

Preliminary Cost Estimates/ Basin Fees



VI. PRELIMINARY COST ESTIMATES

A. BASIN FEES

The responsibility for construction of new major public drainage facilities in public easements or ROW is shared equally by all of the developers within the drainage basin through the application of a drainage fee. The drainage fee is applied at the time that land within the basin is platted. Also accompanying the plat is a subdivision drainage report which delineates all of the drainage facilities to be built as part of that development. The subdivision report then compares the cost of major facilities (which are reimbursable) to the amount of fee that is required for the platted acreage. If the fee is in excess of the cost of drainage facilities, the developer is required to build the facilities in the report and pay a cash fee equal to the difference between the full drainage fee and the cost of facilities built. The cash fee then goes into a revolving fund for the basin. If the cost of major drainage facilities exceed the amount of fee required, the developer is required to build the facilities and is eligible for a reimbursement from the revolving fund for the basin. This policy is in effect for both the City of Colorado Springs and El Paso County. Under current policy, initial system drainage facilities are not eligible for reimbursement unless shown in the DBPS plan and included in the determination of the basin drainage fee.

Drainage Fee policy in effect and used for the facilities in this study include the following:

o Initial Systems

Initial systems have been analyzed for two example locations only, and are not included in the drainage system recommendations or the determination of the Drainage Fee for this basin. Initial drainage systems will be required to be built per current drainage criteria, but they are not eligible for reimbursable from the drainage basin fund for this basin.

o Major Facilities

- The cost estimates for channel systems include construction costs, additional land required (right-of-way) in excess of the 100 year floodplain widths, and Wetland/Riparian mitigation.
- The cost estimates for detention ponds include construction costs, additional land required (right-of-

way) in excess of the 100 year floodplain widths, and Wetland/Riparian mitigation.

- The cost estimates for pipes, box culverts, and bridges (non-arterial) include construction costs and Wetland/Riparian mitigation.
- The cost (as determined above) for new major public drainage facilities where none currently exist are included entirely in the drainage basin fee determination and are reimbursable from the drainage basin fund after construction.
- The upgrade cost (as determined above) for new major public drainage facilities where they currently exist are included in the drainage basin fee determination to the extent that the cost is attributable to the updated hydrology/hydraulics for the basin generated as part of this study. This prorated cost share would then be considered reimbursable from the drainage basin fund after completion. The remainder of the cost is considered to be public capital improvements and is to be reimbursed as funded/authorized by the appropriate public jurisdiction (City or County).
- Engineering fees for designing the facilities and construction contingencies are also included in determining the basin costs. The total of all reimbursable capital improvement costs is multiplied by 10% to estimate the engineering fees. The total of the reimbursable capital improvement costs and the engineering fees then has 5% added for construction contingencies. Engineering fees and construction contingencies are not included for the land component of the drainage fee. The cost of this DBPS is considered a reimbursable cost to the basin and is included in the basin fund balance on Table 6.
- The current basin fund balance is included in the determination of the new drainage basin fees.

This study area encompasses a total drainage area of 15,275 acres. As of August 24, 1992 and excluding the U.S. Air Force Academy land, ROW for roads, and presently platted acreage within the basin, there was approximately 6,978 acres of unplatted developable acreage within the basin. Of this area, 740 acres are planned as 5 acre lots, 151 acres are planned as 2-1/2 acre lots and the remaining 6,087 acres are planned at a density greater than or equal to 1 acre lots. This is important since El Paso County charges fees only for the first acre of rural residential lots. Therefore, under current

drainage policy, the estimated amount of land that would be charged fees at the time of platting is 6,295 acres and this is the number that the fee needs to be based on.

This DBPS was initially approved by the City/County Drainage Board in their meeting of September 17, 1992. However, several concerns were expressed relating to the equitability of the proposed drainage basin fees at the Drainage Board meeting and the City Council meeting on October 27, 1992. As a result, a Drainage Task Force was formed to study the basin fee computation method for this DBPS. The results of the Task Force meetings were discussed in the September 16, 1993 Drainage Board meeting and the elements of a draft resolution for City Council consideration were discussed and approved by the Drainage Board. A final resolution was then prepared through additional discussion by the Task Force and City Engineer. This final resolution was discussed and approved by the Drainage Board on March 17, 1994 and the City Council on April 12, 1994. County approval of the DBPS plan occurred at the County Planning Commission meeting on October 20, 1992 and the fees were adopted at the County Commissioners meeting on May 5, 1994. Copies of the approval documents are included in Section VII of this study.

CITY BASIN FEES

The resolution adopted by City Council on April 12, 1994, sets the following stipulations for City Basin Fees for this basin:

"Section 1. That the Cottonwood Creek Drainage Basin Planning Study, dated August 1992, by URS Consultants as amended by the Task Force on September 16, 1993, is adopted for use on an interim basis until January 1, 1996. The recommendation for sizing and layout of the various drainage structures in the study are based upon existing criteria.

Section 2. That for 1994, a Cottonwood Creek Drainage Basin fee be established as not less than \$4,663/acre and not more than \$5,247/acre, that a Cottonwood Creek Detention Pond Fee be established as \$333/acre, and that a Cottonwood Creek Bridge fee established as not less than \$234/acre and not more than \$464/acre, as part thereof. Until City Council shall finally determine the Cottonwood Creek Basin Fee, the \$4,663/acre drainage fee and the \$234/acre bridge fee shall be paid as normal by the developer and the difference between the low and high values shall be covered by "acceptable assurances" as provided in Chapter 15, Article 3, Part 11 of the City Code. Such acceptable assurances could take the form of payment bonds, letters of credit, or off setting credits for existing drainage improvements."

COUNTY BASIN FEES

At the County Commissioners meeting May 5, 1994, the following County Basin Fees were adopted for this basin:

County Drainage Basin Fee	= \$5,512/acre
County Drainage Land Fee	= \$ 68/acre
County Bridge Fee	= \$ 255/acre

The County did not adopt a separate Detention Pond Fee for the basin. Instead, they included these fees in the Basin or Land Fee, as appropriate.

Table 6 summarizes the costs and drainage fees for this study and the components that make up the fees. The drainage fees are composed of capital improvement costs, engineering costs, land costs, and current basin fund balance. Total drainage costs are then divided by the unplatted acreage (amount of land remaining in the basin that can be charged fees at the time of platting) left in the basin. Current policy allows the reimbursement of land for detention facilities and for channel right-of-way in excess of the 100-year floodplain. The detention pond land reimbursement would be for the excess ROW needed for the ponds over the full flow through channel ROW. Cost of ROW is based on the current park land dedication fee.

B. BRIDGE FEE CLARIFICATIONS

Arterial bridges are considered a separate fee structure from the rest of the drainage improvements for the basin. Bridges are defined as any facilities over 200 square feet in end opening area and that have a span of 20 feet or more.

For this basin outside the City of Colorado Springs, there is only one arterial bridge, namely at Black Forest Road. El Paso County will not participate in the construction of this arterial roadway bridge since the bridge has adequate hydraulic capacity but needs replacement due to its roadway width and structural condition only. The full cost is allocated to the remaining County unplatted developable land resulting in a County bridge fee for the basin.

The City of Colorado Springs has an arterial bridge reimbursement policy for bridges on arterial roadways. This policy is taken from the Pine Creek DBPS and through discussions with Mr. Chris Smith of the City of Colorado Springs. The eligible cost for determining the bridge fee is defined as that portion of the cost that is not a City responsibility. The City's responsibility as defined by ordinance includes: (1) The percentage of the basin that is

in the City and platted; and (2) The portion of the structure cost in excess of 68 feet in length as measured perpendicular to the roadway centerline up to and not exceeding the road right-of-way width.

The bridge fee is applied at the time that land within the basin is platted. Also accompanying the plat is a subdivision drainage report which delineates all of the bridges to be built as part of that development. The subdivision report then compares the cost of facilities to the amount of fee that is required for the platted acreage. If the fee is in excess of the bridge costs, the developer is required to build any bridges in the report and pay a cash fee equal to the difference between the full bridge fee and the cost of facilities built. The cash fee then goes into a revolving fund for the basin that is separate from the drainage fee fund. If the cost of bridges exceed the amount of fee required, the developer is required to build the facilities and is eligible for a reimbursement from the revolving fund for the basin. Reimbursement for the City's portion of arterial bridges is made based on the City Council's decision on when they are able to provide funds to the bridge fund.

Table 7 summarizes the bridge fees for this study and the components that make up the fees. The bridge fees are composed of capital improvement costs minus the public participation and current bridge fund balance.

COTTONWOOD CREEK DBPS - TABLE 6
SUMMARY OF DRAINAGE FEES - CHANNELS & CULVERTS

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REACH	CAPITAL BASIN FEE COST	LAND BASIN FEE COST	CAPITAL PUBLIC COST	LAND PUBLIC COST
21 TO DESIGN POINT 20	\$93,852	\$25,339	\$130,674	\$35,281
20 TO DESIGN POINT 19	\$277,345	\$57,116	\$386,160	\$79,524
19 TO DESIGN POINT 19.2	\$119,757	\$28,090	\$166,743	\$39,110
19.2 TO DESIGN POINT 19.1	\$137,890	\$0	\$191,990	\$0
19.1 TO DESIGN POINT 18	\$0	\$0	\$0	\$0
18 TO DESIGN POINT 18.1	\$0	\$0	\$0	\$0
18.1 TO DESIGN POINT 17	\$534,438	\$0	\$744,122	\$0
17 TO DESIGN POINT 17.2	\$249,713	\$0	\$347,687	\$0
17.2 TO DESIGN POINT 17.1	\$0	\$0	\$0	\$0
17.1 TO DESIGN POINT 16	\$135,173	\$0	\$188,207	\$0
16 TO DESIGN POINT 15	\$411,972	\$0	\$573,608	\$0
15 TO DESIGN POINT 14	\$173,663	\$0	\$241,798	\$0
14 TO DESIGN POINT 14.1	\$0	\$0	\$0	\$0
14.1 TO DESIGN POINT 13	\$13,376	\$0	\$18,624	\$0
13 TO DESIGN POINT 13.2	\$176,690	\$0	\$246,013	\$0
13.2 TO DESIGN POINT 13.1	\$112,741	\$0	\$156,975	\$0
13.1 TO DESIGN POINT 12	\$278,787	\$0	\$388,167	\$0
12 TO DESIGN POINT 11	\$743,809	\$0	\$1,035,638	\$0
11 TO DESIGN POINT 10	\$299,245	\$0	\$0	\$0
10 TO DESIGN POINT 9	\$456,848	\$0	\$0	\$0
9 TO DESIGN POINT 8	\$716,800	\$0	\$0	\$0
8 TO DESIGN POINT 7	\$743,200	\$0	\$0	\$0
7 TO DESIGN POINT 6	\$545,796	\$0	\$0	\$0
6 TO DESIGN POINT 5	\$805,358	\$0	\$0	\$0
5 TO DESIGN POINT 4	\$227,920	\$0	\$0	\$0
4 TO DESIGN POINT 3	\$248,160	\$0	\$0	\$0
3 TO DESIGN POINT 2	\$212,960	\$0	\$0	\$0
2 TO DESIGN POINT 1	\$173,350	\$0	\$0	\$0
T4B TO DESIGN POINT 19G	\$0	\$0	\$150,700	\$0
19E TO DESIGN POINT 19F	\$0	\$0	\$0	\$0
19D TO DESIGN POINT 19E	\$0	\$0	\$0	\$0
19B TO DESIGN POINT 19C	\$0	\$0	\$0	\$0
Q1 TO DESIGN POINT 19A	\$0	\$0	\$89,100	\$0
T4A TO DESIGN POINT 18A	\$0	\$0	\$0	\$0
17A TO DESIGN POINT 17	\$0	\$0	\$0	\$0
T2 TO DESIGN POINT 17A	\$0	\$0	\$116,208	\$0
P2 TO DESIGN POINT 16C	\$0	\$0	\$0	\$0
M4 TO DESIGN POINT 16B	\$0	\$0	\$0	\$0
M3 TO DESIGN POINT 16	\$0	\$0	\$9,600	\$0
M1 TO DESIGN POINT 14C	\$0	\$0	\$193,680	\$0
O1 TO DESIGN POINT 14B	\$0	\$0	\$0	\$0
L1 TO DESIGN POINT 14A	\$0	\$0	\$50,400	\$0
J1 TO DESIGN POINT 13S	\$35,879	\$0	\$148,117	\$0
13Q TO DESIGN POINT 13R	\$77,160	\$0	\$0	\$0

COTTONWOOD CREEK DBPS - TABLE 6
SUMMARY OF DRAINAGE FEES - CHANNELS & CULVERTS

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REACH	CAPITAL BASIN FEE COST	LAND BASIN FEE COST	CAPITAL PUBLIC COST	LAND PUBLIC COST
13P TO DESIGN POINT 13Q	\$267,200	\$0	\$0	\$0
13J/M TO DESIGN POINT 13N	\$108,948	\$0	\$0	\$0
13NP TO DESIGN POINT 13O	\$118,400	\$0	\$0	\$0
13L TO DESIGN POINT 13M	\$375,864	\$0	\$0	\$0
13K TO DESIGN POINT 13L	\$192,200	\$0	\$0	\$0
13I TO DESIGN POINT 13J	\$469,850	\$0	\$0	\$0
13H TO DESIGN POINT 13I	\$285,456	\$0	\$0	\$0
13F TO DESIGN POINT 13G	\$431,592	\$0	\$0	\$0
13D TO DESIGN POINT 13E	\$552,000	\$0	\$0	\$0
H2 TO DESIGN POINT 13D	\$350,640	\$0	\$0	\$0
13B TO DESIGN POINT 13C	\$473,991	\$0	\$0	\$0
13C TO DESIGN POINT 13H	\$163,949	\$0	\$0	\$0
H5 TO DESIGN POINT 13B	\$412,710	\$0	\$0	\$0
H6 TO DESIGN POINT 13B	\$217,440	\$0	\$0	\$0
D3 TO DESIGN POINT 12D	\$172,050	\$0	\$0	\$0
12C TO DESIGN POINT 12CP	\$130,000	\$0	\$0	\$0
12CP TO DESIGN POINT 12	\$74,568	\$0	\$0	\$0
12B TO DESIGN POINT 12C	\$0	\$0	\$0	\$0
G2 TO DESIGN POINT 12B	\$0	\$0	\$0	\$0
G1 TO DESIGN POINT 12A	\$189,000	\$0	\$0	\$0
C16 TO DESIGN POINT 11G	\$482,216	\$0	\$0	\$0
11F TO DESIGN POINT 11P	\$318,480	\$0	\$0	\$0
11P TO DESIGN POINT 11	\$140,892	\$0	\$0	\$0
E6 TO DESIGN POINT 11E	\$149,110	\$0	\$0	\$0
11D TO DESIGN POINT 11F	\$303,428	\$0	\$0	\$0
E2 TO DESIGN POINT 11C	\$481,400	\$0	\$0	\$0
11A TO DESIGN POINT 11B	\$473,800	\$0	\$0	\$0
E1 TO DESIGN POINT 11A	\$242,200	\$0	\$0	\$0
9A TO DESIGN POINT 9B	\$1,140,720	\$0	\$0	\$0
C14 TO DESIGN POINT 9A	\$242,100	\$0	\$0	\$0
B5 TO DESIGN POINT 8H	\$787,200	\$0	\$0	\$0
8G TO DESIGN POINT 8	\$584,080	\$0	\$0	\$0
C5 TO DESIGN POINT 8F	\$770,712	\$0	\$0	\$0
8E TO DESIGN POINT 8G	\$490,880	\$0	\$0	\$0
8C TO DESIGN POINT 8D	\$599,400	\$0	\$0	\$0
8A TO DESIGN POINT 8B	\$674,560	\$0	\$0	\$0
C2 TO DESIGN POINT 8A	\$189,000	\$0	\$0	\$0
B2 TO DESIGN POINT 6A	\$400,320	\$0	\$0	\$0
5A TO DESIGN POINT 5	\$318,700	\$0	\$0	\$0
32 TO DESIGN POINT 31	\$9,839	\$0	\$208,801	\$0
31 TO DESIGN POINT 30	\$7,010	\$3,597	\$148,773	\$76,343
30 TO DESIGN POINT 29	\$3,510	\$0	\$74,490	\$0
U4B TO DESIGN POINT 31	\$212,277	\$0	\$465,923	\$0
U4A TO DESIGN POINT 30	\$278,261	\$0	\$0	\$0

COTTONWOOD CREEK DBPS - TABLE 6
SUMMARY OF DRAINAGE FEES - CHANNELS & CULVERTS

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REACH	CAPITAL BASIN FEE COST	LAND BASIN FEE COST	CAPITAL PUBLIC COST	LAND PUBLIC COST
SUM13 TO DESIGN POINT 29	\$38,784	\$0	\$823,090	\$0
28 TO DESIGN POINT 29	\$0	\$0	\$0	\$0
28B TO DESIGN POINT 28	\$0	\$0	\$119,880	\$0
28A TO DESIGN POINT 28B	\$0	\$0	\$155,840	\$0
U1 TO DESIGN POINT 28A	\$0	\$0	\$0	\$0
28E TO DESIGN POINT 28F	\$0	\$0	\$144,000	\$0
28D TO DESIGN POINT 28E	\$0	\$0	\$0	\$0
R2 TO DESIGN POINT 28D	\$0	\$0	\$18,000	\$0
28C TO DESIGN POINT 28E	\$18,261	\$0	\$180,228	\$0
R1 TO DESIGN POINT 28C	\$268,240	\$0	\$0	\$0
27 TO DESIGN POINT 28G LOW	\$0	\$0	\$0	\$0
26 TO DESIGN POINT 27	\$0	\$0	\$0	\$0
26A TO DESIGN POINT 26B	\$0	\$0	\$128,051	\$0
N1 TO DESIGN POINT 26A	\$0	\$0	\$0	\$0
25 TO DESIGN POINT 26	\$0	\$0	\$0	\$0
24 TO DESIGN POINT 25	\$0	\$0	\$92,685	\$0
23 TO DESIGN POINT 24	\$0	\$0	\$0	\$0
23A TO DESIGN POINT 23	\$0	\$0	\$38,093	\$0
I4 TO DESIGN POINT 23A	\$0	\$0	\$19,200	\$0
22 TO DESIGN POINT 23	\$0	\$0	\$0	\$0
I2 TO DESIGN POINT 22A	\$0	\$0	\$0	\$0
I1 TO DESIGN POINT 22	\$0	\$0	\$0	\$0
28H TO DESIGN POINT 28	\$0	\$0	\$0	\$0
27 TO DESIGN POINT 28G UP	\$0	\$0	\$145,260	\$0
WALMART CENTER NO. 2	\$25,460	\$0	\$0	\$0
ACADEMY BLVD (DP U4B)	\$0	\$0	\$17,205	\$0
DUBLIN BLVD (DP 19F)	\$0	\$0	\$0	\$0
DUBLIN/TURRET (DP 19F19E)	\$0	\$0	\$0	\$0
DUBLIN/LEMONWOOD (DP 19F19E)	\$0	\$0	\$0	\$0
ACADEMY BLVD (DP 19E)	\$0	\$0	\$0	\$0
LEHMAN DRIVE (DP 19E19D)	\$0	\$0	\$0	\$0
HOLLOW TREE CT (DP 19D)	\$0	\$0	\$0	\$0
TUCKERMAN LN (DP 19C)	\$0	\$0	\$0	\$0
DUBLIN BLVD (DP 13Q)	\$0	\$0	\$0	\$0
AUSTIN BLUFFS (DP 13M)	\$224,070	\$0	\$0	\$0
BALSAM ST (DP 13G)	\$150,090	\$0	\$0	\$0
POWERS BLVD (DP H5)	\$0	\$0	\$148,851	\$0
POWERS BLVD (DP H6)	\$0	\$0	\$203,952	\$0
DUBLIN (DP 13B) N. SIDE	\$119,102	\$0	\$0	\$0
DUBLIN (DP 13B) S. SIDE	\$91,778	\$0	\$0	\$0
RANGEWOOD DR (DP 13P)	\$14,526	\$0	\$0	\$0
MEADOW RIDGE DR (DP 12C)	\$0	\$0	\$0	\$0
RESEARCH PKWY (DP 12A)	\$0	\$0	\$0	\$0
POWERS BLVD (DP 11D)	\$248,640	\$0	\$0	\$0

COTTONWOOD CREEK DBPS - TABLE 6				PAGE 97
SUMMARY OF DRAINAGE FEES - CHANNELS & CULVERTS				09-Jun-94
REACH	CAPITAL BASIN FEE COST	LAND BASIN FEE COST	CAPITAL PUBLIC COST	LAND PUBLIC COST
RESEARCH PKWY (DP 11F)	\$144,150	\$0	\$0	\$0
BRIARGATE PKWY (DP 8E)	\$105,288	\$0	\$0	\$0
RESEARCH PKWY (DP 6)	\$83,654	\$0	\$0	\$0
BRIARGATE PKWY (DP 5)	\$106,788	\$0	\$0	\$0
ACADEMY BLVD MIDDLE (DP 28F)	\$0	\$0	\$0	\$0
ACADEMY BLVD SOUTH (DP 28G)	\$0	\$0	\$0	\$0
UNION BLVD (DP 24)	\$0	\$0	\$0	\$0
LEXINGTON (DP 23) N. SIDE	\$0	\$0	\$0	\$0
LEXINGTON (DP 23) S. SIDE	\$0	\$0	\$82,620	\$0
UNION BLVD. (DP 16B)	\$0	\$0	\$31,968	\$0
OAKWOOD (DP 13B)	\$81,749	\$0	\$0	\$0
TOBIN RD. (ABOVE DP 5)	\$34,596	\$0	\$0	\$0
MCFERRAN RD. (DP 3)	\$23,376	\$0	\$0	\$0
HUNGATE RD. (ABOVE DP 3)	\$23,376	\$0	\$0	\$0
BURGESS RD. (DP 2)	\$6,779	\$0	\$0	\$0
HERRING RD. (DP 1)	\$4,320	\$0	\$0	\$0
SUBTOTAL	\$24,100,861	\$114,142	\$8,821,122	\$333,743
ENGINEERING (10%)	\$2,410,086	N/A	\$882,112	N/A
CONTINGENCY (5%)	\$1,325,547	N/A	\$485,162	N/A
CITY FUND BALANCE (OWED)	\$5,097,000	N/A	N/A	N/A
COUNTY FUND BALANCE (OWED)	(\$19,045)	N/A	N/A	N/A
DRAINAGE BASIN COSTS	\$32,914,450	\$114,142	\$10,188,395	\$333,743
	CAPITAL	LAND	TOTAL	
BASIN FEES	\$5,229	\$18	\$5,247	

COTTONWOOD CREEK DBPS - TABLE 6				
SUMMARY OF DRAINAGE FEES - DETENTION PONDS				
LOCATION (DESIGN POINT)	CAPITAL BASIN FEE COST	LAND BASIN FEE COST	CAPITAL PUBLIC COST	LAND PUBLIC COST
POND • 13NP	\$481,536	\$101,825	\$670,464	\$141,775
POND • 12CP	\$218,196	\$36,282	\$303,804	\$50,518
POND • 11P	\$289,674	\$47,401	\$403,326	\$65,999
POND • 9BP	\$79,002	\$18,141	\$109,998	\$25,259
POND • 8G-8P	\$278,388	\$57,935	\$387,612	\$80,665
POND • 5	\$195,624	\$52,083	\$272,376	\$72,517
SUBTOTAL	\$1,542,420	\$313,667	\$2,147,580	\$436,733
ENGINEERING (10%)	\$154,242	N/A	\$214,758	N/A
CONTINGENCY (5%)	\$84,833	N/A	\$118,117	N/A
DETENTION POND COSTS	\$1,781,495	\$313,667	\$2,480,455	\$436,733
	CAPITAL	LAND	TOTAL	
DETENTION FEES	\$283	\$50	\$333	

COTTONWOOD CREEK DBPS - TABLE 7			
BRIDGE FEES			
LOCATION	BRIDGE COST (\$)	BRIDGE FEE (\$)	PUBLIC COST (\$)
CDOT BRIDGES			
I-25 (DP 21)	\$1,075,998	\$0	\$1,075,998
I-25 (DP 31)	\$1,484,406	\$0	\$1,484,406
TOTAL STATE COST	\$2,560,404	\$0	\$2,560,404
CITY BRIDGES			
CORPORATE DRIVE (DP 21)	\$0	\$0	\$0
VINCENT DRIVE (DP 20)	\$1,291,463	\$820,743	\$470,720
CURRENT ACCESS RD (DP 20)	\$0	\$0	\$0
ACADEMY BLVD (DP 18)	\$0	\$0	\$0
UNION BLVD (DP 16)	\$926,888	\$589,050	\$337,838
RANGEWOOD DRIVE (DP 13)	\$0	\$0	\$0
WOODMEN ROAD (DP 12)	\$1,417,185	\$673,906	\$743,279
AUSTIN BLUFFS (DP 12)	\$1,417,185	\$673,906	\$743,279
POWERS BLVD (DP 9)	\$505,796	\$383,193	\$122,603
DUBLIN BLVD (DP 130)	\$62,370	\$45,582	\$16,788
AUSTIN BLUFFS (DP 13J)	\$790,020	\$628,547	\$161,473
RESEARCH PKWY (DP 8G)	\$314,944	\$223,960	\$90,984
PINE CREEK RD (DP 31)	\$0	\$0	\$0
OLD RAILROAD GRADE (DP 31)	\$0	\$0	\$0
ACADEMY BLVD N (DP SUM13)	\$778,863	\$689,487	\$89,376
TOTAL CITY COSTS	\$7,504,713	\$4,728,374	\$2,776,339
CITY BRIDGE FEE		\$464	
COUNTY BRIDGES			
BLACK FOREST ROAD (DP 7)	\$457,380	\$457,380	\$0
COUNTY BRIDGE FUND BALANCE	(\$2,077)	(\$2,077)	
TOTAL COUNTY COST	\$455,303	\$455,303	\$0
COUNTY BRIDGE FEE		\$255	

VII. APPROVAL DOCUMENTS



Commissioners Meeting, County Office Building
Thursday, May 5, 1994
Jeri C. Howells, Chairperson
Loren Whittemore, Chairperson Pro tem
Commissioners Brown and Shupp
Beth Whittier, County Attorney
Kirk D. Relford, Administrative Services Director
Ardis W. Schmitt, County Clerk and Recorder
Eileen Gilbert, Deputy Clerk to the Board
by Beverly Kersten, Deputy

The following minutes are a summary of the proceedings of the Board. A cassette duplication is available upon request at the Office of the Deputy Clerk to the Board.

The Board convened at 9:03 a.m. and the Chairperson Pro tem called the meeting to order. The meeting began with the Pledge of Allegiance.

(Chairperson Howells was not yet present.)

It was moved by Commissioner Shupp, seconded by Commissioner Brown, and carried unanimously that the Board excuse Commissioner Campbell from today's meeting.

2. Consent Calendar:
 - a. Minutes.
 - b. Request for approval of and authorization for the Chairperson to execute County warrants.
 - c. Application by F.R.E., Inc., dba Corner Pocket of Widefield, for change of corporate structure of its tavern liquor license located at 6502 S. Highway 85/87. All documents have been filed and no adverse comments have been received.
 - d. City/County Electrical Committee appointment.
 - e. Consideration of a resolution approving annual service licensure for American Medical Response, Inc.

It was moved by Commissioner Brown, seconded by Commissioner Shupp, and carried unanimously that the Board approve the minutes of the April 28, 1994, Board meeting as submitted.

It was moved by Commissioner Brown, seconded by Commissioner Shupp, and carried unanimously that the Board approve and authorize the Chairperson to execute County warrants.

It was moved by Commissioner Brown, seconded by Commissioner Shupp, and carried unanimously that the Board approve the application by F.R.E., Inc., dba Corner Pocket of Widefield, for change of corporate structure of its tavern liquor license located at 6502 S. Highway 85/87, and authorize the Chairperson Pro tem to sign the application on behalf of the Board.

It was moved by Commissioner Brown, seconded by Commissioner Shupp, and carried unanimously that the Board approve the appointment of Mark A. Hellenschmidt, Electrical Engineer (County-Appointed), to the City/County Electrical Committee with a term expiring on March 1, 1997.

Commissioner Brown moved adoption of Resolution No. 94-135, Ambulance-2, the annual service licensure for American Medical Response, Inc., such resolution being more particularly described in Book J-2, Resolutions of the Board of County Commissioners. Commissioner Shupp seconded the motion, it carried unanimously, and the Resolution was adopted.

3. Public comments on items not scheduled on the agenda.

As there were no public comments, the Board continued to the next agenda item.

a. Discussion on pending legislation.

Speaker:

Beth Whittier, County Attorney

Ms. Whittier noted SB 69, which the Board opposed due to its definition of "local growth" as it pertained to Amendment One, has failed.

LAND USE MATTER:

Regular Item:

4. Request by the El Paso County Department of Transportation to revise drainage fees for the Cottonwood Creek and for the Miscellaneous Basin fee category. The fees are based upon the Cottonwood Drainage Basin Planning Study which was approved as an amendment to the County Master Plan. Cottonwood Creek begins in southern Black Forest and runs southwest, entering Monument Creek south of Woodmen Road. A portion of South Pine Creek is included in the Study. The total area included in the Study is 15,275 acres. Continued from the Thursday, April 21, 1994, Board meeting.

(Chairperson Howells was present.)

Speakers Presenting Item:

Mark Gebhart, Planning Department Senior Planner -
Environmental

Alan Morrice, Department of Transportation Stormwater Manager

Speakers:

Beth Whittier, County Attorney

Gary Haynes, City of Colorado Springs Engineer

Commissioner Brown moved adoption of Resolution No. 94-136, Fees-3, approving the request by the El Paso County Department of Transportation to revise drainage fees for the Cottonwood Creek and for the Miscellaneous Basin fee category, incorporating by reference the findings, actions, conclusions and condition of the Planning Commission, and the recommendation of the Planning Department as found on page 5 of the Comment Agenda, such resolution being more particularly described in Book J-2, Resolutions of the Board of County Commissioners. Commissioner Whittemore seconded the motion, it carried unanimously, and the Resolution was adopted.

It was moved by Commissioner Shupp, seconded by Commissioner Brown, and carried unanimously that the Board recess at 9:20 a.m. to an executive session concerning property negotiations.

The Board reconvened at 9:45 a.m.

It was moved by Commissioner Shupp, seconded by Commissioner Brown, and carried unanimously that the Board authorize the County Attorney and staff to proceed with the offers concerning the local improvement districts as discussed during the executive session.

The Board adjourned at 9:47 a.m. to a 2:00 p.m. work session to discuss facility needs for criminal justice agencies affiliated with the County, thereafter to meet again on Monday, May 9, 1994, at 9:00 a.m. in the County Office Building Board Room.

by Beverly A. Kersten
Deputy County Clerk

Resolution No. 60-94

A RESOLUTION ADOPTING THE COTTONWOOD CREEK DRAINAGE BASIN PLANNING STUDY AND ESTABLISHING A DRAINAGE FEE, A DETENTION POND FEE, AND AN ARTERIAL BRIDGE FEE FOR 1994 FOR THE BASIN

WHEREAS, the City Engineering Division of the City of Colorado Springs Department of Planning, Development and Finance has reviewed the Cottonwood Creek Drainage Basin Planning Study as prepared by URS Consultants, Colorado Springs, Colorado dated August 1992, and

WHEREAS, the City/County Drainage Board has recommended approval of the above study at their September 16, 1993 meeting.

WHEREAS, the Cottonwood Creek Drainage Basin includes unplatted land within the City limits;

WHEREAS, a Task Force has studied (1) the allocation of basin reimbursements deficits, (2) the method of allocating cost responsibility for deficient facilities, and (3) the requirements of the technical design criteria;

WHEREAS, the Task Force recommends to the City Council and the Board of County Commissioners that funds be appropriated in the 1994 budget (s) for further studies of the drainage basin system and technical review.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Colorado Springs:

Section 1. That the Cottonwood Creek Drainage Basin Planning Study, dated August 1992, by URS Consultants as amended by the Task Force on September 16, 1993, is adopted for use on an interim basis until January 1, 1996. The recommendation for sizing and layout of the various drainage structures in the study are based upon existing criteria.

Section 2. That for 1994, a Cottonwood Creek Drainage Basin fee be established as not less than \$4,663/acre and not more than \$5,247/acre, that a Cottonwood Creek Detention Pond Fee be established as \$333/acre, and that a Cottonwood Creek Bridge fee be

established as not less than \$234/acre and not more than \$464/acre, as part thereof. Until City Council shall finally determine the Cottonwood Creek Basin Fee, the \$4,663/acre drainage fee and the \$234/acre bridge fee shall be paid as normal by the developer and the difference between the low and high values shall be covered by "acceptable assurances" as provided in Chapter 15, Article 3, Part 11 of the City Code. Such acceptable assurances could take the form of payment bonds, letters of credit, or off setting credits for existing drainage improvements.

Section 3. A Stormwater Management Funding Study will be funded immediately and will further address the equity issues regarding community share versus individual property share of drainage costs. This study will include a comprehensive review and revision to the basin system along with appropriate revisions to the stormwater drainage ordinance.

Section 4. Separate from the Stormwater Management Funding Study, a study will be funded which will review the hydrologic method, sediment transport evaluation, detention ponds, technical criteria, stormwater quality, and basin development philosophy.


Section 5. If the Funding Study and/or comprehensive review results in changes to the Cottonwood Creek Drainage Basin fee, an adjustment to the fee will be recommended, retroactively.

Dated at Colorado Springs, Colorado, this 12th day of April, 1994.



Mayor

ATTEST:



City Clerk

Acting

10
68-94
4/21/94
INTEROFFICE
MEMORANDUM



CITY OF COLORADO SPRINGS

DATE: March 14, 1994

TO: Richard E. Zickefoose, City Manager

FROM: Gary R. Haynes, City Engineer J.R.H.

SUBJECT: COTTONWOOD CREEK DRAINAGE BASIN TASK FORCE

The subject task force has successfully completed the task of studying the Cottonwood Creek Drainage Basin fee computation method. The task force met weekly between June 1, 1993 and September 16, 1993 and prepared a recommendation which subsequently was revised at a task force meeting on February 28, 1994. The task force was chaired by Mr. Chuck Donley. The other members represented the development industry, civil engineering industry, and staff from county engineering and city engineering. The members of the task force were David Jenkins, Mike Hausman, Terry Schooler, Gunther Polok, Roger Sams, Joe Desjardin, Alan Morrice, and Dave Lethbridge. The February 28, 1994 task force meeting concluded with the unanimous approval of a resolution adopting the Cottonwood Creek Drainage Basin Planning Study and other considerations.

The resolution recommends the adoption of the basin planning study on an interim basis until January 1, 1996. The basin fee would be established with a low and high value collected as cash and acceptable assurances. The reason for the interim basis for the basin planning study is to allow two separate studies to be conducted during the next twelve to eighteen months.

The first study as recommended by section 3 of the resolution would be to complete the next phase of the stormwater management funding study which was completed in 1992. Funding for this study has previously been allocated in the CIP budget under account #038-480-6310-4025 Stormwater Program.

The second study that is recommended by the resolution is a study to review the hydrologic methods, technical criteria, stormwater quality, and basin development philosophy for drainageway development in Colorado Springs. The task force is recommending that the City and the County jointly fund this study in the 1994 budget. The City's capital improvement budget does not include a line item for this study in 1994, however, it is recommended that the funds be expended out of account 038-480-6310-5110 Drainage Studies. It is recommended that no new drainage basin studies be started until a determination can be made as to the appropriate method of planning and computing drainage fees. Further it is estimated that the cost of the study recommended in section 4 of the resolution will be in excess of \$100,000. The study could cost as much as \$150,000. It is my opinion that this is a reasonable approach as an interim step toward revising the drainage basin fee system and establishing a stormwater enterprise.

I recommend that the resolution as proposed by the task force be forwarded to City Council for approval. A complete documentation of the task force discussions is available in the City Engineer's office for review.

GH/db

c: David D. Nickerson, Director of Planning, Development and Finance
Bruce Thorson, Stormwater and Subdivision Manager
Dave Lethbridge, Subdivision Development Specialist
Ken Sampley, Civil Engineering Supervisor
Cottonwood Creek Drainage Basin Task Force
City and County Drainage Board

13. The Acting City Clerk reports that on January 21, 1994, there was filed with her a petition for annexation of Autozone, Inc. She states that she has examined or caused to be examined the above-mentioned petition and has determined that the petition is in substantial compliance with Section 31-12-107(1), C.R.S. The Acting City Clerk herewith communicates such to City Council and recommends that the petition be referred to the City Administration for review and recommendation.

Motion by Are', second by Guman, that the petition for annexation of Autozone, Inc., be referred to the City Administration for review and recommendation. The motion unanimously carried. Absent, Councilmember Makepeace.

—0—

14. A resolution adopting the Cottonwood Creek Drainage Basin Planning Study and establishing a Drainage-Fee, a Detention Pond Fee, and an Arterial Bridge Fee for 1994 for the basin.

Bruce Thorson, City Engineering Division, stated the Department is requesting this matter be postponed to the Council Meeting of April 12, 1994 as several of the Task Force members could not be present today.

Motion by Are', second by Young, that this matter be postponed to the Council meeting of April 12, 1994. The motion unanimously carried. Absent, Councilmember Makepeace.

—0—

15. Ordinance No. 94-53 entitled "AN ORDINANCE AMENDING SECTION 103 (GENERAL PROVISIONS, RESTRICTIONS AND PROHIBITIONS) OF PART 1 (PURPOSE, DEFINITIONS, PROVISIONS AND RESTRICTIONS) OF ARTICLE 9 (SIGNS) OF CHAPTER 14.1 (ZONING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 1980, AS AMENDED, RELATING TO NONCOMMERCIAL SPEECH" was introduced and read.

Mr. Colvin stated the proposed ordinance is the result of the Pikes Peak Bank appeal to Council regarding its commercial signs; that even though the appeal was withdrawn, one of the Bank's arguments was that the Sign Code is unconstitutional in that it was less restrictive of commercial speech than noncommercial speech; that the proposed ordinance will make it equal as to both commercial and noncommercial speech.

Motion by Young, second by Are', that the ordinance be passed as introduced.

Ayes: Are', Forrest, Gillaspie, Guman, Hazlehurst, Isaac, Purvis, Young

Noes: None

Absent: Makepeace

—0—

**CITY OF COLORADO SPRINGS/EL PASO COUNTY
DRAINAGE BOARD MINUTES
MARCH 17, 1994**

The City of Colorado Springs/El Paso County Drainage Board held its regularly scheduled meeting at 2:00 PM on March 17, 1994 in the City Council Chambers, City Administration Building, 30 South Nevada Avenue.

MEMBERS PRESENT

Rob Alexander
Chuck Donley
Jerry Novak
Kent Rockwell
Phil Weinert

MEMBERS ABSENT

Lew Biegelsen
Bill Vaupel

OTHERS PRESENT

Gary Haynes
Mike Hausman
Dave Lethbridge
Robert Mack
Alan Morrice
Roger Sams
Bruce Thorson

Item 1

Approval of the minutes of the January 20, 1994 Board Meeting. The minutes were previously mailed out.

Mr. Rockwell made a motion to approve the minutes; Mr. Alexander seconded the motion; The motion passed with a unanimous vote.

Item 2

Approval of the Ordinance relating to the fee exemption for the Shooks Run Drainage Basin, for Board action.

Bruce Thorson stated the primary reason for the Ordinance revision was to clarify and revise the existing Code language. The key change eliminated language that allowed drainage fee and credit exemption based on the "area and territory which is tributary to Shooks Run". As was discussed at the January Board Meeting, it was noted that results from the restudy indicated that during certain large large storm events, some drainage flows were actually diverted into the Shooks Run basin from the area north and west of the defined Shooks Run basin boundary. This area is an unstudied drainage area and subject to Miscellaneous Drainage Basin fees and reimbursement. It is desirable that the area remain a Miscellaneous Basin to allow for fees and credit since some area remains undeveloped.

The Shooks Run basin boundary remains essentially the same as in the past study. The Ordinance amendment bases the drainage fee exemption on the area included in the Shooks Run basin boundary as defined by the most current study, not the area tributary to

Shooks Run. Bruce Thorson also stated that the revision was only intended to exempt Shooks Run from Sections 15-3-902 and 15-3-907 of the Code relating to drainage and detention reservoir land fees and credit for facilities. The intent is not to exempt area within the Shooks Run basin from other applicable portions of Section 15-3-902, Section 15-3-907 and Part 9 of Article 3 of Chapter 15.

Mr. Novak made a motion to approve the Ordinance revision; Mr. Rockwell seconded the motion. The motion passed with a unanimous vote.

Mr. Novak left the Board Meeting. A temporary recess was called by Mr. Donley in anticipation of Mr. Weinert showing up so there would be a quorum. Mr. Weinert arrived at the meeting.

Item 3

Presentation of a Resolution, adopting the Cottonwood Creek Drainage Basin Planning Study and establishing a drainage fee, a detention pond fee, and an arterial bridge fee for 1994 for the basin, for Board action.

Gary Haynes stated he had prepared a memorandum with the Resolution for the March 22, 1994 City Council meeting. He noted that funds are available for the Stormwater Management Funding Study outlined in Section 3 of the resolution. The study has been on hold pending resolution of the Cottonwood Creek Task Force issue. The new study as outlined in Section 4 of the resolution is not currently budgeted. However, it is proposed to suspend any new Drainage Basin Planning Studies and use funds from this account for this additional study. The Finance Director and the City Manager have given their approval to this funding issue.

Alan Morrice asked the City if there was a final cost summary table that reflects the proposed drainage fee of \$5247 per acre. Gary Haynes said that a revised cost summary table would be produced based on a previous Task Force discussion where the City agreed to reduce its Cottonwood reimbursement by 58%. This reduced the drainage fee to \$5247 per acre and this will be reflected in the final Cottonwood Creek Drainage Basin Planning Study. Alan Morrice stated that the County will not be recommending a separate detention pond fee. It will be combined with the drainage fee. The land fee will be separate. The total fee will be the same.

Mr. Rockwell asked about the timing of the Section 4 study and the level of study. Gary Haynes noted it was his intent to start the consultant selection process as soon as possible with a study length of approximately one year. The overall goal is to have the study completed in advance of the January 1, 1996 date for the interim Cottonwood Creek study. Regarding level of study, it is intended to study the issues as rigorously as possible within a time schedule. Both studies will have to have significant coordination. In addition, Gary Haynes noted that we are also beginning a separate short-term consultant study to investigate a five-year initial storm and street capacity criteria. It is anticipated this study will be complete by early June.

Mr. Weinert wanted to affirm that what was being acted on included interim Cottonwood Creek fees and a study on a long-term solution to the fee structure issue. The Board agreed.

Mr. Weinert made a motion to approve the Resolution. The motion was seconded by Mr. Rockwell. The motion passed with a unanimous vote.

Item 4

Open for Discussion

A. Mr. Donley noted that his Drainage Board term expires on March 12, 1994. He will be submitting a more formal resignation in the next few days. The Board will need to consider a new Chairperson at the next meeting.

B. The issue of a possible postponement of the Cottonwood Creek Drainage Basin Planning Study/Task Force Resolution from the March 22, 1994 City Council meeting to the April 12, 1994 City Council meeting was discussed. It was discussed that two Task Force members, Dave Jenkins and Mike Hausman, would not be able to attend the March Council meeting. The Board agreed that postponing the item to the April Council meeting would be appropriate to allow for input from these two Task Force members.

C. Bruce Thorson updated the Board on a recent meeting Engineering staff had with Jim Townsend from the Pueblo office of the Corps of Engineers regarding the proposed Letter of Permission process (LOP). The Corps indicated they would no longer be able to continue with the LOP process for the current Drainage Basin Planning Studies they had agreed to review: Spring Creek and Sand Creek. This was necessary due to resource constraints. However,

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March 17, 1994
Drainage Board Minutes

it was their opinion that using Nationwide Permits could be utilized in many situations and result in more efficient processing. The Corps felt the Drainage Basin Planning/public input process provided significant benefits and they would continue to participate.

Hearing no further business, the meeting adjourned at 2:55 P.M.

Bruce A. Thorson for
Gary R. Haynes
City Engineer

Attachments

c: Drainage Board Members
David D. Nickerson, Director of Planning, Develop. & Finance
Nancy Bramwell, Assistant to the Mayor
Jim Colvin, City Attorney
Robert Mack, Senior Corporate Attorney
Bruce A. Thorson, Stormwater and Subdivision Manager
Murray Stewart, Manager, County Department of Transportation
Alan Morrice, County Stormwater Supervisor
Tom Bonifas, Land Development Specialist
Dan Bunting, Regional Floodplain Administrator
Public Communications Department (2)
Tim Scanlon, Comprehensive Planning
Paul Butcher, Director, Park and Recreation
Marvin Harris, Park and Recreation
Ken Sampley, City Engineering
Don Steger, HBA
Judith Rice Jones, Park Advisory Board
Jane Titus, Park Advisory Board
Roland Obering, Obering Wurth & Assoc.
Dave Lethbridge, City Engineering
Robin Kidder, City Engineering
Tim Mitros, City Engineering
Karl Ross, Attorney, 104 S. Cascade Avenue, CSC, 80903
Joe DesJardin, JR Engineering, 6455 N. Union Blvd., 80918
Briargate Joint Venture, 7710 N. Union Blvd., 80920
Dave Jenkins, Norwood Development Corp., 4065 Sinton Rd.,
80907
Mike Hausman, Marac, Inc., 108 E. Cheyenne Rd., CSC, 80906
Terry Schooler, Schuck Interests, 1240 Holly Sugar Bldg.,
CSC, 80903
Ben Brown, Woodmen Point, 2520 Northgate Rd., CSC, 80921
Roger Sams, GMS, Inc., 611 N. Weber St., CSC, 80903
Guenter Polok, National Development Co., P.O. Box 1305, 80901

DRAFT

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 904 (EXCLUSIONS AND EXEMPTIONS) OF PART 9 (SUBDIVISION DRAINAGE FACILITIES) OF ARTICLE 3 (SUBDIVISION REGULATIONS) OF CHAPTER 15 (ANNEXATION, SUBDIVISIONS AND LAND DEVELOPMENT) OF THE CODE OF THE CITY OF COLORADO SPRINGS 1980, AS AMENDED, RELATING TO THE FEE EXEMPTION FOR THE SHOOKS RUN DRAINAGE BASIN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That Section 904 (Exclusions and Exemptions) of Part 9 (Subdivision Drainage Facilities) of Article 3 (Subdivision Regulations) of Chapter 15 (Annexation, Subdivisions and Land Development) of the Code of the City of Colorado Springs 1980, as amended, is amended to read as follows:

15-3-904: EXCLUSIONS AND EXEMPTIONS

B. Pursuant to the recommendation of the Subdivision Storm Drainage Board, adopted at its meeting of ~~October 15, 1963~~ MARCH 17, 1994, there are exempted and excluded from the provisions of ~~this part that area and territory which is tributary to Shooks Run.~~ SECTIONS 15-3-902 and 15-3-907, RELATING TO DRAINAGE AND DETENTION RESERVOIR LAND FEES AND CREDIT FOR FACILITIES, THAT AREA INCLUDED IN THE SHOOKS RUN BASIN BOUNDARY AS DEFINED IN THE MOST RECENTLY ADOPTED SHOOKS RUN DRAINAGE BASIN PLANNING STUDY.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, passed on first reading and ordered published this _____ day of _____, 1994.

Mayor

ATTEST:

City Clerk

DRAFT
3/1/94

**A RESOLUTION ADOPTING THE COTTONWOOD CREEK
DRAINAGE BASIN PLANNING STUDY AND ESTABLISHING A
DRAINAGE FEE, A DETENTION POND FEE, AND AN
ARTERIAL BRIDGE FEE FOR 1994 FOR THE BASIN**

WHEREAS, the City Engineering Division of the City of Colorado Springs Department of Planning, Development and Finance has reviewed the Cottonwood Creek Drainage Basin Planning Study as prepared by URS Consultants, Colorado Springs, Colorado dated August 1992, and

WHEREAS, the City/County Drainage Board has recommended approval of the above study at their September 16, 1993 meeting.

WHEREAS, the Cottonwood Creek Drainage Basin includes unplatted land within the City limits;

WHEREAS, a Task Force has studied (1) the allocation of basin reimbursements deficits, (2) the method of allocating cost responsibility for deficient facilities, and (3) the requirements of the technical design criteria;

WHEREAS, the Task Force recommends to the City Council and the Board of County Commissioners that funds be appropriated in the 1994 budget (s) for further studies of the drainage basin system and technical review.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Colorado Springs:

Section 1. That the Cottonwood Creek Drainage Basin Planning Study, dated August 1992, by URS Consultants as amended by the Task Force on September 16, 1993, is adopted for use on an interim basis until January 1, 1996. The recommendation for sizing and layout of the various drainage structures in the study are based upon existing criteria.

Section 2. That for 1994, a Cottonwood Creek Drainage Basin fee be established as not less than \$4,663/acre and not more than \$5,247/acre, that a Cottonwood Creek Detention Pond Fee be established as \$333/acre, and that a Cottonwood Creek Bridge fee be

DRAFT
3/1/94

established as not less than \$234/acre and not more than \$464/acre, as part thereof. Until City Council shall finally determine the Cottonwood Creek Basin Fee, the \$4,663/acre drainage fee and the \$234/acre bridge fee shall be paid as normal by the developer and the difference between the low and high values shall be covered by "acceptable assurances" as provided in Chapter 15, Article 3, Part 11 of the City Code. Such acceptable assurances could take the form of payment bonds, letters of credit, or off setting credits for existing drainage improvements.

Section 3. A Stormwater Management Funding Study will be funded immediately and will further address the equity issues regarding community share versus individual property share of drainage costs. This study will include a comprehensive review and revision to the basin system along with appropriate revisions to the stormwater drainage ordinance.

Section 4. Separate from the Stormwater Management Funding Study, a study will be funded which will review the hydrologic method, sediment transport evaluation, detention ponds, technical criteria, stormwater quality, and basin development philosophy.

Section 5. If the Funding Study and/or comprehensive review results in changes to the Cottonwood Creek Drainage Basin fee, an adjustment to the fee will be recommended, retroactively.

Dated at Colorado Springs, Colorado, this _____ day of _____,
1993.

Mayor

ATTEST:

City Clerk

**CITY OF COLORADO SPRINGS/EL PASO COUNTY
DRAINAGE BOARD MINUTES
SEPTEMBER 16, 1993**

The City of Colorado Springs/El Paso County Drainage Board held its regularly scheduled meeting at 2:00 PM on September 16, 1993 in the City Council Chambers, City Administration Building, 30 South Nevada Avenue.

MEMBERS PRESENT

Lew Biegelsen
Bill Vaupel
Chuck Donley
Phil Weinert
Kent Rockwell
Rob Alexander

MEMBERS ABSENT

Jerry Novak

OTHERS PRESENT

Ben Brown
Fred Gibson
Mike Hausman
Gary Haynes
David Jenkins
Dave Lethbridge
Alan Morrice
Ken Sampley
Roger Sams
Don Steger
Bruce Thorson
Wes Tyson

Mr. Donley welcomed Robert (Rob) Alexander, Piedmont Funding corporation, as the new banker member of the Board.

Item 1

Approval of the minutes of the August 25, 1993 meeting. The minutes were previously mailed out. One correction noted was to add Kent Rockwell to the members present list. Mr. Vaupel made a motion to approve the minutes with the correction noted; Mr. Weinert seconded the motion; the motion passed with a unanimous vote.

Item 2 - 5

Items 2 - 5 were acted upon by the Board as consent items.

Item 2

Request for CREDIT for construction of drainage facilities within the Douglas Creek Drainage Basin, Mountain Shadows Filing No. 24, Phase II, Ridge Development Company, Lt., P.O. Box 7711, Colorado Springs, CO 80933.

Item 3

Request for CREDIT for construction of drainage facilities within the Douglas Creek Drainage Basin, Mountain Shadows Filing No. 29, Ridge Development Company, Lt., P.O. Box 7711, Colorado Springs, CO 80933.

Item 4

Request for CREDIT for construction of drainage facilities within the Cottonwood Creek Drainage Basin, Fairfax @ Briargate Filing No. 8, Briargate Joint Venture, 7710 North Union Boulevard, Colorado Springs, CO 80918.

Item 5

Request for CASH for construction of drainage facilities within the Peterson Field Drainage Basin, Aviation Business Park Filing No. 2, Chillicothe Properties, Inc., P.O. Box 26158, Kansas City, MO 64196-6158.

Mr. Vaupel made a motion to approve items 2 through 5 in accordance with staff recommendations. Mr. Rockwell seconded the motion. The motion passed with a unanimous vote.

Item 6

Presentation of the Cottonwood Creek Drainage Basin Planning Study Task Force recommendations for Board Action.

Mr. Hausman, representing the Task Force, began the presentation by summarizing the Task Force items discussed at the August 25, 1993, Drainage Board Meeting including the three unanimous consensus items, other consensus items, and additional items discussed. The Task Force also met on September 14, 1993 to discuss specifics regarding the Cottonwood Creek Drainage Basin Planning Study. A somewhat tenuous agreement was reached on a recommendation (handout provided) that was based on an interim adoption of the Drainage Basin Planning Study with amendments as previously discussed with the Board. This interim adoption would allow for the three larger issues to begin to move forward: Phase 2 of the Stormwater Management Funding Study, review and revisions to the drainage basin system and ordinance, and a technical evaluation for revisions to the hydrologic method used.

Discussion then centered on whether retroactive adjustments would be made to the fee once the Stormwater Funding Study was complete. David Jenkins noted that the original Council Resolution to adopt the fee included language that would clarify this issue. Wes Tyson reviewed the original resolution and Gary Haynes agreed that the \$5,247 per acre fee would be a maximum.

The public portion of the meeting was closed and opened up to the Board.

Kent Rockwell asked for the status and schedule for Phase 2 of the Stormwater Funding Study. Gary Haynes stated it was his intent to take the Drainage Board recommendations on Cottonwood Creek to the October 11, 1993, Informal Council meeting along with the proposed Scope of Services for the Stormwater Funding Study. It would take a couple months to award a contract with a study period of 12 months. The study would therefore be completed at approximately the end of 1994.

Discussion then followed on how to develop a motion for recommendation. A short recess was called to obtain a copy of the original City Council resolution to use as a basis for revisions.

In reference to the original resolution, Gary Haynes stated that Sections 1 and 2 could be revised as the Task Force has discussed and Section 3 could be revised based on other recommendations from the Task Force. The drainage fees in Section 2 would change to an existing fee of \$4,527 per acre and an interim fee of \$5,247 per acre. This resolution is for City consideration only. Chuck Donley noted that the same factors needed to be considered to address the County approval process.

Alan Morrice addressed County comments. Alan indicated the comments would not likely conflict with any of the Task Force recommendations, particularly the interim recommendations. The County supports revisions to the overall drainage basin fee system as outlined by the interim recommendations. Alan asked the Board to give consideration to the City/County consistency issue in any future actions. The County opinion was that the Task Force results were based on trying to solve an economic issue through changes to technical criteria. The County was opposed to two technical revisions: (1) technical changes should not be adopted until a new hydrologic method is developed by a Technical Committee, and (2) changing both the initial design storm from a 10-year to a 5-year frequency and also reducing the street capacity criteria is not reasonable; the County would support one of the two changes but not both.

Gary Haynes responded to a question from Rob Alexander regarding changes to the initial design storm plus allowing more street flow. Gary stated his concurrence with the recommendations based on some checking of other City's criteria and the increased need for solid engineering judgment in the designs. Gary noted that there would be a level of service change by allowing more water in the streets and the City Council would be made aware of this change.

Further modifications to the resolution were discussed. These included incorporating the recommended criteria changes into the resolution and adding new sections relating to the three Task Force recommendations: initiate Stormwater Funding Study, review and revise basin system and ordinances at completion of Study, and initiate Technical Committee to adopt a new

hydrologic method. A new section would also be added noting that adjustments to the fee would be made retroactively if the Funding Study resulted in changes to the Cottonwood Creek Drainage Basin Fee.

Gary Haynes stated that the Drainage Board could direct the City Engineer to prepare the draft resolution as discussed today. This same presentation could then be made by the Task Force at the October 11th Informal Council Meeting along with a presentation of the draft resolution. Drainage Board could then take final action at the October 21st Board meeting and City Council could take final action on October 26th.

Mr. Vaupel made a motion to approve the concept resolution as drafted today and directed the City Engineer to prepare a final resolution for approval at the October Board meeting. Mr. Weinert seconded the motion. The motion passed unanimously.

Bill Vaupel commented further on another issue that was related to this item. He stated that there was an important need for more public participation in these future activities. This participation should include a good cross section of the community including engineers and developers. Gary Haynes noted that this would be a primary component of the Phase 2 Stormwater Funding Study.

Item 7

Open for discussion.

Gary Haynes provided a handout of new drainage ordinances to Board members that would replace all past ordinance handouts.

Mr. Weinert made a motion to compliment staff on their conscientious transcription of the August 25, 1993 meeting minutes. The motion was adopted by acclamation.

Gary Haynes noted that additional Drainage Basin Planning Studies would be forthcoming to the Board periodically.

Hearing no further business, the Board adjourned at 3:40 P.M.


Gary R. Haynes
City Engineer

GRH/BAT/mls

Attachments

Drainage Board Minutes
September 16, 1993
Page Five

- c: **Drainage Board Members**
David D. Nickerson, Director of Planning, Development & Finance
Nancy Bramwell, Assistant to the Mayor
Jim Colvin, City Attorney
Wes Tyson, Jr., Senior Corporate Attorney
Bruce A. Thorson, Stormwater and Subdivision Manager
Max Rothschild County Director of Public Works
Alan Morrice, County Stormwater Supervisor
Tom Bonifas, Land Development Specialist
Dan Bunting, Regional Floodplain Administrator
Public Communications Department (2)
Tim Scanlon, Comprehensive Planning
Nancy Lewis, Director, Park and Recreation
Marvin Harris, Park and Recreation
Ken Sampley, City Engineering
Bob Adamczyk, City Engineering
Don Steger, HBA
Judith Rice Jones, Park Advisory Board
Margory Abbott, SPABA
Joe DesJardin, JR Engineering
Dave Jenkins, Norwood Development
Mike Hausman, Marac, Inc., P.O. Box 60356, CSC 80960
Terry Schooler, Schuck Interests, 2 N. Cascade, Holly Sugar Bldg., Ste 1280, CSC 80903
Ben Brown, Woodmen Point, 2520 Northgate Rd., CSC 80921
Dave Lethbridge, Subdivision Development Specialist
Ridge Development, P.O. Box 7711, CSC 80933
Chillicothe Properties, P.O. Box 26158, Kansas City, MO 64196-6158
Roger Sams, GMS, Inc., 611 N. Weber, CSC 80903
Fred Gibson, Ridge Development, P.O. Box 7711, CSC 80933
Guenther Polok, Graef Anhalt Schloemer & Assoc., Inc.
Briargate Joint Venture, 7710 N. Union Blvd., CSC 80920

Revisions to this prior
(not adopted) resolution
were discussed at 3/14/93
Drainage Board

**A RESOLUTION ADOPTING THE COTTONWOOD
CREEK DRAINAGE BASIN PLANNING STUDY AND
ESTABLISHING A DRAINAGE FEE, A DETENTION
POND FEE, AND AN ARTERIAL BRIDGE FEE FOR
1993 FOR THE BASIN**

WHEREAS, the City Engineering Division of the City of Colorado Springs Department of Planning, Development and Finance has reviewed the Cottonwood Creek Drainage Basin Planning Study as prepared by URS Consultants, Colorado Springs, Colorado dated August 1992, and

WHEREAS, the City/County Drainage Board has recommended approval of the above study at their September 17, 1992 meeting and their December 18, 1992 meeting;

WHEREAS, the Cottonwood Creek Drainage Basin includes unplatted land within the City limits;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Colorado Springs:

Section 1. That the Cottonwood Creek Drainage Basin Planning Study, August 1992, by URS Consultants is adopted for use. The recommendation for sizing and layout of the various drainage structures in the study are based upon existing criteria. City Engineering will utilize that study to assist in evaluating subdivision drainage requests. City Engineering will consider the impact of any proposed revisions to existing criteria, particularly the extent to which this would reduce the required size of proposed drainage facilities.

Section 2. That for 1993, a Cottonwood Creek Drainage Basin fee be established as not less than \$3,742/acre and not more than \$6,599/acre, that a Cottonwood Creek Detention Pond Fee be established as \$333/acre, and that a Cottonwood Creek Bridge fee be established as not less than \$227/acre and not more than \$464/acre, as part thereof. Until City Council shall finally determine the

Cottonwood Creek Basin Fee, the \$3,742/acre drainage fee and the \$227/acre bridge fee shall be paid as normal by the developer and the difference between the low and high values shall be covered by "acceptable assurances" as provided in Chapter 15, Article 3, Part 11 of the City Code. Such acceptable assurances could take the form of payment bonds, letters of credit, or off setting credits for existing drainage improvements.

Section 3. That the City Engineering Division, the Housing and Building Association, and the City/County Drainage Board will jointly conduct a study of (1) the appropriate allocation of basin reimbursement deficits, (2) the appropriate method of allocating cost responsibility for drainage facility deficiencies, and (3) the requirements of the technical design criteria for drainage structures.

If the joint study results in changes to the Cottonwood Creek Drainage Basin fee, an adjustment to the fee will be recommended, retrospectively.

Dated at Colorado Springs, Colorado, this _____ day of _____, 1993.

Mayor

ATTEST:

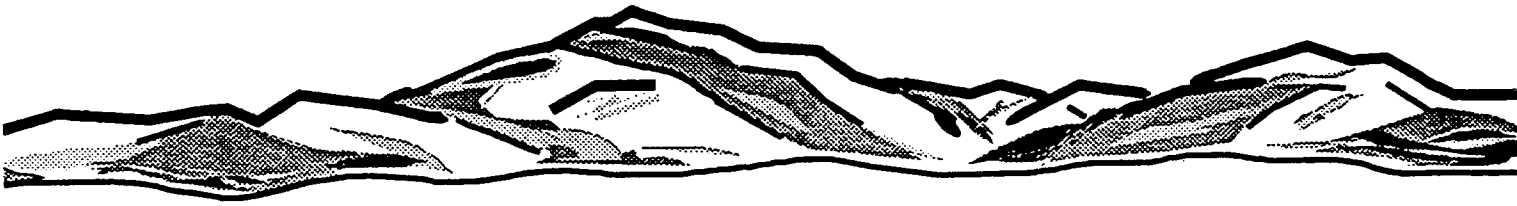
City Clerk

COTTONWOOD TASK FORCE RECOMMENDATION

The Task Force recommends adoption of the Cottonwood DBPS on an interim basis until January 1, 1995, with the understanding that the Stormwater Management Funding Study will further address the equity issues regarding community share versus individual property share of drainage costs. The existing basin fee of \$3600 will be collected plus appropriate assurances will be accepted for the remainder of the new adjusted fee of \$5247. This recommendation assumes completion of the Stormwater Management Funding Study and comprehensive review and revisions to the basin system and stormwater drainage ordinance.

A further recommendation is that the City and County immediately initiate a technical committee to evaluate adoption of a new hydrologic method.

El Paso County Planning Department



October 27, 1992

Alan Morrice
Stormwater Management Supervisor
El Paso County Department of Public Works
3105 North Stone
Colorado Springs, Colorado 80907

RE: Amendment to El Paso County Master Plan - Cottonwood Creek Drainage Basin
Planning Study (MP-92-001)

This is to advise you that the above-referenced request by the El Paso County Department of Public Works for approval of the Cottonwood Creek Drainage Basin Planning Study as an amendment to and component of the County Master Plan was heard and approved by the El Paso County Planning Commission on October 20, 1992. This is a re-study of the 1979 and 1984 studies of the Basin, and now includes a portion of the South Pine Creek Basin. Cottonwood Creek begins in the southern Black Forest and runs southwest, entering Monument Creek south of Woodmen Road. The total area included in the study is 15,275 acres.

The following condition and notation were placed upon this approval:

CONDITION:

1. Section 30-28-109, C.R.S. requires the Planning Commission to certify a copy of the Master Plan, or any adopted part or amendment thereof or addition thereto, to the Board of County Commissioners and to the Planning Commission of all municipalities within the County. The Planning Commission's action to amend the Master Plan shall not be considered final until the applicant submits a minimum of ten (10) complete sets of the final documents and maps to the Planning Department and such documents and maps are certified by the Chairman of the Planning Commission and distributed as required by law.

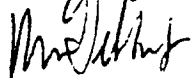
Alan Morrice
Stormwater Management Supervisor
El Paso County El Paso County Department of Public Works
October 27, 1992
Page 2

NOTATION:

1. Land use assumptions and depictions in this plan are not intended to infer future development that is inconsistent with existing development or Master Plans, but are presented as a worst case scenario for drainage planning purposes.

Should you have any questions or if I can be of further assistance, please contact me at 520-6300.

Sincerely,



Mark Gebhart
Senior Planner - Environmental

cc: Clyde Pikkaraine ↙
U.R.S.
1040 South 8th Street
Colorado Springs, Colorado 80906

Pyne Gramly
El Paso County Department of Public Works

C. O'Driscoll

File: MP-92-001

**EL PASO COUNTY PLANNING COMMISSION
OCTOBER 20, 1992
A G E N D A**

NOTE: The following requests have been continued or withdrawn and will not be heard at this Planning Commission meeting. For additional information, call the Planning Department at 520-6300:

City of Colorado Springs - Use Subject to Special Review for Mineral Resources
Extraction on Hanna Ranch Property (AL-92-013)
Executive Custom Homes/Bethesda Foundation - Sun Mesa Townhomes -
Rezoning and Preliminary Plan (PUS-92-001 and SP-92-002)
Sagedowns - County-Initiated Rezoning (P-91-008)

Items #1 through #10 are tentatively scheduled for the morning session (9:00 A.M. to @ 11:30 A.M.). Items starting with #11 are scheduled for the afternoon session beginning at 1:30 P.M.

The Planning Department Comment Agenda is automatically incorporated as part of the record unless specific objections are raised at the meeting.

MORNING SESSION:

2. Report Items

- 3. Informational Presentation by City of Colorado Springs on the Monument/
Fountain Creek Corridor Planning Study.** The study involves planning and design of recreational, flood control, in-stream hydrologic modifications, bank stabilization, natural feature/ecosystem modification and development adjacent to the corridor and throughout the watershed.

4. MP-92-001

Gebhart/Morrice

**AMENDMENT TO THE EL PASO COUNTY
MASTER PLAN
COTTONWOOD CREEK DRAINAGE BASIN PLANNING STUDY**

A request by the El Paso County Department of Public Works for approval of the Cottonwood Creek Drainage Basin Planning Study as an amendment to and component of the County Master Plan. This is a re-study of the 1979 and 1984 studies of the Basin, and now includes a portion of the South Pine Creek Basin. Cottonwood Creek begins in the southern Black Forest and runs southwest, entering Monument Creek south of Woodmen Road. The total area included in the study is 15,275 acres.

5. VA-92-015
542.07

O'Connor

**VARIANCE OF USE
RV STORAGE IN THE PID OA-CGM**

A request by Jack Benton/Richard Carpenter for Variance of Use approval to allow RV storage in the PID (Planned Industrial) OA-CGM (Airport - Commercial, General Military) Districts. The 1.1 acre site is located along the east side of Ford Street, approximately ½ block south of Seneca Road, and ½ block north of Galley Road in Cimarron Hills. Tax Schedule #54072-04-003.

6. VR-92-010
422.05

O'Connor

**VACATION/REPLAT
NORTH RANCH PARK FILING NO. 5**

A request by North Ranch Partnership to vacate three lots and replat into three lots and road right-of-way (an extension of Renegade Drive). The 19.62 acre property, zoned RR-3 (Rural Residential) District, is located at the east end of Renegade Drive, approximately 500 feet east of Windy Pine Drive and approximately 3/8 mile south of Murphy Road in the northern Black Forest. Tax Schedule #42050-05-010, 011, 012.

WAIVER: A waiver is requested for Lot 3 which does not have thirty (30) feet of frontage along a County maintained road (Section 49.2 C.3. a. of the El Paso County Land Development Code).

7. P-92-006
422.05

O'Connor

**REZONING: UNZONED TO RR-3
NORTH RANCH PARK FILING NO. 6**

A request by North Ranch Partnership to zone approximately 40 acres from unzoned to RR-3 (Rural Residential) District. The property is located directly east of the east extension of Kenado Circle, approximately ½ mile south of Murphy Road in the northern Black Forest. Tax Schedule #42000-00-086.

8. SF-92-004
422.05

O'Connor

NORTH RANCH PARK FILING NO. 6
TWO LOT FINAL PLAT

A request by North Ranch Partnership for approval of a two lot Final Plat upon 40 acres. The property, with pending RR-3 (Rural Residential) District zoning, is located directly east of the east extension of Kenado Circle, approximately ½ mile south of Murphy Road in the northern Black Forest. Tax Schedule #42000-00-086.

WAIVERS: The applicant requests the following waivers:

- 1) Section 49.2 C.3.a. of the El Paso County Land Development Code which requires that all lots must have 30 feet of frontage on a public street accepted for maintenance by El Paso County.
- 2) Submission of a Preliminary Plan, and submitting in lieu thereof a development report.

9. P-92-005
651.13

Connor

ZONE CHANGE
PBP TO R-1
WIDEFIELD HOMES

A request by Widefield Homes at Fountain, property owner, to change the zoning of approximately 3.33 acres of PBP (Planned Business Park) District zoned property to R-1 (Residential) District. The property is located along the west side of Kittery Drive between Crawford Avenue on the north and Crandall Drive on the south. Tax Schedule #65131-11-022 through 030.

10. SF-87-002
524.25

O'Connor

WAIVER OF SIDEWALK REQUIREMENT
PAINT BRUSH HILLS FILING NO. 4
JAS PROPERTIES

A request by JAS Properties to waive the requirement to construct sidewalks in subdivisions with lots of less than one (1) acre. A waiver request was granted as part of the original subdivision to allow sidewalks to be constructed on one side of all streets in the subdivision rather than on both sides. If approved, no sidewalks will be constructed. The subdivision is located at the northwest corner of Stapleton Road and Meridian Road, 2½ miles north of the Townsite of Falcon.

AFTERNOON SESSION:

**11. VA-92-016
523.32**

Connor

**VARIANCE OF USE
CHIROPRACTOR'S OFFICE
RUSSEL PALMER/RONALD PAXTON**

A request by Ronald Paxton to allow a Variance of Use within the RR-3 (Rural Residential) District for a Chiropractor's Office. The five-acre parcel is located at 8965 Black Forest Road, along the east side of Black Forest Road approximately one mile north of Vollmer Road. Tax Schedule #52000-00-260.

**12. SF-92-003
711.02**

O'Connor

**HEIGHTS FILING NO. 1
ONE LOT FINAL PLAT**

A request by Mike Mason for a one lot Final Plat within the pending R (Residential) District. The 3.6 acre property is located approximately 650 feet east of the Interstate 25 frontage road and approximately ¼ mile south of County Line Road. Tax Schedule #71000-00-289.

WAIVER: Applicant requests waiver of Section 49.2 C.3.a. of the El Paso County Land Development Code which requires that all lots must have 30 feet of frontage on a public street accepted for maintenance by El Paso County.

**13. MS-92-005
523.19**

Connor

**MINOR SUBDIVISION
PINE CONE TRAIL SUBDIVISION
MARY EVANS/LARRY AND LINDA THOMPSON**

A request by Larry and Linda Thompson to subdivide a 19.54 acre parcel of land into two (2) 9.77 acre lots. The RR-3 (Rural Residential) zoned property is located on the north side of Old Ranch Road approximately 2,640 feet west of Black Forest Road. Tax Schedule #52190-00-057.

14. MS-92-004
754.36

O'Connor

LADECH SUBDIVISION
ONE LOT MINOR SUBDIVISION

A request by Donell Jeffries for approval of a one lot Minor Subdivision entitled Ladech Subdivision. The five-acre parcel, zoned F (Forest & Recreation) District, is located along the east side of Old Canon City Road, approximately ¼ mile west of Highway 115. Tax Schedule #75364-00-012.

15. SF-92-002
711.11

O'Connor

WILLIAMS RANCH
FIVE LOT FINAL PLAT

A request by Lewis, Robbin & Roger Williams/Cathy Patha for Final Plat approval of a five-lot subdivision on approximately 25.2 acres. The property, zoned RR-3 (Rural Residential) District, is located at the west end of Fawnwood Drive, approximately 3/8 mile east of Interstate 25 and 1/8 mile northwest of Woodmoor Drive. Tax Schedule #71000-00-109, 318, 296.

WAIVERS: The applicants request the following waivers:

- 1) Section 49.2 C.3.a. of the El Paso County Land Development Code which requires that all lots must have 30 feet of frontage on a public street accepted for maintenance by El Paso County.
- 2) Submission of a Preliminary Plan, and submitting in lieu thereof a development report.

16. AL-92-015
563.20

Connor

USE SUBJECT TO SPECIAL REVIEW
BOARDING KENNEL
ROBERT LORINO/JAMES CARAWAY

A request by Robert Lorino and James Caraway for a Use Subject to Special Review to allow a boarding kennel in the RR-3 (Rural Residential) District. The applicant is proposing to have 238 runs (approximately 118 dog runs and 120 cat runs.) The 4.75 acre parcel is located at 12599 Jordan Road, on the east side of Old Pueblo Road, and on the south side of Jordan Road. Tax Schedule No. 56200-01-002.

17. AL-92-017
621.07

Connor

**USE SUBJECT TO SPECIAL REVIEW
BOARDING AND TRAINING KENNEL
KEITH FRANK/JAMES AND GAIL REPICE**

A request by James and Gail Repice for approval of a Use Subject to Special Review to allow a boarding and training kennel within the RR-3 (Rural Residential) District. The 4.78 acre property is located at 12410 Lindsey Lane on the east side of Howell Road, approximately 330 feet south of Shoup Road. Tax Schedule #62140-02-007.

NOTE: For information regarding the Agenda item the Planning Commission is considering, call 520-6320 during the meeting.

During the Lunch Break, please call the Planning Department for additional information (520-6300).

(The name to the right of the title indicates the planner processing the request.)

CITY OF COLORADO SPRING

The "America the Beautiful City"

CITY ENGINEERING DIVISION

**CITY OF COLORADO SPRINGS/EL PASO COUNTY
DRAINAGE BOARD MINUTES
SEPTEMBER 17, 1992**

The City of Colorado Springs/El Paso County Drainage Board held its regularly scheduled meeting at 2:00 PM on September 17, 1992, in the City Council Chambers, City Administration Building, 30 South Nevada Avenue.

**MEMBERS
PRESENT**

Chuck Donley
Bill Vaupel
Phil Weinert
Jean Hunt
Lew Biegelsen

**MEMBERS
ABSENT**

Jerry Novak
Guenther Polok

**OTHERS
PRESENT**

Chris Smith
Dan Bunting
Gary Haynes
Wes Tyson
Alan Morrice
Ken Sampley
Clyde Pikkaraine
Ben Brown
David Jenkins (Norwood
Development)

Item No. 1

Approval of the minutes of the August 20, 1992, Board Meeting. The minutes were previously mailed out.

Mr. Weinert made a motion to approve the minutes as presented, motion was seconded by Mr. Biegelsen. The motion passed with an unanimous vote with two abstaining (Weinert and Hunt).

Item No. 2

Presentation of the revised Cottonwood Creek Drainage Basin Planning Study by URS, Inc. Material for this item was previously mailed out to all Board Members and interested parties. This item is for board action.

Mr. Haynes addressed the Board and outlined the changes which had to be made regarding the fee structure of the previous master drainage basin study for Cottonwood Creek. See the agenda package for these changes.

Mr. Clyde Pikkaraine of URS Consultants addressed the Board and went through each item that required revisions as outlined in the agenda package. See the agenda letter dated August 25, 1992, for each of these specific items. Mr. Vaupel asked Mr. Pikkaraine why the County Bridge fee was different than the proposed City fee. Mr. Pikkaraine explained that the County has a different policy as set forth in the drainage resolutions which has a

DRAINAGE BOARD MINUTES
SEPTEMBER 15, 1992
PAGE TWO

different formula for the County and developer participation regarding the degree of upgrading that is required as it directly relates to the inadequacy of the hydraulics of the structure.

Mr. David Jenkins, representing Norwood Development, addressed the Board and expressed his concern that the changes that were posed for the Cottonwood Creek Basin would approximately triple the cost of each individual lot owner from what it is today. Mr. Jenkins attributed these increase in costs to the upgrade of existing systems with proposed parallel systems as well as the detention pond facilities seemed inequitable in his opinion when based on a park land dedication credit amount and he believed that it was unfair for the developer to pick up the cost for all of these upgrades and believed that the utility fee concept seemed more equitable and it should be researched further.

Mr. Vaupel stated that he believed that this study was done in accordance with the criteria and Board policy and stated that until such time as another method such as the stormwater utility fee is initiated the possible inequities listed by Mr. Jenkins are not applicable in the system that is in place today.


Mr. Vaupel made a motion to approve the revised fees as shown in the August 25, 1992, letter as attached in the agenda. Mr. Biegelsen seconded the motion. The motion passed with an unanimous vote.

Item No. 3

Open for discussion.

Mr. Haynes stated that the stormwater sampling sites required under the NPDES program are coming along on schedule, and believes that the permitting process will go as smoothly as expected for the City of Colorado Springs. Mr. Alan Morrice stated that the County is in the process initiating a new fee structure particularly for the upper end of Black Forest Basin and others similar to that.

Hearing no further business the Board adjourned at 2:30 p.m.



Gary Haynes
City Engineer

CS/GRH/ms

Attachment

c: See page three for Distribution

DRAINAGE BOARD MINUTES
SEPTEMBER 17, 1992
PAGE THREE

c: Drainage Board Members

Dave Nickerson, Director of Planning, Development & Finance
Nancy Bramwell, Assistant to the Mayor
Jim Colvin, City Attorney
Wes Tyson, Jr., Senior Corporate Attorney
Larry Skiffington, Senior Corporate Attorney
Bruce A. Thorson, Assistant City Engineer
Max Rothschild, County Director of Public Works
Alan Morrice, County Stormwater Supervisor
Chris Smith, Subdivision Administrator
Bev Dustin, Land Development Specialist
Dan Bunting, Floodplain Administrator
Public Communications Department
Tim Scanlon, Comprehensive Planning
Nancy Lewis, Park and Recreation
Marvin Harris, Park and Recreation
Ken Sampley, City Engineering
Bob Adamczyk, City Engineering
Robert Mack, Senior Corporate Attorney
Bill Baker, Colorado Springs Jeep Eagle
Don Steger, HBA, 3730 Sinton Road, #110, CSC 80907
Clyde Pikkaraine, URS Consultants
Dave Jenkins, Norwood Development
Ben Brown

DRM0-17

CITY OF COLORADO SPRINGS*The "America the Beautiful City"***CITY ENGINEERING DIVISION****CITY OF COLORADO SPRINGS/EL PASO COUNTY****DRAINAGE BOARD MINUTES****JULY 16, 1992**

The City of Colorado Springs/El Paso County Drainage Board held its regularly scheduled meeting at 2:00 PM on July 16, 1992, in the City Council Chambers, City Administration Building, 30 South Nevada Avenue.

**MEMBERS
PRESENT**

Chuck Donley
Jerry Novak
Bill Vaupel
Phil Weinert
Guenther Polok
Jean Hunt

**MEMBERS
ABSENT**

Lew Biegelsen

**OTHERS
PRESENT**

Gary Haynes
Alan Morrice
Wes Tyson
Chris Smith
Clyde Pikkaraine
Ben Brown, (Representing
Woodman Point Subdivision)
Kent Petrie, (Norwood
Development)

Item No. 1

Approval of the minutes of the April 16, 1992, Board Meeting. The minutes were previously mailed out.

Mr. Novak made a motion to approve the minutes as presented, motion was seconded by Mr. Vaupel. The motion passed with unanimous vote.

Mr. Donley informed the Board that he was no longer an employee of URS Corporation and, therefore, was able to participate in the discussion pertaining to the next item.

Mr. Novak left the meeting stating that he had a conflict of interest with Item No. 2.

Item No. 2

Presentation of the Cottonwood Creek Drainage Basin Planning Study as prepared by the URS Corporation for Board action.

Mr. Clyde Pikkaraine of URS Corporation outlined for the Board Members the description of the Cottonwood Basin and the general issues involved with the Basin hydrology as well as hydraulics. Mr. Pikkaraine also made a presentation regarding the basin fee components, including the major system, the capital, land and mitigation costs that were included in the Study, as well as the Basin fund deficit. Mr. Pikkaraine also brief the Board on the inclusion on the South Pine Creek outfall that extends south and west from Academy Boulevard.

DRAINAGE BOARD MINUTES
JULY 16, 1992
PAGE TWO

Mr. Pikkaraine outlined for the Board the three proposed fees that would be incorporated in this Basin to include the drainage fee, bridge fee and a detention pond fee (see attached Agenda material regarding the specifics of the Basin revisions made prior to the July Drainage Board Meeting).

Mr. Kent Petrie, President of Norwood Development, addressed the Board at this time and requested the Board not to take action on this item at this time due to the fact that he had received the latest updated version just prior to the meeting date. Mr. Petrie asked that the item be tabled for at least 30 days.

Mr. Alan Morrice, County Water Manager, addressed the Board and stated that URS had been responsive to a majority of the items listed in his July 10, 1992 letter (see copy attached). Mr. Morrice stated that he did have some concerns and questions regarding the technical as well as fee calculation items contained in the report, particularly between design points 29 and 13 regarding the costs included for construction and mitigation items. Mr. Morrice stated that he still had some concerns regarding the technical method of establishing the buffer zone limits and the basis for such reimbursements inasmuch as it is not presented in the Drainage Basin Planning Study nor in the Drainage Criteria Manual. Furthermore, Mr. Morrice questioned whether the separate detention pond fees are worth the additional administrative burden of tracking and accounting the monies involved. Lastly, Mr. Morrice stated that the County does not condone the interbasin transfer of funds that are being proposed as part of the Drainage Basin Planning Study between the North Pine Creek, South Pine Creek and Cottonwood Creek Drainage Basins.

Mr. Ken Sampley, City Engineering stated that as far as the interbasins transfers were concerned, the City could revise the Study if necessary and take the costs out. Mr. Sampley stated that the City believes that the buffer zones shown in the Master Drainage Basin Planning Study are, first of all, within the City and not the County; secondly, the zones were determined by the morphology, geologic formations, and existing and future storm patterns. The Study Group meetings held during the early part of the Planning Study Review indicated that they wanted this section of channel, behind the Current Plant area left in its natural condition.

City staff asked Mr. Petrie if he could address the Board and state why he thought a 30 day extension was necessary on this item. Mr. Petrie stated that the economic impact would be very substantial on the Norwood ownerships within the Basin and he was not prepared to address the concerns about fee, the ponds or their locations as well as the wetland mitigation issues.

Mr. Ben Brown, representing Woodman Point, addressed the Board and stated that he has not had any input into the Study at this time and requested that the Board not take action on this study until he has had an opportunity to provide the input he feels is necessary.

After further discussion, the Board heard a motion by Mr. Polok to approve the Cottonwood Creek Drainage Basin Planning Study as presented by staff. Mr. Vaupel seconded the motion, the motion passed with three members voting in favor of the motion with one abstention, Mr. Weinert.

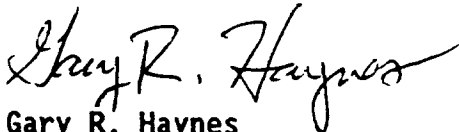
DRAINAGE BOARD MINUTES
JULY 16, 1992
PAGE THREE

Item No. 3

Open for discussion.

Mr. Alan Morrice presented the County Fund Balance for the Board's information.

Hearing no further business, the Board adjourned at 2:35 p.m.



Gary R. Haynes
City Engineer

CS/GRH/le

Attachment

- c: Drainage Board Members
Dave Nickerson, Director of Planning, Development & Finance
Nancy Bramwell, Assistant to the Mayor
Jim Colvin, City Attorney
Wes Tyson, Jr., Senior Corporate Attorney
Larry Skiffington, Senior Corporate Attorney
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Marvin Harris, Park and Recreation
Ken Sampley, City Engineering
Bob Adamczyk, City Engineering
Don Steger, HBA, 3730 Sinton Road, #110, COS 80907

dbm4-16