



# 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, August 8, 2023

10:00 AM

Council Chambers

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### How to Watch the Meeting

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Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)  
- Stratus IQ Channel 76 / 99 (Streaming)

### 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](mailto: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](mailto:allcouncil@coloradosprings.gov) in addition to calling +1 720-617-3426 United States, Denver (Toll) and entering this Conference ID: 673 980 808#

Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

### 1. Call to Order and Roll Call

### 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. [23-309](#)**

Ordinance No. 23-33 amending Ordinance No. 22-90 (2023 Budget Appropriation Ordinance) for a supplemental appropriation to the 2C2-Road Repair, Maintenance and Improvement Fund in the amount of \$16,000,000 for additional capital expenditures identified for 2023

Presenter:

Chris Fiandaca, City Budget Manager

Travis Easton, P.E., Deputy Chief of Staff

Corey Farkas, Manager, Operations and Maintenance Division of Public Works

**Attachments:**

[Ordinance for Supplemental Approp-2C2 Road Repair and Maint - Fund Balance - July 2023](#)

**4A.B. [23-342](#)**

Ordinance No. 23-34 amending Part 5 (License Fees) and Section 1008 (Payment By Cash Or Guaranteed Funds) of Part 10 (Offenses; Failure To File, Pay) Both 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 License Fees

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:**

[23-342 - SalesTax-LicenseFeesORD-2023-06-02v2](#)

**4A.C. [23-343](#)**

Ordinance No. 23-35 amending Part 9 (Administration) 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 And Use Tax Administration

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:**

[23-343 - SalesUseTax-AdministrationORD-2023-05-22](#)

**4A.D.** [23-344](#)

Ordinance No. 23-36 amending Multiple Sections of Article 7 (Sales And Use Tax) and Article 12 (Economic Development Agreements) of Chapter 2 (Business Licensing, Liquor Regulation And Taxation) of the Code of the City of Colorado Springs 2001, as Amended, pertaining to Sales and Use Tax of Construction and Building Materials

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:**

[23-344 - SalesTax-ConstructionCH2-ORD-2023-5-22 \(004\)](#)

**4A.E.** [23-345](#)

Ordinance No. 23-37 amending Sections 201 (Definitions) and 213 (Economic Development Agreements) of Part 2 (General Provisions) of Article 1 (Municipal Airport) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as Amended, pertaining to Sales and Use Tax of Construction and Building Materials

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:**

[23-345 - SalesTax-ConstructionCH14-ORD-2023-1-19](#)

**4A.F.** [ANEX-22-0012](#)

Ordinance No. 23-39 annexing the area known as T5 Addition No. 1 Annexation located at the southern portion of 3819 Janitell Road consisting of 20,064 square feet.  
(Legislative)

Related Files: ANEX-22-0012R, ZONE-22-0009,  
COPN-22-0026

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community Development  
Peter Wysocki, Planning Director, Planning and Community Development

**Attachments:**

[Ordinance](#)

[CPC Staff Report](#)

[Project Statement](#)

[Legal Description](#)

[Annexation Plat](#)

[Zone Change](#)

[Concept Plan](#)

[Development Plan](#)

[Annexation Agreement - Draft](#)

[FIA Below Threshold.T5 Addition No. 1](#)

[Vicinity Map](#)

[Aerial](#)

[7.6.203-Annexation Conditions](#)

[CPC Meeting Minutes 01.11.23](#)

[Staff Presentation](#)

**4A.G.** [ZONE-22-0009](#)

Ordinance No. 23-40 establishing BP (Business Park) zone district located at the southern portion of 3819 Janitell Road consisting of 20,064 square feet.  
(Legislative)

Related Files: ANEX-22-0012, ANEX-22-0012R, COPN-22-0026

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community Development

Peter Wysocki, Planning Director, Planning and Community Development

**Attachments:**

[Ordinance](#)

[Exhibit A - Legal Desc](#)

[Exhibit B - Zone Change](#)

[Vicinity Map](#)

[7.5.603.B Findings - ZC](#)

[Staff Presentation](#)

**4A.H.** [ANEX-22-0010](#)

Ordinance No. 23-41 annexing the area known as Hope Chapel Addition No. 1 Annexation located at 2210 Old Ranch Road consisting of 4.6136 acres.

(Legislative)

Related Files: ANEX-22-0010R, ANEX-22-0011, ANEX-22-0011R, ZONE-22-0008, COPN-22-0008

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community Development

Peter Wysocki, Planning Director, Planning and Community Development

**Attachments:**

[Ordinance](#)

[CPC Staff Report](#)

[ProjectStatement](#)

[Annexation Plat - Hope Chapel Addition No.1](#)

[Annexation Plat - Hope Chapel Addition No.2](#)

[Legal Description](#)

[Zone Change](#)

[Concept Plan](#)

[Annexation Agreement\\_Draft](#)

[FIA Below Threshold](#)

[FIA Memo](#)

[ProjectStatement](#)

[NearEnclave\\_annexation\\_north2](#)

[AERIAL](#)

[Public Comments](#)

[Impact Report](#)

[Fasterling.Brian\\_comments](#)

[7.6.203-Annexation Conditions](#)

[CPC Meeting Minutes\\_01.11.23](#)

[Staff Presentation](#)

**4A.I.** [ANEX-22-0011](#)

Ordinance No. 23-42 annexing the area known as Hope Chapel Addition No. 2 Annexation located at 2210 Old Ranch Road consisting of 9.8807 acres.  
(Legislative)

Related Files: ANEX-22-0010, ANEX-22-0010R,  
ANEX-22-0011R, ZONE-22-0008, COPN-22-0008

Presenter:  
Gabe Sevigny, Planning Supervisor, Planning and Community Development  
Peter Wysocki, Planning Director, Planning and Community Development

**Attachments:**

[Ordinance](#)  
[Annexation Plat - Hope Chapel Addition No.2](#)  
[Legal Description](#)  
[FIA Below Threshold.T5 Addition No. 1](#)  
[Impact Report](#)  
[7.6.203-Annexation Conditions](#)  
[CPC Meeting Minutes\\_01.11.23](#)  
[Staff Presentation](#)

**4A.J.** [ZONE-22-0008](#)

Ordinance No. 23-43 establishing R5/SS (Multi-family Residential with Streamside Overlay) zone district located at 2210 Old Ranch Road consisting of 11.1073 acres.

(Legislative)

Related Files: ANEX-22-0010, ANEX-22-0010R,  
ANEX-22-0011, ANEX-22-0011R, COPN-22-0008

Presenter:  
Gabe Sevigny, Planning Supervisor, Planning and Community Development  
Peter Wysocki, Planning Director, Planning and Community Development

**Attachments:**

[Ordinance](#)  
[Exhibit A - Legal Description](#)  
[Exhibit B - Zone Change](#)  
[7.5.603.B Findings - ZC](#)  
[Staff Presentation](#)

**4B. First Presentation:****4B.A.** [23-407](#)

City Council Regular Meeting Minutes July 26, 2023

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**[7-25-2023 City Council Meeting Minutes Final](#)**4B.B.** [23-311](#)

An Ordinance including certain property into the Creekwalk Marketplace Business Improvement District

(Legislative)

Presenter:

Mike Tassi, Assistant Director, Planning &amp; Community Development

Peter Wysocki, Director, Planning &amp; Community Development

**Attachments:**[Ordinance](#)[Exhibit A - Petition for Inclusion](#)[Exhibit B - Proof of Publication](#)[Revised Cover Letter to Colorado Springs BID Inclusion](#)[Notice of Inclusion](#)[Petition for Inclusion](#)[Staff PowerPoint](#)**4B.C.** [23-336](#)

A Resolution approving an Economic Development Agreement between the City of Colorado Springs and Project Bullseye

Presenter:

Bob Cope, Economic Development Officer

Shawna Lippert, Senior Economic Development Specialist

**Attachments:**[RES ProjectBullseye 2023](#)[Project Bullseye Economic Development Agreement](#)[Bullseye EDA Presentation WORK](#)



**4B.D.** [23-360](#)

An Ordinance amending Ordinance No. 22-90 (2023 Budget Appropriation Ordinance) for a supplemental appropriation to the Public Safety Sales Tax (PSST) Fund in the amount of \$2,000,000, and to the General Fund in the amount of \$1,000,000, for additional capital costs for construction of Fire Station 24 and remodel of an existing fire station in Colorado Centre that will become Fire Station 25; and to the Capital Improvements Program (CIP) Fund in the amount of \$1,000,000 for the transfer from the General Fund to the Fire Station 24 existing project account

Presenter:

Chris Fiandaca, City Budget Manager

Randy Royal, Fire Chief

**Attachments:**

[Ordinance for Supplemental Approp-PSST and GF and CIP for FS 24 and 25](#)

**4B.E.** [23-361](#)

An Ordinance amending Ordinance No. 22-90 (2023 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the amount of \$1,465,848 for monies due to UCH-MHS for the periodic reconciliation with UC Health

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:**

[Supplemental Approp Ord for MHS to UCH recon payment](#)

**4B.F.** [23-365](#)

A Resolution Authorizing Acquisition of Approximately 564 Acres and Recognizing a Partial Donation

Presenter:

Troy Stover, Business Park Development Director, Colorado Springs Airport

**Attachments:**

[564-Acre Property Acquisition Resolution 2023 08 08.docx](#)

[564 Acre Acquisition City Council PowerPoint August 8, 2023.pptx](#)

**4B.G.** [23-404](#)

The City Clerk reports that on July 26 2023 there was filed with her a petition for the annexation of Rock Creek Mesa Addition No. 1 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:**

[Petition for Annexation CITY OF COLORADO SPRINGS PCRS.pdf](#)  
[Rock Creek MEsa.pdf](#)  
[Petition for Annexation COLORADO SPRINGS EQUITIES LLC.pdf](#)  
[Rock Creek Mesa.pdf](#)  
[Petition for Annexation GOLDEN EAGLE RANCH LLC.pdf](#) [Rock Creek Mesa.pdf](#)  
[Petition for Annexation NEW DIRECTION IRA INC FBO.pdf](#) [Rock Creek Mesa.pdf](#)  
[ROCK CREEK MESA ANNEXATION PLAT.pdf](#) [Rock Creek Mesa.pdf](#)  
[New Direction SOA \(executed\).pdf](#) [Rock Creek Mesa.pdf](#)  
[Statement of Authority COLORADO SPRINGS EQUITIES LLC.pdf](#)  
[Rock Creek Mesa.pdf](#)  
[Statement of Authority GOLDEN EAGLE RANCH LLC Signed.pdf](#)  
[Rock Creek MEsa.pdf](#)

**4B.H.** [23-352](#)

A Resolution Authorizing the Purchase of Fort Lyon Canal Company Stock Owned by Mathis Golden Farm, LLC for Colorado Springs Utilities and Authorizing the Filing of Water Court Applications for Changes of Water Rights and Appropriative Rights of Exchange

**Attachments:**

[Water Acquisition City Council Resolution 8-8-23](#)

**4B.I.** [23-267](#)

**Est. Time:** 30 minutes

A Resolution Authorizing the Acquisition of a Permanent Easement on Property Located at 2660 Astrozon Boulevard to be Used for the Kelker to South Plant Transmission Project

Presenter:

Jessica Davis, Land Resource Manager, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:**

[CC Resolution\\_KelkerSouthPlantHPlaza3LLCEasement\\_Final](#)  
[Exhibits\\_H Plaza 3 LLC Legal Description 05\\_11\\_23](#)  
[CC Presentation\\_Property Acquisition\\_K-SP\\_H Plaza 3 LLC\\_Final](#)

- 4B.J.** [23-330](#) A Resolution by City Council Rescinding Resolution No. 99-23 and Adopting a New Resolution in Favor of the City of Fountain's Request to Join the Pikes Peak Rural Transportation Authority (PPRTA)
- Est. Time:** 10 Minutes

Presenter:

Travis Easton, P.E., Deputy Chief of Staff

Randy Helms, Councilor, PPRTA Board Chair

**Attachments:**

[RES\\_PPRTA Fountain\\_edit\\_Clean2](#)

[RES\\_PPRTA Fountain\\_edit\\_Redline](#)

[1 PPRTA Resolution for Fountain to Join PPRTA](#)

[2 Fountain Joining PPRTA Financial impact](#)

[3 Fountain Impact on PPRTA 3](#)

[5 Presentation on Fountain Joining PPRTA](#)

[Signed Resolution No. 99-23.pdf](#)

## **5. Recognitions**

- 5.A.** [23-410](#) A Resolution recognizing August 12, 2023 as Julie Penrose Day
- Est. Time:** 15 minutes

Presenter:

Michelle Talarico, Councilmember District 3

**Attachments:**

[Julie Penrose Day](#)

- 5.B.** [23-408](#) City Council Appointments to Boards, Commissions, and Committees
- Est. Time:** 10 minutes

Presenter:

Randy Helms, Council President & Councilmember District 2

**Attachments:**

[080823 Boards Commissions and Committee Appointments](#)

## **6. Mayor's Business**

## **7. Citizen Discussion For Items Not On Today's Agenda**

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

## **9. Utilities Business**

## **10. Unfinished Business**

## **11. New Business**

## **12. Public Hearing**

### **Kum and Go Project Estimate Time: 1 Hour**

- 12.A. [ZONE-23-0003](#) Ordinance No. 23-38 amending the zoning map of the City of Colorado Springs relating to 1.81 acres located at the southwest corner of the East San Miguel Street and North Circle Drive intersection to retain the current zoning classification of MX-M/CR (Mixed-Use Medium Scale with Conditions of Record) and remove the condition of record #2, which stipulates that “All activities shall be conducted entirely within a building.”

(Quasi-Judicial)

Related Files: COPN-23-0002

Presenter:

Austin Cooper, Planner II, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

**Attachments:**

[Ordinance](#)

[Ordinance 12-92](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Zone Change](#)

[Staff Report](#)

[Project Statement](#)

[Public Comments](#)

[Response to Public Comments](#)

[Context Map](#)

[Community Meeting Neighborhood Sign-in Sheet](#)

[7.5.603 Findings - ZC](#)

[Post Planning Commission Public Comment](#)

**12.B.** [COPN-23-0002](#)

A Concept Plan for a food convenience store with fuel sales on a 1.82-acre site, located at the southwest corner of East San Miguel and North Circle Drive.

(Quasi-Judicial)

Related Files: ZONE-23-0003

Presenter:  
Austin Cooper, Planner II, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Attachments:**

[Staff Report](#)

[Concept Plan](#)

[Context Map](#)

[PlanCOS Vision Map](#)

[7.5.501.E Concept Plans](#)

[Post Planning Commission Public Comment](#)

**Launchpad Apartments Appeal Estimated Time: 3 Hours**

**12.C.** [CPC 2063](#)

An appeal of the Planning Commission's decision to affirm the administrative decision for the approval of a multi-family residential development plan, known as Launchpad Apartments, located at 864 North 19th Street, and deny the appeal filed against Launchpad Apartments.

(Quasi-Judicial)

Related Files: DEPN-23-0001

Presenter:

William Gray, Senior Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

**Attachments:**

[Request for Postponement 07.25.23](#)  
[Request for Postponement 06.14.23](#)  
[Staff Report](#)  
[Project Statement](#)  
[Appeal to City Council](#)  
[Appeal Memo to Planning](#)  
[Appeal Statement](#)  
[Development Plan](#)  
[Public Comments 07.27.23](#)  
[Public Comments](#)  
[Public Comment Response](#)  
[Support Letter](#)  
[Neighborhood Meeting Notes](#)  
[PlanCOS Vision Map](#)  
[Vicinity Map](#)  
[Context Map](#)  
[The Westside Plan 1979](#)  
[Westside Generalized Land Use Map](#)  
[Traffic Impact Study](#)  
[Geotech Report](#)  
[Appellant Document: 1999 Landslides Engineering Report SQUIRE](#)  
[Appellant Document: Deficiencies Geologic Hazard Study](#)  
[Appellant Document: Hofstead Landslide 1999](#)  
[Appellant Document: Transcript Neighborhood Meeting 09.26.22](#)  
[Appellant Document: Uphill Neighbor Letter 06.06.23](#)  
[Appellant Document: Uphill Neighbor Letter 07.11.23](#)  
[Appellant Request for Postponement 06.09.23](#)  
[Appellant Document: Inaccuracy Report](#)  
[Appellant Document: Staff Makes Appellant Case](#)  
[Appellant Document: Case Outline](#)  
[7.5.502.E Development Plan Review](#)  
[7.5.906 \(A\)\(4\) Administrative Appeal](#)  
[CPC Meeting Minutes 06.14.23](#)  
[Staff Presentation](#)  
[Opposition to Postponement.pdf](#)  
[Postion Statement in Opposition to Appeal.pdf](#)  
[Exhibit 1 - Applicant's Appeal PPT Presentation 6.14.2023.pdf](#)  
[Exhibit 2 - Community Leader and Neighbor Support Letters.pdf](#)

[Exhibit 3 - Public Comment Compilation.pdf](#)

[Appeal to City Council](#)

**13. Added Item Agenda**

**14. Executive Session**

**15. Adjourn**