



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, May 28, 2019

1:00 PM

Council Chambers

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### **1. Call to Order**

**Present:** 9 - Councilmember Yolanda Avila, 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

### **2. Invocation and Pledge of Allegiance**

The Invocation was made by Chaplain Matt Kasper from the Colorado Springs Fire Department.

President Skorman led the Pledge of Allegiance.

### **3. Changes to Agenda/Postponements**

Sarah B. Johnson, City Clerk, stated Councilmember Knight requested items 4B.F. 4B.G. and 4B.H. pertaining to the University Bluffs development plan located on Collegiate Drive be removed from the May 28, 2019 City Council meeting Consent Calendar

Consensus of Council agreed to this change 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.** [19-236](#)

Ordinance No. 19-31 Setting the Salary of Mayor Pursuant to City Charter §13-20(a)

Presenter:  
Michael Sullivan, Human Resources Director

**Attachments:** [Mayor Salary Adjustment Ord 2019.docx](#)  
[Signed Ordinance 19-31](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B.** [19-238](#) Ordinance No. 19-32 repealing Ordinance No. 17-112 (approving the salary of the City Auditor) and prescribing the salary of the City Auditor

Presenter:

Mike Sullivan, Human Resources Director, Council President, Richard Skorman and Council President Pro-Tem, Tom Strand

**Attachments:** [Nester Salary Ordinance \(2019\).docx](#)  
[Signed Ordinance 19-32](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C.** [19-273](#) Ordinance No. 19-33 Temporarily Waiving Certain Appointment Criteria for the Fire Board of Appeals

Presenter:

Brett Lacey, Fire Marshal, Colorado Springs Fire Department

**Attachments:** [FireBdAppealsORD-2019-04-29.docx](#)  
[Signed Ordinance 19-33](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D.** [19-200](#) Ordinance No. 19-34 amending multiple sections of Article 5 (Wastewater Treatment Code) of Chapter 12 Utilities) of the Code of the City of Colorado Springs 2001, as amended

Presenter:

David Padgett, Chief Environmental Officer  
Lauren Swenson, Industrial Pretreatment Supervisor  
Aram Benyamin, Chief Executive Officer

**Attachments:** [CSU-WastewaterORD-2019-04-22 Final Final.docx](#)  
[Signed Ordinance 19-34](#)

This Ordinance was finally passed on the Consent Calendar.

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

- 4B.A.** [19-294](#) City Council Regular Meeting Minutes May 14, 2019

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [5-14-2019 City Council Meeting Minutes Final.pdf](#)

The Minutes were approved on the Consent Calendar.

**4B.B.** [19-214](#)

A Resolution Approving the Issuance of Debt by Copper Ridge Metropolitan District in the Form of Tax Increment and Sales Tax Supported Revenue Bonds. (Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

**Attachments:** [RES CopperRidge](#)

[Attachment 1- Copper Ridge MD Transmittal Memo Series 2019 \(1\)](#)

[Attachment 2- Copper Ridge MD- Indenture](#)

[Attachment 3- Copper Ridge MD -Term Sheet](#)

[Attachment 4- Copper Ridge MD- Revenue Model](#)

[Attachment 5- Copper Ridge MD - General Counsel Opinion](#)

[Attachment 6- Polaris Pointe Map 020619](#)

[Attachment 7- Properties and Businesses in CRMD 040119](#)

[Attachment 8- Phase I map 040119](#)

[Powerpoint](#)

[Signed Resolution 52-19](#)

This Resolution was adopted on the Consent Calendar.

**4B.C.** [19-277](#)

Ordinance No. 19-36 amending Section 506 (Cancellation) and Repealing and Reordaining Section 507 (Applicability) of Part 5 (Licenses) of 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 Sales Tax Licenses

Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [SalesTaxCodeAmendORD-2019-05-13.docx](#)

[Signed Ordinance 19-36](#)

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

**4B.D.** [CPC PUZ  
18-00175](#)

Ordinance No. 19-37 amending the zoning map for the City of Colorado Springs from A (Agricultural) to PUD (Planned Unit Development; Short-term stay cottages, lodge suites and meeting space, 35-foot

maximum building height) for the property located near Weiskopf Point and Flying Horse Club Drive consisting of 2.83 acres.

(QUASI-JUDICIAL)

Related file: CPC PUD 13-00137-A1MJ18

Presenter:

Catherine Carleo, Principal Planner, Planning and Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [ZC ORD FlyingHorseLodges](#)  
[Exhibit A LEGAL - Flying Horse Lodges II](#)  
[Exhibit B DEPICTION - Flying Horse Lodges II](#)  
[Vicinity Map Flying Horse Lodges II](#)  
[Signed Ordinance 19-37](#)

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

- 4B.E.** [CPC PUD 13-00137-A1 MJ18](#) A development plan for the expansion of the existing Flying Horse Lodges to include 53 rooms, restaurant and meeting space located near Weiskopf Point and Flying Horse Club Drive.

(QUASI-JUDICIAL)

Presenter:

Catherine Carleo, Principal Planner, Planning and Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [FIGURE 3 Flying Horse Lodges II DP Plan](#)  
[7.3.606 PUD Development Plan](#)  
[7.5.502.E Development Plan Review](#)

**This Item was approved on the Consent Calendar.**

- 4B.I.** [CPC ZC 19-00036](#) Ordinance No. 19-38 amending the zoning map for the City of Colorado Springs from PBC (Planned Business Center) to TND (Traditional Neighborhood Development) for the property located north of Gold Hill Mesa Drive and east of 21st Street consisting of 4,174 square feet.

(Quasi-Judicial)

Related file: CPC CP 04-00127-A6MN17-MM01

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community

Development Department  
Peter Wysocki, Planning & Community Development Director

**Attachments:** [Zoning Ord - Gold Hill Mesa Zone District Boundary](#)  
[Exhibit A - Legal Description](#)  
[Exhibit B - Boundary Depiction](#)  
[Vicinity Map - Gold Hill Mesa Zone District Boundary](#)  
[Signed Ordinance 19-38](#)

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

- 4B.J.** [CPC CP 04-00127-A6 MN17-MM01](#) A minor modification to the Gold Hill Mesa Concept Plan updating the zone district boundary and site data.

(Quasi-Judicial)

Related file: CPC ZC 19-00036

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

**Attachments:** [Figure 3 - Concept Plan](#)  
[7.5.503.C Concept & Development Plan App Rev Procedures](#)

**This Item was approved on the Consent Calendar.**

- 4B.K.** [CPC ZC 19-00009](#) Ordinance No. 19-39 amending the zoning map of the City of Colorado Springs relating to 1.13 acres located at the southwest corner of Dublin Boulevard and North Academy Boulevard from PBC/HS (Planned Business Center with a Hillside Overlay) and OC/HS (Office Complex with a Hillside Overlay) to PBC (Planned Business Center).

(QUASI-JUDICIAL)

Related files: CPC DP 19-00010, AR NV 19-00173

Presenter:  
Chris Staley, Planner II, Planning & Community Development

**Attachments:** [ZC ORD Dublin&Academy](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Dublin & Academy - Vicinity Map](#)  
[Signed Ordinance 19-39](#)

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

- 4B.L.** [CPC DP 19-00010](#) A development plan for construction of a 3,061 square foot convenience store with fuel sales located at the southwest corner of Dublin Boulevard and North Academy Boulevard.

(QUASI-JUDICIAL)

Related files: CPC ZC 19-00009, AR NV 19-00173

Presenter:

Chris Staley, Planner II, Planning & Community Development

**Attachments:** [Figure 3 - Dev Plan](#)  
[7.5.502.E Development Plan Review](#)

This Item was approved on the Consent Calendar.

- 4B.M.** [AR NV 19-00173](#) A non-use variance to allow a 15 foot side yard setback along the south lot line where 25 foot is required in the PBC (Planned Business Center) zone district located at the southwest corner of Dublin Boulevard and North Academy Boulevard.

(QUASI-JUDICIAL)

Related files: CPC ZC 19-00009, CPC DP 19-00010

Presenter:

Chris Staley, Planner II, Planning & Community Development

**Attachments:** [7.5.802.B Nonuse Variance](#)

This Item was approved on the Consent Calendar.

## Approval of the Consent Agenda

**Motion by President Pro Tem Strand, seconded by Councilmember Williams, 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 9-0-0**

**Aye:** 9 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

## 5. Recognitions

- 5.A.** [19-284](#) A Proclamation Honoring Older Americans Month

Presenter:

Tom Strand, Council Member

**Attachments:** [Older Americans Month - 2019 - FINAL](#)

Claire Anderson, Executive Director, Innovations in Aging Collaborative, stated Colorado Springs became an Age Friendly Community in 2016 and this year's theme is Connect, Create, and Contribute.

Joe Urban, Director, Area Agency on Aging, recognized the contributions of older Americans to the community.

President Pro Tem Strand read a Proclamation proclaiming May 2019 as Older Americans Month in Colorado Springs.

**5.B.** [19-285](#) A Proclamation in Honor and Support of US Space Command Headquarters in Colorado Springs

Presenter:

Don Knight, Council member

**Attachments:** [Space Command - 2019 - FINAL](#)

Councilmember Knight gave a brief history of the City's involvement with space programs throughout the years and read a Proclamation signed by all City Council members and Mayor Suthers recognizing and supporting the announcement of Colorado Springs being chosen for the new US Space Command Headquarters.

Reggie Ash, Chief Defense Development Officer, Colorado Springs Chamber and EDC, gave an overview of how aerospace and defense in the community affects the economy and expressed appreciation for the Proclamation.

## **6. Citizen Discussion**

Citizen Charles Barber spoke about graphing daily activities.

Citizen Carl Strow requested the cost for the needed repairs on the Barr Trail.

Citizen Gerald Miller spoke about attending the Peace Officer's Memorial ceremony and public urination.

Citizen Eric Wyatt stated he lives in Manitou Springs, but would like to vote in the municipal elections. He also commented on the homeless population

in America the Beautiful Park and modifying the street near the Leon Young Center to prevent traffic from crossing the railroad tracks.

Citizen Carl Ripple requested several modifications to transit services.

Citizen Jaymen Johnson spoke about his late wife Amy-Jean Johnson.

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

- 7.A. [19-269](#) Appointment of Councilmember Jill Gaebler to complete the remaining four years of a five-year term on the Colorado Springs Urban Renewal Authority Board, expiring on April 1, 2023.

Mayor John Suthers recommended Councilmember Gaebler for an appointment to complete the remaining four years of a five-year term on the Colorado Springs Urban Renewal Authority Board.

**Motion by Councilmember Murray, seconded by Councilmember Williams, to appoint Councilmember Jill Gaebler to complete the remaining four years of a five-year term on the Colorado Springs Urban Renewal Authority Board, expiring April 1, 2023. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

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

- 4B.F. [CPC PUZ 19-00004](#) Ordinance No. 19-40 amending the zoning map for the City of Colorado Springs pertaining to 9.9 acres from R/HS (Residential Estate with Hillside Overlay) to PUD/HS (Planned Unit Development with Hillside Overlay; detached single-family residential, 2.93 dwelling units per acre, maximum building height of 35 feet) located northwest of Collegiate Drive and Mount Union Court.

(QUASI-JUDICIAL)

Related files: CPC PUD 19-00005, AR NV 19-00184

Presenter:

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



**Attachments:** [ZC ORD UniversityBluffs](#)  
[Exhibit A Legal Description](#)  
[Exhibit B Depiction](#)  
[Vicinity Map](#)  
[CPC Report - University Bluffs Filing No 4A](#)  
[FIGURE 1 - Project Statement](#)  
[FIGURE 2 - UniversityBluffs\\_Fil4A-DP-Zone Exhibit](#)  
[FIGURE 3 - UniversityBluffs DP Set 11x17](#)  
[FIGURE 4 - University Bluffs-LSA 11x17](#)  
[FIGURE 5 - Resident Emails and Letters](#)  
[FIGURE 6 - 2000 Univ Park MP - Color](#)  
[FIGURE 7 - City Code Section 7.7.1207.E](#)  
[FIGURE 8 - City Parks letter 5-14-18](#)  
[FIGURE 9 - Owner Rejection Email](#)  
[FIGURE 10 - University Bluffs - Traffic Generation Analysis](#)  
[FIGURE 11 - Wildland Urban Interface - WUI Map](#)  
[FIGURE 12 - Assessment of Wildfire Hazard Potential](#)  
[FIGURE 13 - Vibrant Neighborhoods Map](#)  
[FIGURE 14 - Reference Map](#)  
[7.5.603.B Findings - ZC](#)  
[7.3.603 Establishment & Development of a PUD Zone](#)  
[Staff Presentation - University Bluffs Filing 4A](#)  
[Draft Minutes UniversityBluffs](#)  
[Signed Ordinance 19-40](#)

Councilmember Knight stated pulled these items from the Consent Calendar because he is concerned with granting a variance over twenty-five percent in grade due to the issues with landslides in 2015 and he feels it would be hypocritical to support it.

Mike Schultz, Principal Planner, Planning and Development, stated the land suitability analysis shows the development had no other access options to the site other than Collegiate Drive due to the City park located to the west and an existing residential development located to the east of the property. He stated the development plan requires each site specific design will need to be coordinated with the City and some of the slopes will be protected.

Andrea Barlow, Principal, NES, Inc. stated there was no opposition to the

project at the Planning Commission meeting and gave an overview of the grading components of the project.

Citizen Andrew Collins requested a postponement to allow additional information on the variance to be provided to the neighborhood residents. Jeff Greene, Chief of Staff, stated the Planning Department will answer any questions the residents may have, but the applicant has met the land use code requirements.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the Ordinance amending the zoning map for the City of Colorado Springs pertaining to 9.9 acres from R/HS (Residential Estate with Hillside Overlay) to PUD/HS (Planned Unit Development with Hillside Overlay: detached single-family residential, 2.93 dwelling units per acre, maximum building height of 35 feet), 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) and the development of a PUD zone as set forth in City Code Section 7.3.603 be approved on first reading. The motion passed by a vote of 8-1-0-0**

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

**No:** 1 - Knight

- 4B.G.** [CPC PUD 19-00005](#) The University Bluffs Filing Number 4A Development Plan comprising of 29 single-family lots on 9.9 acres, comprising a maximum density of 2.93 dwelling units per acre and a maximum building height of 35-feet.

(QUASI-JUDICIAL)

Related Files: CPC PUZ 19-00004, AR NV 19-00184

Presenter:

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

**Attachments:** [FIGURE 3 - UniversityBluffs DP Set 11x17](#)

[7.3.606 PUD Development Plan](#)

[7.5.502.E Development Plan Review](#)

Please see comments in Agenda item 4B.F.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the University Bluffs Filing Number 4A Development Plan, based upon the findings that the plan meets the review criteria for granting a PUD development plan as set forth in City Code Section 7.3.606 and meets the review criteria for granting a development plan as set forth in City Code Section 7.5.502(E) be approved. The motion passed by a vote of 8-1-0-0**

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

No: 1 - Knight

- 4B.H.** [AR NV  
19-00184](#) A non-use variance request pertaining to City Code Section 7.3.504.D.2 to allow slopes 25% or greater to be disturbed or located within a designated building envelope.

(QUASI-JUDICIAL)

Related files: CPC PUZ 19-00004, CPC PUD 19-00005

Presenter:

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

**Attachments:** [FIGURE 4 - University Bluffs-LSA 11x17](#)

[7.3.504.D.2](#)

[7.5.802.B Nonuse Variance](#)

Please see comments in Agenda item 4B.F.

**Motion by Councilmember Gaebler, seconded by Councilmember Murray, that the non-use variance request to City Code Section 7.3.504.D.2 relating to slopes 25% or greater being disturbed or located within a designated building envelope, based upon the findings that the non-use variance meets the review criteria for granting a non-use variance as set forth in City Code Section 7.5.802.B be approved. The motion passed by a vote of 8-1-0-0**

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

**No:** 1 - Knight

## **9. Utilities Business**

There was no Utilities Business.

## **10. Unfinished Business**

There was no Unfinished Business.

## **11. New Business**

There was no New Business.

## **12. Public Hearing**

- 12.A.** [CPC UV  
18-00159](#) A Use-Variance to allow a fueling station with a convenience store within the streamside overlay. This C-5 (Intermediate Business) zoned site is located at the southeast corner of Motor Way and S. Tejon Street and consists of 1.93 acres.

(Quasi-Judicial)

Related file: CPC V 18-00160

Presenter:

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

**Attachments:** [CPC Staff Report Maverik](#)  
[FIGURE #1 - Use Variance DP](#)  
[FIGURE #2 - Project Statement](#)  
[FIGURE #3 - Existing Zoning](#)  
[FIGURE #4 - Stakeholder comment](#)  
[FIGURE #5 - Streamside Overlay](#)  
[FIGURE #6 - PlanCOS-Unique Places Framework](#)  
[FIGURE #7 - Comp Plan 2020 Land Use](#)  
[Exhibit B - Vacation Exhibit](#)  
[FIGURE #8 - Traffic Study](#)  
[7.5.803.B Use Variance Review Criteria](#)  
[7.5.502.E Development Plan Review](#)  
[7.3.508.C Streamside Overlay Zone](#)  
[Draft Minutes Maverik](#)

Matthew Fitzsimmons, Planner II, Urban Planning Division, presented a Use-Variance to allow a fueling station with a convenience store within the streamside overlay located at the southeast corner of Motor Way and S. Tejon Street consisting of 1.93 acres. He gave a provided a brief background of the current zoning in the area, existing structures, and streamside overlay of the site. Mr. Fitzsimmons gave an overview of Maverik's proposal, applications, and stakeholder input. He stated the Planning Commission unanimously approved the project and gave staff's recommendation.

Councilmember Knight asked how this relates to the camping ban within one hundred feet of the riparian zone Ordinance. Marc Smith, Corporate Division Chief, Office of the City Attorney, stated that Ordinance addresses camping on public land, not permanent structures on private property.

Chris Lieber, Principal, NES, Inc. gave an overview of Maverik Stations, the applications, site design, the neighborhood meetings, and location, and identified the existing ownership, land use, streetscape, and Cheyenne

Creek conditions. He illustrated the current planning and zoning, streamside overlay, and Federal Emergency Management Agency (FEMA) floodplain. Mr. Lieber explained the project's compliance with PlanCOS and opportunity for redevelopment. He went over the aspects of public safety, trail connection, amenities, traffic study, and review criteria.

Dennis Riding, Environmental Director, Maverik, and Pat Garland, Director of Health and Safety, LT Environmental, Inc. identified a recent fuel leak which occurred in Wyoming, how Maverick addressed the issues involved with the spill and gave an overview of fuel containment procedures.

Councilmember Williams asked if the wrong address was posted and published for the legal notice. Mr. Fitzsimmons stated there was an error on the postcards which was corrected.

Councilmember Geislinger asked how the number of customers anticipated was calculated. Jeff Hodsdon, P.E. Principal, LSC Transportation Consultants, Inc., stated they focused on data from types of trips, peak traffic times, periods of congestion, and high volumes of traffic on neighboring streets.

Councilmember Murray asked where other gas stations in the area are located. Mr. Fitzsimmons identified the closest locations.

Citizens Eric Wyatt and Gerald Miller spoke in favor of the project.

Citizens Valerie Fix and Alexander Fix spoke in opposition of the project.

Mr. Lieber stated the development would benefit the area with the improvements that will be made to Cheyenne Creek and with the new technology, it will add mechanisms that go above and beyond to protect the environment.

Councilmember Avila requested additional details about the fuel spill incident in Wyoming. Mr. Rider stated a service provider installed the wrong check valve, a relay burned out which closed a circuit, and a monitoring system central processing unit failed.

Councilmember Murray asked if an environment study has been conducted on the property. Rick Magness, AICP Entitlement Manager, Maverick,

stated they have run a phase one environmental study and will also be running a phase two study.

Councilmember Williams asked if the northeast parcel could be purchased separately. Mr. Lieber stated it could.

Councilmember Geislinger asked if the area outside of the streamside overlay was currently zoned to accommodate a gas station. Mr. Fitzsimmons stated it is.

President Skorman stated the improvements to the trail along Cheyenne Creek will be a great amenity.

**Motion by Councilmember Pico, seconded by President Pro Tem Strand, to approve the Use Variance for the Maverik - Motor Way Plan, based upon the finding that the application complies with the Use Variance review criteria in City Code Section 7.5.803.B, the Development Plan criteria in Section 7.5.502.E. and the Streamside Overlay criteria in Section 7.3.508.C. subject to compliance with the technical and/or informational plan modifications listed below:**

**1. Gain final acceptance of the project's drainage report.**

**The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

**12.B.** [CPC V  
18-00160](#)

Ordinance No.19-41 vacating portions of a public right-of-way located at the southeast corner of East Motor Way and South Tejon Street consisting of 0.093 acres.

(Legislative)

Related file: CPC UV 18-00159

Presenter:

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

**Attachments:** [V ROW Maverik](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Vacation Exhibit](#)

[Signed Ordinance 19-41](#)

Please see comments in Agenda item 12.A.

**Motion by Councilmember Pico, seconded by Councilmember Murray, to approve on first reading the Vacation of City Right-of-Way for the Maverik - East Motor Way Plan, based upon the finding that the application complies with the vacation criteria in City Code Section 7.7.403, subject to compliance with the following technical and/or informational plan modifications:**

1. Confirm location of two survey monuments
2. Add the ordinance number to the east-west alley previously vacated.
3. Depict and label the retained easements for the previously vacated alley.
4. Revise the title of the vacation.

The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Murray, Knight, Pico, Skorman, Strand, and Williams

### **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