 28, 2025

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [1-28-2025 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.B.** [25-094](#) A Resolution Declaring a Portion of the Property Known as El Paso County Tax Schedule Number 5400000263 Surplus Property and Authorizing the Disposal of Such Property to Contrarian Airport LLC as the One Logical Purchaser.

Presenter:

Travas Deal, Chief Executive Officer, Colorado Springs Utilities
Jessica Davis, Land Resource Manager, Colorado Springs Utilities

Attachments: [City Council Agenda Resolution Marksheffel Property Disposal Final](#)
[10011 - Marksheffel Surplus Exhibits A-B SIGNED ver2](#)
[Signed Resolution No. 24-25.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.C.** [24-658](#) A Resolution approving the Intergovernmental Agreement for inter-connection of bus services between the City of Fountain, Colorado, and the City of Colorado Springs, Colorado

Presenter:

Lan Rao, Transit Division Manager, Public Works

Attachments: [Interconnected Bus Service - Resolution 01-27-2025](#)
[Interconnected Bus Service - IGA 01-27-2025](#)
[Interconnected Bus Service - Presentation 01-27-2025](#)
[Signed Resolution No. 25-25.pdf](#)

This Resolution was adopted 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 8-0-1-0

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

Excused: 1 - Risley

5. Recognitions

- 5.A.** [25-088](#) A Resolution Designating February as International Therapeutic Recreation Month

Presenter:

Michelle Talarico, Councilmember District 3
Britt Haley - Parks, Recreation and Cultural Services Director

Attachments: [International Therapeutic Recreation Month - Feb 2025 - Resolution Signed Resolution No. 26-25.pdf](#)

Councilmember Talarico read the Resolution Designating February as International Therapeutic Recreation Month.

Britt Haley, Director, Parks, Recreation and Cultural Services, provided a brief history of the City's Therapeutic Recreation Programs (TRP), the 5,200 participants who benefit from the programs, identified the volunteers, interns, and four City staff members who make the programs possible.

Councilmember Talarico expressed appreciation for the people involved with TRP.

Councilmember Henjum requested additional information of what therapeutic recreational programs are offered by the City. Felicia Barnhart, Program Supervisor, TRP, went over several of the programs and activities offered.

Councilmember Donelson expressed appreciation for the work done at Prospect Lake to keep the TRPs available on it.

Motion by Councilmember Henjum, seconded by President Pro Tem Crow-Iverson, that the Resolution designating February as International Therapeutic Recreation 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

6. Mayor's Business

There was no Mayor's Business.

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

Citizen Charles Barber requested everyone prevent hair from going into the City's wastewater system.

Citizen Lawrence Clark spoke about an unattended backpack he found and reported in front of Governor Jared Polis' office and spoke in opposition of Senate Bill 3.

Citizen Robert McClughlin requested school zones and controlled lights

at the intersections near Challenger Middle School and Mountain View Elementary School

Citizens Janine Sledz and Murray Relf spoke about the need for sound mitigation for the noise from the Ford Amphitheater.

Citizen Joan Stang discussed the need for bicycle-friendly driver education within the City.

Citizen Kurt Schroeder spoke about the dangers of wildfire within the City and the Forest Service layoffs.

Citizen Jim Coonradt spoke in opposition of the ballot question repealing Ballot Question 300 and the poor conditions of the apartment building he lives in.

Citizens Ann Rush and Dawn Shelstad spoke in opposition of the Karman Line annexation and the petition they are circulating.

Citizen John Hawk identified the requirements he would like to see regarding accessory dwelling units.

Citizens Carrie Waite and Theresa Gazzara stated there should be a full impact analysis for ADU's before it is voted on at the February 25, 2025 City Council Meeting.

Citizen Kat Gayle stated there needs to be qualification requirements for members of the Pikes Peak Library Board and about the noise levels from the Ford Amphitheater.

Citizen Ethan Jacobs spoke about the excessive train horn noise in the downtown area.

8. Items Called Off Consent Calendar

There were no Items Called Off the Consent Calendar.

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

- 10.A. [ANEX-24-0001](#) Ordinance No. 25-20 annexing the area known as Cheyenne Mountain State Park Addition No. 1 located along west of Highway 115 and south of Cheyenne Mountain State Park consisting of 53.84 acres.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

Attachments: [Staff Report_Rock Creek Mesa_RGS](#)

[Attachment 1 - Cheyenne Mountain State Park Addition No. 1 - Petition](#)
[Attachment 2 - Cheyenne Mountain State Park Addition No. 1 - Legal Description](#)
[Attachment 3 - Cheyenne Mountain State Park Addition No. 1 - Annexation Plat](#)
[Attachment 4 - Rock Creek Mesa Addition No. 1 - Petition](#)
[Attachment 5 - Rock Creek Mesa Addition No. 1 - Legal Description](#)
[Attachment 6 - Rock Creek Mesa Addition No. 1 - Annexation Plat](#)
[Attachment 7 - Rock Creek Mesa Addition No. 2 - Petition](#)
[Attachment 8 - Rock Creek Mesa Addition No. 2 - Legal Description](#)
[Attachment 9 - Rock Creek Mesa Addition No. 2 - Annexation Plat](#)
[Attachment 10 - Rock Creek Mesa Addition No. 3 - Petition](#)
[Attachment 11 - Rock Creek Mesa Addition No. 3 - Legal Description](#)
[Attachment 12 - Rock Creek Mesa Addition No. 3 - Annexation Plat](#)
[Attachment 13 - Rock Creek Mesa Addition No. 4 - Petition](#)
[Attachment 14 - Rock Creek Mesa Addition No. 4 - Legal Description](#)
[Attachment 15 - Rock Creek Mesa Addition No. 4 - Annexation Plat](#)
[Attachment 16 - Rock Creek Mesa Addition No. 5 - Petition](#)
[Attachment 17 - Rock Creek Mesa Addition No. 5 - Legal Description](#)
[Attachment 18 - Rock Creek Mesa Addition No. 5 - Annexation Plat](#)
[Attachment 19 - Rock Creek Mesa Addition No. 6 - Petition](#)
[Attachment 20- Rock Creek Mesa Addition No. 6 - Legal Description](#)
[Attachment 21 - Rock Creek Mesa Addition No. 6 - Annexation Plat](#)
[Attachment 22 - Statement of Authority](#)
[Attachment 23 - Fiscal Impact Analysis](#)
[Attachment 24 - Memorandum of Agreement - School Land Dedication](#)
[Attachment 25 - Annexation Agreement_Rock Creek Mesa_2nd Draft from Applicant_Draft_PC Only](#)
[Attachment 33 - Aerial](#)
[Attachment 34 - Neighbor Correspondence](#)
[Attachment 35 - Project Statement](#)

[7.5.701 ANNEXATION OF LAND](#)

[Ordinance - Annexation Cheyenne Mtn State Park Addition 1 - ANEX-24-0001](#)
[Exhibit A - Cheyenne Mountain State Park Addition No. 1 - ANEX-24-0001](#)
[Rock Creek Mesa City Council CSU Presentation](#)
[Staff_RGS_Rock Creek Mesa_Presentation](#)
[Rock Creek Mesa - Applicant Presentation.pdf](#)
[Signed Ordinance No. 25-20.pdf](#)

Gabe Sevigny, Planning Supervisor, Planning Department, presented the Resolutions and Ordinances adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation and annexing the area known as Cheyenne Mountain State Park/Rock Creek Mesa Addition No. 1 Annexation located along west of Highway 115.

Councilmember Donelson thanked the applicant, Danny Mientka, Owner, The Equity Group, for showing him the project site area, but due to his concerns with public safety regarding wildfire danger, he will still be voting against this item.

Motion by Councilmember O'Malley, seconded by Councilmember Risley, that the Ordinance No. 25-20 annexing into the City of Colorado Springs the area known as Cheyenne Mountain State Park Addition No. 1 consisting of 53.84 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 finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.B.** [ANEX-24-0002](#) Ordinance No. 25-21 annexing the area known as Rock Creek Mesa Addition No. 1 located west of Highway 115 and south of Cheyenne Mountain State Park consisting of 4.02 acres.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

Attachments: [7.5.701 ANNEXATION OF LAND](#)

[Ordinance - Annexation Rock Creek Mesa Addition 1 - ANEX-24-0002](#)

[Exhibit A - Rock Creek Mesa Addition No. 1 - ANEX-24-0002](#)

[Signed Ordinance No. 25-21.pdf](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Ordinance No. 25-21 annexing into the City of Colorado Springs the area known as Rock Creek Mesa Addition No. 1 consisting of 4.02 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, with one (1) Condition of Approval.* The applicant shall seek Board of County Commissioners' approval of the deeds of transfer for rights-of-way along Pawnee Road prior to recordation be finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.C.** [ANEX-24-0003](#) Ordinance No. 25-22 annexing the area known as Rock Creek Mesa Addition No. 2 located west of Highway 115 and south of Cheyenne Mountain State Park consisting of 8.35 acres.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

Attachments: [7.5.701 ANNEXATION OF LAND](#)
[Ordinance - Annexation Rock Creek Mesa Addition 2 - ANEX-24-0003](#)
[Exhibit A - Rock Creek Mesa Addition No. 2 - ANEX-24-0003](#)
[Signed Ordinance No. 25-22.pdf](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Leinweber, seconded by Councilmember Talarico, that the Ordinance No. 25-22 annexing into the City of Colorado Springs the area known as Rock Creek Mesa Addition No. 2 consisting of 8.35 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 finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.D. [ANEX-24-0004](#) Ordinance No. 25-23 annexing the area known as Rock Creek Mesa Addition No. 3 located west of Highway 115 and south of Cheyenne Mountain State Park consisting of 25.55 acres.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

Attachments: [7.5.701 ANNEXATION OF LAND](#)

[Ordinance - Annexation Rock Creek Mesa Addition 3 - ANEX-24-0004](#)

[Exhibit A - Rock Creek Mesa Addition No. 3 - ANEX-24-0004](#)

[Signed Ordinance No. 25-23.pdf](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Leinweber, seconded by Councilmember Henjum, that the Ordinance No. 25-23 annexing into the City of Colorado Springs the area known as Rock Creek Mesa Addition No. 3 consisting of 25.55 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 finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.E. [ANEX-24-0005](#) Ordinance No. 25-24 annexing the area known as Rock Creek Mesa Addition No. 4 located west of Highway 115 and south of Cheyenne Mountain State Park consisting of 4.06 acres.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027,

ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

Attachments: [7.5.701 ANNEXATION OF LAND](#)

[Ordinance - Annexation Rock Creek Mesa Addition 4 - ANEX-24-0005](#)

[Exhibit A - Rock Creek Mesa Addition No. 4 - ANEX-24-0005](#)

[Signed Ordinance No. 25-24.pdf](#)

Please see comments in Agenda item 10.A.

Motion by President Pro Tem Crow-Iverson, seconded by Councilmember Leinweber, that the Ordinance No. 25-24 annexing into the City of Colorado Springs the area known as Rock Creek Mesa Addition No. 4 consisting of 4.06 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 finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.F.** [ANEX-24-0006](#) Ordinance No. 25-25 annexing the area known as Rock Creek Mesa Addition No. 5 located west of Highway 115 and south of Cheyenne Mountain State Park consisting of 7.43 acres.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

Attachments: [7.5.701 ANNEXATION OF LAND](#)

[Ordinance - Annexation Rock Creek Mesa Addition 5 - ANEX-24-0006](#)
[Exhibit A - Rock Creek Mesa Addition No. 5 - ANEX-24-0006](#)
[Signed Ordinance No. 25-25.pdf](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Ordinance No. 25-25 annexing into the City of Colorado Springs the area known as Rock Creek Mesa Addition No. 5 consisting of 7.43 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 finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.G.** [ANEX-24-0007](#) Ordinance No. 25-26 annexing the area known as Rock Creek Mesa Addition No. 6 located west of Highway 115 and south of Cheyenne Mountain State Park consisting of 5.61 acres.
 (Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
 Kevin Walker, Planning Director

Attachments: [7.5.701 ANNEXATION OF LAND](#)

[Ordinance - Annexation Rock Creek Mesa Addition 6 - ANEX-24-0007](#)
[Exhibit A - Rock Creek Mesa Addition No. 6 - ANEX-24-0007](#)
[Signed Ordinance No. 25-26.pdf](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Talarico, seconded by Councilmember Henjum, that the Ordinance No. 25-26 annexing into the City of Colorado Springs the area known as Rock Creek Mesa Addition No. 6 consisting of 5.61 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 finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.H.** [ZONE-23-0026](#) Ordinance No. 25-27 establishing a R-Flex-Med/HS-O/WUI-O (R-Flex Medium Scale with Hillside and Wildland Urban Interface Overlay) zone district for 38.11 acres located west of Highway 115 and south of Cheyenne Mountain State Park.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

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

[Zoning Ordinance-Rock Creek Mesa - R-Flex-HS-WUI-O - ZONE-23-0026](#)

[Exhibit A - Legal Description - R-Flex Med-HS-WUI-O - ZONE-23-0026](#)

[Exhibit B - Map Depiction - R-Flex Med-HS-WUI-O - ZONE-23-0026](#)

[Signed Ordinance No. 25-27.pdf](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Talarico, seconded by Councilmember Henjum, that the Ordinance No. 25-27 establishing 38.11 acres as R-Flex-Med/HS-O/WUI-O (R-Flex Medium Scale with Hillside and Wildland Urban Interface 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 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.I.** [ZONE-23-0027](#) Ordinance No. 25-28 establishing a PK/WUI-O (Public Parks with Wildland Urban Interface Overlay) zone district for 53.84 acres located west of Highway 115 and south of Cheyenne Mountain State

Park.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

Attachments: [7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)
[Zoning Ordinance-Cheyenne Mtn State Park - PK - ZONE-23-0027](#)
[Exhibit A - Legal Description - Public Parks - ZONE-23-0027](#)
[Exhibit B - Map Depiction - Public Parks - ZONE-23-0027](#)
[Signed Ordinance No. 25-28.pdf](#)

Please see comments in Agenda item 10.A.

Motion by President Pro Tem Crow-Iverson, seconded by Councilmember Leinweber, that the Ordinance No. 25-28 establishing 53.84 acres as PK/WUI-O (Public Parks with Wildland Urban Interface 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 7-2-0-0

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

No: 2 - Avila, and Donelson

- 10.J.** [ZONE-23-0030](#) Ordinance No. 25-29 establishing a R-Flex-Med/WUI-O (R-Flex Medium Scale with Wildland Urban Interface Overlay) zone district for 12.51 acres located west of Highway 115 and south of Cheyenne Mountain State Park.
(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027,

ZONE-23-0030, MAPN-23-0009

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
Kevin Walker, Planning Director

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

[Zoning Ordinance-Rock Creek Mesa - R-Flex-WUI-O - ZONE-23-0030](#)

[Exhibit A - Legal Description - R-Flex Med-WUI-O - ZONE-23-0030](#)

[Exhibit B - Map Depiction - R-Flex Med-WUI-O - ZONE-23-0030](#)

[Signed Ordinance No. 25-29.pdf](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Talarico, seconded by President Pro Tem Crow-Iverson, that the Ordinance No. 25-29 establishing 12.51 acres as R-Flex-Med/WUI-O (R-Flex Medium Scale with Wildland Urban Interface 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 7-2-0-0

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

No: 2 - Avila, and Donelson

11. New Business

- 11.A. [24-630](#) Ordinance 25-30 amending Article 1 of Chapter 4, of the Chapter 4 of the Code of Colorado Springs 2001, as Amended, Pertaining to Electrical Assisted Bicycles

Presenter:

Britt Haley, Director, Parks, Recreation and Cultural Services Department
Lonna Thelen, Program Manager, Trails, Open Space and Parks (TOPS) Program
Scott Abbott, Manager, Regional Parks, Trails and Open Space

Attachments: [PR-E BikesORD-Class 1 edit.docx](#)

[E-Bike Policy Presentation to Council 120924](#)

Lonna Thelen, Program Manager, Trails, Open Space and Parks (TOPS) Program, introduced the Ordinance pertaining to electrical assisted bicycles (e-bikes) and provided an overview of the definition of an E-Bike, E-Bike survey, survey results, four steps to implement policy:

1. TOPS Working Committee/Parks Advisory Board consider e-bike

policy/City Code updates, 2. City Council considers e-bike policy/City Code updates, 3. Parks Recreation and Cultural Services (PRCS) Department adopts rules/regulations, and 4. Staged rollout of policy and reasons for this approach.

Scott Abbott, Manager, Regional Parks, Trails and Open Space, PRCS, provided additional detailed information regarding steps 3. and 4., environmental impact studies, TOPS Working Committee/Parks Advisory Board recommendations, proposed motion, and complete text of Ordinance.

Councilmember Henjum requested additional information regarding citations for wildlife harassment. Mr. Abbott provided an overview of how that enforcement would be through the Colorado Springs Police Department.

Councilmember Henjum asked if slow zones and movable barrier tactics are currently being utilized. Mr. Abbott stated they are not.

Councilmember Donelson requested additional information on which classes will be permitted. Mr. Abbott explained they are asking for Class 1 e-bikes to be allowed where a traditional bike has access, and it will be a phased rollout with urban trails.

Councilmember Donelson asked if this Ordinance will eventually allow e-bikes on TOPS properties. Mr. Abbott confirmed it would be but only after all conservation easements and acceptance of permissible uses are complete.

Councilmember Henjum asked if the survey was representative of the population. Mr. Abbott provided an overview of their extensive outreach.

Councilmember Leinweber asked if Park Rangers might be able to issue citations in the future. Mr. Abbott stated they have discussed that, but it is a huge responsibility to add to the already exorbitant amount of work that the Rangers already do. Britt Haley, Director, PRCS Department, explained they are actively working on the enforcement element of this proposed Ordinance.

Councilmember Donelson asked if the survey participants were informed that TOPS properties currently do not allow motorized vehicles. Mr.

Abbott stated that information was not in the survey.

Councilmember Henjum asked if this proposed change for TOPS properties would require a vote of the people. Caitilin Moldenhauer, Attorney, City Attorney's Office, stated City Council has the authority to provide definitional structure for non-motorized use which was not previously defined in the TOPS or Parks section of the City Code.

Councilmember Henjum asked what criteria City Council can use regarding this item. Mr. Abbott stated carrying capacity of the land, what uses are allowable, and what damage could occur to the land based on uses. Ms. Haley this Ordinance will provide clarity by providing definitions regarding e-bikes and would provide continuity with City Code's Chapter 10 definition of vehicles on roadways.

Councilmember Donelson stated he is concerned about City Council creating a meaning or changing the definition for nonmotorized use and recommended that it be removed from the proposed Ordinance.

Councilmember O'Malley stated he does not support this Ordinance because it cannot be enforced.

Citizens Sarah Bryarly, Glenn Carlson, Becky Leinweber, Nick Ponser, Mike Hemme, Ben Raby, Mattie Godby, Jeff Cooper, Scott Helzen, Allen Beauchamp, Jon Severson, Kurt Schroeder, Corey Sutela, Gary Sherwood, Steve Harris, and Carl Hansen spoke in support of the proposed Ordinance.

Citizens Wayne Williams, Donna Strom, Jim Lockhart, Bob Falcone, Greg Thornton, Kat Gayle, and Dana Duggan spoke in opposition of the proposed Ordinance.

Councilmember Henjum asked Mr. Williams what his recommendation is. Mr. Williams stated he recommends adding a new Section 3 which states limiting factors TOPS properties and some other properties would be addressed prior to any introduction of e-bikes in these locations so the importance of voter approval regarding TOPS and Taxpayer Bill of Rights (TABOR) matters.

Councilmember Donelson stated the same idea could be accomplished by taking out the nonmotorized vehicle definition.

Councilmember Avila asked if TOPS trails are intertwined with urban trails. Mr. Williams confirmed they are, and it is one of the challenges they are facing.

Councilmember Henjum requested additional information regarding the impact on the bicycle industry. Mr. Ponzer, Owner, Criterion Bike Shop, explained the industry experienced a boom during the pandemic with high demand and low supply, so bike suppliers increased the supply, but demand has now declined with the exception of e-bikes.

Councilmember Leinweber stated he has no relationship at all with the sale of e-bikes.

Councilmember O'Malley stated allowing a combustion source into the Wildland Urban Interface (WUI) is a public safety issue and the lithium batteries of e-bikes have been known to catch fire and explode which is another hazard that has not been addressed so he will not be supporting this item.

Councilmember Leinweber stated a Class 1 e-bike is non-motorized and is defined by the federal government, state government, and national parks as a bicycle because it must be powered by pedaling.

Councilmember Henjum provided an overview of what she heard as the pros and cons of the issue and stated she is uncertain about how she will be voting today.

Councilmember Donelson stated the right thing to do to maintain trust with the voters is to let voters vote on it because it is TOPS property related. He stated the non-motorized definition should be removed even if the rest of the policies remain in place for urban trails and parks.

Councilmember Talarico stated in 1997 when the TOPS Ordinance was passed, e-bikes were not invented yet and she trusts the PRCS Department with implementing this Ordinance and will be voting in favor of it.

Councilmember Avila stated that promises made should be promises kept, this should go to a vote of the people, and she will be voting no on the proposed Ordinance.

Councilmember Donelson made a motion to amend the Ordinance to remove the definition of non-motorized use which would exempt e-bike use on TOPS property unless it is approved by a vote of the people.

Councilmember Henjum asked what the impact of Councilmember Donelson's motion would have on the PRCS Department. Ms. Haley stated TOPS dollars have also gone into the maintenance of the trails, which makes it difficult to separate TOPS from the trail system and would make it impossible to implement an e-bike policy in the Parks System.

Councilmember Leinweber stated there is an opportunity to state that no e-bikes are permitted in the City if a portion of TOPS dollars have been used for the maintenance of the trail system unless Class 1 e-bikes are defined as non-motorized.

Councilmember Leinweber asked if this was to go to a ballot, when would that occur. Sarah B. Johnson, City Clerk, stated City Council could refer an item to the ballot as a standalone special election, the November election, or the April 2027 municipal election. Ben Bolinger, Legislative Counsel, City Attorney's Office, stated if City Council referred an amendment of an initiated Ordinance, it must be an odd-year municipal election.

President Helms stated Ms. Haley, and her team, have been working on this policy for years and he supports the Ordinance as it is written.

Motion by Councilmember Donelson, seconded by Councilmember O'Malley, that the Ordinance be amended to remove the definition of non-motorized use which would exempt e-bike use on TOPS property unless it is approved by a vote of the people. The motion failed by a vote of 1-8-0-0

Aye: 1 - Donelson

No: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Councilmember Donelson requested that Mr. Williams recommendation to amend the Ordinance to add a Section 3 which states "limiting factors to TOPS properties and some other properties would be addressed prior to any introduction of e-bikes in those locations.

Councilmember Leinweber asked what the language "would be addressed" means. Ms. Moldenhauer stated it is not clear as to the effect of adding this language to the Ordinance would be.

Councilmember Donelson stated it means they are agreeing with this condition.

Councilmember Leinweber asked if the conditions for TOPS properties are as a whole or are individualized. Ms. Haley stated that all their trails have different conditions which can vary daily.

Ms. Haley requested that the intention of this be made clear for the record.

Councilmember Risley stated he is not comfortable supporting the amendment without knowing the intentionality or consequences of it.

Motion by Councilmember Donelson, seconded by Councilmember O'Malley, that the Ordinance be amended to add a Section 3 which states "limiting factors to TOPS properties and some other properties would be addressed prior to any introduction of e-bikes in those locations." The motion failed by a vote of 1-8-0-0

Aye: 1 - Donelson

No: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Motion by Councilmember Talarico, seconded by Councilmember Leinweber, that the Ordinance amending Article 1 of Chapter 4, of Chapter 4 of the Code of Colorado Springs 2001, as amended, pertaining to electrical assisted bicycles be approved on first reading. The motion passed by a vote of 6-3-0-0

Aye: 6 - Crow-Iverson, Helms, Henjum, Leinweber, Risley, and Talarico

No: 3 - Avila, Donelson, and O'Malley

12. Public Hearing

- 12.A.** [ZONE-24-00](#) Ordinance No. 25-19 to amend the zoning map of the City of Colorado Springs pertaining to 2.22 acres located at 520 North Twentieth Street from R-2 (Two-Family Residential) to R-Flex-Med/CR (R-Flex Medium Scale with Conditions of Record) zone district.
[14](#) (Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Gabe Sevigny, Planning Supervisor, City Planning Department

Attachments: [Staff Report Uintah Townhomes RGS](#)
[Attachment 1 - Project Statement](#)
[Attachment 2 - Neighborhood Correspondence](#)
[Attachment 3 - Traffic Impact Study](#)
[Attachment 4 - Geological Hazard Report](#)
[Attachment 5 - Exhibit A and B - Legal Description and Zoning Map Depiction](#)
[Attachment 6 - Development Plan](#)
[Attachment 7 - Context Map](#)
[Attachment 8 - Westside Generalized Land Use Map](#)
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)
[Ordinance Uintah Townhomes](#)
[Exhibit A and B - Legal Description and Zoning Map Depiction](#)
[Staff Presentation Uintah Townhomes](#)
[Signed Ordinance No. 25-19.pdf](#)

Gabe Sevigny, Planning Supervisor, Planning Department, presented the Ordinance to amend the zoning map of the City pertaining to 2.22 acres located at 520 North Twentieth Street from R-2 (Two-Family Residential) to R-Flex-Med/CR (R-Flex Medium Scale with Conditions of Record) zone district and the Sun Mountain Townhomes (Uintah Townhomes) Development Plan for proposed multi-family residential within six four-plexes and one duplex, Streets/Utility Rights-of-Way, and Open Space consisting of 2.52 acres. He provided an overview of the vicinity map, applications, project summary, site plan, and annexation plat. He identified the vicinity map, project summary, Site Plan, timeline of review, public notice, PlanCOS compliance, Westside Plan, agency review, application review criteria, and optional motions.

Councilmember Leinweber recommended that a traffic signal be added at the intersection at West Uintah Street and 21st Street. Mr. Sevigny stated this project met the criteria for traffic without warranting the need for a traffic signal.

Andrea Barlow, NES, representing the applicant, provided an overview of the location, rezone request, Development Plan request, elevations, public engagement, site history, previous submittal, comparison chart, the reason for rezoning, and zoning comparison chart. She identified the review criteria, Westside Plan, PlanCOS compliance, surrounding zoning, density context, building height, cross sections, access, traffic, soil, and geology.

Councilmember Donelson asked if this property was rezoned if there would be any restrictions on it. Mr. Sevigny stated if there was a major modification to the Development Plan which was submitted with the zone change, it would have to come before City Council for approval.

Councilmember Donelson asked if the surrounding area of townhomes and condos were rezoned. Ms. Barlow confirmed they were.

Councilmember Leinweber asked how the five homes on the right side of project who are accessing power through the power lines in the alley will get power in the future. Ms. Barlow stated the power lines will be buried underground.

Councilmember Leinweber requested additional information regarding the challenges with infill. Ms. Barlow stated infill development is challenging due to trying to fit in with the developments already in the area.

Councilmember O'Malley asked what the cost for units would be. Ms. Barlow stated they will have to address the marketability and price points when the units are built.

Councilmember O'Malley asked if there will be shared rooftops. Ms. Barlow confirmed there will be.

Citizens Jill Gaebler and Devin Camacho spoke in support of the proposed project.

Citizen Kelly Hiller spoke in opposition of the proposed project.

Councilmember Risley and Councilmember Henjum City clarified that Planning staff does not make recommendations to City Council, the applicant does. Councilmember Donelson stated City Planning staff stated the zone change met the review criteria which could influence City Council's decision.

Ms. Barlow stated there have been five resubmittals of the application to satisfy that they have addressed all the comments and concerns so they could move forward with the hearing by City Council, there did not appear to be any confusion from the Planning Commission, this level of proposed density is permitted in the R-2 (Two-Family) zone, but the

requirements for a stormwater detention, open space, and guest parking, limits the ability to achieve that density due to lot size. She explained that the criteria does not ask if there is a benefit to the neighborhood, it asks if there is any detriment, they have a right to request the rezone, which does not require a comparison to the current or other types of zoning. Ms. Barlow stated they acknowledge that the previous apartment project was never approved which is why they have a public process, they have responded and addressed many of the concerns brought up at the neighborhood meetings, the UDC allows for the alley to be used as a main vehicular access and there are restrictions to obtain primary access from elsewhere. She stated regarding multimodal access; they will be providing improved sidewalk connection along 21st Street and constructing sidewalk on the east side of the building. Ms. Barlow stated the setback from the Hiller's property will be twelve feet, three inches even though the requirement is only ten feet, and this project development should not be penalized due to the adjacent development ignoring the requirement for landscape buffer.

President Helms asked if the twelve foot set back is from the Hiller's property line or their house. Ms. Barlow stated it is from their property line, and they will also have a landscaping buffer there.

Councilmember Henjum asked if the previous Planned Unit Development (PUD) would be similar to the Unified Development Code R-Flex Medium zone. Ms. Barlow confirmed the previous zone that town homes would be permitted in was PUD.

Councilmember Henjum asked if the rezone could be R-2. Ms. Barlow stated to meet all the standards in the R-2 zone, it would reduce the density.

Councilmember Donelson asked if the alleyway will be used as a primary fire access. Mr. Sevigny stated that an alleyway can be used if it meets the Engineer Criteria Manual and the Fire Criteria Manual.

Councilmember Leinweber asked who will have to pay for the undergrounding of the power line for the five neighbors and how long they will be without power. Mr. Sevigny stated the developer will pay for that cost. Ms. Barlow stated the power lines will be buried during construction and the connection should only result in a brief outage for the neighbors.

Councilmember Donelson asked if the power lines will be undergrounded all the way to the neighbors' house and if it will disrupt their gardens, patio, or landscaping. Ms. Barlow confirmed the power lines would go all the way to the neighboring houses and the appropriate location of the lines would have to be discussed with the neighbors at that time.

Motion by Councilmember O'Malley, seconded by Councilmember Risley, that the Ordinance No. 25-19 amending the zoning map of the City of Colorado Springs pertaining to 2.22 acres located at 520 North Twentieth Street from R-2 (Two-Family Residential) to R-Flex-Med/CR (R-Flex Medium Scale with Conditions of Record) zone district 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 * Conditions of Record - five (5) or more attached single-family dwellings or five (5) or more attached multi-family dwellings (apartments) are not permitted be finally passed. The motion passed by a vote of 6-2-1-0

Aye: 6 - Avila, Helms, Henjum, Leinweber, O'Malley, and Risley

No: 2 - Donelson, and Talarico

Excused: 1 - Crow-Iverson

- 12.B.** [DEPN-24-01](#) Establishing the Sun Mountain Townhomes Development Plan for proposed multi-family residential within six (6) 4-plexes and one (1) duplex, Streets/Utility Rights-of-Way, and Open Space consisting of 2.52 acres located at 520 North Twentieth Street. (Quasi-Judicial)

[11](#)

Presenter:

Gabe Sevigny, Planning Supervisor, City Planning Department

Attachments: [7.5.515 DEVELOPMENT PLAN](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Risley, seconded by Councilmember O'Malley, that the Sun Mountain Townhomes Development Plan related to 2.52 acres based upon the findings that the request complies with the criteria for Development Plans as set forth in City Code Section 7.5.515 be approved. The motion passed by a vote of 6-2-1-0

Aye: 6 - Avila, Helms, Henjum, Leinweber, O'Malley, and Risley

No: 2 - Donelson, and Talarico

Excused: 1 - Crow-Iverson

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 4:51 PM.

Sarah B. Johnson, City Clerk