



# Regular Meeting Agenda - Final City Council

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

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Tuesday, April 26, 2022

10:00 AM

Council Chambers

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# 1. Call to Order and Roll Call

- 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.** 22-131 Ordinance No. 22-19 excluding property from the boundaries of the MW

Retail Business Improvement District located near the intersection of

Woodmen and Marksheffel Roads.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning &

**Community Development** 

Peter Wysocki, Planning and Community Development Director

Attachments: Ordinance MW Retail Exclusion

Exhibit A- MW Colorado Springs - executed Petition for Exclusion of Property

Site Plan

Transmittal Letter for Exclusion

Exhibit B- Notice of Exclusion

**4A.B.** 22-157 Ordinance No. 22-20 including property into the boundaries of the MW

Retail Business Improvement District located near the intersection of

Woodmen and Marksheffel Roads.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning &

Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: Ordinance MW Retail BID Inclusion

Exhibit A- Executed Petition for Inclusion

PowerPoint- MW Retail BID Inclusion, Exclusion and Debt Issuance

Exhibit B- Notice of Inclusion

**4A.C.** 22-187 Ordinance No. 22-21 amending Ordinance No. 18-77 to change the

name of the United States Air Force Academy Visitor's Center Business Improvement District to TrueNorth Commons Business Improvement

District

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community

Development

Carl Schueler, Comprehensive Planning Manager, Planning &

Community Development

Peter Wysocki, Planning & Community Development Director

Attachments: ORD TrueNorthBID-2022-04-05

# 4B. First Presentation:

**4B.A.** 22-251 City Council Regular Meeting Minutes April 12, 2022

Presenter:

Sarah B. Johnson, City Clerk

<u>Attachments:</u> 4-12-2022 City Council Meeting Minutes Final

**4B.B.** <u>CPC PUZ</u> 21-00175

An ordinance amending the zoning map of the City of Colorado Springs relating to 38.5 acres generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection from PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and residential; 9.14 dwelling units per acre with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 38-foot maximum height; PBC land uses and residential; 8.8 dwelling units per acre with Streamside and Airport Overlays).

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Planning & Community Development Director

<u>Attachments:</u> ORD ZC CottagesAtWoodmenHeights

Exhibit A - Legal Desc

Exhibit B - PUD Zone Change
Cover MemoCottages KAW

Project Statement
PlanCOS vision Map
Development Plan
Context Map

CPC Minutes ConsentCalendar

7.5.603.B Findings - ZC

7.3.603 Establishment & Development of a PUD Zone

**4B.C.** <u>CPC PUD</u> <u>20-00054-A1</u> MN21 The Cottages at Woodmen Heights Development Plan for 38.5 acres containing a mix of commercial and multi-family land uses generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Planning & Community Development Director

<u>Attachments:</u> <u>Development Plan</u>

7.5.502.E Development Plan Review
7.3.606 PUD Development Plan

**4B.D.** <u>CPC PUZ</u> 20-00084

An ordinance amending the zoning map of the City of Colorado Springs relating to 29.375 acres located at 777 Vondelpark Drive fron C6 (General Business) to PUD (Planned Unit Development: Single-Family Attached and Detached, 3.0-6.0 dwelling units per acre, and maximum building height of 35 feet).

(Quasi-Judicial)

Related File: CPC PUP 21-00186

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Director, Planning & Community Development

Attachments:

ORD ZC EllstonPark

EllstonPark DJS CC

Ellston Park Applicant CC

CPC Report Ellston Park

PUD Zone Change

PUD Concept Plan

**Project Statement** 

Vision Map

**Public Comments** 

CGS Letter

Context Map

CPC Minutes ConsentCalendar

7.3.603 Establishment & Development of a PUD Zone

7.5.603 Findings - ZC

**4B.E.** <u>CPC PUP</u> 21-00186

A Planned Unit Development Concept Plan for the Ellston Park project illustrating a single-family residential development on 29.375 acres, located at 777 Vondelpark Drive.

(Quasi-Judicial)

Related File: CPC PUZ 20-00084

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Director, Planning & Community Development

Attachments: PUD Concept Plan

7.3.605 PUD Concept Plan 7.5.501.E Concept Plans **4B.F.** <u>CPC ZC</u> 21-00177

An ordinance amending the zoning map of the City of Colorado Springs from OC/cr/AO (Office Complex with conditions of record and Airport Overlay) and R5/cr/AO (Multi-family Residential with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay) on 1.279 acres located at 3611 Rio Vista Drive.

Related File: AR CP 11-00482-A3MN21

Presenter:

Tamara Baxter, Senior Planner with Central Team, Planning &

Community Development

Peter Wysocki, Director of Planning and Community Development

Attachments: ORD ZC 3611RioVistaDr

Exhibit A - Legal Desc

Exhibit B - Zone Change

CC 3611 Rio Vista TPB

3611 Rio Vista Staff Report TPB

**Concept Plan Minor Amendment** 

Zone Change Exhibit

**Project Statement** 

PlanCOS Vision Map

**Public Comments** 

**Public Comment Response** 

O'Sullivan comments

Cain comments

Ordinance 16-91

CPC Minutes ConsentCalendar

7.5.603.B Findings - ZC

4B.G. <u>AR CP</u> <u>11-00482-A3</u> MN21 A minor amendment to the Southwest Powers Boulevard and North Carefree concept plan allowing a car wash located at 3611 Rio Vista

Drive.

Related File: CPC ZC 21-00177

Presenter:

Tamara Baxter, Senior Planner with Central Team, Planning &

**Community Development** 

Peter Wysocki, Director of Planning and Community Development

<u>Attachments:</u> Concept Plan Minor Amendment

7.5.501.E Concept Plans

**4B.H.** <u>CPC PUZ</u> 21-00081

An ordinance amending the zoning map of the City of Colorado Springs relating to 2.97 acres located at the northwest corner of South Union Boulevard and Hancock Expressway from PUD (Planned Unit Development: Commercial) to PUD (Planned Unit Development: Residential, 11.79 dwelling units per acre with a maximum building height of 36 feet).

(QUASI-JUDICIAL)

Related Files: CPC PUP 05-00176-A1MJ21, CPC PUD 21-00080, CPC V 21-00213

Presenter:

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

Attachments:

ORD ZC OverlookAtSpringCreek

Exhibit A - Legal Rezone

Exhibit B Rezone

Overlook at spring creek- staff presentation

APPLICANT PRESENTATION Overlook at SC - PC meeting 3-17-22 HR Green

**CPC Staff Report Overlook** 

Development Plan

**Project Statement** 

**Public Comments** 

Zone Change Exhibit

Concept Plan Amendment

Parking-Exhibit

Vacation Plat

CPC Minutes OverlookAtSpringCreekl draft

7.5.603.B Findings - ZC

7.5.603 Findings - ZC

**4B.I.** <u>CPC V</u> 21-00213

An ordinance vacating portions of a public right-of-way along Springs Vista Street consisting of 0.131 acres.

(LEGISLATIVE)

Related Files: CPC PUZ 21-00081, CPC PUP 05-00176-A1MJ21,

CPC PUD 21-00080

Presenter:

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

Attachments: ORD VROW SpringsVistaStreet

Exhibit A - Legal Description Vacation

Exhibit B - Vacation Plat

7.7.402.C Vacation Procedures

**4B.J.** <u>CPC PUP</u> <u>05-00176-A1</u> MJ21

A Major Amendment to the Overlook at Spring Creek Planned Unit Development Concept Plan to allow a 35-unit single-family residential development, located at the northwest corner of South Union Boulevard and Hancock Expressway.

(QUASI-JUDICIAL)

Related Files: CPC PUZ 21-00081, CPC PUD 21-00080, CPC V

21-00213

Presenter:

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

Attachments: Concept Plan Amendment

7.5.501.E Concept Plans
7.3.605 PUD Concept Plan

**4B.K.** <u>CPC PUD</u> 21-00080

A Planned Unit Development Plan for the Overlook at Spring Creek project to allow a 35-unit single-family detached small-lot residential development, located at the northwest corner of South Union Boulevard and Hancock Expressway.

(QUASI-JUDICIAL)

Related Files: CPC PUZ 21-00081, CPC PUP 05-00176-A1MJ21,

CPC V 21-00213

Presenter:

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

Attachments: PUD Development Plan Itr

7.3.606 PUD Development Plan
7.5.502.E Development Plan Review

**4B.L.** 22-158 A resolutio

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of Dublin North Metropolitan District No. 2 Limited Tax General Obligation Loans Series 2022(A-1) and Series 2022 (A-2) in an aggregate amount not to exceed \$5,500,000 for properties located north of Dublin Boulevard and east of Templeton Gap Road

Presenter:

Carl Schueler, Comprehensive Planning Manager

Peter Wysocki, Planning and Community Development Director

<u>Attachments:</u> Resolution

Staff PowerPoint- Dublin North Debt Issuance

<u>Dublin North MD2 - Budget Committee Presentation 3.22.2022</u>

**Applicant Cover Letter to City** 

Term Sheet - Dublin North MD No. 2 (as of 3.17.22)

Dublin North MD#2 Financial Plan, TXL Refg+TFL New, IF, Mar4

Dublin North MD 2022 - Draft Loan Agreement

**General Counsel Opinion Form** 

**4B.M.** 22-076

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of the Old Ranch Metropolitan District Limited Tax Special Obligation Refunding Bonds, Series 2022 in the amount not to exceed \$7,680,000 and related bond documents for districts located in the Wolf Ranch development in northern Colorado Springs.

Presenter

Carl Schueler, Comprehensive Planning Manager, Planning and

**Community Development** 

Peter Wysocki, Planning and Community Development Director

Attachments: Resolution

Staff PowerPoint

Applicant PowerPoint 2022-03-14

2022 Cover Letter to Colorado Springs re Bond Submittal - Old Ranch MD

2022-03-10 Old Ranch MD 2022 - Bond Cash Flows - Preliminary Numbers

2022-03-10 Old Ranch MD 2022 LT GO - Fairness Letter by RBC

2022-03-10 Old Ranch MD 2022 LT GO - Refinancing Summary

Draft 2022 UCCMD BOND RESOLUTION

Draft 3-14-22 2022 UCCMD Bond Counsel Opinion

<u>Draft GC Bond Opinion - Old Ranch Metropolitan District</u>

4B.N. <u>22-077</u>

A resolution approving the inclusion of property into the Tuscan Foothills Village Metropolitan District that is outside the established boundaries for the district located west of Centennial Boulevard and south of Chuckwagon Road

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community

Development

Peter Wysocki, Director of the Planning and Community Development

Department

<u>Attachments:</u> Resolution

Exhibit 1- Letter Requesting Inclusion

Staff Presentation
2016 Service Plan

**4B.O.** 22-190 Resolution to approve the HOME-ARP Allocation Plan draft for submittal

to the U.S. Department of Housing and Urban Development

Presenter:

Catherine Duarte, AICP, Senior Analyst, Community Development

Division

Peter Wysocki, AICP, Director of Planning and Community Development

Attachments: Apr11 CC resolution for HOME-ARP Allocation Plan approval

2022 HOME-ARP Allocation Plan Apr 11 Council presentation

Colorado Springs HOME-ARP allocation plan draft for public review

**4B.P.** 22-201 An Ordinance Repealing Ordinance Nos. 10-48 and 12-20, Dissolving

the Colorado Springs Human Relations Commission

Presenter:

Tom Strand, Council President and Councilmember At Large

Dave Donelson, Councilmember District 1

<u>Attachments:</u> <u>Establishing Legislation for Human Relations Commission</u>

ORD-DissolvingHRC-2022-04-06.docx

**4B.Q.** 22-199 A Resolution Authorizing a Land Exchange Between the City of

Colorado Springs and Charles H. Ames and Connie G. Ames

Presenter:

Gayle Sturdivant, City Engineer/Deputy Public Works Director

Aaron Egbert, Senior Engineer

Attachments: Ames Land Exchange Exhibit A

Ames Land Exchange Presentation FINAL

Ames Land Exchange Draft Resolution CLEAN 3.11.22

**4B.R.** 22-193 An Ordinance amending Ordinance No. 21-116 and Prescribing the

Salary of the City Council Administrator

Presenter:

Tom Strand, City Council President and At-Large City Councilmember

Attachments: 2022 Council Admin Salary Ord Final

## 5. Mayor's Business

5.A.	<u>22-257</u>	A Resolution Confirming the Mayor's Appointment of Adrian Vasquez as Police Chief
		Presenter: John Suthers, Mayor
	Attachments:	Vasquez Resolution
5.B.	22-229	Reappointment of Maureen Juran to a five-year term on the Colorado Springs Urban Renewal Authority Board. The term would be set to expire on April 25, 2027.
		Presenter: Mayor John Suthers
5.C.	22-230	Reappointment of Wynne Palermo to a five-year term on the Colorado Springs Urban Renewal Authority Board. The term would be set to expire on April 25, 2027.
		Presenter: Mayor John Suthers
5.D.	<u>22-233</u>	Reappointment of Randy Case to a five-year term on the Colorado Springs Urban Renewal Authority Board. The term would be set to expire on April 25, 2027.
		Presenter: Mayor John Suthers
5.E.	<u>22-234</u>	Reappointment of Anthony Perez to a five-year term on the Colorado Springs Urban Renewal Authority Board. The term would be set to expire on April 25, 2027.
		Presenter: Mayor John Suthers
6. Recognitions		

# 6

6.A. Appointments to Boards, Commissions, and Committees 22-255

Presenter:

Tom Strand, Council President and Councilmember At Large Michael Montgomery, Deputy City Council Administrator

042622 Boards Commissions and Committee Appointments Attachments:

**6.B.** 22-227 A Resolution of Appreciation of Robert Hodges, Administrative

Assistant II, Support Services, for his 29 years of service to the City of

Colorado Springs.

Presenter:

Wade Gann, Office Services Coordinator Ryan Trujillo, Deputy Chief of Staff

Attachments: Retiree Resolution (Employee Will Attend) - Robert Hodges

**6.C.** 22-198 Resolution To Recognize Affordable Housing Developers & Service

Providers In Colorado Springs

Presenter:

Wayne Williams, Councilmember At Large

Steve Posey, Community Development Manager

City of Colorado Springs

<u>Attachments:</u> <u>Affordable Housing</u>

**6.D.** 22-254 A Resolution honoring May 8, 1945 as Victory in Europe Day

Presenter:

Dave Donelson, Councilmember District 1

Attachments: Victory In Europe Day

**6.E.** 22-253 A Resolution in remembrance of the End of the Vietnam War

Presenter:

Tom Strand, Council President and Councilmember At Large

Attachments: End of the Vietnam War

## 7. Citizen Discussion For Items Not On Today's Agenda

## 8. Items Called Off Consent Calendar

## 9. Utilities Business

**9.A.** 22-113 A Resolution Setting the Gas Cost Adjustment Effective May 1, 2022

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs

Utilities

Attachments: 04-26-2022 CC Mtg-GCA Resolution

G Sheet 2.4 Rate Tbl - 17th Revised Redline
G Sheet 2.4 Rate Tbl - 17th Revised Final

Schedule 1 - GCA

## 10. Unfinished Business

#### 11. New Business

**11.A.** 22-108 A resolution of the City Council of the City of Colorado Springs,

Colorado approving a Fourth Service Plan Amendment for the Colorado Crossing Metropolitan Districts No. 1 through 3 to authorize an increase

in the combined maximum authorized debt of the Districts from \$50,000,000 to \$72,000,000 and to authorize the creation of Special Improvement Districts for a property located south of Interquest Parkway

and east of I-25

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and

Community Development

Peter Wysocki, Director, Planning and Community Development

<u>Attachments:</u> Resolution

Exhibit 1- Fourth Amendment to the Service Plan

Staff Presentation- Colorado Crossing Service Plan Amendment and Debt Issue

Applicant Presentation- Budget Committee

Transmittal Letter

Petition for Fourth Amendment

CO Crossing SID One Sheet 03.30.22

Infrastructure Cost Map

**11.B. 22-191** 

A resolution of the City Council of the City of Colorado Springs, Colorado authorizing Colorado Crossing Metropolitan District No. 2 to issue debt in the form of Special Improvement District No. 1 and No. 2 Special Assessment Revenue Bonds in an aggregate principal amount not to exceed \$12,000,0000 for a project located in the vicinity of Interquest Parkway and Interstate 25

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and

Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments:

Resolution

**Transmittal Letter** 

Term Sheet - Colorado Crossing SID (as of 03.11)

Colorado Crossing SID Financial Plan 03.10.22

Service Plan Compliance Letter (2022 bonds)

Indenture - Colorado Crossing MD No. 2 - SIDs

**11.C.** <u>22-2</u>00

An Ordinance amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$3,485,333 for additional projects and events recommended by the LART Citizen Advisory Committee; and to the Capital Improvements Program (CIP) Fund in the amount of \$900,000 for LART-funded capital projects that will be administered by the City of Colorado Springs Parks, Recreation and Cultural Services Department

Presenter:

Chris Wheeler, City Budget Manager

PK McPherson, Chair, LART Citizen Advisory Committee

Attachments:

Ordinance for LART 2022 Additional Events-Apr 2022 with Ex A landscape

11.D. 22-177 An Ordinance Adopting A New Part 1 (Massage Businesses) Of Article

3 (Sales Of Goods And Services) Of Chapter 2 (Business Licensing, Liquor Regulations And Taxation) Of The Code Of The City Of Colorado

Springs 2001, As Amended, Pertaining To Massage Business Licenses, And Providing Penalties For The Violation Thereof

Presenter:

Dave Donelson, Councilmember

District 1

Scott Whittington, Commander

Colorado Springs Police Department Lee McRae, License Enforcement Officer

City Clerk's Office

<u>Attachments:</u> <u>MassageBusinessLicense-2022-4-19</u>

**IMP City NEW Presentation** 

**11.E.** 22-180 A Resolution setting the fees for massage business licenses issued by

the City Clerk's Office

Presenter:

Sarah B. Johnson, City Clerk

<u>Attachments:</u> <u>Clerk-BusinessLicenseFees-MassageRES-2022-04-19</u>

## 12. Public Hearing

**12.A.** AR DP 21-00551

An appeal of the Planning Commission's action to deny an appeal regarding the Creekwalk Filing 1 Development Plan which illustrates the construction of a new 23,175 square foot grocery store on a 2.7-acre site located on the southwestern corner of S. Nevada Ave. and E. Ramona Ave.

(Quasi-Judicial)

Related File: AR FP 21-00552

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community

**Development Department** 

Peter Wysocki, Planning and Community Development Director,

Planning and Community Development Department

Attachments: Appeal Statement to City Council

Creekwalk Appeal Council Presentation RBT 042622

City Council Hearing - Creekwalk North Powerpoint for 4.26.2022

KH Creekwalk North Clty Council Apr 26 2022

stakeholder email

CPC Minutes CreewalkNorthAppeal draft

Creekwalk North Appeal CPC Staff Report 031722

Creekwalk North Appeal to Planning Commission Application

FIGURE 1 - Creekwalk North Appeal Statement

FIGURE 2 - Creekwalk North Response letter

FIGURE 3 - Creekwalk Filing 1 DP APPROVED 012022

FIGURE 4 - Creekwalk Filing 1 plat APPROVED 012022

FIGURE 5 - Creekwalk North Zoning Exhibit

FIGURE 6 - Appellants Request for Postponement

FIGURE 7 - Creekwalk Response to Postponement

FIGURE 8 - Creekwalk BID Response to Postponement

FIGURE 9 - Creekwalk North Filing No 1 2021.12.16 ApprovedDrainageRpt

7.5.906 (B) Appeal of Commission-Board

7.5.502.E Development Plan Review

**12.B.** AR FP 21-00552

An appeal of the Planning Commission's action to deny an appeal regarding the Creekwalk Filing 1 subdivision plat which created one lot and one tract on a 2.7-acre site located on the southwestern corner of S.

Nevada Ave. and E. Ramona Ave.

(Quasi-Judicial)

Related File: AR DP 21-00551

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community

**Development Department** 

Peter Wysocki, Planning and Community Development Director,

Planning and Community Development Department

Attachments: 7.5.906 (A)(4) Administrative Appeal

7.5.906 (B) Appeal of Commission-Board

# 13. Added Item Agenda

# 14. Executive Session

# 15. Adjourn