



City of Colorado Springs

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

Meeting Minutes 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.

Tuesday, November 27, 2018

1:00 PM

Council Chambers

1. Call to Order

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

Excused: 1 - Councilmember Merv Bennett

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. [18-0530](#) Ordinance No. 18-113 repealing Section 507 (License Fees Enumerated) of Part 5 (License Fees) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to business license fees

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Clerk-BusinessLicenseResolutionSettingAndRepealORD-2018-10-16.d](#)
[OCX](#)
[Signed Ordinance 18-113](#)

This Ordinance was finally passed on the Consent Calendar.

4A.B. [18-0525](#) Ordinance No. 18-114 amending Section 102 and creating new Section 121 (Limitations on Feeding of Wildlife) of Article 7 (Regulations of Animals- General Provisions) of Chapter 6 (Neighborhood Vitality/

Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the feeding wildlife and providing penalties for the violation thereof.

Presenter:
Bret Waters, Deputy Chief of Staff

Attachments: [FeedingWildlifeCh6ORD-2018-09-19-Draft.docx](#)
[Wildlife Feeding Ordinance_Oct22.pptx](#)
[Signed Ordinance 18-114](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C. [18-0536](#)** Ordinance No. 18-115 amending Section 104 (Right to Trial by Jury; Jail; Exceptions) of Part 1 (Trial by Jury) of Article 4 (Jury Provision) of Chapter 11 (Municipal Court) of the Code of the City of Colorado Springs 2001, as amended, pertaining to jury trial eligibility regarding Limitations on Feeding of Wildlife

Presenter:
Bret Waters, Deputy Chief of Staff

Attachments: [FeedingWildlife-PenaltiesCh11ORD-2018-10-15](#)
[Signed Ordinance 18-115](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D. [18-0431](#)** Ordinance No. 18-116 Repealing Ordinance No. 17-113 and Adopting the City of Colorado Springs - 2019 Salary Structure for Civilian and Sworn Municipal Employees

Presenter:
Mike Sullivan, Human Resources Director
Charae McDaniel, Chief Financial Officer

Attachments: [11-13-18 - Ordinance - 2019 Salary Schedule](#)
[2019 Salary Schedule](#)
[Signed Ordinance 18-116](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.E. [18-0371](#)** Ordinance No. 18-117 Making and Certifying the 2018 Tax Levy for Taxes Payable in 2019 at 4.279 Mills Upon Each Dollar of Assessed Valuation of All Taxable Property and a Tax Credit of 4.279 Mills Upon Each Dollar of Assessed Valuation of All Taxable Business Personal Property Within the Corporate Limits of the City of Colorado Springs

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [TaxLevy2019-BPPT CreditORD](#)

[Signed Ordinance 18-117](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.F. [18-0430](#)** Ordinance No. 18-118 Annual Appropriation Ordinance Adopting the Annual Budget and Appropriating Funds for the Several Purposes Named in Said Budget for the Year Ending December 31, 2019

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [2019 Budget Ordinance](#)

[Signed Ordinance 18-118](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.G. [18-0548](#)** Ordinance No. 18-119 adopting a plan for the defeasance and payment of the City of Colorado Springs Airport System Revenue Refunding Bonds, Series 2014, issued by the City of Colorado Springs, Colorado, acting by and through its Airport Enterprise; and authorizing and approving related documents and actions in connection therewith

Presenter:

Charae McDaniel, Chief Financial Officer

Tom Florczak, Deputy City Attorney

Greg Phillips, Director of Aviation

Attachments: [Colorado Springs Airport Bonds - 2018 Defeasance Ordinance.docx](#)

[Colorado Springs Parking Airport Bonds Defeasance 2018 Escrow Agreement.doc](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.H. [18-0587](#)** Ordinance No. 18-120 appointing the City Council Administrator and setting the salary of the City Council Administrator

Presenter:

Richard Skorman, City Council President

Attachments: [City Council Admin Ord.docx](#)

[Signed Ordinance 18-120](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.I. [18-0549](#)** Ordinance No. 18-121 amending Sections 102 (Code Adopted by Reference) and 103 (Penalty Provisions, Additions, and Modifications)

of Part 1 (General Provisions) of Article 10 (Building Code Administration) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to amending provisions of the Pikes Peak Regional Building Code, 2017 Edition, formerly adopted by Ordinance No. 18-15 and reinstating the penalties for the violation thereof

(Legislative)

Presenter:

Roger Lovell, Building Official, Pikes Peak Regional Development Department

Keith Curtis, Floodplain Administrator, Pikes Peak Regional Building Department

Jina Koulchitzka, Regional Building Counsel, Pikes Peak Regional Building Department

Attachments: [RBC-AmendmentORD-2018-10-16-clean.docx](#)

[Signed Ordinance 18-121](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

4B.A. [18-0612](#) City Council Regular Meeting Minutes November 13, 2018

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [11-13-2018 City Council Meeting Minutes Final.pdf](#)

The Minutes were approved on the Consent Calendar.

4B.B. [18-0613](#) Appointments to Boards and Commissions

Presenter:

Jacquelyn Puett, Assistant to Council

Attachments: [112718 Boards and Commissions](#)

This Item was approved on the Consent Calendar.

4B.C. [18-0580](#) Resolution Revising the Membership Structure of the Lodgers and Automobile Rental Tax (LART) Citizen's Advisory Committee

Presenter:

Laurel Prud'homme, LART Citizen's Advisory Committee Chair

Jacquelyn Puett, Assistant to Council, Liaison to the LART Citizen's Advisory Committee

Attachments: [LART MembershipRES-2018-11-16\(Clean\)](#)
[LART Res 106-01](#)
[Signed Resolution 137-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.D.** [18-0531](#) A Resolution setting the fees for the general business licenses issued by the city clerk's office

Presenter:
Chris Wheeler, Budget Manager
Sarah B. Johnson, City Clerk

Attachments: [Clerk-BusinessLicenseFeesRES-2018-10-16.docx](#)
[Signed Resolution 138-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E.** [18-0576](#) The April 2, 2019 General Municipal Election and Potential May 21, 2019 Mayoral Run-Off Election Mail Ballot plan.

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Election Mail Ballot Plan 04022019 complete.pdf](#)

This Item was approved on the Consent Calendar.

- 4B.F.** [18-0559](#) A Resolution Approving the Intergovernmental Agreement for Fire Protection Services Between the City of Colorado Springs and the Colorado Centre Metropolitan District

Presenter:
Fire Chief Ted Collas, Colorado Springs Fire Department

Attachments: [Resolution-CSFD_CCMD-IGA-2018-09-14-FINAL](#)
[CCMD-CSFD-IGA_FINAL \(2\).docx](#)
[Signed Resolution 139-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.G.** [18-0400](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 4.409 mills upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

- Attachments:** [Briargate SIMD map](#)
[2019 Briargate signed budget letter.pdf.1](#)
[Resolution re Mill Levy for Briargate SIMD 11.27.18](#)
[Signed Resolution 140-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.H. [18-0401](#)** A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 1.009 mills upon each dollar of assessed valuation within the Colorado Avenue Gateway Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

- Attachments:** [Colo Ave Gateway SIMD map](#)
[2019 Colo Ave Gateway Signed Budget Letter.1](#)
[Resolution re Set Mill Levy for Colo Ave Gateway SIMD 11.27.18](#)
[Signed Resolution 141-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.I. [18-0402](#)** A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 3.935 mills upon each dollar of assessed valuation within the Nor'wood Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

- Attachments:** [Norwood SIMD map](#)
[2019 Signed Norwood Budget](#)
[Resolution re Set Mill Levy for Norwood SIMD 11.27.18](#)
[Signed Resolution 142-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.J. [18-0403](#)** A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 13.416 mills upon each dollar of assessed valuation within the Old Colorado City Security & Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

- Attachments:** [Old Colo City SIMD map](#)
[2019 Old Colo City signed budget letter](#)
[Resolution re Set Mill Levy for Old Colorado City SIMD_ 11.27.18](#)
[Signed Resolution 143-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.K. [18-0404](#)** A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at \$1.10 per front footage of real property within the Platte Avenue Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

- Attachments:** [Platte Ave SIMD map](#)
[2019 Platte Ave Signed Budget Letter.1](#)
[Resolution re Set Mill Levy for Platte Ave SIMD 11.27.18](#)
[Signed Resolution 144-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.L. [18-0405](#)** A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 3.858 mills upon each dollar of assessed valuation within the Stetson Hills Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

- Attachments:** [Stetson Hills SIMD map](#)
[2019 Stetson Hills signed budget letter](#)
[Resolution re Set Mill Levy for Stetson Hills SIMD_ 11.27.18](#)
[Signed Resolution 145-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.M. [18-0406](#)** A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 3.615 mills upon each dollar of assessed valuation within the Woodstone Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Woodstone SIMD map](#)
[2019 Woodstone signed budget letter](#)
[Resolution re Set Mill Levy for Woodstone SIMD 11.27.18](#)
[Signed Resolution 146-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.N. [18-0594](#)** Ordinance No. 18-122 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$5,713,000 to provide for the execution of the lease purchase of vehicles and equipment

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Supplemental Approp Ordinance for Capital Lease.docx](#)

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

- 4B.O. [18-0516](#)** A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of a limited tax general obligation refunding loan by the Briargate Center Business Improvement District

(Legislative Item)

Presenter:
Carl Schueler, Comprehensive Planning Manager, Planning & Development Department

Attachments: [Resolution BriargateCenter BID](#)
[Figure 1 - Briargate letter 10.23.18](#)
[Figure 2 - Final Commitment Letter with Term Sheet](#)
[Figure 3 - Briargate Center BID 2018 Loan Agreement](#)
[Figure 4 - Briargate Center BID 2018 Custodial Agreement](#)
[Signed Resolution 147-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.P. [CPC ZC](#)
[18-00079](#)** Ordinance No. 18-123 amending the zoning map for the City of Colorado Springs for Barber at Westgate pertaining to 6.5 acres located northwest of Airport Road and Powers Boulevard on Troy Hill Road changing the zoning from PBC and PIP-1 with Streamside Overlay, Accident Potential Subzone 1, Runway Protection Zone and Airport Overlay to PBC Planned Business Center with Streamside Overlay, Accident Potential Subzone 1, Runway Protection Zone and Airport Overlay.

(QUASI-JUDICIAL)

Related File: CPC CP 18-00080

Presenter:

Peter Wysocki, Director Planning and Community Development

Lonna Thelen, Principal Planner, Planning and Community Development

Attachments: [ZC ORD BarberatWestgate](#)

[Exhibit A - legal description](#)

[Exhibit B - zone change exhibit](#)

[Vicinity Map #2](#)

[Signed Ordinance 18-123](#)

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

4B.Q. [CPC CP 18-00080](#)

Barber at Westgate Concept Plan illustrating future commercial development of a 6.5 acre site for office, restaurant and retail uses located northwest of Airport Road and Powers Boulevard on Troy Hill Road.

(Quasi-Judicial)

Related File: CPC ZC 18-00079

Presenter:

Peter Wysocki, Director Planning and Community Development

Lonna Thelen, Principal Planner, Planning and Community Development

Attachments: [FIGURE 2 - Barber at Westgate Concept Plan](#)

[7.5.501.E Concept Plans](#)

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Strand, seconded by Councilmember Murray, 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 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

Absent: 1 - Bennett

5. Recognitions

There were no Recognitions.

6. Citizen Discussion

Citizen Mark Heismann spoke about safety issues related to bike lanes.

Citizen Gerald Miller submitted photo regarding parking issues in his neighbor

Citizen Bette Kelso spoke about the need for affordable housing in the community.

Citizen Mary Sprunger-Froese requested affordable and low-income housing in the Mill Street neighborhood.

Citizen Tom Noonan spoke about a petition for free bus service for veterans and their families.

Citizen Chesley Miller spoke about workhorse bicycles in Chennai, India.

Citizen Carlos Perez spoke in favor of the new bicycle facilities in the City.

7. Mayor's Business

There was no Mayor's Business.

8. Items Called Off Consent Calendar

- 4B.R.** [CPC PUZ 18-00085](#) Ordinance No. 18-124 amending the zoning map for the City of Colorado Springs pertaining to 8.73 acres located southeast of the terminus of Silversmith Road and Silver Rose Lane changing the zoning from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection).

(QUASI-JUDICIAL)

Related File: CPC PUP 13-00033-A1MJ18

Presenter:

Peter Wysocki, Director Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments: [ZC_ORD FlyingHorseParcel22](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zone Change Exhibit](#)
[Vicinity Map](#)
[CPC Report_FlyingHorseParcel22_DJS](#)
[FIGURE 1 - Zone Change Exhibit](#)
[FIGURE 2 - PUD Concept Plan](#)
[FIGURE 3 - Project Statement](#)
[FIGURE 4 - Public Comments](#)
[7.5.603 Findings - ZC req_CA](#)
[7.3.603 Establishment & Development of a PUD Zone](#)
[FlyingHorseParcel22_Staff-Presentation](#)
[CPC_Minutes_FlyingHorseParcel22](#)
[Signed Ordinance 18-124](#)

Councilmember Knight stated he is concerned that the proposed Flying Horse concept plan is changing currently zoned commercial property to primarily residential zoned property and that there is no financial impact analysis associated with it.

Daniel Sexton, Senior Planner, Planning and Community Development, explained that an applicant seeking to change zoning is able to do so through either a concept plan or a development plan and a concept plan amendment does not remove previously approved commercial use, but does allow the addition of residential use. He stated the proposed zone change does not warrant another traffic study to be conducted.

Councilmember Knight stated a zone change from commercial to residential should require a master plan amendment with a financial analysis. Jeff Greene, Chief of Staff, stated staff is working on the appropriate methodology within City Code in regards to financial impact analysis, but the applicant should not get caught in the process.

Doug Stimple, Principal with The Classic Companies, representing the master developer of Flying Horse, stated most commercial zones have an allowable element of residential in it and the fiscal impact for the 7.5 acres would be minimal in the context of a 1,500 acre master plan and because of the non-taxable development that could occur under the current zoning.

Councilmember Pico commented that even without a financial analysis, this

plan would be a net positive for the City.

Councilmember Murray stated he sees this development as more commercial property than residential and requested staff clarify how this will impact the community.

Marc Smith, Corporate Division Chief, Office of the City Attorney, identified the review criteria for these particular applications.

Citizen Tom Noonan asked if there will be bus service to this area. President Skorman stated this area does not have the concentration of people to warrant bus service at this time. Councilmember Avila commented that there is high density where she lives and her home is still a mile away from her first bus stop. She stated transit should be part of the infrastructure from the beginning of the development.

Motion by Councilmember Pico, seconded by Councilmember Strand, that the Ordinance changing the zoning of 8.73 acres from (PUD) Planned Unit Development to (PUD) Planned Unit Development: commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection, 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. The motion passed on 7-1-1-0

Aye: 7 - Avila, Gaebler, Geislinger, Murray, Pico, Skorman, and Strand

No: 1 - Knight

Absent: 1 - Bennett

- 4B.S.** [CPC PUP 13-00033-A1 MJ18](#) A Major Amendment of the Flying Horse Parcel 22 PUD Concept Plan for 8.73 acres of land illustrating a reconfigured lot layout, allowing additional uses on Lot 4, updating the Powers Boulevard noise influence line, and establishing timing for future roadway extensions, located southeast of the terminus of Silversmith Road and Silver Rose Lane.

(QUASI-JUDICIAL)

Related File: CPC ZC 18-00085

Presenter:

Peter Wysocki, Director Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments: [FIGURE 2 - PUD Concept Plan](#)
[7.3.605 PUD Concept Plan](#)
[7.5.501.E Concept Plans](#)

Please see comments in Agenda item 4B.R.

Motion by Councilmember Pico, seconded by Councilmember Strand, that the Major PUD Concept Plan Amendment for the Flying Horse Parcel 22 project, based upon the findings that the amended PUD concept plan meets the review criteria for granting a PUD concept plan as set forth in 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). The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

There was no Unfinished Business.

11. New Business

- 11.A. [CPC MP 18-00113](#) A resolution adopting the Mill Street Neighborhood Plan, replacing the 2003 Mill Street Preservation Plan and expanding the Plan's geographic scope.

Presenter:

Catherine Duarte, Senior Analyst, Community Development Division

Attachments: [Resolution_Mill Street Neighborhood Plan](#)
[Fiscal Impact Analysis.Mill Street](#)
[Mill Street Neighborhood Plan_Dec18](#)
[Mill Street Full Appendix_Dec17](#)
[Feffer Mill Street Letter 120318](#)
[Mill St Neighborhood Plan Support Letter 10.01.2018](#)
[Staff Report Mill Street](#)

Jeff Greene, Chief of Staff, requested this item be postponed to December 11, 2018 City Council meeting due to some language changes that need to be incorporated into the document.

Councilmember Murray and Councilmember Knight requested the stadium project be included in the plan because of its impact on the neighborhood.

Mr. Greene stated it is not located within the Mill Street neighborhood.

Catherine Duarte, Senior Analyst, Community Development Division, identified the requested changes that were included in the revised Mill Street Neighborhood Plan.

Councilmember Murray requested a rendering of the view from the street which includes the potential Weidner Stadium. Mr. Greene stated it will be submitted with the Weidner Stadium development plan.

Motion by Councilmember Knight, seconded by Councilmember Pico, that the Ordinance for adopting the Mill Street Neighborhood Plan, replacing the 2003 Mill Street Preservation Plan and expanding the Plan's geographic scope be postponed to the December 11, 2018 City Council meeting. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

- 11.B.** [18-0398](#) A Resolution Setting and Certifying the 2018 Tax Levy for Taxes Payable in 2019 at 5.000 Mills for the Colorado Springs Downtown Development Authority in Colorado Springs, Colorado

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [01 Res to Set Mill Levy for DDA 11 27 18](#)

[Signed Resolution 148-18](#)

President Skorman recused himself due to being a member of the Downtown Development Authority.

Citizen Mark Heismann stated the citizens should have a vote on the mill levy. President Pro Tem Gaebler commented residents of the area previously voted on it. Councilmember Knight explained this item is the annual certification of the existing mill levy which has not changed.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Resolution to set and certify the 2018 tax levy for taxes payable in 2019 at 5.000 mills for the Colorado Springs Downtown Development Authority be adopted. The motion passed by a vote of 7-0-1-1

Aye: 7 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, and Strand

Absent: 1 - Bennett

Recused: 1 - Skorman

- 11.C.** [18-0399](#) A Resolution Appropriating Funds in the Amounts of, and for the

Purposes Set Forth Below, for the Colorado Springs Downtown Development Authority in Colorado Springs Colorado, for the 2019 Budget Year

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [02. Res to Appropriate for DDA 11.27.18](#)
[Signed Resolution 149-18](#)

Please see comments in item 11.B.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Resolution to appropriate funds for the 2019 budget for the Colorado Springs Downtown Development Authority be adopted. The motion passed by a vote of 7-0-1-1

Aye: 7 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, and Strand

Absent: 1 - Bennett

Recused: 1 - Skorman

- 11.D.** [18-0540](#) Ordinance No. 18-125 amending Section 203 (Candidate and Committee Funds Reporting and Disclosures; Conduits) of Part 2 (Fair Campaign Practices; Candidate and Committee Funds and Disclosures) of Article 2 (Campaign Disclosures) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to campaign finance

Presenter:
Jill Gaebler, City Council President Pro-Tem
Sarah B. Johnson, City Clerk

Attachments: [Updated Campaign Finance Ordinance.docx](#)

President Pro Tem Gaebler identified the changes to the Ordinance pertaining to campaign finance which include removing the language “a detailed listing” and the “paid for by” requirement for smaller sized signs.

Sarah B. Johnson, City Clerk, explained the “paid for by” disclosure would be expanded to include newspaper, magazine, outdoor advertising facility, any sign requiring a Large Sign Revocable Permit per the planning department, direct mailing, handbill, internet-based advertising, or broadcast through radio, television or other technologies.

Citizen Sarah Jack requested more of a public process for the item and spoke in opposition of the proposed Ordinance. Councilmember Tom

Strand asked for clarification for what would constitute more of a public process. Ms. Jack stated there should be a task force formed to address these changes.

Citizen Deb Walker, Executive Director of Citizens Project, spoke in favor of the proposed Ordinance and requested additional improvements to City Code in regards to transparency and election laws.

President Skorman stated this Ordinance just clarifies what is already required. Ms. Johnson clarified the disclaimer section of the Ordinance is new.

Councilmember Pico stated the Ordinance does not address the sources of funds and believes he feels it is being rushed.

Councilmember Avila commented that not all the expenses should be itemized, but there should be more clarification.

Motion by Councilmember Murray, seconded by Councilmember Knight, that the Ordinance, as amended with the removal of the language in P7, “a detailed listing of,” amending Section 203 (Candidate and Committee Funds Reporting and Disclosures; Conduits) of Part 2 (Fair Campaign Practices; Candidate and Committee Funds and Disclosures) of Article 2 (Campaign Disclosures) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to campaign finance be approved on first reading. The motion passed by a vote of 6-2-1-0

Aye: 6 - Avila, Gaebler, Geislinger, Knight, Murray, and Skorman

No: 2 - Pico, and Strand

Absent: 1 - Bennett

12. Public Hearing

- 12.A.** [CPC MP 10-00089-A3 MJ18](#) A major amendment to the High Chaparral Master Plan proposing a change of use from commercial to residential (3.5-7.99 DU/AC) involving 4.8 acres located northwest of the intersection of Powers Boulevard and Barnes Road.

(Legislative)

Related Files: CPC PUD 18-00055, CPC PUZ 18-00054

Presenter:

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

Attachments: [RES_HighChaparralMPA](#)
[Exhibit A - Master Plan Amendment](#)
[Chaparral Pointe CPC Staff Report](#)
[Figure 1 - Chaparral Pointe - Project Statement](#)
[Figure 2 - High Chaparral_MP_Amendment](#)
[Figure 3 - Chaparral Pointe - Zone Exhibit](#)
[Figure 4 - Chaparral Pointe DP](#)
[Figure 5 - Resident Comments](#)
[Figure 6 - Chaparral Hills FIA](#)
[Figure 7 - Master Plan Acreage Comparison](#)
[7.5.408 MASTER PLAN REVIEW CRITERIA](#)
[Chaparral Pointe - Staff Presentation](#)
[Vicinity Map - Aerial](#)
[Vicinity Map](#)
[Signed Resolution 150-18](#)

Mike Schultz, Principal Planner, Planning and Community Development, presented the major amendment to the High Chaparral Master Plan proposing a change of use from commercial to residential. He presented a map of the site location, zoning, and current conditions. Mr. Schultz provided a brief background of the stakeholder process and gave an overview of the Chaparral Pointe master plan amendment, development plan, fiscal impact analysis, and staff recommendation.

Councilmember Pico asked if the single access road at Integrity Center Point will be upgraded by the developer. Mr. Schultz confirmed the developer will upgrade the frontage road.

Councilmember Knight asked why the development plan is conditional on the developer improving Integrity Center Point road, but the zoning change and change of use are not. Mr. Schultz stated it is because the development plan would still be under review of staff even after it is approved by City Council.

Andrea Barlow, from NES, representing the applicant, gave an overview proposed requests for a 4.8 acre change from commercial to residential, rezone of 12.153 acres, and a Planned Unit Development (PUD) plan for a mix of single-family detached and single-family attached residential. She presented maps of the existing and proposed master plan, rezone, and

development plan. She gave an overview of the project details, its consistency with the City's comprehensive plan, the neighborhood outreach, and off-site drainage.

Councilmember Geislinger requested the price index for the houses. Mike Fenton, Century Communities, stated they are attempting to keep the housing costs below \$300,000 per unit. Councilmember Strand asked how much the lots cost. Mr. Fenton stated \$64,000 per lot.

Councilmember Knight asked if the 5.6 dwelling units per acre was an average of the 12 acres. Ms. Barlow confirmed it was and explained the difference between the gross density and net density.

Councilmember Murray asked if there could be a vehicle access point onto Powers Boulevard. Ms. Barlow stated the City does not have authority over it because it is Colorado Department of Transportation (CDOT) right of way.

Citizens Lynn and Harry Freis, property owners, spoke in favor of the project.

Citizens Matthew Joseph Fourlines, Georgia Devours, Cynthia Fourlines, Laura Mason, and John Scandura spoke in opposition of the project.

Mr. Schultz addressed the pedestrian safety concerns and the density concerns of the area.

Councilmember Pico commented he is concerned about the traffic volume on Barnes Road.

Councilmember Murray and Councilmember Geislinger stated the City needs to be diligent in addressing the issues presented from citizens resulting from this new plan.

Motion by Councilmember Strand, seconded by Councilmember Geislinger, that the Major Amendment of the High Chaparral Master Plan, changing the land use designation from commercial to residential (3.5 to 7.99 DU's/Acre) based upon the findings that the amendment request meets the review criteria for granting a master plan as set forth in City Code Section 7.5.408 be approved. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

- 12.B. [CPC PUZ 18-00054](#) Ordinance No. 18-126 amending the zoning map of the City of Colorado Springs pertaining to 12.15 acres located northwest of the intersection of Powers Boulevard and Barnes Road at the terminus of Integrity Center Point from A/UV/AO (Agriculture with Use Variance and Avigation Overlay) to PUD/AO (Planned Unit Development with Avigation Overlay; single-family and attached two-family, 35-foot maximum building height, 5.59 dwelling units per acre).

(Quasi-judicial)

Presenter:

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

Attachments: [ZC ORD HighChaparral](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Depiction](#)
[Signed Ordinance 18-126](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Geislinger, seconded by Councilmember Strand, tthat the ordinance amending the zoning map of the City of Colorado Springs pertaining to 12.153 acres from A/UV/AO (Agriculture with Use Variance and Avigation Overlay) to PUD/AO (Planned Unit Development: single-family and attached two-family, 35-foot maximum building height, 5.59 dwelling units per acre with Avigation Overlay), based upon the finding that the zone change request complies with the three (3) review criteria for granting a zone change in City Code Section 7.5.603(B) and the review criteria in City Code Section 7.3.603 for establishment of a PUD zone be approved on first reading. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

- 12.C. [CPC PUD 18-00055](#) The Chaparral Pointe PUD Development Plan proposing 32 single-family and 36 two-family residential lots on 12.153 acres.

(Quasi-judicial)

Related Files: CPC MP 10-00089-A3MJ18, CPC PUZ 18-00054

Presenter:

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

Attachments: [Figure 4 - Chaparral Pointe DP](#)
[7.3.606 PUD Development Plan](#)
[7.5.502.E Development Plan Review](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Strand, seconded by Councilmember Pico, that the Chaparral Pointe Development Plan consisting of 32 single-family and 36 two-family residential lots based upon the findings that the PUD development plan meets the review criteria for granting a PUD development plan as set forth in City Code Section 7.3.606 and meets the review criteria for granting a development plan as set forth in City Code Section 7.5.502(E) with following condition: 1. The terms of the financial contribution by the Chaparral Pointe Metropolitan District and the Barnes Center Commercial Owners regarding the maintenance of Integrity Center Point will be agreed upon prior to final approval of the development plan be approved. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

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

16. General Improvement Districts:

Following adjournment of the regular City Council meeting, City Council shall reconvene as the Colorado Springs Board of Directors of the Briargate General Improvement District, for action on the following items:

- 16.A.** [18-0388](#) A Public Hearing on the Budget for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Briargate GID map](#)
[Briargate GID 2019 Budget](#)

There were no comments on this item.

- 16.B.** [18-0387](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Refunding Bonds, Series 2014 of the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the 2019 Budget Year

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [01_Res to Set Mill Levy for Briargate GID_11 27 18](#)
[Signed Resolution 151-18](#)

There were no comments on this item.

Motion by Councilmember Knight, seconded by Councilmember Murray, that the Resolution to set and certify the 2018 mill levy at 12.000 mills on taxes payable in 2019 for the Colorado Springs Briargate General Improvement District be adopted. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

- 16.C.** [18-0386](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Briargate GID 2019 Budget](#)
[02_Res to Adopt Budget and Appropriate for Briargate GID_11 27 18](#)
[Signed Resolution 152-18](#)

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Knight, that the resolution to adopt the 2019 budget and appropriate funding for the 2019 budget year for the Colorado Springs Briargate General Improvement District be adopted. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

Adjourn

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

Sarah B. Johnson, City Clerk

Following adjournment of the Board of Directors of the Briargate General Improvement District, City Council shall reconvene as the Colorado Springs Marketplace at Austin Bluffs General Improvement District, for action on the following items:

- 16.D.** [18-0391](#) A Public Hearing on the Budget for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [MAB GID 2019 Budget Revised 10-23-18](#)

There were no comments on this item.

- 16.E.** [18-0392](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Bonds of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the 2019 Budget Year

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [01 Res to Set Mill Levy for MAB GID 11 27 18](#)

[Signed Resolution 153-18](#)

There were no comments on this item.

Motion by Councilmember Geislinger, seconded by Councilmember Murray, that the Resolution to set and certify the 2018 mill levy at 50.000 mills on taxes payable in 2019 for the Colorado Springs Marketplace at Austin Bluffs General Improvement District budget be adopted. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

- 16.F.** [18-0393](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado

Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [MAB GID 2019 Budget Revised 10-23-18](#)

[02_Res to Adopt Budget for MAB GID_11 27 18](#)

[Signed Resolution 154-18](#)

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Murray, that the Resolution to adopt the 2019 budget and appropriate the funding for the 2019 budget year for the Colorado Springs Marketplace at Austin Bluffs General Improvement District be adopted. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

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

Sarah B. Johnson, City Clerk

Following adjournment of the Board of Directors of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, City Council shall reconvene as the Colorado Springs Spring Creek General Improvement District, for action on the following items:

- 16.G.** [18-0394](#) A Public Hearing on the Budget for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Spring Creek GID Map_11 22 11](#)

[Spring Creek GID 2019 Budget](#)

There were no comments on this item.

- 16.H.** [18-0395](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Refunding Bonds, Series 2005 of the Colorado Springs Spring Creek General

Improvement District, Colorado Springs, Colorado, for the 2019 Budget Year

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [01 Res to Set Mill Levy for Spring Creek GID 11 27 18](#)
[Signed Resolution 155-18](#)

There were no comments on this item.

Motion by Councilmember Knight, seconded by Councilmember Murray, that the Resolution to set and certify the 2018 mill levy at 6.000 mills on taxes payable in 2019 for the Colorado Springs Spring Creek General Improvement District be adopted. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

- 16.I.** [18-0396](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Spring Creek GID 2019 Budget](#)
[02 Res to Adopt Budget for Spring Creek GID 11 27 18](#)
[Signed Resolution 156-18](#)

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Murray, that the Resolution to adopt the 2019 budget and appropriate funding for the 2019 budget year for the Colorado Springs Spring Creek General Improvement District be adopted. The motion passed by a vote of 8-0-1-0

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

Absent: 1 - Bennett

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

Sarah B. Johnson, City Clerk