



City of Colorado Springs

Regular Meeting Agenda - Final 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, August 28, 2018

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. [18-0314](#)** Ordinance No. 18-78 amending Section 304 (Appoint and Dismiss Staff) of Part 3 (Powers and Duties of the Mayor) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Mayor Appointed Staff

Presenter:

Wynetta Massey, City Attorney, Office of the City Attorney

Attachments: [MayorAppointedStaffORD-2018-02-22.docx](#)

- 4A.B.** [18-0346](#) Ordinance No. 18-79 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a Supplemental Appropriation to the General Fund in the amount of \$300,000 for additional positions and resources to enhance the City's Americans with Disabilities Act Title II (ADA) Program

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Supplemental Approp Ord for ADA Program](#)

- 4A.C.** [CPC A 15-00039](#) Ordinance No. 18-82 annexing into the City of Colorado Springs that area known as Dublin North Addition No. 4 consisting of 10.91 acres. (Legislative)

Related Files: CPC A 15-00039R, CPC ZC 16-00026, CPC PUZ 16-00029, CPC CP 16-00030

Presenter:
Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ORD Annex DublinNorthNo.4](#)
[Exhibit A - Legal Description Dublin North No.4](#)
[Exhibit B - Dublin North Add. No. 4 Annexation Agreement](#)
[Enclave Annexations Revised Dublin No4](#)

- 4A.D.** [CPC ZC 16-00026](#) Ordinance No. 18-83 amending the Zoning Map of the City of Colorado Springs relating to 4.38 acres located between Dublin Boulevard and Vickie Lane, east of Tutt Boulevard, establishing the C-6/AO (General Business with Airport Overlay) zone district

(Legislative)

Related Files: CPC A 15-00039, CPC A 15-00039R, CPC PUZ 16-00029, CPC CP 16-00030

Presenter:
Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ORD_ZC_DublinNorthNo4_C6](#)
[Exhibit A](#)

- 4A.E.** [CPC PUZ
16-00029](#) Ordinance No. 18-84 amending the Zoning Map of the City of Colorado Springs relating to 5.69 acres located between Dublin Boulevard and Vickie Lane, east of Tutt Boulevard, establishing the PUD/AO (Planned Unit Development; Single-Family Residential, 3.5-11.99 Dwelling Units per Acre, 35-Foot Maximum Building Height with Airport Overlay) zone district.
(Legislative)

Related Files: CPC A 15-00039, CPC A 15-00039R, CPC ZC 16-00026, CPC CP 16-00030

Presenter:
Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ORD_ZC-PUD_DublinNorthNo4
Exhibit A](#)

4B. First Presentation:

- 4B.A.** [18-0433](#) City Council Regular Meeting Minutes August 14, 2018

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [8-14-2018 City Council Meeting Minutes Final.pdf](#)

- 4B.B.** [18-0381](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [082818 Boards and Commissions](#)

- 4B.C.** [18-0358](#) A resolution of the City Council of the City of Colorado Springs, Colorado, approving, solely for the purposes of Section 147(f) of the Internal Revenue Code, the issuance by the Capital Trust Agency of its Senior Living Revenue Bonds (American Eagle Portfolio Project), Series 2018, for the purpose of financing the senior living facilities herein described, one of which is located in the City and providing an effective date.

Presenter:

Erich Kennedy, Esq., Dinsmore & Shohl LLP

Attachments:

[CTA Letter to Colorado Springs.pdf](#)

[Inducement Resolution No. 11-18 - CTA 2018 American Eagle Brookdale Bond.](#)

[AE Brookdale 2018 - Notice of Public Hearing Colorado Springs v3 \(002\).docx](#)

[AE Brookdale 2018 - TEFRA Resolution Colorado Springs v3.docx](#)

- 4B.D.** [18-0308](#) A Resolution to Carryforward the City's 2018 Private Activity Bond Allocation for Qualified Residential Rental Projects

Presenter:

Steve Posey, HUD Program Administrator, Community Development Division

Attachments:

[Colorado Springs Carryforward-RES_08-06-18-clean](#)

[PAB Carryforward 8 13 18 Work Session](#)

- 4B.E.** [18-0343](#) An Ordinance Amending Section 201 (General Penalty) of Part 2 (General Penalty) of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to the Pedestrian Safety Program Funding Fee Surcharge

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments:

[PedSafetySurchargeORD-2018-06-28 \(2\)](#)

4B.F. [18-0353](#)

A Resolution Approving a new section to be included in the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests.

Presenter:

Darlene Kennedy, Real Estate Services Manager
Steve Posey, HUD Program Administrator
Peter Wysocki, Planning and Development Director

Attachments:

[RES_ManualNewSectCh5RES_FINAL](#)

[18-0353 PowerPoint](#)

4B.G. [CPC ZC](#)
[17-00061](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 33,724-square foot area located on the southeast corner of North Chestnut Street and West Fillmore Street from R1-6000 (Single-Family Residential) and C5 (Intermediate Business) to C5 (Intermediate Business).

(Quasi-Judicial)

Related File: CPC DP 17-00063

Presenter:

Michael McConnell, Planner II, Land Use Review

Attachments:

[ZC_ORD_Waffle House](#)

[Exhibit A](#)

[Exhibit B](#)

[Vicinity Map](#)

[CC Waffle House](#)

[CPC Report Waffle House](#)

[Figure 1 - Project Statement](#)

[Figure 2 - Zone Change](#)

[Figure 3 - Development Plan](#)

[7.5.603 Findings - ZC req_CA](#)

[Draft Minutes Waffle House](#)

4B.H. [CPC DP
17-00063](#)

Waffle House Development Plan consisting of a new 2,020-square foot restaurant building on 33,724-square foot parcel located at 755 West Fillmore Street.

(Quasi-Judicial)

Related File: CPC ZC 17-00061

Presenter:

Michael McConnell, Planner II, Land Use Review

Attachments:

[Figure 3 - Development Plan](#)

[7.5.502.E Development Plan Review](#)

4B.I. [CPC MPA
04-00043-A4
MN18](#)

A minor Master Plan Amendment to the Hill Properties Master Plan to change the density allowance on 7.23 acres from 3.5-7.99 du/acre to 0-1.99 du/acre located at the terminus of Glen Vista Point, south of the intersection of North 30th Street and Garden of the Gods Boulevard.

(Quasi-Judicial)

Related Files: CPC PUZ 18-00008, CPC PUD 18-00009

Presenter:

Michael McConnell, Planner II, Land Use Review

Attachments:

[CC Northpointe](#)

[CPC Report Northpointe](#)

[Figure 1 Project Statement](#)

[Figure 2 Master Plan Amendment](#)

[Figure 3 Zone Change](#)

[Figure 4 Ordinance 97-183](#)

[Figure 5 PUD Development Plan](#)

[Vicinity Map](#)

[Northpointe at Kissing Camels-Vicinity Map](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

[Draft Minutes Northpointe at Kissing Camels](#)

- 4B.J.** [CPC PUZ 18-00008](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 7.23 acres located at the terminus of Glen Vista Drive from R5/cr (Multi-family Residential with conditions of record) and R/cr (Estate, Single-Family Residential with conditions of record) to PUD (Planned Unit Development: Single-Family Residential; maximum density of 0-1.99; and maximum building height of 28 feet).

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A4MN18, CPC PUD 18-00009

Presenter:

Michael McConnell, Planner II, Land Use Review

Attachments:

[ZC ORD NorthpointeAtKissingCamels](#)

[Exhibit A](#)

[Exhibit B](#)

[Northpointe at Kissing Camels-Vicinity Map](#)

[Figure 3 Zone Change](#)

[7.5.603 Findings - ZC req CA](#)

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

- 4B.K.** [CPC PUD 18-00009](#) Northpointe Development Plan consisting of 12 single-family homes on 7.23 acres at the terminus of Glen Vista Point, south of the intersection of North 30th Street and Garden of the Gods Boulevard.

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A4MN18, CPC PUZ 18-00008

Presenter:

Michael McConnell, Planner II, Land Use Review

Attachments:

[Figure 5 PUD Development Plan](#)

[7.5.502.E Development Plan Review](#)

[7.3.606 PUD Development Plan](#)

5. Recognitions

6. Citizen Discussion

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

- 10.A.** [18-0303](#) Ordinance No. 18-80 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$100,000 for costs associated with the formation of the Colorado Springs Sports Authority as recommended by the LART Citizen Advisory Committee

Presenter:

Charae McDaniel, Chief Financial Officer
Fred Veitch, Chair, LART Citizen Advisory Committee

Attachments: [Ordinance for LART 2018 Supplemental Approp-Colo Spgs Sports Authority](#)

- 10.B.** [CPC CA 18-00073](#) Ordinance No. 18-81 amending section 205 (Additional Standards for Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the location of medical marijuana centers

Presenter:

Mattie Albert Gullixson, Senior Regulatory Compliance Analyst

Attachments: [PlanDev-MMCLocationORD-DRAFT](#)
[CPC Staff Report MMC Setbacks](#)
[Figure 1 - MMJ 1000 ft buf Council District map](#)
[Setbacks_presentation_CC.pptx](#)
[Ordinance MMCLocations - Lobato - CPC CA 18-00073](#)

11. New Business

- 11.A.** [18-0282](#) A Resolution Authorizing the Acquisition of up to 223.25 Acres as an Addition to the Corral Bluffs Open Space Through the Trails, Open Space and Parks (TOPS) Program

Presenter:

Karen Palus, Director, Parks, Recreation & Cultural Services
Britt Haley, Design and Development Manager / TOPS Program Manager

Attachments: [ResolutionCorral Bluffs Acquisition_FINAL082818.doc](#)
[7-9-18 - corral bluffs bishop Map](#)

- 11.B. [18-0368](#) An Ordinance Amending Ordinance No. 17-116 (2018 Appropriation Ordinance) For a Supplemental Appropriation in the Amount of \$778,500 to the Trails, Open Space And Parks Fund For Acquisition of 64.033 Acres of Property for the Purpose of Public Open Space and Trails as an Addition to the Blodgett Open Space Property

Presenter:

Karen Palus, Director of Parks, Recreation and Cultural Services
Britt Haley, Parks Development Manager/TOPS Program Manager

Attachments:

[8-13-18 - Blodgett Adjacent Trails Map](#)

[8-28-18 - Supplemental Approp Ord for BlodgettOpenSpaceRevised - Final](#)

[8-28-18 - CCRegularSessionAugust28-BlodgettExpansion Powerpoint](#)

- 11.C. [18-0369](#) A Resolution Authorizing the Acquisition of 64.033 Acres, as an Addition to the Blodgett Open Space, Through the Trails, Open Space And Parks Program

Presenter:

Karen Palus, Director of Parks, Recreation and Cultural Services
Britt Haley, Parks Development Manager/TOPS Program Manager

Attachments:

[8-13-18 - Blodgett Adjacent Trails Map](#)

[8-28-18 - ResolutionBlodgettOpenSpaceAcquisitionRevised - Final](#)

[8-28-18 - CCRegularSessionAugust28-BlodgettExpansion Powerpoint](#)

- 11.D. [CPC A](#)
[16-00112R](#) A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Villani Annexation.

(Legislative)

Related Files: CPC A 16-00112, CPC ZC 17-00112

Presenter:

Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments:

[RES FindingsOfFact Villani Annex](#)

[Exhibit A - Villani Annexation Legal Description](#)

[Clerk Affidavit Villani](#)

[Planner Affidavit Villani](#)

[Surveyor Affidavit Villani](#)

- 11.E. [CPC A 16-00112](#) An ordinance annexing into the City of Colorado Springs that area known as Villani Annexation consisting of 13.10 acres.

(Legislative)

Related Files: CPC A 16-00112R, CPC ZC 17-00112

Presenter:

Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments:

[ORD_Villani Annexation](#)

[Exhibit A - Villani Annexation Legal Description](#)

[Exhibit B Villani Annexation Agreement](#)

[Enclave Diagram Villani](#)

[Vicinity Villani](#)

[CPC Staff Report Villani Annexation KAC](#)

[FIGURE 1_Villani Annexation Plat](#)

[FIGURE 2 Villani Project Statement](#)

[FIGURE 3 Villani Concept Statement](#)

[FIGURE 4 Villani Fiscal Impact Analysis](#)

[FIGURE 5_DRAFT Villani Annexation Agreement](#)

[FIGURE 6_SECWCD Letter of Assent_Villani](#)

[FIGURE 7 Villani Zone Change Exhibit](#)

[FIGURE 8 Enclave Annexations](#)

[FIGURE 9 Land Use Pattern](#)

[7.6.203-Annexation Conditions](#)

[Minutes Villani Annexation](#)

- 11.F. [CPC ZC 17-00112](#) An ordinance amending the Zoning Map of the City of Colorado Springs relating to 12.91 acres located northeast of the intersection of Tutt Boulevard and Dublin Boulevard establishing the A (Agricultural) zone district.

(Legislative)

Related Files: CPC A 16-00112R, CPC A 16-00112

Presenter:

Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC ORD Villani Annexation](#)

[Exhibit A Legal Description](#)

[Exhibit B Villani Zone Change](#)

[FIGURE 7 Villani Zone Change Exhibit](#)

[7.5.603 Findings - ZC req_CA](#)

- 11.G. [18-0359](#) A Resolution approving a Service Plan for the Banning Lewis Ranch Metropolitan District Nos. 8-11

(Legislative Item)

Presenter:

Peter Wysocki, Director, Planning and Community Development
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments:

[RES BLRMD Nos. 8-11](#)

[Service Plan for BLRMD Nos 8-11](#)

[FIGURE 1 - Cover Ltr to Colo Springs BLRMD Nos. 8-11 Service Plan Submitta](#)

[FIGURE 2 - REDLINE Service Plan BLRMD Nos 8-11](#)

[FIGURE 3 - Evolution of BLR Districts Nos 8-11](#)

[FIGURE 4 - Consent Letter to BLR Proposed Districts](#)

[PowerPoint BLRMD Nos. 8-11](#)

- 11.H. [18-0360](#) A Resolution approving an Amended and Restated Service Plan for the Banning Lewis Ranch Regional Metropolitan District No. 2

(Legislative Item)

Presenter:

Peter Wysocki, Director, Planning and Community Development
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments:

[Resolution_BLR_Regional_No.2](#)

[Amended & Restated Service Plan BLR Regional MD No. 2](#)

[Figure 1 - Submittal letter for BLR_Regional2](#)

[Figure 2 - Evolution of BLR Districts-](#)

[PowerPoint_BLR_Regional_No.2](#)

- 11.I. [18-0362](#) A Resolution approving a service plan allowing for the creation of the Peak Metropolitan Districts Nos. 1, 2 and 3

(Legislative)

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning and Development Department
Peter Wysocki, Planning and Development Director

Attachments:

[Resolution_Peak_Metro_District](#)

[Peak MD Nos. 1 - 3 - Consolidated Service Plan \(8-10-18\) \(00653585x9C7A0\)](#)

[Figure 1 - Cover Letter for Consolidated Service Plan Submittal](#)

[Figure 2 Redline Peak MD Service Plan](#)

[Peak_Metro_Dist_PowerPoint](#)

- 11.J. [18-0364](#) A Resolution Closing the Wolf Ranch Portion of the Cottonwood Creek Drainage Basin

Presenter:

Travis Easton, P.E., Public Works Director

Brian Kelley, P.E., Stormwater Capital Programs Manager

Attachments:

[ResCloseWolfRanchDB](#)

[StaffMemoCloseWolfRanchExhibitA](#)

[StaffMemoCloseWolfRanchExhibitB](#)

[StaffMemoCloseWolfRanchExhibitC](#)

[StaffMemoCloseWolfRanchExhibitD](#)

[StaffMemoCloseWolfRanchExhibitE](#)

- 11.K. [18-0365](#) A resolution to fix the Drainage Fees for Powers Auto Park in the Cottonwood Creek Drainage Basin at \$13,241 per acre

(Legislative)

Presenter:

Travis Easton, Public Works Director

Brian Kelley, Stormwater Capital Programs Manager

Attachments:

[ResPowersAutoPark](#)

[StaffMemoPowersAutoParkExhibitA](#)

[StaffMemoPowersAutoParkExhibitB](#)

[StaffMemoPowersAutoParkExhibitC](#)

- 11.L. [18-0366](#) A resolution to increase drainage basin fees for the Cottonwood Creek drainage basin to \$16,100 per acre

(Legislative)

Presenter:

Travis Easton, Public Works Director

Brian Kelley, Stormwater Capital Programs Manager

Attachments:

[ResDrainageFeeIncrease2018Cottonwood](#)

[StaffMemoCottonwoodFeeIncreaseExhibitA](#)

[StaffMemoCottonwoodFeeIncreaseExhibitB](#)

[StaffMemoCottonwoodFeeIncreaseExhibitC](#)

11.M. [18-0367](#) A Resolution Eliminating the Surcharge Fee in the Cottonwood Creek Drainage Basin

Travis Easton, P..E., Public Works Director
Brian Kelley, P.E., Stormwater Capital Programs Manager

Attachments: [ResCottonwoodSurcharge](#)
[StaffMemoSurchargeExhibitA](#)
[StaffMemoSurchargeExhibitB](#)
[StaffMemoSurchargeEliminationExhibitC](#)

12. Public Hearing

13. Added Item Agenda

14. Executive Session

15. Adjourn