



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.

Tuesday, August 23, 2016

1:00 PM

Council Chambers

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. [16-453](#)

Ordinance No. 16-79 amending Section 302 (Classification and Occupation Tax Established) of Part 3 (Occupation Tax on Liquors) of 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 Lodging and Entertainment Licenses

Presenter:

Sarah Johnson, City Clerk

Attachments:

[HB16-1439 - Lodging and Entertainment License](#)

[Clerk-LiquorCodeLodgingEntORD-2016-06-23](#)

[Clerk-LiquorCodeLodgingEntORD-2016-06-23.docx](#)

- 4A.B.** [16-485](#) Ordinance No. 16-80 amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a Supplemental Appropriation to the Public Safety Sales Tax (PSST) Fund in the amount of \$3,200,000 for Public Safety Projects

Presenter:
Kara Skinner, Chief Financial Officer

Attachments: [PSST fund Supplemental - 3 projects - Ordinance.doc](#)

- 4A.C.** [16-491](#) Ordinance No. 16-81 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 matters relating thereto

Presenter:
Bill Cherrier, Chief Planning and Finance Officer, Colorado Springs Utilities
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [2016 Line of Credit Bond Ordinance](#)

- 4A.D.** [16-492](#) Ordinance No. 16-82 of the City of Colorado Springs, Colorado approving and authorizing the execution and delivery of the Standby Bond Purchase Agreement among the City of Colorado Springs, Colorado, Wells Fargo Bank, National Association, as Tender Agent, and Landesbank Hassen-Thuringen Girozentrale, the Standby Letter of Credit and Reimbursement Agreement between the City of Colorado Springs, Colorado and Sumitomo Mitsui Banking Corporation, the Fee Agreements between the City of Colorado Springs, Colorado and such banking organizations, and the Official Statements for the Utilities System Revenue Bonds previously issued by the City to which the agreements relate; ratifying certain action heretofore taken

Presenter:
Bill Cherrier, Chief Planning and Finance Officer, Colorado Springs Utilities
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [2006B and 2007B SBPAs Ordinance](#)

- 4A.E.** [16-467](#) Ordinance No. 16-83 creating a new Appendix P (Indoor Flora Grow Operations in Residential Occupancies) to Chapter 8, Article 4, Part 1, Section 105 of the Code of the City of Colorado Springs 2001, as amended.

Presenter:
Ted Collas, Interim Fire Chief, CSFD
Brett Lacey, Fire Marshal, CSFD

Attachments: [App-P IndoorFloraGrow ORD FINAL](#)

- 4A.F.** [CPC CA 16-00073](#) Ordinance No. 16-84 amending Section 206 (Parking Exempt Districts) of Part 2 (Off-street Parking Standards) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Old Colorado City Parking Exempt District.

(Legislative)

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

Attachments: [OCC Parking Exempt District ordinance](#)
[CPC CA 16-00071-BUFFER - Old Colorado City Parking Exemption Expansion](#)

4B. First Presentation:

- 4B.A.** [16-519](#) City Council Meeting Minutes August 9, 2016

Presenter:
Sarah Johnson, City Clerk

Attachments: [2016-08-09 Minutes Draft](#)

- 4B.B.** [16-528](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [082316 Boards and Commissions](#)

4B.C. [16-451](#)

A resolution amending Resolution 92-12, the Bylaws and the Investment Policy of the Colorado Springs Health Foundation

Presenter:

BJ Scott, Chair, Colorado Springs Health Foundation Board of Trustees

Jon Medved, Secretary, Colorado Springs Health Foundation Board of Trustees

Attachments:

[ResolutionAmending92-12](#)

[090814 CSHF Investment Policy redline](#)

[Bylaws of Colorado Springs Health FoundationDRAFTAMENDMENT71416](#)

[8Aug2016_CSHF slides](#)

4B.D. [16-495](#)

A resolution approving the assignment of 2016 Private Activity Bond volume cap allocation to El Paso County

Presenter:

Bob Cope, Economic Development Manager

Attachments:

[Attachment 1](#)

[2016 Colorado Springs Assignment Exhibit A](#)

[2016 Colorado Springs Assignment Resolution](#)

4B.E. [16-496](#)

A resolution adopting an amendment to the "City of Colorado Springs Rules and Procedures of City Council" relating to donations and unspent council funds

Presenter:

Eileen Lynch Gonzalez, City Council Administrator

Attachments:

[082316 Section 9 rules repeal resolution](#)

[082316 Rules and Procedures of City Council](#)

4B.F. [16-506](#)

A Resolution Accepting the Donation of Property from Daniela F. Cusack for a Public Purpose to the City of Colorado Springs

Presenter:

Dan Higgins, Chief Water Services Officer

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments:

[CusackExhibitA](#)

[Cusack Arbitrator's Decision & Exhibit A](#)

[CusackDaniela Exhibit-A-QCDeed4-19-16](#)

[CusackMark Exhibit-A-QCDeed-4-19-16](#)

[Cusack 1 - QUIT CLAIM DEED - Exhibit 1](#)

[Cusack 2 - QUIT CLAIM DEED - Exhibit 2](#)

[Cusack Exhibit-B-BoundaryAgreement-06.15.16revisions](#)

[Cusack FrenchCreekDraftLandSurveyPlat050916](#)

[Cusack Exhibit-C](#)

[Cusack Exhibit-D-License-4-1-15](#)

[Cusack Exhibit-D-Licenseagreement](#)

[Resolution Accepting Donation \(Cusack\)](#)

[CusackExhibitB Part 2 Final Appraisal Report 06-05-15](#)

[Cusack Final Appraisal Report 06-05-15](#)

4B.G. [CPC ZC
16-00064](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 3.084 acres located at the southwest corner of North Carefree Circle and North Powers Boulevard from R-5/CR/AO and PBC/CR/AO (Multi-Family Residential and Planned Business Center with Conditions of Record and Airport Overlay) to OC/CR/AO (Office Complex with Conditions of Record and Airport Overlay).

(Quasi-Judicial)

Related Files: AR CP 11-00482-A2MJ16, CPC DP 16-00066

Presenter:

Conrad Olmedo, Planner II, Planning & Community Development
Peter Wysocki, Director Planning and Community Development

Attachments:

[ZC_ORD_AbbaEyecare](#)

[Exhibit A Legal Description](#)

[Exhibit B Zone Change Layout CPC ZC 16-00064](#)

[Vicinity Map](#)

[Staff Report_Abba Eyecare](#)

[Figure 1 CP Site Plan](#)

[Figure 2 Project Statement](#)

[Figure 3 ZC Site Plan](#)

[Figure 4 DP Site Plan](#)

[Figure 5 Landscape](#)

[Vicinity Map](#)

[CPC JULY 16 Meeting Minutes - all items](#)

[7.5.603 Criteria for granting zone changes](#)

4B.H. [AR CP
11-00482-A2
MJ16](#)

An amendment to the Southwest Powers Boulevard & North Carefree concept plan to allow General/Medical Office uses on a site consisting of 6.282 acres located at the southwest corner of North Carefree Circle and North Powers Boulevard.

(Quasi-Judicial)

Related Files: Related Files: CPC ZC 16-00064, CPC DP 16-00066

Presenter:

Conrad Olmedo, Planner II, Planning & Community Development
Peter Wysocki, Director Planning and Community Development

Attachments:

[Figure 1 CP Site Plan](#)

[7.5.501.E Concept Plans](#)

- 4B.I.** [CPC DP
16-00066](#) A development plan for a new two (2)-tenant 5,946 square-foot medical/office building on a site consisting of 1.16 acres located at the southwest corner of North Carefree Circle and North Powers Boulevard.

(Quasi-Judicial)

Related Files: CPC ZC 16-00064, AR CP 11-00482-A2MJ16

Presenter:

Conrad Olmedo, Planner II, Planning & Community Development
Peter Wysocki, Director Planning and Community Development

Attachments:

[Figure 4 DP Site Plan](#)

[7.5.502.E Development Plan Review](#)

- 4B.J.** [CPC MPA
05-00278-A3
MN15](#) A minor amendment to the Northgate Master Plan changing 2.3 acres along Voyager Parkway from Office Industrial to Neighborhood Commercial, located southeast of the Voyager Parkway and Ridgeline Drive intersection.

(Quasi-Judicial)

Related Files: CPC ZC 15-00040, CPC ZC 15-00095, CPC CP 07-00189-A1MJ15

Presenter:

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

Attachments:

[Voyager Business Park Staff Report - KAC](#)

[FIGURE 1 CP](#)

[FIGURE 2 PJ Statement](#)

[FIGURE 3 MP](#)

[FIGURE 4 ZC 15-00095](#)

[FIGURE 5 ZC 15-00040](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

[CPC JULY 16 Meeting Minutes - all items](#)

4B.K. [CPC ZC
15-00040](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.21 acres located southeast of the Voyager Parkway and Ridgeline Drive from PIP-1 (Planned Industrial Park) to PBC (Planned Business Center).

(Quasi-Judicial)

Related Files: CPC MPA 05-00278-A3MN15, CPC ZC 15-00095, CPC CP 07-00189-A1MJ15

Presenter:

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

Attachments:

[ZC ORD CPC ZC 16-00040](#)

[Exhibit A Legal CPC ZC 16-00040 \(Lot 6 - 1.21 acres\)](#)

[Exhibit B Zone Change Layout CPC ZC 16-00040 \(Lot 6 - 1.21 acres\)](#)

[FIGURE 5 ZC 15-00040](#)

[Vicinity Map Voyager Business Park](#)

[7.5.603.B Establishment or change of zone district boundaries](#)

4B.L. [CPC ZC
15-00095](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.13 acres located southeast of the Voyager Parkway and Ridgeline Drive from PIP-1 (Planned Industrial Park) to PBC (Planned Business Center).

(Quasi-Judicial)

Related Files: CPC MPA 05-00278-A3MN15, CPC ZC 15-00040, CPC CP 07-00189-A1MJ15

Presenter:

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

Attachments:

[ZC ORD CPC ZC 16-00095](#)

[Exhibit A Legal CPC ZC 16-00095 \(Lots 4 & 5 - 1.13 acres\)](#)

[Exhibit B Zone Change Layout CPC ZC 16-00095 \(Lots 4 & 5 - 1.13 acres\)](#)

[Vicinity Map Voyager Business Park](#)

[FIGURE 4 ZC 15-00095](#)

[7.5.603.B Establishment or change of zone district boundaries](#)

- 4B.M.** [CPC CP
07-00189-A1
MJ15](#) An amendment to the Voyager Business Park Concept Plan changing internal lot configuration, integrating 2.3 acres of commercial use and adding a right-in and right-out along Voyager Parkway, located southeast of the Voyager and Ridgeline Drive intersection.

Presenter:

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

Attachments: [FIGURE 1 CP](#)
[7.5.501.E Concept Plans](#)

5. Recognitions

- 5.A.** [16-514](#) A Resolution of Appreciation for Alma E Grandpre on the Occasion of her Retirement as Division of Public Works- Senior Analyst with the City of Colorado Springs

Attachments: [Retirement Resolution - Grandpre AS](#)

- 5.B.** [16-493](#) A Resolution to support September 2016 as National Preparedness Month in the City of Colorado Springs.

Presenter:

Bret Waters, Director, Office of Emergency Management

Attachments: [2016_PreparednessMonth_RES_Final.doc](#)

6. Citizen Discussion

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

- 10.A.** [CPC CA
16-00079](#) An ordinance amending Part 5 (Geological Hazard Study and Mitigation) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to geological hazard study and mitigation.

(Legislative)

Presenter:
Peter Wysocki, AICP, Director of Planning and Community Development

Attachments: [082216 Geohazard Update Slides](#)
[Plan_Dev-GeologicalHazardORD-2016-07-20](#)
[062716 geotech powerpoint](#)

- 10.B.** [CPC A
14-00131-1](#) Ordinance No. 16-85 annexing to the City of Colorado Springs that area known as Colorado Springs Airport Filing 1 located southwest of Space Village Drive and Marksheffel Road consisting of 31.158 acres.

(Legislative)

Related files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:
Mike Schultz, AICP, Principal Planner
Peter Wysocki, Planning and Development Director, Planning and Community Development Department

Attachments: [Airport Annexation Filing 1 Ordinance](#)
[Exhibit A-1 - Notarized Legal](#)
[Exhibit B-1 Airport Annexation Filing 1 Plat](#)
[Overall Location Map](#)

- 10.C. [CPC ZC
14-00132-1](#) Ordinance No. 16-88 amending the Zoning Map of the City of Colorado Springs relating to 31.158 acres located southwest of Space Village Drive and Marksheffel Road establishing the APD/AO/APZ-1/APZ-2 (Airport Planned District with Airport Overlay and Accident Potential Subzones 1 and 2 Overlay) zone district.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Filing 1 Zoning Ordinance](#)
[Exhibit A-1 - Notarized Legal](#)
[Exhibit B--APZ Detail for Airport AX Filing 1 zoning ordinance](#)
[Exhibit C-1 Airport Annexation Filing 1 Plat](#)

- 10.D. [CPC A
14-00131-2](#) Ordinance No. 16-86 annexing to the City of Colorado Springs that area known as Colorado Springs Airport Filing 2 located between Highway 94 and Air Lane and consisting of 18.89 acres.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments:

[Airport Annexation Filing 2 Ordinance](#)
[Exhibit A-2 - Notarized Legal](#)
[Exhibit B-2 Airport Annexation Filing 2 Plat](#)

- 10.E.** [CPC ZC
14-00132-2](#) Ordinance No. 16-89 amending the Zoning Map of the City of Colorado Springs relating to 18.89 acres located between State Highway 94 and Air Lane establishing the APD/AO/APZ-2 (Airport Planned District with Airport Overlay and Accident Potential Subzone 2 Overlay) zone district.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments: [Filing 2 Zone Change Ordinance](#)
[Exhibit A-2 - Notarized Legal](#)
[Exhibit B-2 Airport Annexation Filing 2 Plat](#)

- 10.F.** [CPC A
14-00131-3](#) Ordinance No. 16-87 annexing to the City of Colorado Springs that area known as Colorado Springs Airport Filing 3 located southeast of Highway 24 and the Powers Boulevard intersection and consisting of 47.484 acres.

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments: [Airport Annexation Filing 3 Ordinance](#)
[Exhibit A-3 - Notarized Legal](#)
[Exhibit B-3 Airport Annexation Filing 3 Plat](#)

- 10.G.** [CPC ZC 14-00132-3](#) Ordinance No. 16-90 amending the Zoning Map of the City of Colorado Springs relating to 47.484 acres located southeast of Highway 24 and the Powers Boulevard intersection establishing the APD/AO/APZ-1 (Airport Planned District with Airport Overlay and Accident Potential Subzone 1 Overlay) zone district..

(Legislative)

Related Files: CPC A 14-00131-1, CPC A 14-00131-2, CPC A 14-00131-3, CPC ZC 14-00132-1, CPC ZC 14-00132-2, CPC ZC 14-00132-3

Presenter:

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

Attachments: [Filing 3 Zone Change Ordinance](#)
[Exhibit A-3 - Notarized Legal](#)
[Exhibit B-3 Airport Annexation Filing 3 Plat](#)

11. New Business

- 11.A.** [16-527](#) A resolution encouraging cooperation with emergency management agencies to respond to landslide disasters in the City of Colorado Springs

Presenter:

Councilmember Keith King
Mayor John Suthers

Attachments: [082216 FEMA Resolution](#)

- 11.B.** [CPC 080](#) Resolution approving a service plan prior to the creation of a Tuscan Foothills Village Metropolitan District

Presenter:

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

Attachments: [Attachment 1 TFV Metro Dist PowerPoint](#)
[Attachment 2 Tuscan Foothills Resolution](#)
[Attachment 3 Clean Model Service Plan for Tuscan Foothills Village, 2016](#)
[Attachment 4 Redline Model Service Plan for Tuscan Foothills Village, 2016 - R](#)
[Attachment 5 Letter of Intent and Owner Consent](#)

12. Public Hearing**12.A. [CPC AP
16-00071](#)**

An appeal of the City Planning Commission's decision to grant the appeal of the Notice of Violation & Order to Abate served on the property owner of 2215 North Farragut Avenue or violation of fence height.

(Quasi-Judicial)

Presenter:

Dennis Wolf, Land Use Inspector, Planning and Community
Department

Peter Wysocki, Planning and Community Development Director

Attachments:

[Fence appeal by Leland Pilger](#)

[CPC STAFF REPORT - CPC AP 16-00071 -Code Enforcement appeal - DLW](#)

[FIGURE 1 - 2215 N. Farragut Ave - Zone Map](#)

[FIGURE 2 - Appeal statement](#)

[FIGURE 3 - 2215 N. Farragut Ave. - photo history](#)

[Notice & Order with signatures](#)

[Rebuttal ltr Leland Pilger](#)

[CPC JUNE 16 Meeting Minutes - Code Enforcement appeal](#)

[Vicinity Map](#)

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

[7.5.906 \(B\)](#)

[cc power point 8-23-16](#)

13. Added Item Agenda**14. Executive Session****15. Adjourn**