



# City of Colorado Springs

## Regular Meeting Agenda - Final-revised City Council

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

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Tuesday, July 26, 2022

10:00 AM

Council Chambers

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

### 1. Call to Order and Roll Call

### 2. Invocation and Pledge of Allegiance

### 3. Changes to Agenda/Postponements

- 3.A.** [AR DP  
21-00813](#) Postpone an appeal of City Planning Commission's decision for a Kum & Go Gas Station located at the southeast corner of South 8th Street and West Brookside Street to the August 9, 2022, City Council meeting.

(Quasi-Judicial)

Related File: AR FP 21-00814

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development Department

Peter Wysocki, Planning and Community Development Director,  
Planning and Community Development Department

**Attachments:** [CC PostponementRequest Kum&Go](#)

- 3.B.** [AR FP  
21-00814](#) Postpone an appeal of City Planning Commission's decision for the subdivision plat located at the southeast corner of South 8th Street and West Brookside Street to the August 9, 2022, City Council meeting.

(Quasi-Judicial)

Related File: AR DP 21-00813, AR FP 21-00814

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development Department

Peter Wysocki, Planning and Community Development Director,  
Planning and Community Development Department

- 3.C.** [CPC ZC  
22-00055](#) Postpone an ordinance amending the zoning map of the City of Colorado Springs relating to 0.38-acre located at 518-520 West Brookside Street from R-1 6000 (Single-Family Residential) to R-2 (Two-Family Residential) to August 9, 2022.

(Quasi-Judicial)

Related File: CPC CP 22-00056

Presenter:

Austin Cooper, Planner II, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

- 3.D. [CPC CP 22-00056](#) Postpone a concept plan for 518-520 West Brookside Street to the August 9, 2022 City Council regular hearing.

(Quasi-Judicial)

Related Files: CPC CP 22-00056

Presenter:

Austin Cooper, Planner II, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

- 3.E. [22-279](#) Postpone a Resolution Rescinding Resolution Nos. 9-06, 83-14, 111-21 and 112-21 and Adopting a New Policy to be Applied to Applications to Create or Modify a District Authorized under Titles 31 And 32 of the Colorado Revised Statutes, Model Service Plans and a Model Business Improvement District Operating Plan and Budget

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department  
Peter Wysocki, Director of Planning and Community Development

#### **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. [22-339](#) Ordinance No. 22-39 amending Section 810 (Refunds) of Part 8 (Tax Returns and Payments) 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 Refunds
- Est. Time:** 30 minutes

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:** [SalesTaxHousingRefundORD-2022-07-05-clean](#)  
[SalesTaxHousingRefundORD-2022-07-05-redline](#)

- 4A.B.** [CPC CA 22-00016](#) Ordinance No. 22-40 creating new Part 19 (Citywide Development Impact Fees) of Article 5 (Administration and Procedures) of Chapter 7 (Planning Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Citywide Development Impact Fees

Presenter:

Charae McDaniel, Chief Financial Officer

Peter Wysocki, Planning and Community Development Director

**Attachments:** [ORD ImpactFees 22-07-06 - Clean](#)

[ORD ImpactFees 22-07-06 - Redline](#)

- 4A.C.** [22-261](#) Ordinance No. 22-41 amending Section 102 (Definitions) and creating a new Section 108 (Emergency Evacuation Procedures) of Part 1 (Purpose and Powers; Continuity) and creating a new Section 206 (Emergency Evacuation Plan) of Part 2 (Office of Emergency Management) of Article 7 (Emergency Management) of Chapter 8 (Public Safety) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Emergency Evacuations

Presenter:

Chief Randy Royal, Colorado Springs Fire Department

Chief Adrian Vasquez, Colorado Springs Police Department

Fire Marshal Brett Lacey, Colorado Springs Fire Department

Andrew Notbohm, Deputy Director, pikes Peak Regional Office of  
Emergency Management

**Attachments:** [OEM EvacORD-2022-04-01](#)

[FireMitigationEmergencyEvac\\_PresentationV.2](#)

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

- 4B.A.** [22-490](#) City Council Regular Meeting Minutes June 28, 2022

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [6-28-2022 City Council Meeting Minutes Final](#)

- 4B.B. [22-492](#)** The City Clerk reports that on July 11, 2022 there was filed with her a petition for the annexation of West Colorado Avenue Addition No. 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**

[Memo West Colorado Ave](#)

[W.Colorado Ave Addition No. 1 Legal DRAFT 2022-06-20](#)

[W.Colorado Ave Addition No. 1 Map DRAFT 2022-06-20](#)

- 4B.C. [22-494](#)** The City Clerk reports that on July 11, 2022 there was filed with her a petition for the annexation of West Colorado Avenue Addition No. 2 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**

[Memo West Colorado Ave](#)

[W.Colorado Ave Addition No. 2 Legal DRAFT 2022-06-20](#)

[W.Colorado Ave Addition No. 2 Map DRAFT 2022-06-20](#)

- 4B.D. [22-495](#)** The City Clerk reports that on July 11, 2022 there was filed with her a petition for the annexation of West Colorado Avenue Addition No. 3 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**

[Memo West Colorado Ave](#)

[W.Colorado Ave Addition No. 3 Legal DRAFT 2022-06-20](#)

[W.Colorado Ave Addition No. 3 Map DRAFT 2022-06-20](#)

**4B.E.** [22-496](#)

The City Clerk reports that on July 11, 2022 there was filed with her a petition for the annexation of Flying Horse East Addition No. 3 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**

[Flying Horse East Annexation Petition](#)

[Legal Description Flying Horse East](#)

[Flying Horse East Addition No. 3 Annexation Plat](#)

[Flying Horse East Vicinity Map](#)

**4B.F.** [22-424](#)

A Resolution approving additional property into the Inclusion Area Boundaries of Peak Metropolitan District Nos. 1-3 for a property in the Airport Business Park.

Presenter:

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

Peter Wysocki, Planning and Community Development Director

**Attachments:**

[Resolution](#)

[Exhibit 1- Map and Legal for District No. 3 Inclusion](#)

[District 3 Inclusion Map](#)

**4B.G. [22-413](#)**

A Resolution of the City Council of the City of Colorado Springs, Colorado authorizing Peak Metropolitan District No. 3 to issue debt in the form of Limited Tax General Obligation Bonds Series 2022A-1 and Limited Tax General Obligation Convertible Capital Appreciation Bonds, Series 2022A-2 in an amount not to exceed \$109,000,000 for properties in the Airport Business Park.

**Presenter:**

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:**

[Resolution](#)

[Peak District #3 Proposed Boundaries](#)

[Letter to City Council Re. Issuance of Debt Instrument \(2022 Bonds\)](#)

[Term Sheet - Peak MD No. 3 dated 6-9-22](#)

[G.6 Peak MD#3 Financial Plan](#)

[Peak MD 3 Preliminary General Counsel Bond Opinion](#)

[Peak MD 3 Revised Indenture \(6-13\)](#)

**4B.H. [22-304](#)**

A Resolution Approving the Fifth Amended and Restated Intergovernmental Agreement among El Paso County, Colorado, the City of Colorado Springs, the City of Manitou Springs, the Town of Green Mountain Falls, the Town of Ramah, and the Town of Calhan Regarding the Pikes Peak Rural Transportation Authority

**Presenter:**

Gayle Sturdivant, P.E., City Engineer/Deputy Public Works Director

Randy Helms, Councilor, PPRTA Board Vice Chair

Wayne Williams, Councilor

Yolanda Avila, Councilor

**Attachments:**

[3 PPRTA 5thAmended RES-2022-05-31](#)

[1 Establishing IGA 5th Amended and Restated \(PPRTA Referred to Members \(](#)

[2 Establishing IGA 5th Amended and Restated \(PPRTA Referred to Members \(](#)

[4 Resolution 97-21 Adding Calhan](#)

- 4B.I.** [22-350](#) A Resolution Rescinding Resolution No. 61-20 and Establishing Fees and Charges for the Parks, Recreation and Cultural Services Cemetery Enterprise for 2023

Presenter:

Britt Haley, Acting Director of Parks, Recreation and Cultural Services  
Kim King, Recreation and Administration Manager

**Attachments:** [Exhibit A - 2023 Cemetery Fees and Charges - Proposed Final CemeteryFeeRES-2022-06-10.doc](#)

[7-11-22 - 2023 Proposed Cemetery Fees and Charges - City Council Presentati](#)

- 4B.J.** [22-466](#) An Ordinance of the City Of Colorado Springs, Colorado Providing for the Refunding of Certain Outstanding Utilities System Revenue Bonds of the City; Providing for the Extension, Betterment, Other Improvement and Equipment of the City of Colorado Springs Utilities System; Providing for the Issuance and Sale of the City of Colorado Springs, Colorado, Utilities System Refunding Revenue Bonds, Series 2022A in an Aggregate Principal Amount Not to Exceed \$150,000,000, and the City of Colorado Springs, Colorado, Utilities System Improvement Revenue Bonds, Series 2022B in an Aggregate Principal Amount Not to Exceed \$185,000,000, Payable Solely Out of the Net Revenues to be Derived From the Operation of the City of Colorado Springs Utilities System; Authorizing the Execution by the City of a Paying Agent Agreement, Escrow Agreement, a Bond Purchase Agreement and an Official Statement Related Thereto; and Providing Other Matters Relating Thereto.

**Attachments:** [2 - CSU 2022 AB Bond Ordinance](#)

[3 - July-Aug 2022 CC - 2022AB Bond Ordinance](#)

- 4B.K.** [22-467](#) An Ordinance of the City of Colorado Springs, Colorado Approving and Authorizing the Execution and Delivery of a First Amendment to Standby Letter of Credit and Reimbursement Agreement Between the City of Colorado Springs, Colorado and Sumitomo Mitsui Banking Corporation and an Amended and Restated Fee Agreement Between the City of Colorado Springs, Colorado and Sumitomo Mitsui Banking Corporation, Relating to the City of Colorado Springs, Colorado, Variable Rate Demand Utilities System Refunding Revenue Bonds, Series 2009C; and Providing Other Matters Relating Thereto.

**Attachments:** [2 - Colorado Spring Utilities - Series 2009C Authorizing Ordinance Extension](#)

[3 - 07.2022 CC - 2009C Liquidity Renewal](#)

- 4B.L.** [22-468](#) An Ordinance of the City of Colorado Springs, Colorado Approving and Authorizing the Execution and Delivery of a Third Amendment to Standby Bond Purchase Agreement by and Among the City of Colorado Springs, Colorado, U.S. Bank National Association, and Computershare Trust Company, N.A., as Agent for Wells Fargo Bank, N.A., as Tender Agent and Paying Agent and a Second Amended and Restated Fee Agreement by and Among the City of Colorado Springs, Colorado, U.S. Bank National Association, and Computershare Trust Company, N.A., as Agent Wells Fargo Bank, National Association, as Tender Agent and Paying Agent, Relating to the City of Colorado Springs, Colorado, Variable Rate Demand Utilities System Improvement Revenue Bonds, Series 2012A; and Providing Other Matters Relating Thereto.

**Attachments:** [2 - Colorado Spring Utilities - Series 2012A Authorizing Ordinance SBPA Extension](#)  
[3 - 07.2022 CC - 2012A Liquidity Renewal](#)

- 4B.M.** [22-469](#) An Ordinance of the City of Colorado Springs, Colorado Approving and Authorizing the Execution and Delivery of the Revolving Loan Agreement Between the City of Colorado Springs, Colorado and U.S. Bank National Association and the Revolving Promissory Note of the City Relating Thereto; and Providing Other Matters Relating Thereto.

**Attachments:** [2 - Colorado Spring Utilities - Revolving Loan Agreement Extension Ordinance](#)  
[3 - 07.2022 CC - Revolving Loan Agreement \(Line of Credit\) Renewal](#)

- 4B.N.** [CPC MP](#)  
[06-00219-A11](#)  
[MJ22](#) A resolution of the City Council of the City of Colorado Springs, Colorado approving a major amendment to the Flying Horse Master Plan for 5.6-acres to accommodate the inclusion of residential uses (Legislative)

Related Files: CPC PUZ 22-00024, CPC PUP 13-00033-A3MJ22

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Peter Wysocki, Planning Director, Planning & Community Development

**Attachments:**

[RES\\_FlyingHorseMPA](#)

[Exhibit A - FlyingHorseMPA](#)

[Flying Horse 22 MJ staff presentation](#)

[StaffReport\\_KAW\\_FlyingHorse22](#)

[Project Statement](#)

[Flying Horse Master Plan](#)

[Zone Change](#)

[Concept Plan Amendment](#)

[FIA Below Threshold Flying Horse Parcel 22](#)

[Vision Map](#)

[7.5.408 Master Plan](#)

- 4B.O.** [CPC PUZ  
22-00024](#) An ordinance amending the zoning map of the City of Colorado Springs relating to 5.9-acres located at the intersection of Silver Rose Lane and Silversmith Road from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial, office, and residential, 20 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 35 feet east of the Silversmith Road and Silver Rose Lane intersection)  
(Quasi-Judicial)

Related Files: CPC MP 06-00219-A11MJ22, CPC PUP  
13-00033-A3MJ22

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community  
Development

Peter Wysocki, Planning Director, Planning & Community Development

**Attachments:** [ORD\\_ZC\\_FlyingHorseParcel22](#)

[Exhibit A - Legal Desc](#)

[Exhibit B - Zone Change](#)

[Ord. 13-42](#)

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

[7.5.603.B Findings - ZC](#)

- 4B.P.** [CPC PUP  
13-00033-A3  
MJ22](#) A PUD concept plan amendment for Flying Horse Parcel 22 located east of the intersection of Silversmith Road and Silver Rose Lane.  
(Quasi-Judicial)

Related Files: CPC MP 06-00219-A11MJ22, CPC PUZ 22-00024

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community  
Development

Peter Wysocki, Planning Director, Planning & Community Development

**Attachments:** [Concept Plan Amendment](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

**4B.Q.** [CPC MPA](#)  
[04-00043-A9](#)  
[MJ22](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving a major amendment to Hill Properties Master Plan relating to 22 acres located at the southwest corner of W Fillmore St and Centennial Blvd.

(Legislative)

Related Files: CPC PUZ 22-00052, CPC PUP 22-00053

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:**

[RES\\_HillPropertiesMPA](#)

[Exhibit A - HillPropertiesMPA](#)

[Pike View STAFF](#)

[ppt\\_PikeView\\_APPLICANT](#)

[CPC Staff Report Pike View](#)

[Project Statement](#)

[Master Plan Amendment\\_Hill Properties](#)

[FIA](#)

[Zone Change](#)

[Concept Plan](#)

[Public Comment](#)

[Pike View Additional Public Comment](#)

[Public Comment - Applicant Response](#)

[Vicinity Map](#)

[PlanCOS Vision Map](#)

[PlanCOS Vibrant Neighborhoods Framework](#)

[PlanCOS Unique Places Framework](#)

[PlanCOS Majestic Landscapes Framework](#)

[PlanCOS Areas of Capacity and Change](#)

[7.5.408 Master Plan](#)

**4B.R.** [CPC PUZ  
22-00052](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 46.754 acres located at the southwest corner of West Fillmore Street and Centennial Boulevard from PUD/SS (Planned Unit Development: Commercial with Streamside Overlay) and OC (Office Commercial) to PUD/SS (Planned Unit Development: Residential, maximum density of 8 dwelling units per acre, maximum height of 55 feet, with Streamside Overlay)

(Quasi-judicial)

Related Files: CPC MPA 04-00043-A9MJ22, CPC PUP 22-00053

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:**

[ORD\\_ZC PikeView](#)

[Exhibit A - Legal Desc](#)

[Exhibit B Zone Change](#)

[Zone Change](#)

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

[7.5.603.B Findings - ZC](#)

**4B.S.** [CPC PUP  
22-00053](#)

A PUD concept plan for 46.754 acres located at the southwest corner of W Fillmore St and Centennial Blvd for a multi-family development.

(Quasi-judicial)

Related Files: CPC MPA 04-00043-A9MJ22, CPC PUZ 22-00052

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

**Attachments:**

[Concept Plan](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

- 4B.T.** [CPC V  
22-00070](#) An ordinance vacating portions of a public right-of-way consisting of 0.037-acre of established tree lawn located south of the intersection of Hazel Avenue and 1st Street.

(Legislative)

Presenter:  
Austin Cooper, Planner II, Planning and Community Development  
Department  
Peter Wysocki, Planning Director, Planning and Community  
Development Department

**Attachments:** [ORD\\_VacationROW\\_Hazel&1st](#)  
[Exhibit A - Legal Desc](#)  
[Exhibit B - FirstStreetVacationPlat](#)  
[7.7.402.C Vacation Procedures](#)

- 4B.U.** [CPC ZC  
22-00068](#) An ordinance amending the zoning map of the City of Colorado Springs relating to 5.261 acres located at 1951 Allegheny Drive from PUD/R/HS (Planned Unit Development and Estate Single-Family Residential with Hillside Overlay) to PF (Public Facilities).

(Quasi-Judicial)

Related File: CPC CP 22-00086

Presenter:  
Peter Lange, Planner II, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development

**Attachments:** [ORD\\_ZC\\_CSUAllegheny](#)  
[Exhibit A - Legal Desc](#)  
[Exhibit B - Zone Change](#)  
[Staff Report\\_CSU ALLEGHENY AND YELLOWPINE](#)  
[Concept Plan Statement](#)  
[Project Statement](#)  
[PlanCOS Vision Map](#)  
[Public Comment](#)  
[Public Comment Response](#)  
[Context Map](#)  
[7.5.603.B Findings - ZC](#)

- 4B.V.** [CPC CP 22-00086](#) A concept plan for a Colorado Springs Utilities fiber-optic facility located at 1951 Allegheny Drive.

(Quasi-Judicial)

Related File: CPC ZC 22-00068

Presenter:

Peter Lange, Planner II, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development

**Attachments:** [Concept Plan Statement](#)  
[7.5.501.E Concept Plans](#)

## **5. Recognitions**

- 5.A.** [22-497](#) A Resolution Celebrating August 4, 2022 as the 232nd Anniversary Of The United States Coast Guard

**Est. Time:** 10  
minutes

Presenter:

Mike O'Malley, Councilmember District 6  
Rear Admiral Sean Regan, United States Coast Guard

**Attachments:** [Coast Guard Anniversary](#)

- 5.B.** [22-426](#) A Resolution honoring July 27, 2022 as National Korean War Veteran Armistice Day

**Est. Time:** 10  
minutes

Presenter:

Dave Donelson, Councilmember District 1

**Attachments:** [National Korean War Veterans Armistice Day](#)

- 5.C.** [22-493](#) City Council Appointments to Boards, Commissions, and Committees

**Est. Time:** 10  
minutes

Presenter:

Tom Strand, Council President and Councilmember At Large

**Attachments:** [072622 Boards Commissions and Committee Appointments](#)

- 5.D.** [22-457](#) City Council Appointments to Citizens' Transportation Advisory Board

**Est. Time:** 10  
minutes

Presenter:

Tom Strand, Council President and Councilmember At Large

**Attachments:** [072622 CTAB Appointments](#)

## **6. Mayor's Business**

**7. Citizen Discussion For Items Not On Today's Agenda****8. Items Called Off Consent Calendar****9. Utilities Business****10. Unfinished Business****11. New Business**

- 11.A. [22-298](#) A Resolution of the City of Colorado Springs approving a Service Plan for the Peak Metropolitan District Nos. 4, 5, 6 and 7 serving the Airport Business Park  
**Est. Time:** 20 minutes  
Presenter:  
Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Resolution\\_Peak\\_Metro\\_Districts 4-7](#)  
[Exhibit 1- Peak MD 4-7 Consolidated Service Plan](#)  
[Staff PowerPoint](#)  
[Applicant Budget Committee PowerPoint](#)  
[Redline Peak MD 4-7 Service Plan](#)  
[Peak MD 4-7 Ltr to Carl Schueler re Consolidated Service Plan \(6-3-22\)](#)  
[Peak MD 4-7 Supplemental Ltr to Carl Schueler re Consolidated Service Plan \(6-3-22\)](#)

**12. Public Hearing****13. Added Item Agenda****14. Executive Session****15. Adjourn****16. General Improvement District:**

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

**16.A.** [22-293](#)

Ordinance No. 22-42 of the Board of Directors of the Colorado Springs, Spring Creek General Improvement District to approve the Dissolution of the District

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:** [GIDSpringCreekDissolutionORD-2022-06-21](#)  
[CSSPRINGCREEKGID-Tax-Map](#)

**17. Adjourn**