



City of Colorado Springs

Regular Meeting Agenda - Final City Council

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

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Tuesday, January 26, 2021

10:00 AM

Council Chambers

How to Watch the Meeting

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- CenturyLink Channel 18

How to Comment on Agenda Items

Before the meeting, you may email general comments for items not on the agenda or comments regarding agenda items to: allcouncil@coloradosprings.gov

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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:

- 4A.A.** [CPC ZC 17-00068](#) Ordinance No. 21-01 amending the zoning map of the City of Colorado Springs pertaining to 3.43 acres located at the northwest corner of Lower Gold Camp Road and West Moreno Avenue, from R-5/M-1/R1-6/HR/DF (Multi-Family Residential/Light Industrial/Single-Family Residential/High-Rise Overlay/Design Flexibility) to R-5 (Multi-Family Residential) for development of 72 apartments.

(Quasi-Judicial)

Related Files: CPC ZC 17-00068, CPC DP 18-00048

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning and Community Development

Attachments: [ZC_ORD_VueDesMonts](#)
[Exhibit A - Zone Change Legal Description](#)
[Exhibit B - Zone Change Depiction](#)
[Vicinity Map](#)

- 4A.B.** [CPC CA 20-00144](#) Ordinance No. 21-02 amending Section 504 (HS - Hillside Area Overlay) of Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to grading and erosion control.

Presenter:

Erin Powers, Senior Technical Engineer
Richard Mulledy, Stormwater Enterprise Manager

Attachments: [Ordinance HS-O](#)

- 4A.C.** [CPC CA 20-00148](#) Ordinance No. 21-03 amending Section 508 (SS - Streamside Area Overlay) of Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to grading and erosion control.

Presenter:

Erin Powers, Senior Technical Engineer
Richard Mulledy, Stormwater Enterprise Manager

Attachments: [Ordinance SS-O](#)

- 4A.D.** [CPC CA 20-00149](#) Ordinance No. 21-04 amending Part 9 (Subdivision Drainage Facilities) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to grading and erosion control and stormwater quality.

Presenter:

Erin Powers, Senior Technical Engineer
Richard Mulledy, Stormwater Enterprise Manager

Attachments: [Ordinance Drainage Facilities](#)

- 4A.E.** [CPC CA 20-00150](#) Ordinance No. 21-05 repealing and reordaining Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to grading and erosion control and stormwater quality standards and providing penalties and remedies for the violation thereof.

Presenter:

Erin Powers, Senior Technical Engineer
Richard Mulledy, Stormwater Enterprise Manager

Attachments: [SW-GEC-7-7-15-ORD-2020-11-10-clean](#)

- 4A.F.** [21-048](#) Ordinance No. 21-08 submitting a Charter amendment to the registered qualified electors of the City of Colorado Springs, Colorado at the general municipal election conducted by mail ballot to be held on April 6, 2021, amending section 7-90 (c) of the City Charter eliminating a thirty (30) word limitation on ballot titles for tax or bonded debt increases, providing for the form of the ballot title, providing for certain matters with respect to the election, and providing the effective date of this ordinance

Presenter:

Wayne Williams, City Councilmember

Attachments: [Charter-Amendment-TABOR-Word-Limitation-2021-01-04\(2\) sec-7-90-DRAFT 2004-PPRTA-Ballot-Language-1](#)

4A.G. [CPC A
19-00157](#)

Ordinance No. 21-09 annexing the area known as Jovenchi-1 Addition No. 1 Annexation located northwest of New Life Drive and Interquest Parkway consisting of 2.088 acres.

(Legislative)

Related Files: CPC A 19-00157R, CPC A 19-00157, CPC ZC 20-00034

Presenter:

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

Attachments: [ORD Annexation Jovenchi-1AdditionNo.1](#)
[Exhibit A - JOVENCHI Annexation Legal](#)

4A.H. [CPC ZC
20-00034](#)

Ordinance No. 21-10 amending the zoning map of the City of Colorado Springs pertaining to 2.088 acres located northwest of New Life Drive and Interquest Parkway establishing the A (Agricultural) zone.

(Legislative)

Related Files: CPC A 19-00157R, CPC A 19-00157, CPC ZC 20-00034

Presenter:

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

Attachments: [ZC ORD Jovenchi-1No.1Addition](#)
[Exhibit A - Legal Desc JOVENCHI](#)
[Exhibit B - JOVENCHI Rezone Exhibit](#)

- 4A.I.** [CPC A
19-00134](#) Ordinance No. 21-11 annexing the area known as Peak Center Addition No. 1 Annexation located east of Voyager Parkway along Old Ranch Road consisting of 11.36 acres.

(Legislative)

Related Files: CPC A 19-00134R, CPC A 19-00134, CPC ZC 20-00032, CPC CP 20-00033

Presenter:

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

Attachments: [ORD Annexation PeakCenterAdditionNo.1](#)
[Exhibit A - Peak Center Annexation Addition No. 1 Legal Description](#)
[APPLICANT PRESENTATION Peaks Recovery Annex 1-12-2021](#)

- 4A.J.** [CPC A
19-00022](#) Ordinance No. 21-13 annexing to the City of Colorado Springs that area known as Banning Lewis Ranch Annexation consisting of 887.08 acres.

(Legislative)

Related Files: CPC A 19-00022R, CPC A 19-00022, CPC MP 19-00123, CPC PUZ 19-00124, CPC PUP 19-00125

Presenter:

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

Attachments: [ORD Annexation BanningLewisRanchNorth](#)
[Exhibit A - Legal Description BLR North Annexation](#)

- 4A.K.** [CPC PUZ 19-00124](#) Ordinance No. 21-14 amending the zoning map of the City of Colorado Springs pertaining to 807.51 acres located along the north and south side of Woodmen Road between Mohawk Road and Golden Sage Road establishing a PUD/AO (Planned Unit Development; commercial, industrial, civic, single-family residential, multi-family residential, open space and parks as defined by the Banning Lewis Ranch North Zoning and Design Standards with maximum residential density of 2800 dwelling units and Airport Overlay) zone.

(Legislative)

Related Files: CPC A 19-00022R, CPC A 19-00022, CPC MP 19-00123, CPC PUZ 19-00124, CPC PUP 19-00125

Presenter:

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

Attachments: [ORD_EstablishmentOfZone_BanningLewisRanchNorth](#)
[Exhibit A - BLR-North Zoning Legal Description](#)
[Exhibit B - BLR-North Zoning Depiction](#)

4B. First Presentation:

- 4B.A.** [21-070](#) Special City Council Regular Meeting Minutes January 11, 2021

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [1-11-21 Special City Council Meeting Minutes Final.pdf](#)

- 4B.B.** [21-071](#) City Council Regular Meeting Minutes January 12, 2021

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [1-12-2021 City Council Meeting Minutes Final.pdf](#)

- 4B.C.** [21-075](#) Appointments to Boards, Commissions, and Committees

Presenter:

Michael Montgomery, Deputy City Council Administrator

Attachments: [012621 Boards Commissions and Committee Appointments](#)

- 4B.D.** [20-683](#) An Ordinance Amending Ordinance No. 20-92 (2021 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the amount of \$3,912,580 to transfer monies received from the periodic reconciliation with UC Health to the Colorado Springs Health Foundation

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Supplemental Approp Ord for MHS for UCH recon payment - 01 11 21](#)

- 4B.E.** [20-660](#) An ordinance amending Ordinance No. 19-87 (2020 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$1,862,882, and to the Lodgers and Auto Rental Tax (LART) Fund in the amount of \$72,147, which will be transferred to the General Fund and is included in the \$1,862,882, for the retention of 2019 fiscal year revenue above the 2019 fiscal year revenue and spending limitations (TABOR Cap), approved by voters in the November 2020 coordinated election to be retained and spent for the benefit of public safety

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Ordinance for Supplemental - 2019 TABOR Public Safety](#)

- 4B.F.** [20-681](#) An ordinance amending Section 115 (Automated Vehicle Identification System (AVIS)) of Part 1 (General Provisions) of Article 1 (Administration and Enforcement) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to AVIS Procedures.

Presenter:

Vince Niski, Chief of Police

Jeff Strossner, Commander SED

Attachments: [MuniCt-AVIS AmendmentCh10-1-115-DRAFT.docx](#)

- 4B.G.** [21-049](#) A Resolution Authorizing the Disposal of City Real Property to the Colorado Department of Transportation ("CDOT")

Presenter:

Greg Phillips, Director of Aviation

Colorado Springs Airport

Attachments: [CDOT Resolution bjb 12.30.20](#)
[Exhibit A - COSA Drainage Parcel](#)

- 4B.H.** [21-050](#) A Resolution Authorizing The Acquisition Of Real Property Owned By School District No. 11, a/k/a Colorado Springs School District 11

Presenter:
Greg Phillips, Director of Aviation
Colorado Springs Airport

Attachments: [D-11 Resolution-12.30.20](#)
[Exhibit B - FAA Letter - D11 COS 163 Determination](#)
[Exhibit A - D-11 Property Legal Description](#)

- 4B.I.** [21-016](#) A resolution designating The Colorado Springs Gazette as the official City of Colorado Springs newspaper for the publication of ordinances, notices, and other legal advertisements.

Presenter:
Bret Waters, Deputy Chief of Staff
Sarah Johnson, City Clerk

Attachments: [PublishingNewspaperDesignationRES-2020-12-17](#)
[City Code of Colorado Springs-1.1.114](#)

- 4B.J.** [CPC MPA
04-00043-A6
MJ20](#) A resolution of the City Council of the City of Colorado Springs, Colorado approving a Major Master Plan amendment to the Hills Properties Master Plan, changing the land use designation from Office and Hospital to Residential and Open Space.

(Legislative)

Related Files: CPC MPA 04-00043-A6MJ20, CPC PUZ 20-00119, and CPC PUP 20-00120

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[RES_MasterPlanAmendment_HillsProperties](#)

[Exhibit A - Master Plan Amendment](#)

[CPC Report_Overlook at Centennial & Fillmore](#)

[PUD Zone Change](#)

[PUD Concept Plan](#)

[Project Statement](#)

[PlanCOS Vision Map](#)

[CGS Letter](#)

[Fiscal Impact Analysis](#)

[Context Map](#)

[7.5.408 Master Plan](#)

[CC_Overlook@Centennial&Fillmore_DJS](#)

[Evergreen Overlook Centennial and Fillmore Clty Council Meeting 1-26-21 final](#)

[CPC_Minutes_OverlookAtCentennial_draft](#)

4B.K. [CPC PUZ
20-00119](#)

An Ordinance amending the zoning map of the City of Colorado Springs relating to 42.784 acres from Planned Unit Development: Hospital, Office, Medical Office, and General Commercial to Planned Unit Development: Residential and Open Space; Density of 15-24.99 Dwelling Units Per Acre; Maximum Building Height of 75 Feet

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A6MJ20, CPC PUZ 20-00119, and CPC PUP 20-00120

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[ORD_ZoneChange_OverlookatCentennial](#)

[Exhibit A - PUD Zone Change Legal](#)

[Exhibit B - PUD Zone Change](#)

[Vicinity Map](#)

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

[7.5.603 Findings - ZC](#)

4B.L. [CPC PUP
20-00120](#)

A PUD Concept Plan for the Overlook at Centennial & Fillmore project illustrating the framework for a mixed use development, located northeast of the Centennial Boulevard and Fillmore Street intersection.

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A6MJ20, CPC PUZ 20-00119, and CPC PUP 20-00120

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[PUD Concept Plan 8.5 x 11](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

4B.M. [CPC ZC
20-00116](#)

An Ordinance amending the zoning map of the City of Colorado Springs pertaining to 7.38 acres located southwest of the Rio Vista Drive and Barnes Road intersection from PUD/AO (Planned Unit Development: multi-family with an Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay)

(Quasi-Judicial)

Related Files: CPC ZC 20-00116 and CPC CP 20-00117

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[ZC ORD Rio Vista](#)

[Exhibit A - Legal Description](#)

[Exhibit B-Zone Change](#)

[Vicinity Map](#)

[CC Rio Vista staff DJS](#)

[CPC Report Rio Vista](#)

[Zone Change Exhibit](#)

[Concept Plan](#)

[Zone Change Project Statement](#)

[Concept Plan Project Statement](#)

[PlanCOS Vision Map](#)

[Public Comments](#)

[PlanCOS Vision Map](#)

[Context Map](#)

[7.5.603 Findings - ZC](#)

[CPC Minutes ConsentCalendar draft](#)

- 4B.N. [CPC CP 20-00117](#) A Concept Plan for the Rio Vista Commercial project located at 4250 Rio Vista Drive.

(Quasi-Judicial)

Related Files: CPC ZC 20-00116 and CPC CP 20-00117

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

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

5. Recognitions

- 5.A. [21-030](#) Ordinance No. 21-06 appointing Jacqueline Rowland as City Auditor and prescribing her duties, compensation and tenure in office

Presenter:

Richard Skorman, City Council President

Attachments: [Ord Appt. Rowland \(Dec 2020 final\)](#)

6. Citizen Discussion For Items Not On Today's Agenda

7. Mayor's Business

- 7.A. [21-066](#) Nomination to appoint Eddie Rodriguez to serve out the term created by the vacancy from Donnis Martin's resignation on the Colorado Springs Housing Authority Board. The term would be set to expire on April 1, 2022.

Presenter:

Mayor John Suthers

Attachments: [2021 January CSHA Memo to CC.pdf](#)
[Eddie Rodriguez - Resume.pdf](#)

8. Items Called Off Consent Calendar

9. Utilities Business

- 9.A.** [21-034](#) A Resolution Setting the Electric Cost Adjustment and Industrial Service - Large Power and Light Supply Credit Rates effective February 1, 2021

Presenter:

Scott Shewey, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [01-26-2021 CC Mtg-ECA Resolution - Alt](#)
[ECA Sheet 2.9 E Rate Tbl - Redline - Alt](#)
[ECA Sheet 2.9 E Rate Tbl - Final - Alt](#)
[ECA Schedule 1 \(02-01-2021\) - Alt](#)

- 9.B.** [21-035](#) A Resolution Setting the Gas Cost Adjustment effective February 1, 2021

Presenter:

Scott Shewey, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [01-26-2021 CC Mtg-GCA Resolution](#)
[GCA Sheet 2.4 Rate Tbl - Redine](#)
[GCA Sheet 2.4 Rate Tbl - Final](#)
[GCA Schedule 1 \(02-01-2021\)](#)

10. Unfinished Business

- 10.A.** [21-031](#) Ordinance No. 21-07 repealing Ordinance No. 19-97 and prescribing the salary of the City Council Administrator

Presenter:

Michael Sullivan, Chief Human Resources and Risk Officer

Richard Skorman, City Council President

Attachments: [Salary Ordinance \(Evans - Jan 2021\)](#)

- 10.B.** [CPC ZC 20-00032](#) Ordinance No. 21-12 establishing an OC/CR/SS (Office Complex with Conditions of Record and Streamside Overlay) zone district located east of Voyager Parkway along Old Ranch Road and consisting of 9.76 acres.

(Legislative)

Related Files: CPC A 19-00134R, CPC A 19-00134, CPC ZC 20-00032, CPC CP 20-00033

Presenter:

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

Attachments: [ORD EstablishmentofZone PeakCenterAdditionNo.1](#)
[Exhibit A - Legal Desc PeakCenterAdditionNo.1](#)
[Exhibit B - Zone Establishment PeakCenterAdditionNo.1](#)
[7.5.603.B Findings - ZC](#)

11. New Business

- 11.A.** [21-033](#) An Ordinance Creating Part 14 (Temporary Rebate Of 2% General Fund Portion Of City Sales Tax For Qualifying Restaurants For Lost Revenue As A Result Of The Economic Disruptions Due To The Presence Of Coronavirus Disease 2019 (Covid-19) 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 Temporary Rebate Of City Sales Tax

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-RebateCOVID-ORD-2020-01-06](#)

- 11.B.** [21-085](#) An Ordinance creating a six (6) month moratorium on the enforcement of certain zoning code violations related to carports in front-yard setbacks

(Legislative)

Presenter:

Peter Wysocki - Director, Planning & Community Development

Attachments: [CarportMoratoriumORD-2021-01-14](#)

- 11.C. [21-083](#) A Resolution submitting to the registered qualified electors of the city of Colorado Springs, Colorado, at the General Municipal Election conducted by mail ballot to be held on Tuesday, April 6, 2021, the question of extending the sales and use tax for Trails, Open Space and Parks program ("TOPS") for ____ years, providing for the form of the ballot title and text, providing for certain matters with respect to the election, and providing the effective date of this resolution

Presenter:

Richard Skorman, President of City Council

Tom Strand, President Pro-Tem of City Council

Attachments: [TOPS Extension Ballot Question RES_CLEAN \(002\)](#)

- 11.D. [21-047](#) An Ordinance Amending Section 105 (Candidates for Election) of Part 1 (Employee Rules and Regulations) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to City Employee Candidacy for Election

Presenter:

Michael Sullivan, Chief Human Resources and Risk Officer

Tracy Lessig, City Attorney's Office

Attachments: [Employee Candidacy Ordinance Final](#)

12. Public Hearing

13. Added Item Agenda

14. Executive Session

15. Adjourn