



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, September 12, 2017

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
17-00054](#)**

Ordinance No. 17-73 amending the zoning map of the City of Colorado Springs pertaining to 1.46 acres from PBC (Planned Business Center) and C-6 (General Business) to PBC (Planned Business Center) located at the southeast corner of North Academy Boulevard and North Carefree Circle

(Quasi-Judicial)

Presenter:

Peter Wysocki, Director Planning and Community Development
Michael Schultz, Principal Planner, Planning and Community Development

Attachments: [ORD_ZC CVS Store 11001](#)
[Exhibit A - Legal Description](#)
[Vicinity Map](#)

- 4A.B.** [17-973](#) Ordinance No. 17-75 amending Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Entertainment Districts, Common Consumption Areas, and Promotional Associations.

Presenter:

Sarah B. Johnson, City Clerk
Lee McRae, License Enforcement Officer

Attachments: [EntDistrictORD-2017-07-27](#)

- 4A.C.** [17-1179](#) Ordinance No. 17-76 amending Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended

Presenter:

Sarah B. Johnson, City Clerk
Lee McRae, License Enforcement Officer

Attachments: [Clerk-CS_Ch2ORD-2017-08-22](#)

4B. First Presentation:

- 4B.A.** [17-1228](#) City Council Regular Meeting Minutes August 22, 2017

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [8-22-2017 City Council Regular Meeting Minutes Final](#)

- 4B.B.** [17-1242](#) Appointments to Boards and Commissions

Presenter:

Jacquelyn Puett, Assistant to Council

Attachments: [091217 Boards and Commissions](#)

- 4B.C.** [17-1178](#) A resolution accepting and adopting the Liquor and Beer Rules and Regulations for The City of Colorado Springs

Presenter:

Sarah B. Johnson, City Clerk
Lee McRae, License Enforcement Officer

Attachments: [Clerk-LiquorBoardRulesRES-2017-07-27](#)
[Clerk-LiquorBoardRulesRES-EXHIBITA-2017-08-22](#)
[Clerk-EntDistrictLIQUOR_RULES-2017-08-22-redline](#)

4B.D. [17-1211](#)

An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$2,638,264 and to the Lodgers and Auto Rental Tax (LART) Fund in the amount of \$66,219 for the refund of 2016 fiscal year revenue above the 2016 fiscal year revenue and spending limitations (TABOR cap), representing the amount over what was approved by voters to be retained in the April 2017 municipal election

Presenter:

Charae McDaniel, Acting Budget Director

Attachments:

[Ordinance for Supp Approp - 2016 TABOR refund.docx](#)

4B.E. [17-1216](#)

An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Grants Fund in the amount of \$9,923,798 for the Hazard Mitigation Grant Program awards funding landslide affected property acquisition and for the Community Development Block Grant-Disaster Recovery award funding phase III of the Manitou Incline Corridor Reconstruction project

Presenter:

Bret Waters, Deputy Chief of Staff

Gordon Brenner, Recovery Coordinator, Office of Emergency Management

Jennifer Vance, Grants Manager, Finance

Attachments:

[Ordinance for Grants Fund Supplemental.docx](#)

[Landslide Acquisition and HMGP Update - Worksession 08212017.pptx](#)

4B.F. [17-1180](#)

An ordinance amending Section 107 (Special Projects; Abandonment or Partial Abandonment) of Part 1 (Financial Procedures, Officers) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to project abandonment

Presenter:

Councilmember Don Knight

Wynetta Massey, City Attorney

Attachments:

[091217 CS-Ch1-AbandonmentORD-2017-07-11](#)

- 4B.G.** [17-1181](#) An ordinance amending Section 312 (Power to Establish Departments, Divisions, Offices, and Agencies) of Part 3 (Powers and Duties of Mayor) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to establishing departments

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [091217 CS-Ch1-AdministrativeDeptsORD-2017-07-06](#)

- 4B.H.** [17-1182](#) An ordinance amending Section 101 (Mayor) and Section 108 (Ordinance Approval and Adoption; Disapproval or Veto) of Part 1 (Elective Officers) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to elective officers

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [091217 CS-Ch1-ElectiveOfficersORD-2017-07-06](#)

- 4B.I.** [17-1188](#) An ordinance amending Section 310 (Investigate Operations) of Part 3 (Powers and Duties of the Mayor) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to duties of the Mayor

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [091217 CS-Ch1-MayorSection31ORD-2017-07-28](#)

- 4B.J.** [17-1186](#) An ordinance amending Section 308 (Office of Traffic Engineer) of Part 3 (Administration) of Article 1 (Administration and Enforcement) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Traffic Engineer

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [091217 CS-Ch10-TrafficEngORD-2017-07-28](#)

- 4B.K.** [17-1185](#) An ordinance amending Section 401 (Office of the City Attorney) of Part 4 (Powers and Duties of the City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Office of the City Attorney

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [091217 CS-Ch1-CityAttorneyORD-2017-07-28](#)

- 4B.L.** [17-1184](#) An ordinance amending Section 407 (Make Reports) of Part 4 (Powers and Duties of the City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to reports to Council

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [091217 CS-Ch1-ReportsToCouncilORD-2017-07-28](#)

- 4B.M.** [17-1183](#) An ordinance amending Sections 102 (Budget; Creation of Accounts), 104 (Transfer of Funds Within Departments or Special Funds), and 105 (Transfer of Funds Between Departments or Special Funds) of Part 1 (Financial Procedures, Officers) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to appropriation departments

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [091217 CS-Ch1-BudgetTransfersORD-2017-07-28](#)

5. Recognitions

- 5.A.** [17-1060](#) A resolution recognizing September 30 through October 8, 2017 as “Creek Week” in the City of Colorado Springs

Presenter:
Larry Small, Executive Director, Fountain Creek Watershed, Flood Control and Greenway District

Attachments: [091217 Creek Week Resolution](#)

6. Citizen Discussion**7. Mayor's Business****8. Items Called Off Consent Calendar****9. Utilities Business**

- 9.A. [17-1212](#) A Resolution authorizing the use of eminent domain to acquire interests in real properties needed for the Southern Delivery System Project's Upper Williams Creek Reservoir

Presenter:

Lyman Ho, Project Manager, SDS Land Manager

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

Attachments: [SDS Condemnations City Council Presentation 2017-09-12.pptx](#)
[SDSResolutionAuthorizingUseofEminentDomainRES 2017-08-10.docx](#)

10. Unfinished Business

- 10.A. [17-1210](#) Ordinance No. 17-74 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$137,265 for November 2017 election expense

Presenter:

Charae McDaniel, Acting Budget Director

Attachments: [Ordinance - Supp Approp for Nov Election Expenses.docx](#)

11. New Business

- 11.A. [17-1159](#) A resolution approving the Transit Services Division's 2017 - 2020 Title VI program, which documents how services are provided without regard to race, color, or national origin

Presenter:

Craig Blewitt, Transit Services Division Manager

Christopher Ryan, SRF Consulting, Inc.

Attachments: [Council Resolution - Title VI Approval](#)
[Transit 2017 Title VI Program 2017-08-01](#)
[Transit Service Monitoring Evaluation 2017-08-01](#)
[Transit Council Work Session Presentation 2017-08-02](#)

- 11.B. [17-1170](#) A resolution approving a service plan allowing for the creation of the Barnes Center Metropolitan District

(Legislative)

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

Attachments:

[RES Barnes Center Resolution](#)

[Attachment 1 Service Plan Barnes Center Metropolitan District Final v2](#)

[BCMD Executive Summary](#)

[Barnes Center Metro v2 Redline to Model Service Plan 7-17](#)

[BCMD Cost Summary](#)

- 11.C. [17-1171](#) A resolution approving a service plan allowing for the creation of the SW Downtown Metropolitan District Nos. 1 and 2.

This agenda item is related to SW Downtown BID
(Legislative)

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

Attachments:

[RES SW Downtown Metro Dist Nos 1-2](#)

[Attachment 1- Service Plan \(Revised\) - SW Downtown Metropolitan District Nos](#)

[Ltr to City of CSprings - Submittal of Organizational Documents MD1-2 \(7-26-17](#)

[Ltr City of Colorado Springs - Revised ServicePlan SW Downtown MD 1-2-clear](#)

[Service Plan \(Revised\) - Redline - SW Downtown Metropolitan District Nos. 1-2](#)

[SW Downtown Special District Structure Summary](#)

[Notice of Public Hearing on Service Plan \(revised\)-cleaned](#)

- 11.D. [17-1172](#) An ordinance organizing the SW Downtown Business Improvement District and providing for the Election of the Board of Directors.

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments:

[Ltr to City of CSprings - Request for Continuance of Public Hearing Date-clean](#)

[ORD SW Downtown BID](#)

[Exhibit A SWDBID Petition for Organization \(Revised 8-11-17\)-cleaned](#)

[Exhibit C 2017 Operating Plan and Budget--SW Downtown BID](#)

[Exhibit D specialdistrictpolicyjan06](#)

[Redline 2017 Operating Plan and Budget--SW Downtown BID--REDLINE-clean](#)

- 11.E. [17-1173](#) An ordinance including certain property into the Creekwalk Marketplace Business Improvement District

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Development

Attachments:

[ORD Creekwalk Marketplace](#)

[Exhibit A - Petition for Inclusion](#)

[Attachment 4- Creekwalk BID Inclusion Properties - Map](#)

[Creekwalk Cover Letter with Attachments](#)

12. Public Hearing

- 12.A. [CPC SWP 16-00155](#) An appeal of City Planning Commission approval of a Subdivision Waiver from subdivision design standards allowing primary residential access from an alley for three duplex buildings on lots zoned R-2 (Two-Family Residential) located at 543 Robbin Place.

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Department
Peter Wysocki, Director of Planning and Community Development

Attachments:

[EXHIBIT 1_appeal request](#)

[Robbin PI - CC Powerpoint - LT](#)

[Vicinity Map](#)

[Staff Report - CPC SWP 16-00155; CPC PFP 16-00156; CPC NV 17-00141 \(R](#)

[EXHIBIT 2_postponement request FW_August 22nd City Council Meeting appe](#)

[FIGURE 1A.rev - Preliminary Plat](#)

[FIGURE 1B - Final Plat](#)

[FIGURE 2 - Project Statement](#)

[FIGURE 3 - emails](#)

[FIGURE 4 - Letters](#)

[FIGURE 5 - Appeal Letter](#)

[FIGURE 6 - OWN letter](#)

[FIGURE 7 - CGS Recommendations](#)

[FIGURE 8.rev - Geological Hazard Investigation](#)

[FIGURE 9 - Survey Ltr for Admin Relief](#)

[7.7.1302 Waiver of Subdivision Dev](#)

[7.5.906 \(A\)\(4\)](#)

[CPC July 20 2017 543 Robbins Place Minutes](#)

- 12.B.** [AR NV
17-00141](#) An appeal of City Planning Commission approval of a Non-Use Variance to allow for a reduced 50-foot minimum lot width standard in the R-2 (Two-Family Residential) zone district for three (3) duplex units located at 543 Robbin Place.

(Quasi-Judicial).

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Department
Peter Wysocki, Director of Planning and Community Development

Attachments: [FIGURE 1A.rev - Preliminary Plat](#)

[7.5.802 Nonuse Variance](#)

[7.5.906 \(A\)\(4\)](#)

- 12.C.** [CPC PFP
16-00156](#) An appeal of City Planning Commission approval of a Preliminary and Final Plat to create six (6) lots for the development of three (3) duplex buildings located at 543 Robbin Place.

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Department
Peter Wysocki, Director of Planning and Community Development

Attachments: [FIGURE 1A.rev - Preliminary Plat](#)

[FIGURE 1B - Final Plat](#)

[7.7.102 Subdivision Plats Review Criteria](#)

[7.7.204 Preliminary Plat Req - Subdivision Plats Review Criteria](#)

[7.7.303 Final Plat Req - Subdivision Plats Review Criteria](#)

[7.5.906 \(A\)\(4\)](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn