

ORDINANCE NO. 18-129

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 10.499 ACRES LOCATED WEST OF SOUTH NEVADA AVENUE AND NORTH OF EAST CHEYENNE ROAD FROM R5 AND R5/SS (MULTI-FAMILY RESIDENTIAL WITH AND WITHOUT THE STREAMSIDE OVERLAY) TO C5 AND C5/SS (INTERMEDIATE BUSINESS WITH AND WITHOUT THE STREAMSIDE OVERLAY)

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 10.499 acres located west of South Nevada Avenue and north of East Cheyenne Road, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from R5 and R5/SS (Multi-Family Residential with and without the Streamside Overlay) to C5 and C5/SS (Intermediate Business with and without the Streamside Overlay), 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 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 11th day of December, 2018.

Finally passed: January 8th, 2019

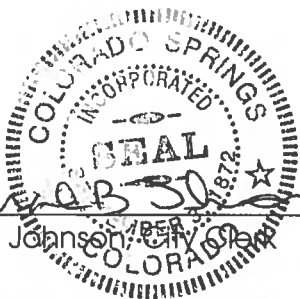


Council President

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 10.499 ACRES LOCATED WEST OF SOUTH NEVADA AVENUE AND NORTH OF EAST CHEYENNE ROAD FROM R5 AND R5/SS (MULTI-FAMILY RESIDENTIAL WITH AND WITHOUT THE STREAMSIDE OVERLAY) TO C5 AND C5/SS (INTERMEDIATE BUSINESS WITH AND WITHOUT THE STREAMSIDE OVERLAY)” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on December 11th, 2018; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 8th day of January, 2019, 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 8th day of January, 2019.


Sarah B. Johnson, City Clerk



1st Publication Date: December 14th, 2018

2nd Publication Date: January 11th, 2019

Effective Date: January 14th, 2019

Initial: SBJ
City Clerk

July 24, 2018

SOUTH NEVADA CREEKWALK CONCEPT BOUNDARY

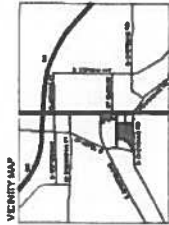
A portion of those parcels conveyed by deed under Reception Numbers: 217025736, 218046821, 95014947, 217025712, 218048842, 218046856, 218048820, 218048819, 217026808, 203162086, 218057389, 68023445, 205004370, 218048836 of El Paso County, State of Colorado, along with portions of Mt. Washington Avenue, East St. Elmo Avenue and two (2) alleys as shown upon the plat of hydraulic recorded at Book A, Page 115 of said Official Record; all lying within the Northwest quarter of Section 30, Township 14 South, Range 88 West of the 1th P.M., County of El Paso, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 12, Block 4, as shown upon said hydraulic plat; thence along the North right-of-way line of East Cheyenne Road, S88°50'23"W (bearing are relative to the South line of Lots 6-12, Block 4, of said hydraulic plat, being monumented at the Southwest corner of Lot 9 by a found No. 4 rebar with a 1-1/4" yellow plastic cap being legible and at the Southeast corner of Lot 12 by a found No. 5 rebar with a 1-1/4" yellow plastic cap stamped "ALESSI PLS 301307", and measured to bear N88°50'23"E, a distance of 400.00 feet), a distance of 400.00 feet to the Southeast corner of that parcel described in the Quit Claim Deed recorded under Reception Number 218048820 of said Official Record; thence continuing along said North right-of-way line, S88°43'45"W, a distance of 191.25 feet to the Southwest corner of the parcel described in the Quit Claim Deed recorded under Reception Number 218048836 of said Official Record; thence continuing along said North right-of-way line, S88°43'08"W, a distance of 211.10 feet to the Southwest corner of that parcel described in the Quit Claim Deed recorded under Reception Number 218048819 of said Official Record; thence continuing along said North right-of-way line, S88°44'01"W, a distance of 84.16 feet to the Southwest corner of said parcel; thence transitioning to the East right-of-way line South Cascade Avenue along the arc of a curve to the right having a radius of 35.00 feet, a central angle of 108°49'10", an arc length of 85.25 feet, and a radial bearing of N00°55'24"W; thence along said East right-of-way line, N18°05'29"E, a distance of 28.65 feet to the Southwest corner of that parcel described in the Warranty Deed recorded under Reception Number 214111854 of said Official Record; thence along the Southern boundary of said parcel, S88°25'27"E, a distance of 70.00 feet to the Southeast corner of said parcel; thence continuing along the Southeast boundary of said parcel the following three (3) courses;

- N59°02'40"E, a distance of 63.30 feet;
- N85°57'56"E, a distance of 83.30 feet;
- N51°06'27"E, a distance of 42.74 feet.

to the most Easterly corner of said parcel; thence along the Easterly boundary of said parcel N01°16'34"W, a distance of 8.04 feet; thence a long the Southern boundary of that parcel described in the Warranty Deed recorded under Reception Number 203162086 of said Official Record, N88°06'35"E, a distance of 75.88 feet to an angle point in said Southerly boundary line; thence leaving said Southerly boundary line, N88°08'35"E, a distance of 26.88 feet to a point lying on the Easterly boundary line of said parcel; thence along said Easterly boundary line, N01°18'04"W, a distance of 11.48 feet; thence N01°18'10"W, a distance of 90.80 feet to the Northeast corner of said parcel; thence along the South line of a 20 foot alley as shown upon said plat of hydraulic, N88°47'35"E, a distance of 108.94 feet; thence leaving said South line, N01°10'21"W, a distance of 23.11 feet to the Southeast corner of that parcel described in the Warranty Deed recorded under Reception Number 203162086 of said Official Record; thence along the East line of said parcel, N01°10'21"W, a distance of 200.00 feet to the Northwest corner of said parcel; thence along the Southerly right-of-way line of East St. Elmo Avenue, S88°48'40"W, a distance of 236.07 feet to the Northwest corner of that parcel described in the Warranty Deed recorded under Reception Number 203162086 of said Official Record; thence along the Easterly right-of-way line of South Cascade Avenue, N14°04'01"W, a distance of 51.88 feet to the Southwest corner of that parcel described in the Quit Claim deed recorded under Reception Number 207034313 of said Official Record; thence along the Northerly right of way line of said East St. Elmo Avenue, N88°51'50"E, a distance of 596.48 feet to the Southwest corner of that parcel described in the Warranty Deed recorded under Reception Number 215131256; thence continuing along the said Northerly right-of-way line, N88°45'19"E, a distance of 70.20 feet to the Southwest corner of that parcel described in the Personal Representative's Deed recorded under Reception Number 200135923 of said Official Record; thence continuing along said Northerly right-of-way line, N88°48'48"E, a distance of 249.84 feet to the Southwest corner of said parcel; thence along the East line of said parcel, N00°48'25"W, a distance of 189.70 feet to the Northeast corner of said parcel; thence along the North line of said parcel, S88°48'18"W, a distance of 65.38 feet to the Northwest corner of said parcel; thence along the Easterly right-of-way line of Mt. Washington Avenue, N43°11'00"E, a distance of 102.74 feet; thence leaving said Easterly right-of-way line, N00°00'00"E, a distance of 72.83 feet to the Northeast corner of that parcel described in the Quit Claim Deed recorded under Reception Number 200046387 of said Official Record; thence along the North line of said parcel, S88°57'27"W, a distance of 124.48 feet to the Southwest corner of that parcel described in the Quit Claim Deed recorded under Reception Number 206106331 of said Official Record; thence along the East line of said parcel, N00°33'04"E, a distance of 116.35 feet to the Northwest corner of that parcel described in the Warranty Deed recorded under Reception Number 217025738 of said Official Record; thence along the Southerly right-of-way line of East Ramona Avenue, S88°35'31"E, a distance of 256.82 feet; thence along the Westerly right-of-way line of South Nevada Avenue, S00°47'06"E, a distance of 355.33 feet to the Northeast corner of that parcel described in the Warranty Deed recorded under Reception Number 206106850 of said Official Record; thence along the North line of said parcel, S88°48'39"W, a distance of 99.15 feet to the Northwest corner of said parcel; thence along the West line of said parcel, S00°28'43"E, a distance of 100.03 feet to the Southwest corner of said parcel; thence along the Northerly right-of-way of East St. Elmo Avenue, N88°48'46"E, a distance of 98.46 feet to the Southwest corner of said parcel; thence along said Westerly right-of-way line of South Nevada Avenue, S01°25'40"E, a distance of 50.78 feet to the Northeast corner of that parcel described in the Warranty Deed recorded under Reception Number 001870137 of said Official Record; thence along the Southerly right-of-way line of East St. Elmo Avenue, S88°55'28"W, a distance of 278.94 feet to the Northwest corner of said parcel; thence along the West line of said parcel, S00°34'35"E, a distance of 249.45 feet to the Southwest corner of said parcel; thence along the North line of a 20 foot alley as shown upon said hydraulic plat, N89°02'20"E, a distance of 280.72 feet to the Southeast corner of said parcel; thence along said Westerly right-of-way line of South Nevada Avenue, S00°42'43"W, a distance of 22.03 feet to the Northeast corner of Lot 1, Block 1, of Staranna Subdivision of said Official Record; thence along the South line of said alley, S88°27'08"W, a distance of 280.00 feet to the Northwest corner of said Lot 1; thence along the West line of said Lot 1, S00°32'54"E, a distance of 250.01 feet to the POINT OF BEGINNING.

Containing 457,331 square feet or 10.489 acres, more or less.



THOMAS THOMAS
 1200 North
 University Avenue
 Colorado Springs, CO 80902
 Phone: 719.576.1111

NO.	REVISIONS	DATE	BY	CHECKED	APPROVED
1	1st Round By Customer	08/23/18			

DESIGNED	DRAWN	CHECKED	PROJECT MANAGER
2/24/18	2/24/18	2/24/18	2/24/18

CONCEPT PLAN LEGAL
 Colorado Springs, CO

CPC2 1 of 4

Notes: According to Colorado law you must have a survey of the land before you can be commuted more than ten years from the date of the certification shown herein.

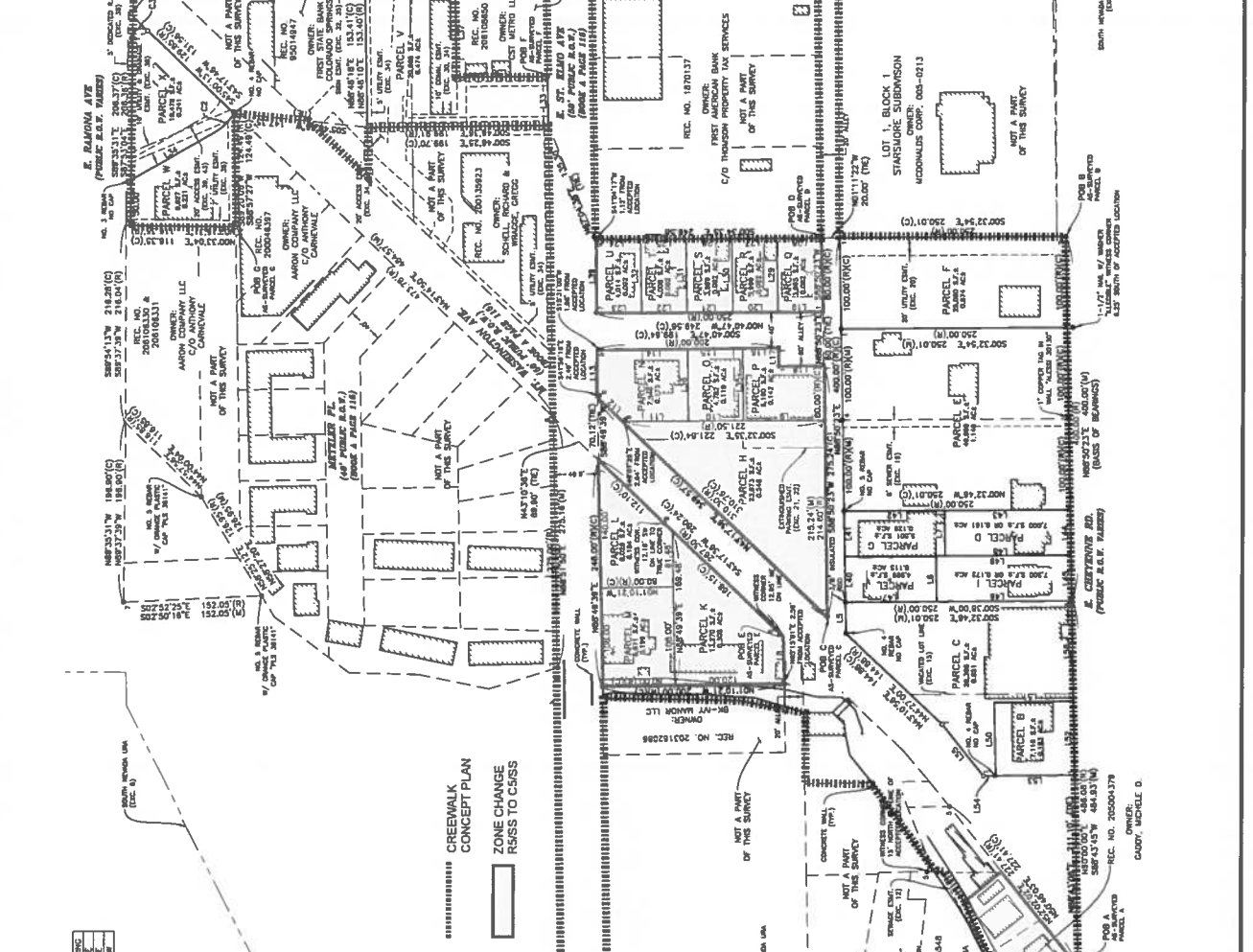
No.	Description	By	Date

REVISIONS

177 & 78th St. Lot 1 @ Public Sale 01/07 @ 715,821.177
 www.clerk.com



GRAPHIC SCALE
 1 inch = 200 feet
 1/2 inch = 100 feet
 3/4 inch = 150 feet



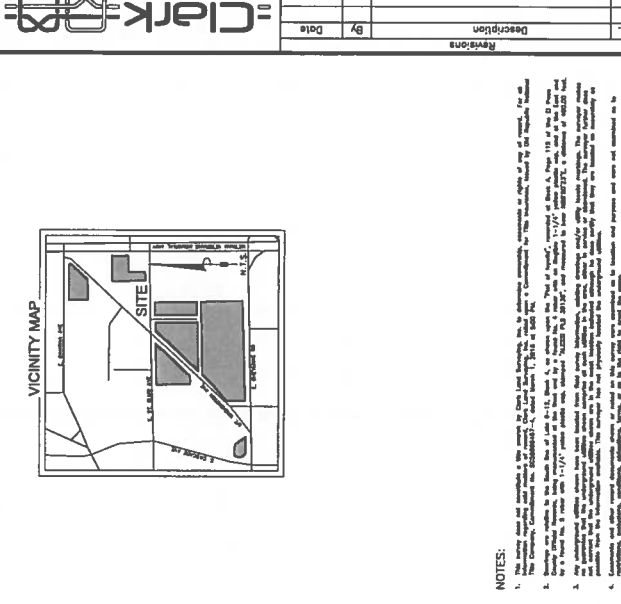
Lot	Area	Distance	Area	Distance	Area	Distance	Area	Distance
L10(1)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(2)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(3)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(4)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(5)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(6)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(7)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(8)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(9)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(10)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(11)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(12)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(13)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(14)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(15)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(16)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(17)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(18)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(19)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(20)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(21)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(22)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(23)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(24)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(25)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(26)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(27)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(28)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(29)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(30)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(31)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(32)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(33)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(34)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(35)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(36)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(37)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(38)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(39)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(40)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(41)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(42)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(43)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(44)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(45)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(46)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(47)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(48)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(49)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00
L10(50)	53.00	70.00	53.00	70.00	53.00	70.00	53.00	70.00

OWNER: DUDY, MICHELLE D.
 REC. NO. 200504378
 288'3.15' W 484.83' N

OWNER: MARK CHRISTINA
 REC. NO. 213113548
 117.74' W 77.74' N

OWNER: ARON COMPANY LLC
 REC. NO. 200504378
 288'3.15' W 484.83' N

OWNER: ARON COMPANY LLC
 REC. NO. 200504378
 288'3.15' W 484.83' N



No.	Description	By	Date

Notes:
 1. This plat was prepared in compliance with the provisions of the Colorado Surveyors Act, as amended, and the rules and regulations promulgated thereunder by the Board of Surveyors and the State Board of Examiners.
 2. The survey was conducted in accordance with the provisions of the Colorado Surveyors Act, as amended, and the rules and regulations promulgated thereunder by the Board of Surveyors and the State Board of Examiners.
 3. The survey was conducted in accordance with the provisions of the Colorado Surveyors Act, as amended, and the rules and regulations promulgated thereunder by the Board of Surveyors and the State Board of Examiners.
 4. The survey was conducted in accordance with the provisions of the Colorado Surveyors Act, as amended, and the rules and regulations promulgated thereunder by the Board of Surveyors and the State Board of Examiners.
 5. The survey was conducted in accordance with the provisions of the Colorado Surveyors Act, as amended, and the rules and regulations promulgated thereunder by the Board of Surveyors and the State Board of Examiners.
 6. The survey was conducted in accordance with the provisions of the Colorado Surveyors Act, as amended, and the rules and regulations promulgated thereunder by the Board of Surveyors and the State Board of Examiners.

SURVEYOR'S STATEMENT:
 I, the undersigned, being duly qualified and sworn as a Professional Land Surveyor in the State of Colorado, do hereby certify that I have personally supervised the making of this survey, and that the same was made in accordance with the provisions of the Colorado Surveyors Act, as amended, and the rules and regulations promulgated thereunder by the Board of Surveyors and the State Board of Examiners.

DEPOSITING CERTIFICATE:
 I, the undersigned, do hereby deposit this plat with the County Clerk and Recorder of El Paso County, Colorado, for recording and filing in the public records of said county.

AS-SURVEYED LEGAL DESCRIPTIONS:
 1. A certain 1/4 acre tract of land, bounded and described as follows:
 ...
 2. A certain 1/4 acre tract of land, bounded and described as follows:
 ...
 3. A certain 1/4 acre tract of land, bounded and described as follows:
 ...
 4. A certain 1/4 acre tract of land, bounded and described as follows:
 ...
 5. A certain 1/4 acre tract of land, bounded and described as follows:
 ...

SCHEDULE B2 EXCEPTIONS:
 1. All easements, encroachments, mortgages, judgments, liens and other interests of record in the public records of El Paso County, Colorado, which are not shown on this plat.
 2. All other matters which may affect the title to the land surveyed, but which are not shown on this plat.
 3. All matters which are not shown on this plat, but which are known to be in existence.