



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, May 26, 2020

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)
- CenturyLink Channel 18

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: 358 696 71#

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. [20-169](#)

Ordinance No. 20-25 of the City of Colorado Springs, Colorado approving and authorizing the execution and delivery of a second amendment to Standby Bond Purchase Agreement by and among the City of Colorado Springs, Colorado and Wells Fargo Bank, National Association, as Tender Agent and Paying Agent and U.S. Bank National Association and a second amended and restated fee agreement between the City of Colorado Springs, Colorado and U.S. Bank National Association relating to the City of Colorado Springs, Colorado, Variable Rate Demand Utilities System Improvement Revenue Bonds, Series 2008A; and providing other matters relating thereto.

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments:

[Colorado Spring Utilities - Series 2008A SBPA Authorizing Ordinance No. 20-Summary of Ordinance Authorizing Series 2008A SBPA Extention 4811-0295-2 Plan of Finance CC 5-12-20](#)

4A.B. [CPC CA 20-00019](#)

Ordinance No. 20-27 amending Chapter 7 (Planning, Development and Building) of City Code establishing standards for Wireless Communication Facilities (WCF), including Small Cell Facilities

(Legislative)

Presenter:

Morgan Hester, Principal Planner

Peter Wysocki, Director of Planning and Community Development

Attachments:

[ORD_WCF_Small Cell](#)
[CPC Staff Report_WCF Ordinances](#)
[CPC_Minutes_WCFOrdinances_draft.pdf](#)
[STAFF WCF Ordinances 4-27-20.pptx](#)
[STAFF WCF Ordinances 5-12-20](#)

- 4A.C.** [CPC CA 20-00020](#) Ordinance No. 20-28 amending Chapter 7 (Planning, Development and Building) of City Code establishing standards specific to modifications of macro cellular communication sites on private property.

(Legislative)

Presenter:

Morgan Hester, Principal Planner

Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD Eligible Facilities](#)

[CPC Staff Report WCF Ordinances](#)

- 4A.D.** [CPC CA 20-00023](#) Ordinance No. 20-29 amending Chapter 7 (Planning, Development and Building) of City Code revising all references to include Small Cell Facilities and Wireless Communication Facilities (WCF) from Commercial Mobile Radio Service (CMRS)

(Legislative)

Presenter:

Morgan Hester, Principal Planner

Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD-WCF LandUseTables](#)

[CPC Staff Report WCF Ordinances](#)

- 4A.E.** [CPC CA 20-00024](#) Ordinance No. 20-30 amending Chapter 3 (Public Property and Public Works) of City Code establishing the allowance of small cell facilities in the right-of-way

(Legislative)

Presenter:

Morgan Hester, Principal Planner

Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD Public Property](#)

4B. First Presentation:

- 4B.A.** [20-219](#) City Council Regular Meeting Minutes May 12, 2020

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [5-12-2020 City Council Meeting Minutes Final.pdf](#)

4B.B. [20-190](#) Appointments to Boards and Commissions

Presenter:

Michael Montgomery, Deputy City Council Administrator

Attachments: [052620 Boards and Commissions](#)

4B.C. [20-199](#) A resolution finding a petition for annexation of the area known as Sorpresa East Addition No. 1 Annexation consisting of 8.83 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of June 23, 2020 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:

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

Attachments: [RES_SorpresaEastAdditionNo.1HearingDates](#)
[Exhibit A_Petition to Annex_Sorpresa East](#)
[Legal Description_Sorpresa East](#)
[Vicinity and Surrounding Uses](#)
[Vicinity Map_Sorpresa East Annex](#)
[Public Notice_Sorpresa East Annex](#)
[Clerk Memo to Advertise_Sopresa East](#)

4B.D. [CPC ZC
19-00178](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.206-acre located at 2217 Bott Avenue from R2 (Two-Family Residential) to C5 (Intermediate Business).

(Quasi-Judicial)

Related Files: CPC ZC 19-00178 and AR DP 15-00139-A1MJ19

Presenter:

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

Attachments:

[ZC_ORD_PubDog](#)
[Exhibit A-legal description](#)
[Exhibit B-zoning depiction](#)
[Exhibit 1 - Contextual Map](#)
[VICINITY MAP](#)
[Aerial Vicinity Map](#)
[Powerpoint - Pub Dog - Staff](#)
[CPC Staff Report Pub Dog](#)
[FIGURE 1 - Development Plan](#)
[FIGURE 2 - Project Statement](#)
[FIGURE 3 - Site Layout](#)
[FIGURE 4 - Contextual Map](#)
[FIGURE 5 - PlanCOS - Unique Places Framework Map](#)
[Additional comments and responses - Pub Dog](#)
[4.A.B. PubDog Neighborhood comment received 4.29.2020](#)
[CPC_Minutes_PubDog_draft](#)
[7.5.603.B Findings - ZC](#)

4B.E. [AR DP
15-00139-A1
MJ19](#)

The Pub Dog Development Plan for a restaurant expansion with attached dog play structure located at 2207 and 2217 Bott Avenue.

(Quasi-Judicial)

Related Files: CPC ZC 19-00178 and AR DP 15-00139-A1MJ19

Presenter:

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

Attachments:

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

4B.F. [CPC ZC
19-00175](#)

An ordinance amending the zoning map of the City of Colorado Springs relating to 6.8 acres located at 1265 Kelly Johnson Boulevard from PIP-1 (Planned Industrial Park) to PBC (Planned Business Center)

(Quasi-Judicial)

Related files: CPC ZC 19-00175, CPC CU 19-00176

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC Ordinance](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Legal Description Depicted](#)

[1 - Vicinity Map](#)

[2 - Academy School District 20 Comments](#)

[The Edison at Chapel Hills Presentation](#)

[CPC Staff Report - The Edison at Chapel Hills](#)

[Figure 1 - Conditional Use Development Plan](#)

[Figure 2 - Project Narrative](#)

[Figure 3 - Surrounding Land Uses & Zoning](#)

[Figure 4 - Comparison between PBC and PIP-1 zone districts](#)

[Figure 5 - Academy School District 20 Comments](#)

[CPC Minutes EdisonAtChapelHills](#)

[7.5.603 Findings - ZC](#)

4B.G. [CPC CU
19-00176](#)

The Edison at Chapel Hills Conditional Use Development Plan to allow 171 multi-family residential units within the PBC (Planned Business Center Zone District) at 1265 Kelly Johnson Boulevard.

(Quasi-Judicial)

Related files: CPC ZC 19-00175, CPC CU 19-00176

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Figure 1 - Conditional Use Development Plan](#)
[7.5.704 Conditional Use Review](#)
[7.5.502.E Development Plan Review](#)

4B.H. [CPC ZC
20-00017](#)

An ordinance amending the zoning map of the City of Colorado Springs relating to 14.93 acres located northwest of the intersection of Briargate Parkway and Grand Cordera Parkway from A (Agriculture) to PBC (Planned Business Center).

(Quasi-Judicial)

Related files: CPC ZC 20-00017, CPC CP 20-00018

Presenter:

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

Attachments:

[ZC ORD BriargateCrossingEastNo.6](#)
[Exhibit A - Zone Change and Legal Description](#)
[Exhibit B - Zone Change Depiction](#)
[EXHIBIT 1 Vicinity and Surrounding Uses](#)
[EXHIBIT 2 BCE No.6 Concept Plan](#)
[EXHIBIT 3 PlanCOS Supporting Map](#)
[CPC Staff Report BRIARGATE CROSSING EAST NO. 6](#)
[FIGURE 1 BCE No.6 Project Statement](#)
[FIGURE 2 BCE No.6 Public Comment](#)
[FIGURE 3 BCE No.6 Response to Public Comment](#)
[FIGURE 4 Vicinity and Surrounding Uses](#)
[FIGURE 5 BCE No.6 Concept Plan](#)
[FIGURE 6 PlanCOS Supporting Map](#)
[CPC Minutes BriargateCrossing](#)
[7.5.603.B Findings - ZC](#)

4B.I. [CPC CP
20-00018](#)

The Briargate Crossing East Filing No. 6 Concept Plan establishing a mixed commercial, retail and office center located northwest of the intersection of Briargate Parkway and Grand Cordera Parkway.

(Quasi-Judicial)

Related files: CPC ZC 20-00017, CPC CP 20-00018

Presenter:

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

Attachments: [FIGURE 5_BCE No.6 Concept Plan](#)
[7.5.501.E Concept Plans](#)

- 4B.J.** [CPC MP 81-16-A2MJ20](#)
[0](#) A Resolution for a major amendment to the Prospect Park Master Plan to change 20.63 acres from commercial to commercial and residential, located southeast of the intersection of East Fountain Boulevard and South Union Boulevard.

(Legislative)

Related Files: CPC MP 81-16-A2MJ20, CPC CP 20-00041

Presenter:

Rachel Teixeira, Planner II, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [RES_ProspectParkMasterPlanAmendment](#)
[EXHIBIT A - Master Plan Amendment](#)
[CONTEXT MAP](#)
[TRANSIT LOCATIONS MAP](#)
[FIA UPDATED 05132020](#)
[Union and Fountain MP and CP powerpoint - Teixeira](#)
[CPC Staff Report_Union and Fountain](#)
[FIGURE 1 - MASTER PLAN AMENDMENT SITE PLAN](#)
[FIGURE 2 - CONCEPT PLAN SITE PLAN](#)
[FIGURE 3 - PROJECT STATEMENT](#)
[FIGURE 4 - NEIGHBORHOOD COMMENTS](#)
[FIGURE 5 - CONTEXT MAP](#)
[FIGURE 6 - TRANSIT ROUTE AND BUS STOPS](#)
[FIGURE 7 - FISCAL IMPACT ANALYSIS](#)
[FIGURE 8 - PLANCOS](#)
[FIGURE 9 - PROSPECT PARK MASTER PLAN ORIGINAL](#)
[CPC Minutes ProspectParkMPA draft](#)
[7.5.408 Master Plan](#)

4B.K. [CPC CP
20-00041](#)

The Fountain and Union Concept plan for commercial and residential development in the PBC/cr/SS zone (Planned Business Center with Conditions of Record and Streamside Overlay, located southeast of the intersection of East Fountain Boulevard and South Union Boulevard.

(Quasi-Judicial)

Related Files: CPC MP 81-16-A2MJ20, CPC CP 20-00041

Presenter:

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

Attachments: [FIGURE 2 - CONCEPT PLAN SITE PLAN](#)
[7.5.501.E Concept Plans](#)

5. Recognitions**5.A.** [20-227](#)

Peace Officer Memorial

Presenter:

Tom Strand, Council Member

Attachments: [Peace Officers Memorial Proclamation 2020](#)

5.B. [20-223](#)

Colonel Thomas G. Falzarano Day

Presenter:

Don Knight, Council Member

Attachments: [Colonel Thomas G. Falzarano Day 2020](#)

5.C. [20-228](#)

Colorado Day of Remembrance

Presenter:

Richard Skorman, Council President

Attachments: [Colorado Day of Remeberance](#)

5.D. [20-235](#)

A Resolution of appreciation of Violet Heath, Human Resources Manager in the Human Resources Department for her 18 years of service to the City of Colorado Springs

Presenter:

Michael Sullivan, Chief Human Resources and Risk Officer, Human Resources

Attachments: [Heath Retiree Resolution](#)

- 5.E. [20-234](#) A Resolution for the appreciation of Victoria McColm, Risk Manager in the Human Resources Department, for her 29 years of service to the City of Colorado Springs

Presenter:
Michael Sullivan, Chief Human Resources and Risk Officer, Human Resources

Attachments: [McColm Retiree Resolution](#)

- 5.F. [20-233](#) A Resolution for the appreciation of Julie Zehner, Senior Paralegal in the City Attorney's Office for her 26 years of service to the City of Colorado Springs

Presenter:
Wynetta Massey, City Attorney, City Attorney's Office

Attachments: [JAZRetireeRes.docx](#)

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. [20-129](#) Request to Establish a Public Hearing Date for the Consideration of a Resolution for Certain Changes to Utilities Rules and Regulations

Presenter:
Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2020 Mid-Year URR Rate Case Filing on 5-26-20](#)
[URR Resolution Waived DO](#)
[2020 Plan of Finance Update_5-26-2020](#)

- 9.B.** [20-173](#) An Ordinance of the City of Colorado Springs, Colorado providing for the refunding of certain outstanding Utilities System Revenue Bonds of the City; providing for the extension, betterment, other improvement and equipment of the City of Colorado Springs Utilities System; providing for the issuance and sale of the City of Colorado Springs, Colorado, Utilities System Refunding Revenue Bonds, Series 2020A in an aggregate principal amount not to exceed \$285,000,000, the City of Colorado Springs, Colorado, Utilities System Refunding Revenue Bonds, Series 2020B (Private Activity) in an aggregate principal amount not to exceed \$68,500,000 and the City of Colorado Springs, Colorado, Utilities System Improvement Revenue Bonds, Series 2020C in an aggregate principal amount not to exceed \$110,000,000 payable solely out of the Net Revenues to be derived from the operation of the City of Colorado Springs Utilities System; authorizing the execution by the city of a Paying Agent Agreement, Escrow Agreements, a Bond Purchase Agreement and an Official Statement related thereto; and providing other matters relating thereto.

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [CSU 2020ABC Bond Ordinance 4845-2830-0980_6](#)
[Ordinance Summary \(First Publication\) 2020ABC 4845-6589-7147_2](#)

- 9.C.** [20-216](#) An Ordinance of the City of Colorado Springs, Colorado providing for the refunding of certain outstanding Utilities System Revenue Bonds of the City; providing for the issuance and sale of the City of Colorado Springs, Colorado, [Taxable] Utilities System Refunding Revenue Bonds, series 2020D [2021A] in an aggregate principal amount not to exceed \$86,000,000, payable solely out of the Net Revenues to be derived from the operation of the City of Colorado Springs Utilities System; authorizing the execution by the City of a Paying Agent Agreement, an Escrow Agreement, Bond Purchase Agreements and an Official Statement related thereto; and providing other matters relating thereto.

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [CSU 2020D-2021A Bond Ordinance 4825-6984-1849_5](#)
[Ordinance Summary \(First Publication\) 2020D-2021A 4821-4735-7115_2](#)

10. Unfinished Business

- 10.A. [20-180](#) Ordinance No. 20-26 amending Section 104 (deposit of coins or tokens; time limits; prohibitions) of Article 15 (parking meter regulations) of Chapter 10 (motor vehicles and traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to time limitations for deposit of tokens at metered parking spaces

Presenter:

Scott Lee, Parking Enterprise Director, Parking Enterprise Fund

Attachments: [Metered_Parking_ORD-2020-05-01.docx](#)

11. New Business

- 11.A. [20-163](#) A Resolution authorizing the Stetson Ridge Metropolitan District No. 3 to issue debt in the form of General Obligation Limited Tax Refunding and Improvement Bonds Series 2020A and Subordinate General Obligation Limited Tax Bonds, Series 2020B (3) in an aggregate total principal amount not to exceed \$10,500,000.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [Resolution_StetsonRidgeMetroDist](#)

[PowerPoint](#)

[Attachment 1-Transmittal letter](#)

[Attachment 2- Term Sheet \(as of 02.28.2020\)](#)

[Attachment 3- Senior Indenture - 04-07-20](#)

[Attachment 4- Subordinate Indenture - 04-07-20](#)

[Attachment 5- Opinion of District Counsel](#)

[Attachment 6- Series A Fin. Projections 4-14-20](#)

[Attachment 7- Series B Fin. Projections 4-14-20](#)

[Attachment 8- cost summary - all public infrastructure](#)

[Attachment 9- Report 2R - 04.08.13 - RETech cost report](#)

[Attachment 10- Report 3 - 05.09.13 - RETech cost report](#)

- 11.B. [20-181](#) Resolution authorizing issuance of debt by the Flying Horse Metropolitan District No. 2.

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development Department

Attachments:

[Resolution- Flying Horse 5-18-20](#)

[2020FlyingHorseDebtPP](#)

[Attachment 1 - Bond Submittal Issues Response](#)

[Attachment 2- Cover Letter - Flying Horse MD No. 2 \(1\)](#)

[Attachment 3 - Term Sheet](#)

[Attachment 4- Supplemental Term Sheet](#)

[Attachment 5- Draft District Bond Resolution](#)

[Attachment 6- Draft Senior Indenture](#)

[Attachment 7- Draft Subordinate Indenture](#)

[Attachment 8- Draft District Counsel Opinion](#)

[Attachment 9- Draft Bond Counsel Opinion -Series A](#)

[Attachment 10- Draft Bond Counsel Opinion- Series B](#)

[Attachment 11- Financial Projections](#)

[Attachment 12- Cost Summary](#)

- 11.C. [20-226](#) A Resolution Amending City Council Resolution No. 53-17

Presenter:

Jeff Greene, Chief of Staff for Mayor
Bob Cope, Economic Development Officer
Je

Attachments:

[RES_Cimino_3rd_amended.doc](#)

12. Public Hearing

- 12.A. [CPC PUZ 19-00090](#) An ordinance amending the zoning map of the City of Colorado Springs relating to 61.71 acres located southeast of Powers Blvd and Highway 83 from A (Agriculture) to PUD (Planned Unit Development: 35-foot maximum height, single-family detached units, maximum density of 4.0 du/ac)

(Quasi-Judicial)

Related File: CPC PUP 19-00091

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC Ordinance](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Legal Description Depicted](#)

[Vicinity Map](#)

[Kettle Creek North Presentation](#)

[CPC Staff Report - Kettle Creek](#)

[Figure 1 - Concept Plan](#)

[Figure 2 - Project Statement](#)

[Figure 3 - Surrounding Area & Context Map](#)

[Figure 4 - Neighborhood Comments](#)

[Figure 5 - Briargate Master Plan](#)

[Kettle Creek North - Additional Public Comments](#)

[CPC Minutes KettleCreek draft](#)

[7.5.603.B Findings - ZC](#)

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

[City Planning Commission Minutes - 4.30.20](#)

12.B. [CPC PUP
19-00091](#)

The Kettle Creek North Concept Plan for a single-family residential development with density between three and four dwelling units per acre, generally located south and east of the Powers Boulevard and Highway 83 intersection.

(Quasi-Judicial)

Related File: CPC PUZ 19-00090

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Figure 1 - Concept Plan](#)
[7.5.501.E Concept Plans](#)
[7.3.605 PUD Concept Plan](#)

13. Added Item Agenda**14. Executive Session****14.A.** [20-229](#)

In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a), (b) and (e), the City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issues to be discussed involve: (1) legal advice and consultation with the City Attorney regarding ex parte communications; and (2) negotiation consultation and strategy discussion regarding an economic development matter; and (3) legal advice and settlement consultation with the City Attorney regarding a pending litigation matter.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct an electronic Closed Executive Session. Each City Councilmember participating in the electronic Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the electronic Closed Executive Session is present or able to hear the matters discussed as part of the electronic Closed Executive Session. If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:

Wynetta Massey, City Attorney

Attachments: [05112020ClosedSession](#)

15. Adjourn