

ORDINANCE NO. 22-06

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 35.727 ACRES LOCATED SOUTHEAST OF THE FUTURE MARKSHEFFEL ROAD AND BARNES ROAD INTERSECTION FROM PIP/CR/AO (PLANNED INDUSTRIAL PARK WITH CONDITIONS OF RECORD AND AIRPORT OVERLAY) TO PUD/AO (PLANNED UNIT DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL, 3.5-7.99 DWELLING UNITS PER ACRE, MAXIMUM BUILDING HEIGHT 35-FEET; MULTI-FAMILY RESIDENTIAL, 12-24.99 DWELLING UNITS PER ACRE, MAXIMUM BUILDING HEIGHT 45-FEET; AND COMMERCIAL, 40,000 SQUARE FEET, MAXIMUM BUILDING HEIGHT 45-FEET WITH AIRPORT 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 35.727 acres located southeast of the future Marksheffel Road and Barnes Road intersection, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, from PIP/cr/AO (Planned Industrial Park with conditions of record and Airport Overlay) to PUD/AO (Planned Unit Development: Single-Family Residential, 3.5-7.99 dwelling units per acre, maximum building height 35-Feet; Multi-Family Residential, 12-24.99 dwelling units per acre, maximum building height 45-Feet; and Commercial, 40,000 square feet, maximum building height 45-Feet with Airport 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 25th day of January 2022.

Finally passed: February 8, 2022



Council President

ATTEST:



Sarah B. Johnson, City Clerk





212 N Wahsatch Ave, Ste 305
Colorado Springs, CO 80903
Mail to: PO Box 1360
Colorado Springs, CO 80901
719.955.5485

EXHIBIT A
LEGAL DESCRIPTION FOR FALCON TRUCKING PARCEL

LEGAL OF RECORD

A TRACT OF LAND LOCATED IN THE S1/2 OF THE S1/2 OF SECTION 21 AND IN THE N1/2 OF THE N1/2 OF SECTION 28, ALL IN T13C, R65W, OF THE 6TH P.M. COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 34, T13S, R65W OF THE 6TH P.M. , FROM WHICH THE NORTHEAST CORNER OF SECTION 34 BEARS N01°14'52"E (BASIS OF BEARING - TRUE MERIDIAN), 5298.00 FEET, THENCE S89°42'24"W, 2667.93 FEET ALONG THE SOUTH LINE OF THE SE1/4 OF SECTION 34 TO THE S1/4 CORNER OF SECTION 34; THENCE CONTINUING S89°42'24"W, 2667.93 FEET ALONG THE SOUTH LINE OF THE SW1/4 OF SECTION 34 TO THE SOUTHWEST CORNER THEREOF; THENCE N00°12'53"W, 2683.20 FEET ALONG THE WEST LINE OF THE SW1/4 OF SECTION 34 TO THE W1/4 CORNER OF SECTION 34; THENCE CONTINUING N00°12'53"W, 2683.20 FEET ALONG THE WEST LINE OF THE NW1/4 OF SECTION 34 TO THE NORTHWEST CORNER THEREOF; THENCE N00°14'22"E, 2648.24 FEET ALONG THE EAST LINE OF THE SE1/4 OF SAID SECTION 28 TO THE E1/4 CORNER OF SECTION 28; THENCE CONTINUING N00°14'22"E , 1324.12 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 28 TO THE SOUTHWEST CORNER OF THE N1/2 OF THE NW1/4 OF SECTION 27, TL3S, R65W OF THE 6TH P.M.; THENCE S89°09'53"E, 1144.70 FEET ALONG THE SOUTH LINE OF THE N1/2 OF THE NW1/4 OF SAID SECTION 27 TO A POINT ON A LINE THAT IS 150.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM, AND PARALLEL WITH THE EAST LINE OF THAT TRACT OF LAND CONVEYED TO NATIONWIDE RESOURCES CORPORATION AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN BOOK 5074 AT PAGE 558 OF THE RECORDS OF EL PASO COUNTY. COLORADO; THENCE N00°14'25"E, 247.54 FEET PARALLEL WITH THE EAST LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 5074 A T PAGE 558 TO A POINT OF CURVE TO THE LEFT ; THENCE NORTHWESTERLY, 1119.27 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 920.00 FEET , A CENTRAL ANGLE OF 69°42'21" AND BEING SUBTENDED BY A CHORD THAT BEARS N34°36'45"W, 1051.51 FEET; THENCE N69°27 '56"W, 338. 62 FEET; THENCE N88°58'07"W, 375.31 FEET TO A POINT OF CURVE TO THE RIGHT; THENCE NORTHWESTERLY, 683.10 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT. SAID ARC HAVING A RADIUS OF 1605.00 FEET , A CENTRAL ANGLE OF 24°23'07" AND BEING SUBTENDED BY A CHORD THAT BEARS N76°46'33"W. 677.95 FEET; THENCE N64°35'00"W, 1958. 46 FEET TO A POINT OF CURVE TO THE LEFT; THENCE NORTHWESTERLY, 1282.08 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 2970.00 FEET, A CENTRAL ANGLE OF 24°44'00" AND BEING SUBTENDED BY A CHORD THAT BEARS N76°57'00"W, 1272. 15 FEET; THENCE N89°19'00"W, 162.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S00°02'53"E, 1320.12 FEET;
THENCE N89°19'00"W, 1319.63 FEET TO THE EAST LINE OF THE WEST 30.00 FEET OF THE NW1/4 OF SAID SECTION 28;
THENCE N00°14'59"W, 104.71 FEET ALONG THE EAST LINE OF THE WEST 30.00 FEET OF THE NW1/4 OF SAID SECTION 28 TO THE NORTH LINE OF THE NW1/4 OF SAID SECTION 28;

THENCE N00°02'53"W, 1215.42 FEET ALONG THE EAST LINE OF THE WEST 30.00 FEET OF THE SW1/4 OF SAID SECTION 21 TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS S89°19'00"E;
THENCE S89°19'00"E 1320.00 FEET TO THE TRUE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION GRANTED TO EL PASO COUNTY BY DEED RECORDED SEPTEMBER 28, 2010 UNDER RECEPTION NO. 210095656 AND LESS EXCEPT THAT PORTION GRANTED TO THE CITY OF COLORADO SPRINGS BY DEED RECORDED FEBRUARY 20, 1996 IN BOOK 6823 AT PAGE 605, ALL IN THE RECORDS OF EL PASO COUNTY, COLORADO.

LEGAL DESCRIPTION AS SURVEYED

A TRACT OF LAND LOCATED IN THE S1/2 OF THE SW1/4 OF SECTION 21 AND THE N1/2 OF THE NW 1/4 OF SECTION 28, T13S, R65W, OF THE 6TH P.M. EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE RIGHT-OF-WAY OF GRAPHITE DRIVE AS SHOWN ON THE PLAT OF "ENCLAVES AT MOUNTAIN VISTA RANCH FILING NO. 1" UNDER RECEPTION NO. 218714147 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE N00°35'11"W ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD AS DESCRIBED IN WARRANTY DEED UNDER RECEPTION NO. 210095656 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, 1,245.35 FEET TO THE SOUTHERLY LINE OF THAT PARCEL DESCRIBED IN WARRANTY DEED UNDER RECEPTION NO. 96020361 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE S89°19'00"E ALONG SAID LINE, 1,255.66 FEET TO THE WESTERLY LINE OF "ENCLAVES AT MOUNTAIN VISTA RANCH FILING NO. 6" UNDER RECEPTION NO. 220714553 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE S00°03'31"E ALONG SAID LINE, 720.76 FEET TO THE NORTHWEST CORNER OF "ENCLAVES AT MOUNTAIN VISTA RANCH FILING NO. 5" UNDER RECEPTION NO. 220714464 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

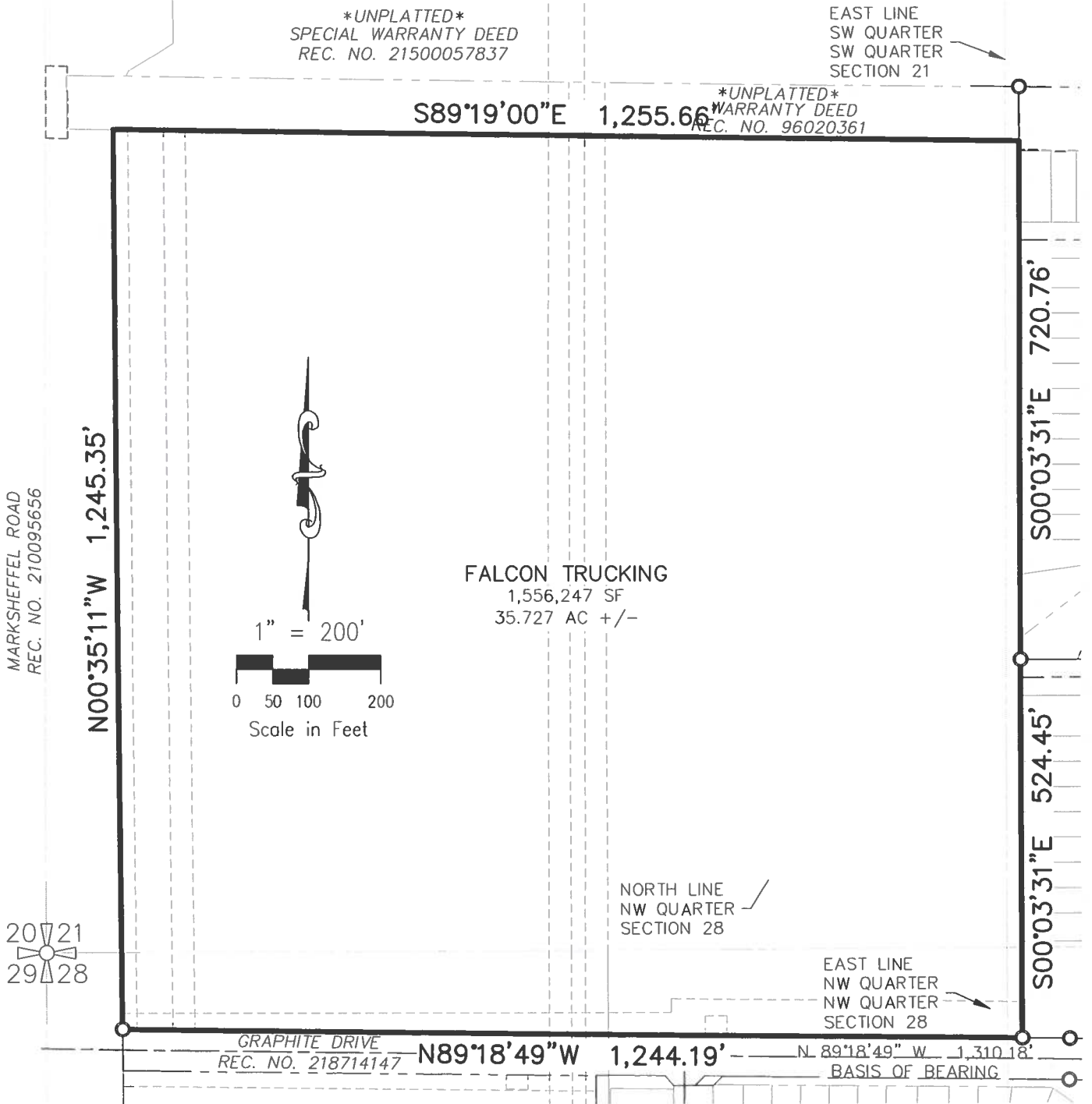
THENCE S00°03'31"E ALONG THE WEST LINE THEREOF, 524.45 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF AFORESAID GRAPHITE DRIVE;

THENCE N89°18'49"W ALONG SAID LINE, 1,244.19 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 1,556,247 SQUARE FEET (35.727 ACRES, MORE OR LESS).

BASIS OF BEARINGS: THE NORTHERLY RIGHT-OF-WAY LINE OF GRAPHITE DRIVE AS SHOWN ON THE PLAT OF "ENCLAVES AT MOUNTAIN VISTA RANCH FILING NO. 1" UNDER RECEPTION NO. 218714147 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AND IS ASSUMED TO BEAR N89°18'49"W A DISTANCE OF 1,310.18 FEET.

LEGAL DESCRIPTION EXHIBIT "B"



NOTE:

THIS SKETCH IS INTENDED FOR
LEGAL DESCRIPTION ONLY.
THIS SKETCH IS NOT INTENDED
TO REPRESENT A LAND SURVEY
PLAT NOR AN IMPROVEMENT
LOCATION SURVEY PLAT.

LEGAL DESCRIPTION
EXHIBIT "B"
JOB NO. 29-007
DATE PREPARED: 10/14/2021
DATE REVISED:



CIVIL CONSULTANTS, INC.

212 N. WAHSATCH AVE. STE 305
COLORADO SPRINGS, CO 80903
PHONE: 719.955.5485

SHEET 1 OF 1

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 35.727 ACRES LOCATED SOUTHEAST OF THE FUTURE MARKSHEFFEL ROAD AND BARNES ROAD INTERSECTION FROM PIP/CR/AO (PLANNED INDUSTRIAL PARK WITH CONDITIONS OF RECORD AND AIRPORT OVERLAY) TO PUD/AO (PLANNED UNIT DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL, 3.5-7.99 DWELLING UNITS PER ACRE, MAXIMUM BUILDING HEIGHT 35-FEET; MULTI-FAMILY RESIDENTIAL, 12-24.99 DWELLING UNITS PER ACRE, MAXIMUM BUILDING HEIGHT 45-FEET; AND COMMERCIAL, 40,000 SQUARE FEET, MAXIMUM BUILDING HEIGHT 45-FEET WITH AIRPORT OVERLAY)” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 25, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 8th day of February 2022, and that the same was published by title and in summary, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, 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 February 2022.



1st Publication Date: January 28, 2022
2nd Publication Date: February 11th, 2022

Effective Date: February 16th, 2022

Initial: SBS
City Clerk