



# 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, October 11, 2016

1:00 PM

Council Chambers

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### 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:

#### 4B. First Presentation:

4B.A. [16-580](#) City Council Meeting Minutes September 27, 2016

Presenter:  
Sarah Johnson, City Clerk

Attachments: [2016-09-27 Minutes Draft](#)

4B.B. [16-617](#) Appointments to Boards and Commissions

Presenter:  
Jacquelyn Puett, Assistant to Council

Attachments: [101116 Boards and Commissions](#)

- 4B.C. [16-502](#)** A resolution authorizing City Staff to execute an amended and modified deed of conservation easement for the Santa Fe Depot building removing approximately 1.5 acres of parking lot, drive aisle, and landscape area from the easement.

Presenter:

Ryan Tefertiller, Urban Planning Manager

Peter Wysocki, Planning and Community Development Director

**Attachments:** [SantaFeStation\\_CE\\_Amend\\_09-30-16](#)

[Figure 1](#)

[Figure 2](#)

[Figure 3](#)

[Figure 4](#)

[Extent of the existing and proposed easement](#)

- 4B.D. [16-554](#)** A resolution authorizing a land exchange between the City of Colorado Springs and OGC RE1, LLC

Presenter:

Kathleen Krager, Transportation Manager, Public Works Department

**Attachments:** [Resolution approving Catalyst Campus land exchange](#)

[Catalyst Campus and Shooks Run Land Exchange](#)

[Exhibit A Parcel Map Santa Fe Station](#)

[Exhibit B Legal Description](#)

[Exhibit C Parcel Map Shooks Run](#)

- 4B.E. [16-540](#)** An Ordinance Amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a Supplemental Appropriation to the Subdivision Drainage Fund in the amount of \$4,000,000 for the purpose of reimbursements to developers for eligible major drainage improvements, to the Cemetery Enterprise Fund in the amount of \$33,500 for the purchase of capital equipment, to the Cemetery Endowment Fund in the amount of \$33,500 for the purpose of increasing the transfer to the Cemetery Enterprise Fund, and to the Gift Trust Fund in the amount of \$500,000 for the purpose of allowing spending for the remainder of the year

Presenter:

Kara Skinner, Chief Financial Officer

**Attachments:** [EXHIBIT A to Memo for Subdivision Drainage Supplemental Appropriation Ordinance - Subdivision-Cem-CemEndow-Gift Supplemental Approp](#)

- 4B.F.** [16-545](#) A Resolution Authorizing Free Parking on Saturday, November 5, 2016, for the Veterans Day Parade

Presenter:

Greg Warnke, Parking Administrator, Parking System Enterprise

**Attachments:** [Res for Free Parking for Veterans Day Parade 10-11-2016](#)

- 4B.G.** [16-546](#) A Resolution Authorizing Free On-Street Metered Parking on Saturday, November 26, Saturday, December 3, Saturday, December 10, Saturday December 17, and Saturday, December 24, 2016.

Presenter:

Gregory A. Warnke, Parking Administrator, Parking System Enterprise

**Attachments:** [Res to Approve Free Christmas Parking 10-11-2016](#)

- 4B.H.** [CPC CA 16-00050](#) An ordinance amending the Regulating Plan for the Downtown Colorado Springs Form-Based Zone pertaining to medical marijuana facilities, including medical marijuana centers, medical marijuana infused products manufacturer, and optional premises cultivation operation.

(Legislative)

Presenter:

Peter Wysocki, Director of Planning and Community Development

**Attachments:** [Zoning-FBZ\\_ORD-2016-09-23](#)  
[DRB Staff Report for MMJ regulations 050416](#)  
[Figure 1 - Proposed MMJ Standard for FBZ April 2016](#)  
[Figure 2 04.19.16 DDA MMJ](#)  
[MMJ presentation zoning CC WS 9-26-16](#)  
[5-4-16 DRB Minutes](#)

**4B.I.** [CPC ZC  
16-00082](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 11.06 acres located northeast of Union Boulevard and Continental Heights from PBC (Planned Business Center) to OC (Office Complex).

(Quasi-Judicial)

Related File: CPC CP 16-00083

Presenter:

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

**Attachments:**

[ORD Watermark](#)

[Exhibit A Legal Description](#)

[Exhibit B Vicinity Map](#)

[CPC AUGUST 18 Meeting Minutes - Watermark](#)

[Watermark at Briargate Staff Report - KAC](#)

[FIGURE 1 - Concept Plan](#)

[FIGURE 2 - Project Statment](#)

[FIGURE 3 - Neighborhood Meeting Att.](#)

[FIGURE 4 - Letters of Opposition](#)

[FIGURE 5 - Letter of Support](#)

[FIGURE 6 - Response to Neighbor Comments](#)

[FIGURE 7 - Zoning Exhibit](#)

[FIGURE 8 - Building Height AR](#)

[FIGURE 9 - District 20 Comments](#)

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

**4B.J.** [CPC CP  
16-00083](#)

Watermark at Briargate Concept Plan illustrating conceptual layout for the 11.06 acre site located northeast of Union Boulevard and Continental Heights, to be developed as a multi-family apartment complex. (Quasi-Judicial)

Presenter:

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

**Attachments:**

[FIGURE 1 - Concept Plan](#)

[7.5.501.E Concept Plans](#)

**4B.K.** [CPC MP  
06-00219-A7  
MN16](#)

A minor amendment to the Flying Horse Master Plan changing 13.58 acres from Residential 2 - 3.5 dwelling units per acre to Residential 3.5 - 8 dwelling units per acre, located southeast of the future extension of Hawk Stone Drive and Ridgeline Drive.

(Legislative)

Related Files: CPC PUZ 16-00074, CPC PUD 16-00076

Presenter:

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

**Attachments:**

[Legal Cortona at Flying Horse](#)

[Vicinity Map Cortona](#)

[Cortona at Flying Horse Staff Report](#)

[FIGURE 1 Site Plan -DP](#)

[FIGURE 2 Project Statement](#)

[FIGURE 3 Master Plan Amend.-Flying Horse](#)

[CPC AUGUST 18 Meeting Minutes - all items](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

**4B.L.** [CPC PUZ  
16-00074](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 13.58 acres located southeast of the future extension of Hawk Stone Drive and Ridgeline Drive A (Agricultural) to PUD (Planned Unit Development; single-family attached residential, 3.679 dwelling units per acre, 30-foot maximum building height).

(Quasi-Judicial)

Related Files: CPC MP 06-00219-A7MN16, CPC PUD 16-00076

Presenter:

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

**Attachments:**

[ORD Cortona at Flying Horse](#)

[Exhibit A Legal Cortona at Flying Horse](#)

[Exhibit B Vicinity Map Cortona](#)

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

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

**4B.M.** [CPC PUD  
16-00076](#)

A PUD Development Plan for Cortona at Flying Horse illustrating a layout for a 13.58 acre site to be developed with 54 single-family attached residences, located southeast of the future extension of Hawk Stone Drive and Ridgeline Drive.

(Quasi-Judicial)

Related Files: CPC MP 06-00219-A7MN16, CPC PUZ 16-00074

Presenter:

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

**Attachments:**

[FIGURE 1 Site Plan -DP](#)

[7.5.502.E Development Plan Review](#)

[7.3.606 PUD Development Plan](#)

**4B.N.** [CPC ZC  
16-00061](#)

An Ordinance amending the zoning map of the City of Colorado Springs pertaining to 7.05 acres located at the southwest corner of North Academy Boulevard and Maizeland Road from PBC/cr (Planned Business Center with conditions of record) to PBC/cr (Planned Business Center with conditions of record).

(Quasi-Judicial)

Related Files: CPC DP 16-00060, CPC DP 16-00062, CPC DP 16-00068

Presenter:

Mike Schultz, Principal Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

**Attachments:**

[Ordinance Academy and Maizeland v2](#)

[Exhibit A Legal Description](#)

[Exhibit B Vicinity Map](#)

[Academy and Maizeland CC Presentation - Schultz](#)

[Maizeland and Academy Aug CPC - Schultz\\_DJS-edits](#)

[Figure 1 - 1988 Ordinance](#)

[Figure 5 - Project Statement](#)

[Figure 6 - Resident letters and emails](#)

[Figure 7 - 88 zone change diagram](#)

[Figure 8 - Draft Ordinance Academy and Maizeland](#)

[Figure 9 - Letter from Carls Jr](#)

[Figure 10 - Walmart and Family Dollar Examples](#)

[Maizeland and Academy Aug CPC - Schultz\\_DJS-edits](#)

[CPC AUGUST 18 Meeting Minutes - Maizeland and Academy](#)

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

**4B.O.** [CPC DP  
16-00060](#)

A Development Plan for Kum & Go convenience store with fuel sales on a 1.96-acre lot and located southwest corner of North Academy Boulevard and Maizeland Road.

(Quasi-Judicial)

Related Files: CPC ZC 16-00061, CPC DP 16-00062, CPC DP 16-00068

Presenter:

Mike Schultz, Principal Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

**Attachments:**

[Figure 2 - Kum and Go DP](#)

[7.5.502.E Development Plan Review](#)

**4B.P.** [CPC DP  
16-00062](#)

A Development Plan for Your Self Storage mini-storage facility on a 3.79-acre lot and located at the southeast corner of Maizeland Road and Sussex Lane.

(Quasi-Judicial)

Related Files: CPC ZC 16-00061, CPC DP 16-00060, CPC DP 16-00068

Presenter:

Mike Schultz, Principal Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

**Attachments:**

[Figure 3 - Your Storage Center DP](#)

[7.5.502.E Development Plan Review](#)



- 4B.Q.** [CPC DP 16-00068](#) A Development Plan for Carl's Jr. restaurant on a .793-acre lot and located at the northwest corner of North Academy Boulevard and Alpine Place.

(Quasi-Judicial)

Related Files: CPC ZC 16-00061, CPC DP 16-00060, CPC DP 16-00062

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

**Attachments:** [Figure 4 - Carls Jr DP](#)  
[7.5.502.E Development Plan Review](#)

- 4B.R.** [16-581](#) A resolution adopting final form of Intergovernmental Agreement for the Exclusion of Certain Property from the Donald Wescott Fire Protection District

Presenter:  
David Andrews, Legislative Counsel

**Attachments:** [Resolution Wescott IGA-9-29-16 DA](#)  
[101016 Wescott IGA Exhibit A](#)  
[101016 Partially Executed Wescott Agreement 9 28 16](#)  
[101016 Wescott IGA Ex 1 and 2 - Map](#)  
[101016 Wescott IGA Ex 3 - Phase 1 Joint Plan](#)  
[101016 Wescott IGA Ex 3 - Phase 1 Court Petition](#)  
[101016 Wescott IGA Ex 4 - Phase 2 Joint Plan](#)  
[101016 Wescott IGA Ex 4 - Phase 2 Court Petition](#)  
[101016 Wescott CAO Slides](#)  
[Resolution 181-02](#)

## **5. Recognitions**

## **6. Citizen Discussion**

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

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

## **9. Utilities Business**

**10. Unfinished Business**

- 10.A. [CPC CA  
16-00086](#) Ordinance No. 16-97 amending Section 1503 (Home Occupation Permit Standards and Criteria) of Part 15 (Home Occupations) 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, relating to the production and sales of plants, fruits, vegetables and cottage foods.

Presenter:

Peter Wysocki, Director of Planning & Community Development

**Attachments:** [CottageFoodStandHomeOccORD-2016-09-06](#)  
[FIGURE\\_2\\_Cottage Foods Stand Code Changes v5](#)

**11. New Business**

- 11.A. [16-510](#) Resolution approving a service plan allowing for the creation of the Silver Hawk Metropolitan District.

Presenter:

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

**Attachments:** [101116 Silver Hawk - Service Plan - Clean - Oct 5 2016](#)  
[Attachment 1 Silver Hawk Metro Dist PowerPoint](#)  
[Attachment 2 Resolution](#)  
[Attachment 3 Silver Hawk Metro - v4 - Executive Summary \(Letterhead\) 08-29-](#)  
[Attachment 4-Silver Hawk - Service Plan - Revised w Exhibits \(Clean\)](#)  
[Attachment 5A Silver Hawk - Service Plan - Revised \(redline to 08-04-2016\)](#)  
[Attachment 6 Engineering Estimates of Probable Capital Costs - Silver Hawk M](#)  
[Attachment 7 Silver Hawk Metro - Financial Plan Estimate 6.30.16 - GKBaum](#)  
[Attachment 8 Silver Hawk - 2016 Form of Disclosure \(general\)](#)  
[Attachment- 9 Annotated Special District Standards- Silver Hawk Metro](#)  
[Attachment 9- Silver Hawk 3-Year Budget](#)

- 11.B. [16-511](#) Resolution approving a service plan allowing for the creation of the Mountain Valley Metropolitan District.

(Legislative)

Presenter:

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

**Attachments:**

[101116 Mountain Valley - Service Plan - Clean - Oct 5 2016](#)

[Attachment 1 Mountain Valley Metro Dist PowerPoint](#)

[Attachment 2 Resolution](#)

[Attachment 3 Mountain Valley Metro - Executive Summary v4 \(updated 08-29-2](#)

[Attachment 4 - Mountain Valley - Service Plan - Revised w Exhibits \(Clean\)](#)

[Attachment 5- Mountain Valley Redline to Work Session Version](#)

[Attachment 6 Mountain Valley - Cost Estimate - Drexel Barrell](#)

[Attachment 7 Mountain Valley Metro - Financial Plan Estimate 6-30-2016 - GKB](#)

[Attachment 8 - 2016 Form of Disclosure Mountain Valley Metro \(general records](#)

[Attachment- 9 Annotated Special District Standards- Mountain Valley Metro](#)

[Attachment 10 Mountain Valley 3 Year budget](#)

- 11.C. [16-474](#) An Ordinance Amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a Supplemental Appropriation to the General Fund in the Amount of \$300,000 for the Purpose of Supplementing the Parks, Recreation and Cultural Services 2016 Water Budget

Presenter:

Karen Palus, Director - Parks, Recreation and Cultural Services  
Kurt Schroeder, Park Operations and Development Manager - Parks, Recreation and Cultural Services

**Attachments:**

[101116 - Supplemental Water Appropriation Ordinance](#)

[92616 - Water Management Powerpoint - City Council](#)

- 11.D. [16-561](#) An Ordinance amending Article 1 (General Municipal Elections) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to elections

Presenter:

Sarah B. Johnson, City Clerk

Britt Haley, City Attorney's Office

**Attachments:**

[Chapter 5 Code Review Memo.doc](#)

[Clerk-ElectionCodeScrubORD-2016-10-05](#)

- 11.E. [16-562](#) An Ordinance amending Part 2 (Fair Campaign Practices; Candidate and Committee Funds and Disclosures) of Article 2 (Campaign Disclosures) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to campaign practices

Presenter:  
Sarah B. Johnson, City Clerk

Britt Haley, City Attorney's Office

**Attachments:** [Chapter 5 Code Review Memo.doc](#)  
[Clerk-CampaignPracticesCS-2016-10-05.docx](#)

## **12. Public Hearing**

## **13. Added Item Agenda**

## **14. Executive Session**

## **15. Adjourn**

**Following adjournment of the regular City Council meeting, City Council will adjourn and reconvene as the Board of Directors of the Briargate General Improvement District.**

- A. [16-345](#) Request to set November 22, 2016 as the Public Hearing date for consideration of adopting the proposed 2017 Colorado Springs Briargate General Improvement District Budget and to advertise as required by law

Presenter:  
Kara Skinner, Chief Financial Officer

**Attachments:** [Proposed 2017 Budget for Briargate GID](#)

**Following adjournment of the Board of Directors of the Briargate General Improvement District, City Council will adjourn and reconvene as the Board of Directors of the Marketplace at Austin Bluffs General Improvement District.**

- B. [16-346](#) Request to set November 22, 2016 as the Public Hearing date for consideration of adopting the proposed 2017 Colorado Springs Marketplace at Austin Bluffs General Improvement District Budget and to advertise as required by law

Presenter:  
Kara Skinner, Chief Financial Officer

**Attachments:** [Proposed 2017 Budget for Marketplace at Austin Bluffs GID](#)

**Following adjournment of the Board of Directors of the Marketplace at Austin Bluffs General Improvement District, City Council will adjourn and reconvene as the Board of Directors of the Spring Creek General Improvement District.**

- A. [16-347](#) Request to set November 22, 2016 as the Public Hearing date for consideration of adopting the proposed 2017 Colorado Springs Spring Creek General Improvement District Budget and to advertise as required by law

Presenter:  
Kara Skinner, Chief Financial Officer

**Attachments:** [Proposed 2017 Budget for Spring Creek GID](#)