



City of Colorado Springs

Regular Meeting Agenda - Final City Council

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

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, April 26, 2016

1:00 PM

Council Chambers

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Changes to Agenda/Postponements

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

**4A.A. [CPC ZC
15-00088](#)**

Ordinance No. 16-47 amending the zoning map of the City of Colorado Springs pertaining to 6.055 acres located southwest of North Marksheffel Road and Dublin Boulevard from PUD/AO to PUD/AO. (The Reserve at Indigo Ranch) Quasi-Judicial

Presenter:

Rachel Teixeira, Planner, Land Use Review

Peter Wysocki, Director, Planning and Community Development

Attachments:

[Ord ZC ReserveIndigoRanch](#)

[Exhibit A Reserve at Indigo Ranch Legal Description](#)

[Exhibit B Vicinity Map](#)

- 4A.B.** [CPC V
16-00012](#) Ordinance No. 16-48 vacating portions of public rights-of-way for Rippy Drive and Emily Loop within The Reserve at Indigo Ranch Filing No. 1 subdivision plat located southwest of North Marksheffel Road and Dublin Boulevard. (The Reserve at Indigo Ranch) - Legislative

Presenter:

Rachel Teixeira, Planner, Land Use Review

Peter Wysocki, Director, Planning and Community Development

Attachments: [Ord ReserveIndigoRanch Vacation ROW](#)
[Exhibit A Description & Depiction](#)

- 4A.C.** [CPC V
16-00014](#) Ordinance No. 16-49 vacating a portion of the North Chestnut Street public right-of-way consisting of 0.12 acres located on the east side of North Chestnut Street at the southeast corner of North Chestnut Street and Elkton Drive. - (Legislative)

Presenter:

Rachel Teixeira, Planner, Land Use Review

Peter Wysocki, Director, Planning and Community Development
Department

Attachments: [Ord nChestnutSt VacationROW](#)
[Exhibit A Legal Description](#)
[Figure 1 Vicinity Map](#)
[Figure 2 Site Plan](#)

4B. First Presentation:

- 4B.A.** [16-326](#) City Council Special Session Meeting Minutes April 8, 2016

Presenter: Sarah Johnson, City Clerk

Attachments: [2016-04-08 Special Session Draft](#)

- 4B.B.** [16-328](#) City Council Meeting Minutes April 12, 2016

Presenter: Sarah Johnson, City Clerk

Attachments: [2016-04-12 Minutes Draft](#)

- 4B.C.** [16-336](#) Appointments to Boards and Commissions

Attachments: [042616 Boards and Commissions](#)

- 4B.D.** [16-00209](#) A Resolution authorizing the abandonment of the Lodgers and Auto Rental Tax (LART) Pikes Peak Cycling USA Pro Cycling Challenge project in the amount of \$225,000 and the transfer of the LART funds in the amount of \$150,000 to the Pikes Peak Summit House LART project and \$50,000 to the Haute Route cycling event project, with the remaining \$25,000 to be returned to the LART fund balance

Presenter:

Fred Veitch & Jack Damioli, Co-Chairs, LART Citizens Advisory Committee

Councilmembers Tom Strand & Helen Collins

Attachments: [042616 Transfer LART funds resolution](#)

- 4B.E.** [16-242](#) A resolution adopting rules and procedures for the Lodgers and Automobile Rental Tax (LART) Citizens' Advisory Committee

Attachments: [042616 LART RulesProcedures resolution](#)
[LART CAC-RulesandProcedures clean 2-12-16](#)

[LART Res 106-01](#)

[City Code 2.9.110](#)

[Resolution 254-80](#)

[2016 Budget LART](#)

- 4B.F.** [16-244](#) An Ordinance Amending Ordinance No. 15-86 (2016 Appropriation Ordinance) For a Supplemental Appropriation to the Pikes Peak - America's Mountain Fund in the Amount of \$150,000 For The Pikes Peak Summit Complex Project

Presenter:

Jack Glavan, Pikes Peak - America's Mountain Manager - Parks, Recreation and Cultural Services Department

Attachments: [4-11-16 - Supp Ordinance for PPHwy for Summit project - final](#)

- 4B.G.** [16-279](#) A Resolution Appointing Kirk Olds as a Board Member of the Fountain Valley Authority to Fill the Remainder of the Three-Year (3) Term Vacated by Tyler Allison Effective April 26, 2016 and Ending December 31, 2017

Presenter:

Wayne Vanderschuere, General Manager, Water Services
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [City Council Resolution Appointing Kirk Olds to Fountain Valley Authority](#)

- 4B.H.** [16-00118](#) A resolution to adopt the 2016 Hazard Mitigation Plan for the City of Colorado Springs

Presenter:
Bart Howard, Deputy Director, Colorado Springs Office of Emergency Management

Attachments: [Hazard Mitigation Plan Briefing Final.pptx](#)
[2016HazardMitigationPlan-Resolution-FINAL.docx](#)

5. Recognitions

- 5.A.** [16-00093](#) A resolution in support of Colorado Springs' Council of Neighbors and Organizations and Neighbor Up! Week in Colorado Springs

Presenter:
Councilmember Jill Gaebler
Nina Vetter, Senior Analyst, Finance

Attachments: [042616 CONO NeighborUp! week resolution](#)
[CitizensCollege Flyer 2016](#)

- 5.B.** [16-266](#) A presentation of Resolution of Appreciation designating May as Historic Preservation Month.

Presenter:
Hannah Van Nimwegen, Planner II, Land Use Review Division of the Planning & Community Development Department

Attachments: [Historic Preservation - Resolution 2016 Presentation](#)

6. Citizen Discussion

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

- 10.A.** [16-00216](#) Ordinance No. 16-50 amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a Supplemental Appropriation to the City-Funded CIP Fund in the Amount of \$356,250 for the Construction of Several Traffic Signal Projects

Presenter:
Kathleen Krager, Transportation Manager

Attachments: [TraffSigSupplAppropOrd](#)
[Traffic Signal Location Map.pdf](#)

11. New Business

- 11.A.** [16-304](#) A resolution approving and authorizing the Mayor to execute an amendment to an Intergovernmental Agreement with the Colorado Department of Transportation (CDOT) regarding funding for the Woodmen Road Widening Project

Presenter:
Mike Chaves, P.E. Engineering Manager

Attachments: [R2-A1-19450 CO Spgs Woodmen Rd Phase II Execs revised 12Apr2016](#)
[WoodmenIGA RES-2016-04-14 RSC edit](#)

- 11.B.** [16-322](#) Issuance of formal ethics charges or dismissal of ethics complaint pursuant to Independent Ethics Commission case 2015-02

Presenter:
Eileen Lynch Gonzalez, City Council Administrator

- 11.C.** [16-277](#) An ordinance amending Section 105 (Additional Standards For Specific Land Uses Allowed In Residential Zones) of Part 1 (Residential Districts) of Article 3 (Land Use Zoning Districts) Of Chapter 7 (Planning, Development And Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Personal Cultivation of Marijuana and Medical Marijuana.

Presenter:
Peter Wysocki, Director of Planning and Community Development

Attachments: [042616 MJ Plant Count Residential Ordinance](#)
[041116 MMJ task force slides.pptx](#)

- 11.D. [16-291](#) An ordinance amending Section 302 (Definitions Of Use Types) of Part 3 (Land Use Types And Classifications) of Article 2 (Basic Provisions, Definitions And Land Use Types And Classifications) and Sections 203 (Permitted, Conditional And Accessory Uses) and 205 (Additional Standards For Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development And Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Medical Marijuana Centers.

Presenter:

Peter Wysocki, Director of Planning and Community Development

Attachments: [042616 MMJ Zoning and Use Tables Ordinance](#)

- 11.E. [16-275](#) An ordinance amending Section 205 (Additional Standards For Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development And Building) of the Code of the City Of Colorado Springs 2001, as amended, pertaining to Medical Marijuana Centers.

Presenter:

Peter Wysocki, Director of Planning and Community Development

Attachments: [042616 MMJ Facility 1000 foot buffer](#)
[MMJ CPC staff report](#)
[MMJ task force slides](#)

- 11.F. [16-276](#) An ordinance creating a new Section 210 (Personal Cultivation of Medical Marijuana) of Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to personal cultivation of medical marijuana

Presenter:

Larry Bagley, Council Member

Attachments: [MMJ PersonalCultivationORD-2016-04-06](#)
[MJ Enforcement42616.pptx](#)

- 11.G. [16-278](#)** An ordinance amending Section 107 (Application Investigation; Decision), Section 108 (Suspension or Revocation; Hearings; Decision), and Section 109 (Unlawful Acts) of Part 1 (Medical Marijuana License Code) of Article 2 (Marijuana) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the code of the City of Colorado Springs 2001, as amended, pertaining to Medical Marijuana License Code

Presenter:
Councilmember Larry Bagley
City Clerk Sarah Johnson

Attachments: [MMJ-LicenseCode-4-5-16](#)
[MJ Enforcement42616.pptx](#)
[041116 MMJ task force slides.pptx](#)

- 11.H. [16-329](#)** An ordinance creating a twelve (12) month moratorium on the processing of any land use approval or licensing application for a new medical marijuana facility or the change of location of a currently operating medical marijuana facility within the City limits

Presenter:
Councilmember Larry Bagley

Attachments: [042516 MMJ-MoratoriumORD-2016-04-21v2](#)
[042516 MMJ Moratorium slides](#)
[042516 MJ Enforcement slides](#)
[041116 MMJ task force slides](#)

12. Public Hearing

13. Added Item Agenda

14. Executive Session

15. Adjourn