City of Colorado Springs



Regular Meeting Agenda - Final-revised City Council

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

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Tuesday, October 11, 2022

10:00 AM

Council Chambers

How to Watch the Meeting

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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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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

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.)

Final-revised

4A. Second Presentation:

4A.A. CPC ZC 22-00097 Ordinance No. 22-65 amending the zoning map of the City of Colorado Springs relating to 7.98 acres located at the intersection of Hidden Pool Heights and Democracy Point from PUD (Planned Unit Development) to PK (Public Park)

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Director, Planning & Community Development

ORD ZC VictoryPark Attachments:

> Exhibit A - Legal Desc Exhibit B - Zone Depict

CPC Report Victory Ridge Park

Project Statment

Victory Ridge Zone Change

Vision Map

CPC Minutes ConsentCalendar

7.5.603.B Findings - ZC

4A.B. 22-569

Ordinance No. 22-66 Creating Section 451 (Retail Delivery Fees) of Part 4 (Exempt Transactions, Commodities and Persons; Deductions) 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 Retail Delivery Fees

Presenter:

Charae McDaniel, Chief Financial Officer

SalesTax-ExemptDeliveryFeeORD-2022-08-24 Attachments:

4A.C. <u>22-654</u> Ordinance No. 22-67 amending Ordinance No. 21-112 (2022

Appropriation Ordinance) for a supplemental appropriation to the Lodgers and Automobile Rental Tax (LART) Fund in the amount of \$300,000 for the United States Olympic and Paralympic Museum (USOPM) 2022 Hall of Fame Festival event as recommended by the

LART Citizen Advisory Committee

Presenter:

Charae McDaniel, Chief Financial Officer

PK McPherson, Chair, LART Citizen Advisory Committee

Attachments: LART-USOPM-HOF-ORD-2022-09-07

4B. First Presentation:

4B.A. 22-653 City Council Regular Meeting Minutes September 27, 2022

Presenter:

Sarah B. Johnson, City Clerk

<u>Attachments:</u> 9-27-2022 City Council Meeting Minutes Final

4B.B. 22-570 An Ordinance Amending Ordinance No. 21-112 (2022 Appropriation

Ordinance) for a Supplemental Appropriation to the Cemetery

Enterprise Fund in the Amount of \$1,026,546 to Fund Additional 2022 Operating Expenditures, and to the Cemetery Endowment Fund in the Amount of \$368,968 for a Transfer to the Cemetery Enterprise Fund to

Fund a Portion of Additional 2022 Operating Expenditures

Presenter:

Britt Haley, Acting Parks, Recreation and Cultural Services Director

Kim King, Recreation and Administration Manager

Chris Fiandaca, City Budget Manager

<u>Attachments:</u> 9-26-22 - Cemetery Supplemental Appropriation PowerPoint

ORD-Cemetery Supplemental Appropriation-2022-09-14

4B.C. 22-578 An Ordinance Certifying Delinquent Stormwater Fees and Charges to

the El Paso County Treasurer for Collection

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager

Attachments: Ordinance StormwaterFees-Certification

Exhibit A.pdf

4B.D. 22-589 An Ordinance amending Ordinance No. 79-241 (Ordinance creating Old

Colorado City Security and Maintenance District) to delete the

requirement to secure and maintain parking lots

Presenter:

Scott Lee, Parking Director, Parking Enterprise

<u>Attachments:</u> OCC SecurityMaintDistrictAmendORD-2022-07-26

Exhibit A - OCC Parking Lot List

Exhibit B - OCC Parking Lots - Map Updated 7-19-22

Exhibit C - Storage container parking locations

TPS Report DRAFT 07-06-2022 FINAL (003).EB 8.9 KB 8.17

4B.E. 22-564 An Ordinance Repealing Section 1006 (Board Created; Appointments)

And Section 1007 (Power and Duties) Of Part 10 (Public Safety Sales

And Use Tax Fund) Of Article 6 (City Funds) Of Chapter 1

(Administration, Personnel, And Finance) Of The Code Of The City Of Colorado Springs 2001, As Amended, Pertaining To The Public Safety

Sales Tax Oversight Committee

Presenter:

Bill Murray, Councilmember At Large Wayne Williams, Councilmember At Large Charae McDaniel, Chief Financial Officer

Attachments: PSST-ORD-2022-08-10

4B.F. 22-646 An Ordinance amending Section 106 (Sale of Unclaimed Vehicles) of

Article 25 (Removal and Impoundment of Vehicles) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs, as

Amended, Pertaining to Sale of Unclaimed Vehicles.

Presenter:

Commander John Koch, Colorado Springs Police Department

Jennifer Underwood, CSPD Evidence/Impound Manager

Frederick Stein, Public Safety City Attorney

<u>Attachments:</u> <u>CSPD-VehicleEvidenceCh10-2022-09-14</u>

2022 Impound Ordinance City Council Powerpoint

4B.G. <u>CPC ZC</u> 22-00087

An ordinance amending the zoning map of the City of Colorado Springs relating to 0.734 acres located on the southeast corner of North Parkside Drive and East Bijou Street from OC/R-1 6000 (Office Complex/Single-Family Residential) to OC (Office Complex)

(Quasi-Judicial)

Related File: CPC DP 22-00088

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Peter Wysocki, Planning Director, Planning and Community

Development

Attachments: ORD ZC Parkside32

Exhibit A - Legal

Exhibit B - Zone Depiction

Consent Item City Council STAFF Presentation Parkside 32 Multi-Family MD.

CPC Staff Report Parkside 32 Multi-Family

Parkside 32 Project Statement

Zone Change

Development Plan

Floor Plans

PlanCOS Vision Map_Parkside 32 Multi-Family Project

Surrounding Uses

Public Comment

Public Response

CPC Minutes Consent 09.14.22

7.5.603.B Findings - ZC

4B.H. <u>CPC DP</u> 22-00088

A development plan for Parkside 32 converting the existing commercial building into a multi-family residential development consisting of 32 apartments on 0.734 acres located at 125 North Parkside Drive.

(Quasi-Judicial)

Related Files: CPC ZC 22-00087 & CPC DP 22-00088

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Peter Wysocki, Planning Director, Planning and Community

Development

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

Floor Plans

7.5.502.E Development Plan Review

4B.I. <u>CPC MPA</u> <u>00-00103-A4</u>

MN22

A minor amendment to the Mesa Springs Community Plan for a reduction in density from Medium-High Density Residential (12-16 dwelling units per acre) to Medium Density Residential (6-12 dwelling units per acre).

(Quasi-Judicial)

Related Files: CPC PUZ 21-00143, CPC PUD 21-00144

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community

Development

Peter Wysocki, Planning Director, Planning and Community

Development

Attachments: CPC Staff Report Centennial North RGS

Centennial North Staff Presentation RGS

Mesa Springs Community Plan Minor Amendment

Project Statement

Centennial North Zone Change Exhibit
Centennial North PUD Development Plan

Surounding Uses
Neighbor Comments

<u>Aerial</u>

CPC Minutes Consent 09.14.22 DRAFT

7.5.408 Master Plan

Regular Meeting Agenda - Final-revised

4B.J. <u>CPC PUZ</u> 21-00143

An ordinance amending the zoning map of the City of Colorado Springs relating to 5.814 acres located approximately 420 feet northeast of the Centennial Boulevard and Mesa Valley Road intersection from PUD/HS (Planned Unit Development with Hillside Overlay) to PUD/HS (Planned Unit Development: Multi-Family Residential, 9 maximum dwelling units per acre, and 50 foot maximum building height with Hillside Overlay) zone

(Quasi-Judicial)

Related Files: CPC MPA 00-00103-A4MN22, CPC PUD 21-00144

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community

Development

Peter Wysocki, Planning Director, Planning and Community

Development

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

Exhibit A - Legal Desc Exhibit B - Zone Depict

7.3.603 Establishment & Development of a PUD Zone

7.5.603.B Findings - ZC

4B.K. <u>CPC PUD</u> 21-00144

A Planned Unit Development for Centennial North allowing 47-townhome units on a 5.8-acre site, located approximately 420 feet north of the Centennial Blvd and Mesa Valley Road intersection

(Quasi-Judicial)

Related Files: CPC MPA 00-00103-A4MN22, CPC PUZ 21-00143

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community

Development

Peter Wysocki, Planning Director, Planning and Community

Development

<u>Attachments:</u> Centennial North PUD Development Plan

7.3.606 PUD Development Plan

7.5.502.E Development Plan Review

Regular Meeting Agenda - Final-revised

4B.L. <u>CPC ZC</u> 22-00126

An ordinance amending Ordinance 10-1 (An ordinance amending the zoning map of the City of Colorado Springs relating to 50.2 acres located southwest of North Powers Boulevard and East Woodmen Road) to delete condition of record No. 6 related to specific sign regulations on parcels 6312115009, 6312100021, 6312100023, 6312115001, 6312115007, 6312115008, and 6312116004 consisting of 21.38 acres

Related File: CP 05-00100-6MN22

Presenter:

Tamara Baxter, Senior Planner with Central Team, Planning &

Community Development

Peter Wysocki, Director of Planning and Community Development

<u>Attachments:</u> ORD ZC Woodmen&Powers

Exhibit A - Legal Desc

Woodmen and Powers Crossing TPB

Ordinance 10-1

CPC Staff Report Woodmen and Powers

Zone Change Exhibit

Concept Plan Amendment

Project Statement

Context Map

PlanCOS Vision Map

CPC Minutes Consent 09.14.22

7.5.603.B Findings - ZC

7.3.507. PlannedProvisionalOverlayCR

4B.M. <u>CPC CP</u> 05-00100-A6

MN22

A minor amendment to the Woodmen and Powers Crossing concept plan located at the southwest corner of East Woodmen Road and North Powers Roulevard to amend site apositio signage restrictions

Powers Boulevard to amend site-specific signage restrictions

Related File: CPC ZC 22-00126

Presenter:

Tamara Baxter, Senior Planner with Central Team, Planning &

Community Development

Peter Wysocki, Director of Planning and Community Development

Attachments: Concept Plan Amendment

7.5.501.E Concept Plans

Regular Meeting Agenda - Final-revised

4B.N. <u>CPC MP</u> <u>01-00147-A7</u> MJ22

A Resolution approving a major master plan amendment to the Greenbriar/Powerwood Master Plan changing land use designations from Industrial to Multifamily Residential (25+ dwelling units per acre) use consisting of 5.6 acres located at 7044 Tutt Boulevard.

(Legislative)

Related files: CPC CU 22-00113 and CPC R 22-00138

Presenter:

Daniel Besinaiz, Senior Planner, Planning & Community Development Peter Wysocki, Director, Planning & Community Development

Attachments: RES Greenbriar-PowerwoodMPA StoneMesaFlats

Exhibit A - Greenbriar-PowerwoodMPA

City Council Powerpoint Stone Mesa Flats DCB

Stone Mesa CPC Staff Report

Stone Mesa Flats Development Plan
Stone Mesa Flats Project Statement

PlanCOS Vision Map

Master Plan Amendment

7.5.408 Master Plan

4B.O. <u>CPC CU</u> 22-00113

A conditional use development plan for Stone Mesa Flats allowing a 158-unit multi-family development with ancillary site improvements in the M-1/AO (Light Industrial with Airport Overlay) zone district located at 7044 Tutt Boulevard.

Related Files: CPC MP 01-00147-A7MJ22, CPC R 22-00138

Presenter:

Daniel Besinaiz, Senior Planner, Planning & Community Development Peter Wysocki, Director, Planning & Community Development

<u>Attachments:</u> Stone Mesa Flats Development Plan

7.5.704 Conditional Use Review
7.5.502.E Development Plan Review

4B.P. <u>CPC R</u> 22-00138

An administrative relief to increase the maximum building height allowed for multi-family residential developments in the M-1 zoning district from 45 feet to 51 feet, 9 inches for a proposed 158-unit multi-family residential development located at 7044 Tutt Boulevard.

(Quasi-judicial)

Related files: CPC MP 01-00147-A7MJ22 and CPC CU 22-00113

Presenter:

Daniel Besinaiz, Senior Planner, Planning & Community Development Peter Wysocki, Director, Planning & Community Development

<u>Attachments:</u> 7.3.204 OC-Industrial-SpecPurpose Development Standards

7.5.1102 FindingsNecessaryToGrantAdminRelief

4B.Q. 22-456 A resolution finding a petition for annexation of the area known as Amara

Addition Nos. 1 - 11 Annexation consisting of 3,225.486 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of November 22, 2022, for the Colorado Springs City

Council to consider the annexation of the area.

(Legislative)

Presenter:

Katie Carleo, Land Use Planning Manager, Planning & Community

Development

Peter Wysocki, Planning and Community Development Director

Attachments: Resolution Setting Hearing Amara Annexation

EXHIBIT A Amara Annexation Petition Add. Nos. 1-11

Amara Annexation Legal Descriptions (all)

Attachment Amara Annexation Add. No. 1-11

Clerk Memo to Advertise Amara Annexation 9.28.22

PUBLIC NOTICE_Amara Annexation

Attachment Amara Annexation Vicinity

Vicinity Amara Annexation

02R-AMARA ADDITION NO 11 LA PLATA CRUZ HOLDINGS 10-06-22

13R2-AMARA ADDITION NO. 11 TEE CROSS RANCHES 10-06-22

4B.R. <u>22-645</u>

A resolution finding a petition for annexation of the area known as Extol Park Vista Addition No. 1 consisting of 0.942 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of November 22, 2022, for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Planning and Community Development Director

Attachments: RES SettingHearingDate ExtolParkVista

Exhibit A - Petition for Annexation

Annexation Plat

Extol Addition No. 1 - Vicinity Map

4B.S. 22-644

A resolution finding a petition for annexation of the area known as Park Vista Addition No. 5B consisting of 0.579 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of November 22, 2022, for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community

Development

Peter Wysocki, Planning and Community Development Director

<u>Attachments:</u> RES SettingHearingDate ParkVistaAdd5B

Exhibit A - Petition for Annex

Annexation Plat
Vicinity Map

21047 5B Stmnt of Authority MPB Inc

5. Recognitions

5.A. 22-648 A Resolution to support October 2022 as Fire Prevention Month in the

Est. Time: 10 City of Colorado Springs.

minutes

Presenter:

Nancy Henjum, Councilmember District 5

Brett Lacey, Fire Marshal, Colorado Springs Fire Department Sunny Smaldino, Community Education & Outreach Supervisor,

Colorado Springs Fire Department

<u>Attachments:</u> 2022 CSFD Fire Prevention Month Resolution- cm

5.B. <u>22-662</u> A Resolution In recognition of National Disability Employment

Est. Time: 15 Awareness Month, October 2022.

Minutes

Presenter:

Tom Strand, Council President.

<u>Attachments:</u> Disability Employment Awareness Month 2022 Resolution

5.C. <u>22-657</u> A Resolution recognizing October 2022 as National Cybersecurity

Est. Time: 10 Awareness Month

minutes

Presenter:

Wayne Williams, Councilmember At Large

Dusty Dezell, IT Cybersecurity Manager, City of Colorado Springs

Frank Swanson, Senior Cybersecurity Analyst, City of Colorado Springs

<u>Attachments:</u> <u>Cybersecurity Awareness Month</u>

5.D. <u>22-632</u> Appointments to City Council Boards, Commissions, and Committees

Est. Time: 10

minutes Presenter:

Tom Strand, Council President and Councilmember At Large

<u>Attachments:</u> 101122 Boards Commissions and Committee Appointments R

6. Mayor's Business

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

8. Items Called Off Consent Calendar

9. Utilities Business

Final-revised

22-486 9.A.

Est. Time: 30

mins

A Resolution Approving an Intergovernmental Agreement by and between the City of Colorado Springs, Colorado, acting by and through its enterprise Colorado Springs Utilities, and Bent County, Colorado

Presenter:

Abigail Ortega, General Manager of Planning, Colorado Springs Utilities Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Bent County IGA Resolution Attachments:

Bent County IGA - Combined 9-20-22

Bent County IGA CC Presentation 10-11-22

9.B. 22-535 A Resolution Authorizing the Purchase of Fort Lyon Canal Company

Est. Time: 15 minutes

Stock Owned by Arkansas River Farms for Colorado Springs Utilities and Authorizing the Filing of Water Court Applications for Changes of

Water Rights and Appropriative Rights of Exchange

Presenter:

Abigail Ortega, General Manager of Planning, Colorado Springs Utilities Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: City Council Resolution ARF 10-11-22

Water Acquisition CC Presentation 10-11-22

22-544 9.C. A Resolution Authorizing the Purchase of Fort Lyon Canal Company

Est. Time: 15

minutes

Stock Owned by Thaddeus Wertz and Sierra Wertz for Colorado Springs Utilities and Authorizing the Filing of Water Court Applications for Changes of Water Rights and Appropriative Rights of Exchange

Presenter:

Abigail Ortega, General Manager of Planning, Colorado Springs Utilities Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

City Council Resolution Wertz 10-11-22 Attachments:

10. Unfinished Business

10.A. <u>CPC PUZ</u>

23109057: 10 minutes

Ordinance No. 22-68 amending the zoning map of the City of Colorado Springs relating to 11.925 acres from A (Agricultural) to PUD (Planned Unit Development: Residential, 29 dwelling units per acre, and 38 feet to 43 feet maximum building height)

(Quasi-Judicial)

Presenter:

William Gray, Senior Planner, Planning & Community Development Peter Wysocki, Director, Planning & Community Development

<u>Attachments:</u> <u>Exhibit A - Legal</u>

Exhibit B - Zone Change 09.13.22
Spectrum Loop - WEG Presentation

AppealStatment

Concept Plan Revised_9.13.22

NewPerspective 9.13.22

Traffic Impact Study 09.12.22

CPC Staff Report Spectrum Loop Multi-Family

Project Statement
Public Comment

Public Comment Response

Context Map
Vicinity Map

CPC Minutes SpectrumLoop

Exhibit B - Zone Change CPC

Concept Plan CPC

PlanCOS Vision Map

7.3.603 Establishment & Development of a PUD Zone

7.5.603.B Findings - ZC

7.5.906 (B) Appeal of Commission-Board

11. New Business

11.A. 22-649 A Resolution by City Council opposing the November 8, 2022,

Est. Time: 20 Minutes Coordinated Election ballot question regarding the legalization of retail/recreational marijuana establishments within the City of Colorado Springs

Presenter:

Tom Strand, Council President and Councilmember At Large

Dave Donelson, Councilmember District 3

<u>Attachments:</u> Opposistion of Retail MJ-10-5-22 FINAL

12. Public Hearing

13. Added Item Agenda

14. Executive Session

22-674

In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open

Meetings Act, C.R.S. § 24-6-402(4)(a), (b) and (e), the City Council, in Open

Session, is to determine whether it will hold a Closed Executive Session.

The

issue to be discussed involves consultation with the City Attorney, discussing

strategy for negotiations and instructing negotiators regarding a sale of land from

Peak Innovation Park by the airport.

The President of Council shall poll the City Councilmembers, and, upon consent

of two-thirds of the members present, may conduct a Closed Executive Session.

In the event any City Councilmember is participating electronically or telephonically in the Closed Executive Session, each City Councilmember

participating in the Closed Executive Session shall affirmatively state for the

record that no other member of the public not authorized to participate in the

Closed Executive Session is present or able to hear the matters discussed as

part of the Closed Executive Session. If consent to the Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn

from consideration.

Presenter:

Wynetta Massey, City Attorney

Attachments: 101022-Closed Session

15. Adjourn

16. General Improvement Districts:

Following adjournment of the regular City Council meeting, City Council shall reconvene as the Colorado Springs Board of Directors of the Briargate General Improvement District, for action on the following item:

A. <u>22-376</u>

Est. Time: 3 minutes

Request to set November 8, 2022 as the Public Hearing date for consideration of adopting the proposed 2023 Colorado Springs Briargate General Improvement District Budget and to advertise as

required by law

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: 2023 Briargate GID Budget

Following adjournment of the Colorado Springs Board of Directors for the Briargate General Improvement District, City Council shall reconvene as the Colorado Springs Board of Directors of the Briargate General Improvement District, 2021 for action on the following item:

A. <u>22-377</u>

Est. Time: 4 minutes

Request to set November 8, 2022 as the Public Hearing date for consideration of adopting the proposed 2023 Colorado Springs Briargate General Improvement District 2021 Budget and to advertise

as required by law

Presenter:

Charae McDaniel, Chief Financial Officer

Eric Becker, Acting Park Maintenance and Operations Manager

Attachments: 2023 Briargate GID 2021 Budget

Following adjournment of the Colorado Springs Board of Directors of the Briargate General Improvement District 2021, City Council shall reconvene as the Colorado Springs Board of Directors of the Marketplace at Austin Bluffs General Improvement District, for action on the following item:

A. <u>22-378</u>

Est. Time: 3 minutes

Request to set November 8, 2022 as the Public Hearing date for consideration of adopting the proposed 2023 Colorado Springs

Marketplace at Austin Bluffs General Improvement District Budget and to

advertise as required by law

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: MAB GID Budget 2023

17. Adjourn