



# 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.*

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Tuesday, June 28, 2016

1:00 PM

Council Chambers

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### 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 LUM 16-00003](#) Ordinance 16-61 amending the Comprehensive Plan 2020 Land Use Map reflecting changes from July 1, 2013 through June 30, 2015. - Legislative

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Development Department

**Attachments:** [1- Ord 2020 Land Use Amendment](#)

[2- Updated 2020 LU Map](#)

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

- 4B.A. [16-445](#) City Council Meeting Minutes June 14, 2016

Presenter:

Sarah Johnson, City Clerk

**Attachments:** [2016-06-14 Minutes Draft](#)

**4B.B. [16-452](#)** Appointments to Boards and Commissions

Presenter:  
Jacquelyn Puett, Assistant to Council

**Attachments:** [062816 Boards and Commissions](#)

**4B.C. [16-431](#)** A Resolution Approving an Agreement Providing Water and Wastewater Service to Land Located Outside the City Limits of Colorado Springs and Agreement to Annex for 5435 Turquoise Drive in Park Vista Estates Addition

Presenter:  
Brian Whitehead, Systems Extensions Manager, Water Services Division  
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [Agreement to Annex - 5435 Turquoise Dr \(Signed\)](#)  
[Resolution - 5435 Turquoise Dr](#)  
[PDF Map - 5435 Turquoise Dr](#)  
[WW Capacity to Serve Letter - 5435 Turquoise Dr.pdf](#)  
[Water Capacity to Serve Letter - 5435 Turquoise Dr.pdf](#)  
[Letter of Request - 5435 Turquoise Dr](#)

**4B.D. [16-442](#)** A Resolution Approving an Agreement Providing Water and Wastewater Service to Land Located Outside the City Limits of Colorado Springs and Agreement to Annex for 5335 Turquoise Drive in Park Vista Estates Addition

Presenter:  
Brian Whitehead, Systems Extensions Manager, Water Services Division  
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [Resolution - 5335 Turquoise Dr](#)  
[Agreement to Annex - 5335 Turquoise Dr \(Signed\)](#)  
[Wastewater Capacity to Serve Letter - 5335 Turquoise Dr](#)  
[Water Capacity to Serve Letter - 5335 Turquoise Dr](#)  
[PDF map - 5335 Turquoise Drive 8-4-15](#)  
[Formal Request Letter \(E-Mail\) - 5335 Turquoise Dr](#)

- 4B.E.** [16-432](#) A Resolution Authorizing Colorado Springs Utilities to take all actions necessary to remove certain water rights from the State of Colorado's Water Rights Tabulation

Presenter:

Wayne Vanderschuere, Planning Engineering and Resource General Manager, Water Services

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2-Resolution-Chilcott Reamy Abandon Water Rights 6-28-16](#)

- 4B.F.** [16-433](#) A Resolution Authorizing the Filing of Water Court Applications for Change of Water Rights, Augmentation Plan and Appropriative Rights of Exchange related to the City of Colorado Springs' Interests in Water Rights of the Chilcott Ditch Company

Presenter:

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

**Attachments:** [4-Resolution-Chilcott Reamy Change Case 6-28-16](#)

- 4B.G.** [CPC MPA 06-00206-A7 MJ16](#) A major amendment to the Woodmen Heights Master Plan changing the land use designation of 13.3 acres from Neighborhood Commercial/Office to Residential (16-24.99 Dwelling Units per Acre).

(Legislative)

Related Files: CPC ZC 16-00028, CPC PUZ 16-00031, CPC CP 16-00033, CPC PUD 16-00034

Presenter:

Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:** [CPC Staff Report Copper Range Apts](#)  
[Figure 1 - PUD Development Plan-Site Plan](#)  
[Figure 2 - Project Statement](#)  
[Figure 3 - Immediate Abutters Comments](#)  
[Figure 4 - Neighbor's Comments](#)  
[Figure 5 - Concept Plan](#)  
[Vicinity Map](#)  
[7.5.408 MASTER PLAN REVIEW CRITERIA](#)  
[05.19.16 CPC Minutes CopperRange](#)

**4B.H.** [CPC ZC  
16-00028](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 3.8 acres located to the northeast of the Black Forest Road and Woodmen Road intersection from A/AO (Agricultural with Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MPA 06-00206-A7MJ16, CPC PUZ 16-00031, CPC CP 16-00033, CPC PUD 16-00034

Presenter:

Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:**

[ZC ORD Copper PBC-AO](#)

[Exhibit A Legal Description - PBC Zone Change](#)

[Exhibit B Layout PBC Zone Change](#)

[7.5.603 Criteria for granting zone changes](#)

**4B.I.** [CPC PUZ  
16-00031](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 13.3 acres located to the northeast of the Black Forest Road and Woodmen Road intersection from A/AO (Agricultural with Airport Overlay) to PUD/AO (Planned Unit Development with Airport Overlay: Multi-Family Residential land use, 18.1 dwelling units per acre, 45-foot height maximum).

(Quasi-Judicial)

Presenter:

Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:**

[ZC ORD PUD Copper](#)

[Exhibit A Legal Description - PUD Zone Change](#)

[Exhibit B Layout PUD Zone Change](#)

[Vicinity Map](#)

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

[7.5.603 Criteria for granting zone changes](#)

**4B.J.** [CPC PUD  
16-00034](#)

The Copper Range Apartments PUD development pertaining to 13.3 acres for a multi-family residential development with 240 dwelling units contained within 10 multi-family buildings, located near the Black Forest Road and Woodmen Road intersection.

(Quasi-Judicial)

Related Files: MPA 06-00206-A7MJ16, CPC ZC 16-00028, CPC PUZ 16-00031, CPC CP 16-00033

Presenter:  
Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:** [Figure 1 - PUD Development Plan-Site Plan](#)  
[7.5.502.E Development Plan Review](#)  
[7.3.606 PUD Development Plan](#)

**4B.K.** [CPC ZC  
16-00053](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 10.5 acres located 0.2 miles east of the intersection of South Academy Boulevard and Academy Park Loop from PBC/HR/AO (Planned Business Center with High Rise and Airport Overlay) to PF/AO (Public Facility with Airport Overlay).

(Quasi-Judicial)

Presenter:  
Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:** [CPC staff report - Sand Creek Police Substation - LT](#)  
[FIGURE 1 - Project Statement](#)  
[05.19.16 CPC\\_Minutes\\_SandCreekSub](#)  
[ZC ORD SandCreekSub](#)  
[Exhibit A - Property Legal](#)  
[Exhibit B - ROW Legal](#)  
[Exhibit C - Depiction](#)  
[7.5.603.B Establishment or change of zone district boundaries](#)

- 4B.L.** [CPC MP 87-000381-A1 5MJ16](#) A major amendment to the Banning Lewis Ranch Master Plan changing the land use of 153 acres from Industrial to Neighborhood Commercial and Residential.

(Legislative)

Related Files: CPC PUZ 16-00010, CPC PUZ 16-00011, CPC PUP 16-00013

Presenter:

Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development

**Attachments:**

[BLR Enclaves Staff Report](#)

[FIGURE 1-Master Plan](#)

[FIGURE 2-Concept Plan](#)

[FIGURE 3-Project Statement](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

[05.19.16 Minutes\\_Enclaves](#)

- 4B.M.** [CPC PUZ 16-00010](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 135.63 acres located east of Marksheffel Boulevard and south of the Barnes Road extension from PIP-2/SS/AO (Planned Industrial Park with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: Residential - 3.5 - 7.99 dwelling units per acre with a maximum building height of 36 feet with Streamside and Airport Overlays).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A15MJ16, CPC PUZ 16-00011, CPC PUP 16-00013

Presenter:

Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development

**Attachments:**

[ZC ORD PUD-135.63](#)

[Exhibit A Residential Legal](#)

[Exhibit B Vicinity Map](#)

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

[7.5.603 Criteria for granting zone changes](#)

**4B.N.** [CPC PUZ  
16-00011](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 17.7 acres located east of Marksheffel Boulevard and south of the Barnes Road extension from PIP-2/SS/AO (Planned Industrial Park with Streamside and Airport Overlays) to PBC/AO (Planned Business Center with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-000381-A15MJ16, CPC PUZ 16-00010, CPC PUP 16-00013

Presenter:

Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development

**Attachments:**

[ZC ORD PBC 17.7](#)

[Exhibit A Commercial Legal](#)

[Exhibit B Vicinity Map](#)

[7.5.603 Criteria for granting zone changes](#)

**4B.O.** [CPC PUP  
16-00013](#)

The Enclaves at Mountain Vista Concept Plan illustrating the future development of residential single-family attached and detached, parks, open space and school site with supporting neighborhood commercial located east of Marksheffel Boulevard and south of the Barnes Road extension in Banning Lewis Ranch.

(Quasi-Judicial)

Related Files: CPC MP 87-000381-A15MJ16, CPC PUZ 16-00010, CPC PUZ 16-00011

Presenter:

Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development

**Attachments:**

[FIGURE 2-Concept Plan](#)

[7.3.605 PUD Concept Plan](#)

**4B.P.** [CPC ZC  
16-00037](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 3.81 acres located northwest of East Woodmen Road and Campus Drive from OC (Office Complex) to PBC (Planned Business Center).

(Quasi-Judicial)

Related File: CPC CP 16-00038

Presenter:  
Katie Carleo, Principal Planner, Planning and Community Development

**Attachments:** [ZC ORD ViewHouse](#)  
[Exhibit A Legal](#)  
[Exhibit B PBC Zone Change Layout](#)  
[ViewHouse CPC Staff Report](#)  
[FIGURE 1 Concept Plan](#)  
[FIGURE 2 Project Statement](#)  
[FIGURE 3 Neighborhood Comments](#)  
[FIGURE 4 Zone Change](#)  
[05.19.16 Minutes ViewHouse](#)  
[7.5.603 Criteria for granting zone changes](#)

**4B.Q.** [CPC CP  
16-00038](#)

The ViewHouse concept plan for the redevelopment of an existing bank and office building to a restaurant and office building.

(Quasi-Judicial)

Related Files: Related File: CPC ZC 16-00037

Presenter:  
Katie Carleo, Principal Planner, Planning and Community Development

**Attachments:** [FIGURE 1 Concept Plan](#)  
[7.5.501.E Concept Plans](#)



**4B.R. [16-414](#)**

An ordinance amending Section 201 (Definitions) and 213 (Economic Development Agreements) of Part 2 (General Provisions) of Article 1 (Municipal Airport Advisory Commission) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as amended, authorizing economic development agreements with businesses performing commercial activities at the Colorado Springs Airport

Presenter:

Dan Gallagher, Director of Aviation, Colorado Springs Airport

**Attachments:**

[AAC Ltr of Support 2.pdf](#)

[Chapter14EDAOrd201.docx](#)

**4B.S. [16-415](#)**

An ordinance amending Section 102 (Definitions) of 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 commercial activity

Presenter:

Dan Gallagher, Director of Aviation, Colorado Springs Airport

**Attachments:**

[AAC Ltr of Support 2.pdf](#)

[Chapter2EDAOrd 12.docx](#)

**4B.T. [16-435](#)**

Consideration of Decision and Order and a Resolution Regarding Changes to Electric Rate Schedule, Industrial Service - Time-of-Day 1,000 kWh/day Minimum (ETL) Rates within the Service Areas of Colorado Springs Utilities

Presenter:

Sonya Thieme, Pricing Manager

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

**Attachments:**

[ETL Electric D&O-6-17-16](#)

[ETL Resolution-Final](#)

[Tariff Sheet 09 - Final](#)

[Tariff Sheet 09 - Redlined](#)

**5. Recognitions**

- 5.A. [16-450](#) A Resolution of Appreciation for Patricia A. McFarland on the Occasion of her Retirement as the Division Supervisor of Finance - Accounts Payable with the City of Colorado Springs

Presenter:  
Merv Bennett, City Council President

**Attachments:** [Retirement Resolution - McFarland.docx](#)

- 5.B. [16-423](#) A Resolution Designating July as National Park and Recreation Month

Presenter:  
Karen Palus, Director of Parks, Recreation and Cultural Services

**Attachments:** [062816 - 2016 Park and Rec Month Resolution](#)

## **6. Citizen Discussion**

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

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

## **9. Utilities Business**

## **10. Unfinished Business**

- 10.A.** [CPC A  
15-00060](#) Ordinance No. 16-62 annexing to the City of Colorado Springs that area known as Kum and Go Store 685 consisting of 7.711 acres located at the northwest corner of Powers Boulevard and Dublin Boulevard.

(Legislative)

Related Files: CPC ZC 15-00081

Presenter:

Michael Schultz, Principal Planner, Land Use Review

**Attachments:**

[Annexation Ordinance KumGo685](#)

[Exhibit A Annex-Legal](#)

[Exhibit B Kum and Go Store 685 Annexation Agreement](#)

[Kum and Go Annexation Staff Report](#)

[Figure 1 - Project Statement](#)

[Figure 2 - Annexation Plat](#)

[Figure 3 - Fiscal Impact Analysis](#)

[Criteria-7.6.203-Annexation Conditions](#)

[04.21.16 CPC Minutes Kum&Go685](#)

- 10.B.** [CPC ZC  
15-00081](#) Ordinance No. 16-63 establishing the PBC/AO (Planned Business Center with Airport Overlay) pertaining to 4.611 acres located at the northwest corner of Powers Boulevard and Dublin Boulevard.

Related Files: CPC A 15-00060

Presenter:

Michael Schultz, Principal Planner, Land Use Review

**Attachments:**

[Ordinance ZC Kum&Go685 Annex](#)

[Exhibit A Kum and Go 685 Zone Change Legal Description](#)

[7.5.603 Criteria for granting zone changes](#)

## **11. New Business**

**11.A.** [CPC A  
16-00020](#)

An Ordinance Annexing to the City of Colorado Springs that Area Known as Mohl Hollow Consisting of 1.26 acres Located at the Southeast Corner of Vincent Drive and Dublin Boulevard.

(Legislative)

Related File: CPC ZC 16-00021

Presenter:

Meggan Herington, AICP, Planning Manager

Peter Wysocki, Planning and Development Director, Planning and Community Development Department

**Attachments:**

[Annexation Ordinance Mohl Hollow](#)

[Exhibit A Legal Annexation](#)

[Mohl Annexation Staff Report](#)

[Mohl Hollow Annexation Plat](#)

[FIGURE 2-Project Statement](#)

[FIGURE 3-Enclave Map](#)

[7.6.203-Annexation Conditions](#)

[05.19.16 Minutes Mohl Hollow](#)

**11.B.** [CPC ZC  
16-00021](#)

An Ordinance Amending the Zoning Map of the City of Colorado Springs Relating to 1.26 Acres Located at the Southeast Corner of Vincent Drive and Dublin Boulevard Establishing the A Zone District.

(Legislative)

Related File: CPC A 16-00020

Presenter:

Meggan Herington, AICP, Planning Manager

Peter Wysocki, Planning and Development Director, Planning and Community Development Department

**Attachments:**

[Annex\\_ZC\\_Ordinance\\_Mohl Hollow](#)

[Exhibit A Legal-Zoning](#)

[7.5.603.B Establishment or change of zone district boundaries](#)

**12. Public Hearing****13. Added Item Agenda**

- 13.A. [CPC CP 16-00033](#) Woodmen Heights Commercial/Office concept plan pertaining to 3.8 acres illustrating two commercial development sites with associated surface parking areas, located at the Black Forest Road and Woodmen Road intersection.

(Quasi-Judicial)

Related Files: CPC MPA 06-00206-A7MJ16, CPC ZC 16-00028, CPC PUZ 16-00031, CPC PUD 16-00034

Presenter:  
Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:** [Figure 5 - Concept Plan](#)  
[7.5.501.E Concept Plans](#)

## **14. Executive Session**

## **15. Adjourn**