Regular Meeting Agenda - Final  
City Council

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.

Tuesday, June 28, 2016  
1:00 PM  
Council Chambers

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 LUM 16-00003  
       Ordinance 16-61 amending the Comprehensive Plan 2020 Land Use Map reflecting changes from July 1, 2013 through June 30, 2015. - Legislative

       Presenter:  
       Carl Schueler, Comprehensive Planning Manager, Planning & Development Department

       Attachments:  
       1- Ord_2020 Land Use Amendment  
       2- Updated 2020 LU Map

4B. First Presentation:

4B.A.  16-445  
       City Council Meeting Minutes June 14, 2016

       Presenter:  
       Sarah Johnson, City Clerk

       Attachments:  
       2016-06-14 Minutes Draft
4B.B. 16-452 Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: 062816 Boards and Commissions

4B.C. 16-431 A Resolution Approving an Agreement Providing Water and Wastewater Service to Land Located Outside the City Limits of Colorado Springs and Agreement to Annex for 5435 Turquoise Drive in Park Vista Estates Addition

Presenter:
Brian Whitehead, Systems Extensions Manager, Water Services Division
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: Agreement to Annex - 5435 Turquoise Dr (Signed)
Resolution - 5435 Turquoise Dr
PDF Map - 5435 Turquoise Dr
WW Capacity to Serve Letter - 5435 Turquoise Dr.pdf
Water Capacity to Serve Letter - 5435 Turquoise Dr.pdf
Letter of Request - 5435 Turquoise Dr

4B.D. 16-442 A Resolution Approving an Agreement Providing Water and Wastewater Service to Land Located Outside the City Limits of Colorado Springs and Agreement to Annex for 5335 Turquoise Drive in Park Vista Estates Addition

Presenter:
Brian Whitehead, Systems Extensions Manager, Water Services Division
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: Resolution - 5335 Turquoise Dr
Agreement to Annex - 5335 Turquoise Dr (Signed)
Wastewater Capacity to Serve Letter - 5335 Turquoise Dr
Water Capacity to Serve Letter - 5335 Turquoise Dr
PDF map - 5335 Turquoise Drive 8-4-15
Formal Request Letter (E-Mail) - 5335 Turquoise Dr
4B.E. 16-432 A Resolution Authorizing Colorado Springs Utilities to take all actions necessary to remove certain water rights from the State of Colorado's Water Rights Tabulation

Presenter:
Wayne Vanderschuere, Planning Engineering and Resource General Manager, Water Services
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: 2-Resolution-Chilcott Reamy Abandon Water Rights 6-28-16

4B.F. 16-433 A Resolution Authorizing the Filing of Water Court Applications for Change of Water Rights, Augmentation Plan and Appropriative Rights of Exchange related to the City of Colorado Springs' Interests in Water Rights of the Chilcott Ditch Company

Presenter:
Wayne Vanderschuere, Planning Engineering and Resource General Manager, Water Services Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: 4-Resolution-Chilcott Reamy Change Case 6-28-16

4B.G. CPC MPA 06-00206-A7 MJ16 A major amendment to the Woodmen Heights Master Plan changing the land use designation of 13.3 acres from Neighborhood Commercial/Office to Residential (16-24.99 Dwelling Units per Acre).

(Legislative)

Related Files: CPC ZC 16-00028, CPC PUZ 16-00031, CPC CP 16-00033, CPC PUD 16-00034

Presenter:
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments:  CPC Staff Report, Copper Range Apts
Figure 1 - PUD Development Plan-Site Plan
Figure 2 - Project Statement
Figure 3 - Immediate Abutters Comments
Figure 4 - Neighbor's Comments
Figure 5 - Concept Plan
Vicinity Map
7.5.408 MASTER PLAN REVIEW CRITERIA
05.19.16 CPC_Minutes_CopperRange
4B.H. **CPC ZC 16-00028** 

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 3.8 acres located to the northeast of the Black Forest Road and Woodmen Road intersection from A/AO (Agricultural with Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MPA 06-00206-A7MJ16, CPC PUZ 16-00031, CPC CP 16-00033, CPC PUD 16-00034

Presenter:
Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:**
- ZC_ORD_Copper_PBC-AO
- Exhibit A_Legal Description - PBC Zone Change
- Exhibit B_Layout_PBC Zone Change
- 7.5.603 Criteria for granting zone changes

4B.I. **CPC PUZ 16-00031** 

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 13.3 acres located to the northeast of the Black Forest Road and Woodmen Road intersection from A/AO (Agricultural with Airport Overlay) to PUD/AO (Planned Unit Development with Airport Overlay: Multi-Family Residential land use, 18.1 dwelling units per acre, 45-foot height maximum).

(Quasi-Judicial)

Presenter:
Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:**
- ZC_ORD_PUD_Copper
- Exhibit A_Legal Description - PUD Zone Change
- Exhibit B_Layout_PUD Zone Change
- Vicinity Map
- 7.3.603 Establishment & Development of a PUD Zone
- 7.5.603 Criteria for granting zone changes
4B.J. CPC PUD 16-00034

The Copper Range Apartments PUD development pertaining to 13.3 acres for a multi-family residential development with 240 dwelling units contained within 10 multi-family buildings, located near the Black Forest Road and Woodmen Road intersection.

(Quasi-Judicial)

Related Files: MPA 06-00206-A7MJ16, CPC ZC 16-00028, CPC PUZ 16-00031, CPC CP 16-00033

Presenter:
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments:
Figure 1 - PUD Development Plan-Site Plan
7.5.502.E Development Plan Review
7.3.606 PUD Development Plan

4B.K. CPC ZC 16-00053

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 10.5 acres located 0.2 miles east of the intersection of South Academy Boulevard and Academy Park Loop from PBC/HR/AO (Planned Business Center with High Rise and Airport Overlay) to PF/AO (Public Facility with Airport Overlay).

(Quasi-Judicial)

Presenter:
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments:
CPC staff report - Sand Creek Police Substation - LT
FIGURE 1 - Project Statement
05.19.16 CPC_Minutes_SandCreekSub
ZC_ORD_SandCreekSub
Exhibit A - Property Legal
Exhibit B - ROW Legal
Exhibit C - Depiction
7.5.603.B Establishment or change of zone district boundaries
4B.L.  **CPC MP 87-000381-A1 5MJ16**  

A major amendment to the Banning Lewis Ranch Master Plan changing the land use of 153 acres from Industrial to Neighborhood Commercial and Residential.  

(Legislative)  

Related Files:  CPC PUZ 16-00010, CPC PUZ 16-00011, CPC PUP 16-00013  

Presenter:  
Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development  

**Attachments:**  
BLR_Enclaves Staff Report  
FIGURE 1-Master Plan  
FIGURE 2-Concept Plan  
FIGURE 3-Project Statement  
7.5.408 MASTER PLAN REVIEW CRITERIA  
05.19.16 Minutes_Enclaves  

4B.M.  **CPC PUZ 16-00010**  

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 135.63 acres located east of Marksheffel Boulevard and south of the Barnes Road extension from PIP-2/SS/AO (Planned Industrial Park with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: Residential - 3.5 - 7.99 dwelling units per acre with a maximum building height of 36 feet with Streamside and Airport Overlays).  

(Quasi-Judicial)  

Related Files:  CPC MP 87-000381-A15MJ16, CPC PUZ 16-00011, CPC PUP 16-00013  

Presenter:  
Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development  

**Attachments:**  
ZC_ORD_PUD-135.63  
Exhibit A_Residential Legal  
Exhibit B Vicinity Map  
7.3.603 Establishment & Development of a PUD Zone  
7.5.603 Criteria for granting zone changes
4B.N.  **CPC PUZ 16-00011**  
An ordinance amending the zoning map of the City of Colorado Springs pertaining to 17.7 acres located east of Marksheffel Boulevard and south of the Barnes Road extension from PIP-2/SS/AO (Planned Industrial Park with Streamside and Airport Overlays) to PBC/AO (Planned Business Center with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-000381-A15MJ16, CPC PUZ 16-00010, CPC PUP 16-00013

Presenter: Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development

**Attachments:**
- ZC_ORD_PBC_17.7
- Exhibit A. Commercial Legal
- Exhibit B. Vicinity Map
- 7.5.603 Criteria for granting zone changes

4B.O.  **CPC PUP 16-00013**  
The Enclaves at Mountain Vista Concept Plan illustrating the future development of residential single-family attached and detached, parks, open space and school site with supporting neighborhood commercial located east of Marksheffel Boulevard and south of the Barnes Road extension in Banning Lewis Ranch.

(Quasi-Judicial)

Related Files: CPC MP 87-000381-A15MJ16, CPC PUZ 16-00010, CPC PUZ 16-00011

Presenter: Meggan Herington, Planning Manager for LUR/DRE, Planning and Community Development

**Attachments:**
- FIGURE 2. Concept Plan
- 7.3.605 PUD Concept Plan
4B.P.  CPC ZC 16-00037  An ordinance amending the zoning map of the City of Colorado Springs pertaining to 3.81 acres located northwest of East Woodmen Road and Campus Drive from OC (Office Complex) to PBC (Planned Business Center).

(Quasi-Judicial)

Related File:  CPC CP 16-00038

Presenter:
Katie Carleo, Principal Planner, Planning and Community Development

Attachments:
- ZC_ORD_ViewHouse
- Exhibit A_Legal
- Exhibit B_PBC Zone Change Layout
- ViewHouse CPC Staff Report
- FIGURE 1_Concept Plan
- FIGURE 2_Project Statement
- FIGURE 3_Neighborhood Comments
- FIGURE 4_Zone Change
- 05.19.16 Minutes_ViewHouse
- 7.5.603 Criteria for granting zone changes

4B.Q.  CPC CP 16-00038  The ViewHouse concept plan for the redevelopment of an existing bank and office building to a restaurant and office building.

(Quasi-Judicial)

Related Files:  Related File:  CPC ZC 16-00037

Presenter:
Katie Carleo, Principal Planner, Planning and Community Development

Attachments:
- FIGURE 1_Concept Plan
- 7.5.501.E Concept Plans
4B.R. 16-414

An ordinance amending Section 201 (Definitions) and 213 (Economic Development Agreements) of Part 2 (General Provisions) of Article 1 (Municipal Airport Advisory Commission) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as amended, authorizing economic development agreements with businesses performing commercial activities at the Colorado Springs Airport

Presenter:
Dan Gallagher, Director of Aviation, Colorado Springs Airport

Attachments: AAC Ltr of Support 2.pdf
Chapter14EDAOrd201.docx

4B.S. 16-415

An ordinance amending Section 102 (Definitions) of Article 12 (Economic Development Agreements) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to commercial activity

Presenter:
Dan Gallagher, Director of Aviation, Colorado Springs Airport

Attachments: AAC Ltr of Support 2.pdf
Chapter2EDAOrd 12.docx

4B.T. 16-435

Consideration of Decision and Order and a Resolution Regarding Changes to Electric Rate Schedule, Industrial Service - Time-of-Day 1,000 kWh/day Minimum (ETL) Rates within the Service Areas of Colorado Springs Utilities

Presenter:
Sonya Thieme, Pricing Manager
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: ETL_Electric_D&O-6-17-16
ETL Resolution-Final
Tariff Sheet 09 - Final
Tariff Sheet 09 - Redlined

5. Recognitions
5.A. **16-450**

A Resolution of Appreciation for Patricia A. McFarland on the Occasion of her Retirement as the Division Supervisor of Finance - Accounts Payable with the City of Colorado Springs

Presenter:
Merv Bennett, City Council President

*Attachments: Retirement Resolution - McFarland.docx*

5.B. **16-423**

A Resolution Designating July as National Park and Recreation Month

Presenter:
Karen Palus, Director of Parks, Recreation and Cultural Services

*Attachments: 062816 - 2016 Park and Rec Month Resolution*

6. **Citizen Discussion**

7. **Mayor's Business**

8. **Items Called Off Consent Calendar**

9. **Utilities Business**

10. **Unfinished Business**
10.A. **CPC A 15-00060**

Ordinance No. 16-62 annexing to the City of Colorado Springs that area known as Kum and Go Store 685 consisting of 7.711 acres located at the northwest corner of Powers Boulevard and Dublin Boulevard.

(Legislative)

Related Files: CPC ZC 15-00081

Presenter:

Michael Schultz, Principal Planner, Land Use Review

**Attachments:**

- Annexation Ordinance_KumGo685
- Exhibit A_Annex-Legal
- Exhibit B_Kum and Go Store 685 Annexation Agreement
- Kum and Go Annexation Staff Report
- Figure 1 - Project Statement
- Figure 2 - Annexation Plat
- Figure 3 - Fiscal Impact Analysis
- Criteria-7.6.203-Annexation Conditions
- 04.21.16 CPC Minutes_Kum&Go685

10.B. **CPC ZC 15-00081**

Ordinance No. 16-63 establishing the PBC/AO (Planned Business Center with Airport Overlay) pertaining to 4.611 acres located at the northwest corner of Powers Boulevard and Dublin Boulevard.

Related Files: CPC A 15-00060

Presenter:

Michael Schultz, Principal Planner, Land Use Review

**Attachments:**

- Ordinance_ZC_Kum&Go685_Annex
- Exhibit A_Kum and Go 685 Zone Change Legal Description
- 7.5.603 Criteria for granting zone changes

11. **New Business**
11.A. **CPC A 16-00020**
An Ordinance Annexing to the City of Colorado Springs that Area Known as Mohl Hollow Consisting of 1.26 acres Located at the Southeast Corner of Vincent Drive and Dublin Boulevard.

(Legislative)

Related File: CPC ZC 16-00021

Presenter:
Meggan Herington, AICP, Planning Manager
Peter Wysocki, Planning and Development Director, Planning and Community Development Department

**Attachments:**
- Annexation Ordinance_Mohl Hollow
- Exhibit A_Legal_Annexation
- Mohl Annexation_Staff Report
- Mohl Hollow Annexation Plat
- FIGURE 2-Project Statement
- FIGURE 3-Enclave Map
- 7.6.203-Annexation Conditions
- 05.19.16 Minutes_Mohl Hollow

11.B. **CPC ZC 16-00021**
An Ordinance Amending the Zoning Map of the City of Colorado Springs Relating to 1.26 Acres Located at the Southeast Corner of Vincent Drive and Dublin Boulevard Establishing the A Zone District.

(Legislative)

Related File: CPC A 16-00020

Presenter:
Meggan Herington, AICP, Planning Manager
Peter Wysocki, Planning and Development Director, Planning and Community Development Department

**Attachments:**
- Annex_ZC_Ordinance_Mohl Hollow
- Exhibit A_Legal-Zoning
- 7.5.603.B Establishment or change of zone district boundaries

12. **Public Hearing**

13. **Added Item Agenda**
13.A. **CPC CP 16-00033**

Woodmen Heights Commercial/Office concept plan pertaining to 3.8 acres illustrating two commercial development sites with associated surface parking areas, located at the Black Forest Road and Woodmen Road intersection.

(Quasi-Judicial)

Related Files: CPC MPA 06-00206-A7MJ16, CPC ZC 16-00028, CPC PUZ 16-00031, CPC PUD 16-00034

Presenter:
Daniel Sexton, Senior Planner, Planning and Community Development

**Attachments:**
- Figure 5 - Concept Plan
- 7.5.501.E Concept Plans

14. **Executive Session**

15. **Adjourn**