



Regular Meeting Agenda - Final City Council

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

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Tuesday, August 9, 2022

10:00 AM

Council Chambers

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

1. Call to Order and Roll Call

2. Invocation and Pledge of Allegiance

3. Changes to Agenda/Postponements

3.A. <u>CPC PUZ</u> 21-00187

Postpone an ordinance amending the zoning map of the City of Colorado Springs relating to 45.66 acres located southeast of Grand Vista Circle at West Fillmore Street from PUD/SS/HS (Planned Unit Development: Multi-Family, 3.5 to 7.99 dwelling units per acre not to exceed 500 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations, with Streamside and Hillside Overlays) to PUD/SS/HS (Planned Unit Development: Single-Family and/or Multi-Family, 2.38 to 7.99 du/ac not to exceed 364 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations with Streamside and Hillside Overlays) to the August 23, 2022 City Council meeting.

(Quasi-judicial)

Related Files: CPC PUP 19-00026-A1MJ21, & AR PUD 20-00023-A1MJ21

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments:

Preserve at Mesa Creek Single-Family PUD Concept Plan - Part 3 of 3

3.B. <u>AR PUD</u> <u>20-00023-A1</u> MJ21 Postpone a PUD development plan amendment for 45.66-acres located southeast of Grand Vista Circle and West Fillmore Street to allow 123 single-family dwelling units to the August 23, 2022 City Council meeting. (Quasi-judicial)

Related Files: CPC PUZ 21-00187 & CPC PUP 19-00026-A1MJ21

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

3.C. <u>CPC PUP</u> <u>19-00026-A1</u> <u>MJ21</u> Postpone a PUD Concept Plan Amendment for 45.66 acres located at southeast of Grand Vista Circle at West Fillmore Street for a single-family residential development to the August 23, 2022 City Council meeting. (Quasi-judicial)

Related Files: CPC PUZ 21-00187 & AR PUD 20-00023-A1MJ21

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

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. 22-466

Ordinance No. 22-43 of the City Of Colorado Springs, Colorado Providing for the Refunding of Certain Outstanding Utilities System Revenue Bonds of the City; Providing for the Extension, Betterment, Other Improvement and Equipment of the City of Colorado Springs Utilities System; Providing for the Issuance and Sale of the City of Colorado Springs, Colorado, Utilities System Refunding Revenue Bonds, Series 2022A in an Aggregate Principal Amount Not to Exceed \$150,000,000, and the City of Colorado Springs, Colorado, Utilities System Improvement Revenue Bonds, Series 2022B in an Aggregate Principal Amount Not to Exceed \$185,000,000, Payable Solely Out of the Net Revenues to be Derived From the Operation of the City of Colorado Springs Utilities System; Authorizing the Execution by the City of a Paying Agent Agreement, Escrow Agreement, a Bond Purchase Agreement and an Official Statement Related Thereto; and Providing Other Matters Relating Thereto.

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

<u>Attachments:</u> 2 - CSU 2022 AB Bond Ordinance

3 - July-Aug 2022 CC - 2022AB Bond Ordinance

4A.B. 22-467

Ordinance No. 22-44 of the City of Colorado Springs, Colorado Approving and Authorizing the Execution and Delivery of a First Amendment to Standby Letter of Credit and Reimbursement Agreement Between the City of Colorado Springs, Colorado and Sumitomo Mitsui Banking Corporation and an Amended and Restated Fee Agreement Between the City of Colorado Springs, Colorado and Sumitomo Mitsui Banking Corporation, Relating to the City of Colorado Springs, Colorado, Variable Rate Demand Utilities System Refunding Revenue Bonds, Series 2009C; and Providing Other Matters Relating Thereto.

Presenter:

Tristan Gearhart, Chief Planning and Financial Officer, Colorado Springs Utilities.

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities.

Attachments:

2 - Colorado Spring Utilities - Series 2009C Authorizing Ordinance Extension

3 - 07.2022 CC - 2009C Liquidity Renewal

4A.C. 22-468

Ordinance No. 22-45 of the City of Colorado Springs, Colorado Approving and Authorizing the Execution and Delivery of a Third Amendment to Standby Bond Purchase Agreement by and Among the City of Colorado Springs, Colorado, U.S. Bank National Association, and Computershare Trust Company, N.A., as Agent for Wells Fargo Bank, N.A., as Tender Agent and Paying Agent and a Second Amended and Restated Fee Agreement by and Among the City of Colorado Springs, Colorado, U.S. Bank National Association, and Computershare Trust Company, N.A., as Agent Wells Fargo Bank, National Association, as Tender Agent and Paying Agent, Relating to the City of Colorado Springs, Colorado, Variable Rate Demand Utilities System Improvement Revenue Bonds, Series 2012A; and Providing Other Matters Relating Thereto.

Presenter:

Tristan Gearhart, Chief Planning and Financial Officer, Colorado Springs Utilities.

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities.

Attachments:

2 - Colorado Spring Utilities - Series 2012A Authorizing Ordinance SBPA Extens

3 - 07.2022 CC - 2012A Liquidity Renewal

4A.D. 22-469

Ordinance No. 22-46 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 Other Matters Relating Thereto.

Presenter:

Tristan Gearhart, Chief Planning and Financial Officer, Colorado Springs Utilities.

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities.

Attachments:

2 - Colorado Spring Utilities - Revolving Loan Agreement Extension Ordinance

3 - 07.2022 CC - Revolving Loan Agreement (Line of Credit) Renewal

4A.E. <u>CPC PUZ</u> 22-00024

Ordinance No. 22-47 amending the zoning map of the City of Colorado Springs relating to 5.9-acres located at the intersection of Silver Rose Lane and Silversmith Road from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial, office, and residential, 20 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 35 feet east of the Silversmith Road and Silver Rose Lane intersection)

(Quasi-Judicial)

Related Files: CPC MP 06-00219-A11MJ22, CPC PUP 13-00033-A3MJ22

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Planning Director, Planning & Community Development

Attachments: ORD ZC FlyingHorseParcel22

Exhibit A - Legal Desc

Exhibit B - Zone Change

4A.F. <u>CPC PUZ</u> 22-00052

Ordinance No. 22-48 amending the zoning map of the City of Colorado Springs pertaining to 46.754 acres located at the southwest corner of West Fillmore Street and Centennial Boulevard from PUD/SS (Planned Unit Development: Commercial with Streamside Overlay) and OC (Office Commercial) to PUD/SS (Planned Unit Development: Residential, maximum density of 8 dwelling units per acre, maximum height of 55 feet, with Streamside Overlay)

(Quasi-judicial)

Related Files: CPC MPA 04-00043-A9MJ22, CPC PUP 22-00053

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community

Development

Peter Wysocki, Director, Planning and Community Development

Attachments: ORD ZC PikeView

Exhibit A - Legal Desc Exhibit B Zone Change

4A.G. <u>CPC V</u> 22-00070

Ordinance No. 22-49 vacating portions of a public right-of-way consisting of 0.037-acre of established tree lawn located south of the intersection of Hazel Avenue and 1st Street.

(Legislative)

Presenter:

Austin Cooper, Planner II, Planning and Community Development

Department

Peter Wysocki, Planning Director, Planning and Community

Development Department

Attachments: ORD VacationROW Hazel&1st

Exhibit A - Legal Desc

Exhibit B - FirstStreetVacationPlat

4A.H. CPC ZC Ordinance No. 22-50 amending the zoning map of the City of Colorado 22-00068

Springs relating to 5.261 acres located at 1951 Allegheny Drive from

PUD/R/HS (Planned Unit Development and Estate Single-Family

Residential with Hillside Overlay) to PF (Public Facilities).

(Quasi-Judicial)

Related File: CPC CP 22-00086

Presenter:

Peter Lange, Planner II, Planning and Community Development Peter Wysocki, Director, Planning and Community Development

ORD ZC CSUAllegheny Attachments:

> Exhibit A - Legal Desc Exhibit B - Zone Change

Staff Report CSU ALLEGHENY AND YELLOWPINE

4B. First Presentation:

4B.A. 22-510 City Council Regular Meeting Minutes July 12, 2022

Presenter:

Sarah B. Johnson, City Clerk

7-12-2022 City Council Meeting Minutes Final Attachments:

4B.B. 22-520 City Council Regular Meeting Minutes July 26, 2022

Presenter:

Sarah B. Johnson, City Clerk

7-26-2022 City Council Meeting Minutes Final Attachments:

4B.C. 22-513

The City Clerk reports that on July 25, 2022 there was filed with her a petition for the annexation of Villages at Waterview North Addition No. 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

Attachments:

Petition for Annexation Villages at Waterview North Add No 1

ANNEXATION LEGAL DESCRIPTION

Vicinity Map villages at waterview

WVN ADD1 annexation plat 6-24-22 Villages at Waterview

El20Paso 2021 36727 PHI Real Estate Services 35 Waterview North

El20Paso 2021 221009211 CPR Entitlements NW Waterview North

El20Paso 2021 221036607 CPR Entitlements 81,5 Waterview North

El20Paso 2021 221148575 PHI Real Estate Services QC15 Waterview North

El20Paso 2021 221223733 Schulz Partnership Waterview North

El20Paso 2021 221233917 Veteran Villa Operating Waterview North

4B.D. 22-524

The City Clerk reports that on July 28, 2022 there was filed with her a petition for the annexation of Villages at Crossroads Chapel Addition No. 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

Attachments:

Crossroads Chapel Addition No 1 - Petition

Crossroads Chapel Addition No 1 - Legal

Crossroads Chapel Addition No 1 - Vicinity Map

Crossroads Chapel Addition No 1 - Annexation Plat

4B.E. 22-502

A resolution finding a petition for annexation of the area known as Dublin North Addition No. 5 Annexation consisting of 5.89 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of September 13, 2022, for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Planning and Community Development Director

RES HearingDateDublinNorthNo5 Attachments:

Exhibit A Dublin North No 5 Petition

Vicinity Map Dublin North Addition No.5

4B.F. 22-461 A Resolution Authorizing the Disposal of Surplus City Property to the

One Logical, Potential Purchaser, Being the Directors of Peak Est. Time: 15

Metropolitan District No. 3 minutes

Presenter:

Greg Phillips, Director of Aviation, Colorado Springs Airport

Resolution Peak Metropolitan District 3 Directors Parcel 2022 07 25.docx Attachments:

Exhibit A Peak Metropolitan District 3 Peak Innovation Park Resolution 2022 07

Exhibit B Peak Metropolitan District 3 Directors Parcel Location Resolution 2022

Slideshow Peak Metropolitan District 3 Directors Parcel Resolution 2022 07 25.

4B.G. 22-420 A resolution declaring the intent of the City of Colorado Springs,

Colorado to issue revenue bonds in connection with financing residential Est. Time: 15

facilities for low-and middle-income families or persons

minutes

Presenter:

Katie Sunderlin, Senior Affordable Housing Coordinator Steve Posey, Community Development Division Manager Peter Wysocki, Director, Planning & Community Development

2022 Colorado Springs Carryforward Resolution Attachments:

PAB Carryforward 2022 CC Presentation

4B.H. 22-455

Est. Time: 10 minutes

An ordinance by the City of Colorado Springs, Colorado authorizing the issuance and delivery of its multifamily housing revenue bonds (Paloma Garden project) series 2022, in an aggregate amount not to exceed \$19,000,000, for the purpose of financing the acquisition, construction, improvement and equipping of a senior multifamily housing facility in the City of Colorado Springs, State of Colorado and to pay certain issuance expenses of such bonds; approving and authorizing execution of a financing agreement and a tax regulatory agreement with respect to the bonds; making findings and determinations with respect to the project and the bonds; authorizing the execution and delivery of related documents; and repealing all action heretofore taken in conflict herewith

Presenter:

Katie Sunderlin, Senior Affordable Housing Coordinator Steve Posey, Community Development Division Manager

John Bales, Fred Marienthal, Kutak Rock LLP

Peter Wysocki, Director of Planning and Community Development

Attachments: COS Paloma Garden 2022 Ordinance

CC PowePoint Paloma Garden 07252022

COS Paloma Garden 2022 Financing Agreement

COS Paloma Garden 2022 Tax Regulatory Agreement

4B.I. 22-491 An Ordinance amending Ordinance No. 21-112 (2022 Budget

Est. Time: 15 minutes

Appropriation Ordinance) for a Supplemental Appropriation to the General Fund in the amount of \$2,700,000 for establishing the Keep It Clean COS program which will proactively aim to reduce litter and

improve the appearance of public rights-of-way

Presenter:

Charae McDaniel, Chief Financial Officer Travis Easton, P.E., Director of Public Works

<u>Attachments:</u> <u>KeepltCleanORD-SupplApprop-2022-7-18</u>

4B.J. <u>CPC MP</u> <u>02-00254-A4</u> MJ22

A resolution of the City Council of the City of Colorado Springs, Colorado, approving a major amendment to the Powerwood 2 Master Plan located west of the intersection of Tutt Boulevard and Sorpresa Lane changing the land use designation from Commercial/Industrial to Multi-family Residential.

(Legislative)

Related Files: CPC ZC 22-00011, CPC CP 22-00012

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community

Development

Peter Wysocki, Director, Planning and Community Development

Attachments: RES Powerwood2MPA

Exhibit A - Powerwood 2 Master Plan

CPC Staff Report_Tutt Blvd Townhomes

Powerwood 2 Master Plan

Zone Change

Concept Plan

Project Statement

Neighbor Comments

Fiscal Impact Analysis

AAC Recomendation

Surrounding Use

Vision Map

Areas of Change

Vibrant Neighborhoods Framework1

7.5.408 Master Plan

4B.K. <u>CPC ZC</u> 22-00011

An ordinance amending the zoning map of the City of Colorado Springs relating to 13.361 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-Family Residential with Airport Overlay)

(Quasi-judicial)

Related Files: CPC MPA 02-00254-A4MJ22, CPC CP 22-00012

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community

Development

Peter Wysocki, Director, Planning and Community Development

Attachments: ORD_ZC_TuttBlvdTownhomes

Exhibit A - Legal Desc
Exhibit B - Zone Change
7.5.603.B Findings - ZC

4B.L. <u>CPC CP</u> 22-00012

Approve a concept plan for 13.45 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane for a multi-family development

(Quasi-judicial)

Related Files: CPC MPA 02-00254-A4MJ22, CPC ZC 22-00011

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community

Development

Peter Wysocki, Director, Planning and Community Development

Attachments: Concept Plan

7.5.501.E Concept Plans

4B.M. <u>CPC ZC</u> 22-00055

An ordinance amending the zoning map of the City of Colorado Springs relating to 0.38-acre located at 518-520 West Brookside Street from R-1 6000 (Single-Family Residential) to R-2 (Two-Family Residential) to August 9, 2022.

(Quasi-Judicial)

Related File: CPC CP 22-00056

Presenter:

Austin Cooper, Planner II, Planning & Community Development Peter Wysocki, Director, Planning & Community Development

Attachments:

ORD ZC 518-520WBrooksideSt

Exhibit A - Legal Description

Exhibit B - Zone Change Depiction

CPC Staff Report Brookside

Project Statement
Concept Plan

Vibrant Neighborhoods Framework

Vision Map

Land Use Types

<u>Aerial</u>

CPC Consent Minutes

4B.N. <u>CPC CP</u> 22-00056

A concept plan for 518-520 West Brookside Street to bring the existing duplexes into compliance.

(Quasi-Judicial)

Related Files: CPC CP 22-00056

Presenter:

Austin Cooper, Planner II, Planning & Community Development Peter Wysocki, Director, Planning & Community Development

<u>Attachments:</u> Concept Plan

7.5.501.E Concept Plans

5. Recognitions

5.A. 22-521 A Resolution recognizing August 12, 2022 as Julie Penrose Day

Est. Time: 10

minutes Presenter:

Stephannie Fortune, Councilmember District 3

<u>Attachments:</u> <u>Julie Penrose Day</u>

5.B. City Council Appointments to Boards, Commissions, and Committees

Est. Time: 10

minutes Presenter:

Tom Strand, Council President and Councilmember At Large

<u>Attachments:</u> 080922 Boards Commissions and Committee Appointments

6. Mayor's Business

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

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

11. New Business

11.A. 22-465 A Resolution Approving an Economic Development Agreement between

Est. Time: 15 the City of Colorado Springs and CS Dual Hotel, LLC

minutes

Presenter:

Bob Cope, Economic Development Officer

Attachments: Marriot EDA RES-2022-07-19

CS Dual Hotel Marriot EDA

Marriott City Council Presentation 7-25-22 - File 22-465

11.B. 22-462 A Resolution authorizing the Mayor to transfer funds within the General

Est. Time: 15 Fund to accommodate transfer of positions between departments to

minutes drive organizational efficiency

Presenter:

Charae McDaniel, Chief Financial Officer

Mike Sullivan, Chief Human Resources and Risk Officer

Attachments: PW-PR-TransferBudgetEfficiencyRES-2022-07-13

Improvement District Operating Plan and Budget

11.C. 22-279

Est. Time: 45 minutes

Resolution Rescinding Resolution Nos. 9-06, 83-14, 111-21 and 112-21 and Adopting a New Policy to be Applied to Applications to Create or Modify a District Authorized under Titles 31 And 32 of the Colorado Revised Statutes, Model Service Plans and a Model Business

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning &

Development Department

Peter Wysocki, Director of Planning and Community Development

<u>Attachments:</u> RES SpecialDistrictPolicyPlansBIDPlan-2022-06-22

Exhibit A 2022-07-05-SpecialDistrictPolicy

Exhibit B 2022-07-05-SingleDistrictModelServicePlan

Exhibit C 2022-07-05-Multiple-Disrict Model Service Plan

Exhibit D Model BID Operating Plan and Budget- 6-27-22 Draft

District Policy PowerPoint-7-12-22 Council Update

Recent Correspondence Addressed to All Council

Resolution 9-06

Resolution 111-21

Resolution 83-14

Resolution 112-21

21-18Citymetropolitandistrictaudit

Special District Working Group Membership

SpecialDistrictPolicyJan06

Staff Presentation

12. Public Hearing

12.A. <u>AR DP</u>

Est: Time: 4 minutes

An appeal of the Planning Commission's decision to deny a Development Plan (AR DP 21-00813) for a Kum & Go gas station, convenience store and associated parking and landscaping on a 1.04-acre site located at the southeast corner of south 8th street and West Brookside Street.

(Quasi-Judicial)

Related File: AR FP 21-00814

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Department

Peter Wysocki, Planning and Community Development Director,

Planning and Community Development Department

<u>Attachments:</u> CC AppealStatement Kum&Go

Staff Presentation Kum & Go Gas Station Appeal CC MDA 080922

Kum&GoCCPresentation

CC LetterUrbanStrategies

CPC StaffReport Kum&GoGasStationAppeal

Approval Letter Development Plan

Approved Plan Set

CPC Appeal Statement Urban Strategies

CPC kum&goappellantexhibit

CPC Appeal Statement Severson

CPC Applicant Appeal Response

CPC PublicComments

Additional Public Comments

BrooksideGardens JanelleWalters

Map of known nearby gas stations

Context Map

Vicinity Map

PlanCOS Vision Map

CPC Minutes Kum&Go draft

7.5.906 (B) Appeal of Commission-Board

7.5.502.E Development Plan Review

CC_PostponementRequest_Kum&Go

12.B. AR FP 21-09814. 45

ESt∵ 1 me: minutes An appeal of the Planning Commission's decision to deny a Final Plat (AR FP 21-00814) for a K & G Subdivision combining 5 parcels into one single parcel on a 1.04-acre site located at the southeast corner of south 8th street and West Brookside Street.

(Quasi-Judicial)

Related File: AR DP 21-00813

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Department

Peter Wysocki, Planning and Community Development Director,

Planning and Community Development Department

<u>Attachments:</u> Approved Final Plat

7.5.906 (B) Appeal of Commission-Board

7.5.906 (A)(4) Administrative Appeal

7.7.303 Final Plat Requirements

7.7.305 Replat Requirements

13. Added Item Agenda

14. Executive Session

15. Adjourn