



City of Colorado Springs

Regular Meeting Agenda

City Council

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

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, January 24, 2017

1:00 PM

Council Chambers

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Changes to Agenda/Postponements

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

**4A.A. [CPC ZC
16-00113](#)**

Ordinance No. 17-1 amending the zoning map of the City of Colorado Springs pertaining to 2.00 acres located at 1060 Kelly Johnson Boulevard from PIP-1 (Planned Industrial Park) to PBC (Planned Business Park). (Quasi-Judicial)

Presenter:

Rachel Teixeira, Planner II, Planning and Community Development
Peter Wysocki, Director Planning and Community Development

Attachments:

[Ord 1060 Kelly Johnson](#)

[Exhibit A - LEGAL DESCRIPTION FOR 1060 KELLY JOHNSON BOULEVARD](#)

[Exhibit B - Vicinity Map - Kelly Johnson](#)

**4A.B. [CPC CA
16-00115](#)**

Ordinance No. 17-2 Amending Section 201 (Definitions Enumerated) of Part 2 (Definitions of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications); Section 1205 (Nonconforming Lots) of Part 12 (Nonconforming Development) of Article 5 (Administration and Procedures), and Multiple Sections of Article 7 (Subdivision Regulations) All within Chapter 7 (Planning, Development and Building of the Code of The City of Colorado Springs 2001, as Amended, Pertaining to Waiver of Replat (Legislative)

Presenter:

Meggan Herington, LUR/DRE Planning Manager, Planning and Community Development
Peter Wysocki, Director of Planning and Community Development

Attachments:

[WaiverReplatOrdinanceFinal](#)

**4A.C. [CPC V
16-00067](#)**

Ordinance No. 17-3 vacating excess portions of public rights-of-way within Banning Lewis Ranch located near the intersection of Vista Del Flores Street and Vista Del Tierra Drive, and along Dublin Boulevard west of Vista Del Tierra Drive.

(Legislative)

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Director Planning and Community Development

Attachments:

[ORD BLR Village 18 ROW Vacation](#)

[EXHIBIT A BLR Village 18 ROW Vacation Vacation Legal](#)

[EXHIBIT B BLR Village 18 ROW Vacation Vacation Plat](#)

4B. First Presentation:**4B.A. [17-800](#)**

City Council Meeting Minutes January 10, 2017

Presenter:

Sarah Johnson, City Clerk

Attachments:

[January 10, 2017 Minutes Draft](#)

4B.B. [CPC ZC
16-00125](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.16 of an acre located west of the southwest corner of North Circle Drive and Willamette Place, addressed as 2709 Willamette Place, from R-5 (Multi-Family Residential) to C-6 (General Business)
(Quasi-Judicial)

Related Items: CPC MDP 07-00131-A1MN16, AR R 16-00763

Presenter:

Hannah Van Nimwegen, Planner II, Planning & Community Development

Peter Wysocki, Director Planning and Community Development

Attachments:

[ZC ORD Metal Products](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Vicinity Map](#)

[CPC Staff Report - Metal Products, LLC](#)

[Figure 1 - Rezoning Plan](#)

[Figure 2 - Development Plan Amendment](#)

[Figure 3 - Project Statement](#)

[Figure 4 - Surrounding Land Uses](#)

[7.5.603 Criteria for granting zone changes](#)

4B.C. [CPC MDP
07-00131-A1
MN16](#)

Minor Amendment to the Metal Products Development Plan for the parking lot reconfiguration, building addition, and other minor alterations to the existing site located west of the southwest corner of North Circle Drive and Willamette Place, addressed as 2709 and 2717 Willamette Place.

(Quasi-Judicial)

Related Items: CPC ZC 16-00125, AR R 16-00763

Presenter:

Hannah Van Nimwegen, Planner II, Planning & Community Development

Peter Wysocki, Director Planning and Community Development

Attachments:

[Figure 2 - Development Plan Amendment](#)

[7.5.502.E Development Plan Review](#)

[7.5.503.C Concept & Development Plan App Rev Procedures](#)

- 4B.D.** [AR R](#)
[16-00763](#) Administrative Relief for the Metal Products Development Plan to allow a reduction in the required number of onsite parking stalls from 18 to 16 located west of the southwest corner of North Circle Drive and Willamette Place, addressed as 2709 and 2717 Willamette Place.

(Quasi-Judicial)

Related Items: CPC ZC 16-00125, CPC MDP 07-00131-A1MN16

Presenter:

Hannah Van Nimwegen, Planner II, Planning & Community Development

Peter Wysocki, Director Planning and Community Development

Attachments: [Figure 2 - Development Plan Amendment](#)

[7.5.1102 Findings Necessary to Grant Administrative Relief](#)

- 4B.E.** [16-758](#) A Resolution Appointing Bill Cherrier to the Board of Directors of the Public Authority for Colorado Energy for a Three-Year Term, Retroactive to and Effective December 15, 2016

Presenter:

Eric Tharp, Chief Energy Services Officer, Energy Supply

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [Resolution_PACE Appointment_Bill Cherrier](#)

- 4B.F.** [16-738](#) A Resolution Accepting a Donation of a 3.407 Acre Parcel of Real Property from Norris Properties, LLC to the City of Colorado Springs

Presenter:

Lyman Ho, SDS Land Acquisition Manager

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [Resolution Accepting Donation_Norris Properties LLC_1-18-16 FINAL](#)

[CC PowerPoint Norris-1-24-17 Final](#)

- 4B.G.** [16-765](#) An Ordinance Amending Section 703 (Wastewater Discharge; Limitations) of Part 7 (Prohibitions - Limitations on Wastewater Discharge) of Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Wastewater Discharge

Presenter:

Dave Padgett, Chief Environmental Officer

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [CSU-WastewaterDischargeORD-2017-1-04](#)

5. Recognitions**6. Citizen Discussion****7. Mayor's Business****8. Items Called Off Consent Calendar****9. Utilities Business**

- 9.A. [16-754](#) A Resolution Setting the Electric Cost Adjustment Effective February 1, 2017

Presenter:

Sonya Thieme, Rates Manager

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [01-24-2017 CC Mtg Agenda-ECA Rate Adj](#)

- 9.B. [16-755](#) A Resolution Setting the Gas Cost Adjustment Effective February 1, 2017

Presenter:

Sonya Thieme, Rates Manager

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [01-24-2017 CC Mtg Agenda-GCA Rate Adj](#)

10. Unfinished Business

- 10.A. [16-725](#) Ordinance No. 16-125 Submitting A Charter Amendment to the Registered Qualified Electors Of The City At The General Municipal Election To Be Held April 4, 2017, Relating To Sale Or Conveyance Of Units Of Colorado Springs Utilities And Amending Section 6-80 Of The City Charter

Presenter:

Christian Nelson, Strategy & External Affairs

Jerry Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [1-10 Revised Charter-Amendment-SaleConveyanceCSU-2016-12-5.docx](#)

11. New Business

11.A. [16-736](#)

A resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado, at the general municipal election conducted by mail ballot to be held on Tuesday, April 4, 2017, the question of retaining and spending up to \$6,000,000 of the estimated 2016 fiscal year revenue above the 2016 fiscal year revenue and spending limitations, and a like amount of any excess revenue in fiscal year 2017, as a voter approved revenue change, with any excess revenue in fiscal years 2016 and 2017 beyond this \$6,000,000 revenue change to be refunded to taxpayers; providing for the form of the ballot title and text; providing for certain matters with respect to the election; and providing the effective date of this resolution.

Presenter:

Mayor John Suthers
Kara Skinner, CFO

Attachments:

[ExcessRevenueRES-1-5-2017CLEAN](#)

[Excess Revenue Resolution - EXHIBIT A 1-5-2017](#)

[ExcessRevenueRES-1-5-2017Redline](#)

[Excess Revenue Resolution - EXHIBIT A 1-5-2017Redline](#)

[012317 Ballot_Proposal_ProjectMap_1_18_17](#)

11.B. [16-776](#)

An Ordinance Creating a New Section 112 (Use Of Medians) of Article 18 (Pedestrians' Rights and Duties, Drivers to Exercise Due Care) and Amending Section 312 (Official Traffic Control Records) of Part 3 (Administration) of Article 1 (Administration And Enforcement), Both of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Pedestrian Use of Narrow or Domed Medians on Higher Volume and Higher Speed Roadways, and Providing Penalties for the Violation Thereof

Presenter:

Anne Turner, Senior Attorney
Kathleen Krager, Transportation Planning Manager, Traffic Engineering
Pete Carey, Police Chief

Attachments:

[012417 Ch10-UseOfMediansORD-2017-01-16](#)

- 11.C. [16-710](#) An ordinance amending Part 2 (No Smoking in Public Places or on Park Property) of Article 6 (Public Health and Sanitation - No Smoking in Public Places) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to smoking.

Presenter:

Craig Blewitt- Transit Services Manager

Attachments:

[Transit-SmokingORD-2016-11-22-FinalDraft\(V2\)](#)

[010916 Transit-SmokingORD-slides](#)

- 11.D. [CPC 167](#) A resolution finding a petition for annexation of the area known as Bowen Addition Annexation consisting of .849 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 28, 2016 for the Colorado Springs City Council to consider the annexation of the area.
(Legislative)

Presenter:

Michael Schultz, AICP, Principal Planner

Peter Wysocki, Planning and Development Director, Planning and Community Development Department

Attachments:

[Bowen Addition Resolution](#)

[Exhibit A - Bowen Addition Legal](#)

[Bowen Vicinity Map](#)

[Enclave Map](#)

[Bowen - Aerial map with zoning](#)

[Bowen Addition PUBLIC NOTICE](#)

- 11.E. [CPC 168](#) A resolution finding a petition for annexation of the area known as Hartsuiker Addition Annexation consisting of acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 28, 2016 for the Colorado Springs City Council to consider the annexation of the area.
(Legislative)

Presenter:

Michael Schultz, AICP, Principal Planner
Peter Wysocki, Planning and Development Director, Planning and Community Development Department

Attachments:

[Hartsuiker Addition RES](#)
[Exhibit A - Hartsuiker Legal](#)
[Vicinity Map](#)
[Enclave Map](#)
[Hartsuiker - Aerial Map with zoning](#)
[Hartsuiker Addition PUBLIC NOTICE](#)

- 11.F. [CPC CA 16-00116](#) An Ordinance Amending Part 2 (Off Street Parking Standards) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to Parking.

(Legislative)

Presenter:

Meggan Herington, LUR/DRE Planning Manager, Planning and Community Development
Peter Wysocki, Director of Planning and Community Development

Attachments:

[Planning-ParkingORD-2016-12-05 FINAL](#)
[CPC Staff Report Parking and ADA](#)
[FIGURE 1 ADA-ParkingAccessibleParkingORD](#)
[FIGURE 2 Code Scrub Committee 15-16](#)
[CPC October 20 Meeting Minutes - Parking Standards Ordinance](#)
[Parking Ordinance Council Presentation](#)

- 11.G. [16-674](#) A Resolution rescinding Resolution No. 19-13 and establishing Development Application Fees and Charges for the Land Use Review Division of the Planning and Development Department

Presenter:

Nina Vetter, Strategic Plan Administrator, Finance

Kara Skinner, Chief Financial Officer

Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments:

[Cover Memo attachment LUR fees cap fee increase at 100% 01-23-17](#)

[Cover Memo attachment LUR fees cap fee increase at 150% 01-23-17](#)

[Cover Memo attachment LUR fees Comparison 01-23-17](#)

[Development-App-Fees-Res-01-23-17](#)

[Exhibit A-LUR Fees for Resolution 01-23-17](#)

[Fee Analysis - Planning 01-23-17](#)

12. Public Hearing

13. Added Item Agenda

14. Executive Session

- 14.A. 17-811 In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(b) and (e), the City Council, in Open Session, is to determine whether it will hold a Closed Executive Session. The issue to be discussed involves legal advice associated with ongoing litigation related to a Colorado Open Records Act request.

Presenter:

Wynetta Massey, City Attorney

15. Adjourn