



City of Colorado Springs

Regular Meeting Agenda - Final-revised 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, March 22, 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. [16-00098](#) Ordinance No. 16-29 amending Section 103 (Parking Privilege For The Disabled) and creating a new Section 108 (Disabled Parking Plate Or Placard Required) of Article 13 (Stopping, Standing or Parking Regulations Sign Required) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to disabled parking

Presenter:
Cmdr. Pat Rigdon and Lt. Scott Schwall, Colorado Springs Police Department

Attachments: [DisabledParking_Ord_DRAFT3-2016-02-16-FINAL](#)

- 4A.B.** [16-00063](#) Ordinance No. 16-30 amending the zoning map of the City of Colorado Springs relating to 25.615 acres located immediately south of Grand Vista Circle. Quasi-Judicial

Presenter:
Mike Schultz, Principal Planner, Land Use Review

Attachments: [ZoneChange-Sentinel Ridge_Ord_3.8.16](#)
[01.26.16 Exhibit A Legal Description](#)
[Fig 1 - Height Zones diagram](#)
[Fig 2 - Report on the Community Meeting re Mesa](#)

- 4A.C.** [16-00197](#) Ordinance No. 16-32 renaming Article 2 (Amusements) and moving under the renamed Article 2 (Marijuana) Part 1 (Medical Marijuana License Code) and all subsequent sections (101-109) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the code of the City of Colorado Springs 2001, as amended, pertaining to marijuana

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [MJ-RenamingAndMovingArticle3-2016-02-09](#)

4B. First Presentation:

- 4B.A.** [16-243](#) City Council Meeting Minutes March 8, 2016

Presenter: Sarah Johnson, City Clerk

Attachments: [2016-03-08 Minutes Draft.pdf](#)

- 4B.B.** [16-00014](#) Appointments to Boards and Commissions

Attachments: [032216 Boards and Commissions](#)
[PKKnick resume 2015 TH](#)

- 4B.C.** [16-00109](#) A Resolution Supporting the Acceptance of a Grant from the Colorado Department of Local Affairs in the Amount of \$95,000 and Approving the North Nevada Avenue Redevelopment Plan Project

Presenter:
Nina Vetter, Senior Budget Analyst, Finance Department
Kara Skinner, Chief Financial Officer

Attachments: [DOLA Grant Award Letter](#)
[Res to Accept DOLA Grant for N Nevada Ave Redevelopment](#)

- 4B.D.** [16-00161](#) A Resolution Approving the First Amendment to the Service Level Agreement between the City of Colorado Springs and El Paso County for Facilities Maintenance Services

Presenter:

Ryan Trujillo, Contract Compliance & Sustainability Manager, Finance Department

Attachments:

[Resolution to Approve 1st Amendment to IGA-SLA for Facilities Maintenance b Exhibit 1 to Resolution re EPC-Colorado Springs 2016 SLA - Final Draft 3.10.16 Attachment 1 City-County Facilities IGA and SLA 2015 SLA Attachment B List of City Buildings](#)

- 4B.E.** [16-00165](#) A Resolution Approving a Memorandum of Understanding Among Colorado Springs Utilities, the City of Colorado Springs, El Paso County, The El Paso-Teller 911 Authority, The City of Fountain, and the Pikes Peak Regional Building Department to Acquire Digital Orthorectified Imagery in 2016

Presenter:

Jerry Forte, Chief Executive Officer, Colorado Springs Utilities

Attachments:

[PPGA Resolution 2016](#)
[PPGA OP 2016 MOU 2016 02 25 FINALwExhibits](#)

- 4B.F.** [16-00194](#) An Ordinance Amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for an Appropriation to the General Fund in the Amount of \$1,095,560 to Make a Transfer to the City-funded CIP Fund, and to the City-funded CIP Fund in the Amount of \$1,095,560 to Provide the Funding Needed to Complete Public Works Capital Improvement Projects

Presenter:

Travis Easton, P.E. Public Works Director

Attachments:

[PW Supplemental Appropriation Ordinance](#)
[Exhibit A PW CIP Supplemental Appropriation](#)

- 4B.G.** [16-00107](#) An Ordinance Amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the Amount of \$5,264,000 to Pay Costs Related to Third Party Payor Audits and to Transfer Monies to the Colorado Springs Health Foundation

Presenter:

Kara Skinner, Chief Financial Officer

Attachments:

[Supplemental Approp Ord for MHS 3rd Party Insurance Settlements](#)

- 4B.H.** [16-00199](#) An Ordinance Amending Section 103 (Presiding Judge; Powers And Duties) Of Article 2 (Judges) And Section 106 (Failure To Pay Fine; Stay Of Execution) Of Article 3 (Procedures) Of Chapter 11 (Municipal Court) Of The Code Of The City Of Colorado Springs 2001, As Amended, Pertaining To Municipal Court Fines

Presenter:
Anne Turner, Senior Attorney

Attachments: [MuniCt-FinesORD-2016-02-29](#)

- 4B.I.** [16-00233](#) An ordinance correcting a legal description included in Ordinance 12-92 for the B&J Garcia Subdivision No. 2 zone change.

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

Attachments: [Figure 1 ORDINANCE](#)
[Figure 2 Exhibit 1 for Ordinance - LEGAL DESCRIPTION](#)
[Figure 3 - Letter from applicant](#)
[Figure 4 - Concept Plan](#)
[Figure 5 - Ordinance 12-92](#)
[Figure 6 - Improvement Survey Plat](#)
[Figure 7 - Comparison - CC](#)

- 4B.J.** [CPC MP](#)
[06-00219-A6](#)
[MN15](#) A minor amendment to the Flying Horse Master Plan amending the land use of 1.44-acre Parcel 25A from Residential to Office. - Quasi-Judicial

Presenter:
Meggan Herington, Planning Manager LUR/DRE
Peter Wysocki, Director, Planning and Community Development

Attachments: [FIGURE 1 Plans A1](#)
[FIGURE 2 Project Statement](#)
[FIGURE 3 Neighbor Comments](#)
[Flying Horse #25_ Staff Report](#)
[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

- 4B.K.** [CPC ZC
15-00136](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.44 acres located south of Flying Horse Club Drive and west Highway 83 from PUD to OC. Quasi-Judicial

Presenter:

Meggan Herington, Planning Manager LUR/DRE
Peter Wysocki, Director, Planning and Community Development

Attachments:

[Ord_ZC_Flying Horse Club Drive 25A](#)
[Exhibit A-Legal for Ordinance](#)
[Exhibit B - Vicinity Map](#)
[02..18.2016 CPC Minutes-Draft - Flying Horse Parcel 25A](#)
[7.5.603.B](#)

- 4B.L.** [CPC CP
15-00137](#) A concept plan for Flying Horse Parcel 25A on a 1.44-acre parcel associated with the Master Plan Amendment and zone change located south of Flying Horse Club Drive and west of Highway 83. Quasi-Judicial

Attachments:

[Concept Plan Diagram](#)
[7.5.501.E Concept Plans](#)

- 4B.M.** [CPC ZC
16-00004](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 4.29 acres located one mile north of Drennan Road and one mile east of Marksheffel Road from R1-6000 to PF (Public Facility) Quasi-Judicial

Presenter:

Meggan Herington, Planning Manager LUR/DRE
Peter Wysocki, Director, Planning and Community Development

Attachments:

[Ord_ZC_Gessen Substation](#)
[Exhibit A - Ordinance Legal](#)
[Exhibit B - Vicinity Map](#)
[Gessen Substation Staff Report](#)
[02..18.2016 CPC Minutes-Draft - Geesen](#)
[Figure 1 Plans](#)
[Figure 2 Project Statement](#)
[7.5.603.B](#)
[7.3.402.A](#)

4B.N. [CPC ZC
15-00122](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 17 acres located east of Manitou Boulevard, north of Monument Street, and south of Uintah Street from PK/PF/R/HS (Parks and Recreation, Public Facilities, Estate Single-Family Residential with Hillside Overlay) to PF/HS (Public Facility with Hillside Overlay).Quasi-Judicial

Presenter:

Lonna Thelen, Principal Planner, Land Use Review

Peter Wysocki, Director, Planning and Community Development

Attachments:[Ord ZC Little Mesa Tank](#)[Exhibit A Legal Description](#)[Exhibit B Vicinity Map](#)[06 - Little Mesa Tank staff report - LT](#)[01.21.2016 CPC Minutes-Draft-Little Mesa Tank](#)[FIGURE 1 - Development Plan](#)[FIGURE 2 - Project Statement](#)[FIGURE 3 - Neighborhood comments](#)[7.5.603.B Establishment or change of zone district boundaries](#)**4B.O.** [CPC DP
97-00346-A1
MJ15](#)

Little Mesa Tanks Relocation Project development plan associated with the change of zone to build a new water tank and demolish the old water tank on the property, located at east of Manitou Boulevard, north of Monument Street, and south of Uintah Boulevard.
Quasi-Judicial

Presenter:

Lonna Thelen, Principal Planner, Land Use Review

Peter Wysocki, Director, Planning and Community Development

Attachments:[FIGURE 1 - Development Plan](#)[7.5.502.E Development Plan Review](#)

4B.P. [CPC ZC
16-00002](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.28 acres located northwest of Shrider Road and Academy Boulevard from PBC/CR (Planned Business Center with Conditions of Record) to PBC/CR (Planned Business Center with Conditions of Record). - Quasi-Judicial

Presenter:

Katie Carleo, Principal Planner, Planning and Community Development Department

Peter Wysocki, Director, Planning and Community Development

Attachments:

[Ord ZC Natural Grocers](#)

[Exhibit A -LEGAL DESCRIPTION Natural Grocers](#)

[Vicinity Map](#)

[Natural Grocers Staff Report](#)

[02..18.2016 CPC Minutes-Draft - Natural Grocers](#)

[FIGURE 1 DP Minor Amendment A1](#)

[FIGURE 2 Project Statement A1](#)

[FIGURE 3 Neighborhood Comments A1](#)

[FIGURE 4 Zone Change A1](#)

[7.5.603.B - Zone Change Review Criteria](#)

4B.Q. [CPC DP
98-00346-A7
MN16](#)

A minor amendment to the Shoppes at Academy Development Plan associated with the change of zoning of 1.28 acres located at Shrider Road and Academy Boulevard. Quasi-Judicial

Presenter:

Katie Carleo, Principal Planner, Planning and Community Development Department

Peter Wysocki, Director, Planning and Community Development

Attachments:

[FIGURE 1 DP Minor Amendment A1](#)

[7.5.502.E Development Plan Review](#)

**4B.R. [CPC PUZ
15-00092](#)**

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 14.44 acres located northwest of South Rockrimmon Boulevard and Delmonico Drive from OC/CR/PUD/HS/SS to PUD/SS. Quasi-Judicial

Presenter:

Rachel Teixeira, Planner, Land Use Review

Peter Wysocki, Director, Planning and Community Development

Attachments:

[Ord_Wildgrass](#)

[Exhibit A - Wildgrass Legal Description](#)

[Exhibit B - Wildgrass Vicinity Map](#)

[WILDGRASS STAFF REPORT](#)

[02..18.2016 CPC Minutes-Draft - Wildgrass](#)

[FIGURE 1 - SITE PLANS-A1](#)

[FIGURE 2 - PROJECT STATEMENT A1](#)

[FIGURE 3 - OC ZONE MAP](#)

[7.5.603.B](#)

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

**4B.S. [CPC PUD
15-00093](#)**

The Wildgrass Development Plan associated with the change of zone to develop the vacant site into single-family attached (duplexes) residential development located at the northwest corner of South Rockrimmon Boulevard and Delmonico Drive. Quasi-Judicial

Presenter:

Rachel Teixeira, Planner, Land Use Review

Peter Wysocki, Director, Planning and Community Development

Attachments:

[FIGURE 1 - SITE PLANS](#)

[FIGURE 2 - PROJECT STATEMENT](#)

[FIGURE 3 - CONCERNED RESIDENT](#)

[7 3 606 PUD Development Plan](#)

[7.5.502.E Development Plan Review](#)

5. Recognitions**6. Citizen Discussion****7. Mayor's Business**

- 7.A. [16-248](#) Appointment of Stephen Powell to a five year term on the Colorado Springs Housing Authority Board, effective April 1, 2016.

Presenter:
Mayor John Suthers

Attachments: [City Council Housing Authority Board Memo 2016](#)
[CSHA Application_ Stephen Powell_Redacted](#)

- 7.B. [16-250](#) Appointment of Jack Wiepking to fill an unexpired term on the Colorado Springs Urban Renewal Authority Board, expiring on April 1, 2017.

Presenter:
Mayor John Suthers

Attachments: [City Council Urban Renewal Authority Board Memo 2016](#)
[CSURA Application_ Jack Wiepking](#)

- 7.C. [16-251](#) Appointment of Toby Gannett to fill an unexpired term on the Colorado Springs Urban Renewal Authority Board, expiring on April 1, 2018.

Presenter:
Mayor John Suthers

Attachments: [City Council Urban Renewal Authority Board Memo 2016](#)
[CSURA Application_ Toby Gannett](#)

- 7.D. [16-252](#) Appointment of Gary Feffer to a five term on the Colorado Springs Urban Renewal Authority Board, expiring on April 1, 2021.

Presenter:
Mayor John Suthers

Attachments: [City Council Urban Renewal Authority Board Memo 2016](#)
[CSURA Application_ Gary Feffer](#)

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

- 10.A.** [16-00048](#) Ordinance No. 16-31 creating a new infill and redevelopment chapter within the existing City of Colorado Springs Comprehensive Plan in accord with Section 7.1.107.B of the Code of the City of Colorado Springs, 2001, as amended.
(Legislative)

Presenter:

Peter Wysocki, Director, Planning and Community Development
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments:

[InfillCompPlanChapter1-ORD-2016-03-08](#)

[Attachment 2- Infill Supplement-22JAN2016_v1](#)

[Attachment 3- Infill Recommendations Action Plan1-20-16](#)

[Attachment 4 - Record of Decision Infill 12-17-15 CPC Draft Minutes](#)

[Attachment 5- Steering Committee List](#)

[Attachment 6- Public Comments Since 1-21-16](#)

- 10.B.** [16-00164](#) Ordinance No. 16-33 amending Section 302 (Definitions of Use Types) of Part 3 (Land Use Types and Classifications) of Article 2 (Basic Provisions, Definitions) and 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 marijuana consumption club facilities

Presenter:

Peter Wysocki, Planning and Community Development Director

Attachments:

[MJ_ClubDefinitionsAndZoningUseTablesORD-NotPermitted-2016-03-08-clean.](#)

[MJ_ClubDefinitionsAndZoningUseTablesORD-NotPermitted-2016-03-08-redline](#)

[MJ_Clubs-Presentation2016-03-08](#)

- 10.C.** [16-00196](#) Ordinance No. 16-34 adopting Part 2 (Marijuana Consumption Clubs) 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 Marijuana Consumption Club licenses

Presenter:

Sarah B. Johnson, City Clerk

Attachments:

[MJ_ClubLicense-BAN-ORD-2016-03-08-Clean.docx](#)

[MJ_ClubLicense-BAN-ORD-2016-03-08-Redline.pdf](#)

- 10.D. [16-00198](#) Ordinance No. 16-35 amending Section 507 (License Fees Enumerated) of Part 5 (License Fees) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Marijuana Consumption Club license fees

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [MJ_ClubFeesORD-2016-03-02](#)

11. New Business

- 11.A. [16-239](#) A resolution establishing criteria for determining “lawful operation” of marijuana consumption club facilities prior to September 22, 2015, and authorizing notice of expiration of amortized non-conforming land use.

Presenter:
Peter Wysocki, Planning and Community Development

Attachments: [MJ_ClubLawfulOperationRES-2016-03-09.docx](#)
[Exhibit A similar use determination](#)

- 11.B. [16-00105](#) A Resolution endorsing the use and maintenance of an Infill Action Plan. (Legislative).

Presenters:
Peter Wysocki, Planning and Community Development Director
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments: [Resolution - InfillActionPlanResolution](#)
[Exhibit 1 - Infill Recommendations Action Plan1-20-16](#)

- 11.C. [16-00192](#) Resolution Authorizing the Use of a Possession and Use Agreement for the Property Owned by AMERCO Real Estate Company that is Needed for the Tejon Roundabout Project

Presenter:

Mike Chaves, Engineering Manager/City Engineering

Attachments: [TejonRoundabout-UHaulPossessionRES-2016-02-24](#)
[Exhibit A RW-1](#)
[Exhibit A PE-1a](#)
[Exhibit A PE-1](#)
[Exhibit A TE-1](#)
[UHaul Parcel Vicinity Map](#)
[UHAUL- Council Powerpoint 3-7-16-Rev](#)

- 11.D. [16-00101](#) Resolution Approving an Amendment to the Service Plan for the Upper Cottonwood Creek Metropolitan District Nos. 2, 3, 4 and 5.

Attachments: [CottonwoodCreekMetroDistrictsMillLevyRES-2016-03-01-final](#)
[Attachment 3- UCC2-5 - Amendment to Service Plan](#)
[Attachment 4- UCCMD2-5 Submittal Ltr City of Colorado Springs](#)
[Attachment 5- UCC2-5 Petition for Approval Amended Service Plan](#)
[Attachment 6- Excerpt from Braden-Nor'wood Email](#)
[Attachment 7- UCC Revenue Forecast](#)
[Attachment 8- Draft Notice Service Plan Hearing Notice](#)
[Attachment 9- UCC Metro. District No. 2-5 Original \(2006\) Service Plan](#)
[Attachment 10- Wolf Ranch MP](#)
[Attachment 11- Wolf Ranch Metro District Maintained Parks, Open Space, Land](#)

12. Public Hearing

- 12.A. [CPC CU 15-00132-AP](#) An appeal of City Planning Commission's decision to deny a Conditional Use for Iron Mountain Demolition and Roll-Off and Meade Holdings, LLC construction and demolition debris transfer station, located at 3310 and 3320 North Cascade. - Quasi-Judicial

Presenter:

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

Attachments:

[CPC CU 15-00132-APPEAL LETTER - Iron Mountain](#)
[CPC CU 15-00132-AP-APP](#)
[CPC CU 15-00132-Staff Report](#)
[CPC CU 15-00132 Staff Report Addendum](#)
[02.18.2016 CPC Minutes-Draft - Iron Mountain](#)
[FIGURE 1. Site Plan_A1](#)
[FIGURE 2. Project Statement_A1](#)
[FIGURE 3. Surrounding Land Use and Commenter Map_A1](#)
[FIGURE 4. Public Comments_A1](#)
[FIGURE 5. Public Comment Responses_A1](#)
[FIGURE 6. Letters of Support_A1](#)
[FIGURE 7. 3105-3150 N Cascade land use viol_A1](#)
[FIGURE 8. 3106 50 3310 20 N Cascade land use viol_A1](#)
[FIGURE 9. Proposed Mitigation Measures_A1](#)
[FIGURE 10. Cleaning Schedule_A1](#)
[FIGURE 11. Suspect material sample 10-21-2015_A1](#)
[FIGURE 12. Pictures of Subject Site](#)
[FIGURE 13. Waste Management Site 6 N Tejon](#)
[FIGURE 14. Acumen Letter of Support](#)

- 12.B. [CPC ZC
15-00130](#) An ordinance to change the zoning of 4.75 acres located at the northeast corner of Platte Avenue and Wooten Road from PIP-1/AO to C-5/AO. Quasi-Judicial

Presenter:

Mike Schultz, Principal Planner, Land Use Review
Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments:

[Ord_ZC_Platte Business Ctr](#)
[Exhibit A - Legal Description - Platte Business Ctr ZC](#)
[Exhibit B - Aerial Exhibit](#)
[Platte Business Center Feb CPC memo](#)
[02..18.2016 CPC Minutes-Draft - Kum & Go with Platte Business Center](#)
[7.5.603.B Criteria for Granting Zone Changes](#)

- 12.C. [CPC CP
15-00131](#) A concept plan for Platte Business Center on 4.75 acres for a commercial shopping center located at the northeast corner of Platte Avenue and Wooten Road. Quasi-Judicial

Presenter:

Mike Schultz, Principal Planner, Land Use Review
Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments:

[Figure 3 - Concept Plan](#)
[02..18.2016 CPC Minutes-Draft - Kum & Go with Platte Business Center](#)
[7.5.501.E Concept Plans](#)

- 12.D. [CPC V
15-00106](#) An ordinance to vacate .384 acres (16,727 square feet) of Edison Avenue right-of-way located just east of Wooten Road; Legislative

Presenter:

Mike Schultz, Principal Planner, Land Use Review
Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments:

[Ord_Vacation ROW Edison Rd](#)
[Exhibit A - Vacation of Edison Rd ROW](#)
[Kum and Go CPC Memo - Feb](#)
[02..18.2016 CPC Minutes-Draft - Kum & Go with Platte Business Center](#)
[Figure 1 - Area Map](#)
[Figure 2 - DP_A1](#)
[Aerial Exhibit](#)
[7.7.402.C Vacation Procedures](#)

12.E. [CPC DP
15-00104](#)

A development plan for a Kum and Go convenience store and gas station on a 2.47-acre site located directly west of the Platte Business Center concept plan. Quasi-Judicial

Presenter:

Mike Schultz, Principal Planner, Land Use Review
Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments:

[Kum and Go CPC Memo - Feb](#)

[Figure 3 - DP](#)

[7.5.502.E Development Plan Review](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn