

Monument Board of Trustees, July 18

# Board gets presentations on legislation and history, approves Falcon Commerce Center Phase 2

By Jackie Burhans

At the July 18 Monument Board of Trustees meeting, due to communication issues with Mayor Pro Tem Kelly Elliot, who was participating remotely, and the absence of Mayor Don Wilson, the board appointed Trustee Ron Stephens as acting mayor for this meeting on a vote of 4 to 1. Stephens opposed the motion and Elliot was unable to vote due to technical difficulties. After a delay of nearly 30 minutes, Stephens called the meeting to order. The board then went on to hear two presentations and vote on several resolutions and ordinances.

### Presentations heard

Roger Lovell, an official at Pikes Peak Regional Building and Development (PPBRD), discussed recent legislation at the state level: HB22-1362 Building Greenhouse Gas Emissions (See <https://leg.colorado.gov/bills/hb22-1362>). He noted that the Town of Monument had opposed it as had PPRBD, saying it took away local control by creating a statewide energy code board to develop model electric, solar, low energy, and carbon

codes for adoption by counties, municipalities, and state agencies.

PPRBD opposes the bill due to increased costs, Lovell said, noting that the bill establishes a timeline by which PPRBD must adopt a new building code before July 1, 2023, that adopts one of the three most recent energy codes without lessening restrictions. If PPRBD modifies its building code after that date, it must adopt the unamended 2021 energy code plus the model energy and solar-ready code that has yet to be written, he said. He said moving from 2018 to the 2021 code could cost \$11,000 per home and that PPRBD was on the 2015 energy code currently. Lovell said if PPRBD could get its code adopted and enforced locally before the deadline, it would soften the cost impact. PPRBD has a draft code, will have work sessions and staff adjustments, and will have a second round of public comment in October. After finalizing the codes, PPRBD will bring them back to its jurisdictions such as Monument for approval, he said.

Jim Sawatzki, president of the Palmer Lake Historical Society (PLHS), present-

ed historical information about the community and emphasized the importance of preserving its history. Roger Davis, director of the Lucretia Vaile Museum, noted that the society and museum serve Monument as well as Palmer Lake and on out to Table Rock and North Academy Boulevard. Davis said history need not be a memory, and PLHS needs Monument's help. Sawatzki referred to a document prepared by Dawn Collins, Palmer Lake's town manager, showing the town's in-kind donations including the use of space in the building PLHS occupies, which has a value of \$12,000.

Sawatzki asked the Town of Monument to match this donation by building it into their 2023 budget and going forward. He noted that PLHS was working on a book detailing the definitive history of the Monument tree nursery. The board directed Town Manager Mike Foreman to add this as a discussion item in the upcoming budget workshop.

### Resolutions approved

The board approved all the following resolutions by a vote of 6-0.

- After a public hearing, the board approved Resolution No. 56-2022 approving a preliminary planned unit development (PUD) for Falcon Commerce Center Phase 2. The vote included the conditions that, before recording the preliminary PUD, the applicant remove notes 5 and 6 and replace them with language about complying with the town's land dedication standards by either the dedication of parkland or by the payment of fees and eliminating the retail sale of gasoline as an approved use.
- After a public hearing on Resolution No. 57-2022 approving a final plat for Falcon Commerce Center Filing No. 2 with no public comments, the board passed the motion.
- Resolution 61-2022 authorizing that the Nov. 8 Town of Monument Election be conducted as a coordinated election and appointing the town clerk as the designated election official was passed unanimously. The resolution also authorized the town clerk to enter into an intergovernmental agreement with the El Paso County Clerk and Recorder for the conduct and administration of the election.

### Ordinances streamline hearings, update land use code

By a vote of 6-0, the board approved Ordinance No. 11-2022 Amending Titles 1 and 18 of the Town of Monument Municipal Code to Streamline the Hearing Procedures. Planning Director Nina Ruiz explained the first step to streamline the process, with the second step to be considered in the Aug. 15 meeting. The ordinance as presented would have limited the number of applications to be heard at one meeting and additional notification requirements. After a discussion about the pros and cons and hearing public comment, interim attorney Joseph Rivera suggested a motion to approve the ordinance with only the increased notice requirements.

The board then considered Ordinance 12-2022 Updating the Land Use Development Code and Revising the Industrial Use Table and Supplemental Use Standards. In public comments, resident Steve King did not support conditional uses, saying it made things difficult for business and property owners. Ken Kimple suggested traffic studies be conducted by an outside, staff-chosen agency. Board members Jim Romanello and Redmond Ramos agreed that the restrictions went too far. Rivera responded to board member Mitch LaKind that making uses did not remove property rights. The motion failed on a vote of 4 to 2 with Elliott, Ramos, Romanello, and Stephens opposing.

### Highlights

- The agenda included an informational item acknowledging that the board had received a petition for annexation of 91 acres of land including I-25 from the Monument Meadows Mobile Home Park north to County Line Road.
- A second item acknowledged receiving a petition for annexation of about 71 acres of land on the east side of I-25, immediately south of County Line Road.
- Resident Nancy Swearingen asked the Board of Trustees to think about the fact that Monument has no renewable water source. She said the board has to build something that is sustainable now and in the future.
- Foreman thanked the Board of



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