

ORDINANCE NO. 23-38

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 1.81 ACRES LOCATED AT THE SOUTHWEST CORNER OF EAST SAN MIGUEL STREET AND NORTH CIRCLE DRIVE FROM MX-M/CR (MIXED-USE MEDIUM SCALE WITH CONDITIONS OF RECORD) TO MX-M/CR (MIXED-USE MEDIUM SCALE)

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 1.81 acres located at the southwest corner East San Miguel Street and North Circle Drive, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from MX-M/CR (Mixed-Use Medium Scale with Conditions of Record) to MX-M/CR (Mixed-Use Medium Scale), pursuant to the Zoning Ordinance of the City of Colorado Springs and is subject to the following conditions of record:

Conditions of Record for the MX-M/CR zone are:

1. The following uses are prohibited: auto service, automotive wash, bar, sexually oriented business, medical marijuana facilities, and liquor stores,
2. There shall be no outside storage of any material or products.
3. The maximum building height shall be 30 feet.

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 25th day of July 2023.

**Finally passed:** August 8, 2023

  
Randy Helms, Council President

ATTEST:

  
Sarah B. Johnson, City Clerk



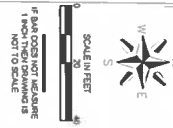
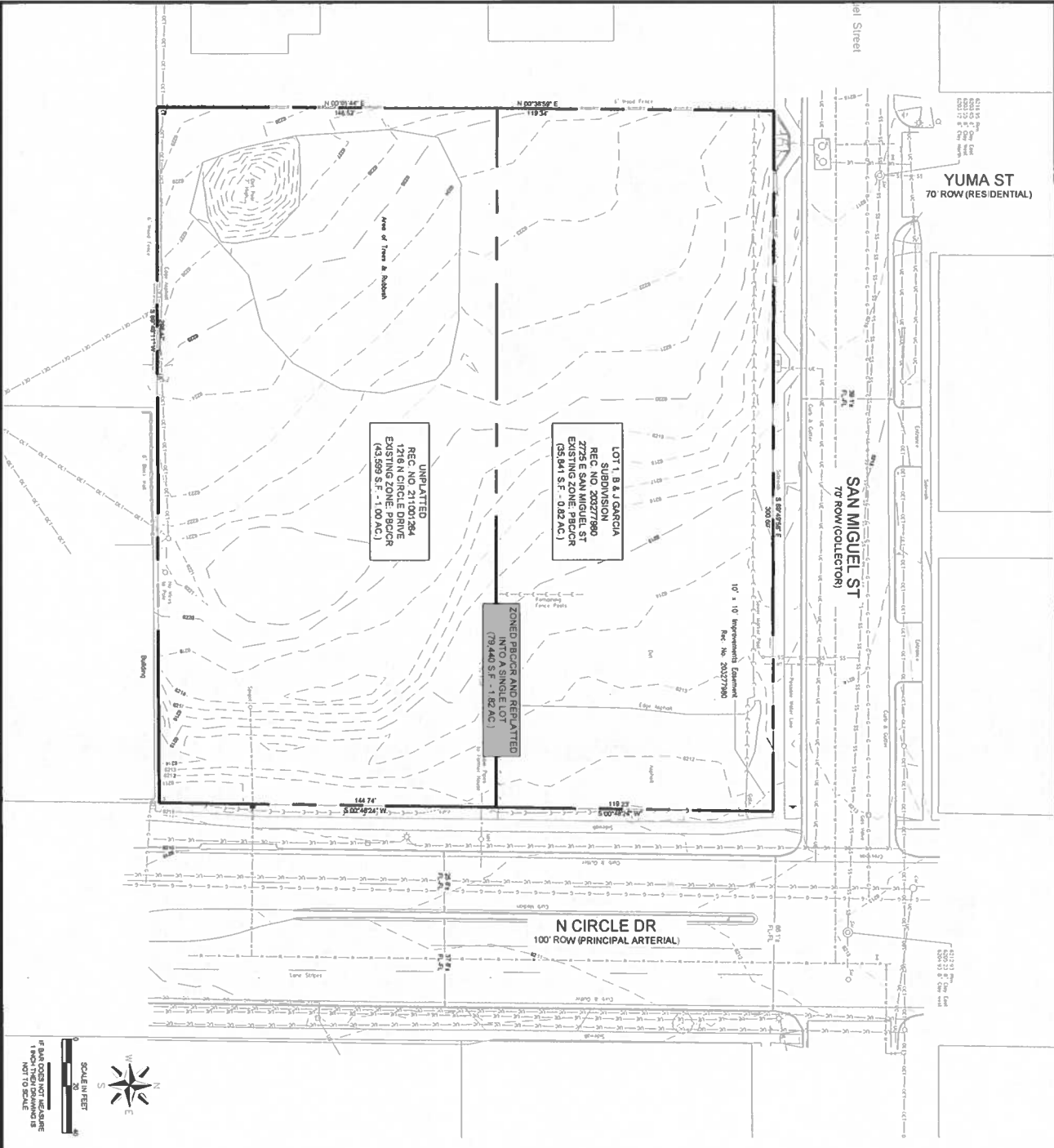
**PARCEL A:**

LOT 1, B & J GARCIA SUBDIVISION, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

**PARCEL B:**

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 14 SOUTH RANGE 66 WEST OF THE 6TH P.M., IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 30 FEET WEST FROM THE NORTHEAST CORNER THEREOF; THENCE SOUTH ON A LINE PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 294.7 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 627.95 FEET, MORE OR LESS, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTHERLY ON SAID WEST LINE TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE EASTERLY ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 628.3 FEET, TO THE POINT OF BEGINNING. EXCEPT THOSE PORTIONS AS DESCRIBED IN DEEDS RECORDED DECEMBER 18, 1959 IN BOOK 1783 AT PAGE 232 AND MARCH 2, 1964 IN BOOK 2000 AT PAGE 831. ALSO EXCEPTING THOSE PORTIONS DESCRIBED IN DEEDS RECORDED MAY 25, 2017 UNDER RECEPTION NO. 217060334 AND OCTOBER 25, 2018 UNDER RECEPTION NO. 218116600. ALSO EXCEPTING THAT PORTION DEDCATED AS A PUBLIC RIGHT OF WAY TO THE CITY OF COLORADO SPRINGS ON THE PLAT OF THE COURTYARD RECORDED MAY 19, 2017 UNDER RECEPTION NO. 217713967.



IF SHOWN DOES NOT MEASURE 1 INCH THEN DRAWING IS NOT TO SCALE



VICINITY MAP  
SCALE 1"=100'

**GENERAL NOTE:**

1. THIS PLAN IS FOR INFORMATION PURPOSES ONLY. IT IS NOT A CONTRACT DOCUMENT. ALL ACTIVITIES SHALL BE CONDUCTED IN ACCORDANCE WITH ALL APPLICABLE ORDINANCES AND REGULATIONS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

02/14/2022

NO.	DATE	REVISION DESCRIPTION
1	02/14/2022	ISSUED FOR PERMITTING

**#2235 - COLORADO SPRINGS, CO**  
**CONCEPT PLAN**  
 1216 N CIRCLE DRIVE COLORADO SPRINGS, CO  
**ZONE CHANGE EXHIBIT**

1455 Grand Ave  
 Suite 100  
 Colorado Springs, CO 80904  
 P: 888-444-8888

**EES**  
 ENVIRONMENTAL ENGINEERING SOLUTIONS, INC.  
 3801 E. Florida Avenue, Suite 425  
 Denver, CO 80210  
 303.472.7507 www.ees-usa.com

I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 1.82 ACRES LOCATED AT THE SOUTHWEST CORNER OF East San Miguel Street and North Circle Drive FROM MX-M/CR (Mixed-Use Medium Scale with Conditions of Record) TO MX-M/CR (Mixed-Use Medium Scale)”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on July 25, 2023; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 8<sup>th</sup> day of August 2023, and that the same was published by title and in summary, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 8<sup>th</sup> day of August 2023.

  
Sarah B. Johnson, City Clerk

1<sup>st</sup> Publication Date: July 28, 2023  
2<sup>nd</sup> Publication Date: August 11, 2023

Effective Date: August 16, 2023

Initial:   
City Clerk

