



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, January 28, 2020

10:00 AM

Council Chambers

1. Call to Order

Present: 8 - Councilmember Jill Gaebler, Councilmember David Geislinger, Councilmember Bill Murray, Councilmember Don Knight, Councilmember Andy Pico, President Richard Skorman, President Pro Tem Tom Strand, and Councilmember Wayne Williams

Absent: 1 - Councilmember Yolanda Avila

2. Invocation and Pledge of Allegiance

The Invocation was made by Reverend Dr. Nori Rost from All Souls Church.

President Skorman led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

Marc Smith, Corporate Division Chief, Office of the City Attorney, stated the appellant has withdrawn the appeal for items 12.B. and 12.C.

President Skorman stated Mayor's Business will be taken before Citizen Discussion

Consensus of Council agreed to these changes on the agenda.

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
19-00104](#)

Ordinance No. 20-1 amending the zoning map of the City of Colorado Springs pertaining to 10.24 acres located at 5640 E Bijou Street from PIP-1 APZ1 AO (Planned Industrial Park 1 with Accident Potential Zone 1 and Airport Overlay) to M-1 APZ1 AO (Light Industrial with Accident Potential Zone 1 and Airport Overlay).

(Quasi-Judicial)

Related File: CPC PUZ 19-00104, CPC PUP 19-00105

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

- Attachments:** [ZC ORD CDOTBijou](#)
[Exhibit A - legal description](#)
[Exhibit B - zoning depiction](#)
[VICINITY MAP](#)
[Signed Ordinance 20-1.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.B. [CPC ZC 18-00142](#)

Ordinance No. 20-2 amending the zoning map of the City of Colorado Springs pertaining to 3.89 acres of land from A/OC/cr (Agricultural and Office Complex with Conditions of Record) to PBC/cr (Planned Business Center with Conditions of Record), located at 11005 Voyager Parkway.

(QUASI-JUDICIAL)

Related Files: CPC ZC 18-00142, CPC ZC 18-00143, and CPC CP 18-00144

Presenter:
Daniel Sexton, Principal Planner, Planning and Community Development
Peter Wysocki, Director Planning and Community Development

- Attachments:** [ZC ORD NewLifeCommercialLot2](#)
[Exhibit A - Lot 2 Legal Description](#)
[Vicinity Map](#)
[Signed Ordinance 20-2.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.C. [CPC ZC 18-00143](#)

Ordinance No. 20-3 amending the zoning map of the City of Colorado Springs pertaining to 2.09 acres of land from OC/cr (Office Complex with Conditions of Record) to PBC/cr (Planned Business Center with Conditions of Record), located at 11005 Voyager Parkway.

(QUASI-JUDICIAL)

Related Files: CPC ZC 18-00142, CPC ZC 18-00143, and CPC CP

18-00144

Presenter:

Daniel Sexton, Principal Planner, Planning and Community Development
Peter Wysocki, Director Planning and Community Development

Attachments: [ZC ORD NewLifeCommercialLot3](#)
[Exhibit A - Lot 3 Legal Description](#)
[FIGURE 2 - Zone Change-Lot 3](#)
[Signed Ordinance 20-3.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.D. [19-723](#)

Ordinance No. 20-4 amending Ordinance No. 18-118 (2019 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$6,984,844, and to the Lodgers and Auto Rental Tax (LART) Fund in the amount of \$167,394 which will be transferred to the General Fund and is included in the \$6,984,844, for the retention of 2018 fiscal year revenue above the 2018 fiscal year revenue and spending limitations (TABOR cap), approved by voters in the November 2019 coordinated election to be retained and spent for parks, sports and cultural facilities, and trail improvements

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Ordinance for Supplemental for TABOR \\$7M-Parks](#)
[Signed Resolution 77-19-Ballot Language](#)
[Signed Ordinance 20-4.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.E. [19-728](#)

Ordinance No. 20-5 amending Ordinance No. 18-118 (2019 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the Amount of \$1,384,091 to Transfer UC Health Margin Share Proceeds to the Colorado Springs Health Foundation

Presenter:

Charae McDaniel, Chief Financial Officer
Chris Wheeler, Budget Manager

Attachments: [Supplemental Approp Ord for MHS Revenue Share-2019](#)
[Signed Ordinance 20-5.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.F. [19-724](#)

Ordinance No. 20-6 amending Ordinance No. 19-87 (2020

Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$329,828 for partial construction costs of the Tutt Boulevard Bridge over Cottonwood Creek.

Presenter:

Charae McDaniel, Chief Financial Officer

Jeff Dunn, PE, Stormwater Enterprise Division of Public Works

Attachments: [CW-Ordinance-Supplemental Approp for Assurance](#)

[Exhibit A](#)

[Exhibit B](#)

[Signed Ordinance 20-6.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.G. [CPC V
19-00158](#)

Ordinance No. 20-7 vacating a public right-of-way described as the northern-most ten feet of E. Vermijo Ave. between S. Weber St. and S. Wahsatch Ave. within The Town of Colorado Springs consisting of 0.087 acres.

Presenter:

Ryan Tefertiller, Manager, Urban Planning Division

Peter Wysocki, Director, Planning and Community Development Department

Attachments: [VROW ORD VermijoAvenue](#)

[Exhibit A - Vermijo Ave ROW Legal Description](#)

[Exhibit B - Vermijo Ave Vacation Plat](#)

[Signed Ordinance 20-7.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4A.H. [CPC PUZ
19-00056](#)

Ordinance No. 20-8 amending the zoning map of the City of Colorado Springs pertaining to 1.1 acres located on the east side of 21st Street, north of Little Bear Creek Point from R5 (Multi-Family Residential) to PUD (Planned Unit Development: medical office, veterinary clinic, general office, personal consumer services and personal improvement services with a maximum height of 30 feet).

(Quasi-Judicial)

Related File: CPC PUD 19-00057

Presenter:

Peter Wysocki, Director, Planning and Development Department

Lonna Thelen, Principal Planner, Planning and Community Development

Department

Attachments: [ZC ORD MastinDental](#)
[Exhibit A - legal description](#)
[Exhibit B - zoning depiction](#)
[VICINITY MAP](#)
[Signed Ordinance 20-8.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

4B.A. [20-043](#) City Council Regular Meeting Minutes January 14, 2020

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [1-14-2020 City Council Meeting Minutes Final.pdf](#)
[Williams\(1.14.20\).pdf](#)
[Quick Response 14_2 Jan2020.pptx](#)

The Minutes were approved on the Consent Calendar.

4B.B. [20-046](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [012820 Boards and Commissions.pdf](#)

This Item was approved on the Consent Calendar.

4B.C. [19-732](#) An Ordinance 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 Liquor Code.

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

Attachments: [Clerk-LiquorCodeORD-2019-11-02.docx](#)

This Ordinance was approved on first reading on the Consent Calendar.

4B.D. [20-015](#) An Ordinance Amending Ordinance No. 19-87 (2020 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$3,362,600 for Acquisition of Approximately 335 Acres of Property for the Purpose of Public Open Space and Trails

Presenter:

Britt I. Haley, Parks, Recreation & Cultural Services Department

Attachments: [Appropriation Ordinance.January2020JCCPP](#)
[Jimmy Camp Creek Parcels w Parks](#)

This Ordinance was approved on first reading on the Consent Calendar.

4B.E. [19-749](#)

A resolution adopting an amendment to the “City of Colorado Springs Rules and Procedures of City Council” relating to land acquisitions

Presenter:

Marc Smith, Corporate Division Chief and Legislative Counsel, Office of the City Attorney

Attachments: [Council-RulesRevisionRES-2020-01-03.docx](#)
[Exhibit A --](#)
[2019-11-27-Rules and procedures of city council-DRAFTv2.docx](#)
[Exhibit B -- Part 6.pdf](#)
[Signed Resolution 3-20.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.F. [20-020](#)

A Resolution Authorizing the Acquisition of a 0.089 Acre Permanent Easement and 0.038 Acre Temporary Construction Easement from Danablu, LLC for the South Cascade Avenue Bridge Replacement Project

Presenter:

Mike Chaves, City Engineering Division Manager
Ryan Phipps, Senior Engineer

Attachments: [Resolution Danablu Acquisition](#)
[Danablu - Exhibit A](#)
[Danablu - Exhibit B](#)
[Danablu Acquisition - Cascade Bridge](#)
[Signed Resolution 4-20.pdf](#)

This Resolution was adopted on the Consent Calendar.

Approval of the Consent Agenda

Motion by President Pro Tem Strand, seconded by Councilmember Gaebler, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

5. Recognitions

5.A. [19-688](#) Then & Now: A Photographic Celebration of the Colorado Springs Sesquicentennial July 2021

Presenter:
Council Member Dave Geislinger

Attachments: [Mike Pach Proclamation](#)

Councilmember Geislinger read the Proclamation for Then & Now: A Photographic Celebration of the Colorado Springs by Mike Pach which compares images of Colorado Springs to current photographs to show our immense change over 150 years.

Mr. Pach presented examples of the photographs which will be on exhibit at the July 2021 sesquicentennial event.

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

Citizen Jim Coonradt spoke about tenant rights and expressed appreciation with City Council's assistance with the issues he has had with his landlord.

Citizens Lindsey Facknitz and Deb Fortenberry spoke about Colorado Springs Utilities efforts towards the Energy Integrated Resource Planning (EIRP) renewable energy and the decommission of the Martin Drake Power Plant.

Citizen Doug Schulz spoke against accessory dwelling units.

Citizen Sarah Humberger spoke about the cost of constructing an accessory dwelling unit in an R2 zone.

Citizen Lee Patke spoke about solutions to the growing need for affordable housing in the City which includes support of accessory dwelling units.

Citizen Gerald Miller spoke about the crime in his neighborhood and corruption in government.

Citizen Sam Macias spoke about the solar canopy for the Colorado Springs Airport.

Citizen Jaymen Johnson spoke about Holocaust Remembrance Day.

7. Mayor's Business

- 7.A. [20-033](#) Nomination to appoint Jesse Spaeth to serve a four term on the Colorado Springs Housing Authority Board, expiring on April 1, 2024.

Presenter:
Mayor John Suthers

Attachments: [2020 CSHA Memo to CC.pdf](#)
[CSHA Application JesseSpaeth_Redacted.pdf](#)

Mayor John Suthers presented the nomination to appoint Jesse Spaeth for a four-year term on the Colorado Springs Urban Renewal Authority Board.

Councilmember Knight asked if the term limit for the Colorado Springs Housing Authority Board was under the authority of the Colorado Revised Statutes. Marc Smith, Corporate Division Chief, Office of the City Attorney, stated he will confirm that information.

Mr. Spaeth expressed appreciation for the nomination.

Motion by Councilmember Williams, seconded by President Pro Tem Strand, to appoint Jesse Spaeth to serve a four-year term on the Colorado Springs Housing Authority Board, expiring on April 1, 2024 be approved. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

- 7.B. [20-044](#) Nomination to appoint Mary Coleman for a three year term on the Colorado Springs Health Foundation Board of Trustees.

Presenter:
Mayor John Suthers

Attachments: [2020 CSHF Memo to CC.pdf](#)
[Mary Coleman_Application_Redacted.pdf](#)

Mayor John Suthers presented the nomination to appoint Mary Coleman for a three-year term on the Colorado Springs Health Foundation Board of Trustees.

Councilmember Geislinger disclosed that he also works for Centura Health, but does not believe there is a conflict of interest.

Ms. Coleman expressed appreciation for the nomination.

Motion by Councilmember Geislinger, seconded by President Pro Tem Strand, to appoint Mary Coleman to serve on the Colorado Springs Health Foundation Board of Trustees for a three-year term expiring 3/12/2023 be approved. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

- 7.C. [20-045](#) Nomination to appoint Jim Johnson for a three year term on the Colorado Springs Health Foundation Board of Trustees.

Presenter:
Mayor John Suthers

Attachments: [Jim Johnson Application Redacted.pdf](#)

Mayor John Suthers presented the nomination to appoint Jim Johnson for a three-year term on the Colorado Springs Health Foundation Board of Trustees.

Mr. Johnson expressed appreciation for the opportunity to serve.

Motion by President Pro Tem Strand, seconded by Councilmember Williams, to appoint Jim Johnson to serve on the Colorado Springs Health Foundation Board of Trustees for a three-year term expiring 3/12/2023 be approved. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

8. Items Called Off Consent Calendar

There were no items called off the Consent Calendar.

9. Utilities Business

- 9.A. [20-026](#) A Resolution Setting the Electric Cost Adjustment and Industrial Service - Large Power and Light Supply Credit Rates Effective February 1, 2020

Presenter:
Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2 - 01-28-2020 CC Mtg-ECA Resolution](#)
[3 - Sheet 2.9 E Rate Tbl - Redline](#)
[4 - Sheet 2.9 E Rate Tbl - Final](#)
[5 - ECA Schedule 1](#)
[Signed Resolution 5-20.pdf](#)

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities, presented the proposed rate adjustment of the Electric Cost Adjustment (ECA) which would decrease the typical residential electric bill by less than one percent. He stated Gas Cost Adjustment (GCA) would be adjusted to decrease the typical residential gas bill by eleven percent and the Large Power and Light (ELG) supply credit adjustment will decrease the current effective credit rate. Mr. Shewey stated the Office of the City Auditor has verified the calculations are accurate and consistent.

Councilmember Pico stated the decrease in natural gas pricing is a result of the worldwide energy boom largely due to fracking efforts producing what is needed.

Motion by Councilmember Murray, seconded by Councilmember Williams, that the Resolution setting the Electric Cost Adjustment and Industrial Service - Large Power and Light Supply Credit rates effective February 1, 2020 be adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

9.B. [20-025](#) A resolution setting the Gas Cost Adjustment effective February 1, 2020

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2 - 01-28-2020 CC Mtg-GCA Resolution](#)
[3 - Sheet 2.4 G Rate Table - Redline](#)
[4 - Sheet 2.4 G Rate Table - Final](#)
[5 - GCA Schedule 1](#)
[Signed Resolution 6-20.pdf](#)

Please see comments in Agenda item 9.A.

Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Resolution setting the Gas Cost Adjustment effective February 1, 2020 be

adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

10. Unfinished Business

- 10.A.** [CPC PUZ 19-00078](#) Ordinance No. 20-9 amending the zoning map of the City of Colorado Springs pertaining to 42.04 acres from SU/AO (Special Use with Airport Overlay) to PUD/AO (Planned Unit Development with Airport Overlay) zone district located at 1111 Academy Park Loop.

(QUASI-JUDICIAL)

Related Files: CPC PUZ 19-00078, and CPC PUP 19-00079

Presenter:

Rachel Teixeira, Planner II, Planning & Community Development
Peter Wysocki, Director, Planning and Development Department

Attachments: [ZC ORD ChapelHeights](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Zoning Map](#)

[Aerial Vicinity Map](#)

[Map location of park facilities](#)

[Vicinity Map](#)

[Map distance to parks](#)

[CPC Staff Report Chapel Heights](#)

[FIGURE 1 - Chapel Heights Project Statement](#)

[FIGURE 2 - Chapel Heights Zone Change Site Plan](#)

[FIGURE 3 - Chapel Heights Concept Plan Site Plan](#)

[FIGURE 4 - Land Uses Map](#)

[FIGURE 5 - Neighborhood Mtg](#)

[FIGURE 6 - Special Use Zone](#)

[FIGURE 7 - EOZ Map](#)

[FIGURE 8 - PlanCOS](#)

[7.5.603.B Findings - ZC](#)

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

[CPC_Minutes_ChapelHeights_draft](#)

[Signed Ordinance 20-9.pdf](#)

President Skorman recused himself.

Councilmember Murray stated he is seriously distressed by how this item was processed with the property being under contract before any of the parties were notified that the property was within a federal economic opportunity zone.

Councilmember Pico stated this project is consistent with the objectives of the federal economic opportunity zone.

Motion by Councilmember Geislinger, seconded by Councilmember Williams, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 42.04-acres from SU/AO (Special Use with Airport Overlay) to PUD/AO (Planned Unit Development: single-family attached and detached, 8-11.99 dwelling units per acres with a maximum height of 35 feet; single-family attached, 12-24.99 dwelling units per acres with a maximum height of 35 feet; multi-family residential, 12-24.99 dwelling units per acres with a maximum height of 35 feet, and community center on 1.97 acres with a maximum height of 50 feet, and Airport Overlay), based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603(B), as well as the criteria for establishment of a PUD zone district as set for in City Code Section 7.3.603 be finally passed. The motion passed by a vote of 6-1-1-1

Aye: 6 - Gaebler, Geislinger, Knight, Pico, Strand, and Williams

No: 1 - Murray

Absent: 1 - Avila

Recused: 1 - Skorman

11. New Business

- 11.A. [20-018](#) A Resolution Recognizing the Mayor's Authority to Execute All Intergovernmental Agreements Related to Colorado Department of Transportation Grant Applications and Execution Documents

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [FINAL Res Mayoral Auth to Sign CDOT IGA - 01-27-2020](#)

[Legal Memo re Mayoral auth for grant app 12-17-2019](#)

Charae McDaniel, Chief Financial Officer, presented the Resolution recognizing the Mayor's authority to execute all intergovernmental agreements (IGA) related to Colorado Department of Transportation (CDOT) grant agreements without additional approval by City Council. She stated when the City appropriates funds for grants, they appropriate the entirety of the amount needed within the same year they anticipate receiving the grant. Ms. McDaniel stated language has been included in the

Resolution which states when the City enters into a CDOT IGA for a grant, staff will provide notice to City Council.

Councilmember Knight and Councilmember Murray stated he supports allowing the Mayor to have authority to sign CDOT IGA grants, but disagrees that the Mayor already has that right so he will be voting against this item.

Councilmember Williams requested the notice to City Council be included in Section 2 rather than only in the "Whereas" section of the Resolution. Marc Smith, Corporate Division Chief, Office of the City Attorney, confirmed it could be added, but is it the intent of the Executive Branch to provide notice to City Council.

Councilmember Knight requested this item be postponed to the February 11, 2020 City Council meeting so there is time to review the revised Ordinance.

Councilmember Geislinger asked if the Mayor signs an IGA if City Council still has authority over whether or not the funding is approved. Mr. Smith confirmed City Council does have the budgeting authority, but some grant agreements may have non-appropriation clauses. Councilmember Williams requested those limitations be set forth in the Resolution so City Council is not giving away its appropriation authority.

Motion by Councilmember Knight, seconded by Councilmember Murray, that the Resolution recognizing the Mayor's authority to execute all Intergovernmental Agreements related to Colorado Department of Transportation grant applications and execution documents be postponed to the February 11, 2020 City Council meeting. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

11.B. [19-703](#)

A resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$1,800,000 for the Wildgrass at Rockrimmon Metropolitan District

Presenters

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution](#)
[PowerPoint](#)
[Attachment 1-Transmittal Letter](#)
[Attachment 2- Term Sheet](#)
[Attachment 3- District Bond Resolution](#)
[Attachment 4- Form of Senior Indenture](#)
[Attachment 5- Form of Subordinate Indenture](#)
[Attachment 6- Financial Plan](#)
[Attachment 7-Draft General Counsel Opinion Letter](#)
[Attachment 8- Summary of Public Improvements Costs](#)
[Signed Resolution 7-20.pdf](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, presented the Resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$1,800,000 for the Wildgrass at Rockrimmon Metropolitan District. He provided a brief summary, vicinity map, district map, identified the improvement cost to be partially funded, and the discussion at the City Council Budget Committee and the December 9, 2020 City Council Work Session meeting.

Motion by President Pro Tem Strand, seconded by Councilmember Williams, that the Resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed an aggregate principal amount of \$1,800,000 for the Wildgrass at Rockrimmon Metropolitan District be adopted. The motion passed by a vote of 6-2-0-0

Aye: 6 - Gaebler, Geislinger, Pico, Skorman, Strand, and Williams

No: 2 - Murray, and Knight

Absent: 1 - Avila

12. Public Hearing

12.A. [CPC PUZ
19-00087](#)

An ordinance amending the zoning map of the City of Colorado Springs relating to 0.44 acres located at 532 West Colorado Avenue on the northeast corner of West Colorado Avenue and South Chestnut Street from C-6 (General Business) to PUD (Planned Unit Development: multi-family residential, maximum density of 114 dwelling units per acre [not to exceed 50 units] and 60-foot maximum building height)

(QUASI-JUDICIAL)

Related File: CPC PUD 19-00088

Presenter:

Peter Wysocki, Director, Planning and Community Development
Matthew Fitzsimmons, Planner II, Urban Planning Division

Attachments: [ZC ORD 532WColoradoAve](#)
[Exhibit A legal description](#)
[Exhibit B site plan](#)
[532 W. Colorado Ave Staff CC.1.28.20](#)
[CPC Report 532 W. Colorado Ave PUZ PUD - final](#)
[Figure 1 - Project Statement](#)
[Figure 2 - Zoning Map](#)
[Figure 3 - Stakeholder letters](#)
[Figure 4 - Zone Change](#)
[Figure 5 - Development Plan](#)
[Figure 6 - Traffic Study](#)
[Figure 7 - Plan COS](#)
[7.3.603 Establishment & Development of a PUD Zone](#)
[7.5.603.B Findings - ZC](#)
[CPC Minutes 532WColoradoApts draft](#)

Ryan Tefertiller, Planner II, Urban Planning Division, presented an Ordinance amending the zoning map pertaining 0.44 acres located at 532 West Colorado Avenue from C-6 (General Business) to PUD (Planned Unit Development: multi-family residential, maximum density of 114 dwelling units per acre [not to exceed 50 units] and 60-foot maximum building height). He provided a brief background of the current zoning in the area, existing property, and proposed development. Mr. Tefertiller gave an overview of the applications for a fifty-unit apartment building, neighborhood, parking, stakeholder input, zone change criteria, and analysis.

Dave Morrison, Land Patterns, Inc, representing the applicant Desireable Holdings, Inc., gave an overview of the project for 532 W. Colorado Avenue apartments, site details, the elements of the architectural design, and how the project supports the City's west side plan.

Councilmember Geislinger asked if it is the desire for this property to become a member of the West Side Special Maintenance District (SMID). Mr. Morrison stated he assumes the property is a member of the SMID, but he is uncertain. Mr. Tefertiller stated the property is within the Near West Side SMID

Len Kendall, Director of Planning and Mobility, Downtown Partnership of Colorado Springs, spoke in support of the project.

Councilmember Williams, President Skorman, and Councilmember Gaebler also spoke in support of the project.

Councilmember Knight commented this is another commercial zone changing to residential with no financial impact analysis provided in the report.

Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.44 acres located at 532 West Colorado Avenue from C-6 (General Business) to PUD (Planned Unit Development: multi-family residential, maximum density of 114 dwelling units per acre [not to exceed 50 units] and 60-foot maximum building height), based upon the findings that the change of zone request complies with the review criteria for establishment of a PUD zone as set forth in City Code Section 7.3.603 and the zone change criteria as set forth in Section 7.5.603.B. be approved on first reading. The motion passed by a vote of 7-1-1-0

Aye: 7 - Gaebler, Geislinger, Murray, Pico, Skorman, Strand, and Williams

No: 1 - Knight

Absent: 1 - Avila

- 12.B.** [CPC PUD 19-00088](#) A PUD Development Plan proposing 50 multi-family dwelling units in a roughly 58 foot tall building on a 0.44-acre site located at the northeast corner of West Colorado Avenue and South Chestnut Street

(QUASI-JUDICIAL)

Related File: CPC PUZ 19-00087

Presenter:

Matthew Fitzsimmons, Planner II, Urban Planning Division

Peter Wysocki, Director, Planning and Community Development

Attachments: [Figure 5 - Development Plan](#)
[7.3.606 PUD Development Plan](#)
[7.5.502.E Development Plan Review](#)

Please see comments in Agenda item 12.B.

Motion by Councilmember Williams, seconded by Councilmember Gaebler, to approve the development plan for 532 West Colorado Avenue based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.606, and the development plan review criteria as set forth in Section 7.5.502.E. Subject to

technical modifications:

1. Update the language under 'General Notes - Item #6 - on Sheet 1 of 12 to show multifamily-residential as the only permitted use type with the height maximum at 60' and maximum DU/Acre at 114
 2. Update the sheet count to reflect the 12 pages.
 3. Update the landscape design on the southeastern corner of the site to buffer the sidewalk from parked cars.
 4. Update location of ADA stall on S. Chestnut St. to be closer to the front door.
 5. Update the plan to reflect the final design of S. Chestnut based on City Engineering and Traffic input.
 6. Include parking blocks on the S. Chestnut St. parking stalls
- The motion passed by a vote of 7-1-1-0

Aye: 7 - Gaebler, Geislinger, Murray, Pico, Skorman, Strand, and Williams

No: 1 - Knight

Absent: 1 - Avila

12.C. [CPC PUZ
18-00101](#)

Postponement of an appeal of City Planning Commission's decision to deny a rezoning of 10.71 acres from PUD/AO (Planned Unit Development single-family residential, 2.9 dwelling units per acre, 30-foot maximum building height with Airport Overlay) to PUD/AO (Planned Unit Development: single-family residential, 4.6 dwelling units per acre, 30-foot maximum building height with Airport Overlay) located north of the intersection of Bridle Pass Drive and Shimmering Moon Way.

(Quasi-Judicial)

Related Files: CPC PUZ 18-00101, AR DP 19-00281

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director Planning and Community Development

Attachments: [Appeal Statement](#)
[CPC Minutes NewportHeights draft](#)

Marc Smith, Corporate Division Chief, Office of the City Attorney, stated the appellant has withdrawn the appeal.

Motion by Councilmember Williams, seconded by Councilmember Gaebler, to acknowledge the withdrawal of the application of a rezoning of 10.71 acres from PUD/AO (Planned Unit Development single-family residential, 2.9 dwelling units per acre, 30-foot maximum building height with Airport Overlay) to PUD/AO (Planned Unit Development: single-family residential, 4.6 dwelling units per acre, 30-foot maximum building height with Airport Overlay) located north of the intersection of Bridle Pass Drive and Shimmering Moon Way. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

12.D. [AR DP 19-00281](#)

Postponement of an appeal of City Planning Commission’s decision to deny the Newport Heights Planned Unit Development (PUD) Development Plan proposing 49 single-family lots on 10.71 acres with a maximum building height of 30-feet, located north of the intersection of Bridle Pass Drive and Shimmering Moon Way.

(Quasi-Judicial)

Related Files: CPC PUZ 18-00101, AR DP 19-00281

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director Planning and Community Development

Please see comments in Agenda item 12.C.

Motion by President Pro Tem Strand, seconded by Councilmember Williams, to acknowledge the withdrawal of the application of the Newport Heights Planned Unit Development (PUD) Development Plan proposing 49 single-family lots on 10.71 acres with a maximum building height of 30-feet, located north of the intersection of Bridle Pass Drive and Shimmering Moon Way. The motion passed by a vote of 8-0-1-0

Aye: 8 - Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

Absent: 1 - Avila

13. Added Item Agenda

There were no items added to the Agenda.

14. Executive Session

There was no Executive Session.

15. Adjourn

There being no further business to come before City Council, Council adjourned.

Sarah B. Johnson, City Clerk