

Ordinance No. 88-126

AN ORDINANCE ESTABLISHING M-2 (HEAVY
INDUSTRIAL) USE ZONES AND AMENDING THE
ZONING MAP OF THE CITY OF COLORADO SPRINGS
RELATING TO PARCELS 115 & 140 CONSISTING
OF 651.849 ACRES, MORE OR LESS, WITHIN THE
BANNING LEWIS RANCH ANNEXATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. There is hereby established and created the M-2 (CR) zone classification for those premises and territory located in El Paso County, Colorado, described in the legal description of Parcel 115 attached hereto, marked Exhibit A and by reference made a part hereof, pursuant to Chapter 14 (Zoning) of the Code of the City of Colorado Springs 1980, as amended, subject to conditions of record as described in Section 3 of this ordinance.

Section 2. There is hereby established and created the M-2 (CR) zone classification for those premises and territory located in El Paso County, Colorado, described in the legal description of Parcel 140 attached hereto, marked Exhibit B and by reference made a part hereof, pursuant to Chapter 14 (Zoning) of the Code of the City of Colorado Springs 1980, as amended, subject to conditions of record as described in Section 3 of this ordinance.

Section 3. The following conditions of record apply to Parcels 115 & 140:

1. The following uses are not permitted:
 - A. Organic feed and organic seed processing and bulk storage
 - B. Chemical manufacturing
 - C. Natural gas storage except for storage of specialized gases and fuels related to on-site activities
 - D. Meat packing, slaughter house
 - E. Vinegar and sauerkraut manufacture
 - F. Tanning, curing or storing of hides
 - G. Outdoor advertising sign/billboards
2. A Concept Plan in conformance with Article 5 of the Zoning Ordinance, including a Traffic Study as specified by the City

Traffic Engineer and a Preliminary Drainage Report as specified in the City of Colorado Springs Drainage Criteria Manual, shall be submitted and approved by the City for each land use parcel prior to subdivision.

3. The maximum FAR permitted in this M-2 zone shall be .34:1 for each land use parcel unless a highrise overlay is established.
4. A Development Plan shall be approved prior to the issuance of any building permits.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

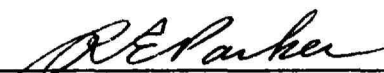
Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, passed on first reading and ordered published this
26th day of July, 1988.



Mayor

ATTEST:



City Clerk

Finally passed, adopted and approved this 9th day of August, 1988.



Mayor

ATTEST:



City Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled "AN ORDINANCE
ESTABLISHING M-2 (HEAVY INDUSTRIAL) USE ZONES AND AMENDING THE ZONING
MAP OF THE CITY OF COLORADO SPRINGS RELATING TO PARCELS 115 & 140
CONSISTING OF 651.849 ACRES, MORE OR LESS, WITHIN THE BANNING LEWIS
RANCH ANNEXATION"

was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on July 26, 1988; that said ordinance was passed at a regular meeting of the City Council of said City, held on the 9th day of August, 1988, and that the same was published by summary, in accordance with Section 14 of Article III of the City Charter, in the Colorado Springs Gazette Telegraph, 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 9th day of August, 1988.



City Clerk

EXHIBIT A

PARCEL 115

A tract of land located in Section 28 and in the E1/2 of Section 33, all in T14S, R65W of the 6th P.M., County of El Paso, State of Colorado, described as follows:

Commencing at the Northeast Corner of Section 34, T14S, R65W of the 6th P.M., from which the Southeast Corner of said Section 34 bears S00°36'38"W (basis of bearing - true meridian), 5280.16 feet, thence N55°51'43"W, 8257.86 feet to the TRUE POINT OF BEGINNING;

Thence N89°52'00"W, 1737.81 feet to the West line of the E1/2 of the E1/2 of the NW1/4 of said Section 28;

Thence S00°08'00"W, 2039.27 feet along the West line of the E1/2 of the E1/2 of the NW1/4 of said Section 28 to the Southwest Corner thereof;

Thence S00°03'50"W, 2620.18 feet along the West line of the E1/2 of the E1/2 of the SW1/4 of said Section 28 to the Southwest Corner thereof;

Thence N89°20'50"E, 662.98 feet along the South line of the SW1/4 of said Section 28 to the N1/4 Corner of said Section 33;

Thence S00°18'19"W, 5282.47 feet along the North-South Centerline of said Section 33 to the S1/4 Corner of said Section 33;

Thence N89°57'09"E, 2458.52 feet along the South line of the SE1/4 of said Section 33;

Thence N00°29'44"E, 6980.25 feet to a point of curve to the left;

Thence Northerly, 1084.30 feet along the arc of said curve to a point tangent, said arc having a radius of 2000.00 feet, a central angle of 31°03'47" and being subtended by a chord that bears N15°02'09"W, 1071.07 feet;

Thence N30°34'03"W, 2222.69 feet to the TRUE POINT OF BEGINNING.

Area = 596.018 acres, more or less.

EXHIBIT B

LEGAL DESCRIPTION - ZONING PARCEL 140

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AS PLATTED IN COLORADO CENTRE FOREIGN TRADE ZONE AND BUSINESS PARK FILING NO. 1 AS RECORDED IN PLAT BOOK B-4 AT PAGE 47 OF THE EL PASO COUNTY RECORDS, BEING CONSIDERED N00°21'38"E

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT 1 ON THE WESTERLY RIGHT-OF-WAY LINE OF FOREIGN TRADE ZONE BOULEVARD AS PLATTED IN COLORADO CENTRE FOREIGN TRADE ZONE AND BUSINESS PARK FILING NO. 1 AS RECORDED IN PLAT BOOK B-4 AT PAGE 47 OF THE EL PASO COUNTY RECORDS, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE S44°54'16"E A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF SAID FOREIGN TRADE ZONE BOULEVARD; THENCE S45°05'44"W A DISTANCE OF 2050.72 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 24°52'06", A RADIUS OF 1000.00 FEET, A DISTANCE OF 434.03 FEET AS MEASURED ALONG THE ARC TO A POINT ON CURVE, SAID POINT BEING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE N00°21'38"E AND ALONG SAID WEST LINE A DISTANCE OF 2612.56 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE S89°53'24"E AND ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 870.48 FEET TO THE MOST WESTERLY CORNER OF LOT 1 AS PLATTED IN SAID COLORADO CENTRE FOREIGN TRADE ZONE AND BUSINESS PARK FILING NO. 1; THENCE S44°54'16"E AND ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1 A DISTANCE OF 1090.39 FEET TO THE POINT OF BEGINNING, CONTAINING 55.831 ACRES.