



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, May 23, 2017

1:00 PM

Council Chambers

### **1. Call to Order**

**Present:** 7 - Councilmember Yolanda Avila, Councilmember Merv Bennett, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand

**Excused:** 2 - President Pro Tem Jill Gaebler, and Councilmember David Geislinger

### **2. Invocation and Pledge of Allegiance**

The Invocation was made by Pastor David Vahle from Rustic Hills Baptist Church

President Skorman led the Pledge of Allegiance.

### **3. Changes to Agenda/Postponements**

Eileen Lynch Gonzalez, City Council Administrator requested that item 4B.B be removed from the Consent Calendar. Consensus of Council agreed to this change on the agenda.

### **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.** [17-956](#)

Ordinance No. 17-43 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the Amount of \$2,581,000 to Pay Costs Related to Third-Party Payor Audits and to Transfer monies to the Colorado Springs Health Foundation

Presenter:  
Kara Skinner, Chief Financial Officer

**Attachments:** [Supplemental Approp Ord for MHS 3rd Party Insurance Settlements](#)  
[Signed Ordinance 17-43](#)

This Ordinance was finally passed on the Consent Calendar.

#### **4B. First Presentation:**

**4B.A.** [17-1006](#) City Council Regular Meeting Minutes May 9, 2017

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [5-9-2017 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

**4B.C.** [17-996](#) The City Clerk reports that on April 24, 2017 there was filed with her a petition for the annexation of Sands Addition No. 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1) .

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [Sands Addition No. 1 petition.pdf](#)  
[Sands Addition No. 1 map.pdf](#)

This Informational Report was received on the Consent Calendar.

**4B.D.** [17-997](#) The City Clerk reports that on April 24, 2017 there was filed with her a petition for the annexation of Sands Addition No. 2 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1) .

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [Sands Addition 2 petition.pdf](#)  
[Sands Addition 2 map.pdf](#)

This Informational Report was received on the Consent Calendar.

**4B.E.** [17-1001](#) The City Clerk reports that on April 24, 2017 there was filed with her a petition for the annexation of the Sands Addition No. 3 Annexation.

The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1) .

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Sands Addition 3 petition.pdf](#)

[Sands 3 map.pdf](#)

**This Informational Report was received on the Consent Calendar.**

**4B.F. [17-999](#)**

The City Clerk reports that on April 24, 2017 there was filed with her a petition for the annexation of the Sands Addition No. 4 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1) .

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Sands Addition 4 petition.pdf](#)

[Sands Addition 4 map.pdf](#)

**This Informational Report was received on the Consent Calendar.**

**4B.G. [CPC A](#)  
[16-00133R](#)**

A resolution finding a petition for a series of annexations of the areas known as Kum and Go Store 689 Annexation Number 1 consisting of .773 acres and Kum and Go Store Annexation Number 2 consisting of 1.403 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of June 27, 2017 for the Colorado Springs City Council to consider the annexation of the areas. (Legislative)

Mike Schultz, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Resolutionfinding substantial compliance and setting hearing for June 27 CC mtg](#)

[Location Map - Kum and Go Store 689 Annexation](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Legal Description](#)

[Figure 7 - Enclave Map](#)

[Kum and Go Public Notice](#)

[CRS 31-12-107 and 108](#)

[Signed Resolution 58-17](#)

This resolution was adopted on the Consent Calendar.

- 4B.H.** [CPC ZC 17-00015](#) Ordinance No. 17-44 amending the zoning map of the City of Colorado Springs relating to 2.8 acres located at 917 East Moreno Avenue from R2 (Two-Family Residential) to PBC/CR (Planned Business Center with Conditions of Record).

(Quasi-Judicial)

Related File: CPC DP 17-00016

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [ZC\\_ORD\\_Helen Hunt](#)  
[EXHIBIT A - legal description](#)  
[EXHIBIT B - depiction](#)  
[Vicinity Map](#)  
[Signed Ordinance 17-44](#)

This Ordinance was approved on first reading on the Consent Calendar.

- 4B.I.** [CPC DP 17-00016](#) Helen Hunt Community Center development plan illustrating a two phase project for the renovation of the existing structures onsite and installation of a new parking lot, located at 917 East Moreno Avenue.

(Quasi-Judicial)

Related File: CPC ZC 17-00015

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [FIGURE 1 - Development Plan](#)  
[7.5.502.E Development Plan Review](#)

This Planning Case was received on the Consent Calendar.

### Approval of the Consent Agenda

**Motion by Councilmember Bennett, seconded by Councilmember Strand, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 7-0-2**

**Aye:** 7 - Avila, Bennett, Knight, Murray, Pico, Skorman, and Strand

**Absent:** 2 - Gaebler, and Geislinger

## **5. Recognitions**

Councilmember Knight read a proclamation declaring March 19, 2017 as Christina Randall Day in remembrance of the day she passed away. Christina Randall served over 33 years in the fire service. Ms. Randall's mother spoke of her appreciation for what the Fire Department and Council had done for Christina and her memory.

A moment of silence was observed for the passing of Ms. Randall.

- 5.A.**    [17-968](#)    A Resolution of Appreciation to the Friends of Cheyenne Cañon for their 25-Year Partnership with the City of Colorado Springs

Presenter:

Karen Palus, Director of Parks, Recreation and Cultural Services  
Chris Beyer, Friends of Cheyenne Cañon

**Attachments:**    [05-23-17 - Friends of NCC 25th Anniv Resolution - Final Signed Resolution 59-17](#)

President Skorman read the Resolution of Appreciation to the Friends of Cheyenne Cañon for their 25-Year Partnership with the City of Colorado Springs.

Karen Palus, Director of Parks, Recreation and Cultural Services, said that she treasures the leadership of the Friends of Cheyenne Cañon.

Chris Beyer, President of the Friends of Cheyenne Cañon, and Bob Falcone, prior President of Friends of Cheyenne Cañon presented Council a legacy logo and a souvenir carabiner. They also presented checks showing City Council \$600,000 worth of contributions and \$3,056,700 worth of volunteer hours for the park.

**Motion by Councilmember Strand, seconded by Councilmember Bennett, that the Resolution be adopted.. The motion passed by a vote of 7-0-2**

**Aye:** 7 - Avila, Bennett, Knight, Murray, Pico, Skorman, and Strand

**Absent:** 2 - Gaebler, and Geislinger

- 5.B.**    [17-1020](#)    A Resolution of Appreciation recognizing May 7 - 13, 2017 as City Clerk Week

Presenter:

Councilmember David Geislinger

**Attachments:** [052317 Resolution Clerk Week](#)  
[Signed Resolution 60-17](#)

President Skorman stated that the City Clerk's Office is the cog that keeps the wheel going. Sarah Johnson, City Clerk, not only holds the City together during elections, but also regulates all the City licenses, fees, regulations, how to make the city safe, and how we make our City work.

Councilmember Bennett read a Resolution of Appreciation recognizing May 7-13, 2017 as City Clerk Week.

Jeff Greene, Chief of Staff, also expressed appreciation for the work of the City Clerk and the City Clerk's Office.

**Motion by Councilmember Strand, seconded by Councilmember Bennett, that the Resolution be adopted. The motion passed by a vote of 8-0-1**

**Aye:** 8 - Avila, Bennett, Gaebler, Knight, Murray, Pico, Skorman, and Strand

**Absent:** 1 - Geislinger

## **6. Citizen Discussion**

Citizen Brandon Elrod, Chair Housing and Building Association (HBA), Citizen Brian Rief Co-Chair HBA, Independent Construction and Remodel, and Citizen Pattie Bengler, HBA Regulatory Affairs, notified Council that May is National Remodeling Month. Mr. Rief spoke of Certified Aging in Place (CAPS) which assists in keeping homeowners in their home without the need for outside care.

Citizen Welling Clark, Alliance of the Historic Westside, thanked Council for their work on Bancroft Park reconstruction efforts. He also provided information on the Alliance of the Historic Westside.

Citizen Gary Casimir asked for a Charter change to state "shall the City Charter Section 5.1. be updated to reflect the current Colorado municipal code of 2016."

Citizen Corey Sutela, Advocacy Chair of Bike Colorado Springs, spoke of the bike infrastructure, Bike Master Plan, and the tagline "Everybody Bikes".

Citizen Gerald Miller spoke of 4/20 and the trash left behind in Denver.

He spoke against recreational marijuana.

Citizen Deborah Stout-Meininger spoke of the contaminated grounds near America the Beautiful Park.

Citizen Walter Lawson spoke regarding the cable franchise contract. Mr. Lawson asked Council for care in review of the contract and believes the franchise fee is too much of the citizen's money.

Citizen Bridget Seritt asked Council to revisit marijuana plant count ordinances.

Citizen Helen Collins stated that the TABOR aided unemployment rate is the lowest in history, housing prices are up, and vacancies are down.

Citizen Cindy Thomas, Colorado Springs Quilt Guild, objects to the closing of the Senior Citizens Center at 5:00PM. Councilmember Strand said they are working with the City sustainability team for a solution.

Citizen Jaymen Johnson spoke against medical marijuana's moratorium and the licensing requirements for cannabis clubs. He stated that the owner of the Lazy Lion worked as a FBI informant and that the City was discouraging new establishments.

## **7. Mayor's Business**

There was no Mayor's Business.

## **8. Items Called Off Consent Calendar**

### **4B.B. [17-1013](#) Appointments to Boards and Commissions**

Presenter:

Jacquelyn Puett, Assistant to Council

**Attachments:** [052317 Boards and Commissions](#)

Eileen Lynch Gonzalez, City Council Administrator, called item 4B.B. off the Consent Calendar. Ms. Gonzalez said that there was a change relating to the appointments of new Councilmembers to the PPRTA Board of Directors. Rather than Councilmember Murray continuing to serve in his role as a voting member, Councilmember Geislingler is appointed to replace him as of May 23, 2017.

**Motion by Councilmember Bennett, seconded by Councilmember Murray, to approve the change to Appointments to Boards and Commissions. The motion passed by a vote of 8-0-1**

**Aye:** 8 - Avila, Bennett, Gaebler, Knight, Murray, Pico, Skorman, and Strand

**Absent:** 1 - Geislinger

## **9. Utilities Business**

There was no Utilities Business.

## **10. Unfinished Business**

There was no Unfinished Business.

## **11. New Business**

There was no New Business.

## **12. Public Hearing**

- 12.A. [CPC MPA  
04-00043-A3  
MN17](#) Minor amendment to the Hill Properties Master Plan adding 27.79 acres designated as hospital, office, medical office, commercial and private open space.

(Quasi-Judicial)

Related Files: CPC PUZ 17-00030, CPC PUP 15-00052-A1MJ17

Presenter:

Mike Schultz, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [HillPropertiesRES-2017-05-12-clean.docx](#)

[CPC Staff Report Penrose Hosp](#)

[Figure 1 - Project Statement](#)

[Figure 2 - Comments of Mesa Committee re Penrose PUD zoning application](#)

[Figure 3 - Resident Comments](#)

[Figure 4 - Original PUP](#)

[Figure 5 - Master Plan Amendment](#)

[Figure 6 - Concept Plan Amendment](#)

[Figure 7 - Traffic Analysis Recommendations](#)

[Figure 8 - Geologic Hazard Executive Summary](#)

[Figure 9 - Comp Plan Chap 6](#)

[Penrose Hospital May 23 CC Presentation](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

[Signed Resolution 61-17](#)

Mike Schultz, Principal Planner, Planning & Community Development,



provided an overview of the items to Council. Mr. Schultz described the new zoning to the PUD zone district. He gave history of the approval process and the neighborhood meetings that were held. It was requested that residents form a working committee which was mediated by Council of Neighbors and Organizations (CONO). The committee met with Penrose Hospital staff on three separate occasions. Mr. Schultz discussed the minor amendment to the Master Plan to include office buildings and reviewed the proposed Concept Plan adding approximately 28 acres. The Traffic Impact Analysis showed that Centennial Blvd and Fillmore will have right turn lanes added and traffic signals will be modified. More studies are required for the debris-laden fill. Mr. Schultz also reviewed the City Planning Commission's recommendation of gross floor area.

Councilmember Murray inquired if February 7, 2017 was the last time the working group met. Mr. Shultz said that was correct and the new concept plan had been presented in November 2016. The prior zoning was 200 feet and the new plan is 165 feet maximum and that the new PUD would allow 1.85 million square feet.

Councilmember Knight asked if there was an estimate of the number of stories within the 165 feet. Mr. Shultz said the hospital is anticipating 15 stories.

Margaret Sabin, President and CEO Penrose St. Francis, stated the difficulty in finding a 40-acre property. Ms. Sabin said that the neighborhood is supportive. The new medical campus will offer full scale rehabilitation services and that they are committed to the health of community, walking trails, and leaving a beautiful footprint. Ms. Sabin said the current Penrose Hospital is 165 feet in height.

Lonnie Cramer, Executive Sponsor of the Mesa Community, stated the compromise to go to 165 feet still allows 10 to 10 ½ stories due to the ceilings being higher in new facility. Councilmember Strand asked about the original plan of an additional story. Mr. Cramer stated that the original plan was 15 stories at 200 feet. Councilmember Strand questioned if the new plan would be giving up capacity. Mr. Cramer said that the mission is not expansion, they are working more towards more outpatient care.

James Kin, member of the Mesa Committee, spoke of their commitment

to work with Penrose and their design of the medical park. He expressed support of the project and the relationship established. Mr. Kin discussed the partnership with Penrose Hospital, preserving the character of the Mesa and protecting the natural environment and scenery, and noted that they want to work with Penrose and also preserve the Mesa. Mr. Kin said that they are taking Penrose Hospital at their word and will wait and see what development plan looks like.

Councilmember Knight asked if there would be another review. Mr. Schultz said there would not unless it was appealed.

**Motion by Councilmember Knight, seconded by Councilmember Bennett, that the proposed minor amendment to the Hill Properties Master Plan be accepted based upon the finding that the minor amendment request complies with the review criteria for granting an amendment as set forth in City Code Section 7.5.408. The motion passed by a vote of 8-0-1**

**Aye:** 8 - Avila, Bennett, Gaebler, Knight, Murray, Pico, Skorman, and Strand

**Absent:** 1 - Geislinger

**12.B.** [CPC PUZ  
17-00030](#)

Ordinance No. 17-45 for Penrose-St. Francis zone change of 78.84 acres from PUD (Planned Unit Development) and R (Residential Estate) to PUD (Planned Unit Development; hospital, office, medical office, general commercial, 1,850,000 gross floor area, 165-foot maximum building height, located at the northeast corner of Centennial Boulevard and Fillmore Street.

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A3MN17, CPC PUP  
15-00052-A1MJ17

Presenter:

Mike Schultz, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [ZC ORD Penrose Hospital](#)

[Exhibit A Legal Description](#)

[Exhibit B Zoning Diagram](#)

[Vicinity map](#)

[Signed Ordinance 17-45](#)

Please see comments in agenda item 12.A.

**Motion by Councilmember Knight, seconded by Councilmember Bennett, that the Ordinance be approved on first reading. The motion passed by a vote of 8-0-1**

**Aye:** 8 - Avila, Bennett, Gaebler, Knight, Murray, Pico, Skorman, and Strand

**Absent:** 1 - Geislinger

- 12.C.** [CPC PUP](#) A major amendment to the Penrose-St. Francis New Campus concept plan adding 27.79 acres for a total concept area of 78.84 acres for hospital, office and commercial uses located at the located at the northeast corner of Centennial Boulevard and Fillmore Street.

[15-00052-A1](#)  
[MJ17](#)

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A3MN17, CPC PUZ 17-00030

Presenter:

Mike Schultz, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Figure 4 - Original PUP](#)  
[Figure 6 - Concept Plan Amendment](#)  
[7.3.605 PUD Concept Plan](#)  
[7.5.501.E Concept Plans](#)

Please see comments in agenda item 12.A.

**Motion by Councilmember Strand, seconded by Councilmember Bennett, that the proposed major amendment to the Penrose Hospital Campus PUD Concept Plan, based upon the findings that the plan complies with the review criteria within City Code Section 7.3.605 and meets the review criteria for granting a concept plan as set forth in City Code Section 7.5.501(E) with the following condition: 1. A note shall be added to the concept plan stating that any building over 65 feet must be reviewed by the City Planning Commission. The motion passed by a vote of vote of 8-0-1**

**Aye:** 8 - Avila, Bennett, Gaebler, Knight, Murray, Pico, Skorman, and Strand

**Absent:** 1 - Geislinger

### **13. Added Item Agenda**

There were no items added to the Agenda.

### **14. Executive Session**

There was no Executive Session.

### **15. Adjourn**

There being no further business to come before City Council, Council adjourned.

Emily S. Evans, Deputy City Clerk