

## ORDINANCE NO. 17-109

### AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO .414-ACRE LOCATED AT 1215 & 1213 EAST FILLMORE STREET FROM R5 (MULTI-FAMILY RESIDENTIAL) AND OR (OFFICE RESIDENTIAL) TO C5/CR (INTERMEDIATE BUSINESS WITH CONDITIONS OF RECORD)

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 .414-acre located at 1215 & 1213 East Fillmore Street as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from R5 (Multi-Family Residential) and OR (Office Residential) to C5/cr (Intermediate Business with Conditions of Record), pursuant to the Zoning Ordinance of the City of Colorado Springs, and subject to the following conditions of record:

The following land uses are prohibited within this C5/cr zone:

1. Optional Premise Cultivation
2. MMJ infused product manufacturer (hazardous/nonhazardous)
3. Contractor or Construction Yard
4. Automotive Repair Garage
5. Sexually Oriented Business

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 28<sup>th</sup> day of  
November, 2017.

**Finally passed:** December 12<sup>th</sup>, 2017


  
\_\_\_\_\_  
Council President

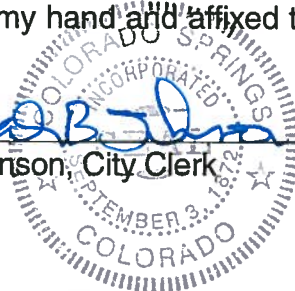
ATTEST:

  
\_\_\_\_\_  
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 .414-ACRE LOCATED AT 1215 & 1213 EAST FILLMORE STREET FROM R5 (MULTI-FAMILY RESIDENTIAL) AND OR (OFFICE RESIDENTIAL) TO C5/CR (INTERMEDIATE BUSINESS WITH CONDITIONS OF RECORD)”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on November 28<sup>th</sup>, 2017; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 12<sup>th</sup> day of December, 2017, 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 12<sup>th</sup> day of December, 2017.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: December 1<sup>st</sup>, 2017  
2<sup>nd</sup> Publication Date: December 15<sup>th</sup>, 2017

Effective Date: December 20<sup>th</sup>, 2017

Initial: SBJ  
City Clerk

**1213 East Fillmore Street Legal Description**

**Lot 11, With North 15 feet of Lot 12 Block 1 of Kitty Hawk Subdivision, Colorado Springs**

**1215 East Fillmore Street Legal Description**

**Lot 10, With North 20 feet of Lot 9, Block 1 of Kitty Hawk Subdivision, Colorado Springs**

# ZONE CHANGE EXHIBIT

I hereby certify that this Exhibit was prepared for The Richard C. Whaley Trust, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines.

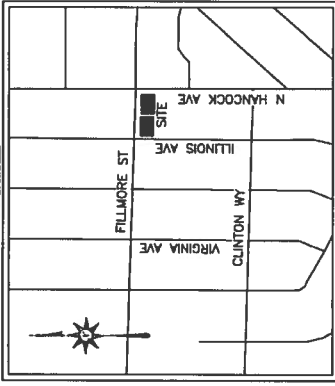
**Legal Description:**

Parcel A: Lot 10, North 20 feet of Lot 9, Block 1, Kitty Hawk Subdivision, El Paso County, Colorado also known by street and number as: 1215 East Fillmore Street, Colorado Springs, CO 80907

Parcel B: Lot 11, North 15 feet of Lot 12, Block 1, Kitty Hawk Subdivision, El Paso County, Colorado also known by street and number as: 1213 East Fillmore Street, Colorado Springs, CO 80907

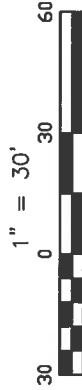
Legal Descriptions per Deed recorded as Reception No. 214024693, El Paso County Clerk and Recordars Office.

**VICINITY MAP**



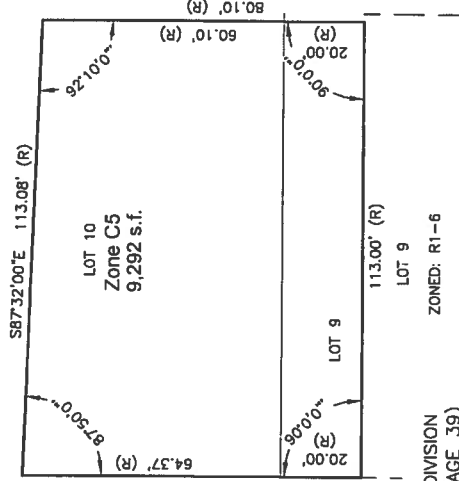
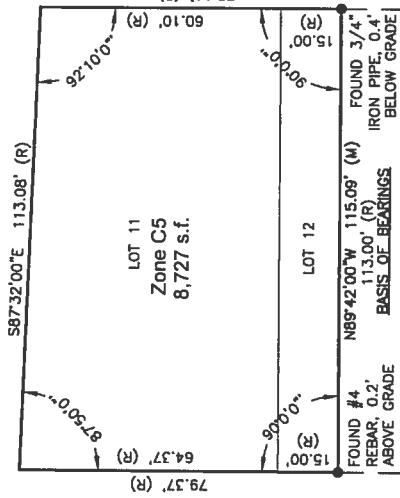
**LEGEND**

- FOUND PROPERTY CORNER AS NOTED
- (R) RECORD
- (M) MEASURED



**FILLMORE STREET**  
(PUBLIC R.O.W. VARIES)

**ILLINOIS AVENUE**  
(60' PUBLIC R.O.W.)

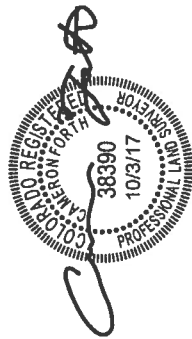


LOT 12  
ZONED: R1-5 R5 UV

LOT 9  
ZONED: R1-6

**Proposed Zoning: C-5 (Intermediate Business)**

LAND USE REVIEW FILE #:



Cameron Forth  
State of Colorado, Professional Land Surveyor No. 38390  
For and on behalf of Forth Land Surveying, Inc.



**Notes:**

1. A Development Plan will be required prior to the commencement of a new use.
2. Conditions of Record for use restrictions will be:
  - a. Optional premises cultivation operation
  - b. Medical Marijuana Infused Product Manufacturer. Either Hazardous or Nonhazardous
  - c. Contractor or Construction Yard
  - d. Automotive Repair Yard
  - e. Sexually Oriented Business



**FORTH LAND SURVEYING, INC.**

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