

ORDINANCE NO. 21-71

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 67.42 ACRES LOCATED NORTH AND NORTHWEST OF THE NEW LIFE DRIVE AND INTERQUEST PARKWAY INTERSECTION FROM A (AGRICULTURE) AND PUD (PLANNED UNIT DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL, 35-FEET MAXIMUM BUILDING HEIGHT, 4.45 DU/AC) TO PUD/CR (PLANNED UNIT DEVELOPMENT WITH CONDITIONS OF RECORD: MIXED-USE WITH 125-FOOT MAXIMUM BUILDING HEIGHT)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The zoning map of the City of Colorado Springs is hereby amended by rezoning 67.42 acres located north and northwest of the New Life Drive and Interquest Parkway intersection, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from A (Agriculture) and PUD (Planned Unit Development: Single-family Residential, 35-foot maximum building height, 4.45 du/ac) to PUD/CR (Planned Unit Development with Conditions of Record: Mixed-Use with 125-foot maximum building height), pursuant to the Zoning Ordinance of the City of Colorado Springs with the following conditions of record:

Block	Height Maximum (feet)	Type	Density (du/ac) or FAR Minimum
A	N/A	Detention Pond/Open Space	N/A
B	125	Residential	12 du/ac
C	125	Residential	12 du/ac
D	125	Mixed-Use	0.25 FAR
E	125	Open Space/Commercial	25% maximum coverage
F	125	Residential	12 du/ac
G	125	Office/Commercial/Residential	12 du/ac; 0.25 FAR
H	125	Office/Commercial/Residential	12 du/ac; 0.25 FAR
I	125	Residential	8 du/ac

1. Build-Within Zone: A 15-foot Build-Within Zone is established for all parcels which front Block E (the open space parcel). The front Build-Within Zone applies to principal building but may not include entryway features or signage. The front

Build-Within Zone shall apply only to the lower 30 feet, or first two (2) stories, whichever is less, of a building, and higher portions of the building may be stepped back farther from the front property line.

2. Outdoor storage of materials: outdoor storage of materials is prohibited; except the outdoor storage of Promotional merchandise as long as a clear path of at least 36-inches is provided for ADA compliance.

3. Restaurants with drive-through windows and fueling stations are not permitted unless adjacent to New Life Drive or Interquest Parkway, or as an attached end cap to a row of other tenants.

4. Big box stores, movie theaters, parking structures or other single tenant uses greater than 50,000 sf shall be partially wrapped with other commercial use spaces on the street side of the structure.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 24th day of August 2021.

Finally passed: September 14th 2021


Council President

ATTEST:


Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 67.42 ACRES LOCATED NORTH AND NORTHWEST OF THE NEW LIFE DRIVE AND INTERQUEST PARKWAY INTERSECTION FROM A (AGRICULTURE) AND PUD (PLANNED UNIT DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL, 35-FEET MAXIMUM BUILDING HEIGHT, 4.45 DU/AC) TO PUD/CR (PLANNED UNIT DEVELOPMENT WITH CONDITIONS OF RECORD: MIXED-USE WITH 125-FOOT MAXIMUM BUILDING HEIGHT)” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on August 24th, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 14th day of September 2021, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Gazette on September 17th, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 14th day of September 2021.



Sarah B. Johnson, City Clerk



1st Publication Date: August 27th, 2021
2nd Publication Date: September 17th, 2021

Effective Date: September 22nd, 2021

Initial: SBS

City Clerk



619 N. Cascade Avenue, Suite 200 (719) 785-0790
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

LEGAL DESCRIPTION: BOUNDARY

A PARCEL OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 16 AND THE NORTH HALF OF SECTION 21, ALL IN TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY OF DEER CREEK AT NORTHGATE FILING NO. 1, RECORDED UNDER RECEPTION NO. 201078881, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A 1-1/2 INCH ALUMINUM SURVEYORS CAP STAMPED "JR ENG LTD RLS 32820" AND AT THE EASTERLY END BY A ONE INCH RED PLASTIC CAP "LS 1593" IS ASSUMED TO BEAR S88°58'48"W, A DISTANCE OF 1806.87 FEET.

COMMENCING AT THE SOUTHEASTERLY CORNER OF THE RESERVE AT NORTH CREEK RECORDED UNDER RECEPTION NO. 217713990, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF NEW LIFE DRIVE AS DESCRIBED IN BOOK 2105 AT PAGE 820, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N00°04'57"E, ON THE EASTERLY BOUNDARY OF SAID THE RESERVE AT NORTH CREEK AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 725.95 FEET TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 23°47'04", A RADIUS OF 225.00 FEET AND A DISTANCE OF 93.40 FEET TO A POINT ON CURVE;

THENCE N43°43'45"E, A DISTANCE OF 411.87 FEET;

THENCE N34°57'46"E, A DISTANCE OF 526.44 FEET;

THENCE S67°38'36"E, A DISTANCE OF 235.42 FEET;

THENCE N57°20'51"E, A DISTANCE OF 84.61 FEET TO A POINT ON THE EASTERLY BOUNDARY OF FLYING HORSE METROPOLITAN DISTRICT NO. 2 AS RECORDED UNDER RECEPTION NO. 213098577;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID FLYING HORSE METROPOLITAN DISTRICT NO. 2 THE FOLLOWING FOURTEEN (14) COURSES:

1. CONTINUING N57°20'51"E, A DISTANCE OF 180.15 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 50°23'32", A RADIUS OF 542.70 FEET AND A DISTANCE OF 477.31 FEET TO A POINT OF TANGENT;
3. N06°57'19"E, A DISTANCE OF 318.96 FEET TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 32°09'25", A RADIUS OF 313.30 FEET AND A DISTANCE OF 175.84 FEET TO A POINT OF TANGENT;
5. N39°06'44"E, A DISTANCE OF 24.03 FEET TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 21°08'38", A RADIUS OF 513.30 FEET AND A DISTANCE OF 189.42 FEET TO A POINT OF TANGENT;
7. N60°15'21"E, A DISTANCE OF 480.85 FEET;
8. S15°48'12"E, A DISTANCE OF 14.15 FEET TO A POINT OF CURVE;
9. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 42°18'12", A RADIUS OF 472.00 FEET AND A DISTANCE OF 348.49 FEET TO A POINT OF TANGENT;
10. S26°30'00"W, A DISTANCE OF 321.60 FEET TO A POINT OF CURVE;
11. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 45°00'52", A RADIUS OF 528.00 FEET AND A DISTANCE OF 414.82 FEET TO A POINT ON CURVE;
12. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N74°19'35"E, HAVING A DELTA OF 18°44'44", A RADIUS OF 522.40 FEET AND A DISTANCE OF 170.92 FEET TO A POINT ON CURVE;
13. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N53°06'04"E, HAVING A DELTA OF 15°14'17", A RADIUS OF 536.00 FEET AND A DISTANCE OF 142.55 FEET TO A POINT OF TANGENT;
14. S52°08'13"E, A DISTANCE OF 151.67 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID COLORADO STATE HIGHWAY 83;

THENCE S20°43'11"W, ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 91.17 FEET TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 204057932;
THENCE S26°11'32"W, ON SAID WESTERLY BOUNDARY, A DISTANCE OF 1008.86 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE NORTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 205019987;
THENCE ON SAID NORTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 205019987, ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N49°04'52"W, HAVING A DELTA OF 29°15'54", A RADIUS OF 1372.50 FEET AND A DISTANCE OF 701.03 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID NEW LIFE DRIVE;

THENCE ON SAID NORTHERLY RIGHT OF WAY LINE, THE FOLLOWING (2) TWO COURSES:

1. CONTINUING ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 09°39'57", A RADIUS OF 1372.50 FEET AND A DISTANCE OF 231.54 FEET TO A POINT OF TANGENT;
2. S89°11'35"W, A DISTANCE OF 756.96 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 67.424 ACRES.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING
ENGINEERS AND SURVEYORS

NOV 03, 2020
DATE



619 N. Cascade Avenue, Suite 200 (719)785-0790
 Colorado Springs, Colorado 80903 (719)785-0799 (Fax)

JOB NO. 2573.00-01
 NOVEMBER 3, 2020
 SHEET 3 OF 3

1-1/2" ALUMINUM
 SURVEYORS CAP
 STAMPED "JR ENG LTD
 RLS 32820"
 FLUSH W/SURFACE

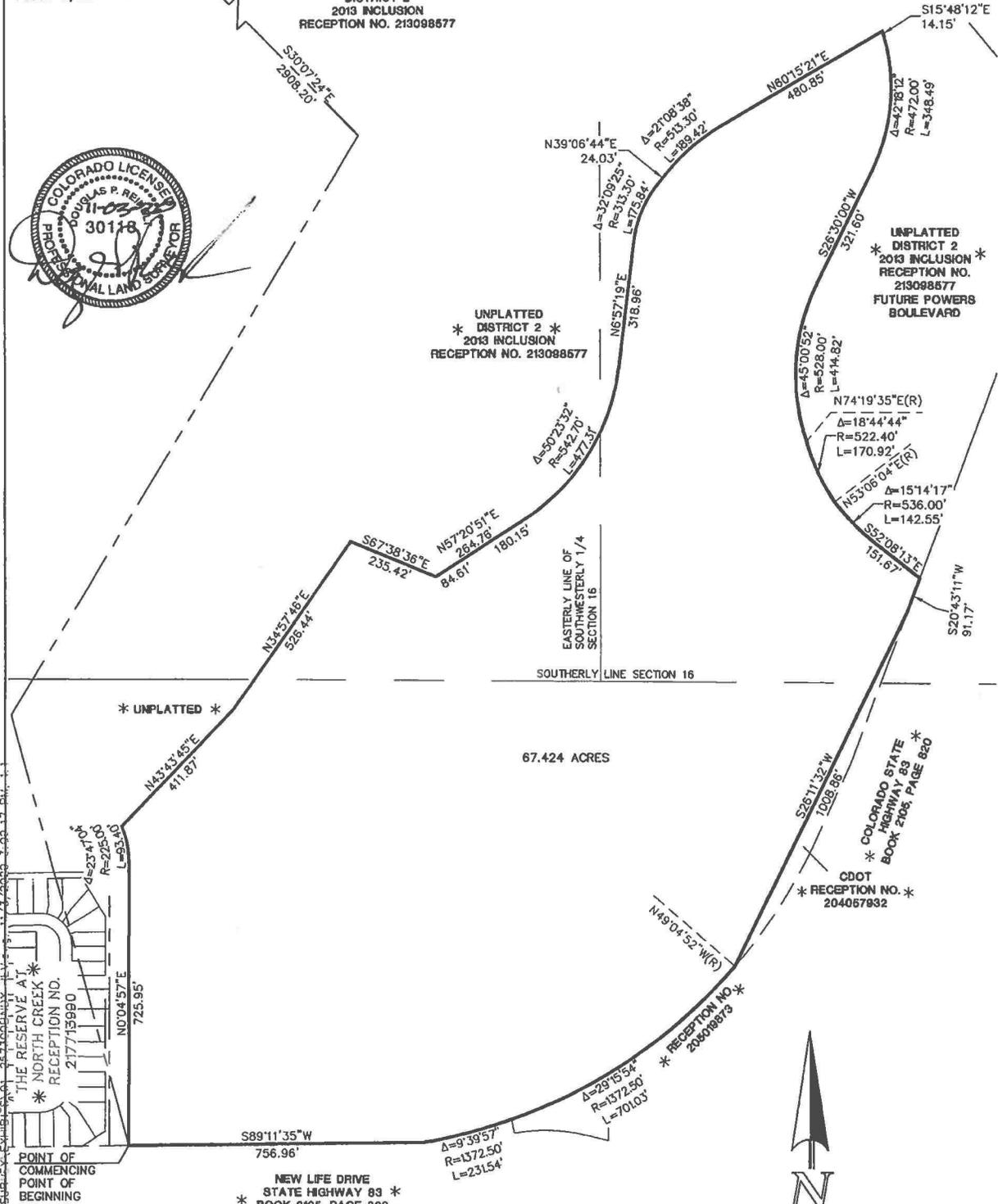
DEER CREEK AT NORTHGATE
 * FILING NO. 1 *
 RECEPTION NO. 201078861
BASIS OF BEARINGS
 S88°58'48"W 1806.67' 1" RPC "LS 1593"
 FLUSH W/SURFACE

* UNPLATTED *
 DISTRICT 2
 2013 INCLUSION
 RECEPTION NO. 213098577



UNPLATTED
 * DISTRICT 2 *
 2013 INCLUSION
 RECEPTION NO. 213098577

UNPLATTED
 DISTRICT 2
 2013 INCLUSION *
 RECEPTION NO.
 213098577
 FUTURE POWERS
 BOULEVARD



* UNPLATTED *

67.424 ACRES

* COLORADO STATE
 HIGHWAY 83 *
 BOOK 2106, PAGE 820

CDOT
 * RECEPTION NO. *
 204067892

* RECEPTION NO. *
 206098573

POINT OF
 COMMENCING
 POINT OF
 BEGINNING

* NEW LIFE DRIVE
 STATE HIGHWAY 83 *
 BOOK 2106, PAGE 820

CCES, LLC DOES NOT EXPRESS NOR IMPLY ANY
 WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION
 AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN
 FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT
 DEPICT A MONUMENTED LAND SURVEY.



SCALE: 1" = 250'
 U.S. SURVEY FEET

EXHIBIT B