

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

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 50.2 acres from PBC/cr/HR/AO (Planned Business Center with conditions of record and Highrise and Airport Overlays), OC/cr/HR/AO (Office Complex with conditions of record and Highrise and Airport Overlays), and C-6/P/AO (General Business with Planned Provisional and Airport Overlays) to C-6/cr/AO (General Business with conditions of record and Airport Overlay) located southwest of North Powers Boulevard and East Woodmen Road for the property described in Exhibit A, attached hereto and made a part hereof by reference, pursuant to the Zoning Ordinance of the City of Colorado Springs, subject to the following conditions of record:

Conditions of Record:


1. Maximum building heights in Planning Areas "A" and "B" or that area west of Targa Drive shall be 50 feet.
2. Maximum building heights in Planning Area "C" or that area east of Targa Drive shall be 130 feet, except Building 12 shall be 50 feet.
3. Thirty-foot landscape setback along Bridle Pass Drive.
4. Forty-foot building setback along Bridle Pass Drive.
5. Six-foot masonry wall placed along Bridle Pass Drive.
6. **Four pylon signs as shown on the concept plan** shall be allowed for the entire C-6 zone district. Low profile signs for individual buildings shall be prohibited, except one low profile sign shall be allowed for fuel prices for each establishment which provides fuel. The two pylon signs shall not exceed 200 square feet in sign area, 30 feet in height, with a minimum setback of 10 feet. The two minor pylon signs shall not exceed 150 square feet in sign area, 20 feet in height with a minimum setback of 10 feet. The pylon signs are for on premise signage within the C-6 district. No off premise advertising or billboards are permitted within the C-6 district. Wall signage shall be per the PBC zone requirements in Section 7.4.406.F of the Zoning Code..

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.

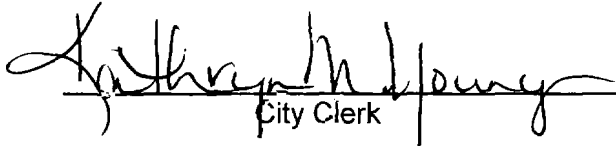
Introduced, read and passed on first reading and ordered published this 12th day of

January, 2010.



Mayor

ATTEST:



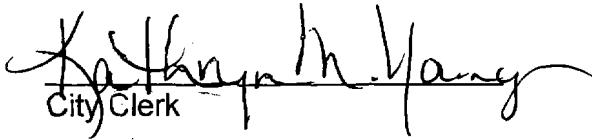
City Clerk

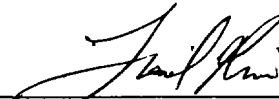
CPC ZC 09-00074 / st

Finally passed, adopted and approved this 26th day of January, 2010.

ATTEST:

Mayor

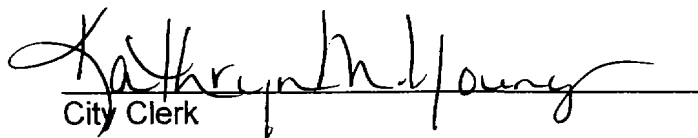

City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled **“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”**

was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 12, 2010; that said ordinance was passed at a regular meeting of the City Council of said City, held on the 26th day of January, 2010, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, 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 26th day of January, 2010.


City Clerk

LEGAL DESCRIPTION:

A tract of land being a portion of the North one-half (N1/2) of Section 12, Township 13 South, Range 66 West of the Sixth Principal Meridian, El Paso County, Colorado, being more particularly described as follows:

(Bearings as used herein are based on the North line of the Northeast one-quarter (NE1/4) of said Section 12, which bears N89°41'39"E a distance of 2648.16 feet, having a 3-1/4" aluminum cap by PLS 19625 at the Northeast corner of said NE1/4 and having a 2" aluminum cap by LS 22577 at the Northwest corner of said NE1/4)

BEGINNING at the Northeast corner of Lot 1, VILLA SPORT SUBDIVISION FILING NO. 1 as recorded at Reception No. 205113994 of the records of said El Paso County; thence S89°42'02"W on the North boundary line of said Lot 1, a distance of 820.60 feet to a point on the Northeasterly right-of-way line of Bridle Pass Drive, dedicated in WAGON TRAILS SUBDIVISION FILING NO. 32 recorded at Reception No. 201022548 of the records of said El Paso County, the following two (2) courses are on the Northeasterly and Northerly right-of-way lines of said Bridle Pass Drive; thence: 1) Northwesterly on a curve to the left having a central angle of 45°56'17", a radius of 890.00 feet for an arc distance of 713.58 feet, whose chord bears N67°01'51"W; 2) S90°00'00"W a distance of 872.75 feet to the Southeast right of way corner of Duryea Drive, dedicated in DURYEYEA DRIVE FILING NO. 1 as recorded at Reception No. 203052736 of the records of said El Paso County, the following three (3) courses are on the Easterly right-of-way line of said Duryea Drive; thence: 1) N45°17'02"W a distance of 42.64 feet; 2) N00°17'02"W a distance of 280.94 feet to a point of curve; 3) Northeasterly on a curve to the right having a central angle of 90°00'00", a radius of 85.00 feet for an arc distance of 133.52 feet to the South right-of-way line of New Car Drive, dedicated in said DURYEYEA DRIVE FILING NO. 1, the following three courses are on the South, East and North right-of-way line of said New Car Drive; thence: 1) N89°42'58"E a distance of 102.00 feet; 2) N00°17'02"W a distance of 80.00 feet; 3) S89°42'58"W a distance of 102.00 feet to a point of curve on the Easterly right-of-way line of said Duryea Drive, the following five (5) courses are on said Easterly right-of-way line; thence: 1) Northwesterly on a curve to the right having a central angle of 90°00'00", a radius of 87.50 feet for an arc distance of 137.44 feet; 2) N00°17'02"W a distance of 26.45 feet; 3) N03°43'12"E a distance of 150.37 feet; 4) N00°17'02"W a distance of 101.90 feet; 5) N44°42'58"E a distance of 49.50 feet to the Northeast right of way corner of said Duryea Drive; thence N89°42'47"E on the South right-of-way line of Woodmen Road as described in Book 2839 at Page 256 of the records of said El Paso County, a distance of 35.18 feet to a point one hundred twenty (120.00) feet South of the North line of the Northeast quarter of said Section 12, as measured perpendicular thereto; thence N89°41'39"E parallel with said North line, and on the South right-of-way line of Woodmen Road as described in Book 2839 at Page 261 of the records of said El Paso County, a distance of 815.59 feet to the Northwest right of way corner of Woodmen Road as described at Reception No. 207141250 of the records of said El Paso County, the following seven (7) courses are on the Southerly right-of-way line of said Woodmen Road; thence: 1) S00°18'05"E a distance of 37.90 feet; 2) S88°08'13"E a distance of 150.78 feet; 3) N88°34'30"E a distance of 116.04 feet; 4) N42°02'15"E a distance of 9.85 feet; 5) S89°49'42"E a distance of 316.92 feet; 6) S86°35'53"E a distance of 394.55 feet; 7) S76°50'30"E a distance of 179.18 feet; thence S10°25'25"W a distance of 52.90 feet to point of the Southwesterly boundary line of the tract of land described at Reception No. 203236184 of the records of said El Paso County, the following three (3) courses are on said Southwesterly boundary line and the Westerly boundary line of said tract of land; thence: 1) S76°49'20"E a distance of 20.00 feet; 2) S59°49'20"E a distance of 296.02 feet; 3) S03°19'20"E a distance of 846.56 feet to the POINT OF BEGINNING and containing 50.229 acres of land, more or less.

10-1



FORMAL AGENDA ITEM

COUNCIL MEETING DATE: January 12, 2010

TO: Honorable Mayor and Members of City Council

VIA: *Nancy Johnson for cm*
Penelope Culbreth-Graft, DPA - City Manager

FROM: Nancy Johnson, Assistant City Manager *Nancy Johnson*
Dick Anderwald, Land Use Review Manager *DA*
Steve Tuck, Senior Planner

Subject Title: Powers Autopark II

Strategic Goals this item supports:



SUMMARY:

The applications are by Nass Designs Associates on behalf of David D. Jenkins to:
a. rezone to C-6/CR/AO (General Business with Conditions of Record and Airport Overlay), and
b. obtain approval of a concept plan.

The site consists of 50.2 acres and is located south of Woodmen Road, west of Powers Boulevard, north of Bridle Pass Drive and the Villa Sport recreation center and east of Duryea Drive. The project represents an expansion of the existing Powers Autopark located immediately to the west of Duryea Drive. In addition to auto dealerships other land uses shown on the concept plan include retail, restaurants and a hotel.

PREVIOUS COUNCIL ACTION:

Not applicable.

BACKGROUND:

The attached Planning Commission staff report and the record of decision from their November 19, 2009 meeting provide the background information.

FINANCIAL IMPLICATIONS:

Not applicable.

BOARD/COMMISSION RECOMMENDATION:

The Planning Commission approved unanimously at their meeting of November 19, 2009 the zone change and concept plan subject to technical and informational modifications to the concept plan.

STAKEHOLDER PROCESS:

The standard 500-foot buffer notice (142 property owners and neighborhood associations) was provided throughout the process (three separate mailings and posters). A neighborhood meeting was held on

3/9/09 at the pre-application stage with an attendance of approximately 20. Issues discussed were Bridle Pass Drive traffic, street lights, traffic lights, exterior lighting, and outdoor speakers. Only one neighbor contacted staff during the internal review stage with concerns regarding the intensity of the proposed commercial development. One email in opposition was received prior to the Planning Commission meeting and three individuals appeared in opposition at the Planning Commission meeting. Issues raised by the citizens at the Planning Commission meeting included exterior lighting, freestanding signs and building height.

ALTERNATIVES:

Approve, deny or refer the applications back to the Planning Commission.

RECOMMENDATION:

Approve the applications as recommended by the Planning Commission.

PROPOSED MOTION:

CPC ZC 09-00074 – ZONE CHANGE

Approve the zone change from PBC/CR/HR/AO (Planned Business Center with Conditions of Record and High Rise and Airport Overlays), OC/CR/HR/AO (Office Complex with Conditions of Record and High Rise and Airport Overlays), and C-6P/AO (General Business with Planned Provisional and Airport Overlays) to C-6/CR/AO (General Business with Conditions of Record and Airport Overlay) for 50.2 acres based on the finding the request complies with the review criteria in City Code Section 7.5.603(B).

AR CP 05-00100-A1MJ09 – CONCEPT PLAN

Approve the Powers Autopark II Concept Plan based on the finding the request complies with the review criteria in City Code Section 7.5.501(D), subject to compliance with the technical and informational modifications to the concept plan contained in the Planning Commission record of decision.

List of attachments for this item:

- Ordinance
- Development Application Review Criteria
- CPC Record-of-Decision
- CPC Agenda