



City of Colorado Springs

Regular Meeting Agenda - Final City Council

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

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Tuesday, January 25, 2022

10:00 AM

Council Chambers

How to Watch the Meeting

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Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- Stratus IQ Channel 76 / 99 (Streaming)

How to Comment on Agenda Items

Before the meeting, you may email general comments for items not on the agenda or comments regarding agenda items to: allcouncil@coloradosprings.gov

During the meeting, those who wish to comment should submit their name, telephone number, and the topic or agenda item for comment via allcouncil@coloradosprings.gov in addition to calling +1 720-617-3426 United States, Denver (Toll) and entering this Conference ID: 531 887 747#

1. Call to Order and Roll Call

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 V
21-00170](#)

Ordinance No. 22-01 vacating portions of a public right-of-way described as Tract B, Blackwood Crossing, a replat of lots 1 and 2 of Glover Subdivision consisting of 0.093 acres located southwest of East Woodmen Road and Black Forest Road.
(Legislative)

Related Files: CPC MP 03-00279-A2MJ21, CPC ZC 21-00135, CPC CP 21-00136

Presenter:
Katie Carleo, Land Use Planning Manager, Planning & Community Development Department
Peter Wysocki, Planning Director, Planning & Community Development Department

Attachments: [ORD_ROW_Vacation_Avanterra](#)
[Exhibit A - Avanterra ROW Vacation LegalDescription](#)
[Exhibit B - BLACKWOOD CROSSING VACATION PLAT](#)

4A.B. [CPC ZC
21-00135](#)

Ordinance No. 22-02 amending the zoning map of the City of Colorado Springs relating to 11.7 acres located southwest of East Woodmen Road and Black Forest Road from A/AO (Agricultural with Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay) (Quasi-judicial)

Related Files: CPC MP 03-00279-A2MJ21, CPC V 21-00170, CPC CP 21-00136

Presenter:
Katie Carleo, Land Use Planning Manager, Planning & Community Development Department
Peter Wysocki, Planning Director, Planning & Community Development Department

Attachments: [ORD_AvanterraZoneChange](#)
[Exhibit A - Avanterra ZoneChange LegalDescription](#)
[Exhibit B - Avanterra REZONE](#)

4B. First Presentation:**4B.A.** [22-061](#)

City Council Special Meeting Minutes January 10, 2022

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [1-10-22 Special City Council Meeting Minutes Final](#)

- 4B.B.** [22-066](#) City Council Regular Meeting Minutes January 11, 2022
- Presenter:
Sarah B. Johnson, City Clerk
- Attachments:** [1-11-2022 City Council Meeting Minutes Final](#)
- 4B.C.** [22-081](#) City Council Special Meeting Minutes January 14, 2022
- Presenter:
Sarah B. Johnson, City Clerk
- Attachments:** [1-14-22 Special City Council Meeting Minutes Final](#)
- 4B.D.** [22-068](#) Appointments to Boards, Commissions, and Committees
- Presenter:
Michael Montgomery, Deputy City Council Administrator
- Attachments:** [012522 Boards Commissions and Committee Appointments](#)
- 4B.E.** [21-762](#) An ordinance amending Ordinance No. 20-92 (2021 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$2,261,331 for a transfer to the Capital Improvement Program Fund, and to the Capital Improvement Program Fund in the amount of \$2,261,331 for a capital transportation infrastructure project, the funding being the result of one-time American Rescue Plan Act (ARPA) funding distributed through the Highway Users Tax Fund
- Presenter:
Charae McDaniel, Chief Financial Officer
Travis Easton, Public Works Director
- Attachments:** [Supplemental Approp Ordinance for addl HUTF funding-2021](#)
- 4B.F.** [21-756](#) An Ordinance Amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the Amount of \$1,634,877 to Transfer UC Health Margin Share Proceeds to the Colorado Springs Health Foundation
- Presenter:
Charae McDaniel, Chief Financial Officer
- Attachments:** [Supplemental Approp Ord for MHS Revenue Share-2022](#)

- 4B.G.** [22-021](#) An ordinance amending the cable franchise agreement between Falcon Broadband, LLC doing business as StratusIQ and the City of Colorado Springs to expand the Service Area in which StratusIQ may provide cable television services.

Presenter:

Joshua Pace, Senior Contracting Specialist, Office of Innovation

Attachments: [ORD_CableFranchise_StratusIQ](#)
[Falcon Broadband Amended and Reinstated Cable Franchise Agreement - 12.6](#)
[StratusIQ Existing and Proposed Service Area 1.18.22](#)

- 4B.H.** [21-766](#) A Resolution of the City of Colorado Springs extending the effective date of resolution No. 96-21 to June 30, 2022 to issue the City's multi-family housing revenue bonds in an aggregate principal amount not to exceed \$21,500,000.

Presenter:

Steve Posey, HUD Program Manager, Planning & Community Development

John Bales, Fred Marienthal, Kutak Rock LLP

Peter Wysocki, Director of Planning and Community Development

Attachments: [RES - Copper Rose - 2022 Amendment to Inducement](#)
[Extension Copper Rose](#)

- 4B.I.** [22-032](#) A Resolution establishing development application fees for the Land Use Review Division of the Planning and Development Department specifically adding a fee for carport permits and minor amendments to the fee schedule.
(Legislative)

Presenter:

Mike Tassi, Assistant Director of Planning and Community Development

Peter Wysocki, Director of Planning and Community Development

Attachments: [Resolution](#)
[Exhibit A - Fee Schedule](#)
[2 - Staff Presentation Carport Permit Fee](#)
[Fee Schedule - Redline of Changes](#)

- 4B.J.** [CPC MP 87-00381-A29 MJ21](#) A resolution of the City Council of the City of Colorado Springs, Colorado approving a major amendment to the Banning Lewis Ranch Master Plan changing the land use designation from Industrial to Commercial and Residential located southeast of the future Marksheffel Road and Barnes Road intersection.

(Legislative)

Related Files: CPC PUZ 21-00128 and CPC PUP 21-00129

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

Attachments: [RES_MPA_BanningLewisRanch](#)
[Exhibit A - Master Plan Amendment](#)
[Vicinity Map](#)
[CC FalconTrucking_DJS](#)
[CPC Report_FalconTrucking](#)
[PUD Zone Change](#)
[PUD Concept Plan](#)
[Project Statement](#)
[Vision Map](#)
[Public Comments](#)
[Fiscal Impact Analysis](#)
[Context Map](#)
[7.5.408 Master Plan](#)

- 4B.K.** [CPC PUZ 21-00128](#) An ordinance amending the zoning map of the City of Colorado Springs relating to 35.727 acres located southeast of the future Marksheffel Road and Barnes Road intersection, from PIP/cr/AO (Planned Industrial Park with Conditions of Record and Airport Overlay) to PUD/AO (Planned Unit Development: Single-Family Residential, 3.5-7.99du/ac, Maximum Building Height 35 feet; Multi-Family Residential, 12-24.99du/ac, Maximum Building Height 45 feet; and Commercial, 40,000 square footage, Maximum Building Height 45 feet; with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A29MJ21, CPC PUP 21-00129

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

Attachments:

[ORD_ZC_FalconTrucking](#)

[Exhibit A - PUD Legal Description Exhibits](#)

[Exhibit B - PUD Zone Change](#)

[7.3.603 Establishment & Development of a PUD Zone](#)

[7.5.603.B Findings - ZC](#)

- 4B.L.** [CPC PUP 21-00129](#) A Planned Unit Development Concept Plan for Falcon Trucking at Banning Lewis Ranch commercial and residential project, located southeast of the future Marksheffel Road and Barnes Road intersection.

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A29MJ21, CPC PUZ 21-00128

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

Attachments:

[PUD Concept Plan](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

- 4B.M.** [CPC MP 19-00123-A1 MJ21](#) A resolution of the City Council of the City of Colorado Springs, Colorado approving a major amendment to the Percheron Master Plan, previously the Banning Lewis Ranch North Master Plan, located along the north and south side of East Woodmen Road between Mohawk Road and Golden Sage Road

(Legislative)

Related Files: CPC PUP 19-00125-A1MJ21

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Peter Wysocki, Planning Director, Planning & Community Development

Attachments: [RES_PercheronMasterPlanAmendment](#)

[Exhibit A - Percheron MPA](#)

[Fiscal Impact Analysis.Percheron](#)

[CPC Minutes Percheron draft](#)

[CPC Report_Percheron](#)

[Project Statement](#)

[Percheron CP](#)

[Vision Map](#)

[Context Map](#)

[7.5.408 Master Plan](#)

- 4B.N.** [CPC PUP 19-00125-A1 MJ21](#) A major amendment to the Percheron Concept Plan (previously known the Banning Lewis Ranch North Concept Plan) for future development of approximately 808 acres into a mix of residential, commercial and park/open space uses located along the north and south side of East Woodmen Road between Mohawk Road and Golden Sage Road

(Quasi-Judicial)

Related Files: CPC MP 19-00123-A1MJ21

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Peter Wysocki, Planning Director, Planning & Community Development

Attachments: [Percheron CP](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

5. Recognitions

- 5.A. [22-069](#) A Resolution recognizing February 2022 as Black History Month

Presenter:

Tom Strand, Council President & Councilmember At Large

Attachments: [Black History Month](#)

6. Citizen Discussion For Items Not On Today's Agenda**7. Mayor's Business****8. Items Called Off Consent Calendar****9. Utilities Business**

- 9.A. [22-036](#) A Resolution Setting the Gas Cost Adjustment Effective February 1, 2022

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [01-25-2022 CC Mtg-GCA Resolution](#)

[G Sheet 2.4 Rate Tbl - Redline](#)

[G Sheet 2.4 Rate Tbl - Final](#)

[GCA Schedule 1](#)

[01-25-2022 CC ECA-GCA](#)

- 9.B. [22-037](#) A Resolution Setting the Electric Cost Adjustment Effective February 1, 2022

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [01-25-2022 CC Mtg-ECA Resolution](#)

[E Sheet 2.9 E Rate Tbl - Redline](#)

[E Sheet 2.9 E Rate Tbl - Final](#)

[ECA Schedule 1](#)

10. Unfinished Business

11. New Business

- 11.A. [22-020](#) An ordinance amending Section 112 (Sitting or Lying in Commercial Districts) of Article 2 (Offenses Affecting Public Safety) of Chapter 9 (Public Offenses) of the City Code

Presenter:

Commander John Koch, Colorado Springs Police Department
Anne Turner, Assistant City Attorney - Litigation/Employment

Attachments: [PAACommercialDistrictORD-2021-12-30](#)
[Ordinance Letter - Switchbacks & Weidner](#)
[Ordinance Letter - Downtown Partnership](#)
[Ordinance Letter - O'Neill Group](#)
[Ordinance Letter - Norwood Group](#)
[Ordinance Letter - Danny Mientka](#)
[2022 Pedestrian Access Act \(01-18-2022\)](#)

12. Public Hearing

- 12.A. [CPC AP 21-00157](#) An appeal of the Planning Commission's decision to uphold the administrative denial of the Short Term Rental permits for 116 South Fourteenth Street for an ownership change, pursuant to City Code Section 7.5.1702.B and 7.5.1704.C, and that the appellant has not substantiated that the appeal satisfies the review criteria outlined in City Code Section 7.5.906.B.

(Quasi-Judicial)

Presenter:

Carli Hiben, Program Coordinator
Peter Wysocki, Director of Planning and Community Development

Attachments: [Postponement Confirmation 116 S 14th St](#)
[Staff Report - 116 S 14th St STR](#)
[Ueland Appeal Statement](#)
[116 S 14th Street - 500' Buffer](#)
[PlanCOS Vision Map](#)
[116 S 14th St STR Appeal Public Comments](#)
[CPC Minutes 116 S Fourteenth St](#)
[7.5.1702.B ShortTermRentalPermitRequired](#)
[7.5.1704.C ShortTermRentalPermitReviewCriteria](#)
[7.5.906 \(A\)\(4\) Administrative Appeal](#)

- 12.B. [CPC PUD 20-00109](#) An appeal of the Planning Commission's decision to approve a PUD development plan for Creekside at Rockrimmon, subdividing 17.47 acres into 43 single-family residential lots and open space areas, located at 252 Heavy Stone View.

(Quasi-Judicial)

Presenter:

Kerri Schott, Planner II, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [Appeal statement](#)
[Appeal statement supplement](#)
[CPC Minutes CreeksideAtRockrimmon draft](#)
[CC Creekside at Rockrimmon Presentation-KLS](#)
[CPC Report Creekside at Rockrimmon](#)
[PUD Development Plan](#)
[Project Statement](#)
[Physical Characteristics](#)
[Public Comments](#)
[CreeksideAtRockrimmon Re-review Public Comments](#)
[Context Map](#)
[Emergency Evacuation Letter](#)
[Auckland Environmental Analysis for ACOE](#)
[Wetland Mapping](#)
[NWP 29 Verification](#)
[Approved Jurisdictional Determination](#)
[CGS Final Review Letter GeoHazard](#)
[Environmental Consultant Letter](#)
[Plan COS Vibrant Neighborhood Map](#)
[7.3.606 PUD Development Plan](#)
[7.5.502.E Development Plan Review](#)
[Postponment Request](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn