



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, June 11, 2019

1:00 PM

Council Chambers

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### 1. Call to Order

**Present:** 8 - Councilmember Jill Gaebler, Councilmember David Geislinger, Councilmember Bill Murray, Councilmember Don Knight, Councilmember Andy Pico, President Richard Skorman, President Pro Tem Tom Strand, and Councilmember Wayne Williams

**Excused:** 1 - Councilmember Yolanda Avila

### 2. Invocation and Pledge of Allegiance

The Invocation was made by Stan Lightfoot from Rustic Hills Baptist Church

President Skorman led the Pledge of Allegiance.

### 3. Changes to Agenda/Postponements

There were no changes to 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.** [19-277](#) Ordinance No. 19-36 amending Section 506 (Cancellation) and Repealing and Reordaining Section 507 (Applicability) of Part 5 (Licenses) of Article 7 (Sales and Use Tax) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Sales Tax Licenses

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:** [SalesTaxCodeAmendORD-2019-05-13.docx](#)

[Signed Ordinance 19-36](#)

This Ordinance was was finally passed on the Consent Calendar.

- 4A.B.** [CPC PUZ  
18-00175](#) Ordinance No. 19-37 amending the zoning map for the City of Colorado Springs from A (Agricultural) to PUD (Planned Unit Development; Short-term stay cottages, lodge suites and meeting space, 35-foot maximum building height) for the property located near Weiskopf Point and Flying Horse Club Drive consisting of 2.83 acres.

(QUASI-JUDICIAL)

Related file: CPC PUD 13-00137-A1MJ18

Presenter:

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

**Attachments:** [ZC ORD FlyingHorseLodges](#)  
[Exhibit A LEGAL - Flying Horse Lodges II](#)  
[Exhibit B DEPICTION - Flying Horse Lodges II](#)  
[Vicinity Map Flying Horse Lodges II](#)  
[Signed Ordinance 19-37](#)

This Ordinance was was finally passed on the Consent Calendar.

- 4A.C.** [CPC ZC  
19-00036](#) Ordinance No. 19-38 amending the zoning map for the City of Colorado Springs from PBC (Planned Business Center) to TND (Traditional Neighborhood Development) for the property located north of Gold Hill Mesa Drive and east of 21st Street consisting of 4,174 square feet.

(Quasi-Judicial)

Related file: CPC CP 04-00127-A6MN17-MM01

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community  
Development Department  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [Zoning Ord - Gold Hill Mesa Zone District Boundary](#)  
[Exhibit A - Legal Description](#)  
[Exhibit B - Boundary Depiction](#)  
[Vicinity Map - Gold Hill Mesa Zone District Boundary](#)  
[Signed Ordinance 19-38](#)

This Ordinance was was finally passed on the Consent Calendar.

- 4A.D.** [CPC ZC 19-00009](#) Ordinance No. 19-39 amending the zoning map of the City of Colorado Springs relating to 1.13 acres located at the southwest corner of Dublin Boulevard and North Academy Boulevard from PBC/HS (Planned Business Center with a Hillside Overlay) and OC/HS (Office Complex with a Hillside Overlay) to PBC (Planned Business Center).

(QUASI-JUDICIAL)

Related files: CPC DP 19-00010, AR NV 19-00173

Presenter:

Chris Staley, Planner II, Planning & Community Development

**Attachments:** [ZC ORD Dublin&Academy](#)

[Exhibit A](#)

[Exhibit B](#)

[Dublin & Academy - Vicinity Map](#)

[Signed Ordinance 19-39](#)

**This Ordinance was finally passed on the Consent Calendar.**

- 4A.E.** [CPC V 18-00160](#) Ordinance No.19-41 vacating portions of a public right-of-way located at the southeast corner of East Motor Way and South Tejon Street consisting of 0.093 acres.

(Legislative)

Related file: CPC UV 18-00159

Presenter:

Peter Wysocki, Director, Planning and Community Development

Matthew Fitzsimmons, Planner II, Urban Planning Division

**Attachments:** [V ROW Maverik](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Vacation Exhibit](#)

[Signed Ordinance 19-41](#)

**This Ordinance was finally passed on the Consent Calendar.**

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

- 4B.A.** [19-301](#) Special City Council Meeting Minutes May 22, 2019

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [5-22-19 Special City Council Meeting Minutes Final.pdf](#)

The Minutes were approved on the Consent Calendar.

**4B.B.** [19-304](#) City Council Regular Meeting Minutes May 28, 2019

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [5-28-2019 City Council Meeting Minutes Final.pdf](#)

The Minutes were approved on the Consent Calendar.

**4B.C.** [19-297](#) Appointments to Boards and Commissions

Presenter:  
Jacquelyn Puett, Assistant to Council

**Attachments:** [061119 Boards and Commissions \(revised\).pdf](#)

This Item was approved on the Consent Calendar.

**4B.D.** [19-263](#) An ordinance amending Ordinance No. 18-118 (2019 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$38,470 for street and stormwater repairs and improvements in the North Dublin Filing No. 1

Presenter:  
Charae McDaniel, Chief Financial Officer  
Travis Easton, P.E., Public Works Director

**Attachments:** [Ordinance-Supplemental Approp for Assurance -Dublin North Filing No. 1](#)

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

**4B.E.** [19-272](#) An Ordinance amending Ordinance No. 18-118 (2019 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$125,000 for projects and events recommended by the LART Citizen Advisory Committee

Presenter:  
Charae McDaniel, Chief Financial Officer  
Laurel Prud'homme, Chair, LART Citizen Advisory Committee

**Attachments:** [Ordinance for LART 2019 Additional Events](#)  
[09-11-18 LART Resolution Exhibit A 2019 - CAC recommendations](#)  
[REVISED 8-29-18](#)

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

- 4B.G.** [19-295](#) A Resolution Approving an Economic Development Agreement Between the City of Colorado Springs and Project Fusion.

Presenter:

Bob Cope, Economic Development Officer

Chelsea Gaylord, Economic Development Project Manager

**Attachments:** [Project Fusion City Council Regular Session Presentation](#)  
[Project Fusion Economic Development Agreement Regular Session](#)  
[Project Fusion Resolution Regular Session](#)

This Resolution was adopted on the Consent Calendar.

### Approval of the Consent Agenda

Motion by President Pro Tem Strand, seconded by Councilmember Williams, 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 8-0-1-0

**Aye:** 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

**Absent:** 1 - Avila

## 5. Recognitions

- 5.A.** [19-323](#) A Proclamation in Recognition of Dementia Friendly, Alzheimers and Brain Awareness Month

Presenter:

Tom Strand, City Council Pro Tem

**Attachments:** [Dementia Friendly, Alzhiemer's & Brain Awareness Month - FINAL](#)

Claire Anderson, Executive Director, Innovations in Aging Collaborative, and Charlotte Long, Central Colorado Alzheimer's Association, provided an overview of Alzheimer's Disease and how it affects the community.

President Pro Tem Strand read a Proclamation in recognition of dementia friendly, Alzheimer's Disease, and brain awareness.

- 5.B.** [19-322](#) A Proclamation in Honor of Women's Suffrage Day

Presenter:

Jill Gaebler, Council member

**Attachments:** [Womens Suffrage Day - 2019 - FINAL](#)

Chris Nicholl, Pikes Peak Library District, gave a brief history of Women's

Suffrage Day and recognized the American women who fought for the right to vote.

Councilmember Gaebler read a Proclamation in honor of Women's Suffrage Day.

**5.C. [19-320](#)** A Proclamation Recognizing Western Wear Day

Presenter:  
Wayne Williams, Council member

**Attachments:** [Western Wear Day 2019 - FINAL](#)

Councilmember Williams read a Proclamation recognizing Western Wear Day.

## **6. Citizen Discussion**

Citizen Charles Barber spoke about graphing daily activities.

Citizen Gerald Miller spoke about World War II victims, the Berlin Wall, and a visit from his niece.

Citizens Carl Strow and Bruce Hamilton spoke about The Broadmoor land swap and the cost for the needed repairs on the Barr Trail.

Citizen Deborah Stout-Meiningner spoke about the citizenship question on the 2020 Census and illegal immigrants.

Citizen Cornell Penn, Senior Vice Commander, American Legion Riders Post 38, invited City Council to the renaming ceremony of the American Legion Riders Post 38 in honor of Newt Heisley.

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

There was no Mayor's Business.

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

**4B.F. [19-286](#)** An ordinance excluding certain property from the Interquest North Business Improvement District.

(Legislative)

Presenter:  
Carl Schueler, Manager, Comprehensive Planning

**Attachments:** [InterquestNorthBIDExclusionORD-2019-05-22](#)  
[Exhibit A\\_INBID Petition for Exclusion of Property](#)  
[Exhibit B\\_INBID Notice of Exclusion 2019](#)  
[Attachment 1\\_INBID\\_Exclusion\\_Transmittal\\_Letter](#)  
[Attachment 2\\_PUDmap\\_Scheels](#)  
[Attachment 3\\_IQN analysis](#)  
[Power-Point- Interquest North BID 2019 Exclusion](#)

Carl Schueler, Manager, Comprehensive Planning, stated the applicant has requested postponement to the June 25, 2019 City Council meeting due to an objection to the exclusion they received from a property owner within the Interquest North Business Improvement District (BID).

Tim Leonard, representing two property owners, stated they would like this exclusion denied. Jeff Greene, Chief of Staff, stated the petitioner would like a postponement in order to allow time for the district to meet with the property owners.

Councilmember Murray requested correspondence from every member of the BID illustrating that they are in agreement with the exclusion. Russ Dykstra, Spencer Fane, representing the petitioner, stated the notification of electors was completed according to state statutory procedure and at the time of the May 28, 2019 City Council meeting, they had not received any objections.

**Motion by Councilmember Williams, seconded by Councilmember Pico, that the Ordinance excluding certain property from the Interquest North Business Improvement District be postponed to the June 25, 2019 City Council meeting. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

**Absent:** 1 - Avila

## **9. Utilities Business**

There was no Utilities Business.

## **10. Unfinished Business**

- 10.A.** [CPC PUZ 19-00004](#) Ordinance No. 19-40 amending the zoning map for the City of Colorado Springs pertaining to 9.9 acres from R/HS (Residential Estate with Hillside Overlay) to PUD/HS (Planned Unit Development with Hillside Overlay; detached single-family residential, 2.93 dwelling units per acre, maximum building height of 35 feet) located northwest of Collegiate

Drive and Mount Union Court.

(QUASI-JUDICIAL)

Related files: CPC PUD 19-00005, AR NV 19-00184

Presenter:

Mike Schultz, Principal Planner, Planning and Development

Peter Wysocki, Planning and Community Development Director

**Attachments:** [ZC ORD UniversityBluffs](#)

[Exhibit A Legal Description](#)

[Exhibit B Depiction](#)

[Vicinity Map](#)

[CPC Report - University Bluffs Filing No 4A](#)

[FIGURE 1 - Project Statement](#)

[FIGURE 2 - UniversityBluffs\\_Fil4A-DP-Zone Exhibit](#)

[FIGURE 3 - UniversityBluffs DP Set 11x17](#)

[FIGURE 4 - University Bluffs-LSA 11x17](#)

[FIGURE 5 - Resident Emails and Letters](#)

[FIGURE 6 - 2000 Univ Park MP - Color](#)

[FIGURE 7 - City Code Section 7.7.1207.E](#)

[FIGURE 8 - City Parks letter 5-14-18](#)

[FIGURE 9 - Owner Rejection Email](#)

[FIGURE 10 - University Bluffs - Traffic Generation Analysis](#)

[FIGURE 11 - Wildland Urban Interface - WUI Map](#)

[FIGURE 12 - Assessment of Wildfire Hazard Potential](#)

[FIGURE 13 - Vibrant Neighborhoods Map](#)

[FIGURE 14 - Reference Map](#)

[7.5.603.B Findings - ZC](#)

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

[Staff Presentation - University Bluffs Filing 4A](#)

[Draft Minutes UniversityBluffs](#)

[Signed Ordinance 19-40](#)

Rachel Teixeira, Principal Planner, Planning and Development, presented the Ordinance pertaining to the University Bluffs Filing 4A amending the zoning map pertaining to 9.9 acres from single-family residential with hillside overlay to planned unit development with hillside overlay; detached single-family residential, 2.93 dwelling units per acre, maximum building height of 35 feet located northwest of Collegiate Drive and Mount Union



Court. She stated the concerns brought forward by the neighbor, Andrew Collins at the May 28, 2019 City Council meeting have been addressed.

There were no comments on this item.

**Motion by Councilmember Gaebler, seconded by Councilmember Strand, that the Ordinance amending the zoning map for the City of Colorado Springs pertaining to 9.9 acres from R/HS (Residential Estate with Hillside Overlay) to PUD/HS (Planned Unit Development with Hillside Overlay: detached single-family residential, 2.93 dwelling units per acre, maximum building height of 35 feet), based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603(B) and the development of a PUD zone as set forth in City Code Section 7.3.603 be finally passed. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Gaebler, Geislinger, Pico, Skorman, Strand, and Williams

**No:** 2 - Murray, and Knight

**Excused:** 1 - Avila

## **11. New Business**

- 11.A. [19-287](#) Resolution authorizing issuance of debt by the Flying Horse Metropolitan District No. 3.

(Legislative)

Presenter:

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

**Attachments:** [Resolution\\_FlyingHorseNo.3\\_2019Debt](#)

[Attachment 1 Transmittal Letter](#)

[Attachment 2 Bond\\_resolution\\_FHMD\\_No.3\\_2019Debt\\_Issuance](#)

[Attachment 3 Indenture FHMD No.3 2019 Debt Issuance](#)

[Attachment 4 Financial Projections FHMD](#)

[Attachment 5 FHMD 1-3 Debt at 4.30.19](#)

[Attachment 6 Flying Horse No. 3 Savings Analysis](#)

[2019FlyingHorseDebtPP](#)

[Signed Resolution 54-19](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Development Department, presented the authorization of Flying Horse Metropolitan District No. 2 (MD) to issue debt in the form of General Obligation Limited Tax Refunding Bonds, Series 2019. He stated the applicant has provided City Council a listing of existing debt obligations

and a potential savings calculation summary.

There were no comments on this item.

**Motion by Councilmember Murray, seconded by Councilmember Gaebler, that the Ordinance approving the authorization for the Flying Horse Metropolitan District No. 3 to issue debt in the form of tax increment bonds in the principal amount of up to \$20,000,000 be approved on first reading. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

**Absent:** 1 - Avila

## **12. Public Hearing**

There was no Public Hearing.

## **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.

Sarah B. Johnson, City Clerk