



# City of Colorado Springs

## Regular Meeting Agenda - Final City Council

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

*City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.*

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Tuesday, May 14, 2019

9:00 AM

Council Chambers

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Meeting time changed to 9:00 AM

### 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. [19-177](#)

Ordinance No. 19-26 including certain property into the Southwest Downtown Business Improvement District

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

**Attachments:**

[Ordinance- 2019 SWDT BID inclusions](#)

[Exhibit A - Petitions for Inclusion](#)

[Exhibit B - Notice of Inclusion](#)

**4A.B.** [CPC PUZ  
18-00077](#)

Ordinance No. 19-27 amending the zoning map of the City of Colorado Springs relating to 3-acres located at the southeast corner of Stetson Hills Boulevard and Tutt Boulevard from R-5/AO (Multi-Family Residential with Airport Overlay) to PUD/AO (Planned Unit Development: single-family attached and detached, 10.33 dwelling units per acre, and maximum building height of 45 feet with Airport Overlay).

(QUASI-JUDICIAL)

Presenter:

Peter Wysocki, Director Planning and Community Development  
Chris Staley, Planner II, Planning and Community Development

**Attachments:**

[ZC ORD PalominoRanchPatioHomes](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Zone Change Exhibit](#)

[Vicinity Map](#)

**4A.C.** [CPC ZC  
18-00139](#)

Ordinance No. 19-28 amending the zoning map for City of Colorado Springs from A (Agricultural) to PBC (Planned Business Center) for the property located southwest of Grand Cordera Parkway and Prominent Point consisting of 6.72 acres.

(QUASI-JUDICIAL)

Presenter:

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

**Attachments:**

[ZC ORD YourStorageAtBriargate](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Zone Change](#)

[Vicinity Map](#)

- 4A.D.** [CPC ZC 18-00109](#) Ordinance No. 19-29 amending the Zoning Map of the City of Colorado Springs relating to .638 acre located northwest of North Academy Boulevard and Palmer Park Boulevard from OR (Office Residential) to PBC/CR (Planned Business Center with Conditions of Record)

(QUASI-JUDICIAL)

Presenter:

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

**Attachments:** [ZC\\_ORD\\_AcademyCorner](#)  
[Exhibit A - Legal Description](#)  
[Exhibit B - Zone Change](#)  
[Vicinity Map](#)

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

- 4B.A.** [19-259](#) City Council Regular Meeting Minutes April 23, 2019

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [4-23-2019 City Council Meeting Minutes Final.pdf](#)

- 4B.B.** [19-271](#) Appointments to Boards and Commissions

Presenter:

Jacquelyn Puett, Assistant to Council

**Attachments:** [051419 Boards and Commissions](#)

- 4B.C.** [19-184](#) Resolution adopting an Intergovernmental Agreement between the City of Colorado Springs, Colorado and the Creekwalk Marketplace Business Improvement District related to maintenance of public streets.

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community Development  
Peter Wysocki, Director of Planning and Community Development

**Attachments:** [RES\\_Creekwalk\\_IGA](#)  
[Attachment 1 - Creekwalk IGA](#)  
[StElmo IGA Exhibit](#)  
[Creekwalk IGA Council Work Session Presentation 042219](#)

- 4B.D.** [19-273](#) An Ordinance 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](#)

- 4B.E.** [19-200](#) Proposed Amendments to Chapter 12, Article 5 (Wastewater Treatment) of the City Code

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](#)

## **5. Recognitions**

- 5.A.** [19-241](#) A Resolution of Appreciation designating May as Historic Preservation Month.

Presenter:

Chris Staley, Planner II, Planning & Development Department

Dan Sexton, Senior Planner, Planning & Development Department

Peter Wysocki, Planning & Development Director

**Attachments:** [HP Resolution 2019](#)

- 5.B.** [19-247](#) A Resolution of Appreciation recognizing May 19-25, 2019 as National Public Works Week

Presenter:

Travis Easton, P.E., Public Works Director

Tom Strand, City Council Member

**Attachments:** [Resolution-National Public Works Week 2019](#)

- 5.C.** [19-264](#) A Proclamation recognizing Tessa's launch of "It's Not Okay" Public Awareness Campaign

Presenter:

Jill Gaebler, Council member

**Attachments:** [Tessa - Public Awareness Campaign - 2019 - FINAL](#)

5.D. [19-265](#) A Proclamation recognizing May 14, 2019 as a Day of Decency

Presenter:  
Dave Geislinger, Council member

Attachments: [Day of Decency - 2019 - FINAL](#)

**6. Citizen Discussion**

**7. Mayor's Business**

**8. Items Called Off Consent Calendar**

**9. Utilities Business**

**10. Unfinished Business**

- 10.A. [CPC ZC 18-00178](#) Ordinance No. 19-30 amending the zoning map for the City of Colorado Springs pertaining to 8.43 acres located at 7133, 7149, 7165, 7207, and 7239 North Academy Boulevard, changing the zoning from PBC/cr (Planned Business Center with Conditions of Record) to PBC/cr (Planned Business Center with Conditions of Record).

(QUASI-JUDICIAL)

Presenter:

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

**Attachments:**

[ZC\\_ORD\\_NAcademyRezone](#)

[Exhibit A](#)

[Vicinity Map](#)

[NorthAcademyRezone Staff-Presentation](#)

[CPC Report\\_N Academy ZC](#)

[Figure 1 - Zone Change Exhibit](#)

[Figure 2 - Amended DP](#)

[Figure 3 - Project Statement](#)

[Figure 4 - Written Public Comments](#)

[Figure 5 - Applicant's Public Comment Response LTR](#)

[Figure 6 - F C Y Master Plan](#)

[Figure 7 - Initial BSK Ord](#)

[Figure 8 - Prohibited Use Comparison](#)

[7.5.603.B Findings - ZC](#)

[Draft Min NorthAcademyRezone](#)

## **11. New Business**

- 11.A. [19-222](#) A Resolution Authorizing the Disposal of Surplus City Property to the Colorado Department of Transportation ("CDOT") as the One Logical, Potential Purchaser

Presenter:

Darlene Kennedy, Real Estate Services Manager  
Britt Haley, Parks Design and Development Manager / TOPS Program Manager  
Tim Biolchini, Stormwater Projects Coordinator

**Attachments:**

[Exhibit A\\_Sinton Property](#)

[FINAL RESOLUTION DISPOSAL SINTON PROPERTY 4-11](#)

- 11.B. [19-176](#) Authorization of Creekwalk Marketplace Business Improvement District to issue debt in the form of Series 2019A and Series 2019B Limited Tax Supported and Special Revenue Bonds.

(Legislative Item)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

**Attachments:**

[Resolution](#)

[Attachment 1-Bonds Cover Letter](#)

[Attachment 2- Forms of 2019 Bonds](#)

[Attachment 3- Trust Indenture - Creekwalk Marketplace](#)

[Attachment 4- Subordinate Bonds Indenture Creekwalk Marketplace 2019](#)

[Attachment 5- District Bond Resolution](#)

[Attachment 6- George K. Baum Opinion Letter & Financial Plan](#)

[Attachment 7- Opinion Letter from SF - CMBID](#)

[Attachment 8- Creekwalk BID Bond Graph Illustrations](#)

[Attachment 9- Creekwalk Marketplace BID Projection with Property Removal](#)

[PowerPoint\\_2019CreekwalkBIDDebt](#)

- 11.C. [19-236](#) An Ordinance 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](#)

- 11.D. [19-238](#) An Ordinance 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](#)

## **12. Public Hearing**

12.A. [AR NV  
19-00028](#)

An appeal of City Planning Commission's approval of a nonuse variance to allow a 16 foot tall retaining wall and fence adjacent to Mesa Avenue and Lake Circle where a 6' accessory fence structure is allowed for the Broadmoor Event Center located at 3 and 11-19 Lake Circle.

(Quasi-Judicial)

Related Files: AR NV 19-00028, AR R 19-00017, CPC DP 03-00259-A10MJ19

Presenter:

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

**Attachments:**

[Applicant Appeal Statement](#)

[Vicinity Map](#)

[CPC Staff Report\\_Broadmoor Event Center appeal](#)

[FIGURE 1 - Approved Broadmoor Event Center Development Plan](#)

[FIGURE 2 - Appeal statement by Karen Raymond](#)

[FIGURE 3 - Appeal statement b Walter Lawson and Cindy Kulp](#)

[FIGURE 4 - Project Statement](#)

[FIGURE 5 - Exhibit Hall Public Comment Response Letter](#)

[FIGURE 6 - Neighborhood comments](#)

[FIGURE 7 - Parking Operations Plan](#)

[FIGURE 8 - PlanCOS Typology](#)

[7.5.906 \(A\)\(4\) Administrative Appeal](#)

[7.5.802.B Nonuse Variance](#)

[7.5.906 \(B\) Planning Commission Appeal](#)

[Postponement request by Cyndy Kulp](#)

[Broadmoor Event Center - CPC powerpoint - LT](#)

[Draft\\_Min\\_BroadmoorEventCtr](#)



12.B. [AR R  
19-00017](#)

An appeal of City Planning Commission's approval of an administrative relief to allow a 57.25 foot building height where 50 feet is allowed for the Broadmoor Event Center located at 3 and 11-19 Lake Circle.

(Quasi-Judicial)

Related Files: AR NV 19-00028, AR R 19-00017, CPC DP 03-00259-A10MJ19

Presenter:

Peter Wysocki, Director Planning and Community Development

Lonna Thelen, Principal Planner, Planning and Community Development

**Attachments:**

[FIGURE 1 - Approved Broadmoor Event Center Development Plan](#)

[7.5.906 \(B\) Planning Commission Appeal](#)

[7.5.906 \(A\)\(4\) Administrative Appeal](#)

[7.5.1102 Findings Necessary to Grant Administrative Relief](#)

- 12.C. [CPC DP  
03-00259-A10  
MJ19](#) An appeal of City Planning Commission's approval of a development plan for the Broadmoor Event Center to allow a 169,988 square foot addition to the existing Broadmoor Event Center located a 3 and 11-19 Lake Circle.

(Quasi-Judicial)

Related Files: AR NV 19-00028, AR R 19-00017, CPC DP 03-00259-A10MJ19

Presenter:

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

**Attachments:**

[CPC Staff Report Broadmoor Event Center appeal](#)  
[FIGURE 1 - Approved Broadmoor Event Center Development Plan](#)  
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[FIGURE 7 - Parking Operations Plan](#)  
[FIGURE 8 - PlanCOS Typology](#)  
[7.5.906 \(B\) Planning Commission Appeal](#)  
[7.5.906 \(A\)\(4\) Administrative Appeal](#)  
[7.5.1102 Findings Necessary to Grant Administrative Relief](#)

### **13. Added Item Agenda**

### **14. Executive Session**

### **15. Adjourn**