

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 3.69 ACRES LOCATED SOUTHWEST OF CIRCLE DRIVE AND SAN MIGUEL STREET

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 from R (Residential, Estate) and PBC/CR (Planned Business Center with Conditions of Record) to PBC/CR and rezoning 1.87 acres from R (Residential, Estate) to R-5/CR (Multi-Family Residential with Conditions of Record) located southwest of Circle Drive and San Miguel Street 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 and is subject to the following conditions of record:

Conditions of Record for the PBC/CR zone are:

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

Condition of Record for the R-5/CR zone is:

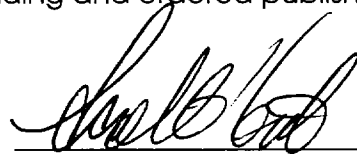
The maximum building height shall be 36 feet.

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.

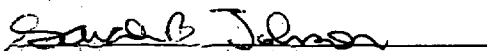
Introduced, read, passed on first reading and ordered published this 23rd day of October 2012.

Finally passed November 13, 2012



Scott Hente, Council President

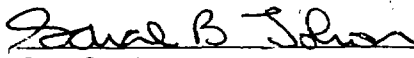
ATTEST:


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
3.69 ACRES LOCATED SOUTHWEST OF CIRCLE DRIVE AND SAN MIGUEL STREET”**

was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on October 23, 2012; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 13th day of November, 2012, 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 13th day of November, 2012.



City Clerk

EXHIBIT A

B & J GARCIA SUBDIVISION #2 PBC Rezone Legal Description

OWNER/APPLICANT:

BARBARA A. AND FRED JOHNNY GARCIA
2429 N. Chelton Road
Colorado Springs CO 80909-1349

(SURVEYOR)

PINNACLE LAND SURVEYING CO., INC.
121 County Road 5
Divide, CO 80814
(719) 687-7360

LAND DESCRIPTION: B & J GARCIA SUBDIVISION PBC ZONE

Lot 1, B&J Garcia Subdivision No. 1 as recorded under Reception No. 203277980 and a portion of that tract of land described in Deed recorded in Book 1421 at page 265 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of said B&J Garcia Subdivision No. 1; Thence S00°55'15"W along the East line of said B&J Garcia Subdivision No. 1, a distance of 263.96 feet; Thence N89°58'33"W, a distance of 297.54 feet; Thence N00°01'27"E, a distance of 144.69 feet to the Southwest corner of said B&J Garcia Subdivision No. 1; Thence N00°39'31"E along the West line of said B&J Garcia Subdivision No. 1, a distance of 119.34 feet to the Northwest corner of said B&J Garcia Subdivision No. 1; Thence S89°57'43"E along the North line of said B&J Garcia Subdivision No. 1, a distance of 300.32 feet to the Point of Beginning.

Said Tracts contain 1.814 acres (79,012 S.F.) more or less.

EXHIBIT A

B & J GARCIA SUBDIVISION #2 R-5 Rezone Legal Description

OWNER/APPLICANT:

BARBARA A. AND FRED JOHNNY GARCIA
2429 N. Chelton Road
Colorado Springs CO 80909-1349

(SURVEYOR)

PINNACLE LAND SURVEYING CO., INC.
121 County Road 5
Divide, CO 80814
(719) 687-7360

LAND DESCRIPTION: B & J GARCIA SUBDIVISION R-5 ZONE

A portion of that tract of land described in Deed recorded in Book 1421 at page 265 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the Northwest corner of B&J Garcia Subdivision No. 1 as recorded under Reception No. 203277980; Thence S00°39'31"W along the West line of said B&J Garcia Subdivision No. 1, a distance of 119.34 feet; Thence S00°01'27"W, a distance of 144.69 feet; Thence N89°58'33"W, a distance of 310.18 feet to the Easterly Right-of-Way line of Yuma Street; Thence N00°51'10"E along said Easterly Right-of-Way line, a distance of 264.71 feet to the Southerly Right-of-Way line of San Miguel Street; Thence S89°51'08"E along said Southerly Right-of-Way line, a distance of 307.67 feet to the Point of Beginning.

Said Tract contains 1.873 acres (81,571 S.F.) more or less.