

**Annual Meeting of the Pinecliff Homeowners' Association
September 23, 2019**

The Annual Meeting of the Pinecliff Homeowners' Association ('PHOA') was called to order by President Bruce Hutchison at 6:33 pm on Monday, September 23, 2019. Board present were Stephen Prime, Kim Young, Joel Smith, Christine Thomas, Carl Peterson and Judy Benson. Representing the Architectural Control Commission ('ACC') were Roger Carlson, Rich Seyer and Jim Brechwald. Supporting Board member Judy McBride for the PHOA trash services was Paul Lauck. City Councilor Don Knight, guest speaker, was also in attendance.

After welcoming the many PHOA members attending the Meeting, the President reviewed the election by-laws; described the rotating two-year terms and the unlimited number of terms of service and the minimum and maximum number of Board members (5 and 11, respectively); and noted that the officers (President, Vice President, Secretary and Treasurer) are elected to serve in that capacity by the Board. He then introduced two proposed Board candidates, Geoff Webster and Jason Dilger, each of whom described their backgrounds and interest in serving on the PHOA, and presented the names of the four returning Board members to be elected -- Karin Crown, Christine Thomas, Bruce Hutchison and Joel Smith. Prior to a vote, discussion ensued about Mr. Dilger's rental property, the two former Board members with rental properties on VRBO, and the need for diverse and experienced views on the Board. Mr. Dilger indicated that he had cancelled three upcoming rentals and would be able to provide insights on the short-term rental market. Thereafter, all nominees were elected by acclamation.

The President next thanked the key volunteers who assist the PHOA and presented the history of the association as a voluntary, non-profit organization and the areas encompassed by the PHOA. He enumerated the activities included in the \$40 membership fee.

The Treasurer then presented the financials for the 2019 fiscal year and commented that the PHOA was under budget since it did not have one-time expenses such as the hiring of an attorney to settle a neighborhood dispute.

Roger Carlson, representing the ACC, commented on the goal of the ACC – to maintain the neighborhood in accordance with the mandatory covenants (e.g., landscaping and exteriors), described ongoing challenges such as on-street parking, and noted successes such as eliminating 50% of dead trees in the past two years. He described periodic drive-arounds in the neighborhood and resulting actions such as a letter or form, and stated that 95% of issues are remediated with a courtesy correction notice. He noted the longevity of the ACC members, described interactions with the Board, and solicited interest in an open slot, preferably with a resident in the lower end of the neighborhood or Pinnacle area. Discussion ensued about specific challenges and future communications with the ACC.

Kim Young, PHOA membership chair, indicated that the printed directory was made available in September, pointed out the online directory and added that the electronic file would be posted shortly. She stated that the online directory is continually updated and is accessible only to PHOA members via a log-in. She also commented on the new requirement to provide statements about the PHOA for real estate transactions (purchases/sales and refinancings). She reported that the PHOA currently has 491 members, noted the connection to the trash program and the resulting reduced traffic from multiple garbage services. Finally, she conducted an impromptu poll about the utility and frequency of the newsblasts and newsletters; the consensus was that the frequency was appropriate.

Councilor Knight then spoke at length about the structure of the Council, meeting frequency and timing of working sessions, noted that citizens are given 3 minutes to speak on an agenda topic prior to a vote and stated that those meetings begin at 10 am on the second and fourth Tuesday of every month (other than December), break at noon and continue at 1. Specific topics covered during his remarks included:

- Master Plan – Proposed neighborhood plan to divide the city into 12 districts so that each council district would cover two areas, his opposition and need for citizens to be proactive.
- Bear-proof trash cans – Applicable to areas west of I-25, effective March 1, 2020. No implications if garbage and trash barrels are put out no earlier than 5 am on pick-up day and returned to the garage by 7 pm (or adjusted for working hours) that same day. Other options were discussed, including a roofed, fully-enclosed structure for trash cans, or the purchase of a bearproof trash container.
- Accessory Dwelling Units (“ADUs”) – Determinant of an ADU is the number of kitchens (where kitchen is defined as stove). Described the problem being addressed as aging parents and children living at home longer, or an empty nester on a fixed income (where a boarder helps). A Council member had proposed changing all 68,000 R1 lots to allow ADUs but detached structures were subsequently deleted. Current focus is on integrated structures whereby an ADU must be under the same roof and be occupied by a single family, defined as 16 people if all are related and not more than 5 if one or more individuals are not relatives. The integrated structure must comply with special fire codes, and have independent plumbing, heating and air conditioning. Town Hall will be soliciting public opinion; Mr. Knight believed that this option should address ‘90% of the problem while protecting neighborhoods.’ Several town halls will be held, and voting may come as early as the first meeting in November or sometime in 2020.

Discussion also ensued about parking impact (chapter 7) and the requirement of off-street parking for one car for a single family dwelling, a proposed rewrite of the regulation and the multi-year timeframe, grandfathering, and the variance process.

- Short-Term Rentals (“STR”) – Mr. Knight described the central issue as whether an STR can be defined as a business, commented on the uncertainty as to the number of STRs, and noted the requirement of collecting sales, lodging and car rental taxes. He commented on the ongoing discussions with the Short-Term Rental Alliance and the Neighborhood Preservation Alliance. He described the duration of an STR, Denver’s requirement of an owner-occupied primary residence, and the proposed alternative of a contact person who can be reached in one hour, 365 days/year. Additional proposals under consideration are the number of people in the dwelling (Mr. Knight’s proposal is a limit of 2 people/bedroom who are 2 years of age or older, as well as the Manitou structure (2 per bedroom and 2 per pullout sofa regardless of age). Discussion will be continuing, with a vote likely for October 8.

He also discussed potential restrictions on the number of STRs per city block, described the Manitou structure (500 feet from property corner to property corner of the next STR), and commented on three suggestions under consideration: 1 STR every 5 houses per block face (intersection to intersection on a city street), 1 per block face (on both blocks if corner house), or 500 feet as crow flies, without the owner-occupied requirement. He mentioned that the City Planning Department is hiring a company that helps cities determine the appropriate number of STRs.

He described potential taxing alternatives – commercial property or real estate property and the rate differences, noted that covenants surmount ordinances, commented on the difference between long- and short-term rentals, and stated his belief that an STR is a business and should be restricted to the extent possible. Discussion ensued with attendees about the merits of STRs, and how they can be run properly.

As the next order of business, a trash service update was provided, including mention of the current 466 participants representing 95% of the PHOA membership. It was noted that the Bestway contract expires on February 29, and that quotes will be requested.

The President next reviewed PHOA activities, including Dumpster Day and Neighborhood Clean-up. He also commented on the wildfire mitigation collection efforts (21.5 trucks, up from 15), and showed the CSFD Wildfire mitigation award as well as the one for Ute Valley. Ms. Thomas described the membership drive social, the summer kick-off party and Movie in the Park. She also gave a Ute Valley Park update covering fire mitigation activities and the grant to protect 40 acres for wildlife protection and described new, professionally built trails and the Downhill Park, which will open on October 13.

Mr. Peterson then provided the traffic and safety report, which covered topics such as potholes, road repairs, police patrols, police events per month and the nature of those events, and contacts in the Falcon Division. Mr. Knight described the 2c ballot initiative, which proposes an extension of the current major roadways and collector street repairs program for 5 years beginning 1/1/21 which are covered by .62% of sales tax proceeds, and added that Garden of the Gods would be repaved during the summer of 2020. Projects discussed during the Meeting and subsequently confirmed for inclusion if the ballot passes are Cliff Point Circles East and West, Popes Valley Drive, and Golden Hills. [Refer to the paving list website for additional details. <https://coloradosprings.gov/2cpavinglist>]

In closing, Mr. Hutchison described proposed 2020 PHOA initiatives, including the Warm Pie Welcome (for future move-ins to the neighborhood), continuing to strengthen financial processes, update to operational guidelines, periodic monitoring of ADUs and STRs, lobbying the city to remove dead trees along the Popes Valley drainage ditch, and construction of a new Welcome to Pinecliff sign.

There being no further business, a motion to adjourn the meeting was seconded and unanimously passed.

The meeting was adjourned at 8:31 pm.

Respectfully submitted,

Judith K. Benson