



City of Colorado Springs

Regular Meeting Agenda - Final-revised City Council

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

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Tuesday, September 27, 2022

10:00 AM

Council Chambers

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Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
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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

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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. [22-509](#) Ordinance No. 22-58 amending Ordinance No. 21-112 (2022 Budget Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$2,500,000 to complete the replacement of the heating, ventilation and air conditioning (HVAC) system at the Colorado Springs Pioneers Museum

Presenter:

Chris Fiandaca, City Budget Manager

Charae McDaniel - Chief Financial Officer

Britt Haley - Acting Parks, Recreation and Cultural Services Director

Attachments: [Ordinance for Supplemental Approp-Pioneer Museum HVAC 2022](#)

- 4A.B. [22-485](#) Ordinance No. 22-59 declining the participation of the City of Colorado Springs in the Colorado Paid Family and Medical Leave Insurance Program

Presenter:

Michael Sullivan, Chief Human Resources Officer, City of Colorado Springs

Renee Adams, General Manager - Human Resources, Colorado Springs Utilities

Attachments: [FAMLIDeclinationORD](#)
[LocalGov_2](#)
[FAMLI April Webinar - Local Governments](#)
[FAMLI Decline Participation Council Presentation_Final2](#)
[knowledgenow-famli-online](#)

4A.C. [CPC PUZ
22-00036](#)

Ordinance No. 22-60 amending the zoning map of the City of Colorado Springs relating to 20.26 acres located west of South Chelton Road along the north and south side of Hancock Expressway from PUD/PUD/OC/CR/PBC/AO (Planned Unit Development: Townhomes, 30-foot maximum building height with 15 dwelling units per acre; Planned Unit Development: Townhomes, 35-foot maximum building height, 11.668 dwelling units per acre with Navigation Preservation Overlay; Office Complex with Airport Overlay; and Planned Business Center with Airport Overlay) to PUD/AO (Planned Unit Development: Community Commercial, 20,000 square foot maximum, and 45-foot maximum building height; Residential Very High, 25 dwelling units per acre maximum, and 45-foot maximum building height; Residential Medium, 8 dwelling units per acre maximum, and 35-foot maximum building height; with Airport Overlay)

(Quasi-judicial)

Related File: CPC PUP 22-00037

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [ORD_ZC_HancockCommons](#)

[Exhibit A - Legal Desc](#)

[Exhibit B - Zone Change](#)

4A.D. [CPC PUZ
22-00034](#)

Ordinance No. 22-61 amending the zoning map of the City of Colorado Springs for the Enclaves at Mountain Vista Ranch East project changing 184.29 acres from R-1 6000/PBC/AO/R-5/PUD/PK/SS/AO (Single-Family Residential, Planned Business Center, Multi-Family Residential, Planned Unit Development, and Public Parks with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: Residential, 3.5 dwelling units per acre to 24.99 dwelling units per acre, and 35 feet maximum building height; and Commercial, 138,500 square feet maximum, and 45 feet maximum building height, with Streamside and Airport Overlays).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A31MJ22 and CPC PUP
16-00013-A4MJ22

Presenter:

William Gray, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [ORD_ZC_EnclavesAtMountainVistaEast](#)

[Exhibit A - Legal](#)

[Exhibit B - Zone Change](#)

4A.E. [22-512](#)

Ordinance No. 22-62 repealing Part 18 (Acquisition and Disposition of Real Property Interests) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) and creating a new Part 5 (Acquisition of Real Property Interests) of article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to acquisition and disposition of real property.

Presenter:

Ben Bolinger, Legislative Counsel, Office of the City Attorney
Darlene Kennedy, Real Estate Services Manager

Attachments: [Staff Memo for Real Estate Code Amendment](#)

[ORD Real Estate A&D](#)

4A.F. [CPC A
21-00137](#)

Ordinance No. 22-63 annexing to the City of Colorado Springs that area known as Dublin North Addition No. 5 annexation consisting of 5.895 acres located southeast of the Spring Breeze Drive And Tutt Boulevard intersection

(Legislative)

Related Files: CPC A 21-00137R, CPC PUZ 21-00171, CPC PUD 21-00172

Presenter:

Katelynn Wintz, Planning Supervisor, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [ORD_DublinNorthAdditionNo5Annex](#)
[Exhibit A - Annex Legal Dublin North](#)
[Annex Plat_DublinNorthAddNo.5](#)

4A.G. [CPC PUZ
21-00171](#)

Ordinance No. 22-64 amending the zoning map of the City of Colorado Springs pertaining to 5.895 acres located southeast of the Spring Breeze Drive and Tutt Boulevard intersection establishing the PUD/AO (Planned Unit Development: attached and detached single-family residential, 7.7 dwelling units per acre, 40-foot maximum building height, with Airport Overlay) zone

(Legislative)

Related Files: CPC A 21-00137R, CPC A 21-00137, CPC PUD 21-00172

Presenter:

Katelynn Wintz, Planning Supervisor, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [ORD_ZC_DublinNorthAddNo5](#)
[Exhibit A - ZC Legal](#)
[Exhibit B - ZoneChange](#)

4B. First Presentation:

4B.A. [22-643](#) City Council Regular Meeting Minutes September 13, 2022

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [9-13-2022 City Council Meeting Minutes Final](#)**4B.B.** [CPC ZC
22-00097](#) An ordinance amending the zoning map of the City of Colorado Springs relating to 7.98 acres located at the intersection of Hidden Pool Heights and Democracy Point from PUD (Planned Unit Development) to PK (Public Park)

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

Attachments: [ORD_ZC_VictoryPark](#)
[Exhibit A - Legal Desc](#)
[Exhibit B - Zone Depict](#)
[CPC Report_Victory Ridge Park](#)
[Project Statment](#)
[Victory Ridge Zone Change](#)
[Vision Map](#)
[CPC Minutes ConsentCalendar](#)
[7.5.603.B Findings - ZC](#)**4B.C.** [22-569](#) An Ordinance Creating Section 451 (Retail Delivery Fees) of Part 4 (Exempt Transactions, Commodities and Persons; Deductions) 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 Retail Delivery Fees

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-ExemptDeliveryFeeORD-2022-08-24](#)**4B.D.** [22-630](#) Quarterly Recognition of City Employee Retirees.

Presenter:

Mike Sullivan, Director of Human Resources

Attachments: [Q3 Retiree Resolution \(Employee\(s\) Will Not Attend\)](#)

- 4B.E.** [22-621](#) Request for approval of settlement amount for litigation arising from an arrest on June 2, 2020.

Presenter:

Wynetta Massey, City Attorney

- 4B.F.** [22-633](#) The City Clerk reports that on September 9, 2022 there was filed with her a petition for the annexation of Norris Ranch 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: [Memo to Clerk Annexation Petition_NorrisRanch1-7_982022_executed](#)
[04-220058 Annex 1 - Exhibit A Legal Norris Ranch](#)
[05_Norris_Annexation Site Map](#)
[02_Norris_Annexation Petition Parcel 1](#)
[03-220058_Annex-Add-Norris-1 2022-07-06_8.5x11](#)

- 4B.G.** [22-634](#) The City Clerk reports that on September 9, 2022 there was filed with her a petition for the annexation of Norris Ranch Addition No. 2 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: [Memo to Clerk Annexation Petition_NorrisRanch1-7_982022_executed](#)
[04-220058 Annex 2 - Exhibit A Legal Norris Ranch](#)
[05_Norris_Annexation Site Map](#)
[02_Norris_Annexation Petition Parcel 2](#)
[03-220058_Annex-Add-Norris-2 2022-07-06_8.5x11](#)

4B.H. [22-635](#)

The City Clerk reports that on September 9, 2022 there was filed with her a petition for the annexation of Norris Ranch Addition No. 3 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:

[Memo to Clerk Annexation Petition_NorrisRanch1-7_982022_executed](#)
[04-220058 Annex 3 - Exhibit A Legal Norris Ranch](#)
[05_Norris_Annexation Site Map](#)
[02_Norris_Annexation Petition Parcel 3](#)
[03-220058_Annex-Add-Norris-3 2022-07-06 8.5x11](#)

4B.I. [22-636](#)

The City Clerk reports that on September 9, 2022 there was filed with her a petition for the annexation of Norris Ranch Addition No. 4 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:

[Memo to Clerk Annexation Petition_NorrisRanch1-7_982022_executed](#)
[04-220058 Annex 4 - Exhibit A Legal Norris Ranch](#)
[05_Norris_Annexation Site Map](#)
[02_Norris_Annexation Petition Parcel 4](#)
[03-220058_Annex-Add-Norris-4 2022-07-06 8.5x11](#)

4B.J. [22-637](#)

The City Clerk reports that on September 9, 2022 there was filed with her a petition for the annexation of Norris Ranch Addition No. 5 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:

[Memo to Clerk Annexation Petition_NorrisRanch1-7_982022_executed](#)

[04-220058 Annex 5 - Exhibit A Legal Norris Ranch](#)

[05_Norris_Annexation Site Map](#)

[02_Norris_Annexation Petition Parcel 5](#)

[03-220058_Annex-Add-Norris-5 2022-07-06_8.5x11](#)

4B.K. [22-638](#)

The City Clerk reports that on September 9, 2022 there was filed with her a petition for the annexation of Norris Ranch Addition No. 6 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:

[Memo to Clerk Annexation Petition_NorrisRanch1-7_982022_executed](#)

[04-220058 Annex 6 - Exhibit A Legal Norris Ranch](#)

[05_Norris_Annexation Site Map](#)

[02_Norris_Annexation Petition Parcel 6 Norris Ranch](#)

[03-220058_Annex-Add-Norris-6 2022-07-06_8.5x11](#)

- 4B.L.** [22-639](#) The City Clerk reports that on September 9, 2022 there was filed with her a petition for the annexation of Norris Ranch Addition No. 7 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: [Memo to Clerk Annexation Petition_NorrisRanch1-7_982022_executed](#)
[04-220058 Annex 7 - Exhibit A Legal Norris Ranch](#)
[05_Norris_Annexation Site Map](#)
[02_Norris_Annexation Petition Parcel 7](#)
[03-220058_Annex-Add-Norris-7 2022-07-06_8.5x11](#)

- 4B.M.** [22-623](#) A Resolution authorizing the disposal of surplus City property to Project Edge (“Purchaser”)

Presenter:

Greg Phillips, Director of Aviation, Colorado Springs Airport
Troy Stover, Assistant Director of Aviation, Colorado Springs Airport

Attachments: [Resolution Project Edge Surplus Property Disposition 2022 09 13](#)
[Exhibit A Project Edge Surplus Property Disposition 2022 09 13](#)
[Exhibit B Project Edge Surplus Property Disposition 2022 09 13](#)
[Exhibit B1 Project Edge Surplus Property Disposition 2022 09 13](#)
[Resolution Project Edge Surplus Property Disposition PowerPoint 2022 09 13](#)

5. Recognitions

- 5.A.** [22-610](#) A Resolution recognizing September 2022 as National Service Dog
Est. Time: 10 Month
minutes

Presenter:

Yolanda Avila, Councilmember District 4
Puma, Service Dog, District 4
Laurel Prud'homme, Puppy Raiser, Canine Companions

Attachments: [National Service Dog Month](#)

- 5.B.** [22-583](#) A Resolution recognizing October 2022 as Arts Month in the Pikes Peak Region
Est. Time: 10 minutes

Presenter:

Nancy Henjum, Councilmember District 5

Andy Vick, Executive Director, Cultural Office of the Pikes Peak Region

Attachments: [Arts Month in the Pikes Peak Region](#)
[2022 Arts Month Proclamation PowerPoint](#)

- 5.C.** [22-584](#) A Resolution celebrating October 3, 2022 as World Habitat Day
Est. Time: 10 minutes

Presenter:

Stephannie Fortune, Councilmember District 3

Laura Williams-Parrish, Assistant Director of Strategic Partnerships,
Pikes Peak Habitat for Humanity

Attachments: [World Habitat Day](#)

6. Mayor's Business

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

8. Items Called Off Consent Calendar

9. Utilities Business

- 9.A.** [22-576](#) A Resolution Setting the Gas Cost Adjustment Effective October 1, 2022
Est. Time: 30 mins

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Scott Shirola, Pricing and Rates Manager, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [09-27-2022 CC Mtg-GCA Resolution](#)
[G Sheet 2.4 Rate Tbl - 19th Revised - Redline](#)
[G Sheet 2.4 Rate Tbl - 19th Revised - Final](#)
[GCA Schedule 1](#)
[09-27-2022 CC ECA-GCA](#)

- 9.B.** [22-577](#) A Resolution Setting the Electric Cost Adjustment Effective October 1, 2022
Est. Time: 30 mins
- Presenter:
Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities
Scott Shirola, Pricing and Rates Manager, Colorado Springs Utilities
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities
- Attachments:** [09-27-2022 CC Mtg-ECA Resolution](#)
[Sheet 2.9 E Rate Tbl - 18th Revised - Redline](#)
[Sheet 2.9 E Rate Tbl - 18th Revised - Final](#)
[ECA Schedule 1](#)
- 9.C.** [22-613](#) A Resolution Authorizing the Use Of Eminent Domain To Acquire Two Permanent Easements On Properties Owned By Yount GST Irrevocable Trust F/B/O Lisa Gail Yount U/A/D July 1, 2007, A North Carolina Trust Needed For The Homestake Water Project
Est. Time: 30 mins
- Presenter:
Jessica K. Davis, Land Resource Manager, Colorado Springs Utilities
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities
- Attachments:** [YountEminentDomainRES-2022-09-06](#)
[R13125-PARCEL 300909300826 YOUNT GST IRREVOCABLE TRUST ESMT](#)
[R13125-PARCEL 300909300828 YOUNT GST IRREVOCABLE TRUST ESMT](#)
[CC Presentation Yount Condemnation 09-27-2022](#)

10. Unfinished Business

11. New Business

- 11.A.** [22-654](#) An Ordinance amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a supplemental appropriation to the Lodgers and Automobile Rental Tax (LART) Fund in the amount of \$300,000 for the United States Olympic and Paralympic Museum (USOPM) 2022 Hall of Fame Festival event as recommended by the LART Citizen Advisory Committee
Est. Time: 15
- Presenter:
Charae McDaniel, Chief Financial Officer
PK McPherson, Chair, LART Citizen Advisory Committee
- Attachments:** [LART-USOPM-HOF-ORD-2022-09-07](#)

- 11.B. [22-655](#) A Resolution Designating the United States Olympic and Paralympic
Est. Time: 20 Museum (USOPM) Biennial Hall of Fame Festival Event as a
City-Sponsored Event

Presenter:
Charae McDaniel, Chief Financial Officer
PK McPherson, Chair, LART Citizen Advisory Committee

Attachments: [LART-HOF_RES-2022-09-13](#)

12. Public Hearing

- 12.A. [CPC PUZ 22-00057](#) ~~Est. Time:~~ 45 minutes
An appeal of the Planning Commission's denial of the Spectrum Loop Multi-Family project to change 11.925 acres from A (Agricultural) to PUD (Planned Unit Development: Residential, 35 dwelling units per acre, and 40 feet to 60 feet maximum building height).

(Quasi-Judicial)

Related Files: CPC PUP 20-00058

Presenter:

William Gray, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[Exhibit A - Legal](#)

[Exhibit B - Zone Change 09.13.22](#)

[Spectrum Loop - WEG Presentation](#)

[AppealStatement](#)

[Concept Plan Revised 9.13.22](#)

[NewPerspective 9.13.22](#)

[Traffic Impact Study 09.12.22](#)

[CPC Staff Report Spectrum Loop Multi-Family](#)

[Project Statement](#)

[Public Comment](#)

[Public Comment Response](#)

[Context Map](#)

[Vicinity Map](#)

[CPC_Minutes_SpectrumLoop](#)

[Exhibit B - Zone Change_CPC](#)

[Concept Plan_CPC](#)

[PlanCOS Vision Map](#)

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

[7.5.603.B Findings - ZC](#)

[7.5.906 \(B\) Appeal of Commission-Board](#)

12.B. [CPC PUP
22-00058](#)
~~Est. Time:~~ 45
minutes

An appeal of the Planning Commission's denial of the Spectrum Loop Multi-Family project for a PUD Concept Plan graphically representing a future multi-family development.

(Quasi-Judicial)

Related Files: CPC PUZ 20-00057 and CPC PUP 20-00058

Presenter:

William Gray, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [Concept Plan Revised 9.13.22](#)
[Perspective 9.13.22](#)
[7.5.906 \(B\) Appeal of Commission-Board](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn