



# City of Colorado Springs

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

## Regular Meeting Agenda - Final City Council

*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.*

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Tuesday, September 22, 2015

1:00 PM

Council Chambers

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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.** [15-00516](#) Ordinance No. 15-62 amending all articles of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

**Attachments:** [MHS\\_Chapter1-ORD-2015-08-14.docx](#)

- 4A.B.** [15-00517](#) Ordinance No. 15-63 amending Part 3 (Facility Security) of Article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

**Attachments:** [MHS\\_Chapter3-ORD-2015-08-14.docx](#)

- 4A.C.** [15-00518](#) Ordinance No. 15-64 amending Article 13 (Relocation Policy and Program) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

**Attachments:** [MHS\\_Chapter6-ORD-2015-08-14.docx](#)

- 4A.D.** [15-00519](#) Ordinance No. 15-65 amending Part 18 (Acquisition and Disposition of Real Property Interests) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

**Attachments:** [MHS\\_Chapter7-ORD-2015-08-14.docx](#)

- 4A.E.** [15-00520](#) Ordinance No. 15-66 amending Part 1 (Dangerous and Deadly Weapons) and Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

**Attachments:** [MHS\\_Chapter9-ORD-2015-08-14.docx](#)

- 4A.F.** [15-00521](#) Ordinance No. 15-67 repealing and reordaining Chapter 13 (Memorial Hospital) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

**Attachments:** [MHS\\_Chapter13-ORD-2015-08-14.docx](#)

- 4A.G.** [15-00522](#) Ordinance No. 15-68 amending Article 9 (Initiated Ordinance Pertaining to Enterprises) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

**Attachments:** [MHS\\_Chapter14-ORD-2015-08-14.docx](#)

**4B. First Presentation:**

- 4B.A.** [15-00599](#) City Council Meeting Minutes, September 8, 2015

**Attachments:** [2015-09-08 Minutes Draft](#)

- 4B.B.** [15-00598](#) Boards and Commissions

**Attachments:** [9.22.15 Board and Commissions](#)

- 4B.C.** [15-00538](#) An ordinance amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for the purchase of replacement fire apparatus.

**Attachments:** [090815 Supp Approp Ord Insurance Money 2015 WS](#)

- 4B.D.** [15-00482](#) A resolution authorizing the partial abandonment of the North Nevada Corridor - Fillmore to Austin Bluffs project in the amount of \$264,677 and transferring \$100,000 to the Cascade Bridge over Cheyenne Creek Bridge Replacement Project and \$164,677 to the Verde Drive over Spring Creek Bridge Replacement Project

**Attachments:** [PublicWorks-PartialAbandonN\\_NevadaprojectRES-2015-08-14](#)

- 4B.E.** [15-00575](#) An ordinance amending the zoning map of the City of Colorado Springs, pertaining to 3.04 acres located at 2727 North Cascade Avenue from R-1 6000 (Single-Family) to PUD (Planned Unit Development).

Quasi-Judicial

**Attachments:** [Powerpoint - Lincoln School](#)  
[Zoning-2727 N CascadeORD-2015-09-10](#)  
[Lincoln School - Exhibit A](#)  
[Lincoln School CPC Agenda Staff Report](#)  
[Criteria-7.3.603 ZC criteria](#)  
[Draft CPC Minutes August 20 2015-Lincoln](#)

- 4B.F.** [15-00579](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to a 7.2 acre property located at 1301, 1353, and 1355 S. 8th Street from OC and R-5 to PBC.

Quasi-Judicial

**Attachments:** [Zoning-8thStreetORD-2015-09-10](#)  
[Gearonimo - Exhibit A -Legal Description for zone change](#)  
[Gearonimo CPC Agenda Staff Report](#)  
[Draft CPC Minutes August 20 2015-Gearonimo](#)  
[Criteria-7.5.603-ZC Criteria](#)

- 4B.G.** [15-00580](#) Gearonimo Concept Plan to utilize a portion of the property for indoor recreation.

Quasi-Judicial

**Attachments:** [Criteria-7.5.501E-Concept Plan criteria](#)

## 5. Recognitions

- 5.A.** [15-00572](#) A Resolution of Appreciation and Gratitude to the Friends of Cheyenne Canon for Their Partnership with the Helen Hunt Falls Visitor and Nature Center

**Attachments:** [9-22-15 - Friends HHF Resolution](#)

## 6. Citizen Discussion

## 7. Mayor's Business

- 7.A. [15-00602](#) Nomination to fill an unexpired term on the Colorado Springs Health Foundation Board of Trustees.

**Attachments:** [September 22, 2015 CC Memo.pdf](#)  
[CSHF MIA RAMIREZ APPLICATIONS \(2\).pdf](#)

## 8. Items Called Off Consent Calendar

## 9. Utilities Business

- 9.A. [15-00570](#) Request to Establish a Public Hearing Date for the Consideration of Resolutions Regarding Certain Changes to Utilities Rules and Regulations and Setting Electric, Natural Gas and Water Rates Within the Service Areas of Colorado Springs Utilities
- 9.B. [15-00569](#) A Resolution Approving the Naming of the New Southern Delivery System Water Treatment Facility, The "Edward W. Bailey Water Treatment Plant"

**Attachments:** [Criteria Checklist for City Owned](#)  
[WTP Naming Resolution 09-22-15\\_Final](#)

- 9.C. [15-00571](#) A resolution granting the City of Colorado Springs approval to enter into the Intergovernmental Agreement - restoration of yield cost sharing among the City of Aurora, the Southeastern Colorado Water Conservancy District, the City of Fountain, the City of Colorado Springs, the Board of Water Works of Pueblo, Colorado, and the Pueblo West Metropolitan District

**Attachments:** [ROY Cost Sharing Agreement Resolution Final](#)  
[ROY Cost sharing agreement-Robbins memo 9-22-15](#)  
[ROY Cost Sharing Agreement 9-22-15](#)

## 10. Unfinished Business

- 10.A. [15-00515](#) Ordinance No. 15-69 Excluding Certain Property from the Interquest South Business Improvement District (Quasi-Judicial)

**Attachments:** [Interquest South BID Slides](#)  
[Interquest South BID Exclusion - Ordinance](#)  
[Interquest South BID Exclusion Petition](#)  
[Interquest South BID Exclusion Exhibit A](#)  
[Interquest South BID Cover Letter](#)

- 10.B.** [15-00523](#) Ordinance No. 15-70 Including Certain Property into the Interquest South Business Improvement District (Quasi-Judicial).

**Attachments:** [Interquest South BID Inclusion - Ordinance](#)  
[Interquest South BID Inclusion Exhibit A](#)  
[Interquest South BID Inclusion Petition](#)

- 10.C.** [15-00525](#) Ordinance No. 15-71 Amending Ordinance 04-238 to Allow City Council to Fill Vacancies on the Board of Directors of the Interquest South Business Improvement District by Appointment. (Legislative)

**Attachments:** [ordinance InterquestS BID VacancyAddition-2015-08-27](#)  
[Interquest South Cover Letter](#)

## 11. New Business

- 11.A.** [15-00561](#) A Resolution Appointing Two Members to the Interquest South Business Improvement District Board of Directors

**Attachments:** [Interquest South BID Appointment Resolution](#)

- 11.B.** [15-00484](#) A resolution confirming recommended expenditures from the Lodgers and Automobile Rental Tax (LART) special fund for inclusion in the 2016 budget

**Attachments:** [092215 LART Resolution 2016](#)  
[092215 LART Resolution Exhibit A 2016](#)

## 12. Public Hearing

- 12.A.** [15-00577](#) An appeal of the Planning Commission's denial of an appeal of an administrative approval of a non-use variance to allow a 2.3 foot side yard setback where 5 feet are required, located at 5675 Majestic Drive. (To be postponed to the October 13, 2015 City Council meeting.)

Quasi-Judicial

- 12.B.** [15-00578](#) An appeal of the Planning Commission's action to approve a minor amendment to the Colorado College Master Plan, a zone change, a major amendment to a conditional use development plan, a non-use variance for impervious cover in the Streamside Overlay Zone, and a vacation of a portion of the W. San Miguel public right-of-way. (To be postponed to the October 13, 2015 City Council meeting.)

Quasi-Judicial

- 12.C. [15-00581](#) An ordinance amending the zoning map of the City of Colorado Springs relating to a 9,250 square foot property located at 702 W. Colorado Avenue from C-5 to C-5/P.

Quasi-Judicial

**Attachments:** [Cerberus PowerPoint - COUNCIL](#)  
[Zoning-702W ColoradoORD-2015-09-10](#)  
[Exhibit A](#)  
[Cerberus CPC Agenda Staff Report](#)  
[Draft CPC Minutes August 20 2015-Cerberus](#)  
[Criteria-7.5.603-ZC Criteria](#)

- 12.D. [15-00584](#) A request by Cerberus Brewing Company for a development plan for a brew-pub and restaurant located at 702 W. Colorado Avenue.

Quasi-Judicial

**Attachments:** [Criteria-7.5.502-DP Criteria](#)

- 12.E. [15-00585](#) A request by Cerberus Brewing Company for a non-use variance for a liquor establishment within 200-feet of a residentially zoned/used property located at 702 W. Colorado Avenue.

Quasi-Judicial

**Attachments:** [Criteria-7.5.802.B-Nonuse Variance](#)

- 12.F. [15-00586](#) An Ordinance vacating a public right of way of a portion consisting of 1,227 square feet, located north and west of W. Colorado Avenue and S. 7th Street, respectively.

Legislative

**Attachments:** [Cerberus ROW Ordinance](#)  
[Exhibit A- Cerberus VOW](#)  
[Criteria-7.7.402.C-Vacation of ROW](#)

- 12.G. [15-00576](#) A request by EV Studio for a concept plan for the redevelopment of the Lincoln Elementary School, located at 2727 North Cascade Avenue.

Quasi-Judicial

**Attachments:** [Criteria-7.3.605-PUD Concept Plan criteria](#)

13. Added Item Agenda

- 13.A.** [15-00613](#) An Ordinance creating a six (6) month moratorium on the establishment of any new marijuana consumption club facility within the City limits or on the processing of any land use approval for a new medical marijuana facility within the City limits.

Legislative

**Attachments:** [MJ\\_Club-MoratoriumORD-2015-09-21v4](#)

14. Executive Session

15. Adjourn