



City of Colorado Springs

Regular Meeting Agenda

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 9, 2016

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. [CPC ZC
16-00048](#)**

Ordinance No. 16-75 amending the zoning map of the City of Colorado Springs relating to 4.23 acres located at 5520 and 5540 North Nevada Avenue from OC/CR (Office Complex with Conditions of Record) to PUD (Planned Unit Development: Commercial and Large Animal Veterinary Service, up to 47,500 square feet with a 45-foot maximum building height).

(Quasi-Judicial)

Presenter:

Conrad Olmedo, Planner II, Planning and Community Development
Peter Wysocki, Director, Planning and Community Development

Attachments:

[ZC ORD Vet Specialty Center](#)

[Exhibit A - Legal Description for Zone Change Ordinance](#)

[Vicinity Map](#)

[Signed Ordinance 16-75.pdf](#)

4A.B. [CPC ZC
16-00058](#)

Ordinance No. 16-76 amending the zoning map of the City of Colorado Springs pertaining to .96 acre located at the northwest corner of North Cascade Avenue and West Van Buren Street from R-1 6000 (Single-family Residential) and M-1 (Light Industrial) to R-5 (Multi-family Residential).

(Quasi-Judicial)

Related File: CPC DP 16-00059

Presenter:

Michael Schultz, Principal Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments:

[ZC_ORD_Cascade-VanBuren](#)

[Exhibit A - Legal Description](#)

[Vicinity Map](#)

[Signed Ordinance 16-76.pdf](#)

4A.C. [CPC PUZ
16-00051](#)

Ordinance No. 16-77 amending the zoning map of the City of Colorado Springs pertaining to 18 acres located to the northwest of the New Life Drive and Voyager Parkway intersection from PUD/A/CR (Planned Unit Development and Agricultural with Conditions of Record) to PUD (Planned Unit Development: Multi-Family Residential, 15.58 dwelling units per acre, 40-foot height maximum).

(Quasi-Judicial)

Related Items - CPC MP 04-00254-A4MN16, CPC MP 05-00095-A1MN16, CPC PUP 16-00052

Presenter:

Daniel Sexton, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC Ordinance](#)

[Exhibit A - Legal Description](#)

[Exhibit B - PUD Zone Change Illustration](#)

[Signed Ordinance 16-77.pdf](#)

- 4A.D.** [CPC ZC 16-00022](#) Ordinance No. 16-78 amending the zoning map of the City of Colorado Springs relating to 2.95 acres located north of the intersection of Elkton Drive and Chestnut Street from R/HS (Estate Single-family residential with Hillside Overlay) to PBC/CR/HS (Planned Business Center with Conditions of Record and Hillside Overlay)

(Quasi-Judicial)

Related File: CPC DP 16-00023

Presenter:
Hannah Van Nimwegen, Planner II, Planning and Community Development Department
Peter Wysocki, Planning Director

Attachments: [ZC ORD PikesPeakAthletics](#)
[Exhibit A LEGAL DESCRIPTION for zone change Ord](#)
[Signed Ordinance 16-78.pdf](#)

4B. First Presentation:

- 4B.A.** [16-499](#) City Council Meeting Minutes July 26, 2016

Presenter: Sarah Johnson, City Clerk

Attachments: [2016-07-26 Minutes Draft](#)

- 4B.B.** [16-505](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [080916 Boards and Commissions](#)

- 4B.C.** [16-453](#) Ordinance No. 16-79 amending Section 302 (Classification and Occupation Tax Established) of Part 3 (Occupation Tax on Liquors) of Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Lodging and Entertainment Licenses

Presenter:
Sarah Johnson, City Clerk

Attachments: [HB16-1439 - Lodging and Entertainment License Clerk-LiquorCodeLodgingEntORD-2016-06-23](#)
[Clerk-LiquorCodeLodgingEntORD-2016-06-23.docx](#)
[Signed Ordinance 16-79.pdf](#)

- 4B.D.** [16-454](#) A resolution amending the Liquor and Beer Licensing Board Rules of Procedure and accepting and adopting the fees for Lodging and Entertainment License set forth in the Colorado Liquor Code

Presenter:
Sarah Johnson, City Clerk

Sponsors: McRae
Attachments: [LiquorBoard-RulesRES-2016-06-23](#)
[LiquorBoard-RulesRES-2016-06-23.docx](#)
[Signed Resolution 78-16.pdf](#)

- 4B.E.** [16-460](#) A resolution authorizing the disposal of surplus city-property to WH Capital, LLC as the one logical, potential purchaser

Presenter:
Mike Chaves, P.E., Engineering Manager
Aaron Egbert, P.E., Senior Civil Engineer

Attachments: [PW-DisposalSurplusPropertyRES-2016-07-15](#)
[Exhibit A](#)
[Exhibit B](#)
[WH Capital LLC Presentation](#)
[Signed Resolution 79-16.pdf](#)

- 4B.F.** [16-461](#) A resolution approving an Intergovernmental Agreement with the Colorado Department of Transportation (CDOT) for the funding of the Platte Avenue Bridge Project over Sand Creek.

Presenter:

Mike Chaves, P.E., CIP Engineering Manager
Aaron Egbert, P.E., Senior Engineer

Attachments: [Resolution-IGA Platte Avenue Bridge](#)
[IGA Platte Avenue Bridge over Sandcreek](#)
[IGA Platte Bridge over Sand Creek Presentation](#)

- 4B.G.** [16-485](#) Ordinance No. 16-80 amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a Supplemental Appropriation to the Public Safety Sales Tax (PSST) Fund in the amount of \$3,200,000 for Public Safety Projects

Presenter:

Kara Skinner, Chief Financial Officer

Attachments: [PSST fund Supplemental - 3 projects - Ordinance.doc](#)
[Signed Ordinance 16-80.pdf](#)

- 4B.H.** [16-486](#) The City Clerk reports that on July 13, 2016 there was filed with her a petition for the annexation of Hartsuiker 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: [Hartsuiker Annexation petition and map..pdf](#)

- 4B.I.** [16-487](#) The City Clerk reports that on May 18, 2016 there was filed with her a petition for the annexation of Bowen Addition 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: [Bowen Addition Petition & Map.pdf](#)

- 4B.J. [16-491](#)** Ordinance No. 16-81 of the City of Colorado Springs, Colorado approving and authorizing the execution and delivery of the Revolving Loan Agreement between the City of Colorado Springs, Colorado and U.S. Bank National Association and the Revolving Promissory Note of the City relating thereto; and providing matters relating thereto

Presenter:

Bill Cherrier, Chief Planning and Finance Officer, Colorado Springs Utilities

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [2016 Line of Credit Bond Ordinance](#)
[Signed Ordinance 16-81.pdf](#)

- 4B.K. [16-492](#)** Ordinance No. 16-82 of the City of Colorado Springs, Colorado approving and authorizing the execution and delivery of the Standby Bond Purchase Agreement among the City of Colorado Springs, Colorado, Wells Fargo Bank, National Association, as Tender Agent, and Landesbank Hassen-Thuringen Girozentrale, the Standby Letter of Credit and Reimbursement Agreement between the City of Colorado Springs, Colorado and Sumitomo Mitsui Banking Corporation, the Fee Agreements between the City of Colorado Springs, Colorado and such banking organizations, and the Official Statements for the Utilities System Revenue Bonds previously issued by the City to which the agreements relate; ratifying certain action heretofore taken

Presenter:

Bill Cherrier, Chief Planning and Finance Officer, Colorado Springs Utilities

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [2006B and 2007B SBPAs Ordinance](#)
[Signed Ordinance 16-82.pdf](#)

5. Recognitions

6. Citizen Discussion

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

11. New Business

- 11.A. [16-467](#) Ordinance No. 16-83 creating a new Appendix P (Indoor Flora Grow Operations in Residential Occupancies) to Chapter 8, Article 4, Part 1, Section 105 of the Code of the City of Colorado Springs 2001, as amended.

Presenter:

Ted Collas, Interim Fire Chief, CSFD
Brett Lacey, Fire Marshal, CSFD

Attachments:

[App-P IndoorFloraGrow ORD FINAL](#)

[LETTER FBA Support Appendix P 2016 06 23](#)

[FireCode-App-P IndoorFloraGrow ORD DRAFT-7-7-2016.docx](#)

[LETTER CONO Support Appendix P 2016 06 22](#)

[PRESENTATION Regulation of Flora Grow Operations 2016 07 27 v2](#)

[Signed Ordinance 16-83.pdf](#)

- 11.B. [CPC CA 16-00073](#) Ordinance No. 16-84 amending Section 206 (Parking Exempt Districts) of Part 2 (Off-street Parking Standards) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Old Colorado City Parking Exempt District.

(Legislative)

Presenter:

Michael Turisk, Planner II, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

Attachments:

[OCC Parking Exempt District ordinance](#)

[CPC CA 16-00071-BUFFER - Old Colorado City Parking Exemption Expansion](#)

[Signed Ordinance 16-84.pdf](#)

11.C. [CPC A
14-00131-1](#)

Ordinance No. 16-85 annexing to the City of Colorado Springs that area known as Colorado Springs Airport Filing 1 located southwest of Space Village Drive and Marksheffel Road consisting of 31.158 acres.

(Legislative)

Related files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Airport Annexation Filing 1 Ordinance](#)
[Exhibit A-1 - Notarized Legal](#)
[Exhibit B-1 Airport Annexation Filing 1 Plat](#)
[Overall Location Map](#)
[Signed Ordinance 16-85.pdf](#)

11.D. [CPC A
14-00131-2](#)

Ordinance No. 16-86 annexing to the City of Colorado Springs that area known as Colorado Springs Airport Filing 2 located between Highway 94 and Air Lane and consisting of 18.89 acres.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Airport Annexation Filing 2 Ordinance](#)
[Exhibit A-2 - Notarized Legal](#)
[Exhibit B-2 Airport Annexation Filing 2 Plat](#)
[Signed Ordinance 16-86.pdf](#)

- 11.E. [CPC A 14-00131-3](#) Ordinance No. 16-87 annexing to the City of Colorado Springs that area known as Colorado Springs Airport Filing 3 located southeast of Highway 24 and the Powers Boulevard intersection and consisting of 47.484 acres.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Airport Annexation Filing 3 Ordinance](#)
[Exhibit A-3 - Notarized Legal](#)
[Exhibit B-3 Airport Annexation Filing 3 Plat](#)
[Signed Ordinance 16-87.pdf](#)

- 11.F. [CPC ZC 14-00132-1](#) Ordinance No. 16-88 amending the Zoning Map of the City of Colorado Springs relating to 31.158 acres located southwest of Space Village Drive and Marksheffel Road establishing the APD/AO/APZ-1/APZ-2 (Airport Planned District with Airport Overlay and Accident Potential Subzones 1 and 2 Overlay) zone district.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Filing 1 Zoning Ordinance](#)
[Exhibit A-1 - Notarized Legal](#)
[Exhibit B--APZ Detail for Airport AX Filing 1 zoning ordinance](#)
[Exhibit C-1 Airport Annexation Filing 1 Plat](#)
[Signed Ordinance 16-88.pdf](#)

**11.G. [CPC ZC
14-00132-2](#)**

Ordinance No. 16-89 amending the Zoning Map of the City of Colorado Springs relating to 18.89 acres located between State Highway 94 and Air Lane establishing the APD/AO/APZ-2 (Airport Planned District with Airport Overlay and Accident Potential Subzone 2 Overlay) zone district.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Filing 2 Zone Change Ordinance](#)
[Exhibit A-2 - Notarized Legal](#)
[Exhibit B-2 Airport Annexation Filing 2 Plat](#)
[Signed Ordinance 16-89.pdf](#)

**11.H. [CPC ZC
14-00132-3](#)**

Ordinance No. 16-90 amending the Zoning Map of the City of Colorado Springs relating to 47.484 acres located southeast of Highway 24 and the Powers Boulevard intersection establishing the APD/AO/APZ-1 (Airport Planned District with Airport Overlay and Accident Potential Subzone 1 Overlay) zone district..

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Filing 3 Zone Change Ordinance](#)
[Exhibit A-3 - Notarized Legal](#)
[Exhibit B-3 Airport Annexation Filing 3 Plat](#)
[Signed Ordinance 16-90.pdf](#)

- 11.I. [CPC CA
16-00008](#) An Ordinance repealing and reordaining Section 906 (Appeals) of Part 9 (Notice, Hearings and Appeals) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to appeals.

(Legislative)

Presenter:

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

Attachments:

[PPlanning Commission Staff Report Second Reconsideration 10-20-16](#)

[Attachment 1 Ord Plan Dev-Appeals 2016-Oct 5 clean \(2\)](#)

[Attachment 2 Ord Plan Dev-Appeals 2016-Oct 5-redline](#)

[Attachement 3- Version B -Jul 20 \(w Clerk's edits\)\(Councilman Knight Recon](#)

[CPC October 20 Meeting Minutes - Appeal item](#)

12. Public Hearing

13. Added Item Agenda

14. Executive Session

15. Adjourn