



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, October 13, 2020

10:00 AM

Council Chambers

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How to Comment on Agenda Items

Before the meeting, you may email general comments for items not on the agenda or comments regarding agenda items to: allcouncil@coloradosprings.gov

During the meeting, those who wish to comment should submit their name, telephone number, and the topic or agenda item for comment via allcouncil@coloradosprings.gov in addition to calling +1 720-617-3426 United States, Denver (Toll) and entering this Conference ID: 436 480 628#

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.** [20-476](#) Ordinance No. 20-61 amending Article 7 (Sales and Use Tax) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, Pertaining to a Change to the Sales and Use Tax Rate from Three and Twelve One-Hundredths Percent (3.12%) to Three and Seven One-Hundredths Percent (3.07%)

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-SalesTaxArt7Ch2-ORD-2020-09-04-final](#)

- 4A.B.** [20-492](#) Ordinance No. 20-62 amending Multiple Sections under Part 11 (Road Repair, Maintenance, and Improvements Sales and Use Tax Fund) to Article 6 (City Funds) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Regarding the Road Repair, Maintenance, and Improvements Sales and Use Tax Fund

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-RoadRepairTaxFundCh1-ORD-2020-09-04](#)

- 4A.C.** [20-479](#) Ordinance No. 20-63 amending multiple sections of Part 1 (Conduct of Elections) of Article 1 (General Municipal Elections) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to election ballots

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [DraftClerk-BallotORD-2020](#)

4A.D. [CPC ZC
20-00067](#)

Ordinance No. 20-64 amending the zoning map of the City of Colorado Springs pertaining to 4.99 acres located at 2845 Resnik Drive establishing the M-1/AO (Light Industrial with Airport Overlay) zone.

(Legislative)

Related Files: CPC ZC 20-00067 and CPC DP 20-00068

Presenter:

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

Attachments:

[ZC ORD AllenBuilders](#)

[Exhibit A - legal description](#)

[Exhibit B - Zoning Depiction](#)

[Context Map](#)

[Aerial Vicinity Map](#)

[VICINITY MAP](#)

4A.E. [CPC V
20-00031](#)

Ordinance No. 20-65 vacating portions of a public right-of-way known as Banning Lewis Parkway consisting of 6.446 acres.

(Legislative)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[VROW ORD BanningLewisParkway](#)

[Exhibit A - Row Vacation](#)

4A.F. [CPC PUZ
20-00029](#)

Ordinance No. 20-66 amending the zoning map of the City of Colorado Springs relating to 32.44 acres located at Redcloud Peak Drive and Banning Lewis Parkway from R5/SS/AO (Multi-family Residential with Streamside and Airport Overlays) to PUD/AO (Planned Unit Development: Single-family detached, 3.5-7.99 dwelling units per acre, 35-foot maximum building height with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [ZC_ORD_BLRVillageB1](#)
[Exhibit A - Zone Change](#)
[Exhibit B - Zone Change](#)

4A.G. [CPC PUZ
20-00077](#)

Ordinance No. 20-67 amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres located north and west of the Highway 83 and Shoup Road intersection from A (Agriculture) to PUD (Planned Unit Development: single-family detached, 2-3.5 dwelling units per acre with a 35-foot maximum building height) .

(Quasi-Judicial)

Related File: CPC PUD 20-00078

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

Attachments: [ZC_ORD_FlyingHorseTurinII](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Legal Description Depicted](#)

- 4A.H.** [CPC ZC 20-00086](#) Ordinance No. 20-68 amending the zoning map of the City of Colorado Springs pertaining to 1.48-acre from Planned Business Center with Conditions of Record and Streamside and Airport Overlays (PBC/cr/SS/AO) to Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO), located at 3855 and 3865 Tutt Boulevard.

(Quasi-Judicial)

Related Files: CPC ZC 20-00086, CPC DP 20-00093

Presenter:

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

Attachments: [ZC_Ord_tuttselfstorage](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zone Change](#)
[Vicinity Map](#)

- 4A.I.** [20-509](#) Ordinance No. 20-69 amending Section 203 (Application for License; Fees; Term; Bond and Insurance Requirements; Suspension or Revocation) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to excavation licenses

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [CSU-DrainagePreventionORD-Ch3-2020-09-01_FINAL](#)

- 4A.J.** [20-510](#) Ordinance No. 20-70 creating a new Article 10 (Underground Damage Prevention Safety Program) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to underground excavation regulations and providing penalties for the violation thereof

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [CSU-DamagePreventionORD-Ch12-2020-09-22CLEAN_FINAL](#)

4B. First Presentation:

- 4B.A. [20-548](#)** City Council Regular Meeting Minutes September 22, 2020
- Presenter:
Sarah B. Johnson, City Clerk
- Attachments:** [9-22-2020 City Council Meeting Minutes Final](#)
- 4B.B. [20-518](#)** Appointments to Boards, Commissions, and Committees
- Presenter:
Michael Montgomery, Deputy Council Administrator
- Attachments:** [101320 Boards and Commissions](#)
[09.21.20 Downtown BID appointment](#)
- 4B.C. [20-388](#)** A resolution accepting and endorsing the recommendations from the Lodgers and Automobile Rental Tax (LART) Citizen Advisory Committee for expenditures from the LART special fund for inclusion in the 2021 budget
- Presenter:
Charae McDaniel, Chief Financial Officer
Laurel Prud'homme, Chair, LART Citizens' Advisory Committee
- Attachments:** [LART Resolution - 2021 Projects - with Exhibit A](#)
[2021 LART Resolution Exhibit A \(Recommendations\)](#)
- 4B.D. [20-524](#)** A Resolution Rescinding Resolution No. 18-11 and Establishing Licensing Fees for Cats and Dogs and Redemption Fees for Impounded Animals
- Presenter:
Charae McDaniel, Chief Financial Officer
- Attachments:** [Attachment A Animal Control Fee Update](#)
[Attachment B - Other City Animal Licensing Fees](#)
[AnimalLicensingFeesRES-2020-09-08](#)
- 4B.E. [20-525](#)** An Ordinance Amending Multiple Sections Within Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Animal Fees
- Presenter:
Charae McDaniel, Chief Financial Officer
- Attachments:** [Attachment A Animal Control Fee Update](#)
[Attachment B - Other City Animal Licensing Fees](#)
[AnimalControlFeesORD-2020-09-08](#)

- 4B.F.** [20-515](#) An Ordinance Certifying Delinquent Stormwater Fees and Charges to the El Paso County Treasurer for Collection

Presenter:

Richard Mulledy, Stormwater Enterprise Manager

Attachments: [Ordinance StormwaterFees-CertificationOfDeliquency](#)
[Exhibit A](#)

- 4B.G.** [20-461](#) An Ordinance amending Ordinance No. 19-87 (2020 Appropriation Ordinance) for a supplemental appropriation to the Parking Enterprise Fund in the amount of \$1,100,000 for additional funding of smart technology parking meters

Presenter:

Scott Lee, Parking Enterprise Director

Chris Wheeler, City Budget Manager

Attachments: [Supplemental Approp Ord - Parking Enterprise for smart meters](#)

- 4B.H.** [19-731](#) An ordinance amending Section 102 (Definitions), Section 105 (Prohibition on Sale of Cigarettes or tobacco products in vending machines), and Section 106 (Tobacco Product Placement) of Part 1 (No Smoking in Public Places or Workplaces Except in Those Areas Designated for Smoking) of Article 6 (Public Health and Sanitation - No Smoking in Public Places) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to limitations on tobacco products in vending machines and tobacco product placement and providing penalties for the violation thereof

Presenter:

Tom Strand, City Councilmember

Marc Smith, Corporate Division Chief and Legislative Counsel, City Attorney's Office

Attachments: [Tobacco Placement ORD-2020-09-15-clean.docx](#)
[HB2020a 1001 signed](#)
[HB20-1001 State Bill Summary](#)

- 4B.I.** [20-539](#) An ordinance creating a new Section 213 (Unlawful Transfer of Tobacco and Tobacco Products) 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 the unlawful transfer of tobacco and tobacco products and providing penalties for the violation thereof

Presenter:

Tom Strand, City Councilmember

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

Attachments: [Tobacco Possession Transfer ORD-2020-09-15-clean.docx](#)

5. Recognitions

- 5.A.** [20-552](#) A Proclamation celebrating October 5th as World Habitat Day

Presenter:

David Geislinger, Councilmember District 2

Kris Medina, Executive Director/CEO, Pikes Peak Habitat for Humanity

Attachments: [World Habitat Day 2020](#)

- 5.B.** [20-553](#) A Resolution acknowledging the second Monday in October as Indigenous Peoples Day in Colorado Springs

Presenter:

Richard Skorman, Council President/Councilmember District 3

Monycka Snowbird

Attachments: [IDP Resolution](#)

- 5.C.** [20-554](#) A Proclamation recognizing October 2020 as Disability Employment Awareness Month

Presenter:

Yolanda Avila, Councilmember District 4

Attachments: [Disability Employment Awareness Month 2020](#)

- 5.D.** [20-555](#) A Proclamation in commemoration of the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution

Presenter:

Yolanda Avila, Councilmember District 4

Attachments: [100 Year Anniversary of 19th Amendment](#)

- 5.E. [20-558](#) A Proclamation recognizing October 2020 as Cyber Security Awareness Month

Presenter:

Wayne Williams, Councilmember At-Large

Chris Dittmann, Cyber Security Analyst, City of Colorado Springs

Attachments: [Cyber Security Awareness Month Final](#)

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

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

11. New Business

12. Public Hearing

- 12.A. [CPC A 18-00116R](#) A resolution adopting the findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Mazariegos Addition No. 1.

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [RES MazariegosFindingsofFact](#)
[Exhibit A - MazariegosLegalDescription](#)
[Planner Affidavit Mazariegos Annexation.docx](#)
[Clerk Affidavit Mazariegos Annexation-signed](#)
[Surveyor Affidavit Mazariegos Annexation-signed](#)

- 12.B. [CPC A 18-00116](#) An ordinance annexing to the City of Colorado Springs that area known as Mazariegos Addition No. 1 consisting 0.165 of an acre.

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ORD_MazariegosAdditionNo.1Annexation](#)
[Exhibit A - MazariegosLegalDescription](#)
[Exhibit B - Mazariegos Annexation Agreement](#)
[CPC Staff Report Mazariegos Annexation KAC](#)
[MAZARIEGOS PROJECT STATEMENT](#)
[MAZARIEGOS ANNEXATION PLAT](#)
[MAZARIEGOS FISCAL IMPACT ANALYSIS](#)
[MAZARIEGOS ANNEXATION AGREEMENT](#)
[PARK VISTA Vicinity and Surrounding Uses \(Mazariegos\)](#)
[MAZARIEGOS PRELIMINARY FINAL PLAT](#)
[PARK VISTA Enclave Analysis](#)
[7.6.203-Annexation Conditions](#)

- 12.C. [CPC ZC 19-00141](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.165 of an acre located at 4221 Date Street establishing a R-5 (Multi-Family Residential) zone

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ZC ORD MazariegosAdditionNo.1](#)
[Exhibit A ZC LegalDescription](#)
[Exhibit B ZC Depiction](#)
[7.5.603.B Findings - ZC](#)

- 12.D. [CPC PFP 20-00082](#) Mazariegos Preliminary-Final Plat for property located at 4221 Date Street consisting of .165-acre.

(Quasi-Judicial)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [MAZARIEGOS PRELIMINARY FINAL PLAT](#)

[7.7.102 Subdivision Plats](#)

[7.7.204 Preliminary Plat Requirements](#)

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

- 12.E. [CPC A 19-00064R](#) A resolution adopting the findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Dickerson Addition No. 1 Annexation

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [RES DickersonFindingOfFact](#)

[Exhibit A - DickersonAnnexationLegal](#)

[Planner Affidavit Dickerson Annexation.docx](#)

[Clerk Affidavit Dickerson Annexation-signed](#)

[Surveyor Affidavit Dickerson Annexation-signed](#)

- 12.F. [CPC A 19-00064](#) An ordinance annexing to the City of Colorado Springs that area known as Dickerson Addition No. 1 consisting of 0.414 of an acre.

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ORD DickersonAdditionNo.1Annex](#)
[Exhibit A - DickersonAnnexationLegal](#)
[Exhibit B Dickerson Annexation Agreement](#)
[CPC Staff Report Dickerson Annexation KAC](#)
[DICKERSON PROJECT STATEMENT](#)
[DICKERSON ANNEXATION PLAT](#)
[DICKERSON FISCAL IMPACT ANALYSIS](#)
[DICKERSON ANNEXATION AGREEMENT](#)
[PARK VISTA Vicinity and Surrounding Uses \(Dickerson\)](#)
[PARK VISTA Enclave Analysis](#)
[DICKERSON PRELIMINARY FINAL PLAT](#)
[7.6.203-Annexation Conditions](#)

- 12.G. [CPC ZC 20-00055](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.331 of an acre located southwest of Siferd Boulevard and Rosalie Street establishing the R-5 (Multi-family Residential) zone.

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ZC ORD DickersonAdditionNo.1](#)
[Exhibit A](#)
[Exhibit B](#)
[7.5.603.B Findings - ZC](#)

- 12.H. [CPC PFP 20-00056](#) Dickerson Preliminary-Final Plat for property located southwest of Siferd Boulevard and Rosalie Street consisting of .331-acre.

(Quasi-Judicial)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [DICKERSON PRELIMINARY FINAL PLAT](#)
[7.7.102 Subdivision Plats](#)
[7.7.204 Preliminary Plat Requirements](#)
[7.7.303 Final Plat Req - Subdivision Plats Review Criteria](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn

16. General Improvement Districts:

Following adjournment of the regular City Council meeting, City Council shall reconvene as the Colorado Springs Board of Directors of the Briargate General Improvement District, for action on the following item:

- 16.A. [20-328](#) Request to set November 24, 2020 as the Public Hearing date for consideration of adopting the proposed 2021 Colorado Springs Briargate General Improvement District Budget and to advertise as required by law

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Briargate GID 2021 Budget](#)

Following adjournment of the Board of Directors of the Briargate General Improvement District, City Council shall reconvene as the Colorado Springs Marketplace at Austin Bluffs General Improvement District, for action on the following item:

- 16.B. [20-329](#) Request to set November 24, 2020 as the Public Hearing date for consideration of adopting the proposed 2021 Colorado Springs Marketplace at Austin Bluffs General Improvement District Budget and to advertise as required by law

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [MAB GID 2021 Budget](#)

Following adjournment of the Board of Directors of the Marketplace at Austin Bluffs General Improvement District, City Council shall reconvene as the Colorado Springs Spring Creek General Improvement District, for action on the following item:

- 16.C. [20-330](#) Request to set November 24, 2020 as the Public Hearing date for consideration of adopting the proposed 2021 Colorado Springs Spring Creek General Improvement District Budget and to advertise as required by law

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Spring Creek GID 2021 Budget](#)