

ORDINANCE NO. 18-95

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS PERTAINING TO 60.21 ACRES LOCATED SOUTHWEST OF THE INTERSECTION OF POWERS BOULEVARD AND MILTON E. PROBY PARKWAY ESTABLISHING THE PUD/SS/AO (PLANNED UNIT DEVELOPMENT; COMMUNITY COMMERCIAL TO ALLOW PERMITTED USES IN THE PLANNED BUSINESS CENTER AND OFFICE COMMERCIAL ZONE DISTRICTS WITH STREAMSIDE AND AIRPORT OVERLAY, WITH MAXIMUM BUILDING HEIGHT OF 45-FEET) ZONE

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 the establishment of the PUD/SS/AO (Planned Unit Development; community commercial zone districts with Streamside and Airport Overlay, with maximum building height of 45-feet) zone district consisting of 60.21 acres located southwest of the intersection of Powers Boulevard and Milton E. Proby Parkway, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, 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 final adoption 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 be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 11<sup>th</sup> day of September, 2018.

**Finally passed:** September 25<sup>th</sup>, 2018

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

**Mayor's Action:**

- Approved on September 27, 2018.
- Disapproved on \_\_\_\_\_, based on the following objections:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Mayor

**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

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

ATTEST:


  
\_\_\_\_\_  
Sarah B. Johnson, City Clerk




TJF

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS PERTAINING TO 60.21 ACRES LOCATED SOUTHWEST OF THE INTERSECTION OF POWERS BOULEVARD AND MILTON E. PROBY PARKWAY ESTABLISHING THE PUD/SS/AO (PLANNED UNIT DEVELOPMENT; COMMUNITY COMMERCIAL TO ALLOW PERMITTED USES IN THE PLANNED BUSINESS CENTER AND OFFICE COMMERCIAL ZONE DISTRICTS WITH STREAMSIDE AND AIRPORT OVERLAY, WITH MAXIMUM BUILDING HEIGHT OF 45-FEET) ZONE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on September 11<sup>th</sup>, 2018; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 25<sup>th</sup> day of September, 2018, 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 27<sup>th</sup> day of September, 2018.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: September 14<sup>th</sup>, 2018  
2<sup>nd</sup> Publication Date: October 3<sup>rd</sup>, 2018

Effective Date: October 8<sup>th</sup>, 2018

Initial:   
City Clerk



619 N. Cascade Avenue, Suite 200 (719)785-0790  
Colorado Springs, Colorado 80903 (719)785-0799(Fax)

JOB NO. 2429.00-02  
JANUARY 29, 2018  
PAGE 1 OF 2

### LEGAL DESCRIPTION: ANNEXATION WITHOUT POWERS BOULEVARD

A PARCEL OF LAND BEING A PORTION OF THE EAST HALF OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** A PORTION OF THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5307 AT PAGE 1472, EL PASO COUNTY RECORDS, BEING MONUMENTED AT THE NORTHERLY END (A POINT OF TANGENT FROM THE NORTHERLY MOST CURVE DESCRIBED IN SAID DOCUMENT) BY A 1" ORANGE PLASTIC CAP STAMPED "PLS 37928" AND AT THE SOUTHERLY END BY A 1" YELLOW PLASTIC CAP STAMPED "CO REG PLS 12368" IS ASSUMED TO BEAR S00°00'29"W, A DISTANCE OF 3242.82 FEET.

COMMENCING AT A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5307 AT PAGE 1472, RECORDS OF EL PASO COUNTY, COLORADO, BEING THE POINT OF TANGENT FROM THE NORTHERLY MOST CURVE DESCRIBED IN SAID DOCUMENT, MONUMENTED BY A 1" ORANGE PLASTIC CAP STAMPED "CO REG PLS 12368";

THENCE N53°53'02"E, A DISTANCE OF 259.94 FEET TO A POINT ON THE WESTERLY LINE OF LOT 2, COLORADO SPRINGS AIRPORT FILING NO. 1, RECORDED UNDER RECEPTION NUMBER 201029279 OF SAID RECORDS, BEING ALSO A POINT ON THE EAST LINE OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S00°00'29"W, ON THE EAST LINE OF SAID SECTION 1 AND THE WESTERLY LINE OF SAID LOT 2 AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 3933.79 FEET;

THENCE S74°10'05"W, A DISTANCE OF 135.25' TO A POINT ON THE WESTERLY LINE OF SAID DOCUMENT RECORDED IN BOOK 5307 AT PAGE 1472;  
THENCE S89°59'40"W, A DISTANCE OF 909.93 FEET TO A POINT ON THE THE EASTERLY LINE OF A WARRANTY DEED RECORDED UNDER RECEPTION NO. 201110423 OF SAID RECORDS;  
THENCE N09°50'33"E ON SAID EASTERLY LINE, A DISTANCE OF 2272.48 FEET TO THE SOUTHEASTERLY CORNER OF A QUIT CLAIM DEED RECORDED UNDER RECEPTION NO. 202068128 OF SAID RECORDS, SAID POINT BEING MONUMENTED BY A 1/2" REBAR;  
THENCE N05°45'54"W ON THE EASTERLY LINE OF SAID QUIT CLAIM DEED, A DISTANCE OF 536.32 FEET TO THE SOUTHEASTERLY CORNER OF A WARRANTY DEED RECORDED UNDER RECEPTION NO. 201110417 OF SAID RECORDS, SAID POINT BEING MONUMENTED BY A 1/2" REBAR;  
THENCE N25°02'08"W ON THE EASTERLY LINE OF SAID WARRANTY DEED, A DISTANCE OF 438.64 FEET TO THE SOUTHEASTERLY CORNER OF A WARRANTY DEED RECORDED NO. 201110420 OF SAID RECORDS, SAID POINT BEING MONUMENTED BY A 1/2" REBAR;

THENCE ON THE EASTERLY LINE OF SAID WARRANTY DEED THE FOLLOWING (3) THREE COURSES;

1. N06°17'35"W, A DISTANCE OF 209.36 FEET TO A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "LS6169";
2. N26°32'43"W, A DISTANCE OF 535.77 FEET TO A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "LS 6169";
3. N39°01'33"W, A DISTANCE OF 214.27 FEET TO THE SOUTHEASTERLY CORNER OF DRENNAN ROAD AS PLATTED IN CLEAR VIEW ESTATES SUBDIVISION NO. 2, RECORDED IN BOOK M-2 AT PAGE 58 OF SAID RECORDS, SAID POINT BEING A 1" ORANGE PLASTIC CAP STAMPED "37928";

**EXHIBIT A**

THENCE N03°27'15"E ON THE EASTERLY LINE OF SAID DRENNAN ROAD, A DISTANCE OF 23.54 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF MILTON E. PROBY PARKWAY (FORMERLY DRENNAN ROAD), BEING MONUMENTED BY A 1" ORANGE PLASTIC CAP STAMPED "PLS 37928";  
THENCE S86°35'37"E, ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID MILTON E. PROBY PARKWAY, A DISTANCE OF 1289.81 FEET TO THE POINT OF BEGINNING.

CONTAINING A GROSS CALCULATED AREA OF 78.955 ACRES.

**EXCEPTING THEREFROM**

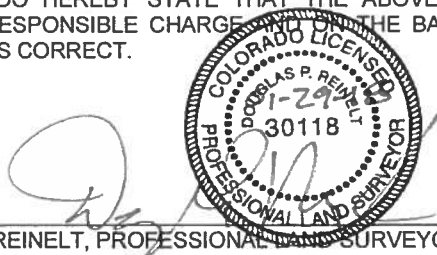
ANY PORTION LYING WITHIN THE POWERS BOULEVARD RIGHT OF WAY AS DESCRIBED IN BOOK 5307 AT PAGE 1472 RECORDS OF EL PASO COUNTY, COLORADO.

CONTAINING A CALCULATED AREA OF 18.745 ACRES.

**CONTAINING A NET CALCULATED AREA OF 60.210 ACRES**

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS

JAN 29, 2018  
DATE



619 N. Cascade Avenue, Suite 200 (719)785-0790  
 Colorado Springs, Colorado 80903 (719)785-0799 (Fax)

**AIRPORT SPECTRUM  
 ZONING EXHIBIT**

EX. LAND USE: UNDEVELOPED  
 EX. ZONING: CC OR EL (PABO COUNTY)  
 PROP. LAND USE: PBO & OO USES  
 PROP. ZONING: PUD-88

N:\242910\DRAWINGS\DEVELOPMENT\242910\_PZ\_Exhibit.dwg, 6/4/2018 9:42:30 AM, 1:1

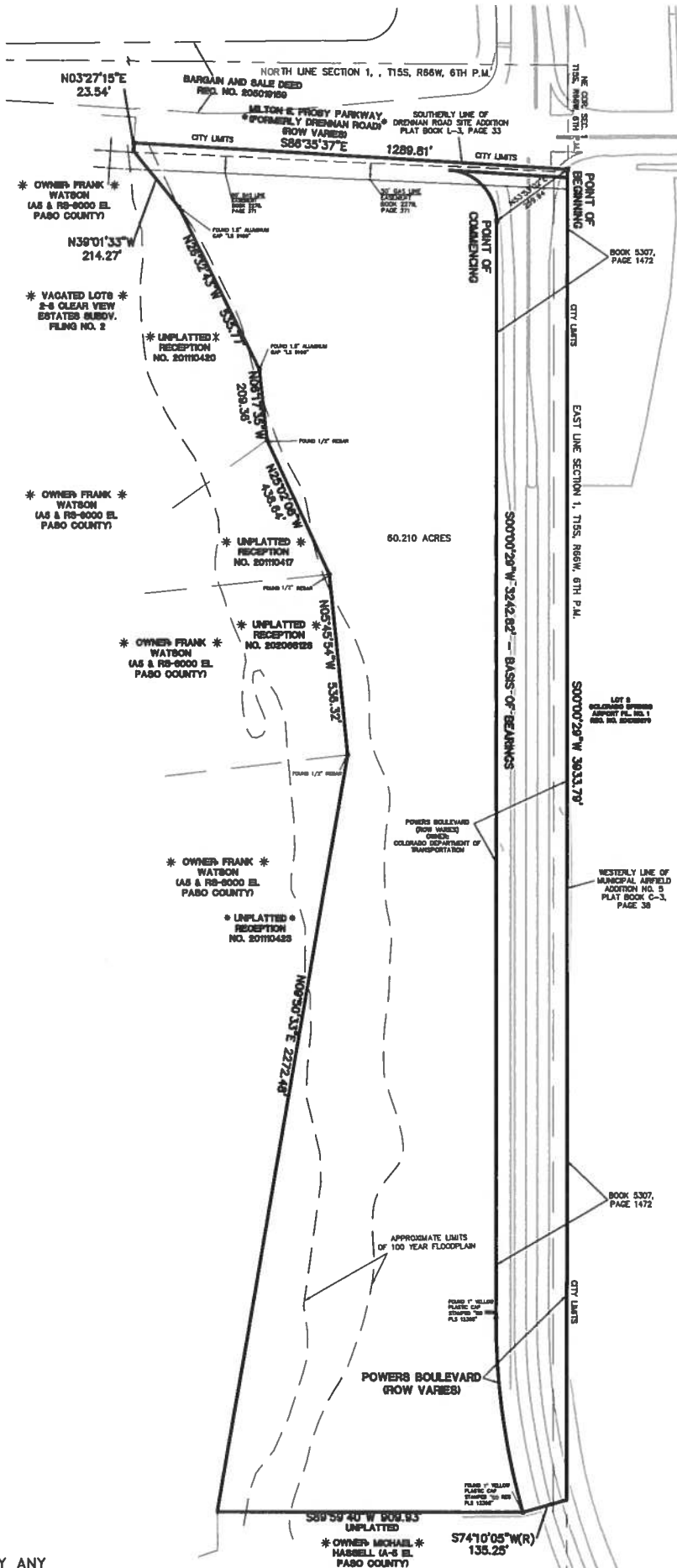


300 150 0 300 600

SCALE: 1" = 300'

JOB. NO. 2429.10  
 SHEET 1 OF 1  
 JUNE 4, 2018

CCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.



**CPC PUZ 17-00146  
 EXHIBIT B**