

ORDINANCE NO. 22 - 61

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 184.29 ACRES LOCATED EAST OF THE NORTH MARKSHEFFEL ROAD AND BARNES ROAD INTERSECTION FROM R-1 6000/PBC/AO/R-5/PUD/PK/SS/AO (SINGLE-FAMILY RESIDENTIAL, PLANNED BUSINESS CENTER, MULTI-FAMILY RESIDENTIAL, PLANNED UNIT DEVELOPMENT, AND PUBLIC PARKS WITH STREAMSIDE AND AIRPORT OVERLAYS) TO PUD/SS/AO (PLANNED UNIT DEVELOPMENT: RESIDENTIAL, 3.5 TO 24.99 DWELLING UNITS PER ACRE WITH A 35-FEET MAXIMUM BUILDING HEIGHT; AND COMMERCIAL, 138,500 SQUARE FEET MAXIMUM WITH A 45-FEET MAXIMUM BUILDING HEIGHT; WITH STREAMSIDE AND AIRPORT OVERLAYS)

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 184.29 acres located east of the North Marksheffel Road and Barnes Road intersection, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from R-1 6000/PBC/AO/R-5/PUD/PK/SS/AO (Single-Family Residential, Planned Business Center, Multi-Family Residential, Planned Unit Development, and Public Parks with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: Residential, 3.5 to 24.99 dwelling units per acre with a 35-foot maximum building height; and Commercial, 138,500 square feet maximum with a 45-foot maximum building height; with Streamside and Airport Overlays), pursuant to the Zoning Ordinance of the City of Colorado Springs.

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 13th day of September 2022.

Finally passed: September 27, 2022



Council President

ATTEST:



Sarah B. Johnson, City Clerk



EXHIBIT "A"

PUD ZONE CHANGE ENCLAVES AT MOUNTAIN VISTA RANCH EAST CITY OF COLORADO SPRINGS, STATE OF COLORADO

ZONE CHANGE LEGAL DESCRIPTION

PARCEL NO. 5300000735 (R5/CR PBC/CR R1-6/PUD)

A TR OF LAND IN SECS 21 & 22-13-65 DES AS FOLS: COM AT SE COR OF SEC 34, TH S 89<42'24" W 2667.93 FT TO S4 COR OF SEC 34, CONT S 89<42'24" W 2667.93 FT TO SW COR THEREOF, N 00<12'53" W 2683.20 FT, TH CONT N 00<12'53" W 2683.20 FT, N 00<14'22" E 2648.24 FT, N 00<14'22" E 1324.12 FT, S 89<09'53" E 1294.71 FT, N 00<14'25" E 2644.50 FT, N 88<59'56" W 150.01 FT FOR POB, TH S 00<14'25" W 9.43 FT TO A POC TO R TH SWLY 510.29 FT ALG ARC OF SD CUR TO A PT TANG SD ARC HAVING A RAD OF 520.0 FT, A C/A OF 56<13'31" WHICH CHORD BEARS S 28<21'11" W 490.06 FT, S 56<27'56" W 272.85 FT, ALG ARC OF CUR TO L WITH A RAD OF 442.0 FT A C/A OF 55<26'04" A C/A OF 55<26'04" WHICH CHORD BEARS S 28<44'55" W 411.16 FT, S 01<01'53" W 256.01 FT, N 88<58'07" W 633.45 FT TO A POC TO R, TH NWLY 593.72 FT ALG ARC OF SD CUR TO A PT TANG SD ARC HAVING A RAD OF 1395.0 FT A C/A OF 24<23'07" WHICH CHORD BEARS N 76<46'33" W 589.25 FT, N 64<35'00" W 1958.46 FT, TH NWLY 700.89 FT ALG ARC OF CUR TO N LN OF S2SW4 SEC 21 SD ARC HAVING A RAD OF 3180.0 FT A C/A OF 12<37'42" WHICH CHORD BEARS N 70<53'51" W 699.47 FT, N 89<46'42" E 491.86 FT, N 89<46'42" E 2663.01 FT ALG N LN OF S2SE4 SEC 21, S 88<59'56" E 1144.73 FT TO POB, E THAT PT DESC AS FOLS: TR OF LAND IN THE SE4 21 AND THE SW4 SEC 22-13-65 DESC AS FOLS: COM AT THE SW4 SEC 15, TH S15-46-54E 4148.33 FT TO THE S LN OF THE N2SW4 OF SEC 22, SD PT BEING THE POB; TH S00-13-57W 9.51 FT, THE ALG THE ARC OF A CUR TO THR R HAVING A RAD OF 520.00 FT, A C/A OF 50-13-31 ARC DIST OF 510.28 FT, TH S56-27-28W 272.86 FT, TH ALG THE ARC OF A CUR TO THE L HAVING A RAD OF 442.00 FT, A C/A OF 22-14-17 ARC DIST OF 171.55 FT, WHICH CHORD BEARS S33-32-30E, TH N90-00-00W 432.36 FT, TH ALG THE ARC OF A CUR TO THE R HAVING A RAD OF 979.00 FT, A C/A OF 05-10-44 ARC DIST OF 88.49 FT, WHICH CHORD BEARS N63-20-52E, TH ALG THE ARC OF A REVERSE CUR TO THE L HAVING A RAD OF 1121.00 FT, A C/A OF 49-18-11 ARC DIST OF 964.62 FT, TH N89-46-10E ALG THE S LN OF THE N2SE4 SEC 21, TH N89-46-10E 579.35 FT, TH S89-00-28E 1144.73 FT TO THE POB

PARCEL NO. 5300000629 (PUD R5/CR R1-6 SS AO)

TRACT OF LAND IN S2S2 OF SEC 21, SW4SW4 OF SEC 22, NW4NW4 OF SEC 27, N2N2 OF SEC 28-13-65 DESC AS FOLS, COM SE COR OF SEC 34-13-65 AT PT FROM WHICH NE COR OF SD SEC BEARS N 01<14'52" E 5298.00 FT, TH S 89<42'24" W 2667.93 FT ALG S LN OF SE4 TO S4 COR, CONT S 89<42'24" W 2667.93 FT ALG S LN OF SW4 TO SW COR, N 00<12'53" W 5366.40 FT ALG W LN OF NW4 TO SW COR, N 00<14'22" E 2648.24 FT ALG E LN OF SE4 OF SEC 28-13-65 TO E4 COR, CONT N 00<14'22" E 1324.12 FT ALG E LN OF NE4 TO SW COR OF N2NW4 OF SEC 27-13-65 FOR POB, TH S 89<09'53" E 1294.71 FT, N 00<14'25" E 2644.50 FT, N 88<59'56" W 1294.74 FT, S 89<46'42" W 2663.01 FT, CONT S 89<46'42" W 2663.23 FT, S 00<02'53" E 1320.88 FT, S 00<14'59" E 1324.78 FT, N 89<48'20" E 2654.04 FT, TH CONT N 89<48'20" E 2654.18 FT TO POB, EX THAT PART CONV BY BK 5563-544, EX THAT POR CONV TO COUNTY BY REC #210093624

PARCEL NO. 5300000714 (PUD PK SS AO)

A TR OF LAND LOCATED IN SECS 21, 27, 28-13-65, L/MR DES AS FOLS: COM AT SE COR OF SEC 34, TH S 89<42'24" W 5335.86 FT, N 00<12'53" W 5366.40 FT, N 00<14'22" 3972.36 FT FOR THE POB, TH S 89<09'53" E 1144.70 FT, N 00<14'25" E 247.54 FT TO POC TO L, TH NWLY 1119.27 FT ALG ARC OF CUR TO A PT TANG SD ARC HAVING A RAD OF 920.0 FT A C/A OF 69<42'21" WHICH CHORD BEARS N 34<36'45" W 1051.51 FT, N 69<27'56" W 338.62 FT, N 88<58'07" W 375.31 FT TO A POC TO R, TH NWLY 683.10 FT ALG ARC OF SD CUR TO A PT TANG SD ARC HAVING A RAD OF 1605.0 FT A C/A OF 24<23'07" WHICH CHORD BEARS N 76<46'33" W 677.95 FT, N 64<35'00" W 1958.46 FT TO A POC TO L, TH NWLY 1282.08 FT ALG ARC OF CUR TO A PT TANG SD ARC HAVING A RAD OF 2970.0 FT A C/A OF 24<44'00" WHICH CHORD BEARS N 76<57'00" W 1272.15 FT, N 89<19'00" W 152.90 FT, S 00<02'53" E 1320.12 FT, N 89<19'00" W 1319.63 FT, N 00<14'59" W 227.50 FT, N 00<02'53" W 1320.90 FT, S 89<46'42" W 30.0 FT, S 00<02'53" E 1320.88 FT, S 00<14'59" E 1324.78 FT, N 89<48'20" E 5308.22 FT TO POB, EX THAT PT CONV TO COUNTY FOR R/W BY REC #210072737, EX THAT PT CONV BY REC # 217009400, EX THAT PT LY ELY OF MARKSHEFFEL RD, AND SLY, WLY, & NLY OF TR DESC BY SD REC # 217009400, EX THAT PT TO ENCLAVES AT MOUNTAIN VISTA FIL NO 1, EX TH PT TO ENCLAVES AT MOUNTAIN VISTA FIL NO 3, & EX THAT PT TO REC # 218019147, EX THAT PT DESC IN REC# 219012480, EX THAT PT CONV BY REC #220028144, EX THAT PT CONV BY REC #221052795



NBS, Inc.
619 N. Colorado Blvd, Suite 500
Colorado Springs, CO 80903
Tel: 719.591.0933
Fax: 719.591.0282
www.nichebuildingsolutions.com
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ZONE CHANGE LEGAL DESCRIPTION - EXHIBIT A

ENCLAVES AT MOUNTAIN VISTA RANCH EAST

CITY OF COLORADO SPRINGS, STATE OF COLORADO

PUD ZONE CHANGE

PARCEL NO. 3300000542
R5
PARCEL NO. 3300000543

R1-6
PARCEL NO. 3300000533

R5
PARCEL NO. 3300000532

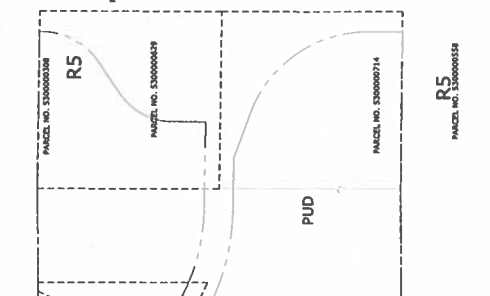
PBC
PARCEL NO. 3300000528

PUD
PARCEL NO. 3300000529

PBC
PARCEL NO. 3300000548

OC
PARCEL NO. 3300000539

R5
PARCEL NO. 3300000538



GENERAL NOTES

1. THE APPLICANT'S OWNERS INSTRUCTIONS CERTIFICATION DOCUMENT HAS BEEN SUBMITTED AND CAN BE FOUND IN THE SET OF PLANS. THE APPLICANT FOR PROPERTY OWNERS HAVE REVIEWED THESE AND CONFIRMED THE INFORMATION IS CORRECT AND ACCURATE. THESE INFORMATION IS THE PROPERTY OWNERS' RESPONSIBILITY.
2. THE PROPERTY IS CURRENTLY ZONED R5, HOWEVER, THE APPLICANT REQUESTS A ZONE CHANGE TO PUD.

ENTITLEMENT	
DATE	APPROVED
PROJECT NAME	APPROVED
APPLICANT	APPROVED
COMMENTS	

EXISTING ZONING	
ZONE	1
ZONE	2
CPC PER 22-00034	

ENCLAVES AT MOUNTAIN VISTA RANCH EAST

CITY OF COLORADO SPRINGS, STATE OF COLORADO

PUD ZONE CHANGE

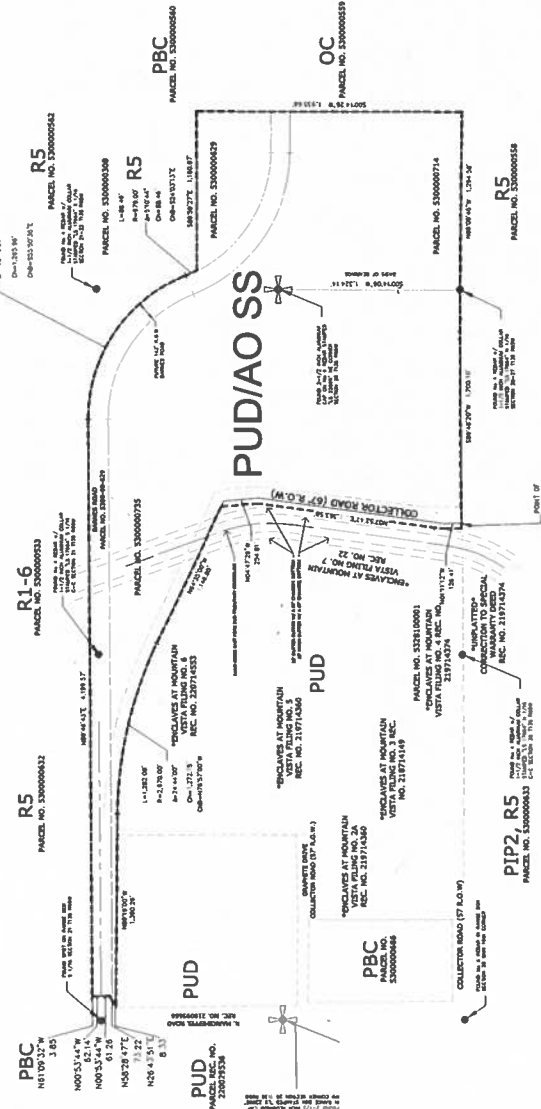


NES, Inc.
 419 N. Cascade, Suite 200
 Colorado Springs, CO 80903
 Tel: 719.471.0273
 Fax: 719.471.0277
 www.neslandscapes.com

ZONE CHANGE - EXHIBIT B

Area of Record:
 The subject property is located in the unincorporated area of the City of Colorado Springs, State of Colorado, and is currently zoned PUD. The subject property is located in the unincorporated area of the City of Colorado Springs, State of Colorado, and is currently zoned PUD. The subject property is located in the unincorporated area of the City of Colorado Springs, State of Colorado, and is currently zoned PUD.

Proposed Zone:
 The subject property is proposed to be rezoned from PUD to PUD/AO SS. The subject property is proposed to be rezoned from PUD to PUD/AO SS. The subject property is proposed to be rezoned from PUD to PUD/AO SS.



SITE DATA

OWNER:
 AE BARNES III LLC (PARCEL NO. 1, 3)
 288 CLAYTON ST STE 203
 DENVER, CO 80206-4459

Parcel 1:
 BHL NO 2 LLC (PARCEL NO. 2)
 111 S. TEJON ST. STE 222
 COLORADO SPRINGS, CO 80903

Parcel 4:
 CHALLENGER COMMUNITIES LLC (PARCEL NO. 4)
 8506 EXPLODER DR #250
 COLORADO SPRINGS, CO 80920

Parcel 3:
 530000074 (PARCEL NO. 3)
 PUD PK SS AD

Parcel 2:
 530000029 (PARCEL NO. 2)
 PUD RS/CR R1-6 SS AD

Parcel 3:
 530000075 (PARCEL NO. 3)
 RS/CR PBC/CR R1-6 PUD

PROPOSED ZONING

Zone Description:
 The proposed zoning, PUD/AO SS, is intended to create an urban density development that refines and strengthens the larger block development pattern. It allows for a mix of residential uses, including single-family detached, townhomes, and multi-family units. The zoning also allows for commercial uses, including retail, office, and professional services. The zoning is intended to be consistent with the City of Colorado Springs Comprehensive Plan and the Mountain Vista Ranch East Master Plan.

GENERAL NOTES

- The landowner shall provide all necessary information and documents to the City of Colorado Springs for the zoning change process.
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- The landowner shall provide all necessary information and documents to the City of Colorado Springs for the zoning change process.

ENTITLEMENT

Master Plan Area:
 BARNING LEWIS RANCH
 MASTER PLAN, C/PK MP #7-381

Existing Land Use:
 AGRICULTURAL

Existing Zoning:
 PUD PK SS AD / PUD RS / CR R1-6 SS AD / RS / CR PBC / CR R1-6 / PUD

Proposed Land Use:
 RESIDENTIAL MEDIUM DENSITY, 115-29 AC
 MAX DENSITY 7.99 DU/AC, 113-29 AC
 MAX BUILDING HEIGHT: 35'

Proposed Zoning:
 PUD/AO SS

PROPOSED ZONING

Zone Description:
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I HEREBY CERTIFY that the foregoing ordinance entitled “AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 184.29 ACRES LOCATED EAST OF THE NORTH MARKSHEFFEL ROAD AND BARNES ROAD INTERSECTION FROM R-1 6000/PBC/AO/R-5/PUD/PK/SS/AO (SINGLE-FAMILY RESIDENTIAL, PLANNED BUSINESS CENTER, MULTI-FAMILY RESIDENTIAL, PLANNED UNIT DEVELOPMENT, AND PUBLIC PARKS WITH STREAMSIDE AND AIRPORT OVERLAYS) TO PUD/SS/AO (PLANNED UNIT DEVELOPMENT: RESIDENTIAL, 3.5 TO 24.99 DWELLING UNITS PER ACRE WITH A 35-FEET MAXIMUM BUILDING HEIGHT; AND COMMERCIAL, 138,500 SQUARE FEET MAXIMUM WITH A 45-FEET MAXIMUM BUILDING HEIGHT; WITH STREAMSIDE AND AIRPORT OVERLAYS) was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on September 13, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 27th day of September 2022, and that the same was published by title and in full, 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 27th day of September 2022.


Sarah B. Johnson, City Clerk



1st Publication Date: September 16, 2022
2nd Publication Date: September 30, 2022

Effective Date: October 5, 2022

Initial: SBJ
City Clerk